THE

JOURNAL OF THE ASSEMBLY

DURING THE

NINETEENTH SESSION

OF THE

LEGISLATURE OF THE STATE OF CALIFORNIA,

1871–72.

BEGAN ON MONDAY, THE FOURTH DAY OF DECEMBER, EIGHTEEN HUNDRED AND SEVENTY-ONE, AND ENDED ON MONDAY, THE FIRST DAY OF APRIL, EIGHTEEN HUNDRED AND SEVENTY-TWO.

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JOURNAL

OF THE

PROCEEDINGS OF THE ASSEMBLY.

CALIFORNIA LEGISLATURE—ASSEMBLY.

NINETEENTH SESSION.

HOUSE OF ASSEMBLY,
Monday, December 4th, 1871.

Pursuant to law, the House was called to order by Robert Ferral, Esq., Chief Clerk of the last session.

The roll of counties was called and the following gentlemen appeared and were duly qualified (the oath being administered by the Hon. Lewis Ramage, Judge of the Sixth District Court) and took their seats as members of the Assembly, as follows:

Alpine and Amador—Cyrus Coleman, John A. Eagan.
Alameda—E. H. Pardee, E. S Crane.
Butte—J. N. Turner, W. N. De Haven.
Calaveras—C. L. F. Brown, L. M. Schrack.
Colusa—Loomis Ward.
Contra Costa—Joseph W. Galloway.
Del Norte and Klamath—T. H. Rector.
Kern and Tulare—J. Burckhalter.
El Dorado—Samuel H. Center, William Barklage, Robert Chalmers, A. J. Bayley.
Humboldt—Joseph Russ.
Lake and Napa—W. W. Stillwagon.
Plumas and Lassen—B. W. Barnes.
Los Angeles—T. D. Mott, Asa Ellis.
Marin—J. B. Rice.
Mariposa—John W. Wilcox.
Mendocino—George B. Mathers.
Merced—J B. Sensabaugh.
Monterey—H. M. Hayes.
Nevada—Henry Everett, Robert Bell, J. M. Days, S. Barker.
Placer—Jacob Welty, O. H. Lee, Henry Long.
Sacramento—C. G. W. French, P. J. Hopper.
San Bernardino—F. M. Slaughter.
San Diego—Geo. W. Dannals.

San Francisco—Giles H. Gray, T. B. Shannon, W. T. James, W. A. Aldrich. A. D. Spivalo, Charles Goodall, David Meeker, Charles Jost, Wm. R. Wheaton, John Seibe, Samuel McCullough, H. R. Reed.
San Joaquin—R. C. Sargent, F. J. Woodward.
San Mateo—Curtis Baird
Santa Clara—J. P Sargent, F. E. Spencer, F. C. Franck.
Santa Cruz—G. W. Bockius.
Shasta—A. R. Andrews.
Sierra—D. L. Whitney, B J. Sammons.
Siskiyou—J. K. Luttrell, W. A. Little.
Solano—M. J. Wright
Sonoma—E. G. Henshaw, William Caldwell, B. B. Munday.
Sutter—C. P. Berry.
Trinity—W. J. Tinnin.
Tuolumne, Mono, and Inyo—P. B. Bacon, Geo. A. Whiting, W. C. Connolly.
Yuba—J. C. Bradley, F. R. Lofton, William Edgar.
Yolo—F. S. Freeman.

The roll was called and a quorum present.
Mr. Luttrell offered the following resolution:

Resolved, That the Assembly do now proceed to the election of officers as follows:

1. Speaker.
2. Speaker pro tem.
3. Chief Clerk.
4. Assistant Clerk.
5. Minute Clerk.
6. Enrolling Clerk.
7. Engrossing Clerk.
8. Sergeant at Arms.
9. Assistant Sergeant at Arms.
10. Journal Clerk.
11. Two Copying Clerks.

And moved its adoption—pending which, at ten minutes to one o'clock P. M., on motion of Mr Hopper, the House adjourned to ten o'clock A M. on Tuesday.

ROBERT FERRAL,
Chief Clerk.

IN ASSEMBLY.

HOUSE OF ASSEMBLY,
Tuesday, December 5th, 1871.

House met pursuant to adjournment.
Robert Ferral, Chief Clerk of the last session, called the House to order.
Roll called.

Quorum present.

The following gentlemen appeared and were sworn in by the Honorable Lewis Ramage, Judge of the Sixth Judicial District Court:

Messrs. E B Mott, Jr., William Johnston, John L Gibson, O. Harvey, Joel H. Cooper.

Journal of yesterday read and approved.

Mr. Barker offered the following resolution:

Resolved, That the Standing Rules of the last session govern the proceedings of this House till changed.

Adopted.

Mr. Welty offered the following resolution:

Resolved, That the Assembly do now proceed to the election of its officers and attachés, in the following order:

1. Speaker.
2. Speaker pro tem.
3. Chief Clerk.
4. Assistant Clerk.
5. Minute Clerk.
6. Sergeant at Arms.
7. Assistant Sergeant at Arms.
8. Enrolling Clerk.
9. Engrossing Clerk.
10. Journal Clerk.
11. Two Copying Clerks.

Adopted.

ELECTION OF OFFICERS.

For Speaker—Nominations being in order, Mr. Splivalo nominated Thomas B Shannon, of San Francisco.

Mr. Luttrell nominated A. R. Andrews, of Shasta.

The vote was taken, as follows:

Names.	Shannon.	Andrews.
Aldrich	1	.....
Andrews	.....	.....
Bacon	1	.....
Baird	1	.....
Barker	1	.....
Barklage	1	.....
Barnes	1	.....
Bayley	.....	1
Bell	1	.....
Berry	.....	1
Bradley	1	.....
Bockius	1	.....
Brown	1	.....

Names.	Shannon.	Andrews.
Burckhalter		1
Caldwell		1
Center	1	
Chalmers	1	
Coleman	1	
Connolly		1
Cooper		1
Crane	1	
Dannals		1
Days	1	
De Haven	1	
Eagan	1	
Edgar	1	
Ellis		1
Everett	1	
Franck	1	
Freeman	1	
French	1	
Galloway	1	
Gibson		1
Goodall	1	
Gray	1	
Harvey	1	
Hayes	1	
Henshaw		1
Hopper	1	
James	1	
Johnston	1	
Jost	1	
Lee		
Little		1
Lofton	1	
Long	1	
Luttrell		1
Mathers		1
Meeker	1	
Mott, of Los Angeles		1
Mott, of Sacramento	1	
Munday		1
McCullough	1	
Pardee	1	
Rector		1
Reed	1	
Rice	1	
Russ	1	
Sammons	1	
Sargent, of Santa Clara	1	
Sargent, of San Joaquin	1	
Schrack		1
Seibe	1	

Names.	Shannon.	Andrews.
Sensabaugh	.....	1
Shannon	.....	1
Slaughter	.....	1
Spencer	1	.....
Spivalo	1	.....
Stillwagon	.....	.....
Tinnin	.....	1
Turner	1	.....
Walker	.....	.....
Ward	.....	1
Welty	1	.....
Wheaton	1	.....
Whiting	.....	1
Whitney	1	.....
Wilcox	.....	1
Woodward	1	.....
Wright	1	.....
Mr. Speaker	.....	.....

Whole number of votes cast 77
Necessary to a choice 39
Mr. Shannon received 52
Mr Andrews received 24
Mr. Munday received 1

Mr. Shannon having received a majority of all the votes cast was declared duly elected Speaker.

Mr Bradley moved that a committee of three be appointed by the Chair to conduct the Speaker to the Chair.

Carried.

The Chief Clerk appointed as such committe Messrs Bradley, Harvey, and Wilcox.

The committee conducted the Speaker to the Chair, where Judge Ramage administered the oath of office.

REMARKS OF THE SPEAKER.

GENTLEMEN OF THE ASSEMBLY: I accept the office of Speaker, sensible of its honors and appreciating the delicate duties it imposes. A presiding officer can do much to expedite legislative business. In the organization of committees (upon which so much depends), he puts in motion the law-making machinery, and by an impartial and rigid enforcement of the recognized rules for the observance of order, he leads in preserving the dignity of the House, and securing for it the respect and confidence of the community. In these and all other matters appertaining to my office, I shall bring to my aid whatever of ability and experience I possess, and shall under all circumstances be actuated by an anxious solicitude to do right. But to insure success as a legislative body, there

must be an everpresent realization of individual responsibility. Industry and application must be brought steadily to bear upon every proposition that is offered for our consideration No vote should be thoughtlessly given nor definitive action taken on any subject without due deliberation. In making laws, the interests of the public should occupy the paramount place in our purposes, and every official action should be directed by an enlightened regard for the people's happiness and advancement in the scale of prosperity and civilization. Their wishes, as expressed in the late canvass, or as they may be made manifest by petition, ought to influence our deliberations and meet with a ready response from this Chamber. They who have honored and commissioned us as their representatives, demand some radical modifications of systems tried and found oppressive. This remark especially expresses the sentiments predominant in San Francisco. In behalf of my colleagues and constituents, I bespeak the cooperation of all in and of much needed reformatory measures for the metropolis. She asks us to inaugurate a system that shall keep pace with her progress and permit her people to exercise their energy, untrammeled by the mistakes of our predecessors. But our attention must not be confined to the wants of the commercial center. The interests of the most sparsely settled districts demand a corresponding care and are entitled to receive our best consideration. If we observe these general rules, public expectation will not be disappointed, the general good will be promoted, and we will return to our respective constituencies confident of their approbation

Gentlemen, I return you my most grateful acknowledgement for the honor you have conferred on me.

SPEAKER PRO TEM.

Mr. French nominated P J. Hopper.
Mr. Wilcox nominated J. K. Luttrell.
The roll was called with the following result:

Names.	Hopper.	Luttrell.
Aldrich	1	
Andrews		1
Bacon	1	
Baird	1	
Barker	1	
Barklage	1	
Barnes	1	
Bayley		1
Bell	1	
Berry		1
Bradley	1	
Bockius	1	
Brown	1	
Burckhalter		1
Caldwell		1
Center	1	
Chalmers	1	
Coleman	1	

Names.	Hopper.	Luttrell.
Connolly	.....	1
Cooper	.....	.....
Crane	1	.....
Dannals	.....	1
Days	1	.....
De Haven	1	.....
Eagan	1	.....
Edgar	1	.....
Ellis	.....	1
Everett	1	.....
Franck	1	.....
Freeman	1	.....
French	1	.....
Galloway	1	.....
Gibson	.....	1
Goodall	1	.....
Gray	1	.....
Harvey	1	.....
Hayes	1	.....
Henshaw	.....	1
Hopper	.....	1
James	1	.....
Johnston	1	.....
Jost	1	.....
Lee	1	.....
Little	.....	1
Lofton	1	.....
Long	1	.....
Luttrell	1	.....
Mathers	.....	1
Meeker	1	.....
Mott, of Los Angeles	.....	1
Mott, of Sacramento	1	.....
Munday	.....	1
McCullough	1	.....
Pardee	1	.....
Rector	.....	1
Reed	1	.....
Rice	1	.....
Russ	.....	.....
Sammons	1	.....
Sargent, of Santa Clara	1	.....
Sargent, of San Joaquin	1	.....
Schrack	.....	1
Seibe	1	.....
Sensabaugh	.....	1
Shannon	1	.....
Slaughter	.....	1
Spencer	1	.....
Spivalo	1	.....
Stillwagon	.....	.....

Names.	Hopper.	Luttrell.
Tinnin	.....	1
Turner	1	.....
Walker	.....	.....
Ward	.....	1
Welty	1	.....
Wheaton	1	.....
Whiting	.....	1
Whitney	1	.....
Wilcox	.....	1
Woodward	1	.....
Wright	1	.....
Mr. Speaker	.....	.....

Whole number of votes cast.....76
Necessary to a choice 39
Mr Hopper received.....53
Mr. Luttrell received.....23

Mr. Hopper having received a majority of all the votes cast was declared duly elected Speaker pro tem.

CHIEF CLERK.

Mr. Wheaton nominated M. D. Boruck.
Mr. Wilcox nominated Owen Thorn.
The vote was taken as follows.

Names.	Boruck.	Thorn.
Aldrich	1	.....
Andrews	.....	1
Bacon	1	.....
Baird	1	.....
Barker	1	.....
Barklage	1	.....
Barnes	1	.....
Bayley	.....	1
Bell	1	.....
Berry	.....	1
Bradley	1	.....
Bockius	1	.....
Brown	1	.....
Burckhalter	.....	1
Caldwell	.....	1
Center	1	.....
Chalmers	1	.....
Coleman	1	.....

Names.	Boruck.	Thorn.
Connolly	.....	1
Cooper	.....	1
Crane	1	.....
Dannals	.....	1
Days	1	.....
De Haven	1	.....
Eagan	1	.....
Edgar	1	.....
Ellis	.....	1
Everett	1	.....
Franck	1	.....
Freeman	1	.....
French	1	.....
Galloway	1	.....
Gibson	.....	1
Goodall	1	.....
Gray	1	.....
Harvey	1	.....
Hayes	1	.....
Henshaw	.....	1
Hopper	1	.....
James	1	.....
Johnston	1	.....
Jost	1	.....
Lee	.....	.....
Little	.....	1
Lofton	1	.....
Long	1	.....
Luttrell	.....	1
Mathers	.....	1
Meeker	1	.....
Mott, of Los Angeles	.....	1
Mott, of Sacramento	1	.....
Munday	.....	1
McCullough	1	.....
Pardee	1	.....
Rector	.....	1
Reed	1	.....
Rice	1	.....
Russ	1	.....
Sammons	1	.....
Sargent, of Santa Clara	1	.....
Sargent, of San Joaquin	1	.....
Schrack	.....	1
Seibe	1	.....
Sensabaugh	.....	1
Slaughter	.....	1
Spencer	1	.....
Splivalo	1	.....
Stillwagon	.....	.....
Tinnin	.....	1

Names.	Boruck.	Thorn.
Turner	1	.....
Walker	.....	.....
Ward	.....	1
Welty	1	.....
Wheaton	1	.....
Whiting	.....	1
Whitney	1	.....
Wilcox	.....	1
Woodward	1	.....
Wright	1	.....
Mr. Speaker	1	.....

Whole number of votes cast.....77
Necessary to a choice.....39
Mr. Boruck received.....53
Mr. Thorn received.....24

Mr. Boruck having received a majority of all the votes cast was declared duly elected Chief Clerk

ASSISTANT CLERK.

Mr. Barker nominated Geo. W. Dixon.
Mr Luttrell nominated Andrew J. Starling.
The vote was taken, as follows:

Name.	Dixon.	Starling.
Aldrich	1	.....
Andrews	.....	1
Bacon	1	.....
Baird	1	.....
Barker	1	.....
Barklage	1	.....
Barnes	1	.....
Bayley	.....	1
Bell	1	.....
Berry	.....	1
Bradley	1	.....
Bockius	1	.....
Brown	1	
Burckhalter	.....	1
Caldwell	.....	1
Center	1	.....
Chalmers	1	.....
Coleman	1	.....
Connolly	.....	1

Name.	Dixon.	Starling.
Cooper		1
Crane	1	
Dannals		1
Days	1	
De Haven	1	
Eagan	1	
Edgar	1	
Ellis		1
Everett	1	
Franck	1	
Freeman	1	
French	1	
Galloway	1	
Gibson		1
Goodall	1	
Gray	1	
Harvey	1	
Hayes	1	
Henshaw		1
Hopper	1	
James	1	
Johnston	1	
Jost	1	
Lee	1	
Little		1
Lofton	1	
Long	1	
Luttrell		1
Mathers		1
Mecker	1	
Mott, of Los Angeles		1
Mott, of Sacramento	1	
Munday		1
McCullough	1	
Pardee	1	
Rector		1
Reed	1	
Rice	1	
Russ	1	
Sammons	1	
Sargent, of Santa Clara	1	
Sargent, of San Joaquin	1	
Schrack		1
Seibe	1	
Sensabaugh		1
Slaughter		1
Spencer	1	
Splivalo	1	
Stillwagon		
Tinnin		1

Names.	Dixon.	Starling.
Turner	1	.....
Walker	.....	.....
Ward	.....	1
Welty	1	.....
Wheaton	1	.....
Whiting	.....	1
Whitney	1	.....
Wilcox	.....	1
Woodward	1	.....
Wright	1	.....
Mr. Speaker	1	.....

Whole number of votes cast.....78
Necessary to a choice.....40
Mr Dixon received.....54
Mr. Starling received.....24

Mr. Dixon having received a majority of all the votes cast was declared duly elected Assistant Clerk.

MINUTE CLERK.

Mr. Tinnin nominated John M. Esteo.
Mr. Gray nominated Martin Rowan.
The roll was called, with the following result:

Names.	Rowan.	Esteo.
Aldrich	1	.....
Andrews	.....	.....
Bacon	1	.....
Baird	1	.....
Barker	1	.....
Barklage	1	.....
Barnes	1	.....
Bayley	.....	.....
Bell	1	.....
Berry	.....	.....
Bradley	1	.....
Bockius	1	.....
Brown	1	.....
Burckhalter	.....	1
Caldwell	.....	1
Center	1	.....
Chalmers	1	.....
Coleman	1	.....
Connolly	.....	1

Names.	Rowan.	Estoo.
Cooper		1
Crane	1	
Dannals		1
Days	1	
De Haven	1	
Eagan	1	
Edgar	1	
Ellis		1
Everett	1	
Franck	1	
Freeman	1	
French	1	
Galloway	1	
Gibson		1
Goodall	1	
Gray	1	
Harvey	1	
Hayes	1	
Henshaw		1
Hopper	1	
James	1	
Johnson	1	
Jost	1	
Lee	1	
Little		1
Lofton	1	
Long	1	
Luttrell		1
Mathers		1
Meeker	1	
Mott, of Los Angeles		1
Mott, of Sacramento	1	
Munday		1
McCullough	1	
Pardee	1	
Rector		1
Reed	1	
Rice	1	
Russ	1	
Sammons	1	
Sargent, of Santa Clara	1	
Sargent, of San Joaquin	1	
Schrack		1
Seibe	1	
Sensabaugh		1
Slaughter		1
Spencer	1	
Splivalo	1	
Stillwagon		
Tinnin		1

Names.	Rowan.	Esteo.
Turner	1	.....
Walker	.....	.....
Ward	.....	1
Welty	1	.....
Wheaton	1	.....
Whiting	.....	1
Whitney	1	.....
Wilcox	.....	1
Woodward	1	.....
Wright	1	.....
Mr. Speaker	1	.....

Whole number of votes cast.....78
Necessary to a choice.....40
Mr. Rowan received.....54
Mr. Esteo received.....24

Mr. Rowan having received a majority of all the votes cast was declared duly elected Minute Clerk.

SERGEANT AT ARMS.

Mr. Harvey placed in nomination A. J. Rhoads.
Mr Schrack nominated Dana Perkins.
The roll was called with the following result.

Names.	Rhoads.	Perkins.
Aldrich	1	.....
Andrews	.....	1
Bacon	1	.....
Baird	1	.....
Barker	1	.....
Barklage	1	.....
Barnes	1	.....
Bayley	.....	1
Bell	1	.....
Berry	.....	1
Bradley	1	.....
Bockius	1	.....
Brown	1	.....
Burckhalter	.....	1
Caldwell	.....	1
Center	1	.....
Chalmers	1	.....
Coleman	1	.....
Connolly	.....	1

Names.	Rhoads.	Perkins.
Cooper		1
Crane	1	
Dannals		1
Days	1	
De Haven	1	
Eagan	1	
Edgar	1	
Ellis		1
Everett	1	
Franck	1	
Freeman	1	
French	1	
Galloway	1	
Gibson		1
Goodall	1	
Gray		
Harvey	1	
Hayes	1	
Henshaw		1
Hopper	1	
James	1	
Johnston	1	
Jost	1	
Lee		
Little		1
Lofton	1	
Long	1	
Luttrell		1
Mathers		1
Meeker	1	
Mott, of Los Angeles		1
Mott, of Sacramento	1	
Munday		1
McCullough	1	
Pardee	1	
Rector		1
Reed	1	
Rice	1	
Russ	1	
Sammons	1	
Sargent, of Santa Clara	1	
Sargent, of San Joaquin	1	
Schrack		1
Seibe	1	
Sensabaugh		1
Slaughter		1
Spencer	1	
Splivalo	1	
Stillwagon		
Tinnin		1
Turner	1	

Names.	Rhoads.	Perkins.
Walker		
Ward		1
Welty	1	
Wheaton	1	
Whiting		1
Whitney	1	
Wilcox		1
Woodward	1	
Wright	1	
Mr. Speaker	1	

Whole number of votes cast 76
Necessary to a choice 39
Mr. Rhoads received 52
Mr. Perkins received 24

Mr. Rhoads having received a majority of all the votes cast was declared duly elected Sergeant at Arms.

ASSISTANT SERGEANT AT ARMS.

Mr. Shannon nominated G. Meredith
Mr. Rector nominated W. B. Hamilton.

The roll was called, with the following result.

Names.	Meredith.	Hamilton.
Aldrich	1	
Andrews		1
Bacon	1	
Baird	1	
Barker	1	
Barklage	1	
Barnes	1	
Bayley		1
Bell	1	
Berry		1
Bradley	1	
Bockius	1	
Brown	1	
Burckhalter		1
Caldwell		1
Center	1	
Chalmers	1	
Coleman	1	
Connolly		1

Names.	Meredith.	Hamilton.
Cooper		1
Crane	1	
Dannals		1
Days	1	
De Haven	1	
Eagan	1	
Edgar	1	
Ellis		1
Everett	1	
Franck	1	
Freeman	1	
French	1	
Galloway	1	
Gibson		1
Goodall	1	
Gray	1	
Harvey	1	
Hayes	1	
Henshaw		1
Hopper	1	
James	1	
Johnston	1	
Jost	1	
Lee	1	
Little		1
Lofton	1	
Long	1	
Luttrell		1
Mathers		1
Meeker	1	
Mott, of Los Angeles		1
Mott, of Sacramento	1	
Munday		1
McCullough	1	
Pardee	1	
Rector		1
Reed	1	
Rice	1	
Russ	1	
Sammons	1	
Sargent, of Santa Clara	1	
Sargent, of San Joaquin	1	
Schrack		1
Seibe	1	
Sensabaugh		1
Slaughter	1	
Spencer		
Sphvalo	1	
Stillwagon		
Tinnin		1

Name.	Meredith.	Hamilton.
Turner	1	.....
Walker	1	.....
Ward	1	.....
Welty	1	.....
Wheaton	1	.....
Whiting	.....	1
Whitney	1	.....
Wilcox	.....	1
Woodward	1	.....
Wright	1	.....
Mr. Speaker	1	.....

Whole number of votes cast.....78
Necessary to a choice.....40
Mr. Meredith received.....55
Mr. Hamilton received.....23

Mr. Meredith having received a majority of all the votes cast was declared duly elected Assistant Sergeant at Arms.

ENROLLING CLERK.

Mr. Woodward nominated Isaac R. Wilber.
Mr. Munday nominated Daniel W. Seaton.
The roll was called with the following result:

Names.	Wilber.	Seaton.
Aldrich	1	.....
Andrews	.....	1
Bacon	1	.....
Baird	1	.....
Barker	1	.....
Barklage	1	.....
Barnes	1	.....
Bayley	.....	1
Bell	.....	.....
Berry	.....	1
Bradley	1	.....
Bockius	1	.....
Brown	1	.....
Burckhalter	.....	1
Caldwell	.....	1
Center	1	.....
Chalmers	1	.....
Coleman	1	.....
Connolly	.....	1

Names.	Wilber.	Seaton.
Cooper	.....	1
Crane	1	.....
Dannals	.....	1
Days	1	.....
De Haven	1	.....
Eagan	1	.....
Edgar	1	.....
Ellis	.....	1
Everett	1	.....
Franck	1	.....
Freeman	1	.....
French	1	.....
Galloway	1	.....
Gibson	.....	1
Goodall	1	.....
Gray	1	.....
Harvey	1	.....
Hayes	1	.....
Henshaw	.....	1
Hopper	1	.....
James	1	.....
Johnston	1	.....
Jost	1	.....
Lee	1	.....
Little	.....	1
Lofton	1	.....
Long	1	.....
Luttrell	.....	1
Mathers	.....	1
Meeker	1	.....
Mott, of Los Angeles	.....	1
Mott, of Sacramento	1	.....
Munday	.....	1
McCullough	1	.....
Pardee	1	.....
Rector	.....	1
Reed	1	.....
Rice	1	.....
Russ	1	.....
Sammons	1	.....
Sargent, of Santa Clara	1	.....
Sargent, of San Joaquin	1	.....
Schrack	.....	1
Seibe	1	.....
Sensabaugh	.....	1
Slaughter	.....	1
Spencer	1	.....
Splivalo	1	.....
Stillwagon	.....	.....
Tinnin	.....	1

Names.	Wilber.	Seaton.
Turner	1	.....
Walker	.....	.....
Ward	.....	1
Welty	1	.....
Wheaton	1	.....
Whiting	.....	1
Whitney	1	.....
Wilcox	.....	1
Woodward	1	.....
Wright	1	.....
Mr. Speaker	1	.....

Whole number of votes cast.....77
Necessary to a choice.....39
Mr. Wilber received.....53
Mr. Seaton received.....24

Mr. Wilber having received a majority of all the votes cast was declared duly elected Enrolling Clerk.

ENGROSSING CLERK.

Mr. Brown nominated Ira A. Reed.
Mr. Rector nominated B. W Jenks.
The vote was taken as follows.

Names.	Reed.	Jenks.
Aldrich	1	.....
Andrews	.....	1
Bacon	1	.....
Baird	1	.....
Barker	1	.....
Barklage	1	.....
Barnes	1	.....
Bayley	.....	1
Bell	.....	.....
Berry	.....	1
Bradley	1	.....
Bockius	1	.....
Brown	1	.....
Burckhalter	.....	1
Caldwell	.....	1
Center	1	.....
Chalmers	1	.....
Coleman	1	.....
Connolly	.....	1

Names.	Reed.	Jenks.
Cooper		1
Crane	1	
Dannals		1
Days	1	
De Haven	1	
Eagan	1	
Edgar	1	
Ellis		1
Everett	1	
Franck	1	
Freeman	1	
French	1	
Galloway	1	
Gibson		1
Goodall	1	
Gray	1	
Harvey	1	
Hayes	1	
Henshaw		1
Hopper	1	
James	1	
Johnston	1	
Jost	1	
Lee	1	
Little		1
Lofton	1	
Long	1	
Luttrell		1
Mathers		
Meeker	1	
Mott, of Los Angeles		1
Mott, of Sacramento	1	
Munday		1
McCullough	1	
Pardee	1	
Rector		1
Reed	1	
Rice	1	
Russ	1	
Sammons	1	
Sargent, of Santa Clara	1	
Sargent, of San Joaquin	1	
Schrack		1
Seibe	1	
Sensabaugh		1
Slaughter		1
Spencer	1	
Splivalo	1	
Stillwagon		

Names.	Reed.	Jenks.
Tinnin		1
Turner	1	
Walker		
Ward		1
Welty	1	
Wheaton	1	
Whiting		1
Whitney	1	
Wilcox		1
Woodward	1	
Wright	1	
Mr. Speaker	1	

Whole number of votes cast.....76
Necessary to a choice.....39
Mr Reed received.....53
Mr. Jenks received.....23

Mr. Reed having received a majority of all the votes cast, was declared duly elected Engrossing Clerk.

JOURNAL CLERK.

Mr. Splivalo nominated A. Thompson.
Mr. Luttrell nominated R. M. Clarken
The roll was called with the following result:

Name.	Thompson	Clarken.
Aldrich	1	
Andrews		1
Bacon	1	
Baird	1	
Barker	1	
Barklage	1	
Barnes	1	
Bayley		1
Bell		
Berry		1
Bradley	1	
Bockius	1	
Brown	1	
Burckhalter		1
Caldwell		1
Center	1	
Chalmers	1	
Coleman	1	

Names.	Thompson	Clarken.
Connolly	.....	1
Cooper	.....	1
Crane	1	.....
Dannals	.....	1
Days	1	.....
De Haven	1	.....
Eagan	1	.....
Edgar	1	.....
Ellis	.....	1
Everett	1	.....
Franck	1	.....
Freeman	1	.....
French	1	.....
Galloway	1	.....
Gibson	.....	1
Goodall	1	.....
Gray	1	.....
Harvey	1	.....
Hayes	1	.....
Henshaw	.....	1
Hopper	1	.....
James	1	.....
Johnston	1	.....
Jost	1	.....
Lee	1	.....
Little	.....	1
Lofton	1	.....
Long	1	.....
Luttrell	.....	1
Mathers	.....	1
Meeker	1	.....
Mott, of Los Angeles	.....	1
Mott, of Sacramento	1	.....
Munday	.....	1
McCullough	1	.....
Pardee	1	.....
Rector	.....	1
Reed	1	.....
Rice	1	.....
Russ	1	.....
Sammons	1	.....
Sargent, of Santa Clara	1	.....
Sargent, of San Joaquin	1	.....
Schrack	.....	1
Seibe	1	.....
Sensabaugh	.....	1
Slaughter	.....	1
Spencer	1	.....
Splivalo	1	.....
Stillwagon	.....	.....

Names.	Thompson	Clarken.
Tinnin		1
Turner	1	
Walker		
Ward		1
Welty	1	
Wheaton	1	
Whiting		1
Whitney	1	
Wilcox		1
Woodward	1	
Wright	1	
Mr. Speaker	1	

Whole number of votes cast.....77
Necessary to a choice 39
Mr Thompson received.....53
Mr. Clarken received.....24

Mr. Thompson having received a majority of all the votes cast was declared duly elected Journal Clerk.

COPYING CLERKS.

Mr. Galloway nominated Isaac Ayer.
Mr. Chalmers nominated Fred K Creque.
Mr. Ellis nominated Frank Sabichi.
Mr. Berry nominated J B Davis.
The roll was called, the vote resulting as follows:

Names.	Ayer.	Creque.	Davis.	Sabichi.
Aldrich	1	1		
Andrews			1	1
Bacon	1	1		
Baird	1	1		
Barker	1	1		
Barklage	1	1		
Barnes	1	1		
Bayley			1	1
Bell				
Berry			1	1
Bradley	1	1		
Bockius	1	1		
Brown	1	1		
Burckhalter			1	1
Caldwell			1	1
Center	1	1		

Names.	Ayer.	Creque.	Davis.	Sabichi.
Chalmers	1	1		
Coleman	1	1		
Connolly			1	1
Cooper			1	1
Crane	1	1		
Dannals			1	1
Days	1	1		
De Haven	1	1		
Eagan	1	1		
Edgar	1	1		
Ellis			1	1
Everett	1	1		
Franck	1	1		
Freeman	1	1		
French	1	1		
Galloway	1	1		
Gibson			1	1
Goodall	1	1		
Gray	1	1		
Harvey	1	1		
Hayes	1	1		
Henshaw			1	1
Hopper	1	1		
James	1	1		
Johnston	1	1		
Jost	1	1		
Lee	1	1		
Little			1	1
Lofton	1	1		
Long	1	1		
Luttrell			1	1
Mathers			1	1
Meeker	1	1		
Mott, of Los Angeles			1	1
Mott, of Sacramento	1	1		
Munday			1	1
McCullough	1	1		
Pardee	1	1		
Rector			1	1
Reed	1	1		
Rice	1	1		
Russ	1	1		
Sammons	1	1		
Sargent, of Santa Clara	1	1		
Sargent, of San Joaquin	1	1		
Schrack			1	1
Seibe	1	1		
Sensabaugh			1	1
Slaughter			1	1
Spencer	1	1		

Names.	Ayer.	Creque.	Davis.	Sabichi.
Splivalo	1	1		
Stillwagon				
Tinnin			1	1
Turner	1	1		
Walker				
Ward	1	1		
Welty	1	1		
Wheaton	1	1		
Whiting			1	1
Whitney	1	1		
Wilcox			1	1
Woodward	1	1		
Wright	1	1		
Mr. Speaker	1	1		

Whole number of votes cast.....77
Necessary to a choice.....29
Mr Ayer received.....54
Mr. Creque received.....54
Mr. Sabichi received.....23
Mr. Davis received.....23

Messrs Ayer and Creque having received a majority of all the votes cast were declared duly elected Copying Clerks.

The following officers elect appeared and were sworn in by the Speaker:

Speaker pro tem.....P. J Hopper.
Chief Clerk.....M. D. Boruck.
Sergeant at Arms.....A. J. Rhoads.
Assistant Sergeant at Arms.....G. Meredith.
Enrolling Clerk.....I. R. Wilber.
Engrossing Clerk.....J. H Reed.
Journal Clerk.....Alfred Thompson.
Copying Clerk.....Isaac Ayer.
Copying Clerk.....Fred. Creque.

Mr. Johnston offered the following resolution:

Resolved, That the Clerk be instructed to inform the Senate that the Assembly is fully organized by the election of the following officers, and is now ready to proceed to business·

Speaker.....Thomas B. Shannon.
Speaker pro tem.....P. J. Hopper.
Chief Clerk.....M. D. Boruck.
Assistant Clerk.....G. W. Dixon.
Minute Clerk.....Martin Rowan.

Sergeant at Arms.....A. J. Rhoads.
Assistant Sergeant at Arms.....G. Meredith.
Enrolling Clerk.....I. R. Wilber.
Engrossing Clerk.....J. H. Reed.
Journal Clerk.....Alfred Thompson.
Copying Clerk.....Isaac Ayer.
Copying Clerk.....Frederick Creque.

Adopted.

Mr. Barnes offered a resolution providing for the election of Chaplain.

Mr. Goodall offered an amendment.

On motion of Mr. Bradley, the resolution was made a special order for twelve o'clock to-morrow.

Mr. Luttrell offered a resolution, as follows:

Resolved, That a committee of five be appointed by the Speaker to prepare rules for the government of the Assembly, and that said committee be authorized to act with a similar committee from the Senate on joint rules.

Adopted.

Mr. Splivalo offered a resolution providing for the appointment of Pages, etc., by the Speaker.

Amendments were offered by Mr. Luttrell, when, on motion of Mr. Harvey, the resolution was laid on the table.

At twelve o'clock and ten minutes P. M., on motion of Mr Hopper, the House adjourned to eleven o'clock to-morrow.

T. B. SHANNON, Speaker.

M. D. Boruck, Chief Clerk.

IN ASSEMBLY.

House of Assembly,
Wednesday, December 6th, 1871.

House met pursuant to adjournment.

Speaker in the Chair.

Roll called.

Quorum present.

Journal of yesterday read and adopted.

Mr. Hopper offered the following resolution:

Resolved, That Newton Benedict, late Minute Clerk of the Assembly, be requested to remain at the desk until such time as is deemed necessary by the House, on account of the temporary illness of Mr. Rowan, Minute Clerk elect, at the same per diem as is allowed the Minute Clerk of the House, payable out of the Contingent Fund of the Assembly.

Adopted.

Mr. Jost offered a resolution as follows:

Resolved, That the Clerk of this House is hereby authorized to appoint one Assistant Clerk at the desk, with the same per diem as Copying Clerks.

On motion of Mr. Wheaton the resolution was laid on the table.
The Speaker appointed the following committee:

COMMITTEE ON RULES.

Messrs. J. K. Luttrell, of Siskiyou, G. H. Gray, of San Francisco, J. M. Days, of Nevada, J. A. Eagan, of Alpine, and Wm. Caldwell, of Sonoma.

Mr. Bradley offered the following resolution:

Resolved, That the Sergeant at Arms be and he is hereby authorized and required to provide postage stamps and express envelops to each member of the Assembly, and the Chief Clerk and his assistants, to the amount of fifteen dollars, payable out of the Contingent Fund of the Assembly.

On motion of Mr. Gray the words, "and his assistants" was stricken out and "Assistant Clerk" inserted, when the resolution as amended was adopted.
Mr. Wilcox offered the following resolution:

Resolved, That a committee of three be appointed by the Speaker to ascertain the amount due the temporary attachés of the House.

Which was adopted, and the Speaker subsequently appointed the committee as follows
Messrs. Wilcox, Wheaton and Harvey.
Mr. Harvey offered the following resolution:

Resolved, That no appropriation of moneys by bill or otherwise, belonging to the State Treasury, shall be made for any claim or purpose whatsoever, until the same shall first be referred to and reported upon by a committee of this House.

On motion of Mr. Wheaton the resolution was referred to the Committee on Rules.
Mr. Baird offered the following resolution.

Resolved, That the Sergeant at Arms be required to furnish each member of this body with six daily newspapers published in this State, or their equivalent in weeklies, to be selected by the individual members.

Adopted.
Mr. Seibe offered the following resolution

Resolved, That the Sergeant at Arms be and he is authorized and directed to take from the Post Office and Express offices the letters and papers for members, and deliver the same at the Assembly chamber.

Adopted.
By consent, the special order set for twelve o'clock M. was now taken up, as follows:

Resolved, That we now proceed to nominate candidates for the position of Chaplain of this House.

SUBSTITUTE.

Resolved, That the "Ministerial Association of Sacramento" are invited to supply this House with the services of a Chaplain, and the acting Chaplain shall be allowed the sum of five dollars per diem, to be paid out of the Contingent Fund of the Assembly.

The previous question was moved, when the ayes and noes were demanded by Mr Hopper and the requisite number, and the House refused to adopt the substitute by the following vote:

AYES—Messrs Andrews, Bayley, Berry, Bockius, Burckhalter, Caldwell, Cooper, Ellis, French, Goodall, Gray, Henshaw, Hopper, Johnston, Little, Luttrell, Mathers, Meeker, Mott, of Los Angeles, Munday, McCullough, Rector, Rice, Sensabaugh, Slaughter, Tinnin, and Wright —27

NOES—Messrs. Aldrich, Bacon, Baird, Barker, Barklage, Barnes, Bell, Bradley, Brown, Center, Chalmers, Coleman, Connolly, Crane, Dannals, Days, De Haven, Eagan, Edgar, Everett, Franck, Freeman, Galloway, Gibson, Harvey, Hayes, James, Jost, Lee, Lotton, Long, Mott, of Sacramento, Pardee, Reed, Russ, Sammons, Sargent, of Santa Clara, Sargent, of San Joaquin, Schrack, Seibe, Spencer, Splivalo, Stillwagon, Turner, Ward, Welty, Wheaton, Whiting, Whitney, Woodward, and Mr. Speaker —51.

On the adoption of the original resolution the ayes and noes were demanded by Messrs. Meeker, Caldwell, and Gray, and the resolution was adopted by the following vote:

AYES—Messrs Aldrich, Bacon, Baird, Barker, Barklage, Barnes, Bradley, Brown, Center, Chalmers, Coleman, Connolly, Cooper, Crane, Dannals, Days, De Haven, Eagan, Edgar, Ellis, Everett, Franck, Freeman, French, Galloway, Gibson, Goodall, Gray, Harvey, Hayes, Hooper, James, Johnston, Jost, Lee, Lotton, Long, Luttrell, Meeker, Mott, of Los Angeles, Mott, of Sacramento, Munday, McCullough, Pardee, Reed, Russ, Sammons, Sargent, of Santa Clara, Sargent, of San Joaquin, Seibe, Slaughter, Splivalo, Stillwagon, Turner, Ward, Welty, Wheaton, Whiting, Whitney, Woodward, Wright, and Mr. Speaker—62.

NOES—Messrs Andrews, Bayley, Berry, Burckhalter, Caldwell, Henshaw, Little, Mathers, Rector, Rice, Schrack, Sensabaugh, Spencer, and Tinnin—14.

Mr Luttrell gave notice that on to-morrow he would move a reconsideration of the vote by which the resolution was adopted.

NOTICES.

Notices of the introduction of bills were given, as follows:

By Mr Luttrell—An Act to regulate fares and freights on railroads in this State.

By Mr Freeman—An Act to amend an Act entitled an Act to provide

for the incorporation of railroad companies and the management of the affairs thereof and other matters relating thereto, approved May twentieth, eighteen hundred and sixty one.

By Mr. Barker—An Act to amend an Act entitled an Act to exempt taxes on bonds and mortgages.

By Mr. Luttrell—An Act granting homesteads to miners on mineral lands, and to exempt mining claims from forced sale, and to exempt the stock and material of mechanics from forced sale.

INTRODUCTION OF BILLS.

Bills were introduced as follows:

By Mr Wheaton—An Act to repeal an Act entitled an Act to establish a public street in the City and County of San Francisco, to be called Montgomery Avenue, and to take private lands therefor.

Read first and second times and referred to the San Francisco delegation.

By Mr. Bradley—An Act to repeal an Act entitled an Act authorizing the publication of certain legal notices in a State paper, printed at the seat of Government of the State of California, approved March twenty-first, A D. eighteen hundred and seventy.

Read first and second times and referred to the Judiciary Committee to be hereafter appointed

By Mr. Little—An Act to provide the means for the support of an eight months school in the various school districts of Siskiyou County, California, for the year commencing July first, eighteen hundred and seventy-one, and ending July first, eighteen hundred and seventy-two.

Read first and second times and referred to the Siskiyou delegation.

By Mr. Munday—An Act to repeal an Act entitled an Act to empower the Board of Supervisors of the several counties of the State to aid in the construction of a railroad in their respective counties, approved April fourth, eighteen hundred and seventy

Read first and second times and referred to the Committee on Corporations to be hereafter appointed

By Mr. Bradley—An Act to repeal an Act entitled an Act to protect litigants, approved March twenty-ninth, eighteen hundred and seventy

Read first and second times and referred to the Judiciary Committee to be hereafter appointed.

On motion of Mr. Goodall the following resolution was taken from the table:

Resolved, That the Speaker appoint six Pages, one Post-master, one Paper Folder, one Post Office Page, two Porters, one Fireman, and one Watchman, and that the above named officers shall be removable at the pleasure of the Speaker and their places filled at his discretion

On motion, the resolution was amended to read, four Pages instead of six, and two Watchmen instead of one. The words "one Fireman" were stricken out of the resolution

Mr. Splivalo moved to amend by inserting three Porters instead of two.

Lost.

The resolution was adopted as amended.

The Speaker appointed Pages as follows:

C. King, W. F. Waight, Frank Morse, and George Roberts.

At twelve o'clock and seventeen minutes P. M., on motion of Mr. Caldwell, the House adjourned.

T. B. SHANNON,
Speaker.

M. D Boruck, Chief Clerk.

IN ASSEMBLY.

House of Assembly,
Thursday, December 7th, 1871.

House met pursuant to adjournment.

Speaker in the Chair.

Roll called.

Quorum present.

George W. Dixon, Assistant Clerk, and Martin Rowan, Minute Clerk elect, appeared and were sworn in by the Speaker.

Journal of yesterday read and approved.

SENATE MESSAGES.

The following messages were received from the Senate:

Senate Chamber,
December 6th, 1871.

Mr. Speaker I am directed to inform the Assembly of the organization of the Senate by the election of the following officers:

President pro tem.....Hon. J. T. Farley.
Secretary.....Robert Ferral.
Assistant Secretary.....T. J. Shackleford.
Sergeant at Arms.....J. W. Hawkins.
Assistant Sergeant at Arms.....J. M. Shanon.
Minute Clerk.....J. B. Stevens.
Journal Clerk.....J. J. de la Guerra.
Engrossing Clerk.....E. L. Crawford.
Enrolling Clerk.....Tod Robinson.
Copying Clerks.....A. Sites and E. Gallagher.
Clerk at the desk.....J. P. Cunningham.
Chaplain.....Rev. J. H. Bonte.

I am further directed to inform your honorable body that the Senate is now ready to proceed with legislative business.

ROBERT FERRAL,
Secretary of Senate.

Senate Chamber,
December 7th, 1871.

Mr. Speaker: I am directed to inform the Assembly that the Senate passed, on the sixth instant, Senate Concurrent Resolution No. 1—Noti-

fying the Governor and Lieutenant Governor of the organization of the Legislature.

Also, Senate Concurrent Resolution No 2—In relation to inauguration.

Senate Concurrent Resolution No 3—Relative to joint convention for canvassing vote for Governor and Lieutenant Governor

ROBERT FERRAL,
Secretary.

Senate Concurrent Resolutions, above reported, read and concurred in, and the Speaker subsequently appointed the following committees on the part of the House

Committee to notify the Governor and Lieutenant Governor of the organization of the Legislature:

Messrs. Meeker, Freeman, and Mott, of Los Angeles

In relation to inauguration.

Messrs. Harvey, McCullough, and Cooper.

REPORT OF SELECT COMMITTEE.

Mr. Luttrell submitted the following report:

Mr. SPEAKER. The Committee on Standing Rules beg leave to report, and recommend the adoption of the rules governing the last session of the Legislature, and the following amendments as attached thereto

LUTTRELL,
GRAY,
JOHN A EAGAN,
WILLIAM CALDWELL,
DAYS,

December 7th, 1871. Committee.

STANDING RULES OF THE ASSEMBLY

MEETING.

1.

The House shall meet each day of sitting at ten o'clock A. M., unless the House shall adjourn to some other hour.

ORDER OF BUSINESS.

2.

1. Roll Call.
2. Prayer by the Chaplain.
3. Reading and approval of the Journal.
4. Presentation of Petitions.
5. Reports of Standing Committees.
6. Reports of Select Committees
7. Messages from the Governor.
8. Motions and Resolutions.
9. Messages from the Senate.
10. Notices.

11. Second Reading and Reference of Bills.
12. Introduction and First Reading of Bills
13. Business on General File and Third Reading of Bills.
14. Unfinished Business of the Preceding Day.
15. Special Orders of the Day.

3.

It shall be in order for the Committees on Enrolled and Engrossed Bills to report at any time.

4.

Messages from the Governor, State officers, and from the Senate may be considered at any time by a vote of the House.

PETITIONS.

5.

Petitions, memorials, and other papers addressed to the House shall be presented by the Speaker, or by a member in his place A brief statement of the contents thereof shall be made verbally by the introducer They shall not be debated on the day of their being presented, but shall be on the table or be referred, as this House shall determine.

BILLS.

6.

No bill shall be introduced without at least one day's previous notice, except by unanimous consent of the House, or when introduced by a Committee in accordance with a rule of the House

7.

Every bill shall receive three readings previous to its passage. The first and second readings shall be on the same day, unless objection be made to the bill. The third reading shall be on a subsequent day. The Speaker shall give notice at each reading whether it be the first, second, or third reading. The first reading of a bill shall be for information, and if any opposition be made to it the question shall be: "Shall this bill be rejected?" If the question to reject be negatived the bill shall then take the usual course.

8.

No appropriation of money, by bill or otherwise, belonging to the State Treasury, shall be made for any claim or purpose whatsoever until the same shall first be referred to and reported on by a Committee of this House.

9.

All proceedings touching appropriations of money shall first be considered in a Committee of the Whole House, and no addition to any appropriation shall be made out of Committee of the Whole.

10.

A bill or resolution may be committed, with special instructions, at any time before the final vote is taken.

DUTIES OF SPEAKER

11.

The Speaker, or, in his absence, the Speaker pro tem., or, in the absence of both, such Chairman as shall be elected by the members present, shall take the chair precisely at the hour appointed for meeting, shall immediately call the House to order, and, on the appearance of a quorum, shall cause the Journal of the preceding day to be read.

12

He shall preserve order and decorum; may speak to points of order in preference to other members, rising from his seat for that purpose; and shall decide questions of order, subject to an appeal to the House by any two members, on which appeal no member shall speak more than once, unless by leave of the House.

13.

He shall have a general direction of the Hall. He shall have a right to name any member to perform the duties of the Chair, but such substitution shall not extend beyond an adjournment.

14.

All Acts, addresses, and joint resolutions shall be signed by the Speaker; and all writs, warrants, and subpœnas issued by order of the House shall be under his hand, attested by the Clerk.

15.

In case of any disturbance or disorderly conduct in the galleries or lobby, the Speaker (or Chairman of the Committee of the Whole House) shall have power to order the same to be cleared.

SERGEANT AT ARMS AND DOORKEEPER.

16.

The Sergeant at Arms shall attend the House during its sittings, to execute the commands of the House and all process issued by authority thereof directed to him by the Speaker. He shall be sworn to keep the secrets of the House.

17.

The Sergeant at Arms shall receive for every arrest the sum of one dollar; for each day's custody and releasement, one dollar, and for traveling expenses for himself or a special messenger, going and coming,

twenty-five cents per mile; but no compensation shall be allowed for the arrest, custody, or releasement of members, under a call of the House, within the limits of the Capitol grounds All fees accruing to the Sergeant at Arms for arrests, custody, and release of members shall be paid by the members so arrested, held in custody, and released, unless excused by a vote of the House And when a member shall be excused by the House the Sergeant at Arms shall not be allowed any fees for the arrest.

18.

The Assistant Sergeant at Arms shall be the Doorkeeper, and shall be sworn to keep the secrets of the House.

19.

The Standing Committees of the House shall be as follows:

1. A Committee on Elections, to consist of seven members.
2. A Committee on Corporations, to consist of nine members.
3. A Committee on Public Printing, to consist of seven members.
4. A Committee on Claims, to consist of nine members.
5. A Committee on Ways and Means, to consist of nine members.
6. A Committee on Judiciary, to consist of eleven members.
7. A Committee on Military Affairs, to consist of five members.
8. A Committee on Counties and County Boundaries, to consist of nine members.
9. A Committee on Commerce and Navigation, to consist of five members.
10. A Committee on Education, to consist of five members
11. A Committee on Agriculture, to consist of seven members.
12. A Committee on Internal Improvements, to consist of five members.
13. A Committee on Public Buildings and Grounds, to consist of seven members.
14. A Committee on Public Expenditures and Accounts, to consist of five members.
15. A Committee on Mines and Mining Interests, to consist of seven members
16. A Committee on Public Lands, to consist of five members
17. A Committee on Federal Relations, to consist of seven members.
18. A Committee on Engrossment, to consist of five members.
19. A Committee on Enrollment, to consist of five members.
20. A Committee on State Prison, to consist of seven members.
21. A Committee on Mileage, to consist of three members.
22. A Committee on Public Morals, to consist of five members.
23. A Committee on State Hospitals, to consist of five members.
24. A Committee on Rules and Regulations, to consist of five members.
25. A Committee on Swamp and Overflowed Lands, to consist of eleven members.
26. A Committee on Roads and Highways, to consist of five members.
27. A Committee on the Culture and Improvement of the Grapevine, to consist of seven members.
28. A Committee on State Library, to consist of three members.

29. A Committee on Agricultural, Mining, and Mechanic Arts College, to consist of seven members.
30. A Committee on Indian Affairs, to consist of five members.

20.

All Committees shall be appointed by the Speaker, unless otherwise specially directed by the House.

21.

It shall be the duty of the Committee on Elections to examine and report upon the certificate of election or other credentials of the members returned to serve in this House, and to take into their consideration all such petitions and other matters touching elections and returns as shall or may be presented or come into question and be referred to them by the House

22.

It shall be the duty of the Committee on Ways and Means to take into consideration all such reports of the Treasury Department and all such propositions relative to the revenue as may be referred to them by the House, to inquire into the state of the public debt or the revenue and of the expenditure, and report from time to time their opinion thereon.

23.

It shall be the duty of the Committee on Claims to take into consideration all such petitions and matters or things touching claims or demands on the State as shall be presented, or shall or may come in question and be referred to them by the House, and to report their opinion thereupon.

24

It shall be the duty of the Committee on Commerce to take into consideration all such petitions and matters or things touching the commerce of the State as shall be presented, or shall or may come into question and be referred to them by the House, and to report from time time their opinion thereon.

25.

It shall be the duty of the Committee on Public Lands to take into consideration all such petitions and matters or things respecting the lands of the State as shall or may come into question and be referred to them by the House, and to report from time to time their opinion thereon.

26.

It shall be the duty of the Committee on Public Expenditures and Accounts to examine the books and accounts of the several public departments, and to examine particularly into laws making appropriations of money, and to report whether the moneys have been disbursed conformably with such laws; and also to report from time to time such provisions and arrangements as may be necessary to add to the economy

of the departments and the accountability of their offices, and to report from time to time the character and amount of the various appropriations made by the Legislature.

27.

It shall be the duty of the Committee on Military Affairs to take into consideration all subjects relating to the military establishment and public defence which may be referred to them by the House, and to report their opinion thereupon, and also to report from time to time such measures as may contribute to economy and accountability in said establishments.

28.

It shall be the duty of the Committee on Internal Improvements to take into consideration all such petitions and matters and things relating to roads and canals, and the improvement of the navigation of rivers, as shall be presented or may come into question and be referred to them by the House, and to report thereupon.

29.

It shall be the duty of the Committee on Public Buildings and Grounds to consider all subjects relating to the public edifices and grounds within the Seat of Government, which may be referred to them, and report their opinion thereon.

30.

It shall be the duty of the Committee on Mileage to ascertain and report the distance for which each member shall receive pay.

31.

It shall be the duty of the Committee on the Culture and Improvement of the Grapevine to consider and report upon all matters relating to the culture of the grape and the production of wine in this State.

32.

It shall be the duty of the Engrossing Committee to compare all bills ordered or considered engrossed by this House with the engrossed copies thereof, and before they pass out of the possession of the House see that the engrossed bill is a true copy of the original, with the exception of correction in grammar, orthography, and punctuation

33.

It shall be the duty of the Committee on Agricultural, Mining, and Mechanic Arts College to consider and report upon all matters which will be referred to or come before them.

34.

No Committee shall be permitted to employ a Clerk at the expense of the State without first obtaining leave of the House for that purpose.

35.

When a motion is made to refer any subject, and different Committees shall be proposed, the question shall be taken in the following order:

The Committee of the Whole House.

A Standing Committee.

A Select Committee.

Unless otherwise ordered by the House, every bill shall be referred to the appropriate Standing Committee, as indicated by its name given herein. Every Committee of the House to whom a bill has been referred shall report the same to the House within fifteen days from the time the bill is received by the Chairman of the Committee, unless further time to report is granted.

36

In forming a Committee of the Whole House a Chairman, to be named by the Speaker, shall preside. Bills committed to a Committee of the Whole House shall, in Committee of the Whole, be read by sections All amendments shall be noted and reported to the House by the Chairman. After report, the bill shall again be subject to amendment before the question is taken.

37.

The rules of the House shall be observed in Committee of the Whole so far as may be applicable, except limiting the times of speaking, and except that the ayes and noes shall not be taken.

38.

A motion that the Committee rise shall always be in order, and shall be decided without debate.

DECORUM AND DEBATE.

39.

If any member, in speaking or otherwise, transgress the rules of the House, the Speaker shall, or any member may, call to order, in which case the member so called to order shall immediately sit down, unless permitted to explain, and if called to order by a member, such member shall immediately state the point of order If the point of order be sustained by the Chair, the member shall not be allowed to proceed, but if it be not sustained, then he shall be permitted to go on. Every such decision from the Chair shall be subject to an appeal to the House, but no discussion of a question of order shall be allowed unless an appeal be taken from the decision of the Chair.

40.

When two or more members shall rise at once the Speaker shall name the member who is first to speak.

41.

Every member, when he speaks, shall, standing in his place, address "Mr. Speaker," and when he has finished he shall sit down. No member shall speak more than twice during the consideration of any one question on the same day and at the same stage of proceedings without leave; and members who have once spoken shall not again be entitled to the floor (except for explanation) to the exclusion of others who have not spoken.

42.

If any member be called to order for offensive words spoken in debate, the person calling him to order shall report the words excepted to, and they shall be taken down in writing at the Clerk's table, and no member shall be held to answer or be subject to censure of the House, for language used in debate, if any member has spoken or other business has intervened after the words spoken and before exception to them shall have been taken.

43

Any member may rise to explain a matter personal to himself, with leave of the Chair, but shall not discuss a question in such explanation.

44.

If a question pending be lost by adjournment of the House and revived on the succeeding day, no member who shall have spoken on the preceding day shall be permitted again to speak without leave of two thirds of the House.

MOTIONS, ETC.

45.

No motion shall be debated until the same be seconded, and distinctly announced by the Speaker; and it shall be reduced to writing, if desired by the Speaker or any member, and be read by the Clerk, before the same shall be debated. A motion may be withdrawn at any time before amendment or decision.

46.

A motion to adjourn shall always be in order. The Clerk shall enter on the Journal the name of any member moving an adjournment, and also the hour at which the motion was made.

47.

When a question is under debate, or before the House, no motion shall be received but: to adjourn; to lay on the table; for the previous question; to postpone to a certain day; to commit or amend, to postpone

indefinitely—which several motions shall have precedence in the order in which they are named, but the first three shall be decided without debate, and no motion to postpone to a day certain, to commit, or to postpone indefinitely, being decided, shall again be allowed on the same day and at the same stage of the proceedings. A motion to strike out the enacting clause of a bill or resolution shall have precedence of a motion to amend, and if carried, shall be considered equivalent to its rejection.

48.

The previous question shall be in this form. "Shall the main question be now put?" and its effect, when sustained by a majority of the members present, shall be to put an end to all debate and bring the House to a vote on the question or questions before it.

49.

All incidental questions of order arising after a motion is made for the previous question, and pending such motion or previous question, shall be decided (whether on appeal or otherwise) without debate.

50.

The previous question shall only be put when demanded by three members.

51.

When a question is postponed indefinitely the same shall not again be introduced during the session.

52.

Any member may call for a division of the question, which shall be divided if it comprehend propositions in substance so distinct that, one being taken away, a substantive proposition shall remain for the decision of the House. A motion to strike out, being lost, shall preclude neither amendment nor a motion to strike out and insert.

53.

No motion or proposition on a subject different from that under consideration shall be admitted as an amendment. No bill or resolution shall at any time be amended by annexing thereto or incorporating therein any other bill or resolution pending before the House.

54.

A proposition to print an extra number of any document or other matter shall lie on the table one day for consideration, unless otherwise ordered by unanimous consent of the House.

55.

No bill or other matter shall be printed without first being specially ordered by the House, and the Sergeant at Arms shall be required to certify to the reception by the House of all such printed matter, and the quantity, before payment shall be made or bills audited.

56.

Maps accompanying documents shall not be printed under the general order to print without the special direction of the House.

57.

In filling up blanks the least sum and shortest time shall be first put.

58

All questions relating to the priority of business shall be decided without debate.

59.

When the reading of a paper is called for, except petitions, and the same is objected to by any member, it shall be determined by a vote of the House without debate.

60.

On the day succeeding that on which a final vote on any bill or resolution has been taken said vote may be reconsidered on the motion of any member, *provided*, notice of intention to move such reconsideration shall have been given on the day on which such final vote was taken, by a member voting with the majority, and it shall not be in order for any member to move a reconsideration on the day on which such final vote was taken. Said motion of reconsideration shall have precedence over every other motion except a motion to adjourn No notice of reconsideration shall be in order on the day preceding the last day of the session But there shall be no reconsideration of a vote on a motion to indefinitely postpone

61.

In all cases of election by the House the vote shall be taken viva voce.

62.

The ayes and noes shall be taken when called for by three members present, and every member within the bar of the House, when his name is called, shall (unless for special reasons he be excused) declare openly, and without debate, his vote. In taking the ayes and noes, and upon call of the House, the names of the members shall be taken alphabetically, and the Clerk shall enter on the Journal the names of those demanding the ayes and noes.

63.

No member or other person shall remain by the Clerk's table while the ayes and noes are being called or while the votes are being counted.

64.

No person shall vote on any question in the result of which he is personally interested or involved.

65.

Upon a division and count of the House on any question, no person without the bar shall be counted.

66.

No member shall be allowed to explain his vote or discuss the question while the ayes and noes are being called, and no member shall be allowed to change his vote after the vote is announced from the Chair

CALL OF THE HOUSE.

67.

Upon a call of the House the names of the members shall be called over by the Clerk and the absentees noted, after which the names of the absentees shall again be called over The doors shall then be shut and those for whom no excuse or insufficient excuses are made, may by order of those present be taken into custody as they appear, or may be sent for and taken into custody by the Sergeant at Arms wherever to be found, or by special messenger to be appointed for that purpose.

MISCELLANEOUS.

68

No standing rule or order of the House shall be rescinded or changed without a vote of two thirds and one day s notice being given of the motion therefor, but a rule or order may be suspended temporarily by a vote of two thirds of the members present, except that portion of Rule 7 relating to third reading of bills.

69.

No member shall absent himself from the service of the House without the leave of the House, except in case of sickness, and if any member or officer of the House absent himself without leave his per diem shall not be allowed him, but no member shall obtain leave of absence or be excused without a vote of two thirds of the House.

70.

No persons except Senators, State officers, Governors and ex-Governors of States, Members of Congress, Judges of the Supreme or District Courts, members of the press, when accredited by their respective journals, ladies, when specially invited by a member of the House, shall be admitted within the Assembly Chamber, except in the galleries, during the session of the House; but a majority may have the floor of the House within the bar cleared of all such persons. The Speaker is charged with the enforcing of this rule.

71.

No smoking shall be allowed within the Assembly Chamber during the session of the House.

72.

The rules of parliamentary practice contained in Cushing's Law and Practice of Legislative Assemblies shall govern the House in all cases to which they are applicable, and in which they are not inconsistent with the Standing Rules and Orders of the House and the Joint Rules of the Senate and House of Assembly.

73.

The Assembly room shall not be used for any public or private business other than legislative, except by unanimous consent of the House.

74.

Witnesses summoned to appear before the House or any of its committees shall be paid as follows: For each day a witness shall attend, the sum of two dollars, for each mile he shall travel in coming to or going from the place of examination, the sum of twenty-five cents; but nothing shall be paid for traveling home when the witness has been summoned at the place of trial No mileage shall be paid except where the witness has actually traveled for the purpose of giving testimony.

75

It shall be in order for any member or members to protest against action of the House and have such protest entered upon the minutes.

76

All bills reported to the House by either Standing or Special Committees, after receiving their second readings, shall be placed upon a General File, to be kept by the Clerk, and no bill shall be considered by the House until the regular order of business shall have been gone through, and then bills shall be taken from the General File and acted upon in the order in which they were reported, unless otherwise specially ordered by the House, but engrossed bills shall be placed at the head of the File in the order in which they are received The Clerk shall post in a conspicuous place in the Chamber a daily statement of the bills on the General File, setting forth the order in which they are filed and specifying the alterations arising from the disposal of business each day.

77

A substitute shall be deemed and held to be an amendment, and be treated in all respects as such

78.

When a member shall ask leave to have a bill taken up out of its regular order, he shall, in making the motion, give the number and title of the bill.

79.

No increase of pay nor shall any extra pay be allowed any officer or attaché of the House by resolution, except by unanimous consent.

80.

The Engrossing Clerk, Enrolling Clerk, and Copying Clerks shall engross, enrol, or copy the bills which shall come to their hands for such purposes, respectively, in the order of time in which the same shall be acted upon by the House. Each of the said Clerks shall be responsible for every violation of this rule by his assistants or deputies, nor shall any Clerk of this House, or his deputy or assistant, demand or receive from any person any compensation other than that provided by law for any services performed by him in regard to the bills or preparation of bills before this House.

The report of the committee was adopted, and on motion of Mr. Gray the usual number of copies were ordered printed.

Mr. Wilcox submitted the following report:

Mr. SPEAKER: The Committee on Claims of temporary officers having examined the claims, find the following amounts due them, and beg leave to report as follows:

Robert Ferral, Chief Clerk	$82 00
J. S. Thompson, Assistant Clerk	30 00
E. S. Crawford, Assistant Clerk	30 00
Newton Benedict, Minute Clerk	40 00
Dana Perkins, Sergeant at Arms	44 00
J. Shanon, Assistant Sergeant at Arms	40 00
A. L. Henshaw, Journal Clerk	30 00
Mark Gruschenske, Postmaster	20 00
D. H. Bibb, Page	20 00
D. Marks, Page	20 00
L. Kennedy, Page	20 00
H. Wilson, Page	20 00
D. Hood, Page	12 00
Isaac Miller, Post Office Page	9 00
P. O'Keefe, Porter	20 00
John Riley, Porter	20 00
John Leary, Porter	20 00
John Wilkins, Porter	20 00
William Simpson, Watchman	20 00
W. G. English, Clerk of Sergeant at Arms	30 00

And recommend the adoption of the following resolution:

Resolved, That the Controller of State be and is hereby authorized and directed to draw his warrants on the Contingent Fund of the Assembly in favor of the following persons, to wit.

Robert Ferral	$82 00
J. S. Thompson	30 00
E S. Crawford	30 00
Newton Benedict	40 00
Dana Perkins	44 00
J. Shanon	40 00
A. S Henshaw	30 00
Mark Gruschenske	20 00
D. H. Bibb	20 00
D Marks	20 00
L. Kennedy	20 00
H. Wilson	20 00
D. Hood	12 00
Isaac Miller	9 00
P. O'Keefe	20 00
John Riley	20 00
John Leary	20 00
John Wilkins	20 00
William Simpson	20 00
W. G. English	30 00

And also recommend the adoption of the annexed resolution:

Resolved, That it is the sense of this House that no officers of this Legislature shall be required or receive pay at the opening of its successor, except the Chief Clerk of the House and the Sergeant at Arms.

J WILCOX,
O. HARVEY,
WILLIAM R. WHEATON.

Report received and resolutions adopted.

RESOLUTIONS.

Mr. Luttrell offered the following resolution:

Resolved, That the Sergeant at Arms be and he is hereby instructed to furnish the newspaper reporters and correspondents who have seats assigned them by the Speaker on the floor of this House such stationery as they may require as representatives of the press.

Adopted.
Mr. Crane offered the following resolution:

Resolved, That the Sergeant at Arms be and is hereby authorized and directed to take from this House daily, in time for all the outgoing mails and expresses, all letters, newspapers, and other mail matter.

Adopted.
Mr. Mott, of Sacramento, offered the following:

Resolved, That the Sergeant at Arms be authorized to appoint two Porters, one for halls and galleries, and one for committee rooms.

Adopted.
Mr. Luttrell offered the following resolution:

Resolved, That the Sergeant at Arms of the Assembly be and he is hereby allowed postage stamps to the amount of fifteen dollars, payable out of the Contingent Fund of the Assembly.

Adopted.
Mr. Gray offered resolutions as follows

Resolved, That the Sergeant at Arms be allowed a Clerk, to be appointed by him, with the same per diem as is allowed by law to Committee Clerks.

Adopted.

Resolved, That the Speaker appoint two outside Doorkeepers for this House, who shall also act as Messengers for the Sergeant at Arms when the House is not in session.

Adopted.
Mr. Luttrell offered a concurrent resolution, as follows:

Resolved, by the Assembly of the State of California, the Senate concurring, That our Senators in Congress be instructed and our Representatives requested to use their influence to procure the establishment of a daily mail from the Town of Red Bluff, via Cottonwood, Shasta City, Whiskeytown, Tower House, French Gulch, Trinity Valley, Trinity Center, New York House, Callahan's Ranch, Ohio House, Hartstrand's Station, Etna Mills, Crystal Creek, Scott's Valley, Fort Jones, Gordon's Mills, and Forest House, to Yreka

Resolved, That His Excellency the Governor be requested to forward a copy of these Resolutions to the Postmaster General of the United States, and to each of our Senators and Representatives in Congress.

Referred to the Shasta and Siskiyou delegations.
Mr. Splivalo offered a resolution, as follows.

Resolved, That the Sergeant at Arms of the Assembly be instructed to procure for the use of the Assembly and committees, fifteen copies of Hittell's Digest and supplement to the laws of California, the same to be paid for out of the Contingent Fund of the Assembly, *provided* further, that the Sergeant at Arms shall, at the expiration of the session, collect and deposit the same in the State Library, taking the receipt of the Librarian therefor.

Adopted.
In accordance with notice, Mr. Luttrell moved to reconsider the vote whereby the House on yesterday agreed to elect a Chaplain.
The House refused to reconsider.
Mr. Meeker, Chairman of the committee appointed to wait upon the Governor, by leave, verbally reported that in the performance of their

duty they learned that His Excellency would send in his biennial message without delay.

MESSAGE FROM THE GOVERNOR.

The following message was received from His Excellency the Governor:

STATE OF CALIFORNIA, EXECUTIVE DEPARTMENT,
Sacramento, December, 1871.

To the Assembly of the State of California:

In accordance with the provisions of an Act entitled "An Act to provide for the liquidation of all claims against the State not otherwise provided for by law," approved April first, eighteen hundred and seventy, I hereby transmit to your honorable body the Report of the Board of Examiners, showing the various claims recommended for payment, and those recommended for rejection, in accordance with the provisions of said Act.

H. H. HAIGHT,
Governor.

OFFICE BOARD OF EXAMINERS,
Sacramento, November 4th, 1871.

To the Assembly of the State of California:

In accordance with the provisions of an Act entitled "An Act to provide for the liquidation of all claims against the State not otherwise provided for by law," approved April first, eighteen hundred and seventy, we have the honor to submit the following report:

The following claims were laid before the Board, an abstract of which was published as provided for by the statute:

Legrand Lockwood, for bond number two hundred and thirty, issued May sixteenth, eighteen hundred and fifty-five, with accrued interest	$972 50
Samuel Scott, for Indian War Bond, with coupon attached, and Treasurer's certificate	417 00
Thomas Scott, for coupons of Indian War Bonds and certificates of indebtedness	1,600 00
Henry Kohn, for loss sustained by purchasing, in eighteen hundred and sixty-five, forged Soldiers' Relief and Bounty Claims	8,905 04
E. W Morse, administrator of the estate of William H. Moon, deceased, for Indian War Bonds, with coupons attached	315 92
James T. Boyd, for professional services rendered Directors of the Institute for the Deaf, Dumb, and Blind	251 50
J. P. Dameron, for coupons of Indian War Bonds and certificates of indebtedness	640 00
James T. Ryan, for services as War Debt Commissioner	3,000 00
C. H. Reynolds, for coupons of Indian War Bonds and certificates of indebtedness	960 00

James W. Shanklin and John Mullan, for professional services rendered the State in swamp land cases, for amount to be determined by the Board.	
John Mullan, for professional services rendered the State in swamp land cases	2,000 00
Milton S. Latham, for coupons of Indian War Bonds and certificates of indebtedness	45,566 00
A. D Bayles, on behalf of citizens of Trinity and Humboldt Counties, for expense incurred in fitting out expeditions against Indians	2,000 00
John I. Mecredy, for loss sustained on contract to perform certain work upon the Asylum building for the Deaf, Dumb, and Blind, for amount to be determined by Board.	
J. S. Emery, for loss sustained on contract for mason work of Asylum building for the Deaf, Dumb, and Blind	28,580 60
Isidor Wormser, for Indian War Bonds, with coupons attached, and for three Controller's warrants, issued December first, eighteen hundred and fifty-six	768 84
C. H. Reynolds, agent of Edward Dodge, for coupons of Indian War Bonds and certificates of indebtedness (coupons and certificates not accompanying claim)	21,233 50
C. H. Reynolds, agent of L. C. Clark, for coupons of Indian War Bonds and certificates of indebtedness (coupons and certificates not accompanying claim)	7,913 69
C. H. Reynolds, agent of Jay Cooke & Co, for Indian War Bonds, with coupons attached	6,059 12
C. H. Reynolds, agent of William Hoge, for coupons of Indian War Bonds (coupons not accompanying claim)	5,120 00
C. H. Reynolds, agent of Clark, Dodge & Co, for Indian War Bonds, with coupons attached (bonds not accompanying claim)	441 36
H. C. Rolfe, for Indian War Bond of eighteen hundred and fifty-seven	22 37

Of the foregoing claims, we beg leave to report favorably upon the following, and recommend that appropriations be made for their payment:

Claim of Legrand Lockwood, for amount claimed $972 50

It appears that the bond which constitutes the basis of this claim was sent from New York to the Treasurer's office to be funded under the Act of eighteen hundred and fifty-seven, and that it was returned, with the information that the new issue was exhausted. The record in the Treasurer's office discloses the fact that there were two bonds for five hundred dollars, number two hundred and thirty, and that one of them only was funded under the Act of eighteen hundred and fifty-seven. The only doubt as to the validity of the claim was created by their being certain marks upon the face of the bond which gave some appearance of its having been funded, but as there is no evidence that such was the case, we consider the claim a valid one.

Claim of Henry Kohn, for eighty per cent of principal claimed and six years interest thereon $7,284 02

We recommend the payment of this claim, upon the ground that the claimant purchased the forged claims in good faith, at an average price of eighty cents on the dollar, upon the representation, faith, and credit of the genuine certificates of the Adjutant General of the State, and that the powers of attorney to receive the money from the State were delivered to him by the chief clerk of the Adjutant General's office. No one questions that the then Adjutant General of the State was innocent of the fraud perpetrated in his office, but it seems no more than strict justice that the State should reimburse those of her citizens who were led to invest their money upon the faith of the genuineness of his signature. The business of buying and selling these claims seems to have been conducted in this wise: When there was no money in the Soldiers' Bounty and Soldiers' Relief Funds, the soldiers sold their claims and gave the purchaser their power of attorney to receive the money from the State, but when the soldier was at a distance, not being able to attend to the matter in person, he transacted the business through the medium of the Adjutant General's office by sending to that office his power of attorney, they selling his claim for him and delivering to the purchaser the power of attorney. A number of fraudulent claims were concocted by Gelston, chief clerk of the Adjutant General's office, who attached to them similarly fraudulent powers of attorney, and it was such claims as these, certified in the usual way by the Adjutant General to be correct, that the claimant bought, and for which he solicits reimbursement. We think he is entitled to the amount actually expended upon such claims, together with interest at the rate of ten per cent per annum.

Claim of James T. Boyd, for amount claimed..... $251 50

This claim is for professional services rendered the Commissioners of the Deaf, Dumb, and Blind Institute during the year eighteen hundred and sixty-eight. It appears that these Commissioners were empowered, by Act of the Legislature, to sell the Institute property in San Francisco, which sale was effected in November, eighteen hundred and sixty-seven. But the attorneys of the purchasers objecting to the title and refusing to complete the purchase on that ground, it became necessary to employ counsel for the purpose of having the defect in the title cured. This was effected by the claimant, but the terms of the Commissioners expired without any arrangement having been made by them for his payment, and no part of his claim has as yet been paid. We therefore recommend its payment.

Claim of James T. Ryan for..... $2,000 00

This is a claim for services rendered the State as War Debt Commissioner. It appears that claimant was appointed on the ninth day of January, eighteen hundred and sixty-two, a Commissioner of the War Debt, in place of J. W. Denver, resigned, and that the amount appropriated by the Legislature (nine thousand dollars) having all been exhausted by the Commissioners and their clerk before his appointment, he was left without remuneration for his services As the claimant has furnished evidence that he performed the duties of the office, and as the State has made no remuneration therefore, we recommend the payment to him of two thousand dollars, one thousand dollars being deducted on account of services performed by his predecessor.

Claim of Isidor Wormser for three Controller's warrants... ..... $300 00

It appears that these warrants, numbers seven hundred and eighty-two, seven hundred and eighty-three, and seven hundred and eighty-five, respectively, were drawn on the Capitol Fund, December first, eighteen hundred and fifty-six, when there was no money in that Fund, and that before the replenishment of the Fund the whole State debt was declared to be unconstitutional. It further appears that these warrants were mislaid at the time the State was funding her debt under the Act of eighteen hundred and fifty-seven, and could not be presented until it was too late to take advantage of the Act. We think these warrants are valid claims against the State and should be paid.

Claim of John I. Mecredy for.....$25,000 00

We recommend the payment of this claim, to the amount of twenty-five thousand dollars, upon the following grounds:

It appears that the claimant made a contract in August, eighteen hundred and sixty-seven, with the Commissioners for the erection of the Institute building for the Deaf, Dumb, and Blind, to do the whole of the carpenters' and joiners' work, plasterers' work, painters' and glaziers' work, plumbers', gas fitters' and bell hangers' work, and tinsmiths' work, and deliver the same to the Commissioners free of all liens and charges. Subsequently to the execution of this contract, the materials for the walls were changed and various alterations made in the mode of construction, for none of which the claimant was responsible, and by means of which he sustained considerable loss. Further losses were sustained by the increase in the expense of hauling, on account of the sub-contractors for this work abandoning their contract; by the injury or destruction of materials deposited on the ground under the supposition that the work would proceed according to the original contract; by the extra expense of laying floors, etc., caused by the alterations in the masonry of the building, and the rapid rise in the price of lumber and other materials which took place immediately subsequent to the time when the claimant would have completed his contract, had there been no delays caused by alterations in the original plan. Besides, the claimant made his estimates upon the basis of ten hours for a day's work, so that by the enactment of the eight-hour law he sustained great loss. Had there been no such delays as have been mentioned, the claimant would not have been affected by the new law for more than a month; as it was, he was affected by it for more than a year and a half. It appearing that the claimant is indebted to a number of his sub-contractors and material men, we recommend that an appropriation, not exceeding twenty-five thousand dollars, be made to the Directors of the Deaf, Dumb, and Blind Institute, and that they be required to disburse the same in the order and manner following:

First—Such amounts to those sub-contractors and material men specified in claimant's memorial as are found to have equitable claims against him for work performed or materials furnished in the construction of the Institute building.

Second—Such amounts to the claimant as the Directors deem to be equitably due him.

Third—The surplus, if any, to be expended by the Directors in the support of the Institute under their charge.

We recommend the rejection of the following claims:

Claim of James W. Shanklin and John Mullen, for amount to be determined by Board.

This claim is made for services alleged to have been rendered the State in swamp land cases before the United States Surveyor General, Commissioner of the General Land Office, Secretary of the Interior, and Attorney General, under the fourth section of the Act of Congress of July twenty-third, eighteen hundred and sixty-six. We do not consider this claim a valid one, for the reason that the claimants were not authorized, by any one competent to make such employment, to perform the services alleged to have been rendered. The claimants, acting without competent authority, and rather in the interests of their private clients than in that of the State, we cannot consider their claim a valid one.

Claim of John Mullan for..... $2,000 00

This claim is similar to the one last mentioned, and we therefore recommend its rejection.

Claim of A. D. Bayles, on behalf of citizens of Humboldt and Trinity Counties, for.....$2,000 00

This claim is made for expenses incurred in fitting out expeditions against the Indians As these expeditions were purely voluntary and undertaken without competent authority, the State is neither legally nor equitably bound for reimbursement.

Claim of J. S Emery, for loss sustained on contract to do the mason work for the Deaf, Dumb, and Blind Institute, for....$28,580 69

We recommend the rejection of this claim, for the reason that no evidence whatever has been laid before us that would tend to prove that anything is due the claimant, either in law or equity.

This disposes of all the claims that were submitted to the Board. with the exception of claims for payment of Indian War Bonds, coupons of such bonds, known as "detached coupons," and certificates of indebtedness issued by the Board of War Debt Commissioners In regard to these, we beg leave to state that we had neither the time nor the facilities which would enable us to arrive at any definite conclusion as to what were or were not valid claims against the State. At the same time, it would seem to be an imperative duty to institute a thorough investigation of this class of claims, and make provision for the payment of such as have validity. It is certainly time that this business should be finally settled and payment made to those to whom the State has obligated herself. Had all the claims of this class now outstanding been presented to the Board, we would have made an effort to finally settle them all; but as this was not the case, our settlement would, at best. have been but partial, and, even as to the claims acted upon, highly unsatisfactory, because the matter demands more investigation than it is possible for us to give it.

As to the War Bonds of eighteen hundred and fifty-seven, there can be no doubt that the State never obligated herself to pay them, and that none of them at present unredeemed are valid claims against her. The Act which provided for their issue stated distinctly that they were to be paid out of moneys appropriated by the United States, and the bond

itself did likewise. Congress appropriated, by Act of eighteen hundred and fifty nine, four hundred thousand dollars for the payment of this class of claims, and it would seem by the report of Commissioner Smith of date July twenty-seventh, eighteen hundred and sixty-two, that provision had been made for the liquidation of such as were valid. At all events, the State is neither legally or equitably bound to pay any that may be outstanding. There is but one bond of eighteen hundred and fifty-seven submitted to us, and that was for the trifling amount of twenty-two dollars

In regard to the twelve per cent War Bonds of eighteen hundred and fifty-one, and seven per cent War Bonds of eighteen hundred and fifty-two, the State expressly bound herself to pay them, in case the United States Government did not In August, eighteen hundred and fifty-four, Congress made an appropriation for this purpose, to the amount of nine hundred and twenty-four thousand two hundred and fifty-nine dollars and sixty-five cents, which was supplemented two years subsequently by an Act which provided that only such expenses should be paid which had been incurred prior to January first, eighteen hundred and fifty-four; and that before any bond should be redeemed by the Secretary of War, it should be indorsed as correct by the War Debt Commissioners of the State. These Commissioners indorsed as correct the bonds, with interest up to January first, eighteen hundred and fifty-four; and to the holders of the twelve per cent bonds, the coupons of which fell due in September and March, they gave a certificate of indebtedness for the interest from January first, eighteen hundred and fifty-four, to March first, eighteen hundred and fifty-four, as it was necessary to detach this March coupon. The coupons, the interest on which fell due between January first, eighteen hundred and fifty-four, and September first, eighteen hundred and fifty-six, were detached and surrendered to the holders of the bonds, who claim them to be valid obligations of the State. The total amount of these coupons is no less than one hundred and seventy-two thousand eight hundred and sixty-eight dollars and fifty-four cents, none of which, so far as we know, have ever been paid. Many of the coupons must have been lost or destroyed during the long period of time since they were detached, but it is safe to say that at least two thirds of them are still in private hands.

As to the amount of War Bonds now outstanding, it is impossible for us to accurately ascertain. Quite a large amount was issued after eighteen hundred and fifty-four, under the Act of eighteen hundred and fifty-two, many of which must be still unredeemed. A register of all of these bonds is in the Treasurer's office, together with a register of such as have been redeemed But it has been found, on examination, that these redemption registers are far from being accurate or complete. For instance: the redemption register of the bonds of eighteen hundred and fifty-one shows that twenty-three thousand dollars of them are still unredeemed, while the fact would seem to be, as stated in Adjutant General Kibbe's report of March twenty-sixth, eighteen hundred and sixty-two, that only three thousand dollars of these bonds are outstanding, and these, he supposes, were lost or destroyed, as they had not been presented to the War Debt Commissioners for payment by the General Government. And so far as the new issue of eighteen hundred and fifty-two is concerned—that is, bonds issued under the Act of eighteen hundred and fifty-two, after January first, eighteen hundred and fifty-four, we have been unable to find, either in the Controller's or Treasurer's office, any redemption register for them at all. And yet many of

these bonds were paid by the United States, and they constitute nearly the sum total of the Indian War Bonds now in private hands that can be considered valid claims against the State.

In view of the foreging facts, we beg leave to recommend that some competent person be appointed whose business it shall be to make a thorough investigation of this class of claims and ascertain what amount of them is outstanding and unpaid. He should also be empowered to ascertain from the records in the office of the Secretary of War what bonds have been canceled by him, and to seek such other matter there as is pertinent to his inquiry; and the War Bond registers and redemption registers in the office of the State Treasurer should be so corrected as to correspond with the facts as found. It would be well to empower such Commissioner to make his report to the Governor within ninety days after his appointment and qualification, and upon such report to authorize the Board of Examiners to audit and allow those claims for which, in their judgment, the State is legally or equitably bound—payment to be made out of any moneys in the General Fund not otherwise appropriated

The claims, together with accompanying vouchers and evidence, are on file in our office, and can be inspected at any time, or will be transmitted to your honorable body if you so desire.

H. H. HAIGHT, Governor,
H L. NICHOLS, Secretary of State,
JO HAMILTON, Attorney General,
Board of Examiners.

GOVERNOR'S MESSAGE.

STATE OF CALIFORNIA, EXECUTIVE DEPARTMENT,
Sacramento, December, 1871.

To the Assembly of the State of California:

I herewith transmit to your honorable body my second biennial message, with accompanying documents.

H. H. HAIGHT,
Governor.

STATE OF CALIFORNIA, EXECUTIVE DEPARTMENT,
Sacramento, December 5th, 1871.

To the Senate and Assembly of the State of California:

In obedience to constitutional requirement I proceed to give you such information concerning the condition of the State and the operations of its government during the past two years as may tend to facilitate your labors

While the State has suffered for the lack of copious rains the last and preceding Winters, we may yet felicitate ourselves upon exemption from any great calamities and upon the healthful condition of our mining and agricultural interests

Despite the depression of some of our industries, the future of California never seemed more promising than it does to-day.

FINANCIAL CONDITION.

The reports of the Controller and Treasurer, which are transmitted herewith, exhibit the financial condition of the State on the first day of November last, and the transactions of their offices during the twenty-first and twenty-second fiscal years.

The total funded debt on the first day of December, A. D. eighteen hundred and sixty-seven, was stated by my predecessor at five million one hundred and twenty-six thousand five hundred dollars This statement, however, overlooked an item of twenty thousand dollars, which would have made the total funded debt five million one hundred and forty-six thousand five hundred dollars, independently of Indian war bonds, of which eighteen thousand six hundred and sixty-eight dollars and seventy-eight cents have been paid since that date. Bonds to the amount of two hundred and fifty thousand dollars were issued for the completion of the State Capitol, under the Act of last session The present funded debt is three million four hundred and sixty-two thousand dollars, and of this amount one million one hundred and thirty three thousand five hundred dollars are held by the State in the School Fund, and fifty-seven thousand five hundred dollars in the University Fund. The amount of bonds redeemed since the first day of July, A D. eighteen hundred and sixty-nine, is eight hundred and fifty-six thousand dollars.

The amount of funded debt of this State held by private individuals is two million two hundred and seventy-one thousand dollars, which, added to the amount of bonds held by the State in the School and University Funds, makes the sum of three million four hundred and sixty-two thousand dollars, as stated.

Of the Capitol bonds issued last session nearly the whole amount (two hundred and thirty-six thousand dollars) are held in the School Fund.

There is in the Treasury at present, applicable to the redemption of bonds, the sum of one hundred and forty-nine thousand five hundred dollars, so that the funded debt of the State, after deducting the amount of cash on hand devoted to redemption of bonds is three million three hundred and twelve thousand five hundred dollars, a reduction of one million eight hundred and thirty-four thousand dollars within the past four years. At the present rate of redemption the funded debt, aside from bonds in the School Fund, would be extinguished within the next four years.

The various classes of bonds outstanding, and those held in the School Fund, will appear by reference to the Controller's and Treasurer's reports In addition to the funded debt there are unpaid Capitol warrants, the amount of which is hereinafter stated These will be paid by the proceeds of the Capitol tax within the next twelve months The receipts from all sources during the fiscal year ending June thirtieth, eighteen hundred and seventy-one, were three million three hundred and twenty-nine thousand nine hundred and eighty-four dollars and ninety-nine cents, and the total disbursements during the same year were two million nine hundred and fifteen thousand five hundred and ninety-two dollars and seventy-two cents.

At the session of eighteen hundred and sixty-seven and eighteen hundred and sixty-eight the tax for the General Fund was reduced from thirty and three fourth cents to twenty-two and one half cents on each one hundred dollars of valuation.

This reduction, with large deficiencies to be provided for, and some extraordinary demands on the General Fund for the Deaf, Dumb, and Blind Asylum, furniture for the State Capitol, Mono County bonds, and other purposes, with the unavoidable increase of expenditure in the Insane Asylum, resulted in a deficiency in the General Fund at the last session. The increase of the tax for this Fund to twenty-eight and one half cents will remedy this during the current fiscal year, and the estimate of the Controller of twenty-one and three fourth cents for the General Fund may prove to be adequate, with the increased assessed value of taxable property.

Much embarrassment has resulted, however, from charging all miscellaneous and extraordinary appropriations upon the Fund out of which are paid the salaries of Judges and State officers and the regular expenses of the Prison, Insane Asylum, and other State institutions It is very desirable that this Fund and the tax for it should be divided and a Salary Fund, Prison and Asylum Funds created. Instead of a tax of twenty-one and three quarter cents for the General Fund, a portion of this rate sufficient for the purpose could be applied to a Salary Fund, and portions to the Prison and Asylums for the Insane and Deaf, Dumb, and the Blind, which are the most expensive State institutions, leaving the surplus over the amount appropriated to lapse into the General Fund at the end of each fiscal year.

In this way the regular operations of the State Government would be provided for without the serious embarrassment which occasionally results from a deficiency in the General Fund

The rate of taxation for State purposes for some years past has been as follows· In eighteen hundred and sixty-five and eighteen hundred and sixty-six, one dollar and thirteen cents ($1 13); in eighteen hundred and sixty-seven and eighteen hundred and sixty-eight. ninety-seven (97) cents, and in eighteen hundred and sixty-nine and eighteen hundred and seventy the rate was still further reduced to eighty-six and one half cents.

This tax is made up of the following items: For building the State Capitol, ten cents; Normal School building, two cents; State Prison Building Fund, three cents, School Tax, ten cents; Funded Debt Tax, including Capitol bonds, twenty-three and three quarter cents, Central Pacific Railroad interest, eight cents, Military Tax, one and a quarter cents, and General Fund, twenty-eight and a half cents.

The Funding Act of last session was ratified by a majority of the voters If it is carried into effect and the bonds provided for are substituted for those now outstanding, a tax of eight cents would be sufficient to pay the interest for the first five years, as the law provides This would reduce the funded debt tax from twenty-three and three quarter cents to eight cents, a reduction of fifteen and three quarter cents

The tax for the Capitol can be dispensed with in two years, and the tax would then be reduced from eighty-six and a half cents to fifty-six and three quarter cents, by deducting fifteen and three quarter cents of the funding tax, six and three fourths cents General Fund tax, and ten cents Capitol tax, increasing the military tax to two cents, and levying a special tax of two cents for a University Building Fund

This leaves the Normal School building tax to be applied to other public buildings after the completion of the Normal School. The tax of eight cents subsidy to the Central Pacific railroad is levied to raise the sum of one hundred and five thousand dollars annually, and the rate of tax will produce each year a larger surplus with an increased

assessment roll. This surplus is payable into the General Fund, and will aid to prevent any deficit in that Fund. This tax now produces nearly double the amount of the subsidy

The Legislature can carry the Funding Act into effect, or can repeal it, and go on with the payment of the debt as heretofore.

The arguments in favor of the funding bill were briefly these: First—An immediate reduction of taxation for this purpose, to the extent of fifteen and three fourths cents. Second—Furnishing to the School Fund for investment, bonds of this State, instead of seeking elsewhere for securities Third—Facilitating the equalization of assessments by its provisions.

The arguments against it are · the difficulty of securing the exchange of the old bonds without advertisement for the prescribed time, the discount on the new bonds, and the desirableness of extinguishing the debt. While not strenuous on the subject, my judgment was in favor of refunding the debt, and thereby diminishing taxation, as well as leaving in the School Fund our own bonds for an investment The subject is commended to your consideration, and to such disposition as in your wisdom may seem expedient.

The prospect of a State nearly out of debt, with a School Fund of two millions of dollars and upwards, constantly increasing, and a rate of State taxation which, independently of such special taxes as may be necessary for public buildings will not much, if at all, exceed fifty-five cents on each one hundred dollars of valuation under a standard of about one third of the real value for the valuation of the Assessor, is gratifying and ought to stimulate all who control our State legislation to continue in the same course of economy which has been pursued for some years past. It should also be borne in mind, as a further argument in favor of economy, that the State will be compelled to expend during the next ten years a very large amount in public buildings for the proper care of our insane and the custody of adult criminals and juvenile delinquents.

I have heretofore referred to the advantage of light taxation as an attraction to immigration, and need add nothing on this subject. The fault of all governmental machinery in every country and in every age has always been that it is too cumbersome and expensive, and bears with too much weight upon productive industry. It is out of this that all taxation and public expenditure must be ultimately paid.

EQUALIZATION OF ASSESSMENTS.

The law of last session upon the subject of equalizing assessments was passed in haste, and was designed rather as preliminary to a more perfect system. There is an evil and an injustice here, arising from the different standards either ignorantly or wilfully adopted in different counties, which call for remedy. The system will doubtless be improved by your Honorable bodies at this session. I take the liberty, however, of urging great care and caution to avoid sudden and radical changes in valuations which would fall oppressively upon taxpayers, and especially upon farmers.

The object to be attained is to secure a uniform valuation in the different counties, and one which approaches more nearly the market value of the property.

The report of the Commissioners discloses some gross inequalities, and at least one case of an extensive fraud upon the revenues of the State

by the Supervisors of one of the counties Your attention is especially invited to the report of the Board, which shows the necessity of a reform in the system.

SECRETARY OF STATE.

The report of the Secretary of State is herewith transmitted. The business of his office has been transacted with system and promptitude, and the purchases of furniture for the Capitol have been marked by judgment and economy.

ATTORNEY GENERAL.

The state of the various civil and criminal causes to which the State is a party will appear from the report of the Attorney General, herewith transmitted.

The suit respecting the title of the State to that portion of the Yosemite Valley occupied by J. M. Hutchings has been decided by our Supreme Court in favor of the State, and has been taken by the defendant to the Supreme Court of the United States by writ of error. There is no doubt that the appellate Court will affirm the judgment of the Supreme Court of this State. I respectfully recommend to your Honorable bodies to take some definite action to preserve the valley as a public reservation, in accordance with the grant to the State. A small appropriation would suffice to make every part of the valley accessible with ease and comfort, and would add much to its natural attractions.

It will doubtless be resorted to every year by thousands of tourists, if they are not repelled by a system of petty impositions, which will result from allowing the valley to be appropriated to private ownership. I renew the recommendation heretofore made that a liberal compensation be made to Mr Lamon for his improvements, and that the same course be taken with Mr Hutchings, when final judgment is rendered against him in the ejectment suit now pending.

PURITY OF ELECTIONS.

The Attorney General refers to the paramount importance of preserving the purity of the ballot-box, and adverts in terms of merited censure to the course pursued by Government officers at Vallejo in the recent elections

The essence of free government consists in the free and voluntary choice of officers by the electors If this freedom is destroyed, and men are coerced into voting a particular ticket by threat of discharge and fear of starvation, the act of depositing ballots is a mockery and a fraud.

When officers marshal fourteen or fifteen hundred laborers to the polls, destroy the secrecy of the ballot by compelling the use of strips of pasteboard five eighths of an inch wide, printed closely in diamond type, so that alteration is impossible, they aim a blow at the existence of free government, and virtually direct the machinery of Republican institutions to defeat the popular will, upon which they are avowedly based No partizan or personal considerations should prevent a prompt and effectual remedy for this abuse.

There is another evil which menaces the perpetuity of our institutions, and it is the open practice of bribery at elections. Laws of the most stringent character ought to be enacted to arrest this growing evil. When the time comes that the rank and file of the voters are for sale in

the market, the exchange of republicanism for despotism will be only a question of time, and that a short time. Patriotism under such circumstances would become a theme for jest It is here, doubtless, that a serious peril lies, and it is aggravated by the power of the great corporations which at the present day seem to be satisfied with nothing short of absolute control of the whole machinery of government No intelligent man is blind to this peril, and there are not wanting already those who despair of a remedy.

Wise legislation, however, will aid much to correct the evil. It should be made a felony to offer or accept a bribe at an election, and a cause of disfranchisement, and a disqualification for holding any public office. Any officer guilty of this offence should be made liable in a quo warranto at suit of any citizen, and ousted from office if found guilty. This last provision would probably be efficacious

Corruption at elections is stimulated by the practice of betting money upon the result. This practice is exceedingly pernicious and ought to be declared by statute a misdemeanor and a ground of disfranchisement ipso facto Laws such as these would go far to afford a remedy in connection with an enactment providing for an uniform ballot on white paper, the passage of which I respectfully recommend.

SURVEYOR GENERAL.

The report of the Surveyor General is herewith laid before you, and contains some interesting statistics.

In my first biennial message this paragraph occurs:

"Our land system seems to be mainly framed to facilitate the acquisition of large bodies of land by capitalists or corporations, either as donations or at nominal prices."

In the same message the regret was expressed that any portion of the public lands had ever been disposed of except to actual settlers.

Posterity would hardly credit, without conclusive evidence, that at this age, under a republican government, the largest part of the public lands would be granted in fee to railroad corporations without condition as to price and terms of sale. A body of public lands comprising over fifty millions of acres, and embracing nearly the whole of Washington Territory, destined one day to be a great State, has been granted in this manner to one corporation composed of a few capitalists The public lands belong to the people, and it is not improbable that such legislation as this, if no other remedy avails, will in the future provoke revolutionary resistance on their part, defrauded as they are of their rightful patrimony.

If the lands had been held for settlement, and only the proceeds at Government price donated, no great objection would have been made; but the system tends directly to reduce the people to servitude and erect over them a despotism.

These grants ought to be revoked by Congress, and in lieu of the land the proceeds granted when sales are made to actual settlers. No vested rights worthy of respect can grow out of such transactions as these, so long, at all events, as the land is not sold by the donees to bona fide purchasers.

In the case of the swamp and overflowed lands a system of reclamation may perhaps render their concentration in large bodies in the first instance necessary, and, indeed, in the case of uplands, where large

tracts have been acquired by purchase, the fault is chargeable to the system, and not to those who avail themselves of it to purchase lands.

Our State laws on this subject deserve a harsher criticism, if possible, than that made two years ago, and I respectfully recommend the repeal of all laws in this State providing for the disposal of public lands, and the enactment of some system, not the parent of land monopoly, and which would furnish those guards against illegitimate speculation that are lacking in the present system The immediate repeal of all laws in force on this subject, saving rights already vested by entry and purchase, would allow time to frame a system better guarded against abuses; and I also recommend a memorial to Congress in favor of revoking all such grants as that made to the North Pacific Railroad Company, and of substituting for the land itself the proceeds when received from sales to actual settlers.

I have heretofore recommended legislation to prevent the snaring and killing of small birds and singing birds as a measure of great importance to agriculture.

In other countries these birds, which are so useful to the farmer in the destruction of insects, are propagated at great expense, while here we permit the indiscriminate slaughter.

The repeal of the system of "lawful fences" and the enactment of laws making owners of stock responsible for trespass by it will doubtless engage your attention It is manifestly unjust to compel each farmer who purchases or takes up a quarter section to expend more than the price of his land to protect himself against his neighbor's cattle. Every man ought, in justice, to be required to take care of his own stock or suffer the consequences. The present fence system has been an incubus upon agriculture, which is becoming every year more intolerable.

Upon agriculture, which is the basis of our prosperity, is placed the burden not merely of the cost of fences at first, but of their renewal and repair from year to year.

Public sentiment demands a reform of this injustice, and I doubt not its demand will be heeded by your Honorable bodies.

FISH.

Your attention is also invited to the report of the Fish Commissioners. These gentlemen serve without compensation, and have shown a commendable economy. Their report is one of great interest, and valuable results are anticipated from their labors The law of last session needs some amendments to make it efficient, and these are suggested by the Commissioners.

An experiment has been made in stocking the upper Sacramento with shad, which promises good results. The Commissioners ask the appointment of a Joint Committee on "Coast and River Fisheries," to take charge of this important subject. The publication and distribution of their report cannot fail to be useful, and the legislation recommended will preserve and increase the supply of fish in the bays, lakes, and streams of this State.

COMMON SCHOOLS.

The subject of popular education is justly regarded as of vital importance to the maintenance of democratic institutions.

The people of this country are as unanimous as any people could well be on any subject in favor of an efficient system of common schools,

removed from partizan and sectarian influences. where the whole mass of children can receive instruction at public cost. The improvement and growing efficiency of our own common school system is a subject of just pride and of hope for the future.

Vice and despotism are the offspring of popular ignorance, virtue and liberty of popular education The report of the Superintendent of Public Instruction gives the following figures of results for two years past:

The whole number of children in the State between the ages of five and fifteen years, is reported at one hundred and thirty thousand one hundred and sixteen, of which number one hundred and twenty-seven thousand nine hundred and eight are white, nine hundred and one colored. and one thousand three hundred and seven Indians under the guardianship of white persons; the number under five years of age is sixty-six thousand two hundred and ninety-two; making the total number under fifteen one hundred and ninety-six thousand four hundred and eight, against one hundred and seventy thousand seven hundred and twenty-six, reported two years ago. Four years ago the number under fifteen was one hundred and forty-nine thousand three hundred and six—an increase in four years of forty-seven thousand one hundred and two

The number in attendance at the public schools during the present year was eighty-three thousand six hundred and twenty-eight, at private schools. fifteen thousand five hundred and twenty-four; attending no schools, thirty thousand nine hundred and sixty-four.

In eighteen hundred and sixty-seven the number in attendance at the public schools was reported at fifty-four thousand seven hundred and twenty-six, upon private schools, fourteen thousand and twenty-six; and upon no school. twenty-four thousand four hundred and eleven. These figures furnish food for reflection. It seems, with all the zeal and interest manifested in this cause by the Superintendent, the teachers, and the public, there are six thousand five hundred and fifty-three children more not attending any school than there were four years ago Such a fact ought to stimulate to redoubled diligence in the extension of our Common School System, so as to gather within its influence all children between five and fifteen not educated at private schools.

The number of schools reported this year is one thousand five hundred and fifty, an increase of four hundred and sixty-seven since eighteen hundred and sixty-seven. The number of teachers this year is two thousand and fifty-two, an increase of six hundred and sixty-three teachers since eighteen hundred and sixty-seven. The number of new school houses built during the year was one hundred and twenty-five, some of them large and expensive buildings.

The total value of school property is three million three hundred and sixty-two thousand five hundred and eighty dollars and eighteen cents, and the total expenditure for public schools is one million seven hundred and thirteen thousand four hundred and thirty dollars, an increase of one million six hundred and sixteen thousand two hundred and forty-four dollars and forty-six cents in the value of school property, and of four hundred and twenty-two thousand nine hundred and eighty-five dollars and twenty cents in annual expenditure, since eighteen hundred and sixty-seven.

The exhibit would be a good one but for the large number not in attendance, and in reference to this it may be said that the percentage of increase of attendants is larger than that of non-attendants. There

are many of the sparsely settled districts and those now being settled where the maintenance of schools will be difficult for some time to come. In some districts also, especially in the southern part of the State, there is a strange indifference manifested by the people to giving their children school facilities.

The Normal School building in San José was located upon one of the public squares of that city under the law of last session. The progress made in its erection will appear from the report of the Superintendent of Public Instruction. A continuance of the special building tax will be requisite to insure its completion.

MILITIA.

The report of the Adjutant General presents the strength of the militia organization and some arguments in favor of its utility.

I regret that at the last session so little heed was given to the recommendations in favor of increasing the efficiency of the companies. They are the right arm of the State in the event of serious disturbance, and as an adjunct to the civil authorities could not be dispensed with. They have not been treated for the past four years with liberality, nor even with justice. Not a uniform has been furnished to the infantry, nor can one be with a tax of only one and a quarter cents. The companies use the old muzzle-loading muskets, which are practically worthless. An appropriation of fifteen thousand dollars would suffice to change two thousand or twenty-five hundred of the muskets now in use into breach-loaders of improved pattern, equal to any demand for service. A tax of two cents would suffice to increase the allowances as they ought to be, especially for the artillery, and to furnish the companies with new uniforms as required.

It is desirable to manifest on the part of the public some appreciation of the zeal, *esprit de corps*, and discipline of the State military, which contains all the elements of a superior body of citizen soldiery, and the State ought either to make a respectable provision for those who give their time freely to its service, or else abandon the organization and trust to fortune for the suppression of riots and mob violence.

A single company of infantry in Los Angeles might, and probably would, have suppressed the recent mob in that city before it had brought lasting reproach upon the State by the barbarous murder of a number of Chinamen, most of whom were innocent of any offence whatever.

It became necessary during last Summer to remove the arms and equipments from the place of storage where they were rapidly going to destruction with rust and mould, and place them in a suitable armory obtained upon what were regarded as favorable terms of rent.

STATE PRISON.

The receipts and disbursements at the Prison are given in the report of the Resident Director. The number of inmates on the first day of August last was eight hundred and eighty, and in November last nine hundred and seven (907).

The Resident Director and the majority of the Board in their report make a variety of recommendations, to which your attention is invited.

There is one change needed, however, without which, in my judgment,

it is useless to expect anything like a perfect system of prison discipline and management. This is, that the Lieutenant Governor should be relieved from the custody of the prisoners, and a permanent Warden appointed. A Board of Prison Directors of three, five, or seven ought to be appointed by the Governor, to serve without further compensation than their traveling expenses, as is the case with the Directors of the Insane Asylum.

The Directors should be appointed by the Governor, without reference to partizan politics, and subject to removal by him. The Warden should be appointed by the Board of Directors, and subject also to removal by them; and he should select his own subordinates. It is certainly strange that it should be so difficult to inaugurate this salutary reform. There can be no question of its expediency, both on the score of economy and humanity. At the last session a bill was prepared and introduced into the Assembly establishing this system, but it failed to pass that body, and in lieu thereof a bill perpetuating the present system, and making it, if possible, still more objectionable, passed both Houses, but was not approved. The Warden of a prison where eight or nine hundred men are confined ought to be selected with reference to his aptitude for the care and management of such an institution, and should not be subject to removal with the entire corps of subordinates whenever there is a change in party ascendancy.

There has been a gratifying improvement in the discipline and general condition of the Prison during the past four years. The obligation resting upon us to adopt every available means to make still further improvement in the condition of the convicts and in the management of the Prison is enforced by sentiments of humanity and a regard both for the public interests and the welfare of the criminal. With the change of system heretofore recommended and the erection of additional cell buildings, which are urgently needed, the system known as the Irish system could be introduced. A separate Prison or House of Correction ought to be provided for juvenile delinquents and for such as are confined for their first offence.

At present all the inmates, young and old, those capable of reform and amenable to good influences, and those hardened in crime, are confined together, to the great detriment of the unfortunate young men who are thus educated in vice and turned loose to prey upon society. This evil can only be effectually remedied by a separation of prisoners and providing an intermediate Prison or House of Correction, which has been recommended by my predecessor in office and myself. During the last two years a teacher has been employed to instruct the prisoners, with gratifying results. One hundred and ninety have been taught to read and write since April, A. D. eighteen hundred and seventy. I invite the attention of your Honorable bodies to the report of the Resident Director, which contains many useful suggestions. In the management of the Prison the Directors have studied economy, and have endeavored to make a judicious use of the moneys appropriated; but it must not be forgotten that while it is desirable to reduce the cost of the Prison the reformation of the convict should be the paramount consideration.

The State cannot afford to economise expenditure at the cost of failing to make the Prison reformatory, and such disbursements as are necessary for this purpose ought to be cheerfully made. When the present Board came into office the labor of the prisoners was let to contractors at thirty cents per day per man. The price was considered too low, and the

Board resolved to increase the rate to fifty cents. This was done, and some of the contractors threw up their contracts. To avoid being left with nearly the whole labor unemployed, the price was reduced to forty cents, as there was no possibility then of employing the labor on State account. The present Board adopted the system of advertising for supplies, which has reduced the cost of subsistence and at the same time secured a better quality of provisions. It would occupy too much space to detail the improvement in the condition of the Prison during the past four years. It has been so marked as to attract the notice of all who have visited the institution, and yet with the change of system recommended and suitable cell buildings the condition of it can be still further improved and still better results secured.

The contract system might then be abolished and the Prison possibly be made self sustaining, which can never be done under the present system.

The sole responsibility of the exercise of the pardoning power under the Constitution and laws of this State is devolved upon the Governor. Under an Act passed in eighteen hundred and sixty-eight the Board of Prison Directors are authorized to select such cases as they think worthy of pardon and present the list to the Legislature, and upon the approval of their recommendation by the Legislature the Governor is authorized to act. The practical working of this Act is not satisfactory, and its repeal would be advantageous The selections for recommendation are liable to be hastily and indiscriminately made, and the Legislature has not the means of acting intelligently upon the report of the Prison Directors. It would be better to leave the sole responsibility with the Executive.

It is an onerous and oppressive responsibility, but the public interests are better secured by having it fixed upon one, than by having it distributed between the Prison Directors and the Legislature.

INSANE ASYLUM.

The Reports of the Directors and Superintendent of the Insane Asylum show at present in that institution one thousand and ninety persons, of whom seven hundred and eighty-six are male and three hundred and four female. The care of its insane is a sacred duty resting on the State, and all who are jealous of its reputation for humanity cannot avoid a feeling of chagrin that this large number of these unfortunate beings should be crowded together in quarters so insufficient for their proper accommodation. It has been an arduous task to make adequate provision for the care and treatment of this large number of insane in buildings, the dormitories of which are fitted to contain not more than two thirds of the number.

The great increase in the number of patients has caused a deficiency in the expenditures of the institution, the amount of which will appear from the reports.

This ought to be provided for early in the session. The management of the institution by the Superintendent and assistant physicians has been unexceptionable, and the Directors have been actuated by a single desire to promote the welfare of the inmates, and at the same time to make a judicious expenditure of the appropriation.

The members of the Board are men of good business judgment, and enjoy the confidence of the public, and I doubt not have aimed at economy. I trust the recommendations of the Superintendent will not

be passed by at this session. The inclosing of the grounds so as to prevent escapes, and the building of the north wing, recommended by him, are urgently necessary, and provision for these ought to be made without delay.

It has also become a necessity to provide another asylum in this State, and its location ought to be fixed upon by a Commission of three or more persons, to be appointed by the Governor. The unanimous opinion of medical gentlemen, and of all intelligent men, is that the additional asylum for the insane should be located in one of the counties bordering on the Bay. There are cogent sanitary reasons for this, aside from the question of economy and facility of transportation, so large a proportion being sent from San Francisco.

In this connection allow me to call your special attention to the report of the Commissioner, Dr. Wilkins, who was appointed under the Act of last session to visit the asylums in the East and Europe It presents a great number of interesting facts and statistics, and a careful perusal of it will aid very much intelligent legislation upon a subject which addresses itself so strongly to the sympathies of every man who has a heart to feel for the affliction of these victims of mental disease.

In enforcing upon your attention the absolute necessity of additional provision for these unfortunates, both at Stockton and in a separate institution, I only second the appeal of the officers of the Asylum and of the Commissioner in his report, which it would be a violation of duty to fail to urge upon you, and to which common humanity requires the Legislature to respond.

The people of this State have reason to be proud of the improvement in their public institutions, and deserve credit for the disposition to make suitable provision for them, but there is danger of a neglect to provide properly for the insane among us which would bring upon the State merited reproach.

ASYLUM FOR THE DEAF AND DUMB, AND THE BLIND.

The number of boys and girls in this institution September eighteenth was one hundred and two (102), as follows: sixty-four (64) deaf and dumb—thirty-seven (37) male, and twenty-seven (27) female, thirty-one (31) blind—eighteen (18) male, and thirteen (13) female. The number would be increased doubtless if the people of the State were more generally informed that no charge is made in the institution except for clothing and traveling expenses.

The Directors report a deficiency of twenty-eight thousand dollars ($28,000), of which more than twenty thousand dollars ($20,000) appear to be for permanent improvements. The gentlemen composing the Board of Directors, and the ladies who visit the Asylum, give their time without compensation to this benevolent work.

It is a source of gratification to know that the polluting influence of party politics has not invaded the charities of the State during the past four years. If the Prison could be rescued from this influence also, and these institutions could be kept free from this contamination, there would be a great gain to the cause of humanity, as well as to the public revenues.

The reports of the Directors and Superintendent will give a correct view of the operations of the Asylum for the period of twenty-two months ending July thirty-first.

The management of the Asylum by the Superintendent and Assistants

cannot be too highly commended. The estimate of amount needed for current expenses of the next two fiscal years is thirty-six thousand dollars ($36,000) per annum, or seventy-two thousand dollars ($72,000) for the two years.

STATE HARBOR COMMISSIONERS.

Under the present system, jurisdiction over the water front and wharves of San Francisco is vested in this Board. The Board ask for authority to make a further reduction in the rates of dockage, tolls, and wharfage; also, the purchase of a dredging machine, and recommend an amendment to the present law, placing every part of the water front, including the frontage on Channel street, more distinctly within the jurisdiction of the Commissioners. There is no doubt that the public interests would be promoted by action upon these recommendations.

If the purchase of a dredging machine had been authorized at the last session this work could have been done at much less expense than under the present system.

The sea wall, so far as constructed, seems to answer the purpose, and the plan adopted and thus far pursued has the advantage of economy over any other one advocated. The dockage upon vessels has been reduced from twenty to twenty-five per cent, and there has also been some reduction in the rates of tolls.

Three thousand two hundred and fifty-two feet of the sea wall have been constructed, terminating at a point fifty-two feet north of Howard street. The engineer recommends a reduction of the length of the Market, Mission, and Howard street wharves from six hundred to three hundred feet, and the location of wharves of the latter length between those streets. This would diminish one half the area to be dredged between those wharves.

TIDE LANDS.

The report of the Board of Tide Land Commissioners gives the results of the operations of this Board, a summary of which also appears in the Controller's report. The nett proceeds of sales to November first, eighteen hundred and seventy-one, are stated by the Controller at nine hundred and eighty-seven thousand seven hundred and fifty-five dollars and ninety-two cents ($987,755 92), of which six hundred and seventy-nine thousand eight hundred and twenty-nine dollars and ninety-five cents ($679,829 95), are deferred payments, not yet realized in cash. The tide lands in Contra Costa and Alameda Counties are advertised for sale on the eighth day of December instant, and together with amounts to be realized from releases and compromises in San Francisco will swell this aggregate considerably. Of the net proceeds of these lands the sum of eight hundred and thirty-three thousand three hundred and thirty-three dollars ($833,333), sufficient to produce fifty thousand dollars ($50,000) at six per cent, is devoted to the University endowment, the surplus being payable into the School Fund. The hydrographic survey of the tide lands in Marin, San Francisco, San Mateo, Contra Costa, and Alameda Counties has been necessarily expensive, but is thoroughly done, and will prevent controversies hereafter. The removal of this source of contention from the Legislature has been a great relief to the legitimate business of the sessions, and has secured to public institutions the cash value of these lands.

There are some valuable lands unsold in San Francisco, and beside

these the State title is a cloud upon a large portion of the lots within the one hundred vara survey, owing to the manner in which the lines were run by the United States Surveyor General in delineating the pueblo lands. The Commissioners adopted the policy of releasing at a nominal price the title of the State to such portions of these last named lots as were applied for by the owners. The State has no claim in equity to this property. The present owners have the city title, with fifteen to twenty years of undisturbed possession under a title which has been universally recognized as valid. The time for releases of this character having elapsed it would be both just and expedient to authorize the owners of any parts of these lots north of Mission Creek, within the old city survey, to pay to the County Treasurer of San Francisco for account of the State the price of any lot or part of lot at the rate fixed heretofore by the Commissioners, with the proviso that upon such payment the Treasurer shall issue a receipt, to be acknowledged and recorded, which shall enure to the benefit of the holder of the city title, whoever he may be. In this manner these titles would be quieted without any risk of injustice to any one.

There will be no necessity for the continuance of this Board after the session, as the duty of reselling forfeited lands can be devolved upon the State Board, which consists of the Governor, Controller, and Surveyor General.

STATE UNIVERSITY.

The State University has been gradually enlarging its sphere of influence during the past two years, and has now in its classes three hundred and one students, not including those who attend the lectures before the Mechanics' Institute of San Francisco, and who are enrolled as students of the College of Mechanic Arts.

These numbered last Winter about five hundred more, and the same number will probably be enrolled this Winter. There ought to be but one opinion as to the great benefit which this institution will confer upon the State, and I have regretted to notice an impression upon the minds of some that there is a conflict in any respect between the interests of the University and of the common schools

So far is this from being so, the former is the fit culmination of the latter, and will tend to perfect and develop our system of popular education.

The endowment of the University will not be fully realized for two years to come, and in the meantime some provision is indispensable for its support. A liberal policy toward the University will well repay the State in the future.

Collecting a body of men of scientific attainments and of ripe scholarship, devoted to the higher branches of education, the reformation of abuses as the result of a more elevated public sentiment, the effective advancement of knowledge, which is emphatically power, perfection in agriculture, in metallurgical processes, and in mechanics, as well as in literature, science, and philosophy, are direct results of university education that are worth tenfold the cost. A generation or two must pass away before it would be practicable to found by the liberality of private citizens an institution with the means for usefulness which the State University will afford. No man concerned for the future of California ought to be indifferent to its prosperity.

The question of providing buildings for the University has probably but one solution, and that is in a small special tax devoted to this pur-

pose. A tax of two cents would suffice to provide buildings in Oakland upon an economical plan which would last for some years, and the enhanced value of the blocks now occupied would then furnish ample means for buildings at Berkley. In the meantime an experimental Farm and College of Agriculture could be established at the latter place, which is doubtless in all respects the most desirable permanent site for the institution. No one feature of legislation has tended more to elevate the character of this State abroad than the founding and endowment of a University, with doors open to all, high and low, rich and poor, male and female.

GEOLOGICAL SURVEY.

The report of the State Geologist will show the progress made in the survey since its resumption in the Spring of one thousand eight hundred and seventy. I have never doubted the practical utility of the survey, nor the wisdom of its continuance. The maps alone, when completed, would justify a large expenditure to secure them. It is needless to occupy space in enumerating the benefits which have in part resulted and will hereafter more fully accrue from the completion of the survey. It has done much to draw the attention of intelligent men in Europe and the Eastern States to the material resources of California and its varied attractions

The geological map of the central portion of the State will probably be completed before the end of the session. A pocket edition of the Yosemite Guide Book has also been published, and a large amount of field work done, preliminary to completing the geographical map of Central California, a part of the State comprehending about ninety-five per cent of the population. The first volume of ornithology, embracing the land birds of the continent, west of the Rocky Mountains and north of Mexico, has been published with engravings, the execution of which has been highly commended. The volumes of botany and conchology, are under way, and also the second volume of ornithology, which will embrace the water birds of the Pacific Coast. The most eminent scientific men of this country and Europe have expressed their high appreciation of the survey, and many of them have counselled and advised in reference to the different departments of the work.

STATE CAPITOL.

The work on the new Capitol shows for itself. The building on the whole is a creditable one, in spite of some minor defects of plan. The work has been pushed as rapidly as possible since its resumption, and the expense has been, as usual, beyond the estimate. The heating apparatus has been provided at a much heavier cost in money and at much greater inconvenience than if the building had been planned with reference to it originally, and nothing but the knowledge of its absolute necessity induced the Board of Commissioners to incur the expense and trouble of placing it in the building. It will be found without doubt to answer well the object. A very great improvement was made by omitting the flight of steps in front to the second story. This has assisted to give more apparent elevation to the building, and at the same time avoid converting the first story, in which the Supreme Court room and principal State offices are located, into a basement. The change has added to the light and ventilation of the rotunda, and is

one in every respect indorsed by some of the most eminent architects in San Francisco, whose opinions have been sought upon the subject. It also saved an estimated expense of over seventy-five thousand dollars.

It was found impossible to complete the stone figures to be placed in the pediment of the front portico before the session. In order to accomplish what has been done it was necessary to anticipate a large portion—the largest part, indeed—of the next year's tax. The amount of warrants outstanding upon the Capitol Fund on the first day of November is stated in the Controller's report at three hundred and twenty thousand dollars ($320,000), of which something more than two hundred and six thousand dollars ($206,000) will be paid this Winter. The whole expenditure upon the Capitol since its commencement, as nearly as can be ascertained from the records of the Controller's office, is one million nine hundred and thirty-nine thousand dollars ($1,939,000), including the bills for the month of October. The Architect's report will show the items of expenditure since November first, eighteen hundred and sixty-nine.

The estimate of cost to complete the building and grounds is two hundred and forty-seven thousand two hundred and forty-two dollars ($247,242).

It may exceed this figure slightly, but the Commissioners in their report estimate that the continuance of the Capitol tax of ten cents for two years will furnish funds sufficient, after paying the outstanding warrants, to complete the building and grounds, and also the Governor's Mansion and grounds, and this is probably a safe estimate.

Of the special appropriation of two hundred and fifty thousand dollars ($250,000) made at the last session, the sum of fifty thousand dollars was devoted towards the purchase of ground and the erection thereon of an Executive Mansion. If it was expected that this sum would purchase a block of ground and erect upon it such a Mansion as would be suitable for the purpose, the expectation was not reasonable. The sum of fourteen thousand dollars ($14,000) was expended in the purchase of the block, and the remainder of the sum allowed has been expended upon the building, which is well constructed as far as it has progressed, and if finished according to plan will be one of the most substantial and best arranged dwellings in the State. The first plan made by the Architect was rejected by the Commissioners as too expensive, and the present plan was adopted in its stead. The estimate of the amount needed to complete the building is thirty-eight thousand dollars ($38,000)

It is proper in every aspect that the State should provide a suitable residence for the Governor, and the special advantage of it consists in affording him a residence where the members can meet socially during the session and enjoy those opportunities for conference and interchange of views so desirable to prevent misapprehensions and promote harmony of action between the Executive and Legislature.

The amount already expended upon the Mansion and grounds exceeds the sum of fifty thousand ($50,000) by about sixteen thousand dollars in materials and labor drawn from the Capitol building. This was necessary in order to secure sufficient progress in the Mansion to protect it effectually from the weather, and with the hope, at first, that it might be completed this Winter; but this was found to be impracticable It will be expedient to authorize the Capitol Commissioners to expend upon the Mansion such sum as may be necessary to complete it, with the grounds

and outbuildings, and to devote such specified sum as may be necessary to furnishing the house when it is finished.

REVISION OF THE STATUTES.

The Commissioners appointed under the Act of last session to revise the statutes have been diligently employed since their appointment in the work of arrangement and revision.

The laws as arranged by them are divided into four Codes: a Penal Code, a Code of Civil Procedure (both finished), a Civil Code (also finished), and a Political Code, which will be ready probably in January.

That the Commissioners have expended much labor and care upon the work is evident, and such portions of it as I have been able to examine have impressed me very favorably

The Penal Code and Code of Civil Procedure embody in the main the various provisions of law already in force upon these subjects, systematically arranged, with such amendments as are obviously desirable.

Most of the changes made in the Civil Code are drawn from the Civil Code of New York, a work which bears the impress of thought and labor, and, if adopted, will be an important advance in legislation. The provisions taken from the New York Code have been subjected to careful scrutiny.

Considering that no greater political blessing can be conferred upon the people than simplicity and clearness in their code of laws, and the adaptation especially of the latter to the wants of this commercial age and to the changes which the progress of political science has rendered inevitable, considering the importance of uniformity in laws of a general nature, and of putting an end to the flood of unnecessary local and special legislation which encumbers the statute books, and seems to have no object, except to swell the volumes in bulk, and occupy the time o the Governor and Legislature during the session; and having in view the difficulty of securing a satisfactory revision, the unavoidable expense attending it, and the improbability of a committee of the two Houses being able to devote as much time as they would desire to a thorough examination of the Codes, it was deemed best by my successor in office and myself to request two members of the bar of known qualifications and professional experience to make an examination of the work of the Commission, so as to facilitate the labors of any Joint Committee which might be appointed by the Senate and Assembly. I trust this step will be sanctioned by the Legislature, and that proper compensation will be made to these gentlemen for their time and labor. It was a duty not sought or desired by them, but simply accepted in compliance with a request made. A copy of the correspondence is herewith transmitted.

CORPORATIONS.

The great feature of modern civilization is the combination of capital in associations for the execution of enterprises involving too much capital to be undertaken or too much risk to be incurred by individuals. These associations are provided for here under general laws, and have doubtless aided very much in the rapid development of the material resources of this State as similar ones have done in other States. They are usually endowed also with special franchises or privileges. In the

case of railways the sovereign power of eminent domain is exerted in their behalf, and I feel bound to say that it has been exerted in this State in some instances oppressively and without a just regard for the rights of private citizens.

I am not wanting in appreciation of the great advantages to accrue from a development of our railroad system, but this should be made in harmony with the rights of private citizens to the possession and enjoyment of their property. The Constitution declares that private property shall *not* be taken for public use without just compensation. In this State, in the face of this provision, corporations are permitted to enter into possession before the final termination of proceedings for the condemnation of property and of course before any compensation is in fact made to the owner. Indeed, I cannot avoid the conviction that the right of the citizen to his property and the force and effect of constitutional provisions have been lost sight of, and the organic law virtually abrogated, in order to facilitate the operations of corporations.

Courts cannot now be justly condemned for following a current of judicial decisions, and where the current is so strong that the Courts feel unable to afford a remedy one ought to be promptly applied, either by the legislative authority or by a change in the organic law.

The sanctity of private property cannot be too jealously guarded. Its real or supposed violation has been the origin of the overthrow of Governments and of more revolutionary resistance to authority than any one cause, perhaps, or than all other causes combined.

In this State, prior to eighteen hundred and sixty-nine, the right of the Legislature to provide for the taxation of private property in aid of railroad corporations had been acquiesced in with very slight opposition, and laws providing for the issuance of county bonds to these corporations to aid the construction both of general and local lines of road had been enacted at several sessions, including the last session, without any considerable opposition, except to the details of the measures.

The main principle involved met with so general a concurrence that opposition to it seemed idle At the close of the last session my own attention for the first time was seriously fixed upon the results of this kind of legislation in other States, and the probable consequences of it here. The more I reflected upon it and examined it the stronger was my conviction that it was not authorized under the Constitution, if the question could be regarded as an original one, apart from previous decisions, and at all events that if constitutional it was fraught with mischief and injustice, and would result in great evil to the State unless promptly arrested. The question whose duty it was to endeavor to arouse public sentiment and seek to array it against the system, was one that did not admit of much doubt. Public office brings with it certain manifest duties and responsibilities. Any Executive, placed in office to guard the interests and promote the welfare of the people, who would permit himself to be prevented from acting upon his clear and deliberate judgment, either by fear of abuse and calumny, or of a charge of inconsistency, would be unworthy of his position and of public confidence. I did not give myself much concern as to either result, but after forming such opinions complied with a plain duty in urging the people of the State to oppose every method of taxing private property for the benefit of corporations of any character. It is not to be denied that many whose good faith could not justly be impugned took a different view of the subject, and deemed the system of subsidies to be not only constitutional, but just, expedient, and indeed necessary. I have no disposition to reflect

upon those who entertained these views; but the people in the recent Conventions of both parties have emphatically declared against every species of taxation for the benefit of private corporations, and in favor of repealing the five per cent law, and of amending the State Constitution so as to prohibit all such legislation in future. That the Legislature will give effect to the popular will so clearly expressed does not admit of doubt.

Aside from the question of eminent domain and of taxation of private property, another of great importance to the people is the subject of regulating the charges upon railways.

This power is vested in the Legislature and is exerted in the general law under which these corporations are formed. The present maximum rate of fare is ten cents per mile, and of freight fifteen cents per ton per mile.

These rates are so excessive that in fact they are never charged or collected. Complaints are made, however, in some sections that the railway charges for freight are so high as almost to prevent the use of the lines for transportation, and similar complaints are made as to the fares.

The rates should be reduced to such figures as would be just to the public and at the same time leave the corporations a fair profit for the business.

NEW APPORTIONMENT.

The census of eighteen hundred and seventy renders a new apportionment of Senators and Assemblymen necessary at this session. From an examination of section thirty of Article Four, and section fourteen of the Schedule of the State Constitution, it would seem that the spirit of that instrument requires the State to be divided into Senatorial and Assembly Districts. If this duty is not imperative, it is certainly expedient to make such division, especially when the City and County of San Francisco is entitled to more than one fourth of the members of each House. A representation by districts would secure a more just representation, and doubtless a higher grade of qualification in the members. If the City and County of San Francisco becomes entitled to twenty-one or twenty-two members of Assembly, it should be divided into as many Assembly Districts, and so with every county entitled to more than one member.

The minority in the county would have in this way a better opportunity of securing some representation.

APPOINTMENTS TO OFFICE.

The useful administration of public affairs depends to a great extent upon the manner in which subordinate offices are filled.

When resort is had to the agency of nominating conventions or legislative caucuses the public interests are usually lost sight of. Subordinate offices of a city should be filled by the Mayor, and of the State by the Governor, with power of removal.

Where one responsible source can be appealed to by the public, abuses will not be so likely to occur. No argument is needed to show that a chief magistrate of a city or State, careful of his reputation and of the public good, will not be so liable to commit errors in selections for public trusts, while in the other cases there is no adequate sense of responsi-

bility, and too often in nominating conventions an utter disregard of the public interests

A Board of Public Works in San Francisco, to assume charge of the various departments of public works now in the hands of Commissioners, seems to be desired by the citizens generally, and if selected in this way would doubtless result advantageously.

STATE BOARD OF HEALTH.

The report of the State Board of Health, by its Secretary, Dr. T M. Logan, herewith transmitted, contains much interesting statistical matter respecting the sanitary condition of the State and its meteorology. A cursory perusal of it will satisfy any one of the wisdom of creating this Board, and the practical as well as scientific importance of its investigations.

The report will well repay examination.

IMMIGRATION.

The importance of inviting and facilitating the immigration of a farming population from the Eastern States and Europe has been felt by all intelligent men in California, and was presented to the Legislature at the last session for their consideration and action. No part of the world offers inducements to such immigration equal in all respects to the Pacific Coast of the United States. The advantages of California in climate, soil, and products need only to be known and reasonable facilities offered in order to induce a large influx of the class which we most need. California may be said to lack nothing but population, but the supply of this can be materially hastened by a moderate annual expenditure to disseminate accurate information on this subject in the Eastern States and Europe.

The most important work in this direction which has been performed as yet has been done by the California Immigrant Union, an association composed of public spirited citizens, which has been supported hitherto by private contributions. A moderate appropriation to enable this agency to extend its operations for the next two years would be doubtless beneficial, and better results would probably be secured than by the creation of any salaried office for the purpose.

No more important subject can engage your attention.

CONSTITUTIONAL CONVENTION.

The defects in our present State Constitution are so numerous that nearly every Article could be amended with advantage.

There are two amendments now pending to section thirteen (13) of Article eleven (11), also amendments to sections one (1), three (3), five (5), seven (7) and ten (10) of Article six (6), to section one (1) of Article nine (9), and to section two (2) of Article four (4). The amendments can be found at pages nine hundred and three, nine hundred and four, nine hundred and five, and nine hundred and six, of the laws of last session, and have been published as the law requires.

There is a defect of phraseology in the proposed amendment to section three (3) of Article six (6).

Without occupying space to point out the various particulars in which the Constitution requires change in order to adapt it to present needs, it

is evident that the process of legislative amendment results in making the Constitution a piece of patchwork, and is inadequate to accomplish the desired result.

Our judicial system needs remodelling, and the provisions relating to the assessment and levy of taxes need to be made more elastic. I have for some years regarded a Constitutional Convention as desirable, and its necessity seems to increase every year. The expense attending it need not be onerous, because the best men in the State would doubtless consent to serve in it for a moderate compensation. Our present Constitution was framed more than twenty-two years ago, and, as might be supposed, the whole instrument needs careful revision.

I therefore recommend that the necessary steps be taken to call a Convention to revise our present Constitution and frame one better adapted to the wants of the people and to the progress which the last twenty years have made in the science of government.

RETROSPECT.

I have thus made such recommendations as seemed to me proper and communicated such information as appeared to be desirable respecting the condition of State affairs. A brief review of what has been accomplished by those who during the past four years have had the administration of the State Government is not at this time inappropriate.

The faithful custody and disbursement of the public revenues, the payment of about one third of the State debt; the reduction of taxation from one dollar and thirteen cents ($1 13) to eighty-six and one half cents (86½), the improvement in the Prison buildings and in the discipline and management of the Prison, a better system for the government of the Insane Asylum; the completion of the Asylum for the Deaf, Dumb, and the Blind; the organization and endowment of a State University upon a basis which must secure it against the invasion of partizan politics, the progress in completing the State Capitol, the prevention, to so large an extent, of special legislation; the progress made toward a thorough revision of our statutes, and the perfection of our revenue system by equalizing assessments; the successful disposal of the tide lands of the State; the repeal of a vicious system of bounties, and the overthrow of the subsidy system, which levied taxation and created debt for the benefit of private corporations; the large increase of the Common School Fund and the extension and improvement of the school system; the erection of a State Normal School, the more thorough arrangement of the State archives in the offices of the Controller and Secretary of State; the organization of a State Board of Health, for the collation of statistics of hygiene, the law for the preservation of fish in our bays, lakes, and streams; the prosecution of the geographical and geological exploration and survey, constitute an imperfect summary of the administration of the State Government for the past four years. This period has been an eventful one in the history of the State in other respects. One continental line of railroad has been completed, and three others are in progress, and our internal railroad system is being rapidly extended. The great industries of the State have undergone a healthy development, notwithstanding the temporary stagnation of labor and capital occasioned by two unusually dry seasons. Enterprises for the irrigation of the uplands in the San Joaquin and Sacramento Valleys and for the reclamation of the swamp and marsh lands have been entered upon, the success of which promises results of the greatest importance and value

in the future. Our mining, manufacturing, agricultural, and commercial interests have prospered.

In terminating my official relations with those associated with me in the administration of the State Government for the past four years, it would be unbecoming to fail to acknowledge my indebtedness for uniform cordial support and the faithful efforts made to discharge their several duties.

Four years ago I was summoned by the partiality of my fellow citizens from a congenial profession to assume charge of the Executive Department of the State Government. The trust is one of the gravest character, and in my inexperience of public affairs was accepted by me with hesitation and with diffidence. If I have not accomplished all that was desired for a State to which I feel bound by so many ties, it is not, at least, too much to claim that some substantial good has been done and much mischief prevented.

In transferring executive responsibilities to my successor, I invoke for him a just and considerate judgment of his efforts to protect the public interests, and a hearty support in all measures to promote the public welfare.

I trust that under the guidance of him and his successors our noble State may advance in a career of solid prosperity; that its people may progress in intelligence and morality, and above all, that a good Providence may inspire them with that love of public virtue which has been well said to be, "after religion, the brightest ornament of the mind of man."

H. H. HAIGHT.

APPENDIX

TO

GOVERNOR'S MESSAGE.

LIST OF PARDONS FROM STATE PRISON,

GRANTED BY GOVERNOR HAIGHT,

From December 10th, 1869, to , 1871, inclusive.

Name of Prisoner.	County.	Crime.	Date of Sentence.	Term of Sentence
John Davis	Sierra	Murder 1st degree.	July, 1864.	Natural life.

DECISION.—Whereas, the District Judge before whom the case was tried, the Prosecuting Attorney, and a large number of the most respectable citizens of the County of Sierra, including the County Judge, District Attorney, all the county officers, and several members of the grand and petit juries, have recommended the pardon of said Davis, and the circumstances of the case as stated and the testimony show circumstances of mitigation, and he has suffered imprisonment of five years—now, therefore, let him be pardoned and restored to citizenship. December tenth, eighteen hundred and sixty-nine.

Name of Prisoner.	County.	Crime.	Date of Sentence.	Term of Sentence
Frederick Leill.....	Fresno	Perjury	January, 1865. ...	Eleven years.

DECISION.—Whereas, a petition has been received, signed by the County Judge and District Attorney, County Clerk and Sheriff, of Fresno County, and by a large number of respectable citizens of said county, urgently soliciting the pardon of the said Leill; and whereas, he was recommended for pardon by the Board of Prison Directors in their report to the Legislature at its seventeenth session; and whereas, mitigating circumstances connected with his case, and he has already served out nearly one half of his term of sentence—now, therefore, let him be pardoned and restored to citizenship. January twelfth, eighteen hundred and seventy.

Name of Prisoner.	County.	Crime.	Date of Sentence.	Term of Sentence
Ah Lin	Siskiyou..	Robbery..	April, 1867.....	Five years.

DECISION.—Whereas, the Physician of the State Prison has certified that the said Ah Lin is suffering from dilitation of the heart and cannot possibly recover and is liable at any moment to die from the effects of said disease—now, therefore, let him be pardoned, on condition that he leave the State within thirty days after receipt of this pardon, never to return. January eighteenth, eighteen hundred and seventy.

Name of Prisoner.	County.	Crime.	Date of Sentence.	Term of Sentence
Louis Paidill ..... *alias* Louis Marshall.....	Sacramento. ..	Robbery..	May, 1865	Seven years.

DECISION.—Whereas, a petition has been presented, signed by many respectable citizens of Calaveras County, urgently soliciting the pardon of the said Paidill; and whereas, the Board of Prison Directors have investigated his case, and a majority of said Board have recommended his pardon on the ground of there being grave doubts as to his guilt, and on the further ground of his having served more than three fourths of his term of imprisonment—now, therefore, let him be pardoned and restored to citizenship. February third, eighteen hundred and seventy.

Name of Prisoner.	County.	Crime.	Date of Sentence.	Term of Sentence
Charles A. Brown.	Yolo.....	Manslaughter.....	March, 1867.....	Six years.

DECISION.—Whereas, the said Brown was recommended for pardon by the Board of Prison Directors to the Legislature at its eighteenth session—now, therefore, let him be pardoned and restored to citizenship. April sixth, eighteen hundred and seventy.

Name of Prisoner.	County.	Crime.	Date of Sentence.	Term of Sentence
Daniel O'Farrell ..	Yuba	Arson.	April, 1868	Two and a half years.

DECISION.—Whereas, the said O'Farrell was recommended for pardon by the Board of Prison Directors, in their report to the Legislature at its eighteenth session, which recommendation was indorsed by the Legislature—now, therefore, let him be pardoned and restored to citizenship. April sixth, eighteen hundred and seventy.

Name of Prisoner.	County.	Crime.	Date of Sentence.	Term of Sentence
David Gordon.....	Solano.	Manslaughter.	May, 1886	Seven years.

DECISION.—Whereas, the said Gordon was recommended for pardon by the Board of Prison Directors, in their report to the Legislature at its eighteenth session, which report was indorsed by the Legislature—now, therefore, let him be pardoned and restored to citizenship. April sixth, eighteen hundred and seventy.

Name of Prisoner.	County.	Crime.	Date of Sentence.	Term of Sentence
John O'Grady	San Francisco.	Grand Larceny ..	May, 1866.....	Seven years.

DECISION.—Whereas, the said O'Grady was recommended for pardon by the Board of Prison Directors, in their report to the Legislature at its eighteenth session, which report was indorsed by the Legislature—now, therefore, let him be pardoned and restored to citizenship. April sixth, eighteen hundred and seventy.

Name of Prisoner.	County.	Crime.	Date of Sentence.	Term of Sentence
Jasper Turner.....	Solano	Grand Larceny... .	September, 1868.	Three and a half years.

DECISION.—Whereas, the said Turner was recommended for pardon by the Board of Prison Directors, in their report to the Legislature at its eighteenth session, which report was adopted—now, therefore, let him be pardoned and restored to citizenship. April fifteenth, eighteen hundred and seventy.

Name of Prisoner.	County.	Crime.	Date of Sentence.	Term of Sentence
Vicente Artago .	S. Bernardino.	Assault to rape .	July, 1862	Twelve years.

DECISION.—Whereas, the said Artago was recommended for pardon by the Board of Prison Directors, in their report to the Legislature at its eighteenth session, which report was adopted—now, therefore, let him be pardoned and restored to citizenship. April fifteenth, eighteen hundred and seventy.

Name of Prisoner.	County.	Crime.	Date of Sentence.	Term of Sentence
Jesus Pizarro	Placer	Murder 2d degree.	July, 1862	Ten years.

DECISION.—Whereas, the said Pizarro was recommended for pardon by the Board of Prison Directors, in their report to the Legislature at its eighteenth session, which report was adopted by the Legislature—now, therefore, let him be pardoned and restored to citizenship. April fifteenth, eighteen hundred and seventy.

Name of Prisoner.	County.	Crime.	Date of Sentence.	Term of Sentence
William Daniels...	Nevada	Assault to murder.	September, 1868. .	Four years.

DECISION.—Whereas, said Daniels was recommended for pardon by the Board of Prison Directors, in their report to the Legislature at its eighteenth session, which report was adopted by the Legislature, now, therefore, let him be pardoned upon condition that the said Daniels leave the State within ten days, never to return. April nineteenth, eighteen hundred and seventy.

Name of Prisoner.	County.	Crime.	Date of Sentence.	Term of Sentence
G. A. H. Bartlett.	San Francisco.	Grand larceny.....	July, 1869	One year.

DECISION.—Whereas, the said Bartlett was recommended for pardon by the Board of Prison Directors, in their report to the Legislature at its eighteenth session, which report was adopted by the Legislature—now, therefore, let him be pardoned and restored to citizenship. May twenty-sixth, eighteen hundred and seventy.

Name of Prisoner.	County.	Crime.	Date of Sentence.	Term of Sentence
Joseph A. Oliver...	Merced	Murder 2d degree	September, 1862.	Thirty years.

DECISION.—Whereas, the said Oliver was recommended for pardon by the Board of Prison Directors, in their report to the Legislature at its eighteenth session, which report was adopted by the Legislature—now, therefore, let him be pardoned and restored to citizenship. May twenth-sixth, eighteen hundred and seventy.

Name of Prisoner.	County.	Crime.	Date of Sentence.	Term of Sentence
Bell Butler.....	Nevada..... ..	Assault to murder.	July, 1869.....	One year.

DECISION.—Whereas, the said Bell Butler was recommended for pardon by the Board of Prison Directors, in their report to the Legislature at its eighteenth session, which report was adopted by the Legislature—now, therefore, let her be pardoned. May twenty-sixth, eighteen hundred and seventy.

Name of Prisoner.	County.	Crime.	Date of Sentence.	Term of Sentence
John B. Reagan ..	Shasta	Manslaughter.....	June, 1867.....	Seven years.

DECISION.—Whereas, the said John B. Reagan was recommended for pardon by the Board of Prison Directors, in their report to the Legislature at its eighteenth session, which report was adopted by the Legislature—now, therefore, let him be pardoned and restored to citizenship. May twenty-sixth, eighteen hundred and seventy.

Name of Prisoner.	County.	Crime.	Date of Sentence.	Term of Sentence
W. A. Henderson	Placer	Murder 2d degree	May, 1865	Thirty years.

DECISION.—Whereas, the said Henderson was recommended for pardon by the Board of Prison Directors, in their report to the Legislature at its eighteenth session, which report was adopted by the Legislature—now, therefore, let him be pardoned and restored to citizenship, on condition of leaving the State within thirty days, never to return. May twenty-sixth, eighteen hundred and seventy.

Name of Prisoner.	County.	Crime.	Date of Sentence.	Term of Sentence
R. Roberts..... ..	Nevada	Robbery..... ..	March, 1863.....	Ten years.

DECISION.—Whereas, the said Roberts was recommended for pardon by the Board of Prison Directors, in their report to the Legislature at its eighteenth session, which report was adopted by the Legislature—now, therefore, let him be pardoned and restored to citizenship. June first, eighteen hundred and seventy.

Name of Prisoner.	County.	Crime.	Date of Sentence.	Term of Sentence
Richard Long.....	San Francisco.	Grand Larceny.....	September, 1868.	Two and one sixth years.

DECISION.—Whereas, the said Long was recommended for pardon by the Board of Prison Directors, in their report to the Legislature at its eighteenth session, which report was adopted by the Legislature—now, therefore, let him be pardoned and restored to citizenship. June first, eighteen hundred and seventy.

Name of Prisoner.	County.	Crime.	Date of Sentence.	Term of Sentence
John Woods.....	Humboldt.....	Murder 2d degree	September, 1866..	Ten years.

DECISION.—Whereas, said Woods was recommended for pardon by the Board of Prison Directors, in their report to the Legislature at its eighteenth session, which report was adopted by the Legislature—now, therefore, let him be pardoned and restored to citizenship. June first, eighteen hundred and seventy.

Name of Prisoner.	County.	Crime.	Date of Sentence.	Term of Sentence
Peter Burke...	Mendocino....	Rape	July, 1862.....	Twenty-five years

DECISION.—Whereas, the said Burke was recommended for pardon by the Board of State Prison Directors, in their report to the Legislature at its eighteenth session, which report was adopted by the Legislature—now, therefore, let him be pardoned and restored to citizenship. June third, eighteen hundred and seventy.

Name of Prisoner.	County.	Crime.	Date of Sentence.	Term of Sentence
James Marshall. ..	Nevada	Robbery.	November, 1862..	Fourteen years.

DECISION.—Whereas, said Marshall was recommended for pardon by the Board of State Prison Directors, in their report to the Legislature at its eighteenth session, which report was adopted by the Legislature—now, therefore, let him be pardoned on condition of leaving the State within thirty days, failing which, this pardon to be of no effect. June third, eighteen hundred and seventy.

Name of Prisoner.	County.	Crime.	Date of Sentence.	Term of Sentence
Joseph Dewell.....	Amador	Rape	January, 1863.....	Sixteen years.

DECISION.—Whereas, said Dewell was recommended for pardon by the Board of State Prison Directors, in their report to the Legislature at its eighteenth session, which report was adopted by the Legislature—now, therefore, let him be pardoned and restored to citizenship. June third, eighteen hundred and seventy.

Name of Prisoner.	County.	Crime.	Date of Sentence.	Term of Sentence
Jesse McMahon.....	Sacramento.. .	Murder 2d degree.	September, 1863.	Ten years.

DECISION.—Whereas, said McMahon was recommended for pardon by the Board of State Prison Directors, in their report to the Legislature, which report was adopted by the Legislature—now, therefore, let him be pardoned and restored to citizenship. June third, eighteen hundred and seventy.

Name of Prisoner.	County.	Crime.	Date of Sentence.	Term of Sentence
William Burch...	Los Angeles...	Rape.....	July, 1869.....	Two and one half years.

DECISION.—Whereas, said Burch was recommended for pardon by the Board of State Prison Directors, in their report to the Legislature at its eighteenth session, which report was adopted by the Legislature—now, therefore, let him be pardoned and restored to citizenship. June third, eighteen hundred and seventy.

Name of Prisoner.	County.	Crime.	Date of Sentence.	Term of Sentence
M. McDermot.....	San Francisco.	Manslaughter.....	December, 1864...	Ten years.

DECISION.—Whereas, said McDermot was recommended for pardon by the Board of State Prison Directors, in their report to the Legislature at its eighteenth session, which report was adopted by the Legislature—now, therefore, let him be pardoned and restored to citizenship. June third, eighteen hundred and seventy.

Name of Prisoner.	County.	Crime.	Date of Sentence.	Term of Sentence
Herbert Barry.....	San Francisco.	Manslaughter.....	——, 1869.	One year and a half.

DECISION.—Whereas, said Barry has been urgently recommended for pardon by the Judge before whom he was tried, and also by the District Attorney and other citizens, and his conduct in prison has been very exemplary; and whereas, he has served more than half of his term—now, therefore, let him be pardoned and restored to citizenship. October tenth, eighteen hundred and seventy.

Name of Prisoner.	County.	Crime.	Date of Sentence.	Term of Sentence
Philip Livingston.	San Joaquin..	Grand Larceny ...	November, 1869.	Two and one quarter years.

DECISION.—Whereas, said Livingston was extremely young when the offence was committed, and he has served about half the term for which he was sentenced; and whereas, his pardon has been recommended by the District Attorney of said county, and his conduct in prison has been good—now, therefore, let him be pardoned. October eighteenth, eighteen hundred and seventy.

Name of Prisoner.	County.	Crime.	Date of Sentence.	Term of Sentence
G. H. S. Ross.....	Los Angeles...	Grand Larceny...	September, 1862.	Ten years.

DECISION.—Whereas, his sentence was severe for the offence committed, and he has served about eight years of the term for which he was sentenced, and his conduct in prison has been good—now, therefore, let him be pardoned. October nineteenth, eighteen hundred and seventy.

Name of Prisoner.	County.	Crime.	Date of Sentence.	Term of Sentence
Librado Gonzales	Los Angeles.	Murder 2d degree	——, 1867	Fifteen years.....

DECISION.—Whereas, it appears from the certificate of the Resident Physician of the State Prison that the said Gonzales is in imminent danger of death from consumption—now, therefore, let him be pardoned. November second, eighteen hundred and seventy.

Name of Prisoner.	County.	Crime.	Date of Sentence.	Term of Sentence
Wm. J. Nash.....	Mendocino....	Assault with deadly weapon.....	——, 1870.....	One year.

DECISION.—Whereas, mitigating circumstances attended the commission of the offence, and in consideration of the dependent condition of his family—now, therefore, let him be pardoned. December twenty-first, eighteen hundred and seventy.

Name of Prisoner.	County.	Crime.	Date of Sentence.	Term of Sentence
Wm. Thetherow...	Sonoma	Accessory to grand larceny.	January, 1870....	Four years

DECISION.—Whereas, the Judge of the Court in which said Thetherow was tried, and the District Attorney of said county, have urgently recommended his pardon, and there being doubts as to his guilt—now, therefore, let him be pardoned. December thirtieth, eighteen hundred and seventy.

Name of Prisoner.	County.	Crime.	Date of Sentence.	Term of Sentence
Ah Yik.	Sacramento...	Rape.	July, 1865.	Twenty years.

DECISION.—Whereas, said Ah Yik was recommended for pardon by the Board of State Prison Directors in their report to the Legislature at its eighteenth session, which report

was adopted, and it appearing from the statement of the physician who testified at the trial that there are doubts of his guilt, and he being already in prison five years—now, therefore, let him be pardoned, upon the express condition that he leaves the United States, never to return. December twenty-third, eighteen hundred and seventy.

Name of Prisoner.	County.	Crime.	Date of Sentence.	Term of Sentence
Mrs. Kate Smith ..	San Francisco.	Grand Larceny.. .	January, 1870....	Four and one third years.

DECISION.—Whereas, she has been recommended for pardon by the officers of the prison, and has already been imprisoned over one year, and the ends of justice will not be served by her further retention in prison; and whereas, she has a family of children solely depending upon her for support—now, therefore, let her be pardoned, upon condition of her leaving the State within thirty days, never to return. February sixteenth, eighteen hundred and seventy-one.

Name of Prisoner.	County.	Crime.	Date of Sentence.	Term of Sentence
S. A. Allen.....	Yolo..	Grand Larceny .	April, 1870	Two years.

DECISION.—Whereas, the said Allen has been recommended for pardon by the Hon. S. M. Bliss, the Judge who presided at the time of his trial, and also by Hon. James Johnson, the present County Judge of said county; and whereas, the said crime was committed whilst the said S. A. Allen was under the influence of intoxicating liquors—now, therefore, let him be pardoned and restored to citizenship. February eighteenth, eighteen hundred and seventy-one.

Name of Prisoner.	County.	Crime.	Date of Sentence.	Term of Sentence
Mary Murray.....	San Francisco	Arson 2d degree .	———, 1870.	One year.

DECISION.—Whereas, said Mary Murray being quite young, and had been instigated to commit said crime by her mother, and has been recommended for pardon by the Judge of said Court and the District Attorney, the jury, county officers, insurance agents and underwriters—now, therefore, let her be pardoned. March second, eighteen hundred and seventy-one.

Name of Prisoner.	County.	Crime.	Date of Sentence.	Term of Sentence
John Lehmann....	Tuolumne	Murder 2d Degree.	———, 1859..	Fifteen years.

DECISION.—Whereas, said Lehmann was recommended for pardon by the Board of Prison Directors, in their report to the Legislature at its eighteenth session, which report was adopted; and whereas, he has nearly served out the full term for which he was imprisoned—now, therefore, let him be pardoned. March ninth, eighteen hundred and seventy.

Name of Prisoner.	County.	Crime.	Date of Sentence.	Term of Sentence
William Tallay...	San Joaquin.	Manslaughter.	——, 1869.	Three years.

DECISION.—Whereas, the said Tallay has nearly served out the full term for which he was imprisoned, and his pardon has been recommended by the officers of the Prison, and also by the Judge who sentenced him, the District Attorney, and many reliable citizens of said county—now, therefore, let him be pardoned. March twenty-seventh, eighteen hundred and seventy-one.

Name of Prisoner.	County.	Crime.	Date of Sentence.	Term of Sentence.
Joseph Lawrence...	Nevada.	Murder 2d degree..	December, 1867. .	Ten years.

DECISION.—Whereas, in this case facts have been presented, some of which have come to light since the conviction, tending to extenuate if not to justify his offence; and a large number of leading and respectable citizens of Nevada County, including the Prosecuting Attorneys, Dibble and Byrne, have joined in an application for the pardon of said Lawrence, and his conduct has been exemplary, and he has been specially useful in prison, and has been confined more than three years, and has hitherto sustained a good character—now, therefore, let him be pardoned and restored to citizenship. May second, eighteen hundred and seventy-one.

Name of Prisoner.	County.	Crime.	Date of Sentence.	Term of Sentence
Michael Gorman...	Sacramento. ..	Mayhem	November, 1870	One year.

DECISION.—Whereas, a petition has been presented signed by the Judge who sentenced said Gorman, the District Attorney who prosecuted him, the foreman and other members of the jury who tried him, the county officers, and a large number of respectable citizens of Sacramento County, representing extenuating circumstances, and setting forth that he has a dependent family and has previously borne a good character—now, therefore, let him be pardoned and restored to citizenship. May second, eighteen hundred and seventy-one.

Name of Prisoner.	County.	Crime.	Date of Sentence.	Term of Sentence
Frank Parker	San Joaquin. .	Grand larceny and house breaking.	March, 1868.	Eight years.

DECISION.—Whereas, an application has been made for the pardon of the said Parker, the said application being indorsed by the Judge of the Fifth Judicial District, and urged by the County Judge of San Joaquin County, and by the facts presented it is satisfactorily shown that the sentence is unjustifiably severe and that justice requires his release from confinement and restoration to citizenship—now, therefore, let him be pardoned and restored to citizenship. September twelfth, eighteen hundred and seventy-one.

Name of Prisoner.	County.	Crime.	Date of Sentence.	Term of Sentence
William C. Vandewater.....	Tulare.....	Grand Larceny.. .	March, 1871	One year.

DECISION.—Whereas, said Vandewater's pardon has been recommended by the County Judge, the District Attorney, and all the county officers, in consideration of his extreme youth, being only sixteen years of age, and this being his first offence—now, therefore, let him be pardoned and restored to citizenship. September nineteenth, eighteen hundred and seventy-one.

Name of Prisoner.	County.	Crime.	Date of Sentence.	Term of Sentence
Wm. H. Johnson	San Francisco.	Incest..... .	——, 1866.....	Eight years.

DECISION.—Whereas, the County Judge who sentenced him and many other respectable citizens have solicited his pardon, and his health is failing and requires him to remain constantly in the hospital, and his punishment has already been sufficient in view of the peculiar circumstances of his case which have created doubts of his guilt in the minds of some—now, therefore, let him be pardoned and restored to citizenship. October sixteenth, eighteen hundred and seventy-one.

Name of Prisoner.	County.	Crime.	Date of Sentence.	Term of Sentence
Ambrose Williams	Sierra	Manslaughter.....	November, 1866. .	Eight years.

DECISION.—Whereas, said Williams has been recommended for pardon by the Judge who sentenced and the District Attorney who prosecuted him, as well as by a number of respectable citizens of said county; and whereas, the killing was brought about by the insolent and overbearing manner of the man killed, who was beating Williams at the time, and the conduct of said Williams has been good—now, therefore, let him be pardoned and restored to citizenship. November second, eighteen hundred and seventy-one.

Name of Prisoner.	County.	Crime.	Date of Sentence.	Term of Sentence
Cesney Parker.....	Sonoma	Robbery	January, 1870.....	Ten years.

DECISION.—Whereas, the County Judge and the County officers, the District Attorney, and several hundred citizens of Mendocino and Sonoma Counties have solicited his pardon on the ground of his extreme youth, previous good character, and various mitigating circumstances; and whereas, the Judge who sentenced him urges his pardon on the ground that the sentence was excessive and imposed with the intention of applying for its remission—now, therefore, let him be pardoned and restored to citizenship, on condition that he proceed home and reside with his parents, and be not convicted of any criminal offence during the next ensuing eight years. November sixth, eighteen hundred and seventy-one.

Name of Prisoner.	County.	Crime.	Date of Sentence.	Term of Sentence
Lewis H. Warner.	S. Bernardino.	Manslaughter.....	——, 1870.....	Six years.

DECISION.—Whereas, a careful investigation of the facts connected with the offence satisfies me that much excuse, if not justification, exists for its commission, and that unfavorable circumstances attending the trial operated against the prisoner, and I am satisfied that the ends of justice in his case have been fully met, and his conduct in prison has been exemplary, and his pardon has been solicited by a large number of worthy and respectable citizens of San Bernardino County, and of Yolo, Sacramento, and San Francisco Counties—now, therefore, let him be pardoned and restored to citizenship. November seventh, eighteen hundred and seventy-one.

Name of Prisoner.	County.	Crime.	Date of Sentence.	Term of Sentence
H. H. McKenzie...	Shasta..	Manslaughter.....	June, 1867.....	Ten years.

DECISION.—Whereas, Justice Sprague of the Supreme Court certifies to extenuating circumstances, palliating, if not entirely excusing the offence, which statement is concurred in by a number of leading and worthy citizens of Shasta County; and whereas, said McKenzie was recommended for pardon by the Legislature at its last session, and his conduct in prison has been good, and he has a helpless family—now, therefore, let him be pardoned. November seventh, eighteen hundred and seventy-one.

Name of Prisoner.	County.	Crime.	Date of Sentence.	Term of Sentence
Charles Pratt.....	San Francisco.	Grand Larceny ...	November, 1867	Five years.

DECISION.—Whereas, it appears that said Pratt, at the time of committing the alleged offence, was intoxicated and had no intention of committing a crime, and this fact is sworn to by the prosecuting witness, who asks for his pardon, and his health is impaired. and he has nearly served out his full term, and his conduct in prison has been exemplary—now, therefore, let him be pardoned and restored to citizenship. November seventh, eighteen hundred and seventy-one.

Name of Prisoner.	County.	Crime.	Date of Sentence.	Term of Sentence
Tunma.....	Fresno.	Murder 2d degree.	October, 1866.....	Ten years.

DECISION.—Whereas, Judge Deering, who sentenced him, certifies that there is extreme doubt of his guilt, and that he ought to be immediately released from confinement, and this request is urged by county officers and many respectable citizens of Fresno County—now, therefore, let him be pardoned. November seventh, eighteen hundred and seventy-one.

Name of Prisoner.	County.	Crime.	Date of Sentence.	Term of Sentence.
F. E. Waller.....	Nevada	Murder 1st degree.	December, 1863. .	Life.

DECISION.—Whereas, extenuating circumstances connected with the offence have been brought to my notice, and said Waller's pardon is desired by most of the respectable citizens of Nevada County, and he has been recommended for pardon by the Legislature of this State; and whereas, his conduct in prison has been exemplary and his health is seriously impaired by confinement—now, therefore, let him be pardoned and restored to citizenship. November seventh, eighteen hundred and seventy-one.

Name of Prisoner.	County.	Crime.	Date of Sentence.	Term of Sentence
Henry Lanbeth. . .	El Dorado	Assault to murder.	November, 1868.	Four years.

DECISION.—Whereas, the Judge who sentenced him, and the District Attorney who prosecuted him, and the county officers of El Dorado County, have requested his pardon on the ground of mitigating circumstances connected with the offence; and, whereas, his conduct in prison has been exemplary and he has been recommended for pardon by the Legislature—now, therefore, let him be pardoned and restored to citizenship. November seventh, eighteen hundred and seventy-one.

Name of Prisoner.	County.	Crime.	Date of Sentence.	Term of Sentence
Andrew H. Merrill	Sacramento....	Manslaughter.	——, 1864.....	Ten years.

DECISION.—Whereas, the Judge who sentenced him has requested his pardon, and many respectable citizens of Sacramento County have united in the request on the ground of extenuating circumstances; and whereas, his conduct in prison has been exemplary, and he has served out nearly all his term, and has been recommended by the Legislature; now, therefore, let him be pardoned and restored to citizenship. November seventh, eighteen hundred and seventy-one.

Name of Prisoner.	County.	Crime.	Date of Sentence.	Term of Sentence
James Mullen	Nevada	Robbery.....	May, 1871	Four years.

DECISION.—Whereas, at the time he committed said crime he had not attained the age of majority, and was under the influence of intoxicating liquor, so as not to be morally responsible for the act, and prior to the commission thereof his conduct and character had been good, and his pardon has been recommended by a large number of respectable citizens of Nevada County, on account of extenuating circumstances attending the commission of said crime, and in consideration of the fact that he is the sole support of aged and infirm parents—now, therefore, let him be pardoned and restored to citizenship, on condition that he abstain from all intoxicating liquors during the term for which he was sentenced, and that he shall not again be convicted of any criminal offence. November twentieth, eighteen hundred and seventy-one.

Name of Prisoner.	County.	Crime.	Date of Sentence.	Term of Sentence
Henry Prother.....	San Francisco.	Grand larceny	October, 1870	Five years.

DECISION.—Whereas, the condition of his health is such that he may die at any time, as appears by the certificate of the Prison physician—now, therefore, let him be pardoned. November twenty-first, eighteen hundred and seventy-one.

Name of Prisoner.	County.	Crime.	Date of Sentence.	Term of Sentence
Francisco Presiado	Monterey.....	Manslaughter.....	April, 1870,.	Three years.

DECISION.—Whereas, his pardon has been recommended by the District Judge who sentenced and the Prosecuting Attorney who prosecuted him, and by a large number of respectable citizens of Monterey County, on the ground of extenuating circumstances—now, therefore, let him be pardoned and restored to citizenship. December first, eighteen hundred and seventy-one.

Name of Prisoner.	County.	Crime.	Date of Sentence.	Term of Sentence
Terrence Smith	Nevada	Murder 2d degree .	December, 1863..	Life.

DECISION,—Whereas, he was recommended for pardon by the Prison Directors at the last session of the Legislature, which recommendation was indorsed by that body; and whereas, he has now been confined between eight and nine years, and his application for pardon is indorsed by the District Judge who sentenced him, by the foreman of the jury, and the county officers, and a large number of respectable citizens of Nevada County; and whereas, his reputation before his conviction was good, and his conduct in prison has been exemplary—now, therefore, let him be pardoned and restored to citizenship; future conviction of any criminal offence to render this pardon void. December first, eighteen hundred and seventy-one.

Name of Prisoner.	County.	Crime.	Date of Sentence.	Term of Sentence
George Cogan... ...	San Francisco.	Burglary	January, 1870	Three years.

DECISION.—Whereas, his pardon is urged by the District Attorney of San Francisco, on the ground of important services rendered in the recovery of the stolen property, and assurances were given by the District Attorney and officers that Executive clemency would be solicited in his behalf; and whereas, he has served more than two thirds of his time—now, therefore, let him be pardoned and restored to citizenship; future conviction of any criminal offence to render this pardon void. December first, eighteen hundred and seventy-one.

Name of Prisoner.	County.	Crime.	Date of Sentence.	Term of Sentence
E. B. Foster.... ...	Mariposa	Murder 2d degree	November, 1865..	Fifteen years.....

DECISION.—Whereas, the said Foster was recommended for pardon by the Prison Directors, which recommendation was indorsed by the Legislature at its last session; and whereas, his pardon is solicited by the Judge who sentenced him and by the county officers of Mariposa County, on the ground of youth, previous good character, and extenuating circumstances attending the offence; and whereas, his conduct in prison has been exemplary—now, therefore, let him be pardoned and restored; future conviction of any criminal offence to render this pardon void. December first, eighteen hundred and seventy-one.

Name of Prisoner.	County.	Crime.	Date of Sentence.	Term of Sentence
C. M. Clifton	Mariposa	Murder, 2d degree.	November, 1865	Fifteen years.

DECISION.—Whereas, his pardon is recommended by the Judge who sentenced him, on the ground of doubt of his guilt, and also by the County Judge and county officers of Mariposa County, and a large number of worthy citizens of this State and Missouri; and whereas, he is suffering from organic disease, and has already been severely punished—now, therefore, let him be pardoned and restored to citizenship; future conviction of any criminal offence to render this pardon void. December first, eighteen hundred and seventy-one.

Name of Prisoner.	County.	Crime.	Date of Sentence.	Term of Sentence
Hurlburt Vroman.	San Francisco.	Burglary.	November, 1869.	Six years.

DECISION.—Whereas, his pardon has been solicited by most of the jury before whom he was tried, and doubts are entertained of the degree of his guilt, and the sentence was excessive; and whereas, he was young, and had borne a good character, and his conduct in prison has been exemplary—now, therefore, let him be pardoned on condition that he go to the home of his parents in the State of New York, there to reside during the term for which he was sentenced. December first, eighteen hundred and seventy-one.

Name of Prisoner.	County.	Crime.	Date of Sentence.	Term of Sentence
S. A. Carpenter .	El Dorado	Manslaughter.....	May, 1870.....	Six years.

DECISION.—Whereas, the county officers of El Dorado County and other reliable citizens have represented to me that facts developed subsequently to the trial establish the innocence of the said Carpenter; now, therefore, let him be pardoned and restored to citizenship; future conviction of any criminal offence to render the pardon void. December first, eighteen hundred and seventy-one.

Name of Prisoner.	County.	Crime.	Date of Sentence.	Term of Sentence
Michael Harrigan .	San Francisco.	Murder 1st degree	February, 1861. .	Life.

DECISION.—Whereas, he was recommended for pardon by the Prison Directors, which recommendation was indorsed by the Legislature at its last session; and, whereas, his pardon has been solicited by the Judge who sentenced him and by a large number of worthy citizens, who are cognizant of the facts of his case, on the ground of extenuating circumstances; and, whereas, he has been confined nearly eleven years, and is becoming advanced in life—now, therefore, let him be pardoned and restored to citizenship; this pardon to be void in case of conviction of any criminal offence in future. December first, eighteen hundred and seventy-one.

Name of Prisoner.	County.	Crime.	Date of Sentence.	Term of Sentence
George Vernon. ..	Contra Costa .	Manslaughter.... ..	April, 1867	Ten years.

DECISION.—Whereas, a large number of worthy and respectable citizens of Contra Costa County presented a petition urging the pardon of said Vernon, on the ground that there are serious doubts of his guilt, and that in their opinion he ought not to have been convicted; and whereas, from an examination into the facts, these doubts seem to me well founded—now, therefore, let him be pardoned and restored to citizenship; future conviction for any criminal offence to render this pardon void. December second, eighteen hundred and seventy-one.

Name of Prisoner.	County.	Crime.	Date of Sentence.	Term of Sentence
Henry H. Fuller...	San Joaquin..	Grand larceny.... .	July, 1870	Two and one half years.

DECISION.—Whereas, the pardon of said Fuller has been recommended by the County Judge, District Attorney, and other respectable citizens, on the ground that he was innocent of any felonious intent; and whereas, he has served nearly two thirds of his term of service, and his conduct in prison has been exemplary—now, therefore, let him be pardoned and restored to citizenship. December second, eighteen hundred and seventy-one.

Name of Prisoner.	County.	Crime.	Date of Sentence.	Term of Sentence
Russell Smithey. .	Sonoma	Manslaughter.....	October, 1866.....	Sixteen years.

DECISION.—Whereas, the District Judge, District Attorney, and county officers of Sonoma County, and a large number of worthy and respectable citizens, have presented a petition praying for the pardon of the said Smithey; and whereas, he has now been confined in prison more than five years, and his conduct has been exemplary; and whereas, the facts attending the commission of the offence present grounds of mitigation—now, therefore, let him be pardoned and restored to citizenship; future conviction for any criminal offence to render this pardon void. December second, eighteen hundred and seventy-one.

Name of Prisoner.	County.	Crime.	Date of Sentence.	Term of Sentence
Joseph Lacosta.. ..	San Francisco.	Assault with intent to murder	March, 1871 . .	Five years.

DECISION.—Whereas, a large number of citizens of San Francisco, including the Judge who sentenced him, have urged the pardon of said Lacosta on the ground of mitigating circumstances connected with the offence; and whereas, his conduct in prison has been exemplary—now, therefore, let him be pardoned and restored to citizenship; future conviction for any criminal offence to render this pardon void. December second, eighteen hundred and seventy-one.

Name of Prisoner.	County.	Crime.	Date of Sentence.	Term of Sentence
Eugene Tucker.. .	San Francisco.	Manslaughter. ...	May, 1868	Seven years .....

DECISION.—Whereas, the said Tucker's pardon has been strongly recommended by Judge E. D. Sawyer, who sentenced him; and whereas, his conduct in prison has been unusually meritorious and exemplary, and his pardon is recommended by the Prison officers and a large number of respectable citizens of San Francisco—now, therefore, let him be pardoned and restored to citizenship; future conviction for any criminal offence to render this pardon void. December second, eighteen hundred and seventy-one.

Name of Prisoner.	County.	Crime.	Date of Sentence.	Term of Sentence
Henry Madison .	El Dorado. .	Assault to commit robbery.	September, 1860.	Fourteen years.

DECISION.—Whereas, said Madison was recommended for pardon by the Board of State Prison Directors, in their report to the Legislature at its eighteenth session, which report was adopted; and whereas, his pardon has been urgently solicited by the Judge who sentenced him on the ground that the sentence was excessive—now, therefore, let him be pardoned and restored to citizenship; conviction for any criminal offence to render this pardon void. December second, eighteen hundred and seventy-one.

Name of Prisoner.	County.	Crime.	Date of Sentence.	Term of Sentence
Jacob Stone.....	San Francisco.	Arson	March, 1870.	Seven years.

DECISION.—Whereas, a petition has been presented by the Hebrew Benevolent Society and a large number of worthy citizens, setting forth that the said Stone was misled by ignorance and the influence of others to commit the offence; that he has already suffered severely, and that he has a large and helpless family; and also stating that means would be furnished to enable them to leave the State in the event of his pardon; and whereas, he is also recommended for pardon by the Judge who sentenced and the District Attorney who prosecuted him—now, therefore, let him be pardoned, upon condition that he leave the State within thirty days, never to return. December second, eighteen hundred and seventy-one.

Name of Prisoner.	County.	Crime.	Date of Sentence.	Term of Sentence
H. F. Nichol.....	Sierra.. . ..	Manslaughter. . .	July, 1867	Ten years.

DECISION.—Whereas, the said H. F. Nichol was recommended for pardon by the Board of State Prison Directors in their report to the Legislature at its eighteenth session, which report was adopted; and whereas, a petition setting forth mitigating circumstances has been presented, signed by a large number of respectable citizens of Sierra and San Francisco Counties; and whereas, the said Nichol is advanced in life, and his conduct in prison has been exemplary—now, therefore, let him be pardoned and restored to citizenship; future conviction for any criminal offence to render this pardon void. December second, eighteen hundred and seventy-one.

LIST OF PARDONS FROM COUNTY JAILS,

GRANTED BY GOVERNOR H. H. HAIGHT,

From March 24th, 1870, *to* ——— ——, 1871, *inclusive.*

Name of Prisoner.	County.	Crime.	Date of Sentence.	Term of Sentence
Jacob Meinlick	San Francisco.	Assault and battery.	September, 1869.	Three hundred days.

DECISION.—Whereas, a petition has been received, signed by many respectable citizens of San Francisco, urgently soliciting the pardon of the said Meinlick; and whereas, the District Attorney has joined in said petition, on the ground of the excessive character of the sentence, and on the further ground of the prisoner having sustained an injury during his incarceration, by which he may be permanently crippled—therefore let him be pardoned. March fourth, eighteen hundred and seventy.

Name of Prisoner.	County.	Crime.	Date of Sentence.	Term of Sentence
James Quinlan. . .	Solano, in Vallejo City.	Assault and battery	June 4th, 1870 .	150 days in County Jail.

DECISION.—Whereas, the County Judge and District Attorney of Solano County recommended the pardon of said Quinlan, on the ground that the sentence was excessive and that the prisoner was dangerously sick with consumption, as also appeared by a medical certificate accompanying the said recommendation—now, therefore, let him be pardoned. July twentieth, eighteen hundred and seventy.

Name of Prisoner.	County.	Crime.	Date of Sentence.	Term of Sentence
H. C. Knowlton..	San Francisco.	Assault to murder.	September, 1870. .	Ninety days in County Jail.

DECISION.—Whereas, the said Knowlton has been recommended for pardon by the Judge of the Municipal Criminal Court, in which he was tried and convicted, and by the District Attorney and other reputable citizens, and the term for which he was imprisoned being about to expire—now, therefore, let him be pardoned. November fifteenth, eighteen hundred and seventy.

Name of Prisoner.	County.	Crime.	Date of Sentence.	Term of Sentence
Daniel W. Prouse.	Sonoma	Assault with deadly weapon.	——, 1870.....	500 days in County Jail or $1,000 fine.

DECISION.—Whereas, said Prouse is unable to pay the said fine of one thousand dollars, and has already been imprisoned about six months, and has been recommended for pardon by the County Judge, the District Attorney, and a great many respectable citizens of Sonoma County, upon the ground that he has already been sufficiently punished—now, therefore, let him be pardoned. January twenty-first, eighteen hundred and seventy-one.

Name of Prisoner.	County.	Crime.	Date of Sentence.	Term of Sentence
George K. Bolling.	San Francisco.	Assault and battery.	December, 1871	Three months in County Jail.

DECISION.—Whereas, said Bolling has a family depending upon him for support, and in the opinion of the Judge who sentenced him he has been sufficiently punished, he having served out nearly the whole term of his imprisonment—now, therefore, let him be pardoned. February twenty-fifth, eighteen hundred and seventy-one.

Name of Prisoner.	County.	Crime.	Date of Sentence.	Term of Sentence
James McClellan .	San Francisco.	Petit Larceny.... .	October 25, 1870	Six months in County Jail.

DECISION.—Whereas, said McClellan has been recommended for pardon by the Judge of the Court in which he was convicted, and also by many respectable citizens of said county, and this being his first offence, and was committed whilst unconscious from the influence of liquor—now, therefore, let him be pardoned. March first, eighteen hundred and seventy-one.

Name of Prisoner.	County.	Crime.	Date of Sentence.	Term of Sentence
Robert Smith	Alameda	Assault with intent to do bodily injury	January, 1871 .	200 days in County Jail.

DECISION.—Whereas, a petition has been presented to me, signed by a large number of respectable citizens of Alameda County, setting forth extenuating circumstances in the case,

and certifying that he has a dependent family and has previously borne a good character, and from the facts of the case it seems that said Smith has been sufficiently punished, and the ends of justice would not be served by his continued imprisonment—now, therefore, let him be pardoned. May third, eighteen hundred and seventy-one.

Name of Prisoner.	County.	Crime.	Date of Sentence.	Term of Sentence
John Murphy	San Francisco.	Petit Larceny. . . .	April 14th, 1871.	6 months in County Jail.

DECISION.—Whereas, said Murphy is very young and has been led astray—now, therefore, upon the express condition that he proceed immediately upon his discharge from said jail to the Industrial School, and remain there until he is nineteen years of age, let him be pardoned; this pardon to be of no effect if the aforementioned condition is not complied with. May tenth, eighteen hundred and seventy-one.

Name of Prisoner.	County.	Crime.	Date of Sentence.	Term of Sentence
M. J. Dunn	Santa Clara. .	Disturbing the public peace . .	April 24, 1871.	Seventy-five days in County Jail.

DECISION.—Whereas, said Dunn is only seventeen years of age, and is suffering from sickness, and the Judge who sentenced him, as well as the District Attorney and other citizens, have requested immediate Executive clemency in consideration of said Dunn's health—now, therefore, let him be pardoned. June tenth, eighteen hundred and seventy-one.

Name of Prisoner.	County.	Crime.	Date of Sentence.	Term of Sentence
Ah Wong.....	Sacramento....	Petit larceny . ..	February 1, 1871.	60 days in County Jail and $20 fine.

DECISION.—Whereas, the Police Judge and City Attorney have recommended the pardon of the said Ah Wong, on the ground that circumstances have come to light which tend to establish his innocence—now, therefore, let him be pardoned. July sixth, eighteen hundred and seventy-one.

Name of Prisoner.	County.	Crime.	Date of Sentence.	Term of Sentence
Pat. McClosky	San Francisco.	Assault and battery..... .	May 12, 1871... ..	100 days in County Jail or fine of $200.

DECISION.—Whereas, mitigating circumstances have become known since his conviction, and his pardon has been recommended by the Police Judge—now, therefore, let him be pardoned. July fifteenth, eighteen hundred and seventy-one.

Name of Prisoner.	County.	Crime.	Date of Sentence.	Term of Sentence
William Troy.	San Francisco.	Assault with deadly weapon..	January, 1871.. ..	$500 fine or imprisonment in County Jail one day for every $2

DECISION.—Whereas, said Troy's conduct and character preceding said assault were unexceptionable, and he has a large family dependent upon him for support, and his pardon has been requested by a number of respectable citizens; and from mitigating circumstances presented it appears evident that his punishment has been sufficient—now, therefore, let him be pardoned. October twenty-eighth, eighteen hundred and seventy-one.

Name of Prisoner.	County.	Crime.	Date of Sentence.	Term of Sentence
Peter Cassidy.....	Solano	Assault and battery	April 14th, 1871 ..	Fined $500, and 250 days.

DECISION.—Whereas, the punishment of said Cassidy has already been sufficient, and the County Judge, county officers, and a very large number of leading and respectable citizens of Solano County have petitioned for his pardon on account of his helpless family and the severity of his sentence—now, therefore, let him be pardoned. November tenth, eighteen hundred and seventy-one.

COMMUTATIONS OF SENTENCE,

GRANTED BY GOVERNOR H. H. HAIGHT.

From January 24th, 1870, *to* 1871, *inclusive.*

Name of Prisoner.	County.	Crime.	Date of Sentence.	Term of Sentence
William Dixon .	Placer.	Robbery.	November, 1860 .	Fifteen years.

DECISION.—Whereas, a petition has been presented signed by many prominent citizens of Placer County, and by the District Attorney who prosecuted him, representing that the sentence of the said Dixon was unusually severe and disproportionate to the offence committed, and recommending the commutation of his sentence to imprisonment for ten years in the State Prison; and whereas, the Board of Directors and officers of the State Prison certify to the good conduct of the said Dixon during his imprisonment; and whereas, it appears that the said Dixon was very young when he committed the crime, and it seems that the ends of justice would be fully vindicated by such said commutation—now, therefore, let his sentence be commuted to imprisonment in the State Prison for the term of ten years, without deduction in number of days (as authorized by Acts of April four, eighteen hundred and sixty-four and March thirty-first, eighteen hundred and sixty-eight) being made from the term of said imprisonment. January twenty-fourth, eighteen hundred and seventy.

Name of Prisoner.	County.	Crime.	Date of Sentence.	Sentence.
Phillip Dick.....	San Joaquin...	Murder 1st degree.	May 13th, 1868 .	Death.

DECISION.—Whereas, a memorial has been presented, signed by the Judge of the Court in which said Dick was convicted, and also by the Judge before whom the said Dick was tried, by the Judge of the County Court of said county, by a large number of the members of the bar of Stockton, and by many respectable citizens of the said county, setting forth that the evidence in the case was circumstantial, and that there were some reasons to doubt the justice of the conviction of said Dick—now, therefore, let his sentence be commuted to imprisonment in the State Prison for thirty years, his term of imprisonment to date from the day of his arrival at the Prison. July first, eighteen hundred and seventy.

Sentenced to be executed July eighth, eighteen hundred and seventy.

Name of Prisoner.	County.	Crime.	Date of Sentence.	Sentence.
John Keller	Sacramento...	Murder 2d degree	October, 1858.....	Imprisonment for life.

DECISION.—Whereas, said Keller was recommended for pardon by the Board of State Prison Directors, in their report to the Legislature at its eighteenth session, which report was adopted by the Legislature; and whereas, the conduct of said Keller during his imprisonment has been exemplary—now, therefore, let his sentence be commuted to imprisonment in the State Prison for twelve years, without discount of days. July twenty-ninth, eighteen hundred and seventy.

Name of Prisoner.	County.	Crime.	Date of Sentence.	Term of Sentence
David Hughes	Shasta.	Manslaughter .	June, 1867	Imprisonment for seven years.

DECISION.—Whereas, a petition has been presented signed by a number of leading citizens of Shasta County, most of the county officers, and by the District Judge who presided at the trial, and by Associate Justice Sprague of the Supreme Court, setting forth certain facts in mitigation of the offence committed, and praying for his pardon and restoration to citizenship; and whereas, his conduct in prison has been good, and the ends of justice would be promoted by abbreviating his term of imprisonment—now, therefore, let his sentence be commuted to imprisonment in the State Prison for three and one half years, without discount for credit of days, and upon his release from prison let him be restored to citizenship. August fourth, eighteen hundred and seventy.

Name of Prisoner.	County.	Crime.	Date of Sentence.	Term of Sentence
James Bowling .	San Francisco.	Assault with deadly weapon.	——, 1869.	One and a half years.

DECISION.—Whereas, the conduct of the said Bowling has been exemplary during the time of his imprisonment, and the commutation of his sentence has been recommended by the Warden of the State Prison—now, therefore, let his sentence be commuted to imprisonment in the State Prison for sixteen months. December thirtieth, eighteen hundred and seventy.

Name of Prisoner.	County.	Crime.	Date of Sentence.	Term of Sentence
Jacob Greer.....	Butte.	Murder	——, 1863.	Life.

DECISION.—Whereas, the character of said Greer prior to the commission of the aforesaid crime was good, and has been unexceptionable since his imprisonment; and whereas, the crime was committed whilst Greer was intoxicated, and his pardon has been requested by a large number of respectable and reliable citizens—now, therefore, let his sentence be commuted to imprisonment in State Prison for ten years, without discount of days. March ninth, eighteen hundred and seventy-one.

Name of Prisoner.	County.	Crime.	Date of Sentence.	Term of Sentence
Lewis J. Dreibelbis	Sierra	Robbery	September, 1865	Twelve years.

DECISION.—Whereas, said Dreibelbis is advanced in years, and has made himself useful in prison by industry and exemplary conduct; and whereas, he pleaded guilty at his trial, and had previously made a confession of the facts under the promise that his punishment should be light; and whereas, he has served more than five and a half years in prison, and his pardon has been requested by the attorney who prosecuted him—now, therefore, let his sentence be commuted to imprisonment for six full years, without discount for credit of days. April third, eighteen hundred and seventy-one.

Name of Prisoner.	County.	Crime.	Date of Sentence.	Sentence.
Jas. F. Renfro. . ..	Sonoma . . .	Murder 1st degree.	——, 1871..	*†Death.

DECISION.—Whereas, a petition has been presented, signed by six hundred citizens of said county, representing that the evidence upon which said Renfro was found guilty was wholly circumstantial and of such a character as to leave in the minds of the subscribers serious doubts as to his guilt, and asking that his sentence be commuted to imprisonment in the State Prison; and, after an examination of the testimony in the case, furnished by the Judge of said Court, it appearing that the facts testified to by the witnesses are not so conclusive as to justify the infliction of the extreme penalty of the law—now, therefore, in order that said Renfro may not be beyond the reach of Executive clemency if facts should hereafter come to light showing his innocence, let his sentence be commuted to imprisonment in the State Prison for the term of his natural life. May ninth, eighteen hundred and seventy-one.

* Sentenced to be hanged April twenty-first, eighteen hundred and seventy-one.
† Respited until May twelfth, eighteen hundred and seventy-one.

Name of Prisoner.	County.	Crime.	Date of Sentence.	Term of Sentence
M. Stoll.	San Joaquin	Arson	March, 1871.....	Three and a half years.

DECISION.—Whereas, extenuating circumstances are alleged in his favor, and his pardon has been solicited by a large number of leading citizens of Stockton, including the Mayor and the Agent of the Underwriters—now, therefore, let his sentence be commuted to imprisonment in the State Prison twelve months from the day of his arrival at the Prison, without discount for credit of days; future conviction of any criminal offence to render this commutation void. December first, eighteen hundred and seventy-one.

Name of Prisoner.	County.	Crime.	Date of Sentence.	Term of Sentence
P. R. Rodgers. ...	San Francisco.	Assault with intent to murder.	September, 1871 .	Eighteen months.

DECISION.—Whereas, the pardon of said Rodgers has been solicited by a considerable number of worthy citizens of San Francisco, on the ground of mitigating circumstances connected with the offence; and whereas, his previous character has been unexceptionable and his conduct in prison exemplary—now, therefore, let his sentence be commuted to *imprisonment for six months; future conviction for any criminal offence to render this* commutation void. December second, eighteen hundred and seventy-one.

REPRIEVES OF SENTENCE,

GRANTED BY GOVERNOR H. H. HAIGHT,

From

Name of Prisoner.	County.	Crime.	Date of Sentence.	Sentence.
J. F. Renfro	Sonoma	Murder 1st degree.	——, 1871 . . .	Death.

DECISION.—Whereas, the application for commutation of sentence is supported by petitions numerously signed by respectable citizens of said county, alleging that there is doubt of his guilt, and that the evidence in his case was wholly circumstantial and not conclusive; and whereas, the testimony furnished is voluminous, and the petitions have arrived too late to allow time for a careful examination of them—now, therefore, in order to allow time for investigation as to the facts of the case, let a reprieve and postponement of said sentence be granted until Friday, May twelfth, eighteen hundred and seventy-one, on which day between the hours of SIX A. M. and SIX P. M. the aforementioned sentence shall be carried into effect, unless in the meantime it is otherwise ordered. April eighteenth, eighteen hundred and seventy-one.

Sentenced to be hanged April twenty-first, eighteen hundred and seventy-one.

Name of Prisoner.	County.	Crime.	Date of Sentence.	Sentence.
Ramon Amador.	Alameda	Murder first degree	——, 1871.	* Death.

DECISION.—Whereas, a petition for the commutation of said sentence has been presented, signed by the Sheriff of said county and others—now, therefore, for the purpose of allowing time for examining into the facts presented as a reason for a commutation—now, therefore, a reprieve is granted to said Amador until Friday, September twenty-second, eighteen hundred and seventy-one, on which day the sentence be then carried into effect, unless in the meantime the commutation be granted as prayed for. August twenty-sixth, eighteen hundred and seventy-one.

* Sentenced to be executed August thirty-first, eighteen hundred and seventy-one.

Name of Prisoners.	County.	Crime.	Date of Sentence.	Sentence.
Gaud'e Valencia, Franc'o Valencia	Solano	Murder....	September, 1871.	Death.

DECISION.—Whereas, at the recent September term of the District Court of the Seventh Judicial District, held in and for the County of Solano, one Francisco Valencia and Guadalupe Valencia were convicted of the crime of murder, and sentenced to be executed on Friday, the twenty-fourth day of November, instant; and whereas, they desire time granted to allow them an opportunity of taking an appeal to the Supreme Court of this State from the judgment of said District Court—now, therefore, by virtue of the power in me vested under the Constitution and laws of this State, I do hereby grant a reprieve to said Francisco Valencia and Guadalupe Valencia until Friday, the fifteenth day of December, A. D. eighteen hundred and seventy-one, to which day the execution of said sentence is hereby postponed, and on said last named day the sentence of said Court will be carried into execution, between the hours of nine A. M. and four P. M., unless otherwise ordered in the meantime.

{L. S.} In witness whereof I have hereunto set my hand and affixed the great seal of State at Sacramento this seventeenth day of November, eighteen hundred and seventy-one.

H. H. HAIGHT.

RESTORATIONS TO CITIZENSHIP

BY GOVERNOR H. H. HAIGHT,

From March 11th, 1870, to 1871, *inclusive.*

The following persons, for reason of their good conduct since their release from prison, and representations having been made which induced the belief that they were proper subjects for restoration to citizenship, have been restored to all the rights and privileges to which they were entitled before their several convictions and imprisonment—at the several times below mentioned:

Name of Person Restored.	County.	Crime.	Date of Sentence.	Term of Sentence.	When Restored.
John Turner	San Francisco	Grand larceny	August, 1856	One year	March 11th, 1870.
Frank Sweeny	Alameda	Burglary	April, 1869	One year	May 31st, 1870.
William Burns	San Francisco	Grand larceny	January, 1868	Two years	July 29th, 1870.
William H. Brooks	Yuba	Assault to murder	——, 1858.	One year	August 5th, 1870.
James Mulqueen	San Francisco	Grand larceny	October, 1855	Two years	September 6th, 1870.
Samuel Held	Sacramento	Grand larceny	October, 1855	Seven years	October 26th, 1870.
Isaac Hawley	San Bernardino	Grand larceny	——, 1861.	Two years	January 5th, 1871.
James Bowling	San Francisco	Assault with deadly weapon	——, 1869.	One and a half years	January 17th, 1871.
A. J. Drury	Butte	Grand larceny	——, 1867.	Three years	February 10th, 1871.
Peter Murray	San Francisco	Grand larceny	November, 1864	Three years	April 19th, 1871.
Francisco Soto	Santa Clara	Grand larceny	October, 1863	One and a half years	May 23d, 1871.
Charles Wells	Santa Clara	Grand larceny	August, 1869.	One year	July 5th, 1871.
William Coombs	Nevada	Assault to murder	May, 1864	Two years	July 24th, 1871.
Charles McCarthy	Tuolumne	Manslaughter	——, 1865.	Two years	July 29th, 1871.
Josiah Jackson	Butte	Burglary	April, 1861.	One year	August 14th, 1871.
Samuel Cohen	Sacramento	Grand larceny	April, 1866.	One and a half years	August 30th, 1871.
Andrew M. Jackson	San Francisco	Mayhem	September, 1866	Five years	September 8th, 1871.
Henry A. Murray	Yuba	Forgery	September, 1860	One year	Sept. 20th, 1871.
Michael Bodie	Santa Clara	Manslaughter	September, 1868	Five years	October 4th, 1871.

Mr. Luttrell moved that ten thousand copies of the Governor's second biennial message be printed.

Mr. Splivalo moved to amend by ordering two thousand copies in the German, and five hundred in the Spanish language.

Mr. Johnston offered an amendment to the amendment to print five thousand copies in English, two thousand in German, and one thousand in Spanish.

Which amendment was adopted, and the motion as amended prevailed.

APPOINTMENTS.

The Speaker announced the following appointments:

Postmaster, T. R. Jones; Page, H Eukle; Paper Folder, William G. Hawkitt; two Watchmen, —— Clark, and —— Janes, two Porters, —— Hall, and —— Simons; two Doorkeepers, G. W. B. Green, and D. Glavin.

At five minutes to twelve o'clock A. M. a recess was ordered for the purpose of preparing to meet the Senate in Joint Convention.

REASSEMBLED.

At twelve o'clock and twenty minutes P. M. the House reassembled.

Speaker in the chair.

Roll called.

Quorum present.

IN JOINT CONVENTION.

Proceedings of Joint Convention to canvass the returns of the election for Governor and Lieutenant Governor

The President pro tem of the Senate and Senators were announced and received in Joint Convention.

The Convention was called to order by the President pro tem of the Senate and Speaker of the House.

The roll of the Senate and that of the Assembly were called and the following named Senators and Assemblymen were present:

SENATE ROLL—Messrs. Andross, Banvard, Beck, Betge, Boggs, Boucher, Comte, Crane, De Haven, Duffy, Dyer, Evans, Farley, Finney, Fowler, Garratt, Goodale, Gwin, Hutchings, Irwin, Kent, Keys, Larkin, Maclay, Minis, McMurry, McCoy, McKusick, Neff, Oulton, O'Connor, Pendegast, Perkins, Tompkins, Turner, Tuttle, Wand, Wilson, and Wing.

ASSEMBLY ROLL—Messrs. Aldrich, Andrews, Bacon, Baird, Barker, Barklage, Barnes, Bayley, Bell, Berry, Bradley, Bockius, Brown, Burckhalter, Caldwell, Center, Chalmers, Coleman, Connolly, Cooper, Crane, Dannals, Days, De Haven, Eagan, Edgar, Ellis, Everett, Franck, Freeman, French, Galloway, Gibson, Goodall, Gray, Harvey, Hayes, Henshaw, Hopper, James, Johnston, Jost, Lee, Little, Lotton, Long, Luttrell, Mathers, Meeker, Mott, of Los Angeles, Mott, of Sacramento, Munday, McCullough, Pardee, Rector, Reed, Rice, Russ, Sammons, Sargent, of Santa Clara, Sargent, of San Joaquin, Schrack, Seibe, Sensabaugh, Slaughter, Spencer, Splivalo, Stillwagon, Tinnin, Turner, Ward, Welty, Wheaton, Whiting, Whitney, Wilcox, Woodward, Wright, and Mr. Speaker.

TELLERS.

The following Senators were appointed Tellers on the part of the Senate:

Mr. Finney and Mr. McMurry.

On the part of the House:

Mr. Spencer and Mr. Aldrich.

At twelve o'clock and forty-six minutes P. M., on motion of Mr. Keys, the Joint Convention took a recess for fifteen minutes.

At one o'clock and fourteen minutes P. M. the Joint Convention reassembled.

The rolls of the Senate and Assembly were called and the following Senators and Assemblymen responded:

SENATE ROLL—Messrs. Andross, Banvard, Beck, Boggs, Boucher, Crane, De Haven, Duffy, Dyer, Evans, Farley, Finney, Fowler, Garratt, Goodale, Hutchings, Irwin, Kent, Keys, Larkin, McMurry, McKusick, Neff, Oulton, O'Connor, Perkins, Tompkins, Turner, Tuttle, Wand, Wilson, and Wing.

ASSEMBLY ROLL—Messrs. Aldrich, Andrews, Bacon, Baird, Barker, Barklage, Barnes, Bayley, Bell, Berry, Bradley, Bockius, Brown, Burckhalter, Caldwell, Center, Chalmers, Coleman, Connolly, Cooper, Crane, Dannals, Days, De Haven, Eagan, Edgar, Ellis, Everett, Franck, Freeman, French, Gibson, Goodall, Gray, Harvey, Hayes, Henshaw, Hopper, James, Johnston, Jost, Little, Lofton, Long, Luttrell, Mathers, Meeker, Mott, of Los Angeles, Mott, of Sacramento, Munday, McCullough, Pardee, Rector, Reed, Rice, Russ, Sammons, Sargent, of Santa Clara, Sargent, of San Joaquin, Schrack, Seibe, Sensabaugh, Slaughter, Spencer, Splivalo, Stillwagon, Tinnin, Turner, Walker, Ward, Welty, Wheaton, Whiting, Whitney, Wilcox, Woodward, Wright, and Mr. Speaker.

REPORT.

Report of the Tellers was submitted by Mr. Finney, as follows:

MR. PRESIDENT: The Tellers report the number of votes cast for Governor as follows:

FOR GOVERNOR.

Newton Booth	61,819
Henry H. Haight	56,800
Total	118,619

FOR LIEUTENANT GOVERNOR.

R. Pacheco	61,700
E. J. Lewis	56,779
Total	118,479

S. J. FINNEY,
For Tellers.

Report received.

Whereupon the Speaker announced as follows:

I declare the result as certified by the Secretary of State to be: total number of votes cast for Governor, one hundred and eighteen thousand six hundred and nineteen, Mr Newton Booth having received sixty-one thousand eight hundred and nineteen votes, I declare him duly elected Governor of the State of California.

For Lieutenant Governor, Mr. R Pacheco having received sixty-one thousand and seven hundred votes, and Mr. Lewis fifty-six thousand seven hundred and seventy-nine—total, one hundred and eighteen thousand four hundred and seventy-nine—I declare Mr. Pacheco elected Lieutenant Governor of the State of California in accordance with the Constitution and laws thereof.

The Joint Cohvention now adjourned and the Senators retired.

REASSEMBLED

At one o'clock and thirty minutes P. M. the House reassembled.

Roll called.

Quorum present.

REPORT.

Mr. Harvey submitted the following report:

MR. SPEAKER: The Joint Committee appointed to wait on the Governor and Lieutenant Governor elect, has performed its duty, and begs leave to report that the hour of twelve o'clock, noon. to-morrow, Friday, December eighth, is the time designated by those gentlemen for the ceremonies of inauguration.

PENDEGAST,
EVANS,
GWIN,
Senate Committee.
HARVEY,
McCULLOUGH,
COOPER,
Assembly Committee.

RESOLUTION.

Mr. Mott, of Sacramento, offered the following concurrent resolution:

Resolved by the Assembly, the Senate concurring, That a committee of three be appointed by the Speaker to confer with a similar committee of the Senate upon the ceremonies of the inauguration.

Adopted.

CHAPLAIN.

Nominations for Chaplain being in order:

Mr. Mott, of Los Angeles, nominated Rev. Patrick Scanlon, of Sacramento.

Mr. Barker nominated Rev. Hiram Cummings of Placer County.

Mr. Hopper nominated Rev. A. E. Hill, of Folsom.

Mr Gray nominated Rev. F L Nash, of Sacramento.

Mr. Goodall nominated Rev. H. B. Heacock, of Sacramento.

Mr Berry nominated Rev. T. H. B. Anderson, of Chico.

The roll was called, and there being no choice, a new vote was ordered, with the following result, the names of the Revs. Scanlon, Hill, Heacock, and Anderson having been withdrawn.

Those voting for Mr. Cummings were:

Messrs Aldrich, Bacon, Baird, Barker, Barnes, Bell, Bradley, Bockius, Brown, Coleman, Cooper, Crane, Dannals, Days, De Haven, Eagan, Edgar, Ellis, Everett, Franck, Freeman, Gibson, Hays, Jost, Lee, Lofton, Long, Mathers, Pardee, Rector, Rice, Russ, Sammons, Sargent of Santa Clara, Sargent of San Joaquin, Schrack, Slaughter, Spencer, Stillwagon, Turner, Welty, Whitney, Woodward, Wright, and Mr. Speaker—46.

Those voting for Mr. Nash were:

Messrs. Andrews, Barklage, Bayley, Berry, Burckhalter, Caldwell, Center, Chalmers, Connolly, French, Goodall, Gray, Harvey, Henshaw, Hopper, James, Johnson, Little, Luttrell, Meeker, Mott of Los Angeles, Mott of Sacramento, Munday, McCullough, Reed, Seibe, Sensabaugh, Tinnin, Ward, and Whiting—30.

Whereupon the Speaker announced Mr Cummings duly elected Chaplain of the House.

APPOINTMENTS.

The Speaker appointed Messrs. Mott of Sacramento, Splivalo, and Andrews as the Assembly members of the Joint Committee for the purpose of arranging for the inaugural ceremonies.

The Speaker appointed Daniel Blue as rear Porter.

NOTICE.

Notices of bills were given as follows:

By Mr. Munday—An Act to repeal an Act known as the Registry Act, approved nineteenth March, eighteen hundred and sixty-six, and the Act amendatory thereof, approved March thirtieth, eighteen hundred and sixty-eight.

INTRODUCTION OF BILLS.

Bills were introduced as follows:

By Mr. Mathers—An Act to provide for the erection of county buildings in the County of Mendocino.

Read first and second times and placed on file.

By Mr. Freeman—An Act to amend an Act entitled an Act to provide for the incorporation of railroad companies, and the management of the affairs thereof, and other matters relating thereto, approved May twentieth, eighteen hundred and sixty-one.

Read first and second times and referred to the Committee on Corporations, and ordered printed.

By Mr. Berry—An Act to repeal an Act entitled an Act to prevent double taxation; also, to repeal an Act entitled an Act to relieve owners of incumbered real estate from double taxation.

Read first and second times and referred to the Committee on Ways and Means.

By Mr. Luttrell—An Act to amend an Act entitled an Act to provide for the incorporation of railroad companies, and the management of the affairs thereof, and other matters relating thereto, approved May twentieth, eighteen hundred and sixty-one.

Read first and second times and referred to the Committee on Corporations, and ordered printed

By Mr. McCullough—An Act to regulate the fees of the Assistant City and County Attorney of the City and County of San Francisco.

Read first and second times and referred to the San Francisco delegation.

By Mr. Chalmers—An Act to amend an Act entitled an Act to consolidate certain school districts of the Counties of El Dorado and Sacramento, approved April twenty-fifth, eighteen hundred and sixty-three.

Read first and second times and referred to the El Dorado and Sacramento delegations.

By Mr. Gray—An Act to amend an Act entitled an Act to change the time for holding municipal elections in the City and County of San Francisco, and to define the official terms of certain officers therein mentioned, approved April second, eighteen hundred and sixty-six

Read first and second times and referred to the San Francisco delegation.

By Mr. Berry—An Act granting James H. Clark, County Superintendent of Public Instruction, leave of absence from the State.

Read first and second times and referred to the Sutter delegation.

By Mr. Gray—An Act revisory of and supplementary to the Act approved nineteenth of April, eighteen hundred and fifty-six, consolidating the government of the City and County of San Francisco.

Read first and second times and referred to the San Francisco delegation, and ordered printed.

By Mr. Wheaton—An Act in relation to sales and conveyances made by the Garden Land Homestead Association.

Read first and second times and referred to the Committee on Corporations.

By Mr. Gray—An Act to provide and pay for services rendered for the City and County of San Francisco.

Read first and second times and referred to the San Francisco delegation.

At two o'clock and fifteen minutes P. M., on motion of Mr. Days, the House adjourned.

T B. SHANNON,
Speaker.

M. D. BORUCK, Chief Clerk.

IN ASSEMBLY.

HOUSE OF ASSEMBLY,
Friday, December 8th, 1871.

House met pursuant to adjournment.
Speaker in the chair.
Roll called.
Quorum present.
Prayer by the Chaplain.
Journal of yesterday read and approved.
The Speaker appointed the following

COMMITTEE ON THE JUDICIARY.

Messrs. Spencer of Santa Clara (Chairman), Gray, Splivalo, Eagan, French, Luttrell, Burckhalter, Wheaton, Hopper, Mott of Los Angeles, Andrews.

RESOLUTION.

Mr. Barker offered a resolution, as follows:

Resolved, That the printing of the Standing Rules of this House be postponed until after the appointment of the Standing Committees, and that the latter be appended thereto.

Mr. Gray moved to lay the resolution on the table.
Lost.
When the House refused to pass the same.

REPORT.

Mr. Meeker made the following report:

MR. SPEAKER: The San Francisco delegation have considered Assembly Bill No. 10—An Act to regulate the fees of the Assistant City and County Attorney of San Francisco—and beg leave to report the bill back, and recommend its passage.

MEEKER,
GOODALL,
McCULLOUGH,
SPLIVALO,
JOST,
GRAY,
ALDRICH,
SIEBE,
WHEATON.

RESOLUTIONS.

Mr. Mott of Sacramento offered a resolution, as follows:

Resolved by the Assembly, the Senate concurring, That the joint committee of the two houses heretofore appointed to superintend the inauguration ceremonies be authorized to incur such expenses as they may

deem necessary in the discharge of their duties, and that the same be paid out of the Contingent Fund of the two houses.

Adopted.

Mr. Bailey offered the following resolution:

Resolved, That the Sergeant at Arms be and he is hereby authorized to receipt to the Controller of State for all warrants for per diem and mileage of the Speaker and members of the Assembly, and for per diem of officers, clerks, and attachés of the Assembly.

Adopted.

REPORTS.

Mr. Luttrell submitted a report, as follows.

Mr. Speaker: The Committee on Joint Rules beg leave to report, and recommend the adoption of the joint rules governing the eighteenth session of the Legislature.

LUTTRELL,
Chairman House Committee.
BETGE,
Chairman Senate Committee.

JOINT RULES.

1.

In every case of an amendment of a bill agreed to in one House and dissented from in the other, if either House shall request a conference and appoint a committee to confer, the other House shall appoint a like committee; and such committee shall meet at a convenient hour, to be agreed upon by their respective Chairmen, and shall confer upon the differences between the two Houses, and shall report as early as convenient the result of their conference to their respective Houses for their action.

2.

When a message shall be sent from either House it shall be announced at the door by the Doorkeeper, and shall be respectfully communicated to the Chair by the person by whom it may be sent.

3.

Messages shall be sent by the Secretary, Clerk, or by such person as a sense of propriety of each House may determine to be proper.

4.

Notice of the action of either House to the other shall be on paper and under the signature of the Secretary or Clerk of the House from which such notice is to be conveyed.

5.

After a bill shall have passed both Houses it shall be duly enrolled

by the Enrolling Clerk of the Assembly or of the Senate, as the bill may have originated in the one or the other House, and shall first receive the signature of the presiding officer and Clerk or Secretary of the House in which it emanated before it shall be presented to the Governor of the State.

6.

When bills are enrolled they shall be examined by the Enrolling Committee of the House in which they originate, who shall carefully compare the enrolment with the engrossed bill as passed in the two Houses, and correcting any errors that may be discovered in the enrolled bill, make their report forthwith to the House in which the bill originated, stating by whom such bill was examined.

7.

After examination and report each bill shall be signed in the respective Houses, first by the Speaker of the Assembly, then by the President of the Senate.

8.

After a bill shall have thus been signed in each House it shall be presented by the Enrolling Committee of the House in which it originated to the Governor of the State for his approval (it being first indorsed on the back of the roll by the Secretary or Clerk, as the case may be, certifying in which House the bill originated). The said committee shall report the day of presentation to the Governor, which time shall be carefully entered on the Journals of the House in which the bill originated.

9.

All orders, resolutions, and votes which are to be presented to the Governor of the State for his approbation shall also, in the same manner, be previously enrolled, examined, and signed, and shall be presented in the same manner and by the same committee as provided in the case of bills.

10.

When the Senate and Assembly shall judge it proper to make a joint address to the Governor it shall be presented to him in his audience chamber by the President of the Senate, in the presence of the Speaker and both Houses.

11.

When a bill or resolution which shall have passed in one House is rejected by the other, notice thereof shall be given to the House in which the same shall have passed.

12.

When a bill or resolution which has been passed in one House shall be rejected in the other, it shall not be brought in during the same session without a notice of five days and leave of two thirds of that House in which it shall be renewed.

13.

Each House shall transmit to the other papers on which any bill or resolution shall be founded.

14.

After each House shall have once adhered to their disagreement a bill or resolution shall be lost.

15.

No bill or resolution that shall have passed the Assembly and Senate shall be presented to the Governor for his approval on the last day of the session.

16.

No appropriations of money, for any purpose whatever, shall be made except by bill.

17.

Each House may order the printing of bills introduced and reports of its own committees, but no other printing shall be ordered except by a concurrent resolution passed by both Houses.

18.

There shall be a Joint Standing Committee of three from each House, who shall examine all matter proposed to be printed by concurrent order, and shall report what part of such matter it is needful to print.

19.

No spirituous liquors shall be offered for sale or introduced within any portion of the building which is used for State purposes or is under the control of this Legislature.

20.

No increase in the pay of any officer or attaché of the Senate or Assembly shall be made by resolution except by unanimous consent.

21.

All concurrent or joint resolutions which relate to or contain communications to the Federal Government shall be treated in all respects as bills.

22.

Whenever a bill or resolution which shall have been passed in one House shall be amended in the other, such amendment or amendments shall be attached to the bill or resolution so amended, and indorsed "adopted;" and such amendment or amendments, if concurred in by the House in which such bill or resolution originated, shall be indorsed

"concurred in;" and such indorsement shall be signed by the Secretary or Assistant Secretary of the Senate, or the Clerk or Assistant Clerk of the Assembly, as the case may be.

Report received and adopted, and usual number of copies ordered printed.

Mr. Mott of Sacramento submitted a report as follows:

ASSEMBLY CHAMBER, Sacramento.

Mr. SPEAKER: Your Joint Committee appointed on Inaugural Ceremonies beg leave to report that they have conferred with the Governor and Lieutenant Governor elect, and have arranged to have the ceremonies conducted at the west portico of the Capitol this day at twelve o'clock.

MOTT,
Chairman Assembly Committee.

Mr. J. M. Walker, member elect from Fresno County, appeared and was sworn in by the Speaker.

At eleven o'clock and thirty minutes A. M., on motion of Mr. Ellis, the House took a recess for twenty minutes.

REASSEMBLED.

At eleven o'clock and fifty minutes A. M. the House reassembled.

Speaker in the chair.

Quorum present.

The Speaker directed the Clerk to read the report of the Joint Committee on Inauguration Ceremonies for information.

At twelve o'clock M., on motion of Mr. Days, the House adjourned to attend the inauguration of the Governor and Lieutenant Governor elect, to meet again at eleven o'clock A. M. on Saturday, December ninth.

T. B. SHANNON,
Speaker.

M. D. BORUCK, Chief Clerk.

INAUGURAL ADDRESS OF GOVERNOR BOOTH.

FELLOW CITIZENS:

Established custom requires that the Governor of the State at the beginning of his term of office shall briefly outline the policy he desires to exemplify in his administration. I discharge this duty not without diffidence, for I am fully aware that experience in the execution of the laws as they are can alone give that exact knowledge of their details and actual working which is of the highest value in forming an opinion of their efficiency and of the necessity of amendment.

The statement of general principles is comparatively easy; their practical application to affairs is more difficult, and to some extent experimental. Not every theory will bear the test of practice, and too much legislation is one of the recognized evils of government. One of the most philosophical and correct thinkers of modern times has affirmed that the wisdom of the legislator is oftener shown in the repeal of old statutes than in the enactment of new.

That government will be best which confines itself most strictly within the sphere of its duties, which, recognizing the sacredness of personal freedom, imposes no more restriction upon the individual than is necessary for the safety of society, and whose laws, like those of nature, are impartial in design and general in their operation. The great mass of the people neither expect nor desire any benefits from government which are not common to all. There will always be, however, an active few seeking the advancement of their own interest by legislation, and they will never be wanting in specious arguments in their own behalf, while the public welfare is apt to be silent until it is injured.

TEST OF LEGISLATION.

The most necessary laws will often confer incidental personal advantages. School houses and highways will best accommodate those who live nearest to them; public buildings may advance the value of contiguous property, public offices involve the payment of fees and salaries to individuals

From the nature of things it is impossible that law should equalize human conditions. There is one test, however, which should be applied to every measure of legislation—is the general good the object, and individual advantage the necessary incident? or is individual profit the object, and the general good the incident or pretext? It should always be remembered that government is only the agent of the people for specified purposes, that it should never attempt to do for the people what they can as well do for themselves, and that, having nothing of its own to bestow, it cannot give to one without taking from another. The law of compensation is inexorable, and in political economy it will be forever true that to seek a partial good is to incur a general evil.

No body of men was ever wise enough to adjust the conflicting interests and direct the various industries of a large community. To attempt it is to disturb the equilibrium of society. Every citizen has the same right to protection from his government. Under the security afforded by a just government, extending equal protection, enterprise and labor will find their most profitable channels, character its best development, and society its most harmonious organization. Brilliant schemes that promise immediate benefits in a particular direction appeal strongly to the imagination, but their highest success is too dearly paid for by the sense of injustice which impairs the respect for law and weakens the ties of patriotism.

IDEA OF GOVERNMENT.

It follows that my own idea of government is that law should be the simplest possible expression of the necessities of society, and administration a matter of business, not of show. It does not follow, if we all agree in this, that we shall be able to realize our ideal. I trust, however, we shall honestly try

LOCAL AND GENERAL LAWS.

In a State so large in area and so diversified in natural and artificial resources and conditions as ours, some local regulations will always be necessary. It is the part of wisdom that the communities immediately interested should determine these for themselves, and State laws may be made general by conferring upon local authorities sufficient powers

for local government. As the State, however, is directly interested in the credit of each of its political subdivisions, and is charged with the duty of protecting every citizen from burdensome exactions, care should be taken to interpose proper restrictions against the creation of debts, the levy of excessive taxes, and the appropriation of money to private enterprises.

The provision of the Constitution which prohibits the creation of a State debt without a popular vote will be of little practical utility if the cities and counties are allowed to contract obligations which become a charge in detail upon the property of the State Subject to these limitations, and under proper regulations to secure uniformity in the operation of general laws, every county, town, and city should be self-governing in everything which concerns its local affairs, and the Legislature be relieved of the embarrassment of considering measures of special application If the theory of popular institutions be true, government should be brought as near the people as possible, that it may be directly amenable to public opinion, its mistakes earliest realized, and most easily remedied.

MUNICIPAL GOVERNMENT OF CITIES.

It is sometimes conceded that the democratic theory fails in its application to the municipal government of large cities. If it does, necessarily its ultimate failure will be entire, for diverse principles of government cannot permanently obtain in the same general system, and the tendency of population is more and more toward centralization. Perhaps the cause of failure may be found rather in the methods of application than in the principle itself. The city, where public opinion is most concentrated, and its great organ, the press, most powerful, where the interests to be affected are most immediate, should be as capable of municipal self-government as the State and nation are of general government. The experiment should be fairly tried, without divided responsibility, and with the certainty that the municipal regulations of a city, being made by itself, will be such as it deserves

REVENUE AND TAXATION.

The most important and difficult functions of the State Government relate to revenue and taxation. To combine economy with efficiency in administration and to apportion taxes equitably are the ever recurring problems which address themselves to the legislator and political economist. In public as in private life, economy requires the sacrifice of show to substance and the wise adaptation of means to ends. Blind parsimony may prove as wasteful as wilful extravagance. The people expect their representatives to deal honestly with them, to make appropriations intelligently for the necessary purposes of good government, and to exact strict accountability for their proper expenditure. No offices should be created for the sake of affording places; the cost of public buildings should be limited to fair estimates, appropriations for necessary expenses of State institutions (as prison, asylums, etc.) should be sufficient, so that demands against the State should not be discounted, while money is lying idle in the General Fund, and every care should be taken to prevent the credit of the State from being pledged, directly or by implication, beyond the exact authorization of law.

The fiscal affairs of the State should be managed as a prudent business man manages his own, paying well for services rendered, and for no more. Every dollar of taxation represents the labor of some one—labor contributed to the State for the common good, to the "commonwealth," but which is felt as an unjust exaction, a wrongful use of arbitrary power, when devoted to individual or partial benefit.

DEFECTS IN OUR SYSTEM OF TAXATION.

A very large proportion of the revenue of the State is raised by direct taxation upon property.

The Constitution requires that taxation shall be uniform throughout the State "All property in this State shall be taxed in proportion to its value, to be ascertained as directed by law, but Assessors of town, county, and State taxes shall be elected by the qualified electors of the district, county, or town in which the property taxed for State, county, or town purposes is situated." The difficulty in giving a literal construction to the final clause without the most complicated and expensive machinery seems insuperable, as is ably shown by Commissioner Lindley in the preface to the Chapter on "Town Governments," in the report of the Revision Commission.

No scheme of taxation has ever been devised which was absolutely just. Perhaps none can be. The theory of our Constitution on the subject is perfectly fair; its failure in everything except raising the necessary revenues is confessed. The burdens of taxation are practically distributed as follows: The non-taxpayer feels them in the increased expense of living, and if he depend upon his daily labor, as over taxation discourages industrial enterprises, in diminished wages and diminished opportunities of employment. Among taxpayers the proportion paid by each is in inverse ratio to his ability—the wealthiest paying the least percentage on the value of their property. There are exceptions, but probably not more than to every general principle. A perfectly just system, if attainable, would reverse this rule.

If every member of the community knew that he was called upon to pay only his just proportion of the necessary expenses of government, no obligation would be more cheerfully met. As the distribution is felt to be unfair, each is apt to fancy himself the greatest sufferer, and to look upon the Assessor and Collector as his natural enemies Too low a valuation in one county is made the excuse for one still lower in another, and no individual willingly returns his property at its full market worth, knowing that the rate has been fixed on the assumption that not more than fifty per centum of all values will be reached. Under our Constitution, while a "State Board of Equalization" may be very useful in bringing gross abuses to light, it is doubtful if its powers can be more than moral, or extend beyond recommendations and instructions. The difficulty of determining by a single Board the values of real estate and visible personal property, is manifest in a State so large and of such varied conditions as ours, while moneys and solvent debts, not evidenced by public records, so easily elude observation, and the latter are susceptible of such varied definition, that the old system of torturing the body by rack, thumb screw, and lash, and the modern device of torturing the conscience by oaths administered by the Assessor, have alike failed to fully disclose them to the tax gatherer.

Apportioning the assessment of a railroad to the various counties through which it passes, leads to the absurdity of attempting to estimate

the value of a road cut off from connections at both ends, and to inquire into the probable worth of the iron and ties, "as they lie," for purposes other than the only one for which they are fit

Between the perplexing questions whether the shares in a corporation should be assessed to individual holders, the market value of the property belonging to the incorporation assessed to the company, or the value of the franchise be included, the rule is usually adopted which yields the lowest valuation.

The law which allows a property holder to cancel a tax by showing some technical irregularity is a premium on litigation without risk, and enables large taxpayers, individual and corporate, to dictate their own terms of compromise.

Our system not only fails in proper distribution, but its influence is demoralizing; and every system which largely involves the exercise of individual discretion and the universal administration of oaths to parties in interest will have the same result.

PLAN OF TAXATION SUGGESTED.

Since it is practically impossible to impose taxes directly upon all property according to its value, the question ought to be seriously considered whether they may not be so imposed as to "equitably distribute themselves" A tax upon land, if uniform, becomes a fixed quantity in the calculation of its value, it is a known encumbrance, and modifies its price. To that extent land values will adapt themselves to a uniform rate of taxation. If land values (including, of course, village, city, and country) alone were taxed, the revenue of the State would be in the nature of a reserved rent, stipulated for at every transfer, and modifying the consideration at every sale. If that policy had been originally adopted, speculation in unoccupied lands would have been in some degree prevented. the lands would be more generally cultivated by owners, and bear the whole burden of taxation with more ease than they now do their proportion, leaving all improvements and personal property free. The vested rights of land owners will probably forever prevent a recurrence to this policy.

I beg to submit for public consideration the brief outline of a plan, for some of the suggestions of which I am indebted to the very able report of the "Commission on Local Taxation," recently appointed by Governor Hoffman, of New York.

Lands, other than town, city, and suburban lots, to be classified, the Assessor to determine the class to which each tract belongs, when the law will fix its value for purposes of taxation. The classification could be so adjusted as to discourage the holding of land in large bodies for purposes of speculation, and made effective to that end by recognizing possessory rights and inchoate titles as taxable. The State to determine the value of the franchises of such corporations as railroad, banking, gas companies, etc , by aggregating the market value of their stock and bonds, collect a fixed rate percentum on the whole, and give the counties and cities a fair equivalent for their right of local taxation. Moneys to be indirectly reached by a stamp tax on notes, bonds, mortgages, etc. This would leave town, city, and suburban lots, and personal property other than moneys and debts, to be assessed by appraisement.

I have dwelt upon the whole subject at some length, as any radical, and I believe, any beneficial change in our revenue system requires a

change in the Constitution, and this is the only opportunity I shall have of officially addressing the people directly

I know the suggestions offered are imperfect, I trust, then. general discussion will result in the maturing of some plan which will apportion taxes more equitably, collect them more cheaply, and in a greater degree check one of the growing and threatening evils of our time—land monopoly. The theories of the most advanced writers on political economy and the practice of the civilized world outside the United States, condemn our present system as cumbersome in machinery, unjust in distribution, and demoralizing in influence. Our constitutional provisions, like many other laws, practically defeat their own theory.

SUBSIDIES.

It is the history of every country that with increasing wealth there is an increasing tendency toward centralization, and a growing danger that aggregated capital will obtain undue political influence "It is one of the problems of government to prevent the ruling power from becoming all-powerful." Whether the ruling power is found in numbers, where it is supposed to be, or in money, where it too often is, every care should be taken to restrain its exercise within the bounds of justice. In administering the government we are called upon to consider not only immediate material advantages, but ultimate moral effects. It is certain that where money is a political power at all, there is a constant danger that it will become all-powerful It is the most active principle of society, forever seeking its own, and not apt to be content with that. When the accumulation of wealth is the legitimate result of energy and sagacity, it is a stimulant to industry and enterprise, and their just reward, when conferred by favoritism of law, it is first an incentive to, then a source of political corruption If any favors are granted at all they should be to the weak, and not the strong. But the law should be no respecter of persons, if for no other reason, because favors granted to any are certain to gravitate to the strongest power.

These considerations, together with the manifest injustice of weighing benefits to some, against injuries to others, even if the benefits preponderate, have had a determining influence in forming public opinion on the subject of State and local subsidies to railroad and other corporations. In order to give effective expression to the pronounced will of the people, the Act known as the "Five Per Cent Law" should be repealed, and the necessary steps be taken to amend the Constitution so as to prevent similar legislation hereafter.

FARES AND FREIGHTS.

The right of the State to regulate the rate of freights and fares on railroads is founded on the fact that every railroad invokes the exercise of one of the State's highest prerogatives—the condemning of private property, in its construction. The Legislature should exercise this right with due consideration, to protect the public from overcharges, and at the same time afford proper guarantees to invested capital, and give liberal encouragement to the building of railroads. The present rates were established at a time when the standard of values was much higher than now, and when the construction of railroads in this State was regarded as a costly and hazardous experiment. That they are too high is a fair deduction from the facts that they are not less than three

times the average rates in the States east of the Rocky Mountains, and that the local rates allowed are out of proportion with the through rates charged It requires no argument to prove that freight and passengers can be transported at a lower rate per mile one hundred miles than fifty; and it is equally clear that no system should be tolerated which will allow a higher charge in the aggregate for transportation of fifty than a hundred miles, or under which a shipper may be compelled to send his goods some hundreds of miles westward to find the cheapest initial point for their eastern transit, over the same road

It is argued that no rates should be established by law, as competition is the best regulator of prices. Practically there is no local competition, and we cannot ignore the tendency toward a general consolidation of all the railroads in the United States—a consummation which, if reached, will create a power greater than any single State, and the rival of the General Government. It is urged with some degree of plausibility, that the interests of railroads and the public are identical, and that corporations owning roads will find by experiment the point of agreement. It is a fair answer to this, in terms at least, that the public, whose interest is general, has the benefit of the same experience, and would be as likely to come to a correct conclusion as the corporations, whose interest is specific In fact, however, the interests of passengers and shippers and of carriers are not identical. The one is for the lowest rate consistent with safety, the other for a rate that will yield the largest revenue with the least expense. The Legislature represents both, and should accord to each that just and enlightened consideration which is due to every interest and every species of property in the State.

RELATIONS OF STOCKHOLDERS TO CORPORATIONS.

The undue political influence and financial control that many corporations have assumed, is not the only evil presented by them. In their internal administration, between majorities and minorities, directors and stockholders, cases of the grossest injustice are constantly arising. It is not uncommon to find one class of stockholders enriching themselves from a company which impoverishes another. So common is this, especially with mining companies, that it has become proverbial and grown into a distinct and disgraceful code of morals, one of whose tenets is, that to own a majority of stock or a controlling interest is equivalent to owning it all

No stockholder should ever be allowed to hold any interest in a corporation which is distinct from and may become antagonistic to the interest of the company as a whole. The attempt to do so on the part of any officer of the company should be regarded as a breach of trust, and so punished. And the organization of corporations within corporations is a refinement of subtlety and fraud which should be positively prevented by law.

FREE SCHOOLS AND COMPULSORY EDUCATION.

The American system of free schools is one of the most beneficent outgrowths of our history In some other countries education is as general and as free, but in none is the principle so well recognized that independent manhood is an object of greater solicitude than a powerful State; that man should be educated for his own sake, and not as a part of governmental machinery, that he is higher than the State, and that

society and law are valuable only as they enable him to become more a man. The right of every child to an elementary education is as sacred as his right to air and light, to deprive him of it is to deprive him of the sixth sense of civilization, and in the future will remand him to a pariah caste. Public sentiment in this State in favor of "compulsory education" is general, and not partisan. It does not propose to interfere with the right of the parent to select a school for his children or to educate them at home, but to enforce the right of the child as a member of society which he himself is powerless to do. The statutes of Michigan, Texas, and other States that have legislated upon this subject may be studied with advantage in framing our own.

THE RIGHT TO EDUCATION INDEPENDENT OF COLOR.

The amendments to the Federal Constitution which make the rights of citizens independent of color have been so generally acquiesced in that it is a part of the political creed of both the great national parties to leave them undisturbed The impropriety of imposing the duties of citizenship upon any class of persons, and depriving them of the privileges which fit them for a proper discharge of those duties, is manifest, and the injustice of compelling any parent, under penalty, to educate his children, and denying him an equal opportunity with all others to do so, while taxing him for the support of schools whose doors are closed in his face, is too gross and palpable to be allowed. No republican State can afford to violate the fundamental law of justice by making arbitrary distinctions among its citizens, or to dishonor any one for an accident of birth who may be called upon to peril his life for his country. Whoever is clothed with the dignity of American citizenship should be able to stand erect in the consciousness that he is the equal before the law with every other citizen—that the Republic which claims his allegiance knows neither high nor low, nor rich nor poor, but recognizes all citizens as "peers of the realm." All badges of distinction that are relics of the slaveholding era of our National history should pass away with the system they commemorate Until the State graduates penalties, it cannot justly graduate opportunities. The doors of our schools should be open to all, with no prejudice of caste without, and no sectarian teaching within, which will prevent any child from freely entering.

REVISION OF THE LAWS.

One of the most important subjects which the Legislature will be called upon to consider at the present session is the report of the Board of Revision Commission Any one who has often had occasion to examine the statutes of this State will recognize the necessity for their general revision. The report of the Board embraces more than this, and proposes a "Code of Laws"—political, civil, and criminal—for the entire government of the people of the State. The object has not been to change the laws, but to crystalize them in expression, and do away with redundancies and with the incongruity of a written Constitution and vast body of unwritten law; to generalize the statutes and principles of common law into a science. Without assuming an ability to pass upon the merits of the report as a whole, I may express the opinion, from a partial examination, that the plan is comprehensive, the arrangement systematic, and the style clear and terse Believing it important that a work requiring so much care in details should be sub-

ject to closer criticism than the members of the Senate and Assembly would be able to give it consistently with their other duties, and desiring that it should be presented to the Legislature in as perfect a form as possible, I have united with Governor Haight in a request to two eminent members of the bar to examine it. Of course the request is subject to the approval of the Legislature, but it is due to the gentlemen who have acceded to it that early action should be taken upon the matter.

LEGISLATORS SHOULD BE ELECTED BY DISTRICTS.

The Legislature will also be called upon to reapportion the State for legislative and congressional representation Under the present system the City and County of San Francisco will elect by general ballot nearly one fourth of the members of the Senate and Assembly It will be more in accordance with the theory of our Government, and better secure the rights of minorities, that the State should be divided into senatorial and representative districts, so that each member of the Legislature shall be elected by and responsible to a single constituency.

TOO MANY ELECTIONS.

Holding separate elections for judicial and political offices is productive of additional expense without corresponding benefit The amendment to the Constitution (now pending) to remedy this meets the general approbation of the people, and will no doubt receive the favorable consideration of the Legislature. If by an additional amendment the time of holding elections for State and county officers should be changed from the odd to the even years, the general State election might be held on the same day as the Presidential, United States Senators would not, as now, be necessarily elected fourteen months before the beginning of their term of office, and there would be no vacancy, as there now is, in our accredited representation to the lower House of Congress from the fourth of March until the October election in the odd years.

UNIFORM BALLOTS, AND PURITY OF ELECTIONS.

No precautions should be neglected to secure the independence of electors and the purity of elections. The advantage claimed for the ballot as a method of voting is the free expression of individual will that results from absolute secresy. This is the right of every voter, and should be secured to him by proper legislation Our laws for the punishment of the corrupt use of money at elections are stringent in terms, but some provisions additional seem necessary to insure their enforcement

LITIGANT AND STATE PAPER ACTS.

The enactment popularly known as the "Litigant Organ Act" is of more than questionable policy. It removes a certain class of public service from the healthy test of general competition, and to that extent creates a "monopoly." It gives the newspaper selected an additional incentive to active and prejudiced partisanship, and is a premium to the servility and discrimination against the freedom of the press If it should be deemed desirable to retain the State litigant paper for the purpose of giving notice to absent defendants, the selection of such organ should be determined by competitive bidding.

GEOLOGICAL SURVEY.

The expenses of the State Geological Survey since its commencement amount to two hundred and twenty-two thousand six hundred dollars. It will be for the Legislature to determine, after careful examination of the work done, whether further appropriations should be made, and upon what terms.

CHINESE IMMIGRATION.

The introduction to this State of large numbers of Asiatics has excited the jealousy of one class of citizens and the anxiety of all. That the immediate effects of this immigration will be to cheapen labor is apparent, and in the influx of this race the laboring classes find cause for alarm, while the political student and the class not dependent upon manual labor for immediate support regard with apprehension the introduction of a people into our midst so different from our own as to preclude the possibility of assimilation. These fears and apprehensions find full expression in the platforms of both political parties That the introduction of this race cheapens labor, and that many industries have been prosecuted and are now made feasible through this labor cannot be denied, but that cheap labor and the immediate material development of our various resources are the highest objects to be considered may well be questioned. Material wealth, that form of property which manifests itself in great and costly enterprises, expensive mansions, and other indicia of opulence, though valuable in themselves, and the accepted evidences of prosperity, may be purchased at a cost and maintained by a means that will make them but the sure evidence of a nation's decadence. It may be true in a large sense that the interests of capital and labor are the same; but the capitalist and laborer do not make bargains with each other under the principles of abstract political economy. Each is prompted by self-interest, and pushes any advantage offered by the occasion. Each avails himself of the other's necessities

Any system which introduces a class of laborers whose wages are exceptionally low for special reasons, gives the capitalist that advantage in making terms; and whatever has a tendency to establish a fixed line of demarcation between capital and labor and create a laboring caste is a social and political evil. Under the stimulus of mechanical inventions there is no danger but wealth will be created with sufficient activity. The danger is it will be massed, and not distributed, and that danger will be increased by any system which has a tendency to make labor servile, or place human labor upon an exact equality with the productive power of machinery. The control of the question of Asiatic immigration, however, lies exclusively with the Federal Government. Treaties, commercial relations, and national traditions are all arrayed against any interference with free emigration to these shores, and much difficulty may be found in bringing our national legislators to fully comprehend the evils threatened, which are now local, and not general. It is the general sense of the public that Congress should be memorialized upon this subject, and such restrictions sought at the hands of the Federal Government as will secure this State, with its hopeful future, to the possession of a people that can share equally with each other in political power.

PROTECTION OF LAW TO ALL

It is, however, under and through the law alone we can act. With these or any other people within our borders there can be but one course—full, perfect protection. Mob violence is the most dangerous form in which the law can be violated, not merely in the immediate outrage committed, but in the results which often follow—communities debauched, jurors intimidated, and Courts controlled by the political influence of the number that are guilty. The unsuccessful prosecutions for the crimes of a mob teach that the number and boldness of the perpetrators too often give immunity to the offence, and not only is the crime unpunished, but Justice is mocked in her very temples by the erection of a tribunal higher than the law. And when, to all this, banded ruffianism selects for its victims a race notoriously defenceless, when pillage and murder are its exploits, the race from which such wretches are recruited, the community which suffers such deeds to be enacted, the officials who stand supinely by without an effort to prevent the crime, are sharers in a common disgrace, and the statute which prevents the victim from testifying becomes party to the offence. I trust that during my administration the spirit of lawless violence which has sometimes disgraced our past may never be exhibited. Should it be, there will be no exertion spared on the part of the Executive to extend to all, from the humblest to the highest, the sovereign protection of the law, and to visit the guilty with the punishment their crimes deserve.

The fiscal condition of the State and of the various State institutions will doubtless be fully treated in the biennial message of the Governor, before the delivery of this address. If any additional suggestions or recommendations should appear to be necessary I shall avail myself of the privilege accorded by the Constitution to the Governor, and communicate them to the Legislature by special message If I have omitted to discuss the National questions at issue between the two great political parties, it is not because my convictions are not deep and sincere. I believe I can best manifest my gratitude to the party which has honored me above my deserts by earnestly endeavoring to administer the laws impartially, so as to maintain the honor and advance the interests of the whole State.

IN ASSEMBLY.

HOUSE OF ASSEMBLY,
Saturday, December 9th, 1871.

House met pursuant to adjournment.
Speaker in the chair.
Roll called.
Quorum present.
Prayer by the Chaplain.
Journal of yesterday read and approved.

REPORT OF COMMITTEE ON INAUGURATION.

Mr. Mott of Sacramento submitted the following report:

ASSEMBLY CHAMBER,
December 9th, 1871.

Mr. SPEAKER: Your Joint Committee appointed on Inaugurate Ceremonies beg leave to report that on Friday, the eighth instant, at one o'clock and forty-five minutes, the Governor and Lieutenant Governor elect appeared at the west entrance of the Capitol, and in the presence of the State officers, the officers and members of the Senate and Assembly, took the oath of office, at the hands of Chief Justice Rhodes, and were by the President of the Senate declared duly qualified to enter upon the duties of their respective offices.

MOTT,
SPLIVALO,
ANDREWS,
Assembly Committee.

Messrs. Ward, Chalmers, De Haven, and Sargent of Santa Clara were granted leave of absence for one day.

The Speaker appointed the following committees:

ON MILEAGE.

Messrs. De Haven, Bradley, and Ellis.

ON ELECTIONS.

Messrs. Turner, Bacon, Jost, James, Shrack, Barnes, and Ellis.

RESOLUTIONS.

Mr. Luttrell offered a concurrent resolution in reference to printing and furnishing bills to members of both houses.

By consent, laid on the table.

Mr. Aldrich offered the following resolution:

Resolved, That when this House adjourns it adjourn until Tuesday, twelfth instant, at two P. M.

Adopted.

Mr. French offered a resolution, as follows:

Resolved, That a special committee of three be appointed by the Speaker to receive, examine, and report to this House the report of the Commission to Revise the Laws, appointed under an Act entitled an Act establishing a Commission for the Revision of the Laws, approved April fourth, eighteen hundred and seventy; and the Senate is invited to provide for the appointment of a similar committee, to act in conjunction with said committee, and the joint committee so appointed shall be known and called the "Joint Revision Committee."

Mr. Rector moved to make the resolution the special order for Tuesday, the twelfth instant, at half past two o'clock P. M.

Mr. Meeker moved to lay the resolution on the table.

Lost.

The motion of Mr. Rector then prevailed.

Mr. Gray offered a resolution, as follows:

Resolved, That the per diem of the Clerk of the Sergeant-at-Arms be fixed at the same rate as is by law allowed to the Assistant Clerk.

Adopted.

Mr. Luttrell offered a concurrent resolution instructing our Senators and requesting our Representatives in Congress to favor the passage of a law to donate to bona fide settlers on public lands a homestead of not more than one hundred and sixty acres, etc.

Read first and second times and referred to the Committee on Mines and Mining Interests.

Mr. Spencer offered a resolution as follows:

Resolved, That the Committee on the Judiciary be and they are hereby authorized and empowered to appoint one Clerk, at a compensation per diem as fixed by law, payable out of the Contingent Fund of the Assembly.

Adopted.

Mr. Andrews offered a concurrent resolution instructing our Senators and requesting our Representatives in Congress to obtain the adoption of such treaty regulations as shall discourage Chinese immigration.

Read first and second times and referred to the Committee on Federal Relations.

Mr. Bradley offered a resolution as follows:

Resolved, That eight thousand copies of the Governor's inaugural address be and they are ordered printed, as follows: five thousand copies in English, twenty-five hundred copies in German, and five hundred copies in Spanish.

On motion of Mr. Crane the resolution was amended as follows:

Resolved, That the same number of copies of the inaugural address of Governor Booth be printed as of Governor Haight's message, and in the same languages.

Adopted as amended.

Mr. Luttrell offered a concurrent resolution directing the Sergeant-at-Arms of each House to furnish the Governor with copies of all bills printed for the use of the House.

Adopted.

On motion of Mr. Luttrell, the rules were suspended and Assembly Bill No. 6 was taken up—An Act to provide for the erection of county buildings in the County of Mendocino.

Rules suspended, considered engrossed, read third time, and passed; title approved.

At twelve o'clock and twenty-four minutes P. M., on motion of Mr. Hopper, the House adjourned.

T. B. SHANNON,
Speaker.

M. D. BORUCK, Chief Clerk.

IN ASSEMBLY.

HOUSE OF ASSEMBLY,
Tuesday, December 12th, 1871.

House met pursuant to adjournment.
The Speaker in the Chair.
Roll called.
Quorum present.
Prayer by the Chaplain.
The Journal of Saturday, December ninth, was read and approved.

PETITIONS.

Mr. Luttrell presented a petition from citizens of Siskiyou, Shasta, and Lassen, relative to a mail route from Millville to Lake City, California.

Also, a joint resolution relative to the same matter, which was read and referred to the delegations from the counties named.

RESOLUTIONS.

Resolutions were introduced as follows:

By Mr. Cooper:

A concurrent resolution relative to printing two hundred and forty copies of the Reports of the Controller, Treasurer, Surveyor General, and Superintendent of Public Instruction in Spanish.

Adopted.

By Mr. Dannals:

A joint resolution concerning the establishment of a tri-weekly mail route from the City of San Diego to the Town of Julian, in the County of San Diego.

Referred to Committee on Federal Relations.

By Mr. Bayley:

For the appointment of a Committee on Contingent Expenses

Referred to the Committee on Rules.

By Mr. McCullough:

Resolved, That the interpretation of the number of "weeklies" equivalent to each "daily newspaper" taken by the members of this Assembly be "six," and that the "Chief Clerk," "Sergeant at Arms," and "Assistant Sergeant at Arms" be and are hereby allowed the same number of papers as each member is entitled to during the session.

Adopted.

MESSAGES FROM THE SENATE.

The following messages were received from the Senate:

SENATE CHAMBER,
December 11th, 1871.

Mr. SPEAKER: I am directed by the Senate to inform your honorable body that his Excellency, Governor H. H. Haight, sent in his second biennial message, with claims from Board of Examiners and other documents, on the seventh instant.

T. J. SHACKLEFORD,
Assistant Secretary.

SENATE CHAMBER,
December 11th, 1871.

Mr. SPEAKER. I am directed to inform your honorable body that the Senate this day passed the following resolution, in which the concurrence of the Assembly is respectfully solicited·

Resolved by the Senate, the Assembly concurring, That the Judiciary Committees of the respective Houses be and they are hereby constituted a Joint Committee on the Revision of the Laws; to receive from the Revision Commission the works prepared by them; and in conjunction with the Revision Commissioners to give the Penal, Practice, Civil, and Political Codes careful, diligent, and thorough examination, and with such amendments thereto as may be agreed upon by a majority of both committees, to report them in the shape of bills, as prepared by the Revision Commission, to the Senate and Assembly, at as early a day as practicable.

FERRAL,
Secretary of Senate.

SENATE CHAMBER,
December 11th, 1871.

Mr. SPEAKER: I am directed to inform your honorable body that the Senate this day passed the following resolution, in which the concurrence of the Assembly is respectfully solicited:

Resolved by the Senate, the Assembly concurring, That the Sergeant at Arms of the Senate and the Sergeant at Arms of the Assembly are hereby authorized and requested to furnish the State Librarian with copies of all bills printed for the use of either House.

FERRAL,
Secretary of Senate.

The Senate message relative to report of the State Board of Examiners was referred to the Committee on Claims.

Senate Concurrent Resolution No. 5, above reported, was concurred in.

Senate Concurrent Resolution No. 6, above reported, was referred to Judiciary Committee.

Senate Concurrent Resolution No. 4—Relative to expenses of inauguration ceremonies—was concurred in.

NOTICES.

Notice of the introduction of bills was given as follows:

By Mr. Luttrell—An Act to abolish the office of County Assessor in the County of Siskiyou and to create the office of Township Assessors in said county.

Also, an Act regulating and reducing fees and salaries in the County of Siskiyou.

By Mr. Little—An Act to amend the law governing elections in this State.

INTRODUCTION OF BILLS.

Bills were introduced as follows:

By Mr. Slaughter—An Act to create the Eighteenth Judicial District, and for other purposes

Read first and second times and referred to Judiciary Committee.

By Mr. Pardee—An Act to amend an Act entitled an Act to authorize the Council of the City of Oakland to lay out, open, and improve streets in said city.

Read first and second times and referred to Alameda delegation.

Also, an Act releasing all the tide and overflowed lands belonging to the State, in and around Lake Merritt, to the City of Oakland.

Read first and second times and referred to Committee on Swamp and Overflowed Lands.

By Mr. Wright—An Act entitled an Act to authorize the Board of Supervisors of Solano County to levy an additional road tax.

Read first and second times and placed on file.

By Mr. Munday—An Act to repeal an Act known as the Registry Act, and the Act amendatory thereof.

By Mr. De Haven—An Act to incorporate the Town of Chico, Butte County.

Read first and second times and referred to Butte delegation.

SPECIAL ORDER.

At half past two o'clock P. M. the special order of the day—Resolution concerning the appointment of Revision Committee—was taken up, and on motion of Mr. French, was referred to the Judiciary Committee.

FURTHER INTRODUCTION OF BILLS.

By Mr. Barker—An Act amendatory of an Act entitled an Act to prevent double taxation.

Read first and second times and referred to Committee on Ways and Means.

By Mr. Gray—An Act requiring compensation for causing injury by selling or giving of intoxicating liquors

Read first and second times and referred to Committee on Public Morals.

Also, an Act to amend an Act concerning the Courts of justice of this State, and judicial officers, approved April twentieth, eighteen hundred and sixty-three.

Read first and second times and referred to Judiciary Committee.

Also, an Act to amend an Act entitled an Act concerning the distribution of the reports of the decisions of the Supreme Court and the statutes of this State, approved March third, eighteen hundred and sixty-six.

Read first and second times and referred to Judiciary Committee.

By Mr Hopper—An Act to repeal an Act entitled an Act to amend an Act entitled an Act to regulate proceedings in civil cases in the Courts of justice in this State, passed April twenty-ninth, eighteen hundred and fifty-one, approved April twenty-seventh, eighteen hundred and sixty-three.

Read first and second times and referred to Judiciary Committee.

By Mr. Luttrell—An Act to appropriate money for the payment of officers and Clerks of the Assembly.

Read first and second times and placed on file.

By Mr. Dannals—An Act granting leave of absence from this State to Thomas H. Bush, County Judge of San Diego County.

Read first and second times and referred to San Diego delegation.

By Mr. Rice—An Act to authorize the Board of Supervisors of Marin County to issue and sell bonds of said county, and to apply the provisions thereof to the building of a Court House at the county seat of said county.

Read first and second times and referred to Marin delegation.

By Mr. Berry—An Act to amend an Act entitled an Act to provide for the management and sale of the lands belonging to the State, approved March twenty-eighth, eighteen hundred and sixty-eight.

Also, an Act to repeal an Act to provide for the protection of land in the County of Sutter from overflow, approved April fourth, eighteen hundred and seventy.

Also, an Act to amend an Act to provide for the protection of certain lands in the County of Sutter from overflow, approved March twenty-fifth, eighteen hundred and sixty-eight.

Severally read first and second times and referred to Committee on Swamp and Overflowed Lands.

There being no further business, at forty minutes past two o'clock P. M., on motion of Mr. Meeker, the House adjourned.

T. B. SHANNON,
Speaker.

M. D. BORUCK, Chief Clerk.

IN ASSEMBLY.

HOUSE OF ASSEMBLY,
Wednesday, December 13th, 1871.

House met pursuant to adjournment.
Speaker in the chair
Roll was called, and a quorum present.
Prayer by the Chaplain.
Journal of yesterday was read and approved.

PETITIONS.

Petitions were presented as follows:

By Mr. Spencer—Of artisans, mechanics, and other employés on the State Normal School building relative to the payment of their claims for labor.

Also, of contractors, mechanics, and others relative to alleged frauds by the management in the construction of the State Normal School building.

Severally read and referred to Committee on Public Buildings.

RESOLUTIONS.

Resolutions were introduced as follows:

By Mr. Tinnin—A joint resolution relative to a weekly mail route from the Town of Weaverville to Trinity Center, Trinity County.

Read first and second times and referred to delegations from Trinity and Siskiyou.

By Mr. Barker:

Resolved. That the usual number of copies of the bill introduced yesterday to prevent double taxation be printed.

Adopted.

By Mr. Gray:

WHEREAS: The Revision Commission have presented certain Titles of the Political Code, and requested suggestions, therefore be it

Resolved, That the Titles "Public Officers" and "The Legislature" be submitted to the Judiciary Committee.

Resolved, That the Title "Election Laws" be submitted to the Standing Committee on Elections.

Resolved, That the Title "Land Laws" be submitted to the Committees on Public Lands and on Swamp and Overflowed Lands.

Resolved, That of the Title "Public Ways," Chapter I be submitted to the Committee on Commerce and Navigation; Chapter II shall be submitted to the Committee on Roads and Highways; and Chapters IV, V, VI, and VII shall be submitted to the Committee on Corporations.

Resolved, That said committees shall act, and report their suggestions to the Revision Commission within ten days, or as soon thereafter as possible.

Adopted.
By Mr. Gray:

Resolved, That the usual number of copies of Assembly Bill No. 24 shall be printed.

Adopted.
By Mr. Whiting:

Resolved, That two additional Pages be appointed by the Speaker, and that the Pages of the House be so distributed as to prevent the continual running from one corner to the other.

Mr Wheaton moved to amend by substituting the word "one" for "two."
The amendment was rejected and the resolution adopted.

APPOINTMENTS.

The Speaker announced the following appointments as Pages:
Masters George De Goha and W. A. Stephenson.

RESOLUTION.

By Mr. Hopper:

Resolved, That the use of the Assembly chamber be granted for the inauguration ball on the evening of December 19th.

Mr. Gray offered the following substitute, which was adopted:

Resolved, That the matter of granting the use of the Assembly Chamber for the inaugural ball be referred to a special committee of three, and the committee are charged to see that neither the hall, its carpets, or furniture are injured, and the hall is restored to its present condition.

The Speaker appointed Messrs. Hopper, Gray, and Meeker as such special committee.
By Mr. Jost:

Resolved, That the Chief Clerk be empowered to appoint two Assistant Clerks at the desk, who shall receive the same per diem as Copying Clerks, payable out of the Contingent Fund of the Assembly.

Adopted.

APPOINTMENTS.

The Chief Clerk appointed as such assistants Mr. Henry Hasbach, of San Francisco, and Mr. J. G. Barney, of Santa Clara.

NOTICES.

Notice of the introduction of bills was given as follows:

By Mr. Barker—An Act to define the duties of County Assessors and Tax Collectors.

Also, an Act amendatory of the school law, approved April 4th, 1870.

By Mr. Dannals—An Act for the government of the County of San Diego.

By Mr. Gibson—An Act entitled an Act concerning public roads and highways in the County of Calaveras.

INTRODUCTION OF BILLS.

Bills were introduced as follows:

By Mr. Mathers—An Act to authorize George Chism, his associates, and assigns to construct and maintain a chute and landing at Chism's Landing, near Cuffie's Cove, in Mendocino County, also, to charge and collect tolls for use of the same.

Read first and second times and referred to Committee on Commerce and Navigation.

By Mr. Seibe—An Act amendatory of an Act entitled an Act for the effectual prevention of cruelty to animals.

Read first and second times and referred to Committee on Public Morals, and ordered printed.

By Mr. Pardee—An Act in relation to the road tax of the County of Alameda collected within the City of Oakland.

Read first and second times and referred to the Alameda delegation.

By Mr. French—An Act concerning street railroads in the City of Sacramento.

Read first and second times and referred to the Sacramento delegation.

By Mr. Mott of Los Angeles—An Act to change the name of Lewin Hierchkowitz to Leopold Harris.

Read first and second times and referred to the Los Angeles delegation.

By Mr. Slaughter—An Act to regulate the salary of the County Judge of San Bernardino County

Read first and second times and referred to the San Bernardino delegation.

By Mr. Baird—An Act to fix the salary of the County Judge of San Mateo County.

Read first and second times and referred to the Judiciary Committee.

By Mr. Siebe—An Act to legalize and confirm certain ordinances passed and contracts made by the Board of Supervisors of the City and County of San Francisco relative to the removal of dead animals from the city limits.

By Mr. Splivalo—An Act to amend an Act to establish a quarantine for the Bay and Harbor of San Francisco, and sanitary laws for the City and County of San Francisco.

Read severally first and second times and referred to the San Francisco delegation.

By Mr. Rice—An Act to amend section one of chapter three hundred and eighty-three of the Acts of eighteen hundred and sixty-nine and eighteen hundred and seventy, approved March thirty-first, eighteen hundred and seventy.

Read first and second times and referred to the Committee on Swamp and Overflowed Lands.

GENERAL FILE.

Assembly Bill No. 10—An Act to regulate the fees of the Assistant City and County Attorney of the City and County of San Francisco.

Rules suspended, considered engrossed, read third time, and passed.

Assembly Bill No. 20—An Act to authorize the Board of Supervisors of Solano County to levy an additional road tax.

Rules suspended, considered engrossed, read third time, and passed.

Assembly Bill No. 28—An Act to appropriate money for the payment of officers and clerks of the Assembly.

Considered in Committee of the Whole, reported and recommended, rules suspended, considered engrossed, read third time, and passed.

MESSAGE FROM THE GOVERNOR.

The following message was received from the Governor:

STATE OF CALIFORNIA, EXECUTIVE DEPARTMENT,
Sacramento, December —, 1871.

To the Assembly of the State of California:

I have to inform your honorable body that I have appointed Albert Hart Private Secretary to the Governor.

All official communications that I shall have to make to your honorable body will be made through him.

NEWTON BOOTH,
Governor.

At twelve o'clock and ten minutes P. M., the House, on motion of Mr. Caldwell, adjourned.

T. B. SHANNON,
Speaker.

M. D. BORUCK, Chief Clerk.

IN ASSEMBLY.

HOUSE OF ASSEMBLY,
Thursday, December 14th, 1871.

House met pursuant to adjournment.
Speaker in the Chair.
Roll called.
Quorum present.
Prayer by the Chaplain.
Journal of yesterday read and approved.

The Speaker administered the oath of office to Henry Hasbach and J. G. Barney, the Assistant Clerks at the desk, appointed yesterday.

REPORTS OF STANDING COMMITTEES.

Mr. Spencer, Chairman of the Judiciary Committee, made the following reports:

Mr. SPEAKER: The Committee on Judiciary having had under consideration the Senate concurrent resolutions relative to committees to receive, examine, and report on the work of the Revision Commission, report the same back, and recommend that it be not concurred in.

SPENCER, Chairman.

Mr. SPEAKER: The Committee on Judiciary having had under consideration the Assembly resolution relating to the appointment of a Committee on Revision of the Laws, report the same back with a substitute, and recommend the passage of the substitute.

SPENCER, Chairman.

The above reported resolutions were ordered on file.

Mr. SPEAKER: The Committee on Judiciary having had under consideration Assembly Bill No 2—An Act to repeal an Act authorizing the publication of certain legal notices in a State paper printed at the seat of Government of the State of California, approved March twenty-ninth, A. D. one thousand eight hundred and seventy—report the same back with amendments, and recommend its passage as amended

SPENCER, Chairman.

Mr. SPEAKER: The Committee on Judiciary having had under consideration Assembly Bill No. 25—An Act to amend an Act entitled an Act concerning the Courts of justice of this State and judicial officers, approved April twentieth, eighteen hundred and sixty-three—report the same back, and recommend its passage.

SPENCER, Chairman.

Mr. SPEAKER: The Committee on Judiciary having had under consideration Assembly Bill No. 26—An Act to amend an Act entitled an Act concerning the distribution of the reports of the decisions of the Supreme Court and the statutes of this State, approved March third, eighteen hundred and sixty-six—report the same back, and recommend its passage.

SPENCER, Chairman.

Mr. De Haven submitted the following report:

Mr. SPEAKER: The Committee on Mileage would beg leave to report that the following amounts are due members of the Assembly for mileage in traveling from and to their residences to the Capital, by the nearest mail routes:

Names.	Miles.	Amount.
Aldrich, W. A	234	$46 80
Andrews, A. K	370	74 00
Brown, C. L. F	160	32 00
Burckhalter, J	530	106 00
Barklage, William	110	22 00
Bayley, A. J	90	18 00
Barnes, B. W	220	44 00
Bell, Robert	210	42 00
Barker, S	140	28 00
Baird, Curtis	294	58 80
Bockius, G N	434	86 80
Berry, C. P	100	20 00
Bacon, P. R	238	47 60
Bradley, J. C	100	20 00
Coleman, Cyrus	480	96 00
Crane, E. T	270	54 00
Center, Samuel H	80	16 00
Chalmers, Robert	110	22 00
Cooper, J. H	1,000	200 00
Caldwell, William	536	107 20
Connolly, W. C	250	50 00
De Haven, W. N	180	36 00
Days, J. M	130	26 00
Dannals, George M	1,640	328 00
Eagan, J. A	130	26 00
Ellis, Asa	1,120	224 00
Everett, Henry	158	31 60
Edgar, William	170	34 00
French, C. G. W	.....	.....
Franck, F. C	306	61 20
Freeman, T. S	40	8 00
Gibson, J. L	162	32 40
Galloway, Joseph W	228	45 60
Gray, Giles H	234	46 80
Goodall, Charles	234	46 80
Hayes, H. M	434	86 80
Hopper, P. J	44	8 80
Harvey, O	60	12 00
Henshaw, E C	240	48 00
Johnston, William	30	6 00
James, W. T	234	46 80
Jost, Charles	234	46 80
Lee, O. H	138	27 60
Long, Henry	124	24 80
Little, W. A	730	146 00
Lofton, F. R	92	18 40
Luttrell, J. K	736	147 20
Mott, T. D	1,100	220 00
Mathers, George B	512	102 40
Meeker, David	234	46 80

Names.	Miles.	Amount.
McCullough, Samuel	234	46 80
Munday, B. B	236	47 20
Mott, E. B	.....	.....
Pardee, E. H	286	57 20
Rector, T. H	840	168 00
Russ, Joseph	780	156 00
Rice, J. B	270	54 00
Reed, H. R	234	46 80
Stillwagon, N. W	172	34 40
Sensabaugh, J. B	230	46 00
Slaughter, F. N	1,276	255 20
Shannon, T. B	234	46 80
Sphvalo, A. D	234	46 80
Seibe, John	234	46 80
Sargent, R. C	80	16 00
Sargent, J. P	370	74 00
Spencer, F. E	300	60 00
Sammons, P. L	220	44 00
Schrack, L. M	132	26 40
Turner, J. N	200	40 00
Tinnin, W. J	450	90 00
Ward, Loomis	270	54 00
Walker, J. M	390	78 00
Wilcox, J W	290	58 00
Welty, Jacob	64	12 80
Wheaton, William R	234	46 80
Woodward, F. J	90	18 00
Whitney, D. L	220	44 00
Wright, M. J	136	27 20
Whiting, George A	238	47 60

W. N. DE HAVEN,
JOHN C. BRADLEY,
ASA ELLIS.

Report received and adopted.

REPORTS OF SPECIAL COMMITTEES.

Mr. Berry submitted a report, as follows:

Mr. SPEAKER: The Sutter delegation, to whom was referred Assembly Bill No. 14—An Act granting leave of absence from the State to James H. Clark, County Superintendent elect of Public Instruction for Sutter County—beg leave to report the same back and recommend its passage.

C. P. BERRY, for Delegation.

Mr. Wheaton made the following report:

Mr. SPEAKER: The San Francisco delegation, to whom was referred Assembly Bill No 1—An Act to repeal an Act entitled an Act to establish a public street in the City and County of San Francisco to be called Montgomery Avenue, and to take private lands therefor—have had the same under consideration, report the bill back with amendments, and recommend its passage as amended.

WHEATON, Chairman.

Mr. Crane submitted the following reports:

Mr. SPEAKER: The committee to whom was referred an Act in relatton to the road tax of the County of Alameda, collected within the City of Oakland, most respectfully report that they have carefully examined the same, and most respectfully recommend its passage.

E. T. CRANE,
E. H. PARDEE.

Mr. SPEAKER: The committee to whom was referred an Act to amend an Act to authorize the Council of the City of Oakland to lay out, open, or improve streets in said city, approved January thirty-first, eighteen hundred and seventy, would report that they have carefully examined the same, and most respectfully recommend its passage.

E. T. CRANE.
E. H. PARDEE.

Mr. Dannals made the following report:

Mr SPEAKER: The San Diego delegation, to whom was referred Assembly Bill No 29—An Act granting leave of absence from the State to Thomas H. Bush, County Judge of San Diego County—report the same back to the House, and recommend its passage.

GEORGE M. DANNALS.

The following report was submitted by Mr. Harvey:

Mr. SPEAKER: Your committee, the Sacramento delegation, to whom was referred Assembly Bill No. 37—An Act concerning street railroads in the City of Sacramento—respectfully report the same back, and recommend its passage.

O. HARVEY, for the Delegation.

Mr. De Haven submitted a report as follows:

Mr. SPEAKER: The Butte delegation, to whom was referred Assembly Bill No. 22—An Act to incorporate the Town of Chico—have had the same under consideration, and respectfully report the same back, and recommend its passage.

DE HAVEN, for Delegation.

MOTIONS AND RESOLUTIONS.

Mr. Wheaton offered a resolution providing for the appointment of Beverly Dodson as Porter.

Mr. Crane offered an amendment; pending which, and on motion of Mr. Bayley, the resolution was laid on the table.

Mr. Woodward offered a resolution providing for the appointment of Mrs. H. A. Johnson as an Assistant Copying Clerk.

On motion of Mr. Jost the resolution was laid on the table.

Mr. Wilcox offered a resolution to pay Albert Wilson the sum of twenty dollars, for services as Page.

Which, on motion, was referred to the Committee on Temporary Officers.

Mr. Goodall offered a resolution providing for the payment of a claim of the *San Francisco News Letter* newspaper, amounting to the sum of forty-five dollars.

Referred to the Committee on Claims.

Mr. Splivalo offered a resolution, as follows:

Resolved, That the usual number of copies be printed of Assembly Bill No. 42—An Act to amend an Act to establish a quarantine on the Bay and Harbor of San Francisco, and sanitary laws for the City and County of San Francisco.

Adopted.

NOTICES.

Notices of the introduction of bills were given as follows:

By Mr. Days (by request)—An Act for the relief of O. P. Fitzgerald.

By Mr. Bayley—An Act to appropriate money for the relief of James W. Marshall.

By Mr. Russ—An Act to amend an Act entitled an Act concerning roads and highways in the County of Humboldt, approved March sixteenth, eighteen hundred and seventy.

By Mr. Pardee—For revising the city charter of Oakland.

LEAVE OF ABSENCE.

Mr. Freeman was granted leave of absence for one day.

INTRODUCTION OF BILLS.

Bills were introduced as follows:

By Mr. Gray—An Act to authorize County Judges to hold Courts in other counties than those to which they have been elected, in certain cases.

Read first and second times and referred to Judiciary Committee, and ordered printed.

By Mr. Turner—An Act to fix the compensation of the County Judges of Butte, Tehama, and Colusa Counties.

Read first and second times and referred to the delegation from the counties named therein.

By Mr. Ward—An Act granting leave of absence to P. B. Nagle, District Attorney of Tehama County.

Read first and second times and referred to the Judiciary Committee.

By Mr. Bockius—An Act to legalize the assessment of the taxes in the County of Santa Cruz.

Read first and second times and placed on file.

By Mr. Mathers—An Act entitled an Act to authorize School Trustees in Ukiah School District, in Mendocino County, to purchase school property.

Read first and second times and placed on file.

By Mr Wheaton—An Act to facilitate telegraphic communication between America and Asia.

Read first and second times and referred to the Committee on Commerce and Navigation.

By Mr. Mathers—An Act to separate the office of County Recorder from the office of County Clerk in the County of Mendocino.

Read first and second times and placed on file.

By Mr. Dannals—An Act to provide for the government of the County of San Diego.

Read first and second times and referred to San Diego delegation, and ordered printed.

By Mr. Rice—An Act to amend an Act entitled an Act to regulate fees of office and salaries of certain officers, and to repeal certain other Acts in relation thereto, approved March fifth, eighteen hundred and seventy.

Read first and second times and referred to delegations named in the bill.

MOTIONS.

On motion of Mr. Berry, the rules were suspended to take up Assembly Bill No. 14—An Act granting James H. Clark, County Superintendent of Public Instruction, leave of absence from the State.

Rules further suspended, bill considered engrossed, read a third time, and passed.

On motion of Mr. Harvey, the rules were suspended to take up Assembly Bill No. 37—An Act concerning street railroads in the City of Sacramento.

Rules further suspended, bill considered engrossed, read a third time, and passed.

On motion of Mr. Wheaton, the rules were suspended to take up Assembly Bill No. 1—An Act to repeal an Act entitled an Act to establish a public street in the City and County of San Francisco, to be called Montgomery Avenue, and to take private lands therefor.

The rules were further suspended, bill amended, considered engrossed, read a third time, and passed.

At twelve o'clock and six minutes P. M., on motion of Mr. Days, the House adjourned.

T. B. SHANNON,
Speaker.

M. D. Boruck, Chief Clerk.

IN ASSEMBLY.

HOUSE OF ASSEMBLY,
Friday, December 15th, 1871.

House met pursuant to adjournment.
Speaker in the chair.
Roll called.
Quorum present.
Prayer by the Chaplain.
Journal of yesterday read and approved.

REPORTS.

The following reports were made:

By Mr. Wilcox:

Mr. SPEAKER: Your committee on pay of attachés of the House, having had under consideration the resolution to pay twenty dollars to Albert Wilson, Page of the House, report the same back, with a recommendation that it pass; also, beg leave to be discharged.

WILCOX, for Committee.

By Mr. Turner:

Mr. SPEAKER: The Butte, Tehama, and Colusa delegations, to whom was referred Assembly Bill No. 45—An Act to fix the compensation of the County Judges of Butte, Tehama, and Colusa Counties—have had the same under consideration, and report it back, with a recommendation that it be amended by striking out the word "five," in the third line, section one, and that it be passed.

TURNER, for Delegations.

By Mr. Luttrell:

Mr. SPEAKER: The Siskiyou delegation, to whom was referred Assembly Bill No. 3, beg leave to report the bill back to the House, with a substitute, and recommend the passage of the substitute.

LUTTRELL, for Delegation.

By Mr. Mott of Los Angeles:

Mr. SPEAKER: The Los Angeles delegation, to whom was referred Assembly Bill No. 38—An Act to change the name of Lewin Hirschkowitz to Leopold Harris—beg leave to report the same back, and recommend its passage.

J. D. MOTT, for Delegation.

By Mr. Slaughter:

MR. SPEAKER: The San Bernardino delegation, to whom was referred Assembly Bill No. 39—An Act in relation to the salary of the County Judge of San Bernardino County—report the same back to the House, and recommend its passage.

F. M. SLAUGHTER.

By Mr. Rice:

Mr. SPEAKER: The delegation to whom was referred the bill entitled "An Act to authorize the Board of Supervisors of Marin County to issue and sell bonds, and apply the same to the building of a Court House at the county seat of said county," respectfully report that they have had the bill under consideration, and report it back to the House and recommend its passage.

I. P. RICE.

MOTIONS AND RESOLUTIONS.

Resolutions were offered as follows:

By Mr. Days:

Resolved, That the Controller be instructed to draw his warrants on the Treasury for the officers and attachés of the Assembly, the same to be paid out of the Fund set apart by law for that purpose; those attachés elected and appointed during the first week of the session to receive pay from the fourth (4th) instant.

Adopted.
By Mr. Eagan:

Resolved, That the Chief Clerk be and hereby is authorized and empowered to appoint, from time to time, such Assistant Copying Clerks as he may deem necessary to do the copying of the Assembly, and that such Assistant Copying Clerks be allowed the compensation fixed by law for Copying Clerks.

Laid on the table.
By Mr. Lee:

Resolved, That the Chaplain of this Assembly be and is hereby allowed the sum of eight dollars per diem, to be paid out of the Contingent Fund of the Assembly.

Laid on the table.
By Mr. Lee:

Resolved, That the same amount of postage stamps and the same number of papers be allowed the Chaplain that are allowed members and Clerks of this House.

Mr. Speaker moved to amend the resolution by allowing the same amount of stamps and papers to all the officers and attachés of the Assembly.

On motion of Mr. Galloway the resolution was laid on the table.
By Mr. De Haven:

Resolved, That the State Controller be and he is hereby authorized and directed to draw warrants in favor of the members of the Assembly for the amount due them respectively for mileage, in accordance with the report of the Committee on Mileage of this House, as adopted by the House.

Adopted.
By Mr. Bockius:

Resolved, That the Postmaster of the Assembly be allowed the sum of four dollars per diem for his services.

Laid on the table.
By Mr. Meeker:

Resolved, That the Sergeant at Arms is authorized to employ a wagon for the conveyance of the mail matter of this House to and from the Post Office, at such hours daily as may be necessary, at an expense not exceeding one dollar and a half per day, payable out of the Contingent Fund of the Assembly.

Laid on the table.
By Mr. Spencer:

Resolved, That the Sergeant at Arms of the Assembly be authorized and required to procure for the use of the Judiciary Committee of this House one set of Parker's Digest of Supreme Court Decisions and one copy of Parker's Practice Act, such books to be deposited with the State Librarian on the final adjournment of the Legislature.

Adopted
By Mr. Bradley:

WHEREAS, The whole matter of fees and salaries of State and county officers will necessarily come before the Judiciary Committee in their examination of the Political Code, therefore, be it

Resolved, That all bills which may hereafter be introduced in this House in relation to fees and salaries of State and county officers be referred to said Judiciary Committee.

Laid on the table.
By Mr. Woodward:

Resolved, That the Chief Clerk is hereby authorized to appoint an additional Copying Clerk, who shall receive the same per diem as that authorized by law for Copying Clerks, payable out of the Contingent Fund of the Assembly.

Mr. Barker offered the following substitute:

Resolved, That a committee of three members of this House be appointed to ascertain what attachés are necessary for the proper discharge of the business thereof, and report the facts as soon as possible, with recommendations.

Both resolution and substitute were laid on the table.

MESSAGES FROM THE SENATE.

The following messages were received from the Senate:

SENATE CHAMBER,
December 14th, 1871.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day received a message from his Excellency the Governor, with the report of the Society for the Prevention of Cruelty to Animals in Petaluma.

T. J. SHACKLEFORD,
Assistant Secretary.

SENATE CHAMBER,
December 13th, 1871.

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day concurred in Assembly Concurrent Resolution No. 3, relative to instructing Sergeants at Arms to furnish the Governor with copies of all printed bills.

T. J. SHACKLEFORD,
Assistant Secretary.

NOTICES.

Notice of the introduction of bills was given, as follows:

By Mr. Reed—An Act for the better protection of business trade marks.

Also, an Act concerning landlord and tenant.

By Mr. Wilcox—An Act to provide for the payment of the State's portion of the Auditor's salary of the County of Mariposa.

Also, an Act to provide for the construction of a wagon road to the Yosemite Valley and Big Trees, that have been donated to the State.

Also, an Act authorizing the Board of Supervisors of Mariposa County to levy an additional tax for county purposes.

By Mr. Days—An Act for the protection of miners.

By Mr Bradley—An Act concerning roads and highways in the County of Yuba.

Also, an Act concerning the State Reform School building, and matters relating thereto.

By Mr. Tinnin—An Act defining the time within which certain actions may be brought.

INTRODUCTION OF BILLS.

Bills were introduced as follows:

By Mr. Munday—An Act to distribute the revenue derived from the tax on dogs in Sonoma County.

Read first and second times and referred to Committee on Education.

By Mr. Slaughter—An Act to amend an Act entitled an Act concerning crimes and punishments, approved April sixteenth, eighteen hundred and fifty.

Read first and second times and referred to Judiciary Committee.

By Mr. Goodall—An Act to prevent the purchasing of stolen goods from minors.

Read first and second times and referred to the Judiciary Committee.

By Mr. Bayley—An Act to appropriate money for the relief of James W. Marshall.

Read first and second times and referred to a Special Committee, composed of Messrs. Bayley, Chalmers, and Crane.

By Mr. Spivalo—An Act to fix the time for electing Representatives to Congress.

Read first and second times and referred to Committee on Elections.

By Mr. Spencer—An Act to compel children to attend school.

Read first and second times and referred to Committee on Education.

By Mr. McCullough—An Act entitled an Act for the relief of Jacob H. Blumenberg.

Read first and second times and referred, with a petition, to San Francisco delegation.

By Mr. Walker—An Act to change the salary of the County Judge of Fresno County.

Read first and second times and referred to Judiciary Committee.

By Mr. Days—An Act for the relief of O. P. Fitzgerald.

Read first and second times and referred to Committee on Claims.

By Mr. Berry—An Act concerning hogs running at large in the County of Sutter.

Read first and second times and referred to Sutter delegation.

By Mr. Sensabaugh—An Act concerning certain officers in the County of Merced.

Read first and second times and placed on file.

GENERAL FILE.

Assembly Bill No. 2—An Act to repeal an Act entitled an Act authorizing the publication of certain legal notices in a State paper printed at the seat of Government of the State of California, approved March twenty-ninth, eighteen hundred and seventy.

Amendments adopted and ordered engrossed.

Assembly Bill No 25—An Act to amend an Act entitled an Act concerning the Courts of justice of this State and judicial officers, approved April twentieth, eighteen hundred and sixty-three.

Assembly Bill No. 26—An Act to amend an Act entitled an Act concerning the distribution of the reports of the decisions of the Supreme Court and the statutes of this State, approved March third, eighteen hundred and sixty six.

Assembly Bill No. 22—An Act to incorporate the Town of Chico, Butte County.

Assembly Bill No. 23—An Act granting leave of absence from the State to Thomas H. Bush, County Judge of San Diego County.

Assembly Bill No. 36—An Act in relation to the road tax of the County of Alameda collected within the City of Oakland.

Assembly Bill No 47—An Act to legalize the assessment of the taxes in the County of Santa Cruz.

Assembly Bill No. 48—An Act entitled an Act to authorize the School Trustees in Ukiah School District, in Mendocino County, to purchase school property.

Assembly Bill No. 50—An Act to separate the office of County Recorder from the office of County Clerk in the County of Mendocino

The rules were suspended, and the foregoing bills were severally considered engrossed and read third time and passed.

Assembly Bill No. 18—An Act to amend an Act to authorize the Council of the City of Oakland to lay out, open, or improve streets in said city.

Ordered engrossed.

Senate Concurrent Resolution No. 6—Relative to Joint Committee on Revision of the Laws.

Substitute reported by Judiciary Committee was adopted.

LEAVE OF ABSENCE.

Mr. Burckhalter was granted leave of absence for two days, and Mr. Sargent until Tuesday.

GENERAL FILE RESUMED.

Assembly Bill No. 3—An Act to provide means for the support of an eight months school in the various school districts of Siskiyou County for the year commencing July first, eighteen hundred and seventy-one, and ending July first eighteen hundred and seventy-two, was taken up, the substitute reported was adopted, and the bill read third time and passed.

At twelve o'clock and fifty-five minutes P. M., on motion of Mr. Whiting, the House adjourned.

T. B. SHANNON, Speaker.

M. D. BORUCK, Chief Clerk.

IN ASSEMBLY.

HOUSE OF ASSEMBLY,
Saturday, December 16th, 1871.

House met pursuant to adjournment.

Speaker in the Chair.

Roll called.

Quorum present.

Prayer by the Chaplain.

Journal of yesterday read, and amended by inserting leave of absence for two days to Mr. Wright, and approved.

STANDING COMMITTEES.

The Speaker announced the following standing committees of the Assembly:

ON STATE LIBRARY.

Messrs. French, Aldrich, and Munday.

ON MILITARY AFFAIRS.

Messrs. Barker, McCullough, Coleman, Long, and Dannals.

ON COMMERCE AND NAVIGATION.

Messrs. Goodall, Pardee, Jost, Wright, and Mott of Los Angeles.

ON EDUCATION.

Messrs. Wright, Woodward, Everett, Berry, and Dannals.

ON INTERNAL IMPROVEMENTS.

Messrs. Freeman, Coleman, Baird, Johnston, Bayley, and Henshaw.

ON PUBLIC EXPENDITURES AND ACCOUNTS.

Messrs. Galloway, Bacon, Barnes, Mott of Sacramento, and Connolly.

ON PUBLIC LANDS

Messrs. Days, Turner, Sammons, Ward. and Sensabaugh.

ON ENGROSSMENT.

Messrs. Barnes, Everett. Chalmers, Bradley, and Ward.

ON ENROLLMENT.

Messrs Gibson, Hayes. Barker, Munday, and Baird

ON PUBLIC MORALS.

Messrs. Franck, Reed, Lee, Goodall, and Mathers.

ON STATE HOSPITAL.

Messrs. Stillwagon, Woodward, Harvey, Pardee, and Gibson.

ON RULES AND REGULATIONS.

Messrs. Luttrell, Days, Caldwell, Gray, and Wilcox.

ON ROADS AND HIGHWAYS

Messrs. Edgar, Russ, Whitney, Wilcox, and Henshaw.

ON INDIAN AFFAIRS.

Messrs. Bacon, Whitney, Mathers, Rector, and Little.

ON PUBLIC PRINTING.

Messrs. De Haven, Welty, Splivalo, Johnston, Whiting, Schrack, and Munday.

ON AGRICULTURE.

Messrs. Eagan, Lofton, Center, Stillwagon, Slaughter, Cooper, and Sensabaugh.

ON PUBLIC BUILDINGS AND GROUNDS.

Messrs. Pardee, McCullough, Bockius, Spencer, Seibe, Baird, and Caldwell.

ON MINES AND MINING INTEREST.

Messrs. Hopper, Center, Edgar, Brown, Whiting, Wilcox, and Bayley.

ON FEDERAL RELATIONS.

Messrs. Meeker, Franck, Bradley, Galloway, Luttrell, Walker, and Tinnin.

ON STATE PRISON.

Messrs. Crane, Rice, Hopper, James, Whitney, Schrack, and Rector.

ON AGRICULTURE, MINING, AND MECHANIC ARTS COLLEGE.

Messrs. Sammons, Edgar, Coleman, Barklage, Andrews, Little, and Tinnin.

ON CORPORATIONS.

Messrs Gray, Rice, Wheaton, Wright, Bell, Hayes, Brown, Connolly, and Ellis.

ON CLAIMS.

Messrs. Mott of Sacramento, Welty, Bell, Aldrich, McCullough, De Haven, Bacon, Reed, and Cooper.

ON WAYS AND MEANS.

Messrs Wheaton, Meeker, Crane, Bockius, Russ, Aldrich, De Haven, Luttrell, and Ward.

ON COUNTIES AND COUNTY BOUNDARIES.

Messrs. Hayes, Sammons, Turner, Crane, Woodward, Seibe, Sargent of Santa Clara, Andrews, and Gibson.

ON SWAMP AND OVERFLOWED LANDS.

Messrs. Harvey, Sargent of San Joaquin, Days, Reed, Galloway, James, Turner, Eagan, Berry, and Mott of Los Angeles.

ON CULTURE AND IMPROVEMENT OF THE GRAPEVINE.

Messrs. Chalmers, Sargent of Santa Clara, Brown, Slaughter, Caldwell, Walker, and Ellis.

PETITION.

Mr. Luttrell presented a petition from citizens of Yreka relative to the right of all persons of sound mind, without distinction of race or color, to give testimony in Courts of justice in this State.

Referred to Judiciary Committee.

REPORTS.

Reports were made as follows:

By Mr. Tinnin:

Mr. SPEAKER: The Siskiyou and Trinity delegations, to whom was referred Assembly Joint Resolution No 6—Relative to a mail route in Trinity County—respectfully report that they have had the same under consideration, and report the same back to the House with the recommendation that they be adopted.

LUTTRELL,
for Siskiyou Delegation.
TINNIN,
for Trinity Delegation.

NOTICES.

Notices of the introduction of bills were given as follows:

By Mr. Luttrell—An Act for the relief of Presley A. Dorris.

By Mr Pardee—An Act for the regulation and practice of medicine.

By Mr. Chalmers—An Act to amend an Act concerning roads and highways in the County of El Dorado.

INTRODUCTION OF BILLS.

Bills were introduced as follows:

By Mr. Hayes—An Act to create the County of San Benito, to define its boundaries, and provide for its organization.

Read first and second times and referred to Committee on Counties and County Boundaries.

By Mr. Hopper—An Act to authorize the executors of the last will and testament of John C. Keenan, deceased, to mortgage certain real estate of their testator.

Read first and second times and placed on file.

By Mr. Baird—An Act supplementary to an Act entitled an Act to provide for the incorporation of colleges, approved April twentieth, eighteen hundred and fifty.

Read first and second times and referred to the following select committee of five, appointed by the Speaker: Messrs. Meeker, Baird, Bell, Barnes, and Barker.

A petition in favor of the passage of the above bill was referred to the same committee.

By Mr. Tinnin—An Act defining the time within which certain actions may be brought.

Read first and second times and referred to Judiciary Committee

By Mr. Andrews—An Act granting W. S. Carter, County Superintendent of Public Schools elect of Shasta County, leave of absence from the State.

Read first and second times and referred to Shasta delegation.

By Mr. Welty—An Act providing for the formation of mutual fire and marine insurance companies.

Read first and second times and referred to Committee on Corporations.

By Mr. Days—An Act for the protection of miners

Read first and second times and referred to Committee on Mines and Mining Interests.

By Mr. Bradley—An Act concerning roads and highways in the County of Yuba.

Read first and second times and referred to Yuba delegation.

By Mr. Wheaton—An Act to amend an Act entitled an Act to provide for the official valuation of life insurance policies, approved April fourth, eighteen hundred and seventy.

Read first and second times and referred to Judiciary Committee.

By Mr. Gray—Proposed amendment to the Constitution of the State of California.

The Senate and Assembly of the State of California, at its nineteenth session, commencing on the fourth day of December, A. D. eighteen hundred and seventy-one, propose the following amendments to section thirty-seven of Article IV of the Constitution of the State of California, namely: Said section thirty-seven of Article IV shall be amended to read as follows.

Section 37. It shall be the duty of the Legislature to provide for the organization of cities and incorporated villages, and to restrict their power of taxation, assessment, borrowing money, contracting debts, and loaning their credit, so as to prevent abuses in assessments and in contracting debts by such municipal corporations. And the Legislature shall have no power to enact laws to make any assessment upon property within the limits of an organized city or of municipal government, except for taxes or in exercise of the power of eminent domain; but the Legislature may confer upon county or municipal governments the power to make and collect such assessments.

Read first and second times and referred to Judiciary Committee.

By Mr. French—Proposed amendment to the Constitution.

The Legislature of the State of California, at its nineteenth session, commencing on the fourth day of December, A. D. eighteen hundred and seventy-one, proposes the following amendment to section twenty-one of Article XI of the Constitution:

Section 21. Laws, decrees, regulations, messages, reports, and other matters which from their nature require publication, or the publication whereof is ordered by the Legislature, or by the Senate or Assembly, shall be published in English only.

MOTIONS AND RESOLUTIONS.

Resolutions were offered as follows:
By Mr. Spencer:

Resolved, That the Speaker be and he is hereby authorized and empowered to purchase an iron safe, at an expense not to exceed one hundred and fifteen dollars, for the use of the Assembly, for the purpose of keeping the general file, bills, and all other papers and books of value of the Assembly, the same to be in the custody of the Chief Clerk; and the Controller of State is hereby directed and authorized to draw his warrant and the Treasurer of State to pay the same, in the sum of one hundred and fifteen dollars, payable out of the Contingent Fund of the Assembly.

Adopted.
By Mr Bayley:

Resolved, That the Clerk prepare a list of the Standing Committees, and that two hundred and forty copies of the same be printed.

Adopted.
By Mr. Barker:

Resolved, That the Committee on Public Buildings be instructed to inquire into the alleged frauds committed in the construction of the Capitol Building, Governor's Mansion, and State Normal School Building, and to report the facts to this House as soon as possible, and that said committee be and are hereby authorized to send for persons and papers

Adopted.

Resolved, That when this House adjourns it adjourns until Monday, the eighteenth instant, at two o'clock P. M.

Adopted.
By Mr. McCullough:

Resolved, That a special committee of three be appointed to investigate the acts and proceedings of the City Hall Commissioners of San Francisco.

Adopted.
Mr. Wilcox gave notice of a motion to reconsider.
Mr. Pardee moved to adjourn.
Lost.

MESSAGES FROM THE SENATE.

The following messages were received from the Senate:

SENATE CHAMBER,
December 16th, 1871.

Mr SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted Senate Concurrent Resolution No. 7—Relative to instructing our Representatives in Congress to make the City of San Diego a port of entry.

Also, Senate Concurrent Resolution No. 9—Relative to a joint committee to examine into the affairs of the University of California.

SHACKLEFORD,
Assistant Secretary.

SENATE CHAMBER,
December 13th, 1871

Mr. SPEAKER: I am directed to inform your honorable body that the Senate, on the fourteenth instant, passed Senate Bill No. 3—An Act to establish and define the duties of the Board of Education of the City of Petaluma.

Also, Senate Bill No 12—An Act to provide for the payment of certain indebtedness against the State.

Also, Senate Bill No. 25—An Act to define and establish the boundary line of the City of Sonora.

SHACKELFORD,
Assistant Secretary.

Senate Joint Resolution No 7, above reported, read first and second times and referred to Committee on Commerce and Navigation.

Senate Concurrent Resolution No. 9, above reported, was referred to Committee on Public Buildings and Grounds.

Senate Bill No. 3, above reported, read first and second times and referred to Sonoma delegation.

Senate Bill No. 12, above reported, read first and second times and referred to Committee on Ways and Means.

Senate Bill No. 25, above reported, read first and second times and referred to Tuolumne delegation.

GENERAL FILE.

Assembly Bill No. 30—An Act to authorize the Board of Supervisors of Marin County to issue and sell bonds of said county and apply the proceeds thereof to the building of a Court House at the county seat of said county.

Amended, and on motion of Mr. Gray recommitted, with special instruction, to the Marin delegation.

Assembly Bill No. 38—An Act entitled an Act to change the name of Lewin Hirschkowitz to Leopold Harris.

On motion of Mr. Mott of Los Angeles, referred to Judiciary Committee.

Assembly Bill No. 39—An Act to regulate the salary of the County Judge of San Bernardino County.

Ordered engrossed.

Assembly Bill No. 45—An Act to fix the compensation of the County Judges of Butte, Tehama, and Colusa Counties.

Pending consideration of an amendment to the bill proposed by Mr. Mott of Sacramento, the House, on motion of Mr. Barker, at twelve o'clock and thirty minutes P. M., adjourned until Monday next at two o'clock P. M.

T. B. SHANNON,
Speaker.

M. D. BORUCK, Chief Clerk.

IN ASSEMBLY.

HOUSE OF ASSEMBLY,
Monday, December 18th, 1871.

House met pursuant to adjournment.
Speaker in the chair.
Roll called.
Quorum present.

LEAVE OF ABSENCE.

Leave of absence was granted for one day each to Messrs. Gray, Goodall, Splivalo, and Ward. and to Mr. Egan for two days.

Prayer by the Chaplain.

On motion of Mr Hopper leave of absence was granted for the day to all absentees.

Journal of Saturday, December sixteenth, was read and approved.

REPORTS.

Reports were made as follows:
By Mr. Barnes:

Mr. SPEAKER: The Committee on Engrossment beg leave to report that we have examined and find correctly engrossed Assembly Bill No. 20—An Act to authorize the Board of Supervisors of Solano County to levy an additional road tax.

Also, Assembly Bill No 26—An Act to amend an Act concerning the distribution of the reports of the decisions of the Supreme Court and the statutes of this State, approved March third, eighteen hundred and sixty-six.

Also, Assembly Bill No. 1—An Act to repeal an Act to establish a public street in the City and County of San Francisco, to be called Montgomery Avenue, and to take private lands therefor.

Also, Assembly Bill No. 6—An Act to provide for the erection of county buildings in the County of Mendocino.

Also, Assembly Bill No. 14—An Act granting James H. Clark, County Superintendent of Public Instruction, leave of absence from the State.

Also, Assembly Bill No. 10—An Act regulating the fees of the Assistant City and County Attorney of the City and County of San Francisco.

Also, Assembly Bill No. 28—An Act to appropriate money for the payment of the officers and clerks of the Assembly.

Also, Assembly Bill No. 37—An Act concerning street railroads in the City of Sacramento.

BARNES, Chairman.

RECONSIDERATION.

Mr. Wilcox, in accordance with the notice given on Saturday, moved that the House do reconsider the vote whereby a resolution was passed concerning the acts of the City Hall Commissioners of San Francisco.

The motion prevailed.

Mr. Wilcox then offered the following concurrent resolution as a substitute for the original:

Resolved by the Assembly, the Senate concurring, That a joint committee, consisting of three members from the House and three from the Senate, to investigate the acts of the City Hall Commissioners, be appointed

Adopted.

RESOLUTIONS.

Resolutions were offered as follows:

By Mr. Barnes:

Resolved, That the Journal Clerk of the Assembly be and he is hereby authorized to appoint an assistant, who shall receive the per diem allowed by law to Journal Clerks, payable out of the Contingent Fund of the Assembly.

Mr. Harvey moved that the resolution be laid on the table.

The motion prevailed.

By Mr. Luttrell:

Resolved, That Louis Callisch be and he is hereby appointed Porter of committee rooms, at a per diem of four dollars, payable out of the Contingent Fund of the Assembly.

Mr. Johnston moved to lay the resolution on the table.

The motion was lost, and the resolution was adopted.

By Mr. Pardee:

Resolved by the Assembly, the Senate concurring, That when the two Houses adjourn on Thursday, December twenty-first, eighteen hundred and seventy-one, that they do then adjourn to meet on Wednesday, January fourth, eighteen hundred and seventy-two, at two o'clock P. M.

On motion of Mr. Mathers, the resolution was adopted.

By Mr. Wheaton:

Resolved, That the Committee on Ways and Means be authorized to employ a clerk at the per diem allowed by law.

Adopted.

MESSAGE FROM THE SENATE.

The following message was received from the Senate:

SENATE CHAMBER,
December 16th, 1871.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted Senate Concurrent Resolution No. 10—Relative to printing the second biennial message of Governor Haight and the inaugural of Governor Booth.

FERRAL,
Secretary

Senate Concurrent Resolution No. 10, above reported, relative to printing the message of Governor Haight and the inaugural of Governor Booth—Mr. Hopper offered an amendment, that two thousand copies of each document be printed in the German language.

The resolution being so amended, was concurred in.

NOTICES.

The following notices of the introduction of bills were given:

By Mr Days—An Act amendatory of and supplementary to an Act entitled an Act fixing the number of officers and employés of the Senate and Assembly, to define their duties and to establish their pay.

Also, an Act to amend an Act entitled an Act concerning grand and trial jurors.

Also, an Act to take preliminary steps for calling a Constitutional Convention.

Also, a joint resolution asking Congress to so remodel the land laws as to reserve the public domain to actual settlers and occupants.

Also, a joint resolution asking Congress to propose an amendment to the Constitution providing a different place and time for the election of United States Senators.

By Mr. Dannals—An Act providing a trespass or no fence law for the County of San Diego.

By Mr. Rector—An Act for the construction of a wagon road in Klamath County, and to create a Fund therefor.

By Mr. Stillwagon—An Act supplemental to an Act entitled an Act granting the right of way over certain lands in the Counties of Lake and Sonoma for the construction of a wagon road, approved March fifteenth, eighteen hundred and sixty-four.

INTRODUCTION OF BILLS.

Bills were introduced as follows:

By Mr. Luttrell—An Act for the relief of Presley A. Davis.

By Mr. Wilcox—An Act to provide for the payment of the State's portion of the salary of the County Auditor of Mariposa County.

By Mr. Lee—An Act for the relief of D. J. Rudd.

Severally read first and second times and referred to Committee on Claims.

By Mr Wilcox—An Act to authorize the Board of Supervisors of Mariposa County to levy an additional tax for county purposes.

By Mr Hayes—An Act to amend an Act entitled an Act concerning County Judges.

Severally read first and second times and placed on file.

By Mr. Spencer—An Act to amend an Act entitled an Act to amend an Act entitled an Act creating the office of the Bailiff of the Supreme Court, approved April sixth, eighteen hundred and sixty-three, approved March sixteenth, eighteen hundred and sixty-four.

Read first and second times and placed on file.

By Mr Mott of Sacramento—An Act creating the office of Mail and Express Messenger of the Capitol, defining his duties and compensation therefor.

Read first and second times and referred, with a statement of certain State officers in favor of the bill, to the Committee on Public Expenditures and Accounts.

By Mr Sensabaugh—An Act to amend an Act entitled an Act to regulate fees of office and salaries of certain officers, and to repeal certain other Acts in relation thereto, approved March fifth, eighteen hundred and seventy.

Read first and second times and referred to Merced delegation.

Mr. Harvey moved that the House adjourn.

Lost.

GENERAL FILE.

Assembly Bill No. 63—An Act concerning certain officers in the County of Merced.

Also, Assembly Bill No. 65—An Act to authorize the executors of the last will and testament of John C. Keenan, deceased, to mortgage certain real estate of their testator.

Severally considered engrossed, read third time and passed.

Assembly Joint Resolution No 6—Relative to the establishment of a mail route from Weaverville to Trinity Center, in Trinity County.

Rules suspended, considered engrossed, read third time, and passed.

Mr. Speaker announced his intention to commence the enforcement of Rule No. 70 of the Standing Rules of the Assembly, concerning persons entitled to the privileges of this Chamber, and direct the Chief Clerk to prepare a list of accredited reporters for the press and issue to them proper cards of admission.

Mr. Hopper gave notice of an amendment to the Rule.

At three o clock and fifteen minutes P. M., on motion of Mr. Caldwell, the House adjourned.

T. B. SHANNON,
Speaker.

M. D. Boruck, Chief Clerk.

IN ASSEMBLY.

HOUSE OF ASSEMBLY,
Tuesday, December 19th, 1871.

House met pursuant to adjournment.
Speaker in the chair.
Roll called.
Quorum present.
Prayer by the Chaplain.
Journal of yesterday read and approved.

AN ORDER BY THE CHAIR.

The Chair, in obedience to the views of the Committee on Rules, will assign ladies on the inside of the bar to the place between the desks of members and the railing, and ladies will not be permitted to take seats within or among the chairs or desks, or among the members.

NOTICE BY SPECIAL COMMITTEE.

The special committee charged with the care of the Chamber during the time its use should be required for the purposes of the inaugural ball reported the following notice.

The committee in care of House during the inaugural ball desire the members to lock their desks at the close of to-day's session, and remove from the outside of their desks such papers or books as they desire to save from loss or being mislaid.

HOPPER, Chairman

REPORTS.

The following reports were made:

By Mr. Spencer:

Mr. SPEAKER: The Committee on Judiciary having had under consideration Assembly Bill No 40—An Act to fix the salary of the County Judge of San Mateo County.

Also, Assembly Bill No 58—An Act to change the salary of the County Judge of Fresno County.

Report the same back; and further report that in the opinion of the committee there is no constitutional impediment to increasing the compensation of judicial officers by legislative enactment during the interval between the election of such officers and the commencement of their terms of office—that is, the first day of January next succeeding their election; and such officer may during his term lawfully receive to his own use the compensation in such Act provided.

Said committee further report that they deem the passage of such Acts as inexpedient and tending to establish vicious precedents, and therefore recommend that said bills respectively do not pass.

SPENCER, Chairman.

By Mr. Wheaton:

Mr. SPEAKER: The Committee of Ways and Means, to whom was referred Senate Bill No. 12—An Act to provide for the payment of certain indebtedness against the State—beg leave to report as follows:

Your committee have made a careful and detailed examination of the vouchers and other evidence on file in the office of his Excellency the Governor, which show the following facts.

That the aggregate sum of fifty-seven thousand five hundred and forty-five dollars and nineteen cents, as named in the bill, is justly due for printing done for the State.

That this indebtedness occurred in consequence of work ordered in behalf of the Commission for codifying the laws.

Also, by the State Board of Equalization and for printing the reports of State officers, and other extra matter for the payment of which no special provision had been made

Your committee find that the bills for this work were properly passed upon by the State Expert and approved by the State Board of Examiners as correct.

Your committee therefore beg leave to report the bill back and recommend that it do pass.

WHEATON, Chairman.

On motion of Mr. Wheaton, the rules were suspended and the bill above reported taken up, and having been considered in Committee of the Whole and reported, and its passage recommended, it was read a third time and passed.

By Mr Luttrell:

Mr SPEAKER: Your Committee on Rules and Regulations, to whom was referred the annexed Resolution No 5, beg leave to report that they have had the same under consideration and report the same back without recommendation, as the matter of said resolution is already properly within the duties of this committee, who will act upon all matters referred to them in relation to the appointment of officers or assistants of this House and their compensation.

LUTTRELL, Chairman.

By Mr. Meeker:

Mr. SPEAKER: The Special Committee to whom was referred an Act supplementary to an Act entitled an Act to provide for the incorporation of colleges, approved April twentieth, eighteen hundred and fifty, report the same back and recommend that the same do pass.

DAVID MEEKER,
STEPHEN BARKER,
B W. BARNES,
CURTIS BAIRD

By Mr. Berry:

Mr. SPEAKER. The Sutter delegation, to whom was referred Assembly Bill No. 61—An Act concerning hogs running at large in the County

of Sutter—have had the same under consideration, and report the same back and recommend its passage.

BERRY, for Delegation.

By Mr. Bradley:

Mr SPEAKER. The Yuba delegation, to whom was referred Assembly Bill No 73—An Act concerning roads and highways in the County of Yuba—would herewith report the same back and recommend its passage.

J. C. BRADLEY, for Delegation.

By Mr. Munday:

Mr. SPEAKER: Your committee to whom was referred Senate Bill No. 3—An Act to establish and define the duties of the Board of Education of the City of Petaluma—have had the same under consideration, and report the same back and recommend its passage.

MUNDAY, for the Delegation

On motion of Mr. Munday, the rules were suspended for the consideration of the bill above reported.

Mr. McCullough moved that it be referred to the Committee on Education.

Lost.

The rules being again suspended the bill was considered engrossed, read third time and passed

BY LEAVE.

The rules were suspended for the introduction of the following resolution, offered by Mr. Hopper:

Resolved, That this day, December nineteenth, eighteen hundred and seventy-one, at twelve o'clock M, the Assembly do proceed, in accordance with an Act of Congress entitled an Act to regulate the time and manner of holding elections for Senators in Congress, approved July twenty fifth, eighteen hundred and sixty six, to elect a person to represent the State of California in the Senate of the United States for the term of six years from and after the expiration of the term of office of Cornelius Cole, present incumbent.

Adopted.

REPORTS RESUMED.

By Mr. Chalmers:

Mr. SPEAKER: The delegation to whom was referred Assembly Bill No. 11—relating to the consolidation of certain school districts in El Dorado and Sacramento Counties—have had the same under consideration, and beg leave to report favorably thereon, and recommend its passage.

CHALMERS, Chairman.

By Mr. Connolly:

Mr SPEAKER: In behalf of the Tuolumne delegation I have the honor to return Senate Bill No 25, and recommend its passage

CONNOLLY, for Delegation.

By Mr. Andrews:

Mr. SPEAKER: The Shasta delegation, to whom was referred Assembly Bill No 68—An Act granting W. L Carter, County Superintendent of Public Schools elect of Shasta County, leave of absence from the State—have had the same under consideration, and ask to report the same back and recommend its passage.

ANDREWS, for Delegation.

By Mr. Bayley:

Mr. SPEAKER: The Select Committee to whom was referred Assembly Bill No 62—An Act to appropriate money for the relief of James W. Marshall—have had the same under consideration, and report the same back and recommend its passage.

BAYLEY, Chairman.

On motion of Mr. Days, the bill above reported was referred to the Committee on Claims.

RESOLUTIONS.

Resolutions were introduced as follows:
By Mr Siebe:

Resolved, That the Sergeant at Arms of the Assembly be authorized to purchase such stationery and writing materials as are necessary for the supply of the members of the House which the Secretary of State does not have, the same to be paid out of the appropriation for the contingent expenses of the Assembly.

On motion of Mr. Harvey, the resolution was referred to the Committee on Public Expenditures and Accounts.
By Mr. Luttrell:

Resolved by the Assembly, the Senate concurring, That a committee of three from each House be appointed to select proposals for translating into Spanish the laws of the present session of the Legislature.

Adopted.

ELECTION OF UNITED STATES SENATOR.

At twelve o'clock, on motion of Mr Luttrell, the House proceeded to vote for a Senator to represent the State of California in the Senate of the United States on the expiration of the term of Hon. Cornelius Cole, in accordance with the following Act of Congress.

CHAPTER CCXIV.—*An Act to regulate the time and manner of holding elections for Senators in Congress.*

[Approved July 25, 1866.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Legislature of each State which shall be chosen next preceding the expiration of the time for which any Senator was elected to represent said State in Congress shall, on the second Tuesday after the meeting and organization thereof, proceed to elect a Senator in Congress in the place of such Senator so going out of office, in the following manner: each House shall openly, by a viva voce vote of each member present, name one person for Senator in Congress from said State, and the name of the person so voted for who shall have a majority of the whole number of votes cast in each House shall be entered on the Journal of each House by the Clerk or Secretary thereof, but if either House shall fail to give such majority to any person on said day that fact shall be entered on the Journal. At twelve o'clock, meridian, of the day following that on which proceedings are required to take place as aforesaid, the members of the two Houses shall convene in joint assembly, and the Journal of each House shall then be read, and if the same person shall have received a majority of all the votes in each House, such person shall be declared duly elected Senator to represent said State in the Congress of the United States; but if the same person shall not have received a majority of the votes in each House, or if either House shall have failed to take proceedings as required by this Act, the joint assembly shall then proceed to choose by a viva voce vote of each member present a person for the purpose aforesaid. And the person having a majority of all the votes of the said joint assembly, a majority of all the members elected to both Houses being present and voting, shall be declared duly elected, and in case no person shall receive such majority on the first day, the joint assembly shall meet at twelve o'clock, meridian, of each succeeding day during the session of the Legislature and take at least one vote until a Senator shall be elected

SEC. 2. *And be it further enacted,* That whenever at the meeting of the Legislature of any State a vacancy shall exist in the representation of such State in the Senate of the United States, said Legislature shall proceed, on the second Tuesday after the commencement and organization of its session, to elect a person to fill such vacancy in the manner hereinbefore provided for the election of a Senator for a full term; and if a vacancy shall happen during the session of the Legislature, then on the second Tuesday after the Legislature shall have been organized and shall have notice of such vacancy

SEC. 3. *And be it further enacted.* That it shall be the duty of the Governor of the State from which any Senator shall have been chosen as aforesaid, to certify his election, under the seal of the State, to the President of the Senate of the United States, which certificate shall be countersigned by the Secretary of State of the State.

ROLL CALLED.

The roll of the Assembly was called and the following members responded

Messrs. Aldrich, Andrews, Bacon, Baird, Barker, Barklage, Barnes, Bayley, Bell, Berry, Bradley, Bockius, Brown, Burckhalter, Caldwell, Center, Chalmers, Coleman, Connolly, Cooper, Crane, Dannals, Days, De Haven, Edgar, Ellis, Everett, Franck, Freeman, French, Galloway, Gibson, Goodall, Gray, Harvey, Hayes, Henshaw, Hopper, James, Johnston, Jost, Lee, Little, Lofton, Long, Luttrell, Mathers, Meeker, Mott, of Los Angeles, Mott, of Sacramento, Munday, McCullough, Pardee, Rector, Reed, Rice, Russ, Sammons, Sargent, of Santa Clara, Sargent, of San Joaquin, Schrack, Seibe, Sensabaugh, Slaughter, Spencer, Splivalo, Stallwagon, Timm, Turner, Walker, Ward, Welty, Wheaton, Whiting, Whitney, Wilcox, Woodward, Wright, and Mr. Speaker.

NOMINATIONS FOR SENATOR.

Mr. Days placed in nomination A. A. Sargent.
Mr. Luttrell nominated W. T. Wallace.
The roll was called, with the following result:

Names.	Sargent.	Wallace.
Aldrich	1	
Andrews		1
Bacon	1	
Baird	1	
Barker	1	
Barklage	1	
Barnes	1	
Bell	1	
Bradley	1	
Bockius	1	
Brown	1	
Bayley		1
Berry		1
Burckhalter		1
Center	1	
Chalmers	1	
Coleman	1	
Crane	1	
Caldwell		1
Connolly		1
Cooper		1
Days	1	
De Haven	1	
Dannals		1
Edgar	1	
Everett	1	
Ellis		1
Franck	1	
Freeman	1	
French	1	
Galloway	1	
Goodall	1	

Names.	Sargent.	Wallace.
Gray	1	.....
Gibson	.....	1
Harvey	1	.....
Hayes	1	.....
Hopper	1	.....
Henshaw	.....	1
James	1	.....
Johnston	1	.....
Jost	1	.....
Lee	1	.....
Lofton	1	.....
Long	1	.....
Little	.....	1
Luttrell	.....	1
Mecker	1	.....
Mott, of Sacramento	1	.....
McCullough	1	.....
Mathers	.....	1
Mott, of Los Angeles	.....	1
Munday	.....	1
Pardee	1	.....
Reed	1	.....
Rice	1	.....
Russ	1	.....
Rector	.....	1
Sammons	1	.....
Sargent, of Santa Clara	1	.....
Sargent, of San Joaquin	1	.....
Seibe	1	.....
Spencer	1	.....
Splivalo	1	.....
Stillwagon	1	.....
Schrack	.....	1
Sensabaugh	.....	1
Slaughter	.....	1
Turner	1	.....
Tinnin	.....	1
Welty	1	.....
Wheaton	1	.....
Whitney	1	.....
Woodward	1	.....
Wright	1	.....
Walker	.....	1
Whiting	.....	1
Wilcox	.....	1
Mr. Speaker	1	.....
Totals	54	24

Mr. Speaker declared the vote, and that A. A. Sargent is the choice of the Assembly for United States Senator for California

Mr. Days offered the following resolution, which was adopted:

Resolved, That the Clerk inform the Senate of the vote for United States Senator in this House, and that the Senate be requested to meet in the Assembly Chamber to-morrow, December twentieth, eighteen hundred and seventy-one, in Joint Convention, for the purpose of electing a United States Senator, pursuant to the provisions of an Act of Congress entitled an Act to regulate the time and manner of holding elections for Senators in Congress, approved July twenty-fifth, eighteen hundred and sixty-six.

On motion of Mr. Meeker the rules were suspended and Assembly Bill No 66, above reported, was taken up. The rules again suspended, the bill considered engrossed and passed.

Mr Little moved to adjourn.

Lost.

EXECUTIVE COMMUNICATIONS.

Mr. Speaker presented the following communications:

STATE OF NEVADA, EXECUTIVE DEPARTMENT, }
Carson City, December 14th, 1871. }

Mr. SPEAKER: In compliance with a request therein contained, I herewith inclose a copy of a joint resolution of the Senate of this State, asking the State of California to cede the territory east of the summit of the Sierras to Nevada.

Very respectfully your obedient servant,
L. B. BRADLEY,
Governor.

To the Honorable the Speaker of the Assembly of the State of California:

Senate Joint Resolution asking the State of California to cede the territory east of the summit of the Sierras to Nevada.

WHEREAS, In the establishment of boundaries naturally and geographically defined lines are generally preferable, and should be adopted, rather than artificial ones, in the separation and erection of communities into independent governments, and

WHEREAS, Manifest and great injustice is generally done by the adoption of artificial, instead of natural division lines, between States, especially when the latter are well defined, as in case of a river or a mountain range; and

WHEREAS, So much of the State of California as lies east of the summit of the Sierra Nevada Mountains belongs, as it were, naturally to the State of Nevada, and the people inhabiting such territory are accustomed to the transaction of their business abroad chiefly in this State, and would therefore be better accommodated if such territory were annexed by cession to this State, and

WHEREAS, The Act of Congress of March second, eighteen hundred and sixty-one, organizing the Territory of Nevada, provides that the

boundary line between Nevada and California may be established by the Legislature of the latter State on the ridge separating the waters of Carson Valley from those which flow into the Pacific Ocean; therefore

Resolved, by the Senate and Assembly of the State of Nevada, conjointly, that the Legislature of the State of California be and is hereby most respectfully requested and urged to cede to the State of Nevada all the territory of said former State lying east of the summit of the Sierra Nevada Mountains.

Resolved, That his Excellency the Governor of Nevada be and is hereby requested to forward a certified copy of the foregoing preamble and resolution to each the Governor of California, the President of the Senate, and the Speaker of the Assembly, immediately upon the meeting and organization of the next Legislature of said State.

Passed March second, eighteen hundred and seventy-one.

STATE OF NEVADA, }
Secretary's Office. } ss.

I, J. D. Minor, Secretary of State of the State of Nevada, do hereby certify that the annexed and foregoing is a true, full, and correct copy of the original enrolled resolution, entitled Senate Joint Resolution, asking the State of California to cede the territory east of the summit of the Sierras to Nevada passed March second, eighteen hundred and seventy-one, and now remaining on file in my office.

In witness whereof, I have hereunto set my hand and affixed the Great Seal of State. Done at office in Carson City, Nevada, this twenty-fifth day of March, A. D. eighteen hundred and seventy-one.

J. D. MINOR.
[SEAL.] Secretary of State.

By suggestion of the Speaker, the foregoing communications were referred to the Committee on Federal Relations.

The rules were suspended for the introduction of the following resolution, offered by Mr. Pardee:

Resolved, That the Committee on Public Grounds and Buildings be authorized to employ a Clerk at the per diem allowed by law.

Mr. Johnston moved to adjourn.

Lost.

Mr. Harvey moved to refer the resolution to the Committee on Rules.

The motion prevailed.

At twelve o'clock and forty minutes P. M., on motion of Mr. Dannals, the House adjourned.

T. B. SHANNON, Speaker.

M. D. BORUCK, Chief Clerk.

IN ASSEMBLY.

HOUSE OF ASSEMBLY,
Wednesday, December 20th, 1871.

House met pursuant to adjournment.
Speaker in the chair.
Roll called.
Quorum present
Prayer by the Chaplain.
Journal of yesterday read and approved.

SPECIAL COMMITTEE.

Mr Speaker announced the selection of the following committee, in accordance with the concurrent resolution to receive proposals to print the laws in Spanish: Messrs Luttrell, Spivalo, and Hopper.

REPORTS.

The following reports were made:

By Mr. Barnes:

MR. SPEAKER: The Committee on Engrossment beg leave to report that we have examined and find correctly engrossed Assembly Bill No. 29—An Act granting leave of absence from the State to Thomas H. Bush, County Judge of San Diego County.

Also, Assembly Bill No. 18—An Act to amend an Act entitled an Act to authorize the Council of the City of Oakland to lay out, open, or improve streets in said city.

Also, Assembly Bill No 25—An Act to amend an Act entitled an Act concerning the Courts of justice of this State and judicial offices, approved April twentieth, eighteen hundred and sixty-three.

Also, Assembly Bill No 47—An Act to legalize the assessment of the taxes in the County of Santa Cruz

Also, Assembly Bill No. 36—An Act in relation to the road tax of the County of Alameda, collected in the City of Oakland.

Also, Assembly Bill No 50—An Act to separate the office of County Recorder from the office of County Clerk in the County of Mendocino.

Also, substitute for Assembly Bill No 3—An Act to provide additional funds for the support of the common schools of Siskiyou County for the school year commencing on the first day of July, eighteen hundred and seventy one, and ending on the thirtieth day of June, eighteen hundred and seventy-two.

Also, Assembly Bill No. 2—An Act to repeal an Act entitled an Act authorizing the publication of certain legal notices in a State paper printed at the seat of Government of the State of California, approved March twenty-ninth, eighteen hundred and seventy.

Also, Assembly Bill No. 48—An Act entitled an Act to authorize the School Trustees in Ukiah School District in Mendocino County to purchase school property

Also, Assembly Bill No 22—An Act to incorporate the Town of Chico, Butte County.

BARNES, Chairman.

By Mr. Galloway:

Mr. SPEAKER: Your Committee on Public Expenditures and Accounts would beg leave to report that they have examined the following bills and accounts, found them correct, and recommend that they be paid:

Overland Monthly	$11 00
Pacific	8 00
A. J. Rhoads, for stamps	1,245 00
Locke & Lavenson	55 00
J H. Hubbard	5 00
George C Fabens	5 00
John E Gorham	5 00
H. L. Bancroft	272 00
Edwards & Co	149 00

Resolved, That the Controller be and he is hereby authorized and directed to draw warrants in favor of the persons named in the report of the Committee on Expenditures and Accounts for the sum set opposite their respective names, and that the Treasurer be directed to pay the same.

J. W. GALLOWAY, Chairman.

Adopted

By Mr. Gibson:

Mr. SPEAKER: Your Committee on Enrollment beg leave to report that they have examined, and find correctly enrolled, Assembly Bill No. 28—An Act to appropriate money for the payment of officers and Clerks of the Assembly—and at one o'clock and two minutes P. M. on the nineteenth day of December, A D eighteen hundred and seventy-one, presented the same to the Governor for his approval.

J. L GIBSON, Chairman.

By Mr. Rice:

Mr. SPEAKER: The delegation from Marin County, to whom was recommitted Assembly Bill No. 30—An Act to authorize the Board of Supervisors of Marin County to issue and sell bonds of said county, and apply the proceeds thereof to the building of a Court House at the county seat of said county—report the same back to the House with amendments thereto, and recommend its passage.

RICE, of the Delegation.

By Mr. Goodall:

Mr. SPEAKER: The Committee on Commerce and Navigation have considered Assembly Bill No. 49—An Act to facilitate telegraphic communication between America and Asia—and recommend its passage.

GOODALL, Chairman.

PETITION.

By Mr. Bockius:

Of citizens of Santa Cruz County, concerning the construction of a railroad in that county.

Referred to Committee on Corporations.

LEAVE OF ABSENCE.

Leave of absence was granted to Mr. Ward for two days, and Mr. Mott of Los Angeles for one day

REPORT.

By Mr Luttrell:

Mr. SPEAKER: Your Committee on Rules and Regulations, to whom was referred the matter of the appointment of additional attaches to this House, hereby submit the following report:

First—As to assistance for the Enrolling Clerk. He needs none, for he has had but one bill to enroll and that has been completed

Second—As to the Engrossing Clerk. He needs no assistance, as he can report but forty folios to engross, and a clerk of ordinary ability can engross seventy folios per day In this office we would recommend that the Clerk be required to keep an accurate register of bills received by him, with date of reception and date of enrollment. There appears to be but little system in his office.

Third—As to Copying Clerks. We believe they will need no clerk until after the holidays, unless the House shall see fit to comply with the requirements of the statute law, which requires the Appendix to be written during the session of the Legislature. And in view of the fact that a delay will be avoided in the printing of the Assembly documents after the close of the session, we would recommend that the Chief Clerk shall appoint additional Assistant Copying Clerks as may be needed from time to time in the proper prosecution of the business of the House, the necessity to be certified to by the Speaker of the House.

Fourth—In relation to the application of the Committee on Public Buildings and Grounds for a clerk, we would recommend that they be empowered to employ, temporarily, a clerk at the per diem allowed by law for the actual time spent in investigating the affairs of the public buildings and making up reports of the same.

LUTTRELL, Chairman.

RESOLUTION.

The rules were suspended for the introduction of the following resolution:

By Mr. Harvey:

Resolved, That the Committee on Rules and Regulations be authorized to examine into and ascertain the clerical force required by this body and by the Sergeant at Arms, and that all resolutions referring to the appointment of additional clerks be referred to said committee.

The resolution and preceding report were referred to the committee named, with instructions to report at an early day a system for adoption relative to this subject matter.

AMENDMENT TO THE RULES.

Mr. Luttrell gave notice of the following proposed amendments to the Standing Rules of the Assembly:

First—That the Committee on Education shall consist of seven instead of five members.

Second—That the Committee on Public Buildings and Grounds shall consist of nine instead of seven members.

Third—That the Committee on State Prison shall consist of nine instead of seven members.

Laid over.

RECESS

At eleven o'clock and forty-five minutes the Assembly took a recess.

REASSEMBLED

At twelve o'clock M. the House reassembled, and the roll being called the following members responded, the Speaker being in the chair:

Messrs Andrews, Baird, Barker, Barklage, Barnes. Bayley. Bell, Berry, Bradley, Bockius. Brown, Burckhalter, Caldwell, Center, Chalmers, Coleman, Connolly, Cooper, Crane, Dannals, Days, De Haven, Edgar, Ellis, Everett. Franck, French, Galloway, Gibson, Goodall, Gray, Harvey, Hayes, Henshaw. Hopper, James, Johnston. Jost, Lee, Little. Lofton, Long, Luttrell, Mathers, Mecker. Mott of Sacramento, Mott of Los Angeles, Munday, McCullough, Pardee, Reed, Rice, Russ, Sammons, Sargent of Santa Clara, Sargent of San Joaquin, Schrack, and Mr. Speaker—58.

IN JOINT CONVENTION.

At twelve o'clock and ten minutes the Senate and Assembly met in Joint Convention for the purpose of electing a Senator to the Congress of the United States.

The Hon. Romualdo Pacheco, Lieutenant Governor and President of the Senate, and the Hon. Thomas B. Shannon, Speaker of the Assembly, presiding.

The roll of the Senate was called by the Secretary and the following members were present.

Messrs. Andross, Banvard, Betge, Beck, Boggs, Boucher, Comte, Crane, De Haven, Duffy, Dyer, Evans. Farley, Finney, Fowler, Garratt, Goodale, Gwin, Hutchings, Irwin. Kent, Keys, Larkin, Maclay, McCoy, McKusick, McMurry, Minis. Neff, O'Connor, Oulton, Pendegast, Perkins, Tompkins, Turner, Tuttle, Van Ness, Wand, Wilson, and Wing.

The roll of the Assembly was called by the Clerk and the following members were present.

Messrs. Aldrich, Andrews, Bacon, Baird, Barker, Barklage, Barnes,

Bayley, Bell, Berry, Bradley, Bockius, Brown, Burckhalter, Caldwell, Center, Chalmers, Coleman, Connolly, Cooper, Crane, Dannals, Days, De Haven, Edgar, Ellis, Everett, Franck, Freeman, French, Galloway, Gibson, Goodall, Gray, Harvey, Hayes, Henshaw, Hopper, James, Johnston, Jost, Lee, Little, Lotton, Long, Luttrell, Mathers, Meeker, Mott of Los Angeles, Mott of Sacramento, Munday, McCullough, Pardee, Rector, Reed, Rice, Russ, Sammons, Sargent of Santa Clara, Sargent of San Joaquin, Schrack, Seibe, Sensabaugh, Slaughter, Spencer, Splivalo, Stillwagon, Timmn, Turner, Walker, Welty, Wheaton, Whiting, Whitney, Woodward, Wright, and Mr. Speaker—77.

A majority of all the members of both Houses being present, the President of the Senate declared the object of the Convention to be the election of a Senator to the Congress of the United States to succeed the Honorable Cornelius Cole at the expiration of his term of office, in accordance with the requirements of an Act of Congress entitled an Act to regulate the time and manner of holding elections for Senators in Congress, approved July twenty-fifth, eighteen hundred and sixty-six, and which, by direction of the presiding officer, the Secretary of the Senate read, as follows.

CHAPTER CCXIV.—*An Act to regulate the time and manner of holding elections for Senators in Congress.*

[Approved July 25, 1866.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled. That the Legislature of each State which shall be chosen next preceding the expiration of the time for which any Senator was elected to represent said State in Congress shall, on the second Tuesday after the meeting and organization thereof, proceed to elect a Senator in Congress in the place of such Senator so going out of office in the following manner each House shall openly, by a viva voce vote of each member present, name one person for Senator in Congress from said State, and the name of the person so voted for who shall have a majority of the whole number of votes cast in each House shall be entered on the Journal of each House by the Clerk or Secretary thereof, but if either House shall fail to give such majority to any person on said day that fact shall be entered on the Journal At twelve o'clock, meridian, of the day following that on which proceedings are required to take place as aforesaid, the members of the two Houses shall convene in joint assembly, and the Journal of each House shall then be read, and if the same person shall have received a majority of all the votes in each House, such person shall be declared duly elected Senator to represent said State in the Congress of the United States, but if the same person shall not have received a majority of the votes in each House, or if either House shall have failed to take proceedings as required by this Act, the joint assembly shall then proceed to choose by a viva voce vote of each member present a person for the purpose aforesaid. And the person having a majority of all the votes of the said joint assembly, a majority of all the members elected to both Houses being present and voting, shall be declared duly elected, and in case no person shall receive such majority on the first day, the joint assembly shall meet at twelve o'clock, meridian, of each succeeding day

during the session of the Legislature and take at least one vote, until a Senator shall be elected.

SEC. 2. *And be it further enacted*, that whenever at the meeting of the Legislature of any State a vacancy shall exist in the representation of such State in the Senate of the United States, said Legislature shall proceed, on the second Tuesday after the commencement and organization of its session, to elect a person to fill such vacancy in the manner hereinbefore provided for the election of a Senator for a full term, and if a vacancy shall happen during the session of the Legislature, then on the second Tuesday after the Legislature shall have been organized and shall have notice of such vacancy.

SEC. 3. *And be it further enacted*, That it shall be the duty of the Governor of the State from which any Senator shall have been chosen as aforesaid to certify his election, under the seal of the State, to the President of the Senate of the United States, which certificate shall be countersigned by the Secretary of State of the State.

The Secretary of the Senate also read from the Journal of the Senate so much of the proceedings on Tuesday, December nineteenth—being the second Tuesday after the organization of the nineteenth session of the Legislature—as related to a ballot for the election of a United States Senator to succeed the Hon. Cornelius Cole, whereby it appeared that thirty-nine Senators were present and voted each his choice, and that W. T. Wallace, of San Jose, had received twenty-one votes, being a majority of all the votes cast

The Clerk of the Assembly read so much of the proceedings on Tuesday as related to its action on a ballot for United States Senator taken on that day—being the second Tuesday after the organization of the nineteenth session of the Legislature of California—showing that seventy-eight members of the Assembly were present and voted each his choice for United States Senator to succeed the Hon. Cornelius Cole, at the expiration of his term of office, and that A. A. Sargent, of Nevada County, received fifty-four votes, being a majority of all the votes cast.

The President of the Senate declared the Joint Convention duly organized, in compliance with the Act of Congress above quoted, and the two Houses not having voted for any person receiving a majority vote in both Houses, that the Legislature, in Joint Convention assembled, would proceed to elect a Senator to Congress by joint ballot.

NOMINATIONS.

Nominations for the office of Senator being in order.

Hon Charles Maclay, Senator from Santa Clara, nominated William T. Wallace, of Santa Clara.

Hon. J. M. Days, of Nevada, nominated A. A. Sargent, of Nevada.

And the Convention proceeded to ballot with the following result:

The vote of Senators:

Names.	Wallace.	Sargent.
Andross	.....	1
Banvard	1	.....
Beck	1	.....

Names.	Wallace.	Sargent.
Betge	1	.....
Boggs	1	.....
Boucher	.....	1
Comte	1	.....
Crane	.....	1
De Haven	.....	1
Duffy	.....	1
Dyer	.....	1
Evans	.....	1
Farley	1	.....
Fowler	1	.....
Finney	.....	1
Garratt	.....	1
Goodale	.....	1
Gwin	1	.....
Hutchings	1	.....
Irwin	1	.....
Keys	1	.....
Kent	.....	1
Larkin	1	.....
Maclay	1	.....
McCoy	1	.....
McKusick	.....	1
McMurry	1	.....
Minis	1	.....
Neff	.....	1
O'Connor	1	.....
Oulton	.....	1
Pendegast	1	.....
Perkins	.....	1
Tompkins	.....	1
Turner	.....	1
Tuttle	1	.....
Van Ness	1	.....
Wand	1	.....
Wilson	1	.....
Wing	.....	1
Totals	22	18

Vote of Representatives·

Names.	Wallace.	Sargent.
Aldrich	.....	1
Andrews	1	.....
Bacon	.....	1

Names.	Wallace.	Sargent.
Baird		1
Barker		1
Barklage		1
Barnes		1
Bayley	1	
Berry	1	
Bell.		1
Bradley		1
Bockius		1
Brown		1
Burckhalter	1	
Caldwell	1	
Center		1
Chalmers		1
Coleman		1
Connolly	1	
Cooper	1	
Crane		1
Dannals	1	
Days		1
De Haven		1
Edgar		1
Ellis	1	
Everett		1
Franck		1
Freeman		1
French		1
Galloway		1
Gibson	1	
Goodall		1
Gray		1
Harvey		1
Hayes		1
Henshaw	1	
Hopper		1
James		1
Johnston		1
Jost		1
Lee		1
Little	1	
Lofton		1
Long		1
Luttrell	1	
Mathers	1	
Meeker		1
Mott of Sacramento		1
Mott of Los Angeles	1	
McCullough		1
Munday	1	
Pardee		1

Names.	Wallace.	Sargent.
Reed		1
Rector	1	
Rice		1
Russ		1
Sammons		1
Sargent of Santa Clara		1
Sargent of San Joaquin		1
Schrack	1	
Sensabaugh	1	
Seibe		1
Slaughter	1	
Spencer		1
Sphvalo		1
Stillwagon		1
Tinnin	1	
Turner		1
Walker	1	
Welty		1
Wheaton		1
Whitney		1
Whiting	1	
Wilcox	1	
Woodward		1
Wright		1
Mr. Speaker		1
Totals	24	54

Whole number of votes cast.....118
Necessary to a choice 60

Mr Sargent received seventy-two votes, and
Mr Wallace received forty-six votes

The President of the Joint Convention announced, that in accordance with law and by the foregoing vote, Honorable A. A Sargent was duly elected a Senator to represent California in the Congress of the United States for the full term of six years ensuing the expiration of the term of Honorable Cornelius Cole, present incumbent of that office, by the Legislature of California, in Joint Convention assembled, a majority of both Houres being present, and each member present voting his choice for such Senator.

JOINT COMMITTEE.

It was resolved, on motion of Senator Kent, that a Joint Committee of three from each House be appointed to wait upon Honorable A. A. Sargent, Senator elect, and inform him of his election and invite his presence before the Convention.

The President appointed, on the part of the Senate, Messrs. Kent, Irwin, and Van Ness.

The Speaker appointed, on the part of the Assembly, Messrs. Days, Luttrell, and Goodall

After a brief absence the committee returned and reported that Mr. Sargent was not present in the Capitol

The record of the proceedings of the Joint Convention was read, and being approved was signed by the President and Mr Speaker, and by the Secretary of the Senate and Chief Clerk of the Assembly

The object for which the Convention assembled having been accomplished, on motion of Mr Irwin, at twelve o'clock and forty-five minutes, the President declared it adjourned sine die.

IN ASSEMBLY.

The Senate having retired, the roll of the Assembly was called.

Quorum present.

Speaker in the chair.

LEAVE GRANTED

Leave of absence was granted to Mr Eagan for two days and to Mr. Sargent of San Joaquin for one day.

REPORTS.

The following reports were received:

By Mr. Pardee

Mr SPEAKER. The Committee on Public Buildings and Grounds, to whom was referred Senate Concurrent Resolution No 9, report the same back, and recommend that said resolution be not concurred in.

PARDEE, Chairman.

By Mr Gray:

A report of the Board of Trustees of the Home for the care of the Inebriate.

Referred to the Committee on Ways and Means

By Mr Sensabaugh:

Mr. SPEAKER: The Merced delegation, to whom was referred Assembly Bill No. 82—An Act to amend an Act entitled an Act to regulate fees of office and salaries of certain officers, and to repeal certain other Acts relative thereto, approved March fifth, eighteen hundred and seventy—respectfully report the same back and recommend its passage.

SENSABAUGH, for Delegation.

MESSAGE FROM THE GOVERNOR.

The following message was received from the Governor:

STATE OF CALIFORNIA, EXECUTIVE DEPARTMENT,
Sacramento, December 19th, 1871

To the Assembly of the State of California:

I have to inform your honorable body that I have approved Assembly Bill No 28—An Act to appropriate money for the payment of officers and clerks of Assembly.

NEWTON BOOTH,
Governor.

RESOLUTIONS.

Resolutions were introduced as follows:

By Mr Luttrell·
A joint resolution relative to granting bounty to the First Battalion Mountaineers. California Volunteers.
Read first and second times and referred to Committee on Claims and ordered printed.
By Mr. Wheaton.

Resolved, That the San Francisco delegation be authorized to appoint a clerk at the per diem allowed by law to Committee Clerks.

Referred to Committee on Rules and Regulations
By Mr Galloway
A resolution authorizing the Sergeant at Arms of the Assembly to purchase such stationery and other articles required by the Assembly and which may not have been provided by the Secretary of State.
Mr. Mott of Sacramento moved to amend the resolution by inserting that such articles, if furnished, should not exceed in cost over ten dollars for each member of the Assembly
Mr Meeker moved to lay the resolution on the table.
On this motion the House divided and it was lost by a vote of—ayes, 25, noes. 43.
Mr. Wheaton moved to amend by striking out the word "articles" in the original resolution.
Carried.
The House refused to adopt the amendment offered by Mr. Mott of Sacramento.
Mr Gray moved to indefinitely postpone the resolution, and the House so agreed
By Mr. Days:
A joint resolution asking Congress to propose an amendment to the Constitution of the United States relative to the time and place of electing United States Senators
Read first and second times and referred to the Committee on Federal Relations.
Also, a joint resolution proposing a change of the land laws of the United States in favor of actual settlers upon public lands
Read first and second times, referred to Committee on Federal Relations, and ordered printed.
By Mr. Welty.

Resolved, That the Sergeant at Arms be and is hereby instructed to purchase all stamps required by this House with currency.

Adopted.

MESSAGES FROM THE SENATE.

The following messages were received from the Senate:

SENATE CHAMBER,
December 18th, 1871.

Mr. SPEAKER. I am directed to inform your honorable body that the Senate on this day adopted Senate Concurrent Resolution No 11—Relative to translating the laws of the present session into Spanish

Also, Senate Concurrent Resolution No. 12—Relative to distributing copies of report of Resident Physician of Insane Asylum—and asks the concurrence of the Assembly thereto.

SHACKLEFORD, Assistant Secretary.

SENATE CHAMBER,
December 19th, 1871.

Mr. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed, under suspension of the rules, Assembly Bill No 28—An Act to appropriate money for the payment of officers and Clerks of the Assembly.

FERRAL, Secretary.

Also, on the eighteenth day of December, eighteen hundred and seventy-one, concurred in Assembly Concurrent Resolution No. 4—Relative to printing in Spanish the reports of certain State officers.

Also, on the nineteenth instant, concurred in Assembly Concurrent Resolution No. 5—Relative to adjournment.

Also, passed Assembly Bill No 20—An Act to authorize the Board of Supervisors of Solano County to levy an additional road tax.

Also, on this twentieth day of December, passed, under a suspension of the rules, Assembly Bill No. 3—Relative to the common schools of Siskiyou County.

Also, on this twentieth day of December, passed Assembly Bill No. 36—Relative to the road tax of the County of Alameda collected within the City of Oakland.

SHACKLEFORD, Assistant Secretary

CONSIDERATION OF THE MESSAGES.

Senate Concurrent Resolution No. 11, above reported, was concurred in.

Senate Concurrent Resolution No. 12, above reported, was also concurred in.

NOTICES.

Notice of the introduction of bills was given as follows:

By Mr. Luttrell—An Act to amend an Act entitled an Act to create

the office of State Printer and define the duties and compensation thereof, and to provide for the time and manner of his election.

Also, an Act to provide for the public printing of the State

By Mr Wilcox—An Act to regulate foreign insurance companies doing business in this State, and to protect the insured.

By Mr. Barker—Amending the Constitution prohibiting the appropriation of public moneys for private and sectarian purposes

By Mr. Gray—An Act to amend an Act entitled an Act concerning corporations

Also, an Act to amend an Act regulating marriages.

INTRODUCTION OF BILLS.

Bills were introduced as follows:

By Mr Spivalo—An Act to repeal an Act entitled an Act to make, open, and establish a public street in the City and County of San Francisco, to be called Montgomery Street South, and to take private lands therefor.

By Mr Aldrich—An Act concerning the office of County Clerk in and for the City and County of San Francisco.

By Mr Goodall—An Act providing for the compensation of the Board of Education of the City and County of San Francisco.

By Mr Mecker—An Act to repeal an Act entitled an Act for the relief of the free schools of the Presentation Convent of the City and County of San Francisco, approved April fourth, eighteen hundred and seventy.

Severally read first and second times and referred to San Francisco delegation.

By Mr. Days—An Act to take preliminary steps for calling a Convention to amend, remodel, or propose a new Constitution for the State of California

Also, an Act to amend an Act entitled an Act concerning grand and trial jurors, approved April twenty-seventh, eighteen hundred and sixty-three.

Severally read first and second times and referred to Judiciary Committee

Also, an Act amendatory of and supplemental to an Act entitled an Act fixing the number of officers and employés of the Senate and Assembly, to define their duties and to establish their pay, approved May twentieth, eighteen hundred and sixty-one

Read first and second times and referred to Committee on Rules and Regulations and ordered printed.

By Mr. Freeman—An Act to repeal an Act entitled an Act to provide for a State Board of Equalization

By Mr Mott of Los Angeles—An Act to regulate the pay of Grand Jurors in the County of Los Angeles.

By Mr Welty—An Act to amend section one hundred and forty-five of an Act entitled an Act to regulate the settlements of the estates of deceased persons, passed May first, eighteen hundred and fifty-one.

By Mr Barker—An Act to amend an Act to provide for a system of public schools.

Severally read first and second times and referred to Judiciary Committee.

By Mr. Welty—An Act to provide for the organization of the Legislature of this State at its regular sessions.

By Mr. Stillwagon—An Act supplemental to an Act entitled an Act

granting the right of way over certain lands in the Counties of Lake and Sonoma for the construction of a wagon road, approved March fifteenth, eighteen hundred and sixty-four

Read first and second times and referred to Sonoma, Lake, and Napa delegations

By Mr Hayes—An Act to provide for the construction of a railroad from the Town of San Juan, in Monterey County, to the line of the Pajaro Valley and Gilroy Railroad.

Read first and second times and referred to Committee on Corporations.

By Mr. Dannals—An Act to amend an Act entitled an Act to amend an Act to protect agriculture and to prevent the trespassing of animals upon private property, approved March twenty-fifth, A. D eighteen hundred and sixty-six Approved March twenty-sixth, A D eighteen hundred and seventy.

Read first and second times, and on the question of reference, Mr. Gray moved that it be referred to the Committee on Ways and Means

On adopting the motion, the House divided and it was lost.

Mr. Jost moved to refer the bill to the San Francisco delegation, and it was so ordered.

Mr Days moved to adjourn until ten o'clock A. M. to-morrow

Lost

By Mr. Rice—An Act supplementary to and amendatory of an Act entitled an Act to authorize the Board of Supervisors of Marin County to issue and sell bonds of said county and apply the proceeds thereof to the construction of wagon roads in said county, approved March fourth, eighteen hundred and seventy

Read first and second times and referred to Marin delegation.

Mr Mott of Los Angeles, moved to adjourn until to-morrow at eleven o'clock A. M.

Lost.

GENERAL FILE

The House considered the general file

Assembly Bill No 77—An Act to authorize the Board of Supervisors of Mariposa County to levy an additional tax for county purposes

Rules suspended, considered engrossed, read third time and passed.

Mr Hopper moved to adjourn.

Lost

Assembly Bill No 78—An Act to amend an Act entitled an Act to amend an Act creating the office of Bailiff of the Supreme Court, approved April sixth, eighteen hundred and sixty three, and March sixteenth, eighteen hundred and sixty-four.

Rules suspended, considered engrossed, read third time and passed, an amendment offered by Mr Barker to strike out the words "three thousand dollars" and insert "two thousand dollars" in the bill being first rejected

Assembly Bill No 81—An Act to amend an Act entitled an Act concerning County Judges

Rules suspended, considered engrossed, read third time and passed, and title amended, on motion of Mr. Gray, by adding the words "approved April fourth, eighteen hundred and fifty-one"

Mr. Wright moved to adjourn till eleven o'clock to-morrow.

Mr. Days moved to amend by substituting ten o'clock to-morrow.

Lost.

Assembly Bill No 73—An Act concerning roads and highways in the County of Yuba

Pending the consideration of this bill, on motion of Mr. Wilcox, the House, at one o'clock and fifty-five minutes, adjourned.

T. B. SHANNON,
Speaker.

M. D. Boruck, Chief Clerk.

IN ASSEMBLY.

House of Assembly,
Thursday, December 21st, 1871.

House met pursuant to adjournment.
Speaker in the Chair.
Roll called.
Quorum present.
Prayer by the Chaplain.
Journal of yesterday read and approved.

LEAVE OF ABSENCE.

Leave of absence was granted for the day to Messrs. Harvey, Sargent of San Joaquin, and Goodall.

TO PRINT.

On motion of Mr Welty, ordered that the usual number of copies of Assembly Bill No. 29 be printed.

PETITION.

Mr Meeker presented a petition from the California Immigrant Union. Referred to Committee on Ways and Means.

REPORTS.

Reports were made as follows:

By Mr. Mott, of Sacramento.

Mr. Speaker: Your Committee on Claims have had referred to them Assembly Bill No 60—An Act for the relief of O. P Fitzgerald

Also Resolution appropriating forty-five dollars for payment of claim of *News-Letter* publishers

Also, Assembly Bill No 71—An Act for the relief of Prestley A. Dorris.

Also, Assembly Bill No. 76—An Act to provide for the payment of the State's portion of the salary of the County Auditor of Mariposa County.

Also, Assembly Bill No. 80—An Act for the relief of D. J. Rudd.

Also, Assembly Bill No. 82—An Act to appropriate money for the relief of James W. Marshall.

And beg leave to report that, as the statute entitled an Act to provide for the liquidation of all claims against the State not otherwise provided for by law, approved April first, eighteen hundred and seventy, declares that no claim, either legal equitable, or for relief, shall be entertained or considered by either branch of the Legislature, or any committee thereof, unless previously presented in due form to the State Board of Examiners and by them reported to the Legislature, and as none of the above-mentioned bills and resolutions have been so referred and reported, your committee report back such bills without passing upon their merits, and without recommendation.

E. B. MOTT, Chairman.

By Mr. Barnes:

Mr. Speaker: The Committee on Engrossment report that we have examined and find correctly engrossed.

Assembly Bill No. 39—An Act to regulate the salary of the County Judge of San Bernardino County.

Also, Assembly Bill No. 65—An Act to authorize the executors of the last will and testament of John C. Keenan, deceased, to mortgage certain real estate of their testator.

Also, Assembly Bill No. 63—An Act concerning certain officers in the County of Merced.

Also, Assembly Joint Resolution No. 6—Relative to establishment of a mail route from Weaverville to Trinity Center, in Trinity County.

Also, Assembly Bill No. 77—An Act to authorize the Board of Supervisors of Mariposa County to levy an additional tax for county purposes.

Also, Assembly Bill No. 78—An Act to amend an Act entitled an Act to amend an Act entitled an Act creating the office of Bailiff of the Supreme Court, approved April sixth, eighteen hundred and sixty-three, and March sixteenth, eighteen hundred and sixty-four.

Also, Assembly Bill No. 81—An Act to amend an Act entitled an Act concerning County Judges.

BARNES, Chairman.

By Mr. Turner:

Mr. Speaker: Your Committee on Elections, to whom was referred Assembly Bill No. 59—An Act to fix the time for electing Representatives to Congress—have considered the same and report it back and recommend its passage.

TURNER, Chairman.

By Mr. Spencer:

Mr. Speaker. The Committee on Judiciary having considered Assembly Bill No. 44—An Act to authorize County Judges to hold Courts in other counties than those for which they have been elected, in certain cases—report the same back and recommend its passage.

Also, Assembly Bill No. 74—An Act to amend an Act entitled an Act to provide for the official valuation of life insurance policies, approved

April fourth, eighteen hundred and seventy—report the same back and recommend its passage.

Also, Assembly Bill No 75—Proposed amendment to the Constitution—report the same back, with amendment, and recommend its passage as amended.

Also, Assembly Bill No 67—An Act defining the time within which certain actions may be brought—report the same back and recommend that it do not pass.

Also, Assembly Bill No. 54—An Act to amend an Act entitled an Act concerning crimes and punishments, approved April sixteenth, eighteen hundred and fifty—report the same back and recommend that it do not pass.

Also, Assembly Bill No. 27—An Act to repeal an Act entitled an Act to amend an Act entitled an Act to regulate proceedings in the Courts of justice of this State, passed April twenty-ninth, eighteen hundred and fifty-one, approved April twenty-seventh, eighteen hundred and sixty-three—report that the bill is ambiguous, inasmuch as there are two Acts of the same title and approved the same day, as the one named in the bill which it purports to repeal—the one relating to the competency of witnesses, entitled "An Act to amend an Act entitled an Act to regulate proceedings in civil cases in the Courts of justice of this State, passed April twenty-ninth, eighteen hundred and fifty-one, approved April twenty-seventh, eighteen hundred and sixty-three," and found on page seven hundred and one of the statutes of eighteen hundred and sixty-three, the other, commonly known as the "Specific Contract Act," entitled "An Act to amend an Act entitled an Act to regulate proceedings in the Courts of justice of this State, passed April twenty-ninth, eighteen hundred and fifty-one, approved April twenty-seventh, eighteen hundred and sixty-three," and found on page six hundred and eighty-seven of the statutes of eighteen hundred and sixty-three.

If the repeal of the last named Act is sought by the bill in question, its passage would remove from the Practice Act several indispensable provisions, thereby causing serious injury.

On these grounds the committee recommend that the bill be referred back to its author, with the request that a new bill be drafted.

Also, Assembly Bill No 38—An Act to change the name of Lewin Hirschkowitz to Leopold Harris—report that the person seeking a change of name has a speedy and ample remedy, by special proceedings in the County Court, by virtue of an Act entitled "An Act to authorize County Courts to change the names of persons in the cases therein specified," approved February twentieth, eighteen hundred and sixty-six, and therefore recommend that the bill do not pass.

Also, the petition relative to testimony in Courts of justice—report the same back and recommend that it be referred to the Siskiyou delegation, to draft and present a bill in furtherance of the object sought in the petition.

Also, having considered Assembly Bill No 56—An Act to prevent the purchasing of stolen goods from minors—report the same back with a substitute, and recommend the passage of the substitute.

SPENCER, Chairman.

By Mr. Galloway:

Mr SPEAKER: The Committee on Public Expenditures and Accounts, to whom was referred Assembly Bill No 79—An Act creating the office of Mail and Express Messenger of the Capitol, defining his duties and compensation therefor—beg leave to report that they have had the same under consideration and report the same back with amendments, and recommend the passage of the bill as amended

GALLOWAY, Chairman.

By Mr. Rice:

Mr. SPEAKER: The delegation from Marin County, to whom was referred Assembly Bill No 98—An Act supplementary to and amendatory of an Act entitled an Act to authorize the Board of Supervisors of Marin County to issue and sell bonds of said county and apply the proceeds thereof to the construction of wagon roads in said county, approved March fourth, eighteen hundred and seventy—have had the same under consideration, and report it back to the House and recommend its passage.

RICE, of Delegation.

MOTIONS AND RESOLUTIONS.

On motion of Mr. Wilcox, Assembly Bill No 76, above reported, was referred to Mariposa delegation.

By Mr. McCullough.

Resolved, That the Postmaster of the House be authorized and directed to forward mail and express matter of members to such places as may be designated by the members during the recess.

Adopted.

NOTICES.

Notice of the introduction of bills was given as follows:

By Mr. Schrack—An Act repealing all Acts creating the County of Calaveras, and for an Act providing for the government of said County of Calaveras.

By Mr. Ellis—An Act for the destruction of wild animals in the County of Los Angeles

Also, an Act for a trespass and no-fence law in the County of Los Angeles

Also, an Act relating to grand and petit larceny

Also, an Act asking the State to assist District Fairs.

By Mr Reed—An Act prohibiting the sale of intoxicating drinks to certain persons

Also, an Act concerning Superintendents of Streets and property holders

By Mr. Woodward—An Act to amend section one of an Act entitled an Act to regulate descents and distributions, approved April thirteenth, eighteen hundred and fifty.

NEW STANDING RULE.

Mr Luttrell offered the following additional Rule, which by adoption by the House is included in the Standing Rules of the Assembly as No. 81.

Rule No 81. It shall be the duty of the Committee on Rules and Regulations, whenever there is a resolution offered for additional help in any of the various departments of clerical or other assistance in this Assembly, to inquire into the necessity for such proposed help, and report to the House, when the Assembly shall proceed to vote upon the passage of the resolution which has been referred and reported. The Committees on Engrossment and Enrollment, respectively, shall appoint such Clerks as the Assembly may under the above proceedings authorize and direct, such Assistant Clerks to receive the usual per diem allowed by law to Engrossing and Enrolling Clerks. And the Chief Clerk shall appoint such additional Copying Clerks as may be needed from time to time in the proper prosecution of the business of the House, the necessity for such additional Clerks to be reported by the Committee on Rules and Regulations, and certified to by the Speaker of the House, but the House may refuse to ratify any appointments made by the Engrossing and Enrolling Committees, or by the Chief Clerk.

Adopted.

AMENDMENT TO RULES

Mr Luttrell moved to amend No. 1 of the Standing Rules by striking out "ten o'clock" and inserting "eleven o'clock" as the hour for daily meeting.

Adopted

In accordance with notice given yesterday, Mr Luttrell moved that Rule No 10 of the Standing Rules be changed so as to constitute seven members the Committee on Education, instead of five.

The motion was adopted by a dividing vote of thirty-eight in the affirmative to fifteen in the negative.

Mr. Jost gave notice of a motion to reconsider.

Mr. Luttrell also moved to amend Rule No. 13 so as to increase the members of the Committee on Public Buildings and Grounds from seven to nine

On adopting the motion the ayes and noes were called by Messrs. Baird, Jost, and Berry, and the House refused to adopt by the following vote.

AYES—Messrs. Aldrich, Bacon. Barker, Barklage, Barnes, Bradley, Bockius, Brown, Burckhalter, Chalmers, Cooper, Crane, Dannals, Days, De Haven, French, Galloway, Gray, Hopper, James, Johnston, Jost, Little, Lotton, Long, Luttrell, Mott of Sacramento, McCullough, Pardee, Reed, Rice, Russ, Schrack, Seibe, Sensabaugh, Slaughter, Spencer, Splivalo, Stillwagon, Turner, Walker, Welty, Wheaton, Whiting, Whitney, and Wright—46.

NOES—Messrs. Andrews, Baird, Bayley, Bell, Berry, Caldwell, Center, Coleman, Edgar, Ellis, Everett, Franck, Freeman, Gibson, Hayes, Henshaw, Lee, Mathers, Meeker, Mott of Los Angeles, Munday, Rector, Sammons, Sargent of Santa Clara, Tinnin, Wilcox, Woodward, and Mr. Speaker—28.

ENROLLMENT.

Mr. Gibson made the following report:

Mr. SPEAKER: Your Committee on Enrollment beg leave to report that we have examined and find correctly enrolled Assembly Bill No 3—An Act to provide additional funds for the support of the common schools of Siskiyou County for the school year commencing on the first day of July eighteen hundred and seventy one, and ending the thirtieth day of June, eighteen hundred and seventy two.

Also, Assembly Bill No. 20—An Act to authorize the Board of Supervisors of Solano County to levy an additional road tax

Also, Assembly Bill No. 30—An Act in relation to the road tax of the County of Alameda collected within the City of Oakland.

And did this day, at seven minutes before twelve o'clock A. M., present the same to the Governor for his approval.

GIBSON, Chairman.

RULES SUSPENDED.

On motion of Mr Bacon, the rules were suspended, and Senate Bill No. 25—An Act to define and establish the boundary line of the City of Sonora—was read the third time and passed.

INTRODUCTION OF BILLS.

Bills were introduced as follows:

By Mr. Wright—An Act to provide for the appointment of two additional Notaries Public for the County of Solano.

Read first and second times and placed on file.

By Mr. Gibson—An Act to provide for the location, construction, and maintenance of public roads in the County of Calaveras.

Read first and second times and referred to Calaveras delegation

By Mr. Reed—An Act to amend an Act entitled an Act concerning trade marks and names

Read first and second times and referred to Committee on Commerce and Navigation.

By Mr Hopper—An Act concerning military companies of this State.

Read first and second times and referred to Committee on Military Affairs.

SENATE MESSAGE.

The following message was received from the Senate:

SENATE CHAMBER,
December 21st, 1871.

MR. SPEAKER: I am directed to inform your honorable body that the Senate, on twentieth instant, refused to concur in Assembly amendment to Senate Concurrent Resolution No. 10—Relative to printing message and inaugural address of Governor Booth

And passed Assembly Bill No. 47—An Act to legalize the assessment of the taxes in the County of Santa Cruz.

Also, Assembly Bill No. 22—An Act to incorporate the Town of Chico, Butte County

Also, Assembly Bill No 66—An Act supplementary to an Act entitled an Act to provide for the incorporation of colleges

Also, Senate Concurrent Resolution No. 13—Relative to printing report of the Commission in Lunacy—and ask your concurrence.

Also, Senate Bill No 31—on the nineteenth instant—An Act to authorize the District Attorney of Placer County to appoint a deputy.

SHACKLEFORD, Assistant Secretary.

CONSIDERATION OF THE MESSAGE.

Mr. Andrews moved that the House do recede from the amendment to Senate Concurrent Resolution No 10, above reported, made in Assembly.

On the question, the ayes and noes were demanded by Messrs Jost, Galloway, and Burckhalter, and the House refused to recede by the following vote.

AYES—Messrs. Andrews, Baird, Bayley, Berry, Burckhalter, Caldwell, Cooper, Dannals, Days, Everett, French, Galloway, Henshaw, Little, Lofton, Luttrell, Munday, Rice, Slaughter, Spencer, Tinnin, Wheaton, Whiting, and Woodward—24.

NOES—Messrs Aldrich, Bacon, Barker, Barklage, Barnes, Bell, Bradley, Bocknus, Brown, Center, Chalmers, Coleman, Connolly, Crane, De Haven, Edgar, Ellis, Franck, Freeman, Gibson, Gray, Hayes, Hopper, James, Johnston, Jost, Lee, Long, Mathers, Meeker, Mott of Los Angeles, Mott of Sacramento, McCullough, Pardee, Rector, Reed, Russ, Sammons, Sargent of Santa Clara, Schrack, Seibe, Sensabaugh, Splivalo, Stillwagon, Turner, Walker, Welty, Whitney, Wright, and Mr. Speaker —50

On motion of Mr. Splivalo, a Committee of Conference was appointed, and the appointment of a similar one on the part of the Senate was requested.

The Speaker appointed Messrs. Splivalo, Jost, and Andrews, for the Assembly, on the disagreeing vote of the two Houses.

The House concurred in Senate Concurrent Resolution No. 13, above reported

Mr. Jost moved to adjourn

Lost.

QUESTION OF PRIVILEGE.

Mr. Pardee rose to a question of privilege, having relation to the appointment of a Clerk to the Committee on Public Buildings and Grounds.

MAIL MESSENGER

On motion of Mr Mott of Sacramento, the rules were suspended, and Assembly Bill No. 79—An Act creating the office of Mail and Express Messenger of the Capitol, defining his duties, and compensation therefor—was taken up.

Mr. Luttrell moved to strike out section four of the bill, and the House agreed

Mr Welty moved to indefinitely postpone the bill.

The ayes and noes were demanded by Messrs Mott of Sacramento, Reed, and Johnston, with the following result:

AYES—Messrs. Aldrich, Barklage, Barnes, Bayley, Bell, Bockius, Brown, Burckhalter, Caldwell, Center, Chalmers, Coleman, Cooper, Dannals, Days, Everett, Franck, Freeman, Gibson, Gray, Henshaw, James, Jost, Lee, Little, Lotton, Long, Luttrell, Mathers, Mecker, Munday, McCullough, Pardee, Rice, Russ, Sammons, Sargent of Santa Clara, Seibe, Sensabaugh, Slaughter, Spencer, Sphvalo, Stillwagon, Turner, Welty, Wheaton, Whitney, and Wright—48.

NOES—Messrs. Andrews, Bacon, Baird, Barker, Berry, Bradley, Connolly, Crane, De Haven Edgar, Ellis Galloway, Hayes, Hopper, Johnston, Mott of Los Angeles, Mott of Sacramento, Reed, Schrack, Tinnin, Walker, Whiting, and Mr. Speaker—23.

So the bill was indefinitely postponed.

Mr. Barker moved to suspend the rules for the introduction of a resolution

Lost.

At one o'clock, on motion of Mr. Turner, the House adjourned to meet again at two o'clock P. M. on Thursday, January fourth, eighteen hundred and seventy-two.

T. B. SHANNON, Speaker.

M D BORUCK, Chief Clerk

IN ASSEMBLY.

HOUSE OF ASSEMBLY,
Thursday, January 4th, 1872.

House met pursuant to adjournment.

The Speaker in the Chair.

Roll called.

Quorum present.

Prayer by the Chaplain.

The Journal of Thursday, December twenty-first, was read and approved.

LEAVE OF ABSENCE.

Indefinite leave of absence was granted to Mr. Burckhalter.

Mr. Rector and Mr. Henshaw, each for two days.

Messrs Reed, Andrews, Cooper, Chalmers, Brown, Eagan, and Ward, for one day each.

PETITIONS.

Petitions were presented as follows:

By Mr. Gray:

From the Ladies' Protection and Relief Society, asking an appropriation of thirty thousand dollars for the benefit of the institutions conducted by them.

Referred to Committee on Ways and Means.

By Mr Dannals.

From citizens of San Diego, asking an increase of the salary of the Superintendent of Public Schools of that county.

Referred to San Diego delegation.

REPORTS.

Reports were made as follows:

By Mr. Luttrell:

Mr. SPEAKER: The Committee on Rules and Regulations, to whom was referred the resolution authorizing the San Francisco delegation to appoint a clerk, have had the same under consideration, and having fully investigated the necessity existing for the services of such clerk, report back the resolution and recommend its passage.

The rules were suspended on motion of Mr. Gray and the resolution above reported adopted.

By Mr. Franck:

Mr. SPEAKER: Your Committee on Public Morals, to whom was referred Assembly Bill No. 24—An Act requiring compensation for causing injury by selling or giving away intoxicating liquors—beg leave to report that they have had the same under consideration and report it back with the recommendation that it do not pass.

FRANCK, Chairman.

By Mr. Goodall:

Mr. SPEAKER: The Committee on Commerce and Navigation, to whom was referred Assembly Bill No. 34—An Act to authorize George Chism, his associates and assigns, to construct and maintain a chute and landing at Chism's Landing, in Mendocino County, and to charge and collect toll for the use of the same—have examined the same and recommend it back and that it do not pass, there being already a general law covering the case.

GOODALL, Chairman.

MESSAGE FROM THE SENATE.

The following message was received from the Senate:

SENATE CHAMBER,
December 21st, 1871.

Mr SPEAKER: I am directed to inform your honorable body that the Senate on this day concurred in Assembly Concurrent Resolution No. 7—Relative to appointment of committee to translate legislative proceedings into Spanish—and the President of the Senate has appointed Messrs. Farley, Evans, and Van Ness on the part of the Senate.

Also, Senate Joint Resolution No. 1—Relative to certain lands of the Sacramento and Placerville Railroad to homestead and preemption.

Also, Assembly Joint Resolution No 6—Instructing our members of Congress to establish a mail route from Weaverville to Trinity Center.

Also, Assembly Bill No 65—An Act to authorize the executors of the will of John C. Keenan, deceased, to mortgage certain real estate of their testator.

SHACKELFORD,
Assistant Secretary.

Senate Joint Resolution No 1, above reported, was read first and second times and referred to Committee on Federal Relations.

MOTIONS AND RESOLUTIONS.

Resolutions were offered as follows:

By Mr Luttrell:

WHEREAS, By a publication in one of the leading papers published at the seat of Government, and frequent assertions within the hearing of legislators it is charged that the late State Capitol Commissioners have been derelict in their duties, and that frauds upon the State Treasury have been perpetrated by employes on the State Capitol and Governor's Mansion, if not with their connivance with their criminal neglect, therefore, be it

Resolved, By the Assembly of the State of California, for the purpose of doing justice to all concerned, and to place the blame, if any exists, in these alleged charges of peculations and frauds upon the proper persons, that a committee of five be appoined by the Speaker to investigate the matters embraced in the preamble, with power to send for persons and papers and to administer oaths and affirmations, and to report to this House the facts in regard to the same.

Mr. Hopper moved to refer the resolution to the Committee on Public Buildings and Grounds.

Wherefore, the ayes and noes were demanded by Messrs. Bayley, Whiting, and Bell, with the following result.

AYES—Messrs. Aldrich, Bacon, Barker, Barklage, Berry, Bradley, Caldwell, Coleman, Crane, De Haven, Edgar, Everett, Franck, Freeman, French, Goodall, Harvey, Hayes, Hopper, James, Johnston, Lee, Lofton, Long, Meeker, Mott of Sacramento, McCullough, Pardee, Rice, Russ, Sammons, Sargent of Santa Clara, Sargent of San Joaquin, Spencer, Stillwagon, Turner, Welty, Whitney, Woodward, Wright, and Mr. Speaker—41.

NOES—Messrs. Baird, Barnes, Bayley, Bell, Center, Connolly, Dannals, Days, Ellis, Galloway, Jost, Little, Luttrell, Mathers, Mott of Los Angeles, Munday, Scibe, Sensabaugh, Slaughter, Tinnin, Walker, Whiting, and Wilcox—23.

And the resolution was referred accordingly.
By Mr. Johnston:

A joint resolution, providing for a ratification of the fifteenth amendment to the Constitution of the United States.

Read first and second times and referred to Committee on Federal Relations
By Mr. Wheaton:

A resolution for the printing of one hundred copies of the Standing Rules of the Assembly as amended, including a list of the Standing Committees and Joint Rules of the Senate and Assembly.

Adopted
By Mr. Luttrell.

A memorial and joint resolution asking Congress for a law authorizing the construction of a wagon and turnpike road from the Town of Ætna Mills, in Siskiyou County, to the Town of Arcada, in Humboldt County.

Read first and second times, referred to Committee on Federal Relations, and ordered printed.
By Mr. Hayes:

Resolved, That the Sergeant at Arms be authorized to furnish an authentic map of this State for the use of the Committee on Counties and County Boundaries, to be paid for out of the Contingent Fund of the Assembly.

Referred to Committee on Rules and Regulations.

NOTICES.

Notices of the introduction of bills were given as follows:

By Mr. Luttrell—An Act to amend an Act entitled an Act to provide for the appointment and prescribe the duties of guardians.
By Mr. Pardee—An Act to amend an Act entitled an Act to regulate proceedings in the Courts of justice of this State, approved April twenty-ninth, eighteen hundred and fifty-one.

INTRODUCTION OF BILLS.

Bills were introduced as follows:

By Mr. Crane—An Act to repeal an Act entitled an Act to encourage the destruction of squirrels and gophers in certain counties of this State, so far as relates to the County of Alameda.

Read first and second times and referred to Alameda delegation.

By Mr. Harvey—An Act to increase the revenue of the School Fund.

Read first and second times and placed on file.

By Mr. Goodall—An Act to regulate wharfage and dockage and abolish tolls in the Harbor of San Francisco

Read first and second times and referred to Committee on Commerce and Navigation, and ordered printed.

Also, an Act to repeal section four of an Act entitled an Act to provide and pay for services rendered for the City and County of San Francisco, approved March fourth, eighteen hundred and seventy

Also, an Act to repeal an Act entitled an Act to confer further powers upon the Board of Supervisors of the City and County of San Francisco, approved April twenty-fifth, eighteen hundred and sixty-three.

Also, an Act to repeal an Act entitled an Act authorizing the condemnation of private property within the limits of the public streets of the City and County of San Francisco, within the Laguna survey, approved March twenty-fifth, eighteen hundred and seventy.

Severally read first and second times and referred to San Francisco delegation

By Mr. Wilcox—An Act to tax and regulate foreign insurance companies doing business in the State of California.

Read first and second times, referred to Committee on Ways and Means, and ordered printed.

By Mr. Mathers—An Act to amend an Act entitled an Act concerning roads and highways in the County of Mendocino, approved March, A. D. eighteen hundred and sixty-eight, and amended February, A. D. eighteen hundred and seventy.

Also, an Act to authorize the Board of Supervisors of Mendocino County to issue bonds of said county and apply the same to the construction of wagon roads in said county

Severally read first and second times and referred to Mendocino delegation.

By Mr Luttrell—An Act to amend an Act entitled an Act to exempt certain property from execution and forced sale.

Read first and second times and referred to Judiciary Committee.

By Mr Whiting—An Act for the relief of D. B. Akey.

Read first and second times and referred to Committee on Claims.

SUSPENSION OF THE RULES.

The rules being suspended, Mr. Wilcox verbally reported back Assembly Bill No 76, referred to Mariposa delegation, asking that it be recommitted to Committee on Claims, and it was so ordered.

FURTHER INTRODUCTION OF BILLS.

By Mr. Gray—An Act to amend an Act to regulate the settlement of the estates of deceased persons, passed May first, eighteen hundred and fifty-one.

Also, an Act to provide for the distribution of the California Reports, and for the completion of the sets of the same for judicial officers.

Also, an Act to amend an Act to regulate proceedings in civil cases in the Courts of justice of this State, passed April twenty-ninth, eighteen hundred and fifty-one, and other Acts amendatory thereto.

Severally read first and second times, referred to Judiciary Committee, and ordered printed.

LEAVE OF ABSENCE

Mr. Brown was granted indefinite leave of absence.

FURTHER INTRODUCTION OF BILLS.

By Mr Russ—An Act concerning roads in the County of Humboldt.

Read first and second times and referred to Committee on Roads and Highways.

SUSPENSION OF THE RULES.

The rules were suspended for the introduction of a resolution offered by Mr Spencer, to authorize the appointment of a Clerk by the Committee on Public Buildings and Grounds.

On motion of Mr. Johnston, the resolution was referred to Committee on Rules and Regulations

GENERAL FILE.

Assembly Bill No 18—An Act to amend an Act entitled an Act to authorize the Council of the City of Oakland to lay out, open, or improve streets in said city.

Read a third time and passed.

Assembly Bill No 2—An Act to repeal an Act entitled an Act authorizing the publication of certain legal notices in a State paper printed at the seat of government of the State of California, approved March twenty-ninth, eighteen hundred and seventy.

Read a third time and passed.

Mr. Woodward gave notice of a motion to reconsider.

Assembly Bill No 61—An Act concerning hogs running at large in the County of Sutter.

Mr. Berry moved to refer the bill, with several amendments offered, to the Judiciary Committee

Mr Barker moved to adjourn.

Lost.

The amendments offered were adopted and the bill referred according to the motion of Mr Woodward.

At three o'clock and forty-seven minutes P. M., on motion of Mr. Gibson, the House adjourned.

T. B. SHANNON,
Speaker.

M. D. Boruck, Chief Clerk.

IN ASSEMBLY.

HOUSE OF ASSEMBLY,
Friday, January 5th, 1872.

House met pursuant to adjournment.
Speaker in the chair.
Roll called
Quorum present.
Prayer by the Chaplain.
Journal of yesterday read and approved.

LEAVE OF ABSENCE.

Leave of absence was granted to Mr. Reed for two days, and to Mr. Eagan indefinitely.

REPORTS.

Reports were made as follows:

By Mr. Luttrell:

Mr. SPEAKER: Your Committee on Rules and Regulations, to whom was referred the resolution authorizing the Committee on Public Buildings and Grounds to employ a clerk, have had the same under consideration and report the same back, with the recommendation that it pass, provided said committee shall proceed immediately to the investigation of the public buildings and grounds, and at the close of such investigation shall discharge the clerk.

LUTTRELL, Chairman

The rules were suspended and the resolution above reported was taken up, and, as amended, adopted.

By Mr. Gray:

Mr. SPEAKER: The Committee on Corporations report that they have duly considered Assembly Bill No. 15—An Act in relation to sales and conveyances made by the Garden Land Homestead Association—and they recommend its passage.

GRAY, Chairman.

By Mr Lee:

MR. SPEAKER: Your committee to whom was referred Senate Bill No. 31—An Act to authorize the District Attorney of Placer County to appoint a deputy—beg leave to report that they have had the same under consideration and respectfully recommend that it do not pass

LEE, for Delegation.

By Mr. Stillwagon:

MR. SPEAKER: Napa, Lake, and Sonoma delegation have examined Bill No. 94, report favorably, and recommend its passage.

STILLWAGON, for Delegation.

MESSAGE FROM THE GOVERNOR.

The following message was received from the Governor:

STATE OF CALIFORNIA, EXECUTIVE DEPARTMENT,
Sacramento, December 29th, 1871.

To the Assembly of the State of California:

I have to inform your honorable body that I have approved Assembly Bill No 36—An Act in relation to the road tax of the County of Alameda collected within the City of Oakland.

Also, Assembly Bill No. 20—An Act entitled an Act to authorize the Board of Supervisors of Solano County to levy an additional road tax.

NEWTON BOOTH,
Governor.

MOTIONS AND RESOLUTIONS.

Resolutions were offered as follows:

By Mr. French:

Resolved, That the Assembly Committee on Public Buildings and Grounds be increased by the appointment of one additional member by the Speaker.

Adopted.

Mr. Speaker announced the appointment of Mr. Mott of Sacramento, in accordance with the above resolution, and also the appointment of Messrs Splivalo and Cooper to the Committee on Education.

By Mr. Everett.

A joint resolution urging the establishment of the duty on quicksilver.

Read first and second time and referred to Committee on Federal Relations

By Mr. Crane:

To allow a Clerk to the Committee on State Prison.

Referred to Committee on Rules and Regulations.

By Mr Barker:

An amendment to Rule Six.

Referred to Committee on Standing Rules.

By Mr Dannals:

A memorial from the San Diego Chamber of Commerce respecting the Trespass Law.

Referred to Committee on Agriculture.

REPORT.

The rules were suspended for the following report:

By Mr. Crane:

Mr. Speaker. The Alameda delegation, to whom was referred an Act entitled an Act to encourage the destruction of squirrels and gophers in certain counties of this State, recommend its passage.

E T CRANE.
E. H. PARDEE.

The rules were again suspended, and the bill above reported was taken up, considered engrossed, read third time, and passed.

MOTIONS AND RESOLUTIONS RESUMED.

By Mr. Splivalo—A resolution to allow the Journal Clerk to appoint an assistant, with the usual per diem allowed such assistants.
Referred to Committee on Rules and Regulations.

SENATE MESSAGE.

The following message was received from the Senate:

Mr. Speaker I am directed to inform your honorable body that the Senate on this day passed Senate Bill No 26—Relative to appropriating money for contingent expenses of the Legislature at its eighteenth session

Also, Senate Concurrent Resolution No 15—Relative to Report of Commissioner in Lunacy

Also, Senate Concurrent Resolution No. 16—Requesting Congress to establish a National Bureau of Education.

Also, under a suspension of the rules Senate Concurrent Resolution No. 17—Relative to Capitol building.

I am further instructed to inform your honorable body that the Senate this day appointed in its behalf Messrs. Betge, Evans, and McMurry a Committee of Conference to act in relation to printing the second biennial message of Governor Haight and the inaugural of Governor Booth.

FERRAL, Secretary.

CONSIDERATION OF THE MESSAGE.

Senate Bill No 26, above reported, was read first and second times and referred to the Committee on Claims

The House concurred in Senate Concurrent Resolution No 15, above reported.

Senate Concurrent Resolution, above reported, was read first and second times and referred to Committee on Federal Relations.

Senate Concurrent Resolution No. 17 being taken up, on a motion of Mr. Crane to refer to the Committee on Public Buildings and Grounds,

the ayes and noes were demanded by Messrs. Luttrell, Bayley, and Whitney, and the resolution was so referred by the following vote:

AYES—Messrs Aldrich, Bacon, Baird, Barker, Barklage, Berry, Bradley, Bockius, Coleman, Crane, De Haven, Edgar, Franck, Freeman, French, Goodall, James, Lee, Lofton, Long, Meeker, McCullough, Pardee, Rice, Russ, Sammons, Sargent of Santa Clara, Sargent of San Joaquin, Spencer, Splivalo, Stillwagon, Turner, Wheaton, Whitney, Woodward, Wright, and Mr. Speaker—37.

NOES—Messrs. Barnes, Bayley, Bell, Caldwell, Center, Chalmers, Connolly, Dannals, Days, Ellis, Everett, Galloway, Gibson, Gray, Harvey, Hayes, Henshaw, Johnston, Jost, Little, Luttrell, Mathers, Mott of Los Angeles, Mott of Sacramento, Munday, Schrack, Seibe, Sensabaugh, Slaughter, Tinnin, Walker, Whiting, and Wilcox—33.

NOTICES.

Notice of the introduction of bills was given as follows:

By Mr. Luttrell—An Act to provide for the keeping of stallions and other animals.

By Mr Barnes—An Act concerning roads and highways in the Counties of Plumas and Lassen.

Also, an Act for the relief of Thomas Lang.

By Mr. Bayley—An Act to provide for the better protection of private property in certain counties of this State.

By Mr Barker—An Act to regulate the sale of alcoholic liquors.

By Mr Stillwagon—An Act conferring certain powers on the Board of Supervisors of Lake County.

By Mr Barklage—An Act to amend an Act entitled an Act to authorize H. H. Smith and others to construct and maintain a turnpike road from Cave Valley to a point on the line of the Central Pacific Railroad at or near Auburn Station, approved March thirty-first, eighteen hundred and sixty-six.

INTRODUCTION OF BILLS.

Bills were introduced as follows:

By Mr. Luttrell—An Act to amend an Act entitled an Act to provide for the appointment and prescribe the duties of guardians, approved April nineteenth, eighteen hundred and fifty.

Read first and second times and referred to Judiciary Committee.

By Mr Mott of Los Angeles—An Act to repeal an Act to create a Board of Water Commissioners in the City of Los Angeles and to define their powers and duties.

Read first and second times and referred to Los Angeles delegation.

Also, an Act to regulate practice in the Supreme Court.

Read first and second times and referred to Judiciary Committee.

By Mr Wilcox—An Act supplemental to an Act entitled an Act concerning corporations, passed April twenty-second, eighteen hundred and fifty.

Read first and second times, referred to Committee on Corporations, and ordered printed.

By Mr. Ellis—An Act to encourage the destruction of squirrels, gophers, and other wild animals in the County of Los Angeles.

Read first and second times and referred to Committee on Agriculture.

By Mr Freeman—An Act to amend section twenty-one of an Act entitled an Act to regulate fees of office and salaries of certain officers, and to repeal certain other Acts in relation thereto, approved March fifth, eighteen hundred and seventy.

Read first and second times and referred to Committee on Education, with an accompanying request that the committee report on the bill at their earliest convenience.

By Mr. Pardee—An Act for the relief of the City of Oakland.

Read first and second times and referred to Alameda delegation.

By Mr. Wheaton—An Act in relation to life insurance.

Also, an Act to regulate the forfeiture of policies of life insurance.

Severally read first and second times and referred to Committee on Corporations.

Also, an Act in relation to the office of County Clerk of the City and County of San Francisco.

Read first and second times and referred to San Francisco delegation.

By Mr. Chalmers—An Act to legalize the assessment and equalization of taxes in the County of El Dorado.

Read first and second times and referred to El Dorado delegation.

By Mr. Spencer—An Act to repeal an Act entitled an Act providing for the recording of the papers filed in the Probate Court of the County of Santa Clara, in certain cases, approved April second, eighteen hundred and seventy.

Read first and second times and referred to Santa Clara delegation.

RECONSIDERATION REFUSED.

In accordance with the notice, Mr. Woodward moved that the House reconsider the vote whereby Assembly Bill No. 2 was passed on yesterday

The ayes and noes were demanded by Messrs. Woodward, Johnston, and Hopper, with the following result:

AYES—Messrs Bacon, Barker, Barklage, Bradley, Bockius, Center, Chalmers Coleman, Crane, Days, Harvey, Hayes, Hopper, James, Johnston, Lofton, Long, Mott of Sacramento, McCullough, Pardee, Rice, Sammons, Sargent of San Joaquin, Seibe, Turner, Whitney, and Woodward —27.

NOES—Messrs. Aldrich, Baird, Barnes, Bayley, Bell, Berry, Caldwell, Connolly, Dannals, Edgar, Ellis, Everett, Franck, Freeman, French, Galloway, Gibson, Goodall, Gray, Henshaw, Jost, Lee, Little, Luttrell, Mathers, Mecker, Mott of Los Angeles, Munday, Russ, Sargent of Santa Clara, Schrack, Sensabaugh, Slaughter, Spencer, Splivalo, Tinnin, Walker, Welty, Wheaton, Whiting, Wilcox, Wright, and Mr. Speaker—42.

REPORT.

Mr. Barnes made the following report:

Mr. SPEAKER: The Committee on Engrossment report that they have examined Assembly Bill No. 103—An Act to repeal an Act entitled an

Act to encourage the destruction of squirrels and gophers, approved March fourteenth, eighteen hundred and seventy, so far as it relates to the County of Alameda—and find the same correctly engrossed.

BARNES, Chairman.

GENERAL FILE.

Resolution relative to appointment of special committee of three by the Speaker, to whom all resolutions and motions for appointment of additional officers and clerks should be referred

The House refused to adopt Assembly Bill No. 58—An Act to change the salary of the County Judge of Fresno County.

House refused to pass to engrossment Assembly Bill No. 40—An Act to fix the salary of the County Judge of San Mateo County.

Amendments adopted, and House refused to engross.

Assembly Bill No 11—An Act to amend an Act entitled an Act to consolidate certain school districts of the Counties of El Dorado and of Sacramento, approved April twenty-fifth, eighteen hundred and sixty-three.

Also, Assembly Bill No. 68—An Act granting W. L Carter, County Superintendent of Public Schools elect of Shasta County, leave of absence from the State.

Severally ordered engrossed.

Assembly Bill No 30—An Act to authorize the Board of Supervisors of Marin County to issue and sell bonds of said county, and apply the proceeds thereof to the building of a Court House at the county seat of said county.

Amendments reconsidered and adopted, rules suspended, considered engrossed, read third time and passed, and title amended.

Assembly Bill No. 49—An Act to facilitate telegraphic communication between America and Asia.

Also, Assembly Bill No. 82—An Act to amend an Act entitled an Act to regulate fees of office and salaries of certain officers, and to repeal certain other Acts relative thereto, approved March fifth, eighteen hundred and seventy.

Rules suspended, severally considered engrossed, read a third time, and passed.

Senate concurrent resolution relative to investigation of the affairs of the State University.

Mr. Meeker moved to indefinitely postpone the resolution.

Mr. Whiting moved to adjourn.

Lost.

The ayes and noes were demanded on the motion of Mr Meeker, by Messrs. Bayley and Whiting, with the following result.

AYES—Messrs. Aldrich, Bacon, Baird, Barnes, Bradley, Bockius, Coleman, Crane, Days, De Haven, Edgar, Everett, Franck, French, Galloway, Goodall, Hayes, James, Johnston, Lee, Lofton, Meeker, McCullough, Pardee, Rice, Russ, Sargent of Santa Clara, Sargent of San Joaquin, Sebe, Spencer, Sphivalo, Stillwagon, Wheaton, Whitney, Woodward, and Wright—35.

NOES—Messrs. Barklage, Bayley, Berry, Caldwell, Center, Chalmers, Connolly, Dannals, Ellis, Freeman, Gibson, Harvey, Henshaw, Little, Luttrell, Mott of Los Angeles, Mott of Sacramento, Munday, Schrack,

Sensabaugh, Slaughter, Timmin, Turner, Walker, Welty, Whiting, and Mr. Speaker—31.

Assembly Bill No. 74—An Act to amend an Act entitled an Act to provide for the official valuation of life insurance policies, approved April fourth, eighteen hundred and seventy

Rules suspended, considered engrossed, read a third time, and passed.

Assembly Bill No 59—An Act to fix the time for electing Representatives to Congress

On motion of Mr. Splivalo, recommitted to Committee on Elections.

At two o'clock P. M, on motion of Mr Pardee, the House adjourned.

T. B. SHANNON,
Speaker.

M. D. BORUCK, Chief Clerk.

IN ASSEMBLY.

HOUSE OF ASSEMBLY,
Saturday, January 6th, 1872.

House met pursuant to adjournment.
Speaker in the Chair
Roll called.
Quorum present
Prayer by the Chaplain.
Journal of yesterday was read and approved.

LEAVE OF ABSENCE

Mr. Hopper was granted leave of absence for two days.

MEMORIAL.

The Speaker presented a letter and memorial from Charles Lindley, one of the Code Commissioners, explaining the reasons for his resignation from the Commission

Referred to Judiciary Committee.

PETITIONS.

Petitions were offered as follows:

Mr Splivalo presented a petition from property holders along the line of the proposed extension of Montgomery street south, in the city of San Francisco, asking for the repeal of the Act authorizing such extension.

Referred to San Francisco delegation.

Mr. Mott of Los Angeles presented a petition from the Mayor and Common Council of Los Angeles, concerning the water canals, ditches, and zanjas within the city limits.

Read and placed on file with Assembly Bill No. 119, concerning those matters.

REPORTS

Reports were made as follows:

By Mr. Meeker:

Mr. SPEAKER: The Committee on Federal Relations, to whom was referred Assembly Joint Resolution No 5—Relative to the establishment of a tri-weekly mail from the Town of San Diego to Julian, in the County of San Diego—report that they have considered the same and recommend the adoption of the resolution submitted to them

MEEKER, Chairman.

Mr. SPEAKER: The Committee on Federal Relations, to whom was submitted Assembly Joint Resolution No. 3—In relation to instructing our Senators and requesting our Representatives in Congress to use their influence and urge upon the Federal Government the adoption of such treaty regulations and legislation as shall discourage their further immigration to our shores—report the same back and recommend the adoption of the resolutions.

MEEKER, Chairman.

By Mr. Spencer:

Mr. SPEAKER: The Committee on Judiciary, having considered Assembly Bill No 5—An Act to repeal an Act entitled an Act to protect litigants, approved March twenty-ninth, eighteen hundred and seventy—report it back and recommend its passage.

The committee further report that the passage of the foregoing entitled bill will render it necessary to amend an Act entitled an Act to regulate proceedings in civil cases in Courts of justice of this State, passed April twenty-ninth, eighteen hundred and fifty-one, and the committee therefore herewith report a bill for that purpose and recommend its passage.

Also, Assembly Bill No. 17—An Act to create the Eighteenth Judicial District—report it back without recommendation.

Also, Assembly Bill No. 46—An Act granting leave of absence to P. B. Nagle, District Attorney of Tehama County—report it back and recommend its passage.

Also. Assembly Bill No. 61—An Act concerning hogs running at large in the County of Sutter—report it back with a substitute, and recommend the passage of the substitute.

Also, Assembly Bill No. 93—An Act to amend an Act to provide for a system of public schools, approved April fourth, eighteen hundred and seventy-one—report it back and recommend that it do not pass.

Also, Assembly Bill No 90—An Act to regulate the pay of Grand Jurors in the County of Los Angeles—report the same back and recommend its passage.

Also, Assembly Bill No 92—An Act to amend an Act entitled an Act to regulate the settlement of the estates of deceased persons, passed May first, eighteen hundred and fifty-one—report it back with a substitute and recommend the passage of the substitute.

SPENCER, Chairman.

By Mr. Edgar:

Mr. SPEAKER: Your Committee on Roads and Highways, to whom was referred Assembly Bill No. 117—An Act concerning roads in the County of Humboldt—beg leave to report that they have had the same under consideration and recommend that the bill do not pass.

EDGAR, Chairman.

By Mr. Barnes:

Mr SPEAKER: Your Committee on Engrossment report that they have examined, and find correctly engrossed, Assembly Bill No 11—An Act to amend an Act entitled an Act to consolidate certain school districts of the Counties of El Dorado and of Sacramento, approved April twenty-fifth, eighteen hundred and sixty-three.

BARNES, Chairman.

REPORTS FROM SELECT COMMITTEES.

By Mr. Mott of Los Angeles

Mr. SPEAKER. The Los Angeles delegation, to whom was referred Assembly Bill No 119—An Act to repeal an Act entitled an Act to create a Board of Water Commissioners in the City of Los Angeles, and to define their duties and powers, approved April second, eighteen hundred and seventy—beg leave to report the same back and recommend its passage.

MOTT, for Delegation.

The rules were suspended and the bill above reported was taken up, the rules again suspended, the bill considered engrossed, read third time and passed

By Mr. Pardee:

Mr. SPEAKER: The Alameda delegation, to whom was referred Assembly Bill No. 124—An Act for the relief of the City of Oakland—has examined the same and recommend its passage.

PARDEE, Chairman.

The bill above reported was taken up under suspension of the rules and considered engrossed, the vote reconsidered, and the bill, on motion of Mr. Barker, was committed to the Committee on Ways and Means.

By Mr. Mathers.

Mr SPEAKER: Your committee, to whom was referred Assembly Bill No 110—An Act to amend an Act entitled an Act concerning roads and highways in the County of Mendocino, approved March tenth, eighteen hundred and sixty-eight, amended February tenth, eighteen hundred and seventy—have had the same under advisement and report the same back and recommend its passage.

MATHERS, Chairman.

The rules were again suspended, and the bill above reported taken up, and on motion of Mr. Barker, referred to the Committee on Roads and Highways.

By Mr. Splivalo:

Mr. SPEAKER: The Joint Committee of Conference on the disagreeing vote of the two Houses on Assembly amendment to Senate Concurrent Resolution No 10—Providing for the printing of two thousand copies of Governor Haight's and Governor Booth's messages in the German language—respectfully beg leave to report that they unanimously recommend the concurrence to the Assembly amendment.

A. D. SPLIVALO,
Chairman Assembly Committee.
ROBERT D. BETGE,
Chairman Senate Committee.

By Mr. Wheaton:

Mr. SPEAKER: The San Francisco delegation, to whom was referred Assembly Bill No 108—An Act to repeal an Act entitled an Act authorizing the condemnation of private property within the limits of the public streets of the City and County of San Francisco, within the Laguna survey, approved March twenty-fifth, eighteen hundred and seventy—having duly considered the same, report the bill back and recommend its passage.

Also, Assembly Bill No 88—An Act to repeal an Act entitled an Act for the relief of the free schools of the Presentation Convent of the City and County of San Francisco, approved April fourth, eighteen hundred and seventy—and recommend its passage.

Also, Assembly Bill No 87—An Act concerning the office of County Clerk in and for the City and County of San Francisco—with amendments, and recommend the passage of the bill as amended.

Also, Assembly Bill No 95—An Act providing for compensating the Board of Education of the City and County of San Francisco—and recommend that it do not pass.

WHEATON, Chairman.

MOTIONS AND RESOLUTIONS.

Resolutions were offered as follows:

By Mr. Barker:

Resolved, That the Committee on Public Buildings and Grounds be directed to inquire into the management of the affairs of all the State buildings, except the State Prison and Insane Asylum, with all the powers conferred on them, in regard to the State Capitol, Governor's Mansion, and State Normal School buildings.

Adopted.

By Mr. Days:

Resolved, That the Surveyor General be and he is hereby instructed to furnish to this House a statement of the number of acres of land belonging to the State of California sold since the first day of January, eighteen hundred and sixty-eight, with names of the purchasers, amount of land sold, and date of sale of all lots comprising more than three hundred and twenty acres of land to the same individual or firm, or combination

of individuals; also, the amount of land remaining to the State, designating whether swamp and overflowed, tide or other land, *provided*, that if any parties have bought lots of three hundred and twenty acres or under, and the aggregate of such lots sum up more than three hundred and twenty acres, then the aggregate sum, name, and date be given as herein provided.

Adopted.
By Mr. Chalmers:

Mr. SPEAKER: Your committee to whom was referred Assembly Bill No. 118—An Act to legalize the assessment and equalization of taxes in El Dorado County—have had the same under consideration, and beg leave to report favorably and recommend its passage.

CHALMERS, for Delegation.

MESSAGES FROM THE SENATE.

The following messages were read.

SENATE CHAMBER,
January 5th, 1872.

Mr. SPEAKER: I am directed to inform your honorable body that the Senate on this fifth day of January, eighteen hundred and seventy-two, passed Assembly Bill No 50—Separating the office of County Recorder from that of County Clerk in the County of Mendocino.

FERRAL, Secretary.

SENATE CHAMBER,
January 6th, 1872.

Mr SPEAKER: I am directed to inform your honorable body that the Senate on this sixth day of January, eighteen hundred and seventy-two, passed under suspension of the rules Assembly Bill No 103—Relative to the destruction of squirrels and gophers in this State.

FERRAL, Secretary.

NOTICE.

Mr. Luttrell gave notice of the introduction of a bill for an Act to amend the General School Law of the State.

INTRODUCTION OF BILLS.

Bills were introduced as follows.

By Mr. Eagan—An Act to amend an Act entitled an Act to protect the wages of labor, approved March twenty-first, eighteen hundred and seventy-one.
By Mr. Galloway—An Act to provide for the appointment of two additional Notaries Public for the County of Contra Costa.

By Mr Pardee—An Act to amend an Act to regulate proceedings in civil cases in the Courts of justice of this State, approved April twenty-ninth, eighteen hundred and fifty-one

By Mr Wright—An Act to amend an Act entitled an Act to regulate fees of office and salaries of certain officers, and to repeal certain other Acts in relation thereto, approved March fourth, eighteen hundred and seventy

By Mr Spivalo—An Act to repeal an Act entitled an Act supplementary to an Act defining the time of commencing civil actions in certain cases, passed May fourth, eighteen hundred and fifty-two Approved April second, eighteen hundred and fifty-five

Severally read first and second times and referred to Judiciary Committee

By Mr Bell—An Act to improve the Little Truckee River for rafting and floating logs, timber, and wood, and to provide for collection of tolls thereon.

Read first and second times and referred to Nevada and Sierra delegations

By Mr. Wilcox—An Act to provide for the construction of a wagon road from and to the Yosemite Valley and Big Tree Grove, in Mariposa County.

Read first and second times, referred to Committee on Roads and Highways, and ordered printed.

A letter from Hon. J B. Crockett, in relation to the subject matter, by Mr. Wheaton, had the same reference.

By Mr. Luttrell—An Act to provide for the keeping of stallions and other animals.

Read first and second times, referred to Committee on Public Morals, and ordered printed.

By Mr. Mott of Sacramento—An Act to amend an Act entitled an Act to provide for the liquidation of all claims against the State not otherwise provided for by law, approved April first, eighteen hundred and seventy.

Read first and second times and placed on file.

By Mr. Harvey—An Act relating to a registry and return of marriages, births, and deaths, and for establishing local Boards of Health, and for other sanitary purposes.

Read first and second times, referred to Committee on Hospitals, and ordered printed.

By Mr. Barker—A proposed amendment to the Constitution of the State of California.

The Legislature of the State of California, at its nineteenth session, commencing on the fourth of December, A. D. eighteen hundred and seventy-one, proposed the following additional section to Article I of the Constitution:

Section 23. The Legislature shall have no power to appropriate money for private or sectarian purposes.

Read first and second times, referred to Judiciary Committee, and ordered printed.

By Mr. Woodward—An Act to amend an Act entitled an Act to regulate descents and distributions, passed April thirteenth, eighteen hundred and fifty.

Read first and second times, referred to Judiciary Committee, and ordered printed.

By Mr Stillwagon—An Act conferring certain powers on the Board of Supervisors of Lake County.

Read first and second times, with an accompanying petition, and referred to Committee on Roads and Highways

MESSAGE FROM THE GOVERNOR.

The following message from the Governor was received:

STATE OF CALIFORNIA, EXECUTIVE DEPARTMENT,
Sacramento, January 6th, 1872.

To the Assembly of the State of California:

I herewith transmit to your honorable body, for legislative action, copies of resolutions passed by the Revision Commission.

NEWTON BOOTH, Governor.

GENERAL FILE.

Assembly resolution to pay forty-five dollars for the San Francisco *News-Letter* newspaper.

Mr. Welty moved to recommit the resolution to the Committee on Claims.

Mr. Spencer moved to lay on the table temporarily, and it was so ordered.

Assembly Bill No 75—Proposed amendment to the Constitution of the State of California.

Reported amendments adopted and ordered engrossed.

Assembly Bill No. 39—An Act to regulate the salary of the County Judge of San Bernardino County

Third reading refused.

Assembly Bills Nos 60, 62, 71, and 80 were taken from the file and severally recommitted to Committee on Claims.

Assembly Bill No. 44—An Act to authorize County Judges to hold Courts in other counties than those for which they have been elected, in certain cases.

Rules suspended, bill considered engrossed, read a third time and passed.

Assembly Bill No. 56—An Act to prevent the purchasing of stolen goods from minors.

Substitute reported, adopted, rules suspended, bill considered engrossed, read a third time and passed.

Assembly Bill No. 98—An Act supplementary to and amendatory of an Act entitled an Act to authorize the Board of Supervisors of Marin County to issue and sell bonds of said county and apply the proceeds thereof to the construction of wagon roads in said county, approved March fourth, eighteen hundred and seventy.

Rules suspended, bill considered engrossed, read a third time and passed.

The House refused to order the bill engrossed.

Assembly Bill No. 54—An Act to amend an Act concerning crimes and punishments, approved April sixteenth, eighteen hundred and fifty.

Assembly Bill No. 38 was withdrawn from the file and returned to the introducer, Mr. Mott of Los Angeles.

Assembly Bill No 73—An Act concerning roads and highways in the County of Yuba.

Rules suspended, bill considered engrossed, read a third time and passed

Assembly Bill No. 100—An Act to provide for the appointment of two additional Notaries Public for Solano County.

Rules suspended, bill considered engrossed, read a third time and passed.

Assembly Bill No. 34 was taken from the file and withdrawn, on motion of Mr Mathers.

Assembly Bill No. 24—An Act requiring compensation for causing injury by selling or giving away intoxicating liquors.

Mr Jost moved the indefinite postponement of the bill.

Mr. Barker moved to lay it on the table.

So ordered.

Mr. Mathers moved to suspend the rules and take the bill from the table

The House refused.

Assembly Bill No. 104—An Act to increase the revenue of the School Fund.

Ordered engrossed.

SENATE MESSAGE.

On motion of Mr. Gray, the rules were suspended. and the following message read:

SENATE CHAMBER,
January 6th, 1872.

Mr. SPEAKER: I am directed to inform your honorable body that the Senate, on this sixth day of January, eighteen hundred and seventy-two, passed substitute for Assembly Bill No 1—Relative to establishing a public street in the City of San Francisco, to be called Montgomery Avenue.

FERRAL, Secretary.

The substitute for Assembly Bill No. 1, above reported, was read first and second times and referred to San Francisco delegation.

GENERAL FILE RESUMED.

Assembly Bill No. 15—An Act in relation to sales and conveyances made by the Garden Land Homestead Association.

Ordered engrossed.

Senate Bill No. 31—An Act to authorize the District Attorney of Placer County to appoint a deputy.

House refused a third reading.

Assembly Bill No 94—An Act supplemental to an Act entitled an Act granting the right of way over certain lands in the Counties of Lake and Sonoma for the construction of a wagon road, approved March fifteenth, eighteen hundred and sixty-four.

Rules suspended, considered engrossed, read third time and passed.

REPORTS.

The rules were suspended for the following reports:

By Mr. Wheaton.

Mr SPEAKER: The San Francisco delegation, to whom was referred Senate substitute for Assembly Bill No 1—An Act supplemental to and amendatory of an Act to make, open, and establish a public street in the City and County of San Francisco, to be called Montgomery Avenue, and to take private lands therefor, approved March twenty-ninth, eighteen hundred and seventy—have had the same under consideration, and report it back with a recommendation that it do pass.

WHEATON, Chairman.

By Mr. Gibson:

Mr. SPEAKER: Your Committee on Enrollment beg leave to report that we have examined and find correctly enrolled Assembly Bill No. 22—An Act to incorporate the Town of Chico, Butte County, California.

Also, Assembly Bill No. 66—An Act supplementary to an Act entitled an Act to provide for the incorporation of colleges, approved April twentieth, eighteen hundred and fifty—and that the same have this sixth day of January, A D. eighteen hundred and seventy-two, been presented to the Governor for his approval, at seven minutes to one o'clock.

GIBSON, Chairman.

There being no further business, at one o'clock and twenty minutes P M, on motion of Mr. Barker, the House adjourned.

T. B. SHANNON,
Speaker.

G. W. DIXON, Assistant Chief Clerk.

IN ASSEMBLY.

HOUSE OF ASSEMBLY,
Monday, January 8th, 1872.

House met pursuant to adjournment.
Speaker in the chair.
Roll called.
Quorum present.
Prayer by the Chaplain.
Journal of Saturday, January sixth, read and approved.

LEAVE OF ABSENCE.

Leave of absence was granted to Mr. Hopper for four days; to Messrs.

Welty, Turner, and James for one day each; to the Chaplain of the House for two days, and to Mr. Reed indefinitely.

MOTIONS AND RESOLUTIONS.

Mr. Munday introduced the following resolution:

WHEREAS, The eighth of January is a day to be remembered by the people as the anniversary of a glorious victory, and whereas, the respect and gratitude of all Americans are due to that gallant General, firm patriot, and true statesman, Andrew Jackson, for his conduct, bearing, and judgment, both on this day fifty-seven years ago and afterwards as President of the United States of America, now therefore be it

Resolved, That out of respect to his memory the Assembly do now adjourn for the day

Mr. Wheaton moved to lay the resolution temporarily on the table.

The ayes and noes were demanded by Messrs Munday, Caldwell, and Sensabaugh, with the following result:

AYES—Messrs Aldrich, Bacon, Baird, Barker, Barklage, Barnes, Bradley, Bockius, Brown, Center, Chalmers, Coleman, Crane, Days, De Haven, Edgar, Ellis, Everett, Franck, Freeman, French, Goodall, Gray, Harvey, Hayes, Johnston, Lee, Lofton, Long, Mathers, Meeker, Mott of Sacramento, McCullough, Pardee, Rector, Rice, Russ, Sammons, Slaughter, Spencer, Stillwagon, Timm, Wheaton, Whitney, Woodward, and Wright—46.

NOES—Messrs. Andrews, Bayley, Bell, Berry, Caldwell, Connolly, Dannals, Galloway, Gibson, Henshaw, Jost, Little, Luttrell, Mott of Los Angeles, Munday, Schrack, Seibe, Sensabaugh, Splivalo, Walker, Whiting, and Mr. Speaker—22

And the resolution was accordingly laid on the table.

PETITION.

Mr. Meeker offered a petition from certain parties in San Francisco, praying for an increase in the annual appropriation for the support of the California Labor and Employment Exchange

Referred to the Committee on Ways and Means.

REPORTS.

Reports were made as follows:

By Mr. Franck:

MR SPEAKER: The Committee on Public Morals, to whom was referred Assembly Bill No. 35—An Act amendatory of an Act entitled an Act for the more effectual prevention of cruelty to animals, approved March thirteenth, eighteen hundred and sixty-eight—report that they have had said bill under consideration, and find that grave questions exist as to the constitutionality of certain provisions thereof. They therefore report the same back, with the recommendation that it be referred to the Judiciary Committee.

FRANCK, Chairman.

The bill above reported was so referred, by order of the House.
By Mr. Wright:

Mr. SPEAKER: The Committee on Education, to whom was referred Assembly Bill No. 53—An Act to distribute the revenue derived from the tax on dogs in Sonoma County—report the same back and recommend its passage.

WRIGHT, Chairman.

MOTIONS AND RESOLUTIONS.

Resolutions were offered as follows:

By Mr. Days:

Resolved, That a committee of seven be appointed by the Speaker, with special instructions to draft a bill for the redistricting of the State into Congressional districts, in accordance with the law of Congress, and into Senatorial and Assembly districts, in accordance with the State Constitution and the State census of eighteen hundred and seventy.

Adopted.
By Mr. Lee:

Resolved, That Assembly Bill No 7—An Act to amend an Act entitled an Act to provide for the incorporation of railroad companies and the management of the affairs thereof, and other matters relating thereto, approved May twentieth, eighteen hundred and sixty-one—and Assembly Bill No 9, of like import and relating to the same specific object, be and are hereby made the special order for twelve o'clock M. Saturday, January thirteenth.

Adopted.
By Mr. Seibe:

A resolution authorizing the appointment of an assistant paper folder by the Speaker.

Referred to the Committee on Rules and Regulations.

MONTGOMERY AVENUE.

On motion of Mr. Gray, the rules were suspended and Senate substitute for Assembly Bill No. 1—An Act supplemental to and amendatory of an Act entitled an Act to make, open, and establish a public street in the City and County of San Francisco, to be called Montgomery Avenue, and to take private lands therefor, approved March twenty-ninth, eighteen hundred and seventy—was taken from the file and considered.
Mr. Wheaton moved the passage of the substitute.
Mr. Seibe moved to recommit the bill to the San Francisco delegation.
The motion prevailed.

RECONSIDERATION.

Mr. Goodall moved a reconsideration of the vote whereby Assembly

Bills Nos. 7 and 9 were made the special order of the day for next Saturday

The ayes and noes were demanded by Messrs. Whiting, Luttrell, and Bayley, and the motion was lost by the following vote:

AYES—Messrs. Aldrich, Bacon, Baird, Bell, Bockius, Brown, Crane, Eagan, Ellis, Everett, Galloway, Gibson, Gray, Hayes, Jost, Meeker, Mott of Los Angeles, McCullough, Pardee, Rector, Rice, Sargent of Santa Clara, Schrack, Seibe, Spivalo, Stillwagon, Walker, Wheaton, Wilcox, Wright, and Mr. Speaker—31

NOES—Messrs. Andrews, Barker, Barklage, Barnes, Bayley, Berry, Bradley, Caldwell, Center, Chalmers, Coleman, Dannals, Days, Edgar, Franck, Freeman, French, Goodall, Harvey, Henshaw, Johnston, Lee, Little, Lofton, Long, Luttrell, Mathers, Mott of Sacramento, Munday, Russ, Sammons, Sargent of San Joaquin, Sensabaugh, Slaughter, Spencer, Tinnin, Whiting, Whitney, and Woodward—39.

SENATE MESSAGE.

The following message was received from the Senate:

SENATE CHAMBER,
January 8th, 1872.

Mr SPEAKER: I am directed to inform your honorable body that the Senate, on the sixth day of January, eighteen hundred and seventy two, passed Senate Bill No. 38—An Act making appropriation for translating into Spanish the several State documents ordered translated during the eighteenth session of the Legislature of the State of California.

Also, Assembly Bill No 77—An Act to authorize the Board of Supervisors of Mariposa County to levy an additional tax for county purposes.

Also, Senate Bill No. 47—Relative to the sale of the lands belonging to the State.

Also, on this eighth day of January, eighteen hundred and seventy-two, passed Senate Bill No. 77—An Act in relation to the revision of the laws.

FERRAL, Secretary.

CONSIDERATION OF THE MESSAGE.

Senate Bill No. 38, above reported, was read first and second times and referred to the Committee on Printing.

Senate Bill No. 47, above reported, was read first and second times and referred to the Committee on Swamp and Overflowed Lands.

Senate Bill No. 77, above reported, was read first and second times, and, on motion of Mr. Spencer, the rules were suspended and the bill read third time and passed.

Subsequently, on motion of Mr. Andrews, the vote whereby the bill passed was reconsidered, and the bill considered as in committee of the whole House (the Speaker in the Chair) The committee rose and recommended the passage of the bill, and it was accordingly read a third time and passed.

GOVERNOR'S MESSAGE.

The following message was received from the Governor:

STATE OF CALIFORNIA, EXECUTIVE DEPARTMENT,
Sacramento, January 8th, 1872.

To the Assembly of the State of California:

I have to inform your honorable body that I have approved Assembly Bill No. 22—An Act to incorporate the Town of Chico, Butte County, California

Also, Assembly Bill No 66—An Act supplementary to an Act entitled an' Act to provide for the incorporation of colleges approved April twentieth, eighteen hundred and fifty

NEWTON BOOTH, Governor.

NOTICES.

Notice of the introduction of bills was given as follows:

By Mr. Center—An Act to regulate fees and salaries of officers and defining their duties, in the County of El Dorado, and other matters relating thereto

By Mr. Crane—An Act to incorporate the Town of Alameda.

By Mr. Luttrell—An Act regulating the sale and location of lands owned by the State, and to prevent speculation in State lands

Also, an Act providing for the immediate payment for all lands bought of the State which are not under actual cultivation or reclamation.

INTRODUCTION OF BILLS.

Bills were introduced as follows:

By Mr. Harvey—An Act to amend an Act providing for the appointment of additional Notaries Public in Sacramento.

Read first and second times and referred to Sacramento delegation

By Mr Jost—An Act amendatory of an Act to regulate fees of office, approved March twenty eighth, eighteen hundred and sixty-eight.

By Mr. Splivalo—An Act to regulate proceedings in civil cases in the Justices' Court of the City and County of San Francisco

Also, an Act to amend an Act entitled an Act to regulate fees in the City and County of San Francisco, approved February ninth, eighteen hundred and sixty-six.

Severally read first and second times and referred to San Francisco delegation

By Mr. McCullough—An Act defining and limiting the time for the payment of bounties and relief pay due the volunteers of the State of California and troops furnished the United States as a portion of its quota.

Read first and second times and referred to the Committee on Military Affairs, and ordered printed

By Mr Bradley—An Act to amend an Act entitled an Act to create a Board of Education for the City of Marysville, approved April first, eighteen hundred and seventy.

Read first and second times and referred to the Yuba delegation.

By Mr. Luttrell—An Act to amend section one hundred and twelve of the law for the government of common schools.

Read first and second times and referred to the Committee on Education.

By Mr Crane—An Act to amend an Act entitled an Act regulating the collection of delinquent taxes in the County of Alameda, approved April fourth, eighteen hundred and seventy, and to refund certain moneys paid thereunder

Read first and second times and referred to the Committee on Ways and Means

By Mr. Barklage—An Act supplementary to an Act entitled an Act to authorize H H Smith and others to construct and maintain a turnpike road from Cave Valley to a point on the line of the Central Pacific Railroad at or near Auburn Station, approved March thirty-first, eighteen hundred and sixty-six

Read first and second times and referred to the Placer and El Dorado delegations.

GENERAL FILE.

Assembly Bill No 11—An Act to amend an Act entitled an Act to consolidate certain school districts of the Counties of El Dorado and Sacramento, approved April twenty-fifth, eighteen hundred and sixty-three

Read a third time and passed.

Assembly Joint Resolution No 5—Relative to the establishment of a tri-weekly mail from the Town of San Diego to Julian, in the County of San Diego.

Rules suspended, bill considered engrossed, read a third time and passed

Assembly Joint Resolution No. 3—Instructing our Senators and Representatives in Congress to obtain the adoption of such treaty regulations and legislation as shall discourage Chinese immigration

The rules were suspended, and the resolution was considered engrossed and read a third time

On the question of its passage the ayes and noes were demanded by Messrs. Andrews, Baird, and Berry, and it passed by the following vote:

AYES—Messrs. Aldrich, Andrews, Baird, Barker, Barklage, Barnes, Bayley, Berry, Bradley, Bockius, Brown, Caldwell, Center, Chalmers, Coleman, Connolly, Crane, Daunals, Days, De Haven, Eagan, Edgar, Ellis, Everett, Franck, Freeman, French, Galloway, Goodall, Gray, Harvey, Hayes, Henshaw, Johnston, Lee, Little, Lofton, Long, Luttrell, Mathers, Meeker, Mott of Los Angeles, Mott of Sacramento, Munday, McCullough, Pardee, Rector, Rice, Russ, Sammons, Sargent of Santa Clara, Sargent of San Joaquin, Schrack, Seibe, Sensabaugh, Slaughter, Spencer, Spivalo, Stillwagon, Tinnin, Walker, Wheaton, Whiting, Whitney, Wilcox, Woodward, Wright, and Mr. Speaker—68.

NOES—Mr. Bell—1.

Assembly Bill No 90—An Act to regulate the pay of Grand Jurors in the County of Los Angeles.

Rules suspended, bill considered engrossed, read a third time, and passed.

PATRIOTIC REMEMBRANCE.

On motion of Mr. Days, the rules were suspended, and a resolution

offered this morning by Mr. Munday—that the House adjourn in honor of the memory of Andrew Jackson—and laid temporarily on the table, was taken up.

The question recurring to the adoption of the resolution, the motion prevailed, and accordingly, at one o'clock and thirty-two minutes P. M., the House adjourned

A. R. ANDREWS,
Speaker pro tem.

M D. BORUCK, Chief Clerk.

IN ASSEMBLY.

HOUSE OF ASSEMBLY,
Tuesday, January 9th, 1872.

House met pursuant to adjournment.

Roll called

Quorum present.

The Speaker and the Speaker pro tem being absent, the House was called to order by the Clerk at eleven o'clock.

Mr Mott of Sacramento, in accordance with the Standing Rules of the House, nominated to the chair Mr. Luttrell.

Mr. Luttrell nominated Mr. Andrews, and the latter was chosen viva voce.

In consequence of the absence of the Chaplain by leave, and his place not being supplied, the usual morning prayer was omitted.

Journal of yesterday read and approved.

PETITION.

Mr. Munday presented a petition from residents in Sonoma County relative to the repeal of a road law therein.

Referred to Committee on Roads and Highways.

REPORTS.

The following reports were made:

By Mr. Barnes.

Mr. SPEAKER: Your Committee on Engrossment report that they have examined and find correctly engrossed

Assembly Bill No. 68—An Act granting W L. Carter, County Superintendent of Public Schools elect of Shasta County, leave of absence from the State.

Also, Assembly Bill No. 30—An Act to authorize the Board of Supervisors of Marin County to issue and sell bonds of said county and apply the proceeds thereof to the building of a Court House at the county seat of said county.

Also, Assembly Bill No. 49—An Act to facilitate telegraphic communication between America and Asia.

Also, Assembly Bill No. 82—An Act to amend an Act entitled an Act to regulate fees of office and salaries of certain officers, and to repeal certain other Acts relative thereto, approved March fifth, eighteen hundred and seventy.

BARNES, Chairman.

By Mr. Gibson:

Mr. SPEAKER: Your Committee on Enrollment beg leave to report that we have examined and find correctly enrolled.

Assembly Bill No. 47—An Act to legalize the assessment of the taxes in the County of Santa Cruz

Also, Assembly Bill No 50—An Act to separate the office of County Recorder from the office of County Clerk in the County of Mendocino.

Also, Assembly Bill No 103—An Act to repeal an Act entitled an Act to encourage the destruction of squirrels and gophers in certain counties of the State, approved March fourteenth, eighteen hundred and seventy, as far as it relates to the County of Alameda

And that the same have, this eighth day of January, A. D eighteen hundred and seventy-two, at thirty minutes past one o'clock, been transmitted to the Governor for his approval.

GIBSON, Chairman.

By Mr. Pardee:

Mr. SPEAKER: The Committee on Public Buildings and Grounds, to whom was referred Senate Concurrent Resolution No. 17—Relative to joint inquiry by the Standing Committees of each House on Public Buildings, etc.—report that they have had the same under consideration, and report the same back and recommend that it be not concurred in.

Also, Assembly Resolution No. — —Relative to the appointment by the Speaker of a select committee of five to investigate charges of fraud by employes on the State Capitol and Governor's Mansion—and report the same back and recommend that it do not pass.

PARDEE, Chairman.

By Mr. Harvey:

Mr. SPEAKER: Your Committee on Swamp and Overflowed Lands, to whom was referred Senate Bill No 47—An Act to amend an Act entitled an Act to provide for the management and sale of the lands belonging to the State, approved March twenty-eighth, eighteen hundred and sixty-eight—have had the same under consideration, and report the same back with amendments, and recommend its passage as amended

Also, Assembly Bill No 32—An Act to repeal an Act to provide for the protection of lands in the County of Sutter from overflow, approved April fourth, eighteen hundred and seventy—have had the same under consideration, report the same back, and recommend its passage.

HARVEY, Chairman.

By Mr. Eagan:

Mr. SPEAKER: The Committee on Agriculture have considered Assembly Bill No. 122—An Act to encourage the destruction of squirrels,

gophers, and other wild animals in the County of Los Angeles—and recommend its passage as amended.

EAGAN, Chairman.

By Mr. Luttrell:

Mr. SPEAKER: The Committee on Rules and Regulations, to whom was referred Assembly Resolution authorizing the Committee on State Prison to employ a clerk, having considered the same, we report it back with the recommendation that it do not pass.

We have also had under consideration Assembly Resolution authorizing the Speaker to appoint an Assistant Paper Folder, and recommend that it do not pass.

We also recommend that the Speaker and Chief Clerk appoint such Assistant Copying Clerks as may be necessary to copy the Journals and Appendix for the State Printer.

LUTTRELL, Chairman.

By Mr. Edgar:

Mr SPEAKER. Your committee, to whom was referred Assembly Bill No. 110—An Act entitled an Act concerning roads and highways in the County of Mendocino, approved March, A. D. eighteen hundred and sixty-eight, amended February, A. D. eighteen hundred and seventy—beg leave to report that they have had the same under consideration and report it back with a recommendation that it do pass

EDGAR, Chairman.

On motion of Mr. Mathers, the rules were suspended and the bill above reported taken up and considered, and the rules being again suspended, considered engrossed, read third time, and passed.

Mr. Meeker, from the Committee on Federal Relations, returned Senate Concurrent Resolution No. 16—relative to the establishment of a National Bureau of Education—which came in from the Senate by inadvertence, and it was returned to the Senate.

By Mr. Franck:

Mr. SPEAKER: The Santa Clara Delegation, to whom was referred Assembly Bill No 129—An Act to repeal an Act entitled an Act providing for the recording of the papers filed in the Probate Court of the County of Santa Clara in certain cases, approved April second, eighteen hundred and seventy—have had the same under consideration, and report the same back with an amendment, and recommend its passage as amended.

FRANCK, for Delegation.

By Mr. Wheaton:

Mr. SPEAKER: The San Francisco Delegation, to whom was referred Assembly Bill No 149—An Act to regulate proceedings in civil cases in the Justices' Court of the City and County of San Francisco—and Assembly Bill No 150—An Act to amend an Act entitled an Act to regulate fees in the City and County of San Francisco, approved February ninth, eighteen hundred and sixty-six—report the same back, and recommend that they be referred to the Judiciary Committee, for the reason

that the consideration of the subject matter of said bills pertain properly to said committee.

WHEATON, Chairman.

And the bills were so referred.

MESSAGE FROM THE GOVERNOR.

The following message was received from the Governor:

STATE OF CALIFORNIA. EXECUTIVE DEPARTMENT,
Sacramento. January 8th, 1872.

To the Assembly of the State of California:

I have to inform your honorable body that I have approved Assembly Bill No. 47—An Act to legalize the assessment of the taxes in the County of Santa Cruz

Also, Assembly Bill No 50—An Act to separate the office of County Recorder from the office of County Clerk in the County of Mendocino.

NEWTON BOOTH, Governor.

NOTICES AND RESOLUTIONS.

Résolutions were offered as follows.

By Mr. Crane:

Resolved by the Assembly, the Senate concurring, That the Governor be and is hereby requested to return Assembly Bill No 103—An Act to repeal an Act entitled an Act to encourage the destruction of squirrels and gophers in certain counties of this State, approved March fourteenth, eighteen hundred and seventy, so far as it relates to the County of Alameda.

Adopted.

Resolved by the Assembly, the Senate concurring, That the Enrolling Clerk of the Assembly be and he is hereby authorized to correct the title of Assembly Bill No. 103—An Act to repeal an Act entitled an Act to encourage the destruction of squirrels and gophers in certain counties of this State, approved March fourteenth, eighteen hundred and seventy, so far as it relates to the County of Alameda—so as to read: "An Act to repeal an Act entitled an Act to encourage the destruction of squirrels and gophers in certain counties of this State, approved March sixteenth, eighteen hundred and seventy, so far as it relates to the County of Alameda."

Adopted.

By Mr. Meeker:

Resolved, That the Clerk be requested to ascertain and report to the Assembly, as soon as possible, the purport of all bills and resolutions introduced into the Assembly, and by whom introduced.

Mr Jost moved to lay the resolution on the table; whereupon Messrs. Meeker, Jost, and Sensabaugh demanded the ayes and noes, and the House refused so to do by the following vote:

AYES—Messrs Andrews Baird, Barker. Barnes, Bayley, Bockius, Eagan, Edgar, Everett, Galloway, Gibson, Goodall, Jost, Little, Luttrell, Mott of Sacramento, McCullough, Samnions. Sargent of Santa Clara, Sensabaugh, Tinnin, Turner, Whiting, Whitney, Wilcox, Wright, and Mr. Speaker—27.

NOES—Messrs. Aldrich, Bacon, Barklage, Bell, Berry, Bradley, Brown, Caldwell, Center, Chalmers, Coleman, Connolly, Cooper, Crane, Dannals, Days, De Haven, Ellis, Franck, Freeman, French, Gray, Harvey, Hayes, Henshaw, James, Johnston, Lee, Lofton, Long, Mathers, Meeker, Mott of Los Angeles, Munday, Pardee, Rector, Rice, Russ, Sargent of San Joaquin, Schrack, Seibe, Slaughter, Spencer, Splivalo, Stillwagon, Walker, Welty, Wheaton, and Woodward—49.

On adopting the resolution the ayes and noes were again demanded by Messrs. Meeker, Caldwell, and Cooper.

Before the roll was called Mr. Mott of Sacramento moved the indefinite postponement of the resolution, and it was so ordered.

By Mr. McCullough:

Resolved, That a Special Committee of five of this House be appointed to investigate the acts of the City Hall Commission, of San Francisco, with power to send for and compel the attendance of witnesses, and the production of plans and specifications, and such other papers as in the opinion of the committee are necessary to arrive at a fair and impartial conclusion, and report the facts to this House.

Adopted.

By Mr Crane:

Resolved by the Assembly, the Senate concurring, That the Committee on State Prison in the House, and the Committee on State Prison in the Senate, act jointly in the investigation of the State Prison affairs, and that they be hereby empowered to employ, not to exceed the term of thirty days, a clerk jointly at the usual per diem allowed by law, and to be paid out of the Contingent Fund of both Houses.

Adopted.

By Mr. Splivalo:

Resolved. That M. J. Jimnez be and he is hereby temporarily appointed Assistant Journal Clerk, at the usual per diem allowed to Journal Clerks.

By Mr. Barnes:

Resolved, That the Committee on Engrossment be authorized to employ two Assistant Engrossing Clerks.

Severally referred to Committee on Rules and Regulations.

By Mr. Gray:

Resolved, That the Committee on Corporations shall have power to send for persons, books, and papers, and may employ a clerk to take down testimony, in relation to the bills under consideration by said committee in regard to freights and fares upon railroads.

Mr Johnston moved to refer the resolution to the Committee on Rules and Regulations.

Lost

Mr Mathers moved the indefinite postponement of the resolution.

On this question the ayes and noes were demanded by Messrs. Whiting, Luttrell, and Berry. with the following result:

AYES—Messrs. Andrews, Barker, Barklage, Barnes, Bayley, Berry, Bradley, Caldwell, Center, Coleman, Days, Freeman, Henshaw, Lee, Little, Lofton, Long, Luttrell, Mathers, Mott of Sacramento, Munday, Sammons. Sargent of San Joaquin, Tinnin, Turner, Welty, Whiting, Whitney, and Woodward—29.

NOES—Messrs. Aldrich, Bacon, Baird, Bell, Bockius, Brown, Chalmers, Connolly, Cooper, Crane, Dannals, De Haven, Eagan, Edgar, Ellis. Everett, Franck, French. Galloway, Gibson, Goodall, Gray, Harvey, Hayes, James, Johnston, Jost, Meeker, Mott of Los Angeles, McCullough, Pardee, Rector. Rice, Russ, Sargent of Santa Clara, Schrack, Siebe, Sensabaugh. Slaughter, Spencer, Splivalo, Stillwagon, Walker, Wheaton. Wilcox, Wright, and Mr. Speaker—47

On the adoption of the resolution the ayes and noes were again demanded, and the resolution was adopted by the following vote:

AYES—Messrs. Aldrich. Bacon, Baird, Bell, Bockius, Brown, Chalmers, Connolly, Cooper, Crane, Dannals, De Haven, Eagan. Edgar, Ellis, Everett, Franck, Galloway, Gibson. Goodall, Gray, Harvey, Hayes, James, Jost, Meeker, Mott of Los Angeles, McCullough, Pardee, Rector, Rice, Russ. Sargent of Santa Clara. Schrack, Seibe, Slaughter, Spencer, Splivalo, Stillwagon, Walker, Welty, Wheaton, Wilcox, Wright, and Mr. Speaker—45.

NOES—Messrs. Andrews, Barker, Barklage. Barnes, Bayley, Berry, Bradley, Caldwell, Center, Coleman, Days, Freeman, French, Henshaw, Johnston, Lee, Little, Lofton, Long, Luttrell, Mathers, Mott of Sacramento, Munday, Sammons, Sargent of San Joaquin, Sensabaugh, Tinnin, Turner, Whiting, Whitney, and Woodward—31.

By Mr. Andrews:

Resolved, That the Committee on Corporations are hereby instructed to report back to this House Assembly Bills Nos. 7 and 9 on or before Saturday next.

Mr. Meeker moved to lay the resolution on the table.

The ayes and noes were demanded by Messrs Luttrell, Berry, and Andrews, and the motion prevailed by the following vote:

AYES—Messrs. Aldrich, Bacon, Baird, Barker, Barnes, Bell, Bockius, Brown, Connolly, Cooper, Crane, Dannals, De Haven, Eagan, Ellis, Ev-

erett, Franck, Galloway, Gibson, Gray, Hayes, James, Jost, Meeker, Mott of Los Angeles, McCullough, Pardee, Rector, Rice, Russ, Sammons, Sargent of Santa Clara, Schrack, Scribe, Slaughter, Spencer, Spivalo, Stillwagon, Walker, Welty, Wheaton, Wilcox, Wright, and Mr. Speaker—44

NOES—Messrs. Andrews, Barklage, Bayley, Berry, Bradley, Caldwell, Center, Chalmers, Coleman, Days, Edgar, Freeman, French, Harvey, Henshaw, Johnston, Lee, Little, Lofton, Long, Luttrell, Mathers, Mott of Sacramento, Munday, Sargent of San Joaquin, Sensabaugh, Timmin, Turner, Whiting, Whitney, and Woodward—31.

LEAVE TO WITHDRAW AND SUBSTITUTE

Mr Barker asked and obtained leave to withdraw Assembly Bill No. 23, heretofore introduced by himself and referred to the Committee on Ways and Means, and to offer a substitute, to have the same reference and be printed.

RESOLUTIONS CONTINUED.

By Mr. Rector:

Resolved, That the Committee on Corporations be required to report back Assembly Bills Nos. 7 and 9 on the fifteenth of this month.

Mr. James moved the indefinite postponement of the resolution.

Mr. Barker offered the following substitute, which was adopted:

Resolved, That the Committee on Corporations be and are hereby instructed to report back Assembly Bills Nos. 7 and 9 in two weeks from this date, and that they be made the special order of that day at twelve o'clock M.

Mr Luttrell gave notice that he would to-morrow move to abolish No. 35 of the Standing Rules of the Assembly.

By Mr. Barker:

Resolved, That George W. Dixon, Assistant Clerk of the Assembly, be allowed the same number of daily papers as is allowed the Chief Clerk.

Referred to Committee on Rules and Regulations.

Mr. Mathers, at twenty minutes past one o'clock P. M., moved to adjourn, and the House refused.

NOTICES.

Notice of the introduction of bills was given as follows:

By Mr. Luttrell—An Act to amend section twenty-nine of the Act regulating elections in this State.

By Mr. Slaughter—An Act to regulate the time of holding the County Court in the County of San Bernardino.

By Mr. Caldwell—An Act to incorporate the Town of Cloverdale, in Sonoma County.

INTRODUCTION OF BILLS.

Bills were introduced as follows:

By Mr Freeman—An Act to incorporate the Town of Woodland.

By Mr. Jost—An Act to amend an Act entitled an Act concerning jurors in the City and County of San Francisco, approved May twentieth, eighteen hundred and sixty-one.

By Mr Ellis—An Act in relation to crimes and punishments.

Severally read first and second times and referred to the Judiciary Committee.

By Mr. Barnes—An Act concerning roads and highways in the Counties of Plumas and Lassen.

Read first and second times and referred to Committee on Roads and Highways.

By Mr. Mott of Los Angeles—An Act to amend the charter of the City of Los Angeles

Read first and second times and referred to the Committee on Corporations.

By Mr. French—An Act to provide for the liquidation of certain bonds of the City of Sacramento.

Read first and second times and referred to Sacramento delegation.

By Mr. Jost—An Act to require the Tax Collector of the City and County of San Francisco to pay to the City and County Treasurer certain moneys.

By Mr. Wheaton—An Act to authorize the Board of Supervisors of the City and County of San Francisco to close up Margaret street, in said city and county

Severally read first and second times and referred to San Francisco delegation.

By Mr. Ellis—An Act to protect agriculture and to prevent the trespassing of animals upon private property in the County of Los Angeles.

Read first and second times and referred to Committee on Agriculture, and ordered printed.

By Mr Bradley—An Act amendatory of and supplementary to an Act entitled an Act to provide for the better collection of delinquent taxes in the County of Yuba, approved April twenty-third, eighteen hundred and sixty-three.

MESSAGE FROM THE SENATE.

The following message was received from the Senate:

SENATE CHAMBER,
January 9th, 1872.

Mr. SPEAKER: I am directed to inform your honorable body that the Senate, on the eighth day of January, eighteen hundred and seventy-two, passed Assembly Bill No. 25—An Act to amend an Act entitled an Act concerning the Courts of justice in this State and judicial officers, approved April twentieth, eighteen hundred and sixty-two.

Also, passed Assembly Bill No. 26—An Act to amend an Act entitled

an Act concerning the distribution of the reports of the decisions of the Supreme Court and the statutes of this State, approved March thirtieth, eighteen hundred and sixty-six.

Also, passed Assembly Bill No. 63—An Act concerning certain officers in the County of Merced.

Also, adopted Assembly substitute for Senate Concurrent Resolution No. 6—Relative to revision of the laws.

FERRAL, Secretary.

CONSIDERATION OF MESSAGE.

Assembly Bill No. 26, above reported, with Senate substitute, referred to Judiciary Committee.

GENERAL FILE.

Assembly Bill No 92—An Act to amend section one hundred and forty five of an Act entitled an Act to regulate the settlement of the estates of deceased persons, passed May first, eighteen hundred and fifty one.

Substitute reported, adopted, rules suspended, considered engrossed, read a third time and passed.

Assembly Bill No. 117—An Act concerning roads in the County of Humboldt

Rules suspended. considered engrossed, read a third time and passed.

Mr. Mott of Sacramento moved to suspend the rules and take up Assembly Bill No. 136.

Mr. Meeker, at one o'clock and fifty-five minutes P. M., moved that the House adjourn.

Lost.

The motion of Mr Mott of Sacramento, to suspend the rules for the consideration of the bills above referred to, was negatived.

Mr. Meeker renewed the motion to adjourn, which was adopted, and at one o'clock and fifty-eight minutes P. M., accordingly, the House adjourned.

T. B. SHANNON,
Speaker.

M. D. BORUCK, Chief Clerk.

IN ASSEMBLY.

HOUSE OF ASSEMBLY,
Wednesday, January 10th, 1872.

House met pursuant to adjournment.

Speaker in the chair.

Roll called.

Quorum present.

Journal of yesterday read and corrected, so far as related to the bill moved to be taken from the file by Mr Mott of Sacramento, it having been his intention to have taken up Assembly Bill No 136—An Act to amend an Act entitled an Act to provide for the Liquidation of all claims

against the State not otherwise provided for by law, approved April first, eighteen hundred and seventy—and not Assembly Bill No. 108, relating to San Francisco affairs—and then approved.

LEAVE OF ABSENCE.

Leave of absence was granted to Mr. Chalmers for two days.

PRISON COMMISSION.

Mr. Goodall presented the report of the California Prison Commission for the two years ending November twentieth, eighteen hundred and seventy-one.

Referred to Committee on Ways and Means.

REPORTS.

Reports were made as follows:

By Mr. Galloway:

Mr. SPEAKER: Your Committee on Public Expenditures and Accounts report in favor of certain bills for miscellaneous services and newspapers furnished.

GALLOWAY, Chairman.

Adopted.

Mr. Wheaton moved to reconsider the vote whereby the report and accompany resolution were adopted.

The motion prevailed.

On motion of Mr. Luttrell both were recommitted to the Committee on Public Expenditures and Accounts.

By Mr. Mott of Sacramento:

Mr. SPEAKER: The Committee on Claims, to whom was referred Assembly Bill No. 60—An Act for the relief of O. P. Fitzgerald—beg leave to report it back and recommend the passage of the accompanying substitute.

MOTT, Chairman.

By Mr. Wright:

Mr. SPEAKER: The Committee on Education, to whom was referred Assembly Bill No. 146—An Act to amend an Act entitled an Act to create a Board of Education for the City of Marysville, approved April first, eighteen hundred and seventy, would herewith respectfully report the same back and recommend its passage.

WRIGHT, Chairman.

SPECIAL COMMITTEE.

The Speaker announced the appointment of the following committee on investigating the affairs of the San Francisco City Hall. Messrs. McCullough, Aldrich, Seibe, Andrews, and Mott of Los Angeles.

REPORTS RESUMED.

Mr. SPEAKER: The Committee on Corporations report that they have had under consideration Assembly Bill No 126—An Act to regulate the forfeiture of policies of life insurance—and because of the importance of the bill, recommend that the usual number of copies of the bill be printed; also, that the bill be passed.

GRAY, Chairman.

The rules were suspended, on motion of Mr. Gray, and the bill above reported taken up and ordered printed.

By Mr. Gray:

Mr. SPEAKER: The Committee on Corporations have had under consideration Assembly Bill No 4—An Act to repeal an Act entitled an Act to empower the Boards of Supervisors of the several counties to aid in the construction of railroads in their respective counties, approved April fourth, eighteen hundred and seventy—and report a substitute for said bill, of which the passage is recommended.

GRAY, Chairman.

By Mr. Barnes:

Mr. SPEAKER: The Committee on Engrossment have examined and find correctly engrossed Assembly Bill No 74—An Act to amend an Act entitled an Act to provide for the official valuation of life insurance policies, approved April fourth, eighteen hundred and seventy.

Also, Assembly Bill No. 75—Proposed amendment to the Constitution of the State of California.

BARNES, Chairman.

By Mr. Wheaton:

Mr. SPEAKER: Your Committee on Ways and Means, having had under consideration Assembly Bill No. 109—An Act to tax and regulate foreign insurance companies doing business in the State of California—report the same back, with the recommendation that it do not pass.

Your committee have also had under consideration Assembly Bill No. 148—An Act to amend an Act entitled an Act regulating the collection of delinquent taxes in the County of Alameda, approved April fourth, eighteen hundred and seventy, and to refund certain money paid thereunder—and report the same back with a substitute, and recommend the passage of the substitute.

Your committee have also had under consideration Assembly Bill No. 124—An Act for the relief of the City of Oakland—and report the same back, with the recommendation that it be indefinitely postponed.

WHEATON, Chairman.

The rules were suspended, and Assembly Bill No. 148, above reported, was taken up, the substitute reported was adopted and the rules being again suspended, considered engrossed, read a third time and passed.

By Mr. Eagan:

Mr. SPEAKER The Committee on Agriculture herewith report Assembly Bill No 97—An Act to amend an Act to protect agriculture, and to prevent trespassing of animals upon private property—and recommend its passage.

EAGAN, Chairman.

CLERICAL ASSISTANCE.

Mr. Wilcox moved to suspend the rules and take up the report made yesterday from the Committee on Rules and Regulations—Concerning the necessity and expediency of employing additional Copying Clerks—and it was so ordered.

Mr. Johnston moved to recommit the report with special instructions.

Mr. Wilcox moved to amend the report so as to limit the number of appointments to three

The motion of Mr. Johnston having precedence was put and lost, and Mr. Wilcox withdrew his motion.

On adopting the report, the ayes and noes were demanded by Messrs. Harvey, Whitney, and Johnston, with the following result.

AYES—Messrs. Aldrich, Andrews, Bacon, Bell, Berry, Bradley, Bockius, Brown, Caldwell, Connolly, Cooper, Crane, Dannals, Days, De Haven, Eagan, Edgar, Everett, Franck, Galloway, Gibson, Goodall, Henshaw, James, Jost, Little, Long, Luttrell, Mathers, Meeker, Mott of Los Angeles, Munday, McCullough, Pardee, Russ, Sammons, Sargent of Santa Clara, Sargent of San Joaquin, Schrack, Seibe, Sensabaugh, Slaughter, Spencer, Splivalo, Stillwagon, Tinnin, Turner, Walker, Welty, Wheaton, Whiting, Wilcox, Woodward, Wright, and Mr. Speaker—55.

NOES—Messrs Baird, Barker, Barklage, Barnes, Bayley, Center, Coleman, Freeman, French, Harvey, Hayes, Johnston, Lofton, Mott of Sacramento, Rector, Ward, and Whitney—17.

So the recommendation of the committee was adopted, authorizing the Speaker and Chief Clerk to appoint such Assistant Copying Clerks as may be necessary to copy the Journals and Appendix for the State Printer.

REPORTS RESUMED.

By Mr. Bradley:

Mr. SPEAKER: The Yuba delegation, to whom was referred Assembly Bill No. 162—An Act amendatory of and supplementary to an Act entitled an Act for the better collection of delinquent taxes in the County of Yuba, approved April twenty-fifth, eighteen hundred and sixty-three—would herewith respectfully report the same back and recommend its passage.

BRADLEY,
LOFTON,
EDGAR,
Yuba Delegation.

SENATE MESSAGE.

The following message was received from the Senate:

SENATE CHAMBER,
January 10th, 1872.

Mr. SPEAKER: I am directed to inform your honorable body that the Senate, on the ninth day of January, passed Assembly Bill No 48—An Act entitled an Act to authorize the School Trustees in Ukiah School District, in Mendocino County, to purchase school property.

Also, passed, with amendment, Assembly Bill No 18—An Act to amend an Act entitled an Act to authorize the Council of the City of Oakland to lay out, open, or improve streets in said city.

Also, indefinitely postponed Assembly Bill No. 78—An Act to amend an Act entitled an Act to amend an Act creating the office of Bailiff of the Supreme Court, approved April sixth, eighteen hundred and sixty-three, and March sixteenth, eighteen hundred and sixty-four.

FERRAL, Secretary.

NOTICES.

Notice of the introduction of bills was given as follows:

By Mr. Bayley—An Act to restrict the herding of sheep and goats in the County of El Dorado.

By Mr. McCullough—An Act to provide for the reorganization of the Assessor's office of the City and County of San Francisco.

By Mr. Jost—An Act to repeal an Act entitled an Act to prohibit the collection of accounts for liquors sold at retail, approved April twenty-first, eighteen hundred and fifty-eight.

By Mr. Luttrell—An Act to allow certain counties to retain the State's portion of the poll tax, less that portion authorized by law to be paid into the General School Fund, which shall be collected in the said counties for the year one thousand eight hundred and seventy-two, and for the year one thousand eight hundred and seventy-three, and for the year one thousand eight hundred and seventy four.

By Mr. Berry—An Act to amend an Act entitled an Act to provide for the funding of the indebtedness of Levee District Number One, of Sutter County.

INTRODUCTION OF BILLS.

Bills were introduced as follows:

By Mr. Gray—An Act to provide for the appointment of Reporters of the Supreme Court, defining their duties and compensation, and for the publication and distribution of the Decisions of the Supreme Court.

Read first and second times, referred to the Judiciary Committee, and ordered printed.

By Mr. Crane—An Act for the incorporation of the Town of Alameda.

Read first and second times, and referred to the Committee on Corporations.

Mr. Crane moved that the bill be printed.

Mr. Freeman moved to amend the motion by including the printing of the bill to incorporate the Town of Woodland, introduced by him.

Mr. Crane accepted the amendment.

Mr. Munday moved the previous question, and the demand being sustained, the same was ordered, and the question being the adoption of Mr. Crane's motion, to print as amended, it was so ordered.

By Mr. Tinnin—An Act for the relief of John Jackson, Sheriff and ex officio Tax Collector of Trinity County.

Read first and second times, and referred to the Committee on Claims.

By Mr Wilcox—An Act making an appropriation for deficiencies for the twenty-third fiscal year, ending the thirtieth day of June, eighteen hundred and seventy-two.

Read first and second times, and referred to the Committee on Printing.

By Mr Munday—An Act to protect the interests of the State.

Read first and second times, and referred to the Judiciary Committee.

By Mr. Jost—An Act to confer additional powers upon the Board of Supervisors of the City and County of San Francisco, and upon the Auditor and Treasurer thereof, and to authorize certain appropriations of money by said Board.

Read first and second times, and referred to the San Francisco delegation.

Mr. Jost moved that the bill be printed, but the House refused so to order.

By Mr. Pardee—An Act legalizing the ordinances of the City of Oakland in respect to the penalties therein.

Read first and second times and referred to the Alameda delegation.

By Mr. Aldrich—An Act to amend section five (5) of an Act entitled an Act to provide funds, to be applied to building an hospital in the City and County of San Francisco, approved March twenty-eighth, eighteen hundred and sixty-eight.

Read first and second times, and referred to the San Francisco delegation.

By Mr. Eagan—An Act to authorize the payment to James Carroll of his unpaid salary as Supervisor of Amador County.

Read first and second times and referred to the Amador delegation

GENERAL FILE.

Assembly Bill No 68—An Act granting W. L. Carter, County Superintendent of Public Schools elect of Shasta County, leave of absence from the State.

Read a third time and passed.

Senate Bill No 47—An Act to amend an Act entitled an Act to provide for the management and sale of the lands belonging to the State, approved March twenty-eighth, eighteen hundred and sixty-eight.

Several amendments were offered, which, with the bill, were recommitted to the Committee on Swamp and Overflowed Lands.

On motion of Mr Johnston, Assembly Bill No. 128—An Act to legalize the assessment and equalization of taxes in the County of El Dorado—was ordered engrossed.

Assembly Bill No. 108—An Act entitled an Act authorizing the condemnation of private property within the limits of the public streets of the City and County of San Francisco within the Laguna Survey, approved March twenty fifth, eighteen hundred and seventy.

Rules suspended, considered engrossed, read a third time and passed.

Assembly Bill No. 88—An Act to repeal an Act entitled an Act for the relief of the free schools of the Presentation Convent, of the City and County of San Francisco, approved April fourth, eighteen hundred and seventy.

Mr. Freeman moved the previous question, which being sustained, on

ordering the bill engrossed, the ayes and noes were demanded by Messrs. Whiting, Baird, and Galloway, with the following result:

AYES—Messrs. Aldrich, Baird, Barker, Barklage, Barnes, Bradley, Bockius, Brown, Center, Coleman, Crane, Dannals, Days, De Haven, Edgar, Everett, Franck, Freeman, French, Galloway, Goodall, Gray, Harvey, Hayes, James, Johnston, Jost, Lee, Lofton, Long, Mathers, Meeker, Mott of Sacramento, McCullough, Pardee, Rice, Russ, Sammons, Sargent of Santa Clara, Sargent of San Joaquin, Schrack, Seibe, Sensabaugh, Slaughter, Spencer, Turner, Ward, Welty, Wheaton, Whitney, Wilcox, Woodward, Wright, and Mr. Speaker—54.

NOES—Messrs. Andrews, Bacon, Bayley, Caldwell, Connolly, Cooper, Eagan, Gibson, Henshaw, Little, Munday, Rector, Sphivalo, Stillwagon, Tinnin, Walker, and Whiting—17.

SPECIAL COMMITTEES.

The Speaker announced the appointment of the following special committees on the joint resolution to examine the Codes:

Committee to consider Penal, Code of Civil Procedure, and Civil Code—Messrs French, Spencer, and Sphivalo.

Committee on Political Code—Messrs. Wheaton, Mott of Sacramento, and Luttrell.

GENERAL FILE RESUMED.

Assembly Bill No. 87—*An Act concerning the office of County Clerk* in and for the City and County of San Francisco.

Amendments adopted, rules suspended, bill considered engrossed, read a third time and passed.

On motion of Mr Pardee, the rules were suspended, and Assembly Bill No. 18, above reported in Senate message, was taken up and amendment adopted in Senate concurred in.

Assembly Bill No. 95—An Act providing for compensating the Board of Education of the City and County of San Francisco.

House refused to order the bill engrossed.

Assembly Bill No. 136—An Act to amend an Act entitled an Act to provide for the liquidation of all claims against the State not otherwise provided for by law, approved April first, eighteen hundred and seventy.

The rules were suspended, and the bill considered engrossed.

Mr. Harvey moved to commit the bill, with special instructions, to the Judiciary Committee, and the vote on considering the bill as engrossed having been reconsidered, the bill and amendments offered were so reported.

Assembly Bill No. 5—An Act to repeal an Act entitled an Act to protect litigants, approved March twenty-ninth, eighteen hundred and seventy.

Considered engrossed, bill read a third time and passed.

Assembly Bill No. 152—An Act to amend an Act entitled an Act to regulate proceedings in civil cases in Courts of justice in this State, passed April twenty-ninth, eighteen hundred and fifty-one.

Considered engrossed, bill read a third time and passed.

On motion of Mr. Pardee, at two o'clock and thirty minutes P. M., the House adjourned.

T. B. SHANNON,
Speaker.

GEORGE W. DIXON, Assistant Clerk.

IN ASSEMBLY.

HOUSE OF ASSEMBLY,
Thursday, January 11th, 1872.

The House met pursuant to adjournment.
Speaker in the chair.
Roll called
Quorum present.
Prayer by the Chaplain.
Journal of yesterday read and approved.

QUESTIONS OF PRIVILEGE.

Mr. Russ rose to a question of privilege to correct a statement in the *Sacramento Daily Union* in relation to his vote yesterday on Assembly Bill No 88.

Mr. Harvey also rose to a question of privilege concerning remarks attributed to him in the discussion yesterday on the question concerning additional copying clerks.

The Speaker also explained what was an erroneous published statement concerning his remarks from the chair yesterday in regard to the same question.

Mr. Wilcox also denounced a statement published in the *San José Mercury*, concerning himself, as maliciously false.

PETITION.

Mr. Lofton presented a petition from residents in Yuba County in regard to the passage of a No-Fence Law for Yuba County.

Referred to Committee on Agriculture.

REPORTS.

Reports were made as follows:

Mr. SPEAKER: The Committee on Engrossment report that they have examined and find correctly engrossed Assembly Bill No. 56—An Act to prevent the purchasing of stolen goods from minors.

Also, Assembly Bill No. 98—An Act supplementary to and amendatory of an Act entitled an Act to authorize the Board of Supervisors of Marin County to issue and sell bonds of said county, and apply the proceeds thereof to the construction of wagon roads in said county, approved March fourth, eighteen hundred and seventy.

Also, Assembly Bill No. 67—An Act defining the time within which certain actions may be brought.

BARNES, Chairman.

By Mr. Luttrell:

Mr. SPEAKER: The Committee on Rules and Regulations, to whom was referred Assembly Resolution authorizing the Committee on Engrossment to appoint two additional clerks, have had the same under con-

sideration, and report the same back, with the recommendation that it pass.

LUTTRELL, Chairman.

The rules were suspended and the resolution above reported taken up and adopted as follows:

Resolved, That the Committee on Engrossment be authorized to appoint two assistant Engrossing Clerks.

Mr. Barnes submitted the following, which was adopted:

The Committee on Engrossment respectfully recommend the appointment of J. E Moody and W. F. Heustis as assistant Engrossing Clerks, with per diem allowed by law.

BARNES, Chairman.

By Mr. Franck:

Mr. SPEAKER: The Committee on Public Morals, to whom was referred Assembly Bill No 137—An Act to provide for the keeping of stallions and other animals—have had the same under consideration, and report the same back and recommend its passage.

FRANCK, Chairman.

On motion of Mr Luttrell the rules were suspended and the bill above reported taken up, rules again suspended, considered engrossed, read a third time and passed.

By Mr. Spencer:

Mr. SPEAKER: The Judiciary Committee having considered Assembly Bill No. 85—An Act to amend an Act entitled an Act concerning grand and trial jurors, approved April twenty-seventh, eighteen hundred and sixty-three—report it back and recommend that it do not pass.

Also, Assembly Bill No. 115—An Act to provide for the distribution of surplus copies of the California Reports, and for the completion of the sets of judicial officers—report that should it become a law an unnecessary expenditure would be incurred by furnishing the various officers with volumes of Reports to the present time; that by the provisions of an Act providing for the appointment and regulating the duties of Reporter of the Supreme Court, passed April nineteenth, eighteen hundred and fifty-six, the Secretary of State is supplied with a sufficient number of Reports to supply all the necessary officers, and the deficiency sought to be supplied by this bill is for volumes lost or destroyed by the neglect of the officers to whom they have been distributed. Therefore, the committee recommend that it be indefinitely postponed.

Also, Assembly Bill No. 116—An Act to amend an Act entitled an Act to regulate proceedings in the Courts of justice in this State, passed April twenty-ninth, eighteen hundred and fifty-one, and other Acts amendatory thereto—report it back with a substitute, and recommend the passage of the substitute.

Also, Assembly Bill No. 118—An Act to amend an Act entitled an Act to provide for the appointment and prescribe the duties of guardians, approved April nineteenth, eighteen hundred and fifty—report it back with substitute, and recommend the passage of the substitute.

Also, Assembly Bill No. 114—An Act to amend an Act entitled an Act to regulate the settlement of the estates of deceased persons, passed May first, eighteen hundred and fifty—report it back with substitute, and recommend the passage of the substitute.

SPENCER, Chairman.

MOTIONS AND RESOLUTIONS.

Motions and resolutions were offered as follows:

By Mr. Wilcox:

Resolved, That any member of this House shall have the privilege of inviting any friend to a seat within the chamber.

The Speaker ruled the resolution out of order.

Whereupon Mr. Wilcox gave notice that on to-morrow he would move to amend Rule Seventy of the Standing Rules of the Assembly.

By Mr. Andrews:

A Preamble and Joint Resolution—Relative to the instructing our Senators and requesting our Representatives in Congress to urge the adoption of such legislation by the Congress of the United States as will authorize the collection of a tax upon foreign miners ineligible to citizenship, who are engaged in mining in California.

Read first and second times, referred to Committee on Federal Relations, and ordered printed.

By Mr. Little:

Resolved by the Assembly, the Senate concurring, That a committee of two from each House be appointed by the Speaker of the House and the President of the Senate, to proceed to San Francisco and inquire into the utility and justice of an Act approved April fourth, eighteen hundred and seventy, entitled an Act for the relief of the free schools of the Presentation Convent of the City and County of San Francisco.

Mr. Jost moved to lay the resolution on the table.

The ayes and noes were demanded by Messrs. Little, Whiting, and Rector with the following result:

AYES—Messrs. Aldrich, Bacon, Barker, Barklage, Barnes, Bradley, Bockius, Brown, Coleman, Crane, Days, De Haven, Edgar, Everett, Franck, Freeman, French, Galloway, Gray, Harvey, Hayes, James, Johnson, Jost, Lee, Lofton, Long, Meeker, Mott of Sacramento, McCullough, Pardee, Rice, Russ, Sammons, Sargent of Santa Clara, Sargent of San Joaquin, Schrack, Spencer, Stillwagon, Turner, Welty, Wheaton, Whitney, Woodward, and Wright—45.

NOES—Messrs. Andrews, Baird, Bayley, Bell, Berry, Caldwell, Center, Connolly, Cooper, Dannals, Eagan, Ellis, Gibson, Goodall, Henshaw, Little, Luttrell, Mott of Los Angeles, Munday, Rector, Seibe, Sensabaugh, Slaughter, Sphvalo, Tinnin, Walker, Ward, Whiting, Wilcox, and Mr. Speaker—30.

So the resolution was laid on the table.

By Mr. Crane:

Resolved, That Assembly Bill No. 164—An Act to incorporate the Town of Alameda—be withdrawn

Adopted.
By Mr. Barnes:

WHEREAS, In consequence of the deep snows and severity of the winters in many of the mountain counties, owners of cattle, horses, mules, and sheep are compelled to drive the same into the valley counties, and keep them there during the winter and early spring months, usually paying ranch fees on the same; and whereas, it is the custom of the Assessors in the valley counties to take particular pains to hunt up and assess stock owned in the mountains before the same can be removed, and whereas, the owners of stock in the valleys are in the habit of driving their stock in herds into the mountain counties to graze during the summer months, there eating out their substance, and converting every green spot into a barren waste, without said mountain counties receiving any benefit, either in the way of fees or taxes, therefore,

Resolved, That the Committee on Ways and Means be instructed to take this matter into consideration and report if possible some remedy for this injustice to mountain counties.

Adopted and referred to the Committee on Ways and Means.

SPECIAL COMMITTEES.

The Speaker announced the appointment of the following special committee on districting the State into Congressional, Senatorial, and Assembly Districts: Messrs. Days, Splivalo, Wright, Johnston, Gibson, Dannals, and Tinnin.

The Speaker also announced that in appointing the Standing Committees of the Assembly he had placed Mr. Brown on the Committee on the Culture and the Improvement of the Grapevine, and Mr. Schrack on the Committee on Elections, whereas he intended to have done the reverse of such action, and accordingly asked the consent of the House to make changes in accordance with his original intention.

It was so ordered.

SENATE MESSAGE.

The following message was received from the Senate:

SENATE CHAMBER,
January 11th, 1872.

MR. SPEAKER: I am directed to inform your honorable body that the Senate, on the tenth day of January, passed Assembly Bill No. 30—An Act to authorize the Board of Supervisors of Marin County to issue and sell bonds of said county and apply the proceeds thereof to the building of a Court House at the county seat of said county.

Also, on the eighth instant, indefinitely postponed Assembly Bill No. 81—An Act to amend an Act entitled an Act concerning County Judges.

Also, on the tenth instant, passed Senate Bill No. 60—An Act to amend an Act concerning attorneys and counselors at law.

Also, passed Senate Bill No 55—An Act supplementary to an Act entitled an Act to provide for the appointment of Notaries Public and defining their duties, approved April twenty-fifth, eighteen hundred and sixty-two.

Also, passed Senate Bill No. 8—An Act to enable the inhabitants of territory adjacent to any city to annex the same thereto.

Also, passed Senate Bill No. 34—An Act to amend an Act entitled an Act to define the duties and liabilities of pawnbrokers and pledgees.

Also, concurred in Assembly Concurrent Resolution No. 8—Relative to the return of Assembly Bill No. 103 from the Governor.

Also, indefinitely postponed Assembly Concurrent Resolution No. 6—Relative to City Hall Commissioners

Also, passed Senate Bill No 61—An Act to repeal an Act entitled an Act to empower the Board of Supervisors of the several counties of the State to aid in the construction of a railroad in their respective counties.

FERRAL, Secretary.

CONSIDERATION OF SENATE MESSAGE.

Senate Bills Nos 60, 55, 8, and 34, above reported, severally read first and second times and referred to Judiciary Committee.

Senate Bill No. 61, above reported, read first and second times and placed on file.

RESOLUTIONS.

The rules were suspended for the introduction of the following resolutions:

By Mr. Welty:

WHEREAS, It is reported that the west corner of the foundation of this building is giving way, therefore

Resolved, That the Committee on Public Buildings be and are hereby instructed to ascertain if the above report is true and report to the House as early as practicable.

By Mr. Gray:

Resolved, That the Engrossing Committee is hereby authorized to amend the enacting clause of Assembly Bill No 44—An Act to authorize County Judges to hold Court in other counties than those for which they have been elected in certain cases—by adding to the enacting clause the words "as follows."

Adopted.

NOTICE.

Mr. Baird gave notice of the introduction of a bill for an Act to change the time for holding the different sessions of the County and District Courts in the County of San Mateo.

INTRODUCTION OF BILLS.

Bills were introduced as follows:

By Mr. De Haven—An Act to provide for the appointment of two additional Notaries Public in the County of Butte.

Read first and second times and referred to the Butte delegation.

By Mr. James—An Act entitled an Act to authorize the Board of Supervisors of the City and County of San Francisco to pay a certain claim of J. W. Wesson, for lumber furnished for the Point Lobos School-house.

Read first and second times and referred to the San Francisco delegation.

By Mr. McCullough—An Act to provide for the election of one Assistant Assessor in each election district in the City and County of San Francisco.

Read first and second times and referred to the San Francisco delegation.

REPORT.

The rules were suspended for the following report by Mr. Pardee:

Mr. SPEAKER: The Alameda delegation, to whom was referred Assembly Bill No 169—An Act to legalize the ordinances of the City of Oakland—have examined the same and recommend its passage.

PARDEE, Chairman.

MESSAGE FROM THE GOVERNOR.

The following message from the Governor was read:

STATE OF CALIFORNIA, EXECUTIVE DEPARTMENT,
Sacramento, January 9th, 1872.

To the Assembly of the State of California:

I herewith return, at the request of your honorable body, Assembly Bill No. 103—An Act to repeal an Act entitled an Act to encourage the destruction of squirrels and gophers in certain counties of this State, approved March fourteenth, eighteen hundred and seventy, so far as it relates to the County of Alameda.

NEWTON BOOTH, Governor.

On motion of Mr. Crane, the bill above reported was referred to the Clerk of the Committee on Enrollment, who was authorized to make a necessary alteration in the enrolled copy.

Assembly Bill No. 75—Proposed amendment to the Constitution of the State of California.

CALL OF THE HOUSE.

Mr. French moved a call of the House, which being ordered, the roll was called and the following members were found absent without leave of the House: Messrs. Wheaton, Lofton, and Harvey.

The Sergeant at Arms was ordered to bring in the absentees.

Mr. French moved to suspend further proceedings under the call.

The motion was lost.

Mr. Wheaton appeared at the bar of the House, and being admitted, satisfactorily explained the cause of his absence and was excused.

The motion to suspend further proceedings under the call was renewed and it prevailed.

Mr Crane moved that the House take a recess for thirty minutes, and the House refused.

Mr Barker moved to amend by substituting till two o'clock P. M.

Lost

On the adoption of the constitutional amendment under consideration Mr Speaker directed the roll of the Assembly to be called, with the following result:

AYES—Messrs. Andrews, Caldwell, Crane, Days, De Haven, Edgar, French, Galloway, Harvey, Lee, Long, Russ, Sensabaugh, Spencer, Stillwagon, Turner, Welty, Wheaton, Whitney, Woodward, Wright, and Mr. Speaker—22

NOES—Messrs. Aldrich, Bacon, Baird, Barker, Barklage, Barnes, Bayley, Bell, Berry, Bradley, Bockius, Brown, Center, Coleman, Connolly, Cooper, Dannals, Eagan, Ellis, Everett, Franck, Freeman, Gibson, Goodall, Gray, Hayes, Henshaw, James, Johnston, Jost, Little, Luttrell, Mathers, Meeker, Mott of Sacramento, Mott of Los Angeles, Munday, McCullough, Pardee, Rector, Rice, Sammons, Sargent of Santa Clara, Sargent of San Joaquin, Schrack, Seibe, Slaughter, Splivalo, Tinnin, Walker, Ward, Whiting, and Wilcox—53.

So the House refused to adopt the amendment.

Mr. Luttrell gave notice of a motion to reconsider the vote just taken.

Mr. Crane, at one o'clock and fifteen minutes P. M., moved that the House take a recess until two o'clock, and the motion prevailed.

REASSEMBLED.

House reassembled at two o'clock P. M.

Speaker in the chair.

Roll called.

Quorum present.

RESOLUTION.

Mr. Wilcox offered the following:

Resolved, That substitute for Assembly Bill No. 4, on to-day's General File, and also Senate Bill No. 61, ordered on file for to-morrow, be made the special order for Wednesday next, January seventeenth, at one o'clock P. M.

Adopted.

The rules were suspended, and the bills referred to were taken up and disposed of as the resolution required.

GENERAL FILE.

Assembly Bill No 17—An Act to create the Eighteenth Judicial District, and for other purposes

On motion of Mr Spencer, the bill was referred to the delegations from the counties named in the bill.

Assembly Bill No. 46—An Act granting leave of absence to P. B. Nagle, District Attorney of Tehama County.

Rules suspended, bill considered engrossed, read a third time and passed.

Also, Assembly Bill No. 53—An Act to distribute the revenue derived from the tax on dogs in Sonoma County.

Rules suspended, bill considered engrossed, read a third time and passed.

Assembly Bill No. 61—An Act concerning hogs running at large in the County of Sutter.

Substitute reported adopted, rules suspended, bill considered engrossed, read a third time and passed.

Assembly Bill No 93 was taken from the file and recommitted to the Committee on Education.

A Resolution—Relative to the State Capitol Investigating Committee.

Mr. McCullough moved to indefinitely postpone the resolution.

The ayes and noes were demanded by Messrs Wilcox, Berry, and Sensabaugh, and the House refused by the following vote.

AYES—Messrs. Aldrich, Bacon, Baird, Barker, Barklage, Barnes, Bradley, Bockius, Coleman, Crane, Everett, Franck, Freeman, French, Galloway, Goodall, James, Lee, Meeker, Mott of Sacramento, McCullough, Pardee, Russ, Sammons, Sargent of San Joaquin, Spencer, Sphvalo, Stillwagon, Wheaton, Whitney, Woodward, Wright, and Mr. Speaker—35.

NOES—Messrs Andrews, Bayley, Bell, Berry, Brown, Caldwell, Center, Connolly, Cooper, Dannals, Days, De Haven, Eagan, Edgar, Ellis, Gibson, Hayes, Henshaw, Jost, Little Lotton, Long, Luttrell, Mathers, Mott of Los Angeles, Munday, Rector, Rice, Sargent of Santa Clara, Schrack, Seibe, Sensabaugh, Slaughter, Tinnin, Turner, Walker, Ward, Welty, Whiting, and Wilcox—46.

On the adoption of the resolution the ayes and noes were demanded by Messrs. Wilcox, Dannals, and Berry.

AYES—Messrs. Andrews, Bayley, Berry, Connolly, Cooper, Crane, Dannals, Edgar, Ellis, Gibson, Henshaw, Jost, Little, Lotton, Luttrell, Mathers, Munday, Rector, Schrack, Sensabaugh, Slaughter, Tinnin, Walker, Ward, Whiting, and Wilcox—26.

NOES—Messrs. Aldrich, Bacon, Baird, Barker, Barklage, Barnes, Bell, Bradley, Bockius, Brown, Caldwell, Center, Coleman, Days, De Haven, Eagan, Everett, Franck, Freeman, French, Galloway, Goodall, Harvey, Hayes, James, Johnston, Lee, Long, Meeker, Mott of Los Angeles, Mott of Sacramento, McCullough, Pardee, Rice, Russ, Sammons, Sargent of Santa Clara, Sargent of San Joaquin, Seibe, Spencer, Sphvalo, Stillwagon, Turner, Welty, Wheaton, Whitney, Woodward, Wright, and Mr. Speaker—49.

Assembly Bill No. 122—An Act to encourage the destruction of squirrels and gophers, and other wild animals, in the County of Los Angeles.

Several amendments were adopted and others still pending, when

Mr. Ellis moved to recommit the bill to the delegations from the counties named in the bill.

And it was so ordered

Senate Concurrent Resolution No. 17—Relative to State Capitol, etc.

Mr. Barker moved to lay it on the table.

The ayes and noes were demanded by Messrs Bayley, Luttrell, and Whiting, and the motion was lost by the following vote:

AYES—Messrs. Aldrich, Bacon, Barker, Barklage, Barnes, Bockius, Coleman, Crane Days, Everett, Franck, French, Harvey, James, Johnston, Lofton, Mott of Sacramento, McCullough Pardee, Russ, Sargent of Santa Clara, Sargent of San Joaquin, Spencer, Stillwagon, Turner, Welty, Wheaton, Woodward, Wright, and Mr. Speaker—30.

NOES—Messrs. Andrews, Baird, Bayley. Bell, Berry, Bradley, Brown, Caldwell, Center, Connolly, Dannals, Eagan, Edgar, Ellis, Gibson, Goodall, Hayes, Lee, Little, Long, Luttrell, Mathers, Meeker, Mott of Los Angeles, Munday, Rector, Rice, Schrack, Seibe, Sensabaugh, Slaughter, Splivalo, Tinnin, Walker, Ward, Whiting, Whitney, and Wilcox—38.

Mr. Johnston moved the previous question, which demand was not sustained.

On the question of concurring in the resolution, the ayes and noes were again demanded by Messrs Spencer, McCullough, and Slaughter, and the House concurred by the following vote:

AYES—Messrs. Aldrich, Andrews, Bacon, Barklage, Barnes, Bayley, Bell, Berry, Bradley, Bockius, Brown, Caldwell, Center, Connolly, Cooper, Crane, Dannals, Days, Edgar, Ellis, Everett, Gibson, Goodall, Gray, Hayes. Henshaw, James, Jost, Lee, Little, Lofton, Long, Luttrell, Mathers, Meeker, Mott of Los Angeles, Munday, Rector, Rice, Sargent of Santa Clara, Schrack, Seibe, Sensabaugh, Slaughter, Splivalo, Stillwagon, Tinnin, Walker, Ward, Wheaton, Whiting, Whitney, Wilcox, Wright, and Mr. Speaker—55.

NOES—Messrs Baird, Barker, Coleman, Eagan, Franck, French, Galloway, Harvey, Johnston, Mott of Sacramento, McCullough, Pardee, Russ, Sammons, Sargent of San Joaquin, Spencer, Turner, and Woodward—18

At three o'clock and fifty minutes P. M, on motion of Mr. Wilcox, the House adjourned.

T. B. SHANNON,
Speaker.

M. D. BORUCK, Chief Clerk.

IN ASSEMBLY.

HOUSE OF ASSEMBLY,
Friday, January 12th, 1872.

House met pursuant to adjournment.
Speaker in the chair.
Roll called.
Quorum present.
Prayer by the Chaplain.
Journal of yesterday read and approved.

LEAVE OF ABSENCE.

Mr. Brown was granted leave of absence for two days, and Mr. Hopper for one day.

REPORTS.

Reports from Standing Committees were made as follows:

By Mr. Mott of Sacramento:

Mr. SPEAKER: The Committee on Claims, to whom was referred Senate Bill No 26, beg leave to report it back with amendments, and recommend its passage as amended.

MOTT, Chairman.

By Mr. Spencer:

Mr. SPEAKER: Assembly Bill No 84—An Act to take preliminary steps for calling a Convention to amend, remodel, or propose a new Constitution—having been considered by the Judiciary Committee, is reported back with a substitute, and the majority recommend the passage of the substitute.

SPENCER, for Majority.

Mr. Luttrell made the following minority report from the Judiciary Committee concerning the bill above reported:

Mr. SPEAKER. The undersigned, being a minority of the Judiciary Committee, report adversely to Assembly Bill No 84—An Act to take preliminary steps for calling a Convention to amend, remodel, or propose a new Constitution for the State of California, on the following grounds

First—It will incur an expenditure of nearly one million dollars

Second—The people of this State are transient, and not sufficiently settled to justify the undertaking

Third—Our land titles, particularly to mining property, are still in an unsettled condition.

Fourth—We are now in a prosperous condition under our present Constitution. Vast improvements are being initiated, our State debt and tax are reduced, and it is deemed inexpedient to attempt any such costly experiments at the expense of the people, where there is obviously so little benefit to be derived therefrom.

The minority further report that by amending the present Constitution:

First—So as to prevent the granting of subsidies to large corporations and monopolies,

Second—By changing the time for holding the judicial elections, and

Third—By changing the time for the meeting of the Legislature from the first Monday in December to the second Monday in January, the organic law will meet the demands and necessities of the people. All these needed amendments can be effected without any additional expenditure

Therefore, the minority recommend that neither the original bill nor the substitute proposed by the majority pass.

LUTTRELL, for Minority.

By Mr. Meeker:

Mr. SPEAKER: The Committee on Federal Relations, to whom was

referred Assembly Joint Resolution No. 12—In relation to abolishing the duty on quicksilver—report the same back and recommend its adoption.

MEEKER, Chairman.

By the same:

Mr. SPEAKER: The Committee on Federal Relations, to whom was submitted Memorial and Joint Resolution No. 11—In relation to instructing our Senators and requesting our Representatives in Congress to favor the passage of a law granting the proceeds of the sale of four sections of land per mile to aid in constructing a wagon and turnpike road from the Town of Etna Mills, in Siskiyou County, to the Town of Arcata, in Humboldt County, California—report that they have considered the same and recommend the adoption of the resolution.

MEEKER, Chairman.

By Mr. Barnes:

Mr. SPEAKER: The Committee on Engrossment report that they have examined and find correctly engrossed Assembly Bill No. 44—An Act to authorize County Judges to hold court in other counties than those to which they have been elected, in certain cases.

Also, Assembly Bill No. 73—An Act concerning roads and highways in the County of Yuba.

Also, Assembly Bill No. 100—An Act to provide for the appointment of two additional Notaries Public for Solano County.

Also, Assembly Bill No. 104—An Act to increase the revenue of the School Fund.

Also, Assembly Bill No. 15—An Act in relation to sales and conveyances made by the Garden Land Homestead Association.

Also, Assembly Bill No. 94—An Act supplemental to an Act entitled an Act granting the right of way over certain lands in the Counties of Lake and Sonoma for the construction of a wagon road, approved March fifteenth, eighteen hundred and sixty-four.

BARNES, Chairman.

By Mr. Goodall:

Mr. SPEAKER: The Committee on Commerce and Navigation, to whom was referred Assembly Bill No. 99—An Act to amend an Act entitled an Act concerning trade marks and names—have had the same under consideration, and, with amendments, recommend its passage.

GOODALL, Chairman.

By Mr. Galloway:

Mr. SPEAKER. The Committee on Public Accounts and Expenditures having examined and found correct the following accounts, beg leave to report the same, and recommend the adoption of the accompanying resolution.

To whom due.	Amount.
F. M. Chapman, for carriages ordered by the Inauguration Committee and General Cazneau	$60 00
J. W. Wilson, for carriages ordered by the Inauguration Committee and General Cazneau	135 00
Peter Humrich, for carriages ordered by the Inauguration Committee and General Cazneau	160 00
T. N. Cazneau, for telegrams regarding movement of troops	17 50
	$372 50

Resolved by the Assembly, the Senate concurring, that the sum of sixty dollars is hereby allowed F. M. Chapman, that the sum of one hundred and thirty-five dollars is hereby allowed J. W. Wilson, and the sum of one hundred and sixty dollars is hereby allowed Peter Humrich, for the use of carriages during the inauguration, also, the sum of seventeen dollars and fifty cents is hereby allowed T. N. Cazneau, for telegrams regarding movement of troops attending the inauguration, half of the above sums to be paid out of the Contingent Fund of the Assembly and half out of the Contingent Fund of the Senate.

GALLOWAY, Chairman.

Also, by the same:

Mr. Speaker. The Committee on Public Accounts and Expenditures having examined and found correct the following accounts, beg leave to report the same, and recommend the adoption of the accompanying resolution:

To whom due.	Amount.
Woman's Pacific Coast Journal	$1 50
San José Mercury	62 50
Commercial Herald	15 00
Weekly Rescue	7 50
Oakland News	282 00
Russian River Flag	78 00
Nelson & Mason, for mail bags	20 00
Fuldman & Co	24 00
Postage bill on papers	81 40
Thomas May, for placing safe in Capitol	35 00
J. J. Cass, locksmith bill for Capitol	200 50
J. Breuner, for furniture furnished in the Capitol	680 00
A. J. Rhoads, for carrying mail from December fourth to January fourth, eighteen hundred and seventy-two	75 00
	$1,562 40

Resolved, That the Controller be and he is hereby authorized and directed to draw his warrants on the Contingent Fund of the Assembly as follows:

In favor of Woman's Pacific Coast Journal, for one dollar and fifty cents

In favor of San José Mercury, for sixty-two dollars and fifty cents.

In favor of Commercial Herald, for fifteen dollars

In favor of Weekly Rescue, for seven dollars and fifty cents.

In favor of Oakland News, for two hundred and eighty-two dollars.

In favor of Russian River Flag, for seventy-eight dollars.

In favor of Nelson & Mason, for twenty dollars.

In favor of Fuldman & Co, for twenty four dollars.

In favor of Postage bill, for eighty one dollars and forty cents.

In favor of Thomas May, for thirty-five dollars.

In favor of J. J. Cass, for two hundred dollars and fifty cents.

In favor of John Breuner, for six hundred and eighty dollars.

In favor of A. J. Rhoads, for seventy-five dollars.

GALLOWAY, Chairman.

The rules were suspended, and the resolutions above reported taken up and adopted.

REPORTS FROM SELECT COMMITTEES.

By Mr. Barklage:

Mr Speaker The El Dorado and Placer delegations, to whom was referred Assembly Bill No 151—An Act entitled an Act supplementary to an Act entitled an Act to authorize H H. Smith and others to construct and maintain a turnpike road from Cave Valley to a point on the Central Pacific Railroad, at or near Auburn Station, approved March thirty-first, eighteen hundred and sixty-six—beg leave to report the same back and recommend its passage.

BARKLAGE, for Delegations.

By Mr. De Haven:

Mr Speaker: The Butte delegation, to whom was referred Assembly Bill No. 172—An Act to provide for the appointment of two additional Notaries Public for the County of Butte—have considered the same and respectfully recommend its passage.

De HAVEN.
TURNER.

MESSAGE FROM THE GOVERNOR.

The following message from the Governor was read:

State of California, Executive Department,
Sacramento, January 11th, 1872.

To the Assembly of the State of California:

I have to inform your honorable body that I have approved Assembly Bill No. 103—An Act to repeal an Act entitled an Act to encourage the destruction of squirrels and gophers in certain counties of this State,

approved March sixteenth, eighteen hundred and seventy, so far as it relates to the County of Alameda.

NEWTON BOOTH, Governor.

MOTIONS AND RESOLUTIONS.

Resolutions were offered as follows:

By Mr. Wilcox:

Resolved, That Rule Seventy is hereby amended so as to read as follows: Provided, that any member shall have the privilege of inviting a friend to a seat within the Chamber.

Mr. Meeker moved the previous question.

Before the Speaker had announced the result of the motion, so far as being seconded by the requisite number of members, Mr. Crane arose and addressed the Chair, but he was not recognized.

Mr. Wilcox raised the point of order that the Chair erred in not according the floor to Mr. Crane before announcing the result of Mr. Meeker's motion.

The Chair decided the point of order not well taken.

Mr. Wilcox appealed to the House from the decision of the Chair, and on the question, "Shall the decision of the Chair stand as the judgment of the House?" the decision of the Chair was sustained.

The previous question was ordered to be put by a vote of forty ayes to eight noes

On the adoption of the resolution, the ayes and noes were demanded by Messrs. Wilcox, Galloway, and Sensabaugh, and the House refused to adopt by the following vote.

AYES—Messrs Bacon, Baird, Bell, Chalmers, Connolly, Cooper, De Haven, Edgar, Galloway, Little, Mott of Los Angeles, Pardee, Sargent of Santa Clara, Sargent of San Joaquin, Schrack, Sensabaugh, Splivalo, Stillwagon, Turner, Walker, Ward, Whiting, Wilcox, and Wright—24.

NOES—Messrs. Aldrich. Andrews, Barker, Barklage, Barnes, Bayley, Berry, Bradley, Bockius, Brown, Caldwell, Ceuter, Coleman, Crane, Dannals, Days, Eagan, Ellis, Everett, Franck, Freeman, French, Gibson, Goodall, Gray, Harvey, Hayes, Henshaw. James, Johnston, Jost, Lee, Lofton, Long, Luttrell. Mathers, Meeker, Mott of Sacramento, Munday, McCullough, Rector, Rice, Russ, Sammons, Seibe, Slaughter, Spencer, Tinnin, Welty, Wheaton, Whitney, Woodward, and Mr. Speaker—53.

By Mr. Gibson:

Resolved, That the Committee on Enrollment be authorized to appoint two additional Enrolling Clerks, to receive the usual per diem allowed Copying Clerks by law.

Referred to the Committee on Rules and Regulations.

By Mr. Tinnin:

Resolved, That Assembly Engrossed Bill No. 67 be recommitted to the Judiciary Committee, with instructions to add thereto a section extending

the limitation on book accounts for goods, wares, and merchandise sold and delivered, to four years, and report the same back to this House on or before Thursday, January eighteenth, eighteen hundred and seventy-two.

Adopted.

RULES SUSPENDED.

The rules were suspended for the introduction of the following report by Mr. Gray:

Mr. SPEAKER: The Committee on Corporations have had under consideration Assembly Bill No 69—An Act providing for the formation of mutual fire and marine insurance companies—and for the reasons given in the annexed statement, and considering that at the present time any hostile legislation may destroy the entire insurance interest in the State of California, the committee recommend that the bill do not pass.

Respectfully submitted, GRAY, Chairman.

STATEMENT OF REASONS FOR THE ANNEXED REPORT.

Assembly Bill No. 69 is a carelessly drawn attempt to establish on this coast a system of insurance that has been most thoroughly tried, and everywhere found wanting, all over the Eastern and Middle States; so that while thirty years ago there were hundreds of those companies, now there are hardly any left. The objections to the plan are fundamentally the same as attend all schemes to substitute *credit* for *cash*. It has been found by bitter experience that the notes given for premiums in mutual companies are, to a large extent, worthless when assessed; because the only security being the validity *thereafter* of the policy held by the maker of the note, he will invariably fail to pay any assessment that approximates the premium he would have to pay to a cash company on the same risk. Furthermore, the cost of collection of such assessments, which would generally be small, would make a serious inroad upon the company's capital.

If this plan has everywhere failed in the old settled East, where farms and their improvements are handed down from generation to generation, how will it answer here, where every man's house is for sale? The result of this bill, if passed, would be the formation of a mutual insurance company in every village, for the benefit of a few sharps who want a salary These would destroy the business of the paid-up companies, who pay heavy taxes and are controlled by the Insurance Commissioner (who is entirely ignored in the bill under consideration). They would delude the people with their "paper promises to pay with paper promises" Perhaps two or three assessments would be paid; but in the event of a larger loss, the idea of payment would be laughed at, and they would go out of existence after an average life of a few years or months, leaving always unliquidated debts, and having succeeded merely in ruining all the paid up companies, and making it impossible to induce bona fide capital to engage in the business.

At the present time, the fate of the remaining stock companies is trembling in the balance. Unless something can be done to secure remunerative rates of premium, one or two years more will wind us all

up. It will be very easy for the Legislature to destroy the whole interest by but little hostile legislation

GRAY, Chairman.

PETITION.

Mr. Freeman was granted leave to offer a petition from a number of residents of Woodland, in favor of legislation for the enfranchisement and protection of women, and the following resolution:

Resolved, That a special committee of five be appointed by the Speaker to act on the petition above referred.

The resolution was adopted, and subsequently the Speaker appointed the following committee thereunder: Messrs. Freeman, Turner, Days, Meeker, and Burckhalter.

MESSAGE FROM THE SENATE.

The following message was received from the Senate:

SENATE CHAMBER,
January 12th, 1872.

Mr. SPEAKER: I am directed to inform your honorable body that the Senate, on the eleventh day of January, amended and passed Assembly Bill No. 14—An Act granting James H. Clark, County Superintendent of Public Instruction, leave of absence from the State.

Also, passed Senate Bill No 72—An Act amendatory of an Act entitled an Act to regulate the settlement of the estates of deceased persons, passed May first, eighteen hundred and fifty one.

Also, concurred in Assembly Concurrent Resolution No. 9—Relative to the appointment of a Clerk for the State Prison Committee of the Senate and Assembly.

Also, adopted Senate Concurrent Resolution No. 19—Relative to joint committee to examine Indian war bonds.

FERRAL, Secretary.

CONSIDERATION OF SENATE MESSAGE.

The House concurred in Senate amendments to Assembly Bill No. 14, above reported.

Senate Bill No. 72, above reported, read first and second times and referred to Judiciary Committee.

The House concurred in Senate Concurrent Resolution No. 19, above reported.

REPORT.

Mr. Barnes made the following report:

Mr. SPEAKER: The Committee on Engrossment report that they have examined and find correctly engrossed Assembly Bill No. 119—An Act to repeal an Act to create a Board of Water Commissioners in the City of Los Angeles, and to define their powers and duties.

Also, Assembly Joint Resolution No. 5—Relative to the establishment

of a tri weekly mail from the Town of San Diego to Julian, in the County of San Diego.

Also, Assembly Joint Resolution No. 3—Instructing our Senators and Representatives in Congress to obtain the adoption of such treaty regulations and legislation as shall discourage Chinese immigration.

BARNES, Chairman.

NOTICE.

Mr McCullough gave notice of the introduction of a bill for an Act to provide greater security for depositors in banks, savings and loan societies, and other corporations.

INTRODUCTION OF BILLS.

Bills were introduced as follows:

By Mr. Luttrell—An Act granting leave of absence to Grant I. Taggart, Clerk of the Supreme Court.

By Mr Splivalo—An Act concerning unlawful holding over of dwelling houses, tenement houses, shops, and stores, and land leased therewith, in the City and County of San Francisco.

Severally read first and second times and referred to the Judiciary Committee.

By Mr. Johnston—An Act in relation to the engrossment of bills and enrollment of laws, and to amend an Act fixing the number of officers and employés of the Senate and Assembly, to define their duties and to establish their pay, approved May twentieth, eighteen hundred and sixty-one.

Read first and second times and referred to the Committee on Rules and Regulations.

By Mr. Baird—An Act to regulate and fix the time for holding the terms of the several Courts of record in and for the County of San Mateo.

Read first and second times and referred to joint delegations from San Francisco and San Mateo.

LEAVE OF ABSENCE.

On motion of Mr. Pardee, the Committee on Public Buildings and Grounds were granted indefinite leave of absence from and after Monday next

On motion of Mr. Crane, similar leave of absence was granted to the Committee on State Prison.

Leave of absence for the rest of to-day and for to-morrow to Messrs. Pardee and Crane.

REPORT.

Mr. Gibson made the following report:

Mr. Speaker: Your Committee on Enrollment beg leave to report that they have examined and found correctly enrolled the following bills:

Assembly Bill No. 77—An Act to authorize the Board of Supervisors of Mariposa County to levy an additional tax for county purposes.

Also, Assembly Bill No. 63—Concerning certain officers in the County of Merced.

Also, Assembly Bill No. 25—An Act to amend an Act entitled an Act concerning the Courts of justice of this State and judicial officers, approved April twentieth, eighteen hundred and sixty-three.

Also, Assembly Bill No. 18—An Act to amend an Act entitled an Act to authorize the Council of the City of Oakland to lay out, open, or improve streets in said city.

Also, Assembly Bill No. 65—An Act to authorize the executors of the last will and testament of John C. Keenan, deceased, to mortgage certain real estate of their testator.

Also, Assembly Joint Resolution No. 6—Relative to the establishment of a mail route from Weaverville to Trinity Center, in Trinity County.

And that the same have this twelfth day of January, A. D. eighteen hundred and seventy-two, at twenty-three minutes past twelve o'clock, been transmitted to the Governor for his approval.

Also, that Assembly Bill No. 103 has been corrected, pursuant to concurrent resolution passed January tenth, A. D. eighteen hundred and seventy-two, and presented the same to the Governor on January eleventh, eighteen hundred and seventy-two, at seven minutes past one o'clock, for his approval.

GIBSON, Chairman.

At one o'clock P. M., on motion of Mr. Days, the House took a recess until half-past one o'clock.

REASSEMBLED.

At half-past one o'clock the House reassembled.
Speaker in the chair.
Roll called.
Quorum present.

INTRODUCTION OF BILLS CONTINUED.

The following bills were introduced:

By Mr. Wheaton—An Act to change the name of the Oakland Cotton Manufacturing Company.

Read first and second times and referred to the Committee on Corporations.

By Mr. Jost—An Act to repeal an Act entitled an Act to prohibit the collection of accounts for liquors sold at retail, approved April twenty-first, eighteen hundred and fifty-eight.

Read first and second times and referred to the Committee on Commerce and Navigation.

Also, an Act amendatory of and supplementary to an Act entitled an Act to authorize Robert G. Arthur, his associates or assigns, to construct and keep in repair certain roads upon the San Miguel Rancho and adjoining property, in the City and County of San Francisco, and to levy and collect tolls thereon, approved April twenty-seventh, eighteen hundred and sixty-two.

Read first and second times and referred to the San Francisco delegation.

By Mr. Galloway—An Act to repeal an Act entitled an Act to create a Board of Levee and Street Commissioners in and for the Town of Pacheco, Contra Costa County, and define their powers and duties, approved March twenty-ninth, eighteen hundred and seventy.

Read first and second times, and with accompanying petition, referred to Contra Costa delegation.

By Mr. Bayley—An Act to restrict the herding of sheep and goats in the County of El Dorado.

Read first and second times and referred to the El Dorado delegation.

GENERAL FILE.

The House refused to adopt a resolution providing for an additional paper folder.

Assembly Bill No. 32—An Act to repeal an Act to provide for the protection of lands in the County of Sutter from overflow, approved April fourth, eighteen hundred and seventy.

Assembly Bill No. 146—An Act to amend an Act entitled an Act to create a Board of Education for the City of Marysville, approved April first, eighteen hundred and seventy.

Assembly Bill No 162—An Act amendatory of and supplementary to an Act entitled an Act to provide for the better collection of delinquent taxes in the County of Yuba, approved April twenty-fifth, eighteen hundred and sixty-three.

Rules suspended, bills severally considered, considered engrossed, read a third time and passed.

The House rejected the resolution to allow a Clerk to the Committee on State Prison.

Assembly Bill No 129—An Act to repeal an Act entitled an Act providing for the recording of the papers filed in the Probate Court of the County of Santa Clara in certain cases, approved April second, eighteen hundred and seventy.

Amendment reported adopted, rules suspended, bill considered engrossed, read a third time and passed.

Senate Bill No. 60—An Act for the relief of O. P. Fitzgerald.

Substitute reported adopted, rules suspended, bill considered engrossed, read a third time and passed

Assembly Bill No 109 was taken from the file and referred to the Committee on Corporations.

Assembly Bill No 124—An Act for the relief of the City of Oakland.

Indefinitely postponed.

Assembly Bill No 115—An Act to provide for the distribution of surplus copies of the California Reports, and for the completion of the sets of judicial officers

Indefinitely postponed.

Assembly Bill No. 97—An Act to amend an Act entitled an Act to amend an Act to protect agriculture and to prevent the trespassing of animals upon private property, approved March twenty-sixth, eighteen hundred and sixty-six, approved March twenty-sixth, eighteen hundred and seventy.

Assembly Bill No. 169—An Act legalizing the ordinances of the City of Oakland.

Ordered engrossed.

Assembly Bill No. 126—An Act to regulate the forfeiture of policies of life insurance.

Ordered engrossed.

Assembly Bill No 114—An Act amendatory of an Act entitled an Act to regulate the settlement of estates of deceased persons, passed May first, eighteen hundred and fifty.

Ordered engrossed.

Assembly Bill No. 85 was passed on the file.

Assembly Bill No. 116—An Act to amend an Act entitled an Act to regulate proceedings in civil cases and Courts of justice in this State, passed April twenty-ninth, eighteen hundred and fifty-one, and other Acts amendatory thereto.

Substitute reported adopted, rules suspended, bill considered engrossed, read a third time and passed.

Assembly Bill No. 118—An Act to amend an Act entitled an Act to provide for the appointment and prescribe the duties of guardians, approved April nineteenth, eighteen hundred and fifty.

Substitute reported adopted.

Mr. Luttrell moved to suspend the rules and consider the substitute as engrossed.

The motion was lost and the bill ordered engrossed.

WINE GROWERS' CONVENTION.

The rules were suspended for the introduction of the following resolution by Mr. Chalmers:

Resolved, That the use of the Assembly Chamber be granted to the wine growers of this State for the purpose of holding a Convention on the evening of Wednesday, January thirty-first, eighteen hundred and seventy-two.

ROBERT CHALMERS,
Chairman of Committee on Culture and Improvement of the Grapevine.

The rules were further suspended, on motion of Mr. Meeker, and the resolution was adopted.

SENATE MESSAGE.

The following message was received from the Senate:

SENATE CHAMBER,
January 12th, 1872.

Mr. SPEAKER: I am directed to inform your honorable body that the Senate, on January eleventh, passed Senate Bill No. 64—An Act for the relief of General John A Sutter.

Also, passed, under suspension of the rules, January twelfth, Assembly Bill No. 119—An Act to repeal an Act to create a Board of Water Commissioners in the City of Los Angeles, etc.

FERRAL, Secretary.

CONSIDERATION OF SENATE MESSAGE.

Senate Bill No. 64, above reported, read first and second times and referred to the Committee on Claims.

There being no further business, at two o'clock and forty-five minutes P M, on motion of Mr. Berry, the House adjourned.

T. B. SHANNON,
Speaker.

GEORGE W. DIXON, Assistant Clerk.

IN ASSEMBLY.

HOUSE OF ASSEMBLY,
Saturday, January 13th, 1872.

The House met pursuant to adjournment.
Speaker in the chair.
Roll called.
Quorum present.
Prayer by the Chaplain.
Journal of yesterday read and approved.

LEAVE OF ABSENCE.

Leave of absence was granted for one day each to Messrs. Goodall, Wilcox, Barker, Ward, Gray, Wright, and Johnston.

PETITION.

Mr. Dannals presented a petition from six hundred residents of San Diego County, asking that said county might be excepted from the operation of any law that may be enacted generally referred to as "Trespass" or "No-Fence Law"

Referred to Committee on Agriculture.

REPORTS OF STANDING COMMITTEES.

Reports from Standing Committees were made as follows:

By Mr. Mott of Sacramento:

Mr. SPEAKER: Your Committee on Claims, to whom was referred Assembly Bill No 62—An Act to appropriate money for the relief of James M. Marshall—respectfully report it back and recommend its passage.

Also, Assembly Bill No. 64—An Act to appropriate money for the relief of General John A Sutter—and recommend its passage.

MOTT, Chairman.

By Mr. De Haven:

Mr SPEAKER. The Committee on Printing, to whom was referred Assembly Bill No. 166—An Act making an appropriation for deficiencies for the twenty-third fiscal year, ending the thirtieth day of June, eighteen hundred and seventy-two—have had the same under consideration, and finding from investigation that there is no means provided for the meeting

of claims for printing done, the appropriation for that purpose being exhausted, report the same back with recommendation that it do pass.

DE HAVEN, Chairman.

JOINT RESOLUTION.

The rules were suspended for the following report from a special committee, offered by Mr. Luttrell:

Mr. SPEAKER: The delegations from Siskiyou, Shasta, and Lassen to whom was referred Assembly Joint Resolution No. 4, have had the same under consideration, and report the same back with substitute and recommend the passage of the substitute.

LUTTRELL, for Delegation.

The rules were again suspended, the joint resolution above reported taken up, rules again suspended, considered engrossed, read a third time and passed.

FURTHER REPORTS.

By Mr. Spencer:

Mr. SPEAKER: The Committee on Judiciary having considered Assembly Bill No 136—An Act to amend an Act entitled an Act to provide for the liquidation of all claims against the State not otherwise provided for by law, approved April first, eighteen hundred and seventy, and the accompanying substitute—report them back and recommend the passage of the original bill.

In the opinion of the committee, section five of the Act referred to is unconstitutional.

Also, Assembly Bill No 142—An Act to repeal an Act entitled an Act supplementary to an Act defining the time of commencing civil actions in certain cases, passed May fourth, eighteen hundred and fifty-two, approved April second, eighteen hundred and fifty-five—report it back without recommendation. The repeal of the Act therein referred to would leave defects in the Statute of Limitations unprovided for; therefore the committee suggest that it be withdrawn by its author and replaced by another bill.

Also, Assembly Bill No. 130—An Act to amend an Act entitled an Act to protect the wages of labor, approved March twenty-first, eighteen hundred and seventy-one—report it back and recommend that it do not pass.

Also, Assembly Bill No. 135—An Act to amend an Act entitled an Act to regulate fees of office and salaries of certain officers, and to repeal certain other Acts in relation thereto, approved March fifth, eighteen hundred and seventy—report it back and recommend its passage.

Also, Assembly Bill No. 153—An Act to amend an Act entitled an Act to regulate proceedings in the Courts of justice of this State, approved April twenty-ninth, eighteen hundred and fifty-one—report it back and recommend that it do not pass.

Also, Assembly Bill No 131—An Act to provide for the appointment of two additional Notaries Public for the County of Contra Costa—report it back and recommend its passage.

Also, Assembly Bill No. 35—An Act amendatory of an Act entitled an Act for the more effectual prevention of cruelty to animals, approved

March thirtieth, eighteen hundred and sixty-eight—report it back; it being, in the opinion of the committee, unconstitutional, in the appropriation of the fines authorized to be imposed by its provisions, recommend that it do not pass.

Also, Assembly Bill No. 139—Proposed amendment to the Constitution of the State of California—report that its provisions are not sufficiently ample to cut off the class of legislation intended thereby to be inhibited, therefore recommend that it do not pass.

Also, Assembly Bill No. 26—An Act to amend an Act entitled an Act concerning the distribution of the reports of the decisions of the Supreme Court and the statutes of this State, approved March third, eighteen hundred and sixty-six—report it back, and recommend that the Senate amendment be concurred in.

Also, Assembly Bill No 157—An Act to amend an Act entitled an Act concerning jurors in the City and County of San Francisco, approved May twentieth—report that the change sought is not of sufficient importance to justify the enactment, therefore recommend that it do not pass.

Also, Senate Bill No. 55—An Act supplementary to an Act entitled an Act to provide for the appointment of Notaries Public and defining their duties, approved April twenty-fifth, eighteen hundred and sixty-two—report it back and recommend its passage.

Also, Senate Bill No 60—An Act to amend an Act concerning attorneys and counselors at law, approved February nineteenth, eighteen hundred and fifty one—report it back and recommend its passage.

Also, resignation of Charles Lindley as Revision Commissioner, and series of resolutions adopted by the Revision Commission—report the same back without recommendation, as the passage of Senate Bill No. 77—An Act concerning revision of the laws, passed January eighth, eighteen hundred and seventy-two—renders further action in the premises unnecessary.

SPENCER, Chairman.

Assembly Bill No. 136, above reported, was taken up, under suspension of the rules, on motion of Mr Luttrell, and considered

The substitute reported was rejected, and the rules being again suspended, the bill was considered engrossed, read a third time and passed.

By the same:

Mr Speaker: The Committee on Judiciary, to whom was referred engrossed Assembly Bill No 67—An Act defining the time within which certain actions may be brought—report the same back, with a draft of an additional section, in conformity with the resolution of instruction in reference thereto A majority of the committee further report that they deem it unwise to change in any particular the limitation laws now in force, for the reason, among others, that they have received judicial construction in many important particulars, and to that extent have become understood by the legal profession and the people at large, and that if any innovation is made a large amount of additional litigation will be set on foot solely to accomplish the objects attained without any corresponding accruing advantage. And particularly do a majority of the committee desire to place their protest on record against the passage of a law extending the time for commencing actions from two to four years on book accounts, for the obvious reason that the suppletory evidence of

indebtedness (*i. e.* the creditor's books) is manufactured by the creditor and retained in his custody, against the effects of which oftentimes the alleged debtor has nothing to oppose except his own unsupported oath, his only protection against which is to allow him to raise the presumption of payment resulting from the lapse of time.

SPENCER, for Majority.

REPORTS OF SELECT COMMITTEES.

The following reports were made by the select committees:

By Mr. Harvey:

Mr SPEAKER: The Sacramento delegation, to whom was referred *Assembly Bill No. 143—An Act to amend an Act providing for the* appointment of additional Notaries Public in Sacramento County, approved April fourth, eighteen hundred and seventy—have had the same under consideration, and report the same back and recommend its passage.

HARVEY, for Delegation.

By Mr. Dannals:

Mr. SPEAKER: The San Diego delegation, to whom was referred Assembly Bill No. 51—An Act for the government of the County of San Diego—have had the same under consideration, and report the same back to the House, with amendments, and recommend its passage as amended.

DANNALS, for Delegation.

By Mr. Bell:

Mr. SPEAKER: The Sierra and Nevada delegations, to whom was referred Assembly Bill No. 132—*An Act to improve the Little Truckee River*—having had the same under consideration, report it back with substitute, and recommend that it do pass.

BELL,
DAYS,
EVERETT,
SAMMONS,
WHITNEY.

By Mr. Slaughter:

Mr. SPEAKER: Your special committee, composed of the delegations of the Counties of Los Angeles, San Diego, and San Bernardino, to whom was referred Assembly Bill No 17—An Act entitled an Act to create the Eighteenth Judicial District—have had the same under consideration, and beg leave to report the following reasons, among others, why your committee would report the bill back to the House with a recommendation that the same pass:

First—That the distance necessary for the presiding Judge of the Seventeenth Judicial District to travel around his circuit to attend his Courts is so great, and the want of public conveyances in many parts of his district, and the necessary time spent in going to and from the places in holding Court, that it is impossible for him to attend the necessary

business found upon the docket within the time allowed in holding the term.

Second—That a large amount of the litigation in the said Seventeenth Judicial District originates from the unsettled condition of the lands therein, also, concerning mines and mining claims within the district.

Third—That the counties composing said Seventeenth District are rapidly increasing in population and in litigation, and great delay and expense to the litigant occurs in consequence of causes being continued from time to time for want of time allowed in holding the various Courts.

All of which is respectfully submitted.

SLAUGHTER,
ELLIS,
DANNALS,
T. D. MOTT.

MOTIONS AND RESOLUTIONS.

Resolutions were offered as follows:

By Mr. Whitney:

Resolved, That the Sergeant at Arms be directed to furnish each member of the Assembly additional postage stamps to the amount in value of fifteen dollars.

Referred to the Committee on Rules and Regulations.

By Mr. Jost:

WHEREAS, Major General H. W. Halleck, distinguished not only as a patriot soldier, but as a law writer of deserved fame, who for many years of his useful life was a citizen of our State, and an old pioneer, died at the City of Louisville, Kentucky, on the ninth of January, now, therefore, in this House be it

Resolved, That when this House adjourns this day it stands adjourned until Tuesday, January sixteenth, at two o'clock P. M., as a token of respect to his memory.

The resolution was unanimously adopted.

Mr. Rector offered a resolution providing for a daily recess from one until two o'clock P. M.

Referred to the Committee on Rules and Regulations.

By Mr. Munday:

WHEREAS, The late Attorney General rendered an opinion that, under section one of an Act concerning the State revenue, approved April fourth, eighteen hundred and sixty four, the Tax Collector is required to collect the taxes that exceed five dollars in gold coin, and whereas, the difference between the value of gold and silver coin renders the Act, as construed, oppressive upon the farming and laboring classes, who receive, as a general rule, their compensation in silver coin; therefore, be it

Resolved, That the Committee on Ways and Means are instructed to take the matter under consideration, and to report such a bill as, in the judgment of the committee, will afford a remedy.

Referred to the Committee on Ways on Means.

On motion of Mr. Freeman, it was agreed that Mr. French be added to the special committee on the enfranchisement and protection of women; and the Speaker so nominated him.

By Mr. Coleman:

Resolved, That it is hereby made the duty of the Committee on the Agricultural, Mining, and Mechanical Arts College to examine into and thoroughly investigate all matters pertaining to the State University, located at Oakland; and, if deemed advisable, to make such full investigation, to visit the University, and report to this House.

Mr. McCullough moved to refer the resolution to the Committee on Public Buildings and Grounds.

Mr. Days moved to amend by inserting after the word "matters" in the resolution the words "not otherwise referred to the Committee on Public Buildings and Grounds."

Mr. Mathers moved the previous question, which being ordered, the motion of Mr. McCullough was put, and the House refused to agree to it.

The amendment of Mr. Days was accepted, and the resolution, as amended, was adopted.

By Mr. Spencer:

Resolved, That the resolution heretofore adopted, making Senate Bill No. 61 and Assembly Bill No. 4 the special order for Wednesday, the seventeenth instant, be rescinded, and that said bills be made the special order for January twenty-fourth, at one o'clock P. M.

Adopted.

By Mr. Berry:

Resolved, That the Committee on Ways and Means be instructed to report Assembly Bill No. 8 to this House on or before Wednesday, the seventeenth instant.

NOTICE.

Mr. French gave notice of the introduction of a bill for an Act to incorporate the City of Sacramento.

INTRODUCTION OF BILLS.

Bills were introduced as follows:

By Mr. Spencer—An Act to provide for the opening and improvement of Santa Clara Avenue, in the County of Santa Clara.

Read first and second times and referred to the Santa Clara delegation.

By Mr. Henshaw—A proposed amendment to the Constitution of the State of California, as follows:

PROPOSED AMENDMENT TO THE CONSTITUTION OF THE STATE OF CALIFORNIA.

The Legislature of the State of California, at its nineteenth session, commenced on the fourth day of December, A. D. one thousand eight

hundred and seventy-one, by a majority of all members elected to each House, agree to the following amendments to the Constitution:

First—Amend section two of Article Four so as to read as follows:

SEC. 2. The sessions of the Legislature shall be biennial, and shall commence at twelve o'clock noon on the Wednesday next after the first Monday in January ensuing the election of its members, unless the Governor of the State convene the Legislature by proclamation No session shall continue longer than one hundred and twenty days.

Second—Article Eight is amended by adding thereto section two, as follows:

SEC. 2. The State shall never pay, assume, or become responsible, directly or indirectly, for the debts or liabilities of, or in any way or manner give, loan, or extend its credit to, or in aid of, any public or other corporation, association, or individual.

Read first and second times and referred to the Judiciary Committee.

By Mr. Mott, of Sacramento—An Act amendatory of and supplementary to an Act approved April twenty-fifth, eighteen hundred and sixty-three, entitled an Act to incorporate the City of Sacramento.

Read first and second times and referred to the Sacramento delegation.

By Mr. Splivalo—An Act to create the office of Bank Commissioner and other matters relating thereto.

Read first and second times, referred to the Committee on Corporations, and ordered printed.

By Mr. Harvey—An Act to provide for the listing and assessing all solvent debts, and to repeal the Act entitled an Act to prevent double taxation, approved April first, eighteen hundred and seventy, and the Act entitled an Act to relieve owners of encumbered real estate from double taxation, approved April fourth, eighteen hundred and seventy.

Read first and second times, referred to the Committee on Ways and Means, and ordered printed.

By Mr. McCullough—An Act to provide greater security for depositors in banks, savings and loan societies, and other corporations.

By Mr. Wilcox—An Act to abolish attorneys' fees and other charges in savings banks.

Severally read first and second times and referred to the Committee on Corporations.

SENATE MESSAGE.

The following message was received from the Senate:

SENATE CHAMBER,
January 13th, 1872.

Mr. SPEAKER: I am directed to inform your honorable body that the Senate, on the twelfth day of January, eighteen hundred and seventy-two, passed Assembly Bill No. 98—An Act supplementary to and amendatory of an Act to authorize the Board of Supervisors of Marin County to issue and sell bonds of said county and apply the proceeds thereof to the construction of wagon roads in said county.

Also, passed Senate Bill No. 54—An Act authorizing the distribution of the Reports of the State Geological Survey.

Also, concurred in Assembly Joint Resolution No 5—Relative to the establishment of a tri-weekly mail from San Diego to Julian, in San Diego County.

I am further instructed to inform your honorable body that the President of the Senate has appointed the following gentlemen on the part of the Senate as the Joint Revision Committee: Messrs. Irwin, O'Connor, and Oulton, on Political Code; on Penal, Code of Civil Procedure, and Civil Code, Messrs. Pendegast, Tompkins, and Comte. Also, that Mr. Farley was, by resolution, added to the Committee on Penal, Code of Civil Procedure, and Civil Code.

FERRAL, Secretary.

CONSIDERATION OF SENATE MESSAGE.

Senate Bill No. 54, above reported, read first and second times and referred to Committee on Education.

GENERAL FILE.

Assembly Bill No. 15—An Act in relation to sales and conveyances made by the Garden Land Homestead Association.

Also, Assembly Bill No. 104—An Act to increase the revenue of the School Fund.

Severally read third time and passed.

Assembly Bill No. 85—An Act to amend an Act entitled an Act concerning grand and trial jurors, approved April twenty seventh, eighteen hundred and sixty-three.

Amended and ordered engrossed.

Senate Bill No. 26—An Act to appropriate money for contingent expenses of the Legislature at its eighteenth session.

Considered in Committee of the Whole, the Speaker in the chair.

IN ASSEMBLY.

Amendments adopted, reported, and passage recommended, read a third time and passed.

On motion of Mr. Rector, the rules were suspended, and Assembly Joint Resolution No 11 taken from the file out of its order.

Mr. Rector moved to refer the bill to the delegations from Humboldt and Klamath.

Mr. Luttrell moved to add the Siskiyou delegation.

Both motions were adopted and the bill was so referred.

On motion of Mr. Spencer, at one o'clock and twenty-two minutes P. M., the House adjourned until Tuesday, January sixteenth, at two o'clock P. M.

T. B. SHANNON,
Speaker.

M. D. Boruck, Chief Clerk.

IN ASSEMBLY.

HOUSE OF ASSEMBLY,
Tuesday, January 16th, 1872.

House met pursuant to adjournment.
Speaker in the chair.
Roll called.
Quorum present.
Prayer by the Chaplain.
Journal of Saturday, January the thirteenth, was read and approved.

LEAVE OF ABSENCE.

Leave of absence was granted, for two days each, to Messrs. Everett and Walker, and for one day each to Messrs. Cooper, Gibson, Wilcox, Little, Franck, and Edgar.

MOTION.

Mr. Sensabaugh, at two o'clock and fifteen minutes, moved that the House adjourn.
Lost.

MESSAGES FROM THE SENATE.

The following messages from the Senate were read:

SENATE CHAMBER,
January 13th, 1872.

Mr. SPEAKER: I am directed to inform your honorable body that the Senate, on this day, passed Senate Bill No 43—An Act concerning the Police Judge's Court of the City and County of San Francisco

Also, Senate Bill No 30—An Act to provide for the Institution for the Deaf, Dumb, and Blind.

Also, Senate Bill No. 84—An Act to provide for the erection of a Court House and Jail for the County of Stanislaus

Also, Assembly Bill No. 100—An Act to provide for the appointment of two additional Notaries Public for Solano County.

SHACKELFORD, Assistant Secretary.

SENATE CHAMBER,
January 16th, 1872.

Mr. SPEAKER: I am directed to inform your honorable body that the Senate, on the sixteenth day of January, passed Senate Bill No. 40—An Act for the relief of Henry Kohn.

Also, amended and passed Assembly Bill No. 6—An Act to provide for the erection of county buildings in the County of Mendocino.

Also, passed, on the eleventh instant, Senate Bill No. 89—An Act to provide the County Superintendent of Common Schools of Stanislaus County with an office.

Also, on same day, passed Senate Bill No. 71—An Act to amend an

Act entitled an Act relative to the duties and compensation of the Clerk of the Supreme Court, approved April sixth, eighteen hundred and sixty-six.

Also, on the same day, passed Senate Bill No 79—An Act to fix the terms of the County and Probate Court of the County of San Luis Obispo.

SHACKELFORD, Assistant Secretary.

CONSIDERATION OF SENATE MESSAGES.

Senate Bill No. 43, above reported, read first and second times and referred to the San Francisco delegation.

Senate Bill No. 30, above reported, read first and second times and referred to the Committee on Ways and Means.

Senate Bill No. 84, above reported, read first and second times and referred to the delegations from Merced and Stanislaus.

Senate Bill No. 40, above reported, read first and second times and referred to the Committee on Claims.

Senate Bill No. 89, above reported, read first and second times and referred to the delegations from Stanislaus and Merced.

The House concurred in Senate amendments to Assembly Bill No. 6, above reported.

Senate Bills Nos. 71 and 79, above reported, were severally read first and second times and referred to the Judiciary Committee.

MESSAGES FROM THE GOVERNOR.

The following messages from the Governor were read:

STATE OF CALIFORNIA, EXECUTIVE DEPARTMENT,
Sacramento, January —, 1872.

To the Assembly of the State of California:

I have to inform your honorable body that I have approved Assembly Bill No. 18—An Act to amend an Act entitled an Act to authorize the Council of the City of Oakland to lay out, open, or improve streets in said city, approved January thirty-first, eighteen hundred and seventy.

Also, Assembly Bill No. 65—An Act to authorize the executors of the last will and testament of John C. Keenan, deceased, to mortgage certain real estate of their testator.

Also, Assembly Bill No. 25—An Act to amend an Act entitled an Act concerning the Courts of justice of this State and judicial officers, approved April twentieth, eighteen hundred and sixty-three.

Also, Assembly Bill No. 63—An Act concerning certain officers in the County of Merced.

NEWTON BOOTH, Governor.

PETITION.

Mr. Luttrell presented a petition from citizens in Siskiyou County that they be exempted from the provisions of the so-called Trespass Act.

Referred to the Committee on Agriculture.

REPORT.

The following report was read by Mr. Barnes:

Mr. SPEAKER: The Committee on Engrossment report that they have examined and find correctly engrossed Assembly Bill No. 110—An Act to amend an Act concerning roads and highways in the County of Mendocino.

Also, Assembly Bill No. 90—An Act to regulate the pay of grand jurors in the County of Los Angeles.

Also, Assembly Bill No. 92—An Act to amend section one hundred and forty-five of an Act entitled an Act to regulate the settlements of the estates of deceased persons, passed May first, eighteen hundred and fifty-one.

Also, Assembly Bill No. 117—An Act concerning roads in the County of Humboldt.

Also, Assembly Bill No. 128—An Act to legalize the assessment and equalization of taxes in the County of El Dorado.

Also, Assembly Bill No. 108—An Act to repeal an Act entitled an Act authorizing the condemnation of private property within the limits of the public streets of the City and County of San Francisco within the Laguna Survey, approved March twenty-fifth, eighteen hundred and seventy.

Also, Assembly Bill No. 88—An Act to repeal an Act entitled an Act for the relief of the free schools of the Presentation Convent of the City and County of San Francisco, approved April fourth, eighteen hundred and seventy.

BARNES, Chairman.

RESOLUTIONS AND MOTIONS.

Resolutions were offered as follows:

By Mr. Gray:

Resolved, That the Engrossing Committee is hereby directed to report back to this House for correction Assembly Bill No. 152.

Adopted.

By Mr. Dannals:

A Concurrent Resolution—To aid in the establishment of steamer mail service on the southern coast from November first to May first in each year, until San Diego and San Francisco are connected by rail.

Read first and second times and referred to the Committee on Federal Relations.

By Mr. Days:

A Joint Resolution—Providing for a ratification of the Fourteenth Amendment to the Constitution of the United States.

Read first and second times and referred to the Committee on Federal Relations.

By Mr. Luttrell:

Resolved, That the Committee on Public Lands be and they are hereby

instructed to inquire into and ascertain from the books of the Surveyor General, and report to this House:

First—The number of acres of State school lands that have been located during the past eight years.

Second—The date of each location.

Third—By whom located.

Fourth—The amount paid on each location, and by whom.

Adopted.

By Mr. Days:

WHEREAS, A paragraph is going the rounds of the press of the State to the effect that one Albert Davis was robbed in San Francisco, and having applied to the police officers the robber was arrested, and the said Albert Davis being a stranger and unable to procure bail for his appearance to prosecute said robber, has been incarcerated eighty-two days, and is still in jail, therefore, be it

Resolved, That the Judiciary Committee be instructed to inquire, by letter or otherwise, into the truth of the above statement, and if true, or if our laws would allow anything of the nature to occur, to report the same to this House with a bill which will protect the liberties of the people under the laws.

Mr. Gray moved to strike out from the resolution the paragraph reflecting on the Judiciary of San Francisco

Mr. Sensabaugh moved to lay the resolution on the table, but the House refused.

At two o'clock and forty minutes Mr. Sensabaugh moved to adjourn.

Lost.

The amendment offered by Mr. Gray was accepted, and the resolution was then adopted.

By Mr. Gray:

Resolved, That Assembly Bill No 152 be amended by inserting an enacting clause as follows: "The People of the State of California, represented in Senate and Assembly, do enact as follows."

Adopted.

By Mr. De Haven:

A resolution that the Clerk to the Sergeant at Arms of the Assembly be allowed the quantity of postage stamps allowed to members, as proposed in a resolution offered January thirteenth.

Referred to the Committee on Rules and Regulations.

Mr. Gray offered a verbal resolution that the Clerk of the Committee on Engrossment be authorized to insert the enacting clause in Assembly Bill No. 152, and it was so ordered.

NOTICE.

Mr. Berry gave notice of the introduction of a bill for an Act for regulating the damming up and obstructing the natural flow of waters through streams, sloughs, and bayous.

Mr. Mott of Los Angeles also gave notice of a bill for an Act to amend the Act regulating the incorporation of mining companies in this State.

INTRODUCTION OF BILLS.

Bills were introduced as follows:

By Mr Johnston—An Act to provide for the protection of the City of Sacramento and Swamp Land District Number Two.

By Mr French—An Act to incorporate the City of Sacramento.

Severally read first and second times and referred to the Sacramento delegation.

By Mr. Barker—Proposed Amendments to the Constitution of the State of California:

The Legislature of the State of California, at its nineteenth session, commencing on the fourth day of December, eighteen hundred and seventy-one, proposes the following amendments to the Constitution:

Section three of Article Six shall be amended so as to read as follows:

The Justices of the Supreme Court shall be elected by the qualified electors of the State at the regular biennial election for State and County officers, and shall hold their offices for the term of twenty years from the first day of January next after their election; they shall, at their first meeting, so classify themselves by lot that one Justice shall go out of office every two years. The Justice having the shortest term to serve shall be the Chief Justice, *provided*, that no Justice shall sit upon the Supreme Bench after he has attained the age of seventy years.

Nothing herein contained shall be so construed as to affect the term of any Justice elected prior to the passage of this amendment, and in case of the resignation, death, or incapacity of any Justice, which shall necessitate the election or appointment of any person to fill the place so made vacant, the person so elected or appointed shall hold for the balance of the term made vacant and no longer.

Section one of Article Nine shall be amended so as to read as follows:

A Superintendent of Public Instruction shall be elected by the qualified voters of the State at the regular biennial election for State and County officers in the year one thousand eight hundred and seventy-five, and every four years thereafter, and shall enter upon the duties of his office on the first day of December next after his election.

By Mr. Mott of Los Angeles—An Act fixing the salary of the County Judge of Los Angeles County.

By Mr Munday—An Act to determine who must act as the Chief Justice of the Supreme Court.

By Mr Ward—An Act granting R. S Bettis, Treasurer of Tehama County, leave of absence.

Severally read first and second times and referred to the Judiciary Committee.

By Mr. Mott of Los Angeles—An Act concerning the compensation of certain county officers in the County of Los Angeles.

Read first and second times and referred to the Los Angeles delegation.

By Mr. Center—An Act granting leave of absence to W. H. Brown, Sheriff of El Dorado County.

Read first and second times and referred to the El Dorado delegation.

By Mr. Luttrell—An Act to amend an Act entitled an Act to regulate elections, passed March twenty-third, eighteen hundred and fifty.

Read first and second times, referred to the Committee on Elections, and ordered printed.

The special committees on Codes were granted leave of absence for the balance of the day to sit in committee.

GENERAL FILE.

Assembly Joint Resolution No. 12—Relative to abolishing the duty on quicksilver.

Ordered engrossed.

On motion of Mr. Harvey, Assembly Bill No. 84 was taken from the file and made the special order of the day for Thursday, January twenty-fifth, at twelve o'clock M.

On motion of Mr. Goodall, Assembly Bill No. 99 was taken from the file and referred to the Committee on Commerce and Navigation.

At three o'clock and ten minutes P. M., on motion of Mr. French, the House adjourned.

T. B. SHANNON,
Speaker.

M. D. BORUCK, Chief Clerk.

IN ASSEMBLY.

HOUSE OF ASSEMBLY,
Wednesday, January 17th, 1872.

House met pursuant to adjournment.
Speaker in the chair.
Roll called.
Quorum present.
Prayer by the Chaplain.
Journal of yesterday read and approved.

LEAVE OF ABSENCE.

Leave of absence was granted for one day to Mr. Walker.

PETITIONS.

Petitions were offered as follows:

By Mr. Luttrell—From citizens of Siskiyou County, asking that that county be exempted from the Trespass Act, pending before the Legislature.

Referred to the Committee on Agriculture.

By Mr. Cooper—From citizens of First Township, in Santa Barbara, praying for the creation of a new county, to be called Ventura.

By Mr. Chalmers—From Citizens of El Dorado County, recommending the adoption of a joint resolution concerning the extension of the time for the completion of the Placerville and Sacramento Valley Railroad Company.

Referred to the Committee on Counties and County Boundaries.

By Mr. Gray—From citizens of San Francisco, asking to have that county exempted from the operation of a bill for an Act to repeal an Act concerning county aid toward the construction of railroads, commonly known as the Five Per Cent Law.

Referred to the Committee on Corporations.

QUESTION OF PRIVILEGE.

Mr. Luttrell rose to a question of privilege, and informed the House that he had been subpœned to appear before the Committee on Corporations, but would decline doing so, and preferred to state what he knew concerning the subject under investigation by the committee in his place in this Chamber.

REPORTS.

Reports from Standing Committees were made as follows:

By Mr. Barnes:

Mr. SPEAKER: The Committee on Engrossment report that they have examined and find correctly engrossed Assembly Bill No. 87—An Act concerning the office of County Clerk in and for the City and County of San Francisco.

Also, Assembly Bill No. 5—An Act to repeal an Act entitled an Act to protect litigants, approved March twenty-ninth, eighteen hundred and seventy.

Also, Assembly Bill No. 152—An Act to amend an Act entitled an Act to regulate proceedings in civil cases in Courts of justice in this State, passed April twenty-ninth, eighteen hundred and fifty-one.

Also, substitute for Assembly Bill No. 148—An Act to amend an Act regulating the collection of delinquent taxes in the County of Alameda.

Also, Assembly Bill No. 46—An Act granting leave of absence to P. B. Nagle, District Attorney of Tehama County.

Also, Assembly Bill No. 61—An Act concerning hogs running at large in the County of Sutter

Also, Assembly Bill No. 53—An Act to distribute the revenue derived from the tax on dogs in Sonoma County.

BARNES, Chairman.

By Mr. De Haven:

Mr. SPEAKER: The Committee on Printing, to whom was referred Senate Bill No. 38—An Act making an appropriation for translating into Spanish the several State documents ordered translated during the eighteenth session of the Legislature of the State of California—have considered the same and report it back, with the recommendation that it do pass.

DE HAVEN, Chairman.

By Mr. Wheaton:

Mr. Speaker: Your committee, having had under consideration Senate Bill No 30—An Act to provide for the Institution for the Deaf, Dumb, and Blind—beg leave to report the same back, and recommend its passage.

WHEATON, Chairman.

Also, by the same:

Mr. Speaker: Your Committee, having had under consideration a resolution favoring the acceptance of silver coin in payment of taxes, report the same back, with the recommendation that it is inexpedient to change or modify the law in that respect.

WHEATON, Chairman.

By Mr. Gray:

Mr. Speaker: Your Committee on Corporations, to whom was referred Assembly Bill No. 178—An Act to change the name of the Oakland Cotton Manufacturing Company—have had the same under consideration, report it back and recommend its passage.

Also, Assembly Bill No. 189—An Act to provide greater security for depositors in banks, savings and loan societies, and other corporations—and recommend that it do not pass.

Also, Assembly Bill No 187—An Act creating the office of Bank Commissioner, and other matters relating thereto—and recommend that it be indefinitely postponed.

GRAY, Chairman.

REPORTS OF SELECT COMMITTEES.

Reports were made from select committees as follows:

By Mr. Eagan:

Mr Speaker: The Amador delegation herewith report back Assembly Bill No. 471, with a substitute, and recommend the passage of the substitute.

EAGAN, for Delegation.

The rules were suspended and the bill above reported taken up and considered, the rules again suspended, the substitute reported adopted, rules again suspended, ordered engrossed, read a third time and passed.

By Mr. Mott of Los Angeles:

Mr. Speaker: The Los Angeles delegation, to whom was referred Assembly Bill No. 194—An Act concerning the compensation of certain county officers in the County of Los Angeles—beg leave to report the same back and recommend its passage

Also, Assembly Bill No. 195—An Act fixing the salary of County Judge of Los Angeles County—is reported back and passage recommended.

MOTT, for Delegation.

MOTIONS AND RESOLUTIONS.

Mr. Wheaton asked and obtained further time to the Committee on Ways and Means to consider Assembly Bill No 89.

On motion of Mr. Barker, Assembly Bill No. 193—Relative to proposed amendments to the Constitution—was ordered printed.

MESSAGE FROM THE SENATE.

The following message was received from the Senate:

SENATE CHAMBER,
January 17th, 1872.

Mr SPEAKER: I am directed to inform your honorable body that the Senate, on the sixteenth day of January, passed Senate Bill No. 111—An Act to authorize the State Board of Examiners to invest money derived from State school lands in the bonds of the several counties of this State.

Also, passed Senate Bill No. 102—An Act in relation to the claim of James E. Carr against Siskiyou County.

FERRAL, Secretary.

CONSIDERATION OF SENATE MESSAGE.

Senate Bill No. 111, above reported, read first and second times and referred to the Committee on Education.

Senate Bill No. 102, above reported, read first and second times and placed on file.

MOTIONS AND RESOLUTIONS.

By Mr. Chalmers:

A series of resolutions, providing for the encouragement of vineyard culture in this State by exempting grapevines from taxation.

Mr. Wheaton moved to refer the resolution to the Judiciary Committee, and it was so ordered.

NOTICE.

Mr. Bell gave notice of the introduction of a bill for an Act to create the County of Donner, to define its boundaries, and to provide for it organization and maintenance.

INTRODUCTION OF BILLS.

Bills were introduced as follows:

By Mr. Wheaton—An Act defining the duties of the State Board of Equalization and other revenue officers.

Read first and second times and referred to Committee on Ways and Means, and ordered printed.

By Mr. Meeker—An Act to amend an Act entitled an Act prescribing certain conditions for the transaction of insurance business in the State of California, approved March twenty-sixth, eighteen hundred and sixty-eight.

Read first and second times and referred to Committee on Corporations.

By Mr. French—An Act to amend an Act entitled an Act to regulate proceedings in civil cases in the Courts of justice of this State, passed April twenty-ninth, eighteen hundred and fifty-one, and Acts amendatory thereof and supplementary thereto.

Read first and second times and referred to Judiciary Committee.

By Mr. Berry—An Act to amend an Act entitled an Act to provide for the funding of the indebtedness of Swamp Land District Number One of Sutter County.

Read first and second times and referred to the Committee on Swamp and Overflowed Lands.

By Mr. Woodward—An Act to repeal an Act entitled an Act in relation to the office of Court Commissioner of the County of San Joaquin, approved March, eighteen hundred and seventy.

Read first and second times and referred to the San Joaquin delegation.

By Mr. Russ—An Act to provide for the appointment of additional Notaries Public for the County of Humboldt.

Read first and second times and referred to the Judiciary Committee.

GENERAL FILE.

Assembly Bill No. 151—An Act supplementary to an Act entitled an Act to authorize H. H. Smith and others to construct and maintain a turnpike road from Cave Valley to a point on the line of the Central Pacific Railroad at or near Auburn Station, approved March thirty-first, eighteen hundred and sixty-six.

Mr. Lee moved to refer the bill to the Judiciary Committee.

The motion did not prevail and the bill was ordered engrossed.

Assembly Bill No. 172—An Act to provide for the appointment of two additional Notaries Public for the County of Butte.

Rules suspended, bill considered engrossed, read a third time and passed.

Assembly Bill No. 62—An Act providing for the formation of mutual fire and marine insurance companies.

The House refused to order it engrossed.

Senate Bill No. 64—An Act to appropriate money for the relief of John A. Sutter.

Mr. Barker offered to amend section one of the bill by striking out "two hundred and fifty" and inserting the words "one hundred dollars."

On adopting the amendment, the ayes and noes were demanded by Messrs. Jost, Eagan, and Whiting, and the House refused by the following vote:

AYES—Messrs. Barker, Barnes, Berry, Bradley, Brown, Burckhalter, Center, Dannals, Days, Edgar, Freeman, Hayes, Henshaw, Lee, Lofton, Long, Mathers, Munday, Sammons, Sargent of San Joaquin, Sensabaugh, Ward, and Wilcox—23.

NOES—Messrs. Aldrich, Andrews, Bacon, Barklage, Bayley, Bell, Chalmers, Coleman, Cooper, De Haven, Eagan, Ellis, Franck, French, Galloway, Gibson, Goodall, Gray, Harvey, Johnston, Jost, Little, Luttrell, Meeker, Mott of Los Angeles, Russ, Sargent of Santa Clara, Slaughter, Turner, Welty, Wheaton, Whiting, Woodward, and Wright—34.

On the passage of the bill, the ayes and noes were demanded by Messrs. Eagan, Wheaton, and Brown, with the following result:

AYES—Messrs. Aldrich, Andrews, Bacon, Barklage, Bayley, Bell, Brown, Chalmers, Coleman, Connolly, Dannals, De Haven, Eagan, Ellis, Franck, French, Gibson, Goodall, Gray, Harvey, Johnston, Jost, Little, Luttrell, Meeker, Mott of Los Angeles, Russ, Sargent of Santa Clara, Slaughter, Welty, Wheaton, Whiting, Wilcox, Woodward, and Wright—35.

NOES—Messrs. Barker, Barnes, Berry, Bradley, Burckhalter, Center, Days, Edgar, Freeman, Galloway, Hayes, Henshaw, Lee, Lofton, Long, Mathews, Munday, Sammons, Sargent of San Joaquin, Sensabaugh, Turner, and Ward—22.

So the bill passed.

Mr. Wilcox gave notice of a motion to reconsider.

At one o'clock and fifteeen minutes, on motion of Mr. Whiting, the House took a recess.

REASSEMBLED.

At two o'clock P. M., the House again convened.

The Speaker in the chair.

Roll called.

Quorum present.

MOTION.

Senate Bill No. 64—An Act to appropriate money for the relief of Gen. John A. Sutter—having passed without having first been considered in Committee of the Whole House, Mr. Harvey moved to reconsider the vote whereby the bill passed the Assembly.

Mr. Wilcox raised the point of order that notice of a motion to reconsider having been given by him, no motion to reconsider that vote could be made by any other member and thereby deprive the member giving such notice of his privilege under the rules of the House.

The Speaker decided the point of order well taken.

GENERAL FILE RESUMED.

Assembly Bill No. 62—An Act to appropriate money for the relief of James W. Marshall.

The bill was considered in Committee of the Whole House, Speaker in the chair.

IN ASSEMBLY.

The bill was reported and passage recommended.

Mr. Bayley moved to suspend the rules and consider the bill engrossed.

The motion was rejected and the bill ordered to engrossment.

GENERAL FILE RESUMED.

Assembly Bill No. 166—An Act making an appropriation for deficiencies for the twenty-third fiscal year, ending the thirtieth day of June, eighteen hundred and seventy-two.

Considered in Committee of the Whole House, Speaker in the chair.

IN ASSEMBLY.

The bill was reported and passage recommended, rules suspended, considered engrossed, read a third time and passed.

GENERAL FILE RESUMED.

On motion of Mr. Gray, Assembly Bill No. 130 was taken from the file and re-referred to the Judiciary Committee, and on motion of Mr. Barker, ordered printed.

Assembly Bill No. 142 was passed on file.

Assembly Bill No. 108 was, on motion of Mr. Gray, taken from the file and re-referred to the San Francisco delegation.

Assembly Bill No. 133 was taken from the file and re-referred to the Judiciary Committee.

Memorial concerning the Code Commissioners passed on file.

REPORT.

Mr. Gibson made the following report:

Mr. SPEAKER: Your Committee on Enrollment beg leave to report that they have examined and found correctly enrolled Assembly Bill No. 119—An Act to repeal an Act to create a Board of Water Commissioners in the City of Los Angeles, and to define their powers and duties.

Also, Assembly Bill No 30—An Act to authorize the Board of Supervisors of Marin County to issue and sell bonds of said county and apply the proceeds thereof to the building of a Court House at the county seat of said county

Also, Assembly Bill No. 98—An Act supplementary to and amendatory of an Act entitled an Act to authorize the Board of Supervisors of Marin County to issue and sell bonds of said county and apply the proceeds thereof to the construction of wagon roads in said county, approved March fourth, eighteen hundred and seventy.

Also, Assembly Bill No. 100—An Act to provide for the appointment of two additional Notaries Public for Solano County.

Also, Assembly Bill No 48—An Act entitled an Act to authorize the School Trustees in Ukiah School District, in Mendocino County, to purchase school property.

Also, Assembly Bill No 14—An Act granting James H Clark, County Superintendent of Public Instruction, leave of absence from the State.

Also, Assembly Joint Resolution No. 5—Relative to the establishment of a tri-weekly mail from the Town of San Diego to Julian, in the County of San Diego.

Also, Assembly Bill No. 6—An Act to provide for the erection of county buildings in the County of Mendocino.

And that the same have this seventeenth day of January, at twelve o'clock, been transmitted to the Governor for his approval.

GIBSON, Chairman.

GENERAL FILE RESUMED.

Assembly Bill No. 135—An Act to amend an Act to regulate fees of

office and salaries of certain officers, and to repeal certain other Acts relative thereto, approved March fifth, eighteen hundred and seventy.

Ordered engrossed.

Assembly Bill No. 131—An Act to provide for the appointment of two additional Notaries Public for the County of Contra Costa.

Rules suspended, bill considered engrossed, read a third time and passed.

Assembly Bill No. 139—Proposed amendment to the Constitution of the State of California.

Mr. Wheaton offered to amend by striking out the word "private" from the proposed new section.

Lost.

On ordering the bill engrossed, the ayes and noes were demanded by Messrs. Luttrell, Whiting, and Brown, with the following result:

AYES—Messrs. Bacon, Barker, Barnes, Coleman, De Haven, Everett, Freeman, Galloway, Johnston, Lofton, Long, Mathers, Sargent of Santa Clara, Sargent of San Joaquin, Stillwagon, Turner, Welty, and Woodward—18.

NOES—Messrs. Aldrich, Andrews, Barklage, Bayley, Bell, Berry, Bradley, Brown, Burckhalter, Center, Chalmers, Cooper, Dannals, Days, Eagan, Edgar, Ellis, Franck, French, Gibson, Goodall, Gray, Harvey, Hayes, Henshaw, Jost, Lee, Little, Luttrell, Mott of Los Angeles, Munday, Russ, Sammons, Sensabaugh, Slaughter, Tinnin, Ward, Wheaton, Whiting, Wright, and Mr. Speaker—41.

Mr. Harvey gave notice of a motion to reconsider.

Assembly Bill No. 26—An Act to amend an Act entitled an Act concerning the distribution of the Reports of the Decisions of the Supreme Court and the statutes of this State, approved March third, eighteen hundred and sixty-six.

The House concurred in the Senate amendments to the bill.

Assembly Bill No. 157—An Act to amend an Act concerning jurors in the City and County of San Francisco, approved May twentieth, eighteen hundred and sixty-one.

Rules suspended, bill considered engrossed, read a third time and passed.

Senate Bill No. 55—An Act supplementary to an Act entitled an Act to provide for the appointment of Notaries Public and defining their duties, approved April twenty-fifth, eighteen hundred and sixty-two.

Read a third time and passed.

Senate Bill No. 60—An Act to amend an Act concerning attorneys and counselors at law, approved February nineteenth, eighteen hundred and fifty-one.

Mr. Barker moved to amend by striking out the word "white" in line two, section six, of the bill.

The ayes and noes were demanded by Messrs. Wilcox, Luttrell, and Whiting, and the motion prevailed by the following vote:

AYES—Messrs. Aldrich, Bacon, Barker, Barklage, Barnes, Bell, Bradley, Brown, Center, Chalmers, Coleman, Days, De Haven, Eagan, Edgar, Everett, Franck, Freeman, French, Galloway, Goodall, Gray, Harvey, Hayes, Johnston, Jost, Lee, Lofton, Long, Russ, Sammons, Sargent of

San Joaquin, Stillwagon, Turner, Welty, Wheaton, Woodward, Wright, and Mr. Speaker—39.

NOES—Messrs Andrews, Bayley, Berry, Burckhalter, Connolly, Cooper, Dannals, Ellis, Gibson, Henshaw, Little, Luttrell, Mathers, Mott of Los Angeles Munday, Sargent of Santa Clara, Sensabaugh, Slaughter, Tinnin, Ward, Whiting, and Wilcox—22.

Mr. Goodall moved to amend by striking out the word "male" in line two of section six.

On adopting the amendment, the ayes and noes were demanded by Messrs. Munday, Berry, and Wilcox.

The amendment was adopted by the following vote:

AYES—Messrs Aldrich, Bacon, Barker, Barklage, Barnes, Bell, Brown, Burckhalter, Center, Chalmers, Coleman, Connolly, Cooper, Dannals, Days, De Haven, Eagan, Edgar, Ellis, Everett, Franck, Freeman, French, Galloway, Gibson, Goodall, Harvey, Hayes, Johnston, Jost, Lee, Lofton, Long, Luttrell, Mathers, Mott of Los Angeles, Russ, Sammons, Sargent of San Joaquin, Sensabaugh, Slaughter, Turner, Welty, Whiting, Wilcox, Woodward, and Wright—47.

NOES—Messrs. Andrews, Bayley, Berry, Bradley, Gray, Henshaw, Little, Munday, Sargent of Santa Clara, Stillwagon, Tinnin, Ward, Wheaton, and Mr. Speaker—14.

Mr. Munday moved to strike out the enacting clause of the bill.

The motion was lost, and the bill read a third time and passed.

Assembly Bill No 35 was passed on file.

Assembly Bill No. 67—An Act defining the time within which certain actions may be brought.

The amendment inserted in the bill according to the special instruction of the House was adopted, and the bill read a third time and passed.

Assembly Bill No. 143—An Act to amend an Act for the appointment of additional Notaries Public in Sacramento County, approved April fourth, eighteen hundred and seventy.

Rules suspended, considered engrossed, read a third time and passed.

Assembly Bill No. 51—An Act to provide for the government of the County of San Diego.

Amendments reported adopted, rules suspended, considered engrossed, read a third time and passed.

Assembly Bill No. 132—An Act to improve the Little Truckee River, for rafting and floating logs, timber, and wood, and to provide for the collection of tolls thereon.

Substitute reported adopted, rules suspended, and the bill considered engrossed.

On the passage of the bill, the ayes and noes were demanded, but without taking the question.

On motion of Mr. Gray, at four o'clock P. M., the House adjourned.

T. B. SHANNON,
Speaker.

GEORGE W. DIXON, Assistant Clerk.

IN ASSEMBLY.

HOUSE OF ASSEMBLY,
Thursday, January 18th, 1872.

House met pursuant to adjournment.
Speaker in the chair.
Roll called.
Quorum present.
Prayer by the Chaplain.
Journal of yesterday read and approved.

APOLOGY.

Mr. Sammons rose to a question of privilege and spoke as follows:

Last evening, during the pending of the bill for the improvement of the Little Truckee River, I took occasion to use the words "dishonest legislation" and to reflect somewhat upon the clerks at the desk. Such at the time was my honest thought. Upon further investigation and consideration of the matter the probabilities are, sir, that I was mistaken. We have been troubled in my county for a term of years by this proposition for a division of the county. What I said was from a suspicion of this Donner County bill. Perhaps I have gone estray in the matter and made some mistakes. I have no intention to reflect upon any person in the House, neither the clerks at the desks nor the Nevada delegation. If I have gone wrong I hope they will consider it in that light, and also the gentleman from Nevada.

REPORTS.

Reports were made as follows:

By Mr. Barnes:

Mr. SPEAKER: Your Committee on Engrossment report that they have examined and find correctly engrossed Assembly Bill No. 137—An Act to provide for the keeping of stallions and other animals.

Also, Assembly Bill No. 32—An Act to repeal an Act to provide for the protection of lands in the County of Sutter from overflow, approved April fourth, eighteen hundred seventy.

Also, Assembly Bill No. 129—An Act to repeal an Act providing for the recording of the papers filed in the Probate Court of the County of Santa Clara in certain cases, approved April second, eighteen hundred and seventy.

Also, Assembly Bill No. 60—An Act for the relief of O. P. Fitzgerald.

Also, Assembly Bill No 146—An Act to amend an Act entitled an Act to create a Board of Education for the City of Marysville, approved April first, eighteen hundred and seventy.

Also, Assembly Bill No. 97—An Act to amend an Act entitled an Act to amend an Act to protect agriculture, and to prevent the trespassing of animals upon private property, approved March twenty-sixth, eighteen hundred and sixty-six, approved March twenty-sixth, eighteen hundred and seventy.

Also, Assembly Bill No. 162—An Act amendatory of and supplementary to an Act entitled an Act to provide for the better collection of

delinquent taxes in the County of Yuba, approved April twenty-fifth, eighteen hundred and sixty-three.

BARNES, Chairman.

By Mr. Edgar:

Mr Speaker: Your committee to whom was referred Assembly Bill No 154—An Act in relation to roads and highways in the Counties of Plumas and Lassen—beg leave to report that they have had the same under consideration, report it back, and recommend its passage.

EDGAR,
Chairman Committee on Roads and Highways.

By Mr. Stillwagon:

Mr. Speaker: As Chairman of the Committee on Hospitals, I have the honor to report that Assembly Bill No. 138 has received due consideration, and the committee instruct me to return the same, with the recommendation that it pass with the amendments reported.

STILLWAGON, Chairman.

By Mr. Luttrell:

Mr. Speaker: The Committee on Rules and Regulations, to whom was referred the several resolutions hereinafter mentioned, have had the same under consideration, and report as follows:

The Resolution to amend Rule Six of the Standing Rules of this House, with the recommendation that it do not pass.

Also, Resolution to allow the Assistant Clerk the usual number of newspapers allowed to members, with the recommendation that it do not pass.

Also, Resolutions to allow additional postage to members of this House, and certain attaches therein mentioned, with substitute, and recommend the adoption of the substitute.

LUTTRELL, Chairman.

By Mr. Wheaton:

Mr. Speaker: The San Francisco delegation, to whom was referred Senate Bill No. 43, and Assembly Bills Nos. 106, 127, 144, 159, 168 and 170, herewith report the same to the House with recommendations as follows:

Assembly Bill No. 106—An Act to repeal section four of an Act to provide and pay for services rendered for the City and County of San Francisco, approved March fourth, eighteen hundred and seventy—reported with amendments, and passage recommended as amended.

Assembly Bill No. 127—An Act in relation to the office of County Clerk of the City and County of San Francisco—passage recommended with the amendments attached by the delegation.

Assembly Bill No. 144—An Act amendatory of an Act to regulate fees of office, approved March twenty-eighth, eighteen hundred and sixty-eight—with recommendation that it do pass.

Assembly Bill No. 159—An Act to authorize the Board of Supervisors of the City and County of San Francisco to close up Margaret street, in said city and county—passage recommended.

Assembly Bill No 168—An Act to confer additional powers upon the Board of Supervisors of the City and County of San Francisco, and upon

the Auditor and Treasurer thereof, and to authorize certain appropriations of money by said Board—reported with amendments, and passage recommended as amended.

Assembly Bill No. 170—An Act to amend section five of an Act entitled an Act to provide funds to be applied to building a hospital in the City and County of San Francisco, approved March twenty-eighth, eighteen hundred and sixty-eight—passage recommended.

Senate Bill No. 43—An Act concerning the Police Judge's Court in the City and County of San Francisco—passage recommended.

WHEATON, Chairman.

CONTINGENCIES.

Mr. Wheaton moved to suspend the rules for the introduction of a bill for an Act to provide a Contingent Fund for the use of the Assembly at the nineteenth session of the Legislature.

Read first and second times and referred to Committee on Ways and Means.

REPORTS RESUMED.

By Mr. Center:

Mr. SPEAKER: The El Dorado delegation, to whom was referred Assembly Bill No. 198—An Act granting leave of absence to W. H. Brown, Sheriff of El Dorado County—have had the same under consideration, and respectfully report it back and recommend its passage.

CENTER, for Delegation.

By Mr. Woodward:

Mr. SPEAKER: The delegation from the County of San Joaquin, to whom was referred Assembly Bill No. 204—An Act to repeal an Act entitled an Act in relation to the office of Court Commissioner in the County of San Joaquin, approved March twelfth, eighteen hundred and seventy—report the same back and recommend its passage.

WOODWARD, for Delegation.

MESSAGE FROM THE GOVERNOR.

The following message was received from the Governor:

STATE OF CALIFORNIA, EXECUTIVE DEPARTMENT,
Sacramento, January 18th, 1872.

To the Assembly of the State of California:

I have to inform your honorable body that I have approved Assembly Bill No. 77—An Act to authorize the Board of Supervisors of Mariposa County to levy an additional tax for county purposes.

Also, Assembly Bill No 30—An Act to provide for the building of a Court House and Jail in Marin County, and to repeal certain Acts.

Also, Assembly Bill No. 98—An Act supplementary to and amendatory of an Act entitled an Act to authorize the Board of Supervisors of Marin County to issue and sell bonds of said county, and apply the proceeds

thereof to the construction of wagon roads in said county, approved March fourth, eighteen hundred and seventy.

Also, Assembly Bill No. 48—An Act entitled an Act to authorize the School Trustees in Ukiah School District, in Mendocino County, to purchase school property.

Also, Assembly Bill No. 6—An Act to provide for the erection of county buildings in the County of Mendocino

Also, Assembly Bill No 100—An Act to provide for the appointment of two additional Notaries Public for the County of Solano.

NEWTON BOOTH, Governor.

MOTIONS AND RESOLUTIONS.

On motion of Mr. Barker, Assembly Bill No. 132, pending consideration yesterday when the House adjourned, was taken from unfinished business and restored to the General File.

On motion of Mr. Meeker, the House ordered printed Assembly Bill No. 201—Concerning insurance business in this State—introduced by him.

By Mr. Harvey—A resolution to appoint Señor N. Torres Assistant Journal Clerk.

Referred to the Committee on Rules and Regulations.

By Mr. Luttrell:

Resolved by the Assembly, That the Chief Clerk of the House furnish the State Printer with a copy of the biennial message of Governor H. H. Haight, and a copy of the inaugural address of his Excellency, Governor Newton Booth, and that six thousand of each be printed for the Journals and use of the Assembly.

INTRODUCTION OF BILLS.

Bills were introduced as follows:

By Mr. Goodall—An Act to amend an Act entitled an Act to establish a Paid Fire Department for the City and County of San Francisco, approved March second, eighteen hundred and sixty-six.

Read first and second times, referred to the San Francisco delegation, and ordered printed.

By Mr. Ward—An Act to provide for the support of schools in certain districts in Tehama County.

Read first and second times and referred to the Committee on Education.

By Mr. Mott of Los Angeles—An Act to legalize, ratify, and confirm certain acts of the Mayor and Common Council of the City of Los Angeles.

Read first and second times and referred to the Los Angeles delegation.

By Mr Barker—An Act for the relief of Emperor Norton the First.

Read first and second times and referred to the Committee on Claims.

RESIGNATION.

The following notification was read by order of the Speaker:

Mr. SPEAKER: I hereby tender my resignation as a member of the Committee on Rules and Regulations.

Respectfully,

GILES H. GRAY.

The resignation was accepted, and the Speaker appointed Mr. Aldrich to fill the vacancy thereby created.

SENATE MESSAGE.

The following message was received from the Senate:

SENATE CHAMBER,
January 18th, 1872.

Mr. SPEAKER: I am directed to inform your honorable body that the Senate, on the seventeenth day of January, passed Assembly Bill No. 90—An Act to regulate the pay of grand jurors in the County of Los Angeles.

Also, passed Senate Bill No. 27—An Act to prevent the capture and destruction of mocking birds and linnets in this State

I am further instructed to inform your honorable body of the receipt by the Senate of a communication from F. Baehr, State Treasurer, pertaining to duplicate bonds numbers three hundred and thirty and nine hundred and sixty, of eighteen hundred sixty-seven.

FERRAL, Secretary.

CONSIDERATION OF THE MESSAGE.

Senate Bill No. 27, above reported, read first and second times and referred to the Committee on Agriculture.

REPORT.

The rules were suspended for the following report:

By Mr. Eagan:

Mr. SPEAKER: The Committee on Agriculture report back Assembly Bill No. 160—An Act to protect agriculture and to prevent the trespassing of animals upon private property in the County of Los Angeles—with a substitute, and recommend the passage of the substitute.

EAGAN, for Committee.

The rules were suspended and the bill above reported taken up.

The substitute reported was adopted, the rules again suspended, the substitute considered engrossed, read a third time and passed.

GENERAL FILE.

On motion of Mr. Meeker, Assembly Bill No. 88, first on the General File, was passed till to-morrow.

RECONSIDERATION DENIED.

Mr. Whiting moved to reconsider the vote whereby the House yesterday passed the bill for an Act to appropriate money for the relief of General John A. Sutter, and the motion prevailed.

The House resolved itself into a Committee of the Whole House, the Speaker in the chair, and considered the bill.

It was reported and its passage recommended.

IN ASSEMBLY.

Mr. Barker offered an amendment to strike out the words "two hundred and fifty," and insert "one hundred and fifty dollars."

Lost.

On the passage of the bill, the ayes and noes were demanded by Messrs. Chalmers, Whiting, and Ward, and the bill passed by the following vote:

AYES—Messrs. Aldrich, Andrews, Bacon, Barklage, Bayley, Bell, Brown, Chalmers, Coleman, Connolly, Cooper, Dannals, De Haven, Eagan, Ellis, Everett, Franck, French, Gibson, Goodall, Gray, Harvey, Johnston, Jost, Luttrell, Meeker, Russ, Sargent of Santa Clara, Slaughter, Splivalo, Stillwagon, Tinnin, Welty, Wheaton, Whiting, Woodward, Wright, and Mr. Speaker—38

NOES—Messrs. Barker, Barnes, Berry, Bradley, Burckhalter, Center, Days, Edgar, Freeman, Galloway, Hayes, Henshaw, Lee, Little, Lofton, Long, Mathers, Munday, Sammons, Sargent of San Joaquin, Sensabaugh, Turner, Ward, and Wilcox—24.

GENERAL FILE RESUMED.

Assembly Bill No. 35 was passed on file.

Assembly Bill No. 17—An Act to create the Eighteenth Judicial District, and for other purposes.

Mr. Gray offered the following:

Resolved, That the bill be referred to the Judiciary Committee with instruction to report a bill for redistricting the State into judicial districts, so as to give the Counties of San Diego and San Bernardino the relief asked for in this bill.

And it was so ordered.

On motion of Mr. Days, the rules being suspended, substitute for Assembly Bill No. 132—An Act to improve the Little Truckee River, for rafting and floating logs, timber, and wood, and to provide for the collection of tolls thereon—was taken up.

And the question being on its passage, the ayes and noes were demanded by Messrs. Berry, Days, and Barker, and the bill passed by the following vote:

AYES—Messrs. Andrews, Bacon, Barker, Barklage, Barnes, Bayley, Bell, Berry, Bradley, Brown, Burckhalter, Center, Chalmers, Coleman, Connolly, Cooper, Dannals, Days, De Haven, Eagan, Edgar, Ellis, Everett, Franck, Freeman, French, Gibson, Gray, Harvey, Hayes, Henshaw, Johnston, Jost, Lee, Little, Lofton, Long, Luttrell, Meeker, Mott

of Los Angeles, Munday, Russ, Sammons, Sargent of Santa Clara, Sensabaugh, Slaughter, Splivalo, Stillwagon, Tinnin, Turner, Ward, Welty, Wheaton, Whiting, Wilcox, Woodward, and Wright—57.

NOES—Messrs. Aldrich, Goodale, and Mr. Speaker—3.

Assembly Bill No. 128—An Act to legalize the assessment and equalization of taxes in the County of El Dorado.

Read a third time and passed.

Assembly Bill No. 178—An Act to change the name of the Oakland Cotton Manufacturing Company.

Ordered engrossed.

Mr. Barker moved that the House reconsider the vote whereby on yesterday it refused to order Assembly Bill No. 139 to engrossment, but the House refused.

Assembly Bill No. 189 was ordered from the file, to be replaced next Tuesday.

Assembly Bill No. 187—An Act creating the office of Bank Commissioner, and other matters relating thereto.

Mr. Splivalo moved to refer the bill to a special committee of five, to be appointed by the Speaker.

Mr. Wright moved to re-refer to the Committee on Corporations.

Lost.

On the motion to refer to a special committee, the ayes and noes were demanded by Messrs. Splivalo, Whitney, and Bradley, and it was so ordered by the following vote:

AYES—Messrs. Bacon, Barker, Barklage, Barnes, Bayley, Bell, Brown, Burckhalter, Center, Chalmers, Coleman, Connolly, Cooper, Dannals, Days, De Haven, Eagan, Edgar, Ellis, Everett, Franck, French, Gibson, Goodall, Gray, Harvey, Hayes, Johnston, Jost, Little, Lotton, Long, Luttrell, Mathers, Meeker, Mott of Los Angeles, Russ, Sargent of Santa Clara, Sensabaugh, Slaughter, Splivalo, Stillwagon, Tinnin, Turner, Ward, Welty, Whiting, Woodward, Wright, and Mr. Speaker—50.

NOES—Messrs. Andrews, Berry, Henshaw, and Munday—4.

Assembly Bill No. 194—An Act concerning the compensation of certain county officers in the County of Los Angeles.

Rules suspended, bill considered engrossed, read a third time and passed.

Assembly Bill No. 195—An Act fixing the salary of the County Judge of Los Angeles County.

Rules suspended, bill considered engrossed, read a third time and passed.

Resolution—Relative to acceptance of silver coin in payment of taxes—was, on motion of Mr. Goodall, indefinitely postponed.

At two o'clock and twenty-five minutes, on motion of Mr. Whiting, the House adjourned.

T. B. SHANNON,
Speaker.

GEORGE W. DIXON, Assistant Clerk.

IN ASSEMBLY.

HOUSE OF ASSEMBLY,
Friday, January 19th, 1872.

House met pursuant to adjournment.
Speaker in the chair.
Roll called.
Quorum present.
Prayer by the Chaplain.
Journal of yesterday read and approved.

REPORTS.

Reports from standing committees were made as follows:

By Mr. Meeker:

Mr. SPEAKER: The Committee on Federal Relations, to whom was referred Assembly Joint Resolution No. 9—Relative to asking Congress to change the land laws so as to reserve the lands of the United States for actual settlers—report the same back with a substitute, and recommend the adoption of the substitute.

MEEKER, Chairman.

Also, by the same:

Mr SPEAKER: The Committee on Federal Relations, to whom was referred Assembly Concurrent Resolution No. 11—Relating to the establishment of a steamer mail service on the southern coast—report the same back, and recommend its adoption.

The committee also recommend, in addition thereto, the adoption of the following resolution:

Resolved, That Governor Newton Booth be requested to forward copies of the resolution to each of our Senators and Representatives in Congress.

MEEKER, Chairman.

Also, by the same:

Mr. SPEAKER: The Committee on Federal Relations, to whom was referred Assembly Joint Resolution No. 8—In relation to asking Congress to propose an amendment to the Constitution of the United States changing the mode of electing United States Senators—report the same back without recommendation.

MEEKER, Chairman.

Also, by the same:

Mr. SPEAKER: The Committee on Federal Relations, to whom was referred Assembly Joint Resolutions No. 10 and No. 14—Providing for the ratification of the Fourteenth and Fifteenth Amendments to the Constitution of the United States—report the same back, and recommend their adoption.

MEEKER, Chairman.

Mr. Luttrell moved that the resolution above reported be placed on the file for Monday, as on that day he could make a minority report from the Committee on Federal Relations.

So ordered.

By Mr. Harvey:

Mr. SPEAKER: The Swamp Land Committee, to whom was referred Assembly Bill No. 31—An Act to amend an Act entitled an Act to provide for the management and sale of the lands belonging to the State, approved March twenty-eighth, eighteen hundred and sixty-eight—have had the same under consideration, report the same back with amendments, and recommend its passage.

Also, have had under consideration Assembly Bill No. 33—An Act to amend an Act to provide for the protection of certain lands in the County of Sutter from overflow, approved March twenty-fifth eighteen hundred and sixty-eight—and report the same back and recommend its passage.

HARVEY, Chairman.

By Mr. Barnes:

Mr. SPEAKER: The Committee on Engrossment report that they have examined and find correctly engrossed Assembly Bill No. 126—An Act to regulate the forfeiture of policies of life insurance.

Also, Assembly Bill No 169—An Act legalizing the ordinances of the City of Oakland.

Also, Assembly Bill No. 116—An Act to amend an Act entitled an Act to regulate proceedings in civil cases in Courts of justice in this State, passed April twenty-ninth, eighteen hundred and seventy-one, and other Acts amendatory thereto.

Also, Assembly Bill No. 118—An Act to amend an Act entitled an Act to provide for the appointment and prescribe the duties of guardians, approved April nineteenth, eighteen hundred and fifty.

Also, Assembly Bill No. 114—An Act amendatory of an Act entitled an Act to regulate the settlement of estates of deceased persons, passed May first, eighteen hundred and fifty.

Also, Assembly Bill No. 85—An Act to amend an Act entitled an Act concerning grand and trial jurors, approved April first, eighteen hundred and sixty-three.

Also, Assembly Bill No. 136—An Act to amend an Act entitled an Act to provide for the liquidation of all claims against the State not otherwise provided for by law, approved April first, eighteen hundred and seventy.

Also, Assembly Joint Resolution No. 4—Relative to instructing the Senators and requesting our Representatives to urge the establishment of weekly mails from Millville, in Shasta County, to Lake City, in Siskiyou County.

Also, Assembly Joint Resolution No. 12—Relative to abolishing the duty on quicksilver.

Also, Assembly Bill No 151—An Act supplementary to an Act entitled an Act to authorize H. H. Smith and others to construct and maintain a turnpike road from Cave Valley to a point on the line of the Central Pacific Railroad at or near Auburn Station, approved March thirty-first, eighteen hundred and sixty-six.

BARNES, Chairman.

By Mr. Luttrell:

Mr. SPEAKER: The Committee on Rules and Regulations, to whom was referred the several resolutions relating to appointing an Assistant Journal Clerk, report the same back and recommend that the House elect an Assistant Journal Clerk to hold office until such time as the Journal Clerk shall be able to resume his duties.

LUTTRELL, Chairman.

The rules were suspended and the following adopted:

Resolved, That the Journal Clerk be and is hereby authorized to appoint one Assistant Journal Clerk, at the usual per diem allowed to Journal Clerks.

By Mr. Gray:

Mr. SPEAKER: Your Committee on Corporations, to whom was referred Assembly Bill No. 153—An Act to amend the charter of the City of Los Angeles—have had the same under consideration, and report it back with amendments. It being a local bill, recommended by the authorities of the City of Los Angeles, the committee have deemed a critical examination unnecessary, and hence recommend the passage of the bill as amended.

GRAY, Chairman.

Also, by the same:

Mr. SPEAKER: Your Committee on Corporations, to whom was referred Assembly Bill No. 121—An Act supplemental to an Act entitled an Act concerning corporations, passed April twenty-second, eighteen hundred and fifty—have had the same under consideration, and report it back with amendments, and recommend the passage of the bill as amended.

GRAY, Chairman.

REPORTS FROM SELECT COMMITTEES.

By Mr. French:

Mr. SPEAKER: The Sacramento delegation, to whom was referred Assembly Bill No. 156—An Act to provide for the liquidation of certain bonds of the City of Sacramento—have had the same under consideration, report it back and recommend its passage.

FRENCH, for Delegation.

By Mr. Ellis:

Mr. SPEAKER: The delegation to whom was referred Assembly Bill No. 122—An Act to encourage the destruction of squirrels, gophers, and other wild animals in the County of Los Angeles—report the same back with a substitute, and recommend the passage of the substitute.

ELLIS, for Delegation.

By Mr. Mathers:

Mr. Speaker: Your committee to whom was referred Assembly Bill No 111—An Act to authorize the Board of Supervisors of Mendocino County to issue bonds of said county and apply the same to the construction of wagon roads in said county—have had the same under consideration and report it back and recommend its passage.

MATHERS.

The bill above reported was taken up, and the rules being suspended, was, on motion of Mr. Mathers, considered engrossed, read a third time and passed.

By Mr. Bayley:

Mr. Speaker: The El Dorado delegation, to whom was referred Assembly Bill No. 183—An Act to restrict the herding of sheep and goats in the County of El Dorado—have had the same under consideration, and respectfully report it back and recommend its passage.

BAYLEY, for Delegation.

The Speaker announced the appointment of the following special committee on the bill for the appointment of a Bank Commissioner: Messrs. Splivalo, Aldrich, Harvey, De Haven, and Dannals.

PETITIONS.

The rules were suspended, and the following petitions were offered:
By Mr. Luttrell—Of residents in Siskiyou, asking to be exempted from the so-called Trespass Act.
By Mr Little—A petition from citizens of Siskiyou, of like import.
Severally referred to Committee on Agriculture.

FURTHER REPORTS.

By Mr. Sensabaugh:

Mr Speaker: The Merced and Stanislaus delegation, to whom was referred Senate Bill No. 89—An Act to provide the County Superintendent of Common Schools of Stanislaus County with an office—beg leave to report the same back, and recommend its passage.

SENSABAUGH, for Delegation

On motion of Mr. Sensabaugh, the rules were suspended and the bill above reported taken up, rules again suspended, considered engrossed, read a third time and passed.

By Mr. Barnes:

Mr Speaker: The Committee on Engrossment report that they have examined and find correctly engrossed substitute for Assembly Bill No. 171—An Act to authorize the payment to James Carroll of his salary as Supervisor of Amador County.

Also, Assembly Bill No. 172—An Act to provide for the appointment of two additional Notaries Public for the County of Butte.

Also, Assembly Bill No. 62—An Act to appropriate money for the relief of James W. Marshall.

Also, Assembly Bill No. 166—An Act making an appropriation for deficiencies for the twenty-third fiscal year, ending the thirtieth day of June, eighteen hundred and seventy two.

BARNES, Chairman.

RESOLUTIONS.

Resolutions were offered as follows:

By Mr. Gray:

Resolved, That Assembly Bill No. 489—Concerning savings and loan societies—be referred to Committee on Corporations for further consideration and report.

Adopted

By Mr. Luttrell:

Resolved, That the Sergeant at Arms be directed to furnish each member of the Assembly, the Chief Clerk, and the Clerk to the Sergeant at Arms, with postage stamps or express envelopes, to the amount of fifteen dollars each, payable out of Contingent Fund of the Assembly

Adopted.

MESSAGE FROM THE SENATE.

The following message was received from the Senate:

SENATE CHAMBER,
January 19th, 1872

Mr. SPEAKER: I am directed to inform your honorable body that the Senate, on the sixteenth day of January, passed Senate Bill No. 97—An Act to enable the Regents of the University of California to renew and secure certain loans, and to mortgage and sell certain real estate.

Also, passed Senate Bill No. 116—An Act to authorize the erection and maintenance of a bridge in the City of Petaluma.

FERRAL, Secretary.

CONSIDERATION OF SENATE MESSAGE.

Senate Bill No. 97, above reported, read first and second times and referred to the Committee on Agriculture and Mining and Mechanic Arts College.

Senate Bill No. 116, above referred to, read first and second times and referred to the Sonoma delegation.

INTRODUCTION OF BILLS.

Bills were introduced as follows:

By Mr. Mott of Los Angeles—An Act granting leave of absence to A W. Potts, County Clerk of Los Angeles County.

Read first and second times and referred to the Los Angeles delegation.

By Mr Galloway—An Act to amend an Act supplementary to and amendatory of an Act entitled an Act to authorize the Board of Supervisors of the several counties of this State to grant the right to construct wharves on the overflowed lands of this State, to grant wharves on the submerged lands of this State, approved April eighth, eighteen hundred and fifty-eight, approved March thirty-first, eighteen hundred and seventy.

Read first and second times and referred to the Committee on Swamp and Overflowed Lands.

By Mr. Cooper—An Act to protect agriculture, and to prevent trespassing of animals upon private property.

Read first and second times and referred to the Committee on Agriculture.

By Mr. Sargent, of San Joaquin—An Act to quiet land titles.

Read first and second times and referred to the Committee on Public Lands .

By Mr. Bradley—An Act granting leave of absence to J. Fred. Eastman, County Treasurer elect of Yuba County

Read first and second times and referred to the Yuba delegation.

GENERAL FILE.

Assembly Bill No. 88 ordered to top of the file for to-morrow.

Mr. Days moved to take recess at twenty minutes past twelve o'clock P. M. for half an hour.

Lost.

Mr. Dannals had leave to withdraw Assembly Bill No. 97, third on the General File.

Assembly Bill No. 106—An Act to repeal section four of an Act to provide and pay for services rendered for the City and County of San Francisco, approved March fourth, eighteen hundred and seventy.

Reported amendments adopted, and bill ordered engrossed.

Assembly Bill No. 127—An Act in relation to the office of County Clerk of the City and County of San Francisco.

Rules suspended, bill considered engrossed, read a third time and passed.

Assembly Bill No. 144—An Act amendatory of an Act to regulate fees of office, approved March twenty-eighth, eighteen hundred and sixty-eight.

Rules suspended, bill considered engrossed, read a third time and passed.

Assembly Bill No. 159—An Act to authorize the Board of Supervisors of the City and County of San Francisco to close up Margaret street, in said city and county.

Rules suspended, bill considered engrossed, read a third time and passed.

Assembly Bill No. 170—An Act to amend section five of an Act entitled an Act to provide funds to be applied to building a hospital in the City and County of San Francisco, approved March twenty-eighth, eighteen hundred and sixty-eight.

Rules suspended, bill considered engrossed, read a third time and passed.

Assembly Bill No. 198—An Act granting leave of absence to W. H. Brown, Sheriff of El Dorado County

Rules suspended, bill considered engrossed, read a third time and passed.

Assembly Bill No. 204—An Act to repeal an Act entitled an Act in relation to the office of Court Commissioner of the County of San Joaquin, approved March twelfth, eighteen hundred and seventy.

Rules suspended, bill considered engrossed, read a third time and passed.

Assembly Bill No. 154—An Act concerning roads and highways in the Counties of Plumas and Lassen.

Rules suspended, bill considered engrossed, read a third time and passed.

Assembly Bill No. 138—An Act relating to a registry and return of marriages, births, and deaths, and for establishing local Boards of Health, and for other sanitary purposes.

Ordered second on file for to-morrow.

Assembly Bill No. 35.

Passed on file.

Assembly Bill No 206—An Act to provide a Contingent Fund for the use of the Assembly at the nineteenth session of the Legislature.

Considered in Committee of the Whole.

IN ASSEMBLY.

The committee rose, reported the bill back, and recommended its passage.

Accordingly the rules were suspended, the bill considered engrossed, read a third time and passed; and, on motion of Mr. Wheaton, ordered to be transmitted to the Senate forthwith.

GENERAL FILE RESUMED.

Assembly Bill No. 168—An Act to confer additional powers upon the Board of Supervisors of the City and County of San Francisco, and upon the Auditor and Treasurer thereof, and to authorize certain appropriations of money by said Board.

Amendments reported adopted, rules suspended, bill considered engrossed, read a third time and passed.

An Act concerning the Police Judge's Court of the City and County of San Francisco.

Taken from the file and referred to the Judiciary Committee.

The House refused to adopt a resolution relative to amending Rule Six of the Standing Rules. Also, one relative to allowing the usual number of newspapers to the Assistant Clerk.

A resolution was adopted relative to allowing additional postage stamps or express envelops to members of the Assembly.

On motion of Mr. Berry, at twenty-five minutes past one o'clock P. M., the House adjourned.

T. B. SHANNON,
Speaker.

M. D. BORUCK, Chief Clerk.

IN ASSEMBLY.

HOUSE OF ASSEMBLY,
Saturday, January 20th, 1872.

House met pursuant to adjournment.
Speaker in the chair.
Roll called.
Quorum present.
Prayer by the Chaplain.
Journal of yesterday read and approved.

PETITION.

Mr. Luttrell presented a petition from citizens of Siskiyou, asking that that county be exempted from the provisions of the so-called Tres pass Law.

Referred to the Committee on Agriculture.

REPORTS OF STANDING COMMITTEES.

Reports were made as follows:

By Mr. Barnes:

Mr. SPEAKER: The Committee on Engrossment report that they have examined and find correctly engrossed Assembly Bill No. 131—An Act to provide for the appointment of two additional Notaries Public for the County of Contra Costa.

Also, Assembly Bill No. 139—Proposed amendment to the Constitution of the State of California.

Also, Assembly Bill No. 157—An Act to amend an Act entitled an Act concerning jurors in the City and County of San Francisco, approved May twentieth, eighteen hundred and sixty-one.

Also, Assembly Bill No. 67—An Act defining the time within which certain actions may be brought

Also, Assembly Bill No 143—An Act to amend an Act providing for the appointment of additional Notaries Public in Sacramento County, approved April fourth, eighteen hundred and seventy.

Also, Assembly Bill No. 135—An Act to amend an Act entitled an Act to regulate fees of office and salaries of certain officers, and to repeal certain other Acts relative thereto, approved March fifth, eighteen hundred and seventy.

Also, Assembly Bill No. 132—An Act to improve the Little Truckee River for rafting and floating logs, timber, and wood, and to provide for the collection of tolls thereon.

BARNES, Chairman.

By Mr. Galloway:

Mr. SPEAKER: The Committee on Public Expenditures and Accounts beg leave to report that they have examined the following bills and accounts, found them correct, and recommend the payment of the same:

To whom due.	Amount.
Spirit of the Times	$747 00
Napa Reporter	4 00
Christian Advocate	9 00
Yolo Mail	40 00
Chico Review	32 00
News-Letter	94 50
Stars and Stripes	20 00
Pioneer	24 00
Vallejo Recorder	21 00
Weaverville Journal	3 00
Los Angeles Star	7 50
Antioch Ledger	39 00
Sagebrush	3 00
Guardian	1 25
Vallejo Chronicle	7 75
San José Mercury	2 50
Petaluma Journal and Argus	40 00
Shasta Courier	33 00
Van Winkle & Davenport, for safe	115 00
Bancroft, for Digest and Practice Act	27 50
	$1,271 00

Resolved, That the Controller be and he is hereby authorized and directed to draw warrants on the Contingent Fund of the Assembly in favor of the persons named in the report of the Committee on Expenditures and Accounts for the sums set opposite their respective names, and that the Treasurer be directed to pay the same.

GALLOWAY, Chairman.

Adopted.

By Mr. Turner:

Mr. SPEAKER: Your Committee on Elections have had under consideration Assembly Bill No 59—An Act to fix the time for electing Representatives to Congress—and report the same back with substitute, and recommend the passage of the substitute.

TURNER, Chairman.

By Mr. Spencer:

Mr. SPEAKER: The Committee on Judiciary having considered Assembly Bill No. 149—An Act to regulate proceedings in civil cases in the Justices' Court of the City and County of San Francisco—report the same back and recommend its passage.

Also, Assembly Bill No. 150—An Act to amend an Act entitled an Act to regulate fees in the City and County of San Francisco, approved February ninth, eighteen hundred and sixty-six—report it back with amendment and recommend its passage as amended.

Also, Assembly Bill No. 175—An Act granting leave of absence to

Grant I. Taggart, Clerk of the Supreme Court—report it back and recommend its passage.

Also, Senate Bill No. 79—An Act to fix the terms of the County and Probate Courts of the County of San Luis Obispo—report it back and recommend its passage.

Also, Senate Bill No. 72—An Act amendatory of an Act entitled an Act to regulate the settlement of the estates of deceased persons, passed May first, eighteen hundred and fifty-one—report it back and recommend its passage.

Also, Senate Bill No. 34—An Act to amend an Act entitled an Act to define the duties and habilities of pawnbrokers and pledgees, approved April fifteenth, eighteen hundred and sixty-one—report the same back and recommend its passage.

Also, Assembly Bill No. 196—An Act to determine who must act as the Chief Justice of the Supreme Court—report the same back and recommend that it do not pass.

Also, Assembly Bill No. 193—Proposed amendment to the Constitution—report the same back and recommend that it do not pass.

Also, Assembly Bill No. 197—An Act granting R. L. Bettis, Treasurer of Tehama County, leave of absence—report the same back and recommend its passage.

Also, Senate Bill No. 71—An Act to amend an Act entitled an Act relative to the duties and compensation of the Clerk of the Supreme Court, approved April sixth, eighteen hundred and sixty six—report it back with amendment, and recommend its passage as amended.

SPENCER, Chairman.

By Mr. Mott of Los Angeles:

Mr. Speaker: The Los Angeles delegation, to whom was referred Assembly Bill No. 211—An Act granting leave of absence to A. W. Potts, County Clerk of Los Angeles County—report the same back and recommend its passage

Also, Assemby Bill No. 209—An Act to legalize, ratify, and confirm certain acts of the Mayor and Common Coupcil of the City of Los Angeles—report the same back and recommend its passage.

MOTT, for Delegation.

By Mr. Wheaton:

Mr. Speaker: The San Francisco and San Mateo delegation, to whom was referred Assembly Bill No. 177—An Act to regulate and fix the times for holding the terms of the several Courts of record in and for the County of San Mateo—having duly considered the same, report it back with amendments, and recommend its passage as amended.

WHEATON, for Joint Delegation.

By Mr. Galloway:

Mr. Speaker: The Contra Costa delegation, to whom was referred Assembly Bill No. 182—An Act to repeal an Act to create a Board of Levee and Street Commissioners in and for the Town of Pacheco, Contra Costa County, and define their powers and duties, approved March

twenty-ninth, eighteen hundred and seventy—respectfully report the same back and recommend the passage thereof.

GALLOWAY, for Delegation.

By Mr. Edgar:

Mr. SPEAKER: The Yuba delegation, to whom was referred Assembly Bill No. 215—An Act granting leave of absence to J. Fred. Eastman, County Treasurer elect of Yuba County—would respectfully report the same back and recommend its passage.

EDGAR,
LOFTON,
BRADLEY,
Yuba Delegation.

By Mr. Franck:

Mr. SPEAKER: The Santa Clara delegation, to whom was referred Assembly Bill No. 184—An Act to provide for the opening and improvement of Santa Clara Avenue, in the County of Santa Clara—report the same back and recommend its passage.

FRANCK, for Delegation.

MESSAGE FROM THE GOVERNOR.

The following message was received from the Governor:

STATE OF CALIFORNIA, EXECUTIVE DEPARTMENT,
Sacramento, January 19th, 1872.

To the Assembly of the State of California:

I have to inform your honorable body that I have approved Assembly Bill No. 119—An Act to repeal an Act entitled an Act to create a Board of Water Commissioners in the City of Los Angeles, and to define their powers and duties, approved April second, eighteen hundred and seventy.

NEWTON BOOTH, Governor.

MOTIONS AND RESOLUTIONS.

Motions and resolutions were made and offered as follows:

By Mr. Jost:

Resolved, That when this House adjourns this day, it adjourns to meet at half-past two o'clock P. M. on Monday, January twenty-second, eighteen hundred and seventy-two.

Adopted.

By Mr. Barnes:

Resolved, That the Committee on Engrossment be authorized to appoint C. C. Reed, Assistant Engrossing Clerk.

BARNES, Chairman of Engrossing Committee.

By Mr. Mott of Los Angeles:

A resolution to allow additional postage stamps.

Referred to Committee on Rules and Regulations.

Mr. Wilcox moved to take Assembly Bill No. 121—An Act supplemental to an Act entitled an Act concerning corporations, passed April twenty-second, eighteen hundred and fifty—from the file for to-day and place it at the top of the file for Monday next, subject to any other bill so ordered previously.

The motion was carried.

Mr. Days moved to take Assembly Joint Resolution No. 9—Relative to asking Congress to change the land laws so as to reserve the lands of the United States for actual settlers—from the file, and moved to make it the special order for January thirtieth, at twelve o'clock M.

So ordered.

By Mr. Splivalo:

Resolved by the Assembly, the Senate concurring, That a joint committee of five from the Assembly and five from the Senate be hereby appointed for the reception of the Grand Duke Alexis of Russia on his arrival in Sacramento.

Adopted.

By Mr. Eagan:

An amendment of Rule Fifty-five of the Standing Rules.

Referred to the Committee on Rules and Regulations.

By Mr. Berry:

Resolved, That the Committee on Ways and Means be instructed to report to this House on Thursday next, the twenty-fifth instant, Assembly Bills Nos. 8, 23, and 188, and that they be made the special order for two o'clock on that day.

On the adoption of the resolution the ayes and noes were demanded by Messrs. Wilcox, Berry, and Gray, and it was adopted by the following vote:

AYES—Messrs. Aldrich, Andrews, Bacon, Barker, Barklage, Barnes, Bayley, Berry, Bradley, Center, Chalmers, Coleman, Connolly, Cooper, Dannals, Days, Edgar, Franck, Freeman, Gibson, Henshaw, Hopper, Lee, Little, Lofton, Long, Luttrell, Mathers, Mott of Los Angeles, Munday, Sammons, Sargent of San Joaquin, Slaughter, Stillwagon, Tinnin, Turner, Walker, Welty, Whiting, Wilcox, and Woodward—41.

NOES—Messrs Bell, Brown, Burckhalter, De Haven, Ellis, French, Galloway, Goodall, Gray, Harvey, Jost, Mecker, Russ, Sargent of Santa Clara, Schrack, Sensabaugh, Spencer, Splivalo, Wheaton, Whitney, and Mr. Speaker—21.

MESSAGES FROM THE SENATE.

The following messages were received from the Senate:

SENATE CHAMBER,
January 20th, 1872.

Mr. SPEAKER: I am directed to inform your honorable body that the Senate, on the nineteenth day of January, passed Senate Bill No. 85—An Act concerning the attendance of physicians and to provide payment for making chemical and post mortem examinations for Coroners and Courts of justice.

Also, passed Senate Bill No. 23—An Act to amend an Act entitled an Act to authorize and direct the municipal authorities of the several cities and incorporated towns of this State to execute certain trusts in relation to town lands, etc.

Also, passed Assembly Bill No. 73—An Act concerning roads and highways in the County of Yuba.

Also, adopted Senate Concurrent Resolution No. 20—Relative to the employment of a porter for the Committee on Codes.

I am further directed to inform your honorable body that the Senate, on the nineteenth instant, refused to pass Assembly Bill No. 56—An Act to prevent the purchasing of stolen goods from minors.

FERRAL, Secretary.

SENATE CHAMBER,
January 20th, 1872.

Mr. SPEAKER: I am directed to inform your honorable body that the Senate, on this twentieth day of January, amended and passed Assembly Bill No. 206—An Act to provide a Contingent Fund for the use of the Assembly at the nineteenth session of the Legislature.

FERRAL, Secretary.

CONSIDERATION OF THE MESSAGES.

Senate Bill No. 85, above reported, read first and second times and referred to the Committee on Hospitals.

Senate Bill No. 23, above reported, read first and second times and referred to the Committee on Corporations.

The House concurred in Senate Concurrent Resolution No. 20, above reported.

The House also concurred in Senate amendments to Assembly Bill No. 206, above reported.

INTRODUCTION OF BILLS.

Bills were introduced as follows:

By Mr. Splivalo—An Act for the relief of Anna Virginia Wakeman.

Read first and second times and referred to the Judiciary Committee.

By Mr. Jost—An Act to establish a quarantine for the Bay and Harbor of San Francisco, and sanitary laws for the City and County of San Francisco.

Read first and second times and referred to the San Francisco delegation, and ordered printed.

By Mr. Cooper—An Act to create the County of Ventura, to establish the boundaries thereof, and to provide for its organization.

Read first and second times and referred to the Committee on Counties and County Boundaries.

By Mr. Walker—An Act authorizing certain persons to improve a portion of King's River, and to erect booms thereon.

Read first and second times and, with accompanying petition, referred to the Committee on Internal Improvements, and ordered printed.

GENERAL FILE.

Assembly Bill No. 88—An Act to repeal an Act entitled an Act for the relief of the free schools of the Presentation Convent of the City and County of San Francisco, approved April fourth, eighteen hundred and seventy.

Pending consideration, on motion of Mr. Luttrell, the bill was ordered to be placed at the top of the General File for Thursday, January twenty-fifth.

At twelve o'clock and fifty-five minutes P M, on motion of Mr. Wilcox, the House adjourned till half-past two o'clock on Monday next.

P. J. HOPPER,
Speaker pro tem.

GEORGE W. DIXON, Assistant Clerk.

IN ASSEMBLY.

HOUSE OF ASSEMBLY,
Monday, January 22d, 1872.

House met pursuant to adjournment.
Speaker pro tem (Hopper) in the chair.
Roll called.
Quorum present.
Prayer by the Chaplain.
The Journal of Saturday was read and approved.

LEAVE OF ABSENCE.

Leave of absence was granted for one day each to Messrs. Schrack, Gibson, Galloway, Sargent of Santa Clara, Jost, Goodall, Wright, and Rice.

PETITIONS.

Petitions were offered as follows:

By Mr. Luttrell—From citizens of Siskiyou County, adverse to the pending No-Fence Law.

Referred to the Committee on Agriculture.

By Mr. Hayes—From citizens of Monterey County, favoring the passage of a Fence Law.

Referred to the Committee on Agriculture.

Reports were made as follows:

By Mr. Barnes:

Mr. SPEAKER: The Committee on Engrossment beg leave to report that they have examined and find correctly engrossed Assembly Bill No. 51—An Act to provide for the government of the County of San Diego.

Also, Assembly Bill No. 178—An Act to change the name of the Oakland Cotton Manufacturing Company.

Also, substitute for Assembly Bill No. 160—An Act to protect agriculture and to prevent the trespassing of animals upon private property in the County of Los Angeles.

Also, Assembly Bill No. 195—An Act fixing the salary of the County Judge of Los Angeles County.

Assembly Bill No. 194—An Act concerning the compensation of certain county officers in the County of Los Angeles.

BARNES.

By Mr. Spencer:

Mr. SPEAKER: The Committee on Judiciary report back Assembly Bill No 112—An Act to amend an Act entitled an Act to exempt certain property from execution and forced sale—with a substitute, and recommend the passage of the substitute.

SPENCER, Chairman.

By Mr. French:

Mr. SPEAKER: Senate Bill No. 8—An Act to enable the inhabitants of territory adjacent to any city in this State to annex the same thereto—having been considered by the Judiciary Committee, it is reported back with amendments, and the majority recommend the passage of the bill as amended.

FRENCH, for Majority.

By Mr. Spencer:

Mr. SPEAKER: The minority of the Judiciary Committee recommend the passage of Senate Bill No 8—An Act to enable the inhabitants of territory adjacent to any city in this State to annex the same thereto—without amendments.

SPENCER, for Minority.

By Mr. Spencer:

Mr. SPEAKER: Assembly Bill No. 167—An Act to protect the interests of the State—having been considered by the Judiciary Committee, is reported back and the majority recommend that it do not pass.

SPENCER, for Majority.

By Mr. Luttrell:

Mr. SPEAKER: The minority of the Committee on Judiciary report a

substitute for Assembly Bill No. 167—An Act to protect the interests of the State—and recommend the passage of the substitute so reported.

LUTTRELL,
ANDREWS,
BURCKHALTER,
For Minority.

By Mr. Luttrell:

Mr. SPEAKER: The Committee on Rules and Regulations, to whom was referred Assembly Resolutions—Relative to adjournment each day from one to two o'clock P. M., and relative to postage stamps for the Sergeant at Arms of the Assembly—have had the same under consideration and recommend their passage.

LUTTRELL, Chairman.

MOTIONS AND RESOLUTIONS.

Motions and resolutions were offered as follows:

By Mr. Brown:

Resolved by the Assembly, the Senate concurring, That a joint committee of five from each House be appointed by the Speaker of the House and President of the Senate, to extend an invitation to Minister Charles E. De Long and the Japanese Embassy to visit the Capital, said committee to make all necessary preparation for the reception of the Embassy; the expenses to be paid out of the Contingent Funds of the House and Senate.

Mr. Sensabaugh moved to indefinitely postpone the resolution.
Lost.
Mr. Barker moved to amend the resolution by striking out the words "the expenses to be paid out of the Contingent Funds of the Assembly and Senate."
The amendment was accepted by the mover of the resolution; and, on its adoption, the ayes and noes were demanded by Messrs Brown, Barker, and Sensabaugh with the following result:

AYES—Messrs. Andrews, Bayley, Berry, Caldwell, Center, Chalmers, Connolly, Hayes, Henshaw, Long, Mathers, Munday, Sensabaugh, Tinnin, Walker, Whiting, and Mr. Speaker—17.
NOES—Messrs. Aldrich, Bacon, Barker, Barklage, Barnes, Bell, Bradley, Brown, Burckhalter, Coleman, Cooper, Crane, Dannals, Days, De Haven, Eagan, Edgar, Ellis, Everett, Franck, Freeman, French, Gray, Harvey, Hopper, Johnston, Lee, Little, Lofton, Luttrell, Meeker, Mott of Los Angeles, Mott of Sacramento, Pardee, Rector, Russ, Sammons, Sargent of San Joaquin, Seibe, Slaughter, Spencer, Stillwagon, Turner, Ward, Welty, Wheaton, Whitney, Woodward, and Wright—48.

By Mr. Luttrell:

Resolved, That a committee of five be appointed by the Chair to

inquire into the expediency of removing the State University to San José, connecting the same with the State Normal School, and also, to locate a branch of the State Insane Asylum upon the present University grounds, at or near Oakland.

On motion of Mr. Spencer, the resolution was referred to the Committee on Education.

On motion of Mr. Harvey, Assembly Bill No. 138 was ordered to the head of the file for to-day.

By Mr. Mott of Sacramento:

Resolved, That it shall be out of order for the Speaker, or the Speaker pro tem, or any member of the House temporarily in the chair, to declare, on the question being put, "ayes have it," or "noes have it," without first saying "ayes seem to have it," or "noes seem to have it," thus giving members an opportunity to ask for a division on the ayes and noes.

On motion of Mr. Days, Assembly Joint Resolutions Nos. 14 and 10 were taken from the file for to-day, and ordered placed at the top of the file for Friday next.

By Mr. Barnes:

Resolved, That the Sergeant at Arms be directed to procure the necessary rooms for such standing committees as need them.

Adopted.

MESSAGE FROM THE GOVERNOR.

The following message was received from the Governor:

STATE OF CALIFORNIA, EXECUTIVE DEPARTMENT,
Sacramento, January 20th, 1872.

To the Assembly of the State of California:

I have to inform your honorable body that I have approved Assembly Bill No. 206—An Act to appropriate money for the contingent expenses of the Senate and Assembly at the nineteenth session of the Legislature.

NEWTON BOOTH, Governor.

INTRODUCTION OF BILLS.

Bills were introduced as follows:

By Mr. Munday—An Act to provide for the establishment, maintenance, and protection of public roads in Sonoma County.

Read first and second times and referred to Sonoma delegation.

By Mr. Rector—A Memorial and Joint Resolution—Relative to the abandonment of Hoopa Valley as part of the Indian Reservation in Klamath County, and favoring the removal of the agency and military post now located therein.

Read first and second times and referred to the Committee on Indian Affairs.

By Mr. Mott—An Act for the relief of Le Grand Lockwood.

Read first and second times and referred to the Committee on Claims.

By Mr. Bacon—An Act granting leave of absence to A. H. Allen, Treasurer, and A. W. Crocker, District Attorney, of Mono County.

Read first and second times and referred to the Judiciary Committee.

By Mr. Luttrell—An Act granting to the counties of this State the poll tax collected in said counties, severally, for school purposes.

Read first and second times, referred to the Committee on Education, and ordered printed.

By Mr. Center—An Act for the relief of A. T. Gray, Treasurer and ex officio Tax Collector of El Dorado County.

Read first and second times and referred to the Committee on Claims.

At three o'clock and forty minutes Mr. Bacon moved to adjourn.

Lost.

By Mr. Berry—An Act to regulate and prevent the damming up or obstructing the natural outlets, inlets, sloughs, or bayous of the Sacramento and Feather Rivers.

Read first and second times and referred to the Committee on Swamp and Overflowed Lands, and ordered printed.

Also, an Act to authorize the Board of Supervisors of Sutter County to build and furnish a Court House and Jail at the county seat of said county, and to provide a fund therefor.

Read first and second times and referred to the Committee on Swamp and Overflowed Lands.

On motion of Mr. Days, it was ordered that Assembly Bill No. 121 retain its place on the file for to-morrow.

On motion of Mr. Harvey, Assembly Bill No. 138—An Act relating to a registry and return of marriages, births, and deaths, and for establishing local Boards of Health, and for other sanitary purposes—ordered to the top of the file for to-day, was taken up and considered, and pending the adoption of an amendment offered by Mr. Gray, on motion of Mr. Harvey the bill was ordered first on the General File for Tuesday.

On motion of Mr. Cooper, Senate Bill No. 19—An Act to fix the terms of the County and Probate Courts of the County of San Luis Obispo, was taken from the file, the rules being suspended, and read a third time and passed.

At four o'clock and ten minutes P. M., on motion of Mr. Caldwell, the House adjourned.

T. B. SHANNON,
Speaker.

M. D. BORUCK, Chief Clerk.

IN ASSEMBLY.

HOUSE OF ASSEMBLY,
Tuesday, January 23d, 1872.

The House met pursuant to adjournment.
Speaker in the chair.
Roll called.
Quorum present.
Prayer by the Chaplain.
The Journal of yesterday was read and approved.

PETITIONS.

Petitions were presented as follows:

By Mr. Days—A letter from R. M. Lee, in reference to a resolution offered by Mr. Days concerning certain action taken by Hon. M. Blake, Judge of the Municipal Court of San Francisco.

By Mr. Dannals—From citizens of San Diego, against the repeal of the Five Per Cent Law.

By Mr. Woodward—From citizens of Stockton and San Joaquin County, to be exempted from the provisions of the Act to repeal the Five Per Cent Law.

Referred to Committee on Corporations.

By Mr. Luttrell—From citizens of Siskiyou, to be exempted from the provisions of the so called Trespass Act.

Referred to Committee on Agriculture.

By Mr. Bockius—From citizens of Santa Cruz, to repeal section ten of a certain Act concerning public roads and highways in the Counties of Santa Cruz and San Diego, approved March twenty-first, eighteen hundred and seventy.

Referred to Judiciary Committee.

REPORTS.

The following reports were made from standing committees:

By Mr. Barker:

Mr. SPEAKER: The Military Committee, to whom was referred Assembly Bill No. 145—An Act defining and limiting the time for the payment of bounties and relief pay due the volunteers of the State of California and troops furnished the United States as a portion of its quota—have had the same under consideration, and beg leave to report the same back with an amendment, and recommend its passage as amended.

Also, Assembly Bill No. 102—An Act concerning military companies in this State—and recommend that it do not pass.

BARKER, Chairman.

By Mr. Luttrell:

Mr. SPEAKER: The Committee on Rules and Regulations, to whom was referred Assembly Bill No. 86, have had the same under consideration,

and report the same back with amendments, and recommend the passage of the bill as amended.

LUTTRELL, Chairman.

By Mr. Barnes:

Mr. Speaker: The Committee on Engrossment beg leave to report that they have examined and find correctly engrossed Assembly Bill No. 111—An Act to authorize the Board of Supervisors of Mendocino County to issue bonds of said county and apply the same to the construction of wagon roads of said county

Also, Assembly Bill No. 106—An Act to repeal section four of an Act to provide and pay for services rendered for the City and County of San Francisco, approved March fourth, eighteen hundred and seventy.

Also, Assembly Bill No. 127—An Act in relation to the office of County Clerk of the City and County of San Francisco.

Also, Assembly Bill No. 144—An Act amendatory of an Act to regulate fees of office, approved March twenty-eighth, eighteen hundred and sixty-eight.

Also, Assembly Bill No. 159—An Act to authorize the Board of Supervisors of the City and County of San Francisco to close up Margaret street, in said city and county.

Also, Assembly Bill No. 168—An Act to confer additional powers upon the Board of Supervisors of the City and County of San Francisco, and upon the Auditor and Treasurer thereof, and to authorize certain appropriations of money by said Board.

BARNES, Chairman.

The rules were suspended, and the following petition presented by Mr. Wilcox:

From citizens of Mariposa County, in favor of continuing in force the present Fence Law.

Referred to Committee on Agriculture.

MOTIONS AND RESOLUTIONS.

Resolutions were offered as follows:

By Mr. Gray:

Resolved, That Assembly Bills Nos. 7 and 9—Concerning incorporations of railroad companies—are made the special order for Tuesday, sixth of February, eighteen hundred and seventy-two, at twelve o clock M, and the Committee on Corporations shall have until that time to report upon said bills.

After discussion of the merits of the resolution, Mr. Wilcox moved the previous question, and the demand being sustained, on adopting the resolution the ayes and noes were demanded by Messrs. Gibson, Luttrell, and Little, with the following result:

Ayes—Messrs Aldrich, Baird, Barker, Barklage, Barnes, Bell, Bockius, Brown, Burckhalter, Caldwell, Chalmers, Coleman, Connolly, Crane, Dannals, Days, De Haven, Eagan, Edgar, Ellis, Everett, Franck, Freeman, French, Galloway, Goodall, Gray, Harvey, Hayes, Hopper, James, Johnston, Jost, Lee, Lofton, Meeker, Mott of Los Angeles, Mott of Sac-

ramento, Munday, McCullough, Pardee, Rector, Rice, Russ, Sammons, Sargent of Santa Clara, Seibe, Spencer, Splivalo, Stillwagon, Turner, Welty, Wheaton, Whitney, Wilcox, Wright, and Mr. Speaker—58.

NOES—Messrs. Andrews, Bacon, Bayley, Berry, Bradley, Center, Gibson, Henshaw, Little, Long, Luttrell, Mathers, Sargent of San Joaquin, Schrack, Sensabaugh, Slaughter, Tinnim, Walker, Ward, Whiting, and Woodward—21.

MESSAGE FROM THE SENATE.

The following message was received from the Senate:

Mr. SPEAKER: I am directed to inform your honorable body that the Senate, on the seventeenth day of January, eighteen hundred and seventy-two, passed Senate Bill No. 117—An Act concerning roads and highways in the County of Placer.

Also, on the eighteenth instant, passed Senate Bill No. 82—An Act to provide for indexing the names of persons who have declared their intention to become, or who have become, citizens of the United States, in the several Courts of record in this State.

Also, on the same day, passed Senate Bill No. 48—An Act concerning the offices of Controller and Treasurer of State.

Also, on the twentieth instant, passed Senate Bill No. 90—An Act to amend an Act entitled an Act to regulate proceedings in criminal cases, passed May first, eighteen hundred and fifty-one.

Also, on the nineteenth instant, passed Senate Bill No. 109—An Act fixing the salary of the County Judge of the County of San Joaquin.

Also, on the same day, passed Senate Bill No 87—An Act to amend an Act entitled an Act to provide for the formation of corporations for the accumulation and investment of funds and savings, approved April eleventh, eighteen hundred and sixty-two.

Also, on the twentieth instant, passed Senate Bill No. 115—An Act amendatory of an Act entitled an Act to reincorporate the City of Petaluma, approved May twenty-seventh, eighteen hundred and sixty-eight.

Also, on the same day, passed Senate Bill No. 39—An Act authorizing and empowering the Supervisors of the County of Inyo to sell certain real estate belonging to said county.

Also, on the twenty-second instant, passed Assembly Bill No. 60—An Act to authorize the Controller of State to issue duplicate warrants.

Also, on the same day, passed Assembly Bill No. 94—An Act supplemental to an Act entitled an Act granting the right of way over certain lands in the Counties of Lake and Sonoma for the construction of a wagon road, approved March fifteenth, eighteen hundred and sixty-four.

Also, on the same day, passed Assembly Bill No. 172—An Act to provide for the appointment of two additional Notaries Public for the County of Butte.

Also, on the same day, passed Assembly Bill No. 148—An Act to amend an Act entitled an Act regulating the collection of delinquent taxes in the County of Alameda, approved April fourth, eighteen hundred and seventy, and to refund certain money paid thereunder.

Also, on the same day, passed Senate Bill No. 32—An Act making appropriation for William Sharp's bill for carpets, matting, etc., furnished the new Capitol.

Also, on the same day, passed Senate Concurrent Resolution No. 21—

Relative to the establishment of a mail route from Lake Valley, El Dorado County, California, to Genoa, in the State of Nevada.

FERRAL, Secretary.

CONSIDERATION OF SENATE MESSAGE.

Senate Bill No. 117, above reported, read first and second times and referred to the Placer delegation.

Senate Bill No. 82, above reported, read first and second times and referred to the Judiciary Committee, and ordered printed.

Senate Bill No. 48, above reported, read first and second times and referred to the Committee on Ways and Means.

Senate Bill No. 90, above reported, read first and second times and referred to the Judiciary Committee.

Senate Bill No 109, above reported, read first and second times and referred to the San Joaquin delegation.

Senate Bill No. 87, above reported, read first and second times and referred to the Judiciary Committee.

Senate Bill No. 115, above reported, read first and second times and referred to the Sonoma delegation.

Senate Bill No 39, above reported, read first and second times and referred to the Tuolumne delegation.

Senate Bill No 32, above reported, read first and second times and referred to the Committee on Accounts and Expenditures.

Senate Concurrent Resolution No. 21, above reported, read first and second times and placed on file.

NOTICES.

Notice of the introduction of bills was given as follows:

By Mr. Barnes—An Act to fix the salary of the District Attorney of Lassen County.

By Mr. Dannals—An Act to regulate the duties and fees of pilots in the Harbor of San Diego.

INTRODUCTION OF BILLS.

Bills were introduced as follows:

By Mr. Luttrell—An Act for the relief of the California volunteer officers and sailors of the United States Navy who have honorably served within the State of California during the last war.

Read first and second times and referred to the Committee on Claims.

By Mr. Aldrich—An Act to provide a remedy in certain cases

Read first and second times and referred to the San Francisco delegation.

By Mr. Galloway—An Act to fix the bonds of the Sheriff of the County of Contra Costa.

Read first and second times and referred to the Judiciary Committee.

By Mr. Bockius—An Act for the repeal of section ten of an Act entitled an Act concerning public roads and highways in the Counties of Santa Cruz and San Diego, approved March twenty-first, eighteen hundred and seventy.

Read first and second times and placed on file.

GENERAL FILE.

Assembly Bill No. 138—An Act relating to a registry and return of marriages, births, and deaths, and for establishing local Boards of Health, and for other sanitary purposes.

Taken from the file and made the special order of the day for Wednesday, January thirty-first, at twelve o'clock M., on motion of Mr. Gray.

Assembly Bill No. 121—An Act supplementary to an Act entitled an Act concerning corporations, passed April twenty-second, eighteen hundred and fifty.

Amendments reported adopted and ordered engrossed.

Assembly Bill No. 126—An Act to regulate the forfeiture of policies of life insurance.

Read a third time and passed.

Assembly Bill No. 169—An Act legalizing the ordinances of the City of Oakland.

Read a third time and passed.

Substitute for Assembly Bill No. 118—An Act to amend an Act entitled an Act to provide for the appointment and prescribe the duties of guardians, approved April nineteenth, eighteen hundred and fifty.

Read a third time and passed.

Substitute for Assembly Bill No. 114—An Act amendatory of an Act entitled an Act to regulate the settlement of estates of deceased persons, passed May first, eighteen hundred and fifty-one.

Read a third time and passed.

Assembly Bill No. 85—An Act to amend an Act entitled an Act concerning grand and trial jurors, approved April twenty-seventh, eighteen hundred and sixty-three.

Mr. Goodall moved to refer the bill, with special instructions.

Mr. Berry offered additional instructions.

Mr. Barker moved to strike out the enacting clause of the bill, on which motion the ayes and noes were demanded by Messrs. Hopper, Days, and Whiting, with the following result:

AYES—Messrs. Aldrich, Andrews, Bacon, Barker, Barnes, Bell, Bockius, Burckhalter, Caldwell, Coleman, Edgar, Franck, Freeman, French, Galloway, Gray, Harvey, Hayes, Henshaw, Johnston, Jost, Lee, Lofton, Mathers, Meeker, Munday, Pardee, Rice, Russ, Sammons, Sargent of Santa Clara Sargent of San Joaquin, Seibe, Sensabaugh, Spencer, Stillwagon, Turner, Walker, Ward, Welty, Whitney, Woodward, and Wright —43

NOES—Messrs. Baird, Barklage, Bayley, Berry, Bradley, Center, Chalmers, Crane, Dannals, Days, De Haven, Eagan, Everett, Gibson, Goodall, Hopper, James, Little, Long, Luttrell, Mott of Los Angeles, Mott of Sacramento, McCullough, Schrack, Slaughter, Tinnin, Wheaton, Whiting, Wilcox, and Mr. Speaker—30.

So the enacting clause was ordered to be stricken out.

At five minutes past one o'clock P. M., on motion of Mr. Days, the House agreed to take a recess for half an hour.

REASSEMBLED.

At five minutes past two o'clock P. M. the House reassembled.
Speaker in the chair.
Roll called.
Quorum present.

REPORT.

The rules were suspended to receive the following report by Mr. Luttrell:

Mr. SPEAKER: The Committee on Rules and Regulations, to whom was referred Assembly Resolutions—Relative to the appointment of Assistant Engrossing and Enrolling Clerks—report the same back with the recommendation that they pass.

LUTTRELL, Chairman.

The rules were again suspended, and the resolutions above reported taken up and severally adopted, as follows:

Resolved, That the Committee on Enrollment be authorized to appoint two additional Enrolling Clerks, to receive the usual per diem allowed Copying Clerks by law.

Resolved, That the Engrossing Committee be hereby authorized to appoint C. C. Reed Assistant Engrossing Clerk, at the per diem allowed to Engrossing Clerks, payable out of the Contingent Fund of the Assembly.

The rules were again suspended, and the following report was made by Mr. Pardee:

Mr. SPEAKER: The Committee on Public Grounds and Buildings beg leave to report that they have been to San Jose, and have in part examined the affairs of the State Normal School building, and desire to report progress.

Your committee being unable to find some of the more important witnesses, deemed it advisable to adjourn to Monday, twenty-ninth instant, when they desire to return and complete their investigation and submit a final report.

PARDEE, Chairman.

GENERAL FILE RESUMED.

Assembly Bill No. 151—An Act supplementary to an Act entitled an Act to authorize H. H. Smith and others to construct and maintain a turnpike road from Cave Valley to a point on the line of the Central Pacific Railroad, at or near Auburn Station, approved March thirty-first, eighteen hundred and sixty-six.

Read a third time and passed.

Assembly Joint Resolution—Relative to abolishing the duty on quicksilver.

Read a third time and passed.

Assembly Bill No. 62—An Act to appropriate money for the relief of James W. Marshall.

On the passage of the bill, the ayes and noes were demanded by Messrs. Berry, Henshaw, and Munday, and the bill passed by the following vote:

AYES—Messrs. Aldrich, Andrews, Bacon, Barklage, Bayley, Bell, Bockius, Brown, Caldwell, Center, Chalmers, Coleman, Cooper, Dannals, De Haven, Eagan, Everett, Freeman, French, Gibson, Goodall, Gray, Harvey, Hopper, James, Johnston, Jost, Luttrell, Meeker, Mott of Los Angeles, Mott of Sacramento, McCullough, Pardee, Rector, Russ, Sargent of Santa Clara, Schrack, Scibe, Slaughter, Splivalo, Stillwagon, Tinnin, Walker, Welty, Wheaton, Whiting, Whitney, Woodward, Wright, and Mr. Speaker—50.

NOES—Messrs. Baird, Barker, Barnes, Berry, Bradley, Days, Edgar, Ellis, Franck, Galloway, Hayes, Henshaw, Lee, Little, Lofton, Long, Mathers, Munday, Rice, Sammons, Sargent of San Joaquin, Sensabaugh, Spencer, Turner, and Ward—25.

REPORT.

Mr. Gibson, from the Committee on Enrollment, made the following report:

Mr. SPEAKER: Your Committee on Enrollment beg leave to report that they have examined and find correctly enrolled Assembly Bill No. 206—An Act to appropriate money for the contingent expenses of the Senate and Assembly at the nineteenth session of the Legislature—and that the same has, on the twentieth day of January, A. D. eighteen hundred and seventy-two, at twelve o'clock M., been transmitted to the Governor for his approval.

GIBSON, Chairman.

GENERAL FILE CONTINUED.

Assembly Bill No. 135—An Act to amend an Act entitled an Act to regulate fees of office and salaries of certain officers, and to repeal certain other Acts in relation thereto, approved March fifth, eighteen hundred and seventy.

Re-referred to Solano delegation on motion of Mr. Dannals, with special instructions to so amend the bill that its provisions shall include only the County of Solano and such other counties as the delegations therefrom may severally desire.

APPOINTMENTS.

Mr. Gibson informed the House that the Committee on Enrollment has appointed John R. Eardly and E. L. Wilbur Assistant Enrolling Clerks.

GENERAL FILE RESUMED.

Senate Bill No. 34—An Act to amend an Act entitled an Act to define the duties and liabilities of pawnbrokers and pledgees.

Read a third time and passed.

Senate Bill No. 72—An Act amendatory of an Act entitled an Act to

regulate the settlement of the estates of deceased persons, passed May first, eighteen hundred and fifty-one.

Read a third time and passed.

Assembly Bill No. 178—An Act to change the name of the Oakland Cotton Manufacturing Company.

Read a third time and passed.

Senate Bill No. 71—An Act to amend an Act entitled an Act relative to the duties and compensation of the Clerk of the Supreme Court, aproved April sixth, eighteen hundred and sixty-six.

Amendments reported adopted, bill read a third time and passed.

Senate Bill No. 8—An Act to enable the inhabitants of territory adjacent to any city in this State to annex the same thereto.

Amendments reported adopted, bill read a third time and passed.

Assembly Concurrent Resolution—Relative to establishment of a steamer mail service on the southern coast.

Rules suspended, considered engrossed, read a third time and passed.

The rules were suspended, and upon his own application, indefinite leave of absence was granted to Mr. Wheaton.

The rules were again suspended, on motion of Mr. Ellis, and Assembly Bill No. 155—An Act to amend the charter of the City of Los Angeles—was taken from its order on the file and considered.

Mr. Jost moved to postpone further consideration of the bill until the day after to-morrow.

Lost.

At three o'clock and forty-five minutes P. M., Mr. Jost moved that the House adjourn.

Lost.

The bill was then ordered to engrossment, the reported amendments having been first adopted.

Assembly Joint Resolution—Relative to asking Congress to prepare an amendment to the Constitution of the United States changing time and place of electing United States Senators.

Ordered to the top of the file for to-morrow.

On motion of Mr. James, at four o'clock and five minutes P. M., the House adjourned.

T. B. SHANNON,
Speaker.

M. D. BORUCK, Chief Clerk.

IN ASSEMBLY.

HOUSE OF ASSEMBLY,
Wednesday, January 24th, 1872.

House met pursuant to adjournment.

Speaker in the chair.

Roll called.

Quorum present.

Prayer by the Chaplain.

LEAVE OF ABSENCE

Leave of absence for one day was granted to Mr. Connolly.

PETITIONS.

Petitions were presented as follows:

By Mr. James—From the Order of Industrial Reformers, in relation to Chinese immigration.

Referred to Committee on Federal Relations.

By Mr. Harvey—From residents in Alabama Township, Sacramento County, for the repeal of the "No Fence Law," so far as the same may relate to that township

Referred to the Committee on Corporations.

By Mr. Rice—From citizens of Marin County, favoring the repeal of the "Five Per Cent Law."

Referred to the Committee on Corporations.

Also, by the same—From citizens of the same county, praying that should a repealing Act be passed that the County of Marin may be exempted from the operation of such repealing Act.

Referred to the Committee on Corporations.

By Mr. Barker—From citizens of California, favoring the passage of a prohibitory liquor law.

Referred to the Committee on Public Morals.

By Mr. Gray—From twelve thousand citizens of San Francisco, praying that if the "Five Per Cent Law" be repealed, San Francisco County may be exempted from the operation of the repealing Act.

Referred to the Committee on Corporations

By Mr. Meeker—From employing agents in the City of San Francisco, praying a reduction of the business license demanded of them.

Referred to the Committee on Ways and Means

By Mr. Barnes—From citizens and taxpayers of Lassen County, relative to fixing the salary of the District Attorney of Lassen County.

Read and referred with bill afterwards introduced.

By Mr. Hayes—From citizens of California, praying for the abolition of the "Fence Law."

Referred to the Committee on Agriculture.

REPORTS OF STANDING COMMITTEES.

Reports were made from standing committees as follows:

By Mr. Days:

Mr. SPEAKER: The Committee on Rules and Regulations, to whom was referred the proposed amendment to Rule Number Fifty-five, report the same back with the recommendation that it pass

Also, Assembly Bill No 91—An Act to provide for the organization of the Legislature of this State at its regular sessions—report, with amendments, and passage recommended as amended.

DAYS, for Committee.

By Mr. Harvey:

Mr. SPEAKER—The Committee on Swamp Lands, to whom was referred Assembly Bill No 43—An Act to amend section one of chapter three hundred and eighty three of the Acts of eighteen hundred and sixty-nine and eighteen hundred and seventy, approved March thirty-first, eighteen hundred and seventy—have had the same under consideration, report the same back, and recommend that it do not pass.

Also, have had under consideration Assembly Bill No. 212—An Act to amend an Act supplementary to and amendatory of an Act entitled an Act to authorize the Boards of Supervisors of the several counties of this State to grant the right to construct wharves on the overflowed and submerged lands of this State, approved April eighth, eighteen hundred and fifty-eight, and approved March thirty first, eighteen hundred and seventy—report the same back and recommend its passage.

HARVEY, Chairman.

By Mr. Barnes:

Mr SPEAKER: The Committee on Engrossment beg leave to report that they have examined and find correctly engrossed Assembly Bill No. 170—An Act to amend section five of an Act entitled an Act to provide funds to be applied to building a hospital in the City and County of San Francisco, approved March twenty-eighth, eighteen hundred and sixty-eight

Also, Assembly Bill No. 198—An Act granting leave of absence to W. H. Brown, Sheriff of El Dorado County.

Also, Assembly Bill No. 204—An Act to repeal an Act entitled an Act in relation to the office of Court Commissioner of the County of San Joaquin, approved March twelfth, eighteen hundred and seventy.

Also, Assembly Bill No. 154—An Act concerning roads and highways in the Counties of Plumas and Lassen.

BARNES, Chairman.

By Mr. Pardee:

Mr. SPEAKER: The Committee on Public Grounds and Buildings, to whom was referred the resolution to investigate the sinking of the west corner of the Capitol building, beg leave to report that they have made diligent investigation, by procuring the services of an experienced hydrographer, in connection with the United States Surveyor's theodolite (which your committee procured with much difficulty), and made a gyrating survey of the building, and came to the unanimous conclusion that the hypercritical informer had taken undue caution and had caused caused unnecessary alarm throughout the whole State.

Your committee beg leave to report that the building stands perfectly firm and unshaken by fire or flood.

PARDEE, Chairman.

By Mr. Sammons:

Mr. SPEAKER: The Committee on Agriculture, Mining, and Mechanic Arts College, to whom was referred Senate Bill No. 97—An Act to enable the Regents of the University of California to renew and secure certain loans, and to mortgage and sell certain real estate—have had the same under consideration, and beg leave to report the same back and recommend its passage.

SAMMONS, Chairman.

By Mr. Luttrell, from the Committee on Ways and Means:

Mr. SPEAKER: Your committee, having had under consideration Assembly Bill No. 8—An Act to repeal an Act entitled an Act to prevent double taxation; also, to repeal an Act entitled on Act to relieve owners of encumbered real estate from taxation—beg leave respectfully to report the same back and recommend its passage.

Your committee have also had under consideration Assembly Bill No. 23—An Act amendatory of an Act entitled an Act to prevent double taxation—beg leave to report the same back with the recommendation that it do not pass.

Your committee have also had under consideration Assembly Bill No. 188—An Act to provide for listing and assessing all solvent debts, and to repeal an Act entitled an Act to prevent double taxation, approved April first, eighteen hundred and seventy, and the Act entitled an Act to relieve owners of encumbered real estate from double taxation, approved April fourth, eighteen hundred and seventy—report the same back, with an amendment, and recommend its passage as amended.

LUTTRELL, for Committee.

By Mr. Edgar:

Mr. SPEAKER: Your Committee on Roads and Highways, to whom was referred Assembly Bill No. 141—An Act conferring certain powers on the Board of Supervisors of Lake County—have had the same under examination, and herewith return the same and report a substitute, and recommend its passage.

EDGAR, Chairman.

By Mr. Spencer:

Mr. SPEAKER: The Committee on Judiciary report back Assembly Bill No. 222—An Act granting leave of absence to A. H. Allen, Treasurer, and A. W. Crocker, District Attorney, of Mono County, and recommend that it do not pass.

Also, Assembly Bill No. 205—An Act to provide for the appointment of additional Notaries Public for the County of Humboldt—and recommend its passsage.

SPENCER, Chairman.

REPORTS OF SELECT COMMITTEES.

Reports from select committees were made as follows:

By Mr. Welty:

Mr. SPEAKER: The Placer delegation, to whom was referred Senate Bill No. 117—An Act to repeal an Act entitled an Act concerning roads and highways in the County of Placer, approved March twenty-ninth, eighteen hundred and seventy—would respectfully report having had the same under consideration, and recommend its passage.

WELTY, for Delegation.

The rules were suspended, and the bill above reported taken up, read a third time and passed.

By Mr. Caldwell:

Mr. SPEAKER: The Sonoma delegation, to whom was referred Senate Bill No. 116—An Act to authorize the erection and maintenance of a bridge in the City of Petaluma—report the same back and recommend its passage.

CALDWELL, for Delegation.

The rules being suspended, the bill above reported was taken up, read a third time and passed.

On motion of Mr. Stillwagon, the rules were again suspended, and Assembly Bill No 141—An Act conferring certain powers on the Board of Supervisors of Lake County—was taken up.

The substitute therefor reported was adopted, rules again suspended, read a third time and passed.

By Mr. Bacon:

Mr. SPEAKER: The Tuolumne delegation, to whom Senate Bill No. 39 was referred, beg leave to report that they have examined the same and recommend its passage.

BACON, for Delegation.

By Mr. Aldrich:

A copy of the Annual Report of the San Francisco Female Hospital for eighteen hundred and seventy-one.

Referred to the Committee on Ways and Means.

MOTIONS AND RESOLUTIONS.

Resolutions were offered as follows:

By Mr. Jost:

Resolved, That Mr. Jost have leave to withdraw Assembly Bill No. 217—An Act to establish a quarantine for the Bay and Harbor of San Francisco and sanitary laws for the City and County of San Francisco.

Adopted.

By Mr. Barker:

Resolved, That the great resources of a State lie in its agricultural facilities and a cheap monetary system, together with a broad policy in favor of actual settlers on public lands, with reliable information in regard to the most practical locations and means of access.

And, whereas, a few men own large tracts of the most fertile lands, which are withheld from the market for speculative purposes, thus retarding the growth and prosperity of the State, and for which the State receives no just return in the shape of taxes; therefore be it

Resolved, That the Speaker be and is hereby authorized and instructed to appoint a committee of five members of this House to consider the best means to remedy the evil and report to the House at as early a day as possible, by bill or otherwise.

Adopted.

On motion of Mr. Mott of Los Angeles, it was ordered that Assembly Bill No. 155 be returned by the Chairman of the Engrossing Committee, that it may be re-referred to the Los Angeles delegation for revision and amendment.

The bill was returned and re-referred in accordance with the motion.

Mr. Cooper moved to make the consideration of Senate Bill No. 61, one of the special orders for the day, the special order for Wednesday, January thirty-first, at one o'clock P. M.

Pending the decision upon the motion, on motion of Mr. Wilcox, at twelve o'clock and ten minutes P. M., the House agreed to take a recess until two o'clock P. M.

REASSEMBLED.

The House reassembled at ten minutes past two o'clock P. M.

Speaker in the chair.

Roll called.

Quorum present.

MOTION TO POSTPONE.

The Speaker stated that the subject for consideration was the motion of Mr. Cooper to postpone consideration of the special order for the day.

Mr. Whiting moved to amend the motion by making Senate Bill No. 61 and Assembly Bill No. 4 the special order for Friday, January twenty-sixth, at twelve o'clock M.

Mr. Barker demanded the previous question, and being seconded according to the rules, the House refused to order the main question to be put.

The House also rejected the amendment proposed by Mr. Whiting.

On the adoption of the motion offered by Mr. Cooper, the ayes and noes were demanded by Messrs. Whiting, Luttrell, and Berry, and the House refused to adopt by the following vote:

AYES—Messrs. Aldrich, Bacon, Baird, Bell, Bockins, Brown, Burckhalter, Coleman, Cooper, Crane, Eagan, Ellis, French, Galloway, Goodall, Gray, Hayes, Hopper, James, Jost, Meeker, Mott of Los Angeles, McCullough, Rice, Sargent of Santa Clara, Schrack, Seibe, Sensabaugh, Slaughter, Splivalo, Stillwagon, Walker, Ward, Wilcox, Wright, and Mr. Speaker—36.

NOES—Messrs. Andrews, Barker, Barklage, Barnes, Bayley, Berry, Bradley, Caldwell, Center, Chalmers, Connolly, Dannals, Days, De Haven, Edgar, Everett, Franck, Freeman, Gibson, Harvey, Henshaw, Johnston, Lee, Little, Lofton, Long, Luttrell, Mathers, Mott of Sacramento, Munday, Pardee, Rector, Russ, Sammons, Sargent of San Joaquin, Spencer, Tinnin, Turner, Welty, Whiting, Whitney, and Woodward—42.

SPECIAL ORDERS.

The House then took up the special orders for the day:

Senate Bill No. 61—An Act to repeal an Act entitled an Act to empower the Board of Supervisors of the several counties of the State to aid in the construction of a railroad in their respective counties, approved April fourth, eighteen hundred and seventy.

Assembly Bill No. 4—An Act to repeal an Act entitled an Act to empower the Board of Supervisors of the several counties of the State to

aid in the construction of a railroad in their respective counties, approved April fourth, eighteen hundred and seventy.

On motion of Mr. Luttrell, the Senate bill was first considered.

Mr. Gray offered the following substitute for the bill:

SEC. 1. An Act entitled an Act to empower the Board of Supervisors of the several counties of this State to aid in the construction of a railroad in their respective counties, approved April fourth, eighteen hundred and seventy, and an Act entitled an Act supplemental to an Act to empower the Board of Supervisors of the several counties of the State to aid in the construction of a railroad in their respective counties, approved April fourth, eighteen hundred and seventy, are hereby repealed, except as to the Counties of San Francisco, San Mateo, Santa Cruz, Monterey, San Diego, Santa Barbara, San Bernardino, Mariposa, and Marin, in all of which said Acts shall remain in full force and effect, anything in this Act to the contrary notwithstanding.

SEC. 2. This Act shall take effect from and after its passage.

On motion of the delegations from said counties, the County of Monterey was stricken from the amendment, and the County of San Luis Obispo included therein.

Mr. Spencer proposed to amend the substitute as follows:

Strike out the provision excepting certain counties, and add in place thereof the following:

"*Provided*, however, that nothing in this Act contained shall affect any contract already made under the provisions of the said Acts hereby repealed."

Pending consideration, on motion of the Speaker, the bill and proposed amendments, and also Assembly Bill No 4, were made the special order for Friday, January twenty sixth, at twelve o'clock M.

The Speaker announced the appointment of the following special committee on the subject of the resolution offered by Mr Barker this day: Messrs. Barker, Wright, Hayes, Mott of Los Angeles, and Caldwell.

At four o'clock and forty-five minutes P. M., on motion of the Speaker, the House adjourned.

T. B. SHANNON,
Speaker.

M. D. BORUCK, Chief Clerk.

IN ASSEMBLY.

HOUSE OF ASSEMBLY,
Thursday, January 25th, 1872.

House met pursuant to adjournment.
Speaker in the chair.
Roll called.
Quorum present.
Prayer by the Chaplain.

LEAVE OF ABSENCE.

Leave of absence for one day each was granted to Messrs. French, Jost, Crane, and Schrack.

PETITION.

Mr. Dannals offered a petition from residents in San Diego County, favoring such amendment of the State Constitution as shall confer upon women the right of suffrage.

Referred to the special committee on that subject heretofore appointed.

REPORTS.

Reports were made as follows:

By Mr. Wright:

Mr. SPEAKER: The Committee on Education, to whom was referred Senate Bill No. 111—An Act to authorize the State Board of Examiners to invest moneys derived from State school lands in the bonds of the several counties of this State—herewith report the same back and recommend its passage

Also, Senate Bill No 54—An Act authorizing the distribution of the Reports of the State Geological Survey—herewith report the same back with amendment, and recommend its passage as amended.

WRIGHT, Chairman.

By Mr. Sensabaugh:

Mr. SPEAKER. The Merced and Stanislaus delegation, to whom was referred Senate Bill No 84—An Act to provide for the erection of a Court House and Jail in the County of Stanislaus—have had the same under consideration, beg leave to report it back and recommend its passage.

SENSABAUGH, for Delegation.

The rules were suspended, and the bill above reported taken from the file, read a third time and passed.

Mr Luttrell had leave to make the following report from a standing committee:

Mr. SPEAKER: The Committee on Rules and Regulations, to whom was referred Assembly Bill No. 176, have had the same under consideration, and recommend that it do not pass.

LUTTRELL, Chairman.

INTRODUCTION OF BILLS.

Bills were introduced as follows:

By Mr. Seibe—An Act to amend an Act entitled an Act to amend an Act to regulate proceedings in civil cases in Courts of justice in this State, approved April twenty-ninth, eighteen hundred and fifty-one, ap-

proved April fourth, eighteen hundred and sixty-four, and all Acts and parts of Acts amendatory thereof or supplementary thereto.

Read first and second times, and with an accompanying petition from citizens in San Francisco, in favor of the passage of the bill, referred to the Judiciary Committee.

By Mr. Bell—An Act to create the County of Donner, to define its boundaries, and to provide for its organization and maintenance.

Read first and second times. On the question of reference, Mr. Bell moved that the bill be referred to the Committee on Counties and County Boundaries, and the House refused so to order.

On motion of Mr. Barnes, the bill was referred to the delegations from Sierra, Placer, Nevada, Plumas, and Lassen.

By Mr. Wilcox—An Act to provide for the payment of certain claims in the Yosemite Valley.

Read first and second times, referred to the Committee on Ways and Means, and ordered printed.

By Mr. Spencer—An Act to amend an Act entitled an Act to regulate the interest of money, approved March thirteenth, eighteen hundred and fifty, amended April fourth, eighteen hundred and seventy.

Read first and second times, referred to the Judiciary Committee, and ordered printed.

By Mr. Sargent—An Act to pay for services rendered the State of California.

Read first and second times and referred to the Committee on Claims.

Also, an Act to appropriate money for the erection of a fence, sidewalk, and other improvements to the property of the State Asylum for the Insane.

Read first and second times and referred to the Committee on Public Buildings and Grounds.

By Mr. Burckhalter—An Act to regulate the traveling fees of the Sheriff of the County of Kern.

Read first and second times and referred to the Kern and Tulare delegations.

Also, an Act to provide for furnishing certain officers of Kern County with certain volumes of the Reports of the Supreme Court of the State of California.

Read first and second times and referred to the Judiciary Committee.

By Mr. Berry—An Act for the relief of purchasers of State lands.

Read first and second times and referred to the Committee on Public Lands.

By Mr. Barnes—An Act fixing the salary of the District Attorney of Lassen County.

Read first and second times and referred to delegations from Lassen and Plumas Counties.

By Mr. Splivalo—An Act to amend an Act entitled an Act to regulate proceedings in civil cases in the Courts of justice of this State, passed April twenty-ninth, eighteen hundred and fifty one.

Read first and second times, referred to the Judiciary Committee, and ordered printed.

By Mr. Cooper—A Joint Resolution urging upon Congress the passage of an Act to provide for the survey of certain unsurveyed lands in the County of Sonoma, and the disposal thereof to actual settlers.

Read first and second times and referred to the Committee on Public Lands.

Also, an Act authorizing the Trustees of Santa Barbara School District

of the County of Santa Barbara to issue bonds of the said district for the sum of six thousand dollars.

Read first and second times and referred to the Committee on Public Buildings and Grounds.

By Mr. Bockius—An Act to amend an Act entitled an Act to authorize the incorporation of canal companies and the construction of canals.

Read first and second times and referred to the Committee on Corporations.

By Mr. Seibe—An Act for the relief of James B. Travers.

Read first and second times and referred to the San Francisco delegation.

REPORT.

Mr. Gray obtained leave to present the following report:

Mr. SPEAKER: The San Francisco delegation herewith report Assembly Bill No. 42—An Act to amend an Act entitled an Act to establish a quarantine for the Bay and Harbor of San Francisco, and sanitary laws for the City and County of San Francisco—with a substitute, and recommend the adoption and passage of the substitute.

WHEATON, Chairman.

MESSAGES FROM THE SENATE.

The following messages from the Senate were received:

SENATE CHAMBER,
January 24th, 1872.

Mr. SPEAKER: I am directed to inform your honorable body that the Senate, on the twenty-third day of January, passed Senate Bill No 147—An Act to authorize the Board of Supervisors of Santa Barbara County to build a Court House and Jail in said county, to issue bonds of the said county for the construction thereof, and to provide for the payment of the same.

FERRAL, Secretary.

SENATE CHAMBER,
January 24th, 1872.

Mr. SPEAKER: I am directed to inform your honorable body that the Senate, on the twentieth day of January, passed Senate Bill No. 74—An Act to legalize certain payments of money on account of the purchase of State school lands.

Also, on the twenty-third instant, amended and passed Assembly Bill No. 131—An Act to provide for the appointment of two additional Notaries Public for the County of Contra Costa.

Also, amended and passed Assembly Bill No 129—An Act to repeal an Act entitled an Act providing for the recording of the papers filed in the Probate Court in the County of Santa Clara in certain cases, approved April seventh, eighteen hundred and seventy.

Also, passed Assembly Bill No. 136—An Act to amend an Act to provide for the liquidation of all claims against the State not otherwise provided for by law, approved April first, eighteen hundred and seventy.

Also, passed Assembly Bill No. 146—An Act to amend an Act entitled an Act to create a Board of Education for the City of Marysville, approved April first, eighteen hundred and seventy.

FERRAL, Secretary.

SENATE CHAMBER,
January 25th, 1872.

Mr. SPEAKER: I am directed to inform your honorable body that the Senate, on the twenty-second day of January, passed Senate Bill No. 129—An Act to provide for the payment of certain coupons upon bonds of the State of California that have been lost.

Also, passed Senate Bill No. 133—An Act to appropriate money for the erection of a monument to ex-Governor John Bigler.

Also, passed Senate Bill No 113—An Act to pay the claim of J. T. Ryan for services rendered the State as Indian War Bond Commissioner.

Also, passed Assembly Bill No 46—An Act granting leave of absence to P. B. Nagle, District Attorney of Tehama County

Also, passed Senate Bill No. 114—An Act for the relief of George W. Reamer and his associates

Also, passed Senate Bill No. 110—An Act to provide for the payment of the claim of Isidor Wormser against the State of California.

Also, passed Senate Joint Resolution No. 4—Relative to arms issued to the State of California by the United States Government.

FERRAL, Secretary.

CONSIDERATION OF SENATE MESSAGES.

Senate Bill No. 145, above reported, read first and second times and referred to the Santa Barbara delegation.

Senate Bill No 74, above reported, read first and second times and referred to the Committee on Public Lands.

Senate Bills Nos 113, 110, 133, and 129, above reported, severally read first and second times and referred to the Committee on Claims.

Senate Bill No. 114, above reported, read first and second times and referred to the Placer and El Dorado delegation.

Senate Joint Resolution No. 4, above reported, read first and second times and referred to the Committee on Federal Relations.

The House concurred in Senate amendments to Assembly Bills Nos. 129 and 131, above reported.

SPECIAL ORDER.

At twelve o'clock M. the House took up the special order for the day.

Assembly Bill No. 84—An Act to take preliminary steps for calling a Convention to amend, remodel, or propose a new Constitution for the State of California.

On motion of Mr. Gray, it was made the special order for Thursday, February eighth, at the same hour.

FURTHER REPORTS.

Reports were made as follows:

By Mr. Barnes:

Mr. SPEAKER: The Committee on Engrossment beg leave to report that they have examined and find correctly engrossed Assembly Bill No. 121—An Act supplementary to an Act entitled an Act concerning corporations, passed April twenty-second, eighteen hundred and fifty.

Also, Assembly Concurrent Resolution No. 11—Relative to the establishment of a steamer mail service on the southern coast.

BARNES, Chairman.

By Mr. Gibson:

Mr. SPEAKER: Your Committee on Enrollment beg leave to report that they have examined and found correctly enrolled Assembly Bill No. 148—An Act to amend an Act entitled an Act regulating the collection of delinquent taxes in the County of Alameda, approved April fourth, eighteen hundred and seventy, and to refund certain money paid thereunder.

Also, Assembly Bill No. 90—An Act to regulate the pay of grand jurors in the County of Los Angeles.

Also, Assembly Bill No 146—An Act to amend an Act entitled an Act to create a Board of Education for the City of Marysville, approved April first, eighteen hundred and seventy

Also, Assembly Bill No. 68—An Act granting W. L Carter, County Superintendent of Public Schools elect of Shasta County, leave of absence from the State.

Also, substitute for Assembly Bill No. 60—An Act to authorize the Controller of State to issue duplicate warrants.

Also. Assembly Bill No. 172—An Act to provide for the appointment of two additional Notaries Public for the County of Butte.

Also, Assembly Bill No. 73—An Act concerning roads and highways in the County of Yuba.

Also. Assembly Bill No. 26—An Act to amend an Act entitled an Act concerning the distribution of the reports of the decisions of the Supreme Court and the statutes of this State, approved March third, eighteen hundred and sixty-six.

And that the same have, this twenty-fifth day of January, eighteen hundred and seventy-two, at four minutes past twelve o'clock, been transmitted to the Governor for his approval.

GIBSON, Chairman.

GENERAL FILE.

Assembly Bill No. 88—An Act to repeal an Act entitled an Act for the relief of the free schools of the Presentation Convent of the City and County of San Francisco, approved April fourth, eighteen hundred and seventy.

Pending the consideration of the bill, at one o'clock and fifteen minutes P. M., on motion of Mr. Days, the House agreed to take a recess until two o'clock P. M.

REASSEMBLED.

At two o'clock P. M., the House reassembled.

The Speaker in the chair.

Roll called.

Quorum present.

GENERAL FILE RESUMED.

The House again took up Assembly Bill No. 88, above referred to.

Mr. Wilcox offered the following, and moved that the bill be re-referred to the San Francisco delegation, with special instructions to report the same as a substitute for the original bill:

AN ACT TO AMEND AN ACT ENTITLED AN ACT FOR THE RELIEF OF THE FREE SCHOOLS OF THE PRESENTATION CONVENT OF THE CITY AND COUNTY OF SAN FRANCISCO.

The People of the State of California, represented in Senate and Assembly, do enact as follows:

SECTION 1. Section one of said Act is hereby amended so as to read as follows: The sum of fifteen thousand dollars is hereby appropriated out of any money in the General Fund of the County Treasury of the City and County of San Francisco not otherwise appropriated, for the benefit of the free schools of the Presentation Convent of the City and County of San Francisco.

SEC. 2. This Act shall take effect and be in force from and after its passsage.

Mr. Days demanded the previous question, and the demand was seconded and demanded by the House.

On the adoption of the motion of Mr. Wilcox, the ayes and noes were demanded by Messrs. Wilcox, Whiting, and Slaughter, and it was lost by the following vote:

AYES—Messrs. Andrews, Berry, Burckhalter, Caldwell, Connolly, Eagan, Ellis, Gibson, Henshaw, Little, Luttrell, Mott of Los Angeles, Munday, Scibe, Sensabaugh, Slaughter, Spivalo, Tinnin, Walker, Ward, Whiting, and Wilcox—22.

NOES—Messrs. Aldrich, Bacon, Baird, Barker, Barklage, Barnes, Bayley, Bradley, Bockius, Brown, Center, Chalmers, Coleman, Dannals, Days, De Haven, Edgar, Everett, Franck, Freeman, Galloway, Goodall, Harvey, Hayes, Johnston, Lee, Lofton, Long, Mathers, Meeker, Mott of Sacramento, McCullough, Pardee, Russ, Sammons, Sargent of Santa Clara, Sargent of San Joaquin, Spencer, Stillwagon, Turner, Welty, Woodward, Wright, and Mr. Speaker—44.

On the passage of the bill, the ayes and noes were demanded by Messrs. Slaughter, Whiting, and McCullough, and the bill passed by the following vote:

AYES—Messrs. Aldrich, Bacon, Baird, Barker, Barklage, Barnes, Bayley, Bradley, Bockius, Brown, Center, Coleman, Dannals, Days, De Haven, Edgar, Everett, Franck, Freeman, Galloway, Goodall, Harvey, Hayes, Johnston, Lee, Lofton, Long, Meeker, Mott of Sacramento, McCullough, Pardee, Russ, Sammons, Sargent of Santa Clara, Sargent of San Joaquin, Spencer, Stillwagon, Turner, Welty, Woodward, Wright, and Mr. Speaker—42.

NOES—Messrs. Andrews, Berry, Burckhalter, Caldwell, Chalmers, Connolly, Eagan, Ellis, Gibson, Henshaw, Little, Luttrell, Mathers, Mott

of Los Angeles, Munday, Seibe, Sensabaugh, Slaughter, Splivalo, Tinnin, Walker, Ward, Whiting, and Wilcox—24.

MESSAGE FROM THE SENATE.

The following message was received from the Senate:

SENATE CHAMBER,
January 25th, 1872.

Mr. SPEAKER: I am directed to inform your honorable body that the Senate, on this twenty-fifth day of January, passed Senate Concurrent Resolution No. 24—Relative to inviting the Japanese Embassy to visit the Capital.

FERRAL, Secretary.

CONSIDERATION OF THE MESSAGE.

The House concurred in Senate Concurrent Resolution No. 24, above reported, and the Speaker appointed the following committee on the part of the Assembly: Messrs. Brown, Spencer, Gray, Burckhalter, and Goodall

The rules were suspended, and, on motion of Mr. Barnes, Assembly Bill No. 232—An Act to organize the County of Donner—was ordered printed.

GENERAL FILE RESUMED.

Assembly Joint Resolution No 8—Relative to asking Congress to prepare an amendment to the Constitution of the United States changing the time and place of electing United States Senators.

On ordering the resolution engrossed, the ayes and noes were demanded by Messrs. Andrews, Whiting, and Berry, with the following result:

AYES—Messrs. Baird, Barklage, Barnes, Bayley, Bradley, Bockius, Brown, Center, Chalmers, Coleman, Dannals, Days, De Haven, Egan, Edgar, Ellis, Everett, Franck, Freeman, Gibson, Goodall, Harvey, Johnston, Lofton, Long, Luttrell, Mathers, Mott of Sacramento, McCullough, Pardee, Russ, Sammons, Sargent of Santa Clara, Sargent of San Joaquin, Sensabaugh, Slaughter, Spencer, Stillwagon, Tinnin, Turner, Welty, Woodward, and Wright—43.

NOES—Messrs. Andrews, Bacon, Barker, Berry, Burckhalter, Caldwell, Connolly, Galloway, Hayes, Henshaw, Meeker, Mott of Los Angeles, Munday, Seibe, Splivalo, Walker, Ward, Whiting, Wilcox, and Mr. Speaker—20.

Assembly Bill No. 106—An Act to repeal section four of an Act to provide and pay for services rendered for the City and County of San Francisco, approved March fourth, eighteen hundred and seventy.

Read a third time and passed.

Senate Concurrent Resolution No. 21—Relative to the establishment of a mail route from Lake Valley, El Dorado County, California, to Genoa, in the State of Nevada.

Read a third time and passed.

Senate Bill No. 39—An Act authorizing and empowering the Super-

visors of the County of Inyo to sell certain real estate belonging to said county.

Read a third time and passed.

Senate Bill No. 97—An Act to enable the Regents of the University of California to renew and secure certain loans and to mortgage and sell certain real estate.

Read a third time and passed.

Assembly Bill No. 31—An Act to amend an Act entitled an Act to provide for the management and sale of the lands belonging to the State, approved March twenty-eighth, eighteen hundred and sixty-eight.

Amendments adopted, and ordered engrossed.

Assembly Bill No. 33—An Act to amend an Act to provide for the protection of certain lands in the County of Sutter from overflow, approved March twenty-fifth, eighteen hundred and seventy,

Rules suspended, bill considered engrossed, read a third time and passed.

Assembly Bill No. 156—An Act to provide for the liquidation of certain bonds of the City of Sacramento.

Ordered engrossed.

Assembly Bill No. 122—An Act to encourage the destruction of squirrels and gophers, and other wild animals, in the County of Los Angeles.

Ordered engrossed.

Assembly Bill No. 149—An Act to regulate proceedings in civil cases in the Justices' Court of the City and County of San Francisco.

Ordered engrossed.

Assembly Bill No. 197—An Act granting R. L. Bettis, Treasurer of Tehama County, leave of absence.

Ordered engrossed.

Assembly Bill No. 211—An Act granting leave of absence to A. W. Potts, County Clerk of Los Angeles County.

Ordered engrossed.

Assembly Bill No. 209—An Act to legalize, ratify, and confirm certain acts of the Mayor and Common Council of the City of Los Angeles.

Ordered engrossed.

Mr. Seibe asked and obtained leave to withdraw Assembly Bill No. 35—An Act amendatory of an Act entitled an Act for the effectual prevention of cruelty to animals.

Assembly Bill No. 59—An Act to fix the time for electing Representatives to Congress.

Substitute adopted, and ordered engrossed.

Assembly Bill No. 150—An Act to amend an Act entitled an Act to regulate fees in the City and County of San Francisco, approved February ninth, eighteen hundred and sixty-six.

Amendments reported adopted, and ordered engrossed.

Assembly Bill No. 196.

Passed on file.

Assembly Bill No. 183—An Act to restrict the herding of sheep and goats in the County of El Dorado.

Ordered engrossed.

Assembly Bill No. 175—An Act granting leave of absence to Grant I. Taggart, Clerk of the Supreme Court.

Ordered engrossed.

Assembly Bill No. 184—An Act to provide for the opening and improvement of Santa Clara Avenue, in the County of Santa Clara.

Ordered engrossed.

Assembly Bill No. 177—An Act to regulate and fix the time for holding the terms of the several Courts of record in and for the County of San Mateo.

Amendments adopted, rules suspended, bill considered engrossed, read a third time and passed.

Assembly Bill No. 215—An Act granting leave of absence to J. F. Eastman, County Treasurer elect of Yuba County.

Rules suspended, bill considered engrossed, read a third time and passed.

Assembly Bill No 182—An Act to repeal an Act entitled an Act to create a Board of Levee and Street Commissioners in and for the Town of Pacheco, Contra Costa County, and define their powers and duties, approved March twenty-ninth, eighteen hundred and seventy.

Rules suspended, bill considered engrossed, read a third time and passed.

On motion of Mr. Days, Assembly Bill No. 193 was taken from the file and re-referred to the Judiciary Committee.

Assembly Bill No. 112—An Act to amend an Act entitled an Act to exempt certain property from execution and forced sale.

Substitute reported adopted, and ordered engrossed.

At four o'clock and twenty-five minutes P. M. Mr. De Haven moved that the House adjourn.

Lost.

The substitute reported for Assembly Bill No. 112 was then adopted and ordered engrossed.

At four o'clock and twenty-seven minutes P. M. Mr. Connolly moved to adjourn, and the House refused

Assembly Bill No. 167—An Act to protect the interests of the State.

On ordering the bill engrossed, the ayes and noes were demanded by Messrs. Luttrell, Berry, and Andrews, and the House refused to so order by the following vote:

AYES—Messrs. Andrews, Barker, Bayley, Berry, Burckhalter, Caldwell, Center, Chalmers, Connolly, Cooper, Dannals, Days, Everett, Gibson, Henshaw, Little, Long, Luttrell, Munday, Sensabaugh, Slaughter, Tinnin, Walker, Ward, Whiting, and Wilcox—26.

NOES—Messrs. Aldrich, Bacon, Baird, Barklage, Barnes, Bell, Bradley, Bockius, Brown, Coleman, De Haven, Edgar, Ellis, Franck, Freeman, Goodall, Gray, Harvey, Johnston, Lee, Lotton, Meeker, Mott of Sacramento, McCullough, Pardee, Russ, Sammons, Sargent of San Joaquin, Seibe, Splivalo, Stillwagon, Turner, Welty, Woodward, Wright, and Mr. Speaker—36.

At four o'clock and forty minutes P. M., on motion of Mr. Meeker, the House adjourned.

T. B. SHANNON,
Speaker.

M. D. BORUCK, Chief Clerk.

IN ASSEMBLY.

HOUSE OF ASSEMBLY,
Friday, January 26th, 1872.

House met pursuant to adjournment.
Speaker in the chair.
Roll called.
Quorum present.
Prayer by the Chaplain.
The Journal of yesterday was read and approved.

PETITIONS.

Petitions were offered as follows:

By Mr. Bell—From citizens of the proposed new County of Donner, in favor of that measure.

Referred to delegations having in charge Assembly Bill No. 232, relating to that matter.

By Mr. Gray—A memorial of the Chamber of Commerce of San Francisco, recommending the adoption of a bill introduced in the Senate by Mr. Farley—An Act to encourage the investment of foreign capital in California.

Referred to Committee on Ways and Means.

REPORTS OF STANDING COMMITTEES.

Reports were made from standing committees as follows:

By Mr. Mott of Sacramento:

Mr. SPEAKER: The Committee on Claims, to whom was referred Senate Bill No. 113—An Act to pay the claim of James T. Ryan, for services rendered the State of California as Commissioner of War Bonds—beg leave to report it back and recommend its passage.

MOTT, Chairman.

By Mr. Freeman:

Mr. SPEAKER: The Committee on Internal Improvements, to whom was referred Assembly Bill No. 219—An Act authorizing certain persons to improve a portion of King's River and to erect booms thereon—have had the same under consideration and recommend its passage with amendments.

FREEMAN, Chairman.

By Mr. Barnes:

Mr. SPEAKER: The Committee on Engrossment report that they have examined and find correctly engrossed substitute for Assembly Bill No. 141—An Act conferring certain powers on the Board of Supervisors of Lake County.

Also, Assembly Bill No. 33—An Act to amend an Act to provide for

the protection of certain lands in the County of Sutter from overflow, approved March twenty-fifth, eighteen hundred and seventy.

Also, Assembly Bill No. 122—An Act to encourage the destruction of squirrels and gophers, and other wild animals, in the County of Los Angeles.

Also, Assembly Bill No. 149—An Act to regulate proceedings in civil cases in the Justices' Court of the City and County of San Francisco.

BARNES, Chairman.

By Mr. Wright:

Mr. SPEAKER: The Committee on Education, to whom was referred Assembly Bill No. 208—An Act to provide for the support of schools in certain districts in Tehama County—herewith report the same back with amendment, and recommend its passage as amended.

WRIGHT, Chairman.

REPORTS OF SELECT COMMITTEES.

By Mr. Munday:

Mr. SPEAKER: The Sonoma delegation, to whom was referred Senate Bill No. 115, beg leave to report the same back, and recommend its passage.

MUNDAY, for Delegation.

The rules were suspended, and the bills above reported were taken up, read a third time and passed.

By Mr. Mott of Los Angeles:

Mr. SPEAKER: The Los Angeles delegation, to whom was referred Assembly Bill No. 155—An Act to amend the charter of the City of Los Angeles—report the same back with substitute, and recommend the passage of the substitute.

MOTT, for Delegation.

The rules were suspended, and the bill above reported taken up, the substitute reported adopted, rules again suspended, considered engrossed, read a third time and passed.

By Mr. Barnes:

Mr. SPEAKER: The Plumas and Lassen delegations, to whom was referred Assembly Bill No. 240—An Act fixing the salary of the District Attorney of Lassen County—would most respectfully report the same back with the recommendation that it pass.

BARNES, for Delegations.

MESSAGE FROM THE GOVERNOR.

The following message from the Governor was read:

STATE OF CALIFORNIA, EXECUTIVE DEPARTMENT,
Sacramento, January 25th, 1872.

To the Assembly of the State of California:

I herewith return to your honorable body, without my approval, Assembly Bill No. 14—An Act granting James H. Clark, County Superintendent of Common Schools, leave of absence from the State, and respectfully assign the following reasons for withholding my approval:

The object of the bill is to grant leave of absence from the State to the Superintendent of Common Schools for the County of Sutter for one year, a period of half his official term.

An office is a personal trust, and there is an implied contract between the holder on the one hand and the people on the other that personal services shall be rendered for a stipulated pay.

There may be cases of such special hardships as to justify a short furlough from civil service, but they are rare and should be closely scrutinized, especially in view of the fact that the absence of the incumbent of an office by special authority of the law-making power might invalidate his official bond.

No injury of this kind is likely to arise in the present instance, but it is proper to recognize the danger and guard against it on principle rather than discuss its imminence on particular cases as they arise, as bills of this nature are apt to become laws through legislative courtesy and executive precedent.

NEWTON BOOTH, Governor.

CONSIDERATION OF THE MESSAGE.

On the question "Shall the bill pass notwithstanding the objections of the Governor?" the roll was called and the veto of the Governor was sustained by a unanimous vote, as follows:

AYES—None.

NOES—Messrs. Aldrich, Andrews, Bacon, Baird, Barker, Barklage, Barnes, Bayley, Berry, Bradley, Bockius, Brown, Burckhalter, Caldwell, Center, Chalmers, Coleman, Connolly, Cooper, Crane, Dannals, Days, De Haven, Eagan, Edgar, Ellis, Everett, Franck, French, Galloway, Gibson, Goodall, Harvey, Hayes, Henshaw, Hopper, James, Johnston, Jost, Lee, Little, Lofton, Long, Luttrell, Mathers, Meeker, Mott of Los Angeles, Mott of Sacramento, Munday, McCullouch, Pardee, Rector, Reed, Rice, Russ, Sammons, Sargent of Santa Clara, Sargent of San Joaquin, Schrack, Seibe, Sensabaugh, Slaughter, Spencer, Sphvalo, Stillwagon, Tinnin, Turner, Walker, Ward, Welty, Whiting, Whitney, Wilcox, Woodward, Wright, and Mr. Speaker—77

NOTICES.

Notices of the introduction of bills were given as follows:

By Mr. Bell—An Act to amend an Act entitled an Act to regulate proceedings in criminal cases, passed May first, eighteen hundred and fifty-one.

By Mr. Reed—An Act relative to the Charitable Fund of the Exempt Fire Company of the City of San Francisco.

Also, by the same—An Act relating to the carrying of concealed weapons.

Also, by the same—An Act to confirm the title to certain land in the City of San Francisco to the Associated Veterans of the Mexican War.

By Mr. Eagan—An Act to provide for the payment of taxes on cattle and sheep herded in different counties in this State.

MESSAGE FROM THE SENATE.

The following message was received from the Senate:

SENATE CHAMBER,
January 26th, 1872.

Mr. SPEAKER: I am directed to inform your honorable body that the Senate, on the twenty-fifth day of January, passed Senate Bill No. 127—An Act to provide for the payment of deficiency in the State Insane Asylum appropriation for the twenty-third fiscal year, ending June thirtieth, eighteen hundred and seventy-two

Also, amended and passed Assembly Bill No. 53—An Act to distribute the revenue derived from the tax on dogs in Sonoma County.

Also, amended and passed Assembly Bill No. 62—An Act to appropriate money for the relief of James W. Marshall.

Also, passed Assembly Bill No. 10—An Act to regulate the fees of the Assistant City and County Attorney of the City and County of San Francisco.

Also, passed Assembly Bill No. 116—An Act making an appropriation for deficiencies for the twenty-third fiscal year, ending the thirtieth day of June, eighteen hundred and seventy-two

Also, passed Assembly Bill No. 159—An Act to authorize the Board of Supervisors of the City and County of San Francisco to close up Margaret street, in said city and county.

Also, passed Assembly Bill No. 178—An Act to change the name of the Oakland Cotton Manufacturing Company.

Also, passed Senate Concurrent Resolution No. 25—Requesting the Governor to return Senate Bill No. 72, for the purpose of making a clerical correction.

FERRAL, Secretary.

CONSIDERATION OF SENATE MESSAGE.

The House concurred in Senate Concurrent Resolution No. 25, above reported.

Assembly Bill No. 53, above reported, with Senate amendments, was referred to the Committee on Ways and Means

The House concurred in Senate amendment to Assembly Bill No. 62, above reported.

TO PRINT.

On motion of Mr. Days, the rules were suspended and Assembly Bills Nos. 214 and 239 were taken up and ordered printed.

INTRODUCTION OF BILLS.

Bills were introduced as follows:

By Mr. Crane—An Act for the encouragement of the production of ramie in the State of California.

Read first and second times and referred to the Committee on Agriculture, and ordered printed.

By Mr Jost—An Act concerning private wharves.

Read first and second times and referred to San Francisco delegation.

Also—An Act to authorize the Board of Supervisors of the City and County of San Francisco to close up Walnut Avenue, in said city and county.

Read first and second times and referred to the Committee on Swamp and Overflowed Lands.

By Mr. Slaughter—An Act to grant to the Town of San Bernardino all the interest of the State in certain real property.

Read first and second times and referred to the Judiciary Committee.

By Mr. Rice—An Act to authorize the construction of a marine railway in Marin County.

Read first and second times and referred to the Committee on Commerce and Navigation.

By Mr. Rector—An Act to declare Lake Earl and its tributaries, in Del Norte County, navigable, and to exempt said waters from entry.

Read first and second times and referred to the Committee on Swamp and Overflowed Lands.

By Mr. James—An Act for the protection of game and fish.

Read first and second times and referred to the Judiciary Committee, and ordered printed.

By Mr. Bockius—An Act to legalize the assessment of damages by the laying out and opening of Union street, in the Town of Watsonville, Santa Cruz County.

Read first and second times and referred to the Santa Cruz delegation.

Also, an Act to amend an Act entitled an Act to incorporate the Town of Watsonville, Santa Cruz County, California, approved March thirtieth, eighteen hundred and sixty-eight.

Read first and second times and referred to the Santa Cruz delegation.

By Mr. Reed—An Act to prohibit the licensed retailers of intoxicating drinks from selling or giving the same to persons referred to in this Act.

Read first and second times and referred to the Committee on Public Morals.

By Mr. Munday—An Act for the relief of Chino Reynolds.

Read first and second times and referred to the Committee on Claims.

SPECIAL ORDER.

At twelve o'clock M. the House took up the first special order for the day, Senate Bill No 61—An Act to repeal an Act entitled an Act to empower the Board of Supervisors of the several counties of the State to aid in the construction of a railroad in their respective counties, approved April fourth, eighteen hundred and seventy.

The Chair (Mr. Harvey) announced that the question for the consideration of the House was the amendments offered by the Speaker to the substitute for the bill offered by Mr. Gray.

Mr. Hopper moved that the House take a recess until two o'clock, and the motion was agreed to.

REASSEMBLED.

At two o'clock P. M. the House again convened.
Mr. Harvey in the chair.
Roll called.
Quorum present.

RESOLUTION.

The rules were suspended for the introduction of the following resolution by Mr. Berry:

Resolved, That when the House adjourns on Saturday, January twenty-seventh, it adjourns to meet on Tuesday, January thirtieth, at half-past two o'clock P. M.

Adopted.

SPECIAL ORDER RESUMED.

The House again took up the first special order of the day—Senate Bill No. 61.

Mr. Spencer withdrew the amendment offered by him to the substitute for the bill offered by Mr. Gray.

Mr. Mott of Los Angeles moved the previous question, and the demand being properly seconded, the House ordered the same to be put.

On the adoption of the substitute, the ayes and noes were demanded by Messrs. Whitney, Luttrell, and Days, with the following result:

AYES—Messrs. Aldrich, Bacon, Baird, Bell, Bockius, Brown, Burckhalter, Caldwell, Connolly, Cooper, Dannals, De Haven, Eagan, Ellis, Galloway, Gibson, Goodall, Gray, Hayes, Hopper, James, Jost, Little, Meeker, Mott of Los Angeles, McCullough, Pardee, Reed, Rice, Sargent of Santa Clara, Schrack, Sensabaugh, Slaughter, Splivalo, Stillwagon, Walker, Ward, Wilcox, Wright, and Mr. Speaker—40.

NOES—Messrs. Andrews, Barker, Barklage, Barnes, Bayley, Berry, Bradley, Center, Chalmers, Coleman, Days, Edgar, Everett, Franck, Freeman, French, Harvey, Henshaw, Johnston, Lee, Lofton, Long, Luttrell, Mathers, Mott of Sacramento, Munday, Rector, Russ, Sammons, Sargent of San Joaquin, Schrack, Seibe, Spencer, Tinnin, Turner, Welty, Whiting, Whitney, and Woodward—38.

At five o'clock and ten minutes P. M., Mr. Caldwell moved that the House adjourn.

Whereupon the ayes and noes were demanded by Messrs. Cooper, Rector, and Dannals, with the following result:

AYES—Messrs. Aldrich, Bacon, Bell, Berry, Burckhalter, Caldwell, Center, Connolly, Cooper, Ellis, Gibson, Harvey, Little, Pardee, Rector, Sargent of Santa Clara, Sargent of San Joaquin, Schrack, Seibe, Sensabaugh, Slaughter, Turner, and Wilcox—23.

NOES—Messrs. Andrews, Baird, Barker, Barklage, Barnes, Bayley, Bell, Bradley, Bockius, Brown, Chalmers, Coleman, Crane, Dannals, Days, De Haven, Eagan, Edgar, Everett, Franck, Freeman, French, Galloway, Goodall, Gray, Hayes, Henshaw, Hopper, James, Johnston, Jost, Lee, Lofton, Long, Mathews, Meeker, Mott of Los Angeles, Mott

of Sacramento, Munday, McCullough, Reed, Rice, Russ, Sammons, Spencer, Splivalo, Stillwagon, Tinnin, Walker, Ward, Welty, Whiting, Whitney, Woodward, Wright, and Mr. Speaker—55.

On the passage of the bill, the ayes and noes were demanded by Messrs. Shannon, Meeker, and Galloway, and the bill passed by the following vote:

AYES—Messrs. Aldrich, Andrews, Bacon, Baird, Barker, Barklage, Barnes, Bayley, Bell, Berry, Bradley, Bockius, Brown, Burckhalter, Caldwell, Center, Chalmers, Coleman, Connolly, Cooper, Dannals, De Haven, Eagan, Edgar, Ellis, Franck, Freeman, French, Galloway, Gibson, Goodall, Gray, Harvey, Hayes, Henshaw, Hopper, James, Johnston, Jost, Lee, Little, Lofton, Long, Meeker, Mott of Los Angeles, Mott of Sacramento, Munday, McCullough, Pardee, Rector, Reed, Rice, Russ, Sammons, Sargent of Santa Clara, Sargent of San Joaquin, Schrack, Seibe, Sensabaugh, Slaughter, Spencer, Splivalo, Stillwagon, Tinnin, Turner, Walker, Ward, Welty, Whiting, Whitney, Wilcox, Woodward, Wright, and Mr. Speaker —74.

NOES—Everett and Mathers—2.

Mr. Splivalo gave notice of a motion to reconsider the vote just taken.

At five o'clock and twenty minutes P. M., on motion of Mr. Pardee, the House adjourned.

T. B. SHANNON,
Speaker.

M. D. BORUCK, Chief Clerk.

IN ASSEMBLY.

HOUSE OF ASSEMBLY,
Saturday, January 27th, 1872.

The House met pursuant to adjournment.
Speaker in the chair.
Roll called.
Quorum present.
Prayer by the Chaplain.
Journal of yesterday read and approved.

PETITIONS.

Mr. Wilcox presented a petition from citizens of Mariposa County praying that said county may be exempted from the so-called "No Fence Law."

By Mr. Luttrell—Three petitions from citizens of Siskiyou County, asking to be exempted from the provisions of the so-called "Trespass Act"

Mr Harvey presented a petition from citizens of Sacramento County, and

Mr. Schrack also presented petitions from citizens of Calaveras County, severally referring to the same subject.

Petitions received and referred to the Committee on Agriculture.

RECONSIDERATION.

Mr. Little moved to reconsider the vote by which the House on yesterday adopted the substitute to Senate Bill No 61.

Mr. Splivalo moved to lay the motion to reconsider on the table.

On which the ayes and noes were demanded by Messrs. Little, Whiting, and Days, and the motion prevailed by the following vote:

AYES—Messrs. Aldrich, Bacon, Baird, Bell, Bockius, Brown, Burckhalter, Chalmers, Connolly, Crane, Dannals, De Haven, Eagan, Ellis, Galloway, Goodall, Gray, Hayes, Hopper, James, Jost, Meeker, Mott of Los Angeles, McCullough, Pardee, Reed, Rice, Sargent of Santa Clara, Schrack, Seibe, Sensabaugh, Slaughter, Splivalo, Stillwagon, Ward, Wilcox, Wright, and Mr. Speaker—38.

NOES—Messrs. Andrews, Barker, Barklage. Barnes, Bayley, Berry, Bradley, Caldwell, Center, Coleman, Days, Everett, Franck, Freeman, French, Harvey, Henshaw, Johnston, Lee, Little, Lofton, Long, Luttrell, Mott of Sacramento, Munday, Rector, Russ, Sammons, Sargent of San Joaquin, Spencer, Tinnin, Turner, Welty, Whiting, Whitney, and Woodward—36.

LEAVE OF ABSENCE.

The special committee on investigating matters in connection with the City Hall of San Francisco, and the Standing Committee on Public Buildings and Grounds, were granted indefinite leave of absence.

Mr. Edgar was granted leave of absence for one day.

PETITIONS.

Mr. Gray presented petitions from citizens of San Francisco praying that certain counties of this State may be exempted from the repeal of the Act known as the "Five Per Cent Act," and requested that said petition be transmitted immediately to the Senate.

So ordered.

REPORTS OF STANDING COMMITTEES.

Reports from standing committees were made as follows:

By Mr. Mott of Los Angeles:

Mr. SPEAKER: The Committee on Claims, to whom was referred Senate Bill No. 129—An Act to provide for the payment of certain coupons upon the bonds of the State of California that have been lost—beg leave to report it back and recommend its passage.

Also, report back Senate Bill No. 133—An Act to appropriate money for the erection of a monument to ex-Governor John Bigler—and recommend its passage.

MOTT, Chairman.

By Mr. Barnes:

Mr. SPEAKER: The Committee on Engrossment beg leave to report that they have examined and find correctly engrossed:

Assembly Bill No. 156—An Act to provide for the liquidation of certain bonds of the City of Sacramento.

Also, Assembly Bill No. 197—An Act granting R. L. Bettis, Treasurer of Tehama County, leave of absence.

Also, Assembly Bill No. 209—An Act to legalize, ratify, and confirm certain acts of the Mayor and Common Council of the City of Los Angeles

Also, Assembly Bill No. 211—An Act granting leave of absence to A. W. Potts, County Clerk of Los Angeles County.

Also, Assembly Bill No. 150—An Act to amend an Act entitled an Act to regulate fees in the City and County of San Francisco, approved February ninth, eighteen hundred and sixty-six.

Also, Assembly Bill No. 175—An Act granting leave of absence to Grant I. Taggart, Clerk of the Supreme Court.

Also, Assembly Bill No. 184—An Act to provide for the opening and improvement of Santa Clara Avenue, in the County of Santa Clara.

Also, Assembly Bill No. 177—An Act to regulate and fix the time for holding the terms of the several Courts of record in and for the County of San Mateo.

Also, Assembly Bill No. 215—An Act granting leave of absence to J. Fred Eastman, County Treasurer elect of Yuba County.

Assembly Bill No. 31—An Act to amend an Act entitled an Act to provide for the management and sale of the lands belonging to the State, approved March twenty-eighth, eighteen hundred and sixty-eight.

Also, Assembly Bill No. 182—An Act to repeal an Act entitled an Act to create a Board of Levee and Street Commissioners in and for the Town of Pacheco, Contra Costa County, and define their powers and duties, approved March twenty-ninth, eighteen hundred and seventy.

BARNES, Chairman.

MESSAGES FROM THE SENATE.

The following messages were received from the Senate:

SENATE CHAMBER,
January 26th, 1872.

MR. SPEAKER: I am directed to inform your honorable body that the Senate, on this twenty-sixth day of January, passed Assembly Joint Resolution No. 4—Relative to establishing a weekly mail from Millville to Lake City.

Also, substitute for Assembly Bill No. 92—An Act entitled an Act to regulate the settlement of estates of deceased persons, passed May seventeenth, eighteen hundred and fifty.

Also, substitute for Assembly Bill No. 116—An Act entitled an Act to regulate proceedings in civil cases in the Courts of justice of this State.

Amended.

Also, Assembly Bill No. 154—An Act concerning roads and highways in the Counties of Plumas and Lassen.

Amended.

Also, Assembly Bill No. 49—An Act to facilitate telegraphic communication between America and Asia.

Also, received from the Governor, a message concerning the financial condition of the State.

Also, Biennial Report of the State Board of Agriculture, with accompanying documents.

Also, passed January twenty-fifth, under suspension of the rules, Senate Bill No. 162—An Act to amend an Act entitled an Act to provide means for the government of the County of Santa Cruz, etc.

Also, on same day, under suspension of the rules, passed Senate Bill No. 155—An Act to amend an Act entitled an Act to grant the Stanislaus Bridge and Ferry Company the right to construct and maintain a bridge or bridges across the Stanislaus River.

Also, on the same day, under suspension of the rules, passed Senate Bill No. 159—An Act to amend an Act to incorporate the Town of Santa Barbara.

Also, on January twentieth, passed Senate Bill No. 98—An Act for the relief and support of the California Labor and Employment Exchange.

SHACKELFORD, Assistant Secretary.

SENATE CHAMBER,
January 26th, 1872.

Mr. SPEAKER: I am directed to inform your honorable body that the Senate, on this twenty-sixth day of January, passed Assembly Bill No. 168—An Act to confer additional powers upon the Board of Supervisors of the County of San Francisco and upon the Auditor and Treasurer thereof, and to authorize certain appropriations of money by said Board.

SHACKELFORD, Assistant Secretary.

SENATE CHAMBER,
January 26th, 1872.

Mr. SPEAKER: I am directed to inform your honorable body that the Senate, on this twenty-sixth day of January, amended and passed Assembly Bill No. 132—An Act to improve the Little Truckee River for rafting and floating logs, timber, and wood, and to provide for the collection of tolls thereon.

FERRAL, Secretary.

CONSIDERATION OF THE MESSAGES.

The House concurred in Senate amendments to Assembly Bills Nos. 168, 132, 116, and 154, above reported.

Senate Bill No. 162, above reported, read first and second times and referred to Santa Cruz delegation.

Senate Bill No. 155, above reported, read first and second times and referred to Stanislaus delegation.

Senate Bill No. 159, above reported, read first and second times and placed on file.

Senate Bill No. 98, above reported, read first and second times and referred to Committee on Ways and Means.

REPORTS FROM SPECIAL COMMITTEES.

By Mr. Bockius:

Mr SPEAKER: The delegation from Santa Cruz, to whom was referred Assembly Bill No. 252—An Act to legalize the assessment of damages by the laying out and opening of Union street, in the Town of Watsonville, Santa Cruz County, State of California—beg leave to report that they have examined the same and recommend that it do pass.

Also, examined Assembly Bill No. 253—An Act to amend an Act entitled an Act to incorporate the Town of Watsonville, Santa Cruz County, California, approved March thirtieth, eighteen hundred sixty-eight—and recommend that it do pass.

BOCKIUS, for Delegation.

By Mr. Mott of Sacramento:

Mr. SPEAKER: The Sacramento delegation, to whom was referred Assembly Bill No. 186—An Act amendatory of and supplementary to an Act approved April twenty-fifth, eighteen hundred and sixty-three, entitled an Act to incorporate the City of Sacramento—beg leave to report it back without recommendation.

MOTT, for Delegation.

The rules were suspended and the bill above reported taken up and ordered placed at the top of General File for Thursday, February first, eighteen hundred and seventy-two, and ordered printed.

MESSAGES FROM THE GOVERNOR.

The following messages were received from the Governor:

STATE OF CALIFORNIA, EXECUTIVE DEPARTMENT,
Sacramento, January 26th, 1872.

To the Assembly of the State of California:

I have to inform your honorable body that I have approved Assembly Bill No. 26—An Act to amend an Act entitled an Act concerning the distribution of the reports of the decisions of the Supreme Court and the statutes of this State.

Also, Assembly Bill No. 148—An Act to amend an Act entitled an Act regulating the collection of delinquent taxes in the County of Alameda, approved April fourth, eighteen hundred and seventy, and to refund certain money paid thereunder.

Also, Assembly Bill No. 60—An Act to authorize the Controller of State to issue duplicate warrants.

Also, Assembly Bill No. 90—An Act to regulate the pay of grand jurors in the County of Los Angeles.

Also, Assembly Bill No. 172—An Act to provide for the appointment of two additional Notaries Public for the County of Butte.

Also, Assembly Bill No. 140—An Act to amend an Act entitled an Act

to create a Board of Education for the City of Marysville, approved April first, eighteen hundred and seventy.

NEWTON BOOTH, Governor.

STATE OF CALIFORNIA, EXECUTIVE DEPARTMENT,
Sacramento, January, 1872.

To the Assembly of the State of California:

I herewith return to your honorable body, without my approval, Assembly Bill No. 68—An Act granting W. L. Carter, County Superintendant of Public Schools elect of Shasta County, leave of absence from the State. My reasons therefor are fully stated in my message accompanying Assembly Bill No. 14, and transmitted to your honorable body on the twenty-fifth instant.

NEWTON BOOTH, Governor.

CONSIDERATION OF THE MESSAGES.

On the question, "Shall this bill pass, notwithstanding the objection of the Governor?" the roll was called, and the executive action sustained unanimously, as follows:

AYES—None.

NOES—Messrs. Andrews, Bacon, Baird, Barker, Barklage, Barnes, Bayley, Bell, Berry, Bradley, Bockius, Brown, Burckhalter, Caldwell, Center, Chalmers, Coleman, Connolly, Cooper, Crane, Dannals, Days, De Haven, Eagan, Ellis, Everett, Franck, Freeman, French, Galloway, Gibson, Goodall, Gray, Harvey, Hayes, Henshaw, James, Johnston, Lee, Little, Lofton, Long, Luttrell, Mathers, Mecker, Mott of Los Angeles, Mott of Sacramento, Munday, McCullough, Pardee, Reed, Rice, Russ, Sammons, Sargent of Santa Clara, Sargent of San Joaquin, Schrack, Sensabaugh, Slaughter, Spencer, Splivalo, Stillwagon, Tinnin, Turner, Walker, Ward, Welty, Whiting, Wilcox, Woodward, Wright, and Mr. Speaker—72.

RESOLUTIONS.

Resolutions were offered as follows:

By Mr. Mott of Sacramento:

Resolved. That the Speaker be authorized to add two members to the Assembly Joint Committee for the consideration of the Political Code.

Adopted.

Mr. Days moved that the special order of the day for Tuesday, Assembly Joint Resolution No. 9—Relative to asking Congress to change the land laws so as to reserve the lands of the United States for actual settlers—be postponed until Thursday, February first, at twelve o'clock M., and it was so ordered.

On motion of Mr. Wilcox, a proposed amendment to Rule Number Fifty-five of the Standing Rules was taken up and adopted as follows:

"The usual number of all bills of a general character, unless other-

wise ordered by this House, shall be printed under the direction of the Chief Clerk of the Assembly; and the Sergeant at Arms shall be required to certify to the reception by the House of all such printed matter and the quantity, before payment shall be made or bills audited."

REPORT.

The rules were suspended and the following report was made:

By Mr. Pardee:

Mr. SPEAKER: The Committee on Public Grounds and Buildings, to whom was referred Assembly Bill No. 242, have examined the same and recommend its passage.

PARDEE, Chairman.

CODE COMMITTEE CLERK.

Mr. Luttrell offered a Concurrent Resolution authorizing the appointment of a Clerk to the Committee on the Political Code, allowing the same compensation as received by committee clerks.

Adopted.

INTRODUCTION OF BILLS.

Bills were introduced as follows:

By Mr. James—An Act to amend an Act entitled an Act to regulate proceedings in criminal cases, passed May first, eighteen hundred and fifty-one.

Read first and second times and referred to the Judiciary Committee.

By Mr. Welty—An Act to provide for the incidental expenses of the members of the Legislature of this State during the session thereof.

Read first and second times, referred to Committee on Public Expenditures and Accounts, and ordered printed.

By Mr. Caldwell—An Act to provide for the appointment of a Notary Public to reside at Cloverdale, Sonoma County.

Read first and second times and placed on file.

By Mr. Slaughter—An Act to provide a Fund for the erection of county buildings in the County of San Bernardino, and other matters relating thereto.

Read first and second times and placed on file.

SUSPENSION OF THE RULES.

The rules were suspended, on motion of Mr. Luttrell, and Senate Bill No. 113—An Act to pay the claim of James T. Ryan for services rendered the State of California as Commissioner of War Bonds—was taken from the file and considered in Committee of the Whole House, the Speaker in the chair.

IN ASSEMBLY.

Reported back and passage recommended, rules again suspended, bill read a third time and passed.

The rules were again suspended, on motion of Mr. Spencer, and

Assembly Bill No. 184, reported engrossed this morning, was taken up and considered.

The rules were again suspended and the bill read a third time and passed.

GENERAL FILE.

Assembly Joint Resolution No 14—Providing for the ratification of the Fourteenth Amendment to the Constitution of the United States.

Mr. Baird moved to make it the special order for Friday, February second.

The House refused, and on motion of Mr. Days the rules were suspended and the resolution considered engrossed and read a third time, and on its passage the ayes and noes were taken with the following result:

AYES—Messrs Bacon, Baird, Barker, Barklage, Barnes, Bradley, Bockius, Brown, Center, Chalmers, Coleman, Crane, Days, De Haven, Everett, Franck, Freeman, French, Goodall, Harvey, Hayes, Hopper, James, Johnston, Lofton, Long, Meeker, Mott of Sacramento, Rice, Russ, Sammons, Sargent of Santa Clara, Sargent of San Joaquin, Spencer, Splivalo, Stillwagon, Turner, Welty, Whitney, Woodward, Wright, and Mr. Speaker—42.

NOES—Messrs. Andrews, Bayley, Berry, Burckhalter, Caldwell, Dannals, Gibson, Henshaw, Little, Mathers, Mott of Los Angeles, Munday, Schrack, Sensabaugh, Slaughter, Tinnin, Walker, Whiting, and Wilcox—19.

Assembly Joint Resolution—Providing for a ratification of the Fifteenth Amendment to the Constitution of the United States.

Rules suspended, on motion of Mr. Johnston, and the resolution considered engrossed and read a third time. On its passage, the ayes and noes were taken, with the following result:

AYES—Messrs. Bacon, Baird, Barker, Barklage, Barnes, Bradley, Bockius, Brown, Center, Chalmers, Coleman, Crane, Days, De Haven, Everett, Franck, Freeman, French, Goodall, Gray, Harvey, Hayes, Hopper, James, Johnston, Lofton, Long, Luttrell, Meeker, Mott of Sacramento, Rice, Russ, Sammons, Sargent of San Joaquin, Spencer, Splivalo, Stillwagon, Turner, Welty, Whitney, Woodward, Wright, and Mr. Speaker—43.

NOES—Messrs. Andrews, Bayley, Berry, Burckhalter, Caldwell, Connolly, Dannals, Henshaw, Little, Mathers, Mott of Los Angeles, Munday, Schrack, Sensabaugh, Slaughter, Tinnin, Walker, Whiting, and Wilcox—19.

Mr. Luttrell gave notice of a motion to reconsider.

On motion of Mr. Splivalo, the rules were suspended, and Assembly Bill No. 42—An Act to amend an Act entitled an Act to establish a quarantine for the Bay and Harbor of San Francisco, and sanitary laws for the City and County of San Francisco—taken from its order on file.

The substitute reported was adopted, bill further amended, and the rules being again suspended, read a third time and passed.

On motion of Mr. Berry, at twelve o'clock and forty minutes P. M., the House adjourned.

T. B. SHANNON,
Speaker.

M. D. BORUCK, Chief Clerk.

IN ASSEMBLY.

HOUSE OF ASSEMBLY,
Tuesday, January 30th, 1872.

House met pursuant to adjournment.
Speaker in the chair.
Roll called.
Quorum present.
Prayer by the Chaplain.
The Journal of Saturday, January twenty-seventh, was read and approved.

PETITIONS.

Petitions were presented as follows:

By Mr. Luttrell—From citizens of Siskiyou County, asking to be exempted from the "No-Trespass Act."
Referred to the Committee on Agriculture.
By Mr. Bell—From residents of Lassen, Plumas, Nevada, and El Dorado Counties, in favor of the creation of a new county from certain portions of those above named.
Referred to the delegations from those counties.
By Mr. Meeker—From citizens of San Francisco, praying such amendment of the Constitution as will confer upon woman the right to exercise the right of voting.
Referred to the special committee on the enfranchisement and protection of woman.
By Mr. French—From citizens of Sacramento City opposed to any alteration of the law governing the present police system therein.
Referred to the Sacramento delegation, and on motion of Mr. French, it was also ordered that Assembly Bill No. 186, placed first on the General File for Thursday, February first, be taken therefrom and be referred to said delegation.
By Mr. Cooper—From residents in Santa Barbara County, favoring the inclusion of a certain portion of said county in the provisions of a "Fence Law."
Referred to the Committee on Agriculture.
By Mr. Schrack—From citizens of Calaveras County, against the repeal of the present "Fence Law."
Referred to the Committee on Agriculture.

REPORTS OF STANDING COMMITTEES.

The following reports from standing committees were made:

By Mr. Gibson:

Mr. SPEAKER: Your Committee on Enrollment beg leave to report that they have examined and found correctly enrolled Assembly Bill No. 10—An Act to regulate the fees of the Assistant City and County Attorney of the City and County of San Francisco.

Also, Assembly Bill No 129—An Act to repeal an Act entitled an Act providing for the recording of the papers filed in the Probate Court of the County of Santa Clara in certain cases, approved April second, eighteen hundred and seventy.

Also, Assembly Bill No. 178—An Act to change the name of the Oakland Cotton Manufacturing Company.

Also, Assembly Bill No. 94—An Act supplemental to an Act entitled an Act granting the right of way over certain lands in the Counties of Lake and Sonoma for the construction of a wagon road, approved March fifteenth, eighteen hundred and sixty-four.

Also, Assembly Bill No 136—An Act to amend an Act entitled an Act to provide for the liquidation of all claims against the State not otherwise provided for by law, approved April first, eighteen hundred and seventy.

Also, Assembly Bill No. 131—An Act to provide for the appointment of two additional Notaries Public for the County of Contra Costa

Also, Assembly Bill No. 46—An Act granting leave of absence to P. B Nagle, District Attorney of Tehama County.

Also, Assembly Bill No. 166—An Act making an appropriation for deficiencies for the twenty-third fiscal year, ending the thirtieth day of June, eighteen hundred and seventy-two.

Also, Assembly Bill No. 62—An Act to appropriate money for the relief of James W. Marshall.

Also, Assembly Bill No. 159—An Act to authorize the Board of Supervisors of the City and County of San Francisco to close up Margaret street, in said city and county.

And that the same have, this thirtieth day of January, eighteen hundred and seventy-two, at three o'clock, been transmitted to the Governor for his approval.

GIBSON, Chairman.

REPORTS OF SPECIAL COMMITTEES.

By Mr. Cooper:

Mr. SPEAKER: The delegation to whom was referred Senate Bill No. 147—An Act to authorize the Board of Supervisors of Santa Barbara County to build a Court House and Jail in said county, to issue bonds of the said county for the construction thereof, and to provide for the payment of the same—report it back with amendments, and recommend its passage as amended.

COOPER, for Delegation.

The rules were suspended and the bill above reported was taken up, read a third time and passed.

By Mr. Barker:

Mr. SPEAKER: The undersigned, author of Assembly Bill No. 193—A proposed amendment to the Constitution of the State of California—to whom the same was referred, with certain instructions, by the House, begs leave to report the same back, with a substitute therefor, and respectfully recommends the adoption and passage of the substitute.

BARKER.

MOTIONS AND RESOLUTIONS.

Resolutions were offered as follows:

By Mr. Freeman—A joint resolution, requesting of Congress the establishment of a tri-weekly mail route from Cache Creek, in Yolo County, to Capay, in said county.

Read first and second times and referred to Committee on Federal Relations.

By Mr. Spencer:

Resolved, That the Sergeant at Arms be and he is hereby directed to bring from the office of the Secretary of State the National silk flag manufactured by Mr. Joseph Newman, and that said Newman be authorized to decorate this Assembly Chamber therewith for the remainder of this session.

Adopted.

REPORT.

The rules were suspended and the following report was made by Mr. Hopper:

Mr SPEAKER: The Committee on Mines and Mining Interests have had under consideration Assembly Bill No. 72—An Act for the protection of miners—with an amendment, and recommend its passage as amended.

HOPPER, Chairman.

INTRODUCTION OF BILLS.

Bills were introduced as follows:

By Mr. Harvey—An Act to amend an Act to provide for a system of common schools, approved April fourth, eighteen hundred and seventy.

Read first and second times and referred to Sacramento delegation.

By Mr. Ellis—An Act to repeal an Act entitled an Act for the incorporation of the City of Anahiem, approved February tenth, eighteen hundred and seventy, and appointing Commissioners to dispose of the property, pay the indebtedness, and settle the affairs thereof.

Read first and second times and referred to Committee on Corporations.

By Mr. Gray—An Act supplementary to an Act entitled an Act providing for an attorney and counselor in and for the City and County of San Francisco, approved March twenty-fifth, eighteen hundred and sixty-two.

Read first and second times and referred to San Francisco delegation.

By Mr. Wheaton—An Act to authorize the Board of Supervisors of the City and County of San Francisco to supply said city with pure fresh water, for its use and the use of the inhabitants thereof.

Read first and second times and referred to San Francisco delegation, and ordered printed.

By Mr. Barker—An Act to restrict and regulate the sale at retail of alcoholic liquors.

Read first and second times and referred to Committee on Public Morals.

By Mr. French—An Act to authorize the District Courts of this State to appoint assistant counsel in the prosecution of criminal cases, and providing compensation therefor.

Read first and second times and referred to Judiciary Committee.

Also, an Act to amend an Act entitled an Act to amend an Act concerning divorces, passed March twelfth, eighteen hundred and fifty-one, approved March twelfth, eighteen hundred and seventy-one.

Read first and second times and referred to Judiciary Committee.

By Mr. Center—An Act to amend an Act entitled an Act to regulate fees and salaries of officers and defining their duties in the County of El Dorado, and other matters relating thereto, approved March fifth, eighteen hundred and seventy.

Read first and second times and referred to the El Dorado delegation.

By Mr. Luttrell—An Act to authorize the Central Pacific Railroad Company to construct and maintain until the first day of November, eighteen hundred and seventy-two, a temporary bridge without a draw across the Sacramento River at the place where the California and Oregon branch of the railroad of said company crosses said river, near the Town of Tehama, in the County of Tehama.

Read first and second times and placed on file.

MESSAGE FROM THE SENATE.

The following message was received from the Senate:

SENATE CHAMBER,
January 29th, 1872.

Mr. SPEAKER: I am hereby directed to inform your honorable body that the Senate, on the twenty-fifth day of January, passed Senate Bill No. 106—An Act creating a Board of Education for the City of Los Angeles, etc.

Also, on the same day, passed Senate Bill No. 120—An Act for the relief of James F. Burns.

Also, on the twenty-ninth instant, amended and passed Assembly Bill No. 87—An Act concerning the office of County Clerk in and for the City of San Francisco.

Also, on the same day, passed Assembly Bill No. 127—An Act in relation to the office of County Clerk of the City and County of San Francisco.

Also, on the same day, passed Assembly Bill No. 137—An Act to provide for the keeping of stallions and other animals.

Also, on the same day, passed Assembly Bill No. 157—An Act to amend an Act entitled an Act concerning jurors in the City and County of San Francisco.

Also, on the same day, passed Senate Concurrent Resolution No. 26—Requiring the Attorney General to bring suit in accordance with an Act entitled an Act to relieve owners of encumbered real estate from double taxation.

Also, on the same day, passed Assembly Bill No. 141—An Act conferring certain powers on the Board of Supervisors of Lake County.

FERRAL, Secretary.

CONSIDERATION OF SENATE MESSAGE.

The House concurred in Senate amendments to Assembly Bills Nos. 87 and 141, above reported.

Senate Bill No. 106, above reported, read first and second times and referred to the Committee on Education.

Senate Bill No. 120, above reported, read first and second times and referred to the Committee on Claims.

Senate Concurrent Resolution No. 26—Referred to the Judiciary Committee.

GENERAL FILE.

Assembly Bill No. 121—An Act supplementary to an Act entitled an Act concerning corporations, passed April twenty-second, eighteen hundred and fifty.

Ordered to top of the file for Friday next, on motion of Mr. Berry.

Senate Bill No. 111—An Act to authorize the State Board of Examiners to invest moneys derived from State school lands in the bonds of the several counties of this State.

Read a third time and passed.

Substitute for Assembly Bill No. 122—An Act to encourage the destruction of squirrels and gophers, and other wild animals, in the Counties of Los Angeles, Napa, Merced, San Bernardino, and Santa Cruz.

Read a third time and passed.

Assembly Bill No. 149—An Act to regulate proceedings in civil cases in the Justices' Court of the City and County of San Francisco.

Read a third time and passed.

Also, Assembly Bill No. 209—An Act to legalize, ratify, and confirm certain Acts of the Mayor and Common Council of the City of Los Angeles.

Read a third time and passed.

Assembly Bill No. 150—An Act to amend an Act entitled an Act to regulate fees in the City and County of San Francisco, approved February ninth, eighteen hundred and sixty-six.

Read a third time and passed.

Assembly Bill No. 156—An Act to provide for the liquidation of certain bonds of the City of Sacramento.

Read a third time and passed.

Assembly Bills Nos 31 and 175 were severally passed on file.

By leave of the House the following Assembly bills were severally withdrawn:

By Mr. Ward—Assembly Bill No. 199—An Act granting R. L. Bettis, Treasurer of Tehama County, leave of absence.

By Mr. Ellis—Assembly Bill No 211—An Act granting leave of absence to A. W. Potts, County Clerk of Los Angeles County.

By Mr. Ward—Assembly Bill No. 222—An Act granting leave of absence to A. H. Allen, Treasurer, and A. W. Crocker, District Attorney, of Mono County.

By Mr. Hopper—Assembly Bill No. 102—An Act concerning military companies in the State.

Senate Bill No. 133—An Act to appropriate money for the erection of a monument to ex-Governor John Bigler

Ordered to top of file for Thursday next.

Senate Bill No 159, taken from the file and recommitted to the Santa Barbara delegation, on motion of Mr. Cooper.

Assembly Bill No. 196, on motion of Mr. Spencer, taken from the file and recommitted to the Judiciary Committee.

Assembly Bill No. 189, taken from file and recommitted to Committee on Corporations, on motion of Mr. Gray.

Senate Bill No 54—An Act authorizing the distribution of the Reports of the Geological Survey.

Amendments reported adopted and ordered engrossed.

Assembly Bill No. 145—An Act defining and limiting the time for the payment of bounties and relief pay due the volunteers of the State of California and troops furnished the United States as a portion of its quota.

Amendments reported adopted and ordered engrossed.

Assembly Bill No. 86—An Act amendatory of and supplementary to an Act fixing the number of officers and employés of the Senate and Assembly, to define their duties and establish their pay, approved May twentieth, eighteen hundred and sixty-one.

Ordered engrossed.

Assembly Bill No. 230—An Act for the repeal of section ten of an Act entitled an Act concerning public roads and highways in the Counties of Santa Cruz and San Diego, approved March twenty-first, eighteen hundred and seventy.

Ordered engrossed.

Assembly Bill No. 205—An Act to provide for the appointment of additional Notaries Public for the County of Humboldt.

Ordered engrossed

Assembly Bill No 240—An Act fixing the salary of the District Attorney of Lassen County.

Ordered engrossed.

Assembly Bill No. 252—An Act to legalize the assessment of damages by the laying out and opening of Union street, in the Town of Watsonville, Santa Cruz County, State of California.

Ordered engrossed.

Assembly Bill No. 253—An Act to amend an Act entitled an Act to incorporate the Town of Watsonville, Santa Cruz County, California, approved March thirtieth, eighteen hundred and sixty-eight.

Ordered engrossed.

Assembly Bill No 242—An Act authorizing the Trustees of Santa Barbara School District, of the County of Santa Barbara, of this State, to issue bonds of the said district for the sum of six thousand dollars.

Ordered engrossed.

Assembly Bill No 91 was taken from the file and re-referred to the Judiciary Committee.

On motion of Mr. Harvey, Assembly Bills Nos. 8, 23, and 188 were taken from the file and made the special order for Friday, February second, at twelve o'clock M.

Assembly Bill No. 212, on motion of Mr. Galloway, was taken from the file and referred to the Committee on Commerce and Navigation.

By leave of the House the following bills were withdrawn:

By Mr. Rice—Assembly Bill No. 43—An Act to amend section one of chapter three hundred and eighty-three of the Acts of eighteen hundred

and sixty-nine and eighteen hundred and seventy, approved March twenty-first, eighteen hundred and seventy.

By Mr. Johnston—Assembly Bill No 176—An Act in relation to the engrossment of bills and enrollment of laws, and to amend an Act fixing the number of officers and employés of the Senate and Assembly, to define their duties, and to establish their pay, approved May twentieth, eighteen hundred and sixty-one.

Assembly Bill No 219—An Act authorizing certain persons to improve a portion of King's River and to erect booms thereon.

Amendments reported adopted, rules suspended, bill considered engrossed, read a third time and passed.

Assembly Bill No. 208—An Act to provide for the support of schools in certain districts in Tehama County.

Amendments reported adopted, rules suspended, bill considered engrossed, read a third time and passed.

The House refused to adopt a resolution, No. 19 on the General File, ordering a recess daily between the hours of one and two o'clock P. M.

The following Resolution, No. 18 on the General File, was adopted.

Resolved, That the Sergeant at Arms be allowed the same amount in postage stamps as per resolution passed January nineteenth, eighteen hundred and seventy-two.

Assembly Bill No. 257—An Act to provide for the appointment of a Notary Public to reside at Cloverdale, Sonoma County.

Rules suspended, bill considered engrossed, read a third time and passed

Assembly Bill No. 259—An Act to provide a fund for the erection of county buildings in the County of San Bernardino, and other matters relating thereto

Rules suspended, bill considered engrossed, read a third time and passed.

During the session of the House his Excellency, L. R Bradley, Governor of the State of Nevada, appearing on the floor of the Chamber, was invited by the Speaker to take and accepted a seat beside him, the House rising as the Governor appeared on the rostrum.

LEAVE OF ABSENCE.

At the opening of the day's session leave of absence for one day each was granted Messrs. Everett, Splivalo, and Jost.

At four o clock and thirty-five minutes P. M., on motion of Mr. Woodward, the House adjourned.

T. B. SHANNON,
Speaker.

M. D. Boruck, Chief Clerk.

IN ASSEMBLY.

HOUSE OF ASSEMBLY,
Wednesday, January 31st, 1872.

The House met pursuant to adjournment.
Speaker in the chair.
Roll called.
Quorum present.
Prayer by the Chaplain.
Journal of yesterday read and approved.

LEAVE OF ABSENCE.

Mr. Jost was granted indefinite leave of absence, in consequence of illness.

SWAMP AND OVERFLOWED LANDS.

The Speaker presented the following communication from the Surveyor General, accompanied by a detailed statement of the sale of swamp and overflowed lands during the preceding four years:

STATE OF CALIFORNIA, STATE LAND OFFICE,
Sacramento, January 31st, 1872.

To Hon. THOS. B. SHANNON, *Speaker of the Assembly:*

SIR: I herewith transmit statement of sales of swamp and overflowed lands made during the term of four years ending January first, eighteen hundred and seventy-two, as per instructions from your honorable body.

ROBERT GARDNER,
Surveyor General.

Referred to the Committee on Public Lands.

PETITIONS.

Petitions were presented as follows:

By Mr. Luttrell—From citizens of Siskiyou County, asking to be exempted from the "Trespass Law."
Referred to the Committee on Agriculture.
By Mr. Berry—From residents of Sutter County, in favor of continuing in force the present "Fence Law."
Referred to the Committee on Agriculture.
By Mr. Wilcox—From citizens of Mariposa County, in favor of the present "Fence Law."
Referred to the Committee on Agriculture.

REPORTS.

Reports from standing committees were made as follows:

By Mr. Hayes:

Mr. SPEAKER: Your Committee on Counties and County Boundaries, to whom was referred Assembly Bill No. 64, have had the same under consideration, and report it back without recommendation.

HAYES, Chairman.

By Mr. Barnes:

Mr. SPEAKER: The Committee on Engrossment beg leave to report that they have examined and find correctly engrossed Assembly Bill No. 59—An Act to fix the time for electing Representatives to Congress.

Also, Assembly Bill No. 183—An Act to restrict the herding of sheep and goats in the County of El Dorado.

Also, Assembly Bill No. 112—An Act to amend an Act entitled an Act to exempt certain property from execution and forced sale.

Also, Assembly Bill No. 155—An Act to amend the charter of the City of Los Angeles.

BARNES, Chairman.

By Mr. Wheaton:

Mr. SPEAKER: Your committee having had under consideration Senate Bill No. 98—An Act for the relief and support of the California Labor and Employment Exchange—beg leave respectfully to report the same back and recommend its passage.

WHEATON, Chairman.

By Mr. Stillwagon.

Mr. SPEAKER: The Committee on State Hospitals have the honor to report that they have examined Assembly Bill No. 138, and report the same back with a substitute, with the recommendation that the latter do pass.

STILLWAGON, Chairman.

Also, by the same:

Mr. SPEAKER: The Committee on Hospitals have examined Senate Bills Nos. 85 and 127, and return the same, recommending their passage.

STILLWATER, Chairman.

By Mr. Eagan:

Mr. SPEAKER: The Committee on Agriculture have had under consideration Senate Bill No. 27—An Act to prevent the capture and destruction of mocking birds and linnets in this State—and report the same back, amended so as to exclude certain counties, and recommend its passage as amended.

EAGAN, Chairman.

By Mr. Spencer:

Mr. SPEAKER: The Committee on Judiciary having considered Assembly Bill No. 163—An Act to provide for the appointment of Reporters of the Supreme Court, defining their duties and compensation; and for the publication and distribution of the decisions of the Supreme Court—report it back with a substitute, and recommend the passage of the substitute.

Also, Senate Bill No 43—An Act concerning the Police Judge's Court of the City and County of San Francisco—report it back with amendment, and recommend its passage as amended.

Also, Senate Bill No 87—An Act to amend an Act entitled an Act to provide for the formation of corporations for the accumulation and investment of funds and savings, approved April eleventh, eighteen hundred and sixty-two—report it back and recommend its passage.

Also, Assembly Bill No. 161—An Act in relation to crimes and punishments—report, that by the provisions of an Act entitled an Act concerning persons in custody under sentence of imprisonment, passed April twenty-second, eighteen hundred and fifty, all the powers sought to be conferred by this bill were conferred on the Courts of Sessions, and by the provisions of section twenty-five of an Act entitled an Act to create a Board of Supervisors in counties of this State, and define their duties and powers, approved March twentieth, eighteen hundred and fifty-five, all the powers conferred by said first named Act on the Courts of Sessions are given to the Board of Supervisors of the various counties In addition to the foregoing enactments, the same subject is fully provided for by an Act entitled an Act concerning persons under sentence of imprisonment, approved March thirty-first, eighteen hundred and fifty-seven, therefore further legislation is unnecessary for the purpose of authorizing Boards of Supervisors of the various counties to cause persons under sentence of imprisonment to labor on public works in such county. The committee further report that it is injudicious to incarcerate persons convicted of grand larceny in the County Jail, for the reason that the space in such local prisons would soon be too limited to afford accommodation. Therefore the committee report the bill back and recommend that it do not pass.

Also, Assembly Bill No. 185—Proposed amendment to the Constitution of the State of California—report it back and recommend that it do not pass.

Also, Assembly Bill No. 229—An Act to fix the bonds of the Sheriff of Contra Costa County—report it back and recommend its passage

Also, Senate Bill No. 82—An Act to provide for indexing the names of persons who have declared their intentions to become, or who have become citizens of the United States in the several Courts of record in the State—report it back with amendments, and recommend its passage as amended.

Also, Senate Bill No. 90—An Act to amend an Act entitled an Act to regulate proceedings in criminal cases, passed May first, eighteen hundred and fifty-one—report it back and recommend its passage.

Also, Assembly Bill No 231—An Act to amend an Act to regulate proceedings in civil cases in Courts of justice in this State, approved April twenty-ninth, eighteen hundred and fifty-one, approved April fourth, eighteen hundred and sixty-four, and all Acts and parts of Act amendatory thereof and supplementary thereto—and the petition of the citizens of San Francisco accompanying it—report them back and recommend that the bill do not pass.

Also, Assembly Bill No. 241—An Act to amend an Act entitled an Act to regulate proceedings in civil cases in Courts of justice of this State, passed April twenty-ninth, eighteen hundred and fifty-one—report it back and recommend its passage.

Also, Assembly Bill No. 17—An Act to create the Eighteenth Judicial District and for other purposes—report it back, and recommend its passage with the amendment adopted by the Assembly.

Also, Assembly Bill No 234—An Act to amend an act entitled an Act to regulate the interest of money, approved March eighteenth, eighteen hundred and fifty, amended April fourth, eighteen hundred and fifty—report it back with substitute, and recommend the passage of the substitute

Also, Assembly Bill No. 202—An Act to amend an Act entitled an Act to regulate proceedings in civil cases in Courts of justice of this State, passed April twenty-ninth, eighteen hundred and fifty one, and Acts amendatory thereof and supplementary thereto—report it back with the substitute, and recommend the passage of the substitute.

SPENCER, Chairman.

MOTIONS AND RESOLUTIONS.

Resolutions were offered as follows:

By Mr. Stillwagon:

A concurrent resolution providing for the appointment of a Clerk to the Senate and Assembly Committees on State Hospitals, whose compensation shall be paid in equal proportions out of the Contingent Funds of both Houses.

Adopted.

By Mr. Barnes:

Resolved, That the Committee on Printing be instructed to ascertain how many, if any, of the Reports of the State Board of Equalization are now in print, and report to this House.

Adopted.

The Speaker announced the appointment of Messrs. John De Haven and Eagan as additional members on the part of the Assembly of the Joint Committee on the Political Code.

NOTICE.

Mr. Mathers gave notice of an amendment to Rule Number One of the Standing Rules of the House, providing for a change of the hour for daily meeting.

INTRODUCTION OF BILLS.

Bills were introduced as follows:

By Mr. De Haven—An Act amendatory of and supplementary to an Act entitled an Act to authorize the incorporation of canal companies and to provide for the construction of canals and ditches, approved April second, eighteen hundred and seventy.

Read first and second times and referred to the Committee on Corporations.

Also, by the same—An Act for the protection of fish in the waters of Butte Creek, in the County of Butte.

Read first and second times and referred to the Butte delegation.

Also, by the same—An Act to provide for the payment of fees in the County of Butte.

Read first and second times and referred to the Butte delegation.

By Mr. Luttrell (by request)—An Act to create the County of Surprise, define its boundaries, and provide for its organization.

Read first and second times and referred to the delegations from Shasta, Lassen, and Siskiyou.

By Mr. Munday—An Act supplemental to an Act entitled an Act to authorize the County of Sonoma to donate bonds to a railroad company and to provide for the payment of the same, approved March eighteenth, eighteen hundred and sixty-eight.

Read first and second times and referred to the Sonoma delegation.

By Mr. Reed—An Act to amend an Act entitled an Act to authorize the Exempt Fire Company of San Francisco to receive and manage the San Francisco Fire Department Charitable Fund, and receive from the City and County of San Francisco a house and lot for its use, approved April second, eighteen hundred and sixty-six.

Read first and second times and referred to the San Francisco delegation.

By Mr. Berry—An Act authorizing the Secretary of State to furnish the Counties of Alpine, Inyo, Kern, Lake, and Sutter with certain volumes of the California Supreme Court Reports.

Read first and second times and referred to the delegations from the counties specified in the bill.

By Mr. Wilcox—An Act supplementary to an Act creating the office of Insurance Commissioner, approved March twenty-sixth, eighteen hundred and sixty-eight.

Read first and second times and referred to the Committee on Corporations.

By Mr. Rice—An Act to prevent hunting and shooting on private grounds.

Read first and second times and referred to the Committee on Agriculture.

By Mr. Spencer—An Act to amend an Act entitled an Act to regulate proceedings in civil cases in the Courts of justice of this State, passed April twenty-ninth, eighteen hundred and fifty-one

Read first and second times and referred to the Judiciary Committee.

Also, by the same—An Act to amend an Act entitled an Act concerning the Courts of justice of this State and judicial officers, approved April twentieth, eighteen hundred and sixty-three.

Read first and second times and referred to the Judiciary Committee.

By Mr. Ward—An Act to provide for cemeteries in the County of Tehama.

Read first and second times and referred to the Committee on Ways and Means.

By Mr. Meeker—An Act concerning the percentage upon delinquent taxes on real property in the City and County of San Francisco.

Read first and second times and referred to the Committee on Ways and Means.

By Mr. Wilcox—A Joint Resolution—Requesting our Senators and Representatives in Congress to oppose the passage of any Act donating lands in the Valley of the Yosemite.

Read first and second times and placed on file.

GENERAL FILE.

Assembly Bill No. 31—An Act to amend an Act entitled an Act to provide for the management and sale of the lands belonging to the State, approved March twenty-eighth, eighteen hundred and sixty-eight.

Read a third time and passed.

Mr. Luttrell had leave to withdraw Assembly Bill No. 175—An Act granting leave of absence to Grant I. Taggart, Clerk of the Supreme Court.

Assembly Bill No. 72—An Act for the protection of miners.

On motion of Mr. Wilcox, taken from the file and referred to the Committee on Mines and Mining Interests, and ordered printed.

Assembly Bill No. 268—Granting the Central Pacific Railroad Company the right to construct a bridge across the Sacramento River.

On motion of Mr. Tinnin, placed second on file for Friday next.

SPECIAL ORDER.

At twelve o'clock M. the House considered the special order of the day

Assembly Bill No. 138—An Act relating to a registry and return of marriages, births, and deaths, and for establishing local Boards of Health, and for other sanitary purposes.

And in connection therewith the substitute therefor reported this morning by Mr. Stillwagon.

The substitute was amended and adopted, and the rules being suspended, considered engrossed, read a third time and passed.

RULES SUSPENDED.

The rules were suspended and the following report made by Mr. Johnston:

Mr. SPEAKER: Your committee to whom was referred Assembly Bill No. 191 have had the same under consideration, and report the same back with amendments, and recommend its passage.

JOHNSTON, for Delegation.

The rules were again suspended, and Mr. French had leave to introduce a petition from citizens of Sacramento, protesting against the passage of Assembly Bill No. 186—Relating to police matters in said county.

Referred to Sacramento delegation.

MESSAGE FROM THE SENATE.

The following message was received from the Senate:

SENATE CHAMBER,
January 31st, 1872.

Mr. SPEAKER: I am directed to inform your honorable body that the Senate, on the twenty-fifth day of January, passed Senate Bill No. 112—

An Act to incorporate the Town of Wilmington, in the County of Los Angeles.

Also, on the same day, passed Senate Bill No. 121—An Act to amend an Act entitled an Act to regulate fees of offices and salaries of certain officers, and to repeal certain other Acts in relation thereto, approved March fifth, eighteen hundred and seventy

Also, on the same day, passed Assembly Bill No. 170—An Act to amend section five of an Act entitled an Act to provide funds to be applied to building a hospital in the City and County of San Francisco.

Also, on the same day, passed Assembly Bill No. 169—An Act legalizing the ordinances of the City of Oakland.

Also, on the same day, amended and passed Assembly Bill No. 195—An Act fixing the salary of the County Judge of Los Angeles County.

Also, on the same day, amended and passed Assembly Bill No. 126—An Act to regulate the forfeiture of policies of life insurance.

Also, on the same day, concurred in Assembly Joint Resolution No. 12—Relative to abolishing the duty on quicksilver.

FERRAL, Secretary.

CONSIDERATION OF THE MESSAGE.

Senate Bill No. 112, above reported, read first and second times and referred to Los Angeles delegation.

Senate Bill No. 121, above reported, read first and second times and referred to Committee on Ways and Means.

The House concurred in Senate amendments to Assembly Bills Nos. 126 and 195, above reported

At one o'clock P. M., on motion of Mr. Meeker, the House adjourned.

T. B. SHANNON,
Speaker.

M. D. BORUCK, Chief Clerk.

IN ASSEMBLY.

HOUSE OF ASSEMBLY,
Thursday, February 1st, 1872.

House met pursuant to adjournment.
Speaker in the chair.
Roll called.
Quorum present.
Prayer by the Chaplain.
Journal of yesterday read and approved.

LEAVE OF ABSENCE.

Leave of absence for two hours each was granted to Messrs. Gray, Wheaton, Ellis, Dannals, and Bell, absent on committee duty.

PETITIONS.

Petitions were offered as follows:

By Mr. Luttrell—From citizens of Siskiyou County, in favor of the organization of a new county.

Referred to the Committee on Counties and County Boundaries.

By Mr Barker—From citizens of California, praying the enactment of a law to restrict the sale of intoxicating drink.

Referred to Committee on Public Morals.

By Mr. Barnes—From citizens of Lassen County, in favor of being exempted from the proposed "No-Fence Law."

Referred to the Committee on Agriculture.

By Mr Sargent of San Joaquin—From citizens of Monterey County, protesting against the proposed division of that county.

Placed on file.

By Mr. Wheaton—From the Board of Trustees and friends of the Protestant Episcopal Church Home Association, praying a continuance of State aid in support of that institution.

Referred to Committee on Ways and Means.

REPORTS OF STANDING COMMITTEES.

Reports from standing committees were made as follows:

By Mr. Days:

Mr. SPEAKER: The Committee on Public Lands, to whom was referred Assembly Bill No. 239—An Act for the relief of purchasers of State lands—report the same back with amendment and recommend its passage as amended.

Also, Assembly No. 214—report the same back and recommend that it do not pass.

Also Assembly Concurrent Resolution No. 13—Relative to requesting our Representatives in both Houses of Congress to procure the passage of an Act to provide for the survey of the mountain lands in Sonoma County—report the same back and recommend its reference to the Committee on Federal Relations.

DAYS, Chairman.

The concurrent resolution above reported was referred in accordance with the recommendation of the committee:

By Mr. Gibson:

Mr. SPEAKER: Your Committee on Enrollment beg leave to report that they have examined and found correctly enrolled Assembly Bill No. 116—An Act to amend an Act entitled an Act to regulate proceedings in civil cases in the Courts of justice of this State.

Also, Assembly Bill No. 132—An Act to improve the Little Truckee River for rafting and floating logs, timber, and wood, and to provide for the collection of tolls thereon.

Also, Assembly Bill No. 49—An Act to facilitate telegraphic communication between America and Asia.

Also, Assembly Bill No. 92—An Act amendatory of an Act entitled an Act to regulate the settlement of the estates of deceased persons, passed May first, eighteen hundred and fifty-one.

Also, Assembly Bill No. 168—An Act to confer additional power upon the Board of Supervisors of the City and County of San Francisco and upon the Auditor and Treasurer thereof, and to authorize certain appropriations of money by said Board.

Also, Assembly Joint Resolution No. 4—Relative to establishing a weekly mail from Millville to Lake City.

Also, Assembly Bill No. 154—An Act concerning roads and highways in the Counties of Plumas and Lassen.

And that the same have, on the thirty-first day of January, eighteen hundred and seventy-two, at thirty minutes past eleven o'clock, been transmitted to the Governor for his approval.

GIBSON, Chairman.

By Mr. Barnes:

Mr. Speaker: The Committee on Engrossment beg leave to report that they have examined and find correctly engrossed Assembly Bill No. 42—An Act to amend an Act entitled an Act to establish a quarantine for the Bay and Harbor of San Francisco, and sanitary laws for the City and County of San Francisco.

Also, Assembly Joint Resolution No 14—Providing for the ratification of the Fourteenth Amendment to the Constitution of the United States.

Also, Senate Bill No. 61—An Act to repeal an Act entitled an Act to empower the Board of Supervisors of the several counties of the State to aid in the construction of a railroad in their respective counties, approved April fourth, eighteen hundred and seventy.

Also, Assembly Joint Resolution No. 10—Providing for a ratification of the Fifteenth Amendment to the Constitution of the United States.

Also, Assembly Bill No. 86—An Act amendatory of and supplementary to an Act entitled an Act fixing the number of officers and employés of the Senate and Assembly, to define their duties, and establish their pay, approved May twentieth, eighteen hundred and sixty-one.

Also, Assembly Bill No. 145—An Act defining and limiting the time for the payment of bounties and relief pay due the volunteers of the State of California, and troops furnished the United States as a portion of its quota.

Also, Assembly Bill No. 230—An Act for the repeal of section ten of an Act entitled an Act concerning public roads and highways in the Counties of Santa Cruz and San Diego, approved March twenty-first, eighteen hundred and seventy.

Also, Assembly Bill No. 205—An Act to provide for the appointment of additional Notaries Public for the County of Humboldt.

BARNES, Chairman.

By Mr. Meeker:

Mr. Speaker: The Committee on Federal Relations report on the matters referred to them as follows:

Senate Joint Resolution No. 1—In relation to restoring certain land granted to the Sacramento and Placerville Railroad—that it be adopted as amended.

Also, Senate Joint Resolution No. 4—Relative to arms issued to the State of California by the United States Government—that it be adopted.

Also, Assembly Joint Resolution No. 17—In relation to the establishment of a weekly mail from Cache Creek, Yolo County, to Capay, in said county—that it be adopted.

MEEKER, Chairman.

By Mr. Mott of Sacramento:

Mr. SPEAKER: The Committee on Claims, to whom was referred Senate Bill No. 110—An Act entitled an Act to provide for the payment of the claim of Isidor Wormser against the State of California—beg leave to report it back with the recommendation that it do pass.

Also, report back Assembly Bill No. 221—An Act for the relief of Le Grand Lockwood—and recommend that it do not pass.

MOTT, Chairman.

REPORTS OF SPECIAL COMMITTEES.

Reports from special committees were made as follows:

By Mr. Gibson:

Mr. SPEAKER: The Calaveras delegation, to whom was referred Assembly Bill No. 101—An Act concerning roads and highways in Calaveras County—report the same back with amendments and recommend its passage.

GIBSON, for Delegation.

By Mr. Cooper:

Mr. SPEAKER: The Santa Barbara delegation, to whom was referred Senate Bill No. 159—An Act to amend an Act to incorporate the Town of Santa Barbara—report it back and recommend its passage.

COOPER, for Delegation.

The rules were suspended and the bill above reported taken up, read a third time and passed.

By Mr. Munday:

Mr. SPEAKER: The Sonoma delegation, to whom was referred Assembly Bill No. 220—An Act for the establishment, maintenance, and protection of public roads in Sonoma County—beg leave to report the same back with amendments and recommend its passage.

MUNDAY, for Delegation.

The rules were suspended and the bill above reported taken up, the amendment reported adopted, rules again suspended, and the bill considered engrossed, read a third time and passed.

By Mr. Berry:

Mr. SPEAKER: The delegation to whom was referred Assembly Bill No. 275 have had the same under consideration, and report it back with amendments and recommend its passage as amended.

BERRY, for Delegation.

MOTIONS AND RESOLUTIONS.

Resolutions were offered as follows:

By Mr. Crane—A resolution directing the Judiciary Committee to make certain inquiries concerning the practice by County Sheriffs of delivering convicts sentenced to the State Prison and patients consigned to the Insane Asylum, and report a remedy for alleged malfeasance therein.

Adopted.
By Mr. Woodward:

Resolved, That Assembly Bill No. 64—An Act to create the County of San Benito, to define its boundaries and provide for its organization—be made the special order for Friday, the ninth day of February, at one o'clock P. M.

Adopted.

SPECIAL ORDER POSTPONED.

At twelve o'clock M. the special order was temporarily postponed for the consideration of a message from the Senate.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
February 1st, 1872.

Mr. SPEAKER: I am directed to inform your honorable body that the Senate, on the thirtieth day of January, passed Senate Bill No. 41—An Act for the relief of James M. Kane.

Also, passed Senate Bill No 171—An Act declaring the San Joaquin River and the Stockton Slough navigable from and to certain points

Also, passed Senate Bill No 177—An Act to provide for the transfer of the moneys and other assets in the Permanent School Fund of Siskiyou County to the General Fund of said county.

Also, passed Senate Bill No. 105—An Act authorizing a telegraph between Los Angeles and Wilmington.

Also, passed Assembly Bill No. 177—An Act to regulate and fix the terms of the several Courts of record in the County of San Mateo.

Also, adopted Senate Concurrent Resolution No. 28—Relative to a clerical correction in Senate Bill No. 72.

Also, adopted Senate Concurrent Resolution No. 27—Relative to printing Reports of the State Board of Agriculture.

Also, concurred in Assembly Concurrent Resolution No. 14—Relative to appointing a clerk by the Joint Committee on Political Code.

FERRAL, Secretary.

CONSIDERATION OF SENATE MESSAGES.

Senate Bill No. 41, above reported, read first and second times and referred to the San Francisco delegation.

Senate Bill No. 171, above reported, read first and second times and referred to the San Joaquin delegation.

Senate Bill No. 105, above reported, read first and second times and referred to the Los Angeles delegation.

The House concurred in Senate Concurrent Resolutions Nos. 27 and 28, above reported.

Senate Bill No. 177, above reported, read first and second times and placed on file.

YOSEMITE VALLEY CLAIMS.

The special order was further postponed, on motion of Mr. Wilcox, and Assembly Joint Resolution No. 18 taken from its order on the General File and considered.

On motion of Mr. Shannon, the resolution was referred to a special committee of three, with instructions to report the same back to-morrow.

The Speaker announced the appointment of the following committee: Messrs. Wilcox, Spencer, and Harvey.

SPECIAL ORDER.

At twelve o'clock and forty minutes the House took up the special order for the day, Assembly Joint Resolution No. 9—Relative to asking Congress to change the land laws so as to reserve the lands of the United States for actual settlers.

The Speaker stated the question to be the adoption of the substitute reported by the Committee on Federal Relations.

RECESS.

At one o'clock and twenty-five minutes P. M., Mr. Gray, from the House Committee to receive the Japanese Embassy, informed the House that the members thereof were about to visit the Chamber.

In order to make necessary preparations, by placing chairs, the House took a recess for five minutes.

REASSEMBLED.

The House reassembled at one o'clock and thirty minutes P. M.

Speaker in the chair.

Quorum present.

The rules were suspended, and Mr. Wheaton introduced a concurrent resolution, which was adopted, requesting the Governor to return Assembly Bill No. 49—Relative to telegraphic communication between Asia and America—for the correction of a clerical error in the bill.

GENERAL FILE.

The rules were suspended, on motion of Mr. Splivalo, and Senate Bill No. 82—An Act to provide for indexing the names of persons who have declared their intentions to become, or who have become, citizens of the United States in the several Courts of record in this State—taken from its order on the file.

The amendment reported was adopted, and the bill read a third time and passed.

Senate Bill No. 43—An Act concerning the Police Judge's Court of the City and County of San Francisco—was also taken up out of its order.

Rules suspended, on motion of Mr. Gray, read a third time and passed, and title amended.

Senate Bill No. 133—An Act to appropriate money for the erection of a monument to ex-Governor John Bigler.

The House considered the bill in Committee of the Whole, Speaker in the chair.

IN SENATE.

The bill was reported, its passage recommended, read a third time and passed.

THE JAPANESE EMBASSY.

At a quarter before two o'clock P. M., Mr. Gray read the following copy of a communication to his Excellency, Governor Booth:

SIR: I have the honor to inform you that the Embassy from His Imperial Majesty, the Tenno of Japan, accredited to the Treaty Powers, now on its way to this port, may be expected in this city about the sixteenth instant, by steamship America. From here they propose proceeding to Washington, and thence to various courts in Europe.

The Embassy is composed of the following officers of high rank, viz: Iwakura, formerly Minister of Foreign Affairs, now Prime Minister of Japan, coming as Envoy Extraordinary and Minister Plenipotentiary to the Treaty Powers; Kido, Member of His Imperial Majesty's Privy Council and Assistant Ambassador, Okubo, Chief Minister of —— and Assistant Ambassador; Ito, Assistant Minister of Public Works and Ambassador of the second rank; Yawa Guchi, Assistant Minister of Foreign Affairs and Ambassador of the second rank. Accompanying the Embassy as their suit, will be eight Secretaries, twenty-one officials selected from the different Departmental Bureaus of the Empire, a surgeon and his attendants, comprising in all forty-four persons. During their stay in this city they will occupy rooms at the Grand Hotel.

Desirable that the ruling clans of Japan should, by a tour of observation, personally judge of the advantage of foreign intercourse without dependence upon reports of those of inferior rank and years, this Embassy, comprising many of the highest and most influential men of the Empire, contemplate a thorough study of western civilization as well as considerations connected with a revision of foreign treaties. Permit me to express the hope that in the event of his ever requiring your kind cooperation in the exercise of his official duties, you will kindly recognize and grant him such support, accepting the assurance that any officer of

H I. M. the Tenno of Japan, will gladly reciprocate your friendly offices when occasion offers.

I have the honor to remain, with great respect and consideratoin, sir, your obedient servant,

CHAS. WALCOTT BROOKS,
Consul of Japan.

To his Excellency, NEWTON BOOTH, *the Governor of California.*

Soon afterward Hon. Charles E. De Long, Minister from the United States to the Empire of Japan, and the principal members of the Japanese Embassy, escorted by Senator Maclay, of the Senate Committee, and Mr. Brown, of the Assembly Committee of Reception, appeared at the bar of the Assembly, the House rising to receive them. The Speaker invited the United States Minister and the Japanese Prime Minister, Iwakura, to be seated beside the Chair, and on having assumed their positions assigned them they were severally introduced to the House.

The members of the suite in attendance, and the Consul for Japan resident in San Francisco, Charles Walcott Brooks, Esq, were assigned places on the floor of the Chamber, on the left of the Speaker's table.

The Cousul presented the following official list of officers composing the Embassy of His Majesty the Emperor of Japan to the Treaty Powers, and officers composing the suite:

Ambassador Extraordinary, Sionii Tomomi Iwakura, Junior Prime Minister.

Vice-Ambassador Extraordinary, Iussammi Takayossi Kido, Privy Counsellor.

Vice-Ambassador Extraordinary, Jussamini Tossimitsi Okubo, Minister of Finance.

Vice-Ambassador Extraordinary, Jushi Hirobumie Ito, Acting Minister of Public Works.

Vice-Ambassador Extraordinary, Jushi Massouka Yamagutsi, Assistant Minister of Foreign Affairs.

First Secretary, Yaskazou Tanabe, Foreign Department.
First Secretary, Noriuki Gah, Foreign Department.
First Secretary, Atsnobou Shioda, Foreign Department.
First Secretary, Gun-Itsiro Foukoutsi, Treasury Department.
Second Secretary, Hiromoto Watanabe, Foreign Department.
Second Secretary, Termori Comatz, Foreign Deparment.
Second Secretary, Tadas Hyash, Foreign Department.
Second Secretary, Kedjiro Nagano, Foreign Department.
Third Secretary, Quando Kawage, Foreign Department.
Fourth Secretary, Massatsne Ikeda, Educational Department.
Fourth Secretary, Tadatsne Ando, Foreign Department.
Private Secretary to Chief Ambassador, Kounitake Koume, Clerk to the Legislative Code.
Attache, Yassi Nomoura, Foreign Department.

Commissioners connected with the Ambassadors:

Jushi Takanori Sassaki, Acting Minister of the Judiciary Department.
Jassamima Mitsitomi Higassikouz, Chief Chamberlain of the Imperial Court.
Jugoi Akiyossi Yamada, Brigadier General of the Imperial Army.

Mits-Aki Tanaka, Commissioner of the Bureau of Census, Treasury Department.
Fouzimar Tanaka, Chief Clerk of the Educational Department.
Tameyossi Hida, Commissioner of Dockyards, Public Works Department.
Nobouyossi Nakayama, Vice-Governor of Hiogo.
Yassoukaz Yassouba, Deputy Commissioner of Revenue.
Jushi Yassounaka Itsoutsouzi, Assistant Director of Ceremony, Imperial Court.
Tadakats Outsmi, Secretary to the Governor of Kanagawa.

Officers attached to the said Commissioners:

Yossikazou Wakayama, Treasury Department.
Hissom Abe, Treasury Department.
Morikata Oki, Treasury Department.
Kazounari Souguiyama, Treasury Department.
Noriyas Tomita, Treasury Department.
Nagamassa Yosio, Treasury Department.
Kasoumitsi Harada, War Department.
Noritsougou Nagayo, Educational Department.
Nagamoto Nakassima, Educational Department.
Massatsna Kondo, Educational Department.
Waro Imamowra, Educational Department.
Kimihira Outsimowra, Educational Department.
Takato O-Sima, Public Works Department.
Fourou Ouriu, Public Works Department.
Take-Akira Nakano, Judicial Department.
Siguetossi Oka-Outsi, Judicial Department.
Yossinari Hiraka, Judicial Department.
Houmiakira Nagano, Judicial Department.
Tsounemits Mourata, Imperial Court.
Yossinaga Takatsouzi, Imperial Court.
Hyroaz Kagana, Imperial Court.

The usual business of the House was resumed.
After a brief visit, the foreign visitors retired, the House again rising on their passage from the Chamber—the expression of their sense of the courtesy extended to them being tendered by Mr DeLong and Iwakura.

SPECIAL ORDER RESUMED.

The House again resumed consideration of the special order for the day—Assembly Joint Resolution No. 9—the question being the adoption of the substitute reported and recommended.
At two o'clock and fifteen minutes, Mr. Meeker moved that the House take a recess for half an hour.
The motion was lost.
Mr. Hopper moved that the further consideration of the resolution and the substitute offered be made the special order for the day for Monday, February fifth, at two o'clock P. M.
On adopting the motion, the ayes and noes were demanded by Messrs. Meeker, Spivalo, and Galloway, with the following result:

AYES—Messrs. Baird, Barker, Barklage, Barnes, Bayley, Bell, Berry,

Bockius, Center, Crane, Dannals, Days, Eagan, Edgar, Ellis, French, Gibson, Harvey, Hopper, Johnston, Lee, Little, Long, Luttrell, Mott of Sacramento, Rice. Russ. Sammons, Schrack, Slaughter, Stillwagon, Tinnin. Turner, Ward, Welty, Whitney, Woodward, and Wright—38

NOES—Messrs. Bradley, Caldwell, Coleman, Cooper, Everett, Franck, Freeman, Galloway, Goodall, Gray, Henshaw, Lofton, Mathers, Meeker, Munday, Pardee, Rector, Reed, Sargent of San Joaquin, Sphvalo, Wheaton, Whiting, and Mr. Speaker—23.

RESOLUTION.

The rules were suspended, and the following resolution, introduced by Mr. Gray, was adopted:

Resolved, That the Committee on Corporations, Messrs. Gray, Rice, Wheaton, Bell, Hayes, Brown, Connolly, and Ellis, have leave of absence for one day, on Saturday next, for the purpose of examining the Central Pacific Railroad from Sacramento to Truckee.

INVITATION.

Mr. Gray, from the Committee on the Reception of the Japanese, presented the following invitation, which was accepted:

The Joint Committee of the Senate and Assembly for the reception of the Japanese Embassy, tender to the Speaker and members of this House, and the Chief Clerk and his assistants, an invitation to dine with Minister DeLong and the Embassy, at the Orleans Hotel, this evening, at half past seven o'clock.

For the Committee. BROWN, Chairman.

INTRODUCTION OF BILLS.

Bills were introduced as follows:

By Mr. Mott of Sacramento—An Act to allow certain persons therein named, and their associates and assignees, to take possession of and improve a certain road in the County of Sacramento.

Read first and second times and referred to Sacramento delegation.

By Mr. Freeman—An Act concerning the payment of the fees and salaries of officers in the Counties of Yolo and Sutter.

Read first and second times and placed on file.

By Mr. Woodward—An Act to protect agriculture, and to prevent the trespassing of animals upon private property.

Read first and second times and referred to Committee on Agriculture.

By Mr. Johnston—An Act to define the boundary line between the Counties of Sacramento and Yolo.

Read first and second times and referred to the Committee on Counties and County Boundaries.

By Mr. De Haven—An Act supplemental to and amendatory of an Act to incorporate the Town of Chico, Butte County, California, approved January, eighteen hundred and seventy-two.

Read first and second times and referred to the Butte delegation.

By Mr. Sargent of San Joaquin—An Act to prevent persons passing

through inclosures and leaving them open, and tearing down fences to make passage through inclosures.

Read first and second times and referred to the Committee on Agriculture.

By Mr. Caldwell—An Act to incorporate the Town of Cloverdale, Sonoma County, California.

Read first and second times and referred to Sonoma delegation.

The rules were suspended, and a resolution offered by Mr. Stillwagon—authorizing the Committee on Agriculture to appoint a clerk—referred to the Committee on Rules and Regulations.

At three o'clock and ten minutes P. M., on motion of Mr. Berry, the House adjourned.

T. B. SHANNON,
Speaker.

M. D. BORUCK, Chief Clerk.

IN ASSEMBLY.

HOUSE OF ASSEMBLY,
Friday, February 2d, 1872.

House met pursuant to adjournment.
Speaker in the chair.
Roll called.
Quorum present.
Prayer by the Chaplain.
Journal of yesterday read and approved.

PETITIONS.

Petitions were presented as follows:

By Mr. Ward—From residents of Tehama County, favoring the passage of a bill granting the right to the Central Pacific Railroad Company to construct a temporary bridge across the Sacramento River.

Referred to the delegation having charge of the bill referred to.

By Mr. French—From citizens of Sacramento, praying the indefinite postponment of Assembly Bill No. 186—Relative to police regulations in said city.

Referred to Sacramento delegation.

By Mr. Munday—From taxpayers and qualified voters in Sonoma County, praying the enactment of a law authorizing the conveyance of the Plaza of Sonoma to the Society of Pioneers of the district of Marin, Sonoma, Napa, Lake, and Mendocino Counties.

Referred to Sonoma delegation

By Mr. Sensabaugh—From citizens of Stanislaus County, in favor of the establishment of a highway and ferry across the Stanislaus River, at Knight's Ferry.

By Mr. Berry—From the Trustees of Swamp Land District Number Seventy, for an extension of time for the reclamation of land therein.

Referred to the Committee on Swamp and Overflowed Lands.

REPORTS OF STANDING COMMITTEES.

Reports were made from standing committees as follows:

By Mr. Wheaton, from the Committee of Ways and Means:

Mr. SPEAKER: Your committee having had under consideration Assembly Bill No. 53—An Act to distribute the revenue derived from the tax on dogs in Sonoma County—beg leave to report the same back with the recommendation that the Senate amendments be not concurred in.

Your committee having also had under consideration Assembly Bill No. 200—An Act defining the duties of the State Board of Equalization and other revenue officers—beg leave to report the same back with amendments, and recommend its passage as amended.

Your committee have also had under consideration Assembly Bill No. 89—An Act to repeal an Act entitled an Act to provide for a State Board of Equalization—and beg leave to report the same back, with the recommendation that it be indefinitely postponed.

WHEATON, Chairman.

On motion of Mr Luttrell, the rules were suspended, and Assembly Bill No. 200, above reported, taken up, and the amendments reported by the committee adopted.

SPECIAL ORDER POSTPONED.

At twelve o'clock M. the hour for the consideration of the special order for the day:

Assembly Bill No 8—An Act to repeal an Act entitled an Act to prevent double taxation; also, to repeal an Act entitled an Act to relieve owners of encumbered real estate from taxation.

Also, Assembly Bill No. 23—An Act amendatory to an Act entitled an Act to prevent double taxation.

Also, Assembly Bill No. 188—An Act to provide for listing and assessing all solvent debts, and to repeal an Act entitled an Act to prevent double taxation, approved April first, eighteen hundred and seventy, and the Act entitled an Act to relieve owners of encumbered real estate from double taxation, approved April fourth, eighteen hundred and seventy.

Were taken up, and, on motion of Mr. Harvey, were made the special order for Wednesday, February seventh, at twelve o'clock M., and that Assembly Bill No. 188 shall take precedence in the order.

Assembly Bill No. 200 resumed.

Mr. Days offered a substitute for the bill, which was ordered printed, when, on action of Mr. Wheaton, the further consideration of the bill was made the special order for Tuesday, February sixth, at eleven o'clock and thirty minutes A M.

The rules were suspended on motion of Mr. Splivalo, who introduced the following resolution:

Resolved, That Assembly Bills Nos. 7 and 9—Concerning railroad corporations—be made the special order for Tuesday, February thirteenth, at one o'clock P. M.

Mr. Hopper demanded the previous question, which, being properly seconded and sustained, on the adoption of the resolution, the ayes and noes were demanded by Messrs. Luttrell, Bayley, and Whiting, and the resolution was adopted by the following vote:

AYES—Messrs. Bacon, Bell, Bockins, Brown, Burckhalter, Caldwell, Connolly, Cooper, Crane, Dannals, De Haven, Edgar, Ellis, Franck, French, Galloway, Gibson, Goodall, Gray, Harvey, Hopper, James, Johnston, Lofton, Meeker Mott of Sacramento, Pardee, Reed, Rice, Russ, Sargent of Santa Clara, Schrack, Sensabaugh, Spencer, Splivalo, Stillwagon, Turner, Ward, Wheaton, Wilcox, Wright, and Mr. Speaker —42.

NOES—Messrs Baird, Barker, Barklage, Barnes, Bayley, Berry, Center, Chalmers, Coleman, Days, Everett, Freeman, Hayes, Henshaw, Lee, Little, Long, Luttrell, Mathers, Munday, Sammons, Sargent of San Joaquin, Slaughter, Timm, Ward, Welty, Whiting, Whitney, and Woodward—29.

INTRODUCTION OF BILLS.

The rules were suspended for the introduction of the following bills:

By Mr. Munday—An Act in relation to fence and pound districts in the County of Sonoma.

Also, an Act to empower and authorize the Commissioners of the former Pueblo or City of Sonoma to sell and convey a portion of the land known as the Pueblo Grant of Sonoma.

Severally read first and second times and referred to the Sonoma delegation

REPORTS OF STANDING COMMITTEES.

Further reports were made as follows:

By Mr. Harvey:

Mr. SPEAKER: The Committee on Swamp and Overflowed Lands, to whom was referred Assembly Bill No 19—An Act releasing all the tide and overflowed lands belonging to the State in and around Lake Merritt to the City of Oakland—have had the same under consideration, and report it back and recommend its passage.

Also, have had under consideration Assembly Bill No 225—An Act to authorize the Board of Supervisors of Sutter County to build and furnish a Court House and Jail at the county seat of said county, and to provide a Fund therefor—and report the same back amended, and recommend its passage as amended.

HARVEY, Chairman.

By Mr. Gibson:

Mr. SPEAKER: Your Committee on Enrollment beg leave to report that they have examined and found correctly enrolled:

Assembly Bill No. 126—An Act to regulate the forfeiture of policies of life insurance.

Also, substitute to Assembly Bill No. 141—An Act conferring extra power on the Board of Supervisors of Lake County.

Also, Assembly Bill No. No. 170—An Act to amend section five of an

Act entitled an Act to provide funds to be applied to building a hospital in the City and County of San Francisco, approved March twenty-eighth, eighteen hundred and sixty-eight.

Also, Assembly Bill No. 127—An Act in relation to the office of County Clerk of the City and County of San Francisco.

Also, Assembly Bill No. 169—An Act legalizing the ordinances of the City of Oakland.

Also, Assembly Bill No. 87—An Act concerning the office of County Clerk in and for the City and County of San Francisco.

Also, Assembly Bill No. 195—An Act fixing the salary of the County Judge of Los Angeles County.

Also, Assembly Bill No. 157—An Act to amend an Act entitled an Act concerning jurors in the City and County of San Francisco, approved May twentieth, eighteen hundred and sixty-one.

Also, Assembly Bill No. 137—An Act to provide for the keeping of stallions and other animals.

Also, Assembly Joint Resolution No. 12—Relative to abolishing the duty on quicksilver.

And that the same have, this second day of February, eighteen hundred and seventy-two, at ten minutes before twelve o'clock, been transmitted to the Governor for his approval.

GIBSON, Chairman.

By Mr. Barnes:

Mr. Speaker: The Committee on Engrossment beg leave to report that they have examined and find correctly engrossed Assembly Bill No. 219—An Act authorizing certain persons to improve a portion of King's River, and to erect booms therein.

Also, Assembly Bill No. 208—An Act to provide for the support of schools in certain districts in Tehama County.

Also, Assembly Bill No. 240—An Act fixing the salary of the District Attorney of Lassen County.

Also, Assembly Bill No. 252—An Act to legalize the assessment of damages by the laying out and opening of Union street, in the Town of Watsonville, Santa Cruz County, State of California.

BARNES, Chairman.

By Mr. Spencer:

Mr. Speaker: The Committee on Judiciary having considered Assembly Bill No 130—An Act to amend an Act entitled an Act to protect the wages of labor, approved March twenty-first, eighteen hundred and seventy-one—report it back with amendments and recommend its passage as amended

Also, Assembly Bill No. 278—An Act to amend an Act entitled an Act to regulate proceedings in civil cases in the Courts of justice of this State, passed April twenty-ninth, eighteen hundred and fifty-one—report it back and recommend its passage.

Also, Assembly Bill No 279—An Act to amend an Act entitled an Act concerning the Courts of justice of this State and judicial officers, approved April twentieth, eighteen hundred and sixty-three—report it back and recommend its passage.

Also, Assembly Bill No. 265—An Act authorizing the District Courts of this State to appoint assistant counsel in the prosecution of criminal

cases, and providing compensation therefor—report it back with amendments and recommend its passage as amended.

Also, Assembly Bill No. 266—An Act to amend an Act entitled an Act to amend an Act entitled an Act concerning divorces, approved March twenty-fifth, eighteen hundred and fifty-one—report it back with amendments and recommend its passage as amended.

Also, Senate Concurrent Resolution No 26—Requiring the Attorney General to bring suit against delinquents in accordance with an Act entitled an Act to relieve owners of encumbered real estate from double taxation, approved April fourth, eighteen hundred and seventy—report it back and recommend that the Assembly do concur therein.

SPENCER, Chairman.

By Mr. Pardee:

Mr. SPEAKER: The Committee on Public Grounds and Buildings have completed their investigations on the State Normal School building at San José, and will at their earliest opportunity present their final report.

PARDEE, Chairman.

REPORTS OF SPECIAL COMMITTEES.

Reports were made from special committees as follows:

By Mr. Wilcox:

A verbal report from the committee to whom was referred Assembly Joint Resolution No. 18—Relative to the Yosemite Valley claims.

The committee reported a substitute, which was adopted, rules suspended, considered engrossed, read a third time and passed.

By Mr. Burckhalter:

Mr. SPEAKER: The delegation from Kern and Tulare Counties, to whom was referred Assembly Bill No 237—An Act to regulate the traveling fees of the Sheriff of the County of Kern—have had the same under advisement, and beg leave to report the same back to the House and recommend its passage.

BURCKHALTER, for Delegation.

By Mr. Sensabaugh:

Mr. SPEAKER: The Stanislaus delegation, to whom was referred Senate Bill No. 155—An Act to amend an Act entitled an Act to grant the Stanislaus Bridge and Ferry Company the right to construct and maintain a bridge or bridges across the Stanislaus River—report the same back, and recommend that said bill be referred to the Judiciary Committee.

SENSABAUGH, for Delegation.

The bill above reported was referred accordingly.

By Mr. Caldwell:

Mr SPEAKER: The Sonoma delegation, to whom was referred Assembly

Bill No. 88—An Act to incorporate the Town of Cloverdale, Sonoma County, California—report the same back and recommend its passage.

CALDWELL, for Delegation.

By Mr. Barnes:

Mr. SPEAKER: The special committee, composed of the representatives of the Counties of Nevada, Placer, Sierra, Lassen, and Plumas, to whom was referred Assembly Bill No. 232—An Act to create the County of Donner, to define its boundaries, and to provide for its organization and maintenance—report the same back, with a statement that a majority of the committee are opposed to its passage, but recommend that it be referred to the Committee on Counties and County Boundaries.

BARNES, Chairman.

The bill above reported was referred as recommended.

By Mr. Bockius:

Mr. SPEAKER: The Santa Cruz delegation, to whom was referred Senate Bill No. 162—An Act to amend an Act entitled an Act to provide means for the government of the County of Santa Cruz, and for the payment and funding of the debt of said county, approved January thirty-first, eighteen hundred and seventy—beg leave to report that they have examined the same, and recommend the adoption of the accompanying amendment.

BOCKIUS.

By Mr. Ellis:

Mr. SPEAKER: The Los Angeles delegation, to whom was referred Senate Bill No 105—report the same, and ask that it be referred to the Committee on Corporations.

ELLIS, for Delegation.

The bill above reported was referred as recommended.

By Mr. De Haven:

Mr. SPEAKER: The Butte delegation, to whom was referred Assembly Bill No. 270—An Act for the protection of fish in the waters of Butte Creek, in the County of Butte—have considered the same, and recommend its passage

Also, have considered Assembly Bill No. 286—An Act supplemental and amendatory of an Act entitled an Act to incorporate the Town of Chico, Butte County, California, and report the same back, recommending its passage.

DE HAVEN,
TURNER.

MESSAGE FROM THE GOVERNOR.

The following message was received from the Governor:

STATE OF CALIFORNIA, EXECUTIVE DEPARTMENT,
Sacramento, February 1st, 1872.

To the Assembly of the State of California:

I have to inform your honorable body that I have approved Assembly Bill No. 10—An Act to regulate the fees of the Assistant City and County Attorney of the City and County of San Francisco.

Also, Assembly Bill No. 131—An Act to provide for the appointment of three Notaries Public for the County of Contra Costa.

Also, Assembly Bill No. 159—An Act to authorize the Board of Supervisors of the City and County of San Francisco to close up Margaret street, in said city and county.

Also, Assembly Bill No. 178—An Act to change the name of the Oakland Cotton Manufacturing Company

Also, Assembly Bill No 166—An Act making an appropriation for deficiencies for the twenty-third fiscal year, ending the thirtieth day of June, eighteen hundred and seventy-two.

Also, Assembly Bill No. 168—An Act to authorize certain appropriations of money by the Board of Supervisors of the City and County of San Francisco.

NEWTON BOOTH, Governor.

MOTIONS AND RESOLUTIONS.

Resolutions were offered as follows:

By Mr. Goodall:

Resolved, That when this House adjourns to-morrow, it stands adjourned to half-past two o'clock P. M. on Monday, February fifth, eighteen hundred and seventy-two.

Adopted.

By Mr. Burckhalter:

A Joint Resolution—Relative to a joint resolution by the forty-first Congress, concerning the time for settlers on public lands to make proof of settlement and payment for their lands.

Read first and second times and placed on file.

By Mr. Mott of Sacramento:

Resolved, That the Committee on Claims be allowed a clerk, at the usual per diem for clerks of committees.

Referred to Committee on Rules and Regulations

On motion of Mr. Luttrell, the special order for Wednesday, February

third, at two o'clock P. M., was continued until three o'clock P. M. the same day.

By Mr. Cooper:

Resolved, That the Senate be requested to return to the House Senate Bill No 61, and the Engrossing Committee of the House be directed to correct a clerical error therein, and that the same be then returned to the Senate by the Chief Clerk.

Adopted.
By Mr. Gray:

Resolved, That the usual number of copies of the report of the Committee on Corporations upon Assembly Bills Nos. 7 and 9—Amending the Act concerning the incorporation of railroad companies—be printed.

Adopted.
By Mr. Dannals:

A Joint Resolution—Asking an appropriation by Congress for the construction of forts, batteries, and other coast defenses for the protection of the Harbor of San Diego.

Read first and second times and referred to Committee on Federal Relations.

On motion of Mr. Johnston, Assembly Bill No. 192—An Act to incorporate the City of Sacramento—was reported back from the Sacramento delegation, and the usual number of copies ordered printed.

MESSAGE FROM THE SENATE.

The following message was received from the Senate.

SENATE CHAMBER,
February 1st, 1872.

Mr. SPEAKER: I am directed to inform your honorable body that the Senate, on the thirtieth day of January, passed Senate Bill No. 143—An Act to authorize the Board of Supervisors of Colusa County to levy a special tax.

Also, on the same day, passed Senate Bill No. 176—An Act to provide Road Funds for the Counties of Santa Barbara and San Luis Obispo.

Also, on the same day, passed Senate Bill No 118—An Act to amend an Act entitled an Act to provide for the appointment and prescribe the duties of guardians.

Also, on February first, passed Assembly Bill No. 192—An Act to repeal an Act entitled an Act to create a Board of Levee and Street Commissioners in and for the Town of Pacheco, Contra Costa County, and define their powers and duties, approved March twenty-ninth, eighteen hundred and seventy.

Also, on the same day, amended and passed Assembly Concurrent Resolution No. 16—Relative to appointment of clerk for the Joint Committee on Hospitals.

Also, on the thirtieth of January refused a third reading of Assembly

Bill No. 128—An Act to legalize the assessment and equalization of taxes in the County of El Dorado.

FERRAL, Secretary.

CONSIDERATION OF SENATE MESSAGE.

Senate Bill No. 143, above reported, read first and second times and referred to the Colusa and Tehama delegations.

Senate Bill No. 176, above reported, read first and second times and referred to the San Luis Obispo delegation.

The House concurred in Senate amendment to Assembly Concurrent Resolution No. 16, above reported.

INTRODUCTION OF BILLS.

Bills were introduced as follows:

By Mr. Bayley—An Act to repeal an Act entitled an Act concerning the revenue, approved March twenty-fifth, eighteen hundred and seventy.

Read first and second times and referred to Committee on Agriculture.

NOTICES.

The rules were suspended, and Mr. James allowed to give notice of the introduction of a bill for an Act to appropriate funds for the enlargement of the Home of the Inebriate, in the City and County of San Francisco.

Also, a bill for an Act to increase the police force of the City and County of San Francisco, and for the better protection of the same.

INTRODUCTION OF BILLS CONTINUED.

By Mr. Russ—An Act to prevent the propagation of Canada thistles in the County of Humboldt.

Read first and second times, referred with accompanying petition to Committee on Agriculture, and ordered printed.

By Mr. Rice—An Act to separate the office of County Recorder from the office of County Clerk, in the County of Marin.

Read first and second times and referred to the Judiciary Committee.

By Mr. Ward—An Act concerning the assessment of property in Tehama County.

Read first and second times and referred to the Judiciary Committee.

Also, an Act to authorize the Board of Supervisors of the County of Tehama to levy a tax for the enlargement and preservation of Red Bluff Cemetery, and for the improvement and preservation of the Tehama Cemetery.

Read first and second times and referred to the Judiciary Committee.

By Mr. Spencer—An Act amendatory of and supplementary to an Act entitled an Act to regulate proceedings in civil cases in the Courts of justice of this State, approved April twenty-ninth, eighteen hundred and fifty-one.

Read first and second times and placed on file.

By Mr. Splivalo—An Act to create the office of Constable for the City and County of San Francisco.

Read first and second times and, with the petitions relating thereto, referred to the San Francisco delegation.

By Mr. Read—An Act to confirm the title to a certain lot of land in the City and County of San Francisco to the Trustees of the Associated Veterans of the Mexican War, and to authorize an exchange of said lands for certain property belonging to said city and county, or for a lease thereof.

Read first and second times and referred to the San Francisco delegation.

By Mr. Spencer—An Act to amend an Act entitled an Act to regulate fees of office and salaries of certain officers, and repeal certain Acts in relation thereto, approved March fifth, eighteen hundred and seventy.

Read first and second times and referred to the Santa Clara delegation.

Also, an Act to regulate the fees of County Clerk of Santa Clara County.

Read first and second times and referred to the Santa Clara delegation.

By Mr. Stillwagon—An Act to amend an Act entitled an Act to provide for the establishment, maintenance, and protection of public roads in Napa County, approved March thirty-first, eighteen hundred and sixty-six, and an Act supplemental to and amendatory of said Act, approved February thirteenth, eighteen hundred and sixty-eight.

Read first and second times and referred to the Committee on Roads and Highways

At one o'clock and twenty minutes P. M Mr. Crane moved that the House take a recess until two o'clock, but the motion did not prevail.

GENERAL FILE.

Assembly Bill No. 121—An Act supplementary to an Act entitled an Act concerning corporations, passed April twenty-second, eighteen hundred and fifty.

Amended according to special instructions, and read a third time and passed.

On motion of Mr. Tinnin, Assembly Bill No 268—Concerning the construction of a bridge near Tehama—was taken from the file and ordered placed first on the file for Monday, February fifth.

Senate Bill No. 98—An Act for the relief of the California Labor and Employment Exchange.

Considered in Committee of the Whole House, Mr. Days in the chair.

IN ASSEMBLY.

Reported and passage recommended.

Mr Meeker demanded the previous question, and the same being ordered, on the passage of the bill the ayes and noes were demanded by Messrs. Berry, Whiting, and Woodward, and the bill was lost by the following vote:

AYES—Messrs. Bacon, Barker, Bell, Bockius, Brown, Cooper, Crane, Days, Everett, Franck, Gibson, Goodall, Gray, Harvey, Hopper, James, Long, Meeker, Mott of Sacramento, Reed, Schrack, Sensabaugh, Spivalo, Stillwagon, Whitney, and Mr. Speaker—26.

NOES—Messrs. Barklage, Bayley, Berry, Bradley, Burckhalter, Cald-

well, Center, Chalmers, Coleman, Connolly, Dannals, De Haven, Eagan, Edgar, Ellis, Freeman, Galloway, Hayes, Henshaw, Johnson, Lee, Little, Lofton, Luttrell, Mathers, Pardee, Russ, Sargent of San Joaquin, Slaughter, Spencer, Tinnin, Turner, Walker, Welty, Wheaton, Whiting, and Woodward—37.

Mr. Wheaton gave notice of a motion to reconsider

On motion of Mr. Mathers, at two o'clock and forty-five minutes P. M., the House adjourned.

T. B. SHANNON,
Speaker.

M. D. BORUCK, Chief Clerk.

IN ASSEMBLY.

HOUSE OF ASSEMBLY,
Saturday, February 3d, 1872.

House met pursuant to adjournment.
Speaker in the chair.
Roll called.
Quorum present.
Prayer by the Chaplain.
The Journal of yesterday was read and approved.

PETITIONS.

Petitions were presented as follows.

By Mr. Dannals—From citizens of this State, praying the passage of an Act to restrain the sale of intoxicating drinks

Referred to Committee on Public Morals

By Mr. Mott of Sacramento—From a thousand citizens and taxpayers in Sacramento City, in favor of the passage of Assembly Bill No. 186, relative to the police force of said city

The petition was referred to the Sacramento delegation, and the rules being suspended, on motion of Mr Mott of Sacramento, that delegation was instructed to return said bill forthwith, without recommendation

By Mr. Freeman—From sundry citizens of California, praying the passage of a law restricting the sale of intoxicating drinks.

Referred to Committee on Public Morals.

LEAVE OF ABSENCE.

Leave of absence was granted to Messrs Wheaton and Ward, for two days each, and to Messrs. Munday, Wright, and Chalmers, for one day each, and to the Committee on State Hospitals, for three days.

REPORTS OF STANDING COMMITTEES.

Reports were made from standing committees as follows:

By Mr. Galloway:

Mr. Speaker: The Committee on Public Expenditures and Accounts, to whom was referred Assembly Bill No. 258—An Act to provide for the incidental expenses of the members of the Legislature of this State during the session thereof.

Also, Senate Bill No 32—An Act making appropriation for the payment of Wm. Sharp's bill of carpets, matting, etc., for the new Capitol—have had the same under consideration, and report them back with a recommendation that they pass.

GALLOWAY, Chairman.

Also, by the same:

Mr. Speaker: The Committee on Public Expenditures and Accounts beg leave to report that they have examined the following bills and accounts, found them correct, and recommend that they be paid:

To whom due.	Amount.
Brigadier General J. Howell, for advertising movement of troops for maugural ceremonies	$12 75
Sacramento Light Artillery Company, for expenses incurred at the inaugural ceremonies	196 50
	$209 25

Resolved by the Assembly, the Senate concurring, That the sum of twelve dollars and seventy-five cents is hereby allowed Brigadier General J. Howell, also, the sum of one hundred and ninety-six dollars and fifty cents is hereby allowed the Sacramento Light Artillery; half of the above sums to be paid out of the Contingent Fund of the Assembly and half out of the Contingent Fund of the Senate.

GALLOWAY, Chairman.

The rules were suspended, and the resolution above reported taken up and adopted.

Also, by the same:

Mr. Speaker: The Committee on Public Expenditures and Accounts beg leave to report that they have examined the following bills and accounts, found them correct, and recommend that they be paid:

To whom due.	Amount.
Bulletin and Call	$322 88
Folsom Telegraph	87 00
Sacramento Union	123 37
Weekly Union	104 74
Scientific Press	106 50
Pacific Rural Press	158 00
San Mateo Gazette	21 00
San Luis Obispo Standard	10 00
Red Bluff Sentinel	21 00
Inyo Independent	3 50
Mountain Messenger	63 00
San Diego Bulletin	9 00
David Bush	83 96
Gillig, Mott & Co.	46 75
I. L. Merrell	56 50
Yreka Journal	5 00
	$1,222 20

Resolved, That the Controller be and he is hereby authorized and directed to draw warrants on the Contingent Fund of the Assembly in favor of the persons named in the report of the Committee on Accounts and Expenditures for the sums set opposite their respective names, and the Treasurer be directed to pay the same out of said Fund.

GALLOWAY, Chairman.

The rules were again suspended, and the resolution above reported taken up and adopted.

By Mr. Goodall:

Mr. SPEAKER: The Committee on Commerce and Navigation, to whom was referred Assembly Bill No 180—An Act to repeal an Act to prohibit the collection of accounts for liquors sold at retail, approved April twenty-first, eighteen hundred and fifty-eight—have had the same under consideration, and report it back with the recommendation that it do not pass.

Also, Senate Concurrent Resolution No. 7—In relation to creating a port of entry at San Diego—report the same back and recommend that it do not pass.

Also, Assembly Bill No. 212—An Act to amend an Act supplementary to and amendatory of an Act entitled an Act to empower the Boards of Supervisors of the several counties of the State the right to grant the right to construct wharves on the overflowed and submerged lands of this State, approved April eighth, eighteen hundred and fifty-eight, approved March thirty-first, eighteen hundred and seventy—report the same back, with a substitute, and recommend the passage of the substitute.

GOODALL, Chairman.

By Mr. Eagan:

Mr. SPEAKER: The Committee on Agriculture has had under consideration Assembly Bill No. 291—An Act to repeal an Act concerning the revenue, approved March twenty-fifth, eighteen hundred and seventy—and recommend its passage.

EAGAN, Chairman.

REPORTS OF SPECIAL COMMITTEES.

Reports were made from special committees as follows:

By Mr. Cooper:

Mr. SPEAKER: The delegation to whom was referred Senate Bill No. 176—An Act to provide road funds for the Counties of Santa Barbara and San Luis Obispo—report it back and recommend its passage.

COOPER, for Delegation.

By Mr. Mott of Sacramento:

Mr. SPEAKER: The Sacramento delegation, to whom was referred Assembly Bill No. 282, recommend its passage as amended.

MOTT, for Delegation.

MESSAGES FROM THE GOVERNOR.

The following messages were received from the Governor:

STATE OF CALIFORNIA, EXECUTIVE DEPARTMENT,
Sacramento, February 2d, 1872.

To the Assembly of the State of California:

I have to inform your honorable body that I have approved Assembly Bill No. 92—An Act to amend an Act entitled an Act to regulate the settlement of the estates of deceased persons, passed May first, eighteen hundred and fifty-one.

Also, Assembly Bill No 170—An Act to amend section five of an Act entitled an Act to provide funds to be applied to building a hospital in the City and County of San Francisco, approved March twenty-eighth, eighteen hundred and sixty-eight.

Also, Assembly Bill No. 157—An Act to amend an Act entitled an Act concerning jurors in the City and County of San Francisco, approved May twentieth, eighteen hundred and sixty-one.

Also, Assembly Bill No. 137—An Act to provide for the keeping of stallions and other animals.

Also, Assembly Bill No. 195—An Act fixing the salary of the County Judge of Los Angeles County.

Also, Assembly Bill No 94—An Act supplemental to an Act entitled an Act granting the right of way over certain lands in the Counties of Lake and Sonoma for the construction of a wagon road, approved March fifteenth, eighteen hundred and sixty-four.

Also, an Act to appropriate money for the relief of James W. Marshall.

Also, Assembly Bill No. 136—An Act to amend an Act entitled an Act to provide for the liquidation of all claims against the State not otherwise provided for by law, approved April first, eighteen hundred and seventy.

Also, Assembly Bill No. 129—An Act to repeal an Act entitled an Act providing for the recording of the papers filed in the Probate Court of the County of Santa Clara in certain cases, approved April second, eighteen hundred and seventy.

Also, Assembly Bill No. 126—An Act to regulate the forfeiture of policies of life insurance.

Also, Assembly Bill No. 127—An Act in relation to the office of the County Clerk of the City and County of San Francisco.

Also, Assembly Bill No. 141—An Act empowering and requiring the Board of Supervisors of Lake County to audit and allow the claim of Thomas Allison.

NEWTON BOOTH, Governor.

STATE OF CALIFORNIA, EXECUTIVE DEPARTMENT,
Sacramento, February 3d, 1872.

To the Assembly of the State of California:

I have to inform your honorable body that I have approved Assembly Bill No. 132—An Act to improve the Little Truckee River for ratting and floating logs, timber, and wood, and to provide for the collection of tolls thereon.

Also, Assembly Bill No. 154—An Act concerning roads and highways in the Counties of Plumas and Lassen.

Also, Assembly Bill No 73—An Act concerning roads and highways in the County of Yuba.

NEWTON BOOTH, Governor.

STATE OF CALIFORNIA, EXECUTIVE DEPARTMENT,
Sacramento, February 2d, 1872.

To the Assembly of the State of California:

For the reasons already presented to your honorable body, I herewith return without my approval Assembly Bill No. 46—An Act granting leave of absence to P B. Nagle, District Attorney of Tehama County.

NEWTON BOOTH, Governor.

The ayes and noes were taken on the question "Shall the bill become a law notwithstanding the objections of the Governor?" and the veto was sustained by a unanimous vote, as follows.

AYES—None.

NOES—Messrs. Bacon, Baird, Barker, Barklage, Barnes, Bayley, Berry, Bradley, Bockius, Brown, Burckhalter, Caldwell, Center, Coleman, Connolly, Cooper, Crane, Dannals, Days De Haven, Eagan, Edgar, Ellis, Everett, Franck, Freeman, Gibson, Goodall Harvey, Hayes, Heushaw, Hopper, James, Johnston, Lee, Little, Lotton, Long, Luttrell, Mathers,

Meeker, Mott of Sacramento, Pardee, Reed, Russ, Sammons, Sargent of Santa Clara, Sargent of San Joaquin, Schrack, Sensabaugh, Slaughter, Spencer, Splivalo, Tinnin, Turner, Walker, Welty, Whiting, Whitney, Woodward, Wright, and Mr. Speaker—62.

MOTIONS AND RESOLUTIONS.

Resolutions were offered as follows:

By Mr Luttrell—A joint resolution in favor of the construction of a postal telegraph system by the National Government, to be put in practical operation as soon as possible.

Read first and second times and referred to Committee on Federal Relations.

By Mr. Sensabaugh—A resolution to appoint George T. Little an Assistant Enrolling Clerk.

Referred to Committee on Rules and Regulations.

By Mr. Galloway—A resolution to allow the Committees on Swamp and Overflowed Lands and Public Expenditures and Accounts, jointly, to appoint a clerk.

Referred to Committee on Rules and Regulations.

Mr. Splivalo moved a reconsideration of the vote whereby the House on yesterday refused to pass Senate Bill No. 98—An Act for the relief and support of the California Labor and Employment Exchange.

Mr. Freeman moved to lay the motion to reconsider on the table.

Lost

The motion to reconsider prevailed, and upon the further motion of Mr. Splivalo, the consideration of the bill was made the special order of the day for Friday, February sixteenth, at twelve o'clock M.

On motion of Mr. Freeman, Assembly Bill No. 89—An Act to repeal an Act entitled an Act to provide for a State Board of Equalization—was taken from the file and made the special order for Tuesday next, in conjunction with Assembly Bill No. 200.

MESSAGE FROM THE SENATE.

The following message was received from the Senate:

SENATE CHAMBER,
February 2d, 1872.

Mr. SPEAKER: I am directed to inform your honorable body that the Senate, on the twenty-fifth day of January, passed Senate Bill No. 107—An Act to reincorporate the Town of San Luis Obispo.

Also, on January thirtieth, passed Senate Bill No. 118—An Act amendatory of and supplementary to an Act entitled an Act to incorporate the Town of Eureka

Also, on the same day, passed Senate Bill No. 152—An Act supplemental to and amendatory of an Act entitled an Act to authorize the construction of a swing or drawbridge across the San Antonio Creek, in the County of Alameda, approved April fourth, eighteen hundred and seventy.

Also, on January thirty first, passed Senate Bill No. 182—An Act to authorize the Public Administrator of Contra Costa County to act as Coroner

Also, on the same day, passed Senate Bill No. 183—An Act concerning the official bond of Public Administrator of Contra Costa County

Also, on February second, passed Senate Bill No. 135—An Act supplementary to an Act entitled an Act to provide for the appointment of Notaries Public and defining their duties, approved April twenty-fifth, eighteen hundred and sixty-two.

Also, on the same day, concurred in Assembly Concurrent Resolution No. 17—Relative to requesting the Governor to return Assembly Bill No. 49.

Also, on the same day, refused to pass Assembly Bill No. 44—An Act to authorize County Judges to hold Court in other counties than those which they have been elected, in certain cases.

FERRAL, Secretary.

CONSIDERATION OF SENATE MESSAGE.

Senate Bills Nos. 135, 113, 182, and 118, above reported, read first and second times and severally referred to Judiciary Committee.

Senate Bill No. 152, above reported, read first and second times and referred to Alameda delegation.

Senate Bill No. 107, above reported, read first and second times and referred to San Luis Obispo delegation.

INTRODUCTION OF BILLS.

Bills were introduced as follows:

By Mr. Wright—An Act for the relief of M. V. Owen, Deputy Sheriff of Solano County

Read first and second times and referred to the Committee on Claims.

Also, an Act to authorize the City of Vallejo to borrow money.

Read first and second times and referred to Judiciary Committee.

By Mr. Burckhalter—An Act amendatory of an Act entitled an Act to provide revenue for the support of the government of this State, approved May seventeenth, eighteen hundred and sixty-one, approved February twenty-ninth, eighteen hundred and sixty-eight.

Read first and second times and referred to the delegations from Inyo, Kern, Mendocino, San Diego, Tehama, and Tulare.

By Mr Harvey—An Act to provide for funding the indebtedness of the reclamation and levee districts of the State.

Read first and second times and referred to Committee on Swamp and Overflowed Lands.

By Mr. Berry—An Act to extend the time in which Swamp Land District Number Seventy shall complete their works of reclamation.

Read first and second times and referred to Committee on Swamp and Overflowed Lands.

By Mr. Gray—Proposed Amendment to the Constitution, relative to the liability of stockholders in corporations and associations.

Read first and second times and referred to Judiciary Committee

By Mr. James—An Act to increase the police force of the City and County of San Francisco.

Read first and second times and referred to San Francisco delegation.

By Mr. Burckhalter—An Act to incorporate the City of Visalia.

Read first and second times and referred to Committee on Corporations.

By Mr. Lofton—An Act establishing rewards for detection of criminals

Read first and second times and referred to Judiciary Committee.

NOTICE.

The rules were suspended and Mr. Splivalo gave notice of the introduction of a bill for an Act concerning actions for libel.

SACRAMENTO POLICE BILL.

On motion of Mr. Mott of Sacramento, Assembly Bill No. 186—An Act amendatory of and supplemental to an Act approved April twenty-fifth, eighteen hundred and sixty-three, entitled an Act to incorporate the City of Sacramento—having been reported back without recommendation, was taken up.

On the question of suspending the rules for the immediate consideration of the bill, the ayes and noes were demanded by Messrs. Hopper, Caldwell, and Pardee, and the House refused to suspend the rules by the following vote:

AYES—Messrs. Bacon, Baird, Barker, Barklage, Bayley, Bell, Bockius, Brown, Burckhalter, Caldwell, Center, Connolly, Cooper, Dannals, De Haven, Eagan, Ellis, Galloway, Gibson, Goodall, Hayes, Henshaw, Hopper, James, Little, Luttrell, Mott of Sacramento, Pardee, Reed, Sargent of Santa Clara, Schrack, Sensabaugh, Slaughter, Splivalo, Stillwagon, Walker, Whiting, Wilcox, and Mr Speaker—39.

NOES—Messrs. Barnes, Crane, Days, Edgar, Everett, Franck, Freeman, French, Gray, Harvey, Johnston, Lofton, Long, Meeker, Russ, Sammons, Sargent of San Joaquin, Spencer, Tinnin, Turner, Welty, Whitney, Woodward, and Wright—24.

Mr. French moved to make the consideration of the bill the special order for next Saturday, at twelve o'clock M.

Lost, and the bill was ordered to the General File.

GENERAL FILE.

Substitute for Assembly Bill No. 112—An Act to amend an Act entitled an Act to exempt certain property from execution and forced sale.

Read a third time and passed

Substitute for Assembly Bill No. 59—An Act to fix the time for electing Representatives to Congress.

Read a third time and passed.

Assembly Bill No. 183—An Act to restrict the herding of sheep and goats in the County of El Dorado.

Read a third time and passed.

Senate Bill No. 87—An Act to amend an Act entitled an Act to provide for the formation of corporations for the accumulation and investment of funds and savings, approved April eleventh, eighteen hundred and sixty-two.

Read a third time and passed.

Senate Bill No. 90—An Act to amend an Act entitled an Act to regulate proceedings in criminal cases, passed May first, eighteen hundred and fifty-one.

Read a third time and passed.

Senate Bill No. 127—An Act to provide for the payment of deficiency in the Insane Asylum appropriation for the twenty-third fiscal year, ending June thirtieth, eighteen hundred and seventy-two.

Considered in Committee of the Whole.

IN ASSEMBLY.

Reported and passage recommended, read a third time and passed.

At one o'clock and five minutes P. M. Mr. Pardee moved to adjourn.

Lost.

GENERAL FILE RESUMED.

Senate Bill No. 27—An Act to prevent the capture and destruction of mocking birds and linnets in this State.

Amendments adopted, and recommitted to Committee on Agriculture.

Assembly Bill No. 86—An Act amendatory of and supplemental to an Act entitled an Act fixing the number of officers and employes of the Senate and Assembly, to define their duties and establish their pay, approved May twentieth, eighteen hundred and sixty-one.

Read a third time and passed

Assembly Bill No. 145—An Act defining and limiting the time for the payment of bounties and relief pay due the volunteers of the State of California, and troops furnished the United States as a portion of its quota.

Read a third time and passed.

Assembly Bill No 230—An Act for the repeal of section ten of an Act entitled an Act concerning public roads and highways in the Counties of Santa Cruz and San Diego, approved March twenty-first, eighteen hundred and seventy.

Read a third time and passed.

Assembly Bill No. 205—An Act to provide for the appointment of additional Notaries Public for the County of Humboldt.

Read a third time and passed.

Senate Joint Resolution No 4—Relative to arms issued to the State of California by the United States Government.

Read a third time and passed.

Senate Joint Resolution No. 1—Relative to restoring certain lands granted to the Sacramento and Placerville Railroad to homestead and preemption.

Mr Eagan offered a substitute which, together with the original resolution, on motion of Mr. Bayley, was re-referred to the Committee on Federal Relations.

At one o'clock and thirty minutes P. M, on motion of Mr. Connolly, the House adjourned.

T. B. SHANNON,
Speaker.

M. D. BORUCK, Chief Clerk.

IN ASSEMBLY.

HOUSE OF ASSEMBLY,
Monday, February 5th, 1872.

House met pursuant to adjournment.
Speaker in the chair.
Roll called.
Quorum present.
Prayer by the Chaplain.
Journal of Saturday read and approved.

LEAVE OF ABSENCE.

Leave of absence was granted for two days to Mr. Munday, and for one day each to Messrs Cooper, Schrack, Splivalo, Gibson, Wright, Chalmers, Rice, Woodward, and Gray.

PETITIONS.

Petitions were presented as follows:

By Mr. Tinnin—A remonstrance from citizens and taxpayers of the Town of Red Bluff, Tehama County, against any legislative enactment to authorize the Central Pacific Railroad Company to construct a temporary bridge at that point.

Placed on file in connection with Assembly Bill No. 268—Relating to that subject

By Mr. Andrews—A remonstrance from other citizens of Tehama County of the same tenor as the one preceding.

Placed on file with the bill referred to.

By Mr. Berry—From citizens of Sutter County, protesting against any proposed change in the present "Fence Law."

Referred to the Committee on Agriculture.

REPORTS OF STANDING COMMITTEES.

Reports from standing committees were made as follows:

By Mr. Franck:

MR. SPEAKER: The Committee on Public Morals, to whom was referred Assembly Bill No 254—An Act to prohibit the licensed retailers of intoxicating drinks from selling or giving the same to persons referred to in this Act—having had said bill under consideration, report the same back with a substitute, and recommend the passage of the substitute.

FRANCK, Chairman.

By Mr. Mott:

MR SPEAKER: The Committee on Claims having had under consideration Senate Bill No. 120—An Act for the relief of James F. Burns—beg leave to report it back, and recommend its passage.

Also, report back Assembly Bill No. 71—An Act for the relief of Presley A Dorris—and recommend its passage as amended.

Also, report back Assembly Bill No. 227—An Act for the relief of the California Volunteer officers and sailors of the United States Navy, who have honorably served within the State of California—and recommend its passage as amended.

MOTT, Chairman.

By Mr. Brown:

Mr. SPEAKER: Your Committee on Corporations, to whom was referred Senate Bill No. 185—An Act to authorize a telegraph between Los Angeles and Wilmington, in Los Angeles County—report the same back and recommend its passage.

Also, Assembly Bill No. 269—An Act amendatory of an Act to authorize the incorporation of canal companies—and recommend its passage as amended.

Also, Assembly Bill No 261—An Act to repeal an Act for the incorporation of the City of Anaheim—and recommend its passage.

Also, report back Assembly Bill No. 243—An Act to amend an Act entitled an Act to authorize the incorporation of canal companies—and recommend that it do not pass.

GRAY, Chairman.

Also, by the same:

Mr. SPEAKER: Your Committee on Corporations, to whom was referred Senate Bill No. 112—An Act to incorporate the Town of Wilmington, in the County of Los Angeles, in the State of California—report the same back and recommend its passage.

GRAY, Chairman.

REPORTS OF SELECT COMMITTEES.

Reports from select committees were made as follows:

By Mr. French:

The first report of the Joint Committee to examine the Codes prepared by the Revision Commission—referred to Committee on Printing, and ordered printed.

Mr. Crane verbally reported Senate Bill No. 152—Relative to the construction of a drawbridge across San Antonio Creek, Alameda County—and recommended its passage.

MESSAGE FROM THE GOVERNOR.

The following message was received from the Governor:

STATE OF CALIFORNIA, EXECUTIVE DEPARTMENT,
Sacramento, February 5th, 1872.

To the Assembly of the State of California:

I herewith transmit to your honorable body the report of the Advisory Committee on the Penal Code.

NEWTON BOOTH, Governor.

The report above referred to and transmitted to the House, was ordered printed in connection with the report of the Joint Committee on the Codes.

MOTIONS AND RESOLUTIONS.

Resolutions were offered as follows:

By Mr. Spencer:

A joint resolution to authorize the Secretary of State to destroy certain canceled claims, the vouchers of which were so damaged by the flood of eighteen hundred and sixty-two as to be valueless for preservation as State archives.

Adopted.

INTRODUCTION OF BILLS.

The following bills were introduced:

By Mr. Luttrell—An Act to establish a State Printing office, and to create the office of Superintendent of State Printing.

Read first and second times, referred to Committee on State Printing, and ordered printed.

By Mr. Sargent of Santa Clara—An Act to confirm a certain contract for the sale of stock held by the County of Santa Clara in the Western Pacific Railroad Company, and to give effect to the same, and amendatory of an Act entitled an Act to authorize the Board of Supervisors of Santa Clara to take and subscribe one hundred and fifty-thousand dollars to the capital stock of the Western Pacific Railroad Company, and to provide for the payment of the same, and other matters relating thereto, approved April fourteenth, eighteen hundred and sixty-three.

Read first and second times and placed on file.

By Mr. Bockius—An Act concerning the office of Tax Collector of Santa Cruz.

Read first and second times and referred to the Judiciary Committee.

Also, an Act to regulate the fees of office of the Clerk of Santa Cruz.

Read first and second times and referred to the Judiciary Committee.

By Mr. Franck—An Act defining the duties of the County Assessor of Santa Clara.

Read first and second times and referred to the Santa Clara delegation.

GENERAL FILE.

Assembly Bill No. 268—An Act to authorize the Central Pacific Railroad Company to construct and maintain, until the first day of November, eighteen hundred and seventy-two, a temporary bridge, without a draw, across the Sacramento River at the place where the California and Oregon branch of the railroad of said company crosses said river near the Town of Tehama, in the County of Tehama.

Amended, and on a motion to suspend the rules to consider the bill engrossed, the ayes and noes were demanded by Messrs. Timmin, Luttrell, and Caldwell, and the motion was adopted by the following vote:

AYES—Messrs. Aldrich, Bacon, Barker, Barnes, Bell, Bradley, Bockius, Brown, Caldwell, Chalmers, Connolly, Crane, Days, De Haven, Eagan,

Edgar, Ellis, Everett, Franck, French, Galloway, Goodall, Harvey, Hayes, Hopper, James, Johnston, Little, Lofton, Long, Luttrell, Mecker, Mott of Sacramento, McCullough, Russ, Sammons, Sargent of Santa Clara, Sargent of San Joaquin, Sensabaugh, Slaughter, Spencer, Turner, Welty, Whiting, Whitney, Wilcox, and Mr Speaker—47.

NOES—Messrs. Andrews, Bard, Barklage, Bayley, Berry, Center, Coleman, Dannals, Freeman, Henshaw, Lee, Mathers, Tinnin, and Walker—14.

The bill was considered engrossed, read a third time and passed.

On motion of Mr. Ellis, the rules were suspended, and Senate Bill No. 120—An Act for the relief of James F. Burns—reported from the Committee on Claims, was taken up and considered in Committee of the Whole House.

IN ASSEMBLY.

Reported and passage recommended, read a third time and passed.

FURTHER REPORTS.

Additional reports from standing committees were made:

By Mr. Barnes:

Mr. SPEAKER: The Committee on Engrossment beg leave to report that they have examined and find correctly engrossed Assembly Bill No. 253—An Act to amend an Act to incorporate the Town of Watsonville, Santa Cruz County, California, approved March thirtieth, eighteen hundred and sixty-eight.

Also, Assembly Bill No 242—An Act authorizing the Trustees of Santa Barbara school districts, of the County of Santa Barbara, of this State, to issue bonds of the said districts for the sum of six thousand dollars.

Also, Assembly Bill No 257—An Act to provide for the appointment of a Notary Public to reside at Cleverdale, Sonoma County.

Also, Assembly Bill No 259—An Act to provide a fund for the erection of county buildings in the County of San Bernardino and other matters relating thereto.

Also, Assembly Bill No 138—An Act relating to a registry and return of marriages, births, and deaths, and for establishing local Boards of Health and for other sanitary purposes.

BARNES, Chairman.

By Mr. Spencer:

Mr. SPEAKER: The Committee on Judiciary, to whom was referred Assembly Bill No. 153—An Act to incorporate the Town of Woodland—have considered the same and report the same back with amendments and recommend its passage as amended.

SPENCER, Chairman.

SPECIAL ORDER.

At three o'clock and twenty minutes P. M. the House took up the special order for the day.

Assembly Joint Resolution No. 9—Relative to asking Congress to change the land laws so as to reserve the lands of the United States for actual settlers.

The substitute reported was rejected, and on ordering the bill engrossed the ayes and noes were demanded by Messrs. Days, Berry, and Rector, and the House refused to order the engrossment by the following vote:

AYES—Messrs Baird, Barker, Barnes, Bayley, Burcklalter, Dannals, Days, De Haven, French, Hayes, Hopper, Johnston, Long, Luttrell, Mott of Sacramento, Rector, Sammons, Sensabaugh, Slaughter, Turner, Whiting, Whitney, and Mr. Speaker—23.

NOES—Messrs Aldrich, Andrews, Barklage, Berry, Bradley, Bockius, Brown, Caldwell, Center, Chalmers, Coleman, Crane, Edgar, Everett, Franck, Galloway, Goodall, Harvey, Henshaw, James, Little, Lolton, Mathers, Meeker, McCullough, Russ, Sargent of Santa Clara, Sargent of San Joaquin, Spencer, and Tinnin—30.

At four o'clock and twenty minutes P. M., Mr. Center moved to adjourn, and the House refused.

GENERAL FILE RESUMED.

Senate Bill No. 110—An Act to provide for the payment of the claim of Isidor Wormser against the State of California.

Considered in Committee of the Whole, reported and passage recommended, read a third time and passed.

Senate Bill No. 152, reported from the Alameda delegation, was taken up on motion of Mr. Crane, rules suspended, read a third time and passed.

REPORTS ORDERED PRINTED.

The rules were suspended, on motion of Mr. De Haven, who offered a concurrent resolution to order printed two thousand four hundred copies of the Report of the State Board of Equalization, and one thousand nine hundred and twenty copies of the Report of the State Board of Health, for the use of the Legislature.

Adopted.

GENERAL FILE CONTINUED.

Assembly Bills Nos. 53, 176, 173, 161, and 17 were severally passed on file.

Senate Bill No 177—An Act to provide for the transfer of the moneys and other assets in the Permanent School Fund of Siskiyou County to the General School Fund of said county.

Read a third time and passed.

Assembly Bill No. 240—An Act fixing the salary of the District Attorney of Lassen County.

Read a third time and passed

Assembly Bill No 252—An Act to legalize the assessment of damages by the laying out and opening of Union street, in the Town of Watsonville, Santa Cruz County, State of California.

Read a third time and passed

Senate Bill No 162—An Act to amend an Act entitled an Act to provide means for the government of the County of Santa Cruz, and for the payment and funding of the debt of said county, approved January thirty-first, eighteen hundred and seventy.

Read a third time and passed.

Senate Bill No. 32—An Act making an appropriation for Wm. Sharp's bill for carpets, matting, etc., furnished the new Capitol.

Considered in Committee of the whole House.

IN ASSEMBLY.

Reported, and passage recommended, read a third time and passed.

At four o'clock and forty minutes P. M., Mr. Bayley moved that the House adjourn.

Lost

Mr. Henshaw obtained leave to withdraw Assembly Bill No. 185—Proposing an amendment to the State Constitution.

GENERAL FILE RESUMED.

Assembly Bill No. 231—An Act to amend an Act to regulate proceedings in civil cases in Courts of justice in this State, approved April twenty-ninth, eighteen hundred and fifty-one, approved April fourth, eighteen hundred and sixty-four, and all Acts and parts of Acts amendatory thereof and supplementary thereto.

House refused to order engrossed.

Assembly Bill No. 229—An Act to fix the bonds of the Sheriff of the County of Contra Costa.

Ordered engrossed.

Assembly Bill No 241—An Act to amend an Act entitled an Act to regulate proceedings in civil cases in the Courts of justice of this State, passed April twenty-ninth, eighteen hundred and fifty-one.

Ordered engrossed.

Assembly Bill No. 234—An Act to amend an Act entitled an Act to regulate the interest of money, approved March thirteenth, eighteen hundred and fifty, amended April fourth, eighteen hundred and seventy.

Substitute reported adopted and ordered engrossed.

Assembly Bill No. 202—An Act to amend an Act entitled an Act to regulate proceedings in civil cases in Courts of justice of this State, passed April twenty-ninth, eighteen hundred and fifty-one, and all Acts amendatory thereof and supplementary thereto.

Substitute reported adopted and ordered engrossed.

At five o'clock P. M. Mr. Whiting moved to adjourn.

Lost.

Assembly Bill No. 191—An Act to provide for the protection of the City of Sacramento and Swamp Land District Number Two.

Amendments reported adopted, rules suspended, bill considered engrossed, read a third time and passed.

Assembly Bill No. 239—An Act for the relief of purchasers of State lands.

Ordered to top of file for Tuesday.

At five o'clock and fifteen minutes P. M., on motion of Mr. Meeker, the House adjourned.

T. B. SHANNON,
Speaker.

M. D. BORUCK, Chief Clerk.

IN ASSEMBLY.

HOUSE OF ASSEMBLY,
Tuesday, February 6th, 1872.

House met pursuant to adjournment.
Speaker in the chair.
Roll called.
Quorum present.
Prayer by the Chaplain.
Journal of yesterday read and approved.

LEAVE OF ABSENCE.

Leave of absence was granted to Messrs. Cooper and Gray, for one day each.

PETITIONS.

Petitions were presented as follows:

By Mr. Andrews—From citizens in the Town of Shasta, for the passage of a law to prevent hogs from running at large within the limits of said town.

Referred to the Shasta delegation.

By Mr. Splivalo—From citizens of the City and County of San Francisco, protesting against the renewal of a franchise of the Mission, Ocean House, and Beach toll road.

Referred to the San Francisco delegation.

REPORTS OF STANDING COMMITTEES.

Reports of standing committees were made as follows:

By Mr. Mather:

Mr. SPEAKER: Your committee to whom was referred Assembly Bill No. 304—An Act amendatory of an Act entitled an Act to amend an Act to provide revenue for the support of the government of the State, approved May seventh, eighteen hundred and sixty-one, approved February twenty-ninth, eighteen hundred and sixty-eight—have had the same under consideration, and beg leave to report the same back to this House, and recommend its passage.

MATHERS,
BURCKHALTER,
SLAUGHTER,
WHITING.

By Mr. Spencer:

Mr. SPEAKER: The Committee on Judiciary, having considered Assembly Bill No. 238—An Act to provide certain officers of Kern County with certain volumes of the Reports of the Supreme Court of California—report it back, and recommend its passage as amended by the Committee.

Also, Assembly Bill No. 256—An Act to amend an Act entitled an Act to regulate proceedings in criminal cases, passed May first, eighteen hundred and fifty-one—report it back and recommend that it do not pass.

Also, Assembly Bill No. 271—An Act to provide for the payment of certain fees in Butte County—report it back and recommend its passage.

Also, Assembly Bill No. 295—An Act concerning the assessment of property in Tehama County—report it back and recommend its passage.

SPENCER, Chairman.

MESSAGE FROM THE GOVERNOR.

The following message was received from the Governor:

STATE OF CALIFORNIA, EXECUTIVE DEPARTMENT,
Sacramento, February 5th, 1872.

To the Assembly of the State of California:

I have to inform your honorable body that I have approved Assembly Bill No. 116—An Act to amend an Act entitled an Act to regulate proceedings in civil cases in the Courts of justice of this State, passed April twenty-ninth, eighteen hundred and fifty-one.

Also, Assembly Bill No. 81—An Act concerning the office of County Clerk in and for the City and County of San Francisco.

Also, Assembly Bill No. 169—An Act legalizing the ordinances of the City of Oakland, in respect to the penalties therein.

NEWTON BOOTH, Governor.

MESSAGES FROM THE SENATE.

The following messages were received from the Senate:

SENATE CHAMBER,
February 5th, 1872.

Mr. SPEAKER: I am directed to inform the Assembly that the Senate, on the first day of February, passed Senate Bill No. 198—An Act to provide for the payment of certain claims against Lake County.

Also, on the same day, passed Senate Bill No. 208—An Act to authorize the Board of Trustees of the City of Sonora to establish a Fire Department Fund, and for other purposes.

Also, on the thirty-first day of January, passed Senate Bill No. 163—An Act for the relief of S. J. R. Sturgeon, late District Attorney of Santa Barbara County.

Also, on this day, adopted and passed substitute for Assembly Bill No. 11—An Act to amend an Act to consolidate certain school districts.

Also, on same day, passed Senate Bill No. 137—An Act to prevent the destruction of forests by fire on public lands.

FERRAL, Secretary.

SENATE CHAMBER,
February 5th, 1872.

Mr. SPEAKER: I am directed to inform your honorable body that the Senate, on the first day of February, passed Senate Bill No. 194—An Act to provide for the location, construction, and maintenance of public roads and highways in the County of Placer.

FERRAL, Secretary.

CONSIDERATION OF THE MESSAGES.

Senate Bill No. 198, above reported, read first and second times and referred to the Napa and Lake delegations.

Senate Bill No. 208, above reported, read first and second times and placed on file.

Senate Bill No. 163, above reported, read first and second times and referred to the Committee on Claims.

Senate Bill No. 137, above reported, read first and second times and placed on file.

Senate Bill No. 194, above reported, read first and second times and referred to the Placer delegation.

Assembly Bill No. 11, above reported, with Senate substitute, was referred to the El Dorado and Sacramento delegations.

RESOLUTIONS.

The rules were suspended and the following resolutions offered:

By Mr. Freeman:

Resolved, That the Committee on Education be requested to return Assembly Bill No. 123 to the author.

Adopted.

By Mr. Galloway:

Mr. SPEAKER: The Committee on Public Accounts and Expenditures beg leave to report that they have examined the following bill, found it correct, and recommend that it be paid:

A. J. Rhoads, for carrying mails, from January fourth to February fourth, eighteen hundred and seventy-two, seventy-five dollars.

Resolved, That the Controller be and he is hereby authorized and directed to draw his warrant in favor of the above named person for the sum of seventy-five dollars, and that the Treasurer be directed to pay the same.

GALLOWAY, Chairman.

Adopted.

INTRODUCTION OF BILLS.

Bills were introduced as follows:

By Mr. Burckhalter—An Act to amend an Act entitled an Act to reg-

ulate proceedings in criminal cases, passed May first, eighteen hundred and fifty-one.

Read first and second times and referred to the Judiciary Committee.

By Mr. Barnes—An Act to legalize the assessment of taxes in the County of Lassen.

Read first and second times and referred to the Judiciary Committee.

By Mr. Galloway—An Act extending the time for payment of taxes in the County of Contra Costa.

Read first and second times and referred to the Judiciary Committee.

By Mr. Splivalo—An Act concerning actions for libel.

Read first and second times and referred to the Judiciary Committee.

By Mr. Franck—An Act to authorize the corporate authorities of the Town of Santa Clara to take and hold in trust and convey certain lands.

Read first and second times and referred to the Santa Clara delegation.

Also, an Act to reincorporate the Town of Santa Clara.

Read first and second times and referred to the Santa Clara delegation.

By Mr. Sargent of San Joaquin—An Act requiring railroad companies to construct bar-ways and additional cattle-guards along the lines of railroads.

Read first and second times and referred to the Committee on Corporations.

By Mr. Jost—An Act to provide for the protection of an open canal through Channel street, in the City and County of San Francisco.

Read first and second times and referred to the San Francisco delegation, and ordered printed.

By Mr. Andrews—An Act to prevent hogs from running at large in the Town of Shasta.

Read first and second times and referred to the Shasta delegation.

SPECIAL ORDER.

At half-past eleven o'clock A. M. the House took up the special order for the day.

Assembly Bill No. 200—An Act defining the duties of the State Board of Equalization and other revenue officers.

Substitute offered, rejected, and bill further amended. On a motion to suspend the rules and consider the bill engrossed, the ayes and noes were demanded by Messrs. Berry, Andrews, and Sensabaugh, and the motion prevailed by the following vote:

AYES—Messrs. Aldrich, Bacon, Baird, Barker, Barnes, Bell, Bockius, Burckhalter, Crane, Dannals, Days, De Haven, Egan, Ellis, Everett, Franck, French, Galloway, Goodall, Harvey, Hopper, James, Jost, Lee, Little, Long, Luttrell, Meeker, Mott of Los Angeles, Mott of Sacramento, McCullough, Rice, Russ, Sargent of Santa Clara, Sargent of San Joaquin, Schrack, Scibe, Slaughter, Spencer, Splivalo, Tinnin, Turner, Walker, Welty, Wheaton, Whiting, Whitney, Wilcox, Wright, and Mr. Speaker—50.

NOES—Messrs. Andrews, Barklage, Bayley, Berry, Bradley, Brown, Center, Chalmers, Coleman, Edgar, Freeman, Hayes, Henshaw, Lofton, Mathers, Rector, Sammons, and Sensabaugh—18.

The bill was then read a third time and passed.

Assembly Bill No. 89, included in the special order for the day, was, on motion of Mr. Freeman, laid on the table.

GENERAL FILE.

Assembly Bill No. 239—An Act for the relief of purchasers of State lands.

Amendments reported adopted, bill further amended, rules suspended, considered engrossed, read a third time and passed.

LEAVE OF ABSENCE.

On motion of Mr. Days, the special committee on redistricting the State were allowed leave of absence for the balance of the day.

At one o'clock P. M., on motion of Mr. Crane, the House took a recess for half an hour.

REASSEMBLED.

At half-past one o'clock P. M. the House reassembled.

Speaker in the chair.

Roll called.

Quorum present.

GENERAL FILE RESUMED.

Assembly Bill No. 53—An Act to distribute the revenue derived from the tax on dogs in Sonoma County.

The amendments to the bill reported from the Senate, in accordance with the recommendation of the Committee on Ways and Means, were not concurred in by the House.

PRIVILEGED REPORT.

Mr. Barnes made the following report:

Mr. SPEAKER: The Committee on Engrossment beg leave to report that they have examined and find correctly engrossed Assembly Bill No. 220—An Act to provide for the establishment, maintenance, and protection of public roads in Sonoma County.

Also, Assembly Joint Resolution No. 18—Relative to Yosemite Valley claims.

BARNES, Chairman.

GENERAL FILE RESUMED.

Senate Bill No. 178—An Act to provide Road Funds for the Counties of Santa Barbara and San Luis Obispo.

Rules suspended, bill considered engrossed, read a third time and passed.

Assembly Bill No. 255—An Act to amend an Act entitled an Act to incorporate the Town of Watsonville, Santa Cruz County, California, approved March thirtieth, eighteen hundred and sixty-eight.

Rules suspended, bill considered engrossed, read a third time and passed.

Senate Bill No. 105—An Act authorizing a telegraph between Los Angeles and Wilmington.

Rules suspended, bill considered engrossed, read a third time and passed.

Senate Bill No. 112—An Act to incorporate the Town of Wilmington, in the County of Los Angeles, in the State of California.

Rules suspended, bill considered engrossed, read a third time and passed.

Assembly Bill No. 312—An Act to confirm a contract for the sale of stock held by the County of Santa Clara in the Western Pacific Railroad Company and to give effect to the same, and amendatory of an Act entitled an Act to authorize the Board of Supervisors of the County of Santa Clara to take and subscribe one hundred and fifty thousand dollars to the capital stock of the Western Pacific Railroad Company, and to provide for the payment of the same, and other matters relating thereto, approved April fourteenth, eighteen hundred and sixty-three.

Rules suspended, bill considered engrossed, read a third time and passed.

Assembly Bill No. 242—An Act authorizing the Trustees of Santa Barbara school districts, in the County of Santa Barbara, of this State, to issue bonds of the said districts for the sum of six thousand dollars.

Read a third time and passed.

Assembly Bill No. 163 passed on file, on motion of Mr. Spencer.

Assembly Bill No. 161, on motion of Mr. Mott of Los Angeles, was withdrawn from the file.

The House refused to order engrossed Assembly Bills Nos. 214 and 221.

Assembly Joint Resolution No. 17—Instructing our Senators and requesting our Representatives in Congress to urge the establishment of a tri-weekly mail from Cache Creek, in Yolo County, to Capay, in Yolo County.

Rules suspended, bill considered engrossed, read a third time and passed.

Assembly Bill No. 283—An Act concerning the payment of the fees and salaries of officers in the Counties of Yolo and Sutter.

Rules suspended, bill considered engrossed, read a third time and passed.

Assembly Bill No. 286—An Act supplemental to and amendatory of an Act entitled an Act to incorporate the Town of Chico, Butte County, California, approved January, eighteen hundred and seventy-two.

Rules suspended, bill considered engrossed, read a third time and passed.

Assembly Bill No 270—An Act for the protection of fish in the waters of Butte Creek, in the County of Butte.

Rules suspended, bill considered engrossed, read a third time and passed.

Assembly Bill No. 130—An Act to amend an Act entitled an Act to protect the wages of labor, approved March twenty-first, eighteen hundred and seventy.

Rules suspended, bill considered engrossed, read a third time and passed.

Assembly Bill No. 288—An Act to incorporate the Town of Cloverdale, Sonoma County, California.

Ordered engrossed.

Assembly Joint Resolution No. 19—Relative to extending the time of payment for public lands.

Ordered engrossed.

Assembly Bill No. 294—An Act amendatory of and supplementary to an Act entitled an Act to regulate proceedings in civil cases in the

Courts of justice of this State, passed April twenty-ninth, eighteen hundred and fifty-one.

Ordered engrossed.

Assembly Bill No. 278—An Act to amend an Act entitled an Act to regulate proceedings in civil cases in the Courts of justice of this State, passed April twenty-ninth, eighteen hundred and fifty-one.

Ordered engrossed.

Assembly Bill No. 279—An Act to amend an Act entitled an Act concerning Courts of justice of this State, and judicial officers, approved April twentieth, eighteen hundred and sixty-three.

Ordered engrossed.

Assembly Bill No. 265—An Act authorizing the District Courts of this State to appoint assistant counsel in the prosecution of criminal cases, and providing compensation therefor.

Ordered engrossed.

Assembly Bill No 225—An Act to authorize the Board of Supervisors of Sutter County to build and furnish a Court House and Jail at the county seat of said county, and to provide a Fund therefor.

Ordered engrossed.

Assembly Bill No. 237—An Act to regulate the traveling fees of the Sheriff of the County of Kern.

Ordered engrossed.

Assembly Bill No. 17—An Act to create the Eighteenth Judicial District, and for other purposes.

Ordered engrossed.

In connection with the bill last above recorded, Mr. Slaughter presented a petition in favor of its passage.

Assembly Bill No. 266—An Act to amend an Act entitled an Act to amend an Act entitled an Act concerning divorces, passed March twenty-fifth, eighteen hundred and fifty-one, approved March twelfth, eighteen hundred and seventy.

Amendments reported adopted, and ordered engrossed.

The House concurred in Senate Concurrent Resolution No. 26—Requiring the Attorney General to bring suit against, in accordance with an Act entitled an Act to relieve owners of encumbered real estate from double taxation, approved April fourth, eighteen hundred and seventy.

Assembly Bill No. 186—An Act amendatory of and supplementary to an Act approved April twenty-fifth, eighteen hundred and sixty-three, entitled an Act to incorporate the City of Sacramento.

Mr. French moved that the bill be returned to the file.

Lost.

Mr. French moved a suspension of the rules to allow him to make a report on the bill, but the House refused.

Mr. French moved the recommitment of the bill to the Judiciary Committee, and the House refused to so order.

Mr. Mott of Sacramento moved that the rules be suspended and the bill considered engrossed.

And thereupon the ayes and noes were demanded by Messrs. Johnston, French, and Harvey, and the House refused to suspend the rules by the following vote:

AYES—Messrs. Bacon, Baird, Bayley, Bell, Bockius, Brown, Chalmers, Connolly, Crane, De Haven, Eagan, Edgar, Franck, Galloway, Goodall, Hayes, Henshaw, Hopper, James, Jost, Little, Luttrell, Mott of Los Angeles, Mott of Sacramento, McCullough, Pardee, Rice, Sargent of

Santa Clara, Schrack. Seibe, Sensabaugh, Slaughter, Tinnin, Whiting, Wilcox, and Mr. Speaker—36.

NOES—Messrs. Aldrich, Andrews, Barker, Barklage, Barnes, Berry, Bradley, Center, Coleman, Everett, Freeman, French, Harvey, Johnston, Lofton, Meeker, Russ, Sargent of San Joaquin, Turner, Welty, and Whitney—21.

And the bill was then ordered engrossed.

At three o'clock and eight minutes Mr. Berry moved to adjourn.

Lost.

Assembly Bill No. 258—An Act to provide for the incidental expenses of the members of the Legislature of this State during the session thereof.

Ordered engrossed.

Assembly Bill No. 291—An Act to repeal an Act entitled an Act concerning the revenue, approved March twenty-fifth, eighteen hundred and seventy.

Ordered engrossed.

Assembly Bill No. 282 was passed on file.

Assembly Bill No. 180 was, on motion of Mr. Jost, taken from the file and referred to the Judiciary Committee.

The House refused to concur in Senate Concurrent Resolution No. 7—Relative to creating a port of entry.

At three o'clock and twelve minutes P. M. Mr. Berry moved to adjourn.

Lost.

Assembly Bill No. 212—An Act to amend an Act supplementary to and amendatory of an Act entitled an Act to authorize the Board of Supervisors of the several counties of this State to grant the right to construct wharves on the overflowed and submerged lands of this State. approved April eighth, eighteen hundred and fifty-eight, approved March thirty-first, eighteen hundred and seventy.

Substitute reported adopted, rules suspended, bill considered engrossed, read a third time and passed.

Assembly Bill No. 254—An Act to prohibit the licensed retailers of intoxicating drinks from selling or giving the same to persons referred to in this Act.

Substitute reported adopted, rules suspended, bill considered engrossed, read a third time and passed.

Assembly Bill No. 71—An Act for the relief of Presley A. Dorris.

Considered in Committee of the Whole House.

IN ASSEMBLY.

Amended, reported and recommended, and ordered engrossed.

GENERAL FILE RESUMED.

Assembly Bill No. 269—An Act amendatory of and supplementary to an Act entitled an Act to authorize the incorporation of canal companies, and to provide for the construction of canals and ditches, approved April second, eighteen hundred and seventy.

Amendments reported adopted, title amended and ordered engrossed.

Assembly Bill No. 227—An Act for the relief of the California volunteer officers and sailors of the United States Navy who have honorably served within the State of California.

Considered in Committee of the Whole.

IN ASSEMBLY.

Reported amendments adopted, reported and recommended, rules suspended, bill considered engrossed, read a third time and passed.

At three o'clock and fifty minutes P. M., Mr. Barker moved that the House adjourn.

Lost.

GENERAL FILE RESUMED.

Mr. Bockius had leave of the House to withdraw Assembly Bill No. 243—An Act to amend an Act entitled an Act to authorize the incorporation of canal companies and the construction of canals.

Assembly Bill No. 261—An Act to repeal an Act entitled an Act for the incorporation of the City of Anaheim, and appointing Commissioners to dispose of the property, pay the indebtedness, and settle the affairs thereof.

Ordered engrossed.

Assembly Bill No. 153—An Act to incorporate the Town of Woodland.

Amendments reported adopted, rules suspended, bill considered engrossed, read a third time and passed.

On motion of Mr. Mott of Los Angeles, at three o'clock and fifty-five minutes P. M., the House adjourned.

T. B. SHANNON,
Speaker.

M. D. BORUCK, Chief Clerk.

IN ASSEMBLY.

HOUSE OF ASSEMBLY,
Wednesday, February 7th, 1872.

The House met pursuant to adjournment.
Speaker in the chair.
Roll called.
Quorum present.
Prayer by the Chaplain.
The Journal of yesterday was read and approved.

LEAVE OF ABSENCE.

Leave of absence was granted to Mr. Gray, absent on committee duty.

PETITIONS.

Petitions were presented as follows:

By Mr. Days—From male and female residents in Grass Valley and Rough and Ready, in favor of extending the right of suffrage to women.

Referred to special committee on the enfranchisement of women.

By Mr. Wright—From citizens at large, in favor of the passage of a law restricting the sale of intoxicating liquors.

Referred to Committee on Public Morals.

REPORTS OF STANDING COMMITTEES.

Reports from standing committees were made as follows:

By Mr. Meeker:

Mr. SPEAKER: The Committee on Federal Relations report on the matters submitted to them as follows:

On the petition of the Industrial Reformers, in relation to Chinese immigration, that further legislation upon the subject is unnecessary.

Also, on Assembly Concurrent Resolution No. 13—In relation to the survey of lands and fixing a price for the same in Sonoma County—that the first and fourth parts of the resolution be adopted, and that the second and third parts of the same do not pass.

Also, on Assembly Joint Resolution No. 20—In relation to fortifications in the Harbor of San Diego—that they be adopted.

MEEKER, Chairman.

By Mr. Barnes:

Mr. SPEAKER: The Committee on Engrossment beg leave to report that they have examined and find correctly engrossed Assembly Bill No. 234—An Act to amend an Act entitled an Act to regulate the interest of money, approved March thirteenth, eighteen hundred and fifty, amended April fourth, eighteen hundred and seventy.

Also, Assembly Bill No. 231—An Act to amend an Act to regulate proceedings in civil cases in the Courts of justice in this State, approved April twenty-ninth, eighteen hundred and fifty-one, approved April fourth, eighteen hundred and sixty-four, and all Acts and parts of Acts amendatory thereof and supplementary thereto.

Also, Assembly Bill No 229—An Act to fix the bonds of the Sheriff of the County of Contra Costa.

Also, Assembly Bill No. 202—An Act to amend an Act entitled an Act to regulate proceedings in civil cases in the Courts of justice of this State, passed April twenty-ninth, eighteen hundred and fifty-one, and Acts amendatory thereof and supplementary thereto.

Also, Assembly Bill No. 191—An Act to provide for the protection of the City of Sacramento and Swamp Land District Number Two.

Also, Assembly Bill No. 241—An Act to amend an Act entitled an Act to regulate proceedings in civil cases in the Courts of justice of this State, passed April twenty-ninth, eighteen hundred and fifty-one.

BARNES, Chairman.

REPORTS OF SELECT COMMITTEES.

Reports were made from select committees as follows:

By Mr. French:

A lengthy report from Messrs. Johnston and French, of the Sacramento delegation, on Assembly Bills Nos. 192 and 186—Relative to the incorporation of the City of Sacramento.

[For report see Appendix.]

By Mr. Woodward:

Mr. SPEAKER: We have had under consideration Senate Bill No. 171—Declaring the San Joaquin River and the Stockton Slough navigable from and to certain points therein named—and report the same back and recommend its passage.

WOODWARD,
SARGENT,
San Joaquin Delegation.

The rules were suspended and the bill above reported was taken up, and, on motion of Mr. Walker, referred to the Committee on Commerce and Navigation.

By Mr. Munday:

Mr. SPEAKER: The Sonoma delegation, to whom was referred Assembly Bill No. 289—An Act in relation to fence and pound districts in the County of Sonoma—beg leave to report the same back and recommend its passage.

MUNDAY, for Delegation.

By Mr. Franck:

Mr. SPEAKER: The Santa Clara delegation, having had under consideration Assembly Bill No. 320—An Act to authorize the corporate authorities of the Town of Santa Clara to take and hold in trust and convey certain lands—report the same back and recommend its passage.

Also, have had under consideration Assembly Bill No. 321—An Act to reincorporate the Town of Santa Clara—and report the same back and recommend its passage.

FRANCK, for Delegation.

MESSAGE FROM THE SENATE.

The following message was received from the Senate:

SENATE CHAMBER,
February 6th, 1872.

Mr. SPEAKER: I am directed to inform your honorable body that the Senate, on the sixth day of February, amended and passed Assembly Bill No. 114—An Act amendatory of an Act entitled an Act to regulate the settlement of estates of deceased persons, passed May first, eighteen hundred and fifty-one.

Also, on the same day, passed Assembly Bill No. 122—An Act to encourage the destruction of squirrels and gophers and other wild animals in the Counties of Los Angeles, Napa, Merced, San Bernardino, and Santa Cruz.

Also, on the same day, passed Assembly Bill No. 117—An Act concerning roads in the County of Humboldt.

Also, on the same day, passed Senate Bill No. 131—An Act to amend an Act entitled an Act amendatory of and supplementary to an Act entitled an Act concerning estray animals, passed April nineteenth, eighteen hundred and fifty-six, approved March twenty-eighth, eighteen hundred and fifty-nine.

Also, on the same day, passed Assembly Bill No. 53—An Act to punish seduction.

Also, on the same day, passed Senate Bill No. 65—An Act to prevent the sale of intoxicating drinks to minors.

Also, on the same day, passed Senate Bill No. 52—An Act to punish adultery.

Also, on the same day, passed Senate substitute for Assembly Bill No. 160—An Act to protect agriculture and to prevent the trespassing of animals upon private property in the Counties of Los Angeles and San Diego.

Also, on the same day, passed Assembly Resolution requesting the return, by the Senate to the Assembly, of Assembly Bill No. 61, for the purpose of making a clerical correction.

Also, on the same day, concurred in Assembly Concurrent Resolution No. 15—Relative to payment of expenses of Inauguration.

Also, on the fifth day of February, passed Senate Bill No. 151—An Act to empower the Probate Court of the County of Santa Clara to rectify an alleged error in the matter of the estate of James Donahue.

Also, on the same day, passed Senate Bill No. 220—An Act to amend an Act entitled an Act to authorize and require the County of Santa Cruz to pay over certain school moneys to certain school districts in San Mateo County.

Also, on the same day, passed Senate Bill No. 136—An Act concerning roads in the Counties of Santa Barbara and San Luis Obispo.

Also, on the same day, passed Senate Bill No 211—An Act to amend an Act entitled an Act to promote agriculture, approved March twenty-sixth, eighteen hundred and sixty-six.

Also, on the same day, passed Assembly Bill No. 259—An Act to provide a fund for the erection of county buildings in the County of San Bernardino, and other matters relating thereto

Also, on the same day, passed Assembly Bill No. 257—An Act to provide for the appointment of a Notary Public to reside at Cloverdale, Sonoma County.

Also, on the same day, adopted Senate Concurrent Resolution No. 29—Relative to requesting the Governor to return Senate Bill No. 43, for correction of error in title.

Also, on the same day, concurred in Assembly Joint Resolution No. 22—Relative to authorizing the Secretary of State to destroy certain canceled claims, etc.

FERRAL, Secretary.

CONSIDERATION OF THE MESSAGE.

Senate Bills Nos. 211 and 131, above reported, read first and second times and referred to Committee on Agriculture.

Senate Bills Nos. 53 and 52, above reported, read first and second times, and referred to Judiciary Committee.

Senate Bill No. 65, above reported, read first and second times and referred to Committee on Public Morals.

The House concurred in Senate amendment to Assembly Bill No. 114, above reported.

Senate substitute for Assembly Bill No. 160, above reported, read first and second times and referred to delegation from Los Angeles and San Diego.

Senate Bill No. 151, above reported, read first and second times and referred to Santa Clara delegation.

Senate Bill No. 220, above reported, read first and second times and referred to delegations from Santa Cruz and San Mateo.

Senate Bill No. 136, above reported, read first and second times and referred to Santa Barbara delegation.

The House concurred in Senate Concurrent Resolution No. 29, and also in Senate amendment to Assembly Joint Resolution No. 22, above reported.

INTRODUCTION OF BILLS.

Bills were introduced as follows:

By Mr. Crane—An Act regulating location and sale of the sixteenth and thirty-sixth sections and lands in lieu thereof.

Read first and second times and referred to Committee on Public Lands.

By Mr. Schrack—An Act to pay certain indebtedness of Calaveras County.

Read first and second times, referred to Judiciary Committee, and ordered printed.

By Mr. Welty—An Act to amend an Act entitled an Act to provide for the assessment and collection of taxes in the County of Placer, approved March second, eighteen hundred and seventy.

Read first and second times and placed on file.

By Mr. Bradley—An Act to amend an Act entitled an Act to amend an Act entitled an Act for the better protection of game, passed May fifteenth, eighteen hundred and fifty-four, approved April fourth, eighteen hundred and seventy

Read first and second times and referred to the Committee on Agriculture.

By Mr. Days—An Act to provide a fund for the liquidation of the debts of this State and counties of this State, and for the better support of the public school system of this State.

Read first and second times and referred to the Committee on Ways and Means.

By Mr. Ward—An Act to authorize the Board of Supervisors of Tehama County to levy a special tax for school purposes in the school district of Red Bluff, in Tehama County.

Read first and second times, and referred to the Committee on Education.

By Mr. Munday—An Act authorizing the constructing and maintaining of a bridge across Petaluma Creek, in the City of Petaluma.

Read first and second times and referred to the Sonoma delegation.

By Mr. Splivalo—An Act to authorize and regulate the issue of licenses to pawnbrokers, junk dealers, and dealers in second-hand clothing, wares, and merchandise, in the City and County of San Francisco.

Read first and second times and referred to the Judiciary Committee.

GENERAL FILE.

Senate Bill No. 137—An Act to prevent the destruction of forests by fire on public lands.

Read a third time and passed.

Senate Bill No. 208—An Act entitled an Act to authorize the Board of Trustees of the City of Sonora to establish a Fire Department Fund, and for other purposes.

Read a third time and passed.

Assembly Bills Nos. 163, 238, 295, and 256, were severally passed on file.

Assembly Bill No. 271—An Act to provide for the payment of certain fees in Butte County.

Ordered engrossed.

SPECIAL ORDERS.

The hour for the consideration of the special orders for the day having arrived, the same, on motion of Mr. Wilcox, were deferred until conclusion of the General File.

GENERAL FILE RESUMED.

Assembly Bill No. 282—An Act to allow certain persons therein named, and their associates and assigns, to take possession of and improve a certain road in the County of Sacramento.

Amendments adopted and ordered engrosed.

Assembly Bill No. 304—An Act amendatory of an Act entitled an Act to amend an Act to provide revenue for the support of the government of this State, approved May seventeenth, eighteen hundred and sixty-one, approved February twenty-ninth, eighteen hundred and sixty-eight.

Amended and laid temporarily on the table, on motion of Mr. Wilcox.

REPORT.

The rules were suspended and the following report was made:

By Mr. Goodall:

Mr. SPEAKER: The Committee on Commerce and Navigation, to whom was referred Assembly Bill No. 105—An Act to regulate wharfage and dockage, and abolish tolls in the Harbor of San Francisco—herewith report the same back with a substitute, and respectfully recommend that the bill and substitute be referred to the San Francisco delegation.

GOODALL, Chairman.

Reference was made as recommended.

MESSAGE FROM THE GOVERNOR.

The following message was received from the Governor:

STATE OF CALIFORNIA, EXECUTIVE DEPARTMENT,
Sacramento, February 7th, 1872.

To the Assembly of the State of California:

I herewith transmit to your honorable body the Annual Report of the Regents of the State University.

NEWTON BOOTH, Governor.

CONSIDERATION OF THE MESSAGE.

In relation to the report transmitted in the foregoing message, the House adopted the following resolution, offered by Mr. Gray:

Resloved, That the usual number of copies of the Report of the Regents of the State University be printed.

SPECIAL ORDERS.

The General File being exhausted, the House took up the special orders for the day, and first considered Assembly Bill No. 188—An Act to provide for listing and assessing all solvent debts and to repeal an Act entitled an Act to prevent double taxation, approved April first, eighteen hundred and seventy, and an Act entitled an Act to relieve owners of encumbered real estate from double taxation, approved April fourth, eighteen hundred and seventy.

Wr. Wheaton offered the following amendment:

Amend section one by adding thereto the words following:

"Provided, that debts owing by the person assessed, shall be deducted from the amount of debts due him."

On its adoption, the ayes and noes were demanded by Messrs. Berry Sensabaugh, and Day, and it was lost by the following vote:

AYES—Messrs. Aldrich, Baird, Bell, Bockius, Caldwell, Coleman, Cooper, Dannals, Eagan, Ellis, Franck, Galloway, Gibson, Goodall, Gray, Harvey, James, Jost, Lofton, Meeker, Mott of Sacramento, McCullough, Russ, Sargent of Santa Clara, Sargent of San Joaquin, Seibe, Spencer, Splivalo, Tinnin, Wheaton, Woodward, Wright, and Mr. Speaker—32.

NOES—Messrs. Andrews, Bacon, Barker, Barklage, Barnes, Bayley, Berry, Bradley, Brown, Center, Chalmers, Crane, Days, De Haven, Edgar, Everett, Freeman, French, Hayes, Henshaw, Hopper, Johnston, Lee, Little, Long, Munday, Pardee, Rector, Sammons, Schrack, Sensabaugh, Slaughter, Stillwagon, Turner, Walker, Ward, Welty, Whiting, and Whitney—39.

The bill was then ordered to engrossment.

Mr Crane moved, at one o'clock and thirty minutes P. M., to take a recess for half an hour.

Lost.

Assembly Bill No 8—An Act to repeal an Act to prevent double taxation; also, to repeal an Act entitled an Act to relieve owners of encumbered real estate from taxation.

Ordered engrossed.

Assembly Bill No. 23—An Act amendatory of an Act entitled an Act to prevent double taxation.

Ordered to lie on the table temporarily.

MESSAGE FROM THE SENATE.

The following message was received from the Senate:

SENATE CHAMBER,
February 7th, 1872.

Mr. SPEAKER: I am directed to inform the Assembly that the Senate on this day passed, under suspension of the rules, Senate Bill No. 221—An Act to establish a Penal Code—and ordered the same transmitted immediately to the Assembly.

FERRAL, Secretary.

CONSIDERATION OF THE MESSAGE.

Senate Bill No. 221, above reported, read first and second times and placed on file.

On motion of Mr. Berry, at one o'clock and fifty-five minutes, the House adjourned.

T. B. SHANNON, Speaker.

M. D. BORUCK, Chief Clerk.

IN ASSEMBLY.

HOUSE OF ASSEMBLY,
Thursday, February 8th, 1872.

House met pursuant to adjournment.
Speaker in the chair.
Roll called.
Quorum present.
Prayer by the Chaplain.
Journal of yesterday read and approved.

LEAVE OF ABSENCE.

Leave of absence for one day each was granted to Messrs. Walker and Burckhalter.

PETITIONS.

Petitions were presented as follows:

By Mr. Rector—From citizens at large for a law to restrict the sale of intoxicating drinks.

Referred to Committee on Public Morals.

By Mr. Munday—From taxpayers and citizens in Sonoma County in favor of an extension of time for the construction of a railroad between

Petaluma and Bloomfield until June third, eighteen hundred and seventy-two.

Referred to Sonoma delegation.

REPORTS OF STANDING COMMITTEES.

Reports were made from standing committees as follows:

By Mr. Barnes:

Mr. SPEAKER: The Committee on Engrossment beg leave to report that they have examined and find correctly engrossed Assembly Bill No. 268—An Act to authorize the Central Pacific Railroad Company to construct and maintain, until the first day of November, eighteen hundred and seventy-two, a temporary bridge, without a draw, across the Sacramento River at the place where the California and Oregon branch of the railroad of said company crosses said river near the Town of Tehama, in the County of Tehama.

Also, Assembly Bill No. 200—An Act defining the duties of the State Board of Equalization and other revenue officers.

BARNES, Chairman.

By Mr. Harvey:

Mr. SPEAKER: The Committee on Swamp and Overflowed Lands, to whom was referred Assembly Bill No. 385—An Act to provide for funding the indebtedness of the reclamation and levee districts of the State—have had the same under consideration, report the same with amendments, and recommend its passage as amended.

HARVEY, Chairman.

By Mr. Mott of Sacramento:

Mr. SPEAKER: The Committee on Claims having had under consideration Assembly Bill No. 165—An Act for the relief of John Jackson, Sheriff and ex officio Tax Collector of Trinity County—beg leave to report it back without recommendation.

Also, report back Assembly Bill No. 225—An Act for the relief of Chino Reynolds, and recommend that it do not pass.

MOTT, Chairman.

By Mr. Spencer:

Mr. SPEAKER: The Committee on Judiciary having considered Assembly Bill No. 216—An Act for the relief of Anna Virginia Wakeman—report it back with amendment and recommend its passage as amended.

Also, Assembly Bill No. 91—An Act to provide for the organization of the Legislature of this State at its regular sessions—report it back, and recommend its passage as amended by the Assembly and also as amended by the committee.

Also, Assembly Bill No. 303—An Act to authorize the City of Vallejo to borrow money—report it back and recommend its passage.

SPENCER, Chairman.

By Mr. Eagan:

Mr. SPEAKER: The Committee on Agriculture herewith report Senate Bill No. 27—An Act to prevent the destruction of mocking birds and linnets—with a substitute, and recommend the passage of the substitute.

EAGAN, Chairman.

REPORTS OF SELECT COMMITTEES.

Reports from select committees were made as follows:

By Mr. Lee:

Mr. SPEAKER Your committee to whom was referred Senate Bill No. 194—An Act to provide for the location, construction, and maintenance of public roads and highways in the County of Placer—have had the same under consideration and respectfully recommend its passage.

LEE, for Delegation.

By Mr. Cooper.

Mr. SPEAKER. The San Luis Obispo and Santa Barbara delegation, having had under consideration Senate Bill No 107—An Act to reincorporate the Town of San Luis Obispo—report it back and recommend its passage.

COOPER, for Delegation.

By Mr. Munday:

Mr. SPEAKER: The Sonoma delegation, to whom was referred Assembly Bill No. 273—An Act supplemental to an Act entitled an Act to authorize the County of Sonoma to donate bonds to a railroad company, and to provide for the payment of the same, approved March eighteenth, eighteen hundred and sixty-eight—beg leave to report the same back and recommend its passage.

MUNDAY, for Delegation.

The rules were suspended and the bills above reported taken up, rules again suspended, bill considered engrossed, read a third time and passed.

By Mr. Dannals:

Mr. SPEAKER: The Los Angeles and San Diego delegation, to whom was referred Senate substitute for Assembly Bill No. 160, have had the same under consideration, report it back to the House and recommend that it do pass.

DANNALS, for Delegation.

The rules were suspended and the bill above reported taken up, the substitute recommended adopted, read a third time and passed.

By Mr. Wheaton:

Mr. SPEAKER: The San Francisco delegation, to whom was referred Assembly Bill No 105—An Act to regulate wharfage and dockage, and

to abolish tolls in the Harbor of San Francisco, together with a substitute for the same proposed by the Committee on Commerce and Navigation—herewith report the substitute to the House, with the request that it be printed, and the bill returned to the delegation for further consideration.

WHEATON, Chairman.

The printing above recommended was ordered.

Also, by the same:

Mr. SPEAKER. The San Francisco delegation have had under consideration Senate substitute for Assembly Bill No 1—An Act supplemental to and amendatory of an Act entitled an Act to make, open, and establish a public street in the City and County of San Francisco, to be called Montgomery Avenue, and to take private lands therefor, approved March twenty-ninth, eighteen hundred and seventy—and report the same back with amendments, and recommend the passage of said substitute as amended; also, return the original Bill No. 1.

WHEATON, Chairman.

Also, by the same:

Mr. SPEAKER: The San Francisco delegation herewith report to the House Assembly Bill No. 262—An Act supplementary to an Act entitled an Act providing for an Attorney and Counselor in and for the City and County of San Francisco—and recommend its passage.

Also, Senate Bill No. 41—An Act for the relief of James M. Kane—and recommend its passage.

Also, Assembly Bill 244—An Act for the relief of James R. Travers—and recommend its passage.

WHEATON, Chairman.

By Mr. Spencer:

Mr. SPEAKER: The Santa Clara delegation, to whom was referred Senate Bill No. 151—An Act to require the Probate Court of the County of Santa Clara to rectify an alleged error in the matter of the estate of James Donahue—report the same back and recommend its passage.

SPENCER, for Delegation.

The rules were suspended and the bill above reported read a third time and passed.

By Mr. Wright:

Mr. SPEAKER: The Solano delegation, to whom was referred Assembly Bill No. 135—An Act to amend an Act entitled an Act to regulate fees of office and salaries of certain officers, and to repeal certain other Acts in relation thereto—with special instructions to amend the same, report the same back amended, as per instructions.

WRIGHT, for Delegation.

By Mr. Ward:

Mr. SPEAKER: The Colusa delegation, to whom was referred Senate Bill No. 143, have had the same under consideration, and beg leave to report it back and recommend its passage.

WARD, for Delegation.

The rules were suspended and the bill above reported taken up, read a third time and passed.

By Mr. Munday:

Mr. SPEAKER: The Sonoma delegation, to whom was referred Assembly Bill No. 290—An Act to empower and authorize the Commissioners of the former Pueblo of Sonoma to sell and convey a portion of the lands known as the Pueblo of Sonoma—beg leave to report the same back with amendments and recommend its passage.

MUNDAY, for Delegation.

The rules were suspended and the bill above reported considered, rules again suspended, read a third time and passed.

Mr. Splivalo made a report from a minority of the San Francisco delegation on Assembly Bill No. 105, above reported.

Ordered on file with bill.

EXCURSION TO TRUCKEE.

The rules were suspended and the following resolution offered by Mr. Gray:

Resolved, That when this House adjourns to-day it adjourns to meet on Monday, February twelfth, at half-past two o'clock P. M.

Mr. Shannon (Mr. Days in the chair) moved to amend the resolution by substituting the words "Saturday, February tenth, at twelve o'clock M.," for "Monday, at half-past two o'clock P. M."

On adopting the amendment, the ayes and noes were demanded by Messrs. Luttrell, Berry, and Barker, and the amendment was adopted by the following vote:

AYES—Messrs. Bacon, Bockius, Brown, Caldwell, Center, Chalmers, Connolly, Cooper, Crane, Dannals, Days, De Haven, Edgar, Ellis, Franck, Galloway, Gibson, Goodall, Gray, Harvey, Hayes, Hopper, Johnston, Jost, Lee, Lofton, Long, Meeker, Mott of Los Angeles, Mott of Sacramento, McCullough, Pardee, Reed, Russ, Sammons, Sargent of Santa Clara, Schrack, Spencer, Stillwagon, Tinnin, Turner, Welty, Whiting, Wilcox, Woodward, Wright, and Mr. Speaker—47.

NOES—Messrs. Aldrich, Andrews, Baird, Barker, Barklage, Barnes, Bayley, Bell, Berry, Bradley, Coleman, Everett, Freeman, French, Henshaw, James, Little, Luttrell, Mathers, Munday, Rector, Rice, Sargent of San Joaquin, Seibe, Slaughter, Splivalo, Walker, Wheaton, and Whitney—29.

On adopting the resolution as amended, the ayes and noes were again

demanded by Messrs. Berry, Andrews, and Eagan, and the House agreed by the following vote:

AYES—Messrs. Bacon, Bockius, Brown, Caldwell, Connolly, Cooper, Crane, Dannals, De Haven, Edgar, Ellis, Franck, French, Galloway, Gibson, Goodall, Gray, Harvey, Hopper, Johnston, Jost, Lofton, Meeker, Mott of Los Angeles, Mott of Sacramento, McCullough, Pardee, Rector, Reed, Rice, Russ, Sammons, Sargent of Santa Clara, Schrack, Spencer, Stillwagon, Tinnin, Turner, Welty, Whiting, Wilcox, Wright, and Mr. Speaker—43.

NOES—Messrs. Aldrich, Andrews, Barker, Barklage, Barnes, Bayley, Bell, Berry, Bradley, Center, Chalmers, Coleman, Days, Everett, Freeman, Hays, Henshaw, James, Lee, Little, Long, Luttrell, Mathers, Munday, Sargent of San Joaquin, Seibe, Slaughter, Splivalo, Ward, Wheaton, Whitney, and Woodward—34.

SPECIAL ORDER POSTPONED

On motion of Mr. Luttrell, Assembly Bill No. 84—An Act to take preliminary steps for calling a Convention to amend, remodel, or propose a new Constitution for the State of California—the special order for the day, was postponed until Thursday, February fifteenth, at twelve o'clock M.

SPECIAL ORDER

The rules were suspended, on motion of Mr. Hayes, and the following resolution adopted:

Resolved, That Assembly Bill No. 64 be made the special order for Wednesday, February fourteenth, at twelve o'clock M.

LEAVE OF ABSENCE.

The Committee on Public Buildings and Grounds were granted leave of absence until Monday next.

REPORT

Mr. Luttrell obtained leave to make the following report.

Mr. SPEAKER. The Committee on Rules and Regulations, to whom was referred Assembly Resolution—Relative to the appointment of an Assistant Enrolling Clerk—report that they find no necessity for such appointment, as the work of the office does not at this time require an assistant.

LUTTRELL, Chairman.

NOTICE.

The rules were suspended, and Mr. Cooper gave notice of an amendment to Rule Seventy of the Standing Rules of the Assembly.

COMMITTEE CLERK.

Mr. Turner offered a resolution, the rules being suspended, providing

for the appointment of a clerk to the Committees on Public Lands, Elections, and Counties and County Boundaries jointly.

Referred to the Committee on Rules and Regulations.

INTRODUCTION OF BILLS.

Bills were introduced as follows:

By Mr. Wheaton—An Act in relation to the Board of Education of the City and County of San Francisco.

Read first and second times, referred to the San Francisco delegation, and ordered printed.

By Mr. Pardee—An Act for the relief of Henry N. Morse, Sheriff of Alameda County.

Read first and second times and referred to the Committee on Claims.

By Mr. Johnston—An Act to amend an Act approved March twelfth, eighteen hundred and sixty-eight, entitled an Act to provide for the drainage of the City of Sacramento and of the lands of Swamp Land District Number Two.

Read first and second times and referred to the Sacramento delegation.

By Mr. Jost—An Act to repeal an Act entitled an Act to authorize the Controller of State to issue duplicate warrants, approved January twenty sixth, eighteen hundred and seventy-two.

Read first and second times and referred to the Committee on Claims.

By Mr Little—An Act concerning elections in this State

Read first and second times and referred to the Judiciary Committee.

By Mr. Sargent of San Joaquin—An Act amendatory of and supplemental to an Act entitled an Act to encourage the destruction of squirrels and gophers in certain counties in this State, and to provide a bounty therefor.

Read first and second times and referred to San Joaquin delegation.

By Mr. Franck—An Act to fix the compensation of the Board of Supervisors of the County of Santa Clara.

Read first and second times and referred to Santa Clara delegation.

By Mr. Splivalo—An Act to quiet the titles of lands purchased from the State.

Read first and second times and referred to Judiciary Committee,

By Mr. Turner—An Act to regulate the taxation of land and other property in this State.

Read first and second times and referred to Judiciary Committee.

By Mr. Eagan—A concurrent resolution relative to the adoption of a proposed amendment to the Constitution of the State of California.

Read first and second times and referred to Judiciary Committee.

GENERAL FILE.

Assembly Bill No. 234—An Act to amend an Act entitled an Act to regulate the interest of money, approved March thirteenth, eighteen hundred and fifty, amended April fourth, eighteen hundred and seventy.

Read a third time and passed.

Assembly Bill No. 229—An Act to fix the bonds of the Sheriff of the County of Contra Costa.

Read a third time and passed.

Senate Bill No. 221—An Act to establish a Penal Code.

Read a third time and passed.

Assembly Bills Nos. 202, 238, and 298 were severally passed on file.

Assembly Bill No. 241—An Act to amend an Act entitled an Act to regulate proceedings in civil cases in the Courts of justice of this State, passed April twenty-ninth, eighteen hundred and fifty-one.

Amendments reported from Judiciary Committee adopted, and bill read a third time and passed

Assembly Bill No. 163—An Act to provide for the appointment of Reporters of the Supreme Court, defining their duties and compensation, and for the publication and distribution of the decisions of the Supreme Court.

Mr. Luttrell offered a substitute for the bill, which was ordered printed, and then returned to the file, on motion of Mr. Hopper.

Assembly Bill No. 256—An Act to amend an Act entitled an Act to regulate proceedings in criminal cases, passed May first, eighteen hundred and fifty-one.

Taken from the file and re-referred to Judiciary Committee.

Assembly Concurrent Resolution No. 13—Relative to instructing our Senators in Congress and requesting our Representatives to secure the passage of an Act to provide for a survey of unsurveyed mountain lands.

Ordered engrossed

Assembly Joint Resolution No. 20—Relative to fortifications in San Diego Harbor.

Rules suspended, bill considered engrossed, read a third time and passed.

Assembly Bill No. 289—An Act in relation to fence and pound districts in the County of Sonoma.

Rules suspended, bill considered engrossed, read a third time and passed

Assembly Bill No. 320—An Act to authorize the corporate authorities of the Town of Santa Clara to take and hold in trust and convey certain lands

Rules suspended, bill considered engrossed, read a third time and passed.

Assembly Bill No. 321—An Act to reincorporate the Town of Santa Clara.

Rules suspended, bill considered engrossed, read a third time and passed.

Assembly Bill No. 327—An Act to amend an Act entitled an Act to provide for the assessment and collection of taxes in the County of Placer, approved March second, eighteen hundred and seventy.

Rules suspended, bill considered engrossed, read a third time and passed.

On motion of Mr. Goodall, at one o'clock and forty minutes P. M., the House adjourned.

T. B. SHANNON,
Speaker.

M. D. BORUCK, Chief Clerk.

IN ASSEMBLY.

HOUSE OF ASSEMBLY,
Saturday, February 10th, 1872.

House met pursuant to adjournment.
Speaker in the chair.
Roll called.
Quorum present.
The Chaplain being absent the session commenced without the usual prefatory prayer.
The Journal of Thursday was read, and being amended so as to read "that the Committee on Public Grounds and Buildings were allowed indefinite leave of absence from Monday, February twelfth," instead of until that day, was approved.

LEAVE OF ABSENCE.

Leave of absence was granted to the Chaplain for three days, for one day each, to Messrs. Bacon, Lofton, Wilcox, Wheaton, Aldrich, Bell, Turner, and Chalmers; and to Mr. Henshaw indefinitely, on account of sickness in his family.

QUESTION OF PRIVILEGE.

Mr. Tinnin rose to a question of privilege, to correct an erroneous statement of his remarks on Assembly Bill No. 268, when under consideration, and had leave to introduce the following communication:

SACRAMENTO, February 7th, 1872.

Hon. H. J. TINNIN, *Assembly Chamber.*

DEAR SIR. In the *Sacramento Record* of the sixth instant, in the debate upon the question of authorizing the Central Pacific Railroad Company to construct a temporary bridge at Tehama, you are reported as saying with reference to that company.

"I need only refer for illustration to matters connected with this very same company. I refer back to the time when they asked the State of California for one hundred and ten thousand dollars, with a proviso or promise attached to the bill that they should haul the granite and gravel to this place free of charge. I ask you how did they fulfill that agreement? They obtained the money appropriated by the Legislature, and when the next Legislature assembled these smooth, oily-tongued railroad members of the lobby induced members to believe that it was not necessary to haul Folsom granite down here to build the Capitol, but that the building could be as well or better constructed of brick or any other substance, so it would not entail on the railroad company the trouble and expense of hauling the granite. And what was the result? This building had to be built of a different material from that originally intended."

Whatever may have been the sins of omission or commission on the part of the Central Pacific Railroad Company in other respects, the

above quotation from your speech, if correctly reported, does them a great injustice. The change in the building materials used in the outer walls of the State Capitol was made by the Board of State Capitol Commissioners during the administration of Governor Low, and so far from having been suggested or favored by the railroad company, the change was strenuously opposed by Governor Stanford, the President of the Company, by Mr Hopkins, the Treasurer, and by Charles Crocker, the General Superintendent.

The stone for the first five courses of granite laid in the walls of the Capitol was brought from Folsom, over the Sacramento Valley Railroad, and the State paid regular prices for its transportation, as that road was not then owned by the Central Pacific Company. The working of the hard Folsom granite was tedious and expensive, and the Capitol Commissioners, after testing the quality of the Rocklin stone, determined to complete the walls of the basement story with granite from that quarry. The Central Pacific Railroad Company was greatly in favor of this change, and agreed to convey to the State the half section of land on which the Rocklin quarry was opened, and to transport the stone to Sacramento free of cost to the State. This agreement was fully carried out on the part of the railroad company, and they even exceeded its limits by spending a large amount of money in grading and laying tracks at the quarry, and also on Sixth street, in Sacramento, for the more convenient handling of the stone after it reached the city Before the basement walls of the Capitol were completed, it was plainly evident to the Commissioners that the entire building could not be constructed of the finely dressed granite called for in the specifications, without delaying the work for many years, and entailing a vast amount of expenditure which could be saved to the State by substituting brick and iron for the remainder of the structure. The attention of the Commissioners was particularly directed to the difficulties which would be found in attempting to cut out of granite the delicate tracery of the Ionic columns which were shown in the design. It was represented to them by architects of ability that the fine foliated groupings of the Ionic capitals have never but once in the history of the world been cut in granite, and that the services of the most skillful workmen of the age would be necessary to carry out the full details of the original design, if granite were to be employed throughout Considerations such as these induced the Commissioners to substitute brick and iron for the upper stories of the Capitol building The officers of the Central Pacific Railroad Company were opposed to the change, and offered additional facilities to the Commissioners if they would still adhere to the original design and complete the building in granite. Mr. Crocker informed them that he would lay a track along Tenth street to connect the main line of the railroad with the Capitol grounds, and the Chief Engineer of the road, Mr. Montague, made a survey of the connecting route in order to bring a track from the railroad grade down to the level of Tenth street, so that the expense of hauling the granite by teams through the streets could be saved to the State.

As officers of the State, and occupying the position of Capitol Commissioners at the time this radical change in the construction of a public edifice was made, we feel that this explanation as to the causes which led to the change should be laid before the people, and we would ask

of you the favor that this communication be submitted to the honorable body of which you are a member.

Very respectfully, your obedient servants,

B. B REDDING,
EDGAR MILLS,
R. PACHECO,
A. REDINGTON.

PETITION.

The following petition was presented.

By Mr. Eagan—From citizens of Yuba County, adverse to the passage of a "No-Fence Law," so far as regards said county

Referred to Committee on Agriculture.

REPORTS OF STANDING COMMITTEES.

Reports from standing committees were made as follows:

By Mr. Days:

Mr. SPEAKER: The Committee on Public Lands, to whom was referred Senate Bill No 74—An Act to legalize certain payments of money on account of the purchase of State school lands—have had the same under consideration, report it back with amendment, and recommend its passage as amended. The committee is of the opinion that the provision in the land laws requiring the payment of purchase money in the proper county, intended the money to be paid into the Treasury of the county where the land is situate, for the purpose of giving the residents of that county an opportunity of ascertaining whether lands were taken up or not, without putting them to the expense of employing a lawyer or traveling to the State Capitol to gain the information, and we hold it to be highly censurable in any State officer to decide "the law allowed the payment of purchase money in any county."

If it is true that the law is ambiguous, such a decision only tends to encourage not only speculation in lands, but speculation in the necessities of the poor settler, and hands him over to the tender mercies of greedy cormorants who have no respect for human, natural, or divine rights.

DAYS, Chairman.

By Mr. Meeker, from the Committee of Ways and Means.

Mr. SPEAKER: Your committee having had under consideration Senate Bill No. 121—An Act to amend an Act entitled an Act to regulate fees of office and salaries of certain officers, and certain other Acts in relation thereto—beg leave to report the same back with the recommendation that it be referred to the Placer delegation, as the amendment involves Placer County alone

Your committee also beg leave to report back Assembly Bill No. 280—An Act to provide for cemeteries in the County of Tehama—without recommendation, as its author desires to withdraw the bill.

Your committee having also had under consideration substitute for Senate Bill No. 48—An Act prescribing certain duties to be performed

by the State Controller, State Treasurer, and the State Board of Examiners—beg leave to report the same back and recommend its passage

Your committee having also had under consideration Assembly Bill No. 233—An Act to provide for the payment of certain claims in the Yosemite Valley—beg leave to report the same back with a substitute, and recommend the passage of the substitute.

Your committee having also had under consideration Assembly Bill No. 281—An Act concerning the percentage upon delinquent taxes on real property in the City and County of San Francisco—beg leave to report the same back with a substitute, and recommend the passage of the substitute

MEEKER, acting Chairman.

By Mr. Mott of Sacramento:

Mr SPEAKER: The Committee on Claims, to whom was referred Senate Bill No. 163—An Act for the relief of S. R. J. Sturgeon, late District Attorney of Santa Barbara County—beg leave to report it back and recommend its passage.

MOTT, Chairman.

By Mr Meeker:

Mr SPEAKER: The Committee on Federal Relations, to whom was referred Assembly Joint Resolution No. 13—In relation to instructing our Senators and requesting our Representatives in Congress to urge upon the Congress of the United States such legislation as will authorize the collection of foreign miners' license upon foreign miners inelegible to citizenship—report by a majority that in their opinion legislation upon the subject would not lead to any useful or practical result, for the following reasons among others that might be adduced:

The circumstances existing, and under which these resolutions are offered, lead to the belief that they will, if carried out to the extent proposed, affect more particularly the subjects of China than the people of any other nationality. But supposing no distinction with respect to the people of any nationality is intended, the treaties of the United States with foreign nations in general have express provisions that the subjects or people of those nations "shall enjoy the same privileges, immunities, and exemptions, in respect to travel or residence, as may there be enjoyed by the citizens or subjects of the most favored nations," and this provision is found in Article IV of the Treaty of the United States with China (Burlingame Treaty). Consequently the adoption of the resolutions proposed would, in order to be made effectual, require a modification of the treaty with China, and possibly the same with regard to the treaties of the United States with other foreign nations.

The majority of the committee submit the following resolution, and recommend its adoption as a substitute for Assembly Joint Resolution No. 13:

Resolved, That legislation upon this subject would not, with any reasonable probability, secure any useful or practical result

MEEKER, Chairman

RESOLUTIONS

The rules were suspended and the following resolutions offered:

By Mr. Gray:

Resolved, That when this House adjourns to-day it adjourns to meet at half-past two o'clock P. M. on Monday, twelfth instant.

Adopted.
By Mr. Goodall:

Resolved by the Assembly, That his Excellency, the Governor, be requested to return to this House Assembly Bill No. 49—An Act to facilitate telegraphic communication between America and Asia—for the purpose of correcting a clerical error.

Adopted.

REPORTS OF SELECT COMMITTEES.

Reports from select committees were made as follows:

By Mr. Days:

Mr. SPEAKER: Your committee appointed for the purpose of drafting bills redistricting the State into Congressional, Senatorial, and Assembly Districts, beg leave to report that after careful consideration and much figuring, and the impossibility to do exact justice to all, we have done what in our opinion is the nearest approximation to equal right, in accordance with the restriction of the Constitution and the varying population of the different counties of the State, and have drawn up the following bills and recommend their passage:

An Act to divide the State into Congressional Districts.

And an Act to define the Senatorial and Assembly Districts of this State, and to apportion the representation thereof.

DAYS, Chairman.

The rules were suspended, and Mr. Days had leave to introduce the following bills, embodying the views of the reporting committee:

An Act to divide the State into Congressional districts.

Also, an Act to define the Senatorial and Assembly districts of this State, and to apportion the representation thereof.

Severally read first and second times, ordered placed on file and printed, and made the special order for Thursday, February fifteenth, at two o'clock P. M.

By Mr. Everett, (by request of Mr. Cooper, who was absent).

Mr. SPEAKER: The Santa Barbara and San Luis Obispo delegation, to whom was referred Senate Bill No. 136—An Act concerning roads in the Counties of Santa Barbara and San Luis Obispo—beg leave to report the same back and recommend its passage.

COOPER, for Delegation.

By Mr. Sargent of San Joaquin.

Mr. SPEAKER: The San Joaquin delegation, to whom Assembly Bill No.

338 was referred, have had the same under consideration, and report the same back and recommend its passage.

SARGENT,
WOODWARD,
San Joaquin Delegation.

By Mr. Luttrell:

Mr. SPEAKER: The Committee on Rules and Regulations, to whom was referred Assembly Resolutions hereto attached, marked A and B, report the same back with a substitute and recommend the passage of the substitute.

Also, Resolution authorizing the Committee on Claims to appoint a clerk, report the same with a recommendation that it do pass.

LUTTRELL, Chairman.

In accordance with the foregoing recommendation, the following resolution was adopted:

Resolved, That the Committee on Claims be allowed a clerk, at the usual per diem of clerks for committees, to take effect Monday, February fifth.

Also, the following:

Resolved, That the Committee on Public Lands, Swamp and Overflowed Lands, Counties and County Boundaries, and Public Expenditures and Accounts, be and they are hereby authorized to employ S. F. Seabury as clerk, for the term of twenty days, at the usual per diem allowed committee clerks.

Adopted.

RESOLUTIONS.

The rules were suspended and the following resolutions were offered:

By Mr. Bradley—Authorizing the Committee on Engrossment to appoint M. Barnes and C. Boyle assistant clerks.

Referred to the Committee on Rules and Regulations.

By Mr. Dannals — An Assembly joint resolution in favor of having San Diego declared and made a port of entry under the laws of the United States.

Read first and second times and placed on file.

LEAVE OF ABSENCE.

Leave of absence was granted to Mr. Sensabaugh for three days, and indefinitely to the Committee on State Hospitals.

MESSAGE FROM THE SENATE.

The following message was received from the Senate:

SENATE CHAMBER,
February 10th, 1872.

Mr. SPEAKER: I am directed to inform your honorable body that the Senate, on the sixth day of February, eighteen hundred and seventy-two, passed Senate Bill No. 10—An Act to legalize, ratify, and confirm deeds of conveyance and grants of land made by the municipal authorities of the City of San Diego.

Also, on the same day, passed Senate Bill No. 193—An Act to regulate the terms of the County Court and Probate Court of the several counties of this State.

Also, on the same day, passed Senate Bill No. 67—An Act to amend an Act to provide five competitive scholarships for the benefit of meritorious young men desirous of entering the State University.

Also, on the eighth instant, passed Assembly Bill No. 242—An Act authorizing the Trustees of Santa Barbara school districts, of the County of Santa Barbara, of this State, to issue bonds of the said districts for the sum of six thousand dollars.

Also, on the same day, passed Assembly Bill No. 15—An Act in relation to sales and conveyances made by the Garden Land Homestead Association.

Also, on the same day, passed Assembly Bill No. 209—An Act to legalize, ratify, and confirm certain acts of the Mayor and Common Council of the City of Los Angeles.

Also, on the same day, passed Assembly Bill No. 149—An Act to regulate proceedings in civil cases in the Justices' Courts of the City and County of San Francisco.

Also, on the same day, passed Assembly Bill No. 74—An Act to amend an Act entitled an Act to provide for the official valuation of life insurance policies, approved April fourth, eighteen hundred and seventy.

Also, on the same day, passed Assembly Bill No. 150—An Act to amend an Act entitled an Act to regulate fees in the City and County of San Francisco, approved February ninth, eighteen hundred and sixty-six.

Also, on the same day, amended and passed Assembly Bill No. 184—An Act to provide for the opening and improvement of Santa Clara Avenue, in the County of Santa Clara.

Also, on the same day, amended and passed Assembly Bill No. 155—An Act to amend the charter of the City of Los Angeles.

FERRAL, Secretary.

CONSIDERATION OF SENATE MESSAGE.

Senate Bill No. 10, above reported, read first and second times and referred to San Diego delegation.

Senate Bill No. 193, above reported, read first and second times and referred to Judiciary Committee.

Senate Bill No. 67, above reported, read first and second times and referred to Committee on Education.

The House concurred in Senate amendment to Assembly Bill No. 184, above reported, and also concurred in Senate amendment to substitute for Assembly Bill No. 155, above reported.

INTRODUCTION OF BILLS.

Bills were introduced as follows:

By Mr. Splivalo—An Act regulating the rights of property of married women.

Read first and second times and referred to the Judiciary Committee.

By Mr. Meeker—An Act for the correction of errors and omissions in the official proceedings relative to certain contracts for street work in the City and County of San Francisco.

Read first and second times and referred to San Francisco delegation, and ordered printed.

Also, an Act to provide funds to be applied to building a House of Correction in the City and County of San Francisco, and to authorize the construction of such House of Correction.

Read first and second times and referred to San Francisco delegation, and ordered printed

Also, an Act to establish a quarantine for the City and County of San Francisco.

Read first and second times and referred to San Francisco delegation, and ordered printed.

By Mr. Pardee—An Act amendatory of an Act entitled an Act concerning crimes and punishments.

Read first and second times and referred to Committee on Hospitals.

By Mr. Harvey—An Act to amend an Act entitled an Act to provide for the management and sale of lands belonging to the State, approved March twenty-eighth, eighteen hundred and sixty-eight.

Read first and second times and referred to Committee on Swamp and Overflowed Lands

By Mr French—An Act supplementary to the Act of April twenty-fifth, eighteen hundred and sixty-three, entitled an Act to incorporate the City of Sacramento.

Read first and second times and referred to Sacramento delegation.

By Mr. Rector—An Act to amend an Act entitled an Act to provide for the payment of warrants against the Hospital Fund of Klamath County, approved January nineteenth, eighteen hundred and seventy.

Read first and second times and placed on file

By Mr Ellis—An Act in relation to election proclamations and to punish election frauds.

Read first and second times and referred to Committee on Elections.

By Mr. Everett—An Act to remedy defects in certain county records.

Read first and second times and referred to Judiciary Committee.

By Mr. Burckhalter—An Act to submit the question of the removal of the county seat of Kern County to the qualified voters thereof.

Read first and second times and referred to the Committee on Counties and County Boundaries.

By Mr. Luttrell—An Act to amend an Act entitled an Act to provide for the maintenance of indigent sick in certain townships herein named in Siskiyou County, passed March twenty-fourth, eighteen hundred and seventy.

Read first and second times and referred to the Siskiyou delegation.

By Mr. Seibe—An Act to amend an Act amendatory of and supplemental to certain Acts therein named relating to the City and County of San Francisco.

Read first and second times and referred to the San Francisco delegation.

Also, an Act amendatory of an Act entitled an Act for the more effectual prevention of cruelty to animals, approved March thirtieth, eighteen hundred and sixty-eight.

Read first and second times and placed on file.

NOTICES.

Mr. Reed gave notice of the introduction of a bill for an Act to fund certain indebtedness due and owing by the County of Contra Costa.

Also, for an Act for the protection of hotel and tavern keepers.

RESOLUTIONS.

The rules were suspended and the following resolutions were offered:

Resolved, That Assembly Bills Nos. 7 and 9 be made the special order for Friday, the sixteenth of February, eighteen hundred and seventy-two, at one o'clock P. M

Adopted.

By Mr. Stillwagon:

Resolved, That the Committee on State Hospitals, during their investigation in San Francisco, be authorized to send for persons and papers.

Adopted.

GENERAL FILE.

Assembly Bill No. 202—An Act to amend an Act entitled an Act to regulate proceedings in civil cases in the Courts of justice of this State, passed April twenty-ninth, eighteen hundred and fifty-one, and Acts amendatory thereof and supplementary thereto.

Read a third time and passed.

Assembly Bill No. 107—An Act to reincorporate the Town of San Luis Obispo.

Read a third time and passed.

Senate Bill No. 41—An Act for the relief of James M. Kane.

Read a third time and passed.

An Act to amend an Act entitled an Act to regulate fees of office and salaries of certain officers, and to repeal certain other Acts in relation thereto, approved March fifth, eighteen hundred and seventy.

Amendments reported adopted, read a third time and passed.

On motion of Mr. Rector, at one o'clock and thirty minutes P. M., the House adjourned.

P. J. HOPPER,
Speaker pro tem.

M. D. BORUCK, Chief Clerk.

IN ASSEMBLY.

HOUSE OF ASSEMBLY,
Monday, February 12th, 1872.

House met pursuant to adjournment.
Speaker pro tem in the chair.
Roll called.
Quorum present.
Prayer by the Chaplain.
The Journal of Saturday was read and approved.

LEAVE OF ABSENCE.

Leave of absence was granted for one day each to Messrs. Bell and Goodall.

PETITIONS.

Petitions were offered as follows:

By Mr. Munday—From male and female residents in Sonoma County, in favor of granting the right of voting to women.
Referred to the special committee on the enfranchisement of women.
By Mr. Schrack—From citizens of Calaveras County, for the exemption of that county from the proposed new "No-Fence Law."
Referred to the Committee on Agriculture.
By Mr. Burckhalter—Four petitions from taxpayers in Kern County in favor of the removal of the county seat thereof, also, a remonstrance from other taxpapers and residents therein against such proposed removal.
Referred to the Committee on Counties and County Boundaries.
By Mr. Freeman—From citizens for the passage of a law restricting the sale of intoxicating drinks.
Referred to the Committee on Public Morals.

REPORTS OF STANDING COMMITTEES.

Reports were made from standing committees as follows:

By Mr. Barnes:

Mr. SPEAKER: The Committee on Engrossment beg leave to report that they have examined and find correctly engrossed Assembly Bill No. 101—An Act to provide for the location, construction, and maintenance of public roads in the County of Calaveras.
Also, Assembly Bill No. 17—An Act to create the Eighteenth Judicial District and for other purposes.
Also, Assembly Joint Resolution No. 17—Instructing our Senators and requesting our Representatives in Congress to urge the establishment of a tri-weekly mail from Cache Creek, in Yolo County, to Capay, in Yolo County.
Also, Assembly Bill No. 275—An Act authorizing the Secretary of

State to furnish the Counties of Alpine, Inyo, Kern, Lake, and Sutter, with certain volumes of the California Supreme Court Reports.

Also, Assembly Bill No 283—An Act concerning the payment of the fees and salaries of officers in the Counties of Yolo and Sutter.

Also, Assembly Bill No 19—An Act releasing all the tide and overflowed lands belonging to the State in and around Lake Merritt to the City of Oakland.

BARNES, Chairman.

By Mr. Edgar:

Mr SPEAKER: Your Committee on Roads and Highways, to whom was referred Assembly Bill No 307—An Act entitled an Act to provide for the establishment, maintenance, and protection of public roads in Napa County, approved March thirty-first, eighteen hundred and sixty-six, and an Act supplemental to and amendatory of said Act, approved January thirteenth, eighteen hundred and sixty-eight—have had the same under consideration, and beg leave to report the same back with the recommendation that it do pass.

EDGAR, Chairman.

By Mr. Hayes:

Mr. SPEAKER: Your Committee on Counties and County Boundaries, to whom was referred Assembly Bill No. 218—An Act to create the County of Ventura—have had the same under consideration, and report the same back and recommend its passage.

Also, Assembly Bill No 232—An Act to create the County of Donner—and recommend that it do not pass.

HAYES, Chairman

The rules were suspended, and Assembly Bill No. 218, above reported, was taken up, rules again suspended, considered engrossed, read a third time and passed.

By Mr. Berry:

From a minority of the Committee on Swamp and Overflowed Lands, adversely to the passage of Assembly Bill No. 305—An Act to provide for the funding of the indebtedness of the reclamation and levee districts of the State.

Ordered printed.

On the further motion of Mr. Berry, the rules were suspended, and the bill ordered to the top of the file for Monday, February nineteenth.

By Mr. Eagan:

Mr. SPEAKER: The Committee on Agriculture, to whom was referred Assembly Bill No. 287—An Act to prevent persons passing through inclosures and leaving them open, and tearing down fences to make passage through inclosures—have had said bill under consideration, and beg leave to report the same back with amendments, and recommend the passage of the bill as amended.

Also, Assembly Bill No 292—An Act to prevent the propagation of Canada thistle in the County of Humboldt—have had said bill under consideration, and beg leave to report the same back, recommending its passage.

Also, Assembly Bill No. 213—An Act to protect agriculture and to prevent the trespassing of animals upon private property.

Also, Assembly Bill No. 284—An Act to protect agriculture and to prevent the trespassing of animals upon private property—have had said bills under consideration, and beg leave to report the same back, with a substitute for both bills, recommending its passage.

Also, Assembly Bill No. 277—An Act to prevent hunting and shooting on private grounds—have had said bill under consideration, and beg leave to report the same back with amendments, recommending the passage of the bill as amended.

EAGAN, for Committee.

By Mr. Harvey:

Mr. SPEAKER: The Sacramento delegation, to whom was referred Assembly Bill No. 260—An Act to amend an Act entitled an Act to provide for a system of common schools, approved April fourth, eighteen hundred and seventy—have had the same under consideration, report it back and recommend its passage.

HARVEY, for Delegation.

By Mr. Luttrell:

Mr. SPEAKER. The Siskiyou, Shasta, and Trinity delegations, to whom was referred Assembly Concurrent Resolution—Relative to a daily mail from Shasta to Yreka—report that they have had the same under consideration, and report it back, with a substitute, and recommend the passage of the substitute.

LUTTRELL, for Delegation.

The rules were suspended and the resolution above reported was taken up, rules again suspended and substitute above reported adopted, considered engrossed, read a third time and passed.

By Mr. Andrews:

Mr. SPEAKER: The Shasta delegation, to whom was referred Assembly Bill No. 319—An Act to prevent hogs from running at large in the Town of Shasta—beg leave to report the same and recommend its passage.

ANDREWS, for Delegation.

The rules were suspended, and the bill above reported taken up, rules suspended, considered engrossed, read a third time and passed.

By Mr. Long.

Mr. SPEAKER: The Placer County delegation having had under consideration Senate Bill No. 121—An Act to amend an Act entitled an Act to regulate fees of office and salaries of certain officers, and to repeal certain other Acts in relation thereto, approved March fifth, eighteen hundred and seventy-two—respectfully beg leave to report the same back and recommend its passage.

LONG, for Delegation.

The rules were suspended, and the bill above reported taken up, read a third time and passed.

MESSAGE FROM THE GOVERNOR.

The following message was received from the Governor:

STATE OF CALIFORNIA, EXECUTIVE DEPARTMENT,
Sacramento, February 12th, 1872.

To the Assembly of the State of California:

In accordance with a resolution adopted by your honorable body on the eleventh instant, requesting return of Assembly Bill No. 49—An Act to facilitate telegraphic communication between America and Asia—for the purpose of correcting a clerical error, the same was returned (your honorable body not being in session) to George W. Dixon, Assistant Clerk of the Assembly.

NEWTON BOOTH, Governor.

MESSAGE FROM THE SENATE.

The following message was received from the Senate:

SENATE CHAMBER,
February 12th, 1872.

Mr. SPEAKER: I am directed to inform your honorable body that the Senate, on the eighth day of February, eighteen hundred and seventy-two, passed Senate Bill No. 225—An Act amendatory of an Act for the protection of game.

Also, on the same day, passed Senate Bill No. 174—An Act for the relief of Michael Conniff.

Also, on the twelfth instant, passed Assembly Bill No. 111—An Act to authorize the Board of Supervisors of Mendocino County to issue bonds of said county, and apply the same to construction of wagon roads in said county.

Also, on the same day, passed Assembly Bill No. 110—An Act to amend an Act entitled an Act concerning roads and highways in the County of Mendocino, approved March, eighteen hundred and sixty-eight, amended February, eighteen hundred and seventy.

Also, on the same day, adopted Senate Concurrent Resolution No. 31—Relative to correcting Senate Bill No. 43.

Also, on the seventh day of February, eighteen hundred and seventy-two, refused to recede from its amendments to Assembly Bill No. 53—An Act to distribute the revenue derived from the tax on dogs in Sonoma County—and the President has appointed on the part of the Senate, as a committee of conference, Messrs. Tuttle, Pendegast, and Comte.

FERRAL, Secretary.

CONSIDERATION OF SENATE MESSAGE.

Senate Bill No. 225, above reported, read first and second times and referred to Committee on Agriculture.

Senate Bill No. 174, above reported, read first and second times and referred to Committee on Claims.

The House concurred in Senate Concurent Resolution No. 31, above reported.

Assembly Bills Nos. 188 and 8 were, on motion, placed on the top of file for Monday next.

On motion of Mr. Andrews, Assembly Joint Resolution No. 13 was taken from the file and made the special order for to-morrow, at twelve o'clock M.

SUFFRAGE PETITIONS.

The rules were suspended and petitions were presented:

By Mr Days—From residents in Nevada County, in favor of the woman suffrage movement.

Also, by Mr. Danals—From residents in San Diego, of similar tenor to the foregoing.

Severally referred to Committee on enfranchisement of women.

INTRODUCTION OF BILLS.

Bills were introduced as follows:

By Mr. Dannals—An Act to establish pilot regulations for the Port of San Diego.

Read first and second times and referred to Committee on Commerce and Navigation.

By Mr. Luttrell—An Act to regulate fees of office in the County of Siskiyou.

Read first and second times and referred to Siskiyou delegation.

By Mr. Connolly—An Act to appropriate money for the payment of certain equitable claims against the State.

Read first and second times and referred to Committee on Claims.

By Mr. Aldrich—An Act to extend the time allowed to the Southern Pacific Railroad Company and the Western Pacific Railroad Company in which to make the terminus of their roads upon certain lands donated to them by the State for that purpose in the City and County of San Francisco, approved April second, eighteen hundred and seventy.

Read first and second times and referred to Committee on Corporations.

By Mr. Coleman—An Act to submit to the qualified electors of Alpine County the question of relocating the county seat of such county.

Read first and second times and referred to Alpine and Amador delegations.

By Mr. Spencer—An Act to provide for the construction and protection of the Alameda road.

Read first and second times and placed on file.

By Mr. Barnes—An Act to fix the salary of the Superintendent of Public Schools in the County of Plumas, and to prescribe the manner of paying the same.

Read first and second times and referred to the Committee on Education.

GENERAL FILE.

Assembly Bill No. 838.

Passed on file.

Assembly Bill No. 295.

Taken from file and ordered replaced on the file for Tuesday, February twentieth.

Assembly Bill No. 105—An Act for the relief of John Jackson, Sheriff and ex-officio Tax Collector of Trinity County.

Considered in Committee of the Whole House.

IN ASSEMBLY.

Reported and passage recommended.

Mr. French moved to recommit the bill to the Committee on Claims for further information.

Mr. Berry moved to amend the bill by striking out "five thousand dollars" and inserting "three thousand dollars."

Mr. Burckhalter moved to amend the amendment by ordering the bill recommitted with instructions to report back the actual amount of expenses incurred by the Sheriff named in the bill.

The amendment was adopted and the bill ordered recommitted.

At five o'clock and twenty-five minutes P. M. the House adjourned.

T. B. SHANNON,
Speaker.

M. D. BORUCK, Chief Clerk.

IN ASSEMBLY.

HOUSE OF ASSEMBLY,
Tuesday, February 13th, 1872.

House met pursuant to adjournment.

Roll called.

Quorum present.

Prayer by the Chaplain.

The Journal of yesterday was read and approved.

PETITIONS.

Petitions were offered as follows:

By Mr. Coleman—From citizens and taxpayers of Alpine County, in favor of the passage of a law authorizing an election for the removal of their county seat.

Referred to Committee on Counties and County Boundaries.

By Mr. French—From citizens of Sacramento County, asking for the repeal of the statute known as the "No-Fence Law," so far as relates to Sacramento County.

Referred to the Committee on Agriculture.

By Mr. Freeman—From citizens and residents of Lake County, in favor of the constitutional amendment to confer the right of elective franchise to women.

Referred to the special committee on that subject.

REPORTS OF STANDING COMMITTEES.

Reports from standing committees were made as follows:

By Mr. De Haven:

Mr. SPEAKER: The Committee on Printing, to whom was referred the report of the joint committee to examine the Codes prepared by the Revision Commission, report the same back, with a statement that the Penal Code, to which the report relates, has already passed both Houses and is now in the hands of his Excellency, the Governor, for his signature.

The report being one of great importance, we recommend that five hundred copies thereof be printed in pamphlet form for the use of the members of this House and for circulation, in order that the history of this work may be circulated among the people.

Also, Assembly Bill No. 311—have had the same under consideration, and report the same back, recommending its passage.

Yours respectfully,

DE HAVEN, Chairman.

By Mr. Wright:

Mr. SPEAKER: The Committee on Education, to whom was referred Assembly Bill No 223—An Act granting to the counties of this State the poll tax collected in said counties, severally, for school purposes—herewith report the same back and recommend its passage.

Also, Assembly Bill No. 331—An Act to authorize the Board of Supervisors of Tehama County to levy a special tax for school purposes in the school district of Red Bluff, in Tehama County—herewith report the same back and recommend its passage.

Also, Senate Bill No. 106—An Act creating a Board of Education for the City of Los Angeles, and authorizing the Common Council of that city to issue bonds for a Special School Building Fund—herewith report the same back with amendment, and recommend its passage as amended.

WRIGHT, Chairman.

The rules were suspended, and Assembly Bill No. 223, on motion of Mr. Luttrell, ordered to top of file for to-morrow.

By Mr. Barker:

Mr. SPEAKER: Your Committee on Enrollment beg leave to report that they have examined and found correctly enrolled Assembly Bill No. 182—An Act to repeal an Act entitled an Act to create a Board of Levee and Street Commissioners in and for the Town of Pacheco, Contra Costa County, and define their powers and duties, approved March twenty-ninth, eighteen hundred and seventy.

Also, Assembly Bill No. 177—An Act to regulate and fix the terms of the several Courts of record in the County of San Mateo.

Also, Assembly Bill No. 114—An Act to amend an Act entitled an Act to regulate the settlement of the estates of deceased persons, passed May first, eighteen hundred and fifty-one.

Also, Assembly Bill No. 117—An Act concerning roads in the County of Humboldt.

Also, Assembly Bill No. 257—An Act to provide for the appointment of a Notary Public to reside at Cloverdale, Sonoma County.

Also, substitute for Assembly Bill No. 122—An Act to encourage the destruction of squirrels, gophers, and other wild animals in the Counties of Los Angeles, Napa, Merced, San Bernardino, and Santa Cruz.

Also, Assembly Joint Resolution No. 22—Relative to authorizing the Secretary of State to destroy certain canceled claims, etc.

Also, Assembly Bill No. 259—An Act to provide a fund for the erection of county buildings in the County of San Bernardino, and other matters relating thereto.

Also, Assembly Bill No. 209—An Act to legalize, ratify, and confirm certain acts of the Mayor and Common Council of the City of Los Angeles.

Also, substitute for Assembly Bill No. 155—An Act to amend the charter of the City of Los Angeles.

And that the same have, this thirteenth day of February, eighteen hundred and seventy-two, at seventeen minutes past eleven o'clock A. M., been transmitted to the Governor for his approval.

BARKER, for Committee.

By Mr. Barnes:

Mr. SPEAKER: The Committee on Engrossment beg leave to report that they have examined and find correctly engrossed Assembly Bill No. 225—An Act to authorize the Board of Supervisors of Sutter County to build and furnish a Court House and Jail at the county seat of said county and to provide a fund therefor.

Also, Assembly Bill No. 237—An Act to regulate the traveling fees of the Sheriff of the County of Kern.

Also, Assembly Bill No. 288—An Act to incorporate the Town of Cloverdale, Sonoma County, California.

Also, Assembly Bill No. 286—An Act supplemental to and amendatory of an Act entitled an Act to incorporate the Town of Chico, Butte County, California, approved January, eighteen hundred and seventy-two.

Also, Assembly Bill No. 270—An Act for the protection of fish in the waters of Butte Creek, in the County of Butte.

BARNES, Chairman.

By Mr. Spencer:

Mr. SPEAKER: The Committee on Judiciary having considered Assembly Bill No 248—An Act to grant to the Town of San Bernardino all the interest of the State in certain real property—report the same back and recommend its passage.

Also, Assembly Bill No. 251—An Act for the protection of game and fish—report it back and recommend its passage.

Also, Assembly Bill No. 133—An Act to amend an Act entitled an Act to regulate proceedings in civil cases in the Courts of justice of this State, passed April twenty-ninth, eighteen hundred and fifty-one—report it back with amendments and recommend its passage as amended.

Also, Assembly Bill No. 353—An Act to remedy defects in certain

county records—report it back with amendments and recommend its passage as amended.

SPENCER, Chairman.

MOTIONS AND RESOLUTIONS.

Resolutions were offered as follows:

By Mr. Ellis:

Resolved, That the Senate be requested to return Senate substitute for Assembly Bill No. 160—An Act to protect agriculture and to prevent the trespassing of animals upon private property in the Counties of Los Angeles and San Diego—the same having been sent to the Senate by mistake on yesterday.

Adopted.

By Mr. Eagan:

Resolved, That the Sergeant at Arms be and he is hereby authorized to employ a porter to attend to committee rooms outside the Capitol building, at the per diem allowed other porters, payable out of the Contingent Fund of the Assembly.

Referred to the Committee on Rules and Regulations.

By Mr. Andrews:

A Joint Resolution—Urging the establishment of a semi-weekly mail from Red Bluff, Tehama County, via Roaring River, Janesville, and other towns, to Shasta City, in Shasta County.

Read first and second times and placed on file.

NOTICE.

Mr. Dannals gave notice of a bill for an Act to incorporate the City of San Diego.

INTRODUCTION OF BILLS.

Bills were introduced as follows:

By Mr. Reed—An Act to fund a certain indebtedness due and owing by the County of Contra Costa to Trustom C. Gilman.

Read first and second times and referred to the Committee on Claims, and ordered printed.

By Mr. Wheaton—An Act to amend an Act entitled an Act to amend an Act to provide for a system of common schools, approved April fourth, eighteen hundred and seventy.

Read first and second times and referred to the Committee on Education.

Also, an Act to pay the claim of James T. Boyd.

Read first and second times and referred to the Committee on Claims.

By Mr. Luttrell—An Act to legalize the name of Lake Crook.

Read first and second times and referred to the Judiciary Committee.

By Mr. Crane—An Act to encourage the destruction of squirrels and gophers.

Read first and second times and referred to the Alameda delegation.

SPECIAL ORDER DEFERRED.

At twelve o'clock M., the hour for the consideration of the special order for the day, Assembly Joint Resolution No. 13, it was, on motion of Mr. Luttrell, postponed until two o'clock P. M. to-morrow.

GENERAL FILE.

On motion of Mr. Munday, Assembly Bill No. 255—An Act for the relief of Chino Reynolds

Withdrawn from the file

On motion of Mr. Ward, Assembly Bill No 280—An Act to provide for cemeteries in the County of Tehama

Withdrawn from the file

Senate Bill No 74—An Act to legalize certain payments of money on account of the purchase of State school lands.

Read a third time and passed.

Senate Bill No. 48—An Act prescribing certain duties to be performed by the State Controller, State Treasurer, and the State Board of Examiners.

Read a third time and passed.

Senate Bill No 163—An Act for the relief of S. R. J. Sturgeon, late District Attorney of Santa Barbara County.

Read a third time and passed.

Senate Bill No. 136—Concerning roads in the Counties of Santa Barbara and San Luis Obispo.

Read a third time and passed.

Assembly Bill No. 275—An Act authorizing the Secretary of State to furnish the Counties of Alpine, Inyo, Kern, Lake, and Sutter with certain volumes of the California Supreme Court Reports.

Read a third time and passed.

Assembly Bill No. 19—An Act releasing all the tide and overflowed lands belonging to the State in and around Lake Merritt to the City of Oakland.

Recommitted, with instructions to the Committee on Swamp and Overflowed Lands to report the exact number of acres of land proposed to be released.

Assembly Bill No. 17—An Act to create the Eighteenth Judicial District and for other purposes.

The rules were suspended and the bill considered engrossed, and on its passage the roll was called with the following result:

AYES—Messrs Aldrich, Bacon, Bayley, Bell, Brown, Burckhalter, Center, Coleman, Connolly, Cooper, Dannals, Days, De Haven, Eagan, Edgar, Ellis, Everett, Franck, French, Galloway, Goodall, Gray, Hayes, Johnston, Jost, Lee, Little, Lofton, Long, Luttrell, Mathers, Mecker, Mott of Los Angeles, Munday, Rector, Reed, Rice, Russ, Sammons, Sargent of Santa Clara, Sargent of San Joaquin, Sensabaugh, Slaughter, Spencer, Splivalo, Tinnin, Turner, Ward, Wheaton, Whiting, Whitney, Wilcox, Wright, and Mr. Speaker—54.

NOES—Messrs. Andrews, Barklage, Barnes, Berry, Bradley, and Hopper—6.

More than two thirds of the House having voted affirmatively, the bill was declared passed.

RESOLUTIONS.

The rules were suspended and the following report made by Mr Luttrell:

Mr. SPEAKER: The Committee on Rules and Regulations, to whom was referred the resolution relative to the appointment of Assistant Engrossing Clerks, have had the same under consideration and recommend its passage.

Also, have had under consideration Assembly Resolution—Relative to the appointment of a Clerk for the Committee on Agriculture—and report a substitute and recommend the passage of the substitute.

Your committee would further recommend that the Engrossing Clerk keep a record of the number of bills engrossed and number of folios in each bill and by whom engrossed.

LUTTRELL, Chairman.

The resolutions above reported were severally taken up and adopted as follows:

Resolved, That the Committee on Engrossment be and they are hereby authorized to appoint H. Barnes and C. Boyle Assistant Engrossing Clerks, at the usual per diem allowed such clerks.

Adopted

Resolved, That the Committee on Agriculture be and they are hereby authorized to appoint a clerk for the term of twenty days, at the usual per diem allowed by law to committee clerks.

GENERAL FILE RESUMED.

Assembly Bill No. 244—An Act for the relief of James R. Travers.

Rules suspended, bill considered engrossed, read a third time and passed.

Assembly Bill No. 262—An Act supplementary to an Act entitled an Act providing for an Attorney and Counselor in and for the City and County of San Francisco.

Rules suspended, bill considered engrossed, read a third time and passed.

Assembly Bill No. 216—An Act for the relief of Anna Wakeman.

Rules suspended, bill considered engrossed, read a third time and passed.

Assembly Bill No. 303—An Act to authorize the City of Vallejo to borrow money.

Rules suspended, bill considered engrossed, read a third time and passed.

Assembly Bill No. 352—An Act to amend an Act entitled an Act to provide for the payment of warrants against the Hospital Fund of

Klamath County, approved January nineteenth, eighteen hundred and seventy.

Rules suspended, bill considered engrossed, read a third time and passed.

Assembly Bill No. 363—An Act to provide for the construction and maintenance of the Alameda road.

Rules suspended, bill considered engrossed, read a third time and passed.

Assembly Bill No. 91—An Act to provide for the organization of the Legislature of this State at its regular sessions.

Reported amendments adopted and ordered engrossed.

Assembly Bill No. 287—An Act to prevent persons passing through inclosures and leaving them open, and tearing down fences to make passage through inclosures.

Reported amendments adopted and ordered engrossed.

Assembly Bill No. 277—An Act to prevent hunting and shooting on private grounds.

Reported amendments adopted and ordered engrossed.

Assembly Bill No. 233—An Act to provide for the payment of certain claims in the Yosemite Valley.

Considered in Committee of the Whole House.

IN ASSEMBLY.

Substitute adopted reported, and passage of substitute recommended.

Adopted in Assembly, rules suspended, bill considered engrossed, read a third time and passed.

GENERAL FILE RESUMED.

Assembly Bill No. 281—An Act concerning the percentage upon delinquent taxes on real property in the City and County of San Francisco.

Substitute recommended adopted, and ordered engrossed.

Assembly Bill No. 338—An Act amendatory of and supplemental to an Act entitled an Act to encourage the destruction of squirrels and gophers in certain counties of this State, and to provide a bounty therefor.

Ordered engrossed.

Assembly Joint Resolution No. 23—Relative to making San Diego a port of entry.

Ordered engrossed.

Assembly Bill No. 357—An Act amendatory of an Act entitled an Act for the more effectual prevention of cruelty to animals, approved March thirtieth, eighteen hundred and sixty-eight.

Ordered engrossed.

Assembly Bill No. 301—An Act to amend an Act entitled an Act to provide for the establishment, maintenance, and protection of public roads in Napa County, approved March thirty-first, eighteen hundred and sixty-six, and an Act supplemental to and amendatory of said Act, approved February thirteenth, eighteen hundred and sixty-eight.

Ordered engrossed.

Assembly Bill No. 163.

Passed on file.

Assembly Bill No. 292—An Act to prevent the propagation of the Canada thistle in the County of Humboldt.

Mr. Crane moved to recommit the bill to the Judiciary Committee.
Lost.
The reported amendments to the bill were adopted, and the bill further amended.
The rules were suspended, bill considered engrossed, read a third time and passed, and the title amended.
Assembly Bill No. 260.
Passed on file.
Assembly Bill No. 232—An Act to create the County of Donner, to define its boundaries, and to provide for its organization and maintenance.
Mr. Days moved to make the bill the special order for Tuesday next, at twelve o'clock M.
Mr. Barnes moved the indefinite postponement of the bill.
On the proposition of Mr. Days, the ayes and noes were demanded by Messrs. Bell, Brown, and Bayley, and the House refused by the following vote:

AYES—Messrs. Aldrich, Bacon, Barker, Bayley, Bell, Burckhalter, Chalmers, Cooper, Days, Eagan, Ellis, Everett, Galloway, Goodall, Hopper, Johnston, Luttrell, Rector, Rice, Schrack, Sensabaugh, Splivalo, Tinnin, Ward, Wheaton, Wright, and Mr. Speaker—27.
NOES—Messrs. Andrews, Barklage. Barnes, Berry, Bradley, Brown, Center, Coleman, Crane, Dannals, De Haven, Edgar, Franck, Freeman, French, Gray, James, Jost, Lee, Little, Lofton, Long, Mathers, Meeker, Mott of Los Angeles, Munday, Reed, Russ, Sammons, Sargent of Santa Clara, Sargent of San Joaquin, Slaughter, Spencer, Turner, Welty, Whiting, and Whitney—37.

Leave was granted to Mr. Bell to withdraw the bill.
Assembly Bill No. 238 was also withdrawn from the file, on motion of Mr. Burckhalter.

CONFERENCE COMMITTEE.

The Speaker announced the appointment of Messrs. Wright, Henshaw, and Berry as a committee on the part of the Assembly on the disagreeing vote of the two Houses on Assembly Bill No. 53.

MISCELLANEOUS.

The rules were suspended, and Mr. Luttrell had leave to make the following report:

Mr. SPEAKER: The Siskiyou delegation, to whom was referred Assembly Bill No. 355, report the same back and recommend its passage.

LITTLE,
LUTTRELL.

The rules were again suspended, and the bill above reported taken up.
An Act to amend an Act entitled an Act to provide for the maintenance of the indigent sick in certain townships therein named in Siskiyou County, passed March twenty-fourth, eighteen hundred and seventy-one.
Rules further suspended, bill considered engrossed, read a third time and passed.

Mr. Barker made the following report:

Mr. SPEAKER: The Committee on Enrollment beg leave to report that they have examined and find correctly enrolled Assembly Bill No. 15—An Act in relation to sales and conveyances made by the Garden Land Homestead Association

Also, Assembly Bill No. 149—An Act to regulate proceedings in civil cases in the Justices' Court of the City and County of San Francisco.

Also, Assembly Bill No. 74—An Act to amend an Act entitled an Act to provide for the official valuation of life insurance policies, approved April fourth, eighteen hundred and seventy.

Also, Assembly Bill No. 184—An Act to provide for the opening and improvement of Santa Clara Avenue, in the County of Santa Clara.

Also, Assembly Bill No. 150—An Act to amend an Act entitled an Act to regulate fees in the City and County of San Francisco, approved February ninth, eighteen hundred and sixty-six.

Also, that Assembly Resolution No. 49—An Act to facilitate telegraphic communications between America and Asia—has been corrected in pursuance of Assembly resolution.

And that the same have, this thirteenth day of February, A. D. eighteen hundred and seventy-two, at fifty-five minutes past eleven o'clock, been transmitted to the Governor for his approval.

BARKER.

LEAVE OF ABSENCE.

On motion of Mr. Crane, the Committee on State Prison were granted one day's leave of absence.

REPORT.

The following report was made by Mr. Coleman:

Mr. SPEAKER: The Alpine and Amador delegations, to whom was referred Assembly Bill No. 362—An Act to submit to the qualified electors of Alpine County the question of relocating the county seat of said county—have had the same under consideration, and report the same back and recommend its passage

COLEMAN, for Delegation.

There being no further business for the day, at one o'clock and twenty-seven minutes, on motion of Mr. Berry, the House adjourned.

T. B. SHANNON,
Speaker.

M. D. BORUCK, Chief Clerk.

IN ASSEMBLY.

HOUSE OF ASSEMBLY,
Wednesday, February 14th, 1872.

House met pursuant to adjournment.
Speaker in the chair.
Roll called.
Quorum present
Prayer by the Chaplain.
Journal of yesterday read and approved.

INVITATION.

The Speaker presented the following communication.

OFFICE OF THE BOARD OF CITY HALL COMMISSIONERS,
San Francisco, February 7th, 1872.

To the Honorable, the Speaker and Members of the Assembly of the State of California:

GENTLEMEN: The Board of City Hall Commissioners having fixed upon the twenty-second of February instant to lay the corner stone of the new City Hall and Law Courts of San Francisco, have the honor to invite your honorable body to participate in the ceremonies on that occasion.

The ceremonies will be conducted by the Grand Lodge of Free and Accepted Masons of California

We have the honor to be, gentlemen, yours respectfully,

P. H. CANAVAN,
Chairman of the Board of City Hall Commissioners.

PETITIONS.

Petitions were offered as follows.

By Mr. Little—From citizens of Shasta Valley, Siskiyou County, asking the passage of a law to punish persons using traps, nets, etc., in catching fish in Shasta River.

Referred to Siskiyou delegation.

By Mr. Burckhalter—From citizens of Kern County, favoring the removal of the county seat thereof.

Ordered on file with bill on that subject.

REPORTS OF STANDING COMMITTEES.

The following reports from standing committees were made:

By Mr. Barnes:

Mr. SPEAKER. The Committee on Engrossment beg leave to report that they have examined and find correctly engrossed Assembly Joint

Resolution No. 19—Relative to extending the time of payment for public lands.

Also, Assembly Bill No. 294—An Act amendatory of and supplementary to an Act entitled an Act to regulate proceedings in civil cases in the Courts of justice of this State, approved April twenty-ninth, eighteen hundred and fifty-one.

BARNES, Chairman.

By Mr. Goodall:

Mr. SPEAKER: The Committee on Commerce and Navigation, to whom was referred Senate Bill No. 171—An Act declaring the San Joaquin River and the Stockton Slough navigable from and to certain points herein named—have had the same under consideration, and herewith report the same back and recommend its passage.

Also, Assembly Bill No. 99—An Act to amend an Act entitled an Act concerning trade marks and names—and report the same back with a substitute and recommend the passage of the substitute.

Also, Assembly Bill No. 358—An Act to establish pilots and pilot regulations for the Port of San Diego—and report the same back with amendments, and recommend its passage as amended.

GOODALL, Chairman.

By Mr. Spencer:

Mr. SPEAKER: The Committee on Judiciary having considered Assembly Bill No. 193—Proposed amendments to the Constitution of the State of California, and the so-called substitute thereof—report that the amendments proposed by the bill in question and its so-called substitute are substantially provided for by the amendments to the Constitution proposed at the eighteenth session of the Legislature, consisting of amendments to sections one, three, five, seven, and ten, of Article VI, and section one of Article IX, which proposed amendments are now in condition to be adopted by the present Legislature; the committee, therefore, herewith report a bill providing for the formal adoption of said proposed amendments in lieu of Assenbly Bill No. 193, and the so-called substitute.

SPENCER, Chairman.

By Mr. Luttrell, from a minority of the Judiciary Committee:

Mr. SPEAKER: The undersigned, as a minority of the Judiciary Committee, having had under consideration the proposed amendment to the Fourth Article of the Constitution of the State of California, dissenting from the report of the majority of the committee, beg leave to submit the following minority report:

I am in favor of the proposed amendment:

First—Because it changes the time of the meeting of the Legislature from the first Monday in December to the first Wednesday in January biennially.

Second—That under the present provisions of the Constitution, the Legislature assembles on the first Monday of December. The first two weeks are spent in the organization of the two houses and committees. Then follows the usual holiday adjournment of two weeks; consequently, one fourth of each session is spent, and nothing accomplished.

The monthly expenses of the Legislature are nearly eighty thousand

dollars; consequently, the taxpayers of the State pay nearly one hundred thousand dollars each session of the Legislature, for which they receive no adequate benefit Simply a legislative holiday at the expense of the taxpayers of the State. By passing the proposed amendment, if ratified by the people, the Legislature will convene biennially on the first Wednesday (after the first Monday) in January The holidays are over, the Legislature will organize and go to work; the result of which will be short and useful sessions, and a saving of thousands of dollars to the taxpayers For this and various other reasons I favor the passage or ratification of the proposed amendment.

LUTTRELL, for Minority.

By Mr. Bacon:

Mr. SPEAKER: The Committee on Indian Affairs, to whom was referred Assembly Memorial and Joint Resolution—Relative to the occupation of Hoopa Valley, in Klamath County, as an Indian reservation—having carefully examined the same, respectfully report said memorial and resolution back and recommend its passage.

BACON, Chairman.

By Mr. Gray:

Mr. SPEAKER: Your Committee on Corporations, to whom was referred Assembly Bill No 276—An Act supplementary to an Act creating the office of Insurance Commissioner—report the same with amendment, and recommend its passage as amended.

Also, report back Assembly Bill No. 360—An Act to extend the time allowed to the Southern Pacific and Western Pacific Railroad Companies in which to make their terminus of their roads upon certain lands donated to them by the State for that purpose in the City and County of San Francisco—and recommend its passage.

GRAY, Chairman.

By Mr. Wheaton:

Mr. SPEAKER: The San Francisco delegation herewith report Assembly Bill No. 158—An Act to require the Tax Collector of the City and County of San Francisco to pay the City and County Treasurer certain moneys—with amendments, and recommend the passage of the same as amended.

Also, Assembly Bill No 274—An Act to amend an Act entitled an Act to authorize the Exempt Fire Company of San Francisco to receive and manage the San Francisco Fire Department Charitable Fund, etc.—with amendments, and recommend its passage as amended.

Also, Assembly Bill No 298—An Act to confirm the title to a certain lot of land in the City and County of San Francisco to the Trustees of the Associated Veterans of the Mexican war, etc.—with amendments, and recommend the passage of the bill as amended.

WHEATON, Chairman.

The rules were suspended, and on motion of Mr. Days, Assembly Bill No 360, above reported, was ordered to head of file for Thursday, February fifteenth.

By Mr. Franck.

Mr. SPEAKER: The Santa Clara delegation, to whom was referred Assembly Bill No 315—An Act defining the duties of the County Assessor of Santa Clara County—beg leave to report that they have had the same under consideration, report the same back with amendment, and recommend that it be passed as amended.

FRANCK, for Delegation.

By Mr. Stillwagon:

Mr. SPEAKER: The delegation from Napa and Lake Counties have the honor to report that they have examined Senate Bill No. 198, find the same correct, and report in favor of its passage.

STILLWAGON, for Delegation.

MOTIONS AND RESOLUTIONS.

Resolutions were offered as follows:

By Mr. Whiting:

Resolved, That the Sergeant at Arms be and he is hereby instructed to procure from the State Printer the advance sheets of the Report of the Committee on Corporations on Assembly Bills Nos. 7 and 9, and have them placed upon the desks of each member of this House within one hour.

Mr. Freeman offered the following substitute, which was adopted:

Resolved, That the State Printer be authorized to bind the report and testimony separately, as made and taken before the Committee on Corporations, on Assembly Bills Nos. 7 and 9.

The resolution, as amended, was then adopted.

MESSAGE FROM THE GOVERNOR.

The following message was received from the Governor:

STATE OF CALIFORNIA, EXECUTIVE DEPARTMENT,
Sacramento, February 14th, 1872.

To the Assembly of the State of California:

I have to inform your honorable body that I have approved Assembly Bill No. 74—An Act to amend an Act entitled an Act to provide for the official valuation of life insurance policies, approved April fourth, eighteen hundred and seventy.

Also, Assembly Bill No. 49—An Act to facilitate telegraphic communication between America and Asia.

Also, Assembly Bill No. 150—An Act to amend an Act entitled an Act to regulate fees in the City and County of San Francisco, approved February ninth, eighteen hundred and sixty-six.

Also, Assembly Bill No. 182—An Act to repeal an Act entitled an Act

to create a Board of Levee and Street Commissioners in and for the Town of Pacheco, Contra Costa County, and define their powers and duties, approved March twenty-ninth, eighteen hundred and seventy.

Also, Assembly Bill No. 149—An Act to regulate proceedings in civil cases in the Justices' Court of the City and County of San Francisco.

Also, Assembly Bill No 177—An Act to fix the terms of the several Courts of record in the County of San Mateo.

Also, Assembly Bill No. 257—An Act to provide for the appointment of a Notary Public to reside at Cloverdale, Sonoma County.

Also, Assembly Bill No 114—An Act to amend an Act entitled an Act to regulate the settlement of the estates of deceased persons, passed May first, eighteen hundred and fifty-one.

Also, Assembly Bill No. 209—An Act to legalize, ratify, and confirm certain acts of the Mayor and Common Council of the City of Los Angeles.

Also, Assembly Bill No. 122—An Act to encourage the destruction of squirels, gophers, and other wild animals in the Counties of Los Angeles, Napa, Merced, San Bernardino, and Santa Cruz.

NEWTON BOOTH, Governor.

MOTIONS AND RESOLUTIONS CONTINUED.

By Mr. Gray—A resolution that E. C. English be appointed Assistant Engrossing Clerk.

Referred to Committee on Rules and Regulations.

By Mr. Spencer—That the Committee on Engrossment be and are hereby directed to cause to be inserted the enacting clause in its proper place in Assembly Bills Nos 266 and 278.

Adopted.

On motion of Mr. Andrews, Assembly Joint Resolution No. 25—Relative to the establishment of a semi-weekly mail route from Red Bluff, Tehama County, to Shasta City—was taken from its order on the file and considered. and the rules being further suspended, was considered engrossed, read a third time and passed.

On motion of Mr. Gray, the House took up Senate substitute for Assembly Bill No. 1—An Act to repeal an Act entitled an Act to establish a public street in the City and County of San Francisco, to be called Montgomery Avenue, and to take private lands therefor.

The House adopted the amendments reported by the San Francisco delegation and then concurred in the Senate substitute.

MESSAGE FROM THE SENATE.

The following message was received from the Senate:

SENATE CHAMBER,
February 13th, 1872.

Mr SPEAKER: I am directed to inform your honorable body that the Senate, on the twelfth day of February, passed Senate Bill No. 178—An Act to separate the office of County Recorder from that of County Clerk in the County of Yolo, and to provide for the election of a County Recorder therein.

Also, on the same day, passed Assembly Bill No. 144—An Act amend-

atory of an Act to regulate fees of office, approved March twenty-eighth, eighteen hundred and sixty-eight.

Also, on the same day, refused to pass Assembly Bill No. 104—An Act to increase the revenue of the School Fund.

Also, on the same day, passed Assembly Joint Resolution No. 17—Relative to instructing our Senators and requesting our Representatives in Congress to urge the establishment of a tri-weekly mail from Cache Creek, Yolo County, to Capay, Yolo County.

Also, on the thirteenth instant, passed Assembly Bill No 208—An Act to provide for the support of schools in certain districts in Tehama County.

Also, on the same day, passed Senate Bill No. 196—An Act to amend an Act entitled an Act to provide revenue for the support of the government of this State, passed May seventeenth, eighteen hundred and seventy-one, approved March thirty first, eighteen hundred and sixty-six.

Also, on the same day, passed Senate Concurrent Resolution No. 23—Relative to requesting Congress to appropriate public lands of the United States for educational purposes.

Also, on the same day, passed Senate Concurrent Resolution No. 30—Relative to payment of expenses of Japanese Embassy reception.

FERRAL, Secretary.

CONSIDERATION OF THE MESSAGE.

Senate Bill No. 178, above reported, read first and second times and referred to the Yolo delegation.

Senate Bill No. 196, above reported, read first and second times and referred to the Committee on Ways and Means.

Senate Concurrent Resolution No 23, above reported, read first and second times and referred to the Committee on Education.

Senate Concurrent Resolution No. 30, above reported, read first and second times and referred to the Committee on Claims.

SPECIAL ORDER.

At twelve o'clock M the House considered the special order for the day.

Assembly Bill No 64—An Act to create the County of San Benito, to define its boundaries, and to provide for its organization.

Mr. Wilcox presented a protest from citizens of Monterey County against the formation of the proposed new county.

[illegible]ring the bill engrossed, the ayes and noes were demanded by [illegible] Berry, and Sargent of Santa Clara, and the House a[illegible] the following vote:

On orde[illegible]

Messrs. Wilcox, [illegible] Bartlage, Bell, Berry, Cole-
refused engrossment by [illegible] [illegible]wett, Franck, Free-

AYES—Messrs. Andrews, Bacon, Barker, [illegible] Lee, Lofton, man, Connolly, Days, De Haven, Eagan, Edgar, Ev[illegible] Wright, man, French, Galloway, Gray, Hayes, Hopper, Johnston, Long, Rice, Russ, Spencer, Turner, Ward, Welty, Whitney, and Mr. Speaker—33.

NOES—Messrs. Aldrich, Baird, Barnes, Bayley, Bradley, Bockius, Brown, Burckhalter, Center, Chalmers, Cooper, Crane, Dannals, Ellis, Gibson, Goodall, Henshaw, James, Jost, Little, Luttrell, Mathers, Meeker, Mott of Los Angeles, Mott of Sacramento, Munday, McCullough, Rector,

Sammons, Sargent of Santa Clara, Sargent of San Joaquin, Schrack, Seibe, Sensabaugh, Slaughter, Splivalo, Stillwagon, Wheaton, Whiting, Wilcox, and Woodward—41.

Mr. Cooper gave notice of a motion to reconsider.

MESSAGE FROM THE SENATE.

The rules were suspended, on motion of Mr. Barker, and the following message from the Senate taken up, the special order being temporarily postponed for that purpose:

SENATE CHAMBER,
February 14th, 1872.

Mr. SPEAKER: I am directed to inform your honorable body that the Senate, on this fourteenth day of February, passed, under suspension of the rules, Senate Bill No. 230—An Act to furnish arms for the use of military academies of this State.

FERRAL, Secretary.

CONSIDERATION OF THE MESSAGE.

Senate Bill No. 230, above reported, was read first and second times and referred to Committee on Military Affairs.

The rules were again suspended, and Mr De Haven offered a resolution to appoint A. J. Starling an Assistant Engrossing Clerk.

Referred to Committee on Rules and Regulations.

On motion of Mr. Aldrich, the House, at two o'clock and five minutes, took a recess for half an hour.

REASSEMBLED.

House reassembled.
The Speaker in the chair.
Roll called.
Quorum present.

REPORT.

The following report was made by Mr. Barnes:

Mr. SPEAKER: The Committee on Engrossment beg leave to report that they have examined and find correctly engrossed Assembly Bill No. 130—An Act to amend an Act entitled an Act to protect the wages of labor, approved March twenty-first, eighteen hundred and seventy.

Also, Assembly Bill No 278—An Act to amend an Act entitled an Act to regulate proceedings in civil cases in the Courts of justice of this State, passed April twenty-ninth, eighteen hundred and fifty-one.

Also, Assembly Bill No 279—An Act to amend an Act entitled an Act concerning Courts of justice of this State and judicial officers, approved April twentieth, eighteen hundred and sixty-three.

Also, Assembly Bill No. 265—An Act authorizing the District Courts of this State to appoint assistant counsel in the prosecution of criminal cases, and providing compensation therefor.

Also, Assembly Bill No. 266—An Act to amend an Act entitled an Act to amend an Act entitled an Act concerning divorces, passed March

twenty-fifth, eighteen hundred and fifty-one. approved March twelfth, eighteen hundred and seventy.

BARNES, Chairman.

SECOND SPECIAL ORDER.

The House then took up the second special order for the day.

Preamble and Assembly Joint Resolution No. 13—Relative to instructing our Senators and requesting our Representatives in Congress to urge upon the Congress of the United States the adoption of such legislation as will authorize the collection of a foreign miners' tax, etc.

REPORT.

Mr. Luttrell, from a minority of the Committee on Federal Relations, made the following report:

Mr. SPEAKER: The Committee on Federal Relations, to whom was referred Assembly Joint Resolution No. 13 and the Petition of the "Grand Council or Order of Industrial Reformers," of the City and County of San Francisco, relative to Chinese immigration and taxation, beg leave to report that we have had the same under consideration, and that the undersigned, dissenting from the majority of the committee, beg leave to submit the following report:

The laboring men and Industrial Reformers set forth the facts that there are now about fifty thousand Chinese in this State, with the apparent certainty of a large increase, who throng the avenues of industry to the great detriment and injury of the white laboring classes, and to the discouragement of European immigration to this coast

That the annual amount drawn from the mines of this State and shipped to China is estimated at the enormous sum of seven million five hundred thousand dollars, which must of necessity help to impoverish the State, discourage enterprise, and cripple the energies of our people, many of whom have been already driven from employment to give way to the Asiatic—a people who are diametrically opposed to us in their character, habits, social customs, and religion—reducing the prices of labor, exhausting the mineral resources of the State, thereby not only impoverishing the poor laboring man and woman, but impoverishing and wasting the mineral wealth and resources of the State.

That mining upon the public ground is the exhaustion of the mineral wealth of the public ground, rendering it entirely worthless for any future use to the United States Government or the citizens thereof, and that while the Chinese are diminishing the wealth of the State to the extent of millions of dollars annually, which enormous amount is sent to China, it is but reasonable and just that they should contribute to the support of that State or Government which protects their persons and property. The small amount which would be collected from them in the shape of foreign miners license will, if collected, very materially aid the revenues of our State.

The Chinese differ from other foreigners in this, that they pay no taxes and make no improvements, but exhaust the wealth and resources of our mining counties, leaving poverty and desolation to mark their track, while the European pays taxes, makes valuable improvements, aids in building up enterprise and all the most useful industries of our

country. Civilization, wealth, prosperity, and happiness go hand in hand with the European or American laborer; he aids in the support of the Government, while the Chinese are but preying upon the resources of the country, to the great detriment and expense of the European and American laborer and taxpayer.

By our laws, the Chinese are ineligible to citizenship; consequently, our Government should use every means possible to discourage their immigration to our shores. If the Government will impose a heavy license on all Chinese who engage in mining, it will not only be a source of revenue to the Government, but it will prove one of the most effectual means of discouraging their further immigration to our State, and thereby preserve the mines of the State to be worked by men of our own race. That the passage of the resolutions will in part fulfill the pledges made to the people of this State in the platforms of the two political parties of the State, as adopted by their respective conventions.

We therefore recommend the passage of the resolutions.

LUTTRELL,
TINNIN,
Minority of Committee.

On ordering the resolutions engrossed, the ayes and noes were demanded by Messrs. Luttrell, Whiting, and Bayley, with the following result:

AYES—Messrs. Andrews, Bacon, Baird, Barker, Barnes, Bayley, Berry, Bradley, Brown, Center, Chalmers, Connolly, Cooper, Dannals, Days, De Haven, Eagan, Edgar, Ellis, Everett, Freeman, French, Gibson, Goodall, Henshaw, James, Johnston, Lee, Little, Long, Luttrell, Mathers, Mott of Los Angeles, Mott of Sacramento, Munday, McCullough, Pardee, Rector, Russ, Sargent of San Joaquin, Schrack, Seibe, Sensabaugh, Slaughter, Stillwagon, Tinnin, Turner, Ward, Welty, Wheaton, Whiting, Whitney, Woodward, and Mr. Speaker—54.

NOES—Messrs. Aldrich, Barklage, Bell, Bockius, Coleman, Crane, Franck, Galloway, Gray, Hayes, Hopper, Lofton, Meeker, Rice, Sammons, Spencer, and Wright—17.

FURTHER RESOLUTIONS.

Mr. Everett offered a resolution—Appointing Henry Keyer and R. Lillibridge as Assistant Engrossing Clerks.

Referred to Committee on Rules and Regulations

By Mr. Chalmers—A Joint Resolution—Concerning relief through Congress in aid of fruit distillers in this State.

Read first and second times and referred, with petition, to the Committee on Culture of the Grape.

REPORTS.

Mr. Gibson made the following report:

Mr. SPEAKER: Your Committee on Enrollment beg leave to report that they have examined and found correctly enrolled Assembly Bill No. 160—An Act to protect agriculture and to prevent the trespassing of animals upon private property in the Counties of Los Angeles and San

Diego, and a part of Monterey—and that they have, this fourteenth day of February, A. D. eighteen hundred and seventy-two, at ten minutes after three o'clock, been transmitted to the Governor for his approval.

GIBSON, Chairman.

MESSAGE FROM THE SENATE.

The following message was received from the Senate:

SENATE CHAMBER,
February 14th, 1872.

Mr. SPEAKER: I am directed to inform your honorable body that the Senate, on this fourteenth day of February, passed Senate Bill No. 166—An Act to provide for sprinkling the streets of San Francisco.

SHACKELFORD, Assistant Secretary

CONSIDERATION OF THE MESSAGE.

Senate Bill No. 166, above reported, read first and second times and referred to San Francisco delegation.

INTRODUCTION OF BILLS.

Bills were introduced as follows:

By Mr. Gibson—An Act in relation to the assessment and levy of taxes in Calaveras County.

Read first and second times and placed on file

By Mr. Johnston—An Act relating to the Board of Supervisors of the County of Sacramento and more particularly defining its powers and duties.

Read first and second times and referred to Sacramento delegation.

By Mr. Barker—An Act to define the northern boundary line of Napa County.

Read first and second times and referred to Napa and Lake delegation.

By Mr. Andrews—An Act supplementary to an Act entitled an Act concerning roads and highways in the Counties of Shasta and Trinity, approved March twenty-eighth, eighteen hundred and sixty-three.

Read first and second times and referred to Shasta and Trinity delegation.

By Mr. Cooper—An Act to prevent hunting, shooting, and the felling of trees on private grounds in the Counties of Santa Barbara and San Luis Obispo.

Read first and second times and referred to the Committee on Agriculture.

By Mr. Spencer—An Act to provide against the double taxation of animals.

Read first and second times and referred to the Judiciary Committee.

By Mr. James—An Act appropriating funds to enlarge the Home for the Care of the Inebriate, located in the City and County of San Francisco.

Read first and second times and referred to San Francisco delegation.

Also, an Act to authorize the Board of Supervisors of the City and County of San Francisco to sell and convey a certain piece of land

Read first and second times and referred to San Francisco delegation.

By Mr. Chalmers—An Act concerning roads and highways in the County of El Dorado

Read first and second times and referred to El Dorado delegation.

By Mr. Freeman—An Act to authorize the Board of Supervisors of Yolo County to levy special taxes for county purposes.

Read first and second times and placed on file.

By Mr. Woodward—An Act to authorize the Treasurer of San Joaquin County to transfer certain funds to the General School Fund of said county.

Read first and second times and referred to San Joaquin delegation.

NOTICE.

Mr. James gave notice of the introduction of a bill for reorganizing the office of License Collector in the City and County of San Francisco.

GENERAL FILE.

Assembly Bill No 223—An Act granting the counties of this State the poll tax collected in said counties severally for school purposes.

Amended, rules suspended, considered engrossed, read a third time and passed.

Assembly Bill No. 225—An Act to authorize the Board of Supervisors of Sutter County to build and furnish a Court House and Jail at the county seat of said county, and to provide a fund therefor.

Read a third time and passed.

Assembly Bill No 237—An Act to regulate the traveling fees of the Sheriff of the County of Kern.

Read a third time and passed.

Assembly Bill No 288—An Act to incorporate the Town of Cloverdale, Sonoma County, California.

Read a third time and passed.

Senate Bill No 106—An Act creating a Board of Education for the City of Los Angeles, and authorizing the Common Council of that city to issue bonds for a Special School Building Fund.

Read a third time and passed.

Substitute Assembly Bill No 163—An Act to provide for the appointment of Reporters of the Supreme Court, defining their duties and compensation, and for the publication and distribution of the decisions of the Supreme Court.

Mr Luttrell offered an amendment to the bill, providing that it shall not apply to or affect the present Supreme Court Reporter during his term of office.

On adopting the amendment, the ayes and noes were demanded by Messrs. Whiting, Luttrell, and Bayley, and it was rejected by the following vote:

AYES—Messrs. Andrews, Barklage, Bayley, Bell, Berry, Burckhalter, Dannals, Days, Everett, Henshaw, Little, Luttrell, Mathers, Mott of

Los Angeles, Munday, Rector, Sensabaugh, Slaughter, Tinnin, Walker, Ward, Whiting, and Mr. Speaker—23.

NOES—Messrs. Aldrich, Bacon, Baird. Barker, Barnes, Bradley, Bockius, Brown, Center, Chalmers, Coleman, Crane, Franck, Freeman, French, Goodall. Gray, Harvey, Hayes, Hopper, James, Johnston, Jost, Lee, Lofton, Long, Meeker, Mott of Sacramento, McCullough, Pardee, Rice, Russ, Sammons, Sargent of Santa Clara, Sargent of San Joaquin, Scibe, Spencer, Splivalo, Stillwagon, Turner, Welty, Wheaton, Whitney, Woodward, and Wright—45.

Mr. Whiting moved the indefinite postponement of the bill.

Lost.

Mr. Luttrell moved that it be made the special order of the day for to-morrow, at two o'clock P. M.

Lost.

Mr. Days moved to amend the bill by striking out the words "six thousand," in the fourth section of the bill, and inserting "four thousand."

On adopting the motion, the ayes and noes were demanded by Messrs. Days, Mott of Los Angeles, and Berry, and the amendment was adopted.

The bill was ordered engrossed as amended.

At five o'clock and ten minutes P. M., on motion of Mr. Goodall, the House adjourned.

T. B. SHANNON,
Speaker.

M. D. BORUCK, Chief Clerk.

IN ASSEMBLY.

HOUSE OF ASSEMBLY,
Thursday, February 15th, 1872.

The House met pursuant to adjournment.

Speaker in the chair.

Roll called.

Quorum present.

Prayer by the Chaplain.

The Journal of yesterday was read and approved.

RESOLUTION.

The rules were suspended on motion of Mr. Goodall, who offered the following resolution, which was adopted:

Resolved, That the Clerk be authorized to request the return from the Senate of the Senate substitute for Assembly Bill No. 1, for the purpose of correcting a clerical error.

PETITIONS.

Petitions were offered as follows:

By Mr. Barker—From citizens of Lake County, a petition for the better defining of the boundary line between Lake and Napa Counties. Also, a map defining the line of boundary desired to be established.

Referred to Napa and Lake County delegation.

By Mr. Berry—From citizens at large, favoring the passage of a law to prohibit the closing of the natural outlets of the Sacramento River.

Referred to Committee on Swamp and Overflowed Lands.

By the same—From citizens at large, in favor of the enactment of a law restricting the sale of intoxicating drinks.

Referred to Committee on Public Morals

By Mr. Edgar—From citizens at large, of similar import as the last above referred to.

Referred to Committee on Public Morals.

By Mr. Berry—From citizens at large, favoring the passage of a law repealing all laws now in force for the sale and reclamation of all swamp and overflowed lands, and the passage of one that shall be uniform in its operation.

Referred to Committee on Swamp and Overflowed Lands.

By the Speaker—From teachers in the public schools and citizens of San Francisco, protesting against the passage of Assembly Bill No. 366, concerning public schools in the City and County of San Francisco.

Referred to San Francisco delegation.

REPORTS OF STANDING COMMITTEES.

Reports from standing committees were made as follows.

By Mr. Spencer:

Mr. SPEAKER: The Committee on Judiciary having considered Senate Bill No. 155—An Act to amend an Act entitled an Act to grant the Stanislaus Bridge and Ferry Company the right to construct and maintain a bridge or bridges across the Stanislaus River—report that by the Act which this bill seeks to amend David M. Locke and others named in the Act were granted the right "to have, take, possess, and enjoy all the rights, privileges, rights of way, franchises and immunities," in the Act mentioned, to wit: "to construct and maintain a public toll bridge or bridges across the Stanislaus River, at a point or points between two designated points on said river, and to have and enjoy all the rights, privileges, and immunities thereunto appertaining, among which are the collections of tolls, for the period of twenty-five years, conditioned that they shall erect at least one principal bridge." The Act further provides that no ferry, ford, or toll bridge shall be established within the limits of the aforesaid franchise, unless it be required by public convenience and the right to establish the same be granted by the Legislature.

The Act in question is a legislative grant of an incorporeal right, in its terms exclusive and beyond the power of the grantor (the people) to modify or rescind, except in the manner reserved in the clause last quoted.

It is clearly within the constitutional power of the Legislature to make exclusive grants of either corporeal or incorporeal rights, and in this regard is not obnoxious to any constitutional provision—the organic law not being a grant of power, but a limitation on the action of the Legislature. This well settled doctrine is fully recognized in the opinion of the Supreme Court in the case of the California Telegraph Company

versus Alta Telegraph Company (22 Cal., 398), and in numerous other adjudicated cases unnecessary to cite.

This Act, therefore, amounted to a contract, which has been executed on the part of the grantees, they having built and maintained their bridge as therein provided. It so being, it is not within the power of the grantor (the people) to impair its obligations, and any attempt so to do by the Legislature would be violative of section sixteen, Article I, of our State Constitution, which provides that "no bill of attainder, ex post facto law, or law impairing the obligation of contracts shall ever be passed."

This inhibition applies as well to contracts between the State and an individual as between individuals only. "It is immaterial," say the Court in McCauley versus Brooks, "whether the contract be one between a State and individual or between individuals only. The contracting parties, whoever they may be, stand in this respect on the same ground. The obligation imposed and the rights acquired by virtue of the contract cannot be impaired by Legislative act." (McCauley versus Brooks, 16 Cal. 30, Providence Bank versus Billings, 4 Peters, 514; Dartmouth College versus Woodward, 4 Wheaton, 518; Fletcher versus Peck, 6 Cranch, 87).

We come next to consider the only remaining point, that is, in what manner and to what extent may the contract be modified by the grantor (the Legislature) by virtue of any reservation therein contained?

The last section of this Act, as already observed, reserves to the Legislature itself the right in terms to infringe upon the franchise therein granted if public convenience shall require, by establishing within the territorial limits of the franchise another ferry, ford, or bridge. This clause is as much of the essence of the contract as any other of the provisions of the Act. By necessary implication, the Legislature, as one of the contracting parties, agree that the exercise of the discretion therein reserved should be retained to itself, and should not be delegated to any other person or tribunal, and the objection is not answered by saying that the provision is immaterial or that the grantees would have meted out to them by some agent (for instance a Board of Supervisors) the same measure of justice as they would or might receive at the hands of the principal. It is a sufficient answer to say that one of the terms of the contract to which the grantees acceded was that this delicate office should be exercised by the principal alone.

The materiality or immateriality of a given clause in a contract is not the true legal test by which to ascertain if it be of its essence. "The objection to a law," observes Mr. Justice Washington, in Green vs. Biddle (8 Wheaton, 84), "on the ground of impairing the obligation of a contract, can never depend on the extent of change which the law effects in it, any deviation from its terms by postponing or accelerating the period of performance which it prescribes, imposing conditions not expressed in the contract, or dispensing with the performance of those which, however minute or apparently immaterial in their effect upon the contract of the parties, impairs its obligations." "In short," says the same learned Judge, in Dartmouth College vs Woodward (4 Wheaton, 662), "does not every alteration of a contract, however unimportant, even though it be manifestly for the interest of the party objecting to it, impair its obligation?" "If the assent of all the parties to be bound by a contract be of its essence, how is it possible that a new contract substituted for or ingrafted on another, without such assent, should not violate the old charter?"

Therefore, insomuch as the bill in question seeks to change the existing law, by divesting the Legislature of the power to establish ferries, bridges, etc., within the limits of the franchise, and conferring it upon the Board of Supervisors, it is an invasion of the vested rights of the grantees, and in this respect is unconstitutional, and the committee report it back and recommend that it do not pass.

SPENCER, Chairman.

By Mr. Barker:

Mr. Speaker: The Military Committee, to whom was referred Senate Bill No. 230—In relation to furnishing arms for the use of the Military Academies in the State—have had the same under consideration and report the same back and recommend its passage.

BARKER, Chairman.

The bill above reported was taken up, the rules being suspended, and read a third time and passed.

By Mr Meeker:

Mr. Speaker: The Committee on Federal Relations, to whom was referred Senate Joint Resolution No 1, with a substitute, have carefully considered the same and report it back, with the recommendation that the original joint resolution do pass with the amendment proposed by the committee in their former report.

They have also had under consideration Assembly Joint Resolution No. 21—In relation to the adoption of a National Postal Telegraph system,—and report the same back with the recommendation that the same do pass.

MEEKER, Chairman.

By Mr. Mott of Sacramento:

Majority and minority reports from Committee on Claims on Senate Bill No. 40. Ordered on file with the bill

By Mr. Eagan:

Mr Speaker: The Committee on Agriculture, to whom was referred Assembly Bill No. 245—An Act for the encouragement of the production of ramie in the State of California—having given the same careful consideration, beg leave to report the bill back and recommend that it do not pass.

EAGAN, Chairman

Also, by the same:

Mr. Speaker. Your Committee on Agriculture, to whom was referred Senate Bill No. 211—An Act to amend an Act entitled an Act to promote agriculture—approved March twenty-sixth, eighteen hundred and sixty-six, have had the same under consideration, beg leave to report the bill back recommending its passage.

EAGAN, Chairman

On motion of Mr. Sensabaugh, the bill above reported was taken up, rules suspended, read a third time and passed.

By Mr. Pardee:

A voluminous report from the Committee on Public Buildings and Grounds, together with the testimony taken before the committee concerning the alleged frauds connected with the construction of the State Normal School building.

[For report and testimony see Appendix.]

Mr. Mott of Sacramento moved that one thousand copies of the report be printed.

Laid over one day.

By Mr. Mott of Sacramento:

Mr. SPEAKER: The Committee on Claims, to whom was referred Assembly Bill No. 174—An Act for the relief of Michael Conniff—beg leave to report it back, with the recommendation that it be referred to the San Francisco delegation, the bill being one of purely local interest.

The committee have also carefully considered Assembly Bill No 113—An Act for the relief of D. B. Akey—and beg leave to report it back and recommend its passage as amended, as follows: strike out the words and figures "for $1,750," and insert "for one thousand two hundred dollars." This claim is for pay as Captain in the First California Cavalry, from the seventeenth day of February, eighteen hundred and sixty-three, when the claimant was commissioned as Captain by Leland Stanford, to the twenty-fourth day of June, eighteen hundred and sixty-three, the date of his resignation, and is also in part payment of expenses incurred in recruiting for his company, and in subsisting and transporting said recruits to the point where they were mustered in. It is further shown that Akey has never received any payment for said services, having been absent, sick, when his company was mustered in.

MOTT, Chairman.

REPORTS OF SPECIAL COMMITTEES.

Reports from special committees were made as follows:

By Mr. Crane:

Mr. SPEAKER: The Alameda delegation, to whom was referred Assembly Bill No. 369, beg leave to report the same back and recommend its passage.

CRANE, for Delegation.

By Mr. Wheaton:

Mr. SPEAKER: The San Francisco delegation have had under consideration Assembly Bill No 13—An Act revisory of and supplementary to the Act approved nineteenth of April, eighteen hundred and fifty-six, consolidating the government of the City and County of San Francisco—have amended the same, and herewith report the bill as amended and recommend its passage.

WHEATON, Chairman.

By Mr. Woodward:

Mr. SPEAKER: The San Joaquin delegation, to whom was referred Assembly Bill No. 379—An Act to authorize the County Treasurer of San Joaquin County to transfer certain funds to the School Fund of said county—have had the same under consideration, report it back and recommend its passage.

WOODWARD,
SARGENT,
San Joaquin Delegation.

By Mr. Munday:

Mr. SPEAKER: The Sonoma delegation, to whom was referred Assembly Bill No. 332—An Act authorizing and maintaining a bridge across Petaluma Creek, in the City of Petaluma—beg leave to report the same back, and recommend that it be referred to the Committee on Commerce and Navigation.

MUNDAY, for Delegation.

MOTIONS AND RESOLUTIONS.

Mr. Mathers moved to take from the table Assembly Bill No. 304.

The motion prevailed, and the bill ordered to the top of file for tomorrow.

Mr. Cooper, according to prescribed notice, moved to reconsider the vote whereby, on yesterday, the House refused to order to engrossment Assembly Bill No. 64—An Act to create the County of San Benito.

Mr. Wilcox moved to lay the motion on the table, and thereupon the ayes and noes were demanded by Messrs. Wilcox, Eagan, and Everett, and the motion was lost by the following vote:

AYES—Messrs. Aldrich, Baird, Bayley, Bradley, Bockius, Brown, Burckhalter, Center, Crane, Dannals, Ellis, Galloway, Gibson, Goodall, Harvey, Henshaw, James, Gray, Mathers, Jost, Meeker, Mott of Los Angeles, Mott of Sacramento, Munday, McCullough, Sargent of Santa Clara, Sargent of San Joaquin, Schrack, Seibe, Slaughter, Sphvalo, Stillwagon, Wheaton, Whiting, Wilcox, and Woodward—36.

NOES—Messrs. Andrews, Bacon, Barker, Barklage, Barnes, Bell, Berry, Caldwell, Chalmers, Coleman, Cooper, Days, Eagan, Edgar, Everett, Franck, Freeman, French, Hayes, Hopper, Johnston, Lee, Little, Lofton, Long, Luttrell, Pardee, Rector, Reed, Rice, Russ, Sensabaugh, Spencer, Turner, Walker, Ward, Welty, Whitney, Wright, and Mr. Speaker—41.

On the motion to reconsider, the ayes and noes were again demanded by Messrs. Days, Wilcox, and Schrack, and it was rejected by the following vote:

AYES—Messrs. Andrews, Bacon, Barker, Barklage, Barnes, Bell, Berry, Caldwell, Chalmers, Coleman, Cooper, Days, Eagan, Edgar, Everett, Franck, Freeman, French, Gray, Hayes, Hopper, Johnston, Lee, Lofton, Long, Pardee, Rice, Russ, Sensabaugh, Spencer, Turner, Walker, Ward, Welty, Whitney, Wright, and Mr. Speaker—36.

NOES—Messrs. Aldrich, Baird, Bayley, Bradley, Bockius, Brown, Burckhalter, Center, Crane, Dannals, Ellis, Galloway, Gibson, Goodall,

Harvey, Henshaw, James, Jost, Little, Mathers, Meeker, Mott of Los Angeles, Mott of Sacramento, Munday, McCullough, Rector, Sargent of Santa Clara, Sargent of San Joaquin, Schrack, Seibe, Slaughter, Spivalo, Stillwagon, Wheaton, Whiting, Wilcox, and Woodward—37.

SPECIAL ORDER.

At twelve o'clock M., the special order for the day, Assembly Bill No 84—An Act to take preliminary steps for calling a Convention to amend, remodel, or propose a new Constitution for the State of California—was taken up, and on motion of Mr. Days, continued as the special order for Wednesday, February twenty-first, at the same hour.

RESOLUTIONS CONTINUED.

By Mr. Bayley:

Resolved, That the House, on each and every day, take a recess from one o'clock until half-past one o'clock P M., except Saturday.

Mr. Andrews moved to amend by substituting "two" for "half-past one o'clock."

Lost.

Mr. Barker moved to substitute "three quarters of an hour" for "half-past one o'clock."

Lost.

And the original resolution was then rejected.

REPORT.

Mr. Luttrell obtained leave to make a report from the Committee on Rules and Regulations

Mr. SPEAKER: The Committee on Rules and Regulations, to whom was referred Assembly Resolution—Relative to the appointment of two Assistant Engrossing Clerks and the appointment of one porter for committee rooms—report the same back and recommend their passage.

LUTTRELL, Chairman.

The rules were suspended, and the resolutions above reported were adopted as follows:

Resolved, That the Sergeant at Arms be and he is hereby authorized to employ a porter to attend to committee rooms outside the Capitol building at the per diem allowed other porters, payable out of the Contingent Fund of the Assembly.

Resolved, That Henry Keyser and R. Lillibridge be and they are hereby appointed Assistant Engrossing Clerks, with the per diem allowed by law.

Mr. Chalmers moved to amend by substituting the name of Miss Von Guelder, of Yolo County, in place of R Lillibridge.

The motion prevailed and the resolution as amended was adopted.

The rules were suspended and Mr. Gray, from the Committee on Cor-

porations, made a report from the Committee, on Assembly Bills Nos. 7 and 9, concerning railroad freights and fares, accompanied by an abstract of evidence taken before the Committee on Corporations relative to these subjects.

[For the report and abstract see Appendix.]

MESSAGE FROM THE GOVERNOR.

The following message was received from the Governor:

STATE OF CALIFORNIA, EXECUTIVE DEPARTMENT,
Sacramento, February 15th, 1872.

To the Assembly of the State of California:

I have to inform your honorable body that I have approved Assembly Bill No. 119—An Act concerning roads in the County of Humboldt.

Also, Assembly Bill No. 259—An Act to provide a fund for the erection of county buildings in the County of San Bernardino and other matters relating thereto.

Also, Assembly Bill No. 15—An Act in relation to sales and conveyances made by the Garden Land Homestead Association.

Also, Assembly Bill No. 160—An Act to protect agriculture and prevent the trespassing of animals upon private property in the County of Los Angeles and in the County of San Diego and parts of Monterey County.

NEWTON BOOTH, Governor.

MESSAGE FROM THE SENATE.

The following message was received from the Senate:

Mr. SPEAKER: I am directed to inform your honorable body that the Senate, on the twelfth day of February, passed Senate Bill No. 158—An Act to amend an Act entitled an Act to authorize the issue of bonds by the County of San Diego to erect county buildings, approved March twenty-ninth, eighteen hundred and seventy.

Also, passed Senate Bill No 203—An Act fixing the compensation of the Treasurer and Assessor of Humboldt County.

Also, passed Senate Bill No. 210—An Act to establish a college at Santa Rosa, Sonoma County, California.

Also, passed Senate Bill No. 202—An Act to amend an Act entitled an Act to provide for the manner of auditing claims against Humboldt County and to provide for the reduction, etc.

Also, passed Senate Bill No 238—An Act for the correction of errors and omissions in the official proceedings relative to certain contracts for street work in the City and County of San Francisco.

Also, passed Senate Bill No. 214—An Act to amend an Act entitled an Act to raise a fund for the improvement of Napa City.

FERRAL, Secretary.

CONSIDERATION OF THE MESSAGE.

Senate Bills Nos. 158, 203, 210, and 202, were severally read first and second times and placed on file.

Senate Bill No 238, above reported, read first and second times and referred to the San Francisco delegation

Senate Bill No. 214, above reported, read first and second times and referred to the Napa delegation.

NOTICE.

Mr. Reed gave notice of the introduction of a bill for an Act authorizing the Board of Education of the City and County of San Francisco to pay certain claims.

REPORT.

Mr. Barnes made the following report:

Mr. SPEAKER: The Committee on Engrossment beg leave to report that they have examined and find correctly engrossed Assembly Bill No. 186—An Act amendatory of and supplementary to an Act approved April twenty-fifth, eighteen hundred and sixty-three, entitled an Act to incorporate the City of Sacramento

Also, Assembly Bill No 258—An Act to provide for the incidental expenses of the members of the Legislature of this State during the sessions thereof.

Also, Assembly Bill No. 291—An Act to repeal an Act entitled an Act concerning the revenue, approved March twenty-fifth, eighteen hundred and seventy.

Also, Assembly Bill No 212—An Act to amend an Act supplementary to and amendatory of an Act entitled an Act to authorize the Boards of Supervisors of the several counties of this State to grant the right to construct wharves on the overflowed and submerged lands of this State, approved April eighth, eighteen hundred and fifty eight, approved March thirty-first, eighteen hundred and seventy.

Also, Assembly Bill No 254—An Act to prohibit the licensed retailers of intoxicating drinks from selling or giving the same to persons referred to in this Act.

Also, Assembly Bill No. 71—An Act for the relief of Presley A. Dorris.

Also, Assembly Bill No. 269—An Act amendatory of and supplementary to an Act entitled an Act to authorize the incorporation of canal companies, and to provide for the construction of canals and ditches, approved April second, eighteen hundred and seventy.

Also, Assembly Bill No 227—An Act for the relief of the California Volunteer officers and sailors of the United States Navy, who have honorably served within the State of California

Also, Assembly Bill No. 261—An Act to repeal an Act entitled an Act for the incorporation of the City of Anaheim, and appointing Commissioners to dispose of the property, pay the indebtedness, and settle the affairs thereof.

Also, Assembly Bill No. 153—An Act to incorporate the Town of Woodland.

Also, Assembly Bill No. 312—An Act to confirm a certain contract

for the sale of stock by the County of Santa Clara in the Western Pacific Railroad

Also, Assembly Bill No 282—An Act to allow certain persons therein named, and their associates and assigns, to take possession of and improve a certain road in the County of Sacramento.

Also, Assembly Bill No. 271—An Act to provide for the payment of certain fees in Butte County

Also, Assembly Bill No 188—An Act to provide for listing and assessing all solvent debts, and to repeal an Act entitled an Act to prevent double taxation, approved April first, eighteen hundred and seventy, and the Act entitled an Act to relieve owners of encumbered real estate from double taxation, approved April fourth, eighteen hundred and seventy.

Also, Assembly Bill No. 8—An Act to repeal an Act entitled an Act to prevent double taxation; also, to repeal an Act entitled an Act to relieve owners of encumbered real estate from taxation.

Also, Assembly Joint Resolution No. 8—Relative to asking Congress to prepare an amendment to the Constitution of the United States changing time and place of electing United States Senators.

Also, Assembly Bill No. 273—An Act supplemental to an Act authorizing the County of Sonoma to donate bonds to a railroad company.

BARNES, Chairman.

INTRODUCTION OF BILLS.

Bills were introduced as follows:

By Mr. Crane—An Act to provide for building a bridge across Alameda Creek, in the County of Alameda.

Read first and second times and referred to the Alameda delegation.

By Mr. Reed—An Act to amend an Act to change the time for holding municipal elections in the City and County of San Francisco, and to define the official terms of certain officers therein mentioned, approved April second, eighteen hundred and sixty-six.

Read first and second times and referred to the San Francisco delegation.

By Mr. Splivalo—An Act to provide and pay for services rendered for the City and County of San Francisco.

Read first and second times and referred to the San Francisco delegation.

Also, an Act to confirm Order Number One Thousand and Four, passed by the Board of Supervisors of the City and County of San Francisco.

Read first and second times and referred to the San Francisco delegation.

Also, an Act to authorize the Board of State Harbor Commissioners to set apart a portion of the water front of the City and County of San Francisco for certain purposes.

Read first and second times and referred to the Committee on Commerce and Navigation.

By Mr Woodward—An Act supplemental to and amendatory of an Act entitled an Act to provide for the management and sale of the lands belonging to the State, approved March twenty-eighth, eighteen hundred and sixty-eight.

Read first and second times and referred to the Committee on Swamp and Overflowed Lands.

By Mr. Johnston—An Act to enable the Board of Supervisors of Sacramento County to refund certain moneys.

Read first and second times and referred to Sacramento delegation.

By Mr. French—An Act to provide for enlarging and improving the water works of the City of Sacramento, and to protect the city from fires.

Read first and second times and referred to Sacramento delegation.

By Mr. Seibe—An Act to prohibit the carrying of concealed weapons.

Read first and second times and referred to the Judiciary Committee

Also, an Act concerning animals hereafter found running at large in the City and County of San Francisco.

Read first and second times and referred to San Francisco delegation.

By Mr. Mathers—An Act to regulate and define fees in the Sheriff's office in the County of Mendocino.

Read first and second times and referred to the Judiciary Committee.

By Mr. Stillwagon—An Act supplemental to an Act entitled an Act to raise a fund for the improvement of Napa City, approved January twenty-fourth, eighteen hundred and seventy.

Read first and second times and referred to Napa delegation.

REPORT.

The rules were suspended and the following report made by Mr. Wheaton:

Mr. SPEAKER: The San Francisco delegation herewith report Assembly Bill No. 108—An Act to repeal an Act entitled an Act authoring the condemnation of private property within the limits of the public streets of the City and County of San Francisco within the Laguna Survey, approved March twenty-fifth, eighteen hundred and seventy—together with a substitute, and recommend the passage of the substitute.

Also, Assembly Bill No. 83—An Act to repeal an Act entitled an Act to make, open, and establish a public street in the City and County of San Francisco, to be called Montgomery street South, and to take private lands therefor—with a substitute, and recommend passage of substitute.

WHEATON, Chairman.

GENERAL FILE.

Assembly Bill No. 360—An Act to extend the time allowed to the Southern Pacific Railroad Company and the Western Pacific Railroad Company in which to make the termini of their roads upon certain lands donated to them by the State for that purpose in the City and County of San Francisco, approved April second, eighteen hundred and seventy.

Rules suspended, bill considered engrossed, read a third time and passed, and ordered transmitted forthwith to the Senate.

Assembly Joint Resolution No. 19—Relating to extending the time of payments of public lands.

Read a third time and passed.

Assembly Bill No. 294—An Act amendatory of and supplementary to an Act entitled an Act to regulate proceedings in civil cases in the Courts

of justice of this State, approved April twenty-ninth, eighteen hundred and fifty-one.

Read a third time and passed.

Senate Bill No. 198—An Act to provide for the payment of certain claims against Lake County.

Read a third time and passed.

Assembly Bill No. 278—An Act to amend an Act entitled an Act to regulate proceedings in civil cases in the Courts of justice of this State, passed April twenty-ninth, eighteen hundred and fifty-one.

Read a third time and passed.

Assembly Bill No. 279—An Act to amend an Act entitled an Act concerning Courts of justice of this State and judicial officers, approved April twentieth, eighteen hundred and sixty-three.

Read a third time and passed.

Assembly Bill No. 260—An Act to amend an Act to provide for a system of common schools, approved April fourth, eighteen hundred and seventy.

Read a third time and passed.

Senate Bill No 171—An Act declaring the San Joaquin River and the Stockton Slough navigable from and to certain points herein named.

Amended, read a third time and passed.

Assembly Bill No. 265—An Act authorizing the District Courts of this State to appoint assistant counsel in the prosecution of criminal cases and providing compensation therefor.

Read a third time and passed.

MESSAGE FROM THE SENATE.

The rules were suspended and the following message from the Senate taken up.

SENATE CHAMBER,
February 15th, 1872.

Mr. SPEAKER: I am directed to inform your honorable body that the Senate, on the thirteenth day of February, passed Senate substitute for Assembly Bill No. 268—An Act to authorize the Central Pacific Railroad Company to construct and maintain, until the fifteenth day of November, eighteen hundred and seventy-two, a temporary bridge, without a draw, across the Sacramento River at the place where the California and Oregon branch of the railroad of said company crosses said river near the Town of Tehama, in the County of Tehama.

FERRAL, Secretary.

CONSIDERATION OF THE MESSAGE.

The House concurred in Senate substitute for Assembly Bill No. 268, above reported.

On motion of Mr. Andrews, at one o'clock and ten minutes P. M., the House took a recess until two o'clock P. M.

REASSEMBLED.

The House reassembled at the hour last named.

Speaker in the chair.

Roll called.

Quorum present.

INVITATION.

The Speaker presented an invitation to the Assembly from the Chairman of the Committee on Literary Exercises, to attend a celebration by the General Convention of the Tribes of the Improved Order of Red Men of San Francisco, on the anniversary of Washington's Birthday.

PETITION

From citizens of Road District Number Seventeen, adverse to the passage of Assembly Bill No. 282.

Referred to the Sacramento delegation.

SECOND SPECIAL ORDER.

The House took up the second special order for the day.

Assembly Bill No. 342—An Act to divide the State into Congressional Districts.

Amended and ordered engrossed.

REPORT.

The following report was made by Mr. Gibson:

Mr. SPEAKER: Your Committee on Enrollment beg leave to report that they have examined and found correctly enrolled Assembly Bill No. 242—An Act authorizing the Trustees of Santa Barbara School District, of the County of Santa Barbara, of this State, to issue bonds of the district for the sum of six thousand dollars.

Also, Assembly Bill No. 110—An Act to amend an Act entitled an Act concerning roads and highways in the County of Mendocino.

Also, Assembly Bill No. 111—An Act to authorize the Board of Supervisors of Mendocino County to issue bonds of said county and apply the same to the construction of wagon roads in said county.

And that the same have, this fifteenth day of February, A. D. eighteen hundred and seventy-two, at fifteen minutes past three o'clock P. M., been transmitted to the Governor for his approval.

GIBSON.

RESOLUTION.

The rules were suspended, and a resolution offered by Mr. Mathers, that the Governor be requested to return to this House Assembly No. 110, for the correction of an error in the title, adopted.

QUESTION OF PRIVILEGE.

Mr. Gray rose to a question of privilege, to correct an error in the abstract of evidence taken before the Committee on Corporations on Assembly Bills Nos. 7 and 9. The error is on page ninety-nine, and should be corrected by striking out the word "rejected" before the word "evidence" on said page.

SPECIAL ORDER RESUMED.

Assembly Bill No. 383—An Act to define the Senatorial and Assembly Districts of the State, and to apportion the representation thereof.

Part of the second special order of the day was taken up.

Mr. Andrews moved to refer so much of the bill contained in section eight as relates to San Francisco to the San Francisco delegation, with instructions to report a system for districting said city into Assembly and Senatorial Districts.

At four o'clock P. M., Mr. Berry moved to adjourn.

Lost.

Mr. Days moved to amend the amendment by making the bill the special order for Wednesday next, at two o'clock P. M.

Pending consideration, on motion of Mr. Shannon, the bill was ordered to top of file for to-morrow.

On motion of Mr. Pardee, at four o'clock and forty minutes P. M., the House adjourned.

T. B. SHANNON,
Speaker.

M. D. BORUCK, Chief Clerk.

IN ASSEMBLY.

HOUSE OF ASSEMBLY,
Friday, February 16th, 1872.

House met pursuant to adjournment.
Speaker in the chair.
Roll called.
Quorum present.
Prayer by the Chaplain.
Journal of yesterday read and approved.

RESOLUTION.

The rules were suspended, on motion of Mr. Mathers, who offered the following resolution, which was adopted:

Resolved by the Assembly, the Senate concurring, That the Enrolling Clerk of the Assembly be authorized to correct the title of Assembly Bill No. 110—An Act to amend an Act entitled an Act concerning roads and highways in the County of Mendocino, approved March, eighteen hundred and sixty-eight, amended February, eighteen hundred and seventy—by inserting after the word "March" the word "twenth-eighth," and after the word "February" the word "nineteenth."

PETITION.

Mr. Harvey presented a petition from citizens of Sacramento County, favoring the repeal of the Act of March twenty-six, eighteen hundred and sixty-six, to prevent the trespass of animals.

Referred to Committee on Agriculture.

REPORTS OF STANDING COMMITTEES.

Reports from standing committees were made as follows:

By Mr. Chalmers:

Mr. SPEAKER: Your committee to whom was referred a Preamble and Joint Resolution No 26, beg leave to report the same back with a recommendation that the same do pass.

CHALMERS, Chairman.

By Mr. Harvey:

Mr. SPEAKER: The Committee on Swamp and Overflowed Lands, to whom was referred Assembly Bill No. 247—An Act concerning wharves—have had the same under consideration, report the same back and recommend its passage as amended.

HARVEY, Chairman.

REPORTS OF SELECT COMMITTEES.

Reports from select committees were made as follows:

By Mr. Wheaton:

Mr. SPEAKER: The San Francisco delegation herewith report Assembly Bill No. 377—An Act to authorize the Board of Supervisors of the City and County of San Francisco to sell and convey a certain piece of land composing the Cemetery Avenue, and the triangular Plaza reserved by the Outside Land Committee, up to the Cemetery Avenue, and for other purposes, and recommend its passage.

WHEATON, for Delegation.

By Mr. Chalmers:

Mr. SPEAKER: The El Dorado delegation, to whom was referred Assembly Bill No. 380—Concerning roads and highways in said county—have had the same under consideration, report the same back and recommend its passage.

CHALMERS, for Delegation.

The rules were suspended, and the bill above reported taken up, considered engrossed, read a third time and passed.

By Mr. Andrews:

Mr. SPEAKER: The delegations from Shasta and Trinity, to whom was referred Assembly Bill No. 373—An Act supplementary to an Act entitled an Act concerning roads and highways in the Counties of Shasta and Trinity—have considered the same, and ask leave to report it back and recommend its passage.

ANDREWS, for Delegation.

The rules were suspended, and the bill above reported taken up, considered engrossed, read a third time and passed.

By Mr. Crane:

Mr. SPEAKER: The Alameda delegation, to whom was referred Assembly Bill No. 381, beg leave to report the same back and recommend its passage.

CRANE, for Delegation.

The rules were suspended, and the bill above reported taken up, considered engrossed, read a third time and passed.

By Mr. Stillwagon:

Mr. SPEAKER: The Napa delegation, to whom was referred Senate Bill No. 214, respectfully return the same with the recommendation that it pass.

STILLWAGON, for Delegation.

By the same:

Mr. SPEAKER: The delegation from Napa and Lake Counties, to whom was referred Assembly Bill No. 372—An Act to define the northern boundary line of Napa County, adjoining Lake and Yolo Counties—have the honor to report that they have carefully examined the same and recommend its passage.

STILLWAGON, for Delegation.

MOTIONS AND RESOLUTIONS.

On motion of Mr Bradley, Assembly Bill No. 251 was taken from the file and referred to the Committee on Agriculture.

Mr. Burckhalter offered the following resolution, which was adopted:

WHEREAS, The Committee on Claims, to whom the bill for the relief of J. Jackson was referred, are laboring under a mistaken idea in reference to the instructions by this House, therefore

Resolved, That said committee be and they are hereby instructed to ascertain the amount of actual damage the said J Jackson has sustained, and amend the bill to conform to the facts and report the same back.

On motion of Mr. Berry, Assembly Bills Nos. 188 and 88 were taken from the file and made the special order for Tuesday, February twentieth, at twelve o'clock M.

Mr. Welty offered the following:

Resolved, That the Engrossing Clerk be and he is hereby authorized to insert the enacting clause in Assembly Bill No. 327—An Act to provide for the assessment and collection of taxes in Placer County.

Adopted.

On motion of Mr. Pardee, one thousand copies of the report of the Committee on Public Buildings and Grounds, in accordance with the

motion to that end made yesterday by Mr. Mott of Sacramento, were ordered printed.

NOTICE.

Mr. Hayes gave notice of the introduction of a bill for an Act to fix and permanently locate the county seat of Monterey County at Salinas City after the first day of July, eighteen hundred and seventy-two.

INTRODUCTION OF BILLS.

Bills were introduced as follows:

By Mr. Jost—An Act to provide revenue for the support of the government of the State and counties.

Read first and second times and referred to the Committee on Ways and Means, and ordered printed.

By Mr. Spencer—An Act to incorporate the City of San José.

Read first and second times and placed on file.

Also, an Act to authorize the City of San José to issue bonds to provide sewerage for said city.

Read first and second times and placed on file.

By Mr. Mott of Los Angeles—An Act to authorize the Board of Supervisors of Los Angeles County to locate and build bridges across the Los Angeles River, and the New San Gabriel and the Old San Gabriel Rivers, in Los Angeles County, and to issue bonds for the payment thereof.

Read first and second times and referred to the Los Angeles delegation.

By Mr. Hayes—An Act to provide for the county printing of Monterey County.

Read first and second times and placed on file.

By Mr. Galloway—An Act to amend an Act entitled an Act to amend an Act entitled an Act to fix the compensation of the District Attorney of the County of Contra Costa, approved February ninth, eighteen hundred and sixty, approved March thirty-first, eighteen hundred and sixty-six.

By Mr. Ward—An Act to provide for the location, construction, and maintenance of public roads in Colusa County.

Read first and second times and referred to the Committee on Roads and Highways, and ordered printed.

By Mr. Gray—An Act to enforce the responsibilities of stockholders in corporations as prescribed by the Constitution, and to provide for the prompt payment of demands against such corporations.

Read first and second times and referred to the Committee on Corporations.

GENERAL FILE.

Assembly Bill No 343—An Act to define the Senatorial and Assembly Districts of the State and to apportion the representation thereof.

On motion of Mr. Splivalo it was taken from the file and made the special order of the day for Friday, February twenty-third, at twelve o'clock M.

Assembly Bill No 304—An Act amendatory of an Act entitled an Act to amend an Act to provide revenue for the support of the government

of this State, approved May seventeenth, eighteen hundred and sixty-one, approved February twenty-ninth, eighteen hundred and sixty-eight

Mr. Andrews moved to refer the bill to the Committee on Ways and Means, with instructions to report a general law on the subject of the bill

Mr. Barklage moved to amend the bill by striking out the "first day of March" and inserting the "first day of May," as the time when the bill shall take effect.

FIRST SPECIAL ORDER.

The consideration of the foregoing amendments was put off by the first special order of the day.

Senate Bill No. 98—An Act for the relief and support of the California Labor and Employment Exchange.

Mr. Crane moved to refer the bill to a special committee of five, to investigate certain charges against some of the executive officers of the institution referred to.

The motion was lost.

Mr. Spencer moved the indefinite postponement of the bill.

So ordered.

At one o'clock P. M., on motion of Mr. Crane, the House took a recess for half an hour.

REASSEMBLED.

At half-past one o'clock P. M. the House reassembled.

Speaker in the chair.

Roll called.

Quorum present.

LEAVE OF ABSENCE.

Leave of absence was granted Mr. Sargent of San Joaquin for one day.

RESOLUTIONS.

The rules being suspended, a resolution was offered by Mr. Grey:

A resolution authorizing the Engrossing Clerk to insert an enacting clause in Assembly Bill No. 262.

Adopted.

By Mr. Chalmers:

A resolution for the appointment of two additional Engrossing Clerks.

Referred to the Committee on Rules and Regulations.

REPORT.

Mr. Barnes made the following report:

Mr. SPEAKER: The Committee on Engrossment beg leave to report that they have examined and find correctly engrossed Assembly Bill No. 290—An Act to empower and authorize the Commissioners of the former Pueblo or City of Sonoma to sell and convey a portion of the lands known as the "Pueblo grant of Sonoma."

Also, Assembly Joint Resolution No. 20—Relative to fortifications in San Diego Harbor.

Also, Assembly Concurrent Resolution No. 13—Relative to instructing our Senators and requesting our Representatives to procure the passage of an Act to provide for a survey of unsurveyed mountain lands.

Also, Assembly Bill No. 289—An Act in relation to fence and pound districts in the County of Sonoma.

Also, Assembly Bill No. 320—An Act to authorize the corporate authorities of the Town of Santa Clara to take, hold in trust, and convey certain lands.

BARNES, Chairman.

SECOND SPECIAL ORDER.

Assembly Bill No. 7—An Act to amend an Act entitled an Act to provide for the incorporation of railroad companies and the management of the affairs thereof, and other matters relating thereto, approved May twentieth, eighteen hundred and sixty one.

Also, Assembly Bill No. 9—An Act to amend an Act entitled an Act for the incorporation of railroad companies and the management of the affairs thereof, and other matters relating thereto, approved May twentieth, eighteen hundred and sixty-one

On motion of Mr. Luttrell, Assembly Bill No. 7 was first considered.

Mr. Gray offered a substitute for both bills and made the following report:

Mr. Speaker: The Committee on Corporations, to whom was referred Assembly Bills Nos. 7 and 9, each entitled an Act to amend an Act entitled an Act to provide for the incorporation of railroad companies and the management of the affairs thereof, and other matters relating thereto, approved May twentieth, eighteen hundred and sixty-one—report and recommend the accompanying substitute for said Assembly Bills Nos. 7 and 9.

GRAY, Chairman.

Mr. Days offered an amendment to the substitute.

Mr. Mott of Sacramento moved to make the further consideration of the whole subject matter the special order for the day for Tuesday, February twentieth, at twelve o'clock M

[Speaker pro tem in the chair]

Mr. Shannon moved to amend by substituting half-past eleven o'clock A. M., when the consideration of the Bills Nos. 7 and 9, and the substitute offered by Mr. Gray, and the amendment proposed by Mr. Days, should take precedence over all other business, and that the last two named documents be printed.

Mr. Mott accepted the amendment to his motion, and on its adoption the ayes and noes were called for by Messrs Berry, Whitney, and Wilcox, and the motion prevailed by the following vote:

Ayes—Messrs. Aldrich, Bacon, Barklage, Barnes, Bell, Bradley, Bockius, Brown, Burckhalter, Caldwell, Center, Chalmers, Coleman, Crane, Dannals, De Haven, Eagan, Edgar, Ellis, Everett, Franck, French, Galloway, Gibson, Goodall, Gray, Harvey, Hopper, James, Johnston, Little, Long, Luttrell, Mathers, Meeker, Mott of Los Angeles, Mott of Sacramento, Pardee, Reed, Russ, Sammons, Sargent of San Joaquin, Schrack, Seibe, Slaughter, Spencer, Splivalo, Stillwagon, Turner, Welty, Wheaton, Whiting, Whitney, Woodward, Wright, and Mr. Speaker—57.

NOES—Messrs. Andrews, Baird, Barker, Bayley, Berry, Connolly, Days, Freeman, Hayes, Henshaw, Jost, Lee, Lofton, Munday, McCullough, Rice, Sargent of Santa Clara, Sensabaugh, Tinnin, Walker, and Wilcox—21.

At five o'clock and fifteen minutes P. M., on motion of Mr. Pardee, the House adjourned.

T. B. SHANNON,
Speaker.

M. D. BORUCK, Chief Clerk.

IN ASSEMBLY.

HOUSE OF ASSEMBLY,
Saturday, February 17th, 1872.

House met pursuant to adjournment.
Speaker in the chair.
Roll called.
Quorum present.
Prayer by the Chaplain.
Journal of yesterday read and approved.

LEAVE OF ABSENCE.

Leave of absence was granted to Mr. De Haven for one day, and to Mr. Center and Mr. Sargent of Santa Clara for two days each.

RESOLUTION.

The rules were suspended and the following resolution, offered by Mr. Goodall, was adopted:

Resolved, That when this House adjourns to-day it do so to meet at half-past two o'clock on Monday next.

The rules were again suspended, and, on motion of Mr. James, Assembly Bill No. 377—An Act to authorize the Board of Supervisors of the City and County of San Francisco to sell and convey a certain piece of land composing the Cemetery Avenue and triangular Plaza, reserved by the Outside Land Committee, up to the Cemetery Avenue, and for other purposes—was taken from the file, rules again suspended, bill considered engrossed, read a third time and passed.

REPORTS OF STANDING COMMITTEES.

Reports were made from standing committees as follows:

By Mr. Mott of Sacramento:

MR. SPEAKER: The Committee on Claims, to whom was referred

Assembly Bill No 367—An Act to pay the claim of James T. Boyd—beg leave to report it back and recommend its passage

Also, report back Assembly Bill No 165—An Act for the relief of John Jackson, Sheriff and ex officio Tax Collector of Trinity County—and, in obedience to instructions, report that Jackson has proved to the satisfaction of the committee expenses to the amount of two thousand dollars, and damages incurred to the amount of three thousand dollars additional.

MOTT, Chairman.

By Mr. Harvey:

Mr. Speaker: The Committee on Swamp and Overflowed Lands, to whom was referred Assembly Bill No. 250—An Act to declare Lake Earl and its tributaries, in Del Norte County, navigable, and to exempt said waters from entry—have had the same under consideration, report the same back with a substitute, and recommend the passage of the substitute.

HARVEY, Chairman.

REPORTS OF SELECT COMMITTEES.

Reports from select committees were made as follows:

By Mr. Dannals:

Mr Speaker: The San Diego delegation, to whom was referred Senate Bill No. 10—An Act to legalize, ratify, and confirm deeds of conveyance and grants of land made by the municipal authorities of the City of San Diego—have had the same under consideration, report the same back to the House and recommend its passage.

DANNALS, for Delegation.

By Mr. Mott of Los Angeles:

Mr Speaker: The Los Angeles delegation, to whom was referred Assembly Bill No. 396—An Act to authorize the Board of Supervisors of Los Angeles County to locate and build bridges, and issue bonds for the payment thereof—report the same back and recommend its passage.

MOTT, for Delegation.

The bill above reported was taken up, rules suspended, considered engrossed, read a third time and passed.

By Mr. Johnston:

Mr. Speaker: Your committee to whom was referred Assembly Bill No. 371—report the same back with substitute, and recommend the passage of the substitute.

JOHNSTON, for Delegation.

The bill above reported was taken up, rules suspended, substitute reported adopted, considered engrossed, read a third time and passed.

By Mr. Stillwagon:

Mr. Speaker: The Napa delegation have the honor to return Assembly Bill No. 392—and recommend its passage.

STILLWAGON, for Delegation.

By Mr. French:

Mr. Speaker: The Sacramento delegation, to whom the accompanying bill, viz: Assembly Bill No. 350—An Act supplementary to the Act of April twenty-fifth, eighteen hundred and sixty-three, entitled an Act to incorporate the City of Sacramento—was referred, having fully considered the same, do respectfully report the same back and recommend its passage.

FRENCH, for Delegation.

By Mr. Chalmers:

Mr Speaker: The delegations from El Dorado and Sacramento Counties have had under consideration Senate substitute for Assembly Bill No. 11—An Act to amend an Act entitled an Act to consolidate certain school districts of the Counties of El Dorado and Sacramento, approved April twenty-fifth, eighteen hundred and sixty-three—and recommend the passage of the substitute as amended.

CHALMERS, for Delegation.

The rules were suspended, on motion of Mr. Barklage, and the bill above reported taken up, the substitute recommended adopted, rules suspended, read a third time and passed.

By Mr. Franck:

Mr Speaker: The Santa Clara delegation, having had under consideration Assembly Bill No 300—An Act to regulate fees of County Clerk of Santa Clara County—beg leave to report the same back with substitute, and recommend passage of substitute.

FRANCK, for Delegation.

On motion of Mr. Spencer, the rules were suspended and the bill above reported taken up, the substitute recommended adopted, rules further suspended, read a third time and passed.

By Mr. Harvey:

Mr. Speaker: The Committee on Swamp and Overflowed Lands, to whom was referred Assembly Bill No. 349—An Act to amend an Act entitled an Act to provide for the management and sale of lands belonging to the State, approved March twenty-eighth, eighteen hundred and sixty-eight—have had the same under consideration, report the same back with a substitute, and recommend the passage of the substitute.

HARVEY, Chairman.

The bill above reported was taken up and ordered to top of file for Monday, February nineteenth.

By Mr. Wheaton.

Mr. SPEAKER: The San Francisco delegation herewith report Senate Bill No. 174—An Act for the relief Michael Conniff—and recommend its passage.

WHEATON, Chairman.

Mr. Days offered the following, which was adopted:

Resolved, That the Committee on Mines and Mining Interests be and they are hereby instructed to report back to this House Assembly Bill No. 72—An Act for the protection of miners—and the same be placed second on the file on Monday next.

By Mr. Luttrell:

Mr SPEAKER: Your joint committee on the translation of the laws into the Spanish language beg leave to report that on Monday, the fifth day of February, eighteen hundred and seventy-two, they met at the office of the Secretary of State in order to receive bids for the translation of the laws and public documents of the State of California during the nineteenth session of the Legislature, and after an examination as to the qualifications of all the bidders present your committee, on the fifteenth day of February, eighteen hundred and seventy-two, being satisfied as to the competency of Thomas R Eldredge, they have awarded the contract to him for translating the said laws into the Spanish language, at the rate of eighteen cents per folio.

FARLEY,
Chairman of Senate Committee.

LUTTRELL,
Chairman of Assembly Committee.

By Mr. Gibson:

Mr. SPEAKER: Your Committee on Enrollment beg leave to report that they have examined and found correctly enrolled Assembly Bill No. 268—An Act to authorize the Central Pacific Railroad Company to construct and maintain, until the first day of November, eighteen hundred and seventy-two, a temporary bridge, without a draw, across the Sacramento River at the place where the California and Oregon branch of the railroad of said company crosses said river, near the Town of Tehama, in the County of Tehama.

Also, Assembly Joint Resolution No. 17—Instructing our Senators and requesting our Representatives in Congress to urge the establishment of a tri-weekly mail from Cache Creek, in Yolo County, to Capay, in Yolo County.

Also, Assembly Bill No. 208—An Act to provide for the support of schools in certain districts in Tehama County.

Also, Assembly Bill No. 144—An Act amendatory of an Act to regulate fees of office, approved March twenty-eighth, eighteen hundred and sixty-eight.

Also, Assembly Bill No. 110—An Act to amend an Act entitled an Act

concerning roads and highways in the County of Mendocino, approved March, eighteen hundred and sixty-eight, has been amended in accordance with a concurrent resolution passed February sixteenth, eighteen hundred and seventy-two.

And that the same have, this seventeenth day of February, A. D. eighteen hundred and seventy-two, at forty-five minutes past eleven o'clock, been transmitted to the Governor for his approval.

GIBSON, Chairman.

The rules were suspended, on motion of Mr. Gray, and Assembly Bill No. 13—An Act revisory of and supplementary to the Act approved nineteenth of April, eighteen hundred and fifty-six, consolidating the government of the City and County of San Francisco, taken from its order on the file The substitute reported was adopted, rules again suspended, considered engrossed, read a third time and passed.

Mr. Andrews gave notice of a motion to reconsider

Mr. French, from the Sacramento delegation, reported back Assembly Bill No. 388, to have it printed, and it was so ordered.

MESSAGE FROM THE SENATE

The following message was received from the Senate:

SENATE CHAMBER,
February 17th, 1872.

Mr. SPEAKER: I am directed to inform your honorable body that the Senate, on the thirteenth day of February, passed Senate Bill No 108—An Act to authorize the Board of Trustees of Woodland School District, in the County of Yolo, to borrow money for certain purposes, and provide for the payment of the same.

Also, passed Senate Bill No 239—An Act to provide for the indigent sick of Del Norte County.

Also, passed Assembly Bill No. 101—An Act to provide for the location, construction, and maintenance of public roads in the County of Calaveras.

Also, passed Assembly Bill No. 205—An Act to provide for the appointment of additional Notaries Public for the County of Humboldt.

Also, passed Assembly Bill No. 273—An Act supplemental of an Act entitled an Act to authorize the County of Sonoma to donate bonds to a railroad company, and to provide for the payment of the same.

Also, passed Assembly Bill No 17—An Act creating the Eighteenth Judicial District and for other purposes.

Also, passed Assembly Bill No 312—An Act to confirm a certain contract for the sale of stock held by the County of Santa Clara in the Western Pacific Railroad Company, and to give effect to the same, and amendatory of an Act entitled an Act to authorize the Board of Supervisors of the County of Santa Clara to take and subscribe one hundred and fifty thousand dollars to the capital stock of the Western Pacific Railroad, etc.

Also, indefinitely postponed Assembly Bill No. 204—An Act to repeal an Act entitled an Act in relation to the office of Court Commissioner of the County of San Joaquin.

Also, refused to pass Assembly Bill No. 252—An Act to legalize the assessment of damages by the laying out and opening of Union street, in the Town of Watsonville.

Also, amended and passed Assembly Bill No. 5—An Act to repeal an Act entitled an Act to protect litigants.

Also, passed Assembly Bill No. 270—An Act to protect fish in the waters of Butte Creek, in the County of Butte.

Also, passed Assembly Bill No 2—An Act to repeal an Act entitled an Act authorizing the publication of certain legal notices in a State paper printed at the seat of government of the State of California, approved March twenty-ninth, eighteen hundred and seventy.

Also, passed Assembly Bill No. 237—An Act to regulate the traveling fees of the Sheriff of Kern County.

Also, amended and passed Assembly Bill No. 229—An Act to fix the bonds of the Sheriff of the County of Contra Costa.

Also, passed Senate Bill No. 126—An Act in relation to Coroners.

Also, passed Senate Bill No. 218—An Act making appropriation for deficiences.

Also, on the sixteenth instant, passed Assembly Bill No. 51—An Act to provide for the government of the County of San Diego.

Also, passed Assembly Bill No 156—An Act to provide for the liquidation of certain bonds of the City and County of Sacramento.

Also, adopted Senate Concurrent Resolution No. 32—Relative to payment of Owen Thorn, Clerk of Committee on Hospitals

Also, adopted Assembly Resolution—Requesting the return of substitute of Assembly Bill.

FERRAL, Secretary.

CONSIDERATION OF SENATE MESSAGE.

The House concurred in Senate amendments to Assembly Bills Nos. 239 and 51, and also concurred in Senate Concurrent Resolution No. 32, above reported.

Senate Bill No. 229, above reported, read first and second times and placed on file.

Senate Bill No. 108, above reported, read first and second times and referred to Yolo delegation.

Senate Bill No. 126, above reported, read first and second times and referred to San Francisco delegation

Senate Bill No. 218, above reported, read first and second times and referred to Committee on Ways and Means.

INTRODUCTION OF BILLS.

Bills were introduced as follows:

By Mr. Hopper—An Act relative to certain county warrants in the Treasury of the County of Sacramento.

Read first and second times and referred to the Sacramento delegation.

By Mr. Wilcox—An Act amendatory of an Act entitled an Act to provide for binding minors as apprentices, clerks, and servants, approved April tenth, eighteen hundred and fifty-eight.

Read first and second times and referred to the Committee on Public Morals.

By Mr. Munday—An Act for the relief of William S Brown.

Read first and second times and referred, with an accompanying petition, to the Committee on Claims.

By Mr. Slaughter—An Act to regulate fees of office and salaries of officers in San Bernardino County

Read first and second times and placed on file.

By Mr. Barnes—An Act to raise revenue in Plumas County for hospital and other purposes.

Read first and second times and placed on file.

By Mr. Mott of Sacramento—An Act to authorize the County of Sacramento to issue bonds.

Read first and second times and referred to the Sacramento delegation.

Also, an Act to provide the City of Sacramento with a better supply of water.

Read first and second times and referred to the Sacramento delegation, and ordered printed.

JAPANESE EMBASSY.

Senate Concurrent Resolution No. 30—Relative to payment of expenses of Japanese Embassy reception—was taken from the file.

Also, the following report from the Committee on Claims recommending concurrence by the House.

Mr. SPEAKER: The Committee on Claims, to whom was referred Senate Concurrent Resolution No. 30—Relative to payment of expenses of the Japanese Embassy reception—beg leave to report it back, and recommend the concurrence of the Assembly, for reasons as follows

The Japanese Embassy that recently visited our State is doubtless the most important one that in modern times has left the shores of Asia.

It is composed of the most advanced minds of Japan, and they are charged with the duty of investigating all that pertains to our civilization, which they admit is in most, if not all particulars, in advance of their own.

That these men are in earnest in their work no one who came in contact with them can doubt, and considering the wonderful change one decade has made in Japan, the eager desire for knowledge the people manifest, and the marvelous ease with which they adapt themselves to the new conditions of life imposed by breaking the seal of national seclusion—it becomes morally certain that the work of this Embassy will not only result in the progress of the nation that sends it, but have an important bearing upon the varied interests of the countries visited.

Under these circumstances, and in accordance with universal custom, it was eminently proper that on their way from State to State, and people to people, certain attentions should be shown them by the proper authorities.

Coming to Sacramento, the Capital of the State, while the Legislature was in session, a committee from each House was appointed to receive them This committee acting jointly, were not directly authorized to incur any liabilities, but the faithful and courteous discharge of their duty necessarily involved the expenditure of money. Possibly they may have been too zealous, too ready with their hospitable offers, but there was no meanness under the mask of economy, and in view of the fact that the courtesies have been extended and accepted and the debts contracted in good faith, the bills should be paid without delay, and without

undignified fault-finding with the committee, who acted as they deemed best for the honor and interests of the State.

MOTT, Chairman.

Mr. Hopper moved the previous question, which being properly seconded and ordered, on the question of concurring in the resolution, the ayes and noes were demanded by Messrs, Luttrell, Whiting, and Days, and the House refused to concur by the following vote:

AYES—Messrs. Aldrich, Bell, Bradley, Bockius, Brown, Coleman, Cooper, Crane, Dannals, Everett, French, Galloway, Goodall, Gray, Harvey, Hopper, James, Johnston, Lee, Meeker, Mott of Sacramento, McCullough, Reed, Rice, Sargent of San Joaquin, Schrack, Spencer, Splivalo, Ward, Welty, Wheaton, Whitney, Wilcox, Woodward, and Mr. Speaker—35.

NOES—Messrs. Andrews, Baird, Barker, Barklage, Barnes, Bayley, Berry, Burckhalter, Caldwell, Chalmers, Connolly, Days, Edgar, Ellis, Franck, Freeman, Gibson, Henshaw, Little, Lofton, Long, Luttrell, Mathers, Mott of Los Angeles, Munday, Pardee, Rector, Russ, Seibe, Sensabaugh, Slaughter, Tinnin, Turner, Walker, and Whiting—35.

Mr. Barker gave notice of a motion to reconsider.

On motion of Connolly, at one o'clock P. M., the House adjourned.

T. B. SHANNON,
Speaker.

M. D. BORUCK, Chief Clerk.

IN ASSEMBLY.

HOUSE OF ASSEMBLY,
Monday, February 19th, 1872.

House met pursuant to adjournment.
Speaker in the chair.
Roll called.
Quorum present.
Prayer by the Chaplain.
Journal of Saturday, February seventeenth, read and approved.

LEAVE OF ABSENCE.

Leave of absence was granted for one day each to Messrs. Munday, Slaughter, Aldrich, Wheaton, Jost, Rice, and Wright.

PETITIONS.

Petitions were presented as follows:

By Mr. Freeman—From residents in Sacramento and Yolo Counties,

protesting against closing the present county road from Y street, along the Sacramento River.

Referred to Sacramento delegation.

REPORTS OF STANDING COMMITTEES.

Reports from standing committees were made as follows:

By Mr. Barnes:

Mr. SPEAKER: The Committee on Engrossment beg leave to report that they have examined and find correctly engrossed Assembly Bill No. 321—An Act to reincorporate the Town of Santa Clara.

Also, Assembly Bill No. 327—An Act to amend an Act entitled an Act to provide for the assessment and collection of taxes in the County of Placer, approved March second, eighteen hundred and seventy.

Also, Assembly Bill No. 218—An Act to create the County of Ventura, to establish the boundaries thereof, and to provide for its organization.

Also, Assembly Joint Resolution—In reference to a mail route from Red Bluff, etc.

Also, Assembly Bill No. 319—To prevent hogs from running at large in the Town of Shasta

Also, Assembly Bill No. 244—An Act for the relief of James R. Travers.

Also, Assembly Bill No. 262—An Act supplementary to an Act entitled an Act providing for an attorney and counselor in and for the City and County of San Francisco.

Also, Assembly Bill No. 216—An Act for the relief of Anna Wakeman.

Also, Assembly Bill No. 91—An Act to provide for the organization of the Legislature of this State at its regular sessions.

Also, Assembly Bill No. 303—An Act to authorize the City of Vallejo to borrow money.

Also, Assembly Bill No. 233—An Act to provide for the payment of certain claims in the Yosemite Valley.

Also, Assembly Bill No. 281—An Act concerning the percentage upon delinquent taxes on real property in the City and County of San Francisco.

Also, Assembly Bill No. 338—An Act amendatory of and supplemental to an Act entitled an Act to encourage the destruction of squirrels and gophers in certain counties of this State and to provide a bounty therefor.

Also, Assembly Joint Resolution—Relative to making San Diego a port of entry.

BARNES, Chairman.

By Mr. Spencer:

Mr. SPEAKER: The Committee on Judiciary having considered Assembly Bill No. 120—An Act to regulate practice in the Supreme Court—report it back with a substitute and the majority recommend the passage of the substitute.

Also, Assembly Bill No. 196—An Act to determine who must act as the Chief Justice of the Supreme Court—report it back with a substitute and recommend the passage of the substitute.

Also, Assembly Bill No. 296—An Act to authorize the Board of Supervisors of the County of Tehama to levy a tax for the enlargement and

preservation of Red Bluff Cemetery and the improvement and preservation of Tehama Cemetery—report it back and recommend that it do not pass

Also, Senate Bill No 182—An Act to authorize the Public Administrator of Contra Costa County to act as Coroner—report it back and recommend its passage.

Also, Senate Bill No 183—An Act concerning the official bond of the Public Administrator of Contra Costa County—report it back and recommend its passage.

Also, Senate Bill No. 135—An Act supplementary to an Act entitled an Act to provide for the appointment of Notaries Public and defining their duties, approved April twenty-fifth, eighteen hundred and sixty-two—report it back and recommend its passage.

Also, Senate Bill No. 118—An Act amendatory of and supplementary to an Act entitled an Act to incorporate the Town of Eureka—approved April ninth, eighteen hundred and fifty-nine—report it back and recommend its passage.

Also, Assembly Bill No. 307—Proposed amendments to the Constitution—report it back, and the majority recommend its adoption.

Also, Assembly Bill No. 322—An Act extending the time for the payment of taxes in the County of Contra Costa—report it back with amendments, and recommend its passage as amended

Also, Assembly Bill No. 318—An Act to legalize the assessments of taxes in the County of Lassen—report it back and recommend that it do not pass.

Also, Assembly Bill No 316—An Act to amend an Act entitled an Act to regulate proceedings in criminal cases, passed May first, eighteen hundred and fifty-one—report it back with amendments, and recommend its passage as amended.

Also, Assembly Bill No. 188—An Act to repeal an Act entitled an Act to prohibit the collection of accounts for liquors sold at retail, approved April twenty-first, eighteen hundred and fifty-eight—report it back, and the majority recommend that it do not pass.

Also, Senate Bill No 193—An Act to regulate the terms of the County Court and Probate Court of the several counties of this State—report it back and recommend its passage.

Also, Senate Bill No 52—An Act to punish adultery—report it back and recommend that it be referred to the Committee on Public Morals.

Also, Senate Bill No 53—An Act to punish seduction—report it back and recommend its passage

Also, Assembly Bill No 256—An Act to amend an Act entitled an Act to regulate proceedings in criminal cases, passed May first, eighteen hundred and fifty-one—report it back and recommend that it be indefinitely postponed.

SPENCER, Chairman.

Mr. Speaker. A majority of the Committee on Mines and Mining Interests, to whom was referred Assembly Bill No. 72—An Act for the protection of miners—report that they have had the same under consideration the second time, and recommend its passage with amendments proposed by the first report.

HOPPER,
EAGAN,
BAYLEY,
WHITING,
BROWN.

On motion of Mr. Days, the rules were suspended, and the bill above reported, taken up, and ordered to engrossment.

By Mr Eagan—From a majority of the Judiciary Committee, recommending the adoption of Assembly Concurrent Resolution No 19—Proposing an amendment to section thirteen of Article Eleven of the State Constitution.

By Mr. Spencer—A report from a minority of the Judiciary Committee, recommending that the resolution do not pass.

REPORTS OF SELECT COMMITTEES.

Reports from select committees were made as follows:

By Mr. Freeman:

Mr. SPEAKER: The Yolo delegation, after having considered Senate Bill No. 108—An Act to authorize the Board of Trustees of Woodland School District, in the County of Yolo, to borrow money to finish building—report the same back and recommend its passage.

FREEMAN, for Delegation.

The rules were suspended, on motion of Mr. Freeman, and the bill above reported taken up, read a third time and passed.

MOTIONS AND RESOLUTIONS.

Mr. Andrews, according to previous notice, moved that the House reconsider the vote whereby the House, on Saturday, passed Assembly Bill No. 13—An Act revisory of and supplementary to the Act approved April nineteenth, eighteen hundred and sixty-eight, consolidating the government of the City and County of San Francisco.

On adopting the motion, the ayes and noes were demanded by Messrs. Pardee, Whiting, and James, and the House refused to reconsider by the following vote:

AYES—Messrs. Andrews, Barker, Barklage, Bell, Berry, Burckhalter, Caldwell, Center, Coleman, Connolly, Cooper, Dannals, Gibson, Little, Luttrell, Mathers, Rector, Sensabaugh, Tinnin, Walker, Ward, Whiting, and Wilcox—23.

NOES—Messrs. Bacon, Barnes, Bradley, Bockius, Brown, Chalmers, Crane, Days, De Haven, Eagan, Edgar, Ellis, Everett, Franck, Freeman, French, Galloway, Goodall, Gray, Harvey, Hayes, Henshaw, Hopper, James, Johnston, Jost, Lee, Lofton, Long, Meeker, Mott of Sacramento, McCullough, Pardee, Reed, Russ, Sammons, Sargent of Santa Clara, Sargent of San Joaquin, Schrack, Seibe, Spencer, Splivalo, Stillwagon, Turner, Welty, Whitney, Woodward, Wright, and Mr. Speaker—49.

Mr. Mott of Sacramento moved to reconsider the vote whereby the House, on Saturday, refused concurrence in Senate Concurrent Resolution No 30—Relative to expenses incurred in receiving the Japanese Embassy.

The ayes and noes were demanded by Messrs. Henshaw and Mathers, with the following result:

AYES—Messrs. Bacon, Baird, Bell, Bradley, Bockius, Brown, Coleman, Cooper, Crane, De Haven, Eagan, Everett, French, Galloway, Goodall, Gray, Harvey, Hayes, James, Johnston, Jost, Lee, Meeker, Mott of Sacramento, McCullough, Reed, Sargent of Santa Clara, Sargent of San Joaquin, Seibe, Spencer, Splivalo, Stillwagon, Welty, Wilcox, Woodward, Wright, and Mr. Speaker—36.

NOES—Messrs. Aldrich, Barker, Barklage, Barnes, Bayley, Berry, Burckhalter, Caldwell, Center, Chalmers, Connolly, Dannals, Days, Edgar, Ellis, Franck, Freeman, Gibson, Henshaw, Hopper, Little, Lofton, Long, Luttrell, Mathers, Pardee, Rector, Russ, Sammons, Schrack, Sensabaugh, Tinnin, Turner, Walker, Ward, and Whiting—36.

And so the vote was reconsidered

Mr. Barker moved to amend the resolution by striking out the figures "$2,000" and inserting "$1,000."

Lost.

Mr. Freeman moved the previous question.

Which being sustained on the question of concurring in the resolution, the ayes and noes were demanded by Messrs. Tinnin, Pardee, and Hopper, and the House concurred by the following vote:

AYES—Messrs. Bacon, Baird, Barker, Bell, Bradley, Bockius, Brown, Coleman, Cooper, Crane, Dannals, De Haven, Eagan, Ellis, Everett, French, Galloway, Goodall, Gray, Harvey, Hayes, Hopper, James, Johnston, Jost, Lee, Meeker, Mott of Los Angeles, Mott of Sacramento, McCullough, Reed, Sargent of Santa Clara, Sargent of San Joaquin, Schrack, Seibe, Spencer, Splivalo, Stillwagon, Welty, Wilcox, Woodward, Wright, and Mr. Speaker—42.

NOES—Messrs. Andrews, Barklage, Barnes, Bayley, Berry, Center, Chalmers, Connolly, Days, Edgar, Franck, Freeman, Gibson, Henshaw, Little, Lofton, Long, Luttrell, Mathers, Pardee, Rector, Russ, Sensabaugh, Tinnin, Turner, Walker, Ward, Whiting, and Whitney—30.

On motion of Mr Harvey, Assembly Bills Nos. 305 and 341 were ordered placed at head of the file, and to be continued there until disposed of.

Mr. Barker offered a resolution authorizing the Enrolling Clerk to appoint additional assistants whenever, in the opinion of the committee, the same may be necessary.

Referred to the Committee on Rules and Regulations

MESSAGE FROM THE SENATE.

The following message was received from the Senate:

SENATE CHAMBER,
February 19th, 1872.

Mr SPEAKER: I am directed to inform your honorable body that the Senate, on the thirteenth day of February, passed Senate Bill No. 153—An Act to appropriate money to pay the expenses of the Revision Commission.

Also, on the fifteenth instant, passed Senate Bill No. 170—An Act to encourage agriculture and other industries.

Also, on the same day, passed Senate Bill No. 160—An Act to pay the

expenses necessarily incurred in suppressing Indian hostilities in the Counties of Humboldt and Trinity.

Also, on the same day, passed Senate Bill No. 201—An Act to provide for the payment of certain coupons upon bonds of the State that have been lost

Also, on the same day, passed Senate Bill No. 232—An Act to amend an Act entitled an Act to incorporate the Town of Colusa.

Also, on the same day, adopted Memorial—Requesting relief of settlers on Suscol Rancho.

Also, on the same day, adopted Assembly Joint Resolution—Relative to Chinese immigration.

Also, on the same day, passed Assembly Bill No. 162—An Act amendatory of and supplementary to an Act entitled an Act to provide for the better collecting of delinquent taxes in the County of Yuba, etc.

Also, on the nineteenth of February, adopted Senate Concurrent Resolution No. 33—Relative to the appointment of a joint committee to ascertain the position or present condition of the lands belonging to the State.

FERRAL, Secretary.

CONSIDERATION OF SENATE MESSAGE.

Senate Bills Nos. 153 and 201, above reported, were severally read first and second times and referred to the Committee on Ways and Means.

Senate Bill No. 170, above reported, read first and second times and referred to the Committee on Agriculture.

Senate Bill No. 160, above reported, read first and second times and referred to the Committee on Claims.

Senate Bill No. 232, above reported, read first and second times and referred to the Colusa and Tehama delegations.

The Memorial relative to public lands, above reported, was read first and second times and referred to the Committee on Public Lands.

Senate Concurrent Resolution No. 33, above reported, was concurred in, and the Speaker appointed Messrs. Days, Turner, and Ward, on the part of the Assembly, on the special committee raised by the resolution.

INTRODUCTION OF BILLS.

Bills were introduced as follows:

By Mr. Wilcox—An Act to provide for the liquidation of the outstanding indebtedness of Levee District Number One, of Sutter County.

Read first and second times and referred to the Committee on Swamp and Overflowed Lands.

Also, an Act to encourage the culture and manufacture of cotton in the State of California.

Read first and second times, referred to the Committee on Agriculture, and ordered printed.

By Mr. Gibson—An Act supplemental to an Act to regulate fees and salaries in the County of Calaveras, and to define the duties of certain officers in said county, approved March fourth, eighteen hundred and seventy.

Read first and second times and placed on file.

By Mr. Tinnin—An Act the better to define the boundaries between the Counties of Humboldt, Mendocino, Trinity, and Klamath.

Read first and second times and referred to the delegations named in the bill.

By Mr. Rector—An Act to cede a certain property in the Town of Trinidad.

Read first and second times and referred to the Committee on Swamp and Overflowed Lands

By Mr. Dannals—An Act to incorporate the Town of San Diego.

Read first and second times and referred to the Judiciary Committee.

By Mr. Bockius—An Act prohibiting corporeal punishment in the public schools in this State.

Read first and second times, referred to the Committee on Education, and ordered printed.

By Mr. Everett—An Act to amend an Act supplementary to an Act entitled an Act concerning crimes and punishments, passed April sixteenth, eighteen hundred and fifty, and Acts amendatory thereof and supplementary thereto, approved March twenty-eighth, eighteen hundred and sixty-eight.

Read first and second times and referred to the Judiciary Committee.

Mr. Cooper offered a resolution that when the House adjourns on to-morrow it shall reassemble at seven o'clock P. M.

Without taking action thereon, on motion of Mr. Hopper, at five o'clock and twenty minutes P. M., the House adjourned until ten o'clock A. M. to-morrow.

T. B. SHANNON,
Speaker.

M. D. BORUCK, Chief Clerk.

IN ASSEMBLY.

HOUSE OF ASSEMBLY,
Tuesday, February 20th, 1872.

House met pursuant to adjournment.
Speaker in the chair.
Roll called.
Quorum present.
Prayer by the Chaplain.
Journal of yesterday read and approved.

LEAVE OF ABSENCE.

Leave of absence for one day was granted to Mr. Munday.

PETITION.

Mr. Harvey presented a petition from the Trustees and residents of Grant School District, of Sacramento County, for an Act enabling them to appropriate certain funds in the District Treasury toward the building of a school house.

Referred to the Sacramento delegation.

REPORTS OF STANDING COMMITTEES.

Reports of standing committees were made as follows:

By Mr. Mott of Sacramento:

Mr. SPEAKER: The Committee on Claims, to whom was referred Assembly Bill No. 361—An Act to appropriate money for the payment of certain equitable claims against the State—beg leave to report it back, and in view of the legal points involved, ask to have it referred to the Judiciary Committee.

MOTT, Chairman.

The reference above recommended was ordered.

By Mr. Barnes:

Mr. SPEAKER: The Committee on Engrossment beg leave to report that they have examined and find correctly engrossed Assembly Bill No. 352—An Act to amend an Act entitled an Act to provide for the payment of warrants against the Hospital Fund of Klamath County, approved January nineteenth, eighteen hundred and seventy.

Also, Assembly Bill No 357—An Act amendatory of an Act entitled an Act for the more effectual prevention of cruelty to animals, approved March thirtieth, eighteen hundred and sixty-eight.

Also, Assembly Bill No 301—An Act to amend an Act entitled an Act to provide for the establishment, maintenance, and protection of public roads in Napa County, approved March thirty-first, eighteen hundred and sixty-six; and an Act supplemental to and amendatory of said Act, approved February thirteenth, eighteen hundred and sixty-eight.

Also, Assembly Bill No. 287—An Act to prevent persons passing through inclosures and leaving them open and tearing down fences to make passage through inclosures.

Also, Assembly Bill No 277—An Act to prevent hunting and shooting on private grounds.

Also, Assembly Bill No 292—An Act to prevent the propagation of the Canada thistle in the County of Humboldt.

Also, Assembly Bill No. 363—An Act to provide for the construction and protection of the Alameda road.

Also, Assembly Bill No. 355—An Act to amend an Act to provide for the maintenance of indigent sick in Siskiyou County.

Also, Assembly Joint Resolution No. 25—Relative to a semi-weekly mail route from Red Bluff, Tehama County, to Shasta City, Shasta County, etc.

Also. Assembly Bill No 223—An Act granting to the counties of this State the poll taxes collected in said counties, severally, for school purposes

Also, Preamble and Assembly Joint Resolution No. 13—Relative to instructing our Senators and requesting our Representatives in Congress to urge upon the Congress of the United States the adoption of such legislation as will authorize the collection of a foreign miners' tax, etc.

Also, substitute for Assembly Bill No. 163—An Act to provide for the appointment of Reporters of the Supreme Court, defining their duties and

compensation, and for the publication and distribution of the decisions of the Supreme Court.

Also, Assembly Bill No. 342—An Act to divide the State into Congressional Districts.

BARNES, Chairman.

By Mr. Days:

Mr. SPEAKER: Your Committee on Rules and Regulations, to whom was referred a resolution concerning the appointment of assistants to the Enrolling Clerk, have had the same under consideration, report it back and recommend its passage.

The resolution above reported was adopted as follows:

Resolved, That the Enrolling Clerk be and is hereby authorized to procure assistants, at the usual per diem allowed by law, whenever, in the opinion of the Committee on Enrollment, such assistants are required.

By Mr. Gibson:

Mr. SPEAKER: Your Committee on Enrollment beg leave to report that they have examined and found correctly enrolled Assembly Bill No. 312—An Act to confirm a certain contract for the sale of stock held by the County of Santa Clara in the Western Pacific Railroad Company and to give effect to the same, and amendatory of an Act entitled an Act to authorize the Board of Supervisors of the County of Santa Clara to take and subscribe one hundred and fifty thousand dollars to the capital stock of the Western Pacific Railroad Company and to provide for the payment of the same, and other matters relating thereto, approved April fourteenth, eighteen hundred and sixty-three.

Also, Assembly Concurrent Resolution No. 20—Relative to authorizing the Enrolling Clerk of the Assembly to correct the title of Assembly Bill No. 110.

Also, Assembly Bill No. 237—An Act to regulate the traveling fees of the Sheriff of the County of Kern.

Also, Assembly Bill No. 2—An Act to repeal an Act entitled an Act authorizing the publication of certain legal notices in a State paper printed at the seat of government of the State of California, approved March twenty-ninth, eighteen hundred and seventy.

Also, Assembly Bill No. 270—An Act for the protection of fish in the waters of Butte Creek, in the County of Butte.

Also, Assembly Bill No. 156—An Act to provide for the liquidation of certain bonds of the City of Sacramento.

Also, Assembly Bill No 5—An Act to repeal an Act entitled an Act to protect litigants, approved March twenty-ninth, eighteen hundred and seventy.

Also, Assembly Bill No. 17—An Act to create the Eighteenth Judicial District and for other purposes

And that the same have, this twentieth day of February, A. D. eighteen hundred and seventy-two, at eleven o'clock, been transmitted to the Governor for his approval.

GIBSON, Chairman.

MOTIONS AND RESOLUTIONS.

Mr. Bockius offered the following:

Mr. SPEAKER: I ask permission to withdraw Assembly Bill No. 313, introduced by me and referred to the Judiciary Committee, entitled an Act concerning the office of Tax Collector of Santa Cruz County.

The permission asked for was accorded.

Mr. Whiting offered the following resolution:

Resolved, That the General File be taken up for consideration each day at twelve o'clock M., that the bills thereon be first read by number, without action; the Speaker to inquire as each number is announced if there be any objection to the bill; the same to be temporarily passed on file, if there be no objection, and to be at once considered and acted on if there be none, but to be passed over if any objection be made after it is taken up for disposition.

Referred to Committee on Rules and Regulations.

By Mr. Mathers:

Resolved, That the Governor be requested to return Assembly Bill No. 110, for correction.

Adopted.

INTRODUCTION OF BILLS.

Bills were introduced as follows:

By Mr. Reed—An Act to authorize the Board of Education of the City and County of San Francisco to allow the Auditor of said city and county to audit and the Treasurer of said city and county to pay certain mechanics for labor performed and materials furnished for the erection of certain school houses in said city and county.

Read first and second times and referred to the San Francisco delegation.

By Mr Hopper—An Act for the relief of Morris Woolf.

Read first and second times and referred to the Committee on Claims.

By Mr. Wright—An Act to legalize and confirm the election of School Directors in the City of Vallejo, and other matters.

Read first and second times and referred to the Committee on Education.

Also, an Act amendatory of and supplementary to an Act to establish and define the powers and duties of the Board of Education of the City of Vallejo, approved March twenty-fifth, eighteen hundred and seventy.

Read first and second times and referred to the Committee on Education.

By Mr. De Haven—An Act concerning the salary of the County Assessor of Butte County.

Read first and second times and referred to the Butte County delegation.

By Mr. Hayes—An Act to provide for the terms of the District Court

of the Third Judicial District of the State of California in and for the County of Monterey.

Read first and second times and referred to the Judiciary Committee.

GENERAL FILE.

Assembly Bill No. 305—An Act to provide for the funding of the indebtedness of the reclamation and levee districts of the State.

Referred to the Judiciary Committee

Assembly Bill No 349—An Act to amend an Act entitled an Act to provide for the management and sale of the lands belonging to the State, approved March twenty-eighth, eighteen hundred and sixty-eight.

Referred to the Judiciary Committee.

Assembly Bill No. 304—An Act amendatory of an Act entitled an Act to amend an Act to provide revenue for the support of the government of this State, approved May seventeenth, eighteen hundred and sixty-one, approved February twenty ninth, eighteen hundred and sixty-eight.

Mr. Freeman moved to amend the bill by striking out the names of the counties specified therein, and to make the proposed law general in its operation.

Mr. Wilcox moved to recommit the bill to its author.

Lost.

On motion of Mr. Jost, the bill was referred, with pending amendments, to the Committee on Ways and Means.

Assembly Bill No 266—An Act to amend an Act entitled an Act to to amend an Act entitled an Act concerning divorces, passed March twenty-fifth, eighteen hundred and fifty-one, approved March twelfth, eighteen hundred and seventy.

Read a third time and passed

Assembly Bill No. 186—An Act amendatory of and supplementary to an Act approved April twenty-fifth, eighteen hundred and sixty-three, entitled an Act to incorporate the City of Sacramento.

Mr. French moved that the bill be recommitted to its author, with special instructions to so amend the same as to provide that the Act shall only take effect after it has been submitted to a vote of the electors (qualified voters) of Sacramento City, and a majority has voted in its favor.

Mr. Mott of Sacramento moved the previous question.

Which being seconded, on ordering it the ayes and noes were demanded by Messrs. Harvey, Barker, and Johnston, with the following result:

AYES—Messrs. Bacon, Baird, Bockius, Burckhalter, Caldwell, Connolly, De Haven, Edgar, Ellis, Everett, Galloway, Gibson, Goodall, Gray, Henshaw, Hopper, James, Jost, Meeker, Mott of Los Angeles, Mott of Sacramento, McCullough, Pardee, Reed, Rice, Sargent of Santa Clara, Schrack, Sensabaugh, Spencer, Splivalo, Stillwagon, Walker, Whiting, and Mr. Speaker—34.

NOES—Messrs. Aldrich, Andrews, Barker, Barklage, Bayley, Bell, Berry, Brown, Center, Coleman, Crane, Dannals, Days, Franck, Freeman, French, Harvey, Hayes, Johnston, Lee, Little, Lofton, Long, Mathers, Russ, Sammons, Sargent of San Joaquin, Tinnin, Turner, Welty, Wheaton, Whitney, and Woodward—33.

On adopting the motion to recommit with special instructions, the

ayes and noes were again demanded by Messrs. French, Welty, and Johnston, and it was rejected by the following vote:

AYES—Messrs Aldrich, Andrews, Barker, Barklage, Bell, Berry, Coleman, Crane, Days, Edgar, Everett, Franck, Freeman, French, Harvey, Johnston, Lee, Lotton, Long, Russ, Sammons, Sargent of San Joaquin, Spencer, Turner, Welty, Wheaton, Whitney, and Woodward—29.

NOES—Messrs. Bacon, Baird, Bayley, Bockius, Brown, Burckhalter, Caldwell, Center, Connolly, Cooper, Dannals, De Haven, Eagan, Ellis, Galloway, Gibson, Goodall, Gray, Hayes, Henshaw, Hopper, James, Jost, Little, Luttrell, Mathers, Meeker, Mott of Los Angeles, Mott of Sacramento, McCullough, Pardee, Reed, Rice, Sargent of Santa Clara, Schrack, Seibe, Sensabaugh, Sphvalo, Stillwagon, Tinnin, Walker, Ward, Whiting, Wilcox, Wright, and Mr. Speaker—46.

And the bill was then read a third time and passed.

SPECIAL ORDER.

The House then took up the first special order of the day:

Assembly Bill No 7—An Act to amend an Act entitled an Act to provide for the incorporation of railroad companies and the management of the affairs thereof, and other matters relating thereto, approved May twentieth, eighteen hundred and sixty-one.

Also, Assembly Bill No. 9—An Act to amend an Act entitled an Act to provide for the incorporation of railroad companies and the management of the affairs thereof, and other matters relating thereto, approved May twentieth, eighteen hundred and sixty-one.

The Speaker stated the question pending to be the adoption of an amendment offered by Mr. Days to the substitute reported by the Committee on Corporations for both bills, when the same were last under consideration.

At one o'clock and thirty-five minutes P. M., the House, on motion of Mr. Days, took a recess until a quarter past two o'clock.

REASSEMBLED.

House reassembled at the time appointed.
Speaker in the chair.
Roll called.
Quorum present.

RESOLUTION.

The rules were suspended and the following resolution was offered by Mr. Wilcox:

Resolved by the Assembly, the Senate concurring, That the Enrolling Clerk of the Assembly be authorized to correct Assembly Bill No 110, in section seven, by inserting the words "thirty-nine" in place of the words "thirty-eight."

Adopted.

REPORT.

The following report was made by Mr. Barnes:

Mr. SPEAKER: The Committee on Engrossment beg leave to report that they have examined and find correctly engrossed Assembly Bill No. 381—An Act to provide for the building of a bridge across Alameda Creek, in the County of Alameda.

Also, Assembly Bill No. 373—An Act supplementary to an Act concerning roads in the Counties of Shasta and Trinity.

Also, Assembly Bill No. 380—An Act concerning roads in El Dorado County.

Also, Assembly Bill No. 377—An Act to authorize the Board of Supervisors of the City of San Francisco to sell a certain piece of land in Cemetery Avenue, and for other purposes.

Also, Assembly Bill No. 396—An Act to authorize the Board of Supervisors of Los Angeles County to locate and build bridges across the Los Angeles River, and issue bonds for the same.

Also, Assembly Bill No. 300—An Act to regulate the fees of the County Clerk of Santa Clara County.

BARNES, Chairman.

CONSIDERATION OF SPECIAL ORDER RESUMED.

Mr. Gray offered an amendment to the substitue offered by the Committee on Corporations, by inserting after the word "dollars," in the last paragraph, the following:

"And the sum of one hundred dollars per day, after the expiration of thirty days from the day fixed for the return of said report, until the same shall be filed."

The amendment was accepted by the introducer of the substitute.

Mr. Andrews offered the following amendment to the amendment offered by Mr. Days, who accepted it as a part of his own:

Amend section one by striking out the word "property," in line sixteen, and inserting "road through inclosed lands, or such lands as may hereafter be inclosed." Also, by inserting after the word "suit," in line twenty-two, "in a sum exceeding the amount that may have been tendered by such company at any time before the commencement thereof."

Amend section two by striking out all between the word "road," in line four, and the word "provided," in line twenty-one, and inserting in lieu thereof, "if such freight be carried eighty miles or over, the amount charged shall not exceed four cents per ton per mile; if carried seventy miles and not exceeding eighty miles, the amount charged shall not exceed four and one half cents per ton per mile, and shall not exceed three dollars and twenty cents per ton for the entire distance, if carried sixty miles and not exceeding seventy miles, the amount charged shall not exceed five cents per ton per mile, and shall not exceed three dollars and fifteen cents per ton per mile for the entire distance, if carried fifty miles and not exceeding sixty miles, the amount charged shall not exceed five and one half cents per ton per mile, and shall not exceed three dollars per ton for the entire distance; if carried forty miles and not to exceed fifty miles, the amount charged shall not exceed six cents per ton per mile, and shall not exceed two dollars and sixty-two cents per

ton for the entire distance; if carried thirty miles and not to exceed forty miles, the amount charged shall not exceed six and one half cents per ton per mile, and shall not exceed two dollars and forty cents per ton for the entire distance; if carried twenty miles and not exceeding thirty miles, the amount charged shall not exceed nine cents per ton per mile, and shall not exceed two dollars per ton for the entire distance; if carried any distance less than twenty miles, the amount charged shall not exceed ten cents per ton per mile, and shall not exceed one dollar and eighty cents per ton for the entire distance."

Also, amend section two by striking out the words "fifteen hundred," in line twenty-five of the printed copy, and inserting the words "two thousand" in lieu thereof.

Also, by striking out the words "fifty per cent," in line twenty-six, and inserting the words "one hundred per cent" in lieu thereof.

Also, by striking out the words "twenty-five," in line thirty-eight, and inserting the word "forty" in place thereof.

On motion of Mr. Wilcox, at four o'clock and thirty minutes P. M., the House took a recess for two hours and a half.

EVENING SESSION.

House reassembled at seven o'clock P. M.
Speaker in the chair
Roll called.
Quorum present.

CONSIDERATION OF THE SPECIAL ORDER RESUMED.

The special order for the day, Assembly Bills Nos 7 and 9, was again taken up for consideration.

On adopting the amendment offered by Mr. Days, as amended by the one offered by Mr. Barker, the ayes and noes were demanded by Messrs. Luttrell, Days, and Whiting, and the amendment was rejected by the following vote:

AYES—Messrs. Andrews, Barker, Barklage, Barnes, Bayley, Berry, Bradley, Center, Chalmers, Coleman, Days, De Haven, Eagan, Everett, Franck, Freeman, French, Harvey, Henshaw, Johnston, Lee, Little, Lofton, Long, Luttrell, Mathers, Mott of Sacramento, Russ, Sammons, Sargent of San Joaquin, Timmin, Turner, Walker, Welty, Whiting, Whitney, and Woodward—37.

NOES—Messrs Aldrich, Bacon, Baird, Bell, Bockius, Brown, Burckhalter, Caldwell, Connolly, Cooper, Crane, Dannals, Edgar, Ellis, Galloway, Gibson, Goodall, Gray, Hayes, Hopper, James, Jost, Meeker, Mott of Los Angeles, McCullough, Pardee, Reed, Rice, Sargent of Santa Clara, Schrack, Seibe, Sensabaugh, Spencer, Splivalo, Stillwagon, Ward, Wheaton, Wilcox, Wright, and Mr. Speaker—40.

Mr Aldrich moved to amend the substitute as follows: "Strike out section three, and make section four section three, and section five section four.

On adopting the motion the ayes and noes were demanded by Messrs. Days, Luttrell, and Whiting, and it was adopted by the following vote:

AYES—Messrs. Aldrich. Andrews, Barker, Barklage, Barnes, Bayley, Berry, Bradley, Center. Chalmers, Coleman, Dannals. Days, De Haven, Eagan, Edgar, Everett, Franck, Freeman, French, Galloway, Harvey. Henshaw. Johnston, Lee. Little. Lofton, Long, Luttrell, Mathers, Mott of Sacramento, Russ, Sammons. Sargent of San Joaquin, Tinnin, Turner, Walker, Welty, Whiting, Whitney, and Woodward—41.

NOES—Messrs Bacon, Baird, Bell. Bockius, Brown, Burckhalter, Caldwell, Connolly, Cooper, Crane. Ellis, Gibson, Goodall. Gray, Hayes. Hopper, James, Jost, Meeker, Mott of Los Angeles, McCullough. Pardee, Reed. Rice. Sargent of Santa Clara, Schrack, Seibe, Sensabaugh, Spencer, Splivalo, Stillwagon, Ward, Wheaton, Wilcox, Wright, and Mr. Speaker—36.

Mr. Freeman moved to strike out all after section one of the substitute.

Whereupon the ayes and noes were demanded by Messrs. Days, Wilcox, and Freeman, with the following result:

AYES—Messrs. Aldrich, Andrews, Barker, Barklage, Barnes, Bayley, Berry, Bradley, Burckhalter, Caldwell. Center, Chalmers, Coleman, Days, De Haven, Eagan, Edgar, Everett, Franck, Freeman, French, Goodall, Gray, Harvey. Henshaw, James, Johnston, Lee, Little, Lofton, Long, Luttrell, Mathers, Meeker, Mott of Sacramento, Pardee, Reed, Russ, Sammons. Sargent of San Joaquin, Seibe, Splivalo, Tinnin, Turner, Walker, Welty, Whiting, Whitney, and Woodward—50.

NOES—Messrs Bacon, Baird, Bell, Bockius. Brown, Connolly, Cooper, Crane, Dannals, Ellis, Galloway, Gibson, Hayes, Hopper. Jost, Mott of Los Angeles, McCullough. Rice, Sargent of Santa Clara. Schrack, Sensabaugh, Spencer, Stillwagon, Ward, Wheaton, Wilcox, Wright, and Mr. Speaker—28.

Mr. Gray moved the indefinite postponement of Assembly Bills Nos. 7 and 9, and also of the substitute offered by the Committee on Corporations, which embraced both bills and together formed the subject matter of the special order of the day.

Mr. Hopper moved the previous questions, which was seconded and ordered

On the main question stated. Mr. Days raised the point of order that the ruling of the Speaker, that both bills could be included in the motion to indefinitely postpone, was erroneous.

The Speaker decided the point of order not well taken.

Mr Days appealed to the House from the decision of the Chair, and on the question, "Shall the decision of the Chair stand as the judgment of the House?" the Chair was sustained.

On the question of the indefinite postponement of the whole subject matter, the ayes and noes were demanded by Messrs Wilcox, Gray, and Cooper, and the motion was adopted by the following vote:

AYES—Messrs. Aldrich, Bacon, Baird, Bell, Bockius, Brown, Burckhalter, Caldwell. Connolly, Cooper, Crane, Dannals, Edgar, Ellis, Galloway, Gibson, Goodall, Gray, Harvey, Hayes. Hopper, James, Jost, Meeker, Mott of Los Angeles, McCullough, Pardee, Reed, Rice, Sargent of Santa Clara, Sargent of San Joaquin, Schrack, Seibe, Sensabaugh. Spencer, Splivalo, Stillwagon, Ward, Wheaton, Whiting, Wilcox, Wright, and Mr. Speaker—43.

NOES—Messrs. Andrews, Barker, Barklage, Barnes, Bayley, Berry, Bradley, Center, Chalmers. Coleman, Days, De Haven, Eagan, Everett, Franck, Freeman, French, Henshaw, Johnston, Lee, Little, Lofton, Long, Luttrell, Mathers, Mott of Sacramento, Russ, Sammons, Tinnin, Turner, Walker, Welty, Whitney, and Woodward—34.

And so the bills and substitute were indefinitely postponed.

On motion of Mr. James, at eleven o'clock and twenty minutes, the House adjourned.

T. B. SHANNON,
Speaker.

M. D. BORUCK, Chief Clerk

IN ASSEMBLY.

HOUSE OF ASSEMBLY,
Wednesday, February 21st, 1872.

House met pursuant to adjournment.
Speaker in the chair.
Roll called.
Quorum present.
Prayer by the Chaplain.
Journal of yesterday read and approved.

LEAVE OF ABSENCE.

Leave of absence was granted for one day each to Messrs. Welty, Munday, and Bayley, and to the Committee on State Prison for one day.

MESSAGES FROM THE GOVERNOR.

The following messages were received from the Governor:

STATE OF CALIFORNIA, EXECUTIVE DEPARTMENT,
Sacramento, February 20th, 1872.

To the Assembly of the State of California:

I have to inform your honorable body that I have approved Assembly Bill No 144—An Act amendatory of an Act to regulate fees of office, approved March twenty-eighth, eighteen hundred and sixty-eight.

Also, Assembly Bill No. 208—An Act to provide for the support of schools in certain districts in Tehama County.

Also, Assembly Bill No. 155—An Act to amend the charter of the City of Los Angeles

Also, Assembly Bill No 111—An Act to authorize the Board of Supervisors of Mendocino County to issue bonds of said county, and apply the same to the construction of wagon roads in said county.

Also, Assembly Bill No. 242—An Act authorizing the Trustees of Santa Barbara School District, of the County of Santa Barbara, of this State, to issue bonds of the said district for the sum of six thousand dollars.

Also, Assembly Bill No. 5—An Act to repeal an Act entitled an Act to protect litigants, approved March twenty-ninth, eighteen hundred and seventy.

Also, Assembly Bill No. 2—An Act to repeal an Act entitled an Act authorizing the publication of certain legal notices in a State paper, printed at the seat of government of the State of California, approved March twenty ninth, eighteen hundred and seventy.

Also, Assembly Bill No. 17—An Act to create the Eighteeth Judicial District, and for other purposes.

NEWTON BOOTH, Governor.

STATE OF CALIFORNIA, EXECUTIVE DEPARTMENT,
Sacramento, February 20th, 1872.

To the Assembly of the State of California:

I herewith return to your honorable body, without my approval, Senate substitute for Assembly Bill No. 268—An Act to authorize the Central Pacific Railroad Company to construct and maintain for a certain period a railroad bridge across the Sacramento River.

This bill authorizes the construction of a bridge, without a draw, across the Sacramento River, near the Town of Tehama.

The Act of Congress for the admission of the State of California into the Union seems to inhibit such legislation. Section three of the Act provides "that all the navigable waters within the said State shall be common highways and forever free, as well to the inhabitants of said State as the citizens of the United States, without any tax, impost, or duty therefor."

I respectfully submit to the consideration of your honorable body that the bill herewith returned would, if it should become a law, violate one of the express conditions upon which California was admitted into the Union.

NEWTON BOOTH, Governor.

CONSIDERATION OF THE MESSAGES.

Mr. Ward moved to make the consideration of the veto message the special order for the day for Friday, February twenty-third, at three o'clock P. M.

Lost.

On the question, "Shall this bill become a law notwithstanding the objections of the Governor?" the ayes and noes were taken, and the veto sustained by the following vote:

AYES—None.

NOES—Messrs. Aldrich, Andrews, Bacon, Baird, Barker, Barklage, Barnes, Bell, Berry, Bradley, Bockius, Brown, Burckhalter, Caldwell, Center, Coleman, Dannals, Days, De Haven, Eagan, Edgar, Ellis, Everett, Franck, Freeman, French, Galloway, Gibson, Goodall, Gray, Harvey, Hayes, Henshaw, Johnston, Lee, Little, Lofton, Long, Luttrell, Mathers, Meeker, Mott of Los Angeles, Mott of Sacramento, McCullough, Pardee, Russ, Sammons, Sargent of Santa Clara, Sargent of San Joaquin, Schrack, Seibe, Sensabaugh, Spencer, Splivalo, Stillwagon, Tinnin, Turner, Walker, Ward, Wheaton, Whiting, Woodward, Wright, and Mr. Speaker—64.

MESSAGE FROM THE GOVERNOR.

The following message was received from the Governor.

STATE OF CALIFORNIA, EXECUTIVE DEPARTMENT,
Sacramento, February 21st, 1872.

To the Assembly of the State of California:

Assembly Bill No. 184—An Act to provide for the opening of Santa Clara Avenue, in the County of Santa Clara—is respectfully returned to your honorable body.

The object sought to be accomplished by the bill seems to be good, the means employed to be fair, and the names mentioned to constitute a Board of Commissioners are unexceptionable, and the only reason for witholding executive approval is that any names are mentioned.

The bill is local; no salaries are to be paid; in itself, perhaps, it does not arise to the dignity of a State question; but it involves a principle of constitutional power and general policy which I present all the more willingly, now that it can be discussed abstractly on its merits and free from all personal considerations.

Should the Legislature create any office and fill it by the same Act?

Section six, Article XI, of the Constitution reads. "All officers whose election or appointment is not provided for by this Constitution, and all officers whose offices may hereafter be created by law, shall be elected by the people or appointed as the Legislature may direct"

The language is susceptible of two constructions:

First, and most obvious—The Legislature may determine whether officers whose offices are created by law shall be elected or appointed. This does not involve the power to appoint.

Second—The Legislature may direct the manner of appointment. The Legislature cannot direct the manner of appointment to offices already filled in the Act creating them.

The Supreme Court of the State of Ohio, in deciding a case involving a question similar to this (7 Ohio, p. 160 et. seq.), use the following language:

"The power to direct the manner, the mode, the way in which an act shall be done, and the power and authority to do the act itself, are not one and the same thing. That they are not identical or equivalent to each other, is too clear for argument, and almost too clear to admit of illustration. To prescribe the manner of election or appointment to an office is an ordinary legislative function. To make an appointment to office is an administrative function, and under a Constitution in which the philosophical theory of a division of the powers of government into legislative, executive, and judicial, should be exactly carried out in detail, the power of prescribing the manner of making appointments to office would fall naturally and properly to the legislative department, while the power to make the appointments themselves would fall as naturally and properly to the executive department."

In the case of the People versus Fitch (1 Cal., p 536), and in that of the People versus Langdon (8 Cal., p. 1), it was held by our Supreme Court that the Legislature had power to elect certain officers in the manner prescribed in section thirty-eight, Article IV, of the Constitution.

In the latter case the Court say, that it is mere hypercriticism to lay stress upon the word "appointed," in the sixth section of Article XI of the Constitution, and that "elect" and "appoint" were used as synonomous terms in our Constitutional Convention, and are synonomously used in the Constitution itself. If this be correct interpretation, then the Legislature can exercise its power of appointment only in the manner prescribed in Article IV, section thirty-eight, which declares that in all elections by the Legislature the members thereof shall vote viva voce, and the votes shall be entered on the Journal.

It is not contended that the power to appoint is exclusively a prerogative of the Governor. The Legislature may confer it upon other officers—as upon Boards of Supervisors, etc It is not necessary to contend that the Legislature may not exercise the power itself, but that when it does exercise it it must do so in the manner prescribed in the Constitution, and that the creation of the office and the appointment of its incumbent must be acts distinct from each other.

It is not desirable, however, to rest a broad question as to the proper distribution of political powers upon that refined verbal criticism which a Court would often necessarily use in determining issues when conflicting individual rights are involved. The necessity of the division of the powers of government into three departments, giving to each no more control over the acts of the others than is necessary to preserve its own integrity, has been recognized as a fundamental political truth ever since Montesquieu announced it what history had before shown it to be, an axiom of free institutions Article III. of our State Constitution gives formal expression to that truth in the following language:

"The powers of the Government of the State of California shall be divided into three separate departments—the legislative, the executive, and the judicial; and no person charged with the exercise of powers properly belonging to one of these departments shall exercise any functions appertaining to either of the others, except in the cases hereinafter expressly directed or permitted"

All eminent writers upon the English and American system of government, from Montesquieu to John Stuart Mill and Herbert Spencer, have discussed the question of policy as to which department of government should exercise the power of appointment, and they all concur that it is an executive and not a legislative function, and no authority is more full, clear, and explicit on the subject, as a matter of both general constitutional law and sound policy, than Justice Story, in his work on the Constitution

It is true that in the Government of the United States, and in perhaps all the States, many executive appointments are required to be confirmed by the Senate, but this simply confers upon the Senate a "qualified negative," and does not destroy the sense of individual responsibility.

Thomas Jefferson, after his profound studies upon the philosophy of government had been tested and corrected by a life-time experience, says, in a letter written on the twenty-first of November, eighteen hundred and sixteen: "Nomination to office is an executive function, to give it to the Legislature, as we do is a violation of the principle of the separation of powers, it swerves members from correctness, by temptation to intrigue for office for themselves, and to a corrupt barter for votes, and destroys responsibility by dividing it among a multitude. By leaving nomination in its proper place among executive functions, the principle

of the distribution of powers is preserved, and responsibility weighs with its heaviest force upon a single head."

To give the legislative department of government the initiative in the power of appointment, and the right to exercise that power in the Act creating the offices, is, in my opinion, to contravene the experience of every form of free government, to violate the precepts of sound philosophy, and the spirit and letter of our own Constitution.

The theory of our government is that all sovereignty is in the people; that the functions of government are apportioned to three departments, and the people designate the men who shall exercise these functions, holding each to a strict accountability for the proper performance of his official duties

If there be any doubt as to what particular officer or department should exercise the power of appointment in any given case, it may be readily solved by giving the authority to the people themselves.

Such being my views upon the question involved, sustained by recognized standard authorities and by the most eminent thinkers who have written upon the subject, as well as by abstract theory and sound philosophy, I respectfully return the bill without my approval.

NEWTON BOOTH, *Governor.*

CONSIDERATION OF THE MESSAGE

On the question, "Shall this bill become a law notwithstanding the objections of the Governor?" the ayes and noes were taken, with the following result:

AYES—Messrs. Gray, Jost, Splivalo, and Mr. Speaker—4.

NOES—Messrs. Aldrich, Andrews, Bacon, Baird, Barker, Barklage, Barnes, Bell, Berry, Bradley, Bockius, Brown, Burckhalter, Caldwell, Center, Coleman, Connolly, Dannals, Days, De Haven, Eagan, Edgar, Everett, Franck, Freeman, French, Galloway, Gibson, Goodall, Harvey, Hayes, Henshaw, Johnston, Lee, Lofton, Long, Luttrell, Meeker, Mott of Los Angeles, Mott of Sacramento, McCullough, Pardee, Russ, Sammons, Sargent of Santa Clara, Sargent of San Joaquin, Schrack, Seibe, Sensabaugh, Slaughter, Spencer, Stillwagon, Tinnin, Turner, Walker, Wheaton, Whiting, Wilcox, Woodward, and Wright—60.

PETITION

Mr. Meeker presented a petition from citizens and voters of Sacramento City, for legislation to give greater efficiency to the present Sunday Law.

Referred to the Committee on Public Morals.

RESOLUTION.

The rules were suspended and the following resolution was offered by Mr. Whiting:

Resolved, That when this House adjourns to-day it do adjourn to meet again on Friday, the twenty-third day of February, at half-past two o'clock P. M.

Mr. Eagan moved to amend by adding, "In honor of Washington's birthday."

The amendment was accepted and the resolution adopted.

REPORTS OF STANDING COMMITTEES.

Reports from standing committees were made as follows:

By Mr. Gibson:

Mr. SPEAKER: Your Committee on Enrollment beg leave to report that they have examined and found correctly enrolled Assembly Bill No. 110—An Act to amend an Act entitled an Act concerning roads and highways in the County of Mendocino—has been corrected in accordance with concurrent resolution, and that the same has, this twenty-first day of February, eighteen hundred and seventy-two, at fifteen minutes past eleven o'clock, been transmitted to the Governor for his approval.

GIBSON, Chairman.

By Mr. Barnes:

Mr. SPEAKER: The Committee on Engrossment beg leave to report that they have examined and find correctly engrossed Assembly Bill No. 13—An Act supplementary to an Act to repeal the several charters of the City and County of San Francisco, and establish the boundaries of the City and County of San Francisco, and to consolidate the government thereof

Also, Assembly Bill No. 371—An Act relating to the Board of Supervisors of the County of Sacramento.

BARNES, Chairman.

By Mr. Wright:

Mr. SPEAKER: The Committee on Education, to whom was referred Assembly Bill No. 418—An Act to legalize and confirm the election of School Directors in the City of Vallejo, and other matters; also, Assembly Bill No. 419—An Act amendatory of and supplementary to an Act entitled an Act to establish and define the powers and duties of the Board of Education of the City of Vallejo, approved March twenty-fifth, eighteen hundred and seventy—herewith report the same back and recommend their passage

WRIGHT, Chairman.

By Mr. Spencer:

Mr. SPEAKER: The Judiciary Committee report back Assembly Bill No. 313—An Act concerning the office of Tax Collector of Santa Cruz County—as the author has obtained permission from the House to withdraw the same.

SPENCER, Chairman.

REPORTS OF SPECIAL COMMITTEES.

Reports from special committees were made as follows:

By Mr. Tinnin:

Mr. SPEAKER: The Klamath, Humboldt, Mendocino, and Trinity dele-

gations, to whom was referred Assembly Bill No. 411—An Act the better to define the boundaries between the Counties of Humboldt, Mendocino, Trinity, and Klamath—have carefully considered the same, and recommend its passage.

TINNIN, for Delegation.

By Mr. Ward:

Mr. SPEAKER: The Colusa delegation, to whom was referred Senate Bill No 232, have had the same under consideration, report it back and recommend its passage.

WARD, for Delegation.

By Mr. De Haven.

Mr. SPEAKER: The Butte delegation, to whom was referred Assembly Bill No. 420—An Act concerning the salary of the Assessor of Butte County—have considered the same, report it back and recommend its passage.

DE HAVEN,
TURNER.

By Mr. Baird:

Mr. SPEAKER: The San Mateo and Santa Cruz delegations, to whom was referred Senate Bill No. 220, beg leave to report the same back and recommend its passage.

BAIRD, for Delegations.

SPECIAL ORDER.

Assembly Bill No. 84—An Act to take preliminary steps for calling a Convention to amend, remodel, or propose a new Constitution for the State of California—the special order for the day, was continued as the special order for Monday, February twenty-sixth, at three o'clock P. M. on motion of Mr. Wheaton.

MESSAGE FROM THE SENATE

The following message was received from the Senate:

SENATE CHAMBER,
February 21st, 1872.

Mr. SPEAKER: I am directed to inform your honorable body that the Senate, on the fifteenth day of February, passed Senate Bill No. 212—An Act to incorporate the Town of Alameda.

Also, on the sixteenth instant, passed Senate Bill No. 231—An Act to more fully define the crime of larceny.

Also, on the same day, passed Senate Bill No. 228—An Act to provide for deficiencies in the Funds of the school districts of Contra Costa County.

Also, on the twentieth instant, passed Senate Bill No. 140—An Act to amend an Act entitled an Act for the protection of game.

Also, on the same day, passed Assembly Bill No. 288—An Act to incorporate the Town of Cloverdale.

Also, on the same day, passed Assembly Bill No. 319—An Act to prevent hogs running at large n the Town of Shasta.

Also, on the same day, passed Assembly Joint Resolution No. 25—Relative to a mail route from Red Bluff to Shasta

The Senate, on the twentieth instant, receded from its amendments to Assembly Bill No 53—An Act to distribute the revenue derived from the tax on dogs in Sonoma County.

Also, on the sixteenth of February, passed Senate Bill No. 144—An Act respecting the limitation of actions

Also, on the same day, passed Senate Bill No. 99—An Act concerning corporations.

Also, on the same day, passed Senate Bill No 227—An Act to amend an Act entitled an Act to regulate the interest of money.

Also, on the same day, passed Senate Bill No 207—An Act to amend an Act entitled an Act to abolish the office of Public Administrator in the Counties of Tuolumne and Santa Barbara

Also, on the nineteenth instant, passed Senate Bill No 197—An Act to amend an Act entitled an Act to restrict the herding of sheep.

Also, on the same day, passed Senate Bill No 195—An Act amending an Act entitled an Act to restrict the herding of sheep.

Also, on the same day, passed Senate Bill No 73—An Act fixing the compensation of Sheriffs of the several counties of this State.

Also, on the same day, passed Assembly Bill No 327—An Act to amend an Act entitled an Act to provide for the assessment and collection of taxes in the County of Placer.

Also, on the same day, passed Assembly Bill No 194—An Act concerning the compensation of certain county officers in the County of Los Angeles.

Also, on the same day, passed Assembly Joint Resolution No 24—In reference to mail route from Red Bluff

Also, on the same day, refused to adopt Assembly Concurrent Resolution No. 18—Relative to printing certain reports.

Also, on the sixteenth of February, passed Senate Bill No. 44—An Act to create the Nineteenth Judicial District

Also, on the same day, passed Senate Bill No 277—An Act to amend an Act entitled an Act to protect agriculture and to prevent the trespassing of animals upon private property in the County of Los Angeles, and in the County of San Diego, and parts of Monterey County.

FERRAL, Secretary.

CONSIDERATION OF THE MESSAGE.

Senate Bills Nos. 144, 227, 207, 73, 44, and 231, above reported, severally read first and second times and referred to Judiciary Committee.

Senate Bills Nos. 195, 197, and 140, above reported, severally read first and second times and referred to Committee on Agriculture

The House concurred in Senate amendments to Assembly Bill No. 194, above reported.

Senate Bill No. 99, above reported, read first and second times and referred to Committee on Corporations

Senate Bill No 228, above reported, read first and second times and referred to Committee on Education.

Senate Bill No 212, above reported, read first and second times and referred to Monterey delegation.

Senate Bill No. 277, above reported, read first and second times and referred to Monterey delegation.

INTRODUCTION OF BILLS.

Bills were introduced as follows.

By Mr Brown—An Act to amend an Act entitled an Act to regulate fees of office and salary of certain officers, and to repeal certain other Acts in relation thereto.

Read first and second times and placed on file.

Also, an Act to amend an Act entitled an Act to regulate fees and salaries in the County of Calaveras, and to define the duties of certain officers in said Calaveras County, approved March fourth, eighteen hundred and seventy.

Read first and second times and placed on file.

By Mr Sensabaugh—An Act to authorize the Board of Supervisors of Merced County to levy a special tax for the purpose of constructing a bridge across the Merced River.

Read first and second times and placed on file

By Mr. Galloway—An Act to prevent animals from running at large in certain portions of Contra Costa County.

Read first and second times and placed on file.

By Mr Bell—An Act to improve Prosser Creek for rafting and floating logs, timber, and wood, and to provide for the collection of tolls thereon

Read first and second times and referred to the Nevada delegation.

By Mr. Gibson—An Act in relation to the residence of the Justices of the Supreme Court.

Read first and second times and referred to the Judiciary Committee.

By Mr Jost—An Act prohibiting noisy and barbarous amusements on the Christian Sabbath.

Read first and second times and referred to the Committee on Public Morals.

By Mr. Wright—An Act amendatory of and supplementary to an Act entitled an Act to amend an Act to provide for a better system of common schools, approved April fourth, eighteen hundred and seventy.

Read first and second times and referred to the Committee on Education.

By Mr. Wheaton—An Act to amend an Act entitled an Act to authorize the formation of corporations to provide the members thereof with homesteads, or lots of land suitable for homesteads, approved May twentieth, eighteen hundred and sixty-one.

Read first and second times and referred to the Judiciary Committee.

By Mr Mott of Sacramento—An Act in relation to homesteads

Read first and second times and referred to the Judiciary Committee.

Also, an Act to provide for finishing the State Normal School building and paying the indebtedness incurred in the construction thereof.

Read first and second times and referred to the Committee on Public Buildings and Grounds, and ordered printed.

By Mr. Baird—An Act to amend an Act entitled an Act to regulate proceedings in civil cases in Courts of justice in this State, passed April twenty-ninth, eighteen hundred and fifty-one.

Read first and second times and referred to the Judiciary Committee.

By Mr. Hopper—A proposed amendment to the Constitution.

Read first and second times and referred to the Judiciary Committee.

By Mr. Little—An Act for the preservation of fish in the waters of Siskiyou County.

Read first and second times and referred to the Siskiyou delegation.

RESOLUTION.

Mr. Harvey offered the following resolution:

Resolved, That Assembly Bills Nos. 305 and 349, when reported back from the Judiciary Committee, be placed and continued at the head of the file until disposed of.

Adopted.

REPORT.

The following report was made from the committee of conference on Assembly Bill No. 53, by Mr. Wright:

Mr. SPEAKER: The special committee of conference to whom was referred Assembly Bill No. 53—An Act to distribute the revenue derived from the tax on dogs in Sonoma County—respectfully report that on consultation with the Senate committee, they have agreed to a report recommending that the Senate recede from its amendments, and herewith return the bill.

WRIGHT,
HENSHAW,
BERRY.

The rules were suspended, on motion of Mr. Slaughter, and Assembly Bill No. 404—An Act to regulate fees of office and salaries in San Bernardino County—was taken from its order on the file.

Rules again suspended, bill considered engrossed, read a third time and passed.

GENERAL FILE.

Assembly Bill No. 188—An Act to provide for listing and assessing all solvent debts, and to repeal an Act entitled an Act to prevent double taxation, approved April first, eighteen hundred and seventy, and the Act entitled an Act to relieve owners of encumbered real estate from double taxation, approved April fourth, eighteen hundred and seventy.

Mr. Wheaton moved to refer the bill, with special instructions, to the Committee on Ways and Means.

Mr. Aldrich offered an additional instruction, to have the same reference.

Mr. Barnes moved to make the consideration of the bill and also Assembly Bill No. 8, next on file, the special order for Tuesday, February twenty-seventh, at two o'clock P. M.

Adopted.

LEAVE OF ABSENCE.

Leave of absence for one day was granted to the Committee on Public Buildings.

At one o'clock and thirty minutes P. M., Mr. Meeker moved that the House adjourn.

Lost.

On motion of Mr. Barker, the rules were suspended, and Assembly Bill No. 372—An Act to define the northern boundary line of Napa County, adjoining Lake and Yolo Counties—was taken from its regular order on the file.

Rules again suspended, bill considered engrossed, read a third time and passed

At one o'clock and fifteen minutes P. M., on motion of Mr. Whiting, the House adjourned.

T. B. SHANNON,
Speaker.

M. D. BORUCK, Chief Clerk.

IN ASSEMBLY.

HOUSE OF ASSEMBLY,
Friday, February 23d, 1872.

House met pursuant to adjournment.
Speaker in the chair.
Roll called.
Quorum present.
Prayer by the Chaplain.
Journal of Wednesday read and approved.

LEAVE OF ABSENCE.

Leave of absence was granted for one day each to Messrs. Mott of Los Angeles, James, Sargent of Santa Clara, Barklage, Whiting, Jost, Welty, Bayley, and Crane, and to Messrs. Lofton and Tinnin for two days each.

SPECIAL ORDER.

On motion of Mr. Days, the special order for the day, Assembly Bill No. 343, was ordered placed at the head of the file for Monday, February twenty-sixth.

Mr. Luttrell moved to suspend the rules and dispense with the usual order of business and take up the General File.

The motion was lost.

REPORTS OF STANDING COMMITTEES.

Reports from standing committees were made as follows:

By Mr. Gray:

Mr. SPEAKER: The Committee on Corporations report back Assembly Bill No. 400—An Act to enforce the responsibility of corporations as prescribed by the Constitution, and to provide for the prompt payment of demands against such corporations—and recommend that said bill be referred to the Judiciary Committee.

GRAY, Chairman.

By Mr. Galloway:

Mr. SPEAKER: The Contra Costa delegation, to whom was referred Senate Bill No. 228—An Act to provide for deficiencies in the Funds of the school districts of Contra Costa County—respectfully report the same back and recommend the passage of the bill.

GALLOWAY, Chairman.

MESSAGE FROM THE GOVERNOR.

The following message was received from the Governor:

STATE OF CALIFORNIA, EXECUTIVE DEPARTMENT,
Sacramento, February 21st, 1872.

To the Assembly of the State of California:

I have to inform your honorable body that I have approved Assembly Bill No. 110—An Act to amend an Act entitled an Act concerning roads and highways in the County of Mendocino, approved March twenty-eighth, eighteen hundred and sixty-eight, amended February nineteenth, eighteen hundred and seventy.

NEWTON BOOTH, Governor.

MOTIONS AND RESOLUTIONS

Resolutions were offered as follows:

By Mr Lee—A resolution appointing an Assistant Journal Clerk.
Referred to the Committee on Rules and Regulations.

By Mr. Berry:

Mr. SPEAKER: I ask permission to withdraw Assembly Bill No. 203, introduced by me and referred to the Swamp Land Committee—An Act to amend an Act entitled an Act to provide for the funding of the indebtedness of Levee District Number One, Sutter County.
Permission was accorded.

By Mr. De Haven:

Resolved, That no member of this House shall speak on any question before the House more than fifteen minutes at a time, except by permission of the House.

Referred, on motion of Mr. Burckhalter, to the Committee on Rules and Regulations.
By Mr Chalmers—Resolution authorizing the Engrossing Clerk to appoint assistants whenever in the opinion of the Committee on Engrossment, there shall be need thereof.
Referred to the Committee on Rules and Regulations.

MESSAGE FROM THE SENATE.

The following messages was received from the Senate:

SENATE CHAMBER,
February 21st, 1872.

Mr SPEAKER: I am directed to inform your honorable body that the Senate on the seventeenth day of February, eighteen hundred and seventy-two, passed Senate Bill No. 261—An Act amendatory of an Act entitled an Act to authorize the Board of Supervisors of the City and County of San Francisco to open and grade Market street, in said city, from the intersection of said street with Valencia street to its intersection with Seventeenth street, and to condemn private property for the roadway of said street, approved April second, eighteen hundred and seventy.

FERRAL, Secretary.

CONSIDERATION OF SENATE MESSAGE.

Senate Bill No 261, above reported, read first and second times and referred to the San Francisco delegation.

INTRODUCTION OF BILLS.

Bills were introduced as follows:

By Mr. Harvey—An Act to provide for the payment of certain Controller's warrants drawn upon the State Treasury.

Read first and second times and referred to the Committee on Swamp and Overflowed Lands.

By Mr Munday—An Act to provide additional members of the Board of Supervisors for the County of Sonoma.

Read first and second times and referred to the Sonoma delegation.

By Mr Gibson—An Act for the redemption of the bonded indebtedness of Calaveras County.

Read first and second times and referred to the Judiciary Committee, and ordered printed.

By Mr Cooper—An Act authorizing the Trustees of the San Buenaventura School District, of the County of Santa Barbara, to issue bonds for the said district for the sum of two thousand dollars.

Read first and second times and referred to the Santa Barbara delegation.

By Mr Everett—An Act to provide for the location, construction, and maintenance of public roads in the County of Nevada.

Read first and second times and referred to the Nevada delegation.

By Mr. Wheaton—An Act to authorize the Mayor of the City and County of San Francisco to convey certain lands to the San Francisco Lying-in Hospital and Foundling Asylum.

Read first and second times and referred to the San Francisco delegation

By Mr. Splivalo—An Act to remedy duplicate payments of taxes in the City and County of San Francisco.

Read first and second times and referred to the San Francisco delegation.

By Mr. Henshaw—An Act to protect free bridges from injury.

Read first and second times and referred to the Committee on Roads and Highways.

GENERAL FILE.

Assembly Bill No. 258—An Act to provide for the incidental expenses of the members of the Legislature of this State during the sessions thereof.

Mr. Eagan moved the indefinite postponment of the bill.

The motion was lost and the bill returned to the file.

The House refused to pass Assembly Bill No. 291—An Act to repeal an Act entitled an Act concerning the revenue, approved March twenty-fifth, eighteen hundred and seventy.

Assembly Bill No. 71—An Act for the relief of Presley A. Dorris.

Read a third time and passed.

Assembly Bill No. 269—An Act amendatory of and supplementary to an Act entitled an Act to authorize the incorporation of canal companies, and to provide for the construction of canals and ditches, approved April second, eighteen hundred and seventy.

Mr. De Haven moved to recommit the bill to the Committee on Corporations with special instructions.

Lost.

The bill was then ordered placed at head of the file for Tuesday, February twenty-seventh, subject to the precedence of two other bills already ordered to that place

Assembly Bill No. 261 An Act to repeal an Act entitled an Act for the incorporation of the City of Anaheim, and appointing Commissioners to dispose of the property, pay the indebtedness, and settle the affairs thereof.

Read a third time and passed.

Assembly Bill No. 282—An Act to allow certain persons therein named, and their associates and assigns, to take possession of and improve a certain road in the County of Sacramento.

Mr. Mott of Sacramento moved to recommit the bill to the Sacramento delegation with special instructions.

The motion prevailed, the bill was recommitted, and forthwith returned with the following report:

REPORT.

By Mr. Mott of Sacramento:

Mr. SPEAKER: The Sacramento delegation, to whom was referred Assembly Bill No. 282—An Act to allow certain persons named, and their associates and assigns, to take possession of and improve a certain road in the County of Sacramento—beg leave to report it back and recommend its passage as amended.

MOTT, for Delegation.

The amendment reported was adopted, and the bill read a third time and passed.

GENERAL FILE RESUMED.

Assembly Bill No. 271—An Act to provide for the payment of certain fees in Butte County.

Read a third time and passed.

Assembly Joint Resolution No. 8—Relative to asking Congress to prepare an amendment to the Constitution of the United States changing the time and place of electing United States Senators

On adopting the resolution, the ayes and noes were demanded by Messrs. Berry, Meeker, and Andrews, and the resolution passed by the following vote:

AYES—Messrs. Aldrich, Barker, Barnes, Bradley, Brown, Center, Chalmers, Coleman, Cooper, Days, De Haven, Eagan, Edgar, Everett, Franck, Freeman, French, Goodall, Gray, Harvey, Johnston, Lee, Long, Luttrell, Mathers, Mott of Sacramento, Russ, Sammons, Spencer, Wheaton, Whitney, Woodward, Wright, and Mr. Speaker—34.

NOES—Messrs. Andrews, Bacon, Bell, Berry, Burckhalter, Connolly, Dannals, Galloway, Gibson, Henshaw, Hopper, Little, Meeker, Munday, Schrack, Sensabaugh, Slaughter, Splivalo, Stillwagon, Walker, and Ward—21.

Senate Bill No. 158—An Act to amend an Act entitled an Act to authorize the issue of bonds by the County of San Diego to erect county buildings, approved March twenty-ninth, eighteen hundred and seventy.

Read a third time and passed.

Senate Bill No 203—An Act fixing the compensation of the Treasurer and Assessor of Humboldt County.

Read a third time and passed.

Senate Bill No. 210—An Act to establish a college at Santa Rosa, Sonoma County, California.

Read a third time and passed.

Senate Bill No. 202—An Act to amend an Act entitled an Act to provide for the manner of auditing claims against Humboldt County, and to provide for the reduction, etc.

Read a third time and passed.

Senate Bill No. 40—An Act for the relief of Henry Kohn.

The bill was considered in Committee of the Whole House, and the amendment recommended by the minority of the Committee on Claims was adopted.

IN ASSEMBLY.

The committee rose, reported the bill, and as amended, recommended its passage.

The report was adopted and the bill read a third time and passed.

Mr. Dannals gave notice of a motion to reconsider.

GENERAL FILE RESUMED.

Assembly Concurrent Resolution No 13—Relative to instructing our Senators in Congress and requesting our Representatives to procure the passage of an Act to provide for a survey of unsurveyed mountain lands.

House refused to pass.

Senate Bill No. 214—An Act to amend an Act entitled an Act to raise a Fund for the improvement of Napa City.

Read a third time and passed.

Senate Bill No. 10—An Act to legalize, ratify, and confirm deeds of

conveyance and grants of land made by the municipal authorities of the City of San Diego.

Read a third time and passed.

Senate Bill No. 239—An Act to provide for the care of the indigent sick in Del Norte County.

Read a third time and passed.

Senate Bill No. 174—An Act for the relief of Michael Conniff.

Read a third time and passed.

Assembly Bill No. 91—An Act to provide for the organization of the Legislature of this State at its regular sessions.

Read a third time and passed.

Assembly Bill No. 281—An Act to amend an Act entitled an Act to provide revenue for the support of the government of this State, approved April twenty-ninth, eighteen hundred and fifty-seven.

Read a third time and passed.

Assembly Bill No. 338—An Act amendatory of and supplemental to an Act entitled an Act to encourage the destruction of squirrels and gophers in certain counties of this State, and to provide a bounty therefor.

Read a third time and passed.

Assembly Joint Resolution No. 23—Relative to making San Diego a port of entry.

Read a third time and passed.

Senate Bill No. 182—An Act to authorize the Public Administrator of Contra Costa County to act as Coroner.

Read a third time and passed.

At five o'clock and ten minutes P. M., on motion of Mr. Lee, the House adjourned until ten o'clock to-morrow morning.

T. B. SHANNON,
Speaker.

M. D. BORUCK, Chief Clerk.

IN ASSEMBLY.

HOUSE OF ASSEMBLY,
Saturday, February 24th, 1872.

House met pursuant to adjournment.
Speaker in the Chair.
Roll called.
Quorum present.
Prayer by the Chaplain.

LEAVE OF ABSENCE

Leave of absence was granted for one day each, to Messrs. Sargent of Santa Clara, Tinnin, and Barklage.

IN MEMORIAM.

Before the Journal of yesterday was read, Mr. Andrews rose in his place and addressed the House as follows:

Mr. Speaker: It becomes my melancholy duty to announce to this House the death of Chief Justice Royal T. Sprague. Having known Judge Sprague as a man, I can speak of him as such. I knew him to have been a true man in every sense of the word. He has been a true citizen, a true and affectionate father and husband, and he was one of California's pioneers—of a class that are fast passing away—many of whom I have been with and with whom I have mingled, but among all of California's pioneers, I have never known a better man than he.

Mr Speaker, I move that the House adjourn.

Mr. Spencer indorsed the sentiments expressed by Mr. Andrews, and moved that, as a further mark of respect, the national flag of the Capitol be lowered to half-mast.

Adopted.

At ten o'clock and fifteen minutes, on motion of Mr. Berry, the House adjourned until half past two o'clock, P. M, Monday, February twenty-sixth.

T. B. SHANNON,
Speaker.

M. D. Boruck, Chief Clerk.

IN ASSEMBLY.

House of Assembly,
Monday, February 26th, 1872.

House met pursuant to adjournment.

Speaker in the chair.

Roll called.

Quorum present.

Prayer by the Chaplain.

The Journal of Saturday, February twenty-fourth, was considered as read and approved, the reading being dispensed with on motion of Mr. Caldwell.

PETITIONS.

Petitions were presented as follows:

By Mr French—From citizens of Sacramento, in favor of a law to restrict the sale of intoxicating drinks

Referred to the Committee on Public Morals.

By Mr. Freeman—From residents of San Bernardino County, for the enfranchisement and protection of women.

Referred to special committee on that subject

By Mr. Jost—From residents in the vicinity of Mission Creek, in the City and County of San Francisco, in favor of dredging and improving said creek along the line of Channel street.

Referred to the San Francisco delegation.

REPORTS.

The following reports were made from standing committees:

By Mr. Luttrell:

Mr. SPEAKER: Your Committee on Rules and Regulations, to whom was referred Assembly Resolution relative to the appointment of an Assistant Journal Clerk, report that we have examined the Journals and find there is no necessity for such assistant, and therefore recommend that the resolution do not pass.

LUTTRELL, Chairman.

By Mr. Spencer:

Mr. SPEAKER: The Committee on Judiciary report back Assembly Bill No. 340—An Act to quiet the titles of purchasers from the State—and recommend that said bill do not pass.

Also, Assembly Bill No. 337—An Act concerning elections in this State—report it back without recommendation, the author desiring to withdraw the same.

SPENCER, Chairman.

By Mr. Mott of Sacramento:

Mr SPEAKER: The Committee on Claims, to whom was referred Assembly Bill No. 224—An Act for the relief of A. T. Gray, Treasurer and ex officio Tax Collector of El Dorado County—beg leave to report it back and recommed its passage as amended.

Also, report back Assembly Bill No. 334—An Act for the relief of Henry Morse, Sheriff of Alameda County—and recommend its passage as amended.

Also, report back Assembly Bill No 336—An Act to repeal an Act to authorize the Controller of State to issue duplicate warrants, approved January twenty-sixth, eighteen hundred and seventy-two—and recommend its passage as amended

Also, report back Assembly Bill No. 403—An Act for the relief of William S. Brown—and recommend its passage as amended.

MOTT, Chairman.

By Mr. Gibson:

Mr. SPEAKER: Your Committee on Enrollment beg leave to report that they have examined and found correctly enrolled Assembly Bill No. 205—An Act to provide for the appointment of additional Notaries Public for the County of Humboldt.

Also, Assembly Bill No. 53—An Act to distribute the revenue derived from the tax on dogs in Sonoma County.

Also, Assembly Bill No 273—An Act supplemental to an Act entitled an Act to authorize the County of Sonoma to donate bonds to a railroad company, and to provide for the payment of the same, approved March eighteenth, eighteen hundred and sixty-eight.

Also, Assembly Joint Resolution No 3—Instructing our Senators and Representatives in Congress to obtain the adoption of such treaty regulations and legislation as shall discourage Chinese immigration.

Also, Assembly Bill No. 162—An Act amendatory of and supplemen-

tary to an Act entitled an Act to provide for the better collecting of delinquent taxes in the County of Yuba, approved April twenty-fifth, eighteen hundred and fifty-three.

Also, Assembly Bill No. 194—An Act concerning the compensation of certain county officers in the County of Los Angeles.

Also, Assembly Bill No. 229—An Act to fix the bonds of the Sheriff of Contra Costa County.

Also, Assembly Bill No. 319—An Act to prevent hogs running at large in the Town of Shasta.

Also, Assembly Joint Resolution No. 24—In reference to a mail route from Red Bluff, etc.

Also, Assembly Bill No. 101—An Act to provide for the location, construction, and maintenance of public roads in the County of Calaveras.

Also, Assembly Bill No. 51—An Act to provide for the government of San Diego.

And that the same have, this twenty-sixth day of February, eighteen hundred and seventy-two, at ten minutes passed twelve o'clock, been transmitted to the Governor for his approval.

GIBSON, Chairman.

By Mr. Wheaton:

Mr Speaker: Your Committee on Corporations, to whom was referred Assembly Bill No. 323—An Act requiring railroad companies to construct barriers and additional cattle-guards along the line of railroads—report it back and recommend its passage.

Also, report Assembly Bill No. 125—An Act in relation to life insurance—with an amendment, and recommend its passage.

Also, report Assembly Bill No. 201—An Act to amend an Act entitled an Act prescribing certain conditions for the transaction of insurance business—and recommend that it do not pass.

Also, Senate Bill No. 23—and recommend its passage.

Also, Senate Bill No. 99—An Act concerning corporations—and recommend its passage.

WHEATON, for Committee.

By Mr. Franck:

Mr. Speaker: Your Committee on Public Morals having had under consideration Senate Bill No. 65—An Act to prevent the sale of intoxicating drinks to minors—report the same back, and inasmuch as a bill to the same effect has already passed the House, further legislation is deemed unnecessary, and therefore recommend that bill do not pass.

FRANCK, Chairman.

REPORTS OF SELECT COMMITTEES.

Reports were made from select committees as follows:

By Mr. Cooper:

Mr. Speaker: The San Luis Obispo and Santa Barbara delegation, to whom was referred Assembly Bill No. 439—An Act authorizing the Trustees of the San Buenaventura School District, of the County of Santa

Barbara, to issue bonds for the said district for the sum of ten thousand dollars—report the same back to the House and recommend its passage.

COOPER, for Delegation.

By Mr. Barker—From the special committee appointed to consider and report on certain resolutions advanced by Mr Barker on January twenty-fourth, concerning the disposal of public lands belonging to the State and settlers thereon, which was ordered printed.

[See Assembly Appendix.]

By Mr. Munday:

Mr. SPEAKER: The Sonoma delegation, to whom was referred Assembly Bill No. 437—An Act to provide additional Supervisors for the County of Sonoma—have had the same under consideration, and report it back and recommend its passage.

MUNDAY, for Delegation.

The rules were suspended, and the bill above reported taken up, rules again suspended, considered engrossed, read a third time and passed.

MOTIONS.

On motion of Mr. Freeman, the substitute offered for Assembly Bills Nos. 213 and 284 was taken from the file and referred to the Committee on Agriculture.

On motion of Mr Gibson, Assembly Bill No. 410—An Act supplemental to an Act to regulate fees and salaries in the County of Calaveras, and to define the duties of certain officers in said Calaveras County, approved March fourth, eighteen hundred and seventy—was taken from the file.

The rules were suspended, bill considered engrossed, read a third time and passed.

MESSAGE FROM THE GOVERNOR.

The following message was received from the Governor:

STATE OF CALIFORNIA, EXECUTIVE DEPARTMENT,
Sacramento, February 23d, 1872.

To the Assembly of the State of California.

I have to inform your honorable body that I have approved Assembly Bill No. 270—An Act for the protection of fish in the waters of Butte Creek, in the County of Butte.

Also, Assembly Bill No. 237—An Act to regulate the traveling fees of the Sheriff of the County of Kern.

Also, Assembly Bill No 512—An Act to confirm a certain contract for the sale of stock held by the County of Santa Clara in the Western Pacific Railroad Company, and to give effect to the same, and amendatory of an Act entitled an Act to authorize the Board of Supervisors of the County of Santa Clara to take and subscribe one hundred and fifty thousand dollars to the capital stock of the Western Pacific Railroad Company, and to provide for the payment of the same and other

matters relating thereto, approved April fourteenth, eighteen hundred and sixty-three.

NEWTON BOOTH, Governor.

INTRODUCTION OF BILLS.

Bills were introduced as follows:

By Mr. Eagan (by request)—An Act to pay Joseph Neumann for services rendered the State.

Read first and second times and referred to the Committee on Claims.

By Mr. Bockius (by request)—An Act for the relief of John Melville.

Read first and second times and referred to the Committee on Claims.

By Mr. Freeman—An Act to provide for the division of Yolo County into assessment districts for the election of District Assessors, and to define their duties, liabilities, and compensation.

Read first and second times and referred to the Yolo delegation.

Also, an Act in relation to mortgages on growing crops.

Read first and second times and referred to the Judiciary Committee.

Also, an Act to provide for the liquidation and payment of the indebtedness of Yolo School District, in the County of Yolo.

Read first and second times and placed on file.

By Mr. Pardee—An Act to amend an Act entitled an Act to establish and define the powers and duties of the Board of Education of the City of Oakland.

Read first and second times and referred to the Alameda delegation.

By Mr. Welty—An Act to provide for the purchase of stationery, blank books, light, fuel, furniture, etc., for State officers and members of the Legislature.

Read first and second times and referred to the Committee on Rules and Regulations

By Mr. Crane—An Act to amend an Act entitled an Act concerning roads and highways in the County of Alameda, approved March twenty-fourth, eighteen hundred and sixty-two.

Read first and second times and referred to the Alameda delegation

By Mr. James—An Act to increase the number of Notaries Public in the County of Plumas

Read first and second times and placed on file.

By Mr. Splivalo—An Act granting certain privileges to the North Beach and Mission Railroad Company.

Read first and second times and referred to the San Francisco delegation.

By Mr. Berry—An Act to authorize the construction of a public school house in Yuba School District, in the County of Sutter, and to provide funds therefor.

Read first and second times and referred to the Sutter delegation

By Mr. Barker, from a special committee—A joint resolution urging upon Congress the passage of a law reserving public lands for the use of actual settlers

Read first and second times and placed on file.

Also, from the same committee—An Act reserving all lands within the State belonging to the State of California for sale to actual settlers only.

Read first and second times and referred to the Committee on Public Lands.

Also, from the same committee—An Act calling in the deferred payments and moneys due upon lands heretofore applied for or purchased from the State of California on credit

Read first and second times and referred to the Committee on Public Lands.

Also, from the same committee—An Act to facilitate the settlement of vacant lands in the State of California.

Read first and second times and referred to the Committee on Public Lands.

By Mr Franck—An Act to amend an Act entitled an Act concerning roads and highways in the County of Santa Clara, approved March thirty-first, eighteen hundred and sixty-six, and to repeal an Act entitled an Act to amend an Act entitled an Act concerning roads and highways in the County of Santa Clara, approved March thirty-first, eighteen hundred and sixty-six, approved March fourteenth, eighteen hundred and sixty-eight.

Read first and second times and placed on file.

By Mr. Reed—An Act to transfer to the Board of Supervisors of the City and County of San Francisco the management, control, and direction of the affairs of the Industrial School Department of said city and county.

Read first and second times and referred to the San Francisco delegation.

By Mr. Andrews—An Act to enforce the collection of license taxes.

Read first and second times and referred to the Judiciary Committee.

By Mr. Bradley—An Act granting certain lands and buildings known as the State Reform School property to the City of Marysville.

Read first and second times and referred to the Committee on Public Buildings and Grounds.

By Mr Rice—An Act for the relief of Martha Buckalew, executrix of the last will and testament of Benjamin R. Buckalew, deceased.

Read first and second times and referred to the Committee on Claims.

By Mr Hayes—An Act to amend section thirteen of an Act to regulate fees of office and salaries of certain officers and to repeal certain other Acts in relation thereto, approved March fifth, eighteen hundred and seventy, so far as the same applies to the County of Monterey.

Read first and second times and placed on file.

By Mr Galloway—An Act to authorize the Masonic and Odd Fellows' Cemetery Association and the citizens of Contra Costa County to remove human remains

Read first and second times, and with the accompanying petition, placed on file

By Mr. Sargent of Santa Clara—An Act for the relief of R. H. McIlroy.

Read first and second times and referred to the Committee on Claims.

Also, an Act to amend an Act entitled an Act to incorporate the City of Gilroy, approved March twelfth, eighteen hundred and seventy.

Read first and second times and referred to the Committee on Corporations.

By Mr. Rice—An Act to confirm title to purchasers of certain salt marsh and tide lands in the Counties of Marin and Contra Costa.

Read first and second times and referred to the Committee on Swamp and Overflowed Lands.

MESSAGES FROM THE SENATE.

The following messages were received from the Senate:

SENATE CHAMBER,
February 24th, 1872.

MR. SPEAKER: I am directed to inform your honorable body that the Senate, on the seventeenth day of February, passed Senate Bill No. 241.

Also, on the same day, passed Senate Bill No. 258.

Also, on the same day, passed Senate Bill No. 267.

Also, on the same day, passed Senate Bill No. 276.

Also, on the same day, passed Senate Bill No. 381—An Act to provide for the building of a bridge across Alameda Creek.

Also, on the same day, passed Assembly Bill No. 355—An Act to amend an Act entitled an Act to provide for the maintenance of the indigent sick in certain townships therein named in Siskiyou County.

Also, on the same day, adopted Senate Concurrent Resolution No. 8—In respect to turning San Diego River.

Also, on the same day, adopted Assembly Concurrent Resolution No. 20—Relative to correcting error in Assembly Bill No 110.

I am also directed to notify your honorable body of a communication from F. Baehr, relative to coupons of Bond Number Nine Hundred and Sixty.

FERRAL, Secretary.

SENATE CHAMBER,
February 26th, 1872.

MR. SPEAKER: I am directed to inform your honorable body that the Senate, on this day, passed Senate Concurrent Resolution No. 35—Relative to arrangements for the funeral obsequies of the late Chief Justice Sprague, and to pay the expense thereof.

Also, on the nineteenth instant, adopted Assembly Joint Resolution No. 23—Relative to making San Diego a port of entry.

Also, on the twenty-fourth instant, adopted Senate Concurrent Resolution No 34—Relative to attending the funeral of the late Chief Justice Sprague.

Also, on the seventeenth instant, passed Senate Bill No. 263.

Also, on the nineteenth instant, passed Senate Bill No. 257.

Also, on the same day, passed Senate Bill No. 284.

Also, on the twentieth instant, passed Senate Bill No. 280.

Also, on the same day, passed Senate Bill No 283.

Also, on the twenty-first instant, passed Senate Bill No. 290.

Also, on the twenty-sixth instant, passed Senate Bill No. 308.

Also, on the twenty-fourth instant, concurred in Assembly amendment to substitute for Assembly Bill No. 1.

Also, on the same day, passed Assembly Bill No 86.

Also, on the same day, passed Assembly Bill No. 202.

Also, on the same day, passed Assembly Bill No. 240.

Also, on the same day, passed Assembly Bill No 241.

Also, on the same day, passed Assembly Bill No. 352.

Also, on the same day, amended and passed Assembly Bill No. 135.

Also, on the same day, amended and passed Assembly Bill No. 152.

Also, on this twenty sixth day of February, passed Assembly Bill No. 292

Also, on the same day, passed Assembly Bill No. 225.

Also, on the same day, passed Assembly Bill No. 290.

Also, on the same day passed Assembly Bill No. 371.

Also, on the same day, passed Assembly Bill No. 396.

Also, on the same day, amended and passed Assembly Bill No. 219.

SHACKELFORD, Assistant Secretary.

CONSIDERATION OF SENATE MESSAGES.

Senate Bills Nos. 240 and 290, above reported, read first and second times and referred to Committee on Agriculture.

Senate Bills Nos. 280 and 308, read first and second times and placed on file.

The House concurred in Senate amendment to Assembly Bills Nos. 135 and 219.

Assembly Bill No. 152, reported with Senate amendments, was referred to Judiciary Committee

Senate Bill No. 258, read first and second times and referred to San Francisco delegation.

Senate Bill No 267, read first and second times and referred to Stanislaus delegation.

Senate Bill No. 276, read first and second times and referred to Amador delegation.

Senate Concurrent Resolution No. 8, read first and second times and referred to San Diego delegation.

The House unanimously concurred in Senate Resolution No. 35, and the Speaker appointed Messrs Andrews, Luttrell, and Spencer, a committee to act on the part of the Assembly.

Also, concurred in Senate Concurrent Resolution No 34.

Senate Joint Resolution No. ——, read first and second times and referred to Committee on Ways and Means

Senate Bill No. 263, read first and second times and referred to Stanislaus delegation.

Senate Bill No. 257, read first and second times and referred to Santa Clara delegation.

Senate Bill No 283, read first and second times and referred to Tuolumne delegation.

A communication from Treasurer Bachr, to his Excellency, the Governor, and by him transmitted to the Senate accompanying the foregoing message, was referred to Committee on Ways and Means.

SPECIAL ORDER.

Assembly Bill No. 84—An Act to take preliminary steps for calling a convention to amend, remodel, or propose a new Constitution for the State of California.

The special order for the day was taken up.

The question being on the adoption of the substitute, Mr. Days, in behalf of Mr. Gray, who was absent, presented amendments thereto, which were adopted, and the substitute also adopted and ordered engrossed.

GENERAL FILE.

On motion of Mr. Brown, Assembly Bill No 422—An Act to amend an Act to regulate fees of office and salaries of certain officers, and to repeal certain other Acts in relation thereto—was taken out of its order on the file, rules suspended, considered engrossed, read a third time and passed

Assembly Bill No 343—An Act to define the Senatorial and Assembly Districts of the State, and to apportion the representation.

Mr. Shannon (Speaker pro tem Hopper being in the chair) offered a series of amendments to section eight and subsequent sections of the bill.

Mr. Luttrell moved to make the further consideration of the bill the special order for the day, Wednesday, February twenty-eighth, at twelve o'clock M.

Mr. Shannon moved that the bill, with the proposed amendments inserted in the copy, be printed as if adopted, and the bill placed at the head of the file for Wednesday.

The motion of Mr. Luttrell was adopted, and the bill was ordered printed in accordance with the request of Mr. Shannon

Assembly Bill No 258—An Act to provide for the incidental expenses of the members of the Legislature of this State during the sessions thereof.

Read a third time and passed.

Senate Bill No. 183—An Act concerning official bonds of public officers of Contra Costa County.

Read a third time and passed.

Senate Bill No. 135—An Act supplementary to an Act entitled an Act to provide for appointment of Notaries Public and defining their duties, approved April twenty-fifth, eighteen hundred and sixty-two.

Read a third time and passed

Senate Bill No 53—An Act to punish seduction.

Read a third time and passed.

Senate Bill No. 118—An Act amendatory of and supplementary to an Act entitled an Act to incorporate the Town of Eureka, approved April ninth, eighteen hundred and fifty-nine.

Read a third time and passed.

Senate Bill No 193—An Act to regulate the terms of the County Court and the Probate Court of the several counties of this State.

Read a third time and passed.

The House refused to pass Assembly Bill No. 258.

Assembly Bill No 357—An Act amendatory of an Act entitled an Act for the more effectual prevention of cruelty to animals, approved March thirtieth, eighteen hundred and sixty-eight.

Mr Munday moved to indefinitely postpone the bill

The motion was lost, and the bill recommitted to the San Francisco delegation with special instructions

Assembly Bill No. 301—An Act to amend an Act entitled an Act to provide for the establishment, maintenance, and protection of public roads in Napa County, approved March thirty-first, eighteen hundred and sixty six, and an Act supplemental to and amendatory of said Act, approved February thirteenth, eighteen hundred and sixty-eight.

Read a third time and passed.

Assembly Bill No. 287—An Act to prevent persons passing through inclosures and leaving them open, and tearing down fences to make passage through inclosures

Reported amendments were adopted.

And on the passage of the bill the ayes and noes were demanded by Messrs. Berry, Galloway, and McCullough, and the bill passed by the following vote:

AYES—Messrs. Aldrich, Bacon, Barklage, Barnes, Bayley, Bockius, Burckhalter, Caldwell, Center, Chalmers, Coleman, Cooper, Crane, Days, De Haven, Eagan, Edgar, Ellis, French, Gibson, Harvey, Lee, Lotton, Luttrell, Meeker, Mott of Sacramento, Pardee, Rector, Reed, Rice, Russ, Seibe, Spencer, Splivalo, Timmin, Walker, Wheaton, Whitney, Wilcox, Woodward, and Mr. Speaker—41

NOES—Messrs. Andrews, Baird, Barker, Bell, Berry, Dannals, Everett, Franck, Freeman, Galloway, Goodall, Henshaw, Hopper, Jost, Little, Long, Mathers, Mott of Los Angeles, Munday, McCullough, Sammons, Sensabaugh, Slaughter, Turner, Ward, Welty, and Whiting—27.

REPORT.

Mr. Mott of Sacramento had leave to make the following report:

Mr. SPEAKER: The Sacramento delegation, to whom was referred Assembly Bill No 401—An Act relative to certain county warrants in the Treasury of the County of Sacramento—beg leave to report it back and recommend its passage

Also, report back Assembly Bill No. 406—An Act to authorize the County of Sacramento to issue bonds—and recommend its passage as amended.

MOTT, for Delegation.

The rules were suspended, and Assembly Bill No. 401 taken up, rules again suspended, bill considered engrossed, read a third time and passed.

The rules were again suspended, and Assembly Bill No. 406 taken up, the amendments reported were adopted, rules again suspended and bill considered engrossed, read a third time and passed.

GENERAL FILE RESUMED.

Preamble and Assembly Joint Resolution No. 13—Relative to instructing our Senators and requesting our Representatives in Congress to urge upon the Congress of the United States the adoption of such legislation as will authorize the collection of a foreign miners' tax, etc.

Read a third time and passed.

FUNERAL ARRANGEMENTS.

The special committee appointed to make arrangements for attending the funeral of Chief Justice Royal T. Sprague, made the following report:

Mr. SPEAKER: In behalf of the special committee to make arrangements for attending the funeral on to-morrow of Chief Justice Royal T. Sprague, deceased, announce that it was desirable that all the members of the House should join therein as a body, and to this end hope that

members would be present in the Assembly Chamber at half-past nine o'clock, on Tuesday morning.

The House, at five o'clock and forty-minutes P. M., on motion of Mr. Berry, adjourned until two o'clock P. M. to-morrow.

T. B. SHANNON,
Speaker.

M. D. BORUCK, Chief Clerk.

IN ASSEMBLY.

HOUSE OF ASSEMBLY,
Tuesday, February 27th, 1872.

House met pursuant to adjournment.
Speaker in the Chair.
Roll called.
Quorum present.
Prayer by the Chaplain.
Journal of yesterday read and approved.

LEAVE OF ABSENCE.

Leave of absence was granted for one day each to Messrs. De Haven, Sargent of San Joaquin, and Schrack, and to Mr. Walker indefinitely, on account of sickness.

RESOLUTION.

Mr. Dannals, by leave, offered a concurrent resolution requesting the Governor to return Assembly Bill No. 51—An Act for the government of the County of San Diego—for the purpose of having corrected some clerical errors in the enrollment of the bill.

Adopted.

SPECIAL ORDER.

The special order for the day, Assembly Bill No. 188—An Act to provide for listing and assessing all solvent debts, and to repeal an Act entitled an Act to prevent double taxation, approved April first, eighteen hundred and seventy, and the Act entitled an Act to relieve owners of encumbered real estate from double taxation, approved April fourth, eighteen hundred and seventy, and Assembly Bill No. 8—An Act to repeal an Act entitled an Act to prevent double taxation, also, to repeal an Act entitled an Act to relieve owners of encumbered real estate from taxation—were taken up.

Assembly Bill No 188 was first considered.

Mr. Wheaton moved to recommit the bill to the Committee on Ways and Means, with the following special instructions: to insert after the word "indebtedness," in line one, of section one, the words "exceeding the amount of the indebtedness of the person assessed."

On adopting the motion, the ayes and noes were demanded by Messrs. Berry, Sensabaugh, and Wheaton, and it was lost by the following vote:

AYES—Messrs Aldrich, Baird, Bockius, Coleman, Crane, Dannals, Eagan, Everett, Galloway, Goodall, Gray, Harvey, James, Jost, Meeker, Mott of Sacramento, McCullough, Pardee, Reed, Rice, Russ, Sargent of Santa Clara, Sargent of San Joaquin, Seibe, Sphvalo, Wheaton, and Wright—27.

NOES—Messrs. Andrews, Bacon, Barker, Barklage, Barnes, Bayley, Bell, Berry, Bradley, Brown, Burckhalter, Caldwell, Center, Chalmers, Connolly, Cooper, Days, Edgar, Franck, Freeman, French, Gibson, Hayes, Henshaw, Hopper, Johnston, Lee, Little, Lofton, Long, Luttrell, Mathers, Munday, Rector, Sammons, Sensabaugh, Slaughter, Spencer, Tinnin, Turner, Ward, Welty, Whiting, Whitney, Wilcox, Woodward, and Mr. Speaker—47.

Mr. Meeker moved to recommit the bill, with the following proviso to be inserted as special instruction to amend:

"*Provided*, that nothing in section two of this Act shall be so construed as to sanction double taxation."

On adopting the motion, the ayes and noes were again demanded by Messrs. Meeker, Pardee, and Crane, and the House again refused to recommit by the following vote.

AYES—Messrs Aldrich, Baird, Bockius, Caldwell, Crane, Dannals, Galloway, Goodall, Gray, James, Jost, Meeker, Mott of Sacramento, Munday, McCullough, Pardee, Reed, Rice, Russ, Sargent of Santa Clara, Siebe, Sphvalo, Wheaton, Wright, and Mr. Speaker—25.

NOES—Messrs Andrews, Bacon, Barker, Barklage, Barnes, Bayley, Bell, Berry, Bradley, Brown, Burckhalter, Center, Chalmers, Coleman, Connolly, Cooper, Days, Edgar, Ellis, Everett, Franck, Freeman, French, Gibson, Harvey, Hayes, Henshaw, Hopper, Johnston, Lee, Little, Lofton, Long, Luttrell, Mathers, Sammons, Sargent of San Joaquin, Sensabaugh, Slaughter, Spencer, Tinnin, Turner, Ward, Welty, Whiting, Whitney, Wilcox, and Woodward—48.

Mr. Spencer moved to recommit the bill, with the following special instructions: amend by adding to section one the following:

"*Provided*, that every person may deduct all debts due or to become due by him: first, from solvent debts to him owing, or, if he have no such debts, then, second, from the value of his real and personal property, and the balance remaining after such deduction shall be the amount legally assessable against him."

Mr. Wheaton proposed to add to the foregoing the following additional instruction:

"*Provided*, that the indebtedness thus deducted shall be assessed against the creditor, and shall be a lien upon the property of the debtor until paid. The debtor shall have the right to pay the tax on such indebtedness, and to deduct the same from the amount due from him to such creditor."

The previous question was ordered, on motion of Mr. Caldwell

On the question of reference, the ayes and noes were demanded by Messrs Berry, Barnes, and Tinnin, and the House again refused to recommit by the following vote.

AYES—Messrs. Aldrich, Bockius, Coleman, Crane, Franck, Galloway, Goodall, Gray, Hayes, James, Jost, Mott of Sacramento, McCullough, Pardee, Reed, Rice, Russ, Sargent of Santa Clara, Seibe, Spencer, Splivalo, Wheaton, and Mr. Speaker—23.

NOES—Messrs. Andrews, Bacon, Baird, Barker, Barklage, Barnes, Bayley, Bell, Berry, Bradley, Brown, Burckhalter, Caldwell, Center, Chalmers, Connolly, Dannals, Days, Eagan, Edgar, Everett, Freeman, French, Gibson, Harvey, Henshaw, Hopper, Johnston, Lee, Little, Lofton, Long, Luttrell, Mathers, Meeker, Mott of Los Angeles, Munday, Rector, Sammons, Sargent of San Joaquin, Sensabaugh, Slaughter, Tinnin, Turner, Ward, Welty, Whiting, Whitney, Wilcox, and Woodward—50.

On the passage of the bill, the ayes and noes were demanded by Messrs. Wilcox, Meeker, and Berry, and the bill passed by the following vote:

AYES—Messrs. Andrews, Bacon, Baird, Barker, Barklage, Barnes, Bayley, Bell, Berry, Bradley, Brown, Burckhalter, Caldwell, Center, Chalmers, Coleman, Connolly, Days, Eagan, Edgar, Everett, Franck, Freeman, French, Gibson, Harvey, Hayes, Henshaw, Hopper, Johnston, Lee, Little, Lofton, Long, Luttrell, Mathers, Mott of Los Angeles, Munday, Rector, Rice, Sammons, Sargent of San Joaquin, Sensabaugh, Slaughter, Tinnin, Turner, Ward, Welty, Whiting, Whitney, Wilcox, and Woodward—52.

NOES—Messrs. Aldrich, Bockius, Crane, Dannals, Galloway, Goodall, Gray, James, Jost, Meeker, Mott of Sacramento, McCullough, Pardee, Reed, Russ, Sargent of Santa Clara, Seibe, Spencer, Splivalo, Wheaton, Wright, and Mr. Speaker—22.

Assembly Bill No. 8, above referred to as part of the special order, was next taken up, and on its passage the ayes and noes were demanded by Messrs. Mott of Sacramento, Pardee, and Johnston, and the bill passed by the following vote:

AYES—Messrs Aldrich, Andrews, Baird, Barklage, Barnes, Bayley, Bell, Berry, Bradley, Bockius, Brown, Burckhalter, Caldwell, Center, Chalmers, Coleman, Connolly, Cooper, Dannals, Eagan, Edgar, Everett, Franck, Freeman, French, Gibson, Goodall, Gray, Harvey, Hayes, Henshaw, Hopper, James, Johnston, Jost, Little, Lofton, Long, Luttrell, Mathers, Mott of Los Angeles, Mott of Sacramento, Munday, Rector, Reed, Rice, Russ, Sammons, Seibe, Sensabaugh, Slaughter, Spencer, Tinnin, Turner, Ward, Welty, Wheaton, Whiting, Whitney, Woodward, Wright, and Mr Speaker—62.

NOES—Messrs. Bacon, Barker, Crane, Days, Galloway, Lee, Meeker, McCullough, Pardee, Sargent of Santa Clara, Sargent of San Joaquin, Splivalo, and Wilcox—13.

CORRECTION.

The rules were suspended, and Mr. Barker offered the following resolution, which was adopted:

Resolved, That the Engrossing Clerk be and he is hereby authorized to correct a clerical error in Assembly Bill No. 372.

PETITION.

Mr. Wheaton presented a petition from the Trustees of the San Francisco Lying in Hospital and Foundling Asylum for State aid.

Referred to the Committee on Ways and Means.

REPORTS OF STANDING COMMITTEES.

Reports were made from standing committees as follows:

By Mr. Gibson:

Mr. Speaker: Your Committee on Enrollment beg leave to report that they have examined and found correctly enrolled Assembly Bill No. 288—An Act to incorporate the Town of Cloverdale, Sonoma County, California

Also, Assembly Bill No. 327—An Act to amend an Act entitled an Act to provide for the assessment and collection of taxes in the County of Placer, approved March second, eighteen hundred and seventy-two.

Also, Assembly Joint Resolution No 25—Relative to a semi-weekly mail route from Red Bluff, Tehama County, to Shasta City, Shasta County.

And that the same have, this twenty-seventh day of February, A. D. eighteen hundred and seventy-two, at five minutes before two o'clock, been transmitted to the Governor for his approval.

GIBSON, Chairman

By Mr. Spencer:

Mr. Speaker. The Committee on Judiciary having considered Assembly Bill No. 305—An Act to provide for funding the indebtedness of the reclamation and levee districts of the State—report it back, adopting the amendments proposed by the Committee on Swamp and Overflowed Lands, and also with further amendments herewith reported.

The majority of the committee further report that the bill in question as amended is constitutional, and that under the operation of the proposed law the State would not in any event become liable for the payment of the bonds issued in pursuance of its provisions.

The committee express no opinion as to the propriety of this kind of legislation, and therefore report the bill back without recommendation.

SPENCER, Chairman.

Mr. Spencer, from the Judiciary Committee, also reported verbally in favor of the concurrence of the House in Senate amendment to Assembly Bill No. 152, reported from the Senate on yesterday.

By Mr. Wheaton, from the Committee on Ways and Means:

Mr. SPEAKER: Your committee having had under consideration Senate Bill No 153—An Act appropriating money to pay the contingent expenses of the Revision Commission

Also Senate Bill No 201—An Act to provide for the payment of certain coupons upon bonds of the State of California that have been lost.

Beg leave to report the same back, with the recommendation that they be referred to the Committee on Claims.

Your committee have also had under consideration Senate Bill No. 196—An Act to amend an Act entitled an Act to provide revenue for the support of the government of this State—and beg leave to report the same back, with the recommendation that it be referred to the Judiciary Committee.

WHEATON, Chairman.

The bills above reported were ordered referred as recommended.

By Mr. Harvey:

Mr. SPEAKER: The Committee on Swamp and Overflowed Lands, to whom was referred Assembly Bill No. 203—An Act to amend an Act entitled an Act to provide for the funding of the indebtedness of Levee District Number One, of Sutter County—report the same back that it may be returned to the author, as per order of the House.

Also, having had under consideration Assembly Bill No. 306—An Act to extend the time in which Swamp Land District Number Seventy shall complete their works of reclamation—report the same back and recommend its passage.

HARVEY, Chairman.

By Mr. Galloway:

Mr. SPEAKER: The Committee on Public Expenditures and Accounts, beg leave to report that they have examined the following bills and accounts, found them correct, and recommend that they be paid:

To whom due.	Amount.
John G. Hodge & Co., stationery	$300 00
David Bush	9 60
I. L. Merrell	24 00
Booth & Co	6 00
G. W. Parker	108 00
John Klotz	13 00
Edwards & Co	142 50
Locke & Lavenson	56 87
Hasselgren & Wilson	42 00
John Breuner	600 75
Wells, Fargo & Co	60 00
Joseph Neuman	10 00
B. F. Alexander	90 00
Millerton Expositor	10 00

To whom due.	Amount.
Amador Dispatch	$2 50
Solano Republican	3 00
San Francisco Elevator	4 00
Occident	15 00
Humboldt Times	30 00
Amador Ledger	33 00
Monitor	18 00
Mendocino Press	24 00
Plumas National	3 00
Santa Cruz Sentinel	12 00
Contra Costa Gazette	9 00
Pacific Appeal	6 00
Calaveras Chronicle	24 00
Sacramento Record (weekly)	42 00
Sacramento Record (daily)	118 00
Alpine Chronicle	24 00
San José Chronicle	5 00
San José Patriot	10 00
Yolo Democrat	6 00
Gilroy Telegram	17 50
Santa Clara Argus	32 50
Grass Valley Union	8 00
San Bernardino Guardian	1 65

Resolved, That the Controller be and he is hereby authorized and directed to draw warrants in favor of the persons named in the above report of the Committee on Expenditures and Accounts for the sums set opposite their respective names, and that the Treasurer be directed to pay the same out of the Contingent Fund of the Assembly.

GALLOWAY, Chairman.

Adopted.

By Mr. Barnes:

Mr. Speaker: The Committee on Engrossment beg leave to report that they have examined and find correctly engrossed Assembly Bill No. 72—An Act for the protection of miners.

Also, Assembly Bill No. 372—An Act to define the northern boundary line of Napa County, adjoining Lake and Yolo Counties.

BARNES, Chairman.

By Mr. Franck:

Mr. Speaker: The Committee on Public Morals, having considered Assembly Bill No. 402—An Act amendatory of an Act entitled an Act to provide for binding minors as apprentices, clerks, and servants, approved April tenth, eighteen hundred and fifty-eight—report it back with amendments, and recommend its passage as amended.

FRANCK, Chairman.

By Mr. Little:

Mr. SPEAKER: The Siskiyou delegation, to whom was referred Assembly Bill No. 430, have had the same under consideration and recommend that it pass.

LITTLE, for Delegation.

By Mr. Freeman:

Mr. SPEAKER. The Yolo delegation, after having duly considered Assembly Bill No. 446—An Act to provide for the division of Yolo County into assessment districts, and for the election of District Assessors, and to define their duties, habilities and compensation—report the same back and recommend its passage.

FREEMAN, for Delegation.

The rules were suspended, and the bill above reported taken up, rules again suspended, bill considered engrossed, read a third time and passed.

By Mr. Pardee:

Mr. SPEAKER: The Alameda delegation, to whom was referred Assembly Bill No. 449, have examined the same and recommend its passage.

PARDEE, for Delegation.

The rules were suspended, and the bill above reported taken up, rules again suspended, bill considered engrossed, read a third time, passed, and ordered transmitted to the Senate.

By Mr. Wheaton:

Mr SPEAKER: The San Francisco delegation, to whom was referred Assembly Bill No. 357—An Act amendatory of an Act for the more effectual prevention of cruelty to animals, approved March thirtieth, eighteen hundred and sixty-eight—with instructions to amend the same by inserting a section providing that said amendatory Act shall apply only to the City and County of San Francisco, report the bill back with the additional section as instructed, being section three of said bill.

WHEATON, Chairman.

The bill above reported as amended by special instruction was taken up, read a third time and passed.

On motion of Mr. Aldrich, the rules were suspended and Senate Bill No 308—An Act to extend the time allowed to the Southern Pacific Railroad Company and the Western Pacific Railroad Company in which to make the terminus of their roads upon certain lands donated to them by the State for the purpose, in the City and County of San Francisco—was taken from the file and read a third time and passed.

By Mr. Coleman:

Mr. SPEAKER: The Amador and Alpine delegation, to whom was referred Senate Bill No. 276—An Act to authorize the Board of Supervisors of the County of Amador to levy an additional tax for county

expenditures in said county—have had the same under consideration, and herewith report the same back and recommend its passage.

COLEMAN, for Delegation.

The rules were suspended, and the bill above reported taken up, read a third time and passed.

By Mr. Crane:

Mr. SPEAKER: The Alameda delegation beg leave to report back Assembly Bill No. 451, and recommend its passage.

CRANE, for Delegation.

The rules were suspended, and the bill above reported taken up, rules again suspended, considered engrossed, read a third time and passed.

Mr. Whiting, from the Tuolumne delegation, to whom was referred Senate Bill No 283, reported the same back, recommending its passage.

The rules were suspended, and the bill above reported taken up, read a third time and passed.

By Mr. Dannals:

Mr. SPEAKER: The San Diego delegation, to whom was referred Senate Concurrent Resolution No. 8—In respect to turning San Diego River—report the same back to the House and recommend its passage.

DANNALS, for Delegation.

The rules were suspended, and the resolution above reported taken up, read a third time and passed.

By Mr. Crane:

Mr. SPEAKER: The Alameda delegation beg leave to report back Senate Bill No. 212, and recommend its passage.

CRANE, for Delegation.

MESSAGE FROM THE GOVERNOR.

The following message was received from the Governor:

STATE OF CALIFORNIA, EXECUTIVE DEPARTMENT,
Sacramento, February 26th, 1872.

To the Assembly of the State of California:

I have to inform your honorable body that I have approved Assembly Bill No. 156—An Act to provide for the liquidation of certain bonds of the City of Sacramento.

Also, Assembly Bill No. 205—An Act to provide for the appointment of additional Notaries Public for the County of Humboldt.

Also, Assembly Bill No. 194—An Act concerning the compensation of certain county officers in the County of Los Angeles.

Also, Assembly Bill No. 229—An Act to fix the bonds of the Sheriff of the County of Contra Costa

Also, Assembly Bill No 319—An Act to prevent hogs from running at large in the Town of Shasta.

Also, Assembly Bill No. 53—An Act to distribute the revenue derived from the tax on dogs in Sonoma County.

NEWTON BOOTH, Governor.

RESOLUTIONS.

Resolutions were offered as follows:

By Mr. Munday:

A concurrent resolution authorizing the payment of J. Johnston for certain services about the Capitol building.

Referred to the Committee on Claims.

By Mr. Pardee:

Resolved, That Assembly Bill No. 19, now in the hands of the Committee on Swamp and Overflowed Lands, be returned to its author for amendment.

Adopted.

By Mr. Welty:

Allowing five dollars per diem to the Clerk of the Committee on Claims.

Referred the Committee on Rules and Regulations.

By Mr. Rector:

Resolved, That the Committee to whom was referred Assembly Bill No. 187—An Act creating the office of Bank Commissioner—be required to report the same back to the House on Friday next, March first.

Adopted.

By Mr. Edgar:

Authorizing the appointment of a Clerk to the Committees on Roads and Highways, Education, Agriculture, and Mining and Mechanic Arts.

Referred to the Committee on Rules and Regulations.

MESSAGE FROM THE SENATE.

The following message was received from the Senate:

SENATE CHAMBER,
February 27th, 1872.

Mr. SPEAKER: I am directed to inform your honorable body that the Senate, on this day, passed Senate Bill No. 314—An Act for the payment

of the salary of the late Royal T. Sprague for the year eighteen hundred and seventy-two to his widow.

Also, on the twenty-sixth instant, indefinitely postponed Assembly Bill No. 275—An Act authorizing the Secretary of State to furnish the Counties of Alpine, Inyo, Kern, Lake, Mono, and Sutter with certain volumes of the California Supreme Court Reports.

SHACKELFORD, Assistant Secretary.

CONSIDERATION OF SENATE MESSAGE.

Senate Bill No. 314, above reported, read first and second times and ordered placed at the head of the file for to-morrow and to take precedence of all other bills.

INTRODUCTION OF BILLS.

Bills were introduced as follows:

By Mr. Pardee—An Act to provide funds for the School Department of the City of Oakland

Read first and second times and referred to the Alameda delegation.

By Mr. Aldrich—An Act to amend an Act entitled an Act to provide for the improvement of public parks in the City and County of San Francisco, approved April fourth, eighteen hundred and seventy.

Read first and second times and referred to the San Francisco delegation.

By Mr. Gray—An Act in relation to the investment of trust moneys.

Read first and second times and referred to the Judiciary Committee.

By Mr. Edgar—An Act to improve and protect the Yosemite Valley and Big Tree Grove property, donated to the State of California by the Congress of the United States, and for other purposes

Read first and second times and referred to the Judiciary Committee.

By Mr. Ward—An Act in relation to certain officers in Tehama County.

Read first and second times and placed on file.

By Mr. Franck—An Act to repeal an Act entitled an Act to provide for the improvement of the rivers and streams of Santa Clara County, approved April fourth, eighteen hundred and seventy.

Read first and second times and referred to the Judiciary Committee.

Also, an Act conferring upon the Boards of Supervisors of the several counties of the State the right to condemn private property for public uses.

Read first and second times and referred to the Judiciary Committee.

By Mr. Johnston—An Act concerning roads and highways in Sacramento County.

Read first and second times and referred to the Sacramento delegation.

Also, an Act to provide for the payment of certain demands against the Copying Fund of the Assembly during the twelfth session, and not paid for want of funds therein.

Read first and second times and referred to the Committee on Claims.

By Mr. Splivalo—An Act to amend an Act entitled an Act to authorize the Board of Supervisors of the City and County of San Francisco to open and grade Market street, in said city, from the intersection of said street with Valencia street to its intersection with Seventeenth street,

and to condemn private property for the roadway of said street, approved April second, eighteen hundred and seventy.

Read first and second times and referred to the San Francisco delegation.

By Mr. Crane—An Act to provide for the establishment of a Cabinet Department in the State Library.

Read first and second times and referred to the Committee on Mines and Mining Interests.

Also, an Act to amend an Act entitled an Act to regulate the settlement of the estates of deceased persons.

Read first and second times and referred to the Judiciary Committee.

By Mr. Sargent of Santa Clara—An Act to amend an Act entitled an Act defining the legal distances from each county seat to the Capitol, Lunatic Asylum, and State Prison, approved April twenty-fourth, eighteen hundred and fifty-eight.

Read first and second times and placed on file.

By Mr. Mott of Sacramento—An Act to establish a Paid Fire Department in the City of Sacramento.

Read first and second times and placed on file.

Also, an Act to provide for the organization of an Exempt Firemen's Association in the City of Sacramento.

Read first and second times and placed on file.

GENERAL FILE.

Assembly Bill No. 305, reported this morning, was ordered placed second on the file for to-morrow.

Assembly Bills Nos. 269 and 163 were severally passed on file.

Assembly Bill No. 342—An Act to divide the State into Congressional Districts.

Read a third time and passed.

Senate Bill No. 155—An Act to amend an Act entitled an Act to grant the Stanislaus Bridge and Ferry Company the right to construct and maintain a bridge across the Stanislaus River.

Mr. Sensabaugh offered a substitute for the bill.

Mr. Burckhalter moved to recommit the bill and substitute to the Judiciary Committee.

Lost.

He then moved to make the further consideration the special order for Wednesday, at three o'clock P. M.

The House refused.

The substitute was adopted.

Mr. Andrews renewed the motion to recommit to the Judiciary Committee.

The House again refused.

The substitute was read a third time and passed.

On motion of Mr. Meeker, at five o'clock and forty-five minutes P. M., the House adjourned until ten o'clock to-morrow morning.

T. B. SHANNON,
Speaker.

M. D. BORUCK, Chief Clerk.

IN ASSEMBLY.

HOUSE OF ASSEMBLY,
Wednesday, February 28th, 1872.

House met pursuant to adjournment.
Speaker in the chair.
Roll called.
Quorum present.
Prayer by the Chaplain.
Journal of yesterday read and approved.

LEAVE OF ABSENCE.

Mr. De Haven was granted leave of absence for one day.

Mr. Barker moved to suspend the rules and regular order of business and take up the General File.

Lost.

REPORTS OF STANDING COMMITTEES.

Reports from standing committees were made as follows:

By Mr. Harvey:

Mr. SPEAKER. The Committee on Swamp and Overflowed Lands, to whom was referred Senate Bill No. 47—An Act to amend an Act entitled an Act to provide for the management and sale of the lands belonging to the State, approved March twenty-eighth, eighteen hundred and sixty-eight—have had the same under consideration, report it back with amendments, and recommend its passage as amended.

HARVEY, Chairman.

By Mr. Pardee:

Mr. SPEAKER: The Committee on Public Grounds and Buildings have examined Assembly Bill No. 434, and recommend its passage.

PARDEE, Chairman.

By Mr. Spencer:

Mr. SPEAKER: The Committee on Judiciary having considered Assembly Bill No. 314—An Act to regulate the fees of office of the Clerk of Santa Cruz County—report it back with amendments, and recommend its passage as amended.

Also, Assembly Bill No. 349—An Act to amend an Act entitled an Act to provide for the management and sale of lands belonging to the State, approved March twenty-eighth, eighteen hundred and sixty-eight, and the substitute therefor proposed by the Committee on Swamp and Overflowed Lands—and report them back with a substitute, and recommend the passage of the substitute proposed by this committee.

Also, Assembly Bill No. 324—An Act concerning actions for libel—report it back with amendments, and the majority recommend its passage as amended.

Also, Assembly Bill No. 415—An Act to amend an Act supplementary

to an Act entitled an Act concerning crimes and punishments, passed April sixteenth, eighteen hundred and fifty, and Acts amendatory thereof and supplementary thereto, approved March twenty-eighth, eighteen hundred and sixty-eight—report it back with a substitute, and recommend the passage of the substitute.

Also, Assembly Bill No. 413—An Act to incorporate the City of San Diego—report it back without recommendation.

Also, Assembly Bill No. 400—An Act to enforce the responsibility of stockholders in corporations, as prescribed by the Constitution, and to provide for the prompt payment of demands against such corporations—report it back and recommend its passage.

Also, Assembly Bill No. 341—An Act to regulate the taxation of land and other property in the State—report it back without recommendation.

Also, Assembly Bill No. 293—An Act to separate the office of County Recorder from the office of County Clerk of Marin County—report it back and recommend that it do not pass.

Also, Assembly Bill No 391—An Act to regulate and define fees in the Sheriff's office in the County of Mendocino—report it back without recommendation.

Also, Assembly Bill No 427—An Act to amend an Act entitled an Act to regulate proceedings in civil cases in Courts of justice in this State, passed April twenty-ninth, eighteen hundred and fifty-one—report it back and recommend that it do not pass.

SPENCER, Chairman.

By Mr. Eagan:

Mr. SPEAKER: Your Committee on Agriculture, to whom was referred Senate Bill No. 241—An Act amendatory of and supplemental to an Act entitled an Act to prevent hunting and shooting on private grounds in the Counties of Alameda and San Mateo, approved March twenty-first, eighteen hundred and seventy—have had said bill under consideration, incorporated an amendment, beg leave to report the same back, and recommend passage of the bill as amended.

Also, have considered Assembly Bill No. 374—An Act to prevent hunting, shooting, and the felling of trees on private grounds in the Counties of Santa Barbara and San Luis Obispo—beg leave to report the same back and recommend its passage.

EAGAN, Chairman.

By Mr. Franck:

Mr. SPEAKER: The Committee on Public Morals having had under consideration Assembly Bill No. 264—An Act to restrict and regulate the sale at retail of alcoholic liquors—beg leave to report the same back without recommendation.

FRANCK, Chairman.

By Mr. Barnes:

Mr. SPEAKER: The Committee on Engrossment beg leave to report that they have examined and find correctly engrossed Assembly Bill No. 404—An Act to regulate fees of office and salaries in San Bernardino County.

Also, Assembly Bill No. 410—An Act supplemental to an Act to regu-

late fees and salaries in the County of Calaveras, and to define the duties of certain officers in said Calaveras County, approved March fourth eighteen hundred and seventy.

Also, Assembly Bill No. 422—An Act to amend an Act entitled an Act to regulate fees of office and salaries of certain officers and to repeal certain other Acts in relation thereto.

Also, Assembly Bill No 437—An Act to provide for additional Supervisors in the County of Sonoma.

Also, Assembly Bill No. 84—An Act to take preliminary steps for calling a Convention to amend, remodel, or propose a new Constitution for the State of California.

BARNES, Chairman.

REPORTS OF SPECIAL COMMITTEES.

Reports from special committees were made as follows:

By Mr. Sensabaugh.

Mr SPEAKER: The Stanislaus delegation, to whom was referred Senate Bill No. 267—An Act to regulate the salary of the County Treasurer of Stanislaus County—respectfully report the same back and recommend its immediate passage.

SENSABAUGH, for Delegation.

The rules were suspended, and the bill above reported taken up, read a third time and passed.

By Mr. Wheaton:

Mr. SPEAKER: The San Francisco delegation herewith report Assembly Bill No. 41—An Act to legalize and confirm certain ordinances passed and contracts made by the Board of Supervisors of the City and County of San Francisco, relative to the removal of dead animals from the city limits—and recommend its passage.

Also, report and recommend the passage of Assembly Bill No. 246—An Act to authorize the Board of Supervisors of the City and County of San Francisco to close up Walnut Avenue, in said city and county.

Also, Senate Bill No. 166—An Act to provide for sprinkling the streets of San Francisco—with amendments, and recommend the passage of the bill as amended.

WHEATON, for Delegation.

By Mr. Pardee:

Mr. SPEAKER: The committee to whom was referred Assembly Bill No. 236 have examined the same, and find that the features of the bill come within the jurisdiction of the Trustees of the Board of Management of the Insane Asylum, therefore report against the passage of the bill.

PARDEE, Chairman.

HUMBOLDT HARBOR.

Mr. Russ introduced a memorial and joint resolution asking an appropriation from Congress to improve the Harbor of Humboldt by turning the water of Eel River therein.

Read first and second times and referred to the Committee on Federal Relations.

MESSAGE FROM THE SENATE.

The following message was received from the Senate:

SENATE CHAMBER,
February 27th, 1872.

Mr. SPEAKER: I am directed to inform your honorable body that the Senate, on this day, concurred in Assembly Concurrent resolution No. 22—Relative to requesting the Governor to return Assembly Bill No. 51.

SHACKELFORD, Assistant Secretary.

INTRODUCTION OF BILLS.

Bills were introduced as follows:

By Mr. Freeman—An Act to prevent hogs and goats running at large in the Town of Knight's Landing, County of Yolo.

Read first and second times and placed on file.

By Mr. Gray—Proposed amendment to Article VI, section five, of the Constitution.

Read first and second times and referred to the Judiciary Committee.

By Mr. Pardee—An Act declaring a certain creek in Washington Township, Alameda County, navigable.

Read first and second times and referred to the Committee on Commerce and Navigation.

By Mr Splivalo—An Act to provide for the payment of a deficiency in the Department of Public Instruction.

Read first and second times and referred to the Committee on Ways and Means.

By Mr. Ellis—An Act for the relief of D. Bottiler.

Read first and second times, and with a recommendation of the Board of Supervisors and other citizens of Los Angeles County, placed on file.

By Mr. Rice (by request)—An Act to end useless litigation, and supplemental to an Act entitled an Act to regulate the settlement of the estates of deceased persons, passed May first, eighteen hundred and fifty-one, and the Acts supplemental thereto.

Read first and second times and referred to the Judiciary Committee.

By Mr. Spencer—An Act to provide for the opening and improvement of Santa Clara Avenue, in the County of Santa Clara.

Read first and second times and placed on file.

By Mr. Hayes (by request)—An Act to provide for the construction of a wagon and turnpike road in Monterey County.

Read first and second times and referred to the Committee on Corporations.

By Mr. Bockius—An Act creating the Nineteenth and Twentieth Judicial Districts, and defining the Third and Fourth, Twelfth and Fifteenth Judicial Districts.

Read first and second times and referred to the Judiciary Committee, and ordered printed.

GENERAL FILE.

Senate Bill No 314—An Act for the payment of the salary of the late Royal T. Sprague for the year eighteen hundred and seventy-two to his widow.

Considered in Committee of the Whole House.

IN ASSEMBLY

Committee rose, reported the bill with recommendation that it pass, and the bill was read a third time and passed unanimously.

GENERAL FILE RESUMED.

Assembly Bill No. 305—An Act to provide for the funding of the indebtedness of the reclamation and levee districts of the State.

Mr. Whiting offered the following:

Amend section two, line eighteen, by striking out all after the word "majority" and insert the following: "Of the land owners of the districts. The minutes of such meeting shall be filed among the records of the said Board of Supervisors."

On its adoption, the ayes and noes were demanded by Messrs. Berry, Andrews, and Tinnin, with the following result:

AYES—Messrs. Andrews, Barklage, Barnes, Bayley, Berry, Chalmers, Dannals, Days, De Haven, Edgar, Franck, Henshaw, Lee, Little, Long, Luttrell, Mathers, Mott of Sacramento, Munday, Russ, Sammons, Slaughter, Spencer, Tinnin, Turner, Walker, Welty, Whiting, and Woodward —29.

NOES—Messrs. Aldrich, Bacon, Baird, Barker, Bell, Bradley, Bockius, Brown, Burckhalter, Caldwell, Center, Coleman, Connolly, Crane, Eagan, Ellis, Everett, Freeman, Galloway, Gibson, Goodall, Gray, Harvey, Hayes, Hopper, James, Johnston, Jost, Lofton, Meeker, Mott of Los Angeles, McCullough, Pardee, Rector, Rice, Sargent of Santa Clara, Sargent of San Joaquin, Schrack, Seibe, Sensabaugh, Splivalo, Ward, Wheaton, Whitney, Wilcox, Wright, and Mr. Speaker—47.

Mr. Mott of Sacramento offered the following amendment to section two, line nineteen—after the words "written proxy" insert "second, by vote of the majority of the land-owners of the districts; and, third, by a vote of the majority in interest of the taxable property in the district"

The ayes and noes were demanded on its adoption by Messrs. Mott of Sacramento, Pardee, and Berry, with the following result.

AYES—Messrs Andrews, Barker, Barklage, Barnes, Bayley, Berry, Bockius, Dannals, Days, De Haven, Edgar, Ellis, Franck, French, Henshaw, Lee, Little, Long, Luttrell, Mathers, Meeker, Mott of Sacramento, Munday, Russ, Slaughter, Tinnin, Turner, Walker, Welty, Whiting, Woodward, and Mr. Speaker—32.

NOES—Messrs. Aldrich, Bacon, Baird, Bell, Bradley, Brown, Burckhalter, Caldwell, Center, Chalmers, Coleman, Connolly, Cooper, Crane, Eagan, Everett, Freeman, Galloway, Gibson, Goodall, Gray, Harvey,

Hayes, Hopper, James, Jost, Lofton. Mott of Los Angeles, McCullough, Pardee, Rector, Rice, Sammons, Sargent of Santa Clara, Sargent of San Joaquin, Schrack, Seibe, Sensabaugh, Splivalo, Ward, Wheaton, Whitney, and Wilcox—43.

SPECIAL ORDER DEFERRED.

At twelve o'clock M., the hour for the special order for the day, on motion of Mr. Wilcox, the same was ordered postponed until the subject matter then before the House was disposed of.

GENERAL FILE RESUMED.

Consideration of Assembly Bill No 305 resumed.

Mr. Turner offered the following. amend by adding to end of section five the following: "Said bonds and coupons shall express upon their face that neither the State nor any county shall, in any event, become liable for any portion of the interest or principal."

Adopted.

On Motion of Mr Wheaton, at twelve o'clock and forty minutes P. M., the House took recess until half-past one o'clock P. M.

REASSEMBLED.

The House convened at half-past one o'clock P. M.

Speaker in the chair.

Roll called.

Quorum present.

Mr. Munday had leave to offer a resolution providing for an evening session after the House had adjourned this day.

Lost.

GENERAL FILE RESUMED.

Consideration of Assembly Bill No. 305 continued.

Mr. Johnston offered to amend section fourteen, lines nine and ten, by striking out the words "benefits which each of said tracts or lots have received or may receive from such works," and inserting "number of acres contained in said lots."

On adopting the amendment, the ayes and noes were demanded by Messrs. Mott of Sacramento, Harvey, and Johnston, and it was rejected by the following vote:

AYES—Messrs. Aldrich, Barker, Barklage, Barnes, Bockius, Center, French, Goodall, Gray, Henshaw, Hopper, Johnston, Lee. Lotton, Mott of Sacramento, Munday, Pardee, Reed, Seibe, Spencer, Tinnin, Walker, Welty, Whitney. and Woodward—25.

NOES—Messrs. Andrews. Bacon, Baird, Bayley, Bell, Berry, Bradley, Brown, Burckhalter, Caldwell, Coleman, Connolly, Cooper, Crane, Days, De Haven, Eagan, Edgar, Ellis, Everett, Franck, Freeman, Galloway, Gibson, Harvey, Hayes, James. Jost, Little, Long, Meeker, Mott of Los Angeles, McCullough; Rector, Rice, Russ, Sammons, Sargent of Santa Clara, Sargent of San Joaquin, Schrack, Sensabaugh, Splivalo, Turner, Ward, Wheaton, Whitney, Wilcox, Wright, and Mr. Speaker—49.

Mr. Luttrell offered the following amendment to section twenty-three, and it was adopted:

"*Provided*, that the provisions of this Act shall not apply to any lands in Siskiyou County."

Mr. Andrews moved that the County of Shasta be exempted from the bill.

Adopted.

Mr. Johnston moved to add an additional section to the bill as follows:

"Reclamation District Number Two, Sacramento County, and Levee Districts Numbers One, Two, Three, and Six, in Sutter County, are exempt from provisions of this Act."

Adopted.

Mr. Mott of Sacramento proposed to amend section twenty-six of the bill as follows:

"SEC. 26. Nothing in this Act contained shall authorize the incorporation with Swamp Land Districts, nor the assessment, nor taxation of lands acquired under the homestead or preemption laws of the United States, or by grant from the Government of Mexico."

Whereupon the ayes and noes were demanded by Messrs. Berry, Barker, and Mott of Sacramento, and the House refused to adopt by the following vote:

AYES—Messrs. Aldrich, Andrews, Barker, Barklage, Barnes, Bayley, Berry, Bradley, Bockius, Chalmers, Dannals, De Haven, Edgar, Franck, French, Goodall, Henshaw, Lee, Little, Long, Luttrell, Mathers, Mott of Sacramento, Russ, Sammons, Slaughter, Spencer, Tinnin, Turner, Walker, Welty, Whiting, and Woodward—33.

NOES—Messrs Bacon, Baird, Bell, Brown, Burckhalter, Caldwell, Center, Coleman, Connolly, Cooper, Crane, Days, Eagan, Ellis, Everett, Freeman, Galloway, Gibson, Gray, Harvey, Hayes, Hopper, James, Johnston, Jost, Meeker, Mott of Los Angeles, McCullough, Pardee, Rector, Reed, Rice, Sargent of Santa Clara, Sargent of San Joaquin, Schrack, Seibe, Sensabaugh, Spivalo, Stillwagon, Ward, Wheaton, Whitney, Wilcox, Wright, and Mr. Speaker—45.

Mr. Mathers moved that the enacting clause of the bill be stricken out.

The motion was lost.

Mr. Wheaton offered an amendment to section twenty-two by inserting after the word "retain" the words "one half of."

Adopted.

Mr Barker offered the following:

Amend section three by inserting before the words "If it be determined," in line one, as follows. "Bonds shall be issued (under the provisions of this Act) only upon such lands as have paid the full amount of purchase money to the State"

On its adoption, the ayes and noes were demanded by Messrs. Andrews, Berry, and Barker, and it was rejected by the following vote:

AYES—Messrs. Andrews, Barker, Barklage, Barnes, Bayley, Berry, Bockius, Center, Chalmers, Edgar, Franck, Freeman, French, Henshaw, Johnston, Lee, Lofton, Long, Luttrell, Mathers, Mott of Sacramento,

Munday, Russ, Sammons, Slaughter, Spencer, Tinnin, Turner, Walker, Welty, Whiting, and Woodward—32

NOES—Messrs Bacon, Baird, Bell, Bradley, Brown, Burckhalter, Caldwell, Coleman, Connolly, Cooper, Crane, Dannals, Days, De Haven, Eagan, Ellis, Everett, Galloway, Gibson, Goodall, Gray, Harvey, Hayes, Hopper, James, Jost, Meeker, Mott of Los Angeles, McCullough, Pardee, Rector, Reed, Rice, Sargent of Santa Clara, Sargent of San Joaquin, Schrack, Seibe, Sensabaugh, Splivalo, Stillwagon, Ward, Wheaton, Whitney, Wilcox, Wright, and Mr. Speaker—46.

Mr. Mott of Sacramento proposed the following amendment to section five:

To add: "*Provided*, that the amount of bonds issued under this Act shall not exceed in the aggregate the sum of ten millions of dollars"

On adopting the amendment, the ayes and noes were demanded by Messrs. Berry, Tinnin, and Whiting, and the House refused to adopt by the following vote:

AYES—Messrs. Aldrich, Andrews, Barker, Barklage, Barnes, Bayley, Berry, Bockius, Burckhalter, Caldwell, Center, Chalmers, Dannals, Days, De Haven, Edgar, Franck, Freeman, Goodall, Henshaw, Johnston, Lee, Little, Long, Luttrell, Mathers, Mott of Sacramento, Munday, Russ, Sammons, Slaughter, Spencer, Tinnin, Turner, Walker, Welty, Whiting, and Woodward—38

NOES—Messrs. Bacon, Baird, Bell, Bradley, Brown, Coleman, Connolly, Cooper, Crane, Eagan, Ellis, Everett, French, Galloway, Gibson, Gray, Harvey, Hayes, Hopper, James, Jost, Lofton, Meeker, Mott of Los Angeles, McCullough, Pardee, Rector, Reed, Sargent of Santa Clara, Sargent of San Joaquin, Schrack, Seibe, Sensabaugh, Splivalo, Stillwagon, Ward, Wheaton, Whitney, Wilcox, and Mr. Speaker—40.

Mr. Berry moved to amend by adding to section eighteen as follows:

"To provide further, that any assessments upon lands that may revert to the State, which have not been paid at the time they do so revert, are hereby declared invalid and shall not attach."

On its adoption, the ayes and noes were again demanded, by Messrs. Berry, Mott of Sacramento, and Harvey, and the amendment was rejected by the following vote:

AYES—Messrs. Aldrich, Andrews, Barker, Barklage, Barnes, Bayley, Berry, Bockius, Center, Chalmers, Days, De Haven, Edgar, Franck, Freeman, Henshaw, Lee, Little, Long, Luttrell, Mathers, Mott of Sacramento, Munday, Russ, Sammons, Slaughter, Tinnin, Turner, Walker, Welty, Whiting, and Woodward—32

NOES—Messrs. Bacon, Baird, Bell, Bradley, Brown, Burckhalter, Caldwell, Coleman, Connolly, Cooper, Crane, Dannals, Eagan, Ellis, Everett, French, Galloway, Gibson, Gray, Harvey, Hayes, Hopper, James, Johnston, Jost, Lofton, Meeker, Mott of Los Angeles, McCullough, Pardee, Rector, Sargent of Santa Clara, Sargent of San Joaquin, Schrack, Seibe, Sensabaugh, Splivalo, Stillwagon, Ward, Wheaton, Whitney, Wilcox, and Mr. Speaker—43.

On motion of Mr. Barnes, the Counties of Butte and Lassen were exempted from the bill.

Mr Burckhalter moved to amend by exempting the Counties of Tulare and Fresno from the provisions of the bill.

Mr. Berry moved to further amend by including the County of Sutter among the number of counties exempted.

The amendment was accepted.

Mr Meeker demanded the previous question, and it was ordered.

On the amendment of Mr. Burckhalter, as amended on motion of Mr. Berry, the ayes and noes were demanded by Messrs. Berry, Andrews, and Whiting, with the following result:

AYES—Messrs. Aldrich, Andrews, Barker, Barklage, Barnes, Bayley, Berry, Bockius, Days, De Haven, Edgar, Franck, Freeman, Goodall, Henshaw, Johnston, Little, Long, Luttrell, Mathers, Mott of Sacramento, Munday, Russ, Sammons, Slaughter, Tinnin, Turner, Walker, Welty, Whiting, and Woodward—31

NOES—Messrs. Bacon, Baird, Bell, Bradley, Brown, Burckhalter, Caldwell, Center, Chalmers, Coleman, Connolly, Cooper, Crane, Dannals, Eagan, Ellis, Everett, Galloway, Gibson, Gray, Harvey, Hayes, Hopper, James, Jost, Lofton, Meeker, Mott of Los Angeles, McCullough, Pardee, Rector, Reed, Rice, Sargent of Santa Clara, Sargent of San Joaquin, Schrack, Seibe, Sensabaugh, Sphvalo, Stillwagon, Ward, Wheaton, Whitney, Wilcox, Wright, and Mr. Speaker—46.

The amendments to the bill as reported from the Committee on Swamp and Overflowed Lands and Judiciary Committee were adopted, and on ordering the bills engrossed, the ayes and noes were demanded by Messrs Mott of Sacramento, Berry, and Andrews, and it was so ordered by the following vote:

AYES—Messrs. Bacon, Baird, Bayley, Bell, Bradley, Brown, Burckhalter, Caldwell, Center, Chalmers, Coleman, Connolly, Cooper, Crane, Dannals, Days, Eagan, Ellis, Everett, Galloway, Gibson, Goodall, Gray, Harvey, Hayes, Hopper, James, Johnston, Jost, Little, Lofton, Meeker, Mott of Los Angeles, McCullough, Pardee, Rector, Reed, Rice, Sargent of Santa Clara, Sargent of San Joaquin, Schrack, Seibe, Sensabaugh, Sphvalo, Stillwagon, Ward, Wheaton, Whiting, Whitney, Wilcox, Wright, and Mr. Speaker—51.

NOES—Messrs Aldrich, Andrews, Barker, Barklage, Barnes, Berry, Bockius, De Haven, Edgar, Franck, Freeman, Henshaw, Long, Luttrell, Mathers, Mott of Sacramento, Munday, Russ, Sammons, Slaughter, Tinnin, Turner, Walker, Welty, and Woodward—25.

Assembly Bill No. 349—An Act to amend an Act entitled an Act to provide for the management and sale of lands belonging to the State.

Substitute reported adopted, rules suspended, bill considered engrossed, read a third time and passed.

SPECIAL ORDER.

Assembly Bill No 343—An Act to define the Senatorial and Assembly Districts of the State, and to apportion the representation thereof—the special order for this day, at two o'clock P. M., was continued until the same hour to-morrow.

CLERICAL ERROR.

Mr. Hayes, by leave, offered the following, which was adopted.

Resolved, That the Enrolling Clerk be instructed to insert the word "said," in lieu of "this," in first line of second section of Assembly Bill No. 86.

REPORT.

Mr. Gibson made the following report:

Mr. SPEAKER: Your Committee on Enrollment beg leave to report that they have examined and found correctly enrolled Assembly Bill No. 355—An Act to amend an Act entitled an Act to provide for the maintenance of the indigent sick in certain townships therein named in Siskiyou County, passed March twenty-fourth, eighteen hundred and seventy-two.

Also, Senate substitute for Assembly Bill No. 1—An Act supplemental to and amendatory of an Act entitled an Act to make, open, and establish a public street in the City and County of San Francisco, to be called Montgomery Avenue, and to take private lands therefor, approved March twenty-ninth, eighteen hundred and seventy

Also, Assembly Bill No. 225—An Act to authorize the Board of Supervisors of Sutter County to build and furnish a Court House and Jail at the county seat of said county, and to provide a Fund therefor.

Also, that Assembly Bill No. 51—An Act to provide for the government of the County of San Diego—has been corrected in pursuance with concurrent resolution.

And that the same have, this twenty-eighth day of February, A. D. eighteen hundred and seventy-two, at half-past three o'clock, been transmitted to the Governor for his approval.

GIBSON, Chairman.

MESSAGES FROM THE SENATE.

The following messages were received from the Senate:

SENATE CHAMBER,
February 28th, 1872.

Mr. SPEAKER: I am directed to inform your honorable body that the Senate, on the twenty-seventh day of February, passed Assembly Bill No. 130—An Act to amend an Act entitled an Act to protect the wages of labor, approved March twenty-eighth, eighteen hundred and sixty-eight.

Also, Senate Bill No. 260—An Act to facilitate and increase the collection of State, county, and municipal licenses in the City and County of San Francisco.

Also, Senate Bill No. 307—An Act to appoint additional Notaries Public for the County of San Diego.

Also, Senate Bill No. 235—An Act to amend an Act entitled an Act relating to criminal prosecution, approved April twentieth, eighteen hundred and sixty-six.

FERRAL, Secretary.

SENATE CHAMBER,
February 21st, 1872.

Mr. SPEAKER: I am directed to inform your honorable body that the Senate, on this twenty-first day of February, eighteen hundred and seventy-two, passed Assembly Bill No. 186—An Act amendatory of and supplementary to an Act approved April twenty-fifth, eighteen hundred and sixty-three, entitled an Act to incorporate the City of Sacramento.

FERRAL, Secretary.

CONSIDERATION OF SENATE MESSAGES.

Senate Bill No. 260, above reported, read first and second times and referred to the San Francisco delegation.

Senate Bill No. 301, above reported, read first and second times and placed on file.

Senate Bill No. 255, above reported, read first and second times and referred to the Judiciary Committee.

The House concurred in Senate amendments to Assembly Bill No. 186, above reported.

MESSAGE FROM THE GOVERNOR.

The following message was received from the Governor:

STATE OF CALIFORNIA, EXECUTIVE DEPARTMENT,
Sacramento, February 28th, 1872.

To the Assembly of the State of California:

I have to inform your honorable body that I have approved Assembly Bill No. 101—An Act to provide for the location, construction, and maintenance of public roads in the County of Calaveras.

Also, Assembly Bill No. 329—An Act to amend an Act entitled an Act to provide for the assessment and collection of taxes in the County of Placer, approved March second, eighteen hundred and seventy.

Also, Assembly Bill No. 288—An Act to incorporate the Town of Cloverdale, Sonoma County, California.

NEWTON BOOTH, Governor.

GENERAL FILE.

Assembly Bill No. 269—An Act to amend an Act entitled an Act to authorize the incorporation of canal companies, and to provide for the construction of canals and ditches, approved April second, eighteen hundred and seventy.

On motion of Mr. De Haven, the bill was recommitted to the Committee on Corporations, with special instructions.

Substitute for Assembly Bill No. 163—An Act to provide for the appointment of Reporters of the Supreme Court, defining their duties and compensation, and for the publication and distribution of the decisions of the Supreme Court.

Mr. Gray, the author of the bill, asked and obtained leave to withdraw it.

Senate Bill No. 220—An Act to amend an Act entitled an Act to authorize and require the County of Santa Cruz to pay over certain school moneys to certain school districts in San Mateo County, approved March twenty-seventh, eighteen hundred and seventy.

Recommitted to the delegation from Santa Cruz and San Mateo with special instructions, on motion of Mr. Bockius.

Mr. Luttrell gave notice of an amendment to Number One of the Standing Rules of the House.

At five o'clock and twenty-five minutes P. M., on motion of Mr. Hopper, the House adjourned until ten o'clock A. M. to-morrow.

T. B. SHANNON,
Speaker.

M. D. BORUCK, Chief Clerk.

IN ASSEMBLY.

HOUSE OF ASSEMBLY,
Thursday, February 29th, 1872.

House met pursuant to adjournment.
Speaker in the chair.
Roll called.
Quorum present.
Prayer by the Chaplain.
Journal of yesterday read and approved.

PETITIONS.

Petitions were presented as follows:

By Mr. Meeker—From the Pastoral Association of Sacramento City and others, in favor of the passage of the amendment to the Constitution exempting the property of religious institutions from taxation.

Placed on file.

By the same—From citizens of San Francisco, relative to the enfranchisement of women.

Referred to the special committee on that subject.

By Mr. Splivalo—From citizens of San Francisco, favoring certain amendments to a bill to regulate the business of pawnbrokers, etc., in that city.

Referred to the Judiciary Committee.

REPORTS OF STANDING COMMITTEES.

Reports from standing committees were made as follows:

By Mr. Wheaton, from the Committee on Ways and Means:

Mr. SPEAKER: Your committee having had under consideration Senate Joint Resolution No. 3—Relative to requesting Congress to raise the weight of silver coin.

Also, Senate Bill No. 218—An Act making appropriation for deficiencies.

Beg leave to report the same back and recommend their passsge.

WHEATON, Chairman.

By Mr. Barnes:

Mr. SPEAKER: The Committee on Engrossment beg leave to report that they have examined and find correctly engrossed Assembly Bill No. 406—An Act to authorize the County of Sacramento to issue bonds.

Also, Assembly Bill No 401—Relative to certain county warrants in the Treasury of the County of Sacramento.

Also, Assembly Bill No. 446—To provide for the division of Yolo County into assessment districts for the election of District Assessors.

Also, Assembly Bill No 454—To authorize the construction of a public school house in the Yuba School District, in Sutter County.

Also, Assembly Bill No. 451—To amend an Act concerning roads and highways in Alameda County.

BARNES, Chairman.

By Mr. Wright:

Mr. SPEAKER: The Committee on Education, to whom was referred Assembly Bill No. 364—An Act to fix the salary of Superintendent of Common Schools in the County of Plumas, and to prescribe the manner of paying the same—have had the same under consideration, and report it back and recommend its passage.

Also, have had under consideration Senate Concurrent Resolution No. 23—Relative to requesting Congress to appropriate public lands of the United States for educational purposes—report the same back and recommend concurrence.

Also, have considered Senate Bill No. 67—An Act to amend an Act entitled an Act to provide five competitive scholarships for the benefit of meritorious young men desirous of entering the State University, approved April first, eighteen hundred and seventy—report the same back and recommend its passage.

Also, have had under consideration Assembly Bill No 432—An Act amendatory of and supplemental to an Act entitled an Act to amend an Act to provide for a system of common schools, approved April fourth, eighteen hundred and seventy—report the same back amended, and recommend its passage as amended.

WRIGHT, Chairman.

By Mr. Mott of Sacramento:

Mr. SPEAKER: The Committee on Claims, to whom was referred Senate Bill No. 153—An Act appropriating money to pay contingent expenses of the Revision Commission—beg leave to report it back and recommend its passage.

Also, report back Assembly Bill No. 415—An Act for the relief of John Melville—and recommend that it do not pass.

MOTT, Chairman.

By Mr. Crane:

Mr. SPEAKER: The undersigned, Chairman of Joint Committee on the State Prison, begs leave to herewith submit the report of said committee.

CRANE.

[For report see Appendix.]

By Mr. Edgar:

Mr. SPEAKER: Your Committee on Roads and Highways, to whom was referred Assembly Bill No. 442, have had the same under consideration, and beg leave to offer the following amendment, and recommend the passage of the bill as amended.

EDGAR, Chairman.

Also, by the same:

Mr. SPEAKER: Your committee to whom was referred Assembly Bill No. 134, have had the same under consideration, and beg leave to report the same back without recommendation.

EDGAR, Chairman.

By Mr. French:

Mr. SPEAKER: The Committee on Judiciary having considered Assembly Bill No. 375—An Act to provide against the double taxation of animals—report it back and the majority recommend that it do not pass.

FRENCH, for Majority.

By Mr. Spencer:

Mr. SPEAKER: The Committee on Judiciary having considered Assembly Bill No. 361—An Act to appropriate money for the payment of certain equitable claims against the State—report it back and the majority recommend its passage.

Also, Assembly Bill No. 447—An Act in relation to mortgages on growing crops—report the same back with amendments, and recommend its passage as amended.

Also, Assembly Bill No 398—An Act to amend an Act entitled an Act to amend an Act entitled an Act to fix the compensation of the District Attorney of the County of Contra Costa, approved February ninth, eighteen hundred and sixty, approved March thirty-first, eighteen hundred and sixty-six—report it back and recommend its passage.

Also, Senate Bill No. 231—An Act to more fully define the crime of larceny—report it back and recommend its passage.

Also, Senate Bill No. 227—An Act to amend an Act entitled an Act to regulate the interest of money, passed March thirteenth, eighteen hundred and fifty—report it back and recommend that it do not pass.

Also, report back Assembly Bill No. 326—An Act to pay certain indebtedness of Calaveras County.

Also, Assembly Bill No. 438—An Act to provide for the redemption of the bonded indebtedness of Calaveras County—with amendment to the last named bill, and the majority recommend its passage as amended.

SPENCER, Chairman.

By Mr. Pardee:

A report of various sums allowed by the Committee on Public Buildings and Grounds for attendance and services rendered in the investigation of the State Normal School matters.

Referred to the Committee on Mileage.

REPORTS OF SPECIAL COMMITTEES.

Reports of special committees were made as follows:

By Mr. McCullough, of the City Hall Investigating Committee:

Mr. SPEAKER: The Assembly special committee, appointed for the purpose of investigating the acts and proceedings of the City Hall Commissioners in the City of San Francisco, report that they have had the whole matter under consideration; they have examined the grounds, foundation, and the building, and as far as the work has been done; they have also examined, at great length, thirty-eight witnesses in reference to the concrete foundation, the grading of the lot, the stone, and other material, as being furnished; also, regarding the frauds alleged to have been committed by the Commissioners; examined the original and modified plans and specifications.

The original plan and the specifications have been modified to some extent, which probably caused the complaint on the part of the architects and some of the contractors. The committee are of the opinion that the modification was necessary, as it was shown by the evidence that the building could not be finished for the amount of the appropriation unless so modified, and under these circumstances the committee can see no just cause for complaint, but are of the opinion that the Commissioners have done the best they possibly could do for the faithful performance of the work they have to perform, and after a careful investigation of all the evidence produced before them, the committee have been unable to find any foundation for the rumors and reports of the frauds as alleged to have been committed by the Commissioners.

The books, accounts, and expenditures were all found to be correct. There was no evidence that went to prove that there had been any collusion between the contractors and the Commissioners, or the contractors and the architect, as alleged, of a fraudulent character.

The work is now progressing, and a large number of men are employed, and the Commissioners are of the opinion that under the modified plan the building will be completed in about four years, and at an expense not to exceed the amount of the appropriation, one million five hundred thousand dollars.

All of which is most respectfully submitted.

McCULLOUGH, Chairman.

By Mr. Bockius:

Mr. SPEAKER: The Santa Cruz delegation, to whom was referred Senate Bill No. 220—An Act to amend an Act to authorize and require the County of Santa Cruz to pay over certain school moneys to certain school districts in San Mateo County, approved March twenty-seventh, eighteen hundred and seventy—with instructions to amend, report the same back with amendment and recommend its passage.

BOCKIUS, for Delegation.

The rules were suspended, and the bill above reported taken up, and, as amended, read a third time and passed.

By Mr. Sensabaugh:

Mr. SPEAKER: The Stanislaus delegation, to whom was referred Senate Bill No. 263—An Act to provide for the erection of a school house in Modesto School District, in the County of Stanislaus—respectfully report the same back and recommend its passage.

SENSABAUGH, for Delegation.

By Mr. Pardee:

Mr. SPEAKER: The Alameda delegation, to whom was referred Assembly Bill No. 468, have examined the same and recommend its passage.

PARDEE, for Delegation.

By Mr. Galloway:

Mr SPEAKER: The Committee on Public Expenditures and Accounts beg leave to report that they have examined the following bill, found it correct and recommend that it be paid:

To whom due.	Amount.
Emily Aubury, for rent of rooms for committees of the Assembly,	$64 50

Resolved, That the Controller be and he is hereby authorized and directed to draw a warrant in favor of said Emily Aubury for the above sum, and that the Treasurer be directed to pay the same out of the Contingent Fund of the Assembly.

GALLOWAY, Chairman.

The resolution was adopted.

By Mr. Hayes:

Mr SPEAKER: The Monterey delegation, to whom was referred Senate Bill No 277, have had the same under consideration, and beg leave to report the same back with a substitute, and recommend the passage of the substitute.

HAYES, for Delegation.

COTTON CULTURE.

Mr. Wilson presented a memorial, signed by citizens of Merced County, in behalf of the encouragement of the production and manufacture of cotton in California.

Referred to the Committee on Agriculture.

[For memorial see Appendix.]

By Mr. Little:

Mr. SPEAKER: The Siskiyou delegation, to whom was referred Assembly Bill No. 359, have had the same under consideration, and report the same back with the recommendation that it do pass.

LITTLE, for Delegation.

The rules were suspended, and the bill above reported taken up, rules suspended, bill considered engrossed, read a third time and passed, and ordered transmitted to the Senate.

By Mr. Gibson:

Mr. SPEAKER. Your Committee on Enrollment beg leave to report that they have examined and found correctly enrolled Assembly Bill No. 135—An Act to amend an Act entitled an Act to regulate fees of office and salaries of certain officers, and to repeal certain other Acts in relation thereto, approved March fifth, eighteen hundred and seventy.

Also, Assembly Bill No. 241—An Act to amend an Act entitled an Act to regulate proceedings in civil cases in the Courts of Justice of this State, passed April twenty-ninth, eighteen hundred and fifty-one

Also, Assembly Bill No. 240—An Act fixing the salary of the District Attorney of Lassen County.

Also, Assembly Bill No. 202—An Act to amend an Act entitled an Act to regulate proceedings in civil cases in the Courts of justice of this State, passed April twenty-ninth, eighteen hundred and fifty-one.

Also, Assembly Joint Resolution No. 23—Relative to making San Diego a port of entry.

Also, Assembly Bill No 82—An Act to amend an Act entitled an Act to regulate fees of office and salaries of certain officers, and to repeal certain other Acts relative thereto, approved March fifth, eighteen hundred and seventy.

Also, substitute for Assembly Bill No. 371—An Act relating to the Board of Supervisors of the County of Sacramento, and more particularly defining its powers and duties

Also, Assembly Bill No. 292—An Act to prevent the propagation of Scotch or Canada thistle in the Counties of Humboldt, Siskiyou, Klamath, Del Norte, and Alameda.

Also, Assembly Bill No. 396—An Act to authorize the Board of Supervisors of Los Angeles County to locate and build bridges across the Los Angeles River, and the New San Gabriel and the Old San Gabriel Rivers, in Los Angeles County, and to issue bonds for the payment thereof.

Also, Assembly Bill No 290—An Act to empower and authorize the Commissioners of the former Pueblo or City of Sonoma to sell and convey a portion of the lands known as the pueblo grant of Sonoma.

Also, Assembly Bill No. 219—An Act authorizing certain persons to improve a portion of King's River, and to erect booms therein.

Also, substitute for Assembly Bill No. 300—An Act to regulate the fees of the County Clerk of Santa Clara County.

Also, Assembly Bill No. 381—An Act to provide for the building of a bridge across Alameda Creek, in the County of Alameda.

And that the same have, this twenty-ninth day of February, eighteen hundred and seventy-two, at twenty-five minutes to eleven o'clock A. M., been transmitted to the Governor for his approval.

GIBSON, Chairman.

By Mr. Wheaton:

A verbal report from the San Francisco delegation, recommending the passage of Assembly Bill No. 181, as amended by the delegation.

MOTIONS AND RESOLUTIONS.

On motion of Mr. Little, the rules were suspended, and Assembly Bill No. 378—An Act to authorize the Board of Supervisors of Yolo County to levy special taxes for county purposes—was taken from the file, rules again suspended, considered engrossed, read a third time and passed, and ordered transmitted to Senate.

On motion of Mr. Aldrich, Assembly Bill No. 469, in the possession of the San Francisco delegation, was ordered printed.

Mr. Crane offered a concurrent resolution to order printed twenty-five hundred copies of the Report of the Joint Committee on the State Prison.

Adopted.

By Mr. Burckhalter:

Resolved, That the Committee on Ways and Means be requested to return to this House Assembly Bill No. 304, on Monday next, March fourth, eighteen hundred and seventy-two.

Adopted.

By Mr. Chalmers—A resolution appointing an Assistant Engrossing Clerk.

Referred to Committee on Rules and Regulations.

On motion of Mr. Hayes, the rules were suspended, and the following bill taken from the file:

Assembly Bill No. 464—An Act to amend section thirteen of an Act to regulate fees of office and salaries of certain officers, and to repeal certain other Acts in relation thereto, approved March fifth, eighteen hundred and seventy, so far as the same applies to the County of Monterey

Rules again suspended, bill considered engrossed, read a third time and passed, and ordered transmitted to the Senate

On motion of Mr Luttrell, the following amendment to Rule One of the Standing Rules of the Assembly was adopted, so as to read as follows:

"The House shall meet each day of sitting at ten o'clock A. M., unless the House shall adjourn to some other hour."

INTRODUCTION OF BILLS.

Bills were introduced as follows:

By Mr. Mott of Los Angeles—An Act concerning assessments upon the stock of corporations.

Read first and second times and referred to the Committee on Corporations.

Also, an Act in relation to interpreters before grand juries.

Read first and second times and referred to the Judiciary Committee.

By Mr. Hopper—An Act to authorize George W. Chesley, and his associates and assigns, to lay down gas pipes in the City of Sacramento.

Read first and second times and referred to the Committee on Corporations.

By Mr. Eagan—An Act to legalize and make valid all of the proceedings had in the Probate Court of Amador County in the matter of the estate of Cecilia Maria, deceased.

Read first and second times and referred to the Judiciary Committee.

By Mr. Stillwagon—An Act to repeal section two of an Act amendatory of and supplementary to an Act to prevent certain animals from running at large in Napa City, approved April seventeenth, eighteen hundred and sixty three

Read first and second times, and with a petition in favor of the bill, referred to the Napa delegation.

By Mr. Wheaton—An Act to add an additional section to the Penal Code.

Read first and second times and referred to the Committee on Public Morals.

By Mr. Splivalo—An Act concerning the appointment of an interpreter in and for the County of San Francisco.

Read first and second times and referred to the San Francisco delegation.

Also, an Act requiring Sheriffs to wear a badge of office.

Read first and second times and referred to the Judiciary Committee.

REPORT.

The rules were suspended and the following report made:

By Mr. Stillwagon:

Mr. SPEAKER: The Committee on State Hospitals have the honor to report that Assembly Bill No. 348 has been examined. The committee respectfully return the same with the recommendation that it pass.

STILLWAGON, Chairman.

GENERAL FILE.

Senate Bill No. 282—An Act to amend an Act entitled an Act to reincorporate the Town of Colusa.

Read a third time and passed.

Senate Bill No. 228—An Act to provide for deficiencies in the funds of the school districts of Contra Costa County.

Read a third time and passed.

Senate Bill No. 23—An Act to amend an Act entitled an Act to authorize and direct the municipal authorities of the several cities and incorporated towns of this State to execute certain trusts in relation to town lands, etc.

Read a third time and passed.

Senate Bill No. 99—An Act concerning corporations.

Taken from the file and referred to the Judiciary Committee.

Senate Bill No. 65—An Act to prevent the sale of intoxicating drinks to minors.

Laid on the table.

Senate Bill No. 280—An Act supplemental to an Act entitled an Act for the maintenance of public roads and trails in the County of Sierra.

Read a third time and passed.

Senate Bill No. 284—An Act to amend an Act entitled an Act to pro-

vide for redeeming and paying the warrants outstanding against Tuolumne County, and for paying the current expenses of said county in cash, and defining and limiting the powers and duties of certain officers in relation thereto.

Read a third time and passed.

MESSAGE FROM THE SENATE.

The following message was received from the Senate:

SENATE CHAMBER,
February 29th, 1872.

Mr. SPEAKER: I am directed to inform your honorable body that the Senate, on the twenty-eighth day of February, passed Assembly Bill No. 289—An Act in relation to fence and pound districts in the County of Sonoma.

Also, passed Assembly Bill No 278—An Act to amend an Act entitled an Act to regulate proceedings in civil cases in the Courts of justice of this State.

Also, passed Assembly Bill No 373—An Act supplementary to an Act entitled an Act concerning roads and highways in the Counties of Shasta and Trinity.

Also, amended and passed Assembly Bill No. 151—An Act supplemental to an Act entitled an Act to authorize —— Smith and others to maintain a turnpike in Placer County.

Also, amended and passed Assembly Bill No. 277—An Act to prevent hunting and shooting on private grounds

Also, refused to pass Assembly Bill No. 266—An Act to amend an Act concerning divorces.

Also, amended and passed Assembly Bill No. 422—An Act to amend an Act entitled an Act to regulate fees of office and salaries of certain officers, and to repeal certain other Acts in relation thereto.

Also, passed Assembly Bill No. 410—An Act supplementary to an Act to regulate fees and salaries in the County of Calaveras, and to define the duties of certain officers in said Calaveras County.

FERRAL, Secretary.

CONSIDERATION OF THE MESSAGE.

The House concurred in Senate amendments to Assembly Bills Nos. 151 and 422, above reported.

Also, refused to concur in Senate amendments to Assembly Bill No. 277, above reported.

GENERAL FILE RESUMED.

Mr. James asked and obtained leave to withdraw Assembly Bill No. 256 from the General File.

Assembly Bill No. 72—An Act for the protection of miners.

Read a third time and passed.

Senate Bill No. 212—An Act to incorporate the Town of Alameda.

Read a third time and passed.

On motion of Mr. De Haven, Assembly Bill No. 420—An Act concerning the salary of the County Assessor of Butte County—was taken up

and rules suspended, bill considered engrossed, read a third time and passed, and transmitted to the Senate.

Substitute for Assembly Bill No. 84—An Act to provide for the appointment of Commissioners to recommend amendments to the Constitution.

The special order for the day was postponed until this bill was disposed of.

On its passage, the ayes and noes were demanded by Messrs. Andrews, French, and Berry, and the bill passed by the following vote:

AYES—Messrs. Aldrich, Bacon, Baird, Barklage, Barnes, Bradley, Bockius, Brown, Caldwell, Center, Chalmers, Coleman, Cooper, Crane, Dannals, Days, De Haven, Eagan, Edgar, Ellis, Everett, Franck, Freeman, French, Galloway, Gibson, Goodall, Gray, Harvey, Hopper, James, Johnston, Jost, Lee, Long, Lofton, Mott of Sacramento, McCullough, Reed, Rice, Russ, Sammons, Sargent of Santa Clara, Sargent of San Joaquin, Schrack, Seibe, Sensabaugh, Slaughter, Spencer, Splivalo, Stillwagon, Turner, Ward, Welty, Wheaton, Whitney, Woodward, Wright, and Mr. Speaker—60.

NOES—Messrs. Andrews, Bayley, Berry, Gibson, Henshaw, Little, Meeker, Munday, Tinnin, Walker, and Whiting—11.

Mr. Wheaton had leave to make the following report:

Mr. SPEAKER: The San Francisco delegation, to whom was referred Assembly Bill No. 105—An Act to regulate wharfage and dockage, and abolish tolls in the Harbor of San Francisco, and a proposed substitute for the same—having carefully considered the bill and substitute, report them to the House with amendments, and recommend the passage of the bill as amended.

WHEATON, for Delegation.

The rules were suspended, and the bill above reported ordered placed at the head of the file for Friday, March first.

At twelve o'clock and forty minutes P. M., on motion of Mr. Welty, the House took a recess until half-past one o'clock P. M.

REASSEMBLED.

The House convened at the hour last named.
Speaker in the chair.
Roll called.
Quorum present.

RESOLUTIONS.

The rules were suspended, and the following resolution offered by Mr. Wheaton:

Resolved, That the Clerk be directed to correct a clerical error in section six of Assembly Bill No. 105, reported and recommended by the San Francisco delegation this morning, by striking out the word "fifty," and inserting in place thereof the words "thirty-three and one third."

Adopted.

Mr. De Haven offered the following:

Resolved, That one thousand copies of the first report of the Committee on Codes, made to this Assembly, be printed.

Laid over one day.

REPORT.

The rules were suspended, and the following report was made by Mr. Spencer:

Mr. SPEAKER: The Committee on Judiciary having considered Assembly Bill No 485—An Act creating the Nineteenth and Twentieth Judicial Districts and defining the Third, Fourth, Twelfth, and Fifteenth Judicial Districts—report it back with an amendment, and recommend its passage as amended.

SPENCER, Chairman.

The rules were suspended and the bill above reported taken up.
The reported amendment was adopted and the bill ordered engrossed.

SPECIAL ORDER.

The House took up the special order for the day.
Assembly Bill No. 343—An Act to define the Senatorial and Assembly Districts of the State and to apportion the representation thereof.
Mr. Luttrell moved to make the bill the special order for Monday next, at three o'clock P. M
Mr. Eagan moved to indefinitely postpone the bill.
Mr. Andrews moved to strike out the enacting clause.
Mr. Crane moved a call of the house.
Lost.
Mr Johnston moved the previous question and it was ordered.
The motion of Mr Luttrell was negatived.
On the adoption of the motion to strike out the enacting clause of the bill, the ayes and noes were demanded by Messrs. Berry, Slaughter, and Wilcox, and the House refused by the following vote:

AYES—Messrs. Andrews, Barklage, Bayley, Berry, Bradley. Center, Chalmers, Coleman, Connolly, Eagan, Edgar, Little, Lofton, Long, Luttrell, Mathers, Mott of Los Angeles, Schrack, Slaughter, Tinnin, Ward, Whiting, and Wilcox—23.
NOES—Messrs. Aldrich, Bacon, Baird, Barker, Barnes, Bockius, Brown, Burckhalter, Caldwell, Cooper, Crane, Dannals, Days, De Haven, Ellis, Everett, Franck, Freeman, French, Galloway. Goodall, Gray, Harvey, Hayes, Henshaw, Hopper, James, Johnston, Jost, Lee, Meeker, Mott of Sacramento, Munday, McCullough, Pardee, Reed, Rice, Russ, Sammons, Sargent of Santa Clara, Sargent of San Joaquin, Seibe, Sensabaugh, Spencer, Sphvalo, Stillwagon, Turner, Welty, Wheaton, Whitney, Wood, ward, Wright, and Mr. Speaker—53.

The motion to indefinitely postpone was also lost, and the bill ordered engrossed.

GENERAL FILE RESUMED.

Senate Bill No. 47—An Act to amend an Act entitled an Act to pro-

vide for the management and sale of the lands belonging to the State, approved March twenty-eighth, eighteen hundred and sixty-eight.

Reported amendments were adopted, and the bill, on motion of Mr. Harvey, was referred to the Judiciary Committee for further consideration and amendments, if necessary.

Senate Bill No. 241 was ordered laid on the table.

Senate Bill No. 301—An Act to appoint additional Notaries Public for the County of San Diego.

Read a third time and passed.

Senate Bill No. 166—An Act to provide for sprinkling the streets of San Francisco.

Reported amendments adopted, bill read a third time and passed.

Assembly Bill No. 311—An Act to establish a State Printing Office, and to create the office of Superintendent of State Printing.

Ordered engrossed.

Assembly Bill No 260—An Act to amend an Act to provide for a system of common schools, approved April fourth, eighteen hundred and seventy.

Rules suspended, bill considered engrossed, read a third time and passed.

Assembly Bill No. 248—An Act to grant to the Town of San Bernardino all the interest of the State in certain real property.

Rules suspended, bill considered engrossed, read a third time and passed.

Assembly Bill No. 331—An Act to authorize the Board of Supervisors of Tehama County to levy a special tax for school purposes in the school districts of Red Bluff, in Tehama County.

Rules suspended, bill considered engrossed, read a third time and passed

Assembly Bill No. 133—An Act to amend an Act entitled an Act to regulate proceedings in the Courts of justice of this State, approved April twenty-ninth, eighteen hundred and fifty-one.

Reported amendment adopted, bill further amended and ordered engrossed.

Assembly Bill No. 353—An Act to remedy defects in certain county records.

Reported amendments adopted, rules suspended, bill considered engrossed, read a third time and passed.

Assembly Bill No. 362—An Act to submit to the qualified electors of Alpine County the question of relocating the county seat of said county.

Mr. Mott of Sacramento moved to refer the bill to the Committee on Counties and County Boundaries.

Lost.

Mr. Mott moved to add to section two the following:

"That the town selected by the voters of said county shall furnish a stone jail free of expense to said county."

Lost.

On motion of Mr. Eagan, the rules were suspended, the bill considered engrossed, read a third time and passed.

MESSAGE FROM THE SENATE.

The consideration of the file was suspended and the following message from the Senate received:

SENATE CHAMBER,
February 29th, 1872.

Mr. SPEAKER: I am directed to inform your honorable body that the Senate, on the twenty-seventh day of February, passed Senate Concurrent Resolution No. 36—Relative to payment of expenses for equipping, arming, etc., of California volunteers in the years eighteen hundred and sixty-one, eighteen hundred and sixty-two, eighteen hundred and sixty-three, and eighteen hundred and sixty-four.

Also, on the same day, passed Senate Bill No. 215—An Act to amend an Act entitled an Act concerning forcible entries and unlawful detainers, and to repeal all other Acts on the same subject, approved April twenty-seventh, eighteen hundred and sixty-three.

Also, on the same day, passed Senate Bill No 333—An Act supplementary to an Act entitled an Act to provide additional funds for the support of the common schools of Siskiyou County for the year commencing on the first day of July, eighteen hundred and seventy-one, and ending June thirtieth, eighteen hundred and seventy-two.

Also, on the same day, passed Senate Bill No. 252—An Act to amend an Act entitled an Act to provide revenue for the support of the government of this State, approved May seventeenth, eighteen hundred and sixty-one.

Also, on the same day, passed Senate Bill No. 80—An Act to fix the salary of the Superintendent of Common Schools in the County of Monterey.

Also, on the twenty-eighth instant, passed Senate substitute for Assembly Bill No 220—An Act to provide for the construction, maintenance, and protection of public roads in Sonoma County.

Also, on the same day, passed Senate substitute for Assembly Bill No. 239—An Act for the relief of purchasers of the State lands.

Also, on the same day, passed Assembly Bill No. 449—An Act to amend an Act entitled an Act to establish and define the powers and duties of the Board of Education of the City of Oakland.

Also, on the same day, passed Assembly Bill No. 377—An Act to authorize the Board of Supervisors of the City and County of San Francisco to sell and convey a certain piece of land composing the Cemetery Avenue and triangular Plaza, reserved by the Outside Land Committee, up to the Cemetery Avenue, and for other purposes.

Also, on the same day, passed Assembly Bill No 32—An Act to repeal an Act to provide for the protection of lands in the County of Sutter from overflow

Also, on the same day, amended and passed Assembly Bill No. 262—An Act supplementary to an Act entitled an Act providing for an attorney and counselor in the City and County of San Francisco.

Also, on the same day, amended and passed Assembly Bill No. 338—An Act amendatory of and supplemental to an Act entitled an Act to encourage the destruction of squirrels and gophers in certain counties of this State, and to provide a bounty therefor

Also, on the same day, passed Assembly Bill No. 271—An Act to provide for the payment of certain fees in Butte County.

FERRAL, Secretary.

CONSIDERATION OF THE MESSAGE.

Senate Concurrent Resolution No. 36, above reported, read first and second times and referred to Committee on Military Affairs.

Senate Bill No. 215, above reported, read first and second times and referred to Judiciary Committee.

Senate Bill No. 353, above reported, read first and second times and referred to Siskiyou delegation.

Senate Bill No. 252, above reported, read first and second times and referred to Committee on Ways and Means.

Senate Bill No. 220, above reported, read first and second times and referred to the Sonoma delegation.

Assembly Bill No. 239, above reported, with Senate amendments, referred to Committee on Public Buildings and Grounds.

Assembly Bill No. 262, above reported, with Senate amendments, referred to San Francisco delegation.

The House concurred in Senate amendments to Assembly Bill No. 331, above reported.

Senate Bill No 80, above reported, read first and second times and referred to Monterey delegation.

INFORMATION WANTED.

Mr. Speaker presented the following communication:

WINCHESTER, (Va.), January 30th, 1872.

Hon. Speaker of the House of Representatives, of California:

SIR: I am in search of my brother, Rufus R. Belt, who went to California. Will you read this letter from your chair, and if any member knows him that member will please send me my brother's address.

We are natives of Montgomery County, Maryland.

I am respectfully,

JAMES S. BELT,
Winchester, Virginia.

After the reading of the foregoing, the Speaker hoped that each member of the House would bear in mind the inquiry made therein.

REPORT.

The following report was made by Mr. Barnes:

Mr. SPEAKER: The Committee on Engrossment beg leave to report that they have examined and find correctly engrossed Assembly Bill No. 305—An Act to provide for funding the indebtedness of the reclamation and levee districts of the State.

Also, Assembly Bill No. 349—An Act relating to Swamp Land District Number Seventy-one, in Sacramento County.

BARNES, Chairman.

MILEAGE.

The rules were suspended, and Mr. Crane, from the Committee on State Prison, reported the several sums due members of said committee and its attaches.

The report was referred to the Committee on Mileage.

GENERAL FILE RESUMED.

Assembly Bill No. 99—An Act to amend an Act concerning trade marks and names.

Substitute reported adopted and taken from the file, ordered printed, and returned to head of file as soon as reported printed.

Assembly Bill No. 358—An Act to establish pilots and pilot regulations for the Port of San Diego.

Passed on file.

Assembly Bill No. 413—An Act to incorporate the City of San Diego.

Rules suspended, bill considered engrossed, read a third time and passed, and transmitted to the Senate.

Assembly Bill No. 358.

Passed on file.

Majority report and Assembly Joint Resolution No. 16—Relative to occupation of Hoopa Valley, in Klamath County, as an Indian reservation.

Passed on file

Assembly Bill No. 276—An Act supplementary to an Act creating the office of Insurance Commissioner, approved March twenty-sixth, eighteen hundred and sixty-eight.

Reported amendments adopted, rules suspended, bill considered engrossed, read a third time and passed

Assembly Bill No. 158—An Act to require the Tax Collector of the City and County of San Francisco to pay to the City and County Treasurer certain money.

Reported amendments adopted, rules suspended, bill considered engrossed, read a third time and passed.

Assembly Bill No. 274—An Act to amend an Act entitled an Act to authorize the Exempt Fire Company of San Francisco to receive and manage the San Francisco Fire Department Charitable Fund, and receive from the City and County of San Francisco a house and lot for its use, approved April second, eighteen hundred and sixty-six.

Reported amendments adopted, rules suspended, bill considered engrossed, read a third time and passed.

Assembly Bill No 315—An Act defining the duties of the County Assessor of Santa Clara County.

Reported amendments adopted, rules suspended, bill considered engrossed, read a third time and passed.

Assembly Bill No 298—An Act to confirm the title to a certain lot of land in the City and County of San Francisco to the Trustees of the Associated Veterans of the Mexican War, and to authorize an exchange of said lands for certain property belonging to said city and county, or for a lease thereof.

Reported amendments adopted, rules suspended, bill considered engrossed, read a third time and passed.

Assembly Bill No. 370—An Act in relation to the assessment and levy of taxes in Calaveras County.

Amended, rules suspended, bill considered engrossed, read a third time and passed.

At five o'clock P. M. Mr. Caldwell moved to adjourn.

Lost.

Senate Joint Resolution No. 1—Relative to restoring certain lands granted to the Sacramento and Placerville Railroad to homestead and preemption.

Reported amendments adopted, read a third time and passed.

Assembly Joint Resolution No. 21—Relative to governmental control of the telegraph.

Ordered engrossed.

Assembly Bill No. 245—An Act for the encouragement of the production of ramie in the State of California.

Considered in Committee of the Whole House.

IN ASSEMBLY.

Amended, reported and recommended, amendment adopted, rules suspended, bill considered engrossed, read a third time and passed.

GENERAL FILE RESUMED.

Assembly Bill No. 193—Proposed amendment to the Constitution of the State of California.

Substitute reported adopted, rules suspended, bill considered engrossed, read a third time and passed.

Assembly Bill No. 369—An Act to encourage the destruction of squirrels and gophers.

Rules suspended, bill considered engrossed, read a third time and passed

Assembly Bill No. 379—An Act to authorize the Treasurer of San Joaquin County to transfer certain funds to the General School Fund of said county.

Rules suspended, bill considered engrossed, read a third time and passed

At five o'clock and ten minutes P. M. Mr. Berry moved to adjourn.

Lost.

Mr. Crane obtained leave to withdraw from the file Assembly Bill No. 245.

Assembly Bill No. 108—An Act to repeal an Act entitled an Act authorizing the condemnation of private property within the limits of the public streets of the City and County of San Francisco, within the Laguna Survey, approved March twenty-fifth, eighteen hundred and seventy.

Substitute reported adopted, rules suspended, bill considered engrossed, read a third time and passed.

Assembly Bill No. 83—An Act to repeal an Act entitled an Act to make, open, and establish a public street in the City and County of San Francisco, to be called Montgomery street South, and to take private lands therefor.

Substitute reported adopted, rules suspended, bill considered engrossed, read a third time and passed.

Preamble and Assembly Joint Resolution No. 26—Relative to the culture of grapevines, etc.

Ordered engrossed.

At five o'clock and twenty minutes P. M. Mr. Barker moved to adjourn.

The House refused.

Assembly Bill No 247—An Act concerning private wharves.

Amendments reported adopted, rules suspended, bill considered engrossed, read a third time and title amended.

At five o'clock and thirty-five minutes P. M., on motion of Mr. Freeman, the House adjourned.

T. B. SHANNON,
Speaker.

M. D. BORUCK, Chief Clerk.

IN ASSEMBLY.

HOUSE OF ASSEMBLY,
Friday, March 1st, 1872.

House met pursuant to adjournment.

Speaker in the chair.

Roll called.

Quorum present.

Prayer by the Chaplain.

The Journal of yesterday was approved, the reading being dispensed with.

PETITIONS.

Petitions were presented as follows:

By Mr. Meeker—From citizens and voters of San Francisco, asking legislation for the better protection of Sabbath observances.

By Mr. Stillwagon—From the Vinegrowers' Association of Sonoma, Napa, and Solano Counties, praying for a modification of the present game law.

REPORTS OF STANDING COMMITTEES.

Reports from standing committees were made as follows:

By Mr. Spencer.

Mr SPEAKER: The Committee on Judiciary having considered Assembly Bill No 466—An Act to enforce the collection of license taxes—report it back and recommend its passage.

Also, Assembly Bill No. 473—An Act to repeal an Act entitled an Act to provide for the improvement of the rivers and streams of Santa Clara County, approved April fourth, eighteen hundred and seventy—report it back and recommend its passage.

Also, Senate Bill No 99—An Act concerning corporations—report it back and recommend its passage.

SPENCER, Chairman.

Also, by the same:

Mr. SPEAKER: The Judiciary Committee having considered Assembly Bill No. 489—An Act to end useless litigation, and supplemental to an Act entitled an Act to regulate the settlement of the estates of deceased persons, passed May first, eighteen hundred and fifty-one, and the Act supplementary thereto and amendatory thereof—report it back with a substitute, and recommend the passage of the substitute.

SPENCER, Chairman.

By Mr. Mott of Sacramento:

Mr. SPEAKER: The Committee on Claims having had under consideration Senate Bill No. 160—An Act to pay the expenses necessarily incurred in suppressing Indian hostilities in the Counties of Humboldt and Trinity in the years eighteen hundred and sixty-eight and eighteen hundred and sixty-nine—beg leave to report it back and recommend its passage.

Also, Assembly Bill No. 417—An Act for the relief of Morris Woolf—report it back and recommend its passage.

Also, Assembly Bill No. 466—An Act for the relief of Robert McIlroy—report it back and recommend that it do not pass.

MOTT, Chairman.

By Mr. Gray:

Mr. SPEAKER: Your Committee on Corporations, to whom was referred Assembly Bill No. 269, with instructions to insert amendments therein, report the same back, amended as per order of the House, and recommend its passage.

GRAY, Chairman.

By Mr. Barker:

Mr. SPEAKER: The Military Committee, to whom was referred Senate Concurrent Resolution No. 36—Relative to the payment of expenses of equipping, arming, etc., the California Volunteers in the years eighteen hundred and sixty-one, eighteen hundred and sixty-two, eighteen hundred and sixty-three, and eighteen hundred and sixty-four—have had the same under consideration, and report the same back and recommend its passage.

BARKER, Chairman.

By Mr. Goodall:

Mr. SPEAKER: The Committee on Commerce and Navigation, to whom was referred Assembly Bill No. 486—An Act declaring a certain creek in Washington Township, Alameda County, navigable—have had the same under consideration and recommend its passage.

Also, Assembly Bill No 385—An Act to authorize the Board of State Harbor Commissioners to set apart a portion of the water front of the City and County of San Francisco for certain purposes—and recommend its passage.

GOODALL, Chairman.

REPORTS OF SPECIAL COMMITTEES.

Reports from special committees were made as follows:

By Mr. Gray:

Mr. SPEAKER: The San Francisco delegation herewith report Assembly Bill No. 16—An Act to provide and pay for services rendered for the City and County of San Francisco—with an amendment, and recommend the passage of the bill as amended.

Also, Senate Bill No 258—An Act to change the name of the Front Street, Mission, and Ocean Railroad Company—and recommend its passage.

Also, Assembly Bill No. 382—An Act to amend an Act entitled an Act to change the time for holding municipal elections in the City and County of San Francisco, and to define the official terms of certain officers therein mentioned, approved April second, eighteen hundred and sixty-six—with a substitute, and recommend the adoption and passage of the substitute.

Also, Assembly Bill No. 12—An Act to amend an Act entitled an Act to change the time for holding municipal elections in the City and County of San Francisco, and to define the official terms of certain officers therein mentioned, approved April second, eighteen hundred and sixty-six—without recommendation.

GRAY, for Delegation.

Mr. Gray obtained leave to withdraw Assembly Bill No. 12, above above reported.

By Mr. Wheaton:

From the San Francisco delegation, verbally reporting that concurrence in Senate amendments to Assembly Bill No. 262, reported from Senate yesterday, be recommended.

The House concurred accordingly.

By Mr. Little:

Mr. SPEAKER: The Siskiyou delegation, to whom was referred Senate Bill No 333, report that they have had the same under consideration and recommend its passage.

LITTLE, for Delegation.

The bill above reported was taken up, rules suspended, read a third third time and passed.

MOTIONS AND RESOLUTIONS.

The following resolution, offered by Mr. De Haven, and laid over from yesterday, was read:

Resolved, That one thousand copies of the first report of the Committee on Codes, made to this Assembly, be printed.

DE HAVEN,
For Committee on Printing.

Adopted.

On motion of Mr. Munday, the rules were suspended and Assembly Bill No. 403—An Act for the relief of William S. Brown—was taken from the file.

Reported amendment adopted, rules were suspended, bill considered engrossed, read a third time and passed.

On motion of Mr. Luttrell, Senate Bill No 65—An Act to prevent the sale of intoxicating drinks to minors—was taken from the table.

Read a third time and passed.

On motion of Mr. Rector, Memorial and Assembly Joint Resolution No. 16—Relative to the occupation of Hoopa Valley, Klamath County, as an Indian reservation—was taken from the file, rules suspended, considered engrossed, read a third time and passed.

INTRODUCTION OF BILLS.

Bills were introduced as follows:

By Mr. Wheaton—An Act to allow aliens and foreign corporations to hold and convey real and personal property under certain circumstances.

Read first and second times and referred to the Judiciary Committee.

By Mr. Ellis—An Act to amend an Act entitled an Act to regulate proceedings in criminal cases, passed May first, eighteen hundred and fifty-one.

Read first and second times and referred to the Judiciary Committee.

By Mr. Gray—An Act supplementary to an Act to regulate the settlement of the estates of deceased persons, passed May first, eighteen hundred and fifty-one.

Read first and second times and referred to the Judiciary Committee.

By Mr Chalmers—An Act to amend an Act entitled an Act to provide for the maintenance and supervision of common schools.

Read first and second times and referred to the Judiciary Committee.

By Mr Rector—An Act amendatory of and supplemental to an Act entitled an Act to regulate and license places of public amusement, approved April thirteenth, eighteen hundred and sixty three.

Read first and second times and referred to the Judiciary Committee.

By Mr. Burckhalter—An Act to provide for settling the boundary lines between the Counties of Kern and Tulare.

Read first and second times and referred to the Committee on Counties and County Boundaries

By Mr. Tinnin—An Act to provide for the construction and maintenance of free bridges in the County of Trinity, and to set apart a Fund therefor.

Read first and second times and referred to the Trinity delegation.

Also, an Act to authorize an additional levy of county taxes in the County of Trinity.

Read first and second times and referred to the Trinity delegation

By Mr. Harvey—An Act to amend an Act entitled an Act to amend an Act entitled an Act to provide for the management and sale of the lands belonging to the State, approved March twenty-eighth, eighteen hundred and sixty-eight.

Read first and second times and referred to the Committee on Swamp and Overflowed Lands.

Also, an Act to amend an Act entitled an Act to provide for the management and sale of the lands belonging to the State, approved March twenty-eighth, eighteen hundred and sixty-eight.

Read first and second times and referred to the Committee on Swamp and Overflowed Lands.

By Mr Barnes (by request)—An Act requiring Boards of Education and School Trustees to equalize the salaries of male and female teachers in the public schools of this State.

Read first and second times and referred to the Committee on Agriculture.

By Mr. Rice—An Act amendatory of and supplemental to an Act entitled an Act concerning roads in the County of Marin, approved March thirtieth, eighteen hundred and sixty-eight.

Read first and second times and referred to the Committee on Roads and Highways.

By Mr. Splivalo—An Act supplementary to an Act entitled an Act to establish a Municipal Criminal Court in the City and County of San Francisco, approved March thirty-first, eighteen hundred and seventy.

Read first and second times and referred to the San Francisco delegation.

By Mr. Wheaton—An Act to authorize the the Mayor of the City and County of San Francisco to convey certain lands to the San Francisco Lying-in Hospital and Foundling Asylum.

Read first and second times and referred to the San Francisco delegation.

GENERAL FILE.

Assembly Bill No. 305—An Act to provide for the funding of the indebtedness of the reclamation and levee districts of the State.

Mr. Luttrell moved to recommit the bill, with special instructions to the Committee on Swamp and Overflowed Lands to incorporate the following:

Add to section twenty-four as follows: "*Provided*, that the interest of the State in the lands, or interest due or to become due thereon, shall not be forfeited by reason of the issue of bonds under and by virtue of this Act."

On adopting the motion, the ayes and noes were demanded by Messrs. Luttrell, Harvey, and Mott of Sacramento, and the House refused to recommit by the following vote:

AYES—Messrs Aldrich, Andrews, Barker, Barklage, Barnes, Bayley, Berry, Bockius, Crane, De Haven, Edgar, Ellis, Franck, Freeman, French, Henshaw, Johnston, Lee, Little, Long, Luttrell, Mott of Sacramento, Munday, Russ, Seibe, Slaughter, Spencer, Tinnin, Turner, Walker, Welty, Whiting, and Woodward—33.

NOES—Messrs Bacon, Bell, Brown, Burckhalter, Caldwell, Center, Coleman, Connolly, Cooper, Dannals, Eagan, Everett, Galloway, Gibson, Goodall, Gray, Harvey, Hayes, Hopper, James, Jost, Lofton, Meeker, Mott of Los Angeles, McCullough, Pardee, Rector, Reed, Rice, Sargent of Santa Clara, Sargent of San Joaquin, Schrack, Sensabaugh, Splivalo, Stillwagon, Ward, Wheaton, Whitney, Wilcox, Wright, and Mr. Speaker—41.

On the passage of the bill, the ayes and noes were demanded by Messrs. Berry, Mott of Sacramento, and Luttrell, and the bill passed by the following vote:

AYES—Messrs. Bacon, Baird, Bell, Bradley, Brown, Burckhalter, Cald-

well, Center, Coleman, Connolly, Cooper, Crane, Dannals, Days, Fagan, Ellis, Everett, Galloway, Gibson, Goodall, Harvey, Hayes, Hopper, James, Johnston, Jost, Little, Lotton, Meeker, Mott of Los Angeles, McCullough, Pardee, Rector, Reed, Rice, Sargent of Santa Clara, Sargent of San Joaquin, Schrack, Seibe, Sensabaugh, Spivalo, Stillwagon, Ward, Wheaton, Whiting, Whitney, Wilcox, Wright, and Mr Speaker—50.

NOES—Messrs. Aldrich, Andrews, Barker, Barklage, Barnes, Bayley, Berry, Bockius, De Haven, Edgar, Franck, Freeman, French, Henshaw, Lee, Long, Luttrell, Mott of Sacramento, Munday, Russ, Sammons, Slaughter, Spencer, Tinnin, Turner, Walker, Welty, and Woodward—28.

On motion of Mr Barker, the rules were suspended and Senate Concurrent Resolution No. 36 taken up, read a third time and passed.

Assembly Bill No. 105—An Act to regulate wharfage and dockage and abolish tolls in the Harbor of San Francisco.

The substitute reported was amended, and on motion of Mr. Little, ordered printed and ordered placed at head of the file for Monday, March third.

REPORT.

The following report was made by Mr. Gibson:

Mr. SPEAKER: Your Committee on Enrollment beg leave to report that they have examined and found correctly enrolled Assembly Bill No. 152—An Act to amend an Act entitled an Act to regulate proceedings in civil cases in Courts of justice of this State, passed April twenty-ninth, eighteen hundred and fifty-one.

Also, Assembly Bill No. 86—An Act amendatory of and supplementary to an Act entitled an Act fixing the number of officers and employés of the Senate and Assembly, to define their duties and establish their pay, approved May twentieth, eighteen hundred and sixty-one.

Also, Assembly Bill No. 352—An Act to amend an Act entitled an Act to provide for the payment of warrants against the Hospital Fund of Klamath County, approved January nineteenth, eighteen hundred and seventy.

Also, Assembly Bill No. 130—An Act to amend an Act entitled an Act to protect the wages of labor, approved March twenty-first, eighteen hundred sixty-eight.

Also, Assembly Bill No. 410—An Act supplemental to an Act to regulate fees and salaries in the County of Calaveras and to define the duties of certain officers in said Calaveras County, approved March fourth, eighteen hundred and seventy.

Also, Assembly Bill No. 422—An Act to amend an Act entitled an Act to regulate fees of office and salaries of certain officers, and to repeal certain other Acts in relation thereto.

Also, Assembly Bill No. 289—An Act in relation to fence and pound districts in the County of Sonoma.

Also, Assembly Bill No. 278—An Act to amend an Act entitled an Act to regulate proceedings in civil cases in the Courts of justice of this State, passed April twenty-ninth, eighteen hundred and fifty-one.

Also, Assembly Bill No. 373—An Act supplementary to an Act entitled an Act concerning roads and highways in the Counties of Shasta and Trinity, approved March twenty-eighth, eighteen hundred and sixty-three.

And that the same have, this first day of March, eighteen hundred and

seventy-two, at ten minutes past eleven o'clock, been transmitted to the Governor for his approval.

GIBSON, Chairman.

On motion of Mr. Meeker, at twelve o'clock and forty minutes P. M., the House took recess until half-past one P. M.

REASSEMBLED.

The House convened at the hour last mentioned.
Speaker in the chair.
Roll called.
Quorum present.

INTRODUCTION OF BILL.

By leave, the following bill was introduced by Mr. Slaughter—An Act to repeal an Act entitled an Act to provide for the better care of the indigent sick in the county of San Bernardino, approved March sixth, eighteen hundred and sixty-two.

Read first and second times and referred to the Judiciary Committee.

REPORTS OF STANDING COMMITTEES.

Reports from standing committees were made as follows:

By Mr. Barnes:

Mr. SPEAKER: The Committee on Engrossment beg leave to report that they have examined and find correctly engrossed Assembly Bill No. 485—An Act creating the Nineteenth and Twentieth Judicial Districts, and defining the Third, Fourth, Twelfth, and Fifteenth Judicial Districts

BARNES, Chairman.

By Mr. De Haven:

Mr. SPEAKER: The Committee on Mileage, to whom was referred the matter of mileage due to committees on investigation of City Hall, Public Buildings and Grounds, and State Prison, beg leave to report the following allowance due the members and attachés thereof:

CITY HALL COMMITTEE.

Names.	Miles.	Amount.
McCullough	234	$46 80
Seibe	234	46 80
Aldrich	234	46 80
T. D. Mott	234	46 80
Andrews	234	46 80
J. E. Gorham, Clerk	234	46 80

PUBLIC BUILDINGS AND GROUNDS.

Names.	Miles.	Amount.
Pardee, two trips	600	$120 00
McCullough, two trips	600	120 00
Baird, two trips	600	120 00
Bockius, two trips	600	120 00
E. B. Mott, two trips	600	120 00
Caldwell, two trips	600	120 00
Seibe, two trips	600	120 00
Spencer, one trip	300	60 00
W. D. Delany, Clerk, two trips	600	120 00
C. A. Cottrell, Sergeant at Arms	.....	80 00
James Denman, witness, mileage	.....	27 00
W. C. Brown, witness, mileage	.....	27 00

STATE PRISON COMMITTEE.

Names.	Miles.	Amount.
Crane	384	$76 80
Rice	384	76 80
Schrack	384	76 80
Whitney	384	76 80
Hopper	384	76 80
James	384	76 80
Rector	384	76 80

And offer the following resolution:

Resolved, That the Controller of State is hereby authorized to draw his warrant on the Contingent Fund of the Assembly for the above several amounts, and the Treasurer is hereby directed to pay the same.

Adopted.

The report also recommended the reference of certain bills from the Committee on Public Grounds and Buildings to the Committee on Public Expenditures and Accounts, and they were so referred.

GENERAL FILE RESUMED.

Senate Joint Resolution No 3—Relative to requesting Congress to raise the weight of United States coin.

Read a third time and passed.

Senate Bill No. 67—An Act to amend an Act to provide five competi-

tive scholarships for the benefit of meritorious young men desirous of entering the State University.

Read a third time and passed.

Senate Bill No 231—An Act to more fully define the crime of larceny.

Read a third time and passed.

Senate Concurrent Resolution—Relative to requesting Congress to appropriate public lands of the United States for educational purposes.

Concurred in.

Senate Bill No. 298.

Taken from the file and referred to the San Mateo delegation.

Senate Bill No. 218—An Act making appropriation for deficiencies.

Considered in Committee of the Whole House.

IN ASSEMBLY.

Reported and recommended, and read a third time and passed.

GENERAL FILE RESUMED.

Senate Bill No 153—An Act appropriating money to pay the contingent expenses of the Revision Commission.

Considered in Committee of the Whole House.

IN ASSEMBLY.

Reported and recommended, and read a third time and passed.

GENERAL FILE RESUMED.

Senate Bill No. 227—An Act to amend an Act entitled an Act to regulate the interest of money, passed March thirteenth, eighteen hundred and fifty.

Rules suspended, bill considered engrossed, read a third time and passed.

Assembly Bill No. 394—An Act to authorize the City of San José to issue bonds to provide sewerage for said city.

Rules suspended, bill considered engrossed, read a third time and passed.

Assembly Bill No. 395—An Act to reincorporate the City of San José.

Rules suspended, bill considered engrossed, read a third time and passed.

Assembly Bill No 397—An Act to provide for the county printing of Monterey County

Rules suspended, bill considered engrossed, read a third time and passed.

Senate Bill No. 263—An Act to provide for the erection of a schoolhouse in Modesto School District, in Stanislaus County.

Read a third time and passed.

Assembly Bill No 358—An Act to establish pilots and pilot regulations for the Port of San Diego.

Amendment reported adopted, rules suspended, bill considered engrossed, read a third time and passed.

Assembly Bill No 367—An Act to pay the claim of James T. Boyd.

Considered in Committee of the Whole House.

IN ASSEMBLY.

Reported and recommended, considered engrossed, read a third time and passed.

GENERAL FILE RESUMED.

Senate Bill No. 277—An Act to amend an Act entitled an Act to protect agriculture and to prevent the trespassing of animals upon private property in the County of Los Angeles and in the County of San Diego, and parts of Monterey County, approved February fourteenth, eighteen hundred and seventy-two.

Assembly substitute reported adopted, read a third time and passed.

Assembly Bill No. 165—An Act for the relief of John Jackson, Sheriff and ex officio Tax Collector of Trinity County.

Mr. Mott of Sacramento moved to recommit the bill to the Trinity delegation, with special instructions to amend the bill by striking out "five" and inserting the words "three thousand dollars"

Mr. Pardee demanded the previous question, and it being ordered on the adoption of the motion of Mr. Mott, the ayes and noes were demanded by Messrs. Turner, Long, and Lee, and the House refused to adopt by the following vote:

AYES—Messrs. Aldrich, Bacon, Barklage, Barnes, Berry, Bradley, Brown, Center, Chalmers, Coleman, De Haven, Edgar, Everett, Franck, Freeman, French, Galloway, Gray, Harvey, James, Johnston, Lee, Long, Mott of Sacramento, McCullough, Sammons, Seibe, Spencer, Turner, Welty, Wheaton, Woodward, and Wright—33.

NOES—Messrs. Andrews, Baird, Barker, Bayley, Bell, Burckhalter, Caldwell, Connolly, Cooper, Crane, Dannals, Days, Eagan, Ellis, Gibson, Goodall, Hayes, Hopper, Little, Lofton, Luttrell, Meeker, Mott of Los Angeles, Munday, Pardee, Rector, Reed, Sargent of Santa Clara, Sargent of San Joaquin, Schrack, Sensabaugh, Slaughter, Splivalo, Stillwagon, Tinnin, Walker, Whiting, Wilcox, and Mr. Speaker—39.

On the passage of the bill, the ayes and noes were again demanded by Messrs. Barker, French, and Harvey, and it passed by the following vote:

AYES—Messrs. Andrews, Bayley, Bell, Berry, Burckhalter, Caldwell, Center, Chalmers, Connolly, Cooper, Dannals, Days, Eagan, Ellis, Gibson, Goodall, Gray, Hayes, Hopper, James, Little, Luttrell, Meeker, Mott of Los Angeles, Munday, Pardee, Rector, Reed, Rice, Sargent of Santa Clara, Schrack, Sensabaugh, Slaughter, Splivalo, Stillwagon, Tinnin, Walker, Whiting, Wilcox, and Mr. Speaker—40.

NOES—Messrs. Aldrich, Bacon, Baird, Barker, Barklage, Barnes, Bradley, Brown, Coleman, Crane, De Haven, Edgar, Everett, Franck, Freeman, French, Galloway, Harvey, Johnston, Lee, Lofton, Long, Mott of Sacramento, McCullough, Sammons, Sargent of San Joaquin, Spencer, Turner, Welty, Woodward, and Wright—31.

REPORT.

The following report was made by Mr. Gibson:

Mr. SPEAKER: Your Committee on Enrollment beg leave to report that

they have examined and found correctly enrolled Assembly Bill No. 186—An Act amendatory of and supplementary to an Act approved April twenty-fifth, eighteen hundred and sixty-three, entitled an Act to incorporate the City of Sacramento.

Also, Assembly Bill No 449—An Act to amend an Act entitled an Act to establish and define the powers and duties of the Board of Education of the City of Oakland.

And that the same have, this first day of March, eighteen hundred and seventy-two, at ten minutes past two o'clock P. M, been transmitted to the Governor for his approval.

GIBSON, Chairman.

RESOLUTION.

The rules were suspended, and Mr. Hawey offered the following resolution:

Resolved, That the Engrossing Clerk be and is hereby authorized to insert the enacting clause in Assembly Bill No 260—An Act to amend an Act to provide for a system of common schools, approved April fourth, eighteen hundred and seventy.

Adopted.

FURTHER INTRODUCTION OF BILLS.

Bills were introduced as follows:

By Mr. Luttrell—An Act to incorporate the Town of Fort Jones, Siskiyou County

Read first and second times and referred to the Siskiyou delegation.

By Mr. Hayes—An Act to permanently locate the county seat of the County of Monterey by the qualified electors of said county.

Read first and second times and placed on file and ordered printed.

GENERAL FILE RESUMED.

Assembly Bill No. 250—An Act to declare Lake Earl and its tributaries in Del Norte County navigable, and to exempt said waters from entry.

Substitute reported adopted, rules suspended, bill considered engrossed, read a third time and passed.

Assembly Bill No. 354—An Act to submit the question of the removal of the county seat of Kern County to the qualified voters thereof.

Amended, rules suspended, bill considered engrossed, read a third time and passed.

MESSAGE FROM THE SENATE.

The rules were suspended, and the following message from the Senate taken up:

SENATE CHAMBER,
March 1st, 1872.

Mr. SPEAKER: I am directed to inform your honorable body that the Senate, on this first day of March, passed Assembly Bill No. 321—An Act to incorporate the Town of Santa Clara.

Also, passed Assembly Bill No. 378—An Act to authorize the Board of Supervisors of Yolo County to levy special taxes for county purposes.

Also, passed Assembly Bill No. 303—An Act to authorize the City of Vallejo to borrow money.

Also, passed Assembly Bill No 261—An Act to repeal an Act entitled an Act for the incorporation of the City of Anaheim, and appointing Commissioners to dispose of the property, pay the indebtedness, and settle the affairs thereof

Also, passed Assembly Bill No. 286—An Act supplemental to and amendatory of an Act entitled an Act to incorporate the Town of Chico.

Also, adopted Senate Joint Resolution No. 5—Relative to reduction of duty on chiccory flour

Also, passed Assembly Bill No 464—An Act to amend sect on thirteen of an Act to regulate fees of office and salaries of certain officers, and to repeal certain other Acts in relation thereto.

Also, passed Assembly Bill No. 451—An Act to amend an Act concerning roads and highways in the County of Alameda

Also, passed Assembly Bill No. 454—An Act to authorize the construction of a public school house in the Yuba School District, in the County of Sutter.

Also, passed Senate Bill No. 332—An Act supplementary to and amendatory of an Act entitled an Act to provide for the building of a Court House and Jail in Marin County.

Also, adopted Senate Resolution No 38—Relative to payment of R. K. Wick.

Also, concurred in Assembly Concurrent Resolution No. 24—Relative to printing report of Committee on State Prison.

Also, passed Senate Concurrent Resolution No. 40—Relative to correction of error in Senate Bill No. 107.

The Senate, on this first day of March, eighteen hundred and seventy-two, refused to concur in Assembly amendments to Senate Bill No. 220—An Act to amend an Act entitled an Act to authorize and require the County of Santa Cruz to pay over certain school moneys to certain school districts in San Mateo County.

The President of the Senate this day appointed Messrs. Van Ness and Wilson, on the part of the Senate, to act as a committee of conference on the disagreeing vote on Assembly Bill No. 277—An Act to prevent hunting and shooting on private grounds.

Also, this first day of March, amended and passed Assembly Bill No. 406—An Act to authorize the County of Sacramento to issue bonds.

Also, this first day of March, passed Senate Bill No. 298—An Act to provide funds for the construction and improvement of highways in the County of San Mateo.

FERRAL, Secretary.

CONSIDERATION OF THE MESSAGE.

Senate Joint Resolution No. 5, above reported, read first and second times and referred to Committee on Federal Relations

Senate Bill No. 332, above reported, read first and second times and placed on file.

The House concurred in Senate Concurrent Resolutions Nos. 38 and 40, above reported.

Senate Bill No. 221, above reported, with non concurrence in Assem-

bly amendment, on the question, "Shall the House recede?" the ayes and noes were demanded by Messrs Baird, Eagan, and Coleman, and the House refused by the following vote.

AYES—Messrs. Baird, Burckhalter, Coleman, Dannals, Days, Eagan, Everett, French, Galloway, Goodall, Hayes, Hopper, James, Jost, Lofton, McCullough, Rector, Reed, Rice, Sammons, Slaughter, Walker, Wheaton, and Woodward—24

NOES—Messrs. Aldrich Andrews, Bacon, Barklage, Barnes, Bayley, Berry, Bockius, Crane, De Haven, Edgar, Franck, Freeman, Harvey, Johnston, Little, Long, Luttrell, Meeker, Mott of Los Angeles, Mott of Sacramento, Munday, Pardee, Russ, Seibe, Spencer, Tinnin, Turner, Whiting, and Mr. Speaker—30

Assembly Bill No 277, above reported, with refusal of Senate to recede from its amendments.

The Speaker appointed the following committee of conference on the disagreeing vote of the two Houses, viz: Messrs. Mott of Los Angeles, Rice, and Russ.

The House concurred in Senate amendments to Assembly Bill No. 406, above reported.

GENERAL FILE RESUMED.

Assembly Bill No. 350—An Act supplementary to the Act of April twenty-fifth, eighteen hundred and sixty-three, entitled an Act to incorporate the City of Sacramento.

Rules suspended, bill considered engrossed, read a third time and passed.

Assembly Bill No. 392—An Act supplemental to an Act entitled an Act to raise a fund for the improvement of Napa City, approved January twenty-fourth, eighteen hundred and seventy.

Rules suspended, bill considered engrossed, read a third time and passed.

Assembly Bill No. 405—An Act to raise revenue in Plumas County for hospital and other purposes.

Rules suspended, bill considered engrossed, read a third time and passed.

Assembly Bill No. 120—An Act to regulate practice in the Supreme Court

Substitute reported adopted, rules suspended, considered engrossed, read a third time and passed.

Assembly Bill No 296 was withdrawn from the file, on motion of Mr. Eagan, made by request.

Assembly Bill No 196—An Act to determine who must act as the Chief Justice of the Supreme Court.

Ordered engrossed.

Assembly Bill No. 307—Proposed amendments to the Constitution of the State of California

House refused to order engrossed.

Assembly Bill No 318—An Act to legalize the assessment of taxes in the County of Lassen.

House refused to order engrossed.

Assembly Bill No 180—An Act to repeal an Act entitled an Act to prohibit the collection of accounts of liquors sold at retail, approved April twenty-first, eighteen hundred and fifty-eight.

House refused to order engrossed.

Assembly Bill No. 322—An Act extending the time for payment of taxes in the County of Contra Costa.

Rules suspended, bill considered engrossed, read a third time and passed.

Assembly Bill No. 316—An Act to amend an Act entitled an Act to regulate proceedings in criminal cases, passed May first, eighteen hundred and fifty-one

Reported amendments adopted, and ordered engrossed.

Assembly Concurrent Resolution No. 19—Approving the action of the Legislature, at the eighteenth session thereof, in proposing an amendment to section thirteen, of Article XI, of the Constitution of California.

Mr Freeman demanded the previous question, and it being ordered, on ordering the resolution engrossed, the ayes and noes were demanded by Messrs. Luttrell, Andrews, and Jost, with the following result:

AYES—Messrs. Bayley, Bradley, Burckhalter, Cooper, Eagan, French, Goodall, Johnston, Little, Luttrell, Moeker, Mott of Los Angeles, Munday, Rector, Reed, Spivalo, Wheaton, and Whiting—18.

NOES—Messrs. Aldrich, Andrews, Bacon, Baird, Barker, Barklage, Barnes, Bell, Berry, Bockius, Brown, Caldwell, Center, Coleman, Crane, Dannals, Days, De Haven, Edgar, Ellis, Everett, Franck, Freeman, Galloway, Gibson, Gray, Harvey, Hayes, Hopper, James, Jost, Lee, Lofton, Long, Mott of Sacramento, McCullough, Pardee, Rice, Russ, Sammons, Sargent of Santa Clara, Sargent of San Joaquin, Schrack, Seibe, Slaughter, Spencer, Stillwagon, Turner, Welty, Wilcox, Woodward, Wright, and Mr. Speaker—53.

At five o'clock and fifteen minutes P. M., on motion of Mr. Luttrell, the House adjourned.

T. B. SHANNON,
Speaker.

M. D. BORUCK, Chief Clerk.

IN ASSEMBLY.

HOUSE OF ASSEMBLY,
Saturday, March 2d, 1872.

House met pursuant to adjournment.

Speaker in the chair.

Roll called.

Quorum present.

Prayer by the Chaplain.

On motion of Mr. Barnes, the reading of the Journal of yesterday was dispensed with and approved.

PETITIONS.

Petitions were offered as follows:

By the Speaker—From the California Cotton Growers' and Manufac-

turers' Association, asking aid for the manufacturers who desire to set up machinery for the manufacture of cotton, ramie, and silk.

Referred to the Committee on Agriculture.

By Mr. Welty—From Reverend Hiram Cummings, Chaplain to the House of Assembly, asking for the same compensation as is paid to a Copying Clerk.

Referred to the Committee on Claims.

LEAVE OF ABSENCE.

Leave of absence was granted to Messrs. Chalmers and Whitney, for one day each; and to Mr. Henshaw indefinitely, on account of sickness. Also, to the Committee on Hospitals, for two days.

REPORTS OF STANDING COMMITTEES.

Reports were made from standing committees as follows:

By Mr. Mott of Sacramento:

The report of the Committee on Claims of both Houses on the Indian War Indebtedness of this State.

[For report see Appendix.]

Also, by the same:

Mr. SPEAKER: Your Committee on Claims have given careful and extended inquiry to Assembly Bill No. 365—An Act to fund a certain indebtedness due and owing by the County of Contra Costa to Tristum C. Gilman—and find that the evidence shows that Contra Costa has fully discharged and paid all her legal and equitable obligations to Mr. Gilman, and that there is not a shadow of foundation for his claim. The committee therefore report the bill back and recommend that it be indefinitely postponed, and in support of their recommendation submit the annexed statement of facts.

MOTT, Chairman.

The rules were suspended, and the bill above reported taken up and ordered indefinitely postponed.

By Mr. Galloway:

Mr. SPEAKER: The Committee on Public Expenditures and Accounts, to whom was referred Assembly Bill No. 450—An Act to provide for the purchase of stationery, blank books, light fuel, furniture, etc., for State officers and members of the Legislature—have had the same under consideration, and report the same back with a recommendation that it do pass.

GALLOWAY, Chairman.

By Mr. Wheaton, from the Committee of Ways and Means:

Mr. SPEAKER: Your committee having had under consideration Assembly Bill No. 304—An Act amendatory of an Act entitled an Act to amend an Act to provide revenue for the support of the State—beg leave to report the same back without recommendation.

Your committee having also had under consideration Assembly Bill No 487—An Act to provide for the payment of deficiency in the Department of Superintendent of Public Instruction—beg leave to report the same back and recommend its passage

Also, Senate Bill No. 252—An Act to amend an Act entitled an Act to provide revenue for the support of the government of this State—beg leave to report the same back and recommend its passage.

Your committee also beg leave to report back a communication from F. Baehr, State Treasurer, to his Excellency Governor Booth, in reference to Coupons Numbers Twenty-six and Twenty-seven of Bond Number Nine Hundred and Sixty, with the recommendation that it be referred to the Committee on Claims.

WHEATON, Chairman.

The communication above reported was referred as recommended.

By Mr. Stillwagon:

Mr Speaker: The Assembly Committee on State Hospitals have the honor to report that in accordance with their duties, in connection with the Senate Committee, they visited the Deaf, Dumb, and Blind Asylum at Oakland on the tenth ultimo. After a careful examination of the buildings, and grounds, and workshops, the rules governing the same, the education of the pupils, the account of expenditures, and the general advancement of the occupants, the result shows that the State aid that has been granted is well deserved. Upon examination we find that the institution is perfect in all its departments, and well worthy of the appropriation asked for its future maintenance. The system in operation in the institution shows from actual observation to be to the best interest of those who in their affliction are compelled to seek the charities of the people of California. The buildings, located in a position that furnishes fine views and fresh air to the occupants, are of the most substantial nature, and at the cost, as named by the Superintendent, one hundred and seventy-three thousand dollars, is one of the few structures erected by State and that combines economy in its construction together with comfort to its inmates. The institution contains one hundred and two pupils, of which forty males and twenty eight females are connected with the Deaf and Dumb Department, and twenty-one males and twelve females with the Blind Department. The first visited was that portion of the building devoted to the blind pupils, the occupants of which, though mostly young persons, exhibited a remarkable degree of proficiency in their application of the lessons taught them, to the present transactions of life, and history of our country. The degree of knowledge exhibited by the pupils, as shown to the committee, warrants the statement that in the course of a few years many pupils who are now receiving the advantages that this institute affords will be able to enter into active life, and will, we hope, favorably compete with those who enjoy the blessings of sight The pupils seem to enjoy the requirements made upon them, and none more so than that of attending the musical schools. Songs of a religious nature, as well as those of a lively character, are indulged in every day, the pupils being under the charge and care of a musical professor. The blind occupants of the institution stated that nothing gave them more pleasure than to be allowed to raise their voices in praise of those who had, in God's providence, the means to aid them in their affliction and fit them for the

battle of life. In the deaf and dumb portion of the establishment the proficiency of the pupils, the questions asked and answered promptly, by signs and writing, and their expertness in mechanical arts, was particularly noticed, and guarantees, with the institute conducted under the same rules as now govern it, many of those afflicted will soon be able to appear and take the position in business and society that is accorded to those who enjoy all the senses. After visiting the buildings, workshops, and grounds, and after a thorough examination of the books, your committee desire to report that an annual expense of thirty six thousand dollars per annum, or seventy-two thousand dollars for the two fiscal years ending June thirtieth, eighteen hundred and seventy-four, will be required to successfully conduct this institution. The estimate named above is based upon the supposition that one hundred and twenty-five pupils will be the recipients of the advantages of this institution before the close of the fiscal year of eighteen hundred and seventy-four, and the amount named is not only for the support of the pupils, but for attendants' salary and other incidental expenses attending such an establishment. The committee take pleasure in recommending the appropriation asked for, as from all knowledge obtained, and from personal observation, the manner of conducting the establishment reflects credit on the State, the Directors and officers of the institute, and the pupils that derive the benefit of the charity of the first named, and the attention of the latter.

STILLWAGON, Chairman.

By Mr. Barker:

Mr. SPEAKER: Your Committee on Enrollment beg leave to report that they have examined and found correctly enrolled Assembly Bill No. 32—An Act to repeal an Act to provide for the protection of lands in the County of Sutter from overflow, approved April fourth, eighteen hundred and seventy.

Also, Assembly Bill No. 377—An Act to authorize the Board of Supervisors of the City and County of San Francisco to sell and convey a certain piece of land composing the Cemetery Avenue and triangular Plaza, reserved by the Outside Land Committee, up to the Cemetery Avenue, and for other purposes

Also, Assembly Bill No. 262—An Act supplementary to an Act entitled an Act providing for an attorney and counselor in and for the City and County of San Francisco

Also, Assembly Bill No. 271—An Act to provide for the payment of certain fees in Butte County.

Also, Assembly Bill No. 151—An Act supplementary to an Act entitled an Act to authorize H. H Smith and others to construct and maintain a turnpike road from Cave Valley to a point on the line of the Central Pacific Railroad, at or near Auburn Station, approved March thirty-first, eighteen hundred and sixty-six

Also, Assembly Bill No 338—An Act amendatory to an Act entitled an Act to encourage the destruction of squirrels and gophers in certain counties of this State, and to provide a bounty therefor, approved March sixteenth, eighteen hundred and seventy.

And that the same have, this second day of March, eighteen hundred and seventy-two, at thirty minutes past — o'clock, been transmitted to the Governor for his approval.

BARKER.

By Mr. Eagan.

Mr SPEAKER: The Committee on Agriculture, to whom was recommitted Assembly Bills Nos 213 and 284, also substitute for Assembly Bills Nos. 213 and 284—have had the same under careful consideration.

Your committee have amended said substitute, and hereby beg leave to report the same back, together with Assembly Bills Nos. 213 and 284, recommending that the substitute pass as amended.

Also, have considered Senate Bill No. 170—An Act to encourage agriculture and other industries—report the same back, recommending its passage.

EAGAN, Chairman.

REPORTS OF SPECIAL COMMITTEES.

Reports were made from special committees as follows:

By Mr. Stillwagon:

Mr. SPEAKER: The Napa delegation, to whom was referred Assembly Bill No. 496, have the honor to return the same and recommend that it pass.

STILLWAGON, for Delegation.

By Mr. Baird:

Mr. SPEAKER: The San Mateo delegation, to whom was referred Senate Bill No. 298, beg leave to report the same back and recommend its passage.

BAIRD, Chairman.

The rules were suspended, and the bill above reported taken up, read a third time and passed.

By Mr. Franck:

Mr. SPEAKER: The Santa Clara delegation, to whom was referred Senate Bill No. 257—An Act to provide for the opening and improvement of Santa Clara and Saratoga Avenue, in the County of Santa Clara—beg leave to report that they have had the same under consideration, and report the same back with amendments, and recommend that it be passed as amended.

FRANCK, for Delegation.

By Mr. Wheaton:

Mr. SPEAKER: The San Francisco delegation herewith report, with amendments, Assembly Bill No. 308—An Act to increase the police force of the City and County of San Francisco—and recommend its passage as amended.

Also, Assembly Bill No. 333—An Act in relation to the Board of Education of the City and County of San Francisco—with amendments, and recommend its passage as amended.

Also, Senate Bill No. 126—An Act in relation to Coroners—and recommend that it be referred to the Judiciary Committee.

WHEATON, for Delegation.

By Mr. Tinnin:

Mr. SPEAKER: The Trinity delegation, to whom was referred Assembly Bill No 502—An Act to provide for the construction and maintenance of free bridges in the County of Trinity, and to set apart a fund therefor—have had the same under consideration, report it back and recommend its passage.

Also, Assembly Bill No 503—An Act to authorize an additional levy of county taxes in the County of Trinity—have had the same under consideration, report it back and recommend its passage.

TINNIN, for Delegation.

MOTIONS AND RESOLUTIONS.

Resolutions were offered as follows:

By Mr. Barker:

Resolved, That this House take a recess each day from one o'clock to one forty-five P. M, unless otherwise ordered, except on Saturday.

Adopted.

Also, by the same:

A resolution from the Committee on Enrollment recommending the payment of John R. Eardly for thirty-eight days service as Assistant Enrolling Clerk.

Referred to Committee on Rules and Regulations.

On motion of Mr. Reed, Assembly Bill No. 365 was withdrawn.

On motion of Mr. Goodall, Assembly Bill No. 105 was ordered withdrawn from the head of the file for Monday, and transferred to the file for Tuesday.

By Mr. Welty—An amendment to Rule Forty-one of the Standing Rules, as follows:

"And no member shall speak more than five minutes at a time, except by permission of the House."

Laid over for one day.

By Mr. Gray—A resolution to allow mileage to George C. Fabers, for serving subpœnas for the Committee on Corporations.

Referred to Committee on Public Expenditures and Accounts.

MESSAGE FROM THE SENATE.

The following message was received from the Senate:

SENATE CHAMBER,
March 2d, 1872.

Mr. SPEAKER: I am directed to inform your honorable body that the Senate, on this second day of March, eighteen hundred and seventy-two, passed Senate Concurrent Resolution No. 37—Relative to return of map to W. S. Green.

Also, passed Senate Concurrent Resolution No. 41—Relative to correction of error in Senate Bill No. 107.

SHACKELFORD, Assistant Secretary.

CONSIDERATION OF THE MESSAGE.

Senate Concurrent Resolutions Nos 37 and 41, above reported, were severally concurred in.

INTRODUCTION OF BILLS.

Bills were introduced as follows:

By Mr. Stillwagon—An Act in reference to the County Assessor of Napa County.

Read first and second times and referred to the Napa delegation.

By Mr Walker—An Act concerning roads and highways in the County of Fresno, and to repeal a certain Act in relation thereto.

Read first and second times and referred to the Fresno delegation.

By Mr Hayes—An Act in relation to the death penalty.

Read first and second times and referred to the Judiciary Committee.

By Mr. Sargent of San Joaquin—An Act to empower the City of Stockton to excavate, widen, and open the Mormon Slough, and to provide funds therefor

Read first and second times and referred to the Judiciary Committee.

By Mr. Hays—An Act to legalize and confirm the election of Roadmasters in the respective road districts in Monterey County.

Read first and second times and placed on file.

Also, an Act to regulate and fix the salary of the Assessor of Monterey County.

Read first and second times and placed on file.

By Mr. Barker (by request)—An Act concerning the assessment of animals.

Read first and second times and referred to the Committee on Agriculture.

GENERAL FILE.

Assembly Bill No. 269—An Act to amend an Act entitled an Act to authorize the incorporation of canal companies, and to provide for the construction of canals and ditches, approved April second, eighteen hundred and seventy.

Ordered placed at head of file for Tuesday next.

Assembly Bill No. 485—An Act creating the Nineteenth and Twentieth Judicial Districts, and defining the Third, Fourth, and Fifteenth Judicial Districts.

On the passage of the bill, the Speaker directed the roll to be called, and the bill passed by the required constitutional majority, as follows:

AYES—Messrs Aldrich, Bacon, Baird, Barker, Bockius, Brown, Burckhalter, Caldwell, Center, Coleman, Connolly, Cooper, Crane, Dannals, Days, De Haven, Eagan, Edgar, Ellis, Everett, Frank, Freeman, French, Goodall, Gray, Harvey, Hayes, Hopper, Lee, Little, Lofton, Long, Luttrell, Meeker, Mott of Los Angeles, Mott of Sacramento, McCullough, Pardee, Rector, Reed, Rice, Russ, Sammons, Sargent of San Joaquin,

Schrack, Sensabaugh, Slaughter, Spencer, Splivalo, Tinnin, Turner, Walker, Welty, Wheaton, Whiting, Wilcox, Woodward, Wright, and Mr Speaker—59.

NOES—Messrs. Andrews, Barklage, Berry, and Munday—4.

Senate Bill No 99 was ordered placed third on the file for Tuesday, on motion of Mr Luttrell.

On motion of Mr. Spencer, Assembly Bills Nos 418 and 419 were passed on file.

Senate Bill No 160—An Act to pay the expenses necessarily incurred in suppressing Indian hostilities in the Counties of Humboldt and Trinity in the years eighteen hundred and sixty-eight and eighteen hundred and sixty-nine.

Considered in Committee of the Whole House.

IN ASSEMBLY.

Reported and recommended, rules suspended, bill considered engrossed, read a third time and passed.

GENERAL FILE RESUMED.

Senate Bill No. 258—An Act to change the name of the Front Street, Mission, and Ocean Railroad Company.

Read a third time and passed.

Senate Bill No 332—An Act supplementary to and amendatory of an Act entitled an Act to provide for the building of a Court House and Jail in Marin County.

Read a third time and passed.

Assembly Bill No. 295—An Act concerning the assessment of property in Tehama County.

Ordered engrossed.

Assembly Bill No. 424—An Act to prevent animals from running at large in certain portions of Contra Costa County.

Ordered engrossed.

Assembly Bill No. 429—An Act to authorize the Board of Supervisors of Merced County to levy a special tax for the purpose of constructing a bridge across the Merced River.

Ordered engrossed.

Assembly Bill No 458—An Act to amend an Act entitled an Act concerning roads and highways in the County of Santa Clara, approved March thirty-first, eighteen hundred and sixty-six, and to repeal an Act entitled an Act to amend an Act entitled an Act concerning roads and highways in the County of Santa Clara, approved March thirty-first, eighteen hundred and sixty-six, approved March fourteenth, eighteen hundred and sixty-eight.

Ordered engrossed.

Assembly Bill No 411—An Act to better define the boundaries between the Counties of Humboldt, Mendocino, Trinity, and Klamath.

Rulss suspended, bill considered engrossed, read a third time and passed.

Assembly Bill No. 423—An Act to amend an Act entitled an Act to regulate fees and salaries in the County of Calaveras, and to define the duties of certain officers in said Calaveras County, approved March fourth, eighteen hundred and seventy.

Rules suspended, bill considered engrossed, read a third time and passed.

Assembly Bill No. 340.

Taken from file and recommitted to Judiciary Committee.

Mr. Little was granted leave to withdraw Assembly Bill No. 337.

Assembly Bill No. 224—An Act for the relief of A. T. Gray, Treasurer and ex officio Tax Collector of El Dorado County.

Considered in Committee of the Whole House.

IN ASSEMBLY.

Reported and recommended, read a third time and passed.

GENERAL FILE RESUMED.

Assembly Bill No. 323.

Passed on file.

Assembly Bill No. 465.

Passed on file.

Assembly Bill No. 125.

Passed on file.

Assembly Bill No. 201.

Passed on file.

Assembly Bill No. 334—An Act for the relief of Henry N. Morse, Sheriff of Alameda County.

Considered in Committee of the Whole House.

IN ASSEMBLY.

Amended, reported, and recommended, rules suspended, bill considered engrossed, read a third time and passed.

GENERAL FILE RESUMED.

Assembly Bill No. 336—An Act to repeal an Act entitled an Act to authorize the Controller of State to issue duplicate warrants, approved January twenty-sixth, eighteen hundred and seventy-two.

Amendments reported adopted, rules suspended, bill considered engrossed, read a third time and passed.

Assembly Bill No 439—An Act authorizing the Trustees of the San Buenaventura School District, of the County of Santa Barbara, in this State, to issue bonds for the said district for the sum of ten thousand dollars

Rules suspended, bill considered engrossed, read a third time and passed.

Assembly Bill No. 448—An Act to provide for the liquidation and payment of the indebtedness of Yolo School District, in the County of Yolo.

Rules suspended, bill considered engrossed, read a third time and passed

Assembly Bill No 452—An Act to increase the number of Notaries Public in the County of Plumas.

Rules suspended, bill considered engrossed, read a third time and passed.

Assembly Joint Resolution No. 27—Asking Congress to reserve public

lands in California for actual settlers only, under the homestead and preemption laws, and for a more rapid extension of the surveys of public lands in this State

Reported, amendment adopted, rules suspended, considered engrossed, read a third time and passed.

Assembly Bill No. 306—An Act to extend the time in which Swamp Land District Number Seventy shall complete their work of reclamation.

Rules suspended, bill considered engrossed, read a third time and passed.

Assembly Bill No. 430—An Act for the preservation of fish in the waters of Siskiyou County.

Rules suspended, bill considered engrossed, read a third time and passed.

Assembly Bill No. 402—An Act amendatory of an Act entitled an Act to provide for binding minors as apprentices, clerks, and servants, approved April tenth, A. D. eighteen hundred and fifty-eight.

Rules suspended, bill considered engrossed, read a third time and passed.

Assembly Bill No. 314—An Act to regulate the fees of office of the Clerk of Santa Cruz

Amendments reported adopted, rules suspended, bill considered engrossed, read a third time and passed.

MESSAGE FROM THE SENATE.

The following message was received from the Senate:

SENATE CHAMBER,
March 2d, 1872.

Mr. SPEAKER: I am directed to inform your honorable body that the Senate, on the second day of March, passed Assembly Bill No 413—An Act to reincorporate the City of San Diego.

Also, passed Assembly Bill No. 420—An Act concerning the salary of the County Assessor of Butte County.

Also, amended and passed Assembly Bill No. 401—An Act relative to certain county warrants in the Treasury of Sacramento County.

SHACKELFORD, Assistant Secretary.

CONSIDERATION OF SENATE MESSAGE.

The House concurred in Senate amendment to Assembly Bill No. 401, above reported.

REPORT.

The following report was made by Mr. Barnes:

Mr. SPEAKER: The Committee on Engrossment beg leave to report that they have examined and find correctly engrossed Assembly Bill No. 343—An Act to define the Senatorial and Assembly Districts of the State, and to apportion the representation thereof.

Also, Assembly Bill No 260—An Act to amend an Act to provide for a system of common schools. approved April fourth, eighteen hundred and seventy.

Also, Assembly Bill No. 311—An Act to establish a State Printing Office. and to create the office of Superintendent of State Printing.

Also, Assembly Bill No. 331—An Act to authorize the Board of Supervisors of Tehama County to levy a special tax for school purposes in the school districts of Red Bluff. in Tehama County.

Also, Assembly Bill No 248—An Act to grant to the Town of San Bernardino all the interest of the State in certain real property

Also, Assembly Bill No. 133—An Act to amend an Act entitled an Act to regulate proceedings in the Courts of justice in this State, approved April twenty ninth, eighteen hundred and fifty-one.

BARNES, Chairman.

GENERAL FILE RESUMED.

Assembly Bill No. 472—An Act in relation to certain officers in Tehama County.

Ordered engrossed.

Assembly Bill No. 480—An Act to amend an Act entitled an Act defining the legal distances from each county seat to the Capitol, Lunatic Asylum, and State Prison, approved April twenty-fourth, eighteen hundred and fifty-eight.

Taken from the file and referred to the Committee on Mileage.

Assembly Bill No. 434.

Passed on file.

MESSAGE FROM THE GOVERNOR.

The following message was received from the Governor:

STATE OF CALIFORNIA, EXECUTIVE DEPARTMENT,
Sacramento, March 2d, 1872.

To the Assembly of the State of California:

I have to inform your honorable body that I have approved Assembly Bill No 410—An Act supplemental to an Act to regulate fees and salaries in the County of Calaveras, and to define the duties of certain officers in said Calaveras County, approved March fourth, eighteen hundred and seventy.

Also, Assembly Bill No. 422—An Act to amend an Act entitled an Act to regulate fees of office and salaries of certain officers, and to repeal certain other Acts in relation thereto, approved March fifth, eighteen hundred and seventy.

Also, Assembly Bill No. 449—An Act to amend an Act entitled an Act to establish and define the powers and duties of the Board of Education of the City of Oakland, approved March fourteenth, eighteen hundred and sixty-eight

Also, Assembly Bill No. 1—An Act to repeal an Act entitled an Act to make, open, and establish a public street in the City and County of San Francisco, to be called Montgomery Avenue, and to take private lands therefor, approved March twenty-ninth, eighteen hundred and seventy, and to provide for the payment of the expenses incurred under said Act.

Also, Assembly Bill No 135—An Act to amend an Act entitled an Act to regulate fees of office and salaries of certain officers, and to repeal certain other Acts in relation thereto, approved March fifth, eighteen hundred and seventy.

Also, Assembly Bill No. 355—An Act to amend an Act entitled an Act to provide for the maintenance of the indigent sick in certain townships therein mentioned in Siskiyou County, passed March twenty-fourth, eighteen hundred and seventy.

Also, Assembly Bill No 381—An Act to provide for the building of a bridge across Alameda Creek, in the County of Alameda.

Also, Assembly Bill No. 396—An Act to authorize the Board of Supervisors of Los Angeles County to locate and build bridges across the Los Angeles River, and the New San Gabriel and old San Gabriel Rivers, in Los Angeles County, and to issue bonds for the payment of the same.

Also, Assembly Bill No 152—An Act to amend an Act entitled an Act to regulate proceedings in civil cases in the Courts of justice of this State, passed April twenty-ninth, eighteen hundred and fifty one

Also, Assembly Bill No 86—An Act amendatory of and supplementary to an Act entitled an Act fixing the number of officers and employes of the Senate and Assembly, and to define their duties and to establish their pay, approved May twenty-fourth, eighteen hundred and sixty-one.

Also, Assembly Bill No 352—An Act to amend an Act entitled an Act to provide for the payment of warrants against the Hospital Fund of Klamath County, approved January nineteenth, eighteen hundred and seventy.

Also, Assembly Bill No. 130—An Act to amend an Act entitled an Act to protect the wages of labor, approved March twenty-first, eighteen hundred and sixty-eight.

Also, Assembly Bill No. 240—An Act fixing the salary of the District Attorney of Lassen County.

Also, Assembly Bill No. 82—An Act to amend an Act entitled an Act to regulate fees of office and salaries of certain officers, and to repeal certain other Acts in relation thereto, approved March fifth, eighteen hundred and seventy.

Also, Assembly Bill No 289—An Act in relation to fence and pound districts in the County of Sonoma

Also, Assembly Bill No 278—An Act to amend an Act entitled an Act to regulate proceedings in civil cases in the Courts of justice of this State, passed April twenty-ninth, eighteen hundred and fifty-one.

Also, Assembly Bill No. 51—An Act to provide for the government of San Diego.

Also, Assembly Bill No. 300—An Act to regulate the fees of the County Clerk of Santa Clara County.

Also, Assembly Bill No. 292—An Act to prevent the propagation of Scotch or Canada thistle in the Counties of Humboldt, Siskiyou, Klamath, Del Norte, and Alameda.

Also, Assembly Bill No. 371—An Act relating to the Board of Supervisors of the County of Sacramento, and more particularly defining its powers and duties.

Also, Assembly Bill No. 202—An Act to amend an Act entitled an Act to regulate proceedings in civil cases in Courts of justice of this State, passed April twenty-ninth, eighteen hundred and fifty-one.

NEWTON BOOTH, Governor.

GENERAL FILE CONTINUED.

Assembly Bill No. No 324—An Act concerning actions for libel.

The amendments reported were adopted, and on ordering the bill engrossed the ayes and noes were demanded by Messrs Luttrell, Whiting, and Days, and it was so ordered by the following vote:

AYES—Messrs Aldrich, Andrews, Bacon, Baird, Barklage, Bradley, Bockius, Brown, Burckhalter, Caldwell, Coleman, Dannals. Eagan, Edgar, Ellis, Everett, Franck, Freeman, French, Gray, Harvey, Hopper, Lee, Mathers, Meeker, Mott of Sacramento, Munday, Pardee, Reed, Rice, Russ, Sammons, Sargent of San Joaquin, Sensabaugh, Spencer, Splivalo, Tinnin, Welty, Wilcox, and Mr. Speaker—40.

NOES—Messrs. Center, Crane, Days, Little, Long, Luttrell, Mott of Los Angeles, Slaughter, Walker, Whiting, and Woodward—11.

On motion of Mr Barker, at one o'clock and five minutes P. M., the House adjourned until two o'clock and thirty-five minutes P. M. on Monday, March fourth.

P. J. HOPPER,
Speaker pro tem

M. D. BORUCK, Chief Clerk.

IN ASSEMBLY.

HOUSE OF ASSEMBLY,
Monday, March 4th, 1872.

House met pursuant to adjournment.
Speaker pro tem, Hopper, in the chair.
Roll called.
Quorum present.
Prayer by the Chaplain.
Journal of Saturday was approved, the reading thereof being dispensed with, on motion of Mr. Caldwell.

LEAVE OF ABSENCE.

Leave of absence was granted, for one day each, to Messrs Goodall, Aldrich, Wheaton, Munday, Chalmers, Bayley, Sargent of Santa Clara, Rector, Galloway. Jost, and Pardee; and for two days each, to Messrs. Slaughter, Eagan, and Little.

REPORTS.

Reports from special committees were made as follows:

By Mr. Luttrell:

Mr. SPEAKER: The Siskiyou delegation, to whom was referred Assem-

bly Bill No. 515, report that they have had the same under consideration, and report the same back with amendments, and recommend its passage as amended.

LUTTRELL, for Delegation.

The rules were suspended, and the bill above reported taken up, considered engrossed, read a third time and passed.

By Mr. Everett:

Mr. SPEAKER: The Nevada delegation, to whom was referred Assembly Bill No. 440, having had the same under consideration, report the same back and recommend its passage.

EVERETT, for Delegation.

The rules were suspended, the bill above reported taken up, rules again suspended, considered engrossed, read a third time and passed.

RESOLUTION.

Mr. Sargent of San Joaquin offered the following:

Resolved, That the Governor be requested to return Assembly Bill No. 338, for amendments.

Adopted.

INTRODUCTION OF BILLS.

Bills were introduced as follows:

By Mr. Cooper—An Act making an appropriation for translating into Spanish the several State documents and reports ordered during the present session of the Legislature.

Read first and second times and referred to the Committee on Claims.

By Mr. Caldwell—An Act to change the name of Dunbar School District, Sonoma County.

Read first and second times and referred to the Sonoma delegation.

By Mr Everett—An Act in relation to moneys belonging to the State derived from taxes assessed on mortgages.

Read first and second times and referred to the Judiciary Committee.

By Mr. Gray—An Act supplementary to an Act entitled an Act for the relief of insolvent debtors and protection of creditors, approved May fourth, eighteen hundred and fifty-two.

Read first and second times and referred to the Judiciary Committee.

By Mr. Sammons—An Act in relation to the estate of William Huges, deceased

Read first and second times and referred to the Judiciary Committee.

By Mr Barnes—An Act for the relief of Thomas M. Long.

Read first and second times and referred to the Committee on Claims.

By Mr. Andrews—An Act to authorize C. C. Bush, late County Judge of Shasta County, to execute a certain deed for town lands of the Town of Shasta.

Read first and second times and referred to the Shasta delegation.

By Mr. Seibe—An Act amendatory of an Act entitled an Act to organize and regulate the Justices' Court of the City and County of San Francisco, approved March twenty-sixth, eighteen hundred and sixty-six

Read first and second times and referred to the San Francisco delegation.

GENERAL FILE.

Assembly Bill No. 99—An Act to amend an Act concerning trade marks and names.

Withdrawn on motion of Mr Gray.

Substitute for Assembly Bills Nos 213 and 284—An Act to protect agriculture and to prevent the trespassing of animals upon private property.

Taken from the file and made the special order for the day on Wednesday, March sixth, at twelve o'clock M.

Assembly Bill No. 343

Passed on file

Assembly Bill No. 170.

Passed on file.

Assembly Bill No 125.

Passed on file

Assembly Bill No. 201.

Passed on file

Assembly Bill No. 434.

Passed on file.

Senate Bill No. 252—An Act to amend an Act entitled an Act to provide revenue for the support of the Government of this State.

Read a third time and passed

Assembly Bill No. 133—An Act to amend an Act entitled an Act to regulate proceedings in the Courts of justice of this State, approved April twenty-ninth, eighteen hundred and fifty-one.

Read a third time and passed.

Assembly Bill No 311—An Act to establish a State Printing Office, and to create the office of Superintendent of State Printing.

Read a third time passed

Senate Bill No 257—An Act to provide for the opening and improvement of Santa Clara and Saratoga Avenue, in the County of Santa Clara.

Read a third time and passed.

Assembly Bill No. 418—An Act to legalize and confirm the election of School Directors in the City of Vallejo, and other matters.

Read a third time and passed, and title amended

Assembly Bill No 419—An Act amendatory of and supplementary to an Act entitled an Act to establish and define the powers and duties of the Board of Education of the City of Vallejo, approved March twenty-fifth, eighteen hundred and seventy.

Rules suspended, bill considered engrossed, read a third time and passed.

MESSAGES FROM THE GOVERNOR.

The following messages were received from the Governor:

STATE OF CALIFORNIA, EXECUTIVE DEPARTMENT,
Sacramento, March 4th, 1872.

To the Assembly of the State of California:

I have to inform your honorable body that I have approved Assembly Bill No 262—An Act supplementary to an Act entitled an Act providing for an attorney and counselor in and for the City and County of San Francisco, approved March twenty-fifth, eighteen hundred and sixty-two

Also, Assembly Bill No. 271—An Act to provide for the payment of certain fees in the County of Butte.

Also, Assembly Bill No. 32—An Act to repeal an Act entitled an Act to provide for the protection of lands in the County of Sutter from overflow, approved April fourth, eighteen hundred and seventy

Also, Assembly Bill No 377—An Act to authorize the Board of Supervisors of the City and County of San Francisco to sell and convey a certain piece of land, comprising old Cemetery Avenue and the triangular Plaza, reserved by the Outside Land Committee, up to the new Cemetery Avenue, and for other purposes

Also, Assembly Bill No 373—An Act supplementary to an Act entitled an Act concerning roads and highways in the Counties of Shasta and Trinity, approved March twenty-eighth, eighteen hundred and sixty-three

Also, Assembly Bill No 241—An Act to amend an Act entitled an Act to regulate proceedings in civil cases in the Courts of justice of this State, passed April twenty ninth, eighteen hundred and fifty-one.

Also, Assembly Bill No 290—An Act to empower and authorize the Commissioners of the former Pueblo or City of Sonoma to sell and convey a portion of the lands known as the pueblo grant of Sonoma.

NEWTON BOOTH, Governor.

STATE OF CALIFORNIA, EXECUTIVE DEPARTMENT,
Sacramento, March 4th, 1872.

To the Assembly of the State of California:

Assembly Bill No. 273—An Act supplemental to an Act entitled an Act to authorize the County of Sonoma to donate bonds to a railroad company, and to provide for the payment of the same, approved March eighteenth, eighteen hundred and sixty-eight—is respectfully returned to your honorable body without approval

Under the provision of the original Act, an election was held by which it was determined that the County of Sonoma should donate bonds to the amount of five thousand dollars per mile for the construction of "a railroad from Cloverdale, by way of Healdsburg, Santa Rosa, and Petaluma, to Marin County line, with a branch from some point on said road, to Bloomfield"

The bonds for the main road were to be issued in installments of fifty thousand dollars on the completion of the first ten miles, and of twenty-five thousand dollars on the completion of each subsequent five miles, and those for the branch road (about twelve miles) upon its completion; but no bonds were to issue for any road or part of road unless

such road or part of road should be constructed within four years of the passage of the Act.

The object of the present bill is to extend the time for the completion of the road.

If any portion of the subsidy granted as above has lapsed, or is liable to lapse, by failure of the railroad company to comply with the conditions upon which it was to be given is it competent for the Legislature to change the terms of the contract? If the Legislature can rightfully extend the time as to one of the parties, it might with equal right shorten it as to the other, if it can renew a subsidy which has lapsed, it can forfeit one which has accrued.

For any portion of the road incomplete at the expiration of the time stipulated, the present bill would operate as a new grant made directly by the Legislature.

If any question of policy can be settled by a popular verdict, that of granting county subsidies to railroad companies has been determined by the people of the State

I do not understand that the principle settled is a mere abstract, but a rule of action—a rule to be adhered to in the face of seeming immediate hardships, for the sake of ultimate aggregate good, a rule which can have no value if it is to be waived whenever a case arises for its practical application.

I have given great consideration to the argument urged in the present instance. Without the extension asked for, the main road may be completed and the branch not, and that lands lying along the branch will be taxed for the construction of the main road without receiving the benefit contemplated at the time the subsidy was voted. Is not this, however, more than answered by the fact that if the extension be granted property in other parts of the county may be taxed for the construction of both roads, while deriving benefit from neither?

NEWTON BOOTH, Governor.

CONSIDERATION OF THE MESSAGE.

On motion of Mr. Caldwell, the consideration of the message was made the special order of the day for Thursday next, at twelve o'clock M.

REPORT.

The following report was made by Mr. Barnes:

Mr. SPEAKER: The Committee on Engrossment beg leave to report that they have examined and find correctly engrossed Assembly Bill No. 353—An Act to remedy defects in certain county records.

Also, Assembly Bill No. 362—An Act to submit to the qualified electors of Alpine County the question of relocating the county seat of said county.

Also, Assembly Bill No. 193—Proposed amendment to the Constitution of the State of California.

Also, Assembly Bill No 276—An Act supplemental to an Act creating the office of Insurance Commissioner, approved March twenty-sixth, eighteen hundred and sixty-eight.

Also, Assembly Bill No. 158—An Act to require the Tax Collector

of the City and County of San Francisco to pay to the City and County Treasurer certain moneys.

Also, Assembly Bill No. 274—An Act to amend an Act entitled an Act to authorize the Exempt Fire Company of San Francisco to receive and manage the San Francisco Fire Department Charitable Fund, and receive from the City and County of San Francisco a house and lot for its use, approved April second, eighteen hundred and sixty-six.

Also, Assembly Bill No. 298—An Act to confirm the title to a certain lot of land in the City and County of San Francisco to the Trustees of the Associated Veterans of the Mexican War, and to authorize an exchange of said lands for certain property belonging to said city and county, or for a lease thereof.

Also, Assembly Bill No. 315—An Act defining the duties of the County Assessor of Santa Clara County.

Also, Assembly Bill No. 370—An Act in relation to the assessment and levy of taxes in Calaveras County.

Also, Assembly Joint Resolution No. 21—Relative to governmental control of the telegraph.

Also, Assembly Bill No. 113—An Act for the relief of D. B. Akey.

Also, Assembly Bill No. 369—An Act to encourage the destruction of squirrels and gophers

Also, Assembly Bill No. 379—An Act to authorize the Treasurer of San Joaquin County to transfer certain funds to the General School Fund of said county.

Also, Assembly Bill No. 108—An Act to repeal an Act entitled an Act authorizing the condemnation of private property within the limits of the public streets of the City and County of San Francisco within the Laguna Survey, approved March twenty-fifth, eighteen hundred and seventy.

Also, Assembly Bill No. 83—An Act to repeal an Act entitled an Act to make, open, and establish a public street in the City and County of San Francisco, to be called Montgomery street South, and to take private lands therefor.

Also, Preamble and Assembly Joint Resolution No. 26—Relative to the culture of grapevines, etc.

Also, Assembly Bill No. 247—An Act concerning private wharves.

Also, Assembly Bill No. 486—An Act declaring a certain creek in Alameda County navigable.

Also, Assembly Bill No. 358—An Act to estabish pilots and pilot regulations for the Port of San Diego.

Also, Memorial and Joint Resolution No. 16—Relative to occupation of Hoopa Valley, in Klamath County, as an Indian reservation.

Also, Assembly Bill No. 394—An Act to authorize the City of San José to issue bonds to provide sewerage for said city.

Also, Assembly Bill No. 397—An Act to provide for the county printing of Monterey County.

Also, Assembly Bill No. 367—An Act to pay the claim of James T. Boyd.

Also, Assembly Bill No. 165—An Act for the relief of John Jackson, Sheriff and ex officio Tax Collector of Trinity County.

BARNES, Chairman.

GENERAL FILE RESUMED.

Assembly Bill No. 323.

Taken from the file and referred to Committee on Agriculture.

Assembly Bill No. 465—An Act to authorize the Masonic and Odd Fellows' Cemetery Association, and citizens of Contra Costa County, to remove human remains.

Ordered engrossed.

Assembly Bill No. 415—An Act to amend an Act supplementary to an Act entitled an Act concerning crimes and punishments, passed April sixteenth, eighteen hundred and fifty, and an Act amendatory thereof and supplemental thereto, approved March twenty-eighth, eighteen hundred and sixty-eight.

Substitute reported adopted, rules suspended, considered engrossed, read a third time and passed.

Assembly Bill No. 400—An Act to enforce the responsibility of stockholders in corporations as prescribed by the Constitution, and to provide for the prompt payments of demands against such corporations.

Ordered engrossed.

Assembly Bill No. 341.

Taken from the file and referred to the Committee on Ways and Means.

Assembly Bill No. 293.

Passed on file.

Assembly Bill No 264.

Passed on file.

Assembly Bill No. 41.

Passed on file.

Assembly Bill No. 438.

Passed on file.

Assembly Bill No. 466.

Passed on file.

Assembly Bill No. 432.

Passed on file.

Assembly Bill No. 438.

Passed on file.

Assembly Bill No. 361.

Passed on file.

Assembly Bill No. 468.

Passed on file.

Assembly Bill No. 181.

Passed on file.

Assembly Bill No. 385.

Passed on file.

Assembly Bill No. 382.

Passed on file.

Assembly Bill No. 333.

Passed on file.

Assembly Bill No. 427.

Passed on file.

Assembly Bill No. 450.

Passed on file.

Assembly Bill No. 487.

Passed on file.

Assembly Bill No. 391—An Act to regulate and define fees in the Sheriff's office in the County of Mendocino.

Ordered engrossed.

Assembly Bill No. 374—An Act to prevent hunting, shooting, and the felling of trees on private grounds in the Counties of Santa Barbara and San Luis Obispo.

Rules suspended, bill considered engrossed, read a third time and passed.

Assembly Bill No. 246—An Act to authorize the Board of Supervisors of the City and County of San Francisco to close up Walnut Avenue, in said city and county.

Rules suspended, bill considered engrossed, read a third time and passed.

Assembly Bill No. 483—An Act to prevent hogs and goats running at large in the Town of Knight's Landing, Yolo County.

Rules suspended, bill considered engrossed, read a third time and passed.

Assembly Bill No. 488—An Act for the relief of D. Bottiller.

Rules suspended, bill considered engrossed, read a third time and passed.

Assembly Bill No. 236—An Act to appropriate money for the erection of fence, sidewalk, and other improvements to the property of the State Asylum for the Insane.

Considered in Committee of the Whole.

IN ASSEMBLY.

The committee reported progress.

When, on motion of Mr. Sargent of San Joaquin, the bill was withdrawn.

GENERAL FILE RESUMED.

Assembly Bill No. 490 was, on motion of Mr. Spencer, ordered placed at the foot of the file for to-morrow.

Assembly Bill No. 364—An Act to fix the salary of the Superintendent of Common Schools in the County of Plumas, and to prescribe the manner of paying the same.

Rules suspended, bill considered engrossed, read a third time and passed.

Assembly Bill No. 445.

Withdrawn from the file, on motion of Mr. Bockius.

Assembly Bill No. 442—An Act to protect free bridges from injury.

Amendments reported adopted, rules suspended, bill considered engrossed, read a third time and passed.

Assembly Bill No 326.

On motion of Mr. Schrack, withdrawn from the file.

Assembly Bill No 447—An Act in relation to mortgages upon growing crops.

Amendments reported adopted, rules suspended, bill considered engrossed, read a third time and passed.

Assembly Bill No 398—An Act to amend an Act entitled an Act to amend an Act entitled an Act to fix the compensation of the District Attorney of Contra Costa County, approved February ninth, eighteen hundred and sixty, approved March thirty-first, eighteen hundred and sixty-six.

Ordered engrossed.

Assembly Bill No. 375.

Withdrawn from the file by Mr. Spencer.

Assembly Bill No 134—An Act to provide for the construction of a wagon road from and to the Yosemite Valley and Big Tree Grove, in Mariposa County.

Mr. Wilcox offered a substitute for the bill, which was adopted, ordered to be printed, and when returned from the printer to be placed at the head of the file.

At four o'clock and forty-five minutes P. M. Mr. Caldwell moved that the House adjourn.

Lost.

Assembly Bill No. 348—An Act amendatory of an Act entitled an Act concerning crimes and punishments.

Ordered engrossed.

Assembly Bill No. 460—An Act to enforce the collection of license taxes.

Rules suspended, bill considered engrossed, read a third time and passed.

Assembly Bill No. 473—An Act to repeal an Act entitled an Act to provide for the improvement of the rivers and streams of Santa Clara County, approved April fourth, eighteen hundred and seventy.

Rules suspended, bill considered engrossed, read a third time and passed.

Assembly Bill No. 417—An Act for the relief of Morris Woolf.

Rules suspended, bill considered engrossed, read a third time and passed.

Assembly Bill No. 489—An Act to end useless litigation, and supplemental to an Act entitled an Act to regulate the settlement of the estates of deceased persons, passed May first, eighteen hundred and fifty-one, and the Acts supplementary thereto and amendatory thereof.

Substitute recommended adopted, rules suspended, considered engrossed, read a third time and passed.

Assembly Bill No. 16—An Act to provide and pay for services rendered the City and County of San Francisco.

Rules suspended, bill considered engrossed, read a third time and passed.

At five o'clock and thirty minutes P. M Mr. Wright moved to adjourn.

Lost.

On motion of Mr. Luttrell, Assembly Bill No. 304—An Act amendatory of an Act entitled an Act to amend an Act to provide revenue for the support of the government of this State, approved May seventeenth, eighteen hundred and sixty-one, approved February twenty-ninth, eighteen hundred and sixty-eight—was taken from the file and made the special order for Monday, March eleventh, at twelve o'clock M.

Assembly Bill No. 308—An Act to increase the police force of the City and County of San Francisco.

Reported amendments adopted, rules suspended, bill considered engrossed, read a third time and passed.

Assembly Bill No. 496—An Act to repeal section two of an Act amendatory of and supplementary to an Act to prevent certain animals from running at large in Napa City, approved April seventeenth, eighteen hundred and sixty-three.

Rules suspended, bill considered engrossed, read a third time and passed.

Assembly Bill No. 502—An Act to provide for the construction and maintenance of free bridges in the County of Trinity and to set apart a Fund therefor.

Rules suspended, bill considered engrossed, read a third time and passed.

Assembly Bill No. 503—An Act to authorize an additional levy of county taxes in the County of Trinity.

Rules suspended, bill considered engrossed, read a third time and passed.

Assembly Bill No 520—An Act to legalize and confirm the election of Roadmasters in the respective road districts in Monterey County.

Rules suspended, bill considered engrossed, read a third time and passed.

Assembly Bill No. 521—An Act to regulate and fix the salary of the Assessor of Monterey County.

Ordered engrossed.

MESSAGE FROM THE SENATE.

The following message was received from the Senate:

SENATE CHAMBER,
March 4th, 1872.

Mr. SPEAKER: I am directed to inform your honorable body that the Senate, on the twenty-ninth day of February, passed Senate Bill. No. 335—An Act concerning the fees and salaries of certain officers in Sonoma County.

Also, passed Senate Bill No. 324—An Act to enable the City of Stockton to redeem its bonds falling due in the year eighteen hundred and seventy-three.

Also, passed Senate Bill No. 315—An Act supplementary to an Act entitled an Act to establish and define the boundary line between the Counties of Inyo and Mono.

Also, passed Senate Concurrent Resolution No. 39—Relative to construction of a sea wall to form a breakwater on North Pacific Ocean, on the coast of California, for refuge of vessels.

Also, passed Senate Concurrent Resolution No. 42—Relative to establishment of a signal service station at Sacramento.

FERRAL, Secretary.

CONSIDERATION OF THE MESSAGE.

Senate Bill No. 335, above reported, read first and second times and referred to Sonoma delegation.

Senate Bill No 324, above reported, read first and second times and referred to San Joaquin delegation.

Senate Bill No 315, above reported, read first and second times and referred to Mono and Inyo delegation.

The House concurred in Senate Concurrent Resolutions Nos. 39 and 42, above reported.

INTRODUCTION OF BILL.

The rules were suspended, and the following bill was introduced by Mr. Luttrell:

Proposed amendment to the Constitution.

Read first and second times and placed on file, and ordered printed.

On motion of Mr. Dannals, at five o'clock and thirty minutes P. M., the House adjourned.

P. J. HOPPER,
Speaker pro tem.

M. D. BORUCK, Chief Clerk.

IN ASSEMBLY.

HOUSE OF ASSEMBLY,
Tuesday, March 5th, 1872.

House met pursuant to adjournment.
Speaker in the chair.
Roll called.
Quorum present.
Prayer by the Chaplain.
Journal of yesterday read and approved.

LEAVE OF ABSENCE.

Leave of absence was granted to Mr. Galloway for two days, to Mr. Russ for one day, and to Messrs. Ward and Munday indefinite.

REPORTS OF STANDING COMMITTEES.

Reports from standing committees were made as follows:

By Mr. Barnes:

Mr. SPEAKER: The Committee on Engrossment beg leave to report that they have examined and find correctly engrossed Assembly Bill No. 250—An Act to declare Lake Earl and its tributaries, in Del Norte County, navigable, and to exempt said waters from entry.

Also, Assembly Bill No 354—An Act to submit the question of the removal of the county seat of Kern County to the qualified voters thereof.

Also, Assembly Bill No. 350—An Act supplementary to the Act of April twenty-fifth, eighteen hundred and sixty-three, entitled an Act to incorporate the City of Sacramento.

Also, Assembly Bill No. 392—An Act supplemental to an Act entitled an Act to raise a fund for the improvement of Napa City, approved January twenty-fourth, eighteen hundred and seventy.

Also, Assembly Bill No. 405—An Act to raise revenue in Plumas County for hospital and other purposes.

Also, Assembly Bill No. 120—An Act to regulate practice in the Supreme Court.

Also, Assembly Bill No. 196—An Act to determine who must act as Chief Justice of the Supreme Court.

Also, Assembly Bill No. 322—An Act extending the time for payment of taxes in the County of Contra Costa.

Also, Assembly Bill No. 316—An Act to amend an Act entitled an Act to regulate proceedings in criminal cases, passed May first, eighteen hundred and fifty-one.

Also, Assembly Bill No. 403—An Act for the relief of William S. Brown.

Also, Assembly Bill No. 295—An Act concerning the assessment of property in Tehama County.

Also, Assembly Bill No. 411—An Act to better define the boundaries between the Counties of Humboldt, Mendocino, Trinity, and Klamath.

Also, Assembly Bill No. 423—An Act to amend an Act entitled an Act to regulate fees and salaries in the County of Calaveras, and to define the duties of certain officers in said Calaveras County, approved March fourth, eighteen hundred and seventy.

BARNES, Chairman.

By Mr. Gray:

Mr. SPEAKER: The Committee on Judiciary having considered Senate Bill No. 207—An Act to amend an Act entitled an Act to abolish the office of Public Administrator in the Counties of Tuolumne and Santa Barbara, approved April eighteenth, eighteen hundred and fifty-nine—report it back and recommend that it do not pass.

Also, Senate Bill No. 144—An Act respecting the limitation of actions—report it back and recommend its passage.

Also, Senate Bill No. 73—An Act fixing the compensation of Sheriffs of the several counties of this State in certain cases—report it back and the majority recommend that it do not pass.

Also, Senate Bill No. 235—An Act to amend an Act entitled an Act relating to criminal prosecutions, approved April second, eighteen hundred and sixty-six—report it back and recommend its passage.

Also, Assembly Bill No. 426—An Act in relation to the residence of the Judges of the Supreme Court—report it back and recommend its passage.

Also, Assembly Bill No. 389—An Act to prohibit the carrying concealed weapons—report it back and recommend its passage.

Also, Assembly Bill No. 433—An Act in relation to homesteads—report it back and recommend its passage.

Also, Senate Bill No 215—An Act to amend an Act concerning forcible entries and unlawful detainers, and to repeal all other Acts on the same subject, approved April twenty-seventh, eighteen hundred and sixty-three—report it back and recommend its passage.

Also, Assembly Bill No 479—An Act to amend an Act entitled an Act to regulate the settlement of the estates of deceased persons—report it back and recommend that it do not pass.

Also, Assembly Bill No. 493—An Act in relation to interpreters before grand juries—report it back and recommend its passage.

Also, Assembly Bill No. 509—An Act supplementary to an Act entitled an Act to regulate the estates of deceased persons, passed May first, eighteen hundred and fifty-one—report it back and recommend its passage.

GRAY, for Committee

By Mr. Mott of Sacramento:

Mr. SPEAKER: The Committee on Claims, to whom was referred Senate Bill No. 201—An Act to provide for the payment of certain coupons

upon bonds of the State of California that have been lost—beg leave to report it back and recommend its passage.

MOTT, Chairman.

REPORTS OF SPECIAL COMMITTEES.

Reports from special committees were made as follows:

By Mr. Hayes:

Mr. SPEAKER: The Monterey delegation, to whom was referred Senate Bill No. 80, have had the same under consideration, and beg leave to report it back with amendment, and recommend its passage.

HAYES, for Delegation.

By Mr. Whiting:

Mr. SPEAKER: The Tuolumne, Mono, and Inyo delegations, to whom was referred Assembly Bill No. 315, have had the same under consideration, find it correct, and recommend its passage.

WHITING, for Delegations.

By Mr. Andrews:

Mr. SPEAKER: The Shasta delegation, to whom was referred Assembly Bill No. 528—An Act to authorize C. C. Bush, late County Judge of Shasta County, to execute a certain deed for town lands of the Town of Shasta—have had the same under consideration, and beg leave to report it back and recommend its passage.

ANDREWS, for Delegation.

By Mr. Mott of Los Angeles:

Mr. SPEAKER: The committee of conference to whom was referred Assembly Bill No. 277—An Act to prevent hunting and shooting on private grounds—having had the same under consideration, beg leave to report the bill back with a substitute, and recommend the adoption of the substitute.

WILSON,
Chairman of Senate Committee.
MOTT,
Chairman of Assembly Committee.

By Mr. Woodward:

Mr. SPEAKER: The San Joaquin delegation, to whom was referred Senate bill No. 324—An Act to enable the City of Stockton to redeem its bonds falling due in the year eighteen hundred and seventy-three—have had the same under consideration, report it back and recommend its passage.

WOODWARD,
SARGENT,
For Delegation.

The rules were suspended, and the bill above reported taken up, read a third time and passed.

RESOLUTION.

By Mr. Hayes:

A resolution authorizing the appointment of a clerk to sundry standing committees.

Referred to the Committee on Rules and Regulations.

MESSAGE FROM THE SENATE.

The following message was received from the Senate:

SENATE CHAMBER,
March 5th, 1872.

Mr. SPEAKER: I am directed to inform your honorable body that the Senate, on the twenty-ninth day of February, passed Senate Bill No. 316—An Act to authorize the issue of bonds by the County of Inyo to erect county bridges and buildings.

Also, on the first instant, passed Senate Bill No 305—An Act to authorize the Board of Supervisors of Tuolumne County to levy a special tax to pay certain bonds against said county.

Also, on the same day, passed Senate Bill No 206—An Act to amend an Act entitled an Act to define and limit the compensation of officers and reduce public expenses and taxation in the County of San Mateo.

Also, on the same day, passed Senate Bill No. 265—An Act supplemental to an Act entitled an Act defining the time for commencing civil actions

Also, on the same day, passed Senate Bill No. 69—An Act concerning estrays in the County of Napa.

Also, on the same day, passed Senate Bill No. 223—An Act providing for the appointment of a Reporter in the First Judicial District of this State.

Also, on the same day, passed Senate Bill No 310—Concerning service of summons upon absent defendants by publication.

Also, on the same day, passed Senate Bill No. 341—An Act to regulate the fees of the Sheriff of Santa Cruz County.

Also, on March fourth, passed Senate Bill No. 226—An Act to continue the Geological Survey of the State of California.

Also, on this fifth day of March, eighteen hundred and seventy-two, ordered returned to the Assembly Assembly Bill No. 282—An Act to allow certain persons therein named, and their associates and assigns, to take possession of and improve a certain road in the County of Sacramento—and respectfully ask your honorable body to have the same engrossed as it passed the House.

FERRAL, Secretary.

CONSIDERATION OF THE MESSAGE.

Senate Bill No. 316, above reported, read first and second times and referred to the Tuolumne and Inyo delegations.

Senate Bill No. 305, above reported, read first and second times and referred to the Tuolumne delegation.

Senate Bill No. 206, above reported, read first and second times and referred to the San Mateo delegation.

Senate Bill No. 265, above reported, read first and second times and referred to the Judiciary Committee.

Senate Bill No. 223, above reported, read first and second times and referred to the Judiciary Committee

Senate Bill No. 310, above reported, read first and second times and referred to the Judiciary Committee.

Senate Bill No. 69, above reported, read first and second times and referred to the Napa delegation.

Senate Bill No. 341, above reported, read first and second times and placed on file.

Senate Bill No. 226, above reported, read first and second times and referred to the Committee on Ways and Means.

MESSAGE FROM THE GOVERNOR.

The following message was received from the Governor:

STATE OF CALIFORNIA, EXECUTIVE DEPARTMENT,
Sacramento, March 5th, 1872.

To the Assembly of the State of California:

Assembly Bill No 162—An Act amendatory of and supplementary to an Act entitled an Act to provide for the better collection of delinquent taxes in the County of Yuba, approved April twenty-fifth, one thousand eight hundred and sixty-three—is respectfully returned to your honorable body without my approval. The bill provides that, in Yuba County, in all sales made for taxes, when such sales shall have been made by the proper officer to the highest bidder, and the owner of the property sold fails to redeem within the time allowed by law, the official deed shall be deemed a good and valid title to the property, and an entire release by said county from all former taxes and costs due to either the county or any of its officers.

This proposition involves the power of the Legislature to establish different remedies for failure to pay taxes in the various counties; to remit accrued taxes in a particular county; to annul the recorded judgment of a Court of law, and to cancel debts for the performance of services which the law has required and official oaths enjoined. The bill is urged as a relief against special cases of great hardship. I believe it would be imperative in that regard, and if held to be valid, the principle established would result in general evils far graver than the specific ones it is designed to remedy.

NEWTON BOOTH, Governor.

CONSIDERATION OF THE MESSAGE.

On the question, "Shall the bill become a law notwithstanding the objections of the Governor?" the roll was called with the following result:

AYES—Mr. Caldwell—1.

NOES—Messrs. Aldrich, Andrews, Bacon, Baird, Barker, Barklage, Barnes, Bayley, Bell, Berry, Bradley, Bockius, Brown, Burckhalter,

Center, Chalmers, Coleman, Connolly, Cooper, Crane, Dannals, Days, De Haven, Edgar, Ellis, Everett, Franck, Freeman, French, Goodall, Gray, Hayes, Hopper, James, Johnston, Jost, Lee, Little, Lofton, Long, Luttrell, Mathers, Meeker, Mott of Sacramento, McCullough, Pardee, Reed, Rice, Sammons, Sargent of Santa Clara, Sargent of San Joaquin, Schrack, Seibe, Sensabaugh, Spencer, Timmin, Turner, Walker, Welty, Wheaton, Whiting, Whitney, Wilcox, Woodward, Wright, and Mr. Speaker—65.

And so the veto was sustained.

INTRODUCTION OF BILLS.

Bills were introduced as follows:

By Mr. Splivalo—An Act to provide for the payment of deficiency for the support of the State Normal School.

Read first and second times and referred to the Committee on Ways and Means

By Mr. Gray—An Act to amend an Act entitled an Act to amend an Act regulating marriages.

Read first and second times and referred to the Judiciary Committee.

By Mr. Chalmers—An Act to amend an Act entitled an Act concerning common schools in the City of Placerville.

Read first and second times and referred to the El Dorado delegation.

By Mr Reed—An Act in relation to unclaimed baggage.

Read first and second times and placed on file, and ordered printed.

By Mr. Wright—An Act to reincorporate the City of Vallejo.

Read first and second times and referred to the Judiciary Committee.

By Mr De Haven—An Act to prohibit the hunting or shooting of game within certain private grounds in the County of Butte.

Read first and second times and referred to the Butte delegation.

GENERAL FILE.

Assembly Bill No. 105—An Act to regulate wharfage and dockage, and abolish tolls in the Harbor of San Francisco.

The reported amendments were adopted, and on motion of Mr. Shannon, the rules were suspended, and the bill considered engrossed, read a third time and passed.

Assembly Bill No. 269—An Act to amend an Act entitled an Act to authorize the incorporation of canal companies, and to provide for the construction of canals and ditches, approved April second, eighteen hundred and seventy.

Mr De Haven offered a substitute for the bill, which was adopted

The rules were suspended, and the bill considered engrossed, read a third time and passed, and ordered transmitted to the Senate forthwith.

Senate Bill No. 99—An Act concerning corporations.

CALL OF THE HOUSE.

Mr. Pardee moved a call of the House, which being ordered, the roll was called, and the following members were absent without leave: Messrs. Caldwell, Johnston, Lofton, and Slaughter.

On motion of Mr. Aldrich, further proceedings under the call were dispensed with.

GENERAL FILE RESUMED.

On the passage of the bill, the ayes and noes were demanded by Messrs. Andrews, Berry, and Gray, and it passed by the following vote:

AYES—Messrs. Bell, Bradley, Bockins, Burckhalter, Cooper, Crane, Dannals, De Haven, Edgar, Ellis, Franck, French, Goodall, Gray, Hayes, Hopper, James, Jost, Meeker, Mott of Los Angeles, McCullough, Pardee, Reed, Rice, Sammons, Sargent of Santa Clara, Schrack, Seibe, Sensabaugh, Spencer, Splivalo, Turner, Welty, Wheaton, Wilcox, Wright, and Mr Speaker—37.

NOES—Messrs. Aldrich, Andrews, Bacon, Barker, Barklage, Barnes, Bayley, Berry, Brown, Center, Chalmers, Coleman, Connolly, Days, Everett, Freeman, Lee, Little, Long, Luttrell, Mott of Sacramento, Rector, Sargent of San Joaquin, Tinnin, Walker, Whiting, Whitney, and Woodward—28.

At one o'clock and fifteen minutes P. M. the House took a recess until two o'clock P. M.

REASSEMBLED.

House convened at the hour named.
Speaker in the chair.
Roll called.
Quorum present.

REPORTS.

The following report was made by Mr. Barnes:

Mr. SPEAKER: The Committee on Engrossment beg leave to report that they have examined and find correctly engrossed Assembly Bill No. 282—An Act to allow certain persons therein named, and their associates, to take possession of a certain road in the County of Sacramento.

BARNES, Chairman.

By Mr. Barker:

Mr. SPEAKER: Your Committee on Enrollment beg leave to report that they have examined and found correctly enrolled Assembly Bill No. 378—An Act to authorize the Board of Supervisors of Yolo County to levy special taxes for county purposes

Also, Assembly Bill No. 286—An Act supplemental to and amendatory of an Act entitled an Act to incorporate the Town of Chico, Butte County, California.

Also, Assembly Bill No. 464—An Act to amend section thirteen of an Act to regulate fees of office and salaries of certain officers, and to repeal certain other Acts in relation thereto, approved March fifth, eighteen hundred and seventy, so far as the same applies to the County of Monterey.

Also, Assembly Bill No. 303—An Act to authorize the City of Vallejo to borrow money.

Also, Assembly Bill 261—An Act to repeal an Act entitled an Act for

the incorporation of the City of Anaheim, and appointing Commissioners to dispose of the property, pay the indebtedness, and settle the affairs thereof

Also, Assembly Bill No. 451—An Act to amend an Act entitled an Act concerning roads and highways in the County of Alameda, approved March twenty-fourth, eighteen hundred and sixty-two.

Also, Assembly Bill No. 454—An Act to authorize the construction of a public school house in the Yuba School District, in the County of Sutter and to provide funds therefor.

Also, Assembly Bill No 420—An Act concerning the salary of the County Assessor of Butte County.

Also, Assembly Bill No. 401—An Act relative to certain county warrants in the Treasury of the County of Sacramento.

Also, Assembly Bill No. 406—An Act to authorize the County of Sacramento to issue bonds.

Also, that they have examined and found correctly enrolled Assembly Bill No. 321—An Act to reincorporate the Town of Santa Clara

Also, Assembly Bill No. 413—An Act to reincoporate the City of San Diego.

And that the same have, this fifth day of March, eighteen hundred and seventy-two, at ten minutes past one o'clock, been transmitted to the Governor for his approval.

BARKER, for Committee.

CLERICAL ERROR CORRECTED.

Mr. Wilcox offered a resolution, which was adopted, authorizing the Engrossing Clerk to insert an enacting clause in Assembly Bill No. 402—Concerning minors and apprentices.

GENERAL FILE RESUMED.

Assembly Joint Resolution No. 21—Relative to governmental control of the telegraph.

Read a third time and passed.

Preamble and Assembly Joint Resolution No. 26—Relative to the culture of grapevines

Read a third time and passed.

Assembly Bill No. 99—An Act to amend an Act concerning trade marks and names.

Rules suspended, bill considered engrossed, read a third time and passed.

Assembly Bill No. 343—An Act to define the Senatorial and Assembly Districts of the State, and to apportion the representation thereof.

On the passage of the bill, the ayes and noes were demanded by Messrs. Andrews, Berry, and Bayley, and it passed by the following vote:

AYES—Messrs. Aldrich, Bacon, Baird, Barker, Barnes, Bockius, Brown, Burckhalter, Caldwell, Coleman, Cooper, Crane, Dannals, Days, De Haven, Ellis, Everett, Franck, Freeman, French, Goodall, Gray, Hayes, James, Johnston, Jost, Meeker, McCullough, Pardee, Reed, Rice, Sammons, Sargent of Santa Clara, Sargent of San Joaquin, Schrack, Seibe, Sensabaugh, Spencer, Splivalo, Turner, Welty, Wheaton, Whitney, Woodward, Wright, and Mr. Speaker—43.

NOES—Messrs. Andrews, Barklage, Bayley, Berry, Bradley, Center,

Chalmers, Connolly, Edgar, Ellis, Lee, Little, Lofton, Long, Luttrell, Mathers, Mott of Los Angeles, Rector, Tinnin, Ward, Whiting, and Wilcox—22.

Senate Bill No. 170—An Act to encourage agriculture and other industries.

Considered in Committee of the Whole House and amended.

IN ASSEMBLY.

The Committee rose, reported the bill, and recommended its passage.

The amendments reported were adopted.

On the passage of the bill, the ayes and noes were demanded by Messrs. Berry, Whiting, and Coleman, and the bill passed by the following vote:

AYES.—Messrs. Baird, Bayley, Bradley, Bockius, Brown, Caldwell, Chalmers, Connolly, Cooper, Crane, Dannals, De Haven, Edgar, Ellis, Franck, Hopper, James, Johnston, Jost, Lofton, Luttrell, Meeker, Mott of Los Angeles, Mott of Sacramento, McCullough, Pardee, Reed, Rice, Sargent of Santa Clara, Schrack, Seibe, Spencer, Sphvalo, Turner, Walker, Whitney, Wilcox, and Mr Speaker—38.

NOES—Messrs Andrews, Bacon, Barklage, Barnes, Bell, Berry, Burckhalter, Center, Coleman, Days, Everett, Freeman, French, Goodall, Hayes, Lee, Long, Mathers, Rector, Sammons, Sargent of San Joaquin, Sensabaugh, Tinnin, Wheaton, Whiting, Woodward, and Wright—27.

GENERAL FILE RESUMED.

Assembly Bill No 125—An Act in relation to life insurance.

Rules suspended, bill considered engrossed, read a third time and passed.

Mr. Meeker had leave to withdraw Assembly Bill No. 202.

Assembly Bill No. 201—An Act to amend an Act entitled an Act prescribing certain conditions for the transaction of insurance business in the State of California, approved March twenty-sixth, eighteen hundred and sixty-eight.

On motion of Mr. Reed, Assembly Bill No. 382, and on motion of Mr. Jost, Assembly Bill No. 181, were taken from the file and referred to the San Francisco delegation.

Mr. Andrews asked and obtained leave to be recorded as having voted in the negative on the passage of Assembly Joint Resolution No. 21—Relative to governmental control of the telegraph—which passed by a viva voce vote.

Assembly Bill No. 434—An Act to provide for finishing the State Normal School building and paying the indebtedness incurred in the construction thereof.

Ordered to be placed at the head of the file for Thursday next, on motion of Mr. Mott of Sacramento.

The minority of the Committee on Public Buildings and Grounds made a report on the foregoing bill, which was ordered printed.

[For the report see Appendix]

Assembly Bill No. 264—An Act to restrict and regulate the sale at retail of alcoholic liquors.

Mr. Wilcox moved to lay the bill on the table

The ayes and noes were thereupon demanded by Messrs. Jost, Seibe, and Everett, and the House refused to so order by the following vote:

AYES—Messrs. Aldrich, Andrews, Bacon, Baird, Bayley, Bell, Burckhalter, Center, Chalmers, Connolly, Cooper, De Haven, Ellis, Franck, James, Jost, Mott of Los Angeles, Sargent of Santa Clara, Schrack, Seibe, Spencer, Splivalo, Tinnin, Turner, Walker, Wheaton, Wilcox, and Mr. Speaker—28.

NOES—Messrs Barker, Barklage, Barnes, Berry, Bradley, Bockius, Brown, Caldwell, Coleman, Crane, Dannals, Days, Edgar, Everett, Freeman, French, Goodall, Harvey, Hayes, Hopper, Johnston, Lofton, Long, Luttrell, Mathers, Meeker, Mott of Sacramento, McCullough, Pardee, Rector, Rice, Sammons, Sensabaugh, Ward, Welty, Whiting, Whitney, Woodward, and Wright—39.

Mr. Jost moved the indefinite postponement of the bill.

Mr. Wilcox moved the previous question, and it being ordered on the question of the indefinite postponement of the bill, the ayes and noes were demanded by Messrs. Barker, Jost, and Berry, with the following result.

AYES—Messrs. Aldrich, Andrews, Bacon, Baird, Barklage, Bayley, Bell, Bradley, Brown, Burckhalter, Caldwell, Center, Chalmers, Connolly, Cooper, De Haven, Ellis, Franck, Hopper, James, Jost, Mathers, Meeker, Mott of Los Angeles, Mott of Sacramento, Pardee, Reed, Rice, Sammons, Sargent of Santa Clara, Sargent of San Joaquin, Schrack, Seibe, Spencer, Splivalo, Tinnin, Turner, Walker, Ward, Wheaton, Wilcox, and Mr. Speaker—42

NOES—Messrs. Barker, Barnes, Berry, Bockius, Coleman, Crane, Days, Edgar, Everett, Freeman, French, Goodall, Harvey, Hayes, Johnston, Lee, Lofton, Long, Luttrell, McCullough, Rector, Sensabaugh, Welty, Whiting, Whitney, Woodward, and Wright—27.

And so the bill was indefinitely postponed.

Assembly Bill No. 41—An Act to legalize and confirm certain ordinances passed and contracts made by the Board of Supervisors of the City and County of San Francisco relative to the removal of dead animals from the city limits.

Amended, rules suspended, bill considered engrossed, read a third time and passed.

On motion of Mr. Schrack, Assembly Bill No. 438 was ordered to the head of the file for to-morrow.

INTRODUCTION OF BILLS.

The rules were suspended and bills were introduced as follows:

By Mr. James—An Act supplemental to an Act entitled an Act to provide for the formation of corporations for the accumulation and investment of funds and savings, approved April eighteenth, eighteen hundred and sixty-two.

Read first and second times and referred to the Judiciary Committee.

Also, (by request), an Act for the correction of errors and omissions in the official proceedings relative to certain contracts for street work in the City and County of San Francisco.

Read first and second times and referred to the San Francisco delegation

Mr James also gave notice of a bill for an Act to amend an Act entitled an Act to regulate sailor boarding houses and shipping offices in San Francisco.

GENERAL FILE RESUMED.

Assembly Bill No. 361—An Act to appropriate money for the payment of certain equitable claims against the State.

Considered in Committee of the Whole House.

IN ASSEMBLY.

The committee rose and reported the bill back, with a recommendation that it do not pass.

On the question of ordering the bill engrossed, the House so ordered.

At five o'clock and fifteen minutes P. M., on motion of Mr. Hopper, the House adjourned.

T. B. SHANNON,
Speaker.

M. D. BORUCK, Chief Clerk.

IN ASSEMBLY.

HOUSE OF ASSEMBLY,
Wednesday, March 6th, 1872.

House met pursuant to adjournment.

Speaker in the chair.

Roll called.

Quorum present.

Prayer by the Chaplain.

Journal of yesterday read and approved, having been corrected by including the fact of the suspension of the rules and the passage of Assembly Bill No 528—concerning town lands in the Town of Shasta—reported yesterday by Mr. Andrews.

LEAVE OF ABSENCE.

Indefinite leave of absence was granted to Messrs. Russ and Slaughter.

PETITIONS.

Petitions were presented as follows:

By Mr. James—From the Trustees of the Labor and Employment Exchange, asking an investigation of the management of the affairs thereof.

Mr. James also moved that the petition and a statement of the Trustees of said Exchange be referred to a special committee of three.

Adopted.

Subsequently the Speaker announced the appointment of the committee, Messrs. James, Splivalo, and Pardee.

By Mr. Bayley—A remonstrance from the citizens of El Dorado County against the passage of the "No-Fence Law."

Referred to the Committee on Agriculture.

Also, by the same—A petition from citizens of White Oak, in El Dorado County, in favor of the passage of a "No Fence Law."

Referred to the Committee on Agriculture.

By Mr. Center—A remonstrance of similar import.

Referred to the Committee on Agriculture.

REPORTS OF STANDING COMMITTEES.

Reports from standing committees were made as follows:

By Mr. Barnes:

Mr. SPEAKER: The Committee on Engrossment beg leave to report that they have examined and find correctly engrossed Assembly Bill No. 424—An Act to prevent animals from running at large in certain portions of Contra Costa County

Also, Assembly Bill No. 429—An Act to authorize the Board of Supervisors of Merced County to levy a special tax for the purpose of constructing a bridge across the Merced River.

Also, Assembly Bill No 224—An Act for the relief of A. T. Gray, Treasurer and ex officio Tax Collector of El Dorado County.

Also, Assembly Bill No. 334—An Act for the relief of Henry N. Morse, Sheriff of Alameda County.

Also, Assembly Bill No 336—An Act to repeal an Act entitled an Act to authorize the Controller of State to issue duplicate warrants, approved January twenty-sixth, eighteen hundred and seventy-two.

Also, Assembly Joint Resolution No. 27—Asking Congress to reserve public lands in California for actual settlers only, under the homestead and preemption laws, and for a more rapid extension of the surveys of public lands in this State.

Also, Assembly Bill No. 458—An Act to amend an Act entitled an Act concerning roads and highways in the County of Santa Clara, approved March thirty-first, eighteen hundred and sixty-six, and to repeal an Act entitled an Act to amend an Act entitled an Act concerning roads and highways in the County of Santa Clara, approved March thirty-first, eighteen hundred and sixty-six, approved March fourteenth, eighteen hundred and sixty-eight.

Also, Assembly Bill No. 306—An Act to extend the time in which Swamp Land District Number Seventy shall complete their work of reclamation.

Also, Assembly Bill No. 430—An Act for the preservation of fish in the waters of Siskiyou County.

Also, Assembly Bill No 402—An Act amendatory of an Act entitled an Act to provide for binding minors as apprentices, clerks, and servants, approved April tenth, A D. eighteen hundred and fifty-eight.

Also, Assembly Bill No. 472—An Act in relation to certain officers in Tehama County.

Also, Assembly Bill No. 314—An Act to regulate the fees of office of the Clerk of Santa Cruz.

Also, Assembly Bill No. 324—An Act concerning actions for libel.
Also, Assembly Bill No. 515—An Act to incorporate the Town of Fort Jones, in Siskiyou County.

BARNES, Chairman.

By Mr. Mott of Sacramento:

Mr. SPEAKER: The Committee on Claims, to whom was referred Assembly Bill No. 76—An Act to provide for the payment of the State's portion of the salary of the County Auditor of Mariposa County—report it back with a substitute, and recommend the passage of the substitute
Also, report back the petition of the Rev. Hiram Cummings, Chaplain, and in view of the fact that all the members of this body are familiar with the facts of the case, and that this committee is not exceptionally qualified to pass upon the efficiency and relative value of prayers, do so without recommendation.

MOTT, Chairman.

By Mr. Pardee—A supplementary report from the Committee on Public Buildings and Grounds, and affairs concerning the University building in course of construction at Berkeley, Alameda County.
Ordered printed.
[For the report, see Appendix.]

REPORTS OF SPECIAL COMMITTEES.

Reports were made from special committees as follows:

By Mr. Walker:

Mr. SPEAKER: The Fresno delegation, to whom was referred Assembly Bill No. 518, report the same back and recommend the passage of the same.

WALKER, for Delegation.

By Mr. De Haven:

Mr. SPEAKER: The Butte delegation, to whom was referred Assembly Bill No. 538—An Act to prohibit the hunting or shooting of game within certain private grounds in the County of Butte—has been considered, and the delegation report the same back and recommend that it do pass.

DE HAVEN, for Delegation.

The rules were suspended and the bill above reported taken up.
Under a suspension of the rules, the bill was considered engrossed, read a third time and passed.

By Mr. Whiting.

Mr. SPEAKER: The Tuolumne, Mono and Inyo delegations, to whom was referred Senate Bills Nos 305 and 316, have had the same under consideration and find the same correct, and recommend their passage.

WHITING, for Delegations.

The rules were suspended, and Senate Bill No. 305, above reported, was taken up, read a third time and passed.

By Mr. Chalmers:

Mr. SPEAKER: The El Dorado delegation, to whom was referred Assembly Bill No. 535, have had the same under consideration, and report the same back and recommend its passage.

CHALMERS, for Delegation.

By Mr. Johnston:

Mr. SPEAKER: The Sacramento delegation, to whom was referred Assembly Bill No 387, report the same back without recommendation.

JOHNSTON, for Delegation.

By Mr. Caldwell:

Mr. SPEAKER: The Sonoma delegation, to whom was referred Assembly Bill No 525—An Act to change the name of Dunbar School District, Sonoma County—report the same back and recommend its passage.

CALDWELL, for Delegation.

By Mr. Wheaton:

Mr. SPEAKER: The San Francisco delegation herewith report Assembly Bill No 384—An Act to confirm Order Number One Thousand and Four, passed by the Board of Supervisors of the City and County of San Francisco—and recommend its passage.

Also, Assembly Bill No 443—An Act to remedy duplicate payments of taxes in the City and County of San Francisco, and recommend its passage.

Also, Assembly Bill No. 453—An Act granting certain privileges to the North Beach and Mission Railroad Company—with amendments, and recommend its passage as amended.

Also, Assembly Bill No. 459—An Act to transfer to the Board of Supervisors of the City and County of San Francisco the management, control, and direction of the affairs of the Industrial School Department of said city and county—with amendments, and recommend its passage as amended.

Also, Assembly Bill No 498—An Act concerning the appointment of an interpreter in and for the City and County of San Francisco—with a substitute, and recommend the passage of the substitute.

Also, Assembly Bill No 513—An Act to authorize the Mayor of the City and County of San Francisco to convey certain lands to the San Francisco Lying-in Hospital and Foundling Asylum—and recommend its passage.

Also, Assembly Bill No. 511—An Act supplementary to an Act entitled an Act to establish a Municipal Criminal Court in the City and County of San Francisco, approved March thirty-first, eighteen hundred and seventy—and recommend its passage.

Also, Assembly Bill No. 529—An Act amendatory of an Act entitled an Act to organize and regulate the Justices' Court of the City and County of San Francisco, with amendments—and recommend its passage as amended.

Also, Assembly Bill No. 376—An Act appropriating funds to enlarge the Home for the Care of the Inebriate, located in the City and County of San Francisco—with amendments, and recommend its passage as amended.

WHEATON, for Delegation.

MESSAGE FROM THE SENATE.

The following message was received from the Senate:

SENATE CHAMBER,
March 5th, 1872.

Mr. SPEAKER: I am directed to inform your honorable body that the Senate, on this fifth day of March, eighteen hundred and seventy-two, passed Senate Bill No. 351—An Act supplementary to an Act entitled an Act to authorize the Board of Supervisors of Mendocino County to issue bonds of said county, and apply the same to the construction of wagon roads in said county, approved February twentieth, eighteen hundred and seventy-two.

FERRAL, Secretary.

CONSIDERATION OF THE MESSAGE.

Senate Bill No. 351, above reported, read first and second times and referred to the Mendocino delegation.

INTRODUCTION OF BILLS.

Bills were introduced as follows:

By Mr. Hayes—An Act to amend section thirteen of an Act entitled an Act to regulate fees of office and salaries of certain officers, and to repeal certain other Acts in relation thereto, approved March fifth, eighteen hundred and seventy.

Read first and second times and placed on file.

By Mr. Wilcox—An Act authorizing the Board of Supervisors of Mariposa County to pay a certain claim.

Read first and second times and placed on file.

By Mr. Crane—An Act fixing the salaries of certain county officers of the County of Alameda, and providing for the payment thereof.

Read first and second times and referred to the Alameda delegation.

By Mr. Burckhalter—An Act for the relief of J. N. Walker, former Tax Collector of Fresno County.

Read first and second times and referred to the Committee on Claims.

By Mr. Walker—An Act to amend an Act entitled an Act to encourage the destruction of squirrels and gophers in certain counties of this State, and to provide for a bounty for the same.

Read first and second times and placed on file.

Also, an Act to amend an Act entitled an Act to amend an Act restricting the herding of sheep to certain pastures in the Counties of Sonoma and Marin, approved April twenty-first, eighteen hundred and fifty-seven, and the Act amendatory thereof, approved April twenty-

eighth, eighteen hundred and sixty, approved March fourteenth, eighteen hundred and seventy.

Read first and second times and placed on file.

By Mr. Splivalo—*An Act to amend an Act entitled an Act to establish* pilots and pilot regulations for the Ports of San Francisco, Mare Island, Vallejo, and Benicia, approved March twenty-second, eighteen hundred and seventy.

Read first and second times and referred to the Committee on Commerce and Navigation.

Also, an Act to appropriate money to the Roman Catholic Orphan Asylum of San Francisco, for the support of orphans

Read first and second times and referred to the Committee on Ways and Means.

By Mr. Woodward—An Act authorizing certain parties to take the surplus waters out of the Stanislaus River, at Six-Mile Creek Bar, in the County of Calaveras, for agricultural, irrigating, and manufacturing purposes.

Read first and second times and referred to the Committee on Internal Improvements.

GENERAL FILE.

Assembly Bill No 438—An Act to provide for the redemption of the bonded indebtedness of Calaveras County.

Considered in Committee of the Whole House, reported amendments adopted and further amended.

IN ASSEMBLY.

The committee rose and reported the bill, and recommended its passage as amended.

Reported amendments adopted, rules suspended, bill considered engrossed, read a third time and passed.

GENERAL FILE RESUMED.

Assembly Bill No 447.

The rules were suspended, and the following resolution was offered by Mr. Freeman:

Resolved, That the Engrossing Clerk be and is hereby authorized to strike out the word "until," in an amendment by the Judiciary Committee to Assembly Bill No. 447—An Act in relation to growing crops—making said amendment to section one of said Act read as follows: "and such lien shall continue thirty days after such crops have been harvested" And also to amend by adding to section one the following, after the word "harvested," on line six:

"*Provided*, that when a crop is planted upon land rented by the mortgagor, the owner or possessor of said land shall not be affected by such mortgage, but shall be entitled to the amount of his rent before said crops shall be removed from the land"

Adopted.

Senate Bill No. 207—An Act to amend an Act entitled an Act to abolish the office of Public Administrator in the Counties of Tuolumne and

Santa Barbara, approved April eighteenth, eighteen hundred and fifty-nine.

Taken from the file and referred to the Santa Barbara and Tuolumne delegations.

Senate Bill No. 144—An Act concerning the limitation of actions.

Read a third time and passed

Substitute for Assembly Bill No. 196—An Act to determine who must act as the Chief Justice of the Supreme Court.

Read a third time and passed.

Assembly Bill No. 316—An Act to amend an Act entitled an Act to regulate proceedings in criminal cases, passed May first, eighteen hundred and fifty-one.

Read a third time and passed.

Assembly Bill No. 295—An Act concerning the assessment of property in Tehama County.

Taken from the file, and, on motion of Mr. Luttrell, made the special order for the day on Monday, March eleventh, at twelve o'clock M.

SPECIAL ORDER.

At twelve o'clock M. the House took up the special order for the day.

Substitute for Assembly Bills Nos. 213 and 284—An Act to protect agriculture and to prevent the trespassing of animals upon private property.

Mr. Andrews moved to lay the bill on the table.

Lost.

Pending consideration of the bill, at one o'clock P. M. the House took a recess.

REASSEMBLED.

At one o'clock and forty-five minutes the House reassembled.

Speaker in the chair.

Roll called.

Quorum present.

SPECIAL ORDER RESUMED.

The House resumed consideration of the special order—Assembly Bill No. 284.

The substitute for the bill reported by the Committee on Agriculture was adopted and amended.

Rules suspended and bill considered engrossed.

On its passage, the ayes and noes were demanded by Messrs. Berry, Mathers, and Andrews, with the following result:

AYES—Messrs Aldrich, Bacon, Baird, Barker, Barklage, Barnes, Bell, Bradley, Bockius, Brown, Burckhalter, Caldwell, Center, Coleman, Connolly, Cooper, Crane, Dannals, Days, De Haven, Ellis, Everett, Franck, Freeman, Gibson, Goodall, Gray, Hayes, James, Lee, Long, Meeker, Mott of Los Angeles, Mott of Sacramento, McCullough, Pardee, Rice, Sargent of San Joaquin, Schrack, Seibe, Sensabaugh, Spencer, Stillwagon, Turner, Welty, Wheaton, Whiting, Whitney, Woodward, Wright, and Mr. Speaker—51.

NOES—Messrs. Andrews, Berry, Edgar, French, Harvey, Hopper, Johnston, Jost, Little, Lofton, Mathers, Sammons, Sargent of Santa Clara, Ward, and Wilcox—16.

The rules were suspended, and the following resolution was offered by Mr. Bacon:

Resolved, That the special committee to whom was referred the "Bank Commission Bill," be and they are hereby directed to report the same back to morrow, March seventh, eighteen hundred and seventy-two, to this House.

Adopted.

MESSAGE FROM THE SENATE.

The following message was received from the Senate:

SENATE CHAMBER,
March 6th, 1872.

Mr. SPEAKER: I am directed to inform your honorable body that the Senate, on the first day of March, eighteen hundred and seventy-two, passed Senate Bill No. 309—An Act to provide for the payment of deficiency in the State Prison appropriation for the twenty-third fiscal year, ending June thirtieth, eighteen hundred and seventy-two.

Also, on the same day, passed Senate Bill No 321—An Act to amend an Act entitled an Act to authorize the issuance of bonds by the County of San Luis Obispo to erect county buildings, and to provide a site for the same.

Also, on the same day, passed Senate Bill No. 271—An Act concerning roads in the County of Butte.

Also, on the same day, passed Senate Bill No. 275—An Act to add an additional section to the Penal Code.

Also, on the same day, passed Senate Bill No. 268—An Act to amend an Act entitled an Act to regulate proceedings in criminal cases.

Also, on the same day, passed Senate Bill No. 200—An Act concerning trespasses on lands in the Counties of Santa Barbara and San Luis Obispo

Also, on the same day, passed Senate Bill No. 185—An Act to amend an Act to provide for the management and sale of lands belonging to the State.

Also, on the same day, passed Senate Bill No. 75—An Act providing for the appointment of a Phonographic Reporter in the County of San Joaquin.

Also, on the same day, passed Senate Bill No 282—An Act to amend an Act entitled an Act to provide for the construction and maintenance of toll roads within the State of California

Also, on the same day, passed Senate Bill No. 317—An Act to amend an Act entitled an Act to incorporate the City of Gilroy.

Also, on the same day, passed Assembly Bill No. 448—An Act to provide for the liquidation and payment of the indebtedness of Yolo School District

Also, on the same day, passed Assembly Bill No. 244—An Act for the relief of James R. Travers.

FERRAL, Secretary.

CONSIDERATION OF SENATE MESSAGE.

Senate Bill No. 309, above reported, read first and second times and referred to the Committee on State Prison.

Senate Bill No. 321, above reported, read first and second times and referred to the Santa Barbara and San Luis Obispo delegation.

Senate Bill No. 271, above reported, read first and second times and referred to the Butte delegation.

Senate Bills Nos. 275, 268, and 75, above reported, severally read first and second times, and referred to the Judiciary Committee.

Senate Bill No. 185, above reported, read first and second times and referred to the Committee on Swamp and Overflowed Lands.

Senate Bill No. 200, above reported, read first and second times and referred to the Committee on Agriculture

Senate Bill No. 317, above reported, read first and second times and referred to the Santa Clara delegation.

MESSAGE FROM THE SENATE.

The following message was received from the Senate:

SENATE CHAMBER,
March 6th, 1872.

Mr. SPEAKER: I am directed to inform your honorable body that the Senate, on the sixth day of March, passed, under suspension of the rules, Senate Bill No. 363—An Act to establish a Code of Civil Procedure—and ordered the same transmitted to the Assembly without engrossment.

FERRAL, Secretary.

CONSIDERATION OF SENATE MESSAGE.

Senate Bill No. 363, above reported read first and second times and ordered placed at the head of the file for to-morrow.

The rules were suspended, and Mr. French made the following

REPORT.

To the Honorable the Assembly of the State of California:

The Joint Committee on Revision, appointed by the Legislature to examine the Code of Civil Procedure, Civil, and Penal Codes, beg leave to make the following report.

Your committee have carefully examined the bill for a Code of Civil Procedure, prepared by the Revision Commission, and approved by Messrs Tuttle and Johnson, the Advisory Board. This Code embodies, in a volume, the laws of this State relative to civil procedure.

It bears every evidence of having been prepared with the greatest care. The matter is arranged in a convenient form, easy of reference.

The only material departure from our present law is in relation to the preparation of cases for appeal or for hearing on motion for a new trial. For the cumbersome system of statements and counter-statements, a system founded upon bills of exception has been adopted. The system adopted is contained in a few well drawn sections, which stand out in marked and favorable contrast to the present law. Indeed, your committee feel confident that there is not a lawyer who has had any experience in the practice but will say that this change alone, introducing certainty where all is uncertainty, is worth the whole cost of revision.

After a careful examination, we give to this Code an unqualified approval and indorsement, and herewith report it to the Legislature and recommend its adoption.

FRENCH, Chairman,
SPENCER,
Assembly Committee.
PENDEGAST, Chairman,
FARLEY,
COMTE,
VAN NESS,
Senate Committee.

RESOLUTIONS.

The rules were suspended, and the following resolutions offered:

By Mr. Pardee:

Resolved, That the order for the appointment of a special committee to investigate the affairs of the California Labor Exchange be and the same is hereby rescinded.

Mr. Wheaton offered the following substitute:

Resolved, That the committee appointed to investigate in relation to the Labor Exchange of San Francisco be and they are hereby instructed to notify the Trustees of said Labor Exchange that said committee will hear any testimony they may have to adduce, if presented to said committee in this city, and that the investigation be had in this city without any expense to the State.

Mr. Spencer moved the previous question, and it was ordered.

On adopting the substitute, the ayes and noes were demanded by Messrs. Splivalo, McCullough, and Goodall, with the following result:

AYES—Messrs. Aldrich, Barker, Barklage, Brown, Crane, Days, Ellis, Everett, Goodall, James, Meeker, McCullough, Sargent of Santa Clara, Splivalo, Wheaton, and Mr. Speaker—16.

NOES—Messrs. Andrews, Bacon, Baird, Barnes, Bayley, Bell, Berry, Bradley, Bockius, Burckhalter, Caldwell, Center, Coleman, Connolly, Dannals, De Haven, Edgar, Franck, Freeman, French, Galloway, Gibson, Gray, Harvey, Hayes, Hopper, Jost, Lee, Little, Lotton, Long, Mathews, Mott of Los Angeles, Mott of Sacramento, Pardee, Rector, Rice, Sammons, Sargent of San Joaquin, Schrack, Seibe, Spencer, Timmin, Turner, Walker, Ward, Welty, Whiting, Whitney, Wilcox, Woodward, and Wright—52.

On the adoption of the resolution offered by Mr. Pardee, the ayes and noes were demanded by Messrs. Splivalo, James, and McCullough, and it was adopted by the following vote:

AYES—Messrs. Andrews, Bacon, Baird, Barnes, Bayley, Bell, Berry, Bradley, Bockius, Brown, Burckhalter, Caldwell, Center, Coleman, Connolly, Cooper, Dannals, De Haven, Edgar, Ellis, Franck, Freeman, French,

Galloway, Gibson, Hayes, Hopper, Jost, Lee, Little, Lofton, Long, Mathers, Mott of Los Angeles, Mott of Sacramento, Pardee, Rice, Sammons, Sargent of Santa Clara, Schrack, Sensabaugh, Spencer, Tinnin, Turner, Walker, Ward, Welty, Whiting, Whitney, Wilcox, Woodward, and Wright—52.

NOES—Messrs Aldrich, Barker, Barklage, Crane, Days, Everett, Goodall, Gray, Harvey, James, Meeker, McCullough, Rector, Sargent of San Joaquin, Seibe, Splivalo, Wheaton, and Mr. Speaker—18.

GENERAL FILE RESUMED.

Senate Bill No. 73—An Act fixing the compensation of Sheriffs of the several counties of this State in certain cases.

The House refused to pass the bill.

Senate Bill No. 235—An Act to amend an Act entitled an Act relating to criminal prosecutions.

Read a third time and passed.

Senate Bill No. 80—An Act to fix the salary of the Superintendent of Public Schools in Monterey County.

Read a third time and passed.

Senate Bill No 215—An Act to amend an Act entitled an Act concerning forcible entries and unlawful detainers, and to repeal all other Acts upon the same subject, approved April twenty-seventh, eighteen hundred and sixty-three.

Read a third time and passed.

Senate Bill No. 315—An Act supplementary to an Act entitled an Act to define and establish the boundary line between the Counties of Inyo and Mono, approved March twenty-eighth, eighteen hundred and seventy.

Read a third time and passed.

Senate Bill No. 341—An Act to regulate the fees of the Sheriff of the County of Santa Cruz.

Read a third time and passed.

Senate Bill No. 201—An Act to provide for the payment of certain coupons upon bonds of the State of California that have been lost.

Considered in the Committee of the Whole House.

IN ASSEMBLY.

Reported and recommended, rules suspended, bill considered engrossed, read a third time and passed

GENERAL FILE RESUMED.

Mr. Sargent of Santa Clara had leave to withdraw Assembly Bill No. 446—An Act for the relief of R. H. McElroy.

Assembly Bill No 468—An Act to provide funds for the School Department of the City of Oakland.

Rules suspended, bill considered engrossed, read a third time and passed.

Assembly Bill No. 385—An Act to authorize the Board of State Harbor Commissioners to set apart a portion of the water front of the City and County of San Francisco for certain purposes.

The reported amendment adopted, rules suspended, bill considered engrossed, read a third time and passed.

Assembly Bill No. 450—An Act to provide for the purchase of

stationery, blank books, light, fuel, furniture, etc., for the State officers and members of the Legislature.

Reported amendments adopted, and the bill further amended.

On ordering the bill engrossed, the ayes and noes were demanded by Messrs. Harvey, Berry, and Andrews, with the following result:

AYES—Messrs Aldrich, Andrews, Barker, Barklage, Barnes, Bayley, Bell, Berry, Bradley, Bockius, Center, Coleman, Connolly, Crane, Days, Edgar, Ellis, Everett, Franck, French, Galloway, Gibson, Goodall, Gray, Harvey, Hayes, Johnston, Lee, Lofton, Meeker, Mott of Sacramento, Rector, Rice, Sammons, Sargent of San Joaquin, Schrack, Seibe, Spencer, Tinnin, Turner, Ward, Welty, Wheaton, Whitney, Woodward, and Mr. Speaker—46.

NOES—Messrs. Baird, Brown, Burckhalter, Cooper, Dannals, Freeman, Hopper, James, Jost, Little, Mott of Los Angeles, McCullough, Pardee, Sargent of Santa Clara, Sensabaugh, Sphvalo, Stillwagon, Walker, Whiting, Wilcox, and Wright—21.

The rules were suspended and Mr. Welty offered a resolution relative to a certain newspaper account.

Referred to the Committee on Accounts and Expenditures.

CONSTITUTIONAL AMENDMENTS.

The rules were again suspended, and the following bills were introduced by Mr. Meeker:

Proposed amendment to Article Eleven, section thirteen, of the Constitution.

Also, proposed amendment to Article Two, section seven, of the Constitution.

Severally read first and second times and placed on file.

RESOLUTIONS.

The rules were suspended and the following resolutions were offered:

By Mr. Freeman:

Resolved, That the Woman Suffrage Association have the use of the Assembly Chamber, Wednesday evening, March thirteenth, for the purpose of delivering a lecture to the members of the Legislature.

Adopted.

By Mr. Sargent of San Joaquin:

A concurrent resolution asking the Governor to return Assembly Bill No. 73.

Adopted.

By Mr. Hayes:

A resolution authorizing the Engrossing Clerk to insert an enacting clause in Assembly Bill No. 520.

Adopted.

MESSAGE FROM THE GOVERNOR.

The following message was received from the Governor:

STATE OF CALIFORNIA, EXECUTIVE DEPARTMENT,
Sacramento, March 6th, 1872.

To the Assembly of the State of California:

I have to inform your honorable body that I have approved Assembly Bill No. 286—An Act supplemental to and amendatory of an Act entitled an Act to incorporate the Town of Chico, Butte County, California, approved January eighth, eighteen hundred and seventy-two.

Also, Assembly Bill No 451—An Act to amend an Act entitled an Act concerning roads and highways in the County of Alameda. approved March twenty fourth. eighteen hundred and sixty-two.

Also, Assembly Bill No 186—An Act amendatory of and supplementary to an Act approved April twenty fifth, eighteen hundred and sixty-three, entitled an Act to incorporate the City of Sacramento.

Also, Assembly Bill No. 406—An Act to authorize the County of Sacramento to issue bonds.

Also, Assembly Bill No 401—An Act relative to certain county warrants in the Treasury of the County of Sacramento.

NEWTON BOOTH, Governor.

MESSAGE FROM THE SENATE.

The following message was received from the Senate:

SENATE CHAMBER,
March 6th, 1872.

Mr. SPEAKER: I am directed to inform your honorable body that the Senate, on the sixth day of March, refused to concur in Assembly amendments to Assembly Bill No 11—An Act to amend an Act entitled an Act to consolidate certain school districts of the Counties of El Dorado and Sacramento.

Also, on the same day, adopted report of committee of conference on Assembly Bill No. 277—An Act to prevent hunting and shooting on private grounds.

Also, on the same day, amended and passed Assembly Bill No. 33—An Act to amend an Act to provide for the protection of certain lands in the County of Sutter from overflow.

FERRAL, Secretary.

CONSIDERATION OF THE MESSAGE.

The House concurred in Senate amendment to Assembly Bill No. 33, above reported.

Assembly Bill No. 11, above reported, with non-concurrence of Senate in certain amendments, referred to delegations from Sacramento and El Dorado.

GENERAL FILE RESUMED.

Assembly Bill No. 487—An Act to provide for the payment of deficiencies in the Department of Superintendent of Public Instruction.

Considered in Committee of the Whole House.

IN ASSEMBLY.

Reported and passage recommended.

Rules suspended, bill considered engrossed, read a third time and passed.

GENERAL FILE RESUMED.

Assembly Bill No. 333.

Passed on file.

Assembly Bill No. 516.

Passed on file.

Assembly Bill No. 179.

Passed on file.

Assembly Bill No. 490.

Taken from the file and referred to the Santa Clara delegation.

Assembly Bill No. 429—An Act in relation to the residence of the Judges of the Supreme Court.

Rules suspended, bill considered engrossed, read a third time and passed.

Assembly Bill No. 509—An Act supplementary to an Act entitled an Act to regulate the settlement of the estates of deceased persons, passed May first, eighteen hundred and fifty-one

Rules suspended, bill considered engrossed, read a third time and passed.

Assembly Bill No. 389—An Act to prohibit the carrying of concealed weapons.

The rules were suspended, and the bill considered engrossed; and, on its passage, the ayes and noes were demanded by Messrs. Little, Whiting, and Cooper, with the following result:

AYES—Messrs. Andrews, Barker, Barklage, Barnes, Bayley, Bell, Berry, Bradley, Bockius, Chalmers, Crane, Days, De Haven, Edgar, Ellis, Everett, Franck, Freeman, French, Gray, Harvey, Hayes, Hopper, Johnston, Lee, Meeker, Mott of Los Angeles, Mott of Sacramento, McCullough, Rice, Sammons, Sargent of Santa Clara, Sargent of San Joaquin, Seibe, Spencer, Stillwagon, Turner, Welty, Wheaton, Whitney, Woodward, Wright, and Mr. Speaker—43.

NOES—Messrs. Aldrich, Bacon, Baird, Caldwell, Center, Coleman, Connolly, Cooper, Dannals, Galloway, Gibson, James, Jost, Little, Long, Mathers, Pardee, Rector, Schrack, Sensabaugh, Sphvalo, Timmin, Walker, Ward, Whiting, and Wilcox—26.

Assembly Bill No. 493—An Act in relation to interpreters before Grand Juries.

Ordered engrossed.

Assembly Bill No. 433—An Act in relation to homesteads.

Ordered engrossed.

Mr. Barker gave notice of a motion to reconsider the vote whereby the House refused to pass Senate Bill No. 73.

There being no further business, on motion of Mr. James, at five o'clock P. M. the House adjourned.

T. B. SHANNON,
Speaker.

GEO. W. DIXON, Assistant Clerk.

IN ASSEMBLY.

HOUSE OF ASSEMBLY,
Thursday, March 7th, 1872.

House met pursuant to adjournment.
Speaker in the chair.
Roll called.
Quorum present.
Prayer by the Chaplain.
Journal of yesterday read and approved.

PETITIONS.

Petitions were presented as follows:

By Mr. Meeker—From Reverend Peter Birmingham, President of the San Rafael Orphan Asylum, asking for an appropriation of money for the support of that institution.

Referred to the Committee on Ways and Means.

Also, by the same—Two petitions from citizens at large in favor of the political enfranchisement of women.

By Mr. Dannals—A petition of similar import to the foregoing.

Severally referred to the special committee on that subject.

By Mr. Barnes—From residents in Susanville, Lassen County, for the passage of an Act to prevent hogs from running at large in that town.

Referred to the Committee on Agriculture.

REPORTS OF STANDING COMMITTEES.

Reports from standing committees were made as follows:

By Mr. Harvey:

Mr. SPEAKER: The Committee on Swamp and Overflowed Lands, to whom was referred Assembly Bill No 226—An Act to regulate and prevent the damming up or obstructing the natural outlets, inlets, sloughs, and bayous of the Sacramento and Feather Rivers—have had the same under consideration, report the same back, and recommend that it do not pass

Also, have had under consideration Assembly Bill No. 436—An Act to provide for the payment of certain Controller's warrants drawn upon the State Treasury—report the same back and recommend its passage.

HARVEY, Chairman.

By Mr. Days:

Mr. SPEAKER: Your Committee on Public Lands, to whom was referred Assembly Bill No. 455—An Act reserving all lands within the State belonging to the State of California for sale to actual settlers only.

Also, Assembly Bill No. 456—An Act calling in the deferred payments and moneys due upon lands heretofore applied for or purchased from the State of California on credit.

Also, Senate substitute for Assembly Bill No. 239—An Act for the relief of purchasers of State lands.

Have had the same under consideration, report them back, and recommend their passage.

DAYS, Chairman.

By Mr. De Haven:

Mr. SPEAKER: The Committee on Mileage, to whom was referred Assembly Bill No. 480—An Act to amend an Act entitled an Act defining the legal distance from each county seat to the Capitol, Lunatic Asylum, and State Prison, approved April twenty-fourth, eighteen hundred and fifty-eight—have considered the same, and report back, recommending its passage.

DE HAVEN, Chairman.

By Mr. Edgar:

Mr. SPEAKER: Your Committee on Roads and Highways, to whom was referred Senate Bill No. 282, have considered the same, beg leave to report it back, and recommend its passage.

EDGAR, Chairman.

By Mr. Spencer:

Mr. SPEAKER: The Committee on Judiciary having considered Senate Bill No. 265—An Act supplemental to an Act entitled an Act defining the time for commencing civil actions, passed April twenty second, eighteen hundred and fifty-six—report it back and recommend its passage.

Also, Assembly Bill No. 531—An Act in relation to the estate of William Hughes, deceased—report it back and recommend that it do not pass.

Also, Assembly Bill No 526—An Act in relation to moneys belonging to the State derived from taxes assessed on mortgages—report it back and recommend that it do not pass

Also, Assembly Bill No. 530—An Act supplementary to an Act entitled an Act for the relief of insolvent debtors and protection of creditors, approved March fourth, eighteen hundred and fifty-two—report it back and recommend that it do not pass.

Also, Assembly Bill No 512—An Act amendatory of and supplementary to an Act entitled an Act to regulate and license places of public amusement, approved April thirteenth, eighteen hundred and sixty-three—report it back with a substitute and recommend passage of substitute.

Also, Senate Bill No. 47—An Act to amend an Act entitled an Act to provide for the management and sale of the lands belonging to the State, approved March twenty-eighth, eighteen hundred and sixty-eight—report it back and recommend its passage as amended by the House, with the exception of the amendments exempting Sutter County

from the provisions of the bill and providing that the Act shall take effect immediately, and as to these amendments, the committee recommend that the House recede therefrom

Also, Assembly Bill No 344—An Act regulating the rights of property of married women—report it back with a substitute, and recommend the passage of substitute.

Also, Senate Bill No 196—An Act to amend an Act entitled an Act to provide revenue for the support of the government of this State, passed May seventeenth, eighteen hundred and sixty-one—report it back and recommend its passage.

Also, Senate Bill No 310—An Act concerning service of summons upon absent defendants by publication—report it back and recommend its passage.

SPENCER, Chairman.

By Mr. Franck:

Mr. SPEAKER: The Committee on Public Morals, to whom was referred Assembly Bill No. 497—An Act to add an additional section to the Penal Code—report it back, and the majority recommend its passage.

FRANCK, Chairman.

By Mr. Gray:

Mr. SPEAKER: Your Committee on Corporations, to whom was referred Assembly Bill No 494—An Act to authorize Geo. W Chesley, his associates and assigns, to lay down gas pipes in the City of Sacramento—report the same back and recommend its passage.

GRAY, Chairman.

Mr. Hopper made the following majority report from the Committee on Mines and Mining Interests:

Mr. SPEAKER: The Committee on Mines and Mining Interests have had under consideration Assembly Bill No. 478—An Act to provide for the establishment of a Cabinet Department in the State Library—report the same back and recommend its passage.

HOPPER,
WHITING,
CENTER,
BROWN,
BAYLEY,
WILCOX.

By Mr. Galloway:

Mr. SPEAKER: The Committee on Public Expenditures and Accounts beg leave to report that they have examined the following bill, found it correct, and recommend that it be paid:

A. J. Rhoads, for carrying mail from February 4th to March 4th, $75.

Also, the following resolution:

Resolved, That the Controller be and is hereby authorized and directed to draw his warrant in favor of A. J. Rhoads for the above amount, and

that the Treasurer be directed to pay the same out of the Contingent Fund of the Assembly.

Adopted.
By Mr. Pardee:

Mr. SPEAKER: The Committee on Public Buildings and Grounds, who were directed to investigate the affairs of the Institution for the Deaf, and Dumb, and Blind, in Alameda County, beg leave to make the following report:

The committee met in the City of Oakland, February twenty-third, eighteen hundred and seventy-two, for the purpose of investigating the affairs of the institution, and called before them J. Mora Moss, Esq., President of the Board of Directors, Colonel J. C. Hays, also a member of the Board; Warren Wilkenson, Principal of the Institution, Colonel Harry Linden, the Treasurer of the Board, who produced the books of his office with the accompanying vouchers, and M. J. Finnegan, who had been employed to do painting for the institution.

The committee visited the grounds and buildings, which are located about five miles north of Oakland. They found the affairs of the institution in the most perfect order, and the books and accounts of the Principal correct and well kept.

The building is large and well adapted for the purposes for which it was intended, the interior arrangements being such as to accommodate to the best advantage the pupils as well as the employés.

The building is of blue stone, taken from a quarry in the immediate vicinity, and seems to be of a substantial character and complete in its various appointments. The design, as well as the plans and specifications, were furnished by Messrs. Wright and Saunders, the well known architects, under whose immediate supervision the work was done. The contract for the stone work of the building was awarded to Joseph S. Emery, for the sum of sixty thousand dollars, and was to have been built of common rubble stone. This was afterwards changed, for reasons that seemed good to the Commissioners who had the work in charge, to the blue stone, of which the building is constructed. The carpenter work, painting, plumbing, and in fact all other portions of the buildings, was done by John J. Meeredy under contract, amounting to sixty thousand eight hundred dollars.

So far as your committee are able to judge, the contractors carried out and performed their agreement with the Board of Commissioners. Although from a variety of causes, such as changes made by the architects under the direction of the Building Committee, as well as the damage done to the building by the severe earthquake three years ago, when the building was nearly completed, they, the contractors, suffered great loss thereby, and are entitled to such relief as may be found equitable and just upon a proper investigation

The lands upon which the institution is located consists of one hundred and thirty acres, fifty acres of which is under cultivation, and produces a large proportion of the vegetables consumed by the inmates of the institution, the balance of the tract of land is used as a pasture for the stock belonging to the institution. The whole tract is inclosed by a good and substantial fence.

An orchard has been planted and a large number of forest trees have

been set out, so that in a few years, what is now almost a naked plain, will be covered with a growth of timber, that will add materially to the beauty as well as to the value of the property.

The report of the Commissioners who had the purchase of the land and the erection of the buildings in charge shows the entire cost of the whole property to have been one hundred and fifty-eight thousand and ninety-eight dollars and thirty cents, or one hundred and twenty-four thousand dollars over and above the amount received for the old buildings and grounds in San Francisco, where the institution was formerly located.

The Legislature of eighteen hundred and sixty-nine and eighteen hundred and seventy made a special appropriation of twenty nine thousand five hundred dollars, for the following purposes, to wit: To pay M. Heverin, for mantels, one thousand two hundred dollars, J K Pryor, for heating apparatus, four thousand dollars, McNally & Hawkins, for water pipes, etc , one thousand two hundred dollars; for gas works, one thousand dollars, stable and outbuilding, one thousand six hundred dollars; for fencing, three thousand dollars, for furniture, five thousand dollars, and to the Bank of British North America, money borrowed to repair damages done by earthquake, nine thousand dollars These amounts were for labor and materials furnished outside of the contracts with Emery and Meeredy By adding the sum of twenty-nine thousand five hundred dollars to the amount reported by the Building Commissioners, we find that the entire cost of the grounds, institution, and outhouses to be one hundred and eighty-seven thousand and ninety eight dollars and thirty cents

There are no claims against the property other than those made by Emery and Meeredy, for losses sustained in the construction of the building, and should these claims be allowed for the full amounts, the cost of the grounds and buildings would still be much less than the value placed upon them by the Commissioners who had charge of and completed the work.

The appropriation of two years ago, of two thousand five hundred dollars per month, we are informed will not be sufficient for the support of the Institution in the future, for the reason that the number of pupils has been considerably increased, and we are informed that for the ensuing two years the sum of seventy-two thousand dollars, or three thousand dollars per month, will be required to properly carry out the object of the Institution.

The committee have examined the books of the Treasurer and find that the following amounts have been received by him: From the State of California, including the special appropriation of twenty-nine thousand five hundred dollars, ninety nine thousand eight hundred and seventy-four dollars and seventy-eight cents, from the Principal of the Institution, the sum of three thousand eight hundred and thirty-six dollars and five cents, making a total of one hundred and three thousand seven hundred and eleven dollars and three cents And from the books and vouchers exhibited by the Treasurer it is shown that the disbursements have amounted to one hundred and three thousand three hundred and sixty-four dollars and ninety-seven cents, leaving a balance on hand January twenty-ninth, eighteen hundred and seventy two, of three hundred and forty-six dollars and forty six cents to the credit of the Institution.

The committee would further report that the Board of Directors adopted plans for the improvement of the grounds immediately adjoin-

ing the buildings, prepared by John D. Hoffmann, a civil engineer. These plans have not as yet been fully carried out, but during the past year work to the amount of two thousand and forty-eight dollars and eighty cents has been done in making roads and terraces in front of the building. This last amount, as well as a sufficient amount to complete the plans, has been provided for by the present Legislature.

In addition to the main building, there has been erected on the grounds of the Institution a large and commodious workshop, in which such pupils as are capable are taught shoemaking and cabinet work. This not only teaches them a useful trade, by which they can earn a living after leaving the Institution, but is at the same time a source of considerable revenue to the State.

There is in contemplation the introduction of other branches of industry which will further advance the interests of the pupils and contribute to the support of the Institution.

The laundry lately constructed is complete in all particulars as well as a great convenience and an improvement much needed. The same can be said of the barn and other out-buildings. All these improvements are of a substantial character, and tend to make the Institution for the Deaf and Dumb, and the Blind, one of the most complete Institutions of the State of California

The inmates of the Institution now number one hundred and three, an increase of seven the past fiscal year. that being the cause of the necessity of increased appropriations to defray its future expenses.

PARDEE, Chairman.

By Mr Gibson:

Mr. SPEAKER: Your Committee on Enrollment beg leave to report that they have examined and find correctly enrolled Assembly Bill No 448—An Act to provide for the liquidation and payment of the indebtedness of Yolo School District. in the County of Yolo.

Also, Assembly Bill No. 244—An Act for the relief of James R. Travers.

And that the same have, this seventh day of March, eighteen hundred and seventy-two, at twenty minutes past eleven o'clock, been transmitted to the Governor for his approval.

GIBSON, Chairman.

By Mr. Pardee:

Mr. SPEAKER. The Committee on Public Buildings and Grounds, to whom was referred the substitute for Assembly Bill No 134, have had the same under consideration, and have agreed to report it back and recommend that it do pass.

PARDEE, Chairman.

REPORTS OF SPECIAL COMMITTEES.

Reports from special committees were made as follows:

By Mr. Mathers:

Mr. SPEAKER. Your committee to whom was referred Senate Bill No. 351—An Act supplementary to an Act entitled an Act to authorize the Board of Supervisors of Mendocino County to issue bonds of said county and apply the same to the construction of wagon roads in said

county, approved February twentieth, eighteen hundred and seventy-two—have had the same under consideration, and beg leave to report the same back and recommend its passage.

MATHERS, for Delegation.

The rules were suspended, the bill above reported taken up, read a third time and passed.

By Mr. Whiting:

Mr. SPEAKER: The Tuolumne and Santa Barbara delegations, to whom was referred Senate Bill No. 207, have had the same under consideration, find it correct, and recommend its passage.

WHITING, for Delegation.

By Mr. Crane:

Mr. SPEAKER: The Alameda delegation, to whom was referred Assembly Bill No. 543, report the same back and recommend its passage.

CRANE, for Delegation.

The rules were suspended and the bill above reported was considered. The rules were again suspended, bill considered engrossed, read a third time and passed.

By Mr. De Haven:

Mr. SPEAKER: The Butte delegation, to whom was referred Senate Bill No. 271—An Act concerning roads in the County of Butte—have had the same under consideration, and report it back, recommending its passage.

DE HAVEN, Chairman.

On motion of Mr. Turner, the rules were suspended, and the bill above reported taken up, read a third time and passed.

MOTIONS AND RESOLUTIONS.

Resolutions were offered as follows:

By Mr. Barnes:

Resolved, That the Engrossing Clerk be and is hereby authorized to insert the enacting clause in Assembly Bill No. 364.

Adopted.

By Mr. Lee (by request).

Resolved, That the committee to whom was referred Assembly Bill No. 263—An Act to authorize the City and County of San Francisco to supply said city with pure fresh water for its use and for the use of the

inhabitants thereof—be and are hereby directed to report the same back to the House on Tuesday, March twelfth.

Adopted.
By Mr. Mott of Los Angeles:

Resolved by the Assembly, the Senate concurring, That the State Printer be and he is hereby required to print in Spanish five hundred copies each of the Inaugural Address of Governor Booth and the Second Biennial Message of Governor H. H. Haight, already translated into Spanish by the State Translator, and the same be distributed pro rata by the Sergeants at Arms of both Houses of the Legislature amongst its members.

Adopted.

MESSAGE FROM THE GOVERNOR.

The following message was received from the Governor:

STATE OF CALIFORNIA, EXECUTIVE DEPARTMENT,
Sacramento, March 7th, 1872.

To the Assembly of the State of California:

I have to inform your honorable body that I have approved Assembly Bill No. 420—An Act concerning the salary of the County Assessor of Butte County.

Also, Assembly Bill No. 321—An Act to reincorporate the Town of Santa Clara.

NEWTON BOOTH, Governor.

INTRODUCTION OF BILLS.

Bills were introduced as follows:

By Mr. James—An Act for the regulation of sailor boarding houses and shipping offices in the City and County of San Francisco.

Read first and second times and referred to the San Francisco delegation.

By Mr Sensabaugh—An Act to prevent hogs from running at large in the Town of Susanville.

Read first and second times and placed on file.

By Mr. Galloway—An Act to properly define the boundaries of the Town of Antioch, and extend the same.

Read first and second times and placed on file.

By Mr. De Haven—An Act concerning estrays in the County of Butte.

Read first and second times and referred to the Butte delegation.

By Mr. Seibe—An Act to amend an Act entitled an Act concerning Courts of justice of this State and judicial officers, approved April twentieth, eighteen hundred and sixty-three.

Read first and second times and referred to the Judiciary Committee.

By Mr. Woodward—An Act to regulate the salaries and fix the compensation of the county officers of San Joaquin County.

Read first and second times and referred to the San Joaquin delegation.

By Mr. Walker—An Act to better define the boundary line between Fresno and Mariposa Counties.

Read first and second times and referred to the delegations from said counties.

GENERAL FILE.

Senate Bill No 363—An Act to establish a Code of Civil Procedure.

Mr. Sphvalo offered the following: amend section two as follows:

"This Code takes effect at twelve o'clock noon, on the first day of January, A. D. eighteen hundred and seventy-four."

On the adoption of the amendment, the ayes and noes were demanded by Messrs. Sphvalo, James, and Gray, and it was lost by the following vote.

AYES—Messrs. Bell, Brown, Gray, James, Jost, Reed, Sargent of San Joaquin, Seibe, Sphvalo, and Mr. Speaker—10.

NOES—Messrs. Aldrich, Andrews, Bacon, Baird, Barker, Barklage, Barnes, Bayley, Berry, Bockius, Burckhalter, Caldwell, Center, Chalmers, Coleman, Connolly, Crane, Dannals, Days, De Haven, Eagan, Edgar, Ellis, Everett, Franck, Freeman, French, Harvey, Hayes, Hopper, Lee, Little, Lofton, Long, Luttrell, Mathers, Meeker, Mott of Los Angeles, Mott of Sacramento, McCullough, Pardee, Rector, Rice, Russ, Sammons, Sargent of Santa Clara, Schrack, Sensabaugh, Slaughter, Spencer, Stillwagon, Tinnin, Turner, Walker, Ward, Welty, Wheaton, Whiting, Whitney, Wilcox, and Woodward—62.

The bill was then read a third time and passed, and by unanimous consent ordered transmitted forthwith to the Senate.

Mr. Sphvalo had leave to be recorded as voting against the passage of the bill

Assembly Bill No. 434—An Act to provide for finishing and furnishing the State Normal School building and paying the indebtedness incurred in the construction thereof.

The bill was considered in Committee of the Whole and amended.

IN ASSEMBLY.

The committee rose and reported the bill back, recommening its passage as amended.

The reported amendments were adopted.

Mr Berry moved to strike out section twenty of the bill.

The ayes and noes were demanded by Messrs Berry, Andrews, and Whiting, and the motion was lost by the following vote:

AYES—Messrs. Andrews, Bayley, Berry, Burckhalter, Caldwell, Connolly, Cooper, Eagan, Little, Mott of Los Angeles, Rector, Sensabaugh, Slaughter, Tinnin, and Whiting—15.

NOES—Messrs. Aldrich, Bacon, Baird, Barker, Barklage, Barnes, Bradley, Bockius, Brown, Center, Chalmers, Coleman, Crane, Dannals, Days, De Haven, Edgar, Everett, Franck, Freeman, French, Galloway, Gibson, Goodall, Gray, Harvey, Hayes, Hopper, James, Johnston, Jost, Lee, Lofton, Long, Meeker, Mott of Sacramento, McCullough, Pardee,

Reed, Rice, Russ, Sammons, Sargent of Santa Clara, Sargent of San Joaquin, Scibe, Spencer, Splivalo, Stillwagon, Turner, Welty, Wheaton, Whitney, Woodward, Wright, and Mr. Speaker—55.

The rules were suspended, and the bill considered engrossed, and on its passage the ayes and noes were demanded by Messrs. Berry, Slaughter, and Andrews, and it passed by the following vote:

AYES—Messrs Aldrich, Bacon, Baird, Barker, Barklage, Barnes, Bradley, Bockius, Brown, Burckhalter, Chalmers, Coleman, Connolly, Cooper, Crane, Dannals, Days De Haven, Eagan, Edgar, Ellis, Everett, Franck, Freeman, French, Galloway, Gibson, Goodall, Gray, Harvey, Hayes, Hopper, James, Johnston, Jost, Lee, Little, Lofton, Long, Meeker, Mott of Los Angeles, Mott of Sacramento, McCullough, Pardee, Reed, Rice, Russ, Sammons, Sargent of Santa Clara, Sargent of San Joaquin, Scibe, Slaughter, Spencer, Splivalo, Stillwagon, Turner, Welty, Wheaton, Whitney, Woodward, and Mr Speaker—61.

NOES—Messrs. Andrews, Bayley, Berry, Center, Tinnin, and Whiting—6.

At one o'clock and five minutes the House took a recess.

REASSEMBLED.

The House again convened at one o'clock and fifty-five minutes P. M.
The Speaker in the chair.
The roll was called and no quorum of the House responded.
Mr. McCullough moved a call of the House, and it was ordered.
On again calling the roll a quorum was present and further proceedings under the call was dispensed with.

REPORTS.

Reports were made as follows:

By Mr. Wright:

Mr. SPEAKER: The Committee on Education, to whom was recommitted Assembly Bill No 432—An Act amendatory of and supplementary of an Act to amend an Act to provide for a system of common schools, approved April fourth, eighteen hundred and seventy—herewith report the same back with substitute for said bill, and recommend the passage of the substitute.

WRIGHT, Chairman.

By Mr. Splivalo:

Mr. SPEAKER: Your special committee to whom was referred Assembly Bill No. 187—An Act creating the office of Bank Commissioner and other matters relating thereto—have had the same under consideration and report it back with a substitute, and the majority of said special committee recommend the passage of the substitute.

SPLIVALO, Chairman.

On motion of Mr. Aldrich, the bill above reported was ordered placed on the file for Wednesday next.

By Mr. Wheaton:

Mr. SPEAKER: The San Francisco delegation having had under consideration Assembly Bill No. 228—An Act to provide a remedy in certain cases—report the same back with a substitute, and recommend the passage of the substitute.

WHEATON, Chairman.

Mr. Jost also made a minority report on the bill above reported.

By Mr. Stillwagon:

Mr. SPEAKER: The Napa delegation, to whom was referred Assembly Bill No 517, have the honor to return the same, and respectfully request its passage.

Also, Senate Bill No. 69—An Act entitled an Act concerning estrays in the County of Napa—have the honor to return the same, and recommend its passage with the following amendment:

Amend in section one, line two, so as to read "Counties of Napa and Solano."

STILLWAGON, for Delegation.

PETITIONS.

Mr. McCullough presented a petition from Gordon P. Cumming, late architect of the State Capitol, asking reimbursment of expenses incurred by him in the service of the State.

Referred to the Committee on Claims.

LEAVE OF ABSENCE

On motion of Mr. Pardee, the Committee on Public Buildings and Grounds, was granted leave of absence for two days.

GENERAL FILE RESUMED.

Assembly Bill No. 424—An Act to prevent animals from running at large in certain portions of Contra Costa County.

Referred to Contra Costa delegation with special instructions.

Assembly Bill No 429—An Act to authorize the Board of Supervisors of Merced County to levy a special tax for the purpose of constructing a bridge across the Merced River.

Read a third time and passed.

Assembly Bill No. 458—An Act to amend an Act entitled an Act concerning roads and highways in the County of Santa Clara, approved March thirty-first, eighteen hundred and sixty-six, and to repeal an Act entitled an Act to amend an Act entitled an Act concerning roads and highways in the County of Santa Clara, approved March thirty-first, eighteen hundred and sixty-six, approved March fourteenth, eighteen hundred and sixty-eight.

Read a third time and passed

Assembly Bill No. 472—An Act in relation to certain officers in Tehama County.

Read a third time and passed.

Assembly Bill No 324—An Act concerning actions for libel.

Read a third time and passed.

Senate Bill No. 316—An Act to authorize the issue of bonds by the County of Inyo to erect county bridges and buildings.

Read a third time and passed.

Assembly Bill No 333—An Act in relation to the Board of Education of the City and County of San Francisco.

Reported amendments were adopted, and the bill ordered engrossed.

MESSAGES FROM THE SENATE.

The following messages were received from the Senate:

SENATE CHAMBER,
March 7th, 1872.

Mr. SPEAKER: I am directed to inform your honorable body that the Senate, on the sixth day of March, passed Assembly Bill No. 486—An Act declaring a certain creek in Washington Township, Alameda County, navigable.

Also, passed Assembly Bill No. 452—An Act to increase the number of Notaries Public in the County of Plumas.

Also, passed Assembly Bill No. 320—An Act to authorize the corporate authorities of Santa Clara to take and hold in trust and convey certain lands.

Also, passed Assembly Bill No 372—An Act defining the northern boundary line of Napa County, adjoining Lake and Yolo Counties.

Also, refused to pass Assembly Bill No. 145—An Act defining and limiting the time for the payment of bounties and relief pay due the volunteers of California and troops furnished the United States.

Also, amended and concurred in Assembly substitute for Senate Bill No. 61—An Act to repeal an Act entitled an Act to empower the Board of Supervisors of the several counties of this State to aid in the construction of a railroad in their respective counties.

Also, passed, with amendments, Assembly Bill No. 395—An Act to reincorporate the City of San José.

Also, passed Senate Bill No. 180—An Act supplemental to an Act entitled an Act to provide for compensating parties whose property may be destroyed in consequence of mobs or riots.

FERRAL, Secretary.

SENATE CHAMBER,
March 7th, 1872.

Mr. SPEAKER: I am directed to inform your honorable body that the Senate, on the first day of March, passed Senate Bill No. 296—An Act to amend an Act entitled an Act concerning roads and highways in the County of San Mateo.

Also, on March seventh, adopted Assembly Concurrent Resolution No.

25—Relative to requesting the Governor to return Assembly Bill No. 338

Also, on the same day, indefinitely postponed Assembly Bill No 67—An Act to extend the time within which certain actions may be brought.

Also, on the same day, amended and passed Assembly Bill No. 485—An Act creating the Nineteenth and Twentieth Judicial Districts.

FERRAL, Secretary.

CONSIDERATION OF THE MESSAGES.

Senate Bill No 269, above reported, read first and second times and referred to the San Mateo delegation.

Senate Bill No 180, above reported, read first and second times and referred to the Judiciary Committee.

The House concurred in Senate amendment to Assembly Bill No. 395, above reported.

On the question of concurrence in Senate amendment to Assembly Bill No. 485, above reported, the roll was called, and the House unanimously concurred, as follows:

AYES—Messrs. Aldrich, Andrews, Bacon, Baird, Barker, Barklage, Bayley, Bell, Berry, Bradley, Bockius, Brown, Burckhalter, Chalmers, Coleman, Connolly, Cooper, Crane, Dannals, Days, De Haven, Eagan, Edgar, Ellis, Everett, Franck, Freeman, French, Galloway, Gibson, Goodall, Gray, Harvey, Hayes, Hopper, James, Johnston, Jost, Lee, Little, Long, Luttrell, Mathers, Meeker, Mott of Los Angeles, Mott of Sacramento, McCullough, Pardee, Reed, Rice, Russ, Sammons, Sargent of Santa Clara, Sargent of San Joaquin, Seibe, Sensabaugh, Slaughter, Spencer, Splivalo, Stillwagon, Tinnin, Turner, Walker, Ward, Welty, Wheaton, Whiting, Whitney, Wilcox, Woodward, Wright, and Mr. Speaker—72

NOES—None.

SPECIAL ORDER.

On motion of Mr. Caldwell, the special order for the day, the consideration of the message of the Governor on Assembly Bill No. 273, returned without his approval, was made the special order for Tuesday, March twelfth, at two o clock P. M

GENERAL FILE RESUMED.

Assembly Bill No. 516—An Act to permanently locate the county seat of the County of Monterey by the qualified electors of said County.

Mr. Spencer offered a substitute for the bill, which the House refused to adopt.

The bill was amended, rules suspended, considered engrossed, read a third time and passed.

Mr. Crane had leave to withdraw Assembly Bill No 479.

Assembly Bills Nos. 532 and 387 were severally passed on file.

Assembly Bill No. 518—An Act concerning roads and highways in the County of Fresno, and to repeal a certain Act in relation thereto.

Rules suspended, bill considered engrossed, read a third time and passed

Assembly Bill No. 384—An Act to confirm Order Number One Thousand and Four, passed by the Board of Supervisors of the City and County of San Francisco.

Rules suspended, bill considered engrossed, read a third time and passed.

Assembly Bill No. 443—An Act to remedy duplicate payments of taxes in the City and County of San Francisco.

Rules suspended, bill considered engrossed, read a third time and passed.

Assembly Bill No. 453—An Act granting certain privileges to the North Beach and Mission Railroad Company.

Rules suspended, bill considered engrossed, read a third time and passed.

Assembly Bill No. 459—An Act to transfer to the Board of Supervisors of the City and County of San Francisco the management, control, and direction of the affairs of the Industrial School Department of said city and county.

Rules suspended, bill considered engrossed, read a third time and passed.

Assembly Bill No 513—An Act to authorize the Mayor of the City and County of San Francisco to convey certain lands to the Lying-in Hospital and Foundling Asylum

Rules suspended, bill considered engrossed, read a third time and passed

Assembly Bill No 498—An Act concerning the appointment of an interpreter in and for the City and County of San Francisco.

Substitute reported adopted, rules suspended, bill considered engrossed, read a third time and passed, and title amended.

Assembly Bill No 511.

Referred to San Francisco delegation.

Assembly Bill No. 429—An Act amendatory of an Act entitled an Act to organize and regulate the Justices' Court of the City and County of San Francisco, approved March twenty-sixth, eighteen hundred and sixty-six.

Amendments reported adopted, rules suspended, bill considered engrossed, read a third time and passed.

Assembly Bill No. 376—An Act entitled an Act appropriating funds to enlarge the Home for the Care of the Inebriate, located in the City and County of San Francisco.

Amendment reported adopted, rules suspended, bill considered engrossed, read a third time and passed, and title amended.

Assembly Bill No. 76—An Act to provide for the payment of the State's portion of the salary of the County Auditor of Mariposa County.

Considered in Committee of the Whole House.

IN ASSEMBLY.

Substitute adopted and reported.

Rules suspended, bill considered engrossed, read a third time and passed.

PETITION.

The petition of the Chaplain of the House for increase of per diem allowed him was taken up.

Mr. Gray offered the following resolution:

Resolved, That the per diem of the Chaplain be fixed at five dollars per day from the commencement of the date of service, to be paid out of the Contingent Fund of the Assembly.

Adopted.

GENERAL FILE RESUMED.

Assembly Bill No. 541—An Act to amend section thirteen of an Act entitled an Act to regulate fees of office and salaries of certain officers, and to repeal certain other Acts in relation thereto, approved March fifth, eighteen hundred and seventy.

Rules suspended, bill considered engrossed, read a third time and passed.

Assembly Bill No. 542—An Act authorizing the Board of Supervisors of Mariposa County to pay a certain claim.

Rules suspended, bill considered engrossed, read a third time and passed.

Assembly Bill No. 545—An Act to amend an Act entitled an Act to encourage the destruction of squirrels and gophers in certain counties of this State, and to provide for a bounty for the same, approved March sixteenth, eighteen hundred and seventy.

Rules suspended, bill considered engrossed, read a third time and passed.

Assembly Bill No. 546.

Taken from the file and referred to the Fresno delegation.

MESSAGE FROM THE GOVERNOR.

The following message was received from the Governor:

STATE OF CALIFORNIA, EXECUTIVE DEPARTMENT,
Sacramento, March 7th, 1872.

To the Assembly of the State of California:

I herewith return to your honorable body, in accordance with concurrent resolution to that effect, Assembly Bill No. 338—An Act amendatory of and supplementary to an Act entitled an Act to encourage the destruction of squirrels and gophers in certain counties of this State, and to provide a bounty therefor.

NEWTON BOOTH, Governor.

MESSAGE FROM THE SENATE.

The following message was received from the Senate:

SENATE CHAMBER,
March 7th, 1872.

MR. SPEAKER: I am directed to inform your honorable body that the Senate, on the first day of March, eighteen hundred and seventy-two, passed Senate Bill No. 264—An Act concerning the San Diego and Gila Southern Pacific and Atlantic Railroad Company, and to extend the time for performing certain acts.

Also, on the seventh instant, passed Senate Bill No. 255—An Act for the relief of John J. Mecredy.

Also, on the same day, amended and passed Assembly Bill No. 403—An Act for the relief of W. S. Brown.

Also, on the same day, refused to concur in Assembly amendments to Senate Bill No. 170—An Act to encourage agriculture and other industries.

FERRAL, Secretary.

CONSIDERATION OF THE MESSAGE.

Senate Bill No. 264, above reported, read first and second times and referred to the Committee on Corporations

Senate Bill No. 255, above reported, read first and second times and referred to the Committee on Claims

Assembly Bill No. 403, returned with Senate amendment, was ordered back to the Senate for the correction of an error in the amendment.

Senate Bill No. 170, above reported, with non-concurrence of Senate in Assembly amendments.

Mr. Wilcox moved that the House recede from its amendments, whereupon the ayes and noes were demanded by Messrs Berry, Andrews, and Hayes, and the House agreed to recede by the following vote:

AYES—Messrs. Aldrich, Bacon, Baird, Bradley, Burckhalter, Cooper, Crane, Dannals, De Haven, Eagan, Ellis, Franck, French, Galloway, Gibson, Gray, Johnston, Little, Luttrell, Meeker, Mott of Los Angeles, Mott of Sacramento, McCullough, Pardee, Reed, Rice, Sargent of Santa Clara, Sargent of San Joaquin, Slaughter, Spencer, Stillwagon, Turner, Walker, Welty, Wilcox, Woodward, and Wright—37.

NOES—Messrs. Andrews, Barker, Barklage, Barnes, Bayley, Berry, Bockius, Brown, Caldwell, Center, Chalmers, Days, Edgar, Everett, Goodall, Harvey, Hayes, Hopper, Lee, Lofton, Long, Russ, Sammons, Seibe, Sphvalo, Ward, Wheaton, Whiting, Whitney, and Mr. Speaker—30.

YOSEMITE VALLEY.

Mr Wilcox presented a report from the Commissioners to manage the Yosemite Valley and the Mariposa Grove of Big Trees.

Ordered printed.

At five o'clock and five minutes P. M., on motion of Mr. Berry, the House adjourned.

T. B. SHANNON,
Speaker.

M. D. BORUCK, Chief Clerk.

IN ASSEMBLY.

HOUSE OF ASSEMBLY,
Friday, March 8th, 1872.

House met pursuant to adjournment.
Speaker in the Chair
Roll called.
Quorum present
Prayer by the Chaplain.
Journal of yesterday read and approved.

REPORTS OF STANDING COMMITTEES.

Reports were made from standing committees as follows:

By Mr. Wheaton:

MR SPEAKER: Your Committee on Ways and Means, having had under consideration Assembly Bill No. 226—An Act to continue the Geological Survey of the State of California—beg leave to report the same back and recommend its passage

Your committee, having also had under consideration Assembly Bill No. 341—An Act to regulate the taxation of lands and other property in the State—beg leave to report the same back, with the recommendation that it do not pass

Your committee, having also had under consideration Assembly Bill No. 330—An Act to provide a fund for the liquidation of the debts of this State, and counties of this State, and for the better support of the public schools of this State—beg leave to report the same back, with a recommendation that it do not pass.

WHEATON, Chairman.

The rules were suspended, and Senate Bill No 226 was considered.

On the passage of the bill, the ayes and noes were demanded by Messrs. Wilcox, Scribe, and Crane, with the following result:

AYES—Messrs. Aldrich, Andrews, Bacon, Baird, Barklage, Barnes, Bayley, Berry, Bockius, Brown, Center Chalmers, Coleman, Connolly, Crane, Dannals, Days, De Haven, Eagan, Edgar, Ellis, Franck, Freeman, French, Galloway, Goodall, Harvey, Hayes, Henshaw, James, Johnston, Jost, Lee, Little, Lofton, Long, Luttrell, Meeker, Mott of Sacramento, McCullough, Pardee, Sammons, Sargent of Santa Clara, Spencer, Sphvalo, Stillwagon, Ward, Welty, Wheaton, Whiting, Whitney, Woodward, Wright, and Mr. Speaker—54.

NOES—Messrs. Burckhalter, Caldwell, Mathers, Rector, Rice, Sargent of San Joaquin, Sensabaugh, Tinnin, Turner, Walker, and Wilcox—11.

By Mr. Luttrell:

MR. SPEAKER: The Committee on Rules and Regulations, to whom was referred Assembly resolution relative to the appointment of L. H. Garrigus Clerk of the Committee on Roads and Highways, report the same back, with the recommendation that it do not pass.

Also, resolution relative to the per diem of the Clerk of the Committee on Claims, and Assembly resolution relative to continuing S F Seabury as clerk of several committees, with the recommendation that they do not pass.

LUTTRELL, Chairman.

The rules were suspended, and the resolutions above reported taken up and disposed of as follows:

Resolved, That L H Garrigus be appointed Clerk of the Committees on Roads and Highways, Education, and Agriculture, Mining, and Mechanic Arts College, at the per diem allowed by law.

Laid on the table.

Resolved, That the Committees of this House on Public Lands, Elections, Swamp and Overflowed Lands, and on Public Expenditures and Accounts, or any of them, be and they are hereby authorized to continue the services of S F Seabury as clerk, commencing March first, for the remainder of the session, at the per diem now allowed committee clerks.

Adopted.

Resolved, That the Clerk of the Committee on Claims, whose appointment was authorized by resolution on February tenth, be allowed per diem from the fifth of February, at the rate of five dollars per day.

Adopted.
By Mr. Crane:

Mr Speaker: The Committee on State Prison, to whom was referred Senate Bill No 309, beg leave to report the same back and recommend its passage.

CRANE, Chairman.

By Mr. Meeker:

Mr Speaker: The Committee on Federal Relations, to whom was referred Senate Joint Resolution No 5—Relative to instructing our Senators and requesting our Representatives in Congress not to allow a reduction of the duty on chiccory flour imported from foreign countries—report that they have considered the same and recommend its adoption.
Also, that they have carefully considered Assembly Memorial and Resolution No 28—Relative to asking Congress for an appropriation to improve Humboldt Harbor—and recommend its adoption.

MEEKER, Chairman.

By Mr. Barnes:

Mr. Speaker. The Committee on Engrossment beg leave to report that they have examined and found correctly engrossed Assembly Bill No. 418—An Act to legalize and confirm the election of School Directors in the City of Vallejo, and other matters.
Also, Assembly Bill No. 419—An Act amendatory of and supplementary to an Act entitled an Act to establish and define the powers and

duties of the Board of Education of the City of Vallejo, approved March twenty-fifth, eighteen hundred and seventy.

Also, Assembly Bill No 465—An Act to authorize the Masonic and Odd Fellows' Cemetery Association and the citizens of Contra Costa County to remove human remains.

Also, Assembly Bill No 415—An Act to amend an Act supplementary to an Act entitled an Act concerning crimes and punishments, passed April sixteenth, eighteen hundred and fifty, and an Act amendatory thereof and supplemental thereto, approved March twenty-eighth, eighteen hundred and sixty-eight.

Also, Assembly Bill No. 400—An Act to enforce the responsibility of stockholders in corporations as prescribed by the Constitution, and to provide for the prompt payments of demands against such corporations.

Also, Assembly Bill No. 391—An Act to regulate and define fees in the Sheriff's office in the County of Mendocino.

Also, Assembly Bill No. 374—An Act to prevent hunting, shooting, and the felling of trees on private grounds in the Counties of Santa Barbara and San Luis Obispo.

Also, Assembly Bill No. 246—An Act to authorize the Board of Supervisors of the City and County of San Francisco to close up Walnut Avenue, in said city and county.

Also, Assembly Bill No. 483—An Act to prevent hogs and goats running at large in the Town of Knight's Landing, Yolo County.

Also, Assembly Bill No 364—An Act to fix the salary of the Superintendent of Common Schools in the County of Plumas, and to prescribe the manner of paying the same.

Also, Assembly Bill No. 442—An Act to protect free bridges from injury.

Also, Assembly Bill No. 447—An Act in relation to mortgages and growing crops

Also, Assembly Bill No 398—An Act to amend an Act entitled an Act to amend an Act entitled an Act to fix the compensation of the District Attorney of the County of Contra Costa, approved February ninth, eighteen hundred and sixty, approved March thirty-first, eighteen hundred and sixty-six.

Also, Assembly Bill No. 348—An Act amendatory of an Act entitled an Act concerning crimes and punishments.

Also, Assembly Bill No. 460—An Act to enforce the collection of license taxes.

Also, Assembly Bill No 473—An Act to repeal an Act entitled an Act to provide for the improvement of the rivers and streams of Santa Clara County, approved April fourth, eighteen hundred and seventy.

Also, Assembly Bill No. 417—An Act for the relief of Morris Woolf.

BARNES, Chairman.

By Mr. Wright:

Mr. Speaker: The Committee on Education, to whom was referred Assembly Bill No. 506—An Act requiring Boards of Education and School Trustees to equalize the salaries of male and female teachers in the public schools of this State—herewith report the same back without recommendation.

Also, Assembly Bill No. 414—An Act prohibiting corporal punishment in the public schools in this State—report the same back without recommendation.

Also, Assembly Bill No. 510—An Act to provide for the maintenance and supervision of common schools, approved April sixth, eighteen hundred and sixty-three—report the same back and recommend that it do not pass, for the reason that the relief sought is already provided for in the Code.

WRIGHT, Chairman.

By Mr. Hayes:

Mr. SPEAKER: Your Committee on Counties and County Boundaries, to whom was referred Assembly Bill No. 285, have had the same under consideration, and report the same back and recommend that it be referred to the Yolo and Sacramento delegations.

Also, Assembly Bill No. 501—An Act to settle the boundaries of Kern and Tulare Counties—report it back and recommend its passage.

HAYES, Chairman.

Assembly Bill No. 285 was referred as recommended.

By Mr. Franck:

Mr. SPEAKER: The Committee on Public Morals, having considered Senate Bill No. 52—An Act to punish adultery—report it back without recommendation.

FRANCK, Chairman.

By Mr. Barnes:

Mr. SPEAKER: The Committee on Engrossment beg leave to report that they have examined and find correctly engrossed Assembly Bill No. 489—An Act to end useless litigation, and supplemental to an Act entitled an Act to regulate settlement of the estates of deceased persons, passed May first, eighteen hundred and fifty-one, and the Acts supplementary thereto and amendatory thereof.

Also, Assembly Bill No. 16—An Act to provide and pay for services rendered the City and County of San Francisco.

Also, Assembly Bill No. 308—An Act to increase the police force of the City and County of San Francisco.

Also, Assembly Bill No 496—An Act to repeal section two of an Act amendatory of and supplementary to an Act to prevent certain animals from running at large in Napa City, approved April seventeenth, eighteen hundred and sixty-three.

Also, Assembly Bill No. 502—An Act to provide for the construction and maintenance of free bridges in the County of Trinity and set apart a fund therefor.

Also, Assembly Bill No. 503—An Act to legalize and confirm the election of Roadmasters in the respective road districts in Monterey County.

Also, Assembly Bill No. 521—An Act to regulate and fix the salary of the Assessor of Monterey County.

Also, Assembly Bill No. 528—An Act to authorize the County Judge of Shasta County to make a deed to town lands in the Town of Shasta.

Also, Assembly Bill No. 105—An Act to regulate wharfage and dockage and abolish tolls in the Harbor of San Francisco.

BARNES, Chairman.

By Mr. Gibson:

Mr Speaker: Your Committee on Enrollment beg leave to report that they have examined and found correctly enrolled Assembly Bill No. 33—An Act to amend an Act to provide for the protection of certain lands in the County of Sutter from overflow, approved March twenty-eighth, eighteen hundred and sixty-eight

Also, Assembly Bill No 277—An Act to prevent hunting and shooting on private grounds

Also, Assembly Bill No. 372—An Act to define the northern boundary line of Napa County, adjoining Lake and Yolo Counties.

Also, Assembly Bill No. 320—An Act to authorize the corporate authorities of the Town of Santa Clara to take and hold in trust and convey certain lands.

Also, Assembly Bill No. 486—An Act declaring a certain creek in Washington Township, Alameda County, navigable.

Also, Assembly Bill No. 452—An Act to increase the number of Notaries Public in the County of Plumas.

Also, Assembly Bill No. 485—An Act creating the Nineteenth and Twentieth Judicial Districts, and defining the Third, Fourth, and Fifteenth Judicial Districts

And the same have, this eighth day of March, eighteen hundred and seventy-two, at fifteen minutes past eleven o'clock, been transmitted to the Governor for his approval.

GIBSON, Chairman.

By Mr. Stillwagon:

A report from the State Hospital Committee in reference to the Insane Asylum at Stockton.

Ordered printed.
[For report see Appendix.]

REPORTS OF SELECT COMMITTEES.

Reports were made from select committees as follows:

By Mr. Walker:

Mr. Speaker: The Fresno and Mariposa delegations, to whom was referred Assembly Bill No 556—An Act to better define the boundary line between the Counties of Fresno and Mariposa—have had the same under consideration, report the same back, and recommend that it be referred to the Committee on Counties and County Boundaries

WALKER,
WILCOX,
For Delegations.

Also, by Mr. Walker:

Mr. Speaker: The Fresno delegation, to whom was referred Assembly Bill No. 546, report the same back with an amendment, and recommend the passage of the same as amended.

WALKER, for Delegation.

Assembly Bill No. 556 was referred to the Committee on Counties and County Boundaries, as recommended.

By Mr. Galloway:

Mr. SPEAKER: The Contra Costa delegation, to whom was referred Assembly Bill No. 424, respectfully report the same back with an amendment, and recommend the passage of the same as amended.

GALLOWAY, for Delegation.

The rules were suspended and the bill above reported taken up, rules again suspended, bill considered engrossed, read a third time and passed.

By Mr. Wheaton:

A report from the Joint Committee on Codes on the Political Code. [For report see Appendix.]

By Mr. Woodward:

Mr. SPEAKER: The San Joaquin delegation, to whom was referred Assembly Bill No. 555—An Act to regulate the salaries and fix the compensation of the county officers of San Joaquin County—have had the same under consideration and recommend its passage.

WOODWARD,
SARGENT,
Delegation.

The bill above reported was taken up, rules suspended, considered engrossed, read a third time and passed.

By Mr. Spencer:

Mr. SPEAKER: The Santa Clara delegation, to whom was referred Assembly Bill No. 490—An Act to provide for the opening and improvement of Santa Clara River, in the County of Santa Clara—report said bill back with a substitute, and recommend the passage of the substitute.

SPENCER, for Delegation.

The rules were suspended and the bill above reported taken up. The substitute therefor, also reported, was adopted, rules further suspended, read a third time and passed, and transmitted to the Senate forthwith.

By Mr. De Haven:

Mr. SPEAKER: The Butte delegation, to whom was referred Assembly Bill No. 557—An Act concerning estrays in the County of Butte—report that they have duly considered the same and recommend its passage.

DE HAVEN, for Delegation.

The rules were suspended and the bill above reported taken up, rules again suspended, considered engrosssed, read a third time and passed, and transmitted to the Senate forthwith.

By Mr. Baird:

Mr. SPEAKER: The San Mateo delegation, to whom was referred Senate Bill No. 206, beg leave to report the same back, with amendments, and recommend its passage with the amendments.

BAIRD, for Delegation.

The rules were suspended and the bill above reported taken up, read a third time and passed.

By Mr. Cooper:

Mr. SPEAKER: The committee to whom was referred Senate Bill No. 321—beg leave to report the same back and recommend its passage.

COOPER, Chairman.

The rules were suspended and Senate Bill No. 321, as above reported, taken up, read a third time and passed.

By Mr. Franck:

Mr. SPEAKER: The Santa Clara delegation, to whom was referred Senate Bill No. 317—An Act to amend an Act entitled an Act to incorporate the City of Gilroy, approved March twelfth, eighteen hundred and seventy—beg leave to report that they have had the same under consideration, and herewith report it back and recommend its passage.

FRANCK, for Delegation.

The rules were suspended and Senate Bill No. 317 taken up, read a third time and passed.

MOTIONS.

Assembly Bill No. 436, on motion of Mr. Freeman, was referred to the Committee on Swamp and Overflowed Lands.

Assembly Bill No. 478, on motion of Mr. Crane, was referred to the State Library Committee.

LEAVE OF ABSENCE.

On motion of Mr. Brown, indefinite leave of absence was granted to Mr. Schrack on account of sickness, and for one day each to Mr. Mott of Los Angeles, and Mr. Hopper.

MESSAGE FROM THE SENATE.

The following message was received from the Senate:

SENATE CHAMBER,
March 8th, 1872.

Mr. SPEAKER: I am directed to inform your honorable body that the Senate, on the eight day of March, passed Senate Bill No. 104—An Act to provide for payment of witnesses in case of Horace Smith.

Also, on the same day, passed Senate Bill No. 165—An Act to provide for the condemnation of lands for road purposes in the County of Santa Cruz.

Also, on the same day, refused to pass Assembly Joint Resolution No. 8—Relative to changing the time and place of electing United States Senators.

Also, on the same day, refused to pass Assembly Bill No. 227—An Act for the relief of the California Volunteer officers of the United States navy who have honorably served in this State.

FERRAL, Secretary.

CONSIDERATION OF THE MESSAGE.

Senate Bill No. 104, above reported, read first and second times and referred to the Committee on Claims.

Senate Bill No. 165, above reported, read first and second times and referred to the Alameda delegation.

INTRODUCTION OF BILLS.

Bills were introduced as follows:

By Mr. Splivalo—An Act amendatory to an Act entitled an Act for securing liens of mechanics and others, approved March thirtieth, eighteen hundred and sixty-eight.

Read first and second times and referred to the Judiciary Committee.

By Mr. Crane—An Act to authorize the Board of Supervisors of the County of Alameda to audit claims against the Road Fund of Washington Township, in said county.

Read first and second times and referred to the Alameda delegation.

Also, an Act to amend an Act entitled an Act to amend an Act concerning roads and highways in the County of Alameda, approved March twenty-fourth, eighteen hundred and sixty-two.

Read first and second times and referred to the Alameda delegation.

By Mr. Pardee—An Act authorizing the County Treasurer of the County of Alameda to pay certain claims against said county.

Read first and second times and referred to the Alameda delegation.

By Mr. Ward—An Act to provide for the legalizing and collection of a special tax, to be used in the construction of bridges in the County of Tehama.

Read first and second times and placed on file.

By Mr. Mott of Sacramento—An Act for the redemption of the funded indebtedness of the City of Sacramento.

Read first and second times and referred to the Sacramento delegation.

Also, by the same—An Act for the better protection of the lands in Swamp Land District Number Two, in Sacramento County.

Read first and second times and referred to the Sacramento delegation.

By Mr. Sargent of San Joaquin—An Act to authorize the inhabitants on the Mormon Slough, in San Joaquin County, to form a reclamation district, and levy taxes therein

Read first and second times and referred to the San Joaquin delegation.

By Mr. Stillwagon—An Act to provide for a street railroad in the Town and County of Napa.

Read first and second times and referred to the Napa delegation.

By Mr. Long—An Act relating to the sureties upon the official bond of J. W. Dickerson, late County Treasurer of Placer County.

Read first and second times and referred to the Placer delegation.

By Mr. Berry—An Act to restore the Great Register of the County of Sutter.

Read first and second times and referred to the Judiciary Committee.

MESSAGE FROM THE SENATE.

The following message was received from the Senate:

SENATE CHAMBER,
March 8th, 1872.

Mr. SPEAKER: I am directed to inform your honorable body that the Senate, on this eighth day of March, eighteen hundred and seventy-two, passed Senate Bill No. 375—An Act to establish a Political Code—and ordered the same transmitted to the Assembly without engrossment.

FERRAL, Secretary.

CONSIDERATION OF THE MESSAGE.

[Mr. Days in the chair.]

Senate Bill No. 375, above reported, was read first and second times, and, by unanimous consent, the rules of the Assembly were suspended for the third reading of the bill, and it was read a third time and passed.

GENERAL FILE.

Assembly Bill No. 134—An Act to provide for the construction of a wagon road from and to the Yosemite Valley and Big Tree Grove, in Mariposa County.

The reported substitute for the bill was adopted.

Mr. Rector moved that the bill be placed second on the file for Tuesday.

The motion was lost.

On ordering the bill engrossed, the ayes and noes were demanded by Messrs. Luttrell, Barklage, and Berry, and the House refused to order it engrossed by the following vote.

AYES—Messrs. Bacon, Baird, Barnes, Bockius, Brown, Burckhalter, Connolly, Cooper, Crane, Dannals, De Haven, Gibson, Goodall, James, Lee, Meeker, Mott, McCullough, Pardee, Reed, Rice, Russ, Sargent of Santa Clara, Slaughter, Spencer, Splivalo, Stillwagon, Walker, Welty, Wheaton, Wilcox, Wright, and Mr. Speaker—33.

NOES—Messrs. Aldrich, Andrews, Barklage, Bayley, Berry, Bradley, Center, Chalmers, Days, Eagan, Edgar, Everett, Franck, Freeman,

French, Galloway, Harvey, Hayes, Henshaw, Johnston, Jost, Little, Lofton, Long, Luttrell, Mathers, Rector, Sammons, Sargent of San Joaquin, Sensabaugh, Turner, Ward, Whiting, Whitney, and Woodward—35.

Mr. Whiting gave notice of reconsideration.

At a quarter past one o'clock P. M. the House took a recess for three quarters of an hour.

REASSEMBLED.

The House reassembled two o'clock P. M.
Speaker in the chair.
Roll called.
Quorum present.

MESSAGE FROM THE SENATE.

The rules were suspended and the following message taken up:

SENATE CHAMBER,
March 8th, 1872.

Mr. SPEAKER: I am directed to inform your honorable body that the Senate, on the sixth day of March, passed Senate Bill No. 358—An Act concerning public roads in Monterey County.

Also, Senate Bill No. 337—An Act to amend an Act entitled an Act to establish a State Normal School.

Also, Senate Bill No. 360—An Act to amend an Act entitled an Act to incorporate the Town of Brooklyn and to define and establish a boundary line between said town and the City of Oakland.

Also, Senate Bill No. 279—An Act to amend an Act to fix the compensation of officers, to provide for the funding of the floating debt of the County of Santa Barbara, and prohibit the contracting of any new indebtedness against said county.

Also, Senate Bill No. 339—An Act authorizing the transcribing of certain records in the County of San Luis Obispo.

Also, Senate Bill No. 345—An Act to fix the compensation of the members of the Board of Supervisors of the County of Trinity

Also, Senate Bill No 313—An Act relative to unpaid warrants and assessments in Reclamation District Number One Hundred and Eight.

Also, Senate Bill No. 217—An Act to amend an Act entitled an Act to provide for the funding of the indebtedness of the County of San Luis Obispo.

Also, Senate Bill No. 349—An Act concerning a certain road in the County of Sierra.

Also, Senate Bill No. 336—An Act to provide for payment of expenses incurred in construction of new State Armory, and for services rendered in cleaning and restoring State military property.

Also, Assembly Bill No. 165—An Act for the relief of John Jackson, Sheriff and ex officio Tax Collector of Trinity County.

FERRAL, Secretary.

CONSIDERATION OF SENATE MESSAGE.

Senate Bill No. 358, above reported, read first and second times and referred to Monterey delegation.

Senate Bills Nos. 379. 345, and 217, above reported, read first and second times and placed on file.

Senate Bill No. 337, above reported, read first and second times and referred to Committee on Public Buildings and Grounds

Senate Bill No 360, above reported, read first and second times and referred to Santa Barbara delegation.

Senate Bill No 313, above reported, read first and second times and referred to Yolo delegation.

Senate Bill No. 349, above reported, read first and second times and referrred to Sierra delegation.

Senate Bill No 336, above reported, read first and second times and referred to Committee on Claims.

GENERAL FILE.

The House concurred in Senate substitute for Assembly Bill No. 239—An Act for the relief of purchasers of State lands.

Senate Bill No. 282 was taken from the file and referred to Committee on Internal Improvements.

Senate Bill No. 265—An Act supplemental to an Act entitled an Act defining the time for commencing civil actions, passed April twenty-second, eighteen hundred and fifty.

Mr. Tinnin moved that the bill be indefinitely postponed.

Lost.

And the bill was read a third time and passed.

MESSAGE FROM THE SENATE.

The rules were suspended, and the following message was taken up:

SENATE CHAMBER,
March 8th, 1872.

MR. SPEAKER: I am directed to inform your honorable body that the Senate, on this eighth day of March, eighteen hundred and seventy-two, passed Senate Bill No. 380—An Act to appropriate money for the contingent expenses of the Legislature—and ordered transmitted.

Also, adopted Senate Resolution No. 44—Relative to resquesting the Governor to return Senate Bill No. 257, for correction.

Also, amended and passed Assembly Bill No. 218—An Act to create the County of Ventura, to establish the boundaries thereof, and to provide for its organization.

FERRAL, Secretary.

CONSIDERATION OF SENATE MESSAGE.

Senate Bill No 380, above reported, read first and second times and placed first on the file for to-morrow.

The House concurred in Senate Concurrent Resolution No. 44.

The House also concurred in Senate amendments to Assembly Bill No. 218.

Senate Bill No. 47 was ordered to the head of the file for Tuesday, March twelfth.

GENERAL FILE RESUMED.

Senate Bill No. 196—An Act to amend an Act to provide revenue for the support of the government of this State, passed May seventeenth, eighteen hundred and sixty-one.

Read a third time and passed.

Senate Bill No. 311—An Act concerning summons upon absent defendants by publication.

Read a third time and passed.

Senate Bill No. 69—An Act concerning estrays in the County of Napa.

Reported amendments adopted, read a third time and passed, and title amended.

Senate Bill No. 207.

Taken from the file and laid on the table.

Assembly Bill No. 532.

Referred to Judiciary Committee.

Assembly Bill No. 387—An Act to enable the Board of Supervisors of Sacramento County to refund certain moneys.

Rules suspended, bill considered engrossed, read a third time and passed.

Assembly Bill No. 226—An Act to regulate and prevent the damming up or obstructing the natural outlets, inlets, sloughs, and bayous of the Sacramento and Feather Rivers.

On ordering the bill to be engrossed, the ayes and noes were demanded by Messrs. Berry, Whitney, and Mathers, and the House refused to order by the following vote:

AYES—Messrs. Andrews, Barker, Barklage, Barnes, Bayley, Berry, Caldwell, Edgar, Franck, Henshaw, Hopper, Lee, Little, Long, Luttrell, Mathers, Mott of Sacramento, Rector, Russ, Sammons, Seibe, Slaughter, Tinnin, Turner, Walker, Ward, Welty, Wheaton, and Whiting—30.

NOES—Messrs. Aldrich, Bacon, Baird, Bell, Bockius, Brown, Burckhalter, Center, Coleman, Connolly, Cooper, Crane, Dannals, Days, De Haven, Eagan, Ellis, Everett, Freeman, Gibson, Goodall, Harvey, James, Johnston, Jost, Meeker, McCullough, Pardee, Rice, Sargent of Santa Clara, Sargent of San Joaquin, Sensabaugh, Spencer, Splivalo, Stillwagon, Whitney, Wilcox, Wright, and Mr. Speaker—39.

Assembly Bill No. 455—An Act to reserve all lands within this State belonging to the State of California for sale to actual settlers only.

Reported amendment adopted, rules suspended, considered engrossed, read a third time and passed.

REPORT.

Mr. Barnes made the following report:

Mr. SPEAKER: The Committee on Engrossment beg leave to report that they have examined and find correctly engrossed:

Assembly Bill No 125—An Act in relation to life insurance.

Also, Assembly Bill No. 41—An Act to legalize and confirm certain ordinances passed and contracts made by the Board of Supervisors of

the City and County of San Francisco, relative to the removal of dead animals from the city limits

Also, Assembly Bill No 538—An Act to prohibit hunting and shooting on private grounds

Also, Assembly Bill No. 535—An Act to amend an Act concerning common schools in the City of Placerville.

Also, Assembly Bill No. 438—An Act to provide for the redemption of the bonded indebtedness of Calaveras County.

Also, Assembly Bill No 434—An Act to provide for furnishing the State Normal School building and paying the indebtedness incurred in the construction thereof.

BARNES, Chairman.

GENERAL FILE CONTINUED.

Assembly Bill No. 480—An Act to amend an Act entitled an Act defining the legal distances from each county seat to the Capitol, Lunatic Asylum, and State Prison, approved April twenty-fourth, eighteen hundred and fifty-eight.

Rules suspended, bill considered engrossed, read a third time and passed.

Assembly Bill No. 530—An Act supplementary to an Act for the relief of insolvent debtors and protection of creditors, approved March fourth, eighteen hundred and fifty-two.

Laid on the table.

Assembly Bill No 497—An Act to add an additional section to the Penal Code.

Laid on the table.

Assembly Bill No. 494.

Recommitted to Sacramento delegation.

On motion of Mr Jost, Assembly Bill No. 228—An Act to provide a remedy in certain cases—was ordered to the top of the file for Wednesday, March thirteenth, and the substitute and minority report on said bill was ordered printed.

Assembly Bill No. 432

Ordered second on file for to-morrow.

Assembly Bill No. 358

Passed on file.

Assembly Bill No. 517—An Act in reference to the County Assessor of Napa County

Rules suspended, bill considered engrossed, read a third time and passed

Assembly Bill No. 554—An Act to prevent hogs running at large in the Town of Susanville.

Amendments adopted, rules suspended, bill considered engrossed, read a third time and passed.

Assembly Bill No. 558.

Passed on file.

Senate Bill No. 91.

Referred to the Committee on Corporations, with instructions to report the bill next Tuesday.

MESSAGE FROM THE GOVERNOR.

The following message was received from the Governor:

STATE OF CALIFORNIA, EXECUTIVE DEPARTMENT,
Sacramento, March 8th, 1872.

To the Assembly of the State of California:

I have to inform your honorable body that I have approved Assembly Bill No. 378—An Act to authorize the Board of Supervisors of Yolo County to levy special taxes for county purposes

Also, Assembly Bill No 454—An Act to authorize the construction of a public schoolhouse in Yuba School District, in the County of Sutter, and to provide funds therefor.

Also, Assembly Bill No. 261—An Act to repeal an Act entitled an Act for the incorporation of the City of Anaheim, approved February tenth, eighteen hundred and seventy, and appointing Commissioners to dispose of the property, pay the indebtedness, and settle the affairs thereof.

Also, Assembly Bill No. 448—An Act to provide for the liquidation and payment of the indebtedness of Yolo School District, in the County of Yolo.

Also, Assembly Bill No. 413—An Act to incorporate the City of San Diego

Also, Assembly Bill No. 303—An Act to authorize the City of Vallejo to borrow money.

NEWTON BOOTH, Governor.

RESOLUTION

Mr. Splivalo had leave to offer the following.

Resolved, That the use of the Assembly Chamber be allowed to Mrs. J B Frost, on Thursday evening, March fourteenth, eighteen hundred and seventy-two, to answer the arguments that may be advanced on the preceding evening by the Female Suffragists.

Adopted.

On motion of Mr. Days, at five o'clock and ten minutes P M., the House adjourned.

T. B. SHANNON,
Speaker.

M. D. BORUCK, Chief Clerk.

IN ASSEMBLY.

HOUSE OF ASSEMBLY,
Saturday, March 9th, 1872.

House met pursuant to adjournment.
Speaker in the chair.
Roll called.
Quorum present.
Prayer by the Chaplain.
Journal of yesterday read and approved.

ADJOURNMENT.

The rules were suspended, and the following resolution offered by Mr. Welty:

Resolved, That when this House adjourns to-day it adjourns to two o'clock and thirty minutes P. M. on Monday, March eleventh, eighteen hundred and seventy-two.

Adopted.

LEAVE OF ABSENCE.

Leave of absence was granted as follows:

To Messrs. Gibson and Jost, for one day each; to Messrs. Berry and Gray, two days each, and to Mr. Mott of Los Angeles, indefinite.

PETITION.

A petition was offered by Mr. Slaughter from residents at Riverside, San Bernardino County, in favor of extending the privilege of voting to women.

Referred to the special committee on that subject.

CONTINGENT EXPENSES.

On motion of Mr. Wheaton, the rules were suspended, and Assembly Bill No. 380—An Act to appropriate money for the contingent expenses of the Legislature—the first bill on file for to-day, was taken up for consideration.

The House went into Committee of the Whole.

Mr. Wheaton proposed to amend the bill in accordance with the estimates of the Controller of State, as follows. amend by inserting in place of the words "thirty-five.' in line one, section one, the words "forty-five;" and in place of the word "twenty," in sixth line, same section, the words "twenty-nine."

The amendment was adopted.

IN ASSEMBLY.

The committee rose and reported the bill back with recommendation that it pass as amended.

The reported amendments adopted, and the bill, as amended, was read a third time and passed.

RECONSIDERATIONS.

On motion of Mr. Turner, the House reconsidered the vote whereby, on yesterday, Assembly Bill No. 554—Relative to hogs running at large in the Town of Susanville—was passed, and the bill was ordered returned to the file

Mr. Wilcox moved to reconsider the vote whereby, on yesterday, the House refused to order engrossed Senate Bill No. 134—Relative to a wagon road to Yosemite Valley.

Mr. Luttrell moved a call of the House.

Lost.

On the motion to reconsider, the ayes and noes were called by Messrs. Luttrell, Bayley, and Barklage, and it prevailed by the following vote:

AYES—Messrs Bacon, Baird, Bell, Bockius, Brown, Burckhalter, Caldwell, Connolly, Cooper, Crane, Dannals, De Haven, Galloway, Goodall, Hopper, James, Meeker, Mott of Sacramento, McCullough, Pardee, Reed, Rice, Russ, Sargent of Santa Clara, Sargent of San Joaquin, Seibe, Sensabaugh, Spencer, Splivalo, Stillwagon, Tinnin, Walker, Welty, Wheaton, Whiting, Wilcox, Woodward, Wright, and Mr Speaker—39.

NOES—Messrs Aldrich, Andrews, Barker, Barklage, Barnes, Bayley, Bradley, Chalmers, Coleman, Days, Edgar, Everett, Franck, Freeman, Harvey, Henshaw, Johnston, Lee, Little, Lofton, Long, Luttrell, Mathers, Rector, Sammons, Slaughter, Turner, and Whitney—28.

Mr. Days moved to lay the bill on the table.

Lost.

The bill was amended, and the question recurring on the engrossment of the bill. the ayes and noes were demanded by Messrs. Days, Coleman, and Luttrell, with the following result:

AYES—Messrs. Bacon, Baird, Bell, Bockius, Brown, Burckhalter, Caldwell, Connolly, Cooper, Crane, Dannals, De Haven, Ellis, Galloway, Goodall, Hopper, James, Meeker, Mott of Sacramento, McCullough, Pardee, Reed, Rice, Russ, Sargent of Santa Clara, Seibe, Sensabaugh, Spencer, Splivalo, Stillwagon, Tinnin, Walker, Wheaton, Whiting, Wilcox, Wright, and Mr Speaker—37.

NOES—Messrs. Aldrich, Andrews, Barker, Barklage, Barnes, Bayley, Bradley, Center, Chalmers, Coleman, Days, Edgar, Everett, Franck, Freeman, Harvey, Henshaw, Johnston, Lee, Little, Lofton, Long, Luttrell, Mathers, Rector, Sammons, Slaughter, Ward, Welty, Whitney, and Woodward—31.

REPORTS OF STANDING COMMITTEES.

Reports from standing committees were made as follows:

By Mr. Harvey:

Mr. SPEAKER: The Committee on Swamp and Overflowed Lands, to whom was referred Assembly Bill No. 305—An Act to amend an Act entitled an Act to provide for the management and sale of the lands belonging to the State, approved March twenty eighth, eighteen hundred and sixty-eight—report the same back with amendments and recommend its passage.

Also, Assembly Bill No. 412—An Act to cede certain property to the Town of Trinidad—report the same back with amendments and recommend its passage as amended.

Also, Senate Bill No. 185—An Act to provide for the liquidation of the outstanding indebtedness of Levee District Number One, of Sutter County—report the same back and recommend it do not pass.

HARVEY, Chairman.

By Mr. Galloway:

Mr. Speaker: The Committee on Public Expenditures and Accounts beg leave to report that they have examined the following bills and accounts, found them correct, and recommend that they be paid:

To whom due.	Amount.
Placer Herald	$12 00
Grass Valley Republican	8 00
Sonoma Democrat	66 00
Stockton Republican	39 62
Solano Democrat	18 00
Pacific Churchman	5 00
Sutter Banner	21 50
San Rafael Journal	7 50
Sonoma Democrat	32 50
El Dorado Republican	15 00
J. J Cass	155 75
A Clarke, rent committee rooms	80 00
Mrs. Bennett, rent committee rooms	40 00
Locke & Lavenson	240 86
Brittan, Holbrook & Co	16 00
J. M. Shannon	20 00
W. C. Fabens (mileage)	46 80
W. W. Elliott	100 00
C C. Cook	62 85
J J. Denny	62 85
E. Pomeroy	40 00
J. W. C. Coleman	10 00

Resolved, That the Controller be and he is hereby authorized and directed to draw his warrants in favor of the persons named in the report of the Committee on Public Expenditures and Accounts for the sums set opposite their respective names, and that the Treasurer be directed to pay the same out of the Contingent Fund of the Assembly.

GALLOWAY, Chairman.

The rules were suspended and the resolution above reported was taken up and adopted.

By Mr. Mott of Sacramento:

Mr. Speaker: The Committee on Claims, to whom was referred Assembly Bill No. 544—An Act for the relief of J. N. Walker, former Tax Collector of Fresno County—beg leave to report it back and recommend its passage.

MOTT, Chairman.

The rules were suspended and Assembly Bill No. 544 considered.

Rules again suspended, bill considered engrossed, read a third time and passed.

By Mr. Spencer:

Mr. Speaker. The Committee on Judiciary having considered Assembly Bill No. 310—An Act to establish rewards for detection of criminals—report it back without recommendation.

Also, Assembly Bill No 421—An Act to provide for the terms of the District Court of the Third Judicial District, in and for the County of Monterey—report that the benefits sought by this Act have been provided in an Act entitled an Act creating the Nineteenth and Twentieth Judicial Districts, and defining the Third, Fourth, Twelfth, and Fifteenth Judicial Districts, which has recently passed this Legislature. Therefore, the committee report the bill back and recommend that the same be indefinitely postponed.

Also, Assembly Bill No. 435—An Act to amend an Act entitled an Act to authorize the formation of corporations to provide members thereof with homesteads or lots of land suitable for homesteads, approved May twentieth, eighteen hundred and sixty-one—report it back and recommend it do not pass.

Also, Senate Bill No. 223—An Act providing for the appointment of a Reporter in the First Judicial District of this State—report it back with amendments, and recommend its passage as amended

Also, Assembly Bill No. 484—Proposed amendments to the Constitution—report it back and recommend it do not pass.

Also, Assembly Bill No. 340—An Act to quiet titles of purchasers from the State—report it back and recommend it do not pass

Also, Assembly Bill No. 522—An Act to empower the City of Stockton to excavate, widen, and open the Mormon Slough, and provide funds therefor—report it back without recommendation

Also, Senate Bill No. 126—An Act in relation to Coroners—report it back and recommend that it do not pass

Also, Assembly Bill No 470—An Act in relation to the investment of trust moneys—report it back and recommend that it do not pass

Also, Assembly Bill No 499—An Act requiring Sheriffs to wear badges of office—report it back and recommend that it do not pass.

Also, Assembly Bill No. 514—An Act to repeal an Act entitled an Act to provide for the better care of the indigent sick in the County of San Bernardino, approved May sixth, eighteen hundred and sixty-two—report it back and recommend its passage.

Also, Assembly Bill No 495—An Act to legalize and make valid all of the proceedings had in the Probate Court of Amador County, in the matter of the estate of Cecelia Maria, deceased—report it back and recommend that it do not pass

Also, Assembly Bill No 500—An Act to allow aliens and foreign corporations to hold and convey real and personal property under certain circumstances—report it back and recommend that it do not pass.

Also, Assembly Bill No. 519—An Act in relation to death penalty—report it back with amendments, and recommend its passage as amended.

SPENCER, Chairman.

REPORTS OF SELECT COMMITTEES.

Reports from select committees were made as follows:

By Mr. Pardee:

Mr. SPEAKER: The Alameda delegation have examined Assembly Bill No. 563, and recommend its passage.

PARDEE, of Delegation.

The rules being suspended, Assembly Bill No. 563 was taken up, considered engrossed, read a third time and passed.

By Mr. Bockius:

Mr. SPEAKER: The Santa Cruz delegation, to whom was referred Senate Bill No. 165—An Act to provide for the condemnation of lands for road purposes in the County of Santa Cruz—report that they have examined the same and recommend its passage.

BOCKIUS, for Delegation.

By Mr. Sammons:

Mr. SPEAKER: The Sierra delegation, to whom was referred Senate Bill No. 349—An Act concerning a certain road in the County of Sierra—have had the same under consideration, and herewith report the same back and recommend its passage.

SAMMONS, for Delegation.

The rules were suspended, and the bill above reported was read a third time and passed.

By Mr. Mott of Sacramento:

Mr. SPEAKER: The Sacramento delegation, to whom was referred Assembly Bill No. 566—An Act for the redemption of the funded indebtedness of the City of Sacramento—beg leave to report it back and recommend its passage.

MOTT, for Committee.

The rules were suspended, and the bill above reported taken up, considered, and rules being again suspended, considered engrossed, read a third time and passed, and ordered transmitted to the Senate.

By Mr. Crane:

Mr SPEAKER: The Alameda delegation, to whom was referred Senate Bill No. 360, beg leave to report the same back and recommend its passage.

CRANE, of Delegation.

The rules were suspended, and the bill above reported taken up, read a third time and passed.

Also, by Mr. Crane:

Mr. SPEAKER: The Alameda delegation, to whom was referred Assembly Bill No. 562, beg leave to report the same back and recommend its passage.

CRANE, of Delegation.

Also, by Mr. Crane:

Mr. SPEAKER: The Alameda delegation, to whom was referred Assembly Bill No. 561, beg leave to report the same back and recommend its passage.

CRANE, of Delegation.

By Mr. Cooper:

Mr. SPEAKER: Your committee to whom was referred Senate Bill No. 279, report the same back and recommend its passage.

COOPER, for Committee.

The rules were suspended, and Senate Bill No. 279 taken up, read a third time and passed.

By Mr. Sargent of San Joaquin:

Mr. SPEAKER: The San Joaquin delegation, to whom was referred Assembly Bill No. 567—An Act to authorize the inhabitants on the Mormon Slough, in San Joaquin County, to form a reclamation district and levy taxes therein—report it back and recommend its passage.

SARGENT,
WOODWARD,
Delegation.

FURTHER REPORTS OF STANDING COMMITTEES.

By Mr. Eagan:

Mr. SPEAKER: The Committee on Agriculture, to whom was referred Assembly Bill No. 251—An Act for the protection of game and fish—have had the same under consideration, and hereby beg leave to report said bill back with amendments, recommending passage of the bill as amended.

Also, Senate Bill No. 140—An Act to amend an Act entitled an Act for the protection of game, approved May thirteenth, eighteen hundred and fifty four—considered, reported back with amendment, and passage recommended as amended.

Your committee also have carefully considered Senate Bill No. 225—An Act amendatory of an Act for the protection of game, passed May fifteenth, eighteen hundred and fifty-four—and Assembly Bill No. 328—An Act to amend an Act entitled an Act to amend an Act entitled an Act for the better protection of game, passed May fifteenth, eighteen hundred and fifty-four, approved April fourth, eighteen hundred and seventy. The committee are of the opinion (not having very ample time to inves-

tigate the matter) that Assembly Bill No 251 and Senate Bill No. 140, herein reported, embrace all the provisions intended to be reached by Senate Bill No. 225, and Assembly Bill No 328. They would therefore most respectfully report said bills last mentioned back, and recommend that they do not pass.

EAGAN, Chairman.

By Mr. Pardee:

A report from the Committee on Public Buildings and Grounds, in reference to expenses incurred in the investigation of the affairs of the Deaf, Dumb, and Blind Asylum.

Referred to the Committee on Mileage.

By Mr. De Haven:

Mr. SPEAKER: Your Committee on Mileage, to whom was referred the matter of mileage due the Committee on State Hospitals, have had the same under consideration, and report the following amounts due the members thereof:

Names.	Miles.	Amount.
W. W. Stillwagon	378	$75 60
J. L Gibson	378	75 60
O. Harvey	378	75 60
E. H. Pardee	378	75 60
F. J. Woodward	378	75 60

And offer the following resolution:

Resolved, That the Controller of State is hereby required to draw his warrants on the Contingent Fund of the Assembly for the payment of the above named sums, and the Treasurer is hereby required to pay the same.

DE HAVEN, Chairman.

By Mr Eagan:

Mr. SPEAKER: The Committee on Agriculture, to whom was referred Assembly Bill No 507—An Act amendatory of and supplemental to an Act entitled an Act concerning roads in the County of Marin, approved March thirtieth, eighteen hundred and sixty-eight—have had the same under consideration, and hereby beg leave to report said bill back, recommending its passage.

EAGAN, Chairman.

MOTIONS AND RESOLUTIONS.

On motion of Mr. Wilcox, Assembly Bill No. 432 was ordered placed second on the file for Monday, March eleventh.

On motion of Mr. Barker, Assembly Bill No. 251, reported from the

Committee on Agriculture to-day with amendments, was ordered printed as amended.

Mr Walker offered a concurrent resolution asking the Governor to return Assembly Bill No 219 for amendment.

Adopted.

On motion of Mr Cooper, Senate Bill No. 207 was taken from the table and read a third time and passed.

MESSAGE FROM THE SENATE.

The following message was received from the Senate:

SENATE CHAMBER,
March 9th, 1872.

Mr. SPEAKER: I am directed to inform your honorable body that the Senate, on the eighth day of March, eighteen hundred and seventy-two, passed Assembly Bill No 363—An Act to provide for the construction and protection of the Alameda road.

Also, on the same day, passed Assembly Bill No 338—An Act to amend an Act entitled an Act to encourage the destruction of squirrels and gophers in certain counties of this State, and to provide a bounty for the same.

Also, on the same day, passed Assembly Bill No. 405—An Act to raise revenue in Plumas County for hospital and other purposes

Also, on the same day, passed Assembly Bill No. 394—An Act to authorize the City of San José to issue bonds to provide sewerage for said city.

Also, on the same day, passed Assembly Bill No. 331—An Act to authorize the Board of Supervisors of Tehama County to levy a special tax for school purposes in the school district of Red Bluff.

Also, on the same day, corrected, in accordance with request of Assembly, Assembly Bill No 403—An Act for the relief of W. S. Brown.

Also, on the same day, amended and passed Assembly Bill No. 196—An Act to determine who must act as Chief Justice of Supreme Court.

Also, on the same day, amended and passed Assembly Bill No. 298—An Act to confirm the title to a certain lot of land in the City and County of San Francisco to the Trustees of the Associated Veterans of the Mexican War, and to authorize an exchange of said lands for certain property belonging to said city and county, or for a lease thereof.

Also, on the same day, amended and passed Assembly Bill No. 380—An Act concerning roads and highways in the County of El Dorado.

Also, on the same day, amended and passed Assembly Bill No 188—An Act to provide for listing and assessing all solvent debts, and to repeal an Act entitled an Act to prevent double taxation, approved April first, eighteen hundred and seventy, and the Act entitled an Act to relieve owners of encumbered real estate from double taxation, approved April fourth, eighteen hundred and seventy.

Also, on the same day, passed Senate Bill No. 353—An Act to provide for the election of a Treasurer and Collector of El Dorado County, and to fix their compensation.

Also, this day, passed, under a suspension of the rules, Senate Joint Resolution No 7—Requesting Congress to take steps to suppress Indian outrages in Arizona Territory—and ordered the same transmitted to the Assembly without engrossment.

FERRAL, Secretary.

CONSIDERATION OF THE MESSAGE.

Senate Bill No. 353.

Read first and second times and referred to the El Dorado delegation.

House concurred in Senate amendments to Assembly Bills Nos 380, 298, 403, and 196, above reported.

Senate Joint Resolution No 7, reported, read first and second times and placed first on the file for Monday.

MESSAGE FROM THE GOVERNOR.

The following message was received from the Governor:

STATE OF CALIFORNIA, EXECUTIVE DEPARTMENT,
Sacramento, March 9th, 1872.

To the Assembly of the State of California:

I have to inform your honorable body that I have approved Assembly Bill No. 133—An Act to amend an Act entitled an Act to provide for the protection of certain lands in the County of Sutter from overflow, approved March twenty-fifth, eighteen hundred and sixty-eight.

Also, Assembly Bill No. 486—An Act declaring a certain creek in Washington Township, Alameda County, navigable.

Also, Assembly Bill No. 320—An Act to authorize the corporate authorities of the Town of Santa Clara to take and hold in trust and convey certain lands.

Also, Assembly Bill No. 372—An Act to define the northern boundary line of Napa County, adjoining Lake and Yolo Counties.

Also, Assembly Bill No. 452—An Act to increase the number of Notaries Public in the County of Plumas.

Also, have approved Assembly Bill No. 277—An Act to prevent hunting and shooting on private inclosed grounds, and the destruction of growing timber on private grounds in certain counties of this State.

Also, Assembly Bill No. 485—An Act creating the Nineteenth and Twentieth Judicial Districts, and defining the Third, Fourth, Twelfth, and Fifteenth Judicial Districts.

NEWTON BOOTH, Governor.

INTRODUCTION OF BILLS.

Bills were introduced as follows:

By Mr. Splivalo—An Act supplementary to an Act entitled an Act to authorize the Board of Supervisors of the City and County of San Francisco to modify the grade of certain streets, and other Acts amendatory, etc., and to provide for the more speedy payment of claims arising under the said Acts

Read first and second times and referred to the San Francisco delegation.

By Mr. Wheaton—An Act to provide revenue for the School Department of the City and County of San Francisco, and for other purposes.

Read first and second times and referred to the San Francisco delegation.

By Mr. Russ—An Act authorizing P. Henneberry to remove certain bodies to a public graveyard.

Read first and second times and placed on file.

Also, an Act to authorize the Board of Supervisors of Humboldt County to provide revenue for certain purposes.

Read first and second times and placed on file.

By Mr. Bockius—An Act to encourage the planting and cultivation of oysters in certain portions of the Bay of Monterey and in the tide waters of tributary sloughs of the Salinas River.

Read first and second times and referred to the Committee on Commerce and Navigation.

By Mr. Turner—An Act to authorize the Board of Supervisors of Butte County to appoint a special policeman.

Read first and second times and referred to the Butte delegation.

GENERAL FILE.

Assembly Bill No. 400—An Act to enforce the responsibility of stockholders in corporations, as prescribed by the Constitution, and to provide for the prompt payment of demands against such corporations.

Rules suspended, bill considered engrossed, read a third time and passed.

Assembly Bill No. 558—An Act properly defining the boundaries of the Town of Antioch, and extending the same.

Rules suspended, bill considered engrossed, read a third time and passed.

Motion and Joint Resolution—Relative to asking Congress for an appropriation to improve Humboldt Harbor.

Rules suspended, bill considered engrossed, read a third time and passed.

Assembly Bill No. 501—An Act to provide for settling the boundary line between the Counties of Kern and Tulare.

Rules suspended, bill considered engrossed, read a third time and passed.

Assembly Bill No. 555—An Act to regulate the salaries and fix the compensation of the county officers of San Joaquin County.

Rules suspended, bill considered engrossed, read a third time and passed.

Assembly Bill No. 564—An Act to provide for the levying and collection of a special tax, to be used in the construction of bridges, in the County of Tehama.

Rules suspended, bill considered engrossed, read a third time and passed.

Assembly Bill No. 521.

Passed on file.

Assembly Bill No. 550.

Passed on file.

Assembly Bill No. 551.

Passed on file.

Assembly Bill No. 506.

Passed on file.

Assembly Bill No. 414.

Passed on file.

Assembly Bill No. 391—An Act to regulate and define fees in the Sheriff's office in the County of Mendocino.

Recommitted to the Mendocino delegation with special instructions to amend. Rules suspended, bill reported amended, read a third time and passed.

Assembly Bill No. 398—An Act to amend an Act entitled an Act to amend an Act entitled an Act to fix the compensation of the District Attorney of the County of Contra Costa, approved February ninth, eighteen hundred and sixty, approved March thirty-first, eighteen hundred and sixty six.

Read a third time and passed.

Assembly Bill No. 348—An Act amendatory of an Act entitled an Act concerning crimes and punishments.

Read a third time and passed.

Senate Bill No. 52—An Act to punish adultery.

Read a third time and passed.

Senate Bill No. 339—An Act authorizing the transcribing of certain records in the County of San Luis Obispo.

Read a third time and passed.

Senate Bill No. 345—An Act to fix the salary of the members of the Board of Supervisors of Trinity County.

Read a third time and passed.

Assemby Bill No. 341—An Act to regulate the taxation of land and other property in the State.

Referred to Nevada delegation.

REPORT.

The following report was made by Mr. Barnes:

Mr. SPEAKER: The Committee on Engrossment beg leave to report that they have examined and find correctly engrossed substitute for Assembly Bills Nos. 213 and 284—An Act to protect agriculture and to prevent the trespassing of animals upon private property

Also, Assembly Bill No 468—An Act to provide funds for the School Department of the City of Oakland.

Also, Assembly Bill No. 385—An Act to authorize the Board of State Harbor Commissioners to set apart a portion of the water front of the City and County of San Francisco for certain purposes

Also, Assembly Bill No 450—An Act to provide for the purchase of stationery, blank books, light, fuel, furniture, etc, for State officers and members of the Legislature.

Also, Assembly Bill No. 487—An Act to provide for the payment of deficiencies in the Department of Superintendent of Public Instruction.

Also, Assembly Bill No. 426—An Act in relation to the residence of the Judges of the Supreme Court.

Also, Assembly Bill No 389—An Act to prohibit the carrying of concealed weapons.

Also, Assembly Bill No. 433—An Act in relation to homesteads.

Also, Assembly Bill No. 493—An Act in relation to interpreters before grand juries.

Also, Assembly Bill No. 509—An Act supplementary to an Act entitled an Act to regulate the settlement of the estates of deceased persons, passed May first, eighteen hundred and fifty-one.

Also, Assembly Bill No. 543—An Act fixing the salaries of certain county officers of the County of Alameda.

BARNES, Chairman.

GENERAL FILE CONTINUED.

Senate Joint Resolution No 5—Requesting Congress not to allow a reduction of duty on chiccory flour.

On adopting the resolution, the ayes and noes were demanded by Messrs. Andrews, Tinnin, and Pardee, with the following result:

AYES—Messrs Baird, Barklage, Bradley, Bockius, Brown, Burckhalter, Coleman, Crane, Dannals, De Haven, Edgar, Franck, Freeman, Galloway, Goodall, Henshaw, Hopper, Johnston, Lofton, Long, Meeker, Mott of Sacramento, Rice, Russ, Sammons, Sargent of San Joaquin, Slaughter, Splivalo, Turner, Welty, Wheaton, Whitney, Woodward, and Mr. Speaker—34.

NOES—Messrs Andrews, Barker, Bayley, Center, Connolly, Cooper, Days, Hayes, Lee, Little, Luttrell, Mathers, Pardee, Rector, Sensabaugh, Tinnin, Ward, and Whiting—18.

Senate Bill No 309—An Act to provide for the payment of the deficiency in the State Prison appropriation for the twenty-third fiscal year, ending June thirtieth, eighteen hundred and seventy-two.

Considered in Committee of the Whole House.

IN ASSEMBLY.

Reported and passage recommended.

Read a third time and passed.

GENERAL FILE RESUMED.

Assembly Bill No. 309.

Withdrawn, on motion of Mr. Barklage.

Assembly Bill No. 546—An Act to amend an Act entitled an Act to amend an Act restricting the herding of sheep to certain pastures in the Counties of Sonoma and Marin, approved April twenty-first, eighteen hundred and fifty seven, and the Act amendatory thereof, approved April twenty-eighth, eighteen hundred and sixty —, approved March fourteenth, eighteen hundred and seventy.

Reported amendment adopted and ordered engrossed.

Mr. Turner had leave to withdraw Assembly Bill No 341.

On motion of Mr. Days, Assembly Bill No. 330 was ordered to top of the file for Thursday, March fourteenth.

On motion of Mr. Aldrich, the special order for Assembly Bills Nos. 304 and 295 were continued as the special order for Thursday next, at twelve o'clock.

On motion of Mr Days, at twelve o'clock and thirty-five minutes P. M., the House adjourned.

T. B. SHANNON,
Speaker.

M. D. BORUCK, Chief Clerk.

IN ASSEMBLY.

HOUSE OF ASSEMBLY,
Monday, March 11th, 1872.

House met pursuant to adjournment
Speaker in the chair.
Roll called
Quorum present.
Prayer by the Chaplain.
Journal of Saturday read and approved.

PETITIONS.

Petitions were presented as follows:

By Mr. Meeker—From clergymen of San Francisco and vicinity, for the repeal of the Act of eighteen hundred and seventy, relative to certain amusements permissible on the Sabbath day.

Referred to Committee on Public Morals.

By the same—From citizens and voters of San Francisco, relative to the same subject.

Referred to Committee on Public Morals.

By Mr. Wheaton—From citizens of San Diego County, for a donation to the California Immigration Union

Referred to Committee on Ways and Means.

By Mr. Mott of Sacramento—From the officers of Ladies' Howard Benevolent Society, asking for a donation from the State in aid of their depleted treasury.

Referred to Committee on Ways and Means.

REPORTS OF STANDING COMMITTEES

Reports from standing committees were made as follows:

By Mr. Eagan:

MR. SPEAKER: The Committee on Agriculture, to whom was referred Senate Bill No. 290—An Act to amend an Act entitled an Act to protect agriculture and to prevent the trespassing of animals upon private property, approved March twenty-sixth, eighteen hundred and sixty-six—have had the same under consideration, and hereby beg leave to report back said bill, recommending its passage.

EAGAN, Chairman.

By Mr. Barnes:

MR. SPEAKER: The Committee on Engrossment, beg leave to report that they have examined and find correctly engrossed Assembly Bill No. 333—An Act in relation to the Board of Education of the City and County of San Francisco.

Also, Assembly Bill No. 518—An Act concerning roads and highways in the County of Fresno, and to repeal a certain Act in relation thereto.

Also, Assembly Bill No. 384—An Act to confirm Order Number One

Thousand and Four, passed by the Board of Supervisors of the City and County of San Francisco.

Also, Assembly Bill No 443—An Act to remedy duplicate payment of taxes in the City and County of San Francisco.

Also, Assembly Bill No 453—An Act granting certain privileges to the North Beach and Mission Railroad Company.

Also, Assembly Bill No 459—An Act to transfer to the Board of Supervisors of the City and County of San Francisco the management, control, and direction of the affairs of the Industrial School Department of said city and county.

Also, Assembly Bill No. 498—An Act concerning the appointment of an Interpreter in and for the City and County of San Francisco.

Also, Assembly Bill No 513—An Act to authorize the Mayor of the City and County of San Francisco to convey certain lands to the San Francisco Lying-in Hospital and Foundling Asylum.

Also, Assembly Bill No. 529—An Act amendatory of an Act entitled an Act to organize and regulate the Justice's Court of the City and County of San Francisco, approved March twenty-sixth, eighteen hundred and sixty-six.

Also, Assembly Bill No 376—An Act entitled an Act appropriating funds to enlarge the Home for the Care of the Inebriate, located in the City and County of San Francisco.

Also, Assembly Bill No. 542—An Act authorizing the Board of Supervisors of Mariposa County to pay a certain claim.

Also, Assembly Bill No. 545—An Act to amend an Act entitled an Act to encourage the destruction of squirrels and gophers in certain counties of this State, and to provide a bounty for the same, approved March sixteenth, eighteen hundred and seventy.

Also, Assembly Bill No 387—An Act to enable the Board of Supervisors of Sacramento County to refund certain moneys.

Also, Assembly Bill No. 525—An Act to change the name of Dunbar School District.

BARNES, Chairman.

REPORTS OF SELECT COMMITTEES.

Reports from select committees were made as follows:

By Mr. Wheaton:

Mr. Speaker: The San Francisco delegation having had under consideration Assembly Bill No. 181—An Act amendatory of and supplementary to an Act to authorize Robert G. Arthur, his associates or assigns, to construct and keep in repair certain roads on the San Miguel Rancho and adjoining property, in the City and County of San Francisco, and to levy and collect tolls thereon, approved April seventeenth, eighteen hundred and sixty-two—report the same back with amendments, and recommend the passage of the bill as amended.

Also, Assembly Bill No. 382—An Act to amend an Act to change the time for holding municipal elections in the City and County of San Francisco, and to define the official terms of certain officers therein mentioned—with the substitute heretofore reported, with a recommendation by a majority of the delegation that the substitute do pass.

Also, Assembly Bill No. 383—An Act to provide and pay for services rendered for the City and County of San Francisco—with amendments, and recommend the passage of the bill as amended.

WHEATON, Chairman.

Accompanying the foregoing was a report from a minority of the San Francisco delegation on Assembly Bill No. 382, above reported, signed by Messrs. Aldrich, Meeker, and Goodall

INTRODUCTION OF BILLS.

Bills were introduced as follows:

By Mr. Luttrell—An Act to amend an Act to authorize the County Judges and Probate Judges of this State to hold terms or parts of terms of the County Court and Probate Court in counties other than those for which they were especially elected, approved March thirteenth, eighteen hundred and sixty-eight.

Read first and second times and referred to Committee on Judiciary.

By Mr. Rector—An Act to amend an Act entitled an Act concerning roads and highways in the Counties of Klamath and Del Norte, approved March thirty-first, eighteen hundred and sixty-six.

Read first and second times and placed on file.

With the foregoing, a memorial to Congress, from citizens of Humboldt County, asking better protection from the incursions by Indians, and recompense for past grievances sustained thereby.

Also, a Joint Resolution to secure the establishment of a weekly mail from Fort Jones, in Siskiyou County, to Orleans Bar.

The resolution was read first and second times, and with the memorial, referred to the Committee on Federal Relations.

By Mr. James—An Act entitled an Act for the relief of the Board of Education of the City and County of San Francisco, State of California.

Read first and second times and referred to the San Francisco delegation.

By Mr. Barnes—An Act to authorize the Board of Supervisors of Plumas County to complete the Red Clover Valley Wagon Road.

Read first and second times and placed on file.

By Mr. Russ—An Act to authorize the maintenance of a boom on Elk River and to remove obstructions from said stream

Read first and second times and referred to the Committee on Commerce and Navigation.

By Mr. Tinnin—An Act to authorize the Board of Supervisors of Trinity County to levy a special tax for surveying purposes

Read first and second times and placed on file

By Mr Barker—An Act to regulate the sale of poultry.

Read first and second times and referred to the Committee on State Hospitals

By Mr. Crane—An Act to incorporate the Town of San Leandro.

Read first and second times and referred to the Alameda delegation.

By Mr. Bell—An Act to create the County of Donner, to define its boundaries, and to provide for its organization and maintenance.

Read first and second times and referred to the Committee on Counties and County Boundaries.

By Mr. Whiting—An Act to provide for the collection of certain moneys from the Central Pacific Railroad Company

Read first and second times and referred to the Judiciary Committee.

GENERAL FILE.

Senate Joint Resolution No 7—Requesting Congress to take immediate steps to suppress Indian outrages in Arizona Territory.

Concurred in

Assembly Bill No 432—An Act amendatory of and supplementary to an Act entitled an Act to amend an Act to provide for a better system of common schools, approved April fourth, eighteen hundred and seventy.

Reported substitute adopted.

Rules suspended, bill considered engrossed, read a third time and passed.

Assembly Bill No. 450—An Act to provide for the purchase of stationery, blank books, lights, fuel, furniture, etc., for State officers and members of the Legislature.

Rules suspended, bill considered engrossed, read a third time and passed

Assembly Bill No. 493—An Act in relation to interpreters before grand juries.

Read a third time and passed.

Assembly Bill No 433—An Act in relation to homesteads.

Read a third time and passed

Assembly Bill No. 348—An Act amendatory of an Act entitled an Act concerning crimes and punishments.

Read a third time and passed

Assembly Bill No. 521—An Act to regulate and fix the salary of the Assessor of Monterey County.

Read a third time and passed.

Senate Bill No. 165—An Act to provide for the condemnation of lands for road purposes in the County of Santa Cruz.

Read a third time and passed.

Senate Bill No. 185—An Act to amend an Act to provide for the sale and management of the lands belonging to this State.

On the passage of the bill, the ayes and noes were demanded by Messrs. Berry, Barker, and Harvey, and passed by the following vote:

AYES—Messrs. Bacon, Baird, Barklage Bradley, Bockius, Brown, Chalmers, Coleman, Connolly, Crane, De Haven, Eagan, Everett, Freeman, French, Galloway, Gibson, Harvey, James, Johnston, McCullough, Pardee, Rector, Reed, Rice, Russ, Sargent of Santa Clara, Sargent of San Joaquin, Stillwagon, Turner, Wheaton, Woodward, Wright, and Mr. Speaker—34.

NOES—Messrs. Andrews, Barker, Barnes, Bayley, Berry, Burckhalter, Caldwell, Center, Dannals, Days, Edgar, Ellis, Franck, Hayes, Henshaw, Hopper, Lee, Little, Long, Mathers, Meeker, Mott of Sacramento, Munday, Sammons, Slaughter, Spencer, Timmn, Walker, Ward, Welty, Whiting, and Whitney—32.

Senate Bill No 136.

Taken from the file and referred to the San Francisco delegation.

Assembly Bill No. 550.

Taken from the file and referred to the Judiciary Committee.

Senate Bill No. 223—An Act providing for the appointment of a Reporter in the First Judicial District of this State.

Reported amendments adopted, read a third time and passed.

Assembly Bill No. 551—Proposed amendment to the Constitution of the State of California.

Ordered engrossed.

Assembly Bill No. 516—An Act requiring Boards of Education and School Trustees to equalize the salaries of male and female teachers in the public schools of this State.

Rules suspended, bill considered engrossed, read a third time and passed.

Assembly Bill No. 414—An Act entitled an Act prohibiting corporal punishment in the public schools in the State.

The previous question was moved by Mr. Sargent of San Joaquin.

And on ordering the bill engrossed, the ayes and noes were demanded by Messrs. Luttrell, French, and Bockius:

AYES—Messrs Aldrich Andrews, Bacon, Baird, Barnes, Bayley, Bockius, Brown, Coleman, De Haven, Edgar, Ellis, Galloway, Gibson, Goodall, Harvey, Hopper, Lee, Luttrell, Munday, Pardee, Rector, Rice, Sammons, Sargent of Santa Clara, Slaughter, Spencer, Turner, Wheaton, and Mr. Speaker—30.

NOES—Messrs. Barker, Barklage, Berry. Burckhalter, Center, Chalmers, Connolly, Crane, Dannals, Days, Everett, Franck, French, Henshaw, James, Little, Long, Mathers, Meeker, Mott of Sacramento, McCullough, Reed, Russ, Sargent of San Joaquin, Stillwagon, Tinnin, Walker, Ward, Welty, Whiting, Whitney, Woodward, and Wright—33.

On motion of Mr. Barker, at five o'clock and twenty minutes P. M., the House adjourned.

T. B. SHANNON,
Speaker.

M. D. BORUCK, Chief Clerk.

IN ASSEMBLY.

HOUSE OF ASSEMBLY,
Tuesday, March 12th, 1872.

House met pursuant to adjournment.
Speaker in the chair.
Roll called.
Quorum present.
Prayer by the Chaplain.
Journal of yesterday read and approved.

PROTEST AND MEMORIAL.

Mr. Days presented a memorial and protest against any appropriation in favor of any Immigration Aid Society.

Referred to Committee on Public Lands and ordered printed.

Mr. Wilcox presented a petition and memorial from citizens of Merced County, in behalf of the encouragement of the production and manufacture of cotton in California.

Referred to Committee on Agriculture.

REPORTS OF STANDING COMMITTEES.

Reports of standing committees were made as follows:

By Mr. Barnes:

Mr. SPEAKER: The Committee on Engrossment beg leave to report that they have examined and find correctly engrossed Assembly Bill No. 516—An Act to permanently locate the county seat of the County of Monterey by the qualified electors of said county.

Also, Assembly Bill No. 455—An Act reserving all lands within this State belonging to the State of California for sale to actual settlers only.

Also, Assembly Bill No. 456—An Act calling in the deferred payments and moneys due upon lands heretofore applied for or purchased from the State of California on credit.

Also, Assembly Bill No. 480—An Act to amend an Act entitled an Act defining the legal distances from each county seat to the Capitol, Lunatic Asylum, and State Prison, approved April twenty-fourth, eighteen hundred and fifty-eight

Also, Assembly Bill No. 512—An Act amendatory of and supplemental to an Act entitled an Act to regulate and license places of public amusements, approved April thirteenth, eighteen hundred and sixty-three.

Also, Assembly Bill No. 334—An Act regulating the rights of property of married women.

Also, Assembly Bill No. 517—An Act in reference to the County Assessor of Napa County.

BARNES, Chairman.

By Mr. Mott of Sacramento:

Mr. SPEAKER: The Committee on Claims, to whom was referred Senate Bill No 255—An Act to appropriate money for the relief of John J. Mecredy—beg leave to report it back and recommend its passage.

MOTT, Chairman.

REPORTS OF SPECIAL COMMITTEES.

Reports from special committees were made as follows:

By Mr. Wheaton, verbally—From the San Francisco delegation, reporting back and recommending the passage of Senate Bill No. 126—An Act in relation to Coroners—with amendments.

Rules were suspended, and the bill above reported taken up, reported amendment adopted, and the bill read a third time and passed, and title amended.

By Mr. Stillwagon:

Mr. SPEAKER: The Napa delegation, to whom was referred Assembly Bill No. 568—In reference to street railroads in the Town and County

of Napa—respectfully return the same with the recommendation that it pass.

STILLWAGON, Chairman.

By Mr. Crane:

Mr. SPEAKER: The Alameda delegation, to whom was referred Assembly Bill No. 584, beg leave to report the same back and recommend its passage.

CRANE, for Delegation.

The rules were suspended, and the bill above reported was taken up, read a third time and passed.

MESSAGE FROM THE GOVERNOR.

The following message was received from the Governor:

STATE OF CALIFORNIA, EXECUTIVE DEPARTMENT,
Sacramento, March 12th, 1872.

To the Assembly of the State of California:

Assembly Bill No. 219—An Act authorizing certain persons to improve a portion of King's River, and to erect booms therein—is herewith respectfully returned to your honorable body without my approval

This bill embodies a franchise in the nature of a monopoly, continuing for twenty years without danger of reversion. Perhaps the improvement of the river contemplated in the bill would operate as an immediate benefit in a county of large area and sparse population, but, in my opinion, it is bad policy for the State to yield to a few of her citizens control, that cannot be questioned or interfered with for so long a period of time, any portion of the public domain, without properly guarding the interests of all whom such legislation may affect. It seems to me that this proposed franchise contains but few effective safeguards for the State or for the people of Fresno County. No requirement for the actual expenditure of any stated amount of money in improving the river channel, no provision for the regulation of tolls by the county authorities, nor revision of them by the Legislature, nor any obligation that the river shall be kept open and in proper repair for its contemplated uses after the Board of Supervisors shall have once declared it to be improved, and that most of the restrictions, pains, and penalties provided are against the general public, while the privileges, benefits, and assurances are in favor of those who ask the franchise.

NEWTON BOOTH, Governor.

CONSIDERATION OF THE MESSAGE.

On the question, "Shall this bill become a law, notwithstanding the objections of the Governor?" the roll was called with the following result:

AYES—Messrs. Burckhalter and Henshaw—2.

NOES—Messrs. Aldrich, Andrews, Bacon, Baird, Barker, Barklage, Barnes, Bayley, Bell, Berry, Bradley, Bockius, Brown, Center, Chalmers,

Coleman, Crane, Dannals, Days, De Haven, Eagan, Edgar, Everett, Franck, Freeman, French, Galloway, Gibson, Goodall, Harvey, Hayes, James, Johnston, Jost, Lee, Little, Long, Luttrell, Mathers, Meeker, Mott of Sacramento, Munday, McCullough, Pardee, Rector, Rice, Russ, Sammons, Sargent of Santa Clara, Sargent of San Joaquin, Schrack, Seibe, Sensabaugh, Slaughter, Spencer, Stillwagon, Timmin, Turner, Ward, Welty, Wheaton, Whiting, Whitney, Wilcox, Woodward, Wright, and Mr. Speaker—67.

And so the veto of the Governor was sustained.

MESSAGE FROM THE SENATE.

The following message was received from the Senate:

SENATE CHAMBER,
March 11th, 1872.

Mr SPEAKER: I am directed to inform your honorable body that the Senate, on the eighth day of March, passed Senate Bill No. 291—An Act for the relief of Joseph S Emery

Also, on the same day, passed Assembly Bill No. 490—An Act to provide for the opening and improvement of Santa Clara Avenue.

Also, on the same day, amended and passed Assembly Bill No. 430—An Act for the preservation of fish in Siskiyou County.

Also, on the same day, passed Assembly Bill No. 392—An Act supplemental to an Act entitled an Act to raise a fund for the improvement of Napa City.

Also, on the same day, passed Assembly Bill No 357—An Act amendatory of an Act entitled an Act for the more effectual prevention of cruelty to animals.

Also, on the same day, passed Assembly Bill No. 379—An Act to authorize the Treasurer of San Joaquin County to transfer certain funds to the General School Fund of said county.

Also, on the same day, amended and passed Assembly Bill No. 353—An Act to remedy defects in certain county records

Also, on the same day, passed Assembly Bill No. 274—An Act to amend an Act entitled an Act to authorize the Exempt Fire Company of San Francisco to receive and manage the San Francisco Fire Department Charitable Fund, and to receive from the City and County of San Francisco a house and lot for its use, approved April second, eighteen hundred and sixty-six.

Also, on the same day, passed Assembly Bill No. 260—An Act to amend an Act to provide for a system of common schools, approved April fourth, eighteen hundred and seventy.

Also, on the same day, passed Assembly Bill No. 133—An Act to amend an Act entitled an Act to regulate proceedings in the Courts of justice of this State, approved April twenty-ninth, eighteen hundred and fifty-one.

Also, on the same day, passed Assembly Bill No. 248—An Act to grant to the Town of San Bernardino all the interest of the State in certain real property.

Also, on the sixth of March, passed Senate Bill No. 320—An Act to prevent the trespass of animals and to protect agriculture in Colusa County.

Also, on the eighth of March, passed Senate Bill No. 352—An Act amendatory of and supplementary to an Act entitled an Act to reincorporate the City of Placerville.

Also, on the same day, passed Senate Bill No. 247—An Act to amend an Act entitled an Act to regulate fees and salaries of officers, and defining their duties, in the County of El Dorado—and ordered the same transmitted to the Assembly without engrossment

Also, on the same day, passed Senate Bill No. 350—An Act to establish a dispensary in the City of Sacramento.

Also, on the same day, passed Senate Bill No 340—An Act to authorize the Board of Supervisors of San Luis Obispo County to audit and allow the claim of M. B Harrison.

Also, on the same day, passed Senate Bill No. 219—An Act to amend an Act entitled an Act to regulate fees of office, and salaries of certain officers, in the County of San Luis Obispo.

Also, on the same day, passed Senate Bill No 378—An Act in relation to the office of District Attorney of Santa Cruz County.

Also, on this day, refused to concur in Assembly Concurrent Resolution No. 27—Relative to requesting the Governor to return Assembly Bill No. 219.

Also, on the same day, passed Assembly Bill No. 423—An Act to amend an Act to regulate fees and salaries in the County of Calaveras, and to define the duties of certain officers in said county.

Also, on the same day, amended and passed Assembly Bill No. 515—An Act to incorporate the Town of Fort Jones.

Also, on the same day, passed Senate substitute for Assembly Bill No. 234—An Act to regulate the interest of money.

Also, on the same day, amended and passed Assembly Bill No 287—An Act to prevent persons passing through inclosures and leaving them open, and tearing down fences to make passage through inclosures

Also, on the same day, passed Assembly Bill No 233—An Act to provide for the payment of certain equitable claims of J. M. Hutchings, A. J. Black, and J. C. Lamon, settlers in Yosemite Valley.

FERRAL, Secretary.

CONSIDERATION OF THE MESSAGE.

Senate Bill No. 352, above reported, read first and second times and referred to the El Dorado delegation.

Senate Bill No. 247, above reported, read first and second times and referred to the El Dorado delegation.

Senate Bill No. 320, above reported, read first and second times and referred to the Committee on Agriculture.

Senate Bill No 350, above reported, read first and second times and referred to the Sacramento delegation.

Senate Bill No. 340, above reported, read first and second times and referred to the Santa Barbara delegation.

Senate Bill No. 219, above reported, read first and second times and placed on file.

Senate Bill No. 378, above reported, read first and second times and referred to the Santa Cruz delegation.

Senate Bill No 291, above reported, read first and second times and referred to the Committee on Claims.

The House concurred in Senate amendments to Assembly Bills Nos. 430, 353, and 287, above reported.

Assembly Bill No 515, with Senate substitute, above reported, was referred to the Judiciary Committee.

Assembly Bill No 234, with Senate substitute therefor, above reported, was referred to the Judiciary Committee.

INTRODUCTION OF BILLS.

Bills were introduced as follows:

By Mr. Rector—An Act to change the manner of electing Supervisors in the County of Del Norte, and prescribing the method thereof.

Read first and second times and referred to the Del Norte delegation.

By Mr. Slaughter—An Act to amend An Act to protect agriculture and to prevent the trespass of animals upon private property in the County of Los Angeles, and the County of San Diego, and part of Monterey County, approved February fourteenth, eighteen hundred and seventy-two, and to make the same applicable to the County of San Bernardino

Read first and second times and referred to the Judiciary Committee.

By Mr. Coleman—An Act to provide for the payment of the salaries and fees of the officers of Alpine County.

Read first and second times and referred to the Amador and Alpine delegation.

By Mr. Wright—An Act to reincorporate the City of Vallejo.

Read first and second times and referred to the Judiciary Committee, together with a remonstrance from citizens of Vallejo against the passage of Assembly Bill No 537, relating to the same subject.

By Mr. Freeman—An Act to adjust the accounts of Swamp Land District Number Eighteen, Yolo County.

Read first and second times and referred to Yolo and Solano delegations.

By Mr. Stillwagon—An Act to incorporate the Town of Napa City.

Read first and second times and (with accompanying petition) referred to the Napa delegation.

By Mr Crane—An Act to provide for the designation of the line of the true meridian in the several counties of the State

Read first and second times and referred to Committee on Public Lands.

By Mr. Barnes—An Act to fix the salary of the District Attorney of Plumas County.

Read first and second times and placed on file.

By Mr. French—An Act supplementary to the Act of April twenty-fifth, eighteen hundred and sixty-three, entitled an Act to incorporate the City of Sacramento.

Read first and second times and referred to Sacramento delegation.

By Mr. Johnston—An Act to establish wards in the Sacramento County Hospital for the maintenance of non-resident indigent sick of said county.

Read first and second times and referred to Sacramento delegation.

By Mr. Goodall—An Act in relation to the water front of the City and County of San Francisco.

Read first and second times and referred to San Francisco delegation.

By Mr. Spivalo—For an Act authorizing the Board of Supervisors of the City and County of San Francisco to provide suitable rooms, attendants, fuel, lights, and stationery for the Third and Nineteenth District Courts, in and for the City and County of San Francisco and the County of Alameda.

Read first and second times and placed on file.

RESOLUTIONS.

Resolutions were offered as follows:

By Mr. Bell—A concurrent resolution authorizing the printing of two thousand copies of the Report of the Fish Commissioners

Lost.

Mr. Slaughter gave notice of a motion to reconsider the vote respecting the foregoing resolution

By Mr. Goodall—A joint resolution in favor of obtaining a subsidy for the carrying of a monthly mail between the City of San Francisco and the Island of Tahiti.

Referred to the Committee on Federal Relations.

REPORT.

The following report was made by Mr. Gibson:

Mr. Speaker: Your Committee on Enrollment beg leave to report that they have examined and found correctly enrolled Assembly Bill No. 395—An Act to reincorporate the City of San Jose.

Also, Assembly Bill No. 165—An Act for the relief of John Jackson, Sheriff and ex officio Tax Collector of Trinity County.

Also, Assembly Bill No. 239—An Act for the relief of purchasers of State lands.

Also, Assembly Bill No 218—An Act to create the County of Ventura, to establish the boundaries thereof, and to provide for its organization.

Also, Assembly Bill No 331—An Act to authorize the Board of Supervisors of Tehama County to levy a special tax for school purposes in the school district of Red Bluff, in Tehama County.

Also, Assembly Bill No. 405—An Act to raise revenue in Plumas County for hospital and other purposes.

And that the same have, this twelfth day of March, eighteen hundred and seventy-two, at eleven o'clock, been transmitted to the Governor for his approval.

GIBSON, Chairman.

The rules were suspended, and the following report was made by Mr. Barklage:

Mr Speaker: The El Dorado delegation, to whom was referred Senate Bill No. 353—An Act to provide for the election of a Treasurer and Collector of El Dorado County, and to fix their compensation—have amended the same, and report the same back, and recommend its passage as amended.

BARKLAGE, for Delegation.

The rules were suspended, and the bill above reported taken up, reported amendment adopted, and the bill read a third time and passed.

MESSAGE FROM THE SENATE.

The following message was received from the Senate:

SENATE CHAMBER,
March 12th, 1872.

Mr. SPEAKER: I am directed to inform your honorable body that the Senate, on the eleventh day of March, passed Assembly Bill No 429—An Act to authorize the Board of Supervisors of Merced County to levy a special tax for the purpose of constructing a bridge across the Merced River.

Also, on the same day, passed Assembly Bill No. 402—An Act amendatory of an Act to provide for binding minors as apprentices, clerks, and servants.

Also, on the same day, passed Assembly Bill No. 465—An Act to authorize the Masonic and Odd Fellows' Cemetery Association, and the citizens of Contra Costa County, to remove human remains.

Also, on the same day, passed Assembly Bill No. 316—An Act to amend an Act entitled an Act to regulate proceedings in criminal cases.

Also, on the same day, refused to pass Assembly Bill No. 42—An Act to amend an Act entitled an Act to establish a quarantine for the Bay and Harbor of San Francisco.

Also, on the same day, refused to pass Assembly Bill No. 265—An Act authorizing the District Courts of this State to appoint assistant counsel in the prosecution of criminal cases

Also, on the same day, refused to pass Assembly Bill No. 276—An Act supplementary to an Act creating the office of Insurance Commissioner.

Also, on the same day, passed Senate Bill No 402—An Act to put into immediate effect certain parts of the Political and Penal Codes, and ordered the same transmitted to the Assembly without engrossment.

Also, on the same day, refused to pass Assembly Bill No 279—An Act to amend an Act entitled an Act concerning the Courts of justice of this State and judicial officers.

Also, on the same day, concurred in Assembly Joint Resolution No. 26—Relative to the culture of the grapevine.

Also, on the same day, passed Senate Bill No. 103—An Act to provide for the assessment of encumbered real estate

Also, on the same day, passed Senate Bill No. 365—An Act to restrict the hunting or shooting of game in Yolo County.

Also, on the same day, amended and passed Assembly Bill No. 120—An Act to regulate practice in the Supreme Court.

Also, on the same day, amended and passed Assembly Bill No. 112—An Act to amend an Act to regulate proceedings in civil cases in the Courts of justice of this State.

FERRAL, Secretary.

CONSIDERATION OF THE MESSAGE

Senate Bill No. 402, above reported, read first and second times and ordered to head of file for Wednesday.

Senate Bill No. 103, above reported, read first and second times and referred to the Committee on Ways and Means.

Senate Bill No. 365, above reported, read first and second times and referred to the Yolo delegation

The House concurred in Senate amendment to Assembly Bill No. 120, above reported.

The House concurred in one Senate amendment to Assembly Bill No. 112, above reported, and refused concurrence in other amendments also reported.

GENERAL FILE.

Senate Bill No. 47—An Act to amend an Act entitled an Act to provide for the management and sale of lands belonging to the State, approved March twenty-eighth, eighteen hundred and sixty-eight.

The House refused to recede from the amendment exempting the County of Sutter from the provisions of the bill, and they refused to pass it.

Senate Bill No. 290—An Act to amend an Act entitled an Act to protect agriculture and to prevent the trespassing of animals upon private property, approved March twenty-sixth, eighteen hundred and sixty-six.

Read a third time and passed.

Assembly Bill No. 333—An Act in relation to the Board of Education of the City and County of San Francisco.

Read a third time and passed.

Senate Bill No. 225.

Taken from the file and laid on the table.

Assembly Bill No. 484.

Taken from the file and laid on the table.

Assembly Bill No. 340.

Taken from the file and laid on the table.

Senate Bill No. 140.

Recommitted to the Committee on Agriculture.

Assembly Bill No 412.

Recommitted to the Committee on Swamp and Overflowed Lands.

Mr. Wilcox had leave to withdraw from the file Assembly Bill No. 408.

Assembly Bill No. 505—An Act to amend an Act entitled an Act to provide for the management and sale of the lands belonging to the State, approved March twenty-eighth, eighteen hundred and sixty-eight.

Amendments reported adopted, bill considered engrossed, read a third time and passed.

Assembly Bill No. 499—An Act requiring Sheriff's to wear a badge of office.

Amendments reported adopted, bill considered engrossed, read a third time and passed.

The House refused to order engrossed Assembly Bills Nos. 435, 470, 495, and 500.

Assembly Bill No. 310.

Passed on file.

Assembly Bill No. 421.

Indefinitely postponed.

Assembly Bill No. 544—An Act for the relief of J. N. Walker, formerly Tax Collector of Fresno County.

Considered in Committee of the Whole House.

IN ASSEMBLY.

Reported and passage recommended.

Rules suspended, bill considered engrossed, read a third time and passed.

GENERAL FILE RESUMED.

Assembly Bill No. 522—An Act to empower the City of Stockton to excavate, widen, and open the Mormon Slough, and provide funds therefor.

Rules suspended, bill considered engrossed, read a third time and passed.

Assembly Bill No. 514—An Act to repeal an Act entitled an Act to provide for the better care of indigent sick in the County of San Bernardino, approved May sixth, eighteen hundred and sixty-two.

Rules suspended, bill considered engrossed, read a third time and passed.

Assembly Bill No. 519—An Act in relation to the death penalty.

Amended and ordered engrossed.

Assembly Bill No. 563—An Act authorizing the County Treasurer of the County of Alameda to pay certain claims against said county.

Rules suspended, bill considered engrossed, read a third time and passed.

Assembly Bill No. 554—An Act to prevent hogs from running at large in the Town of Susanville.

Amendments reported adopted, bill considered engrossed, read a third time and passed, and title amended.

At one o'clock P. M., on motion of Mr. Caldwell, the House took a recess for one hour.

REASSEMBLED.

At two o'clock P. M. the House reassembled.

Speaker in the chair.

Roll called.

Quorum present.

LEAVE OF ABSENCE.

Leave of absence was granted to Mr. Lofton for two days.

SPECIAL ORDER.

The House took up the special order for the day, the consideration of the Governor's message vetoing Assembly Bill No. 273—An Act supplemental to an Act entitled an Act to authorize the County of Sonoma to donate bonds to a railroad company, and to provide for the payment of the same, approved March eighteenth, eighteen hundred and sixty-eight.

The following message was read:

STATE OF CALIFORNIA, EXECUTIVE DEPARTMENT,
Sacramento, March 4th, 1872.

To the Assembly of the State of California:

Assembly Bill No. 273—An Act supplemental to an Act entitled an

Act to authorize the County of Sonoma to donate bonds to a railroad company, and to provide for the payment of the same, approved March eighteenth, eighteen hundred and sixty eight—is respectfully returned to your honorable body without approval.

Under the provisions of the original Act an election was held, by which it was determined that the County of Sonoma should donate bonds, to the amount of five thousand dollars per mile, for the construction of a railroad from Cloverdale, by way of Healdsburg, Santa Rosa, and Petaluma, to Marin County line, with a branch from some point on said road to Bloomfield. The bonds for the main road were to be issued in installments, of fifty thousand dollars on the completion of the first ten miles, and of twenty-five thousand dollars on the completion of each subsequent five miles, and those for the branch road (about twelve miles) upon its completion. But no bonds were to issue for any road or part of road unless such road or part of road should be constructed within four years of the passage of the Act.

The object of the present bill is to extend the time for the completion of the roads. If any portion of the subsidy granted as above has lapsed, or is liable to lapse, by failure of the railroad company to comply with the conditions upon which it was to be given, is it competent for the Legislature to change the terms of the contract? If the Legislature can rightfully extend the time as to one of the parties, it might with equal right shorten it as to the other; if it can renew a subsidy which has lapsed, it can forfeit one which has accrued. For any portions of the road incomplete at the expiration of the time stipulated, the present bill would operate as a new grant, made directly by the Legislature.

If any question of policy can be settled by a popular verdict, that of granting county subsidies to railroad companies has been determined by the people of this state. I do not understand that the principle settled is a mere abstraction, but a rule of action—a rule to be adhered to in the face of seeming immediate hardships, for the sake of ultimate aggregate good, a rule which can have no value if it is to be waived whenever a case arises for its practical application.

I have given great consideration to the argument urged in the present instance, that without the extension asked for the main road may be completed and the branch not, and that lands lying along the branch will be taxed for the construction of the main road, without receiving the benefit contemplated at the time the subsidy was voted. Is not this, however, more than answered by the fact that if the extension be granted property in other parts of the county may be taxed for the construction of both roads, while deriving benefit from neither?

NEWTON BOOTH, Governor.

Mr. Wilcox moved the previous question and the demand was sustained.

On the question, "Shall this bill become a law notwithstanding the objections of the Governor?" the roll was called with the following result:

AYES—Messrs. Bacon, Baird, Bayley, Bell, Bockius, Brown, Burckhalter, Caldwell, Chalmers, Connolly, Cooper, Crane, Dannals, Eagan, Ellis, French, Galloway, Gibson, Goodall, Gray, Harvey, Hayes, Henshaw, Hopper, James, Johnston, Jost, Little, Mott of Los Angeles, Mott of Sacramento, Munday, McCullough, Pardee, Reed, Rice, Sargent of

Santa Clara, Schrack, Seibe, Sensabaugh, Slaughter, Spencer, Splivalo, Stillwagon, Ward, Welty, Wheaton, Whiting, Whitney, Wilcox, Wright, and Mr Speaker—52

NOES—Messrs Aldrich, Andrews, Barker, Barklage, Barnes, Berry, Bradley, Center, Coleman, Days, De Haven, Edgar, Everett, Franck, Freeman, Lee, Long, Luttrell, Meeker, Rector, Russ, Sammons, Sargent of San Joaquin, Tinnin, and Turner—25.

And so the bill passed, notwithstanding the objections of the Governor.

At five o'clock and twenty minutes P. M., on motion of Mr. Wilcox, the House adjourned.

T. B. SHANNON,
Speaker.

M. D. BORUCK, Chief Clerk.

IN ASSEMBLY.

HOUSE OF ASSEMBLY,
Wednesday, March 13th, 1872.

House met pursuant to adjournment.
Speaker in the chair.
Roll called.
Quorum present.
Prayer by the Chaplain.
Journal of yesterday read and approved.

REPORTS OF STANDING COMMITTEES.

Reports from standing committees were made as follows:

By Mr. Mott of Sacramento:

Mr. SPEAKER: The Committee on Claims, to whom was referred Assembly Bill No. 335—An Act to pay for services rendered the State of California—beg leave to report it back, with the recommendation that it do not pass.

Also, report back Assembly Bill No. 80—An Act for the relief of D. J. Rudd—and recommend that it do not pass.

Also, report back Senate Bill No. 291—An Act for the relief of Joseph S. Emery—and recommend that it do not pass.

Also, report back Senate Bill No. 104—An Act to provide for the payment of certain witnesses in the case of The People vs. Horace Smith—and recommend that it do not pass.

MOTT, Chairman.

By Mr. Spencer:

Mr. SPEAKER: The Committee on Judiciary having considered Assembly Bill No. 570—An Act to restore the Great Register of the County of Sutter—report it back and recommend its passage.

Also, Assembly Bill No. 536—An Act in relation to unclaimed bag-

gage—report it back with amendments, and recommend its passage as amended.

Also, Senate Bill No. 75—An Act providing for the appointment of a phonographic reporter in the County of San Joaquin in certain cases—report it back and recommend its passage.

Also, Senate Bill No 180—An Act supplemental to an Act entitled an Act to provide for compensating parties whose property may be destroyed in consequence of mobs or riots, approved March twenty-seventh, eighteen hundred and sixty-eight—report it back with amendments, and the majority recommend its passage as amended.

SPENCER, Chairman.

By Mr. Harvey:

Mr. SPEAKER: The Committee on Swamp and Overflowed Lands, to whom was referred Assembly Bill No. 412—An Act to cede certain property to the Town of Trinidad—have had the same under consideration, report it back with amendments, and recommend its passage as amended.

Also, Assembly Bill No. 436—An Act to provide for the payment of certain Controller's warrants drawn upon the State Treasury—report the same back with amendments, and recommend its passage as amended.

HARVEY, Chairman.

The rules were suspended, and Assembly Bill No. 412, above reported, was taken up, rules again suspended, considered engrossed, read a third time and passed.

By Mr. De Haven:

Mr. SPEAKER: The Committee on Mileage, to whom was referred the matter of the mileage allowance to the members of the Committee on Public Buildings and Grounds for visit to the Deaf, Dumb, and Blind Asylum, report back as follows.

Names.	Miles.	Amount.
Pardee	286	$57 20
McCullough	286	57 20
Baird	286	57 20
Bockius	286	57 20
Caldwell	286	57 20
Seibe	286	57 20
E. B. Mott	286	57 20
W. D. Delaney, Clerk	286	57 20
J. J. Hanovan, rent of committee room	.....	20 00
		$477 60

The committee recommend the passage of the following resolution:

Resolved, That the Controller of State is hereby authorized to draw his warrant upon the Assembly Contingent Fund for the several sums above mentioned, and the Treasurer of State is hereby directed to pay the same.

DE HAVEN, Chairman.

By Mr. Meeker:

Mr. SPEAKER: The Committee on Federal Relations, to whom was referred a Memorial — Requesting relief of settlers on Suscol Rancho—have had the same under consideration, and recommend its adoption with the resolution attached thereto.

They have also had under consideration Assembly Joint Resolution No. 29, referred to them—Relative to establishing a weekly mail from Fort Jones, Siskiyou County, to Orleans Bar—and recommend the adoption of the resolution.

MEEKER, Chairman.

By Mr. Gray:

Mr SPEAKER: Your Committee on Corporations, to whom was referred Senate Bill No 264, report the same back and recommend its passage.

Also, Assembly Bill No. 492, it being a local bill, recommend that it be referred to the Los Angeles delegation.

GRAY, Chairman.

Also, by Mr. Gray:

Mr. SPEAKER: Your Committee on Corporations, to whom was referred Senate Bill No. 61, report that that they have had the same under consideration, and recommend that the Senate amendments be concurred in by the House.

GRAY, Chairman.

REPORTS OF SPECIAL COMMITTEES.

Reports from special committees were made as follows:

By Mr. Coleman:

Mr. SPEAKER: The Alpine and Amador delegation, to whom was referred Assembly Bill No 589—An Act to provide for the payment of the salaries and fees of the officers of Alpine County—have had the same under consideration, and report the same back and recommend its passage.

COLEMAN, for Delegation.

The rules were suspended, and the bill above reported taken up, rules again suspended, considered engrossed, read a third time and passed.

By Mr. Everett:

Mr. SPEAKER: The Nevada delegation, to whom was referred Assembly Bill No. 256—An Act in relation to moneys belonging to the State

derived from taxes assessed on mortgages—having had the same under consideration, report the bill back with amendments, and recommend its passage as amended.

EVERETT, for Delegation.

By Mr. Freeman.

Mr. SPEAKER: The Yolo delegation, to whom was referred Senate Bill No. 365—In relation to restricting the hunting and shooting of game in the County of Yolo—report the same back and recommend its passage.

FREEMAN, for Delegation.

The rules were suspended, and the bill above reported taken up, read a third time and passed.

By Mr. Stillwagon:

Mr SPEAKER: The Napa delegation, to whom was referred Assembly Bill No. 592, respectfully return the same and recommend its passage.

STILLWAGON, for Delegation.

The rules were suspended, and the bill above reported taken up, rules again suspended, considered engrossed, read a third time and passed.

By Mr. Johnston:

Mr. SPEAKER: The Sacramento delegation, to whom was referred Assembly Bill No. 596, report the same back and recommend its passage.

JOHNSTON, for Delegation.

By Mr. Barklage:

Mr SPEAKER: The El Dorado delegation, to whom was referred Senate Bill No. 247—An Act to amend an Act entitled an Act to regulate fees and salaries of officers in the County of El Dorado, and other matters relating thereto, approved March fifth, eighteen hundred and seventy—beg leave to report it back and recommend that it do pass.

Also, Senate Bill No 352—An Act amendatory of and supplementary to an Act entitled an Act to reincorporate the City of Placerville and extend the limits thereof, approved April sixth, eighteen hundred and sixty-three—beg leave to report it back and recommend that it do pass.

BARKLAGE, for Delegation.

The rules were suspended, and the bills above reported taken up, and severally read a third time and passed.

RESOLUTIONS.

Resolutions were offered as follows:

By Mr. Goodall:

Resolved, That the Clerk of the Committee on Corporations be and is hereby directed to perform the duties of Clerk for the Committee on Commerce and Navigation.

Adopted.

By Mr. Wheaton:

Resolved, That the Committee on Education be instructed to report Assembly Bill No. 366 on or before Friday next, fifteenth instant.

Adopted.

Mr. Barnes offered a resolution granting compensation to the watchman of the Assembly Chamber for extra labor.

Referred to Committee on Rules and Regulations.

INTRODUCTION OF BILLS.

Bills were introduced as follows:

By Mr Burckhalter—An Act authorizing certain persons to improve a portion of Kern River, and to erect booms therein.

Read first and second times and placed on file

By Mr. French—An Act supplementary to the Act of April twenty-fifth, eighteen hundred and sixty-three, entitled an Act to incorporate the City of Sacramento.

Read first and second times and placed on file.

By Mr. Johnston—An Act to amend an Act concerning roads and highways in the County of Sacramento.

Read first and second times and placed on file.

By Mr. Hopper—An Act to amend section thirteen of an Act concerning roads and highways in the County of Sacramento, approved April second, eighteen hundred and seventy.

Read first and second time and referred to the Sacramento delegation.

By Mr. Berry—An Act to release the claim of the State of California to certain lands in township eleven (11) north, range four (4) east, Mount Diablo base and meridian.

Read first and second times and referred to the Committee on Public Lands

By Mr. Seibe—An Act to repeal section three hundred of the Penal Code, approved February fourteenth, eighteen hundred and seventy-two, and to repeal an Act for the observance of the sabbath, approved May twentieth, eighteen hundred and sixty-one.

Read first and second times and referred to the Committee on Public Morals

By Mr. Russ—An Act to withdraw from market the salt marsh and tide lands lying in and around Humboldt Bay, Humboldt County.

Read first and second times and referred to the Committee on Swamp and Overflowed Lands

By Mr. Center—A joint resolution in opposition to the grant by Congress of Yerba Buena Island, in the Bay of San Francisco, to the Central Pacific Railroad Company or any other corporation.

Read first and second times and referred to the Committee on Federal Relations

By Mr. Reed—An Act to prohibit the keeping open of bath-houses, barber shops, and hair-dressing saloons in the City of San Francisco, to be kept open on the first day of the week, usually known as Sunday.

Read first and second times and referred, with accompanying petition, to the San Francisco delegation.

REPORTS.

The rules were suspended and the following reports were made:

By Mr. Cooper:

Mr. SPEAKER: Your committee to whom was referred Senate Bill No. 340, report it back and recommend its passage.

COOPER, for Delegation.

By Mr. Aldrich:

A report from a minority of the San Francisco delegation on Senate Bill No 187—An Act creating the office of Bank Commissioner.

Placed on file with the bill.

MESSAGE FROM THE SENATE.

The following message was received from the Senate:

SENATE CHAMBER,
March 12th, 1872.

Mr. SPEAKER: I am directed to inform your honorable body that the Senate, on this twelfth day of March, passed Senate substitute for Assembly Bill No 541—An Act to amend section thirteen of an Act entitled an Act to regulate fees of office and salaries of certain officers, and to repeal certain other Acts in relation thereto

Also, on the ninth instant, passed Senate Bill No 254—An Act to amend an Act entitled an Act to provide for the formation of corporations for certain purposes.

Also, on the same day, passed Senate Bill No. 338—An Act to amend an Act to provide for the management and sale of the lands belonging to the State.

Also, on the same day, passed Senate Bill No. 346—An Act concerning the salary of the District Attorney of Lake County.

Also, on the same day, passed Senate Bill No. 366—Proposed amendments to the Constitution of the State of California.

Also, on the same day, passed Senate Bill No. 270—An Act to amend an Act to prevent the destruction of fish in the waters of Napa River and Sonoma Creek.

Also, on the same day, passed Senate Bill No. 250—An Act to reincorporate the Town of Santa Rosa.

Also, on the eleventh day of March, passed Senate Bill No. 240—An Act to create the office and define the duties of the State Board of Forest Commissioners.

Also, on the twelfth instant, passed Assembly Bill No. 468—An Act to provide funds for the School Department of the City of Oakland.

Also, on the same day, passed Assembly Bill No. 502—An Act to pro-

vide for the construction and maintenance of free bridges in the County of Trinity, and to set apart a Fund therefor.

Also, on the same day, amended and passed Assembly Bill No. 72—An Act for the protection of miners

Also, on the same day, passed Assembly Bill No 503—An Act to authorize an additional levy of county taxes in the County of Trinity.

Also, on the same day, passed Assembly Bill No 496—An Act to repeal section two of an Act amendatory of and supplementary to an Act to prevent certain animals from running at large in Napa City, approved April seventeenth, eighteen hundred and sixty three.

Also, on the same day, amended and passed Assembly Bill No 439—An Act to authorize the Trustees of San Buenaventura School District to issue bonds for the said district for the sum of ten thousand dollars.

Also, on the same day, passed Senate Concurrent Resolution No. 43—Relative to payment of James Woodworth and Len Harris

The Senate, on this twelfth day of March, refused to concur in Assembly amendments to Senate Bill No 69—An Act concerning estrays in the County of Napa.

The President of the Senate, on the twelfth day of March, appointed as a committee of conference Messrs. Finney, Beck, and Goodale on the disagreeing vote of the two Houses on Senate Bill No 220—An Act to amend an Act to authorize and require the County of Santa Cruz to pay over certain school money to certain school districts in San Mateo County.

FERRAL, Secretary.

CONSIDERATION OF THE MESSAGE.

The House concurred in Senate substitute for Assembly Bill No. 541, above reported

Senate Bill No. 254, above reported, read first and second times and referred to the Committee on Corporations.

Senate Bill No 338, above reported, read first and second times and referred to the Committee on Public Lands.

Senate Bill No. 346, above reported, read first and second times and referred to the Lake delegation.

Senate Bill No 366, above reported, read first and second times and referred to the Judiciary Committee

Senate Bill No. 270, above reported, read first and second times and referred to the Napa and Lake delegations

Senate Bill No 250, above reported, read first and second times and referred to the Sonoma delegation.

Assembly Bill No 72, above reported, with Senate amendments, referred to Mr. Days for examination.

The House concurred in Senate amendments to Assembly Bills Nos. 503 and 439, above reported.

The House concurred in Senate Concurrent Resolution No. 43, above reported.

Senate Bill No 69, above reported, read first and second times and referred to the Napa delegation.

The Speaker appointed Messrs Bockius, Goodall, and Eagan as a committee on the part of the House on the disagreeing vote of the two Houses on Senate Bill No. 220, above reported.

GENERAL FILE.

Senate Bill No 402—An Act to put into immediate effect certain parts of the Political and Penal Codes.

Read a third time and passed.

Assembly Bill No. 189 was ordered to top of file for to-morrow.

Assembly Bill No 228—An Act to provide a remedy in certain cases—reported from the San Francisco delegation, with a substitute therefor.

Mr. Aldrich offered a substitute for the one previously reported.

Mr. Pardee moved the indefinite postponement of the whole matter.

Mr Andrews moved to refer the bill and proposed substitute to the Committee on Claims, whereupon the ayes and noes were demanded by Messrs. Mott of Sacramento, Splivalo, and Seibe, and it was so ordered by the following vote:

AYES—Messrs. Andrews, Baird, Barker, Barklage, Barnes, Bell, Berry, Brown, Burckhalter, Caldwell, Coleman, Connolly, Cooper, Crane, Dannals, De Haven, Eagan, Edgar, Everett, Gibson, Hayes, Jost, Little, Long, Pardee, Rector, Rice, Sammons, Sargent of Santa Clara, Schrack, Sensabaugh, Stillwagon, Timmin, Turner, Ward, Whiting, Whitney, Wilcox, and Woodward—39.

NOES—Messrs Aldrich, Bacon, Bayley, Bradley, Bockius, Center, Chalmers, Days, Ellis, Franck, French, Galloway, Goodall, Gray, Harvey, Henshaw, Hopper, James, Johnston, Lee, Meeker, Mott of Sacramento, McCullough, Reed, Russ, Sargent of San Joaquin, Seibe, Slaughter, Spencer, Splivalo, Welty, Wheaton, Wright, and Mr. Speaker—34.

The House then took a recess.

REASSEMBLED.

The House again convened at a quarter before two o'clock P. M.

Speaker in the chair.

Roll called.

Quorum present.

INTRODUCTION OF BILLS

Bills were introduced as follows:

By Mr Rice—An Act to incorporate the Town of San Rafael, Marin County.

Read first and second times and referred to the Committee on Corporations

By Mr. Wilcox—An Act for the protection of mortgagees.

Read first and second times and referred to the Committee on Corporations, and ordered printed

By Mr. Center—An Act in relation to the Board of School Trustees of Oakley School District, in Sacramento County.

Read first and second times and placed on file.

By Mr. Mott of Los Angeles—An Act to protect the holders of certificates of purchase and patents to the lands of this State issued by the State.

Read first and second times and referred to the Committee on Public Lands.

By Mr Gray—An Act to amend an Act entitled an Act to prevent hunting and shooting on private grounds in the Counties of Alameda and San Mateo, approved March twenty-first, eighteen hundred and seventy

Read first and second times and referred to the Sacramento delegation.

By Mr. Pardee—An Act to define the duties of the District Attorney of Alameda County and fix his compensation in certain cases

Read first and second times and referred to the Alameda delegation.

FISH COMMISSIONERS' REPORT.

Mr Bell moved a reconsideration of the vote whereby on yesterday the House refused to adopt a concurrent resolution offered by him, to have printed two thousand copies of the Report of the Fish Commissioners.

The motion prevailed, and Mr Bell offered another concurrent resolution, authorizing the printing of one thousand copies of said report, for the use of the Senate and Assembly, which was adopted.

GENERAL FILE RESUMED.

Assembly Bill No. 256, on motion of Mr. Barker, was ordered placed at head of file for Friday next.

On motion of Mr. Gray, Assembly Bill No 180 was referred to Judiciary Committee.

Assembly Bill No 567 taken from the file and re-referred to San Joaquin delegation.

Assembly Bill No 328 was taken up and ordered placed on the file for Wednesday March twentieth

Senate Bill No. 255—An Act to appropriate money for the relief of John J. Meeredy.

Considered in Committee of the Whole House.

IN ASSEMBLY.

Reported and recommended, and read a third time.

On the passage of the bill, the ayes and noes were demanded by Messrs. Baird, Seibe, and Ward, and it passed by the following vote:

AYES—Messrs. Bacon, Barker, Barnes, Bradley, Bockius, Brown, Caldwell, Center, Chalmers, Cooper, Crane, Days, De Haven, Franck, Freeman, Galloway, Gibson, Goodall, Gray, Harvey, Hopper, James, Johnston, Lee, Little, Long, Meeker, Mott of Los Angeles, Mott of Sacramento, Munday, McCullough, Pardee, Reed, Russ, Schrack, Sensabaugh, Slaughter, Spencer, Splivalo, Stillwagon, Welty, Whiting, Whitney, Wilcox, Woodward, Wright, and Mr Speaker—47.

NOES—Messrs. Aldrich, Baird, Barklage, Bayley, Bell, Berry, Burckhalter, Coleman, Dannals, Eagan, Edgar, Everett, French, Hayes, Henshaw, Jost, Luttrell, Mathers, Rice, Sammons, Sargent of Santa Clara, Sargent of San Joaquin, Seibe, Tinnin, Turner, and Ward—26.

GENERAL FILE RESUMED.

Senate Bill No. 219—An Act to amend an Act entitled an Act to regu-

late fees of office and salaries of certain officers in the County of San Luis Obispo.

Read a third time and passed.

Mr. Lofton had leave to withdraw from the file Assembly Bill No. 310.

Assembly Bill No. 574—An Act authorizing P. Henneberry to remove certain bodies to a public graveyard.

Rules suspended, bill considered engrossed, read a third time and passed.

Assembly Bill No 575—An Act to authorize the Board of Supervisors of Humboldt County to provide revenue for certain purposes

Rules suspended, bill considered engrossed, read a third time and passed.

Assembly Bill No. 507—An Act amendatory of and supplementary to an Act entitled an Act concerning roads in the County of Marin, approved March thirtieth, eighteen hundred and s xty-eight.

Rules suspended, bill considered engrossed, read a third time and passed.

Assembly Bill No. 561—An Act to authorize the Board of Supervisors of the County of Alameda to audit certain claims against the Road Fund of Washington Township, in said county.

Rules suspended, bill considered engrossed, read a third time and passed.

Assembly Bill No 562—An Act to amend an Act entitled an Act to amend an Act concerning roads and highways in the County of Alameda, approved March twenty-fourth, eighteen hundred and sixty-two.

Rules suspended, bill considered engrossed, read a third time and passed.

Assembly Bill No. 251—An Act for the protection of game and fish.

Referred to Committee on Agriculture to incorporate certain amendments thereto.

FURTHER INTRODUCTION OF BILLS.

The rules were suspended and bills introduced as follows:

By Mr. Wheaton—An Act to add additional sections to the Political Code.

Read first and second times and placed on file.

Also, an Act for the correction of errors, omissions, and defects in the official proceedings relative to certain contracts for street work in the City and County of San Francisco.

Read first and second times and referred to the San Francisco delegation.

By Mr Siebe—An Act to open and establish a public street in the City and County of San Francisco, to be called Montgomery Avenue, and to take private lands therefor.

Read first and second times and referred to the San Francisco delegation, and ordered printed.

RESOLUTION.

Mr. Berry had leave to offer the following:

Resolved, That the Senate be requested to return to this House Senate Bill No. 47, the same having been returned to the Senate by mistake.

Adopted.

MESSAGE FROM THE SENATE.

The following message was received from the Senate:

SENATE CHAMBER,
March 13th, 1872.

MR SPEAKER: I am directed to inform your honorable body that the Senate, on the eleventh day of March, passed Senate Bill No. 386—An Act to amend an Act to reincorporate the Town of San Luis Obispo.

Also, on the twelfth instant, passed Senate Bill No 189—An Act to provide for a State Reformatory at San Quentin.

Also, on the same day, passed Senate Bill No. 399—An Act to amend an Act to incorporate the Town of Wilmington.

Also, on the same day, passed Senate Bill No. 388—An Act to authorize the transfer of the Indian Fund of Siskiyou County to the School Fund of the county.

Also, on the same day, passed Senate Bill No 543—An Act authorizing the issuance of State bonds to the amount of two hundred and fifty thousand dollars, to be known as State Capitol Bonds of Eighteen Hundred and Seventy-two.

Also, on the same day, passed Senate Bill No 404—An Act authorizing certain persons to improve a portion of King's River, and to erect booms thereon.

Also, on the same day, passed Senate Bill No 342—An Act appropriating fifty-six thousand dollars in United States legal tender notes for the payment of the necessary incidental expenses of the State Capitol and Governor's Mansion.

Also, on the same day, passed Senate Bill No 302—An Act to regulate the practice of pharmacy in the City and County of San Francisco.

Also, on the same day, passed Senate Bill No 389—An Act to amend an Act to authorize the Board of Supervisors of Santa Barbara County to build a Court House and Jail in said county.

Also, on the same day, passed Senate Bill No. 405—An Act to provide for the opening and improving of Santa Clara and Saratoga Avenue.

Also, on the same day, passed Senate Bill No 387—An Act concerning the office of Secretary of the Fire Department of Sacramento City.

Also, on this day, adopted Senate Concurrent Resolution No. 45—Relative to granting the Lieutenant Governor leave of absence from the State.

FERRAL, Secretary.

CONSIDERATION OF SENATE MESSAGE.

Senate Bills Nos 386, 399, and 404, above reported, read first and second times and placed on file.

Senate Bill No 189, above reported, read first and second times and referred to Committee on State Prison.

Senate Bills Nos 343 and 342, above reported, read first and second times and referred to Committee on Public Buildings and Grounds.

Senate Bill No. 388, above reported, read first and second times and referred to Siskiyou delegation.

Senate Bill No. 302, above reported, read first and second times and referred to the San Francisco delegation.

Senate Bill No. 319, above reported, read first and second times and referred to the Santa Barbara delegation.

Senate Bill No 405, above reported, read first and second times and referred to the Santa Clara delegation.

Senate Bill No. 387, above reported, read first and second times and referred to the Sacramento delegation.

The House concurred in Senate Concurrent Resolution No. 45, above reported.

REPORT.

Mr. Eagan had leave to make the following report.

Mr SPEAKER: The Committee on Agriculture herewith report back Senate Bill No. 140—An Act to amend an Act entitled an Act for the protection of game—and recommend its passage.

EAGAN, Chairman.

SPECIAL COMMITTEE.

The Speaker announced the following appointment of a special committee to whom was referred Senate Bill No 242, reported in Senate message, viz: Messrs. Mott of Sacramento, Spencer, Schrack, Wilcox, and Goodall.

GENERAL FILE RESUMED.

Assembly Bill No. 553—An Act for the encouragement of irrigation.

Taken from the file and referred to the Committee on Agriculture.

Assembly Bill No 383—An Act to provide and pay for services rendered for the City and County of San Francisco.

Reported amendments adopted, rules suspended, bill considered engrossed, read a third time and passed.

Assembly Bill No. 382—An Act to amend an Act to change the time for holding municipal elections in the City and County of San Francisco, and to define the official terms of certain officers therein mentioned, approved April second, eighteen hundred and sixty-six.

Reported from the San Francisco delegation with a substitute, and majority and minority reports thereon.

Mr. Goodall offered the following for section one of the reported substitute:

"The Supervisors hereafter to be elected shall be electors of the several wards which they represent; but shall be voted for by all the qualified voters of the city and county on a general ticket. The School Directors hereafter to be elected shall be qualified electors of the city and county, and shall be elected by the qualified voters of the city and county on a general ticket."

On its adoption, the ayes and noes were demanded by Messrs. Meeker, Andrews and Berry, and it was rejected by the following vote:

AYES—Messrs. Aldrich, Andrews, Barklage, Bayley, Berry, Brown, Goodall, Henshaw, Meeker, and Mott of Los Angeles—11.

NOES—Messrs. Bacon, Baird, Barker, Bell, Bradley, Burckhalter, Caldwell, Center, Coleman, Connolly, Cooper, Crane, Dannals, De Haven, Eagan, Edgar, Ellis, Everett, Freeman, French, Galloway, Gibson, Gray, Harvey, Hayes, Hopper, James, Johnston, Jost, Lee, Little, Lofton, Long, Luttrell, Mott of Sacramento, Munday, McCullough, Pardee, Reed, Russ, Sammons, Sargent of Santa Clara, Sargent of San Joaquin, Schrack, Seibe, Sensabaugh, Spencer, Splivalo, Stillwagon, Tinnin, Turner, Walker, Ward, Welty, Wheaton, Whiting, Whitney, Woodward, Wright, and Mr. Speaker—60.

The reported substitute was adopted, and the rules being suspended, bill considered engrossed and read a third time.

On the passage of the bill, the ayes and noes were demanded by Messrs. Berry, Andrews, and Meeker, and it passed by the following vote:

AYES—Messrs Bacon, Baird, Barker, Barnes, Bell, Bradley, Bockius, Burckhalter, Caldwell, Center, Coleman, Connolly, Cooper, Crane, De Haven, Eagan, Edgar, Everett, Franck, Freeman, French, Galloway, Gibson, Goodall, Gray, Harvey, Hayes, Hopper, James, Johnston, Lee, Lofton, Long, Mott of Sacramento, McCullough, Pardee, Reed, Rice, Russ, Sammons, Sargent of Santa Clara, Schrack, Seibe, Sensabaugh, Slaughter, Spencer, Splivalo, Stillwagon, Turner, Walker, Ward, Welty, Wheaton, Whiting, Whitney, Woodward, Wright, and Mr. Speaker—58.

NOES—Messrs. Aldrich, Andrews, Barklage, Bayley, Berry, Brown, Dannals, Henshaw, Little, Luttrell, Meeker, Mott of Los Angeles, Munday, Sargent of San Joaquin, and Tinnin—15.

Assembly Bill No. 181—An Act amendatory of and supplementary to an Act entitled an Act to authorize Robert G. Arthur, his associates or assigns, to construct and keep in repair certain roads upon the San Miguel Rancho and adjoining property, in the City and County of San Francisco, and to levy and collect taxes thereon, approved April seventeenth, eighteen hundred and sixty-two.

The amendments reported were adopted, and the bill considered engrossed, and on its passage, the ayes and noes were demanded by Messrs. Berry, Whiting, and Andrews, with the following result:

AYES—Messrs. Aldrich, Baird, Bell, Bockius, Brown, Caldwell, Coleman, Crane, Ellis, Everett, Franck, Freeman, Galloway, Gibson, Goodall, Gray, Harvey, Henshaw, Jost, Long, Meeker, Mott of Los Angeles, Munday, McCullough, Pardee, Reed, Russ, Sammons, Sargent of Santa Clara, Sargent of San Joaquin, Schrack, Seibe, Sensabaugh, Slaughter, Spencer, Splivalo, Stillwagon, Tinnin, Turner, Welty, Wheaton, Whiting, Whitney, Woodward, and Mr. Speaker—45.

NOES—Messrs. Andrews, Barker, Barklage, Barnes, Berry, Center, Dannals, Days, De Haven, Hopper, Johnston, and Mott of Sacramento—12.

Assembly Bill No 578—An Act to amend an Act entitled an Act concerning roads and highways in the Counties of Klamath and Del Norte, approved March thirty-first, eighteen hundred and sixty-six.

Rules suspended, bill considered engrossed, read a third time and passed.

Assembly Bill No. 580—An Act to authorize the Board of Supervisors of Plumas County to complete the Red Clover Valley Wagon Road.

Rules suspended, bill considered engrossed, read a third time and passed.

Assembly Bill No 582—An Act to authorize the Board of Supervisors of Trinity County to levy a special tax for surveying purposes.

Rules suspended, bill considered engrossed, read a third time and passed.

Assembly Bill No. 568—An Act to provide for a street railroad in the Town and County of Napa, State of California.

Rules suspended, bill considered engrossed, read a third time and passed.

Assembly Bill No. 594—An Act to fix the salary of the District Attorney of Plumas County.

Amended, rules suspended, read a third time and passed.

Assembly Bill No. 598—An Act authorizing the Board of Supervisors of the City and County of San Francisco to provide suitable rooms, attendance, fuel, lights, and stationery for the Third and Nineteenth District Courts, in and for the City and County of San Francisco and the County of Alameda.

Rules suspended, bill considered engrossed, read a third time and passed.

REPORTS.

The rules were suspended and the following reports made:

By Mr. Baird:

Mr. SPEAKER: The San Mateo delegation, to whom was referred Senate Bill No. 276—An Act to amend an Act entitled an Act concerning roads and highways in the County of San Mateo, approved March twenty-fifth, eighteen hundred and sixty-eight—beg leave to report the same back and recommend its passage.

BAIRD, of Delegation.

The rules were suspended, and the bill above reported was taken up, read a third time and passed.

By Mr. Days:

Mr. SPEAKER: The special committee to whom was referred Assembly Bill No. 72—An Act for the protection of miners—report the same back and recommend concurrence in Senate amendment.

DAYS.

The House concurred in Senate amendments to Assembly Bill No. 72, above reported.

MESSAGES FROM THE GOVERNOR.

The following messages from the Governor were read:

STATE OF CALIFORNIA, EXECUTIVE DEPARTMENT,
Sacramento, March 13th, 1872.

To the Assembly of the State of California:

I have to inform your honorable body that I have approved Assembly Bill No. 405—An Act to raise revenue in Plumas County for hospital and other purposes.

Also, Assembly Bill No 151—An Act supplementary to an Act entitled an Act to authorize H. H. Smith and others to construct and maintain a turnpike road from Cave Valley to a point on the line of the Central Pacific Railroad, at or near Auburn Station, approved March thirty-first, eighteen hundred and sixty-six.

Also, Assembly Bill No. 331—An Act to authorize the Board of Supervisors of Tehama County to levy a special tax for school purposes in the school district of Red Bluff, in Tehama County.

Also, Assembly Bill No. 395—An Act to reincorporate the City of San Jose.

NEWTON BOOTH, Governor.

STATE OF CALIFORNIA, EXECUTIVE DEPARTMENT,
Sacramento, March 13th, 1872.

To the Assembly of the State of California:

I respectfully return to your honorable body, without my approval, Assembly Bill No 244—An Act for the relief of James R. Travers—for the following reasons.

First—It is an appropriation by the Legislature to be paid out of the Treasury of the City and County of San Francisco, without giving the local authorities an opportunity to examine into the justice of the claim.

Second—The bill recites that the appropriation is made "on account of the payment of said sum, wrongfully, in satisfaction of the forfeited recognizances of Walter Lopez" The records of the Court show that the money was paid rightfully on a judgment rendered on a forfeited recognizance.

Third—The judgment (as appears from the records) was not paid by the claimant, but by his co-surety, and the proposed appropriation would be no bar to any legal or equitable claim he may have, but rather a recognition of its validity.

NEWTON BOOTH, Governor.

CONSIDERATION OF THE MESSAGE.

On the question, "Shall this bill become a law notwithstanding the objections of the Governor?" the roll was called, and the veto of the bill sustained by the following vote:

AYES—Messrs Jost, Seibe, Wheaton, and Mr. Speaker—4.

NOES—Messrs. Aldrich, Andrews, Bacon, Baird, Barker, Barklage, Barnes, Bayley, Bell, Berry, Bradley, Bockius, Brown, Burckhalter, Center, Coleman, Crane, Dannals, Days, De Haven, Edgar, Ellis, Everett, Franck, Freeman, French, Gibson, Goodall, Gray, Harvey, Hayes, Henshaw, Hopper, Johnston, Lofton, Long, Meeker, Mott of Los Angeles, Mott of Sacramento, Munday, McCullough, Pardee, Reed, Rice, Russ,

Sammons, Sargent of Santa Clara, Sargent of San Joaquin, Schrack, Sensabaugh, Slaughter, Stillwagon, Tinnin, Turner, Ward, Welty, Whiting, Whitney, and Woodward—59.

MESSAGE FROM THE GOVERNOR.

The following message was received from the Governor:

STATE OF CALIFORNIA, EXECUTIVE DEPARTMENT,
Sacramento, March 13th, 1872.

To the Assembly of the State of California:

I herewith return to your honorable body, without my approval, Assembly Bill No. 464—An Act to amend section thirteen of an Act to regulate fees of office and salaries of certain officers, and to repeal certain other Acts in relation thereto, approved March fifth, eighteen hundred and seventy.

The bill purports to amend a section of the Act described in the title by reference thereto.

Section twenty-five of Article IV of the Constitution expressly declares that no law shall be revised or amended by reference to its title; but in such case the Act revised, or section amended, shall be reenacted and published at length.

An Act to remedy this defect, in this particular case, has since been introduced, and has passed both Houses of the Legislature.

CONSIDERATION OF THE MESSAGE.

NEWTON BOOTH, Governor.

On the question, "Shall this bill become a law, notwithstanding the objections of the Governor?" the roll was called, and the veto sustained by the following vote:

AYES—None.

NOES—Messrs. Aldrich, Andrews, Bacon, Baird, Barker, Barklage, Barnes, Bayley, Bell, Berry, Bradley, Bockius, Brown, Burckhalter, Center, Coleman, Dannals, Days, De Haven, Edgar, Everett, Franck, Freeman, French, Gibson, Goodall, Harvey, Hayes, Henshaw, Johnston, Jost, Long, Luttrell, Meeker, Mott of Los Angeles, Mott of Sacramento, Munday, Pardee, Reed, Russ, Sammons, Sargent of Santa Clara, Sargent of San Joaquin, Schrack, Slaughter, Splivalo, Stillwagon, Tinnin, Turner, Ward, Welty, Wheaton, Whiting, Whitney, Woodward, and Mr. Speaker—56.

On motion of Mr. Harvey, at four o'clock and fifty minutes P. M., the House adjourned.

T. B. SHANNON,
Speaker.

M. D. BORUCK, Chief Clerk.

IN ASSEMBLY.

HOUSE OF ASSEMBLY,
Thursday, March 14th, 1872.

House met pursuant to adjournment.
Speaker in the chair.
Roll called.
Quorum present.
Prayer by the Chaplain.
Journal of yesterday read and approved.

BILLS WITHDRAWN.

On motion of Mr. Ward, Assembly Bill No. 295—An Act concerning the assessment of property in Tehama County.

On motion of Mr. Burckhalter, Assembly Bill No. 304—An Act amendatory of an Act entitled an Act to amend an Act to provide revenue for the support of the government of this State, approved May seventeenth, eighteen hundred and sixty-one, approved February twenty-ninth, eighteen hundred and sixty-eight.

The special order for the day was withdrawn from the file.

PETITIONS.

Petitions were presented as follows:

By Mr. Mott of Sacramento—From the officers and members of the Howard Benevolent Association of Sacramento, asking an appropriation to enable them more effectually to carry out the benevolent objects of the organization.

The petition was read, and referred to the Committee on Ways and Means.

By Mr. Berry—From citizens of Sutter County, and others, in favor of annexing more territory to the present County of Sutter, and for the formation of a new county.

Referred to the Placer and Sutter delegations.

REPORTS OF STANDING COMMITTEES.

Reports from standing committees were made as follows:

By Mr. Stillwagon:

Mr. SPEAKER: The State Hospital Committee have the honor to return Assembly Bill No. 583, and recommend its passage.

STILLWAGON, Chairman.

The rules were suspended, and the bill above reported taken up, and on motion of Mr. Whiting, was indefinitely postponed.

By Mr. Barnes:

Mr. SPEAKER: The Committee on Engrossment beg leave to report

that they have examined and find correctly engrossed Assembly Bill No. 134—An Act to provide for the construction of a wagon road from and to the Yosemite Valley and Big Tree Grove, in Mariposa County.

Also, Assembly Bill No. 551—Proposed amendment to the Constitution of the State of California.

Also, Memorial and Joint Resolution No. 28—Relative to asking Congress for an appropriation to improve Humboldt Harbor.

Also, Assembly Bill No. 501—An Act to provide for settling the boundary-line between the Counties of Kern and Tulare.

Also, Assembly Bill No. 546—An Act to amend an Act entitled an Act to amend an Act restricting the herding of sheep to certain pastures in the Counties of Sonoma and Marin, approved April twenty-first, eighteen hundred and fifty-seven, and the Act amendatory thereof, approved April twenty-eighth, eighteen hundred and sixty, approved March fourteenth, eighteen hundred and seventy

Also, Assembly Bill No. 555—An Act to regulate the salaries and fix the compensation of the county officers of San Joaquin County.

Also, Assembly Bill No 564—An Act to provide for the levying and collection of a special tax, to be used in the construction of bridges, in Tehama County.

Also, Assembly Bill No 558—An Act properly defining the boundaries of the Town of Antioch and extending the same.

Also, Assembly Bill No. 432—An Act amendatory of and supplementary to an Act entitled an Act to amend an Act to provide for a better system of common schools approved April fourth, eighteen hundred and seventy.

Also, Assembly Bill No 505—An Act to amend an Act entitled at Act to provide for the management and sale of the lands belonging to the State, approved March twenty-eighth, eighteen hundred and sixty-eight.

Also, Assembly Bill No 544—An Act for the relief of J. N. Walker, former Tax Collector of Fresno County.

Also, Assembly Bill No. 522—An Act to empower the City of Stockton to excavate, widen, and open the Mormon Slough and provide funds therefor.

Also, Assembly Bill No 499—An Act requiring Sheriffs to wear a badge of office.

Also, Assembly Bill No. 514—An Act to repeal an Act entitled an Act to provide for the better care of indigent sick in the County of San Bernardino, approved May sixth, eighteen hundred and sixty-two.

Also, Assembly Bill No. 519—An Act in relation to death penalty.

Also, Assembly Bill No. 554—An Act to prevent hogs from running at large in the Town of Susanville.

BARNES, Chairman.

By Mr. Gibson:

Mr. Speaker: Your Committee on Enrollment beg leave to report that they have examined and found correctly enrolled Assembly Bill No. 363—An Act to provide for the construction and protection of the Alameda road.

Also, Assembly Bill No. 394—An Act to authorize the City of San José to issue bonds to provide sewerage for said city.

Also, Assembly Bill No. 380—An Act concerning roads and highways in the County of El Dorado.

Also, Assembly Bill No 196—An Act to determine who must act as the Chief Justice of the Supreme Court.

Also, Assembly Bill No. 298—An Act to confirm the title to a certain lot of land in the City and County of San Francisco to the Trustees of the Associated Veterans of the Mexican War, and to authorize an exchange of said lands for certain property belonging to said city and county, or for a lease thereof.

Also, Assembly Bill No. 403—An Act for the relief of William S. Brown.

Also, Assembly Bill No. 274—An Act to amend an Act entitled an Act to authorize the Exempt Fire Company of San Francisco to receive and manage the San Francisco Fire Department Charitable Fund and receive from the City and County of San Francisco a house and lot for its use, approved April second, eighteen hundred and sixty six.

Also, Assembly Bill No. 260—An Act to amend an Act to provide for a system of common schools, approved March fourth, eighteen hundred and seventy.

Also, Assembly Bill No. 423—An Act to amend an Act entitled an Act to regulate fees and salaries in the County of Calaveras, and to define the duties of certain officers in said Calaveras County, approved March fourth, eighteen hundred and seventy.

Assembly Bill No. 248—An Act to grant to the Town of San Bernardino all the interest of the State in certain real property.

Also, Assembly Bill No 392—An Act supplemental to an Act entitled an Act to raise a fund for the improvement of Napa City, approved January twenty-fourth, eighteen hundred and seventy.

Also, Assembly Bill No 379—An Act to authorize the Treasurer of San Joaquin County to transfer certain funds to the General School Fund of said county.

Also, Assembly Bill No. 357—An Act amendatory of an Act entitled an Act for the more effectual prevention of cruelty to animals, approved March thirtieth, eighteen hundred and sixty-eight

Also, Assembly Bill No. 490—An Act to provide for the opening and improvement of Santa Clara Avenue, in the County of Santa Clara.

Also, Assembly Bill No. 287—An Act to prevent persons passing through inclosures and leaving them open, and tearing down fences to make passage through inclosures.

And that the same have, this fourteenth day of March, eighteen hundred and seventy-two, at thirty minutes past ten o'clock, been transmitted to the Governor for his approval.

GIBSON, Chairman.

REPORTS OF SPECIAL COMMITTEES.

Reports were made from special committees as follows:

By Mr. Freeman:

Mr. SPEAKER: The Yolo and Solano delegation, to whom was referred Assembly Bill No. 519—An Act to adjust the accounts of Swamp Land District Number Eighteen, Yolo County—report the same back with substitute, and recommend the passage of the substitute.

FREEMAN, for Delegation.

The rules were suspended, the bill above reported taken up, rules again suspended, bill considered engrossed, read a third time and passed.

By Mr. Woodward:

Mr. SPEAKER: The San Joaquin delegation, to whom Assembly Bill No. 567 was referred for amendment, report it back and recommend its passage as amended.

SARGENT,
WOODWARD,
Delegation.

The rules being suspended, the bill above reported was taken up, reported amendments adopted, rules again suspended, bill considered engrossed, read a third time and passed.

By Mr. Mott of Sacramento:.

Mr. SPEAKER: The Sacramento delegation, to whom was referred Assembly Bill No. 481—An Act to establish a Paid Fire Department in the City of Sacramento—beg leave to report it back with a substitute, and recommend the passage of the substitute.

MOTT, for Delegation.

The rules were suspended, and the bill above reported taken up, substitute reported adopted, rules again suspended, bill considered engrossed, read a third time and passed.

By Mr. Pardee:

Mr. SPEAKER: The Alameda delegation, to whom was referred Assembly Bill No. 612, have examined the same and recommend its passage.

PARDEE, for Delegation.

The rules were suspended, the bill above reported taken up, rules again suspended, bill considered engrossed, read a third time and passed.

By Mr. Franck:

Mr. SPEAKER: The Santa Clara delegation having considered Senate Bill No. 405—An Act to provide for the opening and improving of Santa Clara and Saratoga Avenue, in the County of Santa Clara—report it back with amendments, and recommend its passage as amended.

FRANCK, for Delegation.

The rules were suspended, the bill above reported taken up, reported amendments adopted, and the bill read a third time and passed.

By Mr. Goodall:

Mr. SPEAKER: Your Committee on Commerce and Navigation, to whom was referred Assembly Bill No. 581—An Act to authorize the mainte-

nance of a boom in Elk River—report the same back and recommend its passage.

GOODALL, Chairman.

The rules were suspended, the bill above reported taken up, rules again suspended, considered engrossed and read a third time, and on its passage the ayes and noes were demanded by Messrs. Berry, Andrews, and Days, with the following result:

AYES—Messrs. Baird, Barnes, Bell, Bradley, Bockius, Brown, Burckhalter, Caldwell, Center, Connolly, Crane, De Haven, Eagan, Edgar, Franck, Freeman, French, Gibson, Harvey, Hayes, Hopper, Johnston, Jost, Lee, Lofton, Long, Mecker, Mott of Los Angeles, Mott of Sacramento, Munday, McCullough, Pardee, Reed, Rice, Russ, Sammons, Sargent of Santa Clara, Sargent of San Joaquin, Schrack, Scibe, Sensabaugh, Slaughter, Spencer, Stillwagon, Turner, Walker, Welty, Whitney, and Mr. Speaker—49.

NOES—Messrs Aldrich, Andrews, Barklage, Bayley, Berry, Chalmers, Dannals, Days, Everett, Henshaw, Little, Luttrell, Tinnin, and Woodward—14.

By Mr. Bockius:

Mr. SPEAKER: The Santa Cruz delegation, to whom was referred Senate Bill No 378—An Act in relation to the office of District Attorney of Santa Cruz County—having examined the same, report it back and recommend its passage.

BOCKIUS, for Delegation.

The rules were suspended, and the bill above reported taken up, read a third time and passed.

By Mr. Wright:

Mr. SPEAKER: The Committee on Education, to whom was referred Assembly Bill No. 366—An Act to amend an Act entitled an Act to provide for a system of common schools, approved April fourth, eighteen hundred and seventy—report the same back, with substitute, and recommend passage of substitute.

WRIGHT, Chairman.

Rules suspended and the bill and substitute therefor, above reported, taken up.

Mr. Berry offered a substitute for the substitute reported.

Mr. Wright moved that both substitutes be printed, and that consideration of the matter be postponed until Tuesday, March nineteenth, and the bill be placed on top of the file for that day.

On adopting this proposition, the ayes and noes were demanded by Messrs. Wheaton, Bell, and Everett, with the following result:

AYES—Messrs. Bacon, Barnes, Bayley, Bradley, Brown, Crane, Dannals, Days, De Haven, Franck, Harvey, Hopper, James, Johnston, Jost, Little, Long, Luttrell, Mott of Los Angeles, Mott of Sacramento, Russ, Sammons, Sargent of Santa Clara, Schrack, Sensabaugh, Slaughter, Spen-

cer, Stillwagon, Tinnin, Turner, Walker, Ward, Welty, Whiting, Whitney, Wilcox, and Wright—37.

NOES—Messrs Aldrich, Andrews, Baird, Barklage, Bell, Berry, Bockius, Caldwell, Center, Chalmers, Connolly, Edgar, Ellis, Everett, Freeman, Galloway, Gibson, Goodall, Gray, Hayes, Henshaw, Lee, Lofton, Mathers, Meeker, Munday, McCullough, Pardee, Reed, Rice, Seibe, Splivalo, Wheaton, Woodward, and Mr. Speaker—35.

INTRODUCTION OF BILLS.

Bills were introduced as follows:

By Mr. Freeman—An Act validating certain contracts in relation to the excavation of Putah Creek Canals, and extending the time of performing the same.

Read first and second times and placed on file.

By Mr. Aldrich—An Act for the relief of J. A. Camron, and to legalize assessments.

Read first and second times and referred to the Judiciary Committee.

By Mr. James—An Act extending time to the City Railway Company.

Read first and second times and referred to the San Francisco delegation.

By Mr. Mott of Los Angeles—An Act supplementary to an Act entitled an Act concerning County Recorders, passed March twenty-sixth, eighteen hundred and fifty-one.

Read first and second times and referred to the Judiciary Committee.

By Mr Reed—An Act to amend an Act entitled an Act in reference to corporations organized in this State for the purpose of mining out of this State, approved March fifth, eighteen hundred and sixty-one

Read first and second times and referred to the Committee on Corporations

By Mr. Baird—An Act to authorize certain persons to improve Pescadero and Butano Creeks, and to erect booms thereon.

Read first and second times and referred to the Committee on Internal Improvements.

Also, an Act to authorize the Board of Supervisors of the County of San Mateo to fix the compensation of any county officer of said county, for services the payment for which is not otherwise provided for by law.

Read first and second times and referred to the San Mateo delegation.

By Mr. Barker—An Act for the relief of R. G. Gilmore.

Read first and second times and referred to the Committee on Claims.

By Mr. Barklage—An Act to amend an Act entitled an Act to regulate fees and salaries of officers and defining their duties in the County of El Dorado, and other matters relating thereto, approved March fifth, eighteen hundred and seventy.

Read first and second times and referred to the El Dorado delegation.

By Mr. Gray—An Act to amend an Act entitled an Act to regulate proceedings in civil cases in the Courts of justice in this State, passed April twenty-ninth, eighteen hundred and fifty-one.

Read first and second times and referred to the Judiciary Committee.

By Mr. Lee—An Act to amend an Act entitled an Act to regulate fees of office and salaries of certain officers, and to repeal certain other Acts in relation thereto, approved March fifth, eighteen hundred and seventy.

Read first and second times and referred to Judiciary Committee.

By Mr. Ward—An Act to authorize the Trustees of Red Bluff School District, in Tehama County, to borrow money for the maintenance of the public school therein.

Read first and second times and placed on file.

By Mr. Goodall—An Act to provide for the registration of citizens in the City and County of San Francisco, and the enrollment of all the legal voters within said city and county, and the prevention and punishment of frauds affecting the election franchise.

Read first and second times and referred to San Francisco delegation.

By Mr Caldwell—An Act supplemental to an Act entitled an Act to incorporate the Town of Cloverdale, in Sonoma County.

Read first and second times and referred to Sonoma delegation.

By Mr. Days—An Act to amend an Act entitled an Act to provide for the management and sale of the lands belonging to the State, approved March twenty-eighth, eighteen hundred and sixty eight.

Read first and second times and referred to Committee on Public Lands.

By Mr Lofton—An Act to authorize William A. Findley, of Yuba County, State of California, to remove certain bodies to a public graveyard

Read first and second times and placed on file.

By Mr. Sargent of San Joaquin—An Act to authorize the inhabitants on the Calaveras River and vicinity, in San Joaquin County, to form a reclamation district and levy taxes therein.

Read first and second times and referred to San Joaquin delegation.

By Mr. Pardee—An Act supplementary to an Act entitled an Act to provide terminal depot grounds for the Terminal Central Pacific Railway Company, approved March twenty-eighth, eighteen hundred and sixty-eight.

Read first and second times and referred to the Committee on Commerce and Navigation.

By Mr. Edgar—An Act to authorize John Rane or S. C. Long, of Yuba County, State of California, to remove certain remains of deceased persons.

Read first and second times and placed on file.

At eleven o'clock, the House took a recess for half an hour.

REASSEMBLED.

House reassembled at half-past eleven o'clock.

Speaker in the chair.

Roll called.

Quorum present.

FURTHER REPORTS.

Reports were made as follows:

By Mr. French:

Mr. SPEAKER: The Sacramento delegation, to whom was referred Assembly Bill No. 595—An Act supplementary to the Act of April twenty-fifth, eighteen hundred and sixty-three, entitled an Act to incorporate the City of Sacramento—having fully considered the same, report it back and recommend that it do pass.

FRENCH, for Delegation.

The rules were suspended, and the bill above reported taken up, rules again suspended, considered engrossed, read a third time and passed.

Also, by Mr. French:

Mr. SPEAKER: The Sacramento delegation, to whom was referred Assembly Bill No. 600—An Act supplementary to the Act of April twenty-fifth, eighteen hundred and sixty-three, entitled an Act to incorporate the City of Sacramento—having fully considered the same, report it back and recommend its passage.

FRENCH, for Delegation.

The rules were suspended, and the bill above reported taken up, rules again suspended, considered engrossed, read a third time and passed.

On motion of Mr. Wilcox, Assembly Bill No. 187—Relating to the office of Bank Commissioner—ordered placed at the head of the file for Wednesday, March twentieth.

By Mr. Luttrell:

Mr. SPEAKER: The Siskiyou delegation, to whom was referred Senate Bill No. 388—Relative to transferring the Indian Fund to the General School Fund of said county—report the same back and recommend its passage.

LUTTRELL, for Delegation.

The rules were suspended, and the bill above reported taken up, read a third time and passed.

By Mr. Freeman:

Mr. SPEAKER. The Yolo and Colusa delegation, to whom was referred Senate Bill No. 313, report the same back and recommend its passage.

FREEMAN,
WARD,
Delegation.

The rules were suspended, and the bill above reported taken up, read a third time and passed.

RESOLUTION.

Mr. Rice had leave to offer the following:

Resolved, That the Engrossing Clerk be and is hereby authorized to insert the words "will be received and opened," in addition to section third of Assembly Bill No. 507—An Act amendatory of and supplementary to an Act concerning roads in the County of Marin, and making the latter part of said section read as follows:

"At least twenty days notice shall be given of the proposed letting of such contract, by publishing the same not less than two successive insertions in some weekly newspaper published in the county, which notice shall set forth the services to be performed or the material required, or

both such services and materials, when and where proposals will be received and opened."

Adopted.

PETITION.

The rules were suspended, and a petition presented by Mr. Meeker—From eighteen hundred female petitioners, resident in San Francisco, praying that the franchise of voting may be extended to women.

Referred to Special Committee on Entranchisement of Women.

REPORT.

Mr. Harvey had leave to make the following report:

Mr. SPEAKER: The Sacramento delegation, to whom was referred Senate Bill No 387—An Act concerning the Fire Department of the City of Sacramento—have considered the same, report it back with an amendment, and recommend its passage as amended.

HARVEY, for Delegation.

The rules were suspended and the bill above reported was taken up.

Reported amendment adopted, bill read a third time and passed.

LOCK OUT OF ORDER.

The combination lock of the Assembly's safe, in which are kept the General File and valuable papers of the House, having got out of order, and the time of the House being wasted in efforts to open it with the key thereof, the following resolution was offered by Mr. McCullough:

Resolved, That the Chief Clerk be and he is hereby authorized to open the safe of the House.

Adopted

On motion of Mr. Wilcox, at twelve o'clock and forty minutes, the House took a recess until two o'clock P. M.

REASSEMBLED.

At two o'clock P. M the House again convened.

Speaker in the chair.

Roll called.

Quorum present.

LEAVE OF ABSENCE.

Leave of absence was granted to Mr. Munday for three days, and to Mr. Rector for two days.

GENERAL FILE.

On motion of Mr. Wheaton, the House considered Assembly Bill No. 613—An Act to add additional sections to the Political Code.

Rules suspended, bill considered engrossed, read a third time and passed, and ordered transmitted to the Senate.

Mr. Luttrell gave notice of a motion to reconsider Assembly Bill No. 330—An Act to provide a fund for the liquidation of the debts of this State, and counties of this State, and for the better support of the public school system of this State.

Taken from the file and referred to the Judiciary Committee, on motion of Mr. Andrews.

Senate Bill No. 291—An Act entitled an Act for the relief of Joseph S. Emery.

Considered in Committee of the Whole House.

IN ASSEMBLY.

Reported and passage recommended.

Read a third time, and, on its passage, the ayes and noes were demanded by Messrs. Andrews and Berry, with the following result:

AYES—Messrs Bacon, Barker, Barnes, Bell, Bockius, Caldwell, Chalmers, Cooper, Crane, Days. De Haven, Freeman, Galloway, Gibson, Goodall, Gray, Harvey, Hopper, Johnston, Jost, Meeker, Mott of Los Angeles, Mott of Sacramento, McCullough, Pardee, Reed, Russ, Sargent of Santa Clara, Schrack, Seibe, Slaughter, Splivalo, Stillwagon, Tinnin, Welty, Wheaton, Whiting, Wright, and Mr Speaker—39.

NOES—Messrs. Aldrich, Andrews, Baird, Bayley, Berry, Bradley, Brown, Burckhalter, Center, Dannals, Edgar, Everett, Franck, French, Hayes, Henshaw, Lee, Little, Lotton, Long, Luttrell, Mathers, Rice, Sammons, Sargent of San Joaquin, Sensabaugh, Spencer, Turner, Walker, Ward, Whitney, and Woodward—32.

Mr. Wheaton gave notice of a motion to reconsider the vote.

PUBLIC BUILDINGS AND GROUNDS.

The rules were suspended and the following resolution offered by Mr. Pardee:

WHEREAS, The Committee on Public Buildings and Grounds was, by a vote of this House, instructed by resolution to act jointly with Senate Committee and investigate the alleged frauds on State Capitol and Governor's Mansion, and whereas, the committee of this House have on several occasions endeavored to comply with the wishes and instructions by resolution, but have only once succeeded in getting a quorum, and the House Committee are of the opinion that further attempts to investigate the alleged frauds in joint committee will be useless and futile; therefore, be it

Resolved, That the resolution that instructed the House Committee to act jointly with Senate Committee be and is hereby rescinded.

Adopted.

RESOLUTIONS.

The rules were suspended and the following resolutions offered:

By Mr. Barker:

Resolved, That the House Committee on Public Buildings and Grounds

be and is hereby instructed to continue the investigation of the State Capitol and Governor's Mansion frauds, and report the result to the House at an early day as possible.

Adopted.
By Mr. Berry.

WHEREAS, On the twelfth instant, Senate Bill No 47—An Act to amend an Act entitled an Act to provide for the management and sale of lands belonging to the State—was so amended as to exempt Sutter County from its provisions, and was then upon division lost; and whereas, notwithstanding the above action, the bill was by mistake transmitted to the Senate, indorsed as having passed this House, and applicable to Sutter County, therefore, be it

Resolved, That the Chief Clerk be instructed to indorse upon Senate Bill No. 47 the action as had by this House as expressed in this preamble.

Adopted.

GENERAL FILE RESUMED.

Senate Bill No 104.
Taken from the file and referred to the Judiciary Committee.
Senate Bill No 75.
Taken from the file and referred to the San Joaquin delegation.
Senate Bill No. 264—An Act concerning the San Diego and Gila, Southern Pacific, and Atlantic Railroad Company, and to extend the time of performing certain acts.
On the passage of the bill, the ayes and noes were demanded by Messrs Berry, Andrews, and Tinnin, and it passed by the following vote.

AYES—Messrs Aldrich, Bacon, Baird, Bayley, Bockius, Brown, Burckhalter Caldwell, Chalmers, Connolly, Cooper, Crane, Dannals, Edgar, Franck, Galloway, Gibson, Goodall, Gray, Hayes, Henshaw, Hopper, Jost, Mecker, Mott of Los Angeles, McCullough, Pardee, Reed, Rice, Russ, Sargent of Santa Clara, Schrack, Scribe, Slaughter, Spencer, Splivalo, Stillwagon, Wheaton, Whitney, Wright, and Mr Speaker—41.
NOES—Messrs Andrews, Barker, Barklage, Barnes, Berry, Bradley, Center, De Haven, Everett, Freeman, French, Harvey, Johnston, Lee, Long, Luttrell, Mathers, Mott of Sacramento, Sargent of San Joaquin, Tinnin, Turner, Whiting, and Woodward—23.

Assembly substitute for Senate Bill No. 61—An Act to repeal an Act entitled an Act to empower the Board of Supervisors of the several counties of this State to aid in the construction of a railroad in their respective counties
Returned from the Senate with amendments.
The House concurred in the first Senate amendment to the substitute.
On concurring in the second Senate amendment to section one, the ayes and noes were demanded by Messrs. Luttrell, Berry, and Andrews, and the House concurred by the following vote:

AYES—Messrs Aldrich, Bacon, Baird, Bell, Bockius, Brown, Burckhalter, Caldwell, Connolly, Cooper, Crane, Dannals, De Haven, Eagan,

Galloway, Gibson, Goodall, Gray, Hayes, Hopper, Jost, Meeker, McCullough, Pardee, Reed, Rice, Sargent of Santa Clara, Schrack, Seibe, Slaughter, Splivalo, Stillwagon, Walker, Ward, Wheaton, Wright, and Mr Speaker—37.

NOES—Messrs. Andrews, Barker, Barklage, Barnes, Bayley, Berry, Bradley, Center, Edgar, Ellis, Everett, Franck, Freeman, French, Harvey, Henshaw, Lee, Little, Lofton, Long, Luttrell, Mathers, Mott of Los Angeles, Mott of Sacramento, Russ, Sammons, Sargent of San Joaquin, Spencer, Turner, Welty, Whiting, Whitney, and Woodward—33.

Senate Bill No. 340—An Act to authorize the Board of Supervisors of the County of San Luis Obispo to audit and allow the claim of M. B. Harrison.

Read a third time and passed.

Senate Bill No. 386—An Act to amend an Act entitled an Act to reincorporate the Town of San Luis Obispo, approved March fourth, eighteen hundred and seventy-two.

Read a third time and passed.

Senate Bill No. 399—An Act to amend an Act entitled an Act to incorporate the Town of Wilmington, in the County of Los Angeles, in the State of California, approved February twentieth, eighteen hundred and seventy-two.

Read a third time and passed.

Senate Bill No. 404—An Act authorizing certain persons to improve a portion of King's River, and to erect booms thereon.

Read a third time and passed.

Senate Bill No. 140—An Act to amend an Act entitled an Act for the protection of game, approved May thirteenth, eighteen hundred and fifty-four.

Amended, read a third time and passed.

Assembly Bill No 235.

House refused to order engrossed.

Assembly Bill No 80.

House refused to order engrossed

Assembly Bill No 570—An Act to restore the Great Register of the County of Sutter.

The amendments reported adopted, the rules were suspended, and the bill considered engrossed, read a third time and passed.

Assembly Bill No. 536—An Act in relation to unclaimed baggage.

The amendments reported adopted, the rules were suspended, and the bill considered engrossed, read a third time and passed.

Assembly Bill No. 436—An Act to provide for the payment of certain Controller's warrants drawn upon the State Treasury.

The amendments reported adopted, the rules were suspended, and the bill considered engrossed, read a third time and passed.

Assembly Bill No. 526—An Act in relation to moneys belonging to the State derived from taxes assessed on mortgages.

Reported amendments adopted and ordered engrossed.

Senate Memorial—Requesting relief for settlers on Suscol Rancho.

Concurred in.

Assembly Joint Resolution No. 29—Relative to establishing a weekly mail from Fort Jones, in Siskiyou County, to Orleans Bar, etc.

Concurred in.

Assembly Bill No. 492—An Act concerning the assessment upon the stock of corporations.

Rules suspended, bill considered engrossed, read a third time and passed.

Assembly Bill No 599—An Act authorizing certain persons to improve a portion of Kern River, and to erect booms thereon.

Rules suspended, bill considered engrossed, read a third time and passed.

Assembly Bill No 609—An Act in relation to the Board of School Trustees of Oakley School District, in Sacramento County.

Rules suspended, bill considered engrossed, read a third time and passed.

Assembly Bill No 596—An Act to establish wards in the Sacramento County Hospital for the maintenance of non-resident indigent sick of said county.

The rules were suspended, and the bill considered engrossed, read a third time and passed.

Subsequently, on motion of Mr. Berry, the House reconsidered the vote and authorized such action, and indefinitely postponed the bill.

MESSAGE FROM THE SENATE.

The following message was received from the Senate:

SENATE CHAMBER,
March 14th, 1872.

Mr. SPEAKER: I am directed to inform your honorable body that the Senate, on the thirteenth day of March, passed Senate Bill No. 385—An Act in relation to Swamp Land District Number Eighteen.

Also, on the same day, passed Senate Bill No. 408—An Act for the protection of fish and game in certain portions of Napa County.

Also, on the same day, passed Senate Bill No 400—An Act to authorize the Board of Supervisors of Los Angeles County to locate and build bridges across Los Angeles River, and the New San Gabriel and Old San Gabriel Rivers, in Los Angeles County.

Also, on the same day, amended and passed Assembly Bill No. 434—An Act to provide for finishing the State Normal School building, and paying the indebtedness incurred in the construction thereof.

Also, on the same day, passed Senate Bill No. 407—An Act to amend an Act entitled an Act to regulate the settlement of the estates of deceased persons

Also, on the same day, passed Assembly Bill No 563—An Act authorizing the Treasurer of Alameda County to pay certain claims against said county.

Also, return to your honorable body for correction, in accordance with resolution requesting the same, Senate Bill No. 47—An Act to amend an Act entitled an Act to provide for the management and sale of lands belonging to the State.

Also, refused to pass Assembly Bill No. 13—An Act supplementary to an Act to repeal the several charters of the City of San Francisco, to establish the boundaries of the City and County of San Francisco, and to consolidate the government thereof.

Also, on the same day, passed Senate Bill No 344—An Act to provide for the accommodation of the insane of the State of California, and to provide a special fund therefor.

FERRAL, Secretary.

Senate Bill No. 385, above reported, read first and second times and referred to the Committee on Swamp and Overflowed Lands.

Senate Bill No. 408, above reported, read first and second times and referred to the Napa delegation

Senate Bill No. 400, above reported, read first and second times and placed on file.

Assembly Bill No. 434, above reported, with Senate amendments.

The House concurred in the first and third reported Senate amendments.

On concurring in the second, the ayes and noes were demanded by Messrs. Whiting, Berry, and Baird, and the House refused to concur by the following vote:

AYES—Messrs. Andrews, Bayley, Berry, Burckhalter, Caldwell, Connolly, Cooper, Dannals, Eagan, Gibson, Henshaw, Little, Luttrell, Mathers, Mott of Los Angeles, Sargent of Santa Clara, Schrack, Sensabaugh, Slaughter, Tinnin, Walker, and Whiting—22.

NOES—Messrs. Aldrich, Bacon, Baird, Barker, Barklage, Barnes, Bell, Bradley, Bockius, Brown, Center, Chalmers, Coleman, Crane, De Haven, Edgar, Everett, Franck, Freeman, French, Goodall, Gray, Harvey, Hayes, Hopper, James, Johnston, Lee, Lofton, Long, Meeker, Mott of Sacramento, McCullough, Pardee, Reed, Rice, Sammons, Sargent of San Joaquin, Spencer, Spivalo, Stillwagon, Turner, Welty, Wheaton, Whitney, Woodward, Wright, and Mr. Speaker—48.

Senate Bill No 407, above reported, read first and second times and referred to the Committee on State Hospitals.

Mr. Days, for the Committee on Public Lands, reported back Senate Bill No. 338, with a recommendation that it be referred to the Committee on Swamp and Overflowed Lands, and it was so ordered.

There being no further business, at five o'clock and twenty minutes P. M., on motion of Mr. Meeker, the House adjourned.

P. J. HOPPER,
Speaker pro tem.

M. D. BORUCK, Chief Clerk.

IN ASSEMBLY.

HOUSE OF ASSEMBLY,
Friday, March 15th, 1872.

House met pursuant to adjournment.
Speaker in the chair.
Roll called.
Quorum present.
Prayer by the Chaplain.
Journal of yesterday read and approved.

PETITION.

Mr. Mott of Sacramento presented a petition from the Managers of the Sacramento Protestant Orphan Asylum for State aid in support of the institution under their management.

Referred to the Committee on Ways and Means.

REPORTS OF STANDING COMMITTEES.

Reports from standing committees were made as follows:

By Mr. Mott of Sacramento:

Mr. SPEAKER: The Committee on Claims, to whom was referred Senate Bill No. 336—An Act to provide for the payment of expenses incurred in the construction of the new State Armory, and for services rendered in cleaning and restoring State military property—beg leave to report it back and recommend that it do pass.

MOTT, Chairman.

The rules were suspended, and the bill above reported taken up and considered in the Committee of the Whole House.

IN ASSEMBLY.

Reported, and passage recommended.

Rules suspended, bill considered engrossed, read a third time and passed.

By Mr. Harvey:

Mr. SPEAKER: The Placer and Sacramento delegations, to whom was referred Senate Bill No. 114—An Act for the relief of George W. Reamer and his associates—have had the same under consideration, report it back and recommend its passage.

HARVEY, for Delegations.

The rules were suspended, and the bill above reported considered, and read a third time and passed.

By Mr. Gibson:

Mr SPEAKER: Your Committee on Enrollment beg leave to report that they have examined and found correctly enrolled Assembly Bill No. 430—An Act for the preservation of fish in the waters of Siskiyou County.

Also, Assembly Bill No. 120—An Act to regulate practice in the Supreme Court

Also, Assembly Bill No. 316—An Act to amend an Act entitled an Act to regulate proceedings in criminal cases, passed May first, eighteen hundred and fifty-one.

Also, Assembly Bill No. 429—An Act to authorize the Board of Supervisors of Merced County to levy a special tax for the purpose of constructing a bridge across the Merced River.

Also, Assembly Bill No. 465—An Act to authorize the Masonic and Odd Fellows' Cemetery Association and the citizens of Contra Costa County to remove human remains

Also, Assembly Preamble and Joint Resolution No. 26—Relative to the culture of the grapevine, etc.

Also, Assembly Bill No. 353—An Act to remedy defects in certain county records.

Also, Assembly Bill No. 515—An Act to incorporate the Town of Fort Jones, Siskiyou County, California.

Also, Assembly Bill No 439—An Act authorizing the Trustees of San Buenaventura School District, of the County of Santa Barbara, in this State, to issue bonds for the said district for the sum of ten thousand dollars.

Also, Assembly Bill No. 496—An Act to repeal section second of an Act amendatory of and supplementary to an Act to prevent certain animals from running at large in Napa City, approved April seventeenth, eighteen hundred and sixty-three.

And that the same have, this fifteenth day of March, eighteen hundred and seventy-two, at thirty minutes-past ten o'clock, been transmitted to the Governor for his approval.

GIBSON, Chairman.

By Mr. Franck:

Mr. SPEAKER. The Committee on Public Morals, to whom was referred Assembly Bill No 604—An Act to repeal section three hundred of the Penal Code, approved February fourteenth, eighteen hundred and seventy-two, and to repeal an Act entitled an Act for the observance of the Sabbath, approved May twentieth, eighteen hundred and sixty-one—have had the same under consideration, and report it back recommending its passage.

FRANCK, Chairman.

The rules were suspended, and the bill above reported taken up and referred to the Assembly Committee on Codes.

By Mr. Gray:

Mr. SPEAKER: Your Committee on Corporations, to whom was referred Assembly Bill No. 607—An Act to incorporate the Town of San Rafael, Marin County—report the same back with amendments, and recommend its passage as amended.

GRAY, Chairman.

The rules were suspended, and the bill above reported taken up, the amendments reported adopted, and the bill ordered engrossed.

REPORTS OF SELECT COMMITTEES.

Reports from select committees were made as follows:

By Mr. Caldwell:

Mr. SPEAKER: The Sonoma delegation, to whom was referred Senate

Bill No. 250—An Act to reincorporate the Town of Santa Rosa—report the same back and recommend its passage.

CALDWELL, for Delegation.

The rules were suspended, and the bill above reported taken up, read a third time and passed.

By Mr. Henshaw:

Mr SPEAKER: The Sonoma delegation, to whom was referred Assembly Bill No. 220, with Senate substitute, have considered the same, and recommend that the substitute pass as amended.

HENSHAW, for Delegation.

The rules were suspended and the substitute reported from the Senate, and, as amended, was adopted, rules suspended, considered engrossed, read a third time and passed.

RESOLUTIONS.

The rules were suspended and the following resolutions were offered:

By Mr. Splivalo:

Resolved, That the Engrossing Clerk be and is hereby authorized to insert the enacting clause in Assembly Bill No. 598—An Act authorizing the Board of Supervisors of San Francisco to provide suitable rooms, fuel, and stationery for the Third and Nineteenth District Courts.

Adopted.
By Mr. Crane:

Resolved, That the Engrossing Clerk be and is hereby authorized to insert the enacting clause in Assembly Bill No. 562—An Act to amend an Act concerning roads in the County of Alameda, approved March twenty-ninth, eighteen hundred and seventy.

Adopted.

FURTHER REPORTS OF STANDING COMMITTEES.

Reports from standing committees were made as follows:

By Mr. Spencer:

Mr. SPEAKER: The Committee on Judiciary have considered Senate Bill No. 104—An Act to provide for the payment of certain witnesses in the case of The People vs. Horace Smith—report it back and recommend its passage.

Also, Assembly Bill No. 179—An Act concerning unlawful holding over of dwelling houses, tenement houses, shops, and stores, and land leased therewith, in the City and County of San Francisco—report it back with amendments, and recommend passage as amended.

Also, Assembly Bill No. 539—An Act supplemental to an Act entitled

an Act to provide for the formation of corporations for the accumulation and investment of funds and savings, approved April eleventh, eighteen hundred and sixty-two—report it back with a substitute, and recommend passage of substitute.

Also, Assembly Bill No 588—An Act to amend an Act entitled an Act to protect agriculture and to prevent the trespass of animals upon private property in the County of Los Angeles, and in the County of San Diego, and part of Monterey County, approved February fourteenth, eighteen hundred and seventy-two, and to make the same applicable to the County of San Bernardino—report it back with a substitute, and recommend the passage of substitute.

Also, Assembly Bill No. 180—An Act supplemental to an Act entitled an Act to provide for compensating parties whose property may be destroyed in consequence of mobs or riots, approved March twenty-seventh, eighteen hundred and sixty-eight—report it back with amendments, and the majority recommend its passage as amended.

Also, Senate Bill No. 205—Proposed amendments to the Constitution—report it back and recommend that it do not pass.

Also, Assembly Bill No 577—An Act to amend an Act entitled an Act to authorize the County Judges of this State to hold terms or parts of terms of the County Court or Probate Court in counties other than those for which they are respectively elected—report it back and recommend its passage.

SPENCER, Chairman.

Also, by the same:

Mr. Speaker. The Committee on Judiciary having considered Assembly Bill No. 534—An Act to amend an Act entitled an Act to amend an Act entitled an Act regulating marriages, passed April twenty-second, eighteen hundred and fifty, approved April ninth, eighteen hundred and sixty-three—report it back with a substitute, and recommend passage of the substitute.

SPENCER, Chairman.

By Mr. Barnes

Mr. Speaker: The Committee on Engrossment beg leave to report that they have examined and find correctly engrossed Assembly Bill No. 412—An Act to cede certain property to the Town of Trinidad

Also, Assembly Bill No, 574—An Act authorizing P. Henneberry to remove certain bodies to a public graveyard.

Also, Assembly Bill No 575—An Act to authorize the Board of Supervisors of Humboldt County to provide revenue for certain purposes.

Also, Assembly Bill No 507—An Act amendatory of and supplemental to an Act entitled an Act concerning roads in the County of Marin, approved March thirtieth, eighteen hundred and sixty-eight.

Also, Assembly Bill No. 561—An Act to authorize the Board of Supervisors of the County of Alameda to audit certain claims against the Road Fund of Washington Township, in said county.

Also, Assembly Bill No. 562—An Act to amend an Act entitled an Act to amend an Act concerning roads and highways in the County of Alameda, approved March twenty-fourth, eighteen hundred and sixty-two, approved March twenty-ninth, eighteen hundred and seventy.

Also, Assembly Bill No. 383—An Act to provide and pay for services rendered for the City and County of San Francisco.

Also, Assembly Bill No. 382—An Act to amend an Act to change the time for holding municipal elections in the City and County of San Francisco, and to define the official terms of certain officers therein mentioned, approved April second, eighteen hundred and sixty six.

Also, Assembly Bill No. 181—An Act amendatory of and supplementary to an Act entitled an Act to authorize Robert G. Arthur, his associates or assigns, to construct and keep in repair certain roads upon the San Miguel Rancho and adjoining property, in the City and County of San Francisco, and to levy and collect tolls thereon, approved April seventeenth, eighteen hundred and sixty-two

Also, Assembly Bill No 578—An Act to amend an Act entitled an Act concerning roads and highways in the Counties of Klamath and Del Norte, approved March thirty-first, eighteen hundred and sixty-six.

BARNES, Chairman.

By Mr. Stillwagon:

Mr. Speaker: The Lake delegation, to whom was referred Senate Bill No. 346, have the honor to return the same, with the recommendation that it pass

Also, Senate substitute for Senate Bill No. 270, respectfully return the same, and recommend its passage.

Also, Senate Bill No. 69, have the honor to return the same, and respectfully report that the action of the Senate in non-concurring in amendments made be concurred in by the Assembly.

STILLWAGON, for Delegation.

The rules were suspended, and Senate Bills Nos. 346 and 270, above reported, were taken up, and severally read a third time and passed.

The House also receded from its amendments to Senate Bill No. 69, above reported, in accordance with the recommendation of the committee

By Mr. Baird:

Mr Speaker: The San Mateo delegation, to whom was referred Assembly Bill No. 621—An Act to confer further powers on the Board of Supervisors in San Mateo—ask to report the same back, and recommend its passage.

BAIRD, Chairman.

The rules were suspended, and the bill above reported taken up.

Rules suspended, bill considered engrossed, read a third time and passed, and ordered transmitted to the Senate.

By Mr. Wheaton:

Mr Speaker: The San Francisco delegation herewith report Senate Bill No. 238—An Act for the correction of errors and omissions in the official proceedings relative to certain contracts for street work in the City and County of San Francisco—with the recommendation that it pass.

Also, Assembly Bill No. 552—Amendatory to an Act for the regulation of sailor boarding houses and shipping offices in the City and County of San Francisco—with amendments, and recommend its passage as amended.

Also, Assembly Bill No 477—An Act to amend an Act entitled an Act to authorize the Board of Supervisors of the City and County of San Francisco to alter and grade Market street, in said city, from the intersection of said street with Valencia street to its intersection with Seventeenth street, and to condemn private property for the roadway of said street, approved April second, eighteen hundred and seventy—with a substitute for the same, and recommend the passage of the substitute.

Also, Assembly Bill No 611—An Act to amend an Act to prevent hunting and shooting on private grounds in the Counties of Alameda and San Mateo, approved March twenty-first, eighteen hundred and seventy—report it back with substitute, and recommend passage of the substitute.

WHEATON, Chairman.

By the same:

Mr. SPEAKER: The San Francisco delegation, to whom was referred Assembly Bill No. 617—An Act extending time to the City Railroad Company—report the same back, and recommend its passage.

WHEATON,
ALDRICH,
SEIBE,
McCULLOUGH.
GOODALL,
GRAY,
SPLIVALO,
REED,
JAMES,
JOST,
MEEKER.

The rules were suspended, and Assembly Bill No. 711, above reported, was taken up, the reported substitute therefor was adopted, rules again suspended, read a third time and passed.

The rules were again suspended, and Assembly Bill No. 617, above reported, was considered, rules suspended, read a third time and passed.

By Mr. Sargent of San Joaquin:

Mr. SPEAKER: The San Joaquin delegation, to whom was referred Assembly Bill No. 632—An Act to authorize the inhabitants on the Calaveras River and vicinity, in San Joaquin County, to form a reclamation district and levy taxes thereon—have had the same under consideration, and report it back and recommend its passage.

SARGENT,
WOODWARD,
San Joaquin Delegation.

The rules were suspended, and the bill above reported taken up, rules

again suspended, bill considered engrossed, read a third time and passed.

On motion of Mr. Slaughter, Assembly Bill No. 588, reported from the Judiciary Committee with substitute, was taken up.

The substitute was adopted, considered engrossed, rules suspended, read a third time and passed.

By Mr. Mott of Sacramento:

Mr. SPEAKER: The Sacramento delegation, to whom was referred Assembly Bill No 482—An Act to provide for the organization of an Exempt Fireman's Association in the City of Sacramento—report it back and recommend its passage.

MOTT, for Delegation.

The rules were suspended, and the bill above reported taken up, rules again suspended, bill considered engrossed, read a third time and passed.

By Mr. Days:

Mr. SPEAKER: The Committee on Public Lands, to whom was referred Assembly Bill No. 457—An Act to facilitate the settlement of vacant lands in the State of California—have had the same under consideration, report it back and recommend that it do not pass.

Also, Assembly Bill No 610—An Act to protect the holders of certificates of purchase and patents to the lands of this State issued by the State—have had the same under consideration, report it back and recommend that it do not pass.

Also, recommend the passage of Assembly Bill No. 593—An Act to provide for the designation of the true meridian in the several counties of the State.

DAYS, Chairman.

By Mr. Harvey:

Mr. SPEAKER: The Sacramento delegation, to whom was referred Senate Bill No. 350—An Act to establish and maintain a dispensary in the City of Sacramento—have considered the same, report it back with amendments, and recommend its passage as amended.

HARVEY, for Delegation.

The rules were suspended, and the bill above reported taken up, the reported amendments adopted, and the bill read a third time and passed.

RESOLUTIONS.

Resolutions were offered as follows:

By Mr. Jost:

Resolved by the Assembly, the Senate concurring, That this Legislature adjourn sine die on Monday, the twenty-fifth instant, at twelve o'clock P. M.

On motion of Mr. Eagan, the resolution was laid on the table.
By Mr Stillwagon.

Resolved, That each member of the Assembly be allowed one additional newspaper.

Referred to Committee on Accounts and Expenditures.

Mr. Crane offered the following:

Resolved, That when this House does adjourn to-day that it adjourns to meet on Monday next, at two o'clock and thirty minutes P M.

Mr. Jost moved to lay the resolution on the table.
Thereupon the ayes and noes were demanded by Messrs Center, Dannals, and Whiting, and the House refused by the following vote.

AYES—Messrs. Barklage, Barnes, Bayley, Bradley, Center, Chalmers, Dannals, Days, Eagan, Edgar, Ellis, Everett, Goodall, Jost, Lee, Luttrell, Mott of Los Angeles, Reed, Seibe, Slaughter, Walker, Whiting, Wilcox, and Mr. Speaker—24

NOES—Messrs. Aldrich, Andrews, Baird, Barker, Bell, Berry, Bockius, Brown, Burckhalter, Caldwell, Coleman, Connolly, Cooper, Crane, De Haven, Franck, French, Gibson, Gray, Harvey, Hayes, Henshaw, Hopper, James, Johnston, Little, Lofton, Long, Mathers, Meeker, Mott of Sacramento, Pardee, Rice, Russ, Sammons, Schrack, Spencer, Tinnin, Ward, Welty, Whitney, and Woodward—42.

Mr. Days moved to amend the resolution by substituting the word "to morrow" for "to-day," and Tuesday for Monday.
The amendment was accepted, and the resolution as amended was adopted.
On motion of Mr. Barker, Assembly Bill No. 456 was ordered placed on top of the file for Tuesday next.

RECONSIDERATION.

Mr. Pardee moved a reconsideration of the vote whereby, on yesterday, the House passed Assembly Bill No. 613
Mr. Wheaton moved to indefinitely postpone the motion to reconsider, and it was so ordered
Mr. Wheaton moved a reconsideration of the vote on the passage, yesterday, of Senate Bill No. 291.
Laid on the table.

MESSAGE FROM THE SENATE.

The following message was received from the Senate:

SENATE CHAMBER,
March 15th, 1872

Mr. SPEAKER: I am directed to inform your honorable body that the Senate, on this fifteenth day of March, passed Senate Bill No. 430—An Act to establish a Civil Code—and ordered the same transmitted to the Assembly without engrossment.

FERRAL, Secretary.

CONSIDERATION OF THE MESSAGE.

Senate Bill No. 430, above reported, read first and second times and ordered to head of the file for to-morrow.

INTRODUCTION OF BILLS.

Bills were introduced as follows:

By Mr. Ward—An Act relating to the salary and duties of the Assessor of Tehama County.

Read first and second times and placed on file.

By Mr Berry—An Act supplementary to an Act entitled an Act to provide for the protection of certain lands in the County of Sutter from overflow, approved March twenty-fifth, eighteen hundred and sixty-eight.

Read first and second times and referred to the Sutter delegation.

By Mr. French—An Act supplemental to an Act entitled an Act to incorporate the City of Sacramento.

Read first and second times and referred to Sacramento delegation.

By Mr. Ellis—An Act in relation to the fees of jurors and witnesses in Los Angeles County.

Read first and second times and placed on file.

By Mr. French—An Act to authorize the citizens of Sacramento to provide themselves with a better supply of water

Read first and second times and referred to Sacramento delegation, and ordered printed.

By Mr Reed—An Act amendatory of an Act entitled an Act relating to the Board of Supervisors of the City and County of San Francisco, and more particularly defining its powers and duties, approved March thirtieth, eighteen hundred and sixty-eight.

Read first and second times and referred to San Francisco delegation.

GENERAL FILE.

Assembly Bill No. 519—An Act in relation to the death penalty.

Read a third time and passed.

Substitute for Assembly Bill No. 134—An Act to provide for the construction of a wagon road from and to the Yosemite Valley and Big Tree Grove, in Mariposa County.

Amended and read a third time.

On the passage of the bill, the ayes and noes were demanded by Messrs. Mathers, Turner, and Berry, with the following result:

AYES—Messrs. Bacon, Baird, Bell, Bockius, Brown, Burckhalter, Caldwell, Connolly, Cooper, Crane, Dannals, De Haven, French, Galloway, Goodall, Gray, Hopper, Johnston, Jost, Meeker, Mott of Los Angeles, Mott of Sacramento, McCullough, Pardee, Reed, Rice, Russ, Sargent of Santa Clara, Schrack, Seibe, Sensabaugh, Slaughter, Spivalo, Stillwagon, Tinnin, Turner, Walker, Welty, Wheaton, Whiting, Wilcox, Wright, and Mr Speaker—43.

NOES—Messrs. Aldrich, Andrews, Barker, Barklage, Barnes, Bayley, Berry, Center, Chalmers, Coleman, Days, Edgar, Everett, Franck,

Harvey, Henshaw, Lee, Little, Long, Mathers, Sammons, Ward, Whitney, and Woodward—24.

The title of the bill was also amended.

RESOLUTION.

Mr Wheaton offered the following:

Resolved, That the Committee on Claims be allowed three days leave of absence, from Saturday, March seventeenth, for the purpose of examining the Second street Cut in San Francisco, and that said committee have power to send for persons and papers, and that they be not allowed any mileage.

Laid on the table, on motion of Mr. Pardee.

GENERAL FILE RESUMED.

Assembly Bill No 551—Proposed amendment to the Constitution of the State of California.

Mr. Barklage moved a call of the House, but the House refused so to order.

On the passage of the bill, the roll was called, with the following result:

AYES—Messrs. Baird, Barker, Barklage, Barnes, Bockius, Brown, Caldwell, Center, Chalmers, Coleman, Cooper, Crane, Dannals, Days, Eagan, Everett, Franck, French, Gray, Harvey, Hopper, Johnston, Lofton, Meeker, Mott of Sacramento, Pardee, Reed, Rice, Russ, Sammons, Sargent of Santa Clara, Seibe, Spencer, Splivalo, Turner, Welty, Wheaton, Whitney, Wilcox, Woodward, and Mr. Speaker—41

NOES—Messrs. Andrews, Bayley, Berry, Bradley, Burckhalter, De Haven, Edgar, Ellis, Galloway, Gibson, Goodall, Hayes, Henshaw, Jost, Little, Long, Mott of Los Angeles, Munday, Schrack, Sensabaugh, Slaughter, Stillwagon, Tinnin, Ward, and Whiting—25.

Mr. Spencer gave notice of a motion to reconsider.

LEAVE OF ABSENCE.

Leave of absence was granted to Messrs Freeman and Connolly for one day each, and to Mr. Rector for two days.

GENERAL FILE RESUMED.

Senate Bill No 400—An Act to authorize the Board of Supervisors of Los Angeles County to locate and build bridges across the Los Angeles River and the New San Gabriel and Old San Gabriel Rivers, in Los Angeles County, and to issue bonds for the payment of the same.

Read a third time and passed.

Assembly Bill No. 616—An Act validating certain contracts in relation to the excavation of Putah Creek Canals and extending the time of performing the same.

Ordered engrossed

Assembly Bill No 627—An Act to authorize the Trustees of Red Bluff School District, in Tehama County, to borrow money for the maintenance of the school therein.

Rules suspended, bill considered engrossed, read a third time and passed.

Assembly Bill No 634—An Act to authorize John Rann or S C. Long, of Yuba County, State of California, to remove certain remains of deceased persons.

Rules suspended, bill considered engrossed, read a third time and passed.

Assembly Bill No. 631—An Act to authorize William A. Findley, of Yuba County, State of California, to remove certain bodies to a public graveyard.

Rules suspended, bill considered engrossed, read a third time and passed.

REPORT.

Mr. Wheaton had leave to make the following report:

Mr SPEAKER: The San Francisco delegation herewith report Assembly Bill No 263—An Act to aid in providing a supply of pure fresh water from Lake Bigler (sometimes called Lake Tahoe) for the use of inhabitants of the City and County of San Francisco—together with a substitute which the delegation have adopted, and report back with said bill, without recommendation, for the consideration of the House.

WHEATON, Chairman.

The substitute adopted by the delegation for the bill above reported was ordered printed, and the bill and substitute ordered placed second on the file for Tuesday next

There being no further business, at one o'clock P. M., on motion of Mr. Days, the House adjourned

T. B. SHANNON,
Speaker.

M. D. BORUCK, Chief Clerk.

IN ASSEMBLY.

HOUSE OF ASSEMBLY,
Saturday, March 16th, 1872.

House met pursuant to adjournment.
Speaker in the chair.
Roll called.
Quorum present.
Prayer by the Chaplain.
Journal of yesterday read and approved.

LEAVE OF ABSENCE.

Leave of absence for one day each was granted to Messrs. Connolly, Ward, Bockius, and Sargent of San Joaquin.

PETITIONS.

Mr. Goodall presented a petition from property owners and residents in the northern part of the City of San Francisco, in favor of opening an avenue leading from Montgomery street, north, in said city.

Referred to the San Francisco delegation.

REPORTS OF STANDING COMMITTEES.

Reports from standing committees were made as follows:

By Mr. Spencer:

Mr. SPEAKER: The Committee on Judiciary having considered Senate Bill No. 268—An Act to amend an Act entitled an Act to regulate proceedings in criminal cases, passed May first, eighteen hundred and fifty-one—report it back and recommend that it do not pass.

Senate Bill No 407—An Act to amend an Act entitled an Act to regulate the settlement of the estates of deceased persons, approved May first, eighteen hundred and fifty-one—report it back and recommend that it do not pass.

Assembly Bill No. 537—An Act to reincorporate the City of Vallejo—report it back with amendments, and recommend its passage as amended.

Assembly Bill No. 431—Proposed amendments to the Constitution—report it back, and the majority recommend its passage

Assembly Bill No. 560—An Act amendatory of and supplementary to an Act entitled an Act for securing liens of mechanics and others, approved March thirtieth, eighteen hundred and sixty-eight—report it back and recommend its passage.

Also, substitute for Assembly Bill No. 234, with Senate substitute therefor—An Act to regulate the interest on money—report it back and recommend that the House do not concur in the Senate substitute.

SPENCER, Chairman.

By Mr. French:

Mr. SPEAKER: The Committee on State Library, to whom was referred Assembly Bill No 478, having fully considered the same, report it back, and a majority of the committee recommend its passage.

FRENCH, Chairman.

By Mr. Gray:

A minority report from the San Francisco delegation on Assembly Bill No 263, relative to supplying fresh water to the City and County of San Francisco. The report was ordered placed on file with the bill.

By Mr. Goodall:

Mr. SPEAKER: Your Committee on Commerce and Navigation, to whom was referred Assembly Bill No. 633—An Act supplementary to an Act entitled an Act to provide terminal depot grounds for the Central Pacific Railroad Company—report the same back and recommend its passage.

GOODALL, Chairman.

The rules were suspended, and the bill above reported taken up, rules again suspended, considered engrossed, read a third time and passed, and ordered transmitted to the Senate.

By Mr. Mott of Sacramento:

Mr Speaker: The Committee on Claims, to whom was referred Assembly Bill No 524—An Act making an appropriation for translating into Spanish the several State documents and Reports ordered during the present session of the Legislature—report it back and recommend its passage as amended.

MOTT, Chairman.

By Mr. Meeker:

Mr. Speaker: The Committee on Federal Relations, to whom was referred Assembly Joint Resolution No 30—Relative to instructing our Senators and requesting our Representatives in Congress to use all honorable means to procure a subsidy for carrying a monthly mail between the City of San Francisco and the Island of Tahiti—report that they have had the same under consideration, and recommend the adoption of the resolution.

MEEKER, Chairman.

By Mr. French:

Mr. Speaker: The Committee on Penal Code, to whom was referred Assembly Bill No. 604, report the same back with a substitute, and recommend the passage of the substitute.

FRENCH,
SPLIVALO,
SPENCER.

The substitute above reported was, on motion of Mr. Goodall, ordered printed, and placed at the head of the file for Thursday next.

By Mr. Gray:

Mr. Speaker· Your Committee on Corporations, to whom was referred Senate Bill No. 254—An Act to amend an Act to provide for the formation of corporations for certain purposes—report the same back and recommend its passage.

GRAY, Chairman.

By Mr. Barker:

Mr. Speaker. Your Committee on Enrollment beg leave to report that they have examined and find correctly enrolled Assembly Bill No. 468—An Act to provide funds for the School Department of the City of Oakland.

Also, Assembly Bill No. 502—An Act to provide for the construction and maintenance of free bridges in the County of Trinity, and to set apart a fund therefor.

Also, Assembly Bill No. 503—An Act to authorize an additional levy of county taxes in the County of Trinity.

Also, Assembly Bill No. 541—An Act to amend section thirteen of an

Act entitled an Act to regulate fees of office and salaries of certain officers, and to repeal certain other Acts in relation thereto, approved March fifth, eighteen hundred and seventy

Also, Assembly Bill No. 72—An Act for the protection of miners.

Also, Assembly Bill No 563—An Act authorizing the County Treasurer of the County of Alameda to pay certain claims against said county.

And that the same have, this sixteenth day of March, eighteen hundred and seventy-two, at twenty five minutes past ten o'clock, been transmitted to the Governor for his approval.

BARKER.

By Mr. Barnes:

Mr. SPEAKER: The Committee on Engrossment beg leave to report that they have examined and find correctly engrossed Assembly Bill No. 580—An Act to authorize the Board of Supervisors of Plumas County to complete the Red Clover Valley Wagon Road

Also, Assembly Bill No 582—An Act to authorize the Board of Supervisors of Trinity County to levy a special tax for surveying purposes

Also, Assembly Bill No 568—An Act to provide for a street railroad in the Town and County of Napa, State of California.

Also, Assembly Bill No 594—An Act to fix the salary of the District Attorney of Plumas County.

Also, Assembly Bill No. 598—An Act authorizing the Board of Supervisors of the City and County of San Francisco to provide suitable rooms, attendants, fuel, lights, and stationery for the Third and Nineteenth District Courts, in and for the City and County of San Francisco and the County of Alameda.

Also, Assembly Bill No 595—An Act supplementary to an Act to incorporate the City of Sacramento

Also, Assembly Bill No. 600—An Act supplementary to an Act to incorporate the City of Sacramento.

Also, Assembly Bill No 526—An Act in relation to moneys belonging to the State derived from taxes assessed on mortgages.

Also, Assembly Bill No 570—An Act to restore the Great Register of the County of Sutter

Also, Assembly Bill No 591—An Act to adjust the accounts of Swamp Land District Number Eighteen, in Yolo and Solano Counties.

BARNES, Chairman.

REPORTS OF SPECIAL COMMITTEES.

Reports of special committees were made as follows:

By Mr. Caldwell:

Mr. SPEAKER: The Sonoma delegation having had Assembly Bill No. 629 under consideration, report the same back and recommend its passage as amended.

CALDWELL, for Delegation.

The rules were suspended, and the bill above reported taken up. The rules were further suspended, bill considered engrossed, read a third time and passed and title amended.

By Mr. Chalmers:

Mr. Speaker: The Sacramento and El Dorado delegations having had under consideration Senate substitute for Assembly Bill No. 11—An Act to consolidate certain school districts of the Counties of El Dorado and Sacramento, approved April twenty-fifth, eighteen hundred and sixty-three—recommend that the Assembly refuse to recede from Assembly amendments to Senate substitute for said Assembly Bill No. 11.

CHALMERS, for Delegations.

The rules were suspended, and the bill above reported taken up, and the House, in accordance with the recommendation of the delegations, refused to recede from its amendments to the bill.

By Mr. French:

Mr. Speaker: The Sacramento delegation, to whom was referred Assembly Bill No. 637—An Act supplemental to an Act entitled an Act to incorporate the City of Sacramento—having fully considered the same, report it back and recommend its passage.

FRENCH,
HOPPER,
JOHNSTON,
MOTT,
HARVEY.

The rules were suspended, and the bill above reported taken up. Rules again suspended, bill considered engrossed, read a third time and passed, and ordered transmitted to the Senate.

By Mr. Barklage:

Mr. Speaker: The El Dorado delegation, to whom was referred Assembly Bill No. 624, beg leave to report the same back and recommend its passage.

BARKLAGE, for Delegation.

The rules were suspended, and the bill above reported taken up. Rules again suspended, considered engrossed, read a third time and passed.

By Mr. Berry:

Mr Speaker: The Sutter delegation, to whom was referred Assembly Bill No. 636—An Act supplementary to an Act entitled an Act to provide for the protection of certain lands in the County of Sutter from overflow, approved March twenty-eighth, eighteen hundred and sixty-eight—have had the same under consideration, report it back with amendments, and recommend its passage as amended.

BERRY, for Delegation.

On motion of Mr. Everett, Assembly Bill No. 526, reported by the Committee on Engrossment, was taken up, read a third time and passed.

PETITION.

The rules were suspended, and Mr. Galloway presented a petition from residents in Contra Costa County for the repeal of certain sections of an Act approved March twenty sixth, eighteen hundred and seventy, concerning trespassing of animals in that county.

Referred to the Committee on Agriculture.

MESSAGES FROM THE GOVERNOR.

The following messages were received from the Governor:

STATE OF CALIFORNIA, EXECUTIVE DEPARTMENT,
Sacramento, March 14th, 1872.

To the Assembly of the State of California:

I have to inform your honorable body that I have approved Assembly Bill No. 363—An Act to provide for the construction and protection of the Alameda road.

Also, Assembly Bill No 274—An Act to amend an Act entitled an Act to authorize the Exempt Fire Company of San Francisco to receive and manage the San Francisco Fire Department Charitable Fund, and receive from the City and County of San Francisco a house and lot for its use, approved April second, eighteen hundred and sixty-two.

Also, Assembly Bill No 394—An Act to authorize the City of San José to issue bonds to provide sewerage for said city.

Also, Assembly Bill No. 196—An Act to determine who must act as Chief Justice of the Supreme Court.

Also, Assembly Bill No. 298—An Act to authorize the Trustees of the Associated Veterans of the Mexican War to exchange certain lands for certain other property belonging to said city and county, or for a lease of such property

Also, Assembly Bill No. 260—An Act to amend an Act entitled an Act to provide for a system of common schools, approved April fourth, eighteen hundred and seventy.

Also, Assembly Bill No. 248—An Act to grant to the Town of San Bernardino all the interest of the State in certain real property.

Also, Assembly Bill No. 392—An Act supplemental to an Act entitled an Act to raise a fund for the improvement of Napa City, approved January twenty-fourth, eighteen hundred and seventy.

Also, Assembly Bill No 379—An Act to authorize the Treasurer of San Joaquin County to transfer certain funds to the General School Fund of said county.

NEWTON BOOTH, Governor.

STATE OF CALIFORNIA, EXECUTIVE DEPARTMENT,
Sacramento, March 15th, 1872.

To the Assembly of the State of California:

I herewith respectfully return to your honorable body, without my approval, Senate substitute for Assembly Bill No. 239—An Act for the relief of purchasers of State lands

The first section of the bill reads: "When application has been made to purchase lands from this State, and payment made to the Treasurer of the proper county for the same in whole or in part, and a certificate of purchase or patent has been issued to the applicant, the title of the State to said lands is hereby vested in said applicant or his assigns upon his making full payment therefor, *provided*, that no other application has been made for the purchase of the same lands prior to the issuance of said certificate of purchase, *provided* further, that this Act shall not apply to school lands except to the amount of three hundred and twenty acres to any one purchaser" In the year eighteen hundred and sixty-four payments were made to the Treasurer of the City and County of San Francisco, and certificates of purchase were issued for large tracts of marsh and tide lands in Mission Bay within the boundaries of San Francisco No application had been made for the purchase of said lands excepting these prior to the issuance of said certificates of purchase.

By virtue of a decision made by the Supreme Court of the United States, in an isolated case, the payments made and certificates issued were afterwards held to be invalid, and the lands have been sold through the Board of Tide Land Commissioners for several hundred thousand dollars, many deeds yet remaining to be executed.

In my opinion the bill under consideration might operate as a grant by the Legislature to the holders of the certificates of purchase, and give the subsequent purchasers an equitable claim upon the State for the amounts paid by them with damages If it did not have this legal effect it would at least cloud the title of the purchasers under the Board of Tide Land Commissioners. The construction, above indicated, is strengthened by the fact that the lands referred to do not come within either of the exceptions expressly made in the bill of school lands under certain circumstances, and lands of the same class and in similar condition of title near the City of San Diego

I deem the danger to be of so grave a nature as to require me to withhold my signature, though the general intention of the bill is doubtless fair and equitable.

NEWTON BOOTH, Governor.

CONSIDERATION OF THE MESSAGE.

On the question "Shall this bill become a law notwithstanding the objection of the Governor?" the roll was called, and the veto of the Governor was unanimously sustained as follows:

AYES—None.

NOES—Messrs. Aldrich, Andrews, Bacon, Baird, Barker, Barklage, Barnes, Bayley, Bell, Berry, Brown, Burckhalter, Caldwell, Center, Coleman, Crane, Dannals, Days, De Haven, Eagan, Edgar, Everett, Franck, French, Galloway, Gibson, Goodall, Gray, Harvey, Hayes, Henshaw, Hopper, James, Johnston, Jost, Lee, Little, Lotton, Long, Luttrell, Mathers, Meeker, Mott of Sacramento, McCullough, Pardee, Reed, Russ, Sammons, Sargent of Santa Clara, Schrack, Seibe, Slaughter, Spencer, Splivalo, Stillwagon, Tinnin, Turner, Walker, Welty, Wheaton, Whiting, Whitney, Wilcox, Woodward, Wright, and Mr. Speaker—66.

MESSAGE FROM THE SENATE.

The following message was received from the Senate:

SENATE CHAMBER,
March 15th, 1872.

Mr. SPEAKER: I am directed to inform your honorable body that the Senate, on the fourteenth day of March, passed Senate Bill No 416—An Act making appropriation for the twenty-third fiscal year deficiencies, ending thirtieth day of June, eighteen hundred and seventy-two

Also, on the same day, passed Assembly Bill No. 584—An Act to incorporate the Town of San Leandro

Also, on the same day, amended and passed Assembly Bill No. 538—An Act to prohibit the hunting or shooting of game within certain private grounds in the County of Butte.

Also, on the same day, amended and passed Assembly Bill No 191—An Act to provide for the protection of the City of Sacramento and Swamp Land District Number Two.

Also, on the same day, passed Assembly Bill No. 334—An Act for the relief of Henry N. Morse.

Also, on the same day, passed Assembly Bill No 362—An Act to submit to the qualified voters of Alpine the question of selecting the county seat.

Also, on the same day passed Assembly Bill No 415—An Act supplemental to an Act concerning crimes and punishments

Also, on the same day, passed Assembly Bill No 367—An Act for the relief of James T. Boyd.

Also, on the same day, passed Assembly Bill No. 369—An Act to encourage the destruction of squirrels and gophers.

Also, on the same day, passed Assembly Bill No 483—An Act to prevent hogs and goats from running at large in the Town of Knight's Landing.

Also, on the same day, passed Assembly Bill No 417—An Act for the relief of Morris Woolf.

Also, on the same day, passed Assembly Joint Resolution No. 27—Relative to reserving public lands for actual settlers.

Also, on the same day, passed Assembly Bill No. 282—An Act to allow certain persons to take possession of and improve a certain road.

Also, on the same day, passed Assembly Joint Resolution No. 19—Relative to extending the time of payment for public lands.

Also, on the same day, passed Assembly Bill No 542—An Act authorizing the Board of Supervisors of Mariposa County to pay a certain claim.

Also, on the same day, passed Assembly Bill No 440—An Act to provide for the location, construction, and maintenance of public roads in the County of Nevada.

Also, on the same day, refused to pass Assembly Bill No. 125—An Act in relation to life insurance

Also, on the same day, refused to pass Assembly Bill No. 84—An Act to provide for the appointment of Commissioners to recommend amendments to the Constitution.

Also, on the same day, refused to pass Assembly Bill No. 426—An Act in relation to the residence of Judges of the Supreme Court.

Also, on the same day, refused to pass Assembly Bill No. 374—An Act to prevent hunting and shooting and the felling of trees on private grounds in Santa Barbara and San Luis Obispo Counties.

Also, on the same day, passed substitute for Assembly Bill No. 171—An Act to authorize the payment to James Carroll of his unpaid salary as Supervisor of Amador County.

Also, on the same day, passed Assembly Bill No 349—An Act relating to Swamp Land District Number Seventy-one, in Sacramento County.

Also, on the same day, passed Assembly Bill No. 517—An Act in reference to the Assessor of Napa County

Also, on the same day, passed Senate Bill No. 374—An Act to provide for the support of the University of California.

Also, on the same day, passed Senate Bill No. 414—An Act to authorize the transfer to the General Fund of money in other funds of the State Treasury, and the return thereof to such funds.

Also, on the same day, passed Senate Bill No 419—An Act to amend an Act entitled an Act concerning roads and highways in the Counties of Santa Cruz and San Diego

Also, on the same day, passed Senate Bill No. 406—An Act to extend an Act entitled an Act concerning District Court Reporters to the Nineteenth and Twentieth Judicial Districts

Also, on the same day, refused to pass Assembly Bill No. 418—An Act to legalize and confirm the election of school officers in the City of Vallejo.

Also, on the same day, passed Senate Bill No. 312—An Act supplementary to and amendatory of an Act entitled an Act to incorporate the Town of Santa Cruz

Also, on the same day, passed Senate Bill No 420—An Act supplementary to an Act entitled an Act to provide for the appointment of Notaries Public and define their duties.

Also, on the same day, passed Senate Bill No. 297—An Act to authorize the payment of Mrs. Eliza McLean.

Also, on the same day, passed Senate Bill No. 322—An Act to amend an Act entitled an Act to create and organize the University of California.

Also, on the same day, passed Senate Bill No. 371—An Act to provide for the settlement of the value of school property in the several school districts that were adjacent to the City of Stockton, and which was, by Act of the Legislature, included within the limits of said city.

Also, on the same day, passed Senate Bill No. 372—An Act for the relief of certain parties holding property on Market street, in the City of San Francisco.

Also, on the same day, passed Senate Bill No. 425—An Act to prevent hogs from running at large in the Town of Red Bluff.

FERRAL, Secretary.

CONSIDERATION OF THE MESSAGE.

Senate Bill No. 374, above reported, read first and second times and referred to the Committee on Public Buildings and Grounds.

Senate Bill No. 414, above reported, read first and second times and placed on file.

Senate Bill No. 419, above reported, read first and second times and referred to the Santa Cruz and San Diego delegations.

Senate Bill No. 406, above reported, read first and second times and referred to the Judiciary Committee.

Senate Bill No. 416, above reported, read first and second times and referred to the Committee on Ways and Means

The House concurred in Senate amendments to Assembly Bill No. 538, above reported

Assembly Bill No. 191, above reported, with Senate amendment, referred to Sacramento delegation.

The House also concurred in Senate substitute for Assembly Bill No 171, above reported

Senate Bill No. 312, above reported, read first and second times and referred to Santa Cruz delegation.

Senate Bill No. 420, above reported, read first and second times and referred to Judiciary Committee.

Senate Bill No. 297, above reported, read first and second times and referred to Committee on Claims.

Senate Bill No. 322, above reported, read first and second times and referred to Committee on Education

Senate Bill No 371, above reported, read first and second times and referred to San Joaquin delegation.

Senate Bill No. 372, above reported, read first and second times and referred to San Francisco delegation

Senate Bill No 425, above reported, read first and second times and referred to Tehama delegation.

RECONSIDERATION.

Mr. Spencer, in accordance with previous notice, moved to reconsider the vote whereby, on yesterday, the House passed Assembly Bill No. 551—Proposed amendment to the Constitution.

The motion was made the subject of consideration for Tuesday next, at three o'clock P. M.

INTRODUCTION OF BILLS.

Bills were introduced as follows:

By Mr. Days—An Act to take preliminary steps for calling a Convention to amend, remodel, or propose a new Constitution for the State of California.

Read first and second times, placed on file, and ordered printed.

By Mr. Woodward—An Act to authorize road districts in San Joaquin County to levy special tax.

Read first and second times and referred to San Joaquin delegation.

By Mr. Caldwell—An Act to authorize Isaac Bluxome to remove from his private property on the Rancho de Mucelacon, in Sonoma County, certain dead bodies to a public graveyard.

Read first and second times and placed on file

By Mr. Reed—An Act to provide for the support of men belonging to the Paid Fire Department of the City and County of San Francisco who may be disabled in the performance of their duties.

Read first and second times and referred to San Francisco delegation.

By Mr. Splivalo—An Act to prevent the wholesale destruction of certain fish in the Bay of San Francisco and the adjacent bays and waters.

Read first and second times and referred to San Francisco delegation, and ordered printed.

By Mr Hayes—An Act supplementary to an Act entitled an Act to regulate the settlement of the estates of deceased persons, passed May first, eighteen hundred and fifty one

Read first and second times and referred to Judiciary Committee.

Also, an Act to fix the terms of the County Court of the County of Monterey

Read first and second times and placed on file.

By Mr. Goodall—An Act supplementary to an Act entitled an Act to provide for the incorporation of colleges, approved April twentieth, eighteen hundred and sixty.

Read first and second times and referred to Committee on Education.

Also, an Act in relation to the water front of the City and County of San Francisco.

Read first and second times and referred to San Francisco delegation, and ordered printed.

By Mr. Burckhalter—An Act to amend an Act entitled an Act amendatory of and supplementary to an Act to provide for the construction of canals for drainage and reclaiming certain swamp and overflowed lands in Tulare Valley, passed April first, eighteen hundred and fifty-seven, approved April tenth, eighteen hundred and sixty-two.

Read first and second times and placed on file.

Also, an Act to authorize the Supervisors of Kern County to levy a special tax for the County General Fund.

Read first and second times and placed on file.

By Mr. Wright—An Act to provide for the education of the children in the State of California.

Read first and second times and referred to the Committee on Education.

By Mr Johnston—An Act to provide funds for the further reclamation of Swamp Land Districts Numbers Fifty and Fifty-four, in Sacramento County.

Read first and second times and referred to the Committee on Swamp and Overflowed Lands, and ordered printed.

By Mr. Russ—An Act to annex the territory now comprising the County of Klamath to the Counties of Siskiyou and Humboldt.

Read first and second times and, with petitions, referred to the Siskiyou, Klamath, Del Norte, and Humboldt delegations.

By Mr. Seibe—An Act to authorize the Board of Supervisors of the City and County of San Francisco to appropriate money for the improvement of Washington Plaza, in said city and county.

Read first and second times and referred to the San Francisco delegation.

By Mr. Gray—An Act to amend the Penal Code.

Read first and second times and placed on file.

By Mr Baird—An Act for the encouragement of agricultural interests of this State.

Read first and second times and referred to the Committee on Agriculture.

GENERAL FILE.

Senate Bill No. 430—An Act to establish a Civil Code.

Read a third time and passed.

Leave was granted to Messrs. Jost. Splivalo, and Gray to be recorded as voting against the passage of the bill

Senate Bill No. 180—An Act supplementary to an Act entitled an Act to provide for compensating parties whose property may be destroyed in consequence of mobs or riots.

The amendments reported from the Judiciary Committee were adopted, and the House then refused to pass the bill

Mr Burckhalter gave notice of a motion to reconsider.

Senate Bill No. 104—An Act to provide for the payment of certain witnesses in the case of The People versus Horace Smith.

Considered in Committee of the Whole House, and reported without recommendation.

IN ASSEMBLY.

Mr. Pardee moved the indefinite postponement of the bill, and it was so ordered.

Senate Bill No 238.

Passed on file

Senate Bill No. 366.

Passed on file.

Assembly Bill No. 539.

Passed on file.

Assembly Bill No 534—An Act to amend an Act entitled an Act to amend an Act regulating marriages, passed April twenty second, eighteen hundred and fifty, approved April ninth, eighteen hundred and sixty-three.

Substitute reported adopted, rules suspended, considered engrossed, read a third time and passed.

Assembly Bill No. 179—An Act concerning unlawful holding over of dwelling houses, tenement houses, shops, and stores, and land leased thereunto, in the City and County of San Francisco.

The reported amendments were adopted, and the substitute ordered printed, and placed on file for Wednesday, March twentieth

Assembly Bill No 577—An Act to amend an Act entitled an Act to authorize the County Judges and Probate Judges of this State to hold terms or parts of terms of the County Court and Probate Court in counties other than those for which they were respectively elected, approved March thirteenth, eighteen hundred and sixty-eight

Rules suspended, bill considered engrossed, read a third time and passed.

Assembly Bill No 552—An Act for the regulation of sailor boarding houses and shipping offices in the City and County of San Francisco.

Rules suspended, bill considered engrossed, read a third time and passed

Assembly Bill No 477—An Act amendatory of an Act entitled an Act to authorize the Board of Supervisors of the City and County of San Francisco to open and grade Market street, in said city, from the intersection of said street with Valencia street to its intersection with Seventeenth street, and to condemn private property for the roadway of said street, etc

The reported substitute and amendments were adopted, and the bill, rules being suspended, considered engrossed, read a third time and passed.

Assembly Bill No. 457.

Ordered placed on file for Wednesday next.

Assembly Bill No. 610.

Taken from the file and re referred to Committee on Public Lands.

Assembly Bill No. 593—An Act to provide for the designation of the true meridian in the several counties of the State.

Ordered engrossed.

Assembly Bill No 635—An Act relating to the salary and duty of the Assessor of Tehama County

Rules suspended, bill considered engrossed, read a third time and passed.

Also, Assembly Bill No 638—An Act in relation to the fees of jurors and witnesses in Los Angeles County.

Rules suspended, bill considered engrossed, read a third time and passed.

COMMITTEE CLERK.

The rules were suspended, and Mr. Eagan had leave to introduce the following resolution, which was adopted:

WHEREAS, This House, by resolution of date February thirteenth, eighteen hundred and seventy-two, did authorize the Committee on Agriculture of this Assembly to employ a clerk at a salary of five dollars per day for the term of twenty days, said period of time expiring on the fourth day of March, eighteen hundred and seventy-two, and whereas, the business now before said Committee on Agriculture is of such a nature that the future services of a clerk cannot be dispensed with, said committee being unanimous in this opinion, therefore, be it

Resolved, That the Committee on Agriculture be and they are hereby authorized to retain their clerk at the usual per diem, payable out of the Contingent Fund of the Assembly, for the length of time, to commence from and after March fourth, eighteen hundred and seventy-two, that they may deem the services of said clerk necessary for the dispatch of business before them.

EAGAN, Chairman.
LOFTON,
STILLWAGON,
CENTER,
SLAUGHTER,
COOPER,
SENSABAUGH.

Adopted.

Mr Andrews moved a reconsideration of the vote on the resolution, adopted by the House on yesterday, relative to adjournment until Tuesday, March nineteenth, at two o'clock and thirty minutes P M

The motion was agreed to, and the resolution again taken up, and amended by striking out two o'clock and thirty minutes P M and inserting twelve o'clock M as the hour at which the House shall convene.

Amendment adopted.

There being no further business, at one o'clock P M., on motion of Mr. Days, the House adjourned until twelve o'clock M. on Tuesday, March nineteenth.

T. B. SHANNON,
Speaker.

M. D. BORUCK, Chief Clerk.

IN ASSEMBLY.

HOUSE OF ASSEMBLY,
Tuesday, March 19th, 1872.

House met pursuant to adjournment.
Speaker in the chair.
Roll called.
Quorum present.
In consequence of the absence of the Rev. Mr. Cummings, the Chaplain of the House, the session opened without the customary morning prayer.
Journal of Saturday, March sixteenth, read and approved.

LEAVE OF ABSENCE

Leave of absence was granted to Messrs Connolly, Franck, Cooper, Barker, Slaughter, Chalmers, Gibson, Berry, Andrews, Bradley, Edgar, Walker, Sargent of San Joaquin, Spencer, Goodall, Scibe, Meeker, Spivalo, and James.

REPORTS OF STANDING COMMITTEES.

Reports from standing committees were made as follows:

By Mr. Wheaton:

Mr SPEAKER: The Committee on Ways and Means have had under consideration Senate Bill No 416—An Act making an appropriation for deficiencies for the twenty-third fiscal year ending the thirtieth day of June, eighteen hundred and seventy-two—and report the same back and recommend its passage.

WHEATON, Chairman.

The rules were suspended, and the bill above reported taken up, and considered in Committee of the Whole

IN ASSEMBLY.

Reported and passage recommended.
Read a third time and passed.

REPORTS OF SELECT COMMITTEES.

Reports were made from select committees as follows:

By Mr. Bockius.

Mr. SPEAKER: The Santa Cruz delegation, to whom was referred Senate Bill No. 312—An Act supplementary to and amendatory of an Act entitled an Act to incorporate the Town of Santa Cruz, approved March thirty-first, eighteen hundred and sixty-six—report that they have examined the same, and recommend that it do pass.

BOCKIUS, for Delegation.

The rules were suspended, and the above reported bill taken up, read a third time, and passed.

By Mr. Stillwagon.

Mr. SPEAKER The Napa delegation, to whom was referred Senate Bill No. 408, have the honor to return the same, with the recommendation that it pass.

STILLWAGON, for Delegation.

MESSAGE FROM THE GOVERNOR.

The following message was received from the Governor:

STATE OF CALIFORNIA, EXECUTIVE DEPARTMENT,
Sacramento, March 16th, 1872.

To the Assembly of the State of California:

I have to inform your honorable body that I have approved Assembly Bill No. 380—An Act concerning roads and highways in the County of El Dorado.

Also, Assembly Bill No 490—An Act to provide for the opening and improving of Santa Clara Avenue, in the County of Santa Clara.

Also, Assembly Bill No. 357—An Act amendatory of an Act entitled an Act for the more effectual prevention of cruelty to animals, approved March thirtieth, eighteen hundred and sixty-eight.

Also, Assembly Bill No. 439—An Act authorizing the Trustees of the San Buenaventura School District, of the County of Santa Barbara, in this State, to issue bonds for the said district for the sum of ten thousand dollars.

Also, Assembly Bill No. 120—An Act to regulate practice in the Supreme Court.

Also, Assembly Bill No. 316—An Act to amend an Act entitled an Act to regulate proceedings in civil cases, passed May first, eighteen hundred and fifty-one.

Also, Assembly Bill No. 429—An Act to authorize the Board of Supervisors of Merced County to levy a special tax for the purpose of constructing a bridge across the Merced River.

Also, Assembly Bill No 465—An Act to authorize the Masonic and Odd Fellows' Cemetery Association, and the citizens of Contra Costa County, to remove human remains.

Also, Assembly Bill No. 515—An Act to incorporate the Town of Fort Jones, Siskiyou County, California.

Also, Assembly Bill No. 353—An Act to remedy defects in certain county records.

Also, Assembly Bill No. 496—An Act to repeal section two of an Act entitled an Act supplementary to and amendatory of an Act to prevent certain animals from running at large in Napa City, approved April fourteenth, eighteen hundred and sixty-three.

Also, Assembly Bill No. 430—An Act for the preservation of fish in the waters of Siskiyou County.

Also, Assembly Bill No. 423—An Act to amend an Act entitled an Act to regulate fees and salaries in the County of Calaveras, and to define

the duties of certain officers in said Calaveras County, approved March fourth, eighteen hundred and seventy

Also, Assembly Bill No 403—An Act for the relief of Wm S. Brown.

Also, Assembly Bill No 287—An Act to prevent persons passing through inclosures and leaving them open, and tearing down fences to make passage through inclosures

Also, Assembly Bill No 563—An Act authorizing the County Treasurer of the County of Alameda to pay certain claims against said county.

Also, Senate substitute for Assembly Bill No 541—An Act concerning the fees in office of the Sheriff of Monterey County.

Also, Assembly Bill No. 503—An Act to authorize an additional levy of county taxes in the County of Trinity.

Also, Assembly Bill No 502—An Act to provide for the construction and maintenance of free bridges in the County of Trinity, and to set apart a fund therefor.

Also, Assembly Bill No. 72—An Act for the protection of miners.

NEWTON BOOTH, Governor.

MESSAGE FROM THE SENATE.

The following message was received from the Senate:

SENATE CHAMBER,
March 19th, 1872.

MR. SPEAKER: I am directed to inform your honorable body that the Senate, on the sixteenth day of March, passed Assembly Bill No 566—An Act for the redemption of the funded indebtedness of the City of Sacramento

Also, on the same day, refused to pass Assembly Bill No. 376—An Act entitled an Act appropriating funds to enlarge the Home for the Care of the Inebriate, in San Francisco.

Also, on the same day, passed Assembly Bill No. 404—An Act to regulate fees of office and salaries of officers in San Bernardino County.

Also, on the same day, refused to pass Assembly Bill No 387—An Act to enable the Board of Supervisors of Sacramento County to refund certain moneys

Also, on the same day, concurred in Assembly amendments to Assembly Bill No. 220—An Act to provide for the establishment, maintenance, and protection of public roads in Sonoma County.

Also, on the same day, refused to pass Assembly Bill No. 113—An Act for the relief of D. B. Akey.

Also, on the same day, refused to pass Assembly Bill No. 528—An Act to authorize C. C. Bush, late County Judge of Shasta County, to execute a certain deed for town lands of the Town of Shasta.

Also, on the same day, passed Assembly Bill No. 633—An Act supplementary to an Act entitled an Act to provide terminal depot grounds for the Terminal Central Pacific Railroad Company.

Also, on the same day, passed Senate Bill No 441—An Act for the relief of the Central Pacific Railroad Company, and ordered the same transmitted without engrossment.

Also, on the same day, passed Assembly Bill No. 358—An Act to establish pilots and pilot regulations for the Port of San Diego

Also, on the same day, passed Assembly Bill No. 545—An Act to

amend an Act entitled an Act to encourage the destruction of squirrels and gophers in certain counties in this State.

Also, on the same day, passed Assembly Bill No 514—An Act to repeal an Act entitled an Act to provide for the better care of the indigent sick in San Bernardino County

Also, on the same day, adopted Senate Concurrent Resolution No. 46—Relative to payment of S. C. Denson and E H. Pomeroy.

FERRAL, Secretary.

CONSIDERATION OF THE MESSAGE.

The House concurred in Senate amendment to Assembly Bill No. 566, above reported.

Assembly Bill No 404, above reported, with Senate amendments, referred to Mr. Slaughter

Senate Bill No 441, above reported, was read first and second times, and by unanimous consent, the rules of the House being suspended, read a third time and passed.

REPORT.

The following report was made by Mr. Eagan:

Mr. SPEAKER: The Committee on Agriculture, to whom was referred Senate Bill No 320—An Act to protect agriculture and to prevent the trespassing of animals in the County of Colusa—having duly considered the same, hereby beg leave to report said bill back, and recommend its passage.

Also, after careful consideration of Senate Bill No. 195—An Act amending an Act to restrict the herding of sheep, approved May eighteenth, eighteen hundred and sixty-one—report the same back with recommendation that it do not pass

Also, report back Senate Bill No 131—An Act to amend an Act entitled an Act amendatory of and supplementary to an Act concerning estray animals, passed April nineteenth, eighteen hundred and fifty-six, approved March twenty-eighth, eighteen hundred and fifty-nine—recommending its passage.

Your committee would also state that they have given great attention to Assembly Bill No. 251—An Act for the protection of game and fish—herewith reported back, together with a substitute therefor, and passage of substitute recommended.

The many conflicting interests and varied diversity of opinions entertained relative to game and fish laws, render it extremely difficult to do justice and at the same time give general satisfaction. The nearest approach to this desideratum the committee have embodied in the substitute above reported.

EAGAN, Chairman.

RESOLUTION.

The rules were suspended and the following resolution offered:

Resolved, That the Committee on Agriculture be authorized to deliver to the Sacramento delegation all petitions in the possession of said committee relative to the Trespass or "No-Fence Law" in Sacramento County.

Adopted.

INTRODUCTION OF BILLS.

Bills were introduced as follows:

By Mr. Harvey—An Act to amend an Act entitled an Act to provide for the management and sale of the lands belonging to the State, approved March thirty first, eighteen hundred and fifty eight.

Read first and second times and referred to the Committee on Overflowed Lands.

Also, an Act supplementary to and amendatory of the Act to protect agriculture and to prevent the trespassing of animals upon private property, approved March twenty-sixth, eighteen hundred and sixty six.

Read first and second times and referred to the Sacramento delegation.

By Mr. Wheaton—An Act to put into effect certain parts of the Codes and provide for their publication.

Read first and second times and referred to Joint Committee on Penal Code.

By Mr. Hopper—An Act to amend an Act entitled an Act concerning roads and highways in the County of Sacramento, approved April second, eighteen hundred and seventy.

Read first and second times and referred to the Sacramento delegation.

By Mr Barnes—An Act to protect the wages of labor and the salaries and fees of subordinate officers.

Read first and second times and placed on file.

By Mr Stillwagon—An Act concerning certain officers in Napa County, prescribing the duties and regulating the fees and salaries.

Read first and second times and placed on file.

By Mr. Schrack—An Act to amend an Act entitled an Act to amend an Act entitled an Act to create and organize a Fire Department for the Town of Mokelumne Hill, approved April twenty-fourth, eighteen hundred and sixty-two, approved March twenty-sixth, eighteen hundred and sixty-eight.

Read first and second times and placed on file.

Also, an Act to define the fire limits of the Town of Mokelumne Hill, in Calaveras County, and to provide for the support of the Fire Department thereof.

Read first and second times and placed on file.

By Mr. Barklage—An Act in relation to the revenue.

Read first and second times and referred to Committee on Agriculture.

By Mr. McCullough—An Act supplementary to an Act entitled an Act supplementary to an Act entitled an Act to establish the Industrial School Department of the City and County of San Francisco, approved April fifteenth, eighteen hundred and fifty-eight, approved February fifteenth, eighteen hundred and sixty-four.

Read first and second times and referred to the San Francisco delegation.

Also, an Act to amend an Act entitled an Act to regulate and license places of public amusement, approved April thirteenth, eighteen hundred and sixty-three.

Read first and second times and referred to the San Francisco delegation.

By Mr. Freeman—An Act to amend an Act entitled an Act to authorize the Board of Trustees of Woodland School District, in the County of Yolo, to borrow money for certain purposes, and provide for

the payment of the same, approved February twenty-fourth, eighteen hundred and seventy-two.

Read first and second times and referred to the Yolo delegation.

Also, an Act to legalize certain acknowledgments

Read first and second times and referred to the Judiciary Committee.

By Mr. Baird—An Act supplementary to an Act entitled an Act to provide for the incorporation of colleges, approved April twentieth, eighteen hundred and fifty.

Read first and second times and placed on file.

By Mr. Bradley—An Act to authorize the County of Yuba to issue sixty thousand dollars of bonds for the purpose of constructing, repairing, and improving wagon roads and bridges in said County of Yuba.

Read first and second times and placed on file.

CODE COMMISSION COMPLIMENTED.

By leave, Mr. French presented the following copy of an original telegram relative to the labors of the Revision Commissioners, which was ordered spread upon the Assembly Journal:

NEW YORK, March 18th, 1872.

Messrs. HAYMOND, BURCH, *and* LINDLEY, *Revision Commissioners:*

All honor to you for your great work accomplished. It will be the boast of California that, first of English speaking States, she set the example of written laws as the necessary complement of a written Constitution for a free people.

DAVID DUDLEY FIELD.

ENROLLMENT.

The Speaker announced the following additional appointments to the Committee on Enrollment, viz: Messrs. Tinnin and Wright.

REPORTS.

By leave of the House the following reports were made:

By Mr. Johnston:

Mr. SPEAKER: The Sacramento and Yolo delegations, to whom was referred Assembly Bill No. 285, report the same back, and a majority recommend its passage.

JOHNSTON, for Sacramento Delegation.

By Mr. Rector:

Mr. SPEAKER: The Klamath delegation, to whom was referred Assembly Bill No. 587, beg leave to report the same back with a substitute, and recommend the passage of the substitute.

RECTOR, for Delegation.

By Mr. Freeman:

Mr. SPEAKER: The Committee on Internal Improvements, to whom

was referred Assembly Bill No. 622—An Act to authorize certain persons to improve the Pescadero and Butano Creek, and to erect booms thereon—report the same back and recommend its passage.

FREEMAN, Chairman.

On motion of Mr. Wilcox, the consideration of the motion to reconsider the vote whereby the House passed Senate Bill No. 180, was continued until to-morrow, at twelve o clock M.

GENERAL FILE.

Assembly Bill No. 366.
Ordered to top of file for to-morrow.
Assembly Bill No. 456.
Passed on file.
Assembly Bill No. 478.
Passed on file.
Assembly Bill No. 431.
Passed on file.
Assembly Bill No. 560.
Passed on file.
Assembly Bill No. 234.
Passed on file.
Assembly Bill No 524.
Passed on file.
Senate Bill No. 238.
Passed on file.
Senate Bill No. 268.
Passed on file.
Senate Bill No. 407.
Passed on file.
Assembly Bill No. 263.
Ordered to head of file for Thursday.

Senate Bill No 254—An Act to amend an Act entitled an Act to provide for the formation of corporations for certain purposes.

Read a third time and passed.

Assembly Joint Resolution No. 30—Relative to establishing a monthly mail between San Francisco and the Island of Tahiti.

Read a third time and passed.

Assembly Bill No. 643—An Act to authorize Isaac Bluxom to remove from his private property, on the Rancho de Mucelaeon, in Sonoma County, State of California, certain dead bodies to a public graveyard.

Rules suspended, bill considered engrossed, read a third time and passed.

Assembly Bill No. 647—An Act to amend an Act entitled an Act amendatory of and supplementary to an Act entitled an Act to provide for the construction of canals, and for draining and reclaiming certain swamp and overflowed lands in Tulare Valley, passed April first, eighteen hundred and fifty-seven, approved April tenth, eighteen hundred and sixty-two.

Rules suspended, bill considered engrossed, read a third time and passed.

Assembly Bill No. 648—An Act to authorize the Supervisors of Kern County to levy a special tax for the County General Fund.

Rules suspended, bill considered engrossed, read a third time and passed.

Assembly Bill No. 650—An Act to fix the terms of the County Court of the County of Monterey.

Rules suspended, bill considered engrossed, read a third time and passed

Assembly Bill No. 656—An Act to amend the Penal Code.

Rules suspended, bill considered engrossed, read a third time and passed.

SPECIAL ORDER.

On motion of Mr. Crane, the special order for the day—the reconsideration of the vote whereby Assembly Bill No. 551 was passed—was continued until to-morrow, at three o'clock P. M.

The House refused to pass Senate Bill No 366, which was read as follows:

PROPOSED AMENDMENTS TO THE CONSTITUTION.

The Legislature of the State of California, at its nineteenth session, commencing on the fourth day of December, A. D. eighteen hundred and seventy-one, propose the following amendments to the Constitution:

ARTICLE IV.—*Legislative Department.*

Section two of said Article is amended so as to read as follows:

Section 2 The sessions of the Legislature shall be biennial, and shall commence on the first Wednesday after the first Monday of January next ensuing the election of its members, unless the Governor of the State shall in the interim convene the Legislature by proclamation. No session shall continue longer than one hundred and twenty days.

ARTICLE V.—*Executive Department.*

Section two of Article five is amended so as to read as follows:

Section 2. The Governor shall be elected by the qualified electors at the time and places of voting for members of the Assembly, and shall hold his office four years from and after the first Wednesday after the first Monday in January subsequent to his election and until his successor is elected and qualified.

GENERAL FILE RESUMED.

Assembly Bill No. 539—An Act supplemental to an Act entitled an Act to provide for the formation of corporations for the accumulation and investment of funds and savings, approved April eleventh, eighteen hundred and sixty-two.

Reported substitute adopted, rules suspended, bill considered engrossed, read a third time and passed.

LEAVE OF ABSENCE.

On motion of Mr. Wheaton, leave of absence was granted to every absent member not previously mentioned in this day's Journal.

There being no further business, at one o'clock and thirty minutes P. M., on motion of Mr. Crane, the House adjourned

T. B. SHANNON,
Speaker.

M. D. BORUCK, Chief Clerk.

IN ASSEMBLY.

HOUSE OF ASSEMBLY,
Wednesday, March 20th, 1872.

House met pursuant to adjournment.
Speaker in the chair.
Roll called.
Quorum present.
Prayer by the Chaplain.
Journal of yesterday read and approved.

LEAVE OF ABSENCE.

Leave of absence for one day was granted to Mr. Bell.

PETITIONS.

Petitions were presented as follows:

By Mr. Bayley—From the Angora Goat Association, recommending the offering of State bounties for the manufacture of fabrics from cashmere fleece.

Referred to the Committee on Agriculture.

By Mr. Welty—From citizens of Placer and Sutter Counties, in favor of having created a new county, to be called Center County.

Referred to the Yuba, Sutter, and Placer delegations.

REPORTS OF STANDING COMMITTEES.

Reports from standing committees were made as follows:

By Mr. Barnes:

Mr. SPEAKER: The Committee on Engrossment beg leave to report that they have examined and find correctly engrossed Assembly Bill No. 567—An Act to authorize the inhabitants on the Mormon Slough, in San Joaquin County, to form a reclamation district, and collect taxes therein.

Also, Assembly Bill No. 536—An Act in relation to unclaimed baggage.

Also, Assembly Bill No. 436—An Act to provide for the payment of certain Controller's warrants drawn upon the State Treasury.

Also, Assembly Bill No. 492—An Act concerning assessments upon the stock of corporations.

Also, Assembly Bill No. 599—An Act authorizing certain persons to improve a portion of Kern River, and to erect booms thereon.

Also, Assembly Bill No 609—An Act in relation to the Board of School Trustees of Oakley School District, in Sacramento County.

Also, Assembly Bill No. 612—An Act to define the duties of the District Attorney of Alameda County.

Also, Assembly Bill No. 607—An Act to incorporate the Town of San Rafael, Marin County.

Also, Assembly Bill No. 588—An Act to protect agriculture and to prevent the trespass of animals upon private property in the County of Los Angeles, and in the County of San Diego, and part of Monterey County, approved February fourteenth, eighteen hundred and seventy-two, and to make the same applicable to the County of San Bernardino.

Also, Assembly Bill No 611—An Act to prevent hunting and shooting on private grounds in the City and County of San Francisco.

Also, Assembly Bill No. 617—An Act extending time to the City Railroad Company

Also, Assembly Bill No. 632—An Act to authorize the inhabitants on Calaveras River and vicinity, in San Joaquin County, to form a reclamation district, and levy taxes therein.

Also, Assembly Bill No. 482—An Act to provide for the organization of an Exempt Fireman's Association in Sacramento.

BARNES, Chairman.

By Mr. Gibson:

Mr. SPEAKER: Your Committee on Enrollment beg leave to report that they have examined and find correctly enrolled Assembly Bill No. 334—An Act for the relief of Henry N. Morse, Sheriff of Alameda County.

Also, Assembly Bill No. 349—An Act relating to Swamp Land District Number Seventy-one, in Sacramento County.

Also, Assembly Bill No. 369—An Act to encourage the destruction of squirrels and gophers.

Also, Assembly Bill No. 415—An Act supplementary to an Act entitled an Act concerning crimes and punishments, passed April sixteenth, eighteen hundred and fifty.

Also, Assembly Bill No. 483—An Act to prevent hogs and goats running at large in the Town of Knight's Landing, Yolo County.

Also, Assembly Joint Resolution No. 27—Asking Congress to reserve public lands in California for actual settlers only, under the homestead and preemption laws, and for a more rapid extension of the surveys of public lands in this State.

Also, Assembly Joint Resolution No. 19—Relative to extending the time of payment for public lands.

Also, Assembly Bill No. 584—An Act to incorporate the Town of San Leandro, in Alameda County.

Also, Assembly Bill No. 517—An Act in reference to the County Assessor in Napa County.

Also, Assembly Bill No. 542—An Act authorizing the Board of Supervisors of Mariposa County to pay a certain claim.

Also, Assembly Bill No. 282—An Act to allow certain persons therein

named, and their associates and assigns, to take possession of and improve a certain road in the County of Sacramento.

Also, Assembly Bill No 362—An Act to submit to the qualified electors of Alpine County the question of relocating the county seat of said county.

Also, Assembly Bill No. 417—An Act for the relief of Morris Woolf.

Also, Assembly Bill No 367—An Act to pay the claim of James T. Boyd.

Also, Assembly Bill No 633—An Act supplementary to an Act entitled an Act to provide terminal depot grounds for the Terminal Central Pacific Railway Company, approved March twenty-eighth, eighteen hundred and sixty-eight

And that the same have, this nineteenth of March, A. D. eighteen hundred and seventy-two, at one o'clock, been transmitted to the Governor for his approval

GIBSON, Chairman.

Also, by Mr. Gibson:

Mr SPEAKER: Your Committee on Enrollment beg leave to report that they have examined and found correctly enrolled Assembly Bill No. 440—An Act to provide for the location, construction, and maintenance of public roads in the County of Nevada—and that the same has, this twentieth day of March, A. D. eighteen hundred and seventy-two, at fifteen minutes past ten o'clock, been transmitted to the Governor for his approval.

GIBSON, Chairman.

Mr. Whitney presented the following majority report from the State Prison Committee:

Mr. SPEAKER: The Committee on State Prison have had under consideration Senate Bill No. 189—An Act to provide for a State Reformatory at San Quentin—and recommend the passage of a substitute, entitled an Act to provide for a State Reformatory at the Branch State Prison site near Folsom.

WHITNEY,
RECTOR,
SCHRACK,
JAMES,
HOPPER.

Mr. Crane presented the following minority report from the State Prison Committee:

Mr. SPEAKER: Your Committee on State Prison have had under consideration Senate Bill No 189—An Act to provide for a State Reformatory at San Quentin—and recommend its passage.

CRANE,
RICE.

By Mr. Cooper:

Mr SPEAKER: The undersigned members of the Committee on Claims report back Assembly Bill No. 444—An Act for the relief of Joseph

Neumann—with an amendment, striking out "four thousand five hundred dollars" and inserting "one thousand dollars," and recommend the passage of the amendment.

COOPER,
BELL,
McCULLOUGH,
REED,
WELTY,
BACON.

By Mr. Freeman:

Mr Speaker: The Yolo delegation, to whom was referred Assembly Bill No. 670—An Act to amend an Act entitled an Act to authorize the Board of Trustees of Woodland School District, in the County of Yolo, to borrow money, etc.—report the same back and recommend its passage.

FREEMAN, for Delegation.

By Mr. Slaughter:

Mr. Speaker: The San Bernardino delegation, to whom was referred Assembly Bill No 404—An Act to regulate fees of office and salaries of officers in the County of San Bernardino—have had the same under consideration, report it back to the House, and recommend its passage as amended.

SLAUGHTER, for Delegation.

By Mr. Wheaton:

Mr. Speaker: The San Francisco delegation herewith report Assembly Bill 346—An Act to provide funds to be applied to the building of a House of Correction in the City and County of San Francisco, and to authorize the construction of such House of Correction—with amendments, and recommend the passage of the bill as amended.

Also, Assembly Bill No. No. 655—An Act to authorize the Board of Supervisors of the City and County of San Francisco to appropriate money for the improvement of Washington Plaza, in said city and county—and recommend its passage.

Also, Senate Bill No. 302—An Act to regulate the practice of pharmacy in the City and County of San Francisco—and recommend its passage.

Also, Senate Bill No. 372—An Act for the relief of certain parties holding property on Market street, in the City and County of San Francisco—and recommend its passage.

WHEATON, for Delegation.

Also, by the same:

Mr. Speaker: Your joint committee, to whom was referred Assembly Bill No 666—An Act to put into effect certain parts of the Codes and provide for their publication—beg leave to report the same back, and unanimously recommend that it pass.

WHEATON, Chairman.
EAGAN,
E. B. MOTT, Jr.,
LUTTRELL,
De HAVEN,
Assembly Committee.
IRWIN,
Chairman Senate Committee.

The rules were suspended, and the bill above reported taken up, rules again suspended, bill considered engrossed, read a third time and passed, and transmitted to the Senate without engrossment.

By Mr. Freeman:

Mr. SPEAKER: The Yolo and Sacramento delegations, after having examined Assembly Bill No. 285—An Act to define the boundary line between the Counties of Sacramento and Yolo—introduced by Mr Johnston, of Sacramento, which proposes to extend the boundary line of Sacramento County across the Sacramento River and take in a valuable part of Yolo County, find that a large number of the citizens of the territory proposed to be annexed by the bill introduced by Mr. Johnston have never been consulted in relation to the proposed change of the county line, and are opposed to being annexed to Sacramento County We also find that a great number of citizens that signed the original petition offered by Mr. Johnston signed the same under a misapprehension, based upon statements made to them at the time, and are now opposed to the passage of the bill, and some have signed a remonstrance. And we also find that the entire County of Yolo are opposed to the passage of the bill, and think it would be a great injustice to the county and prove a material injury to her welfare hereafter, and we have received two large remonstrances against the passage of the bill, which we send up with the report.

We therefore recommend that the bill do not pass.

FREEMAN,
For Minority of Delegation.

By Mr. Ward:

Mr. SPEAKER: The Colusa and Tehama delegation, to whom was referred Senate Bill No. 425, have had the same under consideration, and report it back and recommend its passage.

WARD, for Delegation.

The rules were suspended, and the bill above reported taken up, read a third time and passed.

By Mr. Bockius:

Mr. SPEAKER: The Santa Cruz and San Diego delegation, to whom was referred Senate Bill No. 419—An Act to amend an Act concerning public roads and highways in the Counties of Santa Cruz and San Diego, approved March twenty-first, eighteen hundred and seventy—report that they have examined the same and recommend its passage.

BOCKIUS, for Delegation.

The rules were suspended, and the bill above reported considered, read a third time and passed.

MISCELLANEOUS.

The rules being suspended, the following resolution was introduced by Mr. Barklage:

Resolved, That the Engrossing Clerk be and is hereby authorized to insert the words "there shall be elected" to section five of Assembly Bill No. 624—An Act to amend an Act to regulate the fees and salaries of offices in the County of El Dorado—and making section five read as follows: "Section 5. Section seven of said Act is hereby amended so as to read as follows: 'Section 7. At the general election to be held in the year eighteen hundred and seventy-three, and every two years thereafter, there shall be elected a District Attorney, who shall receive for all services required of him by law, or by virtue of his office, a salary of one thousand dollars per annum, payable out of the Salary Fund, and for services rendered in the collection of delinquent taxes he shall receive for his own use and benefit eight per centum on the amount recovered, to be added thereto if paid before judgment, and if not so paid then twelve per centum, to be added to and constitute a part of the judgment; *provided*, that in no case shall the State or county be liable for such per centum.'"

Adopted.

Mr. Pardee gave notice of the introduction of a bill for the removal of the county seat of Alameda.

Mr. Jost presented a remonstrance from proprietors and keepers of barber shops and bath houses in San Francisco, protesting against the passage of a law requiring them to close their establishments the entire day on Sundays.

INTRODUCTION OF BILLS.

Bills were introduced as follows:

By Mr. Meeker—An Act to authorize the conveyance of a certain lot of land in the City and County of San Francisco to the Ladies' Protection and Relief Society.

Read first and second times and placed on file.

By Mr. Sphvalo—An Act to authorize the County Clerk of the City and County of San Francisco to appoint a Chief Clerk.

Read first and second times and referred to the San Francisco delegation.

By Mr. Wilcox—An Act to provide for the better security of the lives of the operators of machinery propelled by steam.

Read first and second times and placed on file.

By Mr. Slaughter—An Act to authorize Joseph Bridger, guardian of the minor heirs of Robert S. Carlisle, deceased, to sell certain real estate in the County of Santa Clara, State of California.

Read first and second times and referred to the Judiciary Committee.

By Mr. Bayley—An Act to encourage the production of Angora or Cashmere goat fleece in this State, and the manufacture of fabrics therefrom.

Read first and second times and referred to the Committee on Agriculture.

By Mr. Crane (by request)—An Act to provide for the publication of the laws.

Read first and second times and referred to the Judiciary Committee.

By Mr. Sensabaugh—An Act authorizing the Board of Supervisors of Merced County to levy a special tax for road purposes.

Read first and second times and placed on file.

By Mr. Cooper—An Act to encourage the destruction of squirrels and gophers in the Counties of Santa Barbara and San Luis Obispo.

Read first and second times and placed on file.

By Mr. Pardee—An Act to provide funds for the City of Oakland.

Read first and second times and referred to the Alameda delegation.

Also, an Act to amend an Act entitled an Act concerning street railroads, approved March twenty-ninth, eighteen hundred and seventy.

Read first and second times and referred to the Alameda delegation.

By Mr. Barnes—An Act providing for the survey of the line forming a portion of the southern boundary line of Siskiyou County and the northern boundary of Lassen County.

Read first and second times and placed on file.

By Mr. Seibe—An Act for the relief of the Sixth Regiment of Infantry, California State National Guard.

Read first and second times and referred to the Committee on Claims.

Also, an Act concerning the office of Sheriff of the City and County of San Francisco.

Read first and second times and referred to the San Francisco delegation.

By Mr Edgar—An Act to amend an Act entitled an Act to authorize the Board of Supervisors of Yuba County to construct a bridge across the Yuba River, and roads connecting the same with the high lands, approved March tenth, eighteen hundred and sixty-eight.

Read first and second times and referred to the Yuba delegation.

By Mr. Wright—An Act to legalize the levy of the special school tax in Solano County for the fiscal year eighteen hundred and seventy-one and eighteen hundred and seventy two

Read first and second times and placed on file.

Also, an Act to better define the duties and fix the compensation of the Superintendent of Public Schools in Solano County.

Read first and second times and placed on file.

By Mr. De Haven—An Act in relation to County Judges.

Read first and second times and referred to the Judiciary Committee.

Also, an Act defining a lawful and partition fence in the County of Butte.

Read first and second times and referred to the Butte delegation

By Mr. Stillwagon—An Act declaring Clear Lake, in Lake County, navigable.

Read first and second times and referred to Napa delegation.

By Mr. Wheaton—An Act in relation to foreign corporations.

Read first and second times and referred to Judiciary Committee.

Also, an Act to provide for the improvement of roads and highways in the City and County of San Francisco.

Read first and second times and referred to San Francisco delegation.

Also, an Act in relation to the collection of street assessments in the City and County of San Francisco.

Read first and second times and referred to San Francisco delegation.

By Mr. Freeman—An Act granting leave of absence to the District Attorney of Yolo County

Read first and second times and placed on file

By Mr. Splivalo—An Act concerning the military of the State of California.

Read first and second times and referred to Committee on Military Affairs

REPORT.

The rules were suspended, and the following report was made by Mr. Woodward:

Mr SPEAKER: The San Joaquin delegation, to whom was referred Senate Bill No. 371—An Act for the settlement of the value of school property in the several school districts that were adjacent to the City of Stockton, and which were by Act of the Legislature approved January twenty-sixth, eighteen hundred and seventy, included within the limits of said city—have had the same under consideration and recommend its passage.

WOODWARD,
SARGENT,
San Joaquin delegation.

The rules were suspended, and the bill above reported considered, read a third time and passed.

GENERAL FILE

Senate Bill No. 414—An Act to authorize the transfer to the General Fund of money in other Funds of the State Treasury and the return thereof to such Funds

Read a third time and passed.

Assembly Bill No 366—An Act to amend an Act entitled an Act to amend an Act to provide for a system of common schools, approved April fourth, eighteen hundred and seventy.

The following substitute was offered by Mr. Berry—An Act to amend an Act entitled an Act to amend an Act to provide for a system of common schools, approved April fourth, eighteen hundred and seventy:

The People of the State of California, represented in Senate and Assembly, do enact as follows:

SECTION 1. Section fifty-six of said Act is hereby amended so as to read as follows:

Section 56. Any Board of Trustees or Board of Education, by a majority vote, may admit into any public school half-breed Indian children and Indian children who live in white families or under the guardianship of white persons. Children of African or Mongolian descent and Indian children not living under the care of white persons, shall not be admitted into public schools except as provided in this Act, *provided*, that upon the written application of parents or guardians of at least ten such children to any Board of Trustees or Board of Education, a separate school shall be established for the education of such children, and the education of a less number may be provided for by the Trustees in any other manner.

On its adoption, the ayes and noes were demanded by Messrs. Berry, Whiting, and Andrews, and it was rejected by the following vote:

AYES—Messrs. Andrews, Bayley, Berry, Burckhalter, Caldwell, Ellis,

Gibson, Henshaw, Little, Mathers, Mott of Los Angeles, Munday, Sensabaugh, Slaughter, Tinnin, Ward, and Whiting—17

NOES—Messrs. Aldrich, Bacon, Baird, Barklage, Barnes, Bradley, Bockius, Brown, Center, Coleman, Crane, Dannals, Days, De Haven, Edgar, Franck, Freeman, French, Goodall, Gray, Harvey, Hayes, Hopper, James, Johnston, Jost, Lee, Lofton, Long, Luttrell, Meeker, Mott of Sacramento, McCullough, Pardee, Rector, Reed, Rice, Russ, Sammons, Sargent of Santa Clara, Sargent of San Joaquin, Schrack, Seibe, Spencer, Splivalo, Stillwagon, Turner, Welty, Wheaton, Whitney, Wilcox, Woodward, Wright, and Mr. Speaker—53.

Mr. Wright had leave to withdraw the substitute offered by him and reported with the bill.

Mr. Wheaton offered the following amendment—Amend by adding at end of section one the following: "*provided*, that in all districts where the number of such colored children between the ages of seven and seventeen years shall be ten or more, a separate school may be established for the education of such colored children, and a less number may be provided for in any other manner by the Trustees or Board of Education.'

On its adoption, the ayes and noes were demanded by Messrs. Lee, Bacon, and Crane, with the following result:

AYES—Messrs. Andrews, Barklage, Barnes, Bayley, Berry, Bradley, Burkhalter, Center, Connolly, Cooper, Dannals, Days, Edgar, Everett, Freeman, Goodall, Henshaw, Johnston, Jost, Little, Long, Luttrell, Meeker, Mott of Los Angeles, Munday, McCullough, Reed, Seibe, Sensabaugh, Slaughter, Tinnin, Walker, Welty, Wheaton, and Whiting—35.

NOES—Messrs Aldrich, Baird, Barker, Bockius, Brown, Coleman, Crane, De Haven, Franck, French, Galloway, Gray, Harvey, Hayes, Hopper, Lee, Lofton, Mathers, Pardee, Rice, Russ, Sammons, Sargent of San Joaquin, Schrack, Spencer, Splivalo, Stillwagon, Turner, Whitney, Wilcox, Woodward, Wright, and Mr. Speaker—33.

The bill was further amended, and on ordering it engrossed the ayes and noes were again demanded by Messrs Luttrell, Bayley, and Whiting, and it was so ordered by the following vote:

AYES—Messrs. Aldrich, Baird, Barker, Barklage, Barnes, Bradley, Bockius, Brown, Center, Coleman, Cooper, Crane, Dannals, Days, De Haven, Edgar, Everett, Franck, Freeman, French, Galloway, Goodall, Gray, Harvey, Hayes, Hopper, Johnston, Jost, Lee, Lofton, Long, Meeker, McCullough, Pardee, Reed, Rice, Russ, Sammons, Sargent of San Joaquin, Seibe, Spencer, Splivalo, Stillwagon, Turner, Welty, Wheaton, Whitney, Wilcox, Woodward, Wright, and Mr. Speaker—51.

NOES—Messrs Andrews, Bayley, Berry, Burckhalter, Henshaw, Little, Luttrell, Mathers, Mott of Los Angeles, Munday, Rector, Schrack, Sensabaugh, Slaughter, Tinnin, Walker, Ward, and Whiting—18.

The motion of Mr. Wilcox to reconsider the vote whereby the House refused to pass Senate Bill No 180, being taken up for consideration, Mr. Berry moved to lay the motion to reconsider on the table, and it was so ordered.

CONFERENCE COMMITTEE.

Mr Goodall presented the following report from the conference committee on Senate Bill No. 220:

Mr. SPEAKER: The committee of conference appointed to take into consideration the amendment to Senate Bill No. 220—An Act to amend an Act entitled an Act to authorize and require the County of Santa Cruz to pay over certain school moneys to certain school districts in San Mateo County, approved March twenty-seventh, eighteen hundred and seventy—have met in conference and recommend the House recede from its amendment.

GOODALL, for Committee.

The report of the committee was adopted and the House receded from its amendment to the bill.

MESSAGE FROM THE SENATE.

The following message was received from the Senate:

SENATE CHAMBER,
March 20th, 1872.

Mr. SPEAKER: I am directed to inform your honorable body that the Senate, on the sixteenth day of March, passed Senate Bill 427—An Act in regard to Washington Drainage District, in Yolo County.

Also, on the same day, passed Senate Bill No 439—An Act to empower the Trustees of Mountain View Cemetery Association to mortgage a portion of the lands belonging to such association

Also, on the same day, passed Senate Bill No. 367—An Act to empower the City of Stockton to fund its school debt and for school purposes.

Also, on the same day, refused to pass Assembly Bill No. 281—An Act to amend an Act entitled an Act to provide revenue for the support of the government of this State.

Also, on the same day, passed Assembly Bill No. 315—An Act defining the duties of the County Assessor of Santa Clara County.

Also, on the same day, amended and passed Assembly Bill No. 561—An Act to authorize the Board of Supervisors of Alameda County to audit certain claims against the Road Fund of Washington Township, in said county.

Also, on the same day, amended and passed Assembly Bill No. 562—An Act to amend an Act entitled an Act concerning roads and highways in the County of Alameda.

Also, on the same day, amended and passed Assembly Bill No. 324—An Act concerning actions for libel.

Also, on the ninth day of March, passed Assembly Bill No. 121—An Act supplemental to an Act entitled an Act concerning corporations.

Also, on the same day, passed Senate Bill No. 436—An Act to amend an Act entitled an Act to authorize the issuance of bonds by the County of San Luis Obispo to erect county buildings, and to provide a site for the same.

Also, on the same day, passed Senate Bill No. 443—An Act to authorize a special tax in Siskiyou and Klamath Counties for the construction

of a wagon road from Scott's Valley, in Siskiyou County, to Sawyer's Bar, in Klamath County.

Also, on the nineteenth day of March, refused to recede from its amendment to the twentieth section of Assembly Bill No. 434—An Act to provide for finishing the State Normal School building and paying the indebtedness incurred in the construction thereof

Also, on the same day, amended and passed Assembly Bill No 438—An Act to provide for the redemption of the bonded indebtedness of Calaveras County

Also, on the same day concurred in Assembly amendments to Assembly Bill No 11—An Act to amend an Act entitled an Act to consolidate certain school districts of the Counties of El Dorado and Sacramento.

Also, on the same day, passed Assembly Bill No. 354—An Act to submit the question of the removal of the county seat of Kern County to the qualified voters thereof.

Also, on the same day, amended and passed Assembly Bill No. 592—An Act to incorporate the Town of Napa.

FERRAL, Secretary.

CONSIDERATION OF THE MESSAGE.

Assembly Bill No 434, above reported. Upon the refusal of the Senate to recede from its amendment to the twentieth section of the bill, Mr. Spencer moved that the House do recede from its former non-concurring vote on the Senate amendment

Whereupon, the ayes and noes were demanded by Messrs. Mathers, Berry, and Whiting, and the House agreed by the following vote:

AYES—Andrews, Baird. Barker, Barnes, Bayley, Berry, Bradley, Bockius, Caldwell, Center, Coleman, Connolly, Cooper, Crane, Dannals, Days, Edgar, Everett, Franck, Freeman, Galloway, Gibson, Gray, Harvey, Hayes, Henshaw, Hopper, Johnston, Jost, Long, Luttrell, Meeker, Mott of Los Angeles, Mott of Sacramento, Munday, McCullough, Pardee, Rector, Reed, Rice, Russ, Sammons, Sargent of Santa Clara, Sargent of San Joaquin, Schrack, Seibe, Slaughter, Spencer, Splivalo, Turner, Walker, Ward, Welty, Whiting, Whitney, Wright, and Mr. Speaker—57.

NOES—Aldrich, Barklage, Brown, Burckhalter, De Haven, Goodall, Mathers, Sensabaugh, Stillwagon, Wheaton, and Wooodward—11.

The House then concurred in the amendments reported.

The House also concurred in Senate amendments to Assembly Bills Nos. 438, 592, 562, and 324, above reported.

Senate Bill No. 427, above reported, read first and second times and referred to the Yolo delegation.

Senate Bill No. 439, above reported, read first and second times and referred to the Alameda delegation.

Senate Bill No 443, above reported, read first and second times and referred to the Siskiyou and Klamath delegations

Senate Bill No. 367, above reported, read first and second times and referred to the San Joaquin delegation.

Senate Bill No 436, above reported, read first and second times and referred to the Santa Barbara and San Luis Obispo delegations.

MESSAGES FROM THE GOVERNOR.

The following messages were received from the Governor:

STATE OF CALIFORNIA, EXECUTIVE DEPARTMENT,
Sacramento, March 19th, 1872.

To the Assembly of the State of California:

I have to inform your honorable body that I have approved Assembly Bill No. 468—An Act to provide funds for the School Department of the City of Oakland.

NEWTON BOOTH, Governor.

Also, a message returning, without approval by the Governor, of Assembly Bill No 165.

It was made the special order for to-morrow afternoon, at half-past two o'clock.

GENERAL FILE RESUMED.

Assembly Bill No. 187.

Passed on file.

Assembly Bill No. 457—An Act to facilitate the settlement of vacant lands in the State of California.

Pending consideration of the bill, at one o'clock P. M. the House took the usual recess.

REASSEMBLED.

At two o'clock P. M. the House again convened.

The Speaker pro tem., Mr. Hopper, in the chair.

Roll called.

Quorum present.

GENERAL FILE CONTINUED.

Consideration of Assembly Bill No. 457, cut off by the recess, was resumed.

Sundry amendments were adopted, and the bill ordered engrossed.

STATE UNIVERSITY.

Mr. Pardee had leave to make the following report:

Mr. SPEAKER: The Committee on Public Buildings and Grounds have had Senate Bill No. 374—An Act to provide for the support of the University of California—under consideration, and report the same back and recommend its passage.

PARDEE, Chairman.

The rules were suspended, and the bill above reported taken up and considered in Committee of the Whole House.

IN ASSEMBLY.

Reported and passage recommended.

Mr. Berry moved to make the bill the special order for to-morrow at twelve o'clock M.

Lost.

Mr. Spencer moved the previous question, and it was ordered.

On the passage of the bill the ayes and noes were demanded by Messrs. Andrews, Berry, and Tinnin, with the following result:

AYES—Messrs Aldrich, Bacon, Baird, Barklage, Barnes, Bradley, Bockius, Caldwell, Cooper, Crane, Dannals, De Haven, Everett, Galloway, Gibson, Goodall, Hayes, Hopper, Johnston, Jost, Lee, Meeker, Mott of Sacramento, Munday, McCullough, Pardee, Rice, Russ, Seibe, Sensabaugh, Spencer, Splivalo, Stillwagon, Welty, Whiting, Woodward, and Wright—37.

NOES—Messrs. Andrews, Barker, Bayley, Berry, Brown, Burckhalter, Center, Coleman, Edgar, Freeman, French, Henshaw, Little, Lofton, Long, Luttrell, Mathers, Mott of Los Angeles, Reed, Sammons, Sargent of San Joaquin, Schrack, Slaughter, Tinnin, and Whitney—25

Mr. Barklage gave notice of a motion to reconsider the vote just taken.

GENERAL FILE CONTINUED.

Assembly Bill No. 328.

Passed on file.

Assembly Bill No 456.

Passed on file.

Senate Bill No 238—An Act for the correction of errors and omissions in the official proceedings relative to certain contracts for street work in the City and County of San Francisco.

Read a third time and passed.

Mr. Jost had leave to be recorded as voting "no" on the passage of the bill

Senate Bill No. 268—An Act to amend an Act entitled an Act to regulate proceedings in criminal cases, passed May first, eighteen hundred and fifty-one.

This bill was erroneously included in the General File for this day, the bill having been read a third time and passed on yesterday.

Senate Bill No. 407—An Act to amend an Act entitled an Act to regulate the settlement of the estates of deceased persons, approved May first, eighteen hundred and fifty-one.

The House refused to pass.

Assembly Bill No. 478—An Act to provide for the establishment of a Cabinet Department in the State Library.

Considered in Committee of the Whole House.

IN ASSEMBLY.

Reported and recommended.

The rules were suspended, and the bill considered engrossed, and on its passage, the ayes and noes were demanded by Messrs Edgar, Eagan, and Sargent of San Joaquin, and it passed by the following vote:

AYES—Messrs. Aldrich, Bacon, Baird, Barklage, Barnes, Bayley, Bockius, Brown, Caldwell, Center, Coleman, Connolly, Crane, Dannals, De Haven, Eagan, Ellis, Freeman, French, Goodall, Harvey, Hopper,

Johnston, Lee, Little, Long, Luttrell, Meeker, Mott of Los Angeles, Mott of Sacramento, Pardee, Rector, Rice, Russ, Sammons, Sargent of Santa Clara, Schrack, Seibe, Slaughter, Sphvalo, Stillwagon, Whiting, Whitney, Wilcox, Wright, and Mr. Speaker—46.

NOES—Messrs Andrews, Barker, Berry, Bradley, Burckhalter, Edgar, Everett, Franck, Gray, Hayes, Henshaw, Jost, Lofton, Mathers, Munday, Reed, Sargent of San Joaquin, Spencer, Tinnin, Welty, Wheaton, and Woodward—22

REPORTS.

Reports were made as follows:

By Mr. Gibson:

Mr. SPEAKER: Your Committee on Enrollment beg leave to report that they have examined and found correctly enrolled Assembly Bill No 514—An Act to repeal an Act entitled an Act to provide for the better care of indigent sick in the County of San Bernardino, approved May sixth, eighteen hundred and sixty-two

Also Assembly Bill No 538—An Act to prohibit the hunting or shooting of game within certain private grounds in the County of Butte.

Also, Assembly Bill No 545—An Act to amend an Act entitled an Act to encourage the destruction of squirrels and gophers in certain counties of this State and to provide for a bounty for the same.

Also, Assembly Bill No 171—An Act to authorize the payment of James Carroll of his unpaid salary as Supervisor of Amador County.

Also, Assembly Bill No 438—An Act to provide for the redemption of the bonded indebtedness of Calaveras County.

Also, Assembly Bill No 354—An Act to submit the question of the removal of the county seat of Kern County to the qualified voters thereof.

And that the same have, this twentieth day of March, eighteen hundred and seventy-two, at thirty minutes past two o'clock, been transmitted to the Governor for his approval.

GIBSON, Chairman.

By Mr. Pardee (by leave)—A report from the Committee on Public Buildings and Grounds, reporting back and recommending the passage of Assembly Bill No 461—An Act granting certain lands and buildings known as the State Reform School property to the City of Marysville.

Placed on file with the bill.

SPECIAL ORDER

At three o'clock P M the House took up the special order for the day—the motion to reconsider the vote whereby the House passed Assembly Bill No. 551—Proposed amendment to the Constitution of the State of California.

The Senate and Assembly of the State of California, at the nineteenth session of the Legislature thereof, do propose the following amendment to the Constitution of the State:

ARTICLE II.

Section 7. The Legislature may provide by law for minority representation, and that in all elections each qualified voter may cast as many votes for one candidate as there are persons to be elected, or may distribute the same, or equal parts thereof, among the candidates as he shall see fit, and the candidates highest in votes shall be declared elected.

Mr Spencer, according to previous notice given by him, moved a reconsideration of the vote on the passage of the bill, and the vote was reconsidered.

Mr. Johnston offered the following amendment

Resolved, That Assembly Bill No 551 be referred to the Committee on Elections, with instructions to strike out all after the word "representation," in Article Two, section seven.

The motion was lost.

Mr. Little demanded the previous question, and it was ordered by the House

The question recurring on the passage of the bill, the roll was called with the following result:

AYES—Messrs Baird, Barker, Barklage, Barnes, Bockius, Brown, Caldwell, Center, Coleman, Connolly, Cooper, Crane, Dannals, Freeman, Hopper, James, Lofton Luttrell, Meeker, Mott of Los Angeles, Mott of Sacramento, Munday, McCullough, Pardee, Reed, Schrack, Slaughter, Seibe, Turner, Wheaton, Whitney, Woodward, and Wright—33.

NOES—Messrs. Aldrich, Andrews, Bacon, Bayley, Berry, Bradley, Burckhalter, De Haven, Eagan, Edgar, Franck, French, Galloway, Gibson, Goodall, Gray, Harvey, Hayes, Henshaw, Johnston, Jost, Lee, Little, Mathers, Rice, Russ, Sammons, Sargent of San Joaquin, Sensabaugh, Spencer, Stillwagon, Timmin, Walker, Whiting, and Mr Speaker—35.

The House thus refused to pass the bill.

Assembly Bill No. 431—Proposed amendment to the Constitution.

The Legislature of the State of California, at its nineteenth session, propose the following amendment to the State Constitution:

Add to Article Four of the Constitution an additional section, to read as follows.

Section 40. Article Four of this Constitution is amended by striking from it sections thirty-four (34) and thirty-five (35).

On ordering the bill engrossed, the ayes and noes were demanded by Messrs. Crane, Hopper, and Turner, and it was so ordered by the following vote·

AYES—Messrs. Aldrich, Barker, Bradley, Bockius, Brown, Burckhalter, Coleman, Cooper, Crane, Dannals, Eagan, Edgar, Ellis, Franck, Freeman, French, Galloway, Gibson, Goodall, Gray, Hopper, James, John-

ston, Lee, Long, Mathers, McCullough, Pardee, Rice, Russ, Sammons, Seibe, Spencer, Turner, Welty, Wheaton, Wilcox, Woodward, Wright, and Mr Speaker—40

NOES—Messrs Andrews, Barklage, Barnes, Bayley, Berry, Center, Harvey, Hayes, Henshaw, Jost, Lofton, Luttrell, Mott of Sacramento, Munday, Rector, Sargent of San Joaquin, Schrack, Splivalo, Tinnin, and Whiting—20.

GENERAL FILE RESUMED.

Assembly Bill No. 560—An Act amendatory of and supplementary to an Act entitled an Act for securing liens of mechanics and others, approved March thirtieth, eighteen hundred and sixty-eight.

Ordered engrossed.

The House refused to concur in Senate substitute for Assembly Bill No. 234—An Act to amend an Act entitled an Act to regulate the interest of money, approved March thirteenth, eighteen hundred and fifty, amended April fourth, eighteen hundred and seventy.

Assembly Bill No. 524—An Act making an appropriation for translating into Spanish the several State documents and Reports ordered during the present session of the Legislature.

Considered in Committee of the Whole House.

IN ASSEMBLY.

Reported and passage recommended.

Amendments reported adopted, rules suspended, bill considered engrossed, read a third time and passed.

GENERAL FILE RESUMED.

Assembly Bill No. 251—An Act for the protection of game and fish.

The substitute for the bill reported from the Committee on Agriculture was adopted.

On the adoption of the following amendment to the bill, to wit:

"*Provided*, that this Act shall be so construed as not to apply to the owners or occupants within their inclosures"

The ayes and noes were demanded by Messrs. Berry, Mathers, and Henshaw, and it was rejected by the following vote:

AYES—Messrs. Andrews, Bayley, Berry, Bockius, Crane, Gibson, Hayes, Hopper, Long, Mott of Los Angeles, Sargent of Santa Clara, Sargent of San Joaquin, Schrack, Sensabaugh, Slaughter, Tinnin, Turner, Ward, Wilcox, and Woodward—20.

NOES—Messrs Aldrich, Bacon, Baird, Barker, Barklage, Barnes, Bradley, Brown, Burckhalter, Dannals, Days, Eagan, Edgar, Everett, Franck, Freeman, French, Galloway, Goodall, Gray, Harvey, Henshaw, James, Johnston, Jost, Lee, Lofton, Mathers, Meeker, Mott of Sacramento, Munday, Pardee, Rector, Reed, Russ, Sammons, Spencer, Splivalo, Stillwagon, Wheaton, Whiting, Whitney, Wright, and Mr. Speaker—44

The bill was further amended, rules suspended, bill considered engrossed, and read a third time.

On its passage, the ayes and noes were demanded by Messrs. Berry, Andrews, and Jost, and it passed by the following vote:

AYES—Messrs. Aldrich, Andrews, Bacon, Baird, Barker, Barklage, Barnes, Bradley, Bockius, Brown, Burckhalter, Center, Coleman, Connolly, Cooper, Crane, Dannals, Days, Eagan, Edgar, Ellis, Everett, Franck, Freeman, French, Galloway, Gibson, Goodall, Gray, Harvey, Hayes, Henshaw, James, Johnston, Jost, Lofton, Luttrell, Mathers, Meeker, Mott of Los Angeles, Mott of Sacramento, Munday, Pardee, Rector, Reed, Rice, Russ, Sammons, Seibe, Sensabaugh, Slaughter, Spencer, Splivalo, Stillwagon, Tinnin, Ward, Welty, Wheaton, Whiting, Whitney, Woodward, Wright, and Mr Speaker—63.

NOES—Messrs. Bayley, Berry, Hopper, Lee, Long, Sargent of Santa Clara, Sargent of San Joaquin, Schrack, Turner, and Wilcox—10.

Mr. Jost gave notice of a motion to reconsider the vote.

FURTHER INTRODUCTION OF BILLS.

The rules were suspended, and bills were introduced as follows:

By Mr. Center—An Act relating to an Act to aid the Mercantile Library Association of the City and County of San Francisco in paying its indebtendess.

Read first and second times and referred to the Judiciary Committee

By Mr. Wheaton—An Act to appropriate money for the per diem of officers and clerks of the Assembly at the nineteenth session of the Legislature.

Read first and second times and placed on file for to-morrow.

By Mr Berry—An Act for the relief of purchasers of State lands.

Read first and second times and placed on file.

By Mr. Schrack—An Act to amend an Act to regulate proceedings in civil cases in the Courts of justice in this State, approved April twenty-ninth, eighteen hundred and fifty-one.

Read first and second times and placed on file.

By Mr. Goodall—An Act for the relief of parties who have paid, under protest, commutation money for alien passengers landed in this State.

Read first and second times and referred to the Judiciary Committee.

MISCELLANEOUS.

The rules were suspended and the following reports were made:

By Mr. Freeman:

Mr. SPEAKER: The Committee on Internal Improvements to whom was referred Assembly Bill No 549—An Act authorizing certain parties to take the surplus waters out of the Stanislaus River, etc —report the same back with a substitute and recommend the passage of the substitute, and also recommend that the substitute be printed.

FREEMAN, Chairman

By Mr. Wheaton:

Mr. SPEAKER: The San Francisco delegation, to whom was referred

Assembly Bill No. 646—An Act to prevent the wholesale destruction of fish in the Bay of San Francisco—report the same back and recommend its passage.

WHEATON, Chairman.

Mr. Bradley obtained leave to present a statement of the financial transactions of the Marysville Benevolent Society from January first, eighteen hundred and seventy, to December twelfth, eighteen hundred and seventy-one.

Referred to the Committee on Ways and Means.

Mr. Freeman, by leave of the House, offered the following:

Resolved, That the Engrossing Clerk be and is hereby authorized to insert the enacting clause in Assembly Bill No. 616—An Act validating certain contracts in relation to Putah Creek Canals, in Yolo County.

Adopted.

At five o'clock and twenty minutes, on motion of Mr. Freeman, the House adjourned.

T. B. SHANNON,
Speaker.

M. D. BORUCK, Chief Clerk.

IN ASSEMBLY.

HOUSE OF ASSEMBLY,
Thursday, March 21st, 1872.

House met pursuant to adjournment.
Speaker in the chair.
Roll called.
Quorum present.
Prayer by the Chaplain.
Journal of yesterday read and approved.

PETITION.

Mr. Spencer presented a petition from the American Women's Suffrage Association.

Referred to the Special Committee on the Enfranchisement of Women.

REPORTS OF STANDING COMMITTEES.

Reports from standing committees were made as follows:

By Mr. Days:

Mr. SPEAKER: The Committee on Public Lands, to whom was referred Assembly Bill No. 603—An Act to release the claim of the State of California to certain lands in township eleven north, range four east, Mount Diablo base and meridian—have had the same under consideration, report it back with amendments, and recommend its passage as amended.

Also, Assembly Bill No. 630—An Act to amend an Act entitled an Act to provide for the management and sale of the lands belonging to the State, approved March twenty-eighth, eighteen hundred and sixty-eight—and recommend its passage.

DAYS, Chairman.

The rules were suspended, and the bills above reported were taken up.

The reported amendments to Assembly Bill No. 603 were adopted.

Rules suspended, bill considered engrossed, read a third time and passed.

The rules were again suspended, and Assembly Bill No. 630 considered engrossed, read a third time and passed.

By Mr. Harvey.

Mr. SPEAKER: The Committee on Swamp and Overflowed Lands, to whom was referred Assembly Bill No 386—An Act supplementary to and amendatory of an Act entitled an Act to provide for the management and sale of the lands belonging to the State, approved March twenty-eighth, eighteen hundred and sixty-eight—have had the same under consideration, report the same back with a substitute, and recommend the passage of the substitute.

Also, have considered Senate Bill No 338—An Act to amend the Act aforesaid—report the same back and recommend its passage.

Also, have considered Senate Bill No 385—An Act in regard to Swamp Land District Number Eighteen—report the same back and recommend its passage.

Also, have considered Assembly Bill No 652—An Act to provide funds for the further reclamation of Swamp Land Districts Numbers Fifty and Fifty-four, in Sacramento County—report the same back and recommend its passage.

HARVEY, Chairman.

On motion of Mr Johnston, the rules were suspended and Assembly Bill No 652, above reported, taken up, rules again suspended, considered engrossed, read a third time and passed, and ordered transmitted to the Senate.

By Mr. Freeman:

Mr. SPEAKER: The Committee on Internal Improvements, to whom was referred Senate Bill No 282—An Act to amend an Act entitled an Act to provide for the construction and maintenance of toll roads within the State of California, approved April fourth, eighteen hundred and seventy—have had the same under consideration and recommend that it do not pass

FREEMAN, Chairman.

By Mr. Goodall:

Mr SPEAKER: Your Committee on Commerce and Navigation, to whom was referred Assembly Bill No 249, report the same back with amendment, and recommend its passage as amended.

Also, report back Assembly Bill No. 575, with amendments, and recommend its passage as amended.

Also, report Assembly Bill No. 548, and the majority of the committee recommend its passage.

Also, report Assembly Bill No. 332, and the majority of the committee recommend its passage

GOODALL, Chairman.

By Mr. Barnes:

Mr. Speaker: The Committee on Engrossment beg leave to report that they have examined and find correctly engrossed Assembly Bill No. 616—An Act validating certain contracts in relation to the excavation of Putah Creek Canals and extending the time of performing the same.

Also, Assembly Bill No 627—An Act to authorize the Trustees of Red Bluff School District, in Tehama County, to borrow money for the maintenance of the school therein.

Also, Assembly Bill No. 63—An Act to authorize John Rann or S. C. Long, of Yuba County, to remove certain bodies of deceased persons.

Also, Assembly Bill No. 631—An Act to authorize William A. Findley, of Yuba County, State of California, to remove certain bodies to a public graveyard.

Also, Assembly Bill No. 534—An Act to amend an Act entitled an Act to amend an Act regulating marriages, passed April twenty-second, eighteen hundred and fifty, approved April ninth, eighteen hundred and sixty-three.

Also, Assembly Bill No. 577—An Act to amend an Act entitled an Act to authorize the County Judges and Probate Judges of this State to hold terms or parts of terms of the County Court and Probate Court in counties other than those for which they were respectively elected, approved March thirteenth, eighteen hundred and sixty-eight

Also, Assembly Bill No. 636—An Act supplementary to an Act to provide for the protection of certain lands in Sutter County from overflow.

Also, Assembly Bill No. 624—An Act to amend an Act regulating fees of officers in the County of El Dorado, approved March fifth, eighteen hundred and seventy

Also, Assembly Bill No 477—An Act amendatory of an Act entitled an Act to authorize the Board of Supervisors of the City and County of San Francisco to open and grade Market street, in said city, from the intersection of said street with Valencia street to its intersection with Seventeenth street, and to condemn private property for the roadway of said street, etc.

Also, Assembly Bill No. 638—An Act in relation to the fees of jurors and witnesses in Los Angeles County

Also, Assembly Bill No. 593—An Act to provide for the designation of the true meridian in the several counties of the State.

Also, Assembly Bill No 629—An Act supplemental to an Act to incorporate the Town of Cloverdale, Sonoma County.

BARNES, Chairman.

By Mr Mott of Sacramento:

Mr. Speaker: The Committee on Claims, to whom was referred Senate Bill No 297—An Act to authorize the payment of Mistress Eliza McLean for supplies furnished the State Marine Hospital in the years eighteen hundred and fifty-three and eighteen hundred and fifty-four—report it back and recommend its passage.

MOTT, Chairman.

By Mr. Hayes:

Mr. SPEAKER: Your Committee on Counties and County Boundaries, to whom was referred Assembly Bill No. 585—An Act to create the County of Donner—have had the same under consideration, and beg leave to report it back and recommend that it do not pass.

Also, Assembly Bill No. 556—report the same back with a substitute.

HAYES, for Committee.

By Mr. Sensabaugh:

Mr. SPEAKER: The Committee on Agriculture, to whom was referred Assembly Bill No. 553—An Act for the encouragement of irrigation—have had the same under consideration, and beg leave to report the bill back, recommending passage of the same.

EAGAN, Chairman.

REPORTS OF SELECT COMMITTEES.

Reports of select committees were made as follows:

By Mr. Stillwagon:

Mr. SPEAKER: The Napa delegation, to whom was referred Assembly Bill No. 692, respectfully return the same, with the recommendation that it pass.

STILLWAGON, for Delegation.

The rules were suspended, and the bill above reported taken up, rules again suspended, bill considered engrossed, read a third time and passed.

By Mr. Pardee:

Mr. SPEAKER: The Alameda delegation, to whom was referred Assembly Bill No. 683, have examined the same and recommend its passage.

PARDEE, of Delegation.

The rules were suspended, and the bill above reported taken up, rules again suspended, bill considered engrossed, read a third time and passed

By Mr. Luttrell:

Mr. SPEAKER: The Klamath and Siskiyou delegations, to whom was referred Senate Bill No. 443, report that they have had the same under consideration and unanimously recommend the passage of the bill.

RECTOR,
Klamath Delegation.
LUTTRELL,
LITTLE,
Siskiyou Delegation.

The rules were suspended, and the bill above reported taken up, read a third time and passed.

By Mr. Woodward:

Mr. SPEAKER: The San Joaquin delegation, to whom was referred Senate Bill No 367—An Act to empower the City of Stockton to fund its school debt, and for school purposes—have had the same under consideration and recommend its passage.

SARGENT,
WOODWARD,
Delegation.

The rules were suspended, and the bill above reported taken up, read a third time and passed.

Also, by the same:

Mr. SPEAKER: The San Joaquin delegation, to whom was referred Assembly Bill No. 642—An Act to authorize road districts in San Joaquin County to levy special tax—have had the same under consideration, and recommend its passage.

WOODWARD,
SARGENT,
Delegation.

The rules were suspended, and the bill above reported taken up, rules again suspended, bill considered engrossed, read a third time and passed.

By Mr. Mott of Sacramento:

Mr SPEAKER: The Sacramento delegation, to whom was referred Assembly Bills Nos, 407, 388, and 369—all relating to a better supply of water for the City of Sacramento—beg leave to report them back with a substitute, and recommend the passage of the substitute.

MOTT, for Committee.

The rules were suspended, and the bill above reported taken up, the substitute reported was adopted, rules again suspended, and substitute bill considered engrossed, read a third time and passed, and ordered transmitted to the Senate without engrossment.

By Mr. De Haven:

Mr. SPEAKER: The Butte delegation, to whom was referred Assembly Bill No. 691—An Act defining a lawful and partition fence in the County of Butte—have considered the same, and report the same back and recommend its passage.

DE HAVEN,
TURNER.

By Mr. Pardee:

Mr. SPEAKER: The Alameda delegation, to whom was referred Assembly

Bill No. 682, have examined the same, and report the same back with amendments, and recommend its passage as amended.

PARDEE, of Delegation.

The rules were suspended, and the bill above reported taken up. The reported amendment was adopted, rules again suspended, bill considered engrossed, read a third time and passed.

By Mr. Cooper:

Mr. SPEAKER: The Santa Barbara and San Luis Obispo delegations, to whom was referred Senate Bill No. 436—Concerning the issuance of bonds to erect county buildings—having had the same under consideration, report the same back and recommend its passage.

COOPER, for Committee.

RECONSIDERATION REFUSED.

Mr. Wilcox, in accordance with previous notice, moved a reconsideration of the vote whereby, on yesterday, the House passed Senate Bill No. 374, relative to the University of California.

The House refused to reconsider its vote.

On motion of Mr Sensabaugh, Assembly Bill No 553—An Act for the encouragement of irrigation—above reported from the Committee on Agriculture, was taken up for consideration.

The bill was amended in section two, and, the rules being suspended, considered engrossed, and on its passage the ayes and noes were demanded by Messrs. Berry, Andrews, and Woodward.

Pending consideration of the bill, the hour for daily recess arrived.

REASSEMBLED.

The House reassembled at one o'clock and forty-five minutes P. M.

Speaker in the chair.

Roll called.

Quorum present.

INTRODUCTION OF BILLS.

Bills were introduced as follows:

By Mr. Gray—An Act to vacate certain streets, alleys, and market places in the City and County of San Francisco, and to donate the same and other tide lands belonging to the State of California to said City and County of San Francisco for commercial purposes, and other matters relating thereto.

Read first and second times and ordered placed first on file for Friday, March twenty-second.

By Mr. Wright—An Act to better define the duties and fix the compensation of certain officers of Solano.

Read first and second times and referred to Solano delegation.

By Mr. Berry—An Act relating to Swamp Land District Number Seventy, Sutter County.

Read first and second times and referred to the Committee on Swamp and Overflowed Lands.

By Mr. Bradley—An Act to amend an Act entitled an Act to incorporate the City of Marysville, approved March third, eighteen hundred and fifty-seven, and Acts amendatory thereof.

Read first and second times and referred to the Yuba delegation.

INDUSTRIAL EDUCATION.

The rules were suspended and the following resolution offered by Mr. Wilcox:

Resolved, That the use of the Assembly Chamber be placed at the disposal of Professor Carr, of the State University, to-morrow evening, for the purpose of giving a free lecture on the subject of "Industrial Education."

Adopted.

REPORT.

Mr. Wheaton had leave to make the following report:

Mr SPEAKER: The San Francisco delegation herewith report Assembly Bill No. 317—An Act to provide for the protection of an open canal through Channel street, in the City and County of San Francisco—with a substitute for the same, and recommend the passage of the substitute.

Also, Assembly Bill No 469—An Act to amend an Act entitled an Act to provide for the improvement of public parks in the City of San Francisco, approved April fourth, eighteen hundred and seventy—with amendments, and recommend the passage of the bill as amended.

Also, Assembly Bill No 674—An Act to authorize the County Clerk of the City and County of San Francisco to appoint a Chief Clerk—with amendments, and recommend the passage of the bill as amended.

WHEATON, for Delegation.

The rules were suspended, and Assembly Bill No. 317, above reported, was taken up. The rules were again suspended, bill considered engrossed, read a third time and passed.

RECOMMITTED.

On motion of Mr. Harvey, Assembly Bill No 386 was taken from the file and recommitted to the Committee on Swamp and Overflowed Lands.

TO PROMOTE IRRIGATION.

The House resumed the consideration of Assembly Bill No. 553, under consideration when the House took a recess.

The ayes and noes were demanded as above recorded and the bill passed by the following vote:

AYES—Messrs Aldrich, Bacon, Baird, Bell, Brown, Burckhalter, Caldwell, Coleman, Connolly, Cooper, Crane, Dannals, Eagan, Ellis, Freeman, Galloway, Gibson, Goodall, Gray, Hayes, Henshaw, Hopper, James, John-

ston, Jost, Lee, Lofton, Meeker, Mott of Los Angeles, Munday, McCullough, Pardee, Rector, Reed, Rice, Schrack, Sensabaugh, Slaughter, Splivalo, Stillwagon, Timnin, Ward, Whitney, Wilcox, Wright, and Mr. Speaker—46.

NOES—Messrs. Andrews, Barker, Barklage, Bayley, Berry, Center, Days, Edgar, Everett, Franck, Harvey, Little, Long, Mathers, Mott of Sacramento, Russ, Sargent of San Joaquin, Spencer, Turner, Welty, Whiting, and Woodward—22.

FURTHER REPORTS OF STANDING COMMITTEES.

Reports were made as follows:

By Mr. Barker:

Mr. SPEAKER: The Military Committee, to whom was referred Assembly Bill No 697—An Act concerning the military of the State of California—beg leave to report the same back and recommend its passage.

BARKER, Chairman.

The rules were suspended, and the bill above reported was taken up, on motion of Mr. Splivalo.

The rules were again suspended, and the bill considered engrossed, and on its passage the ayes and noes were demanded by Messrs. Berry, Andrews, and Days, with the following result:

AYES—Messrs. Aldrich, Bacon, Barker, Barnes, Bell, Bockius, Brown, Caldwell, Coleman, Crane, Dannals, Days, Edgar, Everett, Franck, Freeman, French, Galloway, Goodall, Gray, Harvey, Hopper, James, Johnston, Jost, Lee, Little, Long, Meeker, Mott of Sacramento, McCullough, Pardee, Reed, Rice, Russ, Sargent of Santa Clara, Sargent of San Joaquin, Schrack, Seibe, Sensabaugh, Slaughter, Spencer, Splivalo, Stillwagon, Turner, Welty, Wheaton, Whitney, Wilcox, Woodward, and Mr. Speaker—51.

NOES—Messrs Andrews, Barklage, Bayley, Berry, Center, Eagan, Gibson, Hayes, Henshaw, Lofton, Mathers, Mott of Los Angeles, Munday, Rector, Timnin, Ward, and Whiting—17.

By Mr. Gibson:

Mr. SPEAKER: Your Committee on Enrollment beg leave to report that they have examined and found correctly enrolled Assembly Bill No. 358—An Act to establish pilots and pilot regulations for the Port of San Diego.

Also, Assembly Bill No. 220—An Act to provide for the establishment, maintenance, and protection of public roads in Sonoma County.

Also, Assembly Bill No 566—An Act for the redemption of the funded indebtedness of the City of Sacramento.

Also, Assembly Bill No. 11—An Act to amend an Act entitled an Act to consolidate certain school districts of the Counties of El Dorado and of Sacramento, approved April twenty-fifth, eighteen hundred and sixty-three.

Also, Assembly Bill No. 338—An Act to amend an Act entitled an Act to encourage the destruction of squirrels and gophers in certain counties

of this State, and to provide for a bounty for the same, approved March sixteenth, eighteen hundred and seventy.

Also, Assembly Bill No. 434—An Act to provide for finishing the State Normal School building and paying the indebtedness incurred in the construction thereof.

Also, Assembly Bill No 121—An Act supplemental to an Act entitled an Act concerning corporations, passed April twenty-second, eighteen hundred and fifty.

And that the same have, this twenty-first day of March, A. D. 1872, at thirty minutes past ten o'clock, been transmitted to the Governor, for his approval

GIBSON, Chairman.

By Mr. Barnes:

Mr. Speaker: The Committee on Engrossment beg leave to report that they have examined and find correctly engrossed Assembly Bill No 552—An Act for the regulation of sailors' boarding houses and shipping offices in the City and County of San Francisco.

Also, Assembly Bill No. 539—An Act supplemental to an Act entitled an Act to provide for the formation of corporations for the accumulation and investment of funds and savings, approved April eleventh, eighteen hundred and sixty-two

Also, Assembly Bill No. 643—An Act to authorize Isaac Bluxome to remove from his private property on the Rancho de Mucelaeon, in Sonoma County, State of California, certain dead bodies to a public graveyard.

Also, Assembly Bill No 647—An Act to amend an Act entitled an Act amendatory to and supplementary to an Act entitled an Act to provide for the construction of canals and for drainage and reclaiming certain swamp and overflowed lands in Tulare Valley, passed April first, eighteen hundred and fifty-seven, approved April tenth, eighteen hundred and sixty-two.

Also, Assembly Bill No 648—An Act to authorize the Supervisors of Kern County to levy a special tax for the County General Fund.

Also, Assembly Bill No 524—An Act making an appropriation for translating into Spanish the several State documents and Reports ordered at the present session of the Legislature

Also Assembly Bill No 478—An Act to provide for the establishment of a Cabinet Department in the State Library.

BARNES, Chairman.

By Mr. De Haven:

Mr Speaker: The Committee on Mileage, to whom was referred the matter of mileage for the members of the State Hospital Committee, in relation to a visit made to San Francisco—respectfully submit to the House the following allowance:

Names.	Miles.	Amount.
Stillwagon	234	846 80
Gibson	234	46 80
Pardee	234	46 80
Woodward	234	46 80
Harvey	234	46 80
Owen Thorn, Clerk	234	46 80

And submit the following resolution:

Resolved, That the Controller of State is hereby authorized to draw his warrant upon the Contingent Fund of the Assembly for the above named amounts, and that the Treasurer be required to pay the same.

DE HAVEN, Chairman.

Adopted.

Mr. Edgar had leave to make the following report:

Mr. SPEAKER: The Yuba delegation, to whom was referred Assembly Bill No 687—An Act to amend an Act entitled an Act to authorize the Board of Supervisors of Yuba County to construct a bridge across the Yuba River and roads connecting the same with the highlands, approved March tenth, eighteen hundred and sixty-eight—would herewith respectfully report the same back and recommend its passage.

The rules were suspended and the bill above reported taken up, rules again suspended, bill considered engrossed, read a third time and passed, and ordered transmitted to Senate.

SPECIAL ORDER.

At two o'clock and thirty minutes P M. the House took up the special order for the day.

CONSIDERATION OF GOVERNOR'S MESSAGE.

Consideration of the Governor's veto of Assembly Bill No. 165.
On motion of Mr. Munday, the veto message was laid on the table.

RESOLUTIONS.

Resolutions were offered as follows:

By Mr. Barker

Resolved, That the Engrossing Clerk be authorized to amend Assembly Bill No. 457, line thirteen, section three, by striking out the words "quarterly in each year," and insert the word "yearly" in lieu thereof.

Adopted.

By Mr Spencer:

A resolution allowing an increase of per diem of the Clerk of the Judiciary Committee.

Referred to the Committee on Rules and Regulations.

MESSAGES FROM THE GOVERNOR.

The following messages were received from the Governor:

STATE OF CALIFORNIA, EXECUTIVE DEPARTMENT,
Sacramento, March 20th, 1872.

To the Assembly of the State of California:

I have to inform your honorable body that I have approved Assembly Bill No. 369—An Act to encourage the destruction of squirrels and gophers.

Also, Assembly Bill No 542—An Act authorizing the Board of Supervisors of Mariposa County to pay a certain claim.

Also, Assembly Bill No 417—An Act for the relief of Morris Woolf.

Also, Assembly Bill No. 367—An Act to pay the claim of James T. Boyd.

Also, Assembly Bill No. 483—An Act to prevent hogs and goats running at large in the Town of Knight's Landing, Yolo County.

Also, Assembly Bill No. 334—An Act for the relief of Henry N. Morse, Sheriff of Alameda County.

Also, Assembly Bill No. 415—An Act supplementary to an Act entitled an Act concerning crimes and punishments, passed April sixteenth, eighteen hundred and fifty.

Also, Assembly Bill No. 517—An Act in reference to the County Assessor of Napa County.

NEWTON BOOTH, Governor.

STATE OF CALIFORNIA, EXECUTIVE DEPARTMENT,
Sacramento, March 21st, 1872.

To the Assembly of the State of California:

I have to inform your honorable body that I have approved Assembly Bill No. 121—An Act supplemental to an Act entitled an Act concerning corporations, passed April twenty-second, eighteen hundred and fifty.

Also, Assembly Bill No 349—An Act relating to Swamp Land District Number Seventy-one, in Sacramento County.

Also, Assembly Bill No. 440—An Act to provide for the location, construction, and maintenance of public roads in the County of Nevada.

Also, Assembly Bill No. 584—An Act to incorporate the Town of San Leandro.

NEWTON BOOTH, Governor

MESSAGE FROM THE SENATE.

The following message was received from the Senate:

SENATE CHAMBER,
March 21st, 1872.

Mr SPEAKER: I am directed to inform your honorable body that the Senate, on this twenty-first day of March, amended and passed Assembly Bill No. 83—An Act to repeal an Act entitled an Act to make, open, and establish a public street in the City and County of San Francisco, to be called Montgomery street South, and to take private lands therefor.

Also, on the same day, passed Senate Bill No. 381—An Act to enable the heirs or next of kin of Thomas Spriggs, deceased, to inherit his estate—and ordered the same transmitted to the Assembly without engrossment

Also, on the same day, passed Senate Bill No. 458—An Act for the introduction of good and pure water in the Town of San Luis Obispo—and ordered the same transmitted to the Assembly without engrossment.

Also, on the same day, passed Assembly Bill No. 561—An Act to authorize the Board of Supervisors of Alameda County to audit certain claims against the Road Fund of said county.

Also, on the same day passed Assembly Bill No. 493—An Act in relation to interpreters before grand juries

Also, passed Assembly Bill No. 575—An Act authorizing the Board of Supervisors of Humboldt County to provide revenue for certain purposes.

Also, on the same day, passed Assembly Bill No. 574—An Act authorizing P. Henneberry to remove certain bodies to a public graveyard.

Also, on the same day, passed Assembly Bill No 522—An Act to empower the City of Stockton to excavate, widen, and open the Mormon Slough, and provide funds therefor.

Also, on the same day, passed Assembly Bill No 564—An Act to provide for the levying and collection of a special tax to be used in the construction of bridges in the County of Tehama.

Also, on the same day, amended and passed Assembly Bill No. 558—An Act to properly define the boundaries of the Town of Antioch.

Also, on the same day, passed Assembly Bill No 513—An Act to authorize the Mayor of the City and County of San Francisco to convey certain lands

Also, on the same day, passed Assembly Bill No 459—An Act to transfer to the Board of Supervisors of the City and County of San Francisco the management, control, and direction of the affairs of the Industrial School Department

Also, on the same day, refused to pass Assembly Bill No 509—An Act supplementary to an Act entitled an Act to regulate the settlement of the estates of deceased persons, passed May first, eighteen hundred and fifty-one.

Also, on the same day, amended and passed Assembly Bill No. 16—An Act to provide and pay for services rendered the City and County of San Francisco.

Also, on the same day, amended and passed Assembly Bill No. 384—An Act to confirm Order One Thousand and Four, passed by the Board of Supervisors of the City and County of San Francisco.

Also, on the same day, amended and passed Assembly Bill No. 554—An Act to prevent hogs from running at large in the Town of Susanville, etc.

Also, on the same day, amended and passed Assembly Bill No. 419—

An Act amendatory of and supplementary to an Act entitled an Act to establish and define the powers and duties of the Board of Education of the City of Vallejo, approved March twenty-fifth, eighteen hundred and seventy.

Also, on the same day, passed Assembly Bill No. 458—An Act to amend an Act entitled an Act concerning roads and highways in the County of Santa Clara, approved March thirty-first, eighteen hundred and sixty-six, and to repeal an Act entitled an Act to amend an Act entitled an Act concerning roads and highways in the County of Santa Clara, approved March thirty-first, eighteen hundred and sixty-six, approved March fourteenth, eighteen hundred and sixty eight.

Also, on the same day, adopted Senate Concurrent Resolution No 47—Relative to joint committee to consider the question of salaries of District Attorneys in this State.

Also, on the same day, refused to pass Assembly Concurrent Resolution No. 48—Relative to printing Report of Fish Commissioners.

Also, on the same day, concurred in Assembly Concurrent Resolution No. 26—Relative to printing in Spanish and distributing the Governor's Message.

Also, on the twentieth day of March, refused to pass Assembly Bill No 489—An Act supplemental to an Act entitled an Act to regulate the settlement of the estates of deceased persons.

Also, on the same day, refused to pass Assembly Bill No. 322—An Act extending the time for the payment of taxes in the County of Contra Costa.

Also, on the same day, passed Assembly Bill No. 480—An Act to amend an Act defining the legal distances from each county seat to the Capitol, State Prison, and Lunatic Asylum.

Also, on the same day, amended and passed Assembly Bill No. 308—An Act to increase the police force of the City and County of San Francisco.

Also, on the same day, passed Senate substitute for Assembly Bill No. 216—An Act for the relief of Anna Virginia Wakeman.

Also, on the same day, passed Assembly Bill No. 398—An Act to amend an Act entitled an Act to amend an Act entitled an Act to fix the compensation of the District Attorney of the County of Contra Costa, approved February ninth, eighteen hundred and sixty, approved March thirty-first, eighteen hundred and sixty-six.

Also, on the same day, passed Assembly Bill No. 544—An Act for the relief of J N. Walker, former Tax Collector of Fresno County.

Also, refused to pass Assembly Bill No. 443—An Act to remedy duplicate payment of taxes in the City and County of San Francisco.

Also, on the same day, passed Assembly Bill No 460—An Act to enforce the collection of license taxes.

Also, on the same day, refused to pass Assembly Bill No. 433—An Act in relation to homesteads.

Also, on the same day, passed Assembly Bill No. 336—An Act to authorize the Controller to issue duplicate warrants.

Also, on the twentieth day of March, passed Assembly Bill No. 660—An Act to put into effect certain parts of the Codes and provide for their publication.

FERRAL, Secretary.

CONSIDERATION OF THE MESSAGE.

The House concurred in Senate amendments to Assembly Bills Nos. 308, 558, 419, 554, 384, and 16, above reported.

The House concurred in Senate Concurrent Resolution No. 47, and also in Senate substitute for Assembly Bill No. 216, above reported.

Assembly Bill No. 83, above reported, with Senate amendments, referred to the San Francisco delegation.

Senate Bill No. 381, above reported, read first and second times and referred to the Sonoma delegation.

Senate Bill No. 458, above reported, read first and second times and placed on file.

INTRODUCTION OF BILLS.

Bills were introduced as follows:

By Mr. Gray—An Act to amend an Act entitled an Act to repeal an Act to declare and regulate the power of the Board of Supervisors of the City and County of San Francisco to take private lands for certain public improvements, and to prescribe the manner of its execution, approved April sixth, eighteen hundred and sixty-four, approved March thirtieth, eighteen hundred and sixty-eight.

Read first and second times and referred to the San Francisco delegation.

By Mr Splivalo—An Act to amend section eight hundred and fifty-nine of the Code of Civil Procedure.

Read first and second times and placed on file.

Also, an Act to amend an Act entitled an Act to regulate proceedings in civil cases in Courts of justice of this State, approved April twenty-ninth, eighteen hundred and fifty-one.

Read first and second times and placed on file.

By Mr Sargent of San Joaquin—An Act for the better protection of land in San Joaquin County from overflow.

Read first and second times and referred to the San Joaquin delegation.

By Mr. Spencer—An Act authorizing the District Judge of the Third Judicial District to hear and decide certain cases heretofore tried in said district.

Read first and second times and referred to the Judiciary Committee.

By Mr. De Haven—An Act concerning the indigent sick.

Read first and second times and referred to the Judiciary Committee.

By Mr. Freeman—An Act to amend an Act to provide for the management and sale of lands belonging to the State, approved March twenty-eighth, eighteen hundred and sixty-eight.

Read first and second times and referred to the Committee on Swamp and Overflowed Lands.

GENERAL FILE.

Assembly Bill No. 699—An Act to appropriate money for per diem of officers and clerks of the Assembly at the nineteenth session of the Legislature.

Considered in Committee of the Whole House.

IN ASSEMBLY.

Reported and recommended.

Rules suspended, bill considered engrossed, read a third time and passed, and ordered transmitted to the Senate.

GENERAL FILE RESUMED.

Assembly Bill No 263—An Act to authorize the Board of Supervisors of the City and County of San Francisco to supply said city with fresh water for its use and the use of the inhabitants thereof.

Mr. Goodall moved to place the bill at the top of the file for Thursday, March twenty-eighth

Mr. Brown moved the reference of the bill to the Committee on Corporations.

Mr. Pardee moved the indefinite postponement of the bill.

Mr. Wilcox moved the previous question, and it being ordered (Mr. Speaker pro tem Hopper in the chair), all the motions above recorded were severally put in their order and negatived.

The substitute report for the bill was adopted, and on ordering it engrossed, the ayes and noes were demanded by Messrs. Shannon, Harvey, and Goodall, with the following result:

AYES—Messrs. Bacon, Baird, Barker, Barnes, Bayley, Bell, Bradley, Burckhalter, Caldwell, Center, Coleman, Connolly, Cooper, Dannals, Days, De Haven, Eagan, Edgar, Franck, Harvey, Hayes, Hopper, James, Johnston, Lee, Little, Lofton, Long, Luttrell, Meeker, Mott of Los Angeles, Mott of Sacramento, Munday, McCullough, Rector, Reed, Rice, Sensabaugh, Slaughter, Splivalo, Stillwagon, Turner, Ward, Welty, Wheaton, Whiting, Whitney, Wilcox, and Wright—49.

NOES—Messrs Aldrich, Andrews, Barklage, Berry, Bockius, Brown, Crane, Ellis, Everett, Freeman, French, Galloway, Gibson, Goodall, Gray, Henshaw, Jost, Mathers, Pardee, Sargent of Santa Clara, Sargent of San Joaquin, Schrack, Seibe, Spencer, Walker, Woodward, and Mr. Speaker—27.

Mr. Splivalo moved that the rules be suspended for the purpose of considering the bill as engrossed and placed on its passage.

Mr. Shannon moved that the House adjourn.

Lost.

The ayes and noes were demanded on the motion to suspend the rules, by Messrs. Shannon, Days, and Goodall, and the House refused by the following vote:

AYES—Messrs. Bacon, Baird, Barker, Barnes, Bell, Burckhalter, Caldwell, Center, Coleman, Connolly, Cooper, Dannals, De Haven, Eagan, Harvey, Hayes, James, Lee, Little, Lofton, Long, Mott of Sacramento, McCullough, Rector, Reed, Rice, Sargent of Santa Clara, Sensabaugh, Slaughter, Splivalo, Stillwagon, Tinnin, Ward, Welty, Wheaton, Whitney, Whiting, and Wilcox—38.

NOES—Messrs Aldrich, Andrews, Barklage, Bayley, Berry, Bradley, Bockius, Brown, Crane, Days, Edgar, Ellis, Everett, Franck, French, Galloway, Gibson, Goodall, Gray, Henshaw, Hopper, Jost, Luttrell,

Meeker, Mott of Los Angeles, Munday, Pardee, Sargent of San Joaquin, Schrack, Seibe, Spencer, Turner, Walker, Woodward, Wright, and Mr. Speaker—36.

Mr. Gray asked leave to withdraw Assembly Bill No. 703, introduced by him, on account of some omissions therein, and substitute another copy, with omissions supplied, and leave was granted.

On motion of Mr. Dannals, at six o'clock and ten minutes P. M., the House adjourned.

T. B. SHANNON,
Speaker.

M. D. BORUCK, Chief Clerk.

IN ASSEMBLY.

HOUSE OF ASSEMBLY,
Friday, March 22d, 1872.

House met pursuant to adjournment.
Speaker in the chair.
Roll called.
Quorum present.
Prayer by the Chaplain.
Journal of yesterday read and approved.

PETITION.

By Mr. Henshaw—A petition from citizens of Merced County in behalf of the encouragement of the production and manufacture of cotton.
Referred to Committee on Agriculture.

REPORTS OF STANDING COMMITTEES.

Reports from standing committees were made as follows:

By Mr. Spencer:

Mr. SPEAKER: The Committee on Judiciary having considered Assembly Bill No. 649—An Act supplementary to an Act entitled an Act to regulate the settlement of the estates of deceased persons, passed May first, eighteen hundred and fifty-one—report it back with amendments, and recommend its passage as amended.

SPENCER, Chairman.

By Mr. Wright:

Mr. SPEAKER: The Committee on Education, to whom was referred Assembly Bill No. 651—An Act to provide for the education of the children of the State of California—report the same back with amendments, and recommend its passage as amended.

Also, Assembly Bill No. 645—An Act supplementary to an Act entitled an Act to provide for the incorporation of colleges, approved April

twentieth, eighteen hundred and seventy—report the same back and recommend its passage.

Also, Senate Bill No. 322—An Act to amend an Act entitled an Act to create and organize the University of California, approved March twenty-third, eighteen hundred and sixty-eight—report the same back and recommend its passage.

WRIGHT, Chairman.

By Mr. Pardee:

Mr. SPEAKER: The Committee on Public Buildings and Grounds, to whom was referred Senate Bills Nos. 342 and 343, have had said bills under consideration and report them back with a recommendation that they do pass.

PARDEE, Chairman.

By Mr. Harvey:

Mr. SPEAKER: The Committee on Swamp and Overflowed Lands, to whom was referred Assembly Bill No 704—An Act relating to Swamp Land District Number Seventy, Sutter County—have considered the same and report it back and recommend its passage.

Also, have considered Assembly Bill No. 386—An Act supplementary to an Act entitled an Act to provide for the management and sale of the lands belonging to the State, approved March twenty-eighth, eighteen hundred and sixty—report the same back with a substitute, and recommend the passage of the substitute.

Also, have considered Assembly Bill No. 658—An Act to amend an Act entitled an Act to provide for the management and sale of the lands belonging to the State, approved March twenty-eighth, eighteen hundred and sixty-eight—report the same back and recommend its passage.

HARVEY, Chairman.

The rules were suspended, and Assembly Bill No. 704, above reported, was taken up, rules suspended, considered engrossed, read a third time and passed, and ordered transmitted forthwith to the Senate.

Assembly Bill No. 386, above reported, was also taken up, substitute also reported was adopted, rules suspended, considered engrossed, read a third time and passed.

REPORTS OF SPECIAL COMMITTEES.

Reports from special committees were made as follows:

By Mr. Mott of Sacramento:

Mr. SPEAKER: The special committee to whom was referred Senate Bill No 242—An Act to create the office and define the duties of the State Board of Forest Commissioners, and to encourage the culture of forest and timber trees—report it back with a substitute, and recommend the passage of the substitute.

MOTT,
SCHRACK,
GOODALL,
WILCOX,
SPENCER.

By Mr. Wright:

Mr. SPEAKER: The Solano delegation, to whom was referred Assembly Bill No. 678—An Act to better define the duties and fix the compensation of certain officers in Solano County—report the same back and recommend its passage.

WRIGHT, for Delegation.

The rules were suspended, and the above reported bill taken up, rules again suspended, considered engrossed, read a third time and passed, and ordered transmitted to the Senate.

By Mr. Munday:

Mr. SPEAKER: The Sonoma delegation, to whom was referred Senate Bill No. 381, beg leave to report the same and recommend its passage.

MUNDAY, for Delegation.

The rules were suspended, and the bill above reported taken up, read a third time and passed.

By Mr. Bradley:

Mr. SPEAKER: The Yuba delegation, to whom was referred Assembly Bill No 705—An Act to amend an Act entitled an Act to incorporate the City of Marysville, approved March third, eighteen hundred and fifty-seven, and Acts amendatory thereto—would respectfully report the same back and recommend its passage.

BRADLEY, for Delegation.

The rules were suspended, and the bill above reported taken up, rules suspended, considered engrossed, read a third time and passed, and ordered transmitted to the Senate.

By Mr. Gray:

Mr. SPEAKER: Senate Bill No. 260—An Act to facilitate and increase the collection of State and county and municipal licenses in the City and County of San Francisco—having been considered by the San Francisco delegation and amended, is herewith reported to the House, and its passage recommended.

GRAY, for Delegation.

By Mr. Wheaton:

Mr. SPEAKER. The San Francisco delegation herewith report Assembly Bill No. 207—An Act to amend an Act to establish a Paid Fire Department for the City and County of San Francisco, approved March second, eighteen hundred and sixty-one—with a substitute, and recommend the passage of the substitute.

WHEATON, for Delegation.

By Mr. Mott of Sacramento:

Mr. SPEAKER: The Sacramento delegation, to whom was referred Assembly Bill No. 494—An Act to authorize George W. Chesley, and his

associates and assigns, to lay down gas pipes in the City of Sacramento—beg leave to report it back, with a substitute, and recommend the passage of the substitute.

MOTT, for Delegation.

The rules were suspended, and the bill above reported was taken up, rules again suspended, bill considered engrossed, read a third time and passed, and ordered transmitted to the Senate without engrossment.

By Mr. Johnston:

Mr. SPEAKER: The Sacramento delegation, to whom was referred Assembly Bill No. 191, report the same back, and recommend the adoption of Senate amendments.

JOHNSTON, for Delegation.

The House concurred in Senate amendments to the bill above reported.

MOTIONS AND RESOLUTIONS.

By Mr. Days:

A Joint Resolution—Respecting the disposition of public lands by Congress in larger quantities than one hundred and sixty acres.

Ordered printed, and placed on file.

By Mr. Mott of Sacramento:

A Concurrent Resolution—Requesting the Governor to return Assembly Bill No. 566, for the correction of a clerical error.

Adopted.

Mr. Turner moved that the veto message of the Governor on Assembly Bill No. 165 be taken from the table for consideration.

Mr. Tinnin moved to lay the motion on the table.

On the latter motion, the ayes and noes were demanded by Messrs. Turner, Woodward, and Welty, and it was lost by the following vote:

AYES—Messrs Andrews, Bacon, Bayley, Berry, Connolly, Cooper, Dannals, Ellis, Gibson, Gray, Hayes, Henshaw, Little, Luttrell, Mathers, Mott of Los Angeles, Munday, Reed, Rice, Sensabaugh, Spencer, Spivalo, Stillwagon, Tinnin, Walker, Ward, Wheaton, Whiting, Wilcox, and Mr. Speaker—30.

NOES—Messrs. Aldrich, Baird, Barker, Barklage, Bradley, Brown, Burckhalter, Center, Coleman, Crane, Days, De Haven, Edgar, Everett, Franck, Freeman, French, Galloway, Goodall, Harvey, Hopper, Johnston, Jost, Lee, Lofton, Long, Meeker, McCullough, Pardee, Russ, Sammons, Sargent of San Joaquin, Seibe, Turner, Welty, Whitney, Woodward, and Wright—39.

The House refused to take up the message by the following vote, the ayes and noes being demanded by Messrs. Wilcox, Welty, and Tinnin:

AYES—Messrs. Aldrich, Barker, Barklage, Bradley, Bockius, Brown, Center, Coleman, Crane, Days, De Haven, Edgar, Everett, Franck, Free-

man, French, Harvey, Lee, Lofton, Long, Mott of Sacramento, Pardee, Sammons, Sargent of San Joaquin, Seibe, Spencer, Turner, Wheaton, Welty, Whitney, Woodward, and Wright—32.

NOES—Messrs. Andrews, Bacon, Baird, Bayley, Berry, Burckhalter, Connolly, Cooper, Dannals, Eagan, Ellis, Galloway, Gibson, Goodall, Gray, Hayes, Henshaw, Hopper, James, Jost, Little, Luttrell, Mathers, Mecker, Mott of Los Angeles, Munday, McCullough, Rector, Reed, Rice, Sensabaugh, Slaughter, Splivalo, Stillwagon, Tinnin, Walker, Ward, Whiting, Wilcox, and Mr. Speaker—40.

INTRODUCTION OF BILLS.

Bills were introduced as follows:

By Mr. Sensabaugh—An Act to legalize certain proceedings of the Board of Supervisors of Merced County.

Read first and second times and referred to Judiciary Committee.

By Mr. Luttrell—An Act concerning the times and places of holding the District and County Courts in and for the County of Siskiyou.

Read first and second times and referred to Judiciary Committee.

By Mr. Goodall—An Act amending an Act concerning the Harbormaster of the City and County of San Francisco, approved March twenty-fifth, eighteen hundred and fifty-seven.

Read first and second times and referred to the San Francisco delegation.

Also, an Act to modify the grades of certain streets in the City and County of San Francisco.

Read first and second times and referred to the San Francisco delegation.

By Mr. Harvey—An Act to encourage the fine arts.

Read first and second times and referred to a special committee, composed of Messrs. Harvey, Mott of Sacramento, and Goodall.

By Mr. Barklage—An Act amendatory of an Act entitled an Act to provide revenue for the support of the government of this State, approved May seventeenth, eighteen hundred and sixty-one, and the Acts amendatory thereof and supplementary thereto.

Read first and second times and referred to the Committee on Ways and Means

By Mr. Rector—An Act to empower the Board of Supervisors of Klamath County to levy a special tax for certain purposes.

Read first and second times and placed at the head of the file for tomorrow.

By Mr. Munday—An Act for the relief of J. Johnson

Read first and second times and referred to the Committee on Claims.

By Mr. Baird—An Act to define the powers and duties and to limit the compensation of certain officers and reduce public expenditure and taxation in the County of San Mateo.

Read first and second times and referred to the San Mateo delegation.

By Mr. Spencer—An Act to provide for the opening, widening, or extending of streets in the City of San José.

Read first and second times and referred to the Santa Clara delegation.

By Mr. Berry—An Act to submit to the qualified electors of Sutter County the permanent location of the county seat of said county.

Read first and second times and placed on file

By Mr. Wilcox—An Act to repeal an Act to accept from the United States Government the grant of the Yosemite Valley and Big Tree Grove.

Read first and second times and placed on file.

By Mr. Stillwagon—An Act to authorize the Supervisors of Lake County to issue bonds for the construction of a public road in said county.

Read first and second times and referred to the Napa and Lake delegations.

REPORT.

Mr. Stillwagon had leave to make the following report:

Mr. SPEAKER: The State Hospital Committee, to whom was referred Senate Bill No. 344, respectfully return the same, and recommend its passage as amended.

STILLWAGON, Chairman.

The rules were suspended, and the bill above reported taken up, the reported amendments adopted, and the bill read a third time and passed.

MESSAGE FROM THE SENATE.

The following message was received from the Senate:

SENATE CHAMBER,
March 21st, 1872.

Mr. SPEAKER: I am directed to inform your honorable body that the Senate, on the twentieth day of March, eighteen hundred and seventy-two, passed Senate Bill No. 370—An Act to provide for the incorporation of tramroad companies in certain counties of this State.

Also, passed Assembly Bill No. 516—An Act to permanently locate the county seat of Monterey County.

Also, passed Assembly Bill No. 507—An Act amendatory of and supplementary to an Act entitled an Act concerning roads in the County of Marin.

Also, passed Assembly Bill No. 588—An Act to amend an Act to protect agriculture and to prevent the trespass of animals upon private property in the Counties of Los Angeles, San Diego, and part of Monterey County.

FERRAL, Secretary.

CONSIDERATION OF THE MESSAGE.

Senate Bill No 370, above reported, read first and second times and referred to the Committee on Roads and Highways.

GENERAL FILE.

Assembly Bill No. 703—An Act to vacate certain streets, alleys, and market places in the City and County of San Francisco, and to donate

the same and other tide lands belonging to the State of California to said City and County of San Francisco for commercial purposes, and other matters relating thereto.

Mr. Barker moved to strike out the second section of the bill, and the House refused.

Mr. Wilcox moved to suspend the rules to consider the bill engrossed and placed on its passage.

The ayes and noes were demanded by Messrs. Whiting, Center, and Bayley, and the motion was lost by the following vote:

AYES—Messrs Aldrich, Bacon, Baird, Bell, Bradley, Bockius, Brown, Burckhalter, Chalmers, Connolly, Crane, De Haven, Edgar, Ellis, Franck, Freeman, Galloway, Goodall, Gray, Harvey, Hayes, Hopper, James, Johnston, Jost, Lofton, Meeker, Mott of Los Angeles, Mott of Sacramento, Munday, McCullough, Pardee, Reed, Rice, Russ, Sammons, Seibe, Spencer, Splivalo, Stillwagon, Tinnin, Turner, Wheaton, Wilcox, Wright, and Mr. Speaker—46.

NOES—Messrs. Andrews, Barker, Barklage, Barnes, Bayley, Berry, Caldwell, Center, Coleman, Cooper, Dannals, Days, Eagan, Everett, Gibson, Henshaw, Lee, Long, Luttrell, Mathers, Rector, Sargent of San Joaquin, Schrack, Slaughter, Walker, Ward, Welty, Whiting, Whitney, and Woodward—30.

The bill was then ordered engrossed.

On motion of Mr. Shannon (Mr. Days in the chair), the formal engrossment of the bill was waived by unanimous consent of the House to suspend the rules.

On motion, also, of Mr. Shannon, the consideration of the bill was made the special order for to-morrow morning, at half past ten o'clock.

On motion of Mr. Mathers, Senate Bill No. 297—An Act to authorize the payment of Mrs. Eliza McLean for supplies furnished the State Marine Hospital in the years eighteen hundred and fifty-three and eighteen hundred and fifty-four—was taken from the file out of its order.

Considered in Committee of the Whole House.

IN ASSEMBLY.

Bill reported back and passage recommended, read a third time and passed.

REPORT.

The following report was made by Mr. Barnes:

Mr. SPEAKER: The Committee on Engrossment report that they have examined and found correctly engrossed Senate Bill No. 366—Proposed amendment to the Constitution.

Also, Assembly Bill No 457—An Act to facilitate the settlement of vacant lands in the State of California.

Also, Assembly Bill No. 431—Proposed amendment to the Constitution.

Also, Assembly Bill No. 560—An Act amendatory of and supplementary to an Act entitled an Act for securing liens of mechanics and others, approved March thirtieth, eighteen hundred and sixty-eight.

Also, Assembly Bill No. 682—An Act to provide funds for the City of Oakland.

Also, Assembly Bill No. 603—An Act to release the claim of the State of California to certain lands in township eleven, Monte Diablo base and meridian.

Also, Assembly Bill No. 630—An Act to amend an Act to provide for the management and sale of land belonging to the State, approved March twenty-eighth, eighteen hundred and sixty-eight.

Also, Assembly Bill No. 642—An Act to authorize road districts in San Joaquin County to levy a special tax.

Also, Assembly Bill No. 692—An Act declaring Clear Lake, in Lake County, navigable.

BARNES, Chairman.

GENERAL FILE RESUMED

Assembly Bill No. 616—An Act validating certain contracts in relation to the excavation of Putah Creek Canals, and extending the time of performing the same.

Read a third time and passed.

Assembly Bill No. 593—An Act to provide for the designation of the true meridian in the several counties of the State.

Read a third time and passed.

Assembly Bill No 604—An Act to repeal section three hundred of the Penal Code, approved February fourteenth, eighteen hundred and seventy-two, and to repeal an Act entitled an Act for the observance of the Sabbath, approved May twentieth, eighteen hundred and sixty-one.

The reported substitute was adopted and amended.

Rules suspended, bill considered engrossed, read a third time and passed.

Assembly Bill No. 187, being under consideration, the hour arrived for the usual daily recess.

REASSEMBLED.

The House convened at one o'clock and forty-five minutes P. M
Speaker in the chair.
Roll called.
Quorum present.

LEAVE OF ABSENCE.

Mr. Sargent of Santa Clara was granted leave of absence for one day.

RESOLUTIONS.

Mr. Harvey obtained leave to offer the following resolutions:

Resolved, That the ladies of Sacramento be allowed the use of the Assembly Chamber next Wednesday evening, to tender a farewell benefit to Mrs. Lippincott, better known as Grace Greenwood.

Adopted.

Resolved, That the Enrolling Clerk be and is hereby authorized to amend Assembly Bill No. 404—An Act to regulate fees of office and salaries of officers in San Bernardino County—by striking out "the powers,

to wit: and percentage allowed by law for the collection of," in section eight, lines two and three.

Adopted.

GENERAL FILE RESUMED.

Assembly Bill No. 187—An Act creating the office of Bank Commissioner, and other matters relating thereto.

The substitute was adopted and amended.

Mr. Berry moved the previous question, and it was ordered.

On ordering the bill engrossed, the ayes and noes were demanded by Messrs. Meeker, Gray, and Aldrich, and the House refused by the following vote:

AYES—Messrs. Bacon, Baird, Barker, Barnes, Bayley, Bell, Bradley, Caldwell, Center, Coleman, Connolly, Dannals, De Haven, Eagan, Edgar, Hayes, Hopper, James, Jost, Lee, Luttrell, Mott of Sacramento, McCullough, Reed, Rice, Sargent of San Joaquin, Sensabaugh, Sphvalo, Tinnin, Welty, Whitney, Woodward, and Wright—33.

NOES—Messrs. Aldrich, Andrews, Barklage, Berry, Bockius, Brown, Burckhalter, Cooper, Crane, Days, Ellis, Franck, Freeman, Gibson, Goodall, Gray, Harvey, Henshaw, Little, Lofton, Long, Mathers, Meeker, Mott of Los Angeles, Munday, Rector, Russ, Sammons, Schrack, Seibe, Slaughter, Spencer, Turner, Walker, Wheaton, Whiting, and Mr. Speaker—37.

Mr. Wilcox gave notice of a motion to reconsider.

MESSAGE FROM THE SENATE.

The following message was received from the Senate:

SENATE CHAMBER,
March 22d, 1872.

Mr. SPEAKER: I am directed to inform your honorable body that the Senate, on this twenty-second day of March, passed Senate Concurrent Resolution No. 48—Requesting the Governor to appoint Commissioners to International Exposition, to be held at Vienna in eighteen hundred and seventy-three.

Also, on the same day, passed Senate Bill No. 462—An Act authorizing the State Board of Harbor Commissioners to reduce or abolish the rates of dockage, wharfage, and tolls.

Also, on the same day, amended and passed Assembly Bill No. 333—An Act in relation to the Board of Education of the City and County of San Francisco.

Also, on the same day, amended and passed Senate Bill No. 451—An Act to amend an Act entitled an Act for the incorporation of water companies.

Also, on the same day, passed Senate Bill No. 450—An Act to amend an Act entitled an Act concerning estrays and animals found running at large in the County of Santa Clara.

Also, on the same day, passed Assembly Bill No 683—An Act to amend an Act entitled an Act concerning street railroads.

Also, on the same day, amended and passed Assembly Bill No. 306—

An Act to extend the time in which Swamp Land District Number Seventy shall complete their work of reclamation.

Also, on the same day, amended and passed substitute for Assembly Bills Nos. 213 and 284—An Act to protect agriculture and to prevent the trespassing of animals upon private property.

Also, on the same day, amended and passed Assembly Bill No. 311—An Act to establish a State Printing Office and to create the office of Superintendent of State Printing

Also, on the same day, amended and passed Assembly Bill No. 561—An Act to authorize the Board of Supervisors of Alameda County to audit certain claims against the Road Fund of Washington Township, in said county.

Also, on the same day, indefinitely postponed Assembly Bill No. 234—An Act to regulate the interest of money.

Also, on the same day, passed Assembly Bill No. 647—An Act to amend an Act to provide for the construction of canals, and for draining and reclamation of certain swamp and overflowed lands in Tulare Valley

Also, on the same day, passed Senate Bill No. 401—An Act supplementary to an Act to regulate fees of office and salaries of certain officers, and to repeal certain other Acts in relation thereto—and ordered the same transmitted to the Assembly without engrossment.

Also, on the same day, passed Assembly Bill No. 570—An Act to restore the Great Register of Sutter County.

Also, on the same day, passed Senate Bill No 454—An Act to reincorporate the City of Stockton—and ordered the same transmitted to the Assembly without engrossment.

Also, on the same day, passed Senate Bill No. 328—An Act to provide for the establishment of a public highway and ferry on the San Joaquin River, in the County of Stanislaus.

Also, on the same day, passed Senate Bill No. 259—An Act to confer additional powers upon the Board of Supervisors of the City and County of San Francisco, and upon the Auditor and Treasurer thereof—and ordered the same transmitted to the Assembly without engrossment.

Also, on the same day, amended and passed Assembly Bill No. 382—An Act to amend an Act to change the time for holding municipal elections in the City and County of San Francisco.

Also, on the nineteenth day of March, passed Senate Bill No. 361—An Act to provide for a system of common schools.

Also, on the same day, passed Assembly Bill No. 629—An Act supplemental to an Act entitled an Act to incorporate the Town of Cloverdale.

Also, on the same day, passed Senate Bill No. 395—An Act concerning the office of Treasurer of Sierra County.

Also, on the same day, passed Senate Bill No. 59—An Act to legalize the assessment of taxes in Sierra County for the years eighteen hundred and sixty-nine, eighteen hundred and seventy, and eighteen hundred and seventy-one.

Also, on the same day, passed Senate Bill No. 348—An Act to establish meteorological stations in the various counties of this State.

Also, on the same day, passed Senate Bill No. 396—An Act to repeal an Act concerning roads and highways in the County of Sierra.

FERRAL, Secretary.

CONSIDERATION OF THE MESSAGE.

Senate Bill No. 450, above reported, read first and second times and referred to the Santa Clara delegation.

Senate Bill No. 451 above reported, read first and second times and referred to the Committee on Corporations

Substitute for Assembly Bills Nos. 213 and 284, above reported, with Senate amendments, referred to the Committee on Agriculture.

The House concurred in Senate amendments to Assembly Bills Nos. 306, 311, and 511, above reported.

Senate Bill No. 401, above reported, read first and second times and referred to the Judiciary Committee.

Senate Bill No. 454, above reported, read first and second times and referred to the San Joaquin delegation.

Senate Bill No. 328, above reported, read first and second times and referred to the Stanislaus delegation.

Senate Bill No 259, above reported, read first and second times and referred to the San Francisco delegation.

The House concurred in Senate amendments to Assembly Bill No. 382, above reported.

Senate Bills Nos. 395, 59, and 396, above reported, read first and second times and referred to the Sierra delegation.

Senate Bill No. 361, above reported, read first and second times and referred to the Committee on Education.

Senate Bill No. 348, above reported, read first and second times and referred to the Judiciary Committee.

The House concurred in Senate Concurrent Resolution No. 48, above reported.

Senate Bill No. 462, above reported, read first and second times and referred to the San Francisco delegation.

The House concurred in Senate amendment to Assembly Bill No. 333, above reported, and as verbally recommended by the San Francisco delegation.

REPORTS.

Mr. Barnes made the following report:

Mr. SPEAKER: The Committee on Engrossment beg leave to report that they have examined and find correctly engrossed Assembly Bill No. 537—An Act to reincorporate the City of Vallejo.

Also, Assembly Bill No. 691—An Act defining a lawful fence in the County of Butte.

Also, Assembly Bill No. 553—An Act for the encouragement of irrigation.

BARNES, Chairman.

Mr. Hayes made the following report:

Mr. SPEAKER: Your Committee on Enrollment beg leave to report that they have examined and found correctly enrolled Assembly Bill No. 660—An Act to put into effect certain parts of the Codes, and provide for their publication—and that the same has, this twenty-second day of March, eighteen hundred and seventy-two, at two o'clock, been transmitted to the Governor for his approval.

HAYES, Chairman.

GENERAL FILE RESUMED.

Mr. Bradley had leave to withdraw from the file Assembly Bill No. 328

Assembly Bill No. 672—An Act to authorize the County of Yuba to issue sixty thousand dollars of bonds for the purpose of constructing, repairing, and improving wagon roads and bridges in said County of Yuba.

Rules suspended, bill considered engrossed, read a third time and passed, and ordered transmitted to the Senate.

Assembly Bill No 456—An Act calling in the deferred payments and moneys due upon lands heretofore applied for or purchased from the State of California on credit.

Mr. Spencer moved to strike out the enacting clause of the bill.

Lost.

Mr. Sargent of San Joaquin moved to recommit the bill with special instructions.

And the House refused.

On the passage of the bill, the ayes and noes were demanded by Messrs Sargent of San Joaquin, Caldwell, and Barker, and it passed by the following vote:

AYES—Messrs. Aldrich, Andrews, Barker, Barklage, Barnes, Bayley, Bell, Berry, Bradley, Brown, Coleman, Crane, Dannals, Days, De Haven, Eagan, Edgar, Ellis, Everett, Franck, French, Goodall, Hayes, Lee, Little, Lofton, Long, Mathers, Meeker, Munday, Reed, Sammons, Schrack, Seibe, Slaughter, Stillwagon, Turner, Welty, Wheaton, Whiting, Whitney, Woodward, Wright, and Mr. Speaker—44.

NOES—Messrs. Baird, Bockius, Burckhalter, Caldwell, Center, Chalmers, Galloway, Gibson, Harvey, Henshaw, Hopper, Johnston, Rector. Rice, Russ, Sargent of San Joaquin, Spencer, Sphvalo, and Walker—19,

Assembly Bill No. 641—An Act to take preliminary steps for calling a Convention to amend, remodel, or propose a new Constitution for the State of California.

The question being on the engrossment of the bill, the ayes and noes were taken, and it was so ordered by the following vote:

AYES—Messrs. Aldrich, Andrews, Baird, Barker, Barklage, Barnes, Bell, Bradley, Bockius, Caldwell, Center, Chalmers, Coleman, Crane, Days, De Haven, Eagan, Edgar, Everett, Franck, French, Harvey, Hayes, Hopper, Johnston, Lee, Lofton, Long, Rector, Russ, Sammons, Spencer, Stillwagon, Turner, Welty, Wheaton, Wright, and Mr. Speaker—38

NOES—Messrs. Bayley, Berry, Brown, Ellis, Galloway, Gibson, Henshaw, Jost. Little, Luttrell, Mathers, Meeker, Mott of Sacramento, Munday, McCullough, Reed, Rice, Sargent of San Joaquin, Schrack, Seibe, Slaughter, Ward, Whiting, Whitney, and Woodward—25.

Mr. Freeman moved to recommit Assembly Bill No. 285 to the Sacramento and Yolo delegations.

The ayes and noes were demanded by Messrs. Johnston, Freeman, and Munday, and it was so referred by the following vote:

AYES—Messrs. Andrews, Barker, Barklage, Berry, Bockius, Brown,

Burckhalter, Center, Chalmers, Coleman, Crane, Edgar, Ellis, Franck, Freeman, Galloway, Hayes, Little, Lofton, Mathers, Mott of Los Angeles, Sammons, Spencer, Turner, Ward, Whiting, Woodward, Wright, and Mr. Speaker—29.

NOES—Messrs. Bacon, Bell, Caldwell, Connolly, De Haven, Goodall, Harvey, Henshaw, Hopper, James, Johnston, Jost, Meeker, Mott of Sacramento, Munday, McCullough, Reed, Russ, Schrack, Seibe, Slaughter, Welty, and Whitney—23.

Assembly Bill No. 587—An Act to change the manner of electing Supervisors in the County of Del Norte, and prescribing the method thereof.

Substitute reported adopted, rules suspended, bill considered engrossed, read a third time and passed.

Assembly Bill No. 622—An Act to authorize certain persons to improve the Pescadero and Butano Creek, and to erect booms thereon.

Rules suspended, bill considered engrossed, read a third time and passed.

Assembly Bill No. 663—An Act concerning certain officers in Napa County, prescribing the duties and regulating the fees thereof.

Rules suspended, bill considered engrossed, read a third time and passed.

Assembly Bill No. 664—An Act to amend an Act entitled an Act to amend an Act entitled an Act to create and organize a Fire Department for the Town of Mokelumne Hill, approved April twenty-fourth, eighteen hundred and sixty-six, approved March twenty-six, eighteen hundred and sixty-eight.

Rules suspended, bill considered engrossed, read a third time and passed.

Assembly Bill No 665—An Act to define the fire limits of the Town of Mokelumne Hill, in Calaveras County, and to provide for the support of the Fire Department.

Rules suspended, bill considered engrossed, read a third time and passed.

Senate Bill No. 131—An Act to amend an Act entitled an Act amendatory of and supplementary to an Act entitled an Act concerning estray animals, passed April nineteenth, eighteen hundred and fifty-six, approved March twenty-eighth, eighteen hundred and fifty-nine.

Indefinitely postponed.

Senate Bill No. 408—An Act for the protection of fish and game in certain portions of Napa County.

Read a third time and passed.

House refused to pass Senate Bill No. 165—An Act amending an Act entitled an Act to restrict the herding of sheep, approved May eighteenth, eighteen hundred and sixty-one.

Senate Bill No. 320—An Act to protect agriculture and to prevent the trespassing of animals in the County of Colusa.

Referred to the Colusa delegation, with instructions to report tomorrow

Assembly Bill No. 179—An Act concerning unlawful holding over of dwelling houses, tenement houses, shops, and stores, and land leased therewith, in the City and County of San Francisco.

Amendments adopted, and the bill ordered engrossed.

Assembly Bill No. 346—An Act to provide funds to be applied to build-

ing a House of Correction in the City and County of San Francisco, and to authorize the construction of such House of Correction.

Amendments adopted, rules suspended, bill considered engrossed, read a third time and passed.

Assembly Bill No. 670—An Act to amend an Act entitled an Act to authorize the Board of Supervisors of Woodland School District, in the County of Yolo, to borrow money for certain purposes and provide for the payment of the same.

Rules suspended, bill considered engrossed, read a third time and passed.

Assembly Bill No. 655—An Act to authorize the Board of Supervisors of the City and County of San Francisco to appropriate money for the improvement of Washington Plaza, in said city and county.

Rules suspended, bill considered engrossed, read a third time and passed

Assembly Bill No. 444—An Act to pay Joseph Neumann for services rendered the State.

Considered in Commitee of the Whole, and reported without recommendation.

IN ASSEMBLY.

On motion of Mr. Berry, the bill was indefinitely postponed.

GENERAL FILE RESUMED.

Assembly Bill No. 671—An Act supplementary to an Act entitled an Act to provide for the incorporation of colleges, approved April twentieth, eighteen hundred and fifty.

Rules suspended, bill considered engrossed, read a third time and passed.

Assembly Bill No. 662—An Act to protect the wages of labor and the salaries and fees of subordinate officers.

Rules suspended, bill considered engrossed, read a third time and passed.

Assembly Bill No. 646—An Act to prevent the wholesale destruction of certain fish in the Bay of San Francisco and the adjacent bays and waters.

Rules suspended, bill considered engrossed, read a third time and passed.

Assembly Bill No. 461—An Act granting certain lands and buildings known as the State Reform School property to the City of Marysville.

Rules suspended, bill considered engrossed, read a third time and passed.

Assembly Bill No. 673—An Act to authorize the conveyance of a certain lot of land in the City and County of San Francisco to the Ladies' Protection and Relief Society.

Rules suspended, bill considered engrossed, read a third time and passed, and title amended.

MESSAGE FROM THE GOVERNOR.

The following message was received from the Governor:

STATE OF CALIFORNIA, EXECUTIVE DEPARTMENT,
Sacramento, March 22d, 1872.

To the Assembly of the State of California:

I have to inform your honorable body that I have approved Assembly Bill No. 338—An Act to amend an Act entitled an Act to encourage the destruction of squirrels and gophers in certain counties of this State and to provide for a bounty for the same, approved March sixteenth, eighteen hundred and seventy.

Also, Assembly Bill No. 514—An Act to repeal an Act entitled an Act to provide for better care of the indigent sick in the County of San Bernardino, approved May sixth, eighteen hundred and sixty-two.

Also, Assembly Bill No. 538—An Act to prohibit the hunting or shooting of game within certain private grounds in the County of Butte.

Also, Assembly Bill No. 218—An Act to create the County of Ventura, to establish the boundaries thereof, and to provide for its organization.

Also, Assembly Bill No. 660—An Act to put into effect certain parts of the Codes, and provide for their publication.

NEWTON BOOTH, Governor.

INTRODUCTION OF BILL.

Mr. Harvey had leave to introduce the following bill:

An Act to legalize applications heretofore made for the purchase of lands belonging to this State, and to confirm the title of purchasers under such applications.

Read first and second times and referred to Committee on Swamp and Overflowed Lands.

It was ordered by the House, that all bills passed in Assembly on this day under suspension of the rules, and not amended, should be transmitted to the Senate without being formally engrossed.

Mr. Tinnin moved that the House adjourn.

Mr. Barklage offered to amend the motion by adding, "to meet at nine o'clock A. M., to-morrow."

The amendment was lost.

And the House, at five o'clock and forty minutes P. M., adjourned.

T. B. SHANNON,
Speaker.

M. D. BORUCK, Chief Clerk.

IN ASSEMBLY.

HOUSE OF ASSEMBLY,
Saturday, March 23d, 1872.

House met pursuant to adjournment.
Speaker in the chair.
Roll called
Quorum present.
Prayer by the Chaplain.
Journal of yesterday read and approved.

SPECIAL COMMITTEE.

The Speaker announced the appointment of Messrs. Splivalo, Spencer, and De Haven, as a committee on the part of the Assembly on the joint committee on the subject of compensation and other matters relative to District Attorneys throughout the State.

LEAVE OF ABSENCE.

Leave of absence for one day was granted to Mr. Sensabaugh.

REPORTS OF STANDING COMMITTEES.

Reports of standing committees were made as follows:

By Mr. Galloway:

Mr. SPEAKER: The Committee on Public Expenditures and Accounts beg leave to report that they have had under consideration a resolution allowing each member of the Assembly one additional newspaper for the session, report the same back and recommend that the resolution be adopted.

GALLOWAY, for Committee.

The rules were suspended, and the resolution reported was adopted as follows.

Resolved, That each member of the Assembly be and is hereby allowed an additional newspaper for the session.

Adopted.

By Mr. Mott of Sacramento:

The majority and minority reports on Assembly Bill No. 228—An Act to provide a remedy in certain cases.

Reports placed on file with the bill.

By Mr. Harvey:

Mr. SPEAKER: The Committee on Swamp and Overflowed Lands, to

whom was referred Assembly Bill No. 605—An Act to withdraw from market the salt marsh and tide lands lying in and around Humboldt Bay, Humboldt County, California—report the same back with amendments.

Also, Assembly Bill No. 712—An Act to amend an Act to provide for the management and sale of lands belonging to the State, approved March twenty-eighth, eighteen hundred and sixty-eight—report the same back with amendments, and recommend the passage of the two bills as amended.

Also, Assembly Bill No. 463—An Act to confirm title to purchasers of certain salt marsh and tide lands in the Counties of Marin and Contra Costa—report the same back and recommend that it do not pass.

Also, have considered Assembly Bill No 726—An Act to legalize applications heretofore made for the purchase of lands belonging to the State, and to confirm the title of the purchaser under such application—report the same back and recommend its passage.

HARVEY, Chairman.

By Mr. Barnes:

Mr. SPEAKER: The Committee on Engrossment report that they have examined and found correctly engrossed Assembly Bill No. 697—An Act concerning the military of the State of California.

Also, Assembly Bill No. 263—An Act to authorize the Board of Supervisors of the City and County of San Francisco to supply said city with fresh water for its use and the use of the inhabitants thereof

BARNES, Chairman.

By Mr. Spencer:

Mr. SPEAKER: The Committee on Judiciary having considered Assembly Bill No. 330—An Act to provide a fund for the liquidation of the debts of this State and counties of this State, and for the better support of the public school system of this State—report it back, and recommend that it do not pass.

Also, Assembly Bill No. 714—An Act concerning the times and places of holding the District and County Courts in and for the County of Siskiyou—report it back with an amendment to the title, and recommend its passage as amended.

Also, Assembly Bill No. 620—An Act supplementary to an Act entitled an Act concerning County Recorders, passed March twenty-sixth, eighteen hundred and fifty-one—report it back, and recommend its passage.

Also, Assembly Bill No. 711—An Act concerning the indigent sick—report it back, and recommend that it do not pass.

Also, Assembly Bill No. 679—An Act to provide for the publication of the laws—report it back, and recommend that it do not pass.

Also, Assembly Bill No. 693—An Act in relation to foreign corporations—report it back, and recommend its passage.

Also, Senate Bill No. 420—An Act supplementary to an Act entitled an Act to provide for the appointment of Notaries Public and to define their duties, approved April twenty-fifth, A. D. eighteen hundred and sixty-two—report it back, and recommend its passage.

Also, Senate Bill No. 406—An Act to extend an Act entitled an Act concerning District Court Reporters, approved March thirteenth, eighteen hundred and sixty-six, to the Nineteenth and Twentieth Judicial

Districts of the State of California—report it back with amendments, and recommend its passage as amended.

Also, Assembly Bill No. 690—An Act in relation to County Judges—report it back, and recommend that it do not pass.

Also, Assembly Bill No. 698—An Act relating to an Act to aid the Mercantile Library Association of the City and County of San Francisco in paying its indebtedness—report it back, and recommend that it do not pass.

Also, Assembly Bill No. 676—An Act to authorize Joseph Bridger, guardian of the minor heirs of Robert S. Carlisle, deceased, to sell certain real estate in the County of Santa Clara, State of California—report it back and recommend its passage.

Also, Assembly Bill No. 669—An Act to legalize certain acknowledgments—report it back with amendments, and recommend its passage as amended.

SPENCER, Chairman.

On motion of Mr. Luttrell, Assembly Bill No. 714, above reported, was taken up, rules suspended, bill considered engrossed, read a third time and passed.

By Mr. Galloway:

Mr. Speaker: The Committee on Public Expenditures and Accounts beg leave to report that they have examined the following bills and accounts, found them correct, and recommend that they be paid:

To whom due.	Amount.
W. P. Burnett	$57 31
A. Hamburger	24 00
Gillig, Mott & Co	6 75
David Bush	25 50
John Breuner	77 75
San Joaquin Valley Argus	6 00
Enterprise	54 00
Stockton Independent	48 00
Mountain Democrat	33 00
Mariposa Gazette	30 00
Petaluma Crescent	21 00
Yreka Union	54 00
Abend Post	21 00
G. I. Lytle	173 00
San Francisco Chronicle	110 00
Home Journal	1 00
New Age	24 00
Sacramento Union	135 20
Masonic Mirror	5 00
Daily and Weekly Examiner	164 50
Sacramento Record	132 75
Sacramento Bee	19 12
Alta (weekly)	23 37

To whom due.	Amount.
Sacramento Reporter	$43 50
California Democrat	8 50
Alta (daily)	122 40
Democrat	4 00

Resolved, That the Controller be and he is hereby authorized and directed to draw warrants in favor of the persons named in the above report of the Committee on Public Expenditures and Accounts for the sums set opposite their respective names, and that the Treasurer be directed to pay the sum out of the Contingent Fund of the Assembly.

GALLOWAY, Chairman.

Adopted.

By Mr. Eagan:

Mr Speaker: The Committee on Agriculture, to whom was referred Senate Bill No. 200—An Act concerning trespasses on lands in the Counties of Santa Barbara and San Luis Obispo—have considered the same, and hereby beg leave to report said bill back, together with the amendments suggested by the author, without recommendation.

Also, have considered Assembly Bill No. 323—An Act requiring railroad companies to construct barways and additional cattle guards along the line of railroad—and report the same back without recommendation.

Also, considered Assembly Bill No 677—An Act to encourage the production of Angora or Cashmere goat fleece in this State, and the manufacture of fabrics therefrom—without recommendation.

Also, have had under consideration Assembly Bill No. 666—An Act in relation to the revenue, and Assembly Bill No. 523—An Act concerning the assessment of animals—and hereby report said bills back, together with a substitute therefor, recommending the passage of the substitute.

Your committee have also duly considered Assembly Bill No. 409—An Act to encourage the culture and manufacture of cotton in the State of California—and herewith report said bill back, together with a substitute for the same, a majority of the committee recommending the passage of said substitute.

EAGAN, Chairman.

Also, by the same:

Mr. Speaker: The Committee on Agriculture, to whom was referred substitute for Assembly Bills Nos. 213 and 284, have had the same under consideration, and hereby beg leave to report the same back, recommending that this House concur in all Senate amendments made thereto.

EAGAN, Chairman.

The bill above reported was taken up, sundry amendments reported from the Senate concurred in, and the bill returned to the Senate to

have appended a correct copy of an amendment adopted in the Senate to section sixteen, mutilated

SPECIAL ORDER.

At ten o'clock and thirty minutes the House took up the special order for the day:

Assembly Bill No. 703—An Act to vacate certain streets, alleys, and market places in the City and County of San Francisco, and to donate the same and other tide lands belonging to the State of California to said City and County of San Francisco, for commercial purposes, and other matter relating thereto.

The bill was read a third time; and, on its passage, the ayes and noes were demanded by Messrs. Andrews, Berry, and Munday, with the following result:

AYES—Messrs Aldrich, Bacon, Baird, Barnes, Bell, Bradley, Bockius, Brown, Burckhalter, Caldwell, Chalmers, Cooper, Crane, Dannals, De Haven, Eagan, Edgar, Ellis, Everett, Franck, Freeman, French, Galloway, Goodall, Gray, Harvey, Hayes, Henshaw, Hopper, James, Johnston, Jost, Lotton, Meeker, Mott of Sacramento, Munday, McCullough, Pardee, Reed, Rice, Russ, Sammons, Schrack, Seibe, Spencer, Splivalo, Stillwagon, Tinnin, Turner, Ward, Welty, Wheaton, Whiting, Whitney, Wright, and Mr. Speaker—55.

NOES—Messrs. Andrews, Barklage, Bayley, Berry, Center, Coleman, Connolly, Days, Gibson, Lee, Little, Long, Luttrell, Mathers, Rector, Sargent of San Joaquin, Walker, and Woodward—18.

By Mr. Luttrell.

Mr. SPEAKER: The Committee on Rules and Regulations. to whom was referred Assembly Resolution relative to the per diem of the Clerk of the Judiciary Committee, report the same back with a substitute, and recommend the passage of the substitute.

Also, Resolution relative to the payment of John R. Eardly, with the recommendation that it do pass.

LUTTRELL, Chairman.

The rules were suspended, and the resolutions above reported were severally adopted as follows:

Resolved, That the Sergeant at Arms be directed to draw his warrant on the Contingent Fund of the Assembly for three hundred and four dollars, in favor of John R. Eardly, for thirty-eight days services as Assistant Enrolling Clerk, from December sixteenth, eighteen hundred and seventy-one, to January twenty-third, eighteen hundred and seventy-two.

We hereby certify the above and foregoing resolution to be just and correct.

GIBSON,
HAYES,
BARKER,
MUNDAY,
BAIRD,
Enrolling Committee.

J. R. WILBUR, Enrolling Clerk.

Also, by a unanimous vote:

Resolved, That the Clerk of the Committee on Judiciary of the Assembly be and he is hereby allowed the same per diem from the date of his appointment that is paid Assistant Clerks at the desk, payable out of the Contingent Fund of the Assembly.

By Mr. Harvey:

Mr. SPEAKER: The Sacramento delegation, to whom was referred Assembly Bill No. 659—An Act supplementary to and amendatory of an Act to protect agriculture, and to prevent the trespassing of animals upon private property, approved March twenty-sixth, eighteen hundred and sixty-six, approved March twenty-eighth, eighteen hundred and sixty-eight—have considered the same, report it back and recommend its passage.

HARVEY, for Delegation.

The rules were suspended and the bill above reported taken up, the rules again suspended, bill considered engrossed, read a third time and passed.

By Mr. Woodward:

Mr SPEAKER: The San Joaquin delegation, to whom was referred Senate Bill No. 75—An Act for the appointment of a Phonographic Reporter in the County of San Joaquin—report the same back and recommend its passage.

SARGENT,
WOODWARD,
San Joaquin Delegation.

Also, by the same:

Mr. SPEAKER: The San Joaquin delegation, to whom was referred Senate Bill No. 454—An Act to reincorporate the City of Stockton—have had the same under consideration and recommend its passage.

WOODWARD,
SARGENT,
San Joaquin Delegation.

The rules were suspended, and Senate Bills Nos. 75 and 454, above reported, taken up, severally read a third time and passed.

By Mr. Whitney:

Mr. SPEAKER: The Sierra delegation, to whom was referred Senate Bill No. 59—An Act to legalize the assessment of taxes for the years eighteen hundred and sixty-nine, eighteen hundred and seventy, and eighteen hundred and seventy-one, in the County of Sierra—have had the same under consideration, and herewith report the same back and recommend its passage.

WHITNEY, for Delegation.

The rules were suspended, and the bill above reported read a third time and passed.

By Mr. Eagan:

Mr. SPEAKER: The undersigned, members of the Committee on Agriculture, herewith report Assembly Bill No. 657—An Act for the encouragement of agriculture in this State—and recommend its passage.

EAGAN,
LOFTON,
SENSABAUGH,
COOPER,
STILLWAGON.

The rules were suspended, and the bill above reported considered in Committee of the Whole, and reported without recommendation.

IN ASSEMBLY.

Mr. Days moved to indefinitely postpone the bill.

On a motion to suspend the rules to consider the bill engrossed, the ayes and noes were demanded by Messrs. Turner, Mathers, and Whiting, with the following result:

AYES—Messrs. Aldrich, Baird, Barnes, Bell, Brown, Burckhalter, Caldwell, Coleman, Eagan, Ellis, Franck, Galloway, Gibson, Goodall, Gray, Hopper, Johnston, Lofton, McCullough, Pardee, Rector, Russ, Schrack, Spencer, Splivalo, Whitney, and Mr. Speaker—27.

NOES—Messrs. Andrews, Barker, Barklage, Bayley, Berry, Bockius, Center, Chalmers, Crane, Dannals, Days, De Haven, French, Harvey, Hayes, Henshaw, Little, Long, Mathers, Meeker, Mott of Los Angeles, Munday, Rice, Sammons, Sargent of San Joaquin, Slaughter, Turner, Welty, Whiting, and Woodward—30.

On ordering the bill to engrossment, the ayes and noes were demanded by Messrs. Days, Mathers, and Whiting, and the House refused by the following vote:

AYES—Messrs. Aldrich, Baird, Barnes, Bell, Bradley, Brown, Burckhalter, Caldwell, Coleman, Crane, Eagan, Ellis, Franck, Freeman, Galloway, Gibson, Goodall, Gray, Hopper, James, Johnston, Lofton, Mott of Los Angeles, McCullough, Pardee, Rector, Reed, Russ, Schrack, Seibe, Spencer, Splivalo, and Whitney—33.

NOES—Messrs. Andrews, Bacon, Barker, Barklage, Bayley, Berry, Bockius, Center, Chalmers, Connolly, Dannals, Days, De Haven, Edgar, Everett, Harvey, Hayes, Henshaw, Jost, Lee, Little, Long, Mathers, Meeker, Munday, Sargent of San Joaquin, Slaughter, Turner, Welty, Whiting, Wilcox, Woodward, Wright, and Mr. Speaker—34.

REPORTS RESUMED.

By Mr. Gibson:

Mr. SPEAKER: Your Committee on Enrollment beg leave to report that

they have examined and find correctly enrolled Assemby Bill No. 404—An Act to regulate fees of office and salaries of certain officers in San Bernardino County.

Also, Assembly Bill No. 493—An Act in relation to interpreters before grand juries.

Also, Assembly Bill No. 522—An Act to empower the City of Stockton to excavate, widen, and open the Mormon Slough, and to provide funds therefor.

Also, Assembly Bill No 460—An Act to enforce the collection of license taxes.

Also, Assembly Bill No. 480—An Act to amend an Act entitled an Act defining the legal distances from each county seat to the Capitol, Lunatic Asylum, and State Prison, approved April twenty-fourth, eighteen hundred and fifty-eight.

Also, Assembly Bill No. 336—An Act to repeal an Act entitled an Act to authorize the Controller of State to issue duplicate warrants, approved January twenty-sixth, eighteen hundred and seventy-two.

Also, Assembly Bill No. 315—An Act defining the duties of the County Assessor of Santa Clara County.

Also, Assembly Bill No 562—An Act to amend an Act entitled an Act to amend an Act concerning roads and highways in the County of Alameda, approved March twenty-fourth, eighteen hundred and sixty-two, approved March twenty-ninth, eighteen hundred and seventy.

Also, Assembly Bill No. 324—An Act concerning actions for libel.

Also, Assembly Concurrent Resolution No. 26—Relative to printing in Spanish and distributing Governors' messages.

Also, Assembly Bill No 558—An Act to properly define the boundaries of the Town of Antioch, and extend the same.

Also, Assembly Bill No. 575—An Act to authorize the Board of Supervisors of Humboldt County to provide revenue for certain purposes.

Also, Assembly Bill No. 564—An Act to provide for the levying and collecting of a special tax, to be used in the construction of bridges, in the County of Tehama.

Also, Assembly Bill No. 573—An Act to authorize the Mayor of the City and County of Francisco to convey certain lands to the San Francisco Lying-in Hospital and Foundling Asylum.

Also, Assembly Bill No. 419—An Act amendatory of and supplementary to an Act entitled an Act to establish and define the powers and duties of the Board of Education of the City of Vallejo, approved March twenty-fifth, eighteen hundred and seventy.

Also, Assembly Bill No. 570—An Act to restore the Great Register of the County of Sutter.

Also, Assembly Bill No. 216—An Act for the relief of Anna Virginia Wakeman.

Also, Assembly Bill No. 683—An Act to amend an Act entitled an Act concerning street railroads, approved March twenty-ninth, eighteen hundred and seventy.

Also, Assembly Bill No. 544—An Act for the relief of J. M. Walker, former Tax Collector of Fresno County.

Also, Assembly Bill No. 398—An Act to amend an Act entitled an Act to amend an Act entitled an Act to fix the compensation of the District Attorney of the County of Contra Costa, approved February ninth, eighteen hundred and sixty, approved March thirty-first, eighteen hundred and sixty-six.

Also, Assembly Bill No. 459—An Act to transfer to the Board of Supervisors of the City and County of San Francisco the management, control, and direction of the affairs of the Industrial School Department of said city and county.

Also, Assembly Bill No 507—An Act amendatory of and supplemental to an Act entitled an Act concerning roads in the County of Marin, approved March thirtieth, eighteen hundred and sixty-eight.

Also, Assembly Bill No. 458—An Act to amend an Act entitled an Act concerning roads and highways in the County of Santa Clara, approved March thirty-first, eighteen hundred and sixty-six, and to repeal an Act entitled an Act to amend an Act entitled an Act concerning roads and highways in the County of Santa Clara, approved March thirty-first, eighteen hundred and sixty-six, approved March fourteenth, eighteen hundred and sixty-eight

Also, Assembly Bill No. 382—An Act to amend an Act to change the time for holding the municipal elections in the City and County of San Francisco, and to define the official terms of certain officers therein named, approved April second, eighteen hundred and sixty-six.

Also, Assembly Bill No. 191—An Act to provide for the protection of the City of Sacramento and Swamp Land District Number Two.

Also, Assembly Bill No 516—An Act permanently to locate the county seat of the County of Monterey by the qualified electors of said county.

Also, Assembly Bill No. 554—An Act to prevent hogs running at large in the Town of Susanville, Lassen County, Sutter Creek, Amador County, and Oroville, Butte County.

Also, Assembly Bill No. 384—An Act to confirm Order Number One Thousand and Four, passed by the Board of Supervisors of the City and County of San Francisco

Also, Assembly Bill No. 588—An Act to amend an Act to protect agriculture, and to prevent the trespass of animals upon private property in the County of Los Angeles, and in the County of San Diego and part of Monterey County, approved February fourteenth, eighteen hundred and seventy-two, and to make the same applicable to the County of San Bernardino.

Also, Assembly Bill No. 308—An Act to increase and regulate the police force of the City and County of San Francisco.

Also, Assembly Bill No 16—An Act to provide and pay for services rendered the City and County of San Francisco.

Also, Assembly Bill No. 592—An Act to incorporate the Town of Napa City.

Also, Assembly Bill No. 574—An Act authorizing P. Henneberry to remove certain bodies to a public graveyard.

Also, Assembly Bill No. 647—An Act to amend an Act entitled an Act amendatory of and supplementary to an Act entitled an Act to provide for the construction of canals, and for draining and reclaiming certain swamp and overflowed lands in Tulare Valley, passed April first, eighteen hundred and fifty-seven, approved April tenth, eighteen hundred and sixty-two

Also, Assembly Bill No 629—An Act supplemental to an Act entitled an Act to incorporate the Town of Cloverdale, Sonoma County.

And that the same have, this twenty-third day of March, eighteen hundred and seventy-two, at forty minutes past eleven o'clock, been transmitted to the Governor for his approval.

GIBSON, Chairman.

REPORTS OF SELECT COMMITTEES.

Reports from select committees were made as follows:

By Mr. Stillwagon:

Mr. SPEAKER: The Napa and Lake delegations, to whom was referred Assembly Bill No. 725, respectfully return the same and recommend its passage.

STILLWAGON, for Delegations.

The rules were suspended, and the bill above reported taken up, rules again suspended, considered engrossed, read a third time and passed.

By Mr. Freeman:

Mr. SPEAKER: The Yolo delegation, after having considered Senate Bill No. 178—An Act to separate the office of County Recorder from that of County Clerk, in the County of Yolo, and to provide for the election of County Recorder—ask to return the same and recommend that it do not pass.

FREEMAN, for Delegation.

On motion of Mr. Goodall, Assembly Bill No. 207—An Act to amend an Act entitled an Act to establish a Paid Fire Department for the City and County of San Francisco, approved March second, eighteen hundred and sixty-six—was taken from the file, substitute reported was adopted, amended, rules suspended, considered engrossed, read a third time and passed.

On motion of Mr. Jost, Assembly Bill No 317—An Act to provide for the protection of an open canal through Channel street, in the City and County of San Francisco—was taken up out of its order, reported substitute adopted, rules suspended, bill considered engrossed, read a third time and passed.

By Mr. Freeman:

Mr. SPEAKER: The Santa Clara delegation, to whom was referred Senate Bill No. 450—An Act to amend an Act entitled an Act concerning estrays and animals found running at large in the County of Santa Clara, passed April twenty-seventh, eighteen hundred and sixty-three—report it back and recommend its passage.

FRANCK, for Delegation.

The rules were suspended, and the bill above reported taken up, read a third time and passed.

The rules were again suspended, and on motion of Mr. Barklage, Assembly Bill No. 666—An Act in relation to the revenue—was taken up, and the reported substitute was adopted.

On suspending the rules to consider the bill engrossed, the ayes and noes were demanded by Messrs. Spencer, Barklage, and Whiting, with the following result:

AYES—Messrs. Aldrich, Bacon, Baird, Barklage, Barnes, Bayley, Bell,

Bradley, Bockius, Center, Chalmers, Coleman, Connolly, Cooper, Crane, Days, De Haven, Eagan, Edgar, Everett, Freeman, Galloway, Gibson, Goodall, Gray, Harvey, Hayes, Hopper, James, Johnston, Little, Lofton, Long, Luttrell, Mott of Sacramento, McCullough, Pardee, Rector, Reed, Sammons, Schrack, Seibe, Slaughter, Tinnin, Walker, Whiting, Whitney, and Wilcox—48.

NOES—Messrs. Andrews, Berry, Burckhalter, Caldwell, Dannals, Franck, Henshaw, Mathers, Meeker, Mott of Los Angeles, Munday, Russ, Sargent of San Joaquin, Spencer, Woodward, and Mr. Speaker—16.

On the passage of the bill, the ayes and noes were demanded by Messrs. Spencer, Sargent of San Joaquin, and Andrews, with the following result:

AYES—Messrs. Aldrich, Bacon, Barklage, Barnes, Bayley, Bell, Bradley, Bockius, Center, Chalmers, Coleman, Connolly, Cooper, Crane, Days, De Haven, Eagan, Edgar, Everett, Gibson, Goodall, Gray, Hopper, Johnston, Lee, Little, Lofton, Long, Luttrell, McCullough, Pardee, Rector, Reed, Sammons, Seibe, Slaughter, Tinnin, Turner, Walker, Welty, Whiting, Whitney, and Wilcox—43.

NOES—Messrs Andrews, Berry, Caldwell, Dannals, Franck, Galloway, Henshaw, James, Jost, Meeker, Mott of Los Angeles, Munday, Russ, Schrack, Spencer, Splivalo, Ward, Woodward, and Mr. Speaker—19.

RECONSIDERATION.

According to notice, Mr. Wilcox moved to reconsider the vote whereby the House refused to order engrossed Assembly Bill No. 187.

Mr. Aldrich moved to lay the resolution on the table.

Lost.

On the motion to reconsider, the ayes and noes were demanded by Messrs. Whiting, James, and Goodall, and the motion prevailed by the following vote:

AYES—Messrs. Bacon, Baird, Barnes, Bayley, Bell, Bradley, Burckhalter, Caldwell, Coleman, Connolly, Cooper, Dannals, De Haven, Eagan, Edgar, Gibson, Hopper, James, Johnston, Lee, Luttrell, Mott of Sacramento, McCullough, Pardee, Reed, Rice, Sargent of San Joaquin, Splivalo, Tinnin, Ward, Whitney, Wilcox, and Woodward—33.

NOES—Messrs. Aldrich, Andrews, Berry, Bockius, Center, Chalmers, Crane, Days, Everett, Franck, Goodall, Gray, Harvey, Henshaw, Little, Lofton, Long, Meeker, Mott of Los Angeles, Munday, Russ, Sammons, Schrack, Seibe, Slaughter, Spencer, Turner, Walker, Welty, Wheaton, Whiting, and Mr. Speaker—32.

The question recurring on the engrossment of the bill, the ayes and noes were demanded by Messrs. Bell, Whiting, and Wheaton, and it was so ordered by the following vote:

AYES—Messrs Bacon, Baird, Barnes, Bayley, Bell, Bradley, Burckhalter, Caldwell, Center, Chalmers, Coleman, Connolly, Cooper, Dannals, De Haven, Eagan, Edgar, Franck, Gibson, Hayes, Hopper, James, Johnston, Jost, Lee, Luttrell, Mott of Sacramento, McCullough, Pardee, Rector, Reed, Rice, Sargent of San Joaquin, Splivalo, Tinnin, Ward, Welty, Whitney, Wilcox, and Woodward—40.

NOES—Messrs. Aldrich, Andrews, Berry, Bockius, Crane, Days, Ellis, Everett, Goodall, Gray, Harvey, Henshaw, Little, Lofton, Long, Meeker, Munday, Russ, Sammons, Schrack, Seibe, Slaughter, Walker, Wheaton, Whiting, and Mr. Speaker—26.

REPORTS RESUMED.

By Mr. Ward:

Mr. SPEAKER: The Colusa and Tehama delegation, to whom was referred Senate Bill No 320, have had the same under consideration, and would beg leave to report it back and recommend its passage.

WARD, for Delegation.

The rules were suspended, and the bill above reported considered engrossed, read a third time and passed.
Mr. Berry gave notice of a motion to reconsider the vote.

By Mr. Johnston:

Mr. SPEAKER: The Sacramento delegation, to whom was referred Assembly Bills Nos. 565 and 602, report the same back with amendments, and recommend their passage as amended.

JOHNSTON, for Delegation.

The rules were suspended, and the bills above reported taken up, reported amendments adopted, rules again suspended, severally considered engrossed, read a third time and passed.
At one o'clock the House took the usual recess.

REASSEMBLED.

The House again met at one o'clock and forty-five minutes P. M.
Speaker in the chair.
Roll called.
Quorum present.

RESOLUTIONS.

Mr. Crane had leave to offer the following.

Resolved, That this House do now adjourn until two o'clock and thirty minutes P. M. on Monday, the twenty-fifth instant.

On its adoption, the ayes and noes were demanded by Messrs. Meeker, Mott of Sacramento, and Caldwell, and the House refused by the following vote:

AYES—Messrs. Andrews, Baird, Bayley, Bell, Bradley, Connolly, Cooper, Crane, Dannals, French, Gibson, Henshaw, Hopper, Little, Lofton, Mathers, Munday, McCullough, Pardee, Sammons, Sargent of San Joaquin, Schrack, Walker, Ward, Whiting, and Whitney—26.
NOES—Messrs. Bacon, Barnes, Berry, Bockius, Caldwell, Center, Chalmers, Coleman, Days, De Haven, Eagan, Edgar, Franck, Goodall, Harvey, Hayes, Jost, Lee, Long, Meeker, Mott of Los Angeles, Mott of

Sacramento, Rector, Reed, Rice, Russ, Seibe, Spencer, Splivalo, Tinnin, Wheaton, Wilcox, Woodward, and Mr. Speaker—34.

By Mr. Harvey:

Resolved, That the Governor be requested to return Assembly Bill No. 566 to the Enrolling Clerk, to correct a clerical error.

Adopted.

INTRODUCTION OF BILLS.

Bills were introduced as follows, by leave:

By Mr. De Haven (by request of Mr. Stillwagon)—An Act to authorize R. W. Steene to construct and maintain a wharf at Soda Bay, in the County of Lake.

Read first and second times and referred to the Napa and Lake delegation.

By Mr. Mott of Los Angeles—An Act to amend an Act entitled an Act to amend the city charter of Los Angeles, approved February twentieth, eighteen hundred and seventy-two.

Read first and second times and referred to the Los Angeles delegation

By Mr. Rector—An Act for the purchasing of supplies for State Prison purposes

Read first and second times and referred to the Committee on State Prison.

By Mr. Ward—An Act for the support of certain cemeteries in Tehama County.

Read first and second times and placed on file.

By Mr. Freeman—An Act to authorize the Board of Supervisors of the County of Yolo to levy and the Collector to collect a special tax for Plainfield School District.

Read first and second times and placed on file.

By Mr Harvey—An Act to amend an Act to prescribe rules for the government of the State Library, approved March eighth, eighteen hundred and sixty-one.

Read first and second times and referred to the Committee on State Library

By Mr. Jost—For an Act in relation to the office of Treasurer of the City and County of San Francisco.

Read first and second times and referred to San Francisco delegation.

By Mr. Baird—An Act concerning certain duplicate bonds of the funded debt of eighteen hundred and fifty-seven.

Read first and second times and placed on file.

Also, an Act amendatory of an Act entitled an Act amendatory and supplemental to an Act entitled an Act to incorporate the Town of Redwood City, approved March twenty-seventh, eighteen hundred and sixty-five, approved March twenty-fourth, eighteen hundred and seventy.

Read first and second times and placed on file.

Also, an Act to amend an Act entitled an Act to incorporate the Town of Redwood City, approved March twenty-seventh, eighteen hundred and sixty-eight.

Read first and second times and placed on file.

By Mr. Spencer—An Act authorizing the Board of Trustees of the Town of Benicia to issue certain bonds in lieu of bonds lost and destroyed.

Read first and second times and referred to the Committee on Claims.

By Mr Bacon—An Act to provide for the payment of certain road indebtedness of Tuolumne County.

Read first and second times and placed on file.

By Mr. Cooper—An Act to provide for opening or widening and repairing streets in the Town of Santa Barbara.

Read first and second times, and ordered placed third on file for Monday next.

On motion of Mr. Rector, Assembly Bill No. 718—An Act to empower the Board of Supervisors of Klamath County to levy a special tax for a certain purpose—was taken from the file.

Rules suspended, bill considered engrossed, read a third time and passed.

MESSAGE FROM THE SENATE.

The following message was received from the Senate:

SENATE CHAMBER,
March 23d, 1872.

Mr. SPEAKER: I am directed to inform your honorable body that the Senate, on the twenty-second day of March, passed Senate Bill No. 139—An Act to provide for the payment of the principal and interest on California Indian War Bonds.

Also, on the same day, passed Senate Bill No. 410—An Act to provide for Public Administrators in certain cases.

Also, on the same day, passed Senate Bill No. 304—An Act to amend an Act entitled an Act to prevent extortion in office, and to enforce official duty.

Also, on the same day, passed Senate Bill No. 460—An Act concerning streams in Santa Clara County.

Also, on the same day, passed Senate Bill No. 307—An Act to amend an Act entitled an Act concerning crimes and punishments.

Also, on the same day, passed Senate Bill No. 397—Concerning the settlement of the estates of deceased persons.

Also, on the same day, passed Senate Bill No. 463—An Act for the relief of J. Hobbs.

Also, on the same day, passed Senate Bill No. 411—An Act to regulate the propagating of eels and lobsters.

Also, on the same day, passed Senate Bill No. 357—An Act concerning roads in San Luis Obispo County.

Also, on the same day, directed me to return to your honorable body Assembly Bill No. 139 for proper indorsement.

Also, on the same day, directed me to inform your honorable body that the President of the Senate has appointed Messrs. Neff, O'Connor, and Comte as the committee on the part of the Senate for the consideration of salaries of District Attorneys.

FERRAL, Secretary.

CONSIDERATION OF SENATE MESSAGE.

Senate Bills Nos. 139 and 463, above reported, severally read first and second times and referred.

Senate Bill No. 410, above reported, read first and second times and placed on file

Senate Bills Nos. 304, 307, and 397, above reported, read first and second times and severally referred to the Judiciary Committee.

Senate Bill No. 460, above reported, read first and second times and referred to the Santa Clara delegation.

Senate Bill No. 411, above reported, read first and second times and referred to the Committee on Commerce and Navigation.

Senate Bill No. 357, above reported, read first and second times and referred to the Santa Barbara delegation.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
March 23d, 1872.

Mr. SPEAKER: I am directed by the Senate to inform your honorable body that they have this day passed, with amendments, Assembly Bill No. 697—An Act concerning the military of the State of California—and respectfully ask the concurrence of the Assembly in the Senate amendments

FERRAL, Secretary.

CONSIDERATION OF THE MESSAGE.

The House concurred in Senate amendments to Assembly Bill No. 697, above reported.

MOTIONS AND RESOLUTIONS.

Mr. Spencer offered the following:

Resolved, That the use of the Assembly Chamber be tendered to Professor W. F. Stewart, on Monday evening, March twenty-fifth, eighteen hundred and seventy-two, for the purpose of delivering a lecture on the electrical theory of the universe as maintained by modern scientists.

Adopted.

On motion of Mr. Crane, Assembly Bill No. 726, reported from Committee on Swamp and Overflowed Lands, was taken up.

The reported amendment was adopted, rules suspended, bill considered engrossed, read a third time and passed.

By Mr. De Haven:

Resolved, That the use of this House be granted to Charles E. Pickett, on Tuesday evening next, to discourse upon newspapers, Judges, lawyers, Goat Island, San Francisco Company, and correlative questions.

Lost.

By Mr. Eagan:

Resolved, That a committee of three members of this House be appointed by the Speaker to inquire into the matter of obliterating Senate

amendment to substitute for Assembly Bills Nos 213 and 284, and to report to this House the result of such inquiry, said committee is hereby empowered to administer oaths and send for persons and papers.

Adopted.

REPORT.

By Mr. Hopper:

Mr. SPEAKER: The Sacramento delegation have had under consideration Assembly Bill No 661—An Act to amend an Act entitled an Act concerning roads and highways in the County of Sacramento—and recommend its passage.

HOPPER, *for Delegation.*

The rules were suspended, the bill above reported taken up, bill considered engrossed, read a third time and passed.

MOTIONS AND RESOLUTIONS CONTINUED.

By Mr. Wilcox:

Resolved, That the Chief Clerk of the House be and he is hereby allowed two dollars per day additional, from December fourth, eighteen hundred and seventy-one, to and inclusive of April first, eighteen hundred and seventy-two, and that the Controller be directed to draw his warrant in favor of M D. Boruck, the Chief Clerk of the House, for the sum of two hundred and forty dollars, and the Treasurer ordered to pay the same.

Referred to the Committee on Rules and Regulations.

By Mr. Mathers:

Resolved, That this House now adjourn until Monday, at two o'clock and thirty minutes P. M.

Lost.

By Mr. Splivalo:

Resolved, That Assembly Bill No. 263 be made the special order for Monday next, March twenty-fifth, at two o'clock P. M.

Adopted.

By Mr. Johnston:

Resolved, That the Sacramento and Yolo delegations, to whom was referred Assembly Bill No 285, be and are hereby required to return said bill immediately.

On its adoption, the ayes and noes were demanded by Messrs. Johnston, Mott of Sacramento, and Sargent of San Joaquin, and the House refused to adopt, by the following vote:

AYES—Messrs. Barnes, Bell, Bockius, Caldwell, Center, Connolly, Crane, Days, De Haven, French, Goodall, Harvey, Johnston, Jost,

Meeker, Mott of Sacramento, Munday, Reed, Sargent of San Joaquin, Schrack, Seibe, and Whitney—22.

NOES—Messrs Andrews, Berry, Burckhalter, Coleman, Edgar, Ellis, Franck, Freeman, Galloway, Hayes, Hopper, Lee, Little, Long, Mathers, Mott of Los Angeles, Pardee, Rector, Rice, Sammons, Spencer, Tinnin, Walker, Whiting, Woodward, and Mr. Speaker—26.

By Mr. Cooper:

Resolved, That the Committee on Corporations be and they are hereby required to report back to this House, on Monday morning next, the twenty-fifth instant, Assembly Bill No. 189—An Act to provide greater security for deposits in banks, savings and loan societies, and other corporations—introduced by Mr. McCullough;

Also, Assembly Bill No. ——An Act to abolish attorneys' fees in savings banks—introduced by Mr. Wilcox.

Adopted.

FURTHER REPORTS.

Mr. Wheaton had leave to make the following report:

Mr SPEAKER: The San Francisco delegation herewith report Assembly Bill No 618—An Act to open and establish a public street in the City and County of San Francisco, to be called Montgomery Avenue, and to take private lands therefor—with amendments, and recommend the passage of the bill as amended.

Also, Assembly Bill No 667—An Act supplementary to an Act entitled an Act supplementary to an Act to establish the Industrial School Department of the City and County of San Francisco, approved April fifteenth, eighteen hundred and fifty-eight, approved February fifteenth, eighteen hundred and sixty-four—with amendments, and recommend the passage of the bill as amended.

Also, Assembly Bill No. 694—An Act to provide for the repair and improvement of roads and highways in the City and County of San Francisco—with amendments, and recommend its passage as amended.

Also, Assembly Bill No 665—An Act in relation to the collection of street assessments in the City and County of San Francisco—with amendments, and recommend the passage of the bill as amended.

WHEATON, for Delegation.

By Mr. Goodall:

Mr. SPEAKER: The San Francisco delegation, to whom were referred Assembly Bills Nos. 715 and 716, have had the same under consideration, and the undersigned recommend the passage of the same.

GOODALL,
McCULLOUGH,
SPLIVALO,
REED,
JAMES.

By Mr. Seibe:

Mr. SPEAKER: The San Francisco delegation, to whom was referred

Assembly Bill No. 716, have had the same under consideration, and the undersigned recommend the passage of the same.

SEIBE,
JOST,
ALDRICH,
GRAY,
WHEATON.

By Mr. Wheaton:

Mr. SPEAKER: The San Francisco delegation, to whom was referred Senate Bill No. 259—An Act to confer additional powers upon the Board of Supervisors of the City and County of San Francisco, and upon the Auditor and Treasurer thereof, and to authorize certain appropriations of money by said Board—report the same back and recommend its passage.

WHEATON, Chairman.

GENERAL FILE.

Assembly Bill No. 366—An Act to amend an Act entitled an Act to amend an Act to provide for a system of common schools, approved April fourth, eighteen hundred and seventy.

The bill was read a third time, and on its passage, the ayes and noes were demanded by Messrs. Berry, Andrews, and Little, with the following result.

AYES—Messrs. Bell, Bockius, Center, Coleman, Crane, Days, De Haven, Edgar, Franck, Freeman, French, Galloway, Goodall, Gray, Harvey, Hayes Hopper, Johnston, Jost, Lee, Long, Meeker, Mott of Sacramento, McCullough, Pardee, Reed, Rice, Sargent of San Joaquin, Seibe, Spencer, Splivalo, Wheaton, Whitney, Woodward, and Mr. Speaker—35.

NOES—Messrs Andrews, Bayley, Berry, Burckhalter, Caldwell, Connolly, Ellis, Little Luttrell, Mathers, Mott of Los Angeles, Munday, Schrack, Tinnin, Walker, and Whiting—16.

Assembly Bill No 457—An Act to facilitate the settlement of vacant lands in the State of California.

Read a third time and passed.

Assembly Bill No. 431.

Passed on file.

Assembly Bill No. 560—An Act amendatory of and supplementary to an Act entitled an Act for securing liens of mechanics and others, approved March thirtieth, eighteen hundred and sixty-eight.

On the passage of the bill, the ayes and noes were demanded by Messrs. Wilcox, Meeker, and Eagan, and the House refused to pass by the following vote:

AYES—Messrs. Burckhalter, Franck, French, Goodall, Gray, Jost, McCullough, Reed, Rice, Seibe, Spencer, Splivalo, and Wheaton—13.

NOES—Messrs. Andrews, Bacon, Barnes, Bayley, Bell, Berry, Bockius, Caldwell, Center, Coleman, Connolly, Cooper, Crane, Dannals, Days, De Haven, Eagan, Edgar, Galloway, Gibson, Harvey, Hayes, Henshaw, Hopper, Lee, Little, Lofton, Long, Luttrell, Meeker, Mott of Los Angeles, Mott of Sacramento, Munday, Pardee, Sammons, Sargent of San Joaquin, Schrack, Tinnin, Walker, Whiting, Whitney, Wilcox, and Woodward—43.

Assembly Bill No. 675—An Act to provide for the better security of the life of the operatives of machinery propelled by steam.

Rules suspended, bill considered engrossed, read a third time and passed.

Assembly Bill No. 680—An Act authorizing the Board of Supervisors of Merced County to levy a special tax for road purposes

Rules suspended, bill considered engrossed, read a third time and passed.

Assembly Bill No 681—An Act to encourage the destruction of squirrels and gophers in the Counties of Santa Barbara and San Luis Obispo.

Rules suspended, bill considered engrossed, read a third time and passed.

Assembly Bill No. 684—An Act providing for the survey of the line forming a portion of the southern boundary of Siskiyou County and the northern boundary of Lassen County.

Rules suspended, bill considered engrossed, read a third time and passed.

Assembly Bill No. 688—An Act to legalize the levy of the special school tax in Solano County for the fiscal years of eighteen hundred and seventy-one and eighteen hundred and seventy-two.

Rules suspended, bill considered engrossed, read a third time and passed.

Assembly Bill No. 689—An Act to better define the duties and fix the compensation of the Superintendent of Public Schools in Solano County.

Rules suspended, bill considered engrossed, read a third time and passed.

Assembly Bill No 701—An Act to amend an Act to regulate proceedings in civil cases in the Courts of justice in this State, approved April twenty-ninth, eighteen hundred and fifty-one.

Rules suspended, bill considered engrossed, read a third time and passed.

Assembly Bill No. 700—An Act for the relief of purchasers of State lands.

Rules suspended, bill considered engrossed, read a third time and passed.

Assembly Bill No. 573—An Act to encourage the planting and cultivation of oysters in certain portions of the Bay of Monterey and in the tide waters and tributary sloughs of the Salinas River.

Rules suspended, bill considered engrossed, read a third time and passed.

Assembly Bill No. 548—An Act to amend an Act entitled an Act to establish pilots and pilot regulations for the Ports of San Francisco, Mare Island, Vallejo, and Benicia, approved March twenty-second, eighteen hundred and seventy.

Rules suspended, bill considered engrossed, read a third time and passed.

Assembly Bill No. 332—An Act authorizing the constructing and maintaining of a bridge across Petaluma Creek, in the City of Petaluma.

Rules suspended, bill considered engrossed, read a third time and passed.

Assembly Bill No. 469—An Act to amend an Act entitled an Act to provide for the improvement of public parks in the City of San Francisco, approved April fourth, eighteen hundred and seventy.

Rules suspended, bill considered engrossed, read a third time and passed.

On motion of Mr. Wilcox, substitute for Assembly Bill No 240 was ordered printed and placed on top of file for Monday, March twenty-fifth.

Senate Bill No. 189 was ordered placed third on the file for Monday, March twenty-fifth.

Senate Bill No. 302—An Act to regulate the practice of pharmacy in the City and County of San Francisco.

Read a third time and passed.

Senate Bill No. 372—An Act for the relief of certain parties holding property on Market street, San Francisco.

Read a third time and passed.

Senate Bill No. 439—An Act to empower the Trustees of Mountain View Cemetery Association to mortgage a portion of the lands belonging to such association.

Read a third time and passed.

Assembly Bill No. 249—An Act to authorize the construction of a marine railway in Marin County.

Reported amendment adopted, rules suspended, bill considered engrossed, read a third time and passed.

Mr. Freeman had leave to withdraw Assembly Bill No. 696.

It was ordered by the House that all Assembly bills not engrossed and passed to-day, under suspension of the rules and not having been amended, be transmitted to the Senate without formal engrossment.

Mr. Rector had leave to introduce a memorial to Congress relative to Indian depredations and incursions in the northern counties of California.

Referred to the Committee on Federal Relations

On motion of Mr. Pardee, at five o'clock and fifteen minutes P M, the House adjourned.

T. B. SHANNON,
Speaker.

M. D. BORUCK, Chief Clerk.

IN ASSEMBLY.

HOUSE OF ASSEMBLY,
Monday, March 25th, 1872.

House met pursuant to adjournment.

Speaker in the chair.

Roll called.

Quorum present.

Prayer by the Chaplain.

Journal of Saturday, March twenty third, read and approved.

Mr. Whiting asked and obtained leave to be recorded as having voted "no" on the passage of Assembly Bill No. 703, on Saturday last.

LEAVE OF ABSENCE.

Messrs. Bradley and Welty were granted one day's leave of absence.

REPORTS OF STANDING COMMITTEES.

Reports from standing committees were made as follows:

By Mr. Meeker:

Mr. SPEAKER: The Committee on Federal Relations, to whom was referred Assembly Joint Resolution No. 31—Instructing our Senators and requesting our Representatives in Congress to oppose the passage of any Act granting Yerba Buena or Goat Island, in the Bay of San Francisco, to the Central Pacific Railroad Company, or any other corporation or corporations, for a terminus for railroads or any other purposes—report that they have had the same under consideration, and unanimously recommend the adoption of the resolution.

Also, that they have had under consideration Assembly Joint Resolution No 32—Relative to protecting inhabitants of Klamath, Humboldt, and Del Norte from Indian spoliations—report the same back and recommend its adoption.

MEEKER, Chairman.

Assembly Memorial and Joint Resolution No. 32, above reported, was taken up, the rules suspended, considered engrossed, read a third time and passed, and ordered transmitted to the Senate without formal engrossment.

By Mr. Mott of Sacramento:

Mr. SPEAKER: The Committee on Claims, to whom was referred Assembly Bill No 722—An Act for the relief of J. Johnson—report it back and recommend its passage.

MOTT, Chairman.

REPORTS OF SPECIAL COMMITTEES.

By Mr. Mott of Los Angeles:

Mr SPEAKER: The Los Angeles delegation, to whom was referred Assembly Bill No. 728—An Act entitled an Act to amend the city charter of Los Angeles—report the same back and recommend its passage.

MOTT, for Delegation.

The rules were suspended, and the bill above reported taken up, rules again suspended, bill considered engrossed, read a third time and passed, and ordered transmitted to the Senate forthwith.

By Mr. Franck:

Mr. SPEAKER: The Santa Clara delegation, to whom was referred Senate Bill No. 460—An Act concerning streams in the County of Santa Clara—beg leave to report that they have had the same under consideration, and herewith report it back and recommend its passage.

FRANCK, for Delegation.

The rules were suspended, and the bill above reported taken up, read a third time and passed.

By Mr. Henshaw:

Mr. Speaker: The Sonoma delegation, to whom was referred Senate Bill No. 335, have considered the same, and ask leave to report it back and recommend that it do pass.

HENSHAW, for Delegation.

The rules were suspended, and the bill above reported taken up, read a third time and passed.

By Mr. Whitney:

Mr. Speaker: The Sierra delegation, to whom was referred Senate Bill No. 396—An Act concerning roads and highways in the County of Sierra—have had the same under consideration, and herewith report the same back and recommend its passage.

WHITNEY, for Delegation.

The rules were suspended, the bill above reported taken up, read a third time and passed.

By Mr. Sensabaugh:

Mr. Speaker: The Stanislaus delegation, to whom was referred Senate Bill No 328—An Act to provide for the establishment of a public highway and ferry on the San Joaquin River, in the County of Stanislaus—respectfully report the same back and recommend its passage.

SENSABAUGH, for Delegation.

The rules were suspended, and the bill above reported taken up, read a third time and passed.

By Mr. Sargent of San Joaquin:

Mr. Speaker: The San Joaquin delegation, to whom was referred Assembly Bill No. 709—An Act to provide for the better protection of land in the County of San Joaquin from overflow—report back a substitute and recommend the adoption of the substitute.

SARGENT,
WOODWARD,
San Joaquin Delegation.

The bill above reported was taken up for consideration.

Mr. Pardee offered an amendment to the bill, which, having been adopted, on motion of Mr. Sargent of San Joaquin, the bill was indefinitely postponed.

SPECIAL COMMITTEE.

The Speaker announced the appointment of Messrs. Eagan, Galloway, and Ellis, as a special committee to investigate the cause of the mutila-

tion of an amendment attached to a substitute for Assembly Bills Nos. 213 and 284.

RECOMMENDED FOR PARDON.

Mr. Crane, from the Joint Committee on State Prison, presented a report of names of persons confined in the State Prison at San Quentin, and a resolution recommending such persons as proper subjects for executive clemency.

The report and resolution were ordered printed and placed on file.

By Mr. Stillwagon:

Mr. SPEAKER: The Napa delegation, to whom was referred Assembly Bill No. 727, respectfully return the same and recommend its passage.

STILLWAGON, for Delegation.

The rules were suspended, and the bill above reported was taken up, rules again suspended, bill considered engrossed, read a third time and passed.

By Mr. Wheaton:

Mr. SPEAKER: The San Francisco delegation herewith report substitute for Assembly Bill No 83—An Act to repeal an Act entitled an Act to make, open, and establish a public street in the City and County of San Francisco, to be called Montgomery street South, and to take private lands therefor, approved March seventeenth, eighteen hundred and seventy, and to provide for the payment of the expenses incurred under said Act—and recommend the House to concur in the Senate amendments to the bill.

WHEATON, for Delegation.

The rules were suspended, and the above reported bill was taken up, the reported substitute was adopted, rules again suspended, bill considered engrossed, read a third time and passed.

Also, by the same:

Mr. SPEAKER: The San Francisco delegation herewith report Assembly Bill No. 644—An Act to provide for the support of men belonging to the Paid Fire Department of the City and County of San Francisco who may be disabled while in the performance of their duties—and recommend its passage

Also, Assembly Bill No. 706—An Act to amend an Act entitled an Act to repeal an Act to declare and regulate the power of the Board of Supervisors of the City and County of San Francisco to take private lands for certain public improvements and to prescribe the manner of its execution, approved April fourth, eighteen hundred and sixty-four, approved March thirtieth, eighteen hundred and sixty-eight—and recommend its passage.

Also, Assembly Bill No. 733—An Act in relation to the office of

Treasurer of the City and County of San Francisco—and recommend its passage.

WHEATON, for Delegation.

By Mr. Whitney:

Mr SPEAKER. The Sierra delegation, to whom was referred Senate Bill No. 395—An Act concerning the Treasurer of Sierra County—have had the same under consideration, and herewith report the same back and recommend its passage.

WHITNEY, for Delegation.

The rules were suspended, and the bill above reported taken up, read a third time and passed.

By Mr. Cooper:

Mr. SPEAKER: Your committee to whom was referred Senate Bill No. 357, report the same back and recommend its passage.

COOPER, for Committee.

The rules were suspended, and the bill above reported taken up, read a third time and passed.

By Mr Gray:

Mr SPEAKER: Your Committee on Corporations, to whom was referred Assembly Bill No 189—An Act to provide greater security for depositors in savings banks—report the same back and recommend that it be indefinitely postponed.

Also, report Assembly Bill No 190—An Act to abolish attorneys fees and other charges in savings banks—and recommend that it be indefinitely postponed.

GRAY, Chairman.

MOTIONS AND RESOLUTIONS.

Mr. Freeman moved to take Senate Bill No. 385 from the file and refer it to Committee on Swamp and Overflowed Lands.

So ordered.

On motion of Mr. Cooper, Assembly Bill No. 739 was taken from the file and referred to the Santa Barbara delegation.

By Mr. Spivalo.

Resolved, That Assembly Bill No. 187 be made the special order for Tuesday, March twenty-sixth, at twelve o'clock M.

Adopted.

Also, by the same:

A resolution allowing extra pay for services of the Clerk of the San Francisco delegation.

Referred to Committee on Rules and Regulations.

On motion of Mr. Mott of Sacramento, Senate Bill No. 342—An Act

appropriating fifty-six thousand dollars, in United States legal tender notes, for the payment of the necessary incidental expenses of the State Capitol and Governor's Mansion—was taken from the file.

The bill was considered in Committee of the Whole House.

IN ASSEMBLY.

Reported and recommended.

Read a third time and passed.

Messrs Luttrell and Andrews were granted leave to be recorded as having voted "no" on the passage of the above bill.

MESSAGE FROM THE SENATE.

The following message was received from the Senate:

SENATE CHAMBER,
March 25th, 1872.

Mr. SPEAKER: I am directed to inform your honorable body that the Senate, on the twenty-second day of March, passed Senate Bill No. 379—An Act to authorize Margaret McDanel, administratrix of the estate of Thomas McDanel, deceased, to borrow money to pay the debts of the estate.

Also, on the same day, passed Senate Bill No. 464—An Act to authorize the Napa Ladies' Seminary to grant diplomas.

Also, on the same day, passed Senate Bill No. 393—An Act to authorize the Board of Supervisors of San Joaquin County to appropriate money for the use of the San Joaquin Valley Agricultural Society.

Also, on the same day, passed Senate Bill No 377—An Act to authorize the Trustees of the Town of Colusa to call an election of the qualified voters of said town to vote upon the continuance or dissolution of the municipal corporation of said town.

Also, on the same day, passed Assembly Bill No. 670—An Act to amend an Act entitled an Act to authorize the Board of Trustees of Woodland School District to borrow money for certain purposes.

Also, on the same day, passed Assembly Bill No 714—An Act concerning the times and places of holding the District and County Courts in and for the County of Siskiyou.

Also, on the twenty-second day of March, passed Senate Bill No 383—An Act to amend an Act entitled an Act to regulate and license places of public amusement

Also, on the same day, passed Assembly Bill No. 609—An Act in relation to School Trustees in Oakley School District, Sacramento County.

Also, on the same day, passed Assembly Bill No 591—An Act to adjust the accounts of Swamp Land District Number Eighteen.

Also, on the same day, passed Assembly Bill No. 631—An Act to authorize W. A. Findley to remove certain bodies to a public graveyard.

Also, on the same day, adopted Assembly Concurrent Resolution No. 30—Relative to requesting the Governor to return Assembly Bill No. 566 for correction

FERRAL, Secretary.

CONSIDERATION OF THE MESSAGE.

The House concurred in Senate amendment to Assembly Bill No. 591, above reported.

Senate Bill No. 383, above reported, read first and second times and referred to the Committee on Public Morals

Senate Bill No. 379, above reported, read first and second times and referred to the Judiciary Committee.

Senate Bill No. 464, above reported, read first and second times and referred to the Committee on Education

Senate Bill No. 393, above reported, read first and second times and referred to the San Joaquin delegation.

Senate Bill No. 397, above reported, read first and second times and referred to the Colusa delegation.

INTRODUCTION OF BILLS.

Bills were introduced as follows:

By Mr. Freeman—An Act to provide for the issue of bonds in Reclamation District Number One Hundred and Eight.

Read first and second times and referred to Committee on Swamp and Overflowed Lands.

Also—An Act to enable certain persons to bring suit for damages sustained by the diversion of the waters of the American River into the Sacramento River by the Levee Commissioners of Sacramento City.

Read first and second times and referred to Judiciary Committee.

Also—An Act to define the boundary line between the Counties of Yolo and Sacramento

Read first and second times and referred to the Committee on Counties and County Boundaries.

By Mr. Bockius (who asked and obtained leave to re-introduce Assembly Bill No. 243, previously withdrawn by him)—An Act to amend an Act entitled an Act to authorize the incorporation of canal companies and the construction of canals.

Read first and second times and placed on file.

By Mr. Burckhalter—An Act to authorize the Board of Supervisors of Kern County to purchase a certain toll road.

Read first and second times and placed on file.

By Mr. Reed—An Act concerning the payment of teachers' salaries in the public schools of the City and County of San Francisco.

Read first and second times and referred to the San Francisco delegation.

MESSAGES FROM THE GOVERNOR.

The following messages were received from the Governor:

STATE OF CALIFORNIA, EXECUTIVE DEPARTMENT,
Sacramento, March 25th, 1872.

To the Assembly of the State of California:

I have to inform your honorable body that I have approved Assembly Bill No. 647—An Act to amend an Act entitled an Act amendatory of

and supplementary to an Act entitled an Act to provide for the construction of canals and for draining and reclaiming certain swamp and overflowed lands in Tulare Valley, passed April first, eighteen hundred and fifty-seven, approved April tenth, eighteen hundred and sixty two.

Also, Assembly Bill No 629—An Act supplemental to an Act entitled an Act to incorporate the Town of Cloverdale, Sonoma County, approved February twenty-eighth, eighteen hundred and seventy two.

Also, Assembly Bill No. 566—An Act to provide for the redemption of the funded indebtedness of the City of Sacramento.

Also, Assembly Bill No. 16—An Act to provide and pay for services rendered for the City and County of San Francisco.

Also, Assembly Bill No. 398—An Act to amend an Act entitled an Act to amend an Act entitled an Act to fix the compensation of the District Attorney of the County of Contra Costa, approved February ninth, eighteen hundred and sixty, approved March thirty-first, eighteen hundred and sixty six

Also, Assembly Bill No. 513—An Act to authorize the Mayor of the City and County of San Francisco to convey certain lands to the San Francisco Lying-in Hospital and Foundling Asylum.

Also, Assembly Bill No. 544—An Act for the relief of J. N. Walker, former Tax Collector of Fresno County

Also, Assembly Bill No. 308—An Act to increase and regulate the police force of the City and County of San Francisco

Also, Assembly Bill No. 458—An Act to amend an Act entitled an Act concerning roads and highways in the County of Santa Clara, approved March thirty-first, eighteen hundred and sixty-six, and to repeal an Act entitled an Act to amend an Act entitled an Act concerning roads and highways in the County of Santa Clara, approved March thirty-first, eighteen hundred and sixty-six, approved March fourteenth, eighteen hundred and sixty-eight.

Also, Assembly Bill No. 570—An Act to restore the Great Register of the County of Sutter.

Also, Assembly Bill No. 683—An Act to amend an Act entitled an Act concerning street railroads, approved March twenty-ninth, eighteen hundred and seventy.

Also, Assembly Bill No. 191—An Act to provide for the protection of the City of Sacramento and Swamp Land District Number Two.

Also, substitute for Assembly Bill No. 220—An Act concerning roads and highways in Sonoma County.

Also, Assembly Bill No. 507—An Act amendatory of and supplementary to an Act entitled an Act concerning roads in the County of Marin, approved March thirtieth, eighteen hundred and sixty-eight.

Also, Assembly Bill No. 419—An Act amendatory of and supplementary to an Act entitled an Act to establish and define the powers and duties of the Board of Education of the City of Vallejo, approved March twenty fifth, eighteen hundred and seventy.

Also Assembly Bill No. 404—An Act to regulate fees of office and salaries of officers in San Bernardino County.

Also, substitute for Assembly Bill No. 216—An Act for the relief of Anna Virginia Wakeman.

Also, Assembly Bill No. 564—An Act to provide for the levying and collection of a special tax to be used in the construction of bridges in Tehama County.

Also, Assembly Bill No. 315—An Act defining the duties of the County Assessor of Santa Clara County.

Also, Assembly Bill No. 562—An Act to amend an Act concerning roads and highways in the County of Alameda, approved March twenty-fourth, eighteen hundred and sixty-two.

Also, Assembly Bill No. 324—An Act concerning actions for libel and slander.

Also, Assembly Bill No 545—An Act to amend an Act entitled an Act to encourage the destruction of squirrels and gophers in certain counties of this State and to provide for a bounty for the same, approved March sixteenth, eighteen hundred and seventy.

Also, Assembly Bill No. 459—An Act to transfer to the Board of Supervisors of the City and County of San Francisco the management, control, and direction of the affairs of the Industrial School Department of said city and county.

Also, Assembly Bill No. 592—An Act to incorporate the Town of Napa City.

Also, Assembly Bill No 574—An Act to authorize P. Henneberry to remove certain bodies to a public graveyard.

Also, Assembly Bill No. 575—An Act to authorize the Board of Supervisors of Humboldt County to provide revenue for certain purposes.

Also, Assembly Bill No. 522—An Act to empower the City of Stockton to excavate, widen, and open the Mormon Slough and provide funds therefor.

Also, Assembly Bill No 493—An Act in relation to interpreters before grand juries.

Also, Assembly Bill No. 460—An Act to enforce the collection of license taxes.

Also, Assembly Bill No. 480—An Act to amend an Act entitled an Act defining the legal distances from each county seat to the Capitol, Lunatic Asylum, and State Prison, approved April twenty-fourth, eighteen hundred and fifty-eight.

Also, Assembly Bill No. 282—An Act to allow certain persons therein named, and their associates and assigns, to take possession of and improve a certain road in the County of Sacramento

Also, Assembly Bill No. 336—An Act to repeal an Act entitled an Act to authorize the Controller of State to issue duplicate warrants, approved January twenty-sixth, eighteen hundred and seventy-two.

Also, Assembly Bill No 384—An Act to confirm Order Number One Thousand and Four, passed by the Board of Supervisors of the City and County of San Francisco.

Also, substitute for Assembly Bill No. 588—An Act to make an Act herein named applicable to the County of San Bernardino.

Also, Assembly Bill No. 554—An Act to prevent hogs from running at large in the Towns of Susanville, Lassen County, Sutter Creek, Township Number Two, Amador County, and Oroville, Butte County.

NEWTON BOOTH, Governor.

VETO MESSAGE.

The Governor also returned Assembly Bill No 633—To provide terminal depot grounds for the Terminal Pacific Railway Company—without his approval.

Mr. Gray moved to lay the consideration of the veto message and the bill on the table.

Whereupon the ayes and noes were demanded by Messrs Luttrell, Whiting, and Woodward, and it was so ordered by the following vote:

AYES—Messrs Bacon, Baird, Barker, Barnes, Bell, Bockius, Burckhalter, Caldwell, Connolly, Cooper, Crane, Dannals, Edgar, Ellis, French, Galloway, Gibson, Gray, Harvey, Henshaw, Hopper, Jost, Mott of Los Angeles, Mott of Sacramento, Munday, McCullough, Pardee, Rector, Reed, Rice, Schrack, Seibe, Sensabaugh, Slaughter, Spencer, Spivalo, Stillwagon, Timm, Walker, Wheaton, Wilcox, and Mr. Speaker—42.

NOES—Messrs. Andrews, Bayley, Berry, Center, Coleman, Days, De Haven, Franck, Goodall, Hayes, Lee, Little, Lofton, Long, Luttrell, Mathers, Meeker, Russ, Sammons, Sargent of San Joaquin, Ward, Whiting, Whitney, and Woodward—24.

GENERAL FILE RESUMED.

Assembly Bill No. 615—An Act to open and establish a public street in the City and County of San Francisco, to be called Montgomery Avenue, and to take private lands therefor.

Taken from file, reported amendments adopted, rules suspended, bill considered engrossed, read a third time and passed

Mr. Jost had leave to be recorded as having voted against the passage of the bill.

REPORTS.

By leave, the following reports were made:

By Mr. Wheaton:

Mr SPEAKER: The San Francisco delegation herewith report Assembly Bill No. 416—An Act to authorize the Board of Education of the City and County of San Francisco to allow the Auditor of said city and county to audit, and the Treasurer of said city and county to pay, certain mechanics for labor performed and material furnished for the erection of certain school houses in said city and county—with amendments, and recommend the passage of the bill as amended.

Also, Assembly Bill No. 686—An Act concerning the office of Sheriff of the City and County of San Francisco—with amendments, and recommend the passage of the bill as amended.

Also, Assembly Bill No. 572—An Act to provide revenue for the School Department of the City and County of San Francisco, and for other purposes—with amendments, and recommend the passage of the bill as amended.

WHEATON, for Delegation.

The rules were suspended, and Assembly Bill No. 572, above reported, was taken up, the substitute reported was adopted, rules suspended, bill considered engrossed, read a third time and passed.

By Mr. Pardee:

A Report from the Committee on Public Buildings and Grounds of certain amounts due members of that committee for mileage.

Referred to the Committee on Mileage.

GENERAL FILE RESUMED.

Senate Bill No 242—An Act to create the office and define the duties of the State Board of Forest Commissioners, and to encourage the culture of forest and timber trees.

Mr. Goodall moved to place the bill and substitute reported at head of file for Thursday next.

The ayes and noes were demanded by Messrs. Andrews, Ward, and Pardee, and it was so ordered by the following vote:

AYES—Messrs. Bacon, Baird, Barker, Bell, Caldwell, Coleman, Crane, Days, Edgar, Freeman, Galloway, Gibson, Goodall, Gray, Harvey, Hayes, Henshaw, Jost, Lee, Long, Meeker, McCullough, Pardee, Rector, Rice, Russ, Sammons, Sensabaugh, Slaughter, Tinnin, Walker, Whitney, and Woodward—32

NOES—Messrs. Andrews, Barnes, Bayley, Berry, Bockius, Center, Connolly, Eagan, Franck, Hopper, Little, Luttrell, Mott of Sacramento, Munday, Reed, Sargent of San Joaquin, Schrack, Seibe, Spencer, Splivalo, Ward, Wheaton, Whiting, and Wilcox—24.

Assembly Bill No. 431—Proposed amendment to the Constitution.

Passed on file.

LEAVE OF ABSENCE.

Mr. Pardee was allowed indefinite leave of absence, on account of sickness in his family.

Messrs Turner, Aldrich, and Brown were allowed one day's leave of absence each.

Senate Bill No. 189 being under consideration, the hour for the usual daily recess arrived.

REASSEMBLED.

The House reassembled at forty-five minutes past one o'clock.

Speaker in the chair.

Roll called.

Quorum present.

GENERAL FILE RESUMED.

Senate Bill No 189—An Act to provide for a State Reformatory at San Quentin.

The substitute reported was adopted, rules suspended, bill considered engrossed, read a third time and passed, and ordered transmitted to the Senate forthwith

Mr. Reed had leave to be recorded as having voted "No."

RESOLUTION.

The rules were suspended, and a joint resolution introduced by Mr. Wilcox—Authorizing the Controller of State to deliver certain original vouchers and papers to Commissioners appointed to settle certain claims on the Government, and due this State, arising out of the war for the suppression of rebellion.

Read first and second times, rules suspended, bill considered engrossed, read a third time and passed, and ordered to the Senate.

SPECIAL ORDER.

The House then took up the special order for the day:

Substitute for Assembly Bill No 263—An Act to authorize the Board of Supervisors of the City and County of San Francisco to supply said city with fresh water for its use and the use of the inhabitants thereof.

The rules were suspended, and the bill considered engrossed, and read a third time.

On its passage, the ayes and noes were demanded by Messrs. Goodall, Aldrich, and Jost, with the following result:

AYES—Messrs. Bacon, Barker, Barnes, Bell, Bradley, Burckhalter, Caldwell, Center, Chalmers, Coleman, Connolly, Cooper, Dannals, De Haven, Eagan, Edgar, Freeman, French, Harvey, Hopper, James, Lee, Little, Lofton, Long, Luttrell, Meeker, Mott of Los Angeles, Mott of Sacramento, Munday, McCullough, Rector, Reed, Rice, Sensabaugh, Slaughter, Splivalo, Stillwagon, Turner, Ward, Welty, Wheaton, Whiting, Whitney, and Wilcox—45.

NOES—Messrs. Aldrich, Andrews, Baird, Barklage, Bayley, Berry, Bockius, Days, Ellis, Everett, Franck, Galloway, Gibson, Goodall, Gray, Henshaw, Johnston, Jost, Mathers, Schrack, Seibe, Spencer, Tinnin, Walker, and Mr. Speaker—25.

GENERAL FILE RESUMED.

Assembly Bill No 585—An Act to create the County of Donner, to define its boundaries, and provide for its organization and maintenance.

Mr. Whitney moved the indefinite postponement of the bill.

Whereupon the ayes and noes were demanded by Messrs. Bell, Whitney, and Barnes, and the House agreed to so dispose of the bill, by the following vote:

AYES—Messrs. Andrews, Baird, Barklage, Barnes, Bayley, Berry, Bradley, Bockius, Center, Coleman, Crane, Dannals, Edgar, Franck, Freeman, French, Goodall, Gray, Harvey, Henshaw, James, Johnston, Lee, Little, Lofton, Long, Mathers, Meeker, Mott of Los Angeles, Munday, Reed, Rice, Russ, Sammons, Sargent of San Joaquin, Schrack, Seibe, Spencer, Splivalo, Tinnin, Turner, Walker, Ward, Welty, Whitney, Woodward, and Mr Speaker—47.

NOES—Messrs. Bacon, Barker, Bell, Caldwell, Chalmers, Connolly, Cooper, Days, De Haven, Ellis, Everett, Galloway, Luttrell, Slaughter, Stillwagon, Whiting, and Wilcox—17.

Assembly Bill No. 556—An Act to better define the boundary line between Fresno and Mariposa Counties.

Mr. Wilcox moved to re-refer the bill to the Committee on Counties and County Boundaries.

The ayes and noes were demanded by Messrs. Wilcox, Splivalo, and McCullough, and the House refused to re-refer by the following vote:

AYES—Messrs. Caldwell, Crane, Goodall, Hopper, James, Johnston,

Jost, McCullough, Seibe, Splivalo, Tinnin, Turner, Welty, Wilcox, Woodward, and Mr. Speaker—16.

NOES—Messrs. Aldrich, Bacon, Baird, Barklage, Barnes, Bayley, Bell, Berry, Center, Chalmers, Dannals, Days, Everett, Franck, Freeman, Galloway, Harvey, Hayes, Henshaw, Little, Lofton, Long, Luttrell, Meeker, Mott of Los Angeles, Rector, Rice, Russ, Sammons, Schrack, Sensabaugh, Spencer, Walker, Ward, Whiting, and Whitney—36.

The substitute reported from the Committee on Counties and County Boundaries was adopted and amended.

Mr. Wilcox moved that the substitute be indefinitely postponed.

Messrs. Wilcox, Sensabaugh, and Whiting, demanded the ayes and noes, and the House refused by the following vote:

AYES—Messrs Baird, Caldwell, Cooper, Crane, Goodall, Gray, Henshaw, Hopper, James, Johnston, Jost, Long, Meeker, Mott of Sacramento, Munday, McCullough, Russ, Splivalo, Turner, Welty, Wilcox, Woodward, and Mr. Speaker—23.

NOES—Messrs. Andrews, Bacon, Barker, Barklage, Barnes, Bayley, Center, Chalmers, Coleman, Days, Everett, Franck, Galloway, Gibson, Harvey, Hayes, Little, Luttrell, Rector, Reed, Rice, Sammons, Schrack, Seibe, Sensabaugh, Slaughter, Spencer, Stillwagon, Walker, Ward, Whiting, and Whitney—32.

On ordering the bill engrossed, the ayes and noes were demanded by Messrs. Walker, Hayes, and Wilcox, with the following result:

AYES—Messrs. Aldrich, Andrews, Bacon, Baird, Barker, Barklage, Barnes, Bayley, Chalmers, Coleman, Days, Edgar, Everett, Franck, Galloway, Harvey, Hayes, Lee, Little, Luttrell, Mott of Los Angeles, Rice, Sammons, Schrack, Sensabaugh, Slaughter, Spencer, Walker, Ward, Whiting, and Whitney—31.

NOES—Messrs. Caldwell, Center, Crane, Goodall, Gray, Henshaw, Hopper, James, Jost, Long, Meeker, Mott of Sacramento, Munday, McCullough, Russ, Sargent of San Joaquin, Seibe, Splivalo, Stillwagon, Turner, Welty, Wilcox, Woodward, and Mr. Speaker—24.

Assembly Bill No 674—An Act to authorize the County Clerk of the City and County of San Francisco to appoint a Chief Clerk.

Reported amendments adopted, rules suspended, bill considered engrossed, read a third time and passed, and title amended.

REPORTS.

Mr. Gibson made the following report:

MR. SPEAKER: Your Committee on Enrollment beg leave to report that they have examined and found correctly enrolled Assembly Bill No. 311—An Act to establish a State Printing Office, and to create the office of Superintendent of State Printing

Also, Assembly Bill No 333—An Act in relation to the Board of Education of the City and County of San Francisco.

Also, Assembly Bill No. 306—An Act to extend the time in which Swamp Land District Number Seventy shall complete their work of reclamation.

Also, Assembly Bill No. 561—An Act to authorize the Board of Supervisors of the County of Alameda to audit certain claims against the Road Fund of Washington Township in said county.

And that the same have, this twenty-fifth day of March, eighteen hundred and seventy-two, at three o'clock P. M., been transmitted to the Governor for his approval.

GIBSON, Chairman.

Mr. Crane had leave to make the following report:

Mr. SPEAKER: The State Prison Committee, to whom was referred Assembly Bill No. 729, beg leave to return the same and recommend its passage.

CRANE, Chairman.

The rules were suspended, and the bill above reported taken up and ordered placed first on file for to-morrow.

GENERAL FILE RESUMED.

Assembly Bill No. 707—An Act to amend section eight hundred and fifty-nine of the Code of Civil Procedure.

Rules suspended, bill considered engrossed, read a third time and passed.

Assembly Bill No. 708—An Act to amend an Act entitled an Act to regulate proceedings in civil cases in the Courts of justice of this State, approved April twenty-ninth, eighteen hundred and fifty-one.

Rules suspended, bill considered engrossed, read a third time and passed.

MISCELLANEOUS.

Mr. Berry, by leave, presented a petition from certain citizens in Sutter County relative to the removal of the county seat.

The petition and Assembly Bill No. 721 were referred to the Committee on Counties and County Boundaries, with instructions to report the same back on the twenty-seventh instant.

Mr. Barnes gave notice of a motion to reconsider the vote whereby the House this day passed Assembly Bill No. 703.

Mr. McCullough had leave to introduce a bill—An Act to amend an Act entitled an Act to provide for the erection of a City Hall in the City and County of San Francisco, approved April fourth, eighteen hundred and seventy.

Read first and second times and referred to the San Francisco delegation.

Mr. Goodall had leave to withdraw from the file Assembly Bill No. 645.

GENERAL FILE RESUMED.

The House refused to pass Senate Bill No. 252—An Act to amend an Act entitled an Act to provide for the construction and maintenance of toll roads within the State of California, approved April fourth, eighteen hundred and seventy.

Also, Senate Bill No. 338—An Act to amend an Act to provide for the management and sale of the lands belonging to the State.

Read a third time and passed.

Also, Senate Bill No. 436—An Act to amend an Act entitled an Act to authorize the issuance of bonds by the County of San Luis Obispo, to erect county buildings, and to provide a site for the same, approved April fourth, eighteen hundred and seventy.

Read a third time and passed.

Senate Bill No. 458—An Act to provide for the introduction of good and pure water into the Town of San Luis Obispo

Read a third time and passed.

Assembly Bill No. 549—An Act authorizing certain parties to take the surplus waters out of the Stanislaus River, at Six mile Bar, in the County of Calaveras, for agricultural, irrigating, and manufacturing purposes.

Substitute reported adopted, and bill returned to file.

Assembly Bill No. 561.

Ordered to the head of the file for to-morrow.

Assembly Bill No. 649—An Act supplementary to an Act entitled an Act to regulate the settlement of the estates of deceased persons, passed May first, eighteen hundred and fifty-one

Reported amendments adopted, rules suspended, bill considered engrossed, read a third time and passed.

Assembly Bill No. 658—An Act to amend an Act entitled an Act to provide for the management and sale of the lands belonging to the State, approved March twentieth, eighteen hundred and sixty-eight.

Rules suspended, bill considered engrossed, read a third time and passed.

MESSAGE FROM THE SENATE.

The following message was received from the Senate:

SENATE CHAMBER,
March 25th, 1872.

Mr. SPEAKER: I am directed to inform your honorable body that the Senate, on the twenty-third day of March, passed Senate Bill No. 474—An Act providing for the refunding of the bonded indebtedness of the County of Santa Clara.

Also, passed Senate Bill No. 476—An Act to authorize and empower the Board of Trustees of Suisun City to grade and improve the streets of said town.

Also, passed Senate Bill No. 473—An Act to provide for the opening and improvement of Santa Clara and Alviso Avenue.

Also, passed Senate Bill No. 423—An Act to authorize the Board of Supervisors of Yolo County to approve and certify claims against Swamp Land District Number Eighteen.

Also, passed Senate Bill No. 468—An Act supplementary to an Act entitled an Act to provide for the erection of a Court House and Jail in the County of Stanislaus.

Also, passed Senate Bill No. 444—An Act to protect growing crops and grain in the County of Inyo.

Also, passed Senate Bill No. 469—An Act in relation to the Superintendent of the State Insane Asylum.

Also, passed Senate Bill No. 471—An Act amendatory of and supplementary to an Act concerning roads in the County of Butte.

Also, passed Assembly Bill No. 682—An Act to provide funds for the City of Oakland.

Also, passed Assembly Bill No. 665—An Act to define the fire limits of Mokelumne Hill, and to provide for the support of the Fire Department.

Also, passed Assembly Bill No 537—An Act to reincorporate the Town of Vallejo.

Also, amended and passed Assembly Bill No. 624—An Act to amend an Act entitled an Act to regulate the fees and salaries of officers and defining their duties, in the County of El Dorado.

Also, amended and passed Assembly Bill No. 642—An Act to authorize road districts in San Joaquin County to levy a special tax.

Also, passed Assembly Bill No. 247—An Act concerning public wharves.

Also, passed Assembly Bill No. 705—An Act to amend an Act entitled an Act to incorporate the City of Marysville.

Also, passed Assembly Bill No. 664—An Act to amend an Act entitled an Act to amend an Act entitled an Act to create and organize a Fire Department for the Town of Mokelumne Hill.

FERRAL, Secretary.

CONSIDERATION OF THE MESSAGE.

Senate Bill No. 474, above reported, read first and second times and placed on file.

Senate Bill No. 476, above reported, read first and second times and referred to the Solano delegation.

Senate Bill No. 473, above reported, read first and second times and referred to the Santa Clara delegation.

Senate Bill No. 423, above reported, read first and second times and referred to the Yolo delegation.

Senate Bill No. 468, above reported, read first and second times and referred to the Stanislaus delegation.

Senate Bill No. 444, above reported, read first and second times and ordered to head of file for to-morrow.

Senate Bill No 469, above reported, read first and second times and referred to the Committee on Hospitals.

Senate Bill No. 471, above reported, read first and second times and referred to the Butte delegation.

The House concurred in Senate amendments to Assembly Bills Nos. 642, 624, and 247, above reported.

GENERAL FILE RESUMED.

Assembly Concurrent Resolution No. 29—Relative to the disposition of the public lands by Congress.

The rules were suspended, and the resolution considered engrossed, and Mr. Gray moved that it be indefinitely postponed.

The ayes and noes were demanded by Messrs. Days, Whiting, and Splivalo, with the following result:

AYES—Messrs. Aldrich, Andrews, Berry, Bockius, Burckhalter, Caldwell, Coleman, Dannals, Everett, Galloway, Gibson, Goodall, Gray, Harvey, Henshaw, James, Jost, Lee, Lofton, Mathers, Meeker, Mott of Los

Angeles, Munday, McCullough, Reed, Rice, Russ, Sargent of San Joaquin, Seibe, Splivalo, Stillwagon, Tinnin, Wilcox, and Woodward—34.

NOES—Messrs. Baird, Barker, Barklage, Bayley, Bradley, Center, Chalmers, Crane, Days, De Haven, Edgar, Ellis, Franck, French, Hayes, Hopper, Johnston, Little, Long, Luttrell, Mott of Sacramento, Sammons, Slaughter, Spencer, Turner, Welty, Wheaton, Whiting, Whitney, and Mr. Speaker—30.

Assembly Bill No. 720—An Act to repeal an Act to accept from the United States Government the grant of the Yosemite Valley and Big Tree Grove.

On motion of Mr. Shannon, the bill was laid on the table.

INTRODUCTION OF BILL.

Mr. Sargent of San Joaquin had leave to introduce the following bill: An Act to provide for the better protection of certain lands in San Joaquin County from overflow.

Read first and second times and referred to a committee composed of the San Joaquin and Alameda delegations.

RESOLUTION.

Mr. Jost offered the following resolution, which was lost:

Resolved, That the motion by which the substitute for Senate Bill No. 242 was made the special order for Thursday next be reconsidered, and the bill be placed on the top of the file for to-morrow.

SUPPLEMENTAL MESSAGE.

Another message was received from the Governor, giving additional reasons for having returned Assembly Bill No. 633 without his approval.

The message was read and ordered to the table, with the bill and veto message thereupon.

GENERAL FILE RESUMED.

Senate Bill No. 322—An Act to amend an Act entitled an Act to create and organize the University of California.

Read third time and passed.

It was ordered that all Assembly bills passed this day under suspension of the rules, and not amended nor held by a motion to reconsider, should be transmitted to the Senate without the formal engrossment thereof.

On motion of Mr. Shannon, at five o'clock and twenty-five minutes P. M., the House adjourned.

T. B. SHANNON,
Speaker.

M. D. BORUCK, Chief Clerk.

IN ASSEMBLY.

HOUSE OF ASSEMBLY,
Tuesday, March 26th, 1872.

House met pursuant to adjournment.
Speaker in the chair.
Roll called.
Quorum present.
Prayer by the Rev Dr. I. E. Dwinell.
Journal of yesterday read and approved.

REPORTS OF STANDING COMMITTEES.

Reports from standing committees were made as follows:

By Mr. Mott of Sacramento:

MR. SPEAKER: The Committee on Claims, to whom was referred Assembly Bill No. 527—An Act for the relief of Thomas N. Long—report it back and recommend its passage.

MOTT, Chairman.

By Mr. Barnes:

MR. SPEAKER: The Committee on Engrossment beg leave to report that they have examined and find correctly engrossed Assembly Bill No. 251—An Act for the protection of game and fish.

Also, Assembly Bill No. 386—An Act to provide for the payment of outstanding Controller's warrants drawn against the Swamp Land Fund of District Number Seventeen, San Joaquin County.

Also, Assembly Bill No. 604—An Act to repeal section three hundred of the Penal Code, approved February fourteenth, eighteen hundred and seventy-two, and to repeal an Act entitled an Act for the observance of the Sabbath, approved May twentieth, eighteen hundred and sixty-one.

Also, Assembly Bill No. 641—An Act to take preliminary steps for calling a Convention to amend, remodel, or propose a new Constitution for the State of California.

BARNES, Chairman.

By Mr. Harvey:

MR. SPEAKER: The Committee on Swamp and Overflowed Lands, to whom was referred Assembly Bill No. 740—An Act to provide for the issue of bonds in Reclamation District Number One Hundred and Eight—have had the same under consideration, and report the same back with amendments, and recommend its passage as amended.

Also, report back Senate Bill No. 385—An Act in regard to Swamp Land District Number Eighteen—and recommend its passage.

HARVEY, Chairman.

The rules were suspended and the bill above reported taken up, rules again suspended, and bill read a third time and passed.

By Mr. De Haven:

Mr. SPEAKER: The Committee on Mileage, to whom was referred the matter of mileage for the members of the Committee on Public Buildings and Grounds for the visit to the State Reform School at Marysville, report the following allowance:

To whom due.	Miles.	Amount.
Baird	114	$22 80
Caldwell	114	22 80

And recommend the passage of the following resolution:

Resolved, That the Controller of State is hereby authorized to draw his warrants upon the Contingent Fund of the Assembly for the above amounts, and that the State Treasurer be required to pay the same.

DE HAVEN, Chairman.

Adopted.

By Mr. Franck:

Mr. SPEAKER: Your Committee on Public Morals, to whom was referred Senate Bill No. 383—An Act to amend an Act entitled an Act to regulate and license places of public amusements, approved April thirteenth, eighteen hundred and sixty-three—having had the same under consideration, report it back and recommend its passage.

FRANCK, Chairman.

The rules were suspended and the bill above reported taken up, read a third time and passed.

By Mr. Gray:

Mr. SPEAKER. Your Committee on Corporations, to whom was referred Senate Bill No. 451—An Act to amend an Act entitled an Act for the incorporation of water companies—report the same back with amendment, and recommend its passage as amended.

GRAY, Chairman.

The rules were suspended, and the bill above reported was taken up, the amendment recommended adopted, and the bill read a third time and passed.

By Mr. Gibson:

Mr. SPEAKER: Your Committee on Enrollment beg leave to report that hey have examined and find correctly enrolled Assembly Bill No. 697—An Act concerning the military of the State of California.

Also, Assembly Bill No. 83—An Act entitled an Act to make, open, and establish a public street in the City and County of San Francisco, to be called Montgomery street South, and to take private lands therefor, approved March seventeenth, eighteen hundred and seventy, and to provide for the payment of the expenses incurred under said Act.

Also, Assembly Bill No. 631—An Act to authorize William A. Findley, of Yuba County, State of California, to remove certain bodies to a public graveyard.

Also, Assembly Bill No. 609—An Act in relation to the Board of School Trustees of Oakland School District, in Sacramento County.

Also, Assembly Bill No 714—An Act concerning the time and place of holding the District and County Courts in and for the County of Siskiyou.

Also, Assembly Bill No. 670—An Act to amend an Act entitled an Act to authorize the Board of Trustees of Woodland School District, in the County of Yolo, to borrow money for certain purposes, and provide for the payment of the same.

Also, Assembly Bill No 519—An Act to adjust the accounts of Swamp Land District Number Eighteen, in the Counties of Yolo and Solano.

And that the same have, this twenty-sixth day of March, eighteen hundred and seventy-two, at thirty minutes past ten o'clock, been transmitted to the Governor for his approval.

GIBSON, Chairman.

By Mr. Spencer:

Mr Speaker: The Judiciary Committee report back Senate Bill No. 275—An Act to add an additional section to the Penal Code—and recommend its passage.

SPENCER, Chairman.

The rules were suspended, and the bill above reported taken up, read a third time and passed.

REPORTS OF SPECIAL COMMITTEES.

Reports of special committees were made as follows:

By Mr. Spencer:

Mr. Speaker: The Santa Clara delegation, to whom was referred Assembly Bill No. 724—An Act to provide for the opening, widening, and extending of streets in the City of San Jose—report the same back and recommend its passage.

SPENCER, for Delegation.

The rules were suspended, and the bill above reported taken up, rules again suspended, bill considered engrossed, read a third time and passed.

By Mr. Freeman:

Mr. Speaker: The Yolo delegation, to whom was referred Senate Bill No. 423, report the same back and recommend its passage.

FREEMAN, for Delegation.

The rules were suspended and the bill above reported taken up, read a third time and passed.

By Mr. Ward:

Mr. Speaker: The Tehama and Colusa delegation, to whom was referred Senate Bill No. 377—An Act to authorize the Trustees of the Town of Colusa to call an election of the qualified voters of said town to vote upon the continuance or dissolution of the municipal corporation of said town—have had the same under consideration, beg leave to report it back and recommend its passage.

WARD, for Delegation.

The rules were suspended and the bill above reported taken up, read a third time and passed.

By Mr. Woodward:

Mr. Speaker: The San Joaquin delegation, to whom was referred Assembly Bill No. 746—An Act for the better protection of certain lands in San Joaquin County from overflow—report the same back and recommend its passage.

SARGENT,
WOODWARD,
San Joaquin Delegation.

The rules were suspended and the bill above reported taken up, rules again suspended, bill considered engrossed, read a third time and passed.

By Mr. Wright:

Mr. Speaker: The Solano delegation, to whom was referred Senate Bill No 476—An Act to authorize and empower the Board of Trustees of the Town of Suisun City to grade and improve the streets and alleys of said town—report the same back and recommend its passage.

WRIGHT, for Delegation.

The rules were suspended, the bill above reported taken up, read a third time and passed.

By Mr. De Haven:

Mr Speaker: The Butte delegation, to whom was referred Senate Bill No. 471—An Act amendatory of and supplementary to an Act concerning roads in the County of Butte, approved March twelfth, eighteen hundred and seventy-two—have considered the same, and report the same back recommending its passage.

De HAVEN,
TURNER.

The rules were suspended, and the bill above reported taken up, read a third time and passed.

By Mr. Sensabaugh:

Mr. SPEAKER: The Stanislaus delegation, to whom was referred Senate Bill No. 468—An Act supplementary to an Act entitled an Act to provide for the erection of a Court House and Jail in the County of Stanislaus, approved February first, eighteen hundred and seventy-two—beg leave to report the same back and recommend its passage.

SENSABAUGH, for Delegation.

The rules were suspended, and the bill above reported considered, read a third time and passed.

MOTIONS AND RESOLUTIONS.

Mr. Barnes, according to notice, moved to reconsider the vote whereby the House, on yesterday, passed Assembly Bill No. 703—Relative to supplying the City of San Francisco with water.

Mr. Welty moved to lay the motion on the table.

And it was so ordered

By Mr. Chalmers:

Resolved, That the Sergeant at Arms be directed to draw his warrant on the Contingent Fund of the Assembly in favor of C. C. Reed, for seven days services as Assistant Engrossing Clerk, from the sixteenth day of January to the twenty-third day of January, eighteen hundred and seventy-two.

Referred to Committee on Rules and Regulations.

By Mr. Ward:

Resolved, That the usual number of copies of the report of the special committee on land matters be printed.

Adopted.

By Mr. Turner:

A resolution allowing the use of the Assembly Chamber to C. E. Pickett for a lecture.

Lost.

By Mr. Hopper (by request):

Resolved by the Assembly, That the two porters, Richard Hall and Isador Simons, of the Assembly for the nineteenth session, be allowed one dollar per day in addition to the compensation allowed by law from the date of their appointment, and the Controller is hereby authorized to draw his warrants therefor, and the Treasurer pay the same, out of the appropriation for contingent expenses of the Assembly.

Referred to Committee on Rules and Regulations.

Mr. Gray moved a reconsideration of the vote whereby Senate Bill No. 451 passed this morning.

The vote was reconsidered, and the bill referred to Messrs. Gray, Andrews, Berry, Luttrell, and De Haven.

MESSAGE FROM THE SENATE.

The following message was received from the Senate:

SENATE CHAMBER,
March 26th, 1872

Mr. SPEAKER: I am directed to inform your honorable body that the Senate, on the twenty-sixth day of March, eighteen hundred and seventy-two, passed Senate Bill No. 486—An Act to amend an Act entitled an Act to regulate proceedings in criminal cases, passed May first, eighteen hundred and fifty-one, and ordered the same to be transmitted without engrossment

Also, amended and passed Assembly Joint Resolution No. 16—Relative to occupation of Hoopa Valley.

Also, passed Assembly Bill No. 728—An Act to amend an Act entitled an Act to amend the city charter of Los Angeles.

Also, passed Senate Bill No. 157—An Act to regulate the erection of public buildings and structures.

Also, Senate Bill No. 390—An Act in relation to the State Printer.

Also, I am directed to return to your honorable body substitute for Assembly Bills Nos. 213 and 284, the Senate having replaced the amendments to said bills, as requested by your honorable body

FERRAL, Secretary.

CONSIDERATION OF SENATE MESSAGE.

The House concurred in Senate amendments to substitute for Assembly Bills Nos. 213 and 284, above reported.

Substitute for Senate Bill No. 157, above reported, read first and second times and referred to the Committee on Public Buildings and Grounds

Senate Bill No. 390, above reported, read first and second times and referred to the Committee on Printing.

INTRODUCTION OF BILLS.

Bills were introduced as follows:

By Mr. Crane—An Act to amend an Act entitled an Act to amend an Act concerning roads and highways in the County of Alameda, approved March twenty-fourth, eighteen hundred and sixty-two, approved March twenty-third, eighteen hundred and seventy-two.

Read first and second times and referred to the Alameda delegation.

By Mr. Meeker (by request)—An Act to incorporate the Pacific College of Homœopathic Medicine.

Read first and second times and referred to the San Francisco delegation.

By Mr. Stillwagon—An Act granting the right of way in the Counties of Lake and Mendocino for the construction of a wagon road.

Read first and second times and referred to the delegation from the counties named therein.

By Mr. Reed—An Act to provide for the disposal of certain suits now

pending in the District Courts of the City and County of San Francisco, and to relieve certain owners of encumbered real estate of double taxation, which the Act passed April fourth, eighteen hundred and seventy did not relieve.

Read first and second times and referred to the San Francisco delegation.

MESSAGE FROM THE SENATE.

The following message was received from the Senate:

SENATE CHAMBER,
March 26th, 1872.

Mr. SPEAKER. I am directed to inform your honorable body that the Senate, on this day, adopted Senate Concurrent Resolution No. 50—Relative to correcting clerical errors in Senate Bill No. 454—An Act to reincorporate the City of Stockton—and respectfully ask the concurrence of the Assembly.

EVANS,
Senator from San Joaquin.

CONSIDERATION OF THE MESSAGE.

The House concurred in the resolution above reported.

SPECIAL ORDER

On motion of Mr. Splivalo, the consideration of the special order for the day—Assembly Bill No. 187—was continued from twelve o'clock M. to three o'clock P. M.

GENERAL FILE.

Senate Bill No. 444—An Act to protect growing crops and grain in the County of Inyo.

Read a third time and passed

Assembly Bill No. 651—An Act for the education of the children in the State of California.

The bill was amended.

Mr Wilcox called for the previous question and it was ordered.

On suspending the rules to consider the bill engrossed, the ayes and noes were demanded by Messrs. Berry, Rector, and Andrews, with the following result:

AYES—Messrs. Aldrich, Bacon, Baird, Barker, Barklage, Barnes, Bell, Bradley, Bockius, Brown, Center, Chalmers, Coleman, Cooper, Crane, Dannals, Days, De Haven, Eagan, Edgar, Everett, Franck, French, Galloway, Gibson, Goodall, Harvey, Hayes, Hopper, James, Johnston, Jost, Lee, Long, Luttrell, Mott of Sacramento, McCullough, Rector, Reed, Rice, Russ, Sargent of Santa Clara, Sargent of San Joaquin, Seibe, Splivalo, Stillwagon, Turner, Welty, Wheaton, Whitney, Wilcox, Woodward, Wright, and Mr. Speaker—54.

NOES—Messrs. Andrews, Bayley, Berry, Burckhalter, Caldwell, Connolly, Henshaw, Little, Mott of Los Angeles, Munday, Schrack, Sensabaugh, Tinnin, Walker, and Whiting—15.

The bill was considered engrossed, read a third time, and on its passage the ayes and noes were demanded by Messrs. Berry, Wilcox, and Little, and it passed by the following vote:

AYES—Messrs. Aldrich, Bacon, Baird. Barker, Barklage, Barnes, Bell, Bradley, Bockius, Brown, Center, Chalmers, Coleman, Cooper. Crane, Dannals, Days, De Haven, Eagan, Edgar, Everett, Franck, French, Galloway, Gibson, Goodall, Harvey, Hayes, Hopper, James, Johnston, Jost, Lee, Long, Luttrell, Mott of Sacramento, McCullough, Rector, Reed, Rice, Russ, Sargent of Santa Clara, Sargent of San Joaquin, Seibe, Splivalo, Stillwagon, Turner, Welty, Wheaton, Whitney, Wilcox, Woodward, Wright, and Mr. Speaker—54.

NOES—Messrs Andrews, Bayley, Berry, Burckhalter, Caldwell, Connolly, Henshaw, Little, Mott of Los Angeles, Munday, Schrack, Tinnin, Walker, Ward, and Whiting—15.

At one o'clock P. M. the House took the usual recess.

REASSEMBLED.

House reassembled at one o'clock and forty-five minutes P. M.
Speaker in the chair.
Roll called.
Quorum present.

MESSAGE FROM THE SENATE.

The following message was received from the Senate:

SENATE CHAMBER,
March 26th, 1872.

MR SPEAKER: I am directed to inform your honorable body that the Senate, on this twenty-sixth day of March, amended and passed Assembly Bill No. 678—An Act to better define the duties and fix the compensation of certain officers of Solano County.

Also, amended and passed Senate Bill No. 394—An Act amendatory of an Act entitled an Act in relation to the County officers of Sierra County—and ordered the same transmitted to the Assembly without engrossment

Also, passed Assembly Bill No 726—An Act to legalize applications heretofore made for the purchase of lands belonging to the State, and to confirm the title of the purchasers under such applications.

Also, passed Senate Bill No. 398—An Act to provide for the payment of legal services rendered the State by Samuel Cross.

Also, passed Assembly Joint Resolution No. 33—Authorizing the State Controller to deliver certain vouchers, etc.

FERRAL, Secretary.

CONSIDERATION OF THE MESSAGE.

The House concurred in Senate amendments to Assembly Bill No. 678, above reported.

Senate Bill No. 394, above reported, read first and second times, and, by a unanimous suspension of the rules, read a third time and passed.

Senate Bill No 398, above reported, read first and second times and referred to the Judiciary Committee.

INTRODUCTION OF BILLS.

Bills were introduced as follows:

By Mr Galloway—An Act to abate the squirrel nuisance and to encourage the destruction of other injurious animals in Contra Costa County.

Read first and second times and referred to Contra Costa delegation.

By Mr. Spivalo—An Act to provide for the payment of money expended by the Hibernia Greens, a military company organized under the laws of the State of California.

Read first and second times and referred to the Committee on Claims.

By Mr. French—An Act to amend an Act approved March twenty-ninth, eighteen hundred and seventy, entitled an Act to amend an Act entitled an Act to authorize the formation of corporations to provide the members thereof with homesteads, or lots of land suitable for homestead purposes.

Read first and second times and referred to the Committee on Corporations.

REPORTS.

Reports were made as follows:

By Mr. Barnes:

Mr. SPEAKER: The Committee on Engrossment beg leave to report that they have examined and find correctly engrossed Assembly Bill No. 346—An Act to provide funds to be applied to building a House of Correction in the City and County of San Francisco, and to authorize the construction of such House of Correction.

Also, Assembly Bill No 187—An Act creating the office of Bank Commissioner, and other matters relating thereto.

Also, Assembly Bill No. 602—An Act concerning roads and highways in the County of Sacramento.

Also, Assembly Bill No. 249—An Act to authorize the construction of a marine railway in Marin County.

BARNES, Chairman.

By Mr. Cooper:

Mr. SPEAKER: The delegation to whom was referred Assembly Bill No. 739, report the same back and recommend its passage.

COOPER, for Delegation.

SURVEYOR GENERAL'S REPORT.

Mr. Barker had leave to offer a concurrent resolution authorizing the Sergeant at Arms of the Assembly to furnish one thousand copies of the Biennial Report of the Surveyor General to the California Immigrant Union for circulation.

Adopted.

GENERAL FILE.

Assembly Bill No 729—An Act to provide for the purchase of supplies for State Prison purposes

Rules suspended, bill considered engrossed, read a third time and passed, and ordered transmitted to the Senate.

Assembly Bill No. 431—Proposed amendment to the Constitution.

[The proposed amendment was ordered engrossed March twentieth, eighteen hundred and seventy-two, and then spread on the Journal of the House]

On the passage of the bill, the roll was called, and it passed by the *following constitutional vote:*

AYES—Messrs Aldrich, Bacon, Baird, Barker, Bockius, Brown, Burckhalter, Caldwell, Center, Coleman, Cooper, Crane, Dannals, De Haven, Eagan, Edgar, Everett, Franck, French, Galloway, Gibson, Goodall, Hopper, James, Jost, Lee, Long, Mathers, McCullough, Reed, Rice, Russ, Sargent of Santa Clara, Seibe, Spencer, Splivalo, Stillwagon, Ward, Welty, Whitney, Wilcox, Woodward, and Mr. Speaker—44.

NOES—Messrs. Andrews, Barklage, Barnes, Bayley, Berry, Bradley, Chalmers, Harvey, Hayes, Henshaw, Johnston, Little, Lofton, Meeker, Mott of Los Angeles, Mott of Sacramento, Munday, Sammons, Schrack, Slaughter, Tinnin, and Whiting—22.

Substitute for Assembly Bill No 549—An Act authorizing certain parties to take the surplus waters out of the Stanislaus River, at Six-mile Bar, in the County of Calaveras, for agricultural, irrigating, and manufacturing purposes.

Rules suspended, bill considered engrossed, read a third time and passed.

Mr. Andrews had leave to be recorded as voting against the passage of the bill

Senate Bill No. 343—An Act to authorize the issuance of bonds to the amount of two hundred and fifty thousand dollars, to be known as State Capitol Bonds.

Considered in Committee of the Whole House.

IN ASSEMBLY.

Reported and passage recommended.

Read a third time and passed.

Mr. Luttrell, who was absent when the bill was under consideration, asked and obtained leave to be recorded as having opposed the passage of the bill.

GENERAL FILE RESUMED.

Senate Bill No. 260—An Act to facilitate and increase the collection of State and county municipal licenses in the City and County of San Francisco

Reported amendments adopted, and read a third time and passed

Assembly Bill No. 323—An Act requiring railroad companies to construct barways and additional cattle guards along the line of railroads.

The hour for the special order to be considered having arrived, on

motion of Mr. Woodward, it was postponed until the bill under consideration was disposed of.

Mr. Gray moved that the enacting clause of the bill be stricken out.

Mr. Whiting moved the previous question, and it was ordered.

On the motion to strike out, the ayes and noes were demanded by Messrs Sargent of San Joaquin, Woodward, and Berry, and it prevailed by the following vote:

AYES—Messrs. Aldrich, Baird, Barnes, Bell, Bockius, Brown, Burckhalter, Chalmers, Connolly, Dannals, Eagan, Edgar, Ellis, Everett, Franck, French, Galloway, Goodall, Gray, Hayes, Hopper, James, Jost, Lofton, Mathers, Meeker, Mott of Los Angeles, Mott of Sacramento, McCullough, Reed, Rice, Schrack, Seibe, Spencer, Splivalo, Stillwagon, Wheaton, Wright, and Mr. Speaker—39.

NOES—Messrs. Andrews, Barker, Barklage, Bayley, Berry, Bradley, Caldwell, Center, Coleman, Crane, Days, De Haven, Freeman, Gibson, Harvey, Henshaw, Lee, Little, Long, Luttrell, Munday, Russ, Sammons, Sargent of San Joaquin, Tinnin, Turner, Ward, Whiting, Whitney, Wilcox, and Woodward—31.

SPECIAL ORDER.

The House took up the special order for the day:

Assembly Bill No. 187—An Act creating the office of Bank Commissioner, and other matters relating thereto.

The question being on the passage of the bill, the ayes and noes were demanded by Messrs. Meeker, Splivalo, and Wilcox, with the following result:

AYES—Messrs. Bacon, Baird, Barker, Barnes, Bayley, Bell, Bradley, Bockius, Burckhalter, Caldwell, Coleman, Connolly, Cooper, Dannals, De Haven, Franck, Galloway, Gibson, Hayes, Hopper, James, Lee, Luttrell, Mott of Sacramento, Munday, McCullough, Rector, Reed, Rice, Sargent of San Joaquin, Schrack, Splivalo, Stillwagon, Tinnin, Turner, Ward, Whitney, Wilcox, Woodward, and Wright—40.

NOES—Messrs. Aldrich, Andrews, Barklage, Berry, Brown, Center, Chalmers, Crane, Days, Edgar, Ellis, Everett, Freeman, French, Goodall, Gray, Harvey, Henshaw, Jost, Little, Lofton, Long, Meeker, Mott of Los Angeles, Russ, Sammons, Seibe, Spencer, Wheaton, Whiting, and Mr. Speaker—31.

Mr. Woodward gave notice of a motion to reconsider the vote.

GENERAL FILE RESUMED.

Substitute for Assembly Bill No. 409—An Act to encourage the cultivation and manufacture of cotton in the State of California.

Considered in Committee of the Whole House and amended.

IN ASSEMBLY.

The Committee rose and reported back the bill without recommendation.

The amendment reported was concurred in, and on the engrossment

of the bill the ayes and noes were demanded by Messrs. Wilcox, Little, and Mathers, and the House refused by the following vote:

AYES—Messrs. Bell, Burckhalter, Connolly, Crane, Gibson, Hopper, Mott of Los Angeles, McCullough, Rector, Reed, Sargent of Santa Clara, Schrack, Sensabaugh, Splivalo, Whiting, Wilcox, and Wright—17.

NOES—Messrs. Andrews, Baird, Barker, Barklage, Barnes, Bayley, Berry, Bradley, Bockius, Brown, Caldwell, Center, Chalmers, Coleman, Dannals, Days, De Haven, Edgar, Everett, Franck, Galloway, Goodall, Harvey, Hayes, Henshaw, Johnston, Lee, Little, Lofton, Long, Mathers, Meeker, Mott of Sacramento, Rice, Russ, Sammons, Sargent of San Joaquin, Seibe, Spencer, Tinnin, Turner, Ward, Wheaton, Whitney, Woodward, and Mr. Speaker—46.

INTRODUCTION OF BILL.

Mr. Bell obtained leave to introduce a bill for an Act fixing times and places of holding the District and County Courts in and for the County of Nevada.

Read first and second times and referred to Nevada delegation.

MESSAGE FROM THE SENATE.

The following message was received from the Senate:

SENATE CHAMBER,
March 26th, 1872.

Mr. SPEAKER: I am directed to inform your honorable body that the Senate, on this day, passed Senate Bill No. 489—An Act to put into effect certain parts of the Penal Code—and ordered the same transmitted without engrossment.

Also, passed Assembly Bill No 589—An Act to provide for the payment of salaries and fees of the officers of Alpine County.

Also, passed Assembly Bill No. 700—An Act for the relief of purchasers of State lands

Also, passed Senate Bill No. 494—An Act in relation to the fees of the District Attorneys

Also, passed Senate Bill No 493—An Act in relation to the Political Code—and ordered same transmitted without engrossment.

Also, passed Assembly Bill No 613—An Act to add additional sections to the Political Code.

Also, passed Senate Bill No 447—An Act relative to the rights of owners of mines.

Also, adopted Senate Concurrent Resolution No. 49—Relative to distribution of Report of Commissioner in Lunacy.

Also, amended and passed Assembly Bill No 672—An Act to authorize the County of Yuba to issue sixty thousand dollars of bonds for the purpose of constructing, repairing, and improving wagon roads, etc., in Yuba County.

Also, passed Assembly Bill No. 573—An Act to encourage the planting and cultivation of oysters, etc.

Also, passed Senate Bill No 300—An Act to legalize certain proceedings of the Board of Supervisors of Yolo County.

Also, passed Senate Bill No. 487—An Act to enable the City and

County of San Francisco to conform to so much of the Political Code as relates to the public revenue—and ordered the same transmitted without engrossment.

Also, passed Senate Bill No 492—An Act to put into effect the provisions of the Civil Code relative to water rights

Also, passed Senate Bill No. 51—An Act to provide for the legal services rendered the State by J. G. Jenkins.

FERRAL, Secretary.

CONSIDERATION OF THE MESSAGE.

Senate Bill No 489, above reported, read first and second times and referred to the Judiciary Committee.

Senate Bill No. 494, above reported, read first and second times and ordered to top of file for to-morrow.

Senate Bill No. 493, above reported, read first and second times and referred to the Judiciary Committee.

Senate Bill No 447, above reported, read first and second times and referred to the Committee on Mines and Mining Interests.

Senate Concurrent Resolution No. 49 was concurred in.

Senate Bill No. 300, above reported, read first and second times and referred to the delegation from Yolo and Colusa.

The House concurred in Senate amendment to Assembly Bill No. 672, above reported.

Senate Bill No 487, above reported, read first and second times and referred to the San Francisco delegation.

Senate Bill No. 492, above reported, read first and second times, and by a unanimous suspension of the rules read a third time and passed.

Senate Bill No. 51, above reported, read first and second times and referred to the Judiciary Committee.

INTRODUCTION OF BILLS.

By leave, bills were introduced as follows:

By Mr. Johnston—An Act to provide for the payment of interest on Trustees' orders against certain swamp land districts.

Read first and second times and referred to the Committee on Swamp and Overflowed Lands.

By Mr Berry—An Act to protect settlers on State lands

Read first and second times and referred to the Committee on Public Lands.

REPORTS.

The following reports were made, by leave:

By Mr. Galloway:

Mr. SPEAKER: The Contra Costa delegation, to whom was referred Assembly Bill No. 751—An Act to abate the squirrel nuisance and to encourage the destruction of other injurious animals in Contra Costa County—report it back and recommend its passage.

GALLOWAY, for Delegation.

The rules were suspended and the bill above reported taken up, considered engrossed, read a third time and passed, and ordered to the Senate without engrossment.

By Mr. Wheaton:

Mr. SPEAKER: The San Francisco delegation, to whom was referred Senate Bill No. 462—An Act authorizing the Board of State Harbor Commissioners to reduce or abolish the rates of dockage, wharfage, and tolls—report the same back with amendments, and recommend its passage as amended.

WHEATON, Chairman.

The rules were suspended and the bill above reported taken up, reported amendments adopted, and bill read a third time and passed.

Mr. Rector gave notice of a motion to reconsider.

By Mr. Galloway:

Mr. SPEAKER: The Committee on Rules and Regulations, to whom was referred resolutions relative to pay of Chief Clerk and Watchmen—report back a substitute and recommend its passage.

Resolved, That the Controller of the State be and he is hereby instructed to draw his warrants upon the Contingent Fund of the Assembly, and the Treasurer is instructed to pay the same for the following amounts:

To whom due.	Amount.
M. D. Boruck	$240 00
A. Clark	240 00
D. Glavin	240 00

DAYS, for Committee.

The rules were suspended and the resolutions above reported adopted.

GENERAL FILE RESUMED.

Assembly Bill No. 330—An Act to provide a fund for the liquidation of the debts of this State, and counties of this State, and for the better support of the public school system of this State.

Amended, and on ordering the bill engrossed the ayes and noes were demanded by Messrs. Days, Berry, and Whiting, and the House refused by the following vote:

AYES—Messrs. Bacon, Baird, Barker, Barklage, Barnes, Bayley, Brown, Chalmers, Coleman, Cooper, Crane, Days, French, Mott of Sacramento, Rector, Sensabaugh, Turner, Whiting, and Whitney—19.

NOES—Messrs. Aldrich, Andrews, Bell, Berry, Bradley, Bockius, Burck-

halter, Dannals, De Haven, Edgar, Ellis, Everett, Franck, Freeman, Galloway, Gibson, Goodall, Gray, Harvey, Hopper, James, Johnston, Jòst, Lofton, Long, Mathers, Meeker, Mott of Los Angeles, Munday, McCullough, Reed, Rice, Russ, Sammons, Sargent of Santa Clara, Sargent of San Joaquin, Schrack, Seibe, Spencer, Splivalo, Stillwagon, Tinnin, Wheaton, Woodward, Wright, and Mr. Speaker—46.

Assembly Bill No. 620—An Act supplementary to an Act entitled an Act concerning County Recorders, passed March twenty-sixth, eighteen hundred and fifty-one

Rules suspended, bill considered engrossed, read a third time and passed, and ordered to the Senate.

Assembly Bill No. 711—An Act concerning the indigent sick.

Amended, rules suspended, bill considered engrossed, read a third time and passed, and title amended.

Mr. Crane had leave to withdraw from the file Assembly Bill No. 679.

Assembly Bill No. 693—An Act in relation to foreign corporations.

Rules suspended, bill considered engrossed, read a third time and passed, and ordered transmitted to the Senate.

MESSAGE FROM THE SENATE.

The following message was received from the Senate:

SENATE CHAMBER,
March 26th, 1872.

Mr. SPEAKER: I am directed to inform your honorable body that the Senate, on the twenty-fifth day of March, passed Senate Bill No. 479—An Act concerning the District Tax Collector of Placer County.

Also, passed Senate Bill No. 437—An Act concerning persons under sentence of imprisonment in the County Jail of Napa.

Also, passed Senate Bill No. 480—An Act to authorize the Commissioners of the funded debt of the City of San Francisco to transfer certain funds and property to said city.

Also, passed Senate Bill No. 483—An Act to give immediate effect to certain provisions of the Political Code.

Also, passed Senate Bill No. 485—An Act to authorize the Board of Supervisors of El Dorado County to levy a special tax.

Also, passed Senate Bill No. 248—An Act amendatory of an Act entitled an Act to reduce and establish the salaries and pay of members of the Legislature.

Also, passed Senate Bill No 417—An Act to repeal an Act granting certain powers to the Board of Supervisors of the City and County of San Francisco.

Also, passed Senate Joint Resolution No 8—Requesting Congress to increase the mail facilities in the Counties of Colusa and Tehama.

Also, passed Senate Bill No. 490—An Act to regulate the salary of the District Judge of the Sixteenth Judicial District, and ordered transmitted without engrossment.

Also, passed Senate Bill No. 470—An Act concerning roads and highways in Contra Costa County.

Also, passed Senate Bill No. 478—An Act supplementary to an Act entitled an Act to authorize the distribution of the Reports of the State

Geological Survey, approved February second, eighteen hundred and seventy-two.

Also, refused to pass Assembly Bill No. 622—An Act to authorize certain persons to improve the Pescadero and Butano Creek, and to erect booms therein.

Also, passed substitute for Assembly Bills Nos 407, 388, and 639—An Act to provide the City of Sacramento with a better supply of water.

SHACKELFORD, Assistant Secretary.

CONSIDERATION OF THE MESSAGE.

Senate Bill No. 479, above reported, read first and second times and referred to Placer delegation.

Senate Bill No. 437, above reported, read first and second times and referred to Napa delegation.

Senate Bill No. 480, above reported, read first and second times and placed on file.

Senate Bills Nos. 483, 248, and 490, above reported, severally read first and second times and referred to Judiciary Committee.

Senate Bill No. 485, above reported, read first and second times and referred to El Dorado delegation.

Senate Bill No. 417, above reported, read first and second times and referred to San Francisco delegation.

Senate Joint Resolution No. 8, above reported, read first and second times, rules suspended, read a third time and passed.

Senate Bill No. 470, above reported, read first and second times and referred to Contra Costa delegation.

Senate Bill No. 478, above reported, read first and second times and placed on file.

MESSAGE FROM THE GOVERNOR.

The following message was received from the Governor:

STATE OF CALIFORNIA, EXECUTIVE DEPARTMENT,
Sacramento, March — 1872.

To the Assembly of the State of California:

I have to inform your honorable body that I have approved Assembly Bill No. 631—An Act to authorize William A. Findley, of Yuba County, State of California, to remove certain bodies to a public graveyard.

Also, Assembly Bill No 714—An Act fixing the time and place of holding the District and County Courts in and for the County of Siskiyou.

Also, Assembly Bill No. 609—An Act in relation to the Board of School Trustees of Oakley School District, in Sacramento County.

Also, Assembly Bill No. 311—An Act to establish a State Printing Office, and to create the office of Superintendent of State Printing

Also, Assembly Bill 333—An Act in relation to the Board of Education of the City and County of San Francisco.

Also, Assembly Bill No 561—An Act to authorize the Board of Supervisors of the County of Alameda to audit certain claims against the Road Fund of Washington Township, in said county.

Also, substitute for Assembly Bill No. 171—An Act to authorize the

Board of Supervisors of the County of Amador to pay certain moneys to James Carroll.

Also, Assembly Bill No. 358—An Act to establish pilots and pilot regulations for the port of San Diego.

NEWTON BOOTH, Governor.

RESOLUTION.

Mr. James offered a resolution that the House hold evening sessions during the remainder of the week, except on Wednesday evening.

On motion of Mr. Harvey, the resolution was laid temporarily on the table.

FOREST COMMISSIONERS,

On motion of Mr. Barker, the rules were suspended, and Senate Bill No 242—An Act creating a Board of Forest Commissioners—was taken up.

The substitute reported therefor by the Assembly special committee was adopted and considered in the Committee of the Whole House.

IN ASSEMBLY.

Reported and passage recommended.

The rules were suspended, and the bill considered engrossed, and on its passage the ayes and noes were demanded by Messrs. Meeker, Berry, and Aldrich, and it passed by the following vote:

AYES—Messrs Baird, Barker, Barnes, Bockius. Brown, Burckhalter, Coleman, Connolly, Cooper, Days. Eagan, Ellis, Franck, Freeman, French, Galloway, Gibson, Goodall, Gray, Harvey, Hopper, James, Johnston, Jost, Luttrell, Mott of Los Angeles, Mott of Sacramento, McCullough, Rector, Rice, Sargent of Santa Clara, Schrack, Seibe, Sensabaugh, Slaughter, Spencer, Splivalo, Stillwagon, Wheaton, Whiting, Wilcox, and Mr Speaker—42.

NOES—Messrs Aldrich, Andrews, Bacon, Barklage, Bayley, Bell, Berry, Bradley, Caldwell, Center. Chalmers, Crane, Dannals, De Haven, Edgar, Everett, Hayes, Henshaw, Lee, Little, Lofton. Long, Mathers, Meeker, Munday, Russ, Sammons, Tinnin, Turner, Welty, Whitney, and Woodward—30.

Mr Splivalo, from the committee to whom was referred Assembly Bill No. 571, verbally reported the same back without recommendation.

GENERAL FILE RESUMED.

Assembly Bill No. 698—An Act relating to an Act to aid the Mercantile Library Association of the City and County of San Francisco in paying its indebtedness.

Mr Spencer moved to strike out the enacting clause of the bill.

The House refused

The previous question was ordered, on motion of Mr. Sargent of San Joaquin.

Rules suspended, bill considered engrossed, read a third time and passed.

On the passage of the bill, the ayes and noes were demanded by Messrs. Spencer, Meeker, and Jost, with the following result:

AYES—Messrs. Aldrich, Andrews, Barklage, Bell, Brown, Burckhalter, Caldwell, Center, Chalmers, Coleman, Connolly, Cooper, Crane, De Haven, Eagan, Ellis, Everett, Galloway, Gibson, Henshaw, Hopper, James, Lee, Luttrell, Munday, McCullough, Rector, Schrack, Slaughter, Ward, Wheaton, Whiting, and Wilcox—33.

NOES—Messrs. Bacon, Barker, Barnes, Berry, Bradley, Bockius, Dannals, Days, Edgar, Franck, Goodall, Gray, Harvey, Hayes, Johnston, Jost, Little, Lofton, Long, Meeker, Mott of Sacramento, Rice, Russ, Sammons, Sargent of Santa Clara, Sargent of San Joaquin, Spencer, Tinnin, Turner, Welty, Whitney, Woodward, and Mr. Speaker—33.

So the House refused to pass the bill.

At five o'clock and forty minutes P. M., on motion of Mr. Meeker, the House adjourned.

T. B. SHANNON,
Speaker.

M. D. BORUCK, Chief Clerk.

IN ASSEMBLY.

HOUSE OF ASSEMBLY,
Wednesday, March 27th, 1872.

House met pursuant to adjournment.
Speaker in the chair.
Roll called.
Quorum present.
Prayer by the Chaplain.
Journal of yesterday read and approved.

PETITION.

Mr. Splivalo presented a petition from certain persons engaged in fishing as a business, protesting against the passage of a Senate bill—An Act to regulate the planting and propagation of oysters.

Referred to the Committee on Commerce and Navigation.

REPORTS OF STANDING COMMITTEES.

Reports from standing committees were made as follows:

By Mr. French.

Mr. SPEAKER: The Committee on State Library having fully considered Assembly Bill No. 732, a minority of said committee report the same back with a substitute, and recommend the passage of the substitute.

FRENCH, Chairman.

By Mr. Hayes:

Mr. SPEAKER: Your Committee on Counties and County Boundaries, to whom was referred Assembly Bill No. 721, with instructions to report this day, have had the same under consideration, and report it back and recommend its passage.

Also, Assembly Bill No. 743, and report it back and recommend that it be referred to the Yolo and Sacramento delegations.

HAYES, for Committee.

Assembly Bill No 734, was referred as above recommended.

Assembly Bill No. 721, above reported, placed second on file for today, on motion of Mr. Berry.

By Mr. Spencer:

Mr SPEAKER: The Committee on Judiciary having considered Assembly Bill No. 690—An Act in relation to County Judges—report it back with an amendment, and recommend its passage as amended.

Also, Assembly Bill No 742—An Act to enable certain persons to bring suits for damages sustained by the diversion of the waters of the American River into the Sacramento River by the Levee Commissioners of the City of Sacramento—report it back and the majority recommend its passage.

Also, Assembly Bill No. 618—An Act for the relief of J. A. Cameron, and to legalize assessments—report it back and recommend that it do not pass.

Also, Senate Bill No. 483—An Act to give immediate effect to certain provisions of the Political Code—report it back and recommend its passage.

Also, Senate Bill No. 489—An Act to put into effect certain parts of the Political Code—report it back and recommend its passage.

Also, Senate Bill No 493—An Act in relation to the Political Code—report it back and recommend its passage.

Also, Senate Bill No. 51—An Act to provide for the legal services rendered the State by J. G. Jenkins—report it back and recommend that it be referred to the Committee on Claims

Also, Senate Bill No. 398—An Act to provide for the payment of legal services rendered the State by Samuel Cross—report it back and recommend that it be referred to the Committee on Claims.

Also, Senate Bill No. 379—An Act to authorize Margaret McDanel, administratrix of the estate of Thomas McDanel, deceased, to borrow money to pay the debts of the estate—report it back and recommend that it do not pass.

Also, Assembly Bill No. 749—An Act to provide for the disposal of certain suits now pending in the District Courts of the City and County of San Francisco, and to relieve certain owners of encumbered real estate of double taxation, which the Act passed April fourth, eighteen hundred and seventy, did not relieve—report it back and recommend that it do not pass.

Also, Senate Bill No. 348—An Act to establish meteorological stations

in the various counties of this State—report it back and recommend that it do not pass.

Also, Assembly Bill No. 625—An Act to amend an Act entitled an Act to regulate proceedings in civil cases in the Courts of justice of this State, passed April twenty-seventh, eighteen hundred and fifty-one—report it back and recommend its passage.

SPENCER, Chairman.

Senate Bills Nos. 51 and 398, above reported, were referred to Committee on Claims, as recommended.

On motion of Mr. Splivalo, Senate Bill No. 493, above reported, was taken up for consideration.

Mr. Munday moved to amend the bill in relation to the District Attorney of Sonoma County, by striking out "one thousand six hundred dollars" and inserting "one thousand eight hundred dollars."

The ayes and noes were demanded by Messrs. Munday, Henshaw, and Everett, and the amendment was adopted by the following vote:

AYES—Messrs. Baird, Barker, Barklage, Bayley, Berry, Caldwell, Center, Chalmers, Coleman, Dannals, Days, Ellis, Everett, Freeman, Galloway, Goodall, Hayes, Henshaw, Hopper, Johnston, Jost, Little, Lofton, Luttrell, Mathers, Mott of Los Angeles, Munday, Sammons, Tinnin, Turner, Walker, Ward, Whiting, Woodward, Wright, and Mr. Speaker—36.

NOES—Messrs. Andrews, Bacon, Barnes, Bell, Bockius, Brown, Burckhalter, Connolly, Crane, Eagan, Edgar, Franck, French, Harvey, Lee, Long, Meeker, Mott of Sacramento, Reed, Rice, Sargent of Santa Clara, Schrack, Scibe, Slaughter, Spencer, Splivalo, Stillwagon, and Whitney—28.

The bill was further amended on motion of Messrs. Galloway, Turner, Barker, and Wright, and read a third time and passed.

By Mr. Mott of Sacramento.

Mr. SPEAKER: The Committee on Claims, to whom was referred Senate Bill No. 463—An Act for the relief of Isaac Hobbs, ex-Sheriff of Solano County—report it back and recommend it do not pass.

Also, report back Assembly Bill No. 737—An Act authorizing the Board of Trustees of the Town of Benicia to issue certain bonds in lieu of bonds lost and destroyed—and recommend it do not pass.

Also, report back Assembly Bills Nos. 685 and 752, and recommend their reference to the Committee on Military Affairs.

MOTT, Chairman.

Assembly Bills Nos. 685 and 752, above reported, were referred as recommended.

REPORTS OF SELECT COMMITTEES.

By Mr. Freeman:

Mr. SPEAKER: The Yolo and Colusa delegation, to whom was referred Senate Bill No. 300, report the same back and recommend its passage.

FREEMAN,
WARD.

The rules were suspended, and the bill above reported taken up and considered.

Mr. Berry moved the reference of the bill to the Judiciary Committee, with instructions to report the same back to-morrow morning.

The ayes and noes on the motion were demanded by Messrs. Berry, Johnston, and Mott of Sacramento, and the House refused to refer by the following vote:

AYES—Messrs Aldrich, Andrews, Barker, Barklage, Barnes, Bayley, Berry, Bradley, Bockius, Center, Chalmers, Crane, Days, French, Goodall, Harvey, Johnston, Lofton, Mott of Los Angeles, Mott of Sacramento, Russ, Sammons, Seibe, Spencer, Turner, Welty, Wheaton, Woodward, and Mr. Speaker—29.

NOES—Messrs. Bacon, Baird, Bell, Brown, Burckhalter, Caldwell, Coleman, Connolly, Cooper, Dannals, Eagan, Edgar, Ellis, Everett, Franck, Freeman, Galloway, Gibson, Hayes, Henshaw, Hopper, James, Lee, Little, Long, Luttrell, Mathers, Meeker, Munday, McCullough, Rector, Reed, Rice, Sargent of San Joaquin, Schrack, Sensabaugh, Slaughter, Splivalo, Stillwagon, Tinnin, Walker, Ward, Whiting, Whitney, Wilcox, and Wright—47.

On the passage of the bill, the ayes and noes were demanded by Messrs. Berry, Andrews, and Mott of Sacramento, with the following result:

AYES—Messrs. Bacon, Baird, Bell, Brown, Burckhalter, Caldwell, Coleman, Connolly, Cooper, Eagan, Ellis, Freeman, Galloway, Gibson, Hayes, Hopper, James, Johnston, Jost, Little, Luttrell, Mathers, Meeker, Munday, McCullough, Rector, Reed, Rice, Schrack, Sensabaugh, Slaughter, Splivalo, Stillwagon, Ward, Whiting, Whitney, Wilcox, and Mr. Speaker—38.

NOES—Messrs Aldrich, Andrews, Barker, Barklage, Barnes, Bayley, Berry, Bradley, Bockius, Center, Chalmers, Crane, Days, Edgar, Everett, French, Gray, Harvey, Henshaw, Lee, Lofton, Long, Mott of Los Angeles, Mott of Sacramento, Russ, Sammons, Seibe, Spencer, Tinnin, Turner, Walker, Welty, Woodward, and Wright—34.

Mr. Johnston gave notice of a motion to reconsider.

By Mr Woodward:

Mr SPEAKER: The San Joaquin delegation, to whom was referred Senate Bill No. 393—An Act to authorize the Board of Supervisors of San Joaquin County to appropriate money for the use of the San Joaquin Valley Agricultural Society—report the same back and recommend its passage.

WOODWARD,
SARGENT,
San Joaquin delegation.

The rules were suspended, and the bill above reported taken up, read a third time and passed.

By Mr. Crane:

Mr. SPEAKER: The Alameda delegation, to whom was referred Assembly Bill No. 747, beg leave to report the same back and recommend its passage.

CRANE, for Delegation.

By Mr. Mathers:

Mr. SPEAKER: The Lake and Mendocino delegations, to whom was referred Assembly Bill No. 750, report the same back with an amendment, and recommend its passage as amended.

STILLWAGON,
MATHERS.

The rules were suspended, and Assembly Bills Nos. 747 and 750, above reported, were taken up, rules again suspended, and severally considered engrossed, read a third time and passed.

REPORTS OF STANDING COMMITTEES.

Reports from standing committees were made as follows:

By Mr. Barnes:

Mr. SPEAKER: The Committee on Engrossment beg leave to report that they have examined and find correctly engrossed Assembly Bill No. 179—An Act concerning unlawful holding over of dwelling houses, tenement houses, shops and stores, and land leased therewith, in the City and County of San Francisco.

Also, Assembly Bill No 469—An Act to amend an Act entitled an Act to provide for the improvement of public parks in the City of San Francisco, approved April fourth, eighteen hundred and seventy.

Also, Assembly Bill No. 565—An Act for the better protection of the lands in Swamp Land District Number Two, in Sacramento County.

Also, Assembly Bill No. 674—An Act to authorize the County Clerk of the City and County of San Francisco to appoint a Chief Clerk.

Also, Assembly Bill No. 651—An Act for the education of the children in the State of California.

BARNES, Chairman.

By Mr. Gibson:

Mr. SPEAKER: Your Committee on Enrollment beg leave to report that they have examined and found correctly enrolled Assembly Bill No. 624—An Act to amend an Act entitled an Act to regulate the fees and salaries of officers and defining their duties in the County of El Dorado, and other matters relating thereto, approved March fifth, eighteen hundred and seventy.

Also, Assembly Bill No. 642—An Act to authorize road districts in San Joaquin County to levy a special tax.

Also, Assembly Bill No. 247—An Act concerning public wharves.

Also, Assembly Bill No 492—An Act concerning assessment upon the stock of corporations.

Also, Assembly Bill No 664—An Act to amend an Act entitled an Act to amend an Act entitled an Act to create and organize a fire department for the Town of Mokelumne Hill, approved April twenty-fourth,

eighteen hundred and sixty-six, approved March twenty-sixth, eighteen hundred and sixty-eight.

Also, Assembly Bill No. 665—An Act to define the fire limits of the Town of Mokelumne Hill, in Calaveras County, and to provide for the support of the fire department.

Also, Assembly Bill No. 705—An Act to amend an Act entitled an Act to incorporate the City of Marysville, approved March third, eighteen hundred and fifty-seven, and Acts amendatory thereto.

Also, Assembly Bill No. 682—An Act to provide funds for the City of Oakland.

Also, Assembly Bill No. 728—An Act to amend an Act entitled an Act to amend the city charter of Los Angeles, approved February twentieth, eighteen hundred and seventy-two.

Also, Assembly Joint Resolution No. 33—Authorizing the Controller of State to deliver certain vouchers in his office, relative to the indebtedness of the General Government to the State of California, to Commissioners within named.

Also, Assembly Bills Nos. 213 and 284—An Act to protect agriculture and to prevent the trespassing of animals upon private property.

Also, Assembly Bill No. 726—An Act to legalize applications heretofore made for the purchase of lands belonging to this State, and to confer the title of the purchases under such applications.

Also, Assembly Bill No. 678—An Act to better define the duties and fix the compensation of certain officers of Solano County.

Also, Assembly Message and Joint Resolution No. 16—Relative to occupation of Hoopa Valley, in Klamath County, as an Indian Reservation.

Also, Assembly Bill No. 613—An Act to add additional sections to the Political Code.

Also, Assembly Bill No. 589—An Act to provide for the payment of the salaries and fees of the officers of Alpine County.

Also, Assembly Bill No. 700—An Act for the relief of purchasers of State lands.

Also, Assembly Bill No. 537—An Act to reincorporate the City of Vallejo.

And that the same have, this twenty-sixth day of March, eighteen hundred and seventy-two, at eleven o'clock, been transmitted to the Governor for his approval.

GIBSON, Chairman.

By Mr. Edgar:

Mr. SPEAKER: The Committee on Roads and Highways, to whom was referred Senate Bill No. 370—An Act to provide for the incorporation of tramroad companies in certain counties of this State—have had the same under consideration, and have amended the same, and report it back with the recommendation that the bill pass as amended.

EDGAR, Chairman.

The rules were suspended and the bill above reported taken up.

Mr Sargent of San Joaquin moved to strike out the enacting clause of the bill.

On which the ayes and noes were demanded by Messrs. Bell, Everett, and Wilcox, and it was so ordered, by the following vote:

AYES—Messrs. Bacon, Baird, Berry, Caldwell, Center, Crane, Dannals, De Haven, Eagan, Galloway, Goodall, Gray, Harvey, Hopper, James, Jost, Long, Meeker, Mott of Los Angeles, Mott of Sacramento, Munday, McCullough, Rice, Russ, Sargent of Santa Clara, Sargent of San Joaquin, Schrack, Sensabaugh, Slaughter, Spencer, Stillwagon, Turner, Whiting, Wilcox, and Wright—35.

NOES—Messrs. Andrews, Barker, Barklage, Barnes, Bayley, Bell, Brown, Burckhalter, Chalmers, Days, Edgar, Ellis, Everett, Franck, Freeman, Henshaw, Lee Little, Lofton, Luttrell, Mathers, Rector, Sammons, Walker, Ward, Whitney, Woodward, and Mr. Speaker—28.

Mr. Gray gave notice of a motion to reconsider.

By Mr. Bell:

Mr. SPEAKER: The committee to whom was referred Assembly Bill No. 754, report the same, and recommend its passage.

. BELL, for Delegation.

The rules were suspended, and the bill above reported taken up, rules again suspended, and bill read a third time and passed.

By Mr. Galloway:

Mr. SPEAKER: The Contra Costa delegation, to whom was referred Senate Bill No. 470—An Act concerning roads and highways in Contra Costa County—report the same back, and respectfully recommend that it do pass.

GALLOWAY, for Delegation.

The rules were suspended, and the bill above reported taken up, read a third time and passed.

MOTIONS TO RECONSIDER.

Mr Gray moved to reconsider the vote yesterday, on the passage of Senate Bill No. 462, and then moved to lay the motion on the table, and it was so ordered.

Mr. Wilcox also moved to reconsider the vote whereby Assembly Bill No 187 passed.

The motion to reconsider was ordered to the table.

FURTHER REPORTS.

Reports were made as follows:

By Mr. Stillwagon:

Mr SPEAKER: The Napa delegation, to whom was referred Senate Bill No. 437—An Act concerning persons under sentences of imprisonment in the County Jail, in the County of Napa—report the same back, and recommend its passage.

STILLWAGON, for Delegation.

The rules were suspended, and the bill above reported taken up, rules again suspended, bill considered engrossed, read a third time and passed.

Also, by the same:

A report from the Committee on State Hospitals.
[For the report, which was ordered printed, see Appendix.]

By Mr Long:

Mr. SPEAKER: The Placer delegation have had under consideration Senate Bill No 479—An Act concerning the District Tax Collector of Placer County—and report the same back and recommend its passage.

LONG, for Delegation.

The rules were suspended, and the bill above reported taken up, read a third time and passed.

By Mr. Gray:

Mr SPEAKER: The San Francisco delegation have considered Senate Bill No. 417—An Act to repeal an Act granting certain powers to the Board of Supervisors of the City and County of San Francisco—and recommend that it do pass.

GRAY,
McCULLOUGH,
SEIBE,
JOST,
SPLIVALO,
WHEATON,
ALDRICH,
JAMES,
GOODALL,
MEEKER,
REED,
Delegation.

The rules were suspended, and the bill above reported taken up, read a third time and passed.

By Mr. De Haven:

Mr. SPEAKER. The Committee on Printing, to whom was referred Senate Bill No. 390—An Act in relation to the State printing—have considered the same, and report it back, recommending that it do not pass.

DE HAVEN, Chairman.

MESSAGE FROM THE SENATE.

The following message was received from the Senate:

SENATE CHAMBER,
March 27th, 1872.

Mr. SPEAKER: I am directed to inform your honorable body that the Senate, on the twenty sixth day of March, amended and passed Assembly Bill No 305—An Act to provide for funding the indebtedness of the reclamation and levee districts of this State.

Also, on the same day, passed Senate Bill No. 441—An Act to amend an Act entitled an Act to regulate fees and salaries of officers in El Dorado County.

Also, on the same day, passed Senate Bill No 459—Relative to establishment of Police Court in the City of Oakland.

Also, on the same day, passed Assembly Bill No. 687—An Act to amend an Act relative to the construction of a bridge across the Yuba River.

Also, on the same day, passed Assembly Bill No. 620—An Act relative to county records.

Also, on the same day, passed Assembly Bill No. 630—An Act to amend an Act entitled an Act to provide for the management and sale of the lands belonging to the State.

Also, on the same day, passed Senate resolution relative to return to Senate of Assembly Bill No 622.

Also, on the same day, amended and passed Assembly Bill No. 703—An Act to vacate certain streets, alleys, and market places in the City and County of San Francisco, and to donate the same and other tide lands belonging to the State of California to said City and County of San Francisco for commercial purposes, and other matters relating thereto.

SHACKELFORD, Assistant Secretary.

CONSIDERATION OF THE MESSAGE.

Senate Bill No 491, above reported, read first and second times and referred to the El Dorado delegation

Senate Bill No. 459, above reported, read first and second times and referred to Judiciary Committee

Assembly Bill No. 305, above reported, with Senate amendments, was referred to the Committee on Swamp and Overflowed Lands, with instructions to report the same back before the final adjournment of the Assembly for this day.

The House concurred in Senate amendments to Assembly Bill No. 703, above reported.

Assembly Bill No. 622, above reported, was returned to the Senate, as requested by a Senate resolution.

MOTIONS AND RESOLUTIONS.

By Mr. Munday:

A resolution granting to William Kirby extra per diem for services as Porter.

Referred to Committee on Rules and Regulations.

By Mr. Barker:

Resolved, That the Controller of State be directed to draw his warrant on the Contingent Fund of the Assembly for three hundred and four dollars, in favor of John R. Eardley, for thirty-eight days services as Assistant Enrolling Clerk, from December sixteenth, eighteen hundred and seventy-one, to January twenty-third, eighteen hundred and seventy-two; and that the Treasurer of State is hereby directed to pay the same. The former resolution in regard to this matter is hereby rescinded.

Adopted.

WOMAN SUFFRAGE.

Mr. Days, from the Special Committee on the Enfranchisement and Protection of Women, presented a lengthy report.

Ordered printed.

[For report see Appendix.]

INTRODUCTION OF BILLS.

Bills were introduced as follows:

By Mr. Days—An Act investing the widow with the ownership and management of the family estate on the decease of her husband.

Read first and second times and placed on file.

Also, an Act conferring on woman eligibility to official positions in the management of public schools.

Read first and second times and placed on file.

Also, proposed amendment to the Constitution of the State of California.

The Senate and Assembly of the State of California, at the nineteenth session of the Legislature, convened in the City of Sacramento in the year eighteen hundred and seventy-two, do propose the following amendment to the Constitution of the State of California:

Section one of Article II is hereby amended so as to read as follows:

Section 1. Every citizen of the United States of twenty-one years of age and over, who shall have been a resident of the State six months next preceding the election, and of the county or district where such vote is taken thirty days, shall be entitled to vote at all elections which are now or may hereafter be authorized by law.

Read first and second times and placed on file.

By Mr. Turner—An Act in relation to the salary of the Treasurer and Auditor of the County of Butte.

Read first and second times, rules suspended, bill considered engrossed, read a third time and passed, and ordered transmitted to the Senate forthwith.

By Mr. Freeman—An Act to provide for the protection from overflow by Putah Creek of certain lands in the Counties of Yolo and Solano.

Read first and second times and referred to the delegations from Yolo and Solano.

By Mr. Gibson—An Act granting to certain persons therein named the right to lay a railroad track along certain streets in the Town of Watsonville, Santa Cruz County, and along certain highways in the County of Monterey.

Read first and second times and referred to the Santa Cruz and Monterey delegations.

By Mr. Sensabaugh—An Act to encourage the production of cane sugar.

Read first and second times and referred to the Committee on Agriculture.

Also, an Act to locate the county seat of Merced County.

Read first and second times and referred to the Merced delegation.

By Mr. Stillwagon—An Act authorizing the printing of one thousand copies of the Transactions of the State Medical Society.

Read first and second times and referred to the Committee on State Hospitals.

By Mr. Barklage—An Act to repeal an Act entitled an Act to aid the Mercantile Library Association of the City and County of San Francisco in paying its indebtedness, approved February nineteenth, eighteen hundred and seventy.

Read first and second times and placed on top of file for to-morrow.

By Mr Gray—An Act to confer further powers upon the Board of Supervisors of the City and County of San Francisco.

Read first and second times and placed on file.

GENERAL FILE

Senate Bill No. 494—An Act in relation to the fees of District Attorneys in certain counties.

Read a third time and passed.

Assembly Bill No. 721—An Act to submit to the qualified electors of Sutter County the permanent location of the county seat of said county.

Rules suspended, bill considered engrossed, read a third time and passed.

Mr Wilcox gave notice of a motion to reconsider Assembly Bill No 641—An Act to take preliminary steps for calling a Convention to amend, remodel, or propose a new Constitution for the State of California.

CALL OF THE HOUSE.

Mr Andrews moved for a call of the House, and it being ordered the roll was called and the following members were absent without leave:

Messrs Bacon, De Haven, Galloway, Goodall, Hayes, Lofton, Mathers, Meeker, McCullough, and Wheaton.

Messrs De Haven, Lofton, Wheaton, and Meeker were brought before the bar of the House, and having satisfactorily accounted for their absence, were excused.

On motion of Mr. Days, further proceedings under the call were dispensed with.

GENERAL FILE RESUMED.

The House again took up for consideration Assembly Bill No. 641.

On the passage of the bill, the Speaker ordered the roll called with the following result:

AYES—Messrs. Aldrich, Andrews, Bacon, Baird, Barker, Barklage, Barnes, Bayley, Bell, Berry, Bradley, Bockius, Brown, Burckhalter, Caldwell, Center, Chalmers, Coleman, Connolly, Cooper, Crane, Dannals, Days, De Haven, Eagan, Edgar, Everett, Franck, Freeman, French, Galloway, Gibson, Goodall, Gray, Harvey, Hayes, Henshaw, Hopper, James, Johnston, Jost, Lee, Little, Lofton, Long, Meeker, Munday, Rector, Reed, Rice, Russ, Sammons, Sargent of San Joaquin, Schrack, Seibe, Slaughter, Spencer, Splivalo, Stillwagon, Tinnin, Turner, Welty, Wheaton, Wright, and Mr. Speaker—65.

NOES—Messrs. Ellis, Luttrell, Mott of Los Angeles, Mott of Sacramento, Sargent of Santa Clara, Walker, Ward, Whiting, Whitney, and Woodward—10.

Following is the bill as passed by the foregoing constitutional two thirds vote:

AN ACT TO TAKE PRELIMINARY STEPS FOR CALLING A CONVENTION TO AMEND, REMODEL, OR PROPOSE A NEW CONSTITUTION FOR THE STATE OF CALIFORNIA.

The People of the State of California, represented in Senate and Assembly, do enact as follows:

SECTION 1. The Governor is hereby instructed to issue his proclamation to the electors of the State of California to vote at the next general election for members of the Legislature for or against instructing the members of the Legislature at the next session to call a Constitutional Convention to amend, remodel, or propose a new Constitution for the State of California.

SEC. 2. At the said general election the ballots used shall have printed or written upon them these words: "For the Constitutional Convention—Yes. No." And the voter who desires to vote for calling a convention will scratch the word "No," and the voter who desires to vote against calling a convention will scratch the word "Yes;" and if it shall appear that a majority of the electors voting at said election have voted in favor of calling a convention, the Legislature at its next session shall provide for the calling of the Constitutional Convention.

At one o'clock P. M. the House took the usual recess.

REASSEMBLED.

The House reassembled at one o'clock and forty-five minutes P. M.
The Speaker in the chair.
Roll called.
Quorum present.

LEAVE OF ABSENCE.

Mr. Sammons was granted leave of absence for the balance of the day.

GENERAL FILE RESUMED.

Assembly Bill No. 676—An Act to authorize Joseph Bridger, guardian of the minor heirs of Robert S. Carlisle, deceased, to sell certain real estate in the County of Santa Clara, State of California.

Rules suspended, bill considered engrossed, read a third time and passed.

Assembly Bill No. 669—An Act to legalize certain acknowledgments. Returned to file with pending amendments.

REPORTS.

Mr. Wheaton had leave to make the following report:

Mr. SPEAKER: The San Francisco delegation report back Senate Bill No. 487—An Act to enable the City and County of San Francisco to conform to so much of the Political Code as relates to the public revenue—with amendments, and recommend its passage as amended.

WHEATON, Chairman.

The rules were suspended, and the bill above reported was taken up, reported amendments adopted, and bill read a third time and passed.

The Swamp and Overflowed Land Committee were allowed leave of absence for one hour.

The following majority and minority reports from the Committee on Claims were presented:

Mr. SPEAKER: The Committee on Claims have had under consideration Assembly Bill No. 228—An Act to provide a remedy in certain cases—also, a substitute therefor offered by a majority of the San Francisco delegation; also, a substitute therefor offered by Mr. Aldrich, and report them back, with a recommendation from the majority of this committee that the substitute offered by the San Francisco delegation do pass.

DE HAVEN,
BACON,
COOPER,
McCULLOUGH,
REED.

Mr. SPEAKER: The Committee on Claims have had under consideration Assembly Bill No. 228—An Act to provide a remedy in certain cases; also, substitutes therefor respectively offered by a majority of the San Francisco delegation and by Mr. Aldrich—and a minority of the committee recommend that the bill be indefinitely postponed, for the reason that section three of the Act approved March thirtieth, eighteen hundred and sixty-eight, entitled an Act to authorize the Board of Supervisors of the City and County of San Francisco to modify the grades of certain streets, and under the operation of which the alleged damages have accrued, expressly declares that the costs of the proceedings incurred by the provisions thereof shall, under no circumstances, become a charge upon the Treasury of the City and County of San Francisco, and for the further reason that it is manifestly unjust to tax the whole property of the city to pay the costs and incidental damages attaching to a so-called work of improvement, the benefits of which are confined to a limited district.

MOTT,
WELTY,
BELL.

The substitute for the bill reported from the San Francisco delegation was adopted.

Mr. Seibe offered an amendment as a substitute for section eight of the bill.

On its adoption the ayes and noes were demanded by Messrs. Meeker, Caldwell, and Jost, and it was adopted by the following vote:

AYES—Messrs. Andrews, Bacon, Barklage, Barnes, Bayley, Berry, Bockius, Brown, Burckhalter, Chalmers, Crane, Dannals, De Haven, Edgar, Franck, Galloway, Goodall, Harvey, Henshaw, James, Jost, Lee, Little, Lotton, Long, Luttrell, Mott of Sacramento, Rice, Sargent of Santa Clara, Seibe, Slaughter, Spencer, Splivalo, Tinnin, Whiting, Wilcox, and Mr. Speaker—36.

NOES—Messrs. Aldrich, Baird, Barker, Bell, Caldwell, Coleman, Connolly, Cooper, Eagan, Everett, Freeman, French, Gibson, Gray, Hayes, Mathers, Meeker, Mott of Los Angeles, Munday, McCullough, Rector, Reed, Russ, Schrack, Sensabaugh, Stillwagon, Walker, Ward, Welty, Wheaton, Whitney, and Woodward—32.

The bill was then ordered engrossed.

GENERAL FILE RESUMED.

Assembly Bill No 605—An Act to withdraw from market the salt marsh and tide lands lying in and around Humboldt Bay, Humboldt County, California.

Amendments adopted, rules suspended, bill considered engrossed, read a third time and passed.

Assembly Bill No. 712—An Act to amend an Act to provide for the management and sale of the lands belonging to the State, approved March twenty-eighth, eighteen hundred and sixty-eight.

Amendments adopted, rules suspended, bill considered engrossed, read a third time and passed.

Assembly Bill No. 463.

On motion of Mr. Rice, taken from file and re-referred to Committee on Swamp and Overflowed Lands.

FURTHER REPORTS.

Mr. Hayes made the following report:

MR. SPEAKER: Your Committee on Enrollment beg leave to report that they have examined and found correctly enrolled Assembly Bill No. 703—An Act to vacate certain streets, alleys, and market places in the City and County of San Francisco, and to donate the same and other tide lands belonging to the State of California to said City and County of San Francisco for commercial purposes, and other matters relating thereto—and that the same has, this twenty-seventh day of March, eighteen hundred and seventy-two, at five minutes past two o'clock, been transmitted to the Governor for his approval.

HAYES, for Committee.

MESSAGES FROM THE SENATE.

The following messages were received from the Senate:

SENATE CHAMBER,
March 27th, 1872.

Mr. SPEAKER: I am directed to inform your honorable body that the Senate, on this twenty-seventh day of March, passed Senate Bill No. 496—An Act authorizing the Board of Supervisors of Santa Clara County to pay to the Sheriff of said county certain moneys

Also, adopted and amended Assembly substitute for Senate Bill No. 242—An Act relative to the State Board of Forest Commissioners.

Also, passed Senate substitute for Assembly Bill No. 481—An Act to establish a Paid Fire Department in Sacramento City.

Also, passed Assembly Bill No. 482—Relative to a Paid Fire Department for Sacramento City.

Also, adopted Assembly Concurrent Resolution No. 32—Relative to Reports of State Surveyor.

Also, passed Senate Bill No. 304—An Act to amend an Act entitled an Act to prevent extortion in office, and to enforce official duty.

FERRAL, Secretary.

SENATE CHAMBER,
March 27th, 1872.

Mr. SPEAKER: I am directed to inform your honorable body that the Senate, on this twenty-seventh day of March, amended and passed Assembly Bill No. 572—An Act to provide for the School Department of San Francisco.

Also, amended and passed Assembly Bill No. 269—An Act entitled an Act to authorize the incorporation of canal companies

Also, passed Senate Bill No. 326—An Act to promote irrigation.

Also, passed Senate Bill No 497—An Act to authorize the construction and maintenance of a public bridge across Napa River—and ordered the same transmitted without engrossment.

FERRAL, Secretary.

CONSIDERATION OF THE MESSAGES.

Substitute for Senate Bill No. 481, above reported, read first and second times and referred to the Sacramento delegation.

Senate Bill No. 496, above reported, read first and second times, rules unanimously suspended, read a third time and passed.

Senate Bill No. 304, above reported, read first and second times and referred to the Judiciary Committee.

The House concurred in Senate amendments to Assembly Bill No 242, above reported.

Also, concurred in Senate amendments to Assembly Bill No. 269, above reported.

Senate Bill No. 326, above reported, read first and second times and referred to the Merced delegation.

Senate Bill No 497, above reported, read first and second times and referred to the Napa delegation.

The House concurred in Senate amendments to Assembly Bill No. 572, above reported.

RESOLUTIONS.

Resolutions were offered as follows:

By Mr. Days.

A resolution to amend the general order of business of the House.

Laid over one day.
By Mr Eagan.

A resolution authorizing the Sergeant at Arms and his Clerk pay for extra service.

Referred to the Committee on Rules and Regulations.
By Mr. Wilcox:

Mr. SPEAKER. Your Committee on Rules and Regulations, to whom was referred the resolution relative to additional pay to William Kirby, have considered the same, and beg leave to report it back, with the recommendation that it pass.

WILCOX, for Committee.

Resolved, That the Controller be directed to draw his warrant in favor of William Kirby for two hundred and forty dollars, being two dollars per day extra pay for the session, as porter to the Sergeant at Arms, and the Treasurer is directed to pay the same, payable out of the Contingent Fund of the Assembly.

The rules were suspended, and the resolution above reported adopted.
By Mr. Chalmers—A preamble and resolution concerning the uniformity of taxation.
Referred to Judiciary Committee.
By Mr. Brown—A resolution to increase the per diem of the postmaster of the House
Referred to the Committee on Rules and Regulations
By Mr. Sphvalo—A resolution for extra pay to the doorkeepers of the Assembly.
Referred to the Committee on Rules and Regulations.
By Mr. Wheaton:

Resolved, That the Committee on Rules and Regulations be and they are hereby instructed to report to this House the names of all attachés of this House who should, in the opinion of the committee, be entitled to extra pay, and the amount of such extra pay respectively.

Adopted.

REPORT.

Mr Gibson made the following report:

Mr. SPEAKER: Your Committee on Enrollment beg leave to report that they have examined and found correctly enrolled Assembly Bill No.

620—An Act supplementary to an Act entitled an Act concerning county records, passed March twenty-sixth, eighteen hundred and fifty-one—and that the same has, this twenty-seventh day of March, eighteen hundred and seventy-two, at thirty minutes past three o'clock, been transmitted to the Governor for his approval.

GIBSON, Chairman.

Mr. Johnston had leave to make the following report:

Mr. SPEAKER: The Sacramento delegation, to whom was referred Assembly Bill No. 335, report the same back with amendments, and recommend its passage as amended.

JOHNSTON, for Delegation.

The rules were suspended, and the bill above reported taken up, rules again suspended, considered engrossed, read a third time and passed.

By Mr. Harvey:

Mr. SPEAKER: The Committee on Swamp and Overflowed Lands, to whom was referred Assembly Bill No. 305, report the same back and recommend the adoption of the Senate amendments.

HARVEY, for Committee.

The House concurred in the Senate amendments to the bill above reported.

GENERAL FILE RESUMED.

Assembly Bill No. 677 was withdrawn from file.

Assembly Bill No. 667—An Act supplementary to an Act entitled an Act supplementary to an Act entitled an Act to establish the Industrial School Department of the City and County of San Francisco, approved April fifteenth, eighteen hundred and fifty-eight, approved February fifteenth, eighteen hundred and sixty-four.

Rules suspended, bill considered engrossed, read a third time and passed.

Assembly Bill No. 694—An Act to provide for the repairs and improvement of roads and highways in the City and County of San Francisco

Reported amendments adopted, rules suspended, bill considered engrossed, read a third time and passed.

Assembly Bill No 695—An Act in relation to the collection of street assessments in the City and County of San Francisco

Reported amendments adopted, rules suspended, bill considered engrossed, read a third time and passed.

Assembly Bill No. 715—An Act amending an Act concerning the Harbormaster of the City and County of San Francisco, approved March twenty-sixth, eighteen hundred and fifty-seven.

Rules suspended, bill considered engrossed, read a third time and passed.

Assembly Bill No. 716.

Taken from file and re-referred to San Francisco delegation.

Assembly Bill No. 730—An Act for the support of certain cemeteries in Tehama County.

Rules suspended, bill considered engrossed, read a third time and passed.

Assembly Bill No 731—An Act to authorize the Board of Supervisors of the County of Yolo to levy, and the Collector to collect, a special tax for Plainfield School District.

Rules suspended, bill considered engrossed, read a third time and passed.

Assembly Bill No 734—An Act to amend an Act entitled an Act to incorporate the Town of Redwood City, approved March twenty-seventh, eighteen hundred and sixty-eight.

Rules suspended, bill considered engrossed, read a third time and passed.

Assembly Bill No. 735—An Act amendatory of an Act entitled an Act amendatory and supplemental to an Act entitled an Act to incorporate the Town of Redwood City, approved March twenty-seventh, eighteen hundred and sixty-eight, approved March twenty-fourth, eighteen hundred and seventy.

Rules suspended, bill considered engrossed, read a third time and passed.

Assembly Bill No. 736—An Act concerning certain duplicate bonds of the funded debt of eighteen hundred and fifty-seven.

Rules suspended, bill considered engrossed, read a third time and passed.

Assembly Bill No. 738—An Act to provide for the payment of certain road indebtedness of Tuolumne County.

Rules suspended, bill considered engrossed, read a third time and passed.

Senate Bill No. 200—An Act concerning trespasses on lands in the Counties of Santa Barbara and San Luis Obispo.

Several motions to recommit the bill to Santa Barbara delegation and to Committee on Agriculture having been rejected, the amendments reported from the Committee on Agriculture were adopted and the bill read a third time and passed

The House refused to pass Senate Bill No. 178—An Act to separate the office of County Recorder from that of County Clerk in the County of Yolo, and to provide for the election of a County Recorder.

Senate Bill No. 410—An Act to provide for Public Administrators in certain cases.

Read a third time and passed.

Senate Bill No. 259—An Act to confer additional powers upon the Board of Supervisors and the Auditor and Treasurer of San Francisco, etc.

Reported amendments adopted, bill read a third time and passed.

Senate Bill No. 406—An Act to extend an Act entitled an Act concerning District Court Reporters, approved March thirteenth, eighteen hundred and sixty-six, to the Nineteenth and Twentieth Judicial Districts of the State of California.

Amendments adopted, bill read a third time and passed.

Senate Bill No. 420.

Passed on file.

Assembly Bill No. 722—An Act for the relief of J Johnson.

Rules suspended, bill considered engrossed, read a third time and passed.

Assembly Bill No. 644—An Act to provide for the support of men belonging to the paid Fire Department of the City and County of San Francisco who may be disabled while in the performance of their duties.

Rules suspended, bill considered engrossed, read a third time and passed.

Assembly Bill No. 733.

Withdrawn from file.

Assembly Bill No 189.

Withdrawn from file.

The House refused to order engrossed Assembly Bill No. 190.

Assembly Bill No. 416

Ordered to head of file for to-morrow.

MESSAGE FROM THE SENATE.

The following message was received from the Senate:

SENATE CHAMBER,
March 27th, 1872.

Mr. SPEAKER. I am directed to inform your honorable body that the Senate, on this twenty-seventh day of March, passed Senate Bill No. 500—An Act appropriating fifty-six thousand dollars in United States legal tender notes for the payment of the necessary incidental expenses of the State Capitol and Governor's Mansion—and ordered the same transmitted to the House without engrossment.

FERRAL, Secretary.

CONSIDERATION OF THE MESSAGE.

Senate Bill No. 500, above reported, read first and second times, rules suspended, read a third time and passed.

INTRODUCTION OF BILL.

Mr. Freeman had leave to introduce the following bill—An Act to quiet title to certain lands in the County of Yolo.

Read first and second times and referred to the Committee on Swamp and Overflowed Lands.

At five o'clock and ten minutes, Mr. Gray moved that the House adjourn.

On which the ayes and noes were demanded by Messrs. Whiting, Luttrell, and Bailey, and the House agreed by the following vote:

AYES—Messrs. Aldrich, Bacon, Baird, Barker, Barnes, Bell, Caldwell, Coleman, Connolly, Crane, Days, De Haven, Eagan, Edgar, Ellis, French, Gibson, Goodall, Gray, Henshaw, James, Jost, Lee, Long, Mathers, Mott of Los Angeles, Munday, McCullough, Rector, Reed, Russ, Sargent of Santa Clara, Slaughter, Spencer, Splivalo, Stillwagon, Turner, Ward, Wheaton, Whitney, Wilcox, Wright, and Mr Speaker—43

NOES—Messrs Andrews, Barklage, Bayley, Berry, Bradley, Bockius, Brown, Burckhalter, Center, Chalmers, Dannals, Everett, Franck, Galloway, Harvey, Hopper, Johnston, Little, Lotton, Luttrell, Meeker, Mott

of Sacramento, Rice, Sargent of San Joaquin, Schrack, Scibe, Tinnin, Welty, Whiting, and Woodward—30.

So the House then adjourned.

T. B. SHANNON,
Speaker.

M. D. Boruck, Chief Clerk.

IN ASSEMBLY.

House of Assembly,
Thursday, March 28th, 1872.

House met pursuant to adjournment.
Speaker in the chair.
Roll called.
Quorum present.
Prayer by the Chaplain.
Journal of yesterday read and approved.

REPORTS OF STANDING COMMITTEES.

Reports from standing committees were made as follows:

By Mr. Barnes:

Mr. Speaker: The Committee on Engrossment beg leave to report that they have examined and find correctly engrossed Assembly Bill No. 556—An Act to better define the boundary line between Fresno and Mariposa Counties.

Also, substitute for Assembly Bill No. 549—An Act authorizing certain parties to take the surplus waters out of the Stanislaus River, at Six-mile Bar, in the County of Calaveras, for agricultural, irrigating, and manufacturing purposes

Also, Assembly Bill No. 711—An Act concerning the indigent sick.

Also, Assembly Bill No. 228—An Act to provide a remedy in certain cases.

BARNES, Chairman.

By Mr. Gibson:

Mr. Speaker: Your Committee on Enrollment beg leave to report that they have examined and found correctly enrolled Assembly Bill No. 573—An Act to encourage the planting and cultivation of oysters in certain portions of the Bay of Monterey, and in the tide waters and tributary sloughs of the Salinas River.

Also, substitute for Assembly Bills Nos 407, 388, and 639—An Act to provide the City of Sacramento with a better supply of water.

Also, Assembly Bill No 672—An Act to authorize the County of Yuba to issue six thousand dollars of bonds for the purpose of constructing, repairing, and improving wagon roads and bridges in said County of Yuba.

Also, Assembly Bill No. 630—An Act to amend an Act entitled an Act

to provide for the management and sale of lands belonging to the State, approved March twenty-eighth, eighteen hundred and sixty-eight.

Also, Assembly Bill No. 687—An Act to amend an Act entitled an Act to authorize the Board of Supervisors of Yuba County to construct a bridge across the Yuba River, and roads connecting the same with the high lands, approved March tenth, eighteen hundred and sixty-eight.

Also, Assembly Joint Resolution No. 32—Relative to authorizing the Sergeant at Arms to furnish the California Immigrant Union with one thousand copies of the Report of the State Surveyor.

Also, Assembly Bill No. 482—An Act to provide for the organization of an Exempt Firemen's Association for the City of Sacramento.

Also, Assembly Bill No. 305—An Act to provide for funding the indebtedness of the reclamation and levee districts of the State.

And that the same have, this twenty-eighth day of March, eighteen hundred and seventy-two, at thirty minutes past ten o'clock, been transmitted to the Governor for his approval.

GIBSON, Chairman.

By Mr. Edgar:

Mr. Speaker: Your Committee on Roads and Highways, to whom was referred Assembly Bill No. 399—An Act to provide for the location, construction, and maintenance of public roads in Colusa County—have considered the same, and beg leave to report it back without recommendation.

EDGAR, Chairman.

The bill was ordered to the table.

By Mr. Stillwagon:

Mr. Speaker: The State Hospital Committee, to whom was referred Senate Bill No 469, respectfully return the same and recommend its passage, with an amendment.

STILLWAGON, Chairman.

The rules were suspended and the bill above reported was taken up, reported amendment adopted, and bill read a third time and passed.

By Mr. Spencer:

Mr. Speaker: The Committee on Judiciary report back Senate Bill No. 490—An Act to regulate the salary of the District Judge of the Sixteenth Judicial District—and recommend its passage.

Also, Senate Bill No. 486—An Act to amend an Act entitled an Act to regulate proceedings in criminal cases, passed May first, eighteen hundred and fifty-two—and recommend its passage.

SPENCER, Chairman.

The rules were suspended, and Senate Bills Nos. 486 and 490, above reported, taken up, severally read a third time and passed.

By Mr. Eagan:

Mr. Speaker: The Committee on Agriculture, to whom was referred Senate Bill No. 197—An Act to amend an Act entitled an Act to restrict

the herding of sheep, approved May eighteenth, eighteen hundred and sixty-one—have had the same under consideration, and herewith report back said bill, recommending its passage.

EAGAN, Chairman.

The rules were suspended, and the bill above reported ordered placed at the head of the file for to-morrow.

By Mr. Baird:

Mr. SPEAKER: The Committee on Public Buildings and Grounds, to whom was referred Senate Bill No 157—have had the same under consideration, and report it back with a recommendation that all after the enacting clause be stricken out, and the accompanying substitute be adopted

BAIRD, Chairman pro tem.

The rules being suspended to take up the bill, the substitute above reported was adopted, read a third time and passed.

By Mr. Luttrell.

Mr. SPEAKER: The Committee on Rules and Regulations, to whom was referred Assembly Resolution relative to holding evening sessions, report the same back, and recommend the passage of the resolution.

LUTTRELL, Chairman.

The rules were suspended, and the resolution above reported adopted, as follows

Resolved, That the general order of business is hereby amended, and that on Thursday, and every day thereafter, this House hold evening sessions at seven o'clock and thirty minutes.

By Mr. Mott of Sacramento:

Mr SPEAKER: The Committee on Claims, to whom was referred Senate Bill No. 51, report it back and recommend it do pass.
Also, Assembly Bill No. 623, and recommend it do not pass.
Also, Senate Bill No. 139, and recommend its passage.
Also, Senate Bill No. 398, and recommend its passage.
Also, Assembly Joint Resolution No. 7, and recommend its passage.

MOTT, Chairman.

By Mr. Days:

Mr. SPEAKER. The Committee on Public Lands, to whom was referred Assembly Bill No. 750—An Act to protect settlers on State lands—have had the same under consideration, and report it back and recommend its passage.

DAYS, Chairman.

The rules were suspended and the bill above reported taken up, rules again suspended, bill considered engrossed, read a third time and passed.

By Mr. Stillwagon:

Mr. SPEAKER: The committee to whom was referred Senate Bill No. 497, respectfully report favorably, and recommend its passage.

STILLWAGON, Delegation.

The rules were suspended and the bill above reported taken up, read a third time and passed.

By Mr. Stillwagon:

Mr. SPEAKER: The committee to whom was referred Assembly Bill No. 765, respectfully report favorably upon the same, and recommend its passage.

STILLWAGON, Chairman.

By leave the bill was withdrawn.

By Mr. Sensabaugh:

Mr. SPEAKER: The Merced delegation, to whom was referred Assembly Bill No. 757—An Act to locate the county seat of Merced County—report that they have examined the same, and report back recommending its passage.

SENSABAUGH, for Delegation.

The rules were suspended and the above reported bill taken up, rules again suspended, bill considered engrossed, read a third time and passed.

REPORTS OF SPECIAL COMMITTEES.

Reports from special committees were made as follows:

By Mr. Wright:

Mr SPEAKER: The Yolo and Solano delegations, to whom was referred Assembly Bill No. 762—An Act to provide for the better protection from overflow, by Putah Creek, of certain lands in the Counties of Yolo and Solano—herewith report the same back and recommend its passage.

WRIGHT, for Delegation.

The rules were suspended and the bill above reported taken up, rules again suspended, bill considered engrossed, read a third time and passed.

By Mr. Cooper:

Mr. SPEAKER: The Santa Barbara delegation, to whom was referred Senate Bill No. 389—An Act to authorize the Board of Supervisors of Santa Barbara County to build a Court House, etc.—report the same back and recommend its passage.

COOPER, for Delegation.

The rules were suspended, and the bill above reported read a third time and passed.

By Mr. Harvey:

Mr. SPEAKER: The Committee on Swamp and Overflowed Lands, to whom was referred Assembly Bill No 768—An Act to quiet titles to certain lands in the County of Yolo—have considered the same, report it back with amendments, and recommend its passage as amended.

HARVEY, Chairman.

The rules were suspended, and the bill above reported taken up, rules again suspended, bill considered engrossed, read a third time and passed.

RECONSIDERATIONS.

Mr. Eagan, according to notice, moved to reconsider the vote whereby the House passed Senate Bill No 300.

Mr. Freeman moved that the motion be laid on the table

The ayes and noes were demanded by Messrs. Andrews, Days, and Berry, and it was so ordered, by the following vote:

AYES—Messrs Bacon, Baird, Bell, Bockius, Brown, Burckhalter, Caldwell, Center, Chalmers, Coleman, Connolly, Cooper, Crane, Dannals, De Haven, Eagan, Edgar, Ellis, Everett, Freeman, Galloway, Goodall, Gray, Hayes, Hopper, James, Jost, Lee, Little, Long, Luttrell, Mathers, Mott of Los Angeles, Munday, McCullough, Rector, Reed, Rice, Sammons, Sargent of Santa Clara, Sargent of San Joaquin, Schrack, Seibe, Sensabaugh, Slaughter, Splivalo, Stillwagon, Tinnin, Walker, Ward, Welty, Wheaton, Whiting, Whitney, Wilcox, Wright, and Mr. Speaker—57.

NOES—Messrs Andrews, Barker, Barnes, Bayley, Berry, Days, Henshaw, Johnston, Lofton, Meeker, Mott of Sacramento, Spencer, Turner, and Woodward—14.

Mr. Cooper moved that the vote whereby Senate Bill No. 200 was passed be reconsidered.

Mr Spencer moved to lay the motion to reconsider on the table, and the House so ordered.

Mr. Everett moved the reconsideration of the vote whereby the House refused to pass Assembly Bill No. 370.

Mr. Wilcox moved that the resolution to reconsider be laid on the table.

Whereupon the ayes and noes were demanded by Messrs. Luttrell, Everett, and Bell, with the following result.

AYES—Messrs Bacon, Baird, Barnes, Bradley, Bockius, Brown, Burckhalter, Caldwell, Connolly, Crane, De Haven, Eagan, Franck, Freeman, Galloway, Gray, Harvey, Henshaw, Hopper, James, Johnston, Lee, Meeker, Mott of Los Angeles, Mott of Sacramento, Munday, McCullough, Sargent of Santa Clara, Schrack, Seibe, Slaughter, Spencer, Splivalo, Turner, Ward, Wheaton, Wilcox, Wright, and Mr. Speaker—39.

NOES—Messrs. Andrews, Barker, Barklage, Bayley, Bell, Berry, Center, Chalmers, Dannals, Days, Edgar, Everett, French, Goodall, Jost, Little, Lofton, Long, Luttrell, Mathers, Rector, Russ, Sammons, Sargent of San Joaquin, Walker, Welty, Whiting, Whitney, and Woodward—29.

MESSAGE FROM THE SENATE.

The following message was received from the Senate:

SENATE CHAMBER,
March 27th, 1872.

Mr. SPEAKER: I am directed to inform your honorable body that the Senate, on this twenty-seventh day of March, passed Senate Bill No. 495—An Act amendatory of an Act entitled an Act to amend an Act to fix the terms of the County Court and Probate Court of Sonoma County.

Also, return to your honorable body, in compliance with your request, Assembly Bill No. 228

Also, amended and passed Senate Bill No. 383—An Act to provide and pay for services rendered the City and County of San Francisco.

Also, passed Assembly Bill No. 599—An Act to authorize certain persons to improve a portion of Kern River.

Also, passed Senate Bill No. 373—An Act to provide for the location of towpaths along the banks of navigable streams.

FERRAL, Secretary.

CONSIDERATION OF THE MESSAGE.

Senate Bill No. 495, above reported, read first and second times and referred to the Sonoma delegation.

Senate Bill No. 373, above reported, read first and second times and referred to Committee on Swamp and Overflowed Lands.

The House concurred in Senate amendment to Assembly Bill No. 383, above reported.

MESSAGE FROM THE GOVERNOR.

The following message was received from the Governor:

STATE OF CALIFORNIA, EXECUTIVE DEPARTMENT,
Sacramento, March 27th, 1872.

To the Assembly of the State of California:

I have to inform your honorable body that I have approved Assembly Bill No. 642—An Act to authorize road districts in San Joaquin County to levy a special tax.

Also, Assembly Bill No. 492—An Act concerning assessments upon the stock of corporations.

Also, Assembly Bill No 664—An Act to amend an Act entitled an Act to amend an Act entitled an Act to create and organize a fire department for the Town of Mokelumne Hill, approved April twenty-fourth, eighteen hundred and sixty-two, approved March twenty-sixth, eighteen hundred and sixty-eight.

Also, Assembly Bill No. 665—An Act to define the fire limits of the Town of Mokelumne Hill, in Calaveras County, and to provide for the support of the fire department thereof.

Also, Assembly Bill No. 678—An Act to better define the duties and fix the compensation of certain officers of Solano County.

Also, Assembly Bill No. 728—An Act to amend an Act entitled an Act to amend the city charter of Los Angeles, approved February twentieth, eighteen hundred and seventy-two.

Also, Assembly Bill No. 624—An Act to amend an Act entitled an Act to regulate the fees and salaries of officers, and defining their duties, in the County of El Dorado, and other matters relating thereto, approved March fifth, eighteen hundred and seventy.

Also, Assembly Bill No. 537—An Act to reincorporate the City of Vallejo.

Also, Assembly Bill No. 682—An Act to provide funds for the City of Oakland.

Also, Assembly Bill No. 705—An Act to amend an Act entitled an Act to incorporate the City of Marysville, approved March third, eighteen hundred and fifty-seven.

Also, Assembly Bill No. 700—An Act for the relief of purchasers of State lands.

Also, Assembly Bill No. 613—An Act to add additional sections to the Political Code.

Also, substitute for Assembly Bills Nos. 213 and 284—An Act to protect agriculture, and to prevent the trespassing of animals upon private property.

NEWTON BOOTH, Governor.

MOTIONS AND RESOLUTIONS.

Resolutions were offered as follows:

Resolved, That the sum of three hundred and ninety dollars be and the same is hereby appropriated out of the Contingent Fund of the Assembly for the payment of Sumner and Cutter, for services as reporters in taking testimony before the Committee on Public Buildings and Grounds, in the matter of the State Capitol investigation; and the Controller is hereby directed to draw his warrant in favor of said Sumner and Cutter for the above amount of three hundred and ninety dollars; and the Treasurer is directed to pay the same.

Adopted.
By Mr. Freeman:

A Concurrent Resolution—Requesting the Governor to return for correction Assembly Bill No. 670.

Adopted.
By Mr. Lofton:

A Resolution—Allowing an Assistant Engrossing Clerk additional pay.

Referred to the Committee on Rules and Regulations.

Mr. Mathers moved to take up Assembly Joint Resolution No. 31, on General File.

House refused.

Mr. Wilcox moved to reconsider the vote whereby the House passed Assembly Bill No. 721.

The motion was laid on the table.
By Mr. Gibson.

A Resolution—Relative to increased pay to the Clerk of the Committee on Hospitals

Referred to the Committee on Rules and Regulations.
By Mr Stillwagon:

A Concurrent Resolution—Authorizing the State Printer to print one thousand copies of the Annual Report of the Transactions of the State Medical Society for the years eighteen hundred and seventy-two and eighteen hundred and seventy-three.

MESSAGE FROM THE SENATE.

The House took up the following message from the Senate:

SENATE CHAMBER,
March 28th, 1872.

Mr. SPEAKER: I am directed to inform your honorable body that the Senate, on the twenty-seventh day of March, amended and passed Assembly Bill No 529—An Act amendatory of an Act entitled an Act to organize and regulate the Justices Court of the City and County of San Francisco.

Also, passed Assembly Bill No 655—An Act to authorize the Board of Supervisors of the City and County of San Francisco to appropriate money for the improvement of Washington Plaza.

Also, passed Assembly Bill No 637—An Act supplemental to an Act entitled an Act to incorporate the City of Sacramento.

Also, amended and passed Assembly Bill No. 581—An Act to authorize the maintenance of a boom on Elk River.

Also, passed Assembly Bill No. 643—An Act to authorize Isaac Bluxome to remove certain dead bodies.

Also, passed Assembly Bill No. 555—An Act to regulate the salaries of the county officers of San Joaquin County.

Also, passed Assembly Bill No. 616—An Act validating certain contracts in relation to the excavation of Putah Creek Canals.

Also. passed Assembly Bill No. 650—An Act to fix the terms of the County Court of Monterey County.

Also, passed Assembly Bill No 594—An Act to fix the salary of the District Attorney of Plumas County.

Also, passed Assembly Bill No 634—An Act to authorize John Rann or S C. Long, of Yuba County to remove certain remains.

Also, passed Assembly Bill No. 635—Relating to the salary of the Assessor of Tehama County.

Also, passed Assembly Bill No. 627—An Act to authorize the Trustees of Red Bluff School District to borrow money.

Also, passed Assembly Bill No. 391—An Act to regulate and define fees in the Sheriff's office in Mendocino County.

Also, passed Assembly Bill No. 472—An Act in relation to certain officers in Tehama County

Also, passed Assembly Bill No. 568—An Act to provide for a street railroad in Napa.

Also, passed Assembly Bill No. 582—An Act to authorize the Board of Supervisors of Trinity County to levy a special tax

Also, passed Assembly Bill No. 411—An Act to better define the boundaries between the Counties of Humboldt, Trinity, Mendocino, and Klamath.

Also, passed Assembly Bill No. 518—An Act concerning roads in Fresno County.

Also, refused to pass Assembly Bill No. 612—An Act to define the duties of the District Attorney of Alameda County.

Also, amended and passed Assembly Bill No 673—An Act to authorize the conveyance of a certain piece of land in the City and County of San Francisco to the Ladies' Protection and Relief Society.

Also, amended and passed Assembly Bill No. 543—An Act fixing the salaries of certain county officers of Alameda County.

Also, refused to pass Assembly Bill No. 364—An Act to fix the salary of the Superintendent of Common Schools in Plumas County.

Also, amended and passed Assembly Bill No. 344—An Act regulating the rights of property of married women.

Also, amended and passed Assembly Bill No. 488—An Act for the relief of H Botiller

Also, passed Assembly Bill No. 499—An Act authorizing Sheriffs and Constables to wear a badge of office.

Also, amended and passed Assembly Bill No 587—An Act changing the manner of electing Supervisors in the County of Del Norte

Also, passed Senate Bill No. 19—An Act to cede certain lands to the City of San Diego.

Also, passed Senate Bill No. 449—An Act concerning the office of Sheriff of Humboldt County—and ordered the same transmitted without engrossment.

Also, passed Senate Bill No. 429—An Act to amend an Act entitled an Act to grant G. Carvillo and assigns the right to supply Santa Barbara with pure water—and ordered the same transmitted without engrossment.

Also, passed Senate Bill No. 481—An Act to provide for the incorporation of tramroad companies in Shasta County—and ordered the same transmitted without engrossment.

Also, refused to concur in that portion of Assembly amendments to Senate Bill No. 493—An Act in relation to the Political Code which relates to Contra Costa County

Also, passed Assembly Bill No. 424—An Act to prevent animals from running at large in certain portions of Contra Costa County.

Also, passed Assembly Bill No. 578—An Act to amend an Act entitled an Act concerning roads and highways in Klamath and Del Norte Counties.

Also, passed Assembly Bill No 181—An Act amendatory of and supplementary to an Act entitled an Act to authorize R G. Arthur and his associates to construct and keep in repair certain roads upon the San Miguel Rancho, in the City and County of San Francisco

Also, passed Assembly Bill No. 704—Relating to Swamp Land District.

Also, passed Assembly Bill No. 580—An Act to authorize the Board of Supervisors of Plumas County to complete the Red Clover Valley Wagon Road.

Also, passed Assembly Bill No. 350—An Act supplementary to the Act of April twenty-fifth, eighteen hundred and sixty-three, to incorporate the City of Sacramento.

Also, passed Assembly Bill No. 636—An Act supplementary to an Act entitled an Act to provide for the protection of certain lands in Sutter County from overflow.

Also, passed Assembly Bill No. 611—An Act to prevent hunting and shooting on private grounds in the City and County of San Francisco.

FERRAL, Secretary.

CONSIDERATION OF THE MESSAGE.

The House concurred in the Senate amendment to Assembly Bill No. 673, above reported.

Assembly Bill No. 543, above reported, with Senate amendment, referred to the Alameda delegation.

The House concurred in Senate amendments to Assembly Bill No 344, above reported.

Also, concurred in Senate amendment to Assembly Bill No. 587, above reported.

Senate Bill No. 19, above reported, read first and second times and referred to the San Diego delegation.

Senate Bill No. 449, above reported, read first and second times, rules unanimously suspended, read a third time and passed.

Senate Bill No-429, read first and second times and referred to the Santa Barbara delegation.

Senate Bill No 481, above reported, read first and second times and referred to the Shasta delegation.

The House receded from its amendment to Senate Bill No. 493, above reported, relative to Contra Costa, and non-concurred in by the Senate.

The House concurred in Senate amendments to Assembly Bills Nos. 529 and 581, above reported.

INTRODUCTION OF BILLS.

Bills were introduced as follows:

By Mr. Sphvalo (by request, for Mr. Pardee)—An Act to provide for the appointment of a Deputy Sheriff in Alameda County.

Read first and second times and placed on file.

By Mr. Wright—An Act to amend an Act entitled an Act to reincorporate the City of Vallejo, approved March twenty-seventh, eighteen hundred and seventy-two.

Read first and second times and referred to the Solano delegation.

By Mr. Galloway—An Act amendatory of an Act entitled an Act to encourage the destruction of squirrels and gophers in certain counties of this State, and to provide for a bounty for the same.

Read first and second times, rules unanimously suspended, bill considered engrossed, read a third time and passed.

By Mr. Wheaton (from the Committee on Ways and Means)—An Act to make appropriations for the support of the civil government of the State of California for the twenty-fourth and twenty-fifth fiscal years

Read first and second times and made subject for consideration at three o'clock P. M.

GENERAL FILE.

On motion of Mr. Luttrell, Senate Bill No. 489 was passed on file.

Assembly Bill No. 416—An Act to authorize the Board of Education of the City and County of San Francisco to allow the Auditor of said city and county to audit and the Treasurer of said city and county to pay certain mechanics for labor performed and for materials furnished for the erection of certain school houses in said city and county.

Amended, rules suspended, bill considered engrossed, read a third time and passed.

Mr Jost gave notice of a motion to reconsider.

Assembly Bill No. 766—An Act to repeal an Act entitled an Act to aid the Mercantile Library Association of the City and County of San Francisco in paying its indebtedness, approved February nineteenth, eighteen hundred and seventy.

Amended, rules suspended, bill considered engrossed, read a third time and passed.

Mr Lee gave notice of a motion to reconsider the vote.

Assembly Bill No. 179—An Act concerning the unlawful holding over of dwelling houses, tenement houses, shops and stores, and land leased therewith in the City and County of San Francisco

Mr. Whiting moved the indefinite postponement of the bill.

Lost.

The previous question was ordered, and on the passage of the bill, the ayes and noes were demanded by Messrs. Whiting, Berry, and Andrews, and the bill passed by the following vote:

AYES—Messrs Aldrich, Baird, Barker, Barnes, Bradley, Bockius, Brown, Burckhalter, Caldwell, Chalmers, Crane, De Haven, Eagan, Edgar, Franck, Freeman, French, Gray, Harvey, Henshaw, Hopper, James, Johnston, Jost, Lee, Lotton, Meeker, Mott of Los Angeles, Mott of Sacramento, McCullough, Reed, Rice, Russ, Sargent of Santa Clara, Sargent of San Joaquin, Schrack, Seibe, Spencer, Splivalo, Tinnin, Turner, Walker, Welty, Wheaton, Wilcox, Woodward, and Wright—47.

NOES—Messrs. Andrews, Barklage, Bayley, Bell, Berry, Center, Coleman, Connolly, Cooper, Dannals, Days, Everett, Gibson, Hayes, Little, Long, Luttrell, Mathers, Munday, Rector, Sammons, Whiting, and Whitney—23.

MESSAGE FROM THE SENATE.

The following message was received from the Senate.

SENATE CHAMBER,
March 28th, 1872.

MR SPEAKER: I am directed to inform your honorable body that the Senate, on the twenty-seventh day of March, eighteen hundred and seventy-two, passed Senate Bill No. 472—An Act to provide for paving the streets in the City and County of San Francisco.

Also, on the same day, passed Senate Bill No 442—An Act to authorize suit against the Board of Supervisors of the County of Sacramento.

Also, on the same day, amended and passed substitute for Assembly Bill No 552—An Act to amend an Act entitled an Act for the regulation of the sailor boarding houses and shipping offices in the City and County of San Francisco, approved March tenth, eighteen hundred and seventy.

Also, on the twenty-eighth instant, passed Assembly Bill No. 526—An

Act in relation to moneys belonging to the State derived from taxes assessed on mortgages.

SHACKELFORD, Assistant Secretary.

CONSIDERATION OF THE MESSAGE.

Senate Bill No. 472, above reported, read first and second times and referred to San Francisco delegation.

Senate Bill No. 442, above reported, read first and second times and referred to Sacramento delegation.

The House concurred in Senate amendment to Assembly Bill No. 552, above reported.

GENERAL FILE RESUMED.

Assembly Bill No 669—An Act to legalize certain acknowledgments.

Amendments adopted, rules suspended, bill considered engrossed, read a third time and passed.

Assembly Bill No. 686—An Act concerning the office of Sheriff of the City and County of San Francisco.

Amendments adopted, rules suspended, bill considered engrossed, read a third time and passed.

Senate Bill No 240.

Taken from the file and referred to the Monterey delegation.

At one o'clock P. M. the House took the usual recess.

REASSEMBLED.

The House again convened at a quarter before two o'clock P. M.

Speaker in the chair.

Roll called.

Quorum present.

RECONSIDERATION.

Mr. Spencer moved to reconsider the order of the House passing on file Senate Bill No. 489, second on file for to-day, and take up the same for present consideration.

The motion prevailed.

On the passage of the bill, the ayes and noes were demanded by Messrs. Berry, Luttrell, and Days, with the following result:

AYES—Messrs. Aldrich, Bacon, Baird, Barker, Barklage, Barnes, Bell, Bradley, Bockius, Brown, Burckhalter, Coleman, Cooper, Crane, Days, De Haven, Eagan, Edgar, Everett, Franck, Freeman, French, Goodall, Gray, Harvey, Hayes, Hopper, James, Jost, Lee, Lofton, Long, Luttrell, Meeker, McCullough, Reed, Rice, Russ, Sammons, Sargent of Santa Clara, Sethe, Spencer, Splivalo, Stillwagon, Turner, Welty, Wheaton, Whitney, Wilcox, Woodward, Wright, and Mr. Speaker—53.

NOES—Messrs. Andrews, Berry, Caldwell, Center, Dannals, Gibson, Henshaw, Little, Mathers, Mott of Los Angeles, Munday, Schrack, Slaughter, Timnin, Walker, Ward, and Whiting—17.

Mr. Luttrell gave notice of a motion to reconsider.

INTRODUCTION OF BILLS.

Bills were introduced as follows:

By Mr. Eagan—An Act supplementary to an Act entitled an Act to authorize and provide for the payment by the County of Amador to the County of Calaveras, or its assigns, of interest on certain indebtedness due from the County of Amador to the County of Calaveras, approved March thirty-first, eighteen hundred and sixty-six.

Read first and second times, rules suspended, bill considered engrossed, read a third time and passed.

By Mr. Splivalo—An Act concerning the Board of Education of the City and County of San Francisco.

Read first and second times and referred to the San Francisco delegation.

REPORTS.

Reports were made as follows:

By Mr. Wheaton:

Mr. SPEAKER. Your committee having had under consideration Senate Concurrent Resolution No. 46—Relative to the payment of S. C. Denson and E. H. Pomeroy—beg leave to report the same back, and recommend its passage.

WHEATON, Chairman.

The rules were suspended, and the House concurred in the resolution above reported.

By Mr. Wright:

Mr. SPEAKER: The Solano delegation, to whom was referred Assembly Bill No. 771—An Act to amend an Act entitled an Act to reincorporate the City of Vallejo, approved March twenty-seventh, eighteen hundred and seventy-two—report the same back, and recommend its passage.

WRIGHT, for Delegation.

The rules were suspended, and the bill above reported taken up, rules again suspended, bill considered engrossed, read a third time and passed.

MESSAGE FROM THE SENATE.

The following message was received from the Senate:

SENATE CHAMBER,
March 28th, 1872

Mr. SPEAKER: I am directed to inform your honorable body that the Senate, on this twenty-eighth day of March, passed the following resolution:

Resolved by the Senate, That the Assembly be and is hereby respect-

fully requested to return to the Senate Senate Bill No. 489, for the purpose of correcting a clerical error therein.

SHACKELFORD, Assistant Secretary.

Following is the resolution above reported:

Resolved by the Senate, That the Assembly be and is hereby respectfully requested to return to the Senate Senate Bill No. 489, for the purpose of correcting a clerical error therein.

The Senate was informed that compliance with the foregoing resolution was impossible, as the bill therein referred to had already passed through all stages of legislation in the Assembly.

The rules were suspended, and Mr. Lofton introduced a resolution to allow increase of compensation to the Clerk of the Committee on Agriculture.

Referred to the Committee on Rules and Regulations.

GENERAL FILE RESUMED.

Assembly Bill No 243—An Act to amend an Act entitled an Act to authorize the incorporation of canal companies and the construction of canals

Rules suspended, bill considered engrossed, read a third time and passed.

Assembly Bill No 741—An Act to authorize the Board of Supervisors of Kern County to purchase a certain toll road.

Rules suspended, bill considered engrossed, read a third time and passed.

REPORT.

Mr Barnes made the following report:

Mr Speaker: The Committee on Engrossment beg leave to report that they have examined and find correctly engrossed Assembly Bill No. 335—An Act to amend an Act entitled an Act to provide for the drainage of the City of Sacramento and of the lands of Swamp Land District Number Two, approved March twelfth, eighteen hundred and sixty-eight

Also, Assembly Bill No 766—An Act to repeal an Act entitled an Act to aid the Mercantile Library Association of the City and County of San Francisco in paying its indebtedness, approved February nineteenth, eighteen hundred and seventy.

Also, Assembly Bill No 750—An Act granting the right of way, in the Counties of Lake and Mendocino, for the construction of a wagon road.

Also, Assembly Bill No 695—An Act in relation to the collection of street assessments in the City and County of San Francisco.

Also, Assembly Bill No. 605—An Act to withdraw from market the salt marsh and tide lands lying in and around Humboldt Bay, Humboldt County, California.

Also, Assembly Bill No. 712—An Act to amend an Act to provide for the management and sale of the lands belonging to the State, approved March twenty-eighth, eighteen hundred and sixty-eight.

Also, Assembly Bill No 416—An Act to authorize the Board of Education of the City and County of San Francisco to allow the Auditor of said city and county to audit, and the Treasurer of said city and county to pay, certain mechanics for labor performed and for material furnished for the erection of certain school houses in said city and county.

BARNES, Chairman.

GENERAL FILE RESUMED.

Assembly Joint Resolution No. 31—Relative to opposing the passage of any Act granting Yerba Buena, or Goat Island, to the Central Pacific Railroad.

Mr Barker offered the following substitute for the original resolution.

WHEREAS, A bill is now pending in Congress the object of which is to confer upon the Central Pacific Railroad Company the right to occupy or lease Goat Island for depot purposes; and whereas, our Representatives in Congress have actively supported the bill, and whereas, the occupation of said island by the railroad company would greatly subserve the interests of commerce by facilitating the means of transportation, and draw to the shores of the State the great bulk of the East India trade, instead of allowing it to go by way of Europe, through the Suez Canal, thus increasing the prosperity of the State at large, therefore be it

Resolved, That the people of the State of California, through the Legislature now in session, do heartily indorse the action of our Representatives, and earnestly recommend to Congress the passage of the aforesaid bill; and be it therefore

Resolved, That his Excellency, the Governor, be requested to forward a copy of these resolutions to each of our Senators and Representatives in Congress.

Mr. Reel offered an amendment to the resolution.

Mr. McCullough moved to defer consideration of the subject matter until half-past seven o'clock, next Saturday evening.

Lost.

Mr De Haven moved the previous question.

Mr. Meeker moved a call of the House, and it being so ordered, the roll was called, and only Messrs. Freeman and Sensabaugh were found absent without excuse of the House.

Further proceedings under the call were dispensed with

The previous question was ordered, and on adopting the substitute the ayes and noes were demanded by Messrs. Meeker, Whiting, and Caldwell.

AYES—Messrs. Bacon, Barker, Barnes, Bell, Brown, Burckhalter, Caldwell, Chalmers, Connolly, Cooper, Dannals, Days, De Haven, Eagan, Edgar, Everett, French, Galloway, Harvey, Hayes, Hopper, Johnston, Lotton, Mott of Los Angeles, Mott of Sacramento, Munday, Rector, Sargent of Santa Clara, Slaughter, Stillwagon, Turner, Ward, Welty, Whitney, and Wilcox—35.

NOES—Messrs. Aldrich, Andrews, Baird, Barklage, Bayley, Berry, Bradley, Bockius, Center, Coleman, Crane, Franck, Gibson, Goodall, Gray, Henshaw, James, Jost, Lee, Little, Long, Luttrell, Mathers, Meeker, McCullough, Reed, Rice, Russ, Sammons, Sargent of San Joaquin, Schrack, Seibe, Spencer, Splivalo, Tinnin, Walker, Wheaton, Whiting, Woodward, Wright, and Mr. Speaker—41.

The amendment of Mr. Gray was as follows:

"That inasmuch as until now no public expression of opinion has been made by the people of San Francisco upon this question, these resolutions should not be construed to be in anywise a censure upon our delegation in Congress who have supported the bill referred to in this resolution, in the past or the present."

On the adoption of the amendment, the ayes and noes were demanded by Messrs. Meeker, Berry, and Munday, with the following result.

AYES—Messrs. Bacon, Barker, Barnes, Bell, Bockius, Brown, Burckhalter, Caldwell, Center, Chalmers, Connolly, Cooper, Crane, Days, De Haven, Eagan, Edgar, Everett, French, Galloway, Goodall, Gray, Harvey, Hayes, Hopper, James, Johnston, Lee, Lofton, Long, Mott of Los Angeles, Mott of Sacramento, McCullough, Rector, Russ, Sargent of Santa Clara, Sargent of San Joaquin, Schrack, Slaughter, Spencer, Stillwagon, Turner, Ward, Welty, Wheaton, Whitney, Wilcox, Woodward, Wright, and Mr. Speaker—50.

NOES—Messrs. Aldrich, Andrews, Baird, Barklage, Bayley, Berry, Bradley, Coleman, Dannals, Franck, Gibson, Henshaw, Jost, Little, Luttrell, Mathers, Meeker, Munday, Reed, Rice, Sammons, Seibe, Splivalo, Tinnin, Walker, and Whiting—26.

On adopting the resolution as amended, the ayes and noes were demanded by Messrs. Meeker, Andrews, and Whiting, with the following result:

AYES—Messrs. Aldrich, Andrews, Baird, Barklage, Bayley, Berry, Bockius, Center, Coleman, Crane, Franck, Gibson, Goodall, Gray, Henshaw, James, Jost, Long, Luttrell, Meeker, Munday, McCullough, Reed, Rice, Russ, Sammons, Sargent of San Joaquin, Schrack, Seibe, Spencer, Splivalo, Tinnin, Walker, Wheaton, Whiting, Woodward, Wright, and Mr. Speaker—38.

NOES—Messrs Bacon, Barker, Barnes, Bell, Bradley, Brown, Burckhalter, Caldwell, Chalmers, Connolly, Cooper, Dannals, Days, De Haven, Eagan, Edgar, Everett, French, Galloway, Harvey, Hayes, Hopper, Johnston, Lee, Little, Lofton, Mathers, Mott of Los Angeles, Mott of Sacramento, Rector, Sargent of Santa Clara, Slaughter, Stillwagon, Turner, Ward, Welty, Whitney, and Wilcox—38.

So the resolution was lost.

REPORT.

By leave, Mr. Wilcox made the following report:

Mr. SPEAKER: Your Committee on Rules and Regulations, to whom was referred the resolution giving additional compensation to the Ser-

geant at Arms and his Clerk, have had the same under consideration, and report it back with the recommendation that it pass.

WILCOX, for Committee.

The rules were suspended, and the resolution above reported adopted, as follows:

Resolved, That the Sergeant at Arms and his Clerk be allowed the sum of two dollars per day, from December fourth, eighteen hundred and seventy-one, to April first, eighteen hundred and seventy-two, for extra services, and that the Controller of State be and he is hereby authorized to draw his warrants on the Contingent Fund of the Assembly for the sum of two hundred and forty dollars for each of them, and that the Treasurer of State be directed to pay the same.

Mr. Luttrell offered a resolution approbatory of the course of United States Senators Casserly and Cole in opposing the cession of Goat Island to the Central Pacific Railroad Company.

Mr Wilcox moved to adjourn.

The ayes and noes were demanded by Messrs. Wilcox, Andrews, and Berry, and at five o'clock and fifty-five minutes P. M. the House agreed to adjourn until seven o'clock and thirty minutes P. M, by the following vote:

AYES—Messrs. Bacon, Barker, Barnes, Bockius, Brown, Burckhalter, Caldwell, Connolly, Cooper, Crane, Dannals, Days, De Haven, Eagan, Edgar, Everett, French, Galloway, Gray, Harvey, Hayes, Henshaw, Hopper, James, Johnston, Lee, Lofton, Mathers, Mott of Los Angeles, Mott of Sacramento, Munday, McCullough, Rector, Rice, Sargent of Santa Clara, Sargent of San Joaquin, Seibe, Slaughter, Spencer, Stillwagon, Turner, Welty, Whitney, Wilcox, and Wright—45.

NOES—Messrs. Aldrich, Andrews, Baird, Barklage, Bayley, Berry, Bradley, Center, Chalmers, Coleman, Franck, Gibson, Goodall, Jost, Little, Long, Luttrell, Meeker, Reed, Russ, Sammons, Schrack, Splivalo, Timmin, Walker, Ward, Wheaton, Whiting, Woodward, and Mr. Speaker—30.

EVENING SESSION.

House met pursuant to adjournment.
Speaker in the chair.
Roll called.
Quorum present.

CALL OF THE HOUSE.

Mr. Caldwell moved a call of the House, and it was ordered.

On the roll being called the following members were found absent without leave: Messrs. Barklage, Bayley, Brown, Coleman, Connolly, Dannals, Eagan, Gibson, Goodall, Harvey, James, Johnston, Jost, Mott of Sacramento, Reed, Rice, Sargent of Santa Clara, Sargent of San Joaquin, Spencer, Walker, Ward, Whitney, and Wright.

The Sergeant at Arms was sent after absentees, and soon after produced the following members at the bar of the House, viz:

Messrs. Goodall, Hopper, Whitney, Harvey, Rice, Sargent of Santa

Clara, Gibson, Spencer, Ward, Baird, James, Mott of Sacramento, Dannals, Everett, and Brown.

The excuses offered for their failure respectively to answer at roll call proving unsatisfactory, a fine of one dollar was imposed on each tardy member arrested by the Sergeant at Arms, except Mr. Brown, who was fined one dollar and a half.

Further proceedings under the call were dispensed with.

REPORTS.

Mr. Crane, from the Alameda delegation, reported back Assembly Bill No 543, with Senate amendments, recommending concurrence therein, and the House concurred.

Mr. Gibson made the following report:

Mr Speaker: Your Committee on Enrollment beg leave to report that they have examined and found correctly enrolled Assembly Bill No. 269—An Act to amend an Act entitled an Act to authorize the incorporation of canal companies, and to provide for the construction of canals and ditches, approved April second, eighteen hundred and seventy.

Also, Assembly Bill No 599—An Act authorizing certain persons to improve a portion of Kern River and to erect booms thereon

Also, Assembly Bill No. 181—An Act amendatory of and supplementary to an Act entitled an Act to authorize Robert G Arthur, his associates or assigns, to construct and keep in repair certain roads upon the San Miguel Rancho and adjoining property, in the City and County of San Francisco, and to levy and collect tolls thereon, approved April seventeenth, eighteen hundred and sixty-two.

Also, Assembly Bill No 581—An Act to authorize the maintenance of a boom on Elk River and to remove obstructions from said stream.

Also, Assembly Bill No 572—An Act to provide for the support of the common schools of the City and County of San Francisco, and to define the powers and duties of the Board of Education thereof.

Also, Assembly Bill No. 383—An Act to provide and pay for services rendered for the City and County of San Francisco.

And that the same have, this twenty-eighth day of March, eighteen hundred and seventy-two, at fifty minutes past seven o'clock, been transmitted to the Governor for his approval.

GIBSON, Chairman.

MESSAGE FROM THE SENATE.

The following message was received from the Senate:

Senate Chamber,
March 28th, 1872.

Mr Speaker: I am directed to inform your honorable body that the Senate, on this twenty-eighth day of March, passed substitute for Assembly Bills Nos 666 and 523—An Act concerning the assessment of animals

Also, passed Assembly Bill No. 477—Relative to grading Market street, in the City of San Francisco.

Also, passed Assembly Bill No. 598—An Act authorizing the Board of Supervisors of San Francisco to provide suitable rooms, fuel, lights, etc., for the Third and Nineteenth District Courts

Also, passed Assembly No. 747—An Act to amend an Act relating to roads in Alameda County.

Also, passed Assembly Bill No 453—Granting certain privileges to the North Beach and Mission Railroad Company.

Also, amended Assembly amendment to Senate Bill No. 462—Relative to the State Board of Harbor Commissioners reducing rates of tolls and dockage.

Also, passed Senate Bill No. 413—Relative to the survey of swamp lands in Sonoma County.

Also, passed Senate Bill No. 445—An Act to protect fish in Plumas and Sierra Counties.

Also, passed Assembly Bill No. 385—An Act to authorize the Board of State Harbor Commissioners to set apart a portion of the water front of San Francisco for certain purposes.

Also, passed Senate Bill No. 504—An Act to amend an Act entitled an Act to regulate salaries of officers in Nevada County—and ordered the same transmitted without engrossment.

Also, passed Senate Bill No. 505—An Act to authorize the Board of Supervisors of San Mateo County to settle certain claims—and ordered the same transmitted without engrossment.

Also, passed Senate Bill No. 510—An Act to extend the provisions of an Act to protect agriculture, approved March twenty-seventh, eighteen hundred and seventy-two, to a part of Monterey County—and ordered the same transmitted without engrossment.

Also, passed Senate Bill No. 448—An Act for the relief of J. J. Conlin—and ordered the same transmitted without engrossment.

Also, passed Senate Bill No. 288—An Act repealing Article IV of an Act entitled an Act to repeal the several charters of the City of San Francisco, and to consolidate the government thereof, etc.—and ordered the same transmitted without engrossment

Also, passed Assembly Bill No. 524—An Act making an appropriation for translating into Spanish the several State documents and reports ordered during the present session of the Legislature.

Also, passed Senate Bill No. 465—An Act to amend an Act entitled an Act to regulate fees in office.

Also, passed Senate Bill No. 273—An Act to define the boundary line between the Counties of San Francisco and Alameda.

Also, passed Assembly Bill No. 469—An Act to amend an Act entitled an Act to provide for the improvement of public parks in San Francisco.

Also, passed Senate Bill No. 415—An Act to amend an Act to regulate proceedings in civil cases.

FERRAL, Secretary.

CONSIDERATION OF THE MESSAGE.

Senate Bill No 504, above reported, read first and second times and referred to the Nevada delegation.

Assembly Bill No. 505, above reported, read first and second times and referred to the San Mateo delegation.

Senate Bill No. 510, above reported, read first and second times and referred to the Monterey delegation.

Senate Bill No. 448, above reported, read first and second times and referred to the San Francisco delegation.

Senate Bill No. 228, above reported, read first and second times and referred to the San Francisco delegation.

Senate Bill No 465, above reported, read first and second times and referred to the San Francisco delegation.

Senate Bill No 413, above reported, read first and second times and referred to the Sonoma delegation.

Senate Bill No. 445, above reported, read first and second times and referred to the Sierra and Plumas delegations.

Senate Bill No. 273, above reported, read first and second times and referred to the San Francisco and Alameda delegations.

Senate Bill No. 215, above reported, read first and second times and referred to the Judiciary Committee.

The House concurred in Senate amendment to Assembly Bill No 461, above reported.

The House refused to concur in Senate amendment to Assembly amendment to Senate Bill No. 462, above reported, with non-concurrence of the Senate.

SPECIAL ORDER.

The House then took up for consideration the General Appropriation Bill No. 769—An Act to make appropriations for the support of the civil government of the State of California for the twenty-fourth and twenty-fifth fiscal years

The House went into Committee of the Whole for the consideration of the bill in detail.

IN ASSEMBLY.

The committee rose and reported sundry amendments to the bill, recommending their adoption and the passage of the bill as amended

Mr. Luttrell moved the previous question, and it was ordered.

The amendments reported from the Committee of the Whole House were concurred in.

The rules being suspended, the bill was considered engrossed, read a third time and passed.

FURTHER INTRODUCTION OF BILLS.

By leave, bills were introduced as follows:

By Mr. Mott of Sacramento—An Act to amend an Act entitled an Act to authorize and direct the County Judges of the several counties of this State to execute certain trusts in relation to town lands, etc.

Read first and second times and referred to the Committee on Public Lands.

By Mr. Johnston—An Act in relation to the Clerk of the Board of Supervisors of Sacramento County.

Read first and second times and referred to the Sacramento delegation.

At eleven o'clock P. M, on motion of Mr. Berry, the House adjourned.

T. B. SHANNON,
Speaker.

M. D. BORUCK, Chief Clerk.

IN ASSEMBLY.

HOUSE OF ASSEMBLY,
Friday, March 29th, 1872.

House met pursuant to adjournment.
Speaker in the chair.
Roll called.
Quorum present.
Prayer by the Chaplain.
Journal of yesterday read and approved.

LEAVE OF ABSENCE.

Leave of absence was granted to Messrs. Bradley and Welty.

REPORTS OF STANDING COMMITTEES.

Reports from standing committees were made as follows:

By Mr. Days:

Mr SPEAKER: The Committee on Public Lands, to whom was referred Assembly Bill No. 775—An Act to amend an Act entitled an Act to authorize and direct the County Judges of the several counties of this State to execute certain trusts in relation to the town lands granted incorporate towns in this State by the Act of Congress entitled an Act for the relief of the inhabitants of cities and towns upon the public lands, approved March second, eighteen hundred and sixty-seven, approved March thirtieth, eighteen hundred and sixty-eight—have had the same under consideration, and recommend its passage.

DAYS, Chairman.

The rules were suspended and the bill above reported taken up, rules again suspended, considered engrossed, read a third time and passed.

By Mr. Wright:

Mr SPEAKER: The Committee on Education, to whom was referred Senate Bill No. 361—An Act to provide a system of common schools—report the same back, with substitute, and recommend the passage of the substitute.

WRIGHT, Chairman.

The rules were suspended and the bill above reported taken up.
Mr Barker called for the previous question, and it was ordered.
On the question of the adoption of the substitute for the bill, the ayes and noes were demanded by Messrs. Berry, Andrews, and Tinnin, and it was adopted by the following vote.

AYES—Messrs. Aldrich, Bacon, Baird, Barker, Barklage, Barnes, Bell, Bradley, Bockius, Brown, Coleman, Crane, Dannals, Days, De Haven, Eagan, Edgar, Everett, Franck, Freeman, French, Galloway, Goodall,

Gray, Hayes, Hopper, Jost, Lee, Long, Mecker, Mott of Sacramento, McCullough, Reed, Rice, Russ, Sammons, Sargent of Santa Clara, Sargent of San Joaquin, Seibe, Spencer, Splivalo, Stillwagon, Turner, Wheaton, Whitney, Woodward, Wright, and Mr. Speaker—48.

NOES—Messrs Andrews, Bayley, Berry, Burckhalter, Caldwell, Center, Cooper, Ellis, Gibson, Henshaw, Little, Luttrell, Mathers, Mott of Los Angeles, Munday, Rector, Schrack, Sensabaugh, Slaughter, Tinnin, Walker, Ward, and Whiting—23

The rules were suspended, and the bill being considered engrossed, read a third time and passed.

By Mr. Eagan.

Mr. SPEAKER: The Committee on Agriculture, to whom was referred a petition from certain citizens in Township Number Three, in Contra Costa County, to pass a bill exempting a certain portion of said township from the provisions of the Trespass Law, have had the same under consideration, and recommend that no action be taken on said petition.

EAGAN,
LOFTON,
SENSABAUGH,
STILLWAGON,
SLAUGHTER,
COOPER,
Committee.

Also, by the same:

Mr. SPEAKER: The Committee on Agriculture, to whom was referred Assembly Bill No 764—An Act to encourage the production of cane sugar—have had the same under consideration, and herewith report said bill back without recommendation.

EAGAN, Chairman.

CLEARANCE WITH STATE LIBRARIAN.

The Speaker presented the following communication from the Controller of State, which was read for information:

OFFICE OF CONTROLLER OF STATE,
Sacramento, Cal, March 28th, 1872

Hon. T. B. SHANNON, *Speaker of the Assembly:*

SIR: You will please call the attention of the House to an Act prescribing rules for the government of the State Library, which prohibits the Controller from issuing his warrant in favor of any member until his account is settled with the State Librarian. (Statutes of 1861, page 46, Section 11.)

I have the honor to be most respectfully yours,

JAMES J. GREEN, Controller.

REPORTS CONTINUED.

By Mr. Mott of Sacramento:

Mr. SPEAKER: The Committee on Claims, to whom was referred Assembly Bill No. 462—An Act for the relief of Martha Buckelew—report it back without recommendation.

MOTT, Chairman.

By Mr. Gibson:

Mr. SPEAKER: Your Committee on Enrollment beg leave to report that they have examined and find correctly enrolled Assembly Bill No. 704—An Act relating to Swamp Land District Number Seventy, Sutter County.

Also, Assembly Bill No. 636—An Act supplementary to an Act entitled an Act to provide for the protection of certain lands in Sutter County from overflow, approved March twenty-fifth, eighteen hundred and sixty-eight.

Also, Assembly Bill No. 424—An Act to prevent animals from running at large in certain portions of Contra Costa County.

Also, Assembly Bill No 655—An Act to authorize the Board of Supervisors of the City and County of San Francisco to appropriate money for the improvement of Washington Plaza, in said city and county.

Also, Assembly Bill No 616—An Act relating to certain contracts in relation to the excavation of Putah Creek Canals and extending the time of performing the same.

Also, Assembly Bill No. 582—An Act to authorize the Board of Supervisors of Trinity County to levy a special tax for surveying purposes

Also, substitute for Assembly Bill No. 611—An Act to prevent hunting and shooting on private grounds in the City and County of San Francisco.

Also, Assembly Bill No 650—An Act to fix the terms of the County Court of the County of Monterey.

Also, Assembly Bill No. 637—An Act supplemental to an Act entitled an Act to incorporate the City of Sacramento, approved April twenty-fifth, eighteen hundred and sixty-three.

Also, Assembly Bill No. 635—An Act relating to the salary and duties of the Assessor of Tehama County.

Also, Assembly Bill No. 627—An Act to authorize the Trustees of Red Bluff School District, in Tehama County, to borrow money for the maintenance of the school therein.

Also, Assembly Bill No. 673—An Act to authorize the conveyance of a certain lot of land in the City and County of San Francisco to the Ladies' Protection and Relief Society.

Also, Assembly Bill No. 568—An Act to provide for a street railroad in the Town and County of Napa, State of California.

Also, Assembly Bill No 634—An Act to authorize John Rann or S. C. Long, of Yolo County, State of California, to remove certain remains of deceased persons.

Also, Assembly Bill No. 643—An Act to authorize Isaac Bluxome to remove from his private property on the Rancho de Mircelacon, in Sonoma County, State of California, certain dead bodies to a public graveyard.

Also, Assembly Bill No. 411—An Act the better to define the boun-

daries between the Counties of Humboldt, Mendocino, Trinity, and Klamath.

Also, Assembly Bill No. 472—An Act in relation to certain officers in Tehama County.

Also, Assembly Bill No. 350—An Act supplementary to the Act of April twenty-eighth, eighteen hundred and sixty-three, entitled an Act to incorporate the City of Sacramento.

Also, Assembly Bill No. 594—An Act to fix the salary of the District Attorney of Plumas County.

Also, Assembly Bill No. 391—An Act to regulate and define fees in the Sheriff's office, in the County of Mendocino.

Also, Assembly Bill No 529—An Act amendatory of an Act entitled an Act to organize and regulate the Justices' Court of the City and County of San Francisco, approved March twenty-sixth, eighteen hundred and sixty-six.

And that the same have, this twenty-ninth day of March, eighteen hundred and seventy-two, at thirty-five minutes past ten o'clock, been transmitted to the Governor for his approval.

GIBSON, Chairman.

By Mr. Barker:

Mr. Speaker: The Military Committee, to whom was referred Assembly Bill No. 685—An Act for the relief of the Sixth Regiment of Infantry California State National Guard.

Also, Assembly Bill No. 752—An Act to provide for the payment of money expended by the Hibernia Greens, a military company organized under the laws of California

Have had the same under consideration and beg leave to return the same back to the House with the recommendation that they do not pass.

BARKER, Chairman.

The bills above reported were severally laid on the table.

By Mr. Barnes:

Mr. Speaker: The Committee on Engrossment beg leave to report that they have examined and find correctly engrossed Assembly Bill No. 669—An Act to legalize certain acknowledgments.

Also, Assembly Bill No. 686—An Act concerning the office of Sheriff of the City and County of San Francisco.

Also, Assembly Bill No. 768—An Act to quiet title to certain lands in the County of Yolo.

BARNES, Chairman.

By Mr. Spencer:

Mr Speaker: The Committee on Judiciary having considered Assembly Bill No. 713—An Act to legalize certain proceedings of the Board of Supervisors of Merced County—report it back and recommend that it do not pass.

Also, Senate Bill No. 401—An Act supplementary to an Act to regulate fees of office and salaries of certain officers, and to repeal certain other Acts in relation thereto, approved March fifth, eighteen hundred and seventy—report it back and recommend its passage.

Also, Senate Bill No. 304—An Act to amend an Act entitled an Act to prevent extortion in office, and to enforce official duty, approved March

fourteenth, eighteen hundred and fifty-three—report it back and recommend its passage.

Also, Senate Bill No. 307—An Act to amend an Act entitled an Act amendatory of and supplementary to an Act entitled an Act concerning crimes and punishments, passed April sixteenth, eighteen hundred and fifty, approved April nineteenth, eighteen hundred and fifty-six—report it back and recommend its passage.

SPENCER, Chairman.

The rules were suspended, and the bills above reported were taken up for consideration.

Senate Bill No. 401, above reported, read a third time and passed.

Senate Bill No. 307, above reported, read a third time and passed.

Also, refused to order engrossed Assembly Bill No. 713, above reported.

By Mr. Galloway:

Mr. Speaker: The Committee on Public Expenditures and Accounts beg leave to report that they have examined the following bills and accounts, found them correct, and recommend that they be paid:

To whom due.	Amount.
Nevada Transcript	$8 00
Folsom Telegraph	30 00
Calaveras Citizen	33 00
Sacramento Bee	3 25
Los Angeles News	12 00
Gilroy Advocate	8 00
Visalia Delta	33 00
Pajaronian	24 00
Rural Press	12 00
Alpine Mirror	2 50
Northern Enterprise	15 00
Daily Evening Post	240 00
A. J. Rhoads, for serving subpœnas	51 00
A. J. Rhoads, for carrying mail	75 00
William O Brien	15 00
John G. Hodge & Co	42 00
M. Bennett, rent committee rooms	51 00
A. Clarken, rent committee rooms	100 00
Edwards & Co (stationery)	110 00
E. Aubery, rent committee rooms	50 00
Mrs G. English, rent committee rooms	116 00
Locke & Lavenson, rent committee rooms	100 00
M. Harris, rent committee rooms	140 00
J. J. Cass	74 25
Phil. Cadue	1 75
Nevada Ice Company	106 20

Resolved, That the Controller be and he is hereby authorized and directed to draw warrants in favor of the persons named in the above

report of the Committee on Expenditures and Accounts for the sums set opposite their respective names, and that the Treasurer be directed to pay the same out of the Contingent Fund of the Assembly.

GALLOWAY, Chairman.

The rules were suspended, and the resolution above reported was taken up and adopted.

REPORTS OF SELECT COMMITTEES.

Reports were made from select committees as follows:

By Mr. Seibe:

Mr. SPEAKER: The San Francisco delegation herewith report Senate Bill No. 465—An Act to amend an Act to regulate fees in office, approved April tenth, eighteen hundred and fifty-five—and recommend its passage.

SEIBE, for Delegation.

The rules were suspended, and the bill above reported read a third time and passed.

By Mr. Goodall:

Mr. SPEAKER: Your Committee on Commerce and Navigation, to whom was referred Senate Bill No. 411—An Act to regulate planting and propagating lobsters and eels in this State—report the same back and recommend that it be indefinitely postponed.

Also, report Senate Bill No. 373—An Act to provide for the location of towpaths along the banks of navigable streams—and recommend its passage.

GOODALL, Chairman.

The rules were suspended, and Senate Bill No. 411 was taken up and ordered indefinitely postponed.

Senate Bill No. 373, above reported, was taken up, read a third time and passed.

By Mr. Hayes:

Mr. SPEAKER: The Monterey delegation, to whom was referred Senate Bill No 510, report the same back with a substitute, and recommend the passage of the substitute.

HAYES, for Delegation.

The rules were suspended and the bill above reported taken up, substitute adopted, read a third time and passed.

By Mr. Whitney:

Mr. SPEAKER: The Sierra and Plumas delegations report back Senate Bill No. 445, and recommend its passage.

WHITNEY, for Delegation.

The rules were suspended and the bill above reported taken up, read a third time and passed.

By Mr. Everett:

Mr. SPEAKER: The Nevada delegation, to whom was referred Senate Bill No. 504—An Act to amend an Act to regulate the salaries and fix the compensation of certain county officers in the County of Nevada, approved March sixth, eighteen hundred and seventy—report the same back, and recommend its passage.

EVERETT, for Delegation.

The rules were suspended and the bill above reported taken up, read a third time and passed.

By Mr. Sensabaugh:

Mr. SPEAKER: The Stanislaus delegation, to whom was referred Senate Bill No 326—An Act to promote irrigation—report the same back with amendments, and recommend its passage as amended.

SENSABAUGH, for Delegation.

The rules were suspended and the bill above reported taken up, amendments reported adopted, read a third time and passed.

By Mr. Caldwell:

Mr. SPEAKER: The Sonoma delegation having considered Senate Bill No. 495, report the same back, and recommend its passage.

CALDWELL, for Delegation.

The rules were suspended and the bill above reported taken up, read a third time and passed.

By Mr. Dannals:

Mr. SPEAKER: The San Diego delegation, to whom was referred Senate Bill No. 19—An Act to cede certain lands to the City of San Diego—have had the same under consideration, report the same back to the House and recommend its passage.

DANNALS, for Delegation.

The bill above reported was ordered to the head of the file for tomorrow.

By Mr. Baird:

Mr SPEAKER. The San Mateo delegation, to whom was referred Senate Bill No 505, beg leave to report the same back and recommend its passage.

BAIRD, for Delegation.

The bill above reported was taken up, read a third time and passed.

By Mr. Munday:

Mr. SPEAKER: The Sonoma delegation, to whom was referred Senate Bill No. 413, report the same back and recommend that it be referred to the Committee on Swamp and Overflowed Lands.

MUNDAY, for Delegation.

The bill above reported was referred as recommended.

By Mr. Chalmers:

Mr. SPEAKER: The El Dorado delegation, to whom was referred Senate Bill No. 491, make a majority report, with an amendment, and recommend its passage as amended.

CHALMERS,
BAYLEY,
CENTER.

The rules were suspended, and the bill above reported taken up, read a third time and passed.
Mr. Barklage had leave to be recorded as voting "No."

Also, by the same:

Mr. SPEAKER: The El Dorado delegation, to whom was referred Senate Bill No. 485—An Act to authorize the Board of Supervisors of El Dorado County to levy a special tax—report the same back with a substitute and recommend the passage of the substitute.

CHALMERS, for Delegation.

Rules suspended, and substitute above reported adopted Rules again suspended, bill considered engrossed, read a third time and passed.

By Mr. Andrews:

Mr. SPEAKER: The Shasta delegation, to whom was referred Senate Bill No. 481—An Act to provide for the incorporation of tramroad companies in the County of Shasta—have had the same under consideration, and ask to report the same back and recommend its passage.

ANDREWS, for Delegation.

Rules suspended, and bill above reported taken up, read a third time and passed.

By Mr. Wheaton:

Mr. SPEAKER: The San Francisco delegation report back Senate substitute for Senate Bill No. 288—An Act repealing Article IV of an Act entitled an Act to repeal the several charters of the City of San Francisco, to establish the boundaries of the City and County of San Francisco, and to consolidate the government thereof, approved April nine-

teenth, eighteen hundred and fifty-six, and all Acts and parts of Acts amendatory thereof and supplementary thereto, and substituting this Act for said Article IV—and recommend its passage.

WHEATON, Chairman.

The rules were suspended, and the bill above reported taken up, read a third time and passed.

Also, by the same:

Mr. SPEAKER: The San Francisco delegation herewith report Senate Bill No. 448—An Act for the relief of John J. Conlin—and recommend its passage.

Also, Assembly Bill No. 774—An Act concerning the Board of Education of the City and County of San Francisco—and recommend its passage.

WHEATON, Chairman.

Senate Bill No. 448, above reported, read a third time and passed.

The rules were suspended and Assembly Bill No. 774, above reported, taken up

Mr. Berry offered to amend the bill, but the House refused.

On ordering the bill engrossed the ayes and noes were demanded by Messrs. Meeker, Jost, and Berry, with the following result:

AYES—Messrs. Barker, Barnes, Days, De Haven, Goodall, Gray, James, Mott of Sacramento, Reed, Spivalo, Woodward, and Wright—12.

NOES—Messrs. Aldrich, Andrews, Bacon, Baird, Barklage, Bayley, Bell, Berry, Bradley, Bockius, Brown, Burckhalter, Center, Chalmers, Coleman, Connolly, Cooper, Crane, Dannals, Edgar, Ellis, Everett, Freeman, Galloway, Gibson, Harvey, Hayes, Henshaw, Johnston, Jost, Little, Long, Luttrell, Mathers, Meeker, Mott of Los Angeles, Munday, McCullough, Rector, Rice, Russ, Sammons, Sargent of San Joaquin, Seibe, Sensabaugh, Slaughter, Spencer, Tinnin, Turner, Walker, Wheaton, Whiting, Whitney, and Mr. Speaker—54.

By Mr. Johnston:

Mr. SPEAKER: The Sacramento delegation, to whom was referred Assembly Bill No. 776, report the same back and recommend its passage.

JOHNSTON.

The bill above reported was taken up, rules suspended, bill considered engrossed, read a third time and passed.

Also, by the same:

Mr. SPEAKER: The Sacramento delegation, to whom was referred Senate Bill No. 662, report the same back and a majority recommend its passage.

JOHNSTON, for Majority.

The bill above reported was placed on file.

By Mr. Days:

Resolved by the Assembly, the Senate concurring, That one thousand extra copies be printed of the Report of the Joint Committee to Inquire into and Report upon the Condition of the Public and State Lands

Adopted.

Mr. Spencer moved a reconsideration of the vote whereby the Assembly yesterday passed Senate Bill No 488

The motion was ordered to lie on the table.

By Messrs. Slaughter, Splivalo, Caldwell, Bayley, and Jost:

Sundry resolutions in favor of allowing extra pay to attachés and officers of the Assembly.

Referred to Committee on Rules and Regulations.

By Mr. Luttrell:

Resolved, That the thanks of the people of the State of California are hereby tendered to Honorable Cornelius Cole and Honorable Eugene Casserly, United States Senators, for their efforts in trying to defeat the Goat Island scheme.

Mr. Days moved to lay the resolution on the table.

The ayes and noes were demanded by Messrs. Luttrell, Bayley, and Gibson, and it was so ordered, by the following vote:

AYES—Messrs. Aldrich, Bacon, Barker, Barnes, Bell, Bradley, Bockius, Brown, Burckhalter, Caldwell, Chalmers, Connolly, Crane, Days, De Haven, Eagan, Edgar, Everett, Franck, Freeman, French, Galloway, Gray, Harvey, Hayes, Hopper, James, Johnston, Jost, Lee, Mott of Los Angeles, Mott of Sacramento, McCullough, Rector, Rice, Russ, Sammons, Sargent of Santa Clara, Slaughter, Spencer, Sullwagon, Turner, Ward, Whitney, Wilcox, Wright, and Mr. Speaker—47

NOES—Messrs Andrews, Baird, Barklage, Bayley, Center, Coleman, Dannals, Gibson, Henshaw, Little, Luttrell, Munday, Schrack, Seibe, Sensabaugh, Splivalo, Tinnin, Walker, Wheaton, Whiting, and Woodward—21.

Mr. Spencer moved to reconsider the vote whereby the House, on yesterday, passed Assembly Bill No. 766.

Mr. Whiting moved that the motion to reconsider be laid on the table.

The ayes and noes were demanded by Messrs. Spencer, Berry, and Schrack, and the motion to lay on the table was lost by the following vote:

AYES—Messrs. Andrews, Baird, Barklage, Bell, Brown, Caldwell, Center, Chalmers, Cooper, Crane, French, Gibson, Goodall, Henshaw, Hopper, James, Johnston, Little, Meeker, Mott of Sacramento, Munday, Schrack, Slaughter, Splivalo, Tinnin, Whiting, and Mr. Speaker—27.

NOES—Messrs. Aldrich, Barnes, Bayley, Berry, Bradley, Bockius, Burckhalter, Days, Edgar, Everett, Franck, Harvey, Hayes, Jost, Lee,

Long, Mathers, Rector, Rice, Russ, Sammons, Sargent of Santa Clara, Sargent of San Joaquin, Scibe, Sensabaugh, Spencer, Stillwagon, Turner, Ward, Wheaton, Whitney, and Woodward—32.

On reconsidering the vote on the passage of the bill, the ayes and noes were demanded by Messrs Spencer, Schrack, and Berry, and the House refused to reconsider by the following vote:

AYES—Messrs. Aldrich, Barnes, Berry, Bradley, Bockius, Burckhalter, Days, De Haven, Edgar, Everett, Franck, Goodall, Harvey, Hayes, Jost, Lee, Long, Mathers, Meeker, Rector, Rice, Russ, Sammons, Sargent of San Joaquin, Spencer, Stillwagon, Turner, Wheaton, Whitney, and Woodward—30

NOES—Messrs. Andrews, Baird, Barklage, Bayley, Bell, Brown, Caldwell, Center, Chalmers, Connolly, Cooper, Crane, French, Gibson, Henshaw, Hopper, James, Johnston, Little, Mott of Sacramento, Munday, Schrack, Scibe, Sensabaugh, Slaughter, Sphvalo, Tinnin, Walker, Ward, Whiting, and Mr. Speaker—31.

INTRODUCTION OF BILLS.

Bills were introduced as follows:

By Mr Ward—An Act to provide for the protection of certain lands in Colusa County.

Read first and second times and referred to the Colusa and Sutter delegations

By Mr Meeker—An Act in regard to public thoroughfares and property in the City and County of San Francisco.

Read first and second times and referred to the San Francisco delegation.

By Mr. Wright—An Act to regulate the expenditure of the Road Fund of Solano County

Read first and second times and, with petition, placed on file.

MESSAGE FROM THE GOVERNOR.

The following message was received from the Governor:

STATE OF CALIFORNIA, EXECUTIVE DEPARTMENT,
Sacramento, March 29th, 1872.

To the Assembly of the State of California:

I have to inform your honorable body that I have approved substitute for Assembly Bill No. 83—An Act to repeal, in part, an Act entitled an Act to make, open, and establish a public street in the City and County of San Francisco, to be called Montgomery street South, and to take private lands therefor, approved March seventeenth, eighteen hundred and seventy, and to provide for the payment of the expenses incurred under said Act.

Also, Assembly Bill No. 306—An Act to extend the time in which

Swamp Land Districts Numbers Sixty-eight, Sixty-nine, and Seventy shall complete their work of reclamation.

Also, Assembly Bill No. 630—An Act to amend an Act entitled an Act to provide for the management and sale of the lands belonging to the State, approved March twenty-eighth, eighteen hundred and sixty-eight.

Also, Assembly Bill No. 672—An Act to authorize the County of Yuba to issue sixty thousand dollars of bonds, for the purpose of constructing, repairing, and improving wagon roads and bridges in said County of Yuba.

Also, Assembly Bill No. 687—An Act to amend an Act entitled an Act to authorize the Board of Supervisors of Yuba County to construct a bridge across the Yuba River, and roads connecting the same with the high lands. approved March tenth, eighteen hundred and sixty-eight.

Also, Assembly Bill No. 247—An Act concerning public wharves.

NEWTON BOOTH, Governor.

MESSAGE FROM THE SENATE.

The following message was received from the Senate:

SENATE CHAMBER,
March 28th, 1872.

Mr. SPEAKER: I am directed to inform your honorable body that the Senate, on this twenty-eighth day of March, passed Assembly Bill No. 595—An Act supplementary to the Act of April twenty-fifth, eighteen hundred and sixty three, entitled an Act to incorporate the City of Sacramento.

Also, amended and passed Assembly Bill No 487—An Act to provide for the payment of deficiency in the office of Superintendent of Public Instruction.

Also, passed Assembly Bill No. 771—An Act to amend an Act entitled an Act to reincorporate the City of Vallejo.

Also, passed—An Act to authorize the Board of Supervisors of Kern County to purchase a certain toll road.

Also, passed Assembly Bill No. 473—An Act to repeal an Act entitled an Act to provide for the improvement of rivers and streams in Santa Clara County.

Also, passed Senate Bill No. 499—An Act to except certain counties from certain sections of an Act entitled an Act to put into effect certain parts of the Codes.

Also, passed Assembly Bill No. 773—An Act supplementary to an Act to authorize and provide for the payment of certain indebtedness by Amador County to Calaveras County.

Also, concurred in Assembly Concurrent Resolution No. 33—Relative to return of Assembly Bill No. 670.

Also, concurred in Assembly Concurrent Resolution No. 34—Relative to printing Reports.

Also, passed Senate Bill No. 428—An Act to amend an Act entitled an Act to regulate proceedings in civil cases, and ordered the same transmitted without engrossment.

Also, passed Senate Bill No. 506—An Act appropriating money for

contingent expenses of the Senate, and ordered the same transmitted without engrossment.

Also, passed Senate Bill No. 477—An Act to supply the City and County of San Francisco with water.

Also, passed Assembly Bill No. 342—An Act to divide the State into Congressional Districts.

Also, passed Senate Bill No. 507—An Act to define the boundary line between the Counties of Lake and Yolo.

Also, refused to pass Assembly Bill No 622—An Act to authorize certain persons to improve certain creeks in San Mateo County.

Also, amended and passed Assembly Bill No. 691—An Act defining a lawful and partition fence in Butte County.

Also, passed Senate Bill No. 508—An Act authorizing the Board of Supervisors of Santa Clara County to pay the Clerk and Auditor of said county certain moneys therein named.

Also, passed Assembly Bill No. 731—An Act to authorize the Board of Supervisors of Yolo County to levy a special tax.

Also, passed Assembly Bill No. 761—An Act in relation to the salary of the Treasurer and Auditor of Butte County.

Also, passed Assembly Bill No. 317—An Act to provide for the protection of an open canal through Channel street, in San Francisco.

Also, passed Assembly Bill No. 722—An Act for the relief of J. Johnson.

Also, passed Senate substitute for Assembly Bill No. 756—An Act to protect settlers on State lands.

Also, passed Assembly Bill No. 494—An Act to authorize George W. Chesley to lay down gas pipes in Sacramento City.

Also, passed Assembly Bill No. 762—An Act to provide for the protection from overflow, by Putah Creek, of certain lands in Yolo and Solano Counties.

Also, passed Senate Bill No. 431—An Act to provide for the collection of a hospital poll tax in Colusa County.

Also, passed Senate Bill No. 269—An Act to provide for the location of public roads in Colusa County.

Also, received the report of joint committee to investigate the condition of the lands belonging to the State.

SHACKELFORD, Assistant Secretary.

CONSIDERATION OF THE MESSAGE.

Senate Bill No. 508, above reported, read first and second times, rules unanimously suspended, bill read a third time and passed.

Assembly Bill No. 756, above reported, with Senate substitute, referred to the Committee on Public Lands.

The House concurred in Senate amendment to Assembly Bill No. 691, above reported.

Senate Bill No. 507, above reported, read first and second times and referred to Yolo and Lake delegations.

Senate Bill No. 506, above reported, read first and second times, considered in Committee of the Whole, reported and recommended, rules unanimously suspended, and bill read a third time and passed.

Senate Bill No. 428, read first and second times and referred to Judiciary Committee.

Senate Bill No. 477, above reported, read first and second times and referred to San Francisco delegation.

House concurred in Senate amendment to Assembly Bill No. 487, above reported

Senate Bills Nos. 431 and 269, above reported, severally read first and second times, rules unanimously suspended, and severally read a third time and passed

Senate Bill No. 499, above reported, read first and second times, and referred to special committee composed of delegations from counties named in the bill.

GENERAL FILE.

On motion of Mr. Spencer, Senate Bill No. 474—An Act *providing for* the refunding of the bonded indebtedness of the County of Santa Clara—sixth on the file, was taken up, read a third time and passed.

At one o'clock P. M., the House took the usual recess.

REASSEMBLED.

The House reassembled at a quarter before two o'clock P. M.

The Speaker in the chair.

The roll was called.

No quorum responded.

LEAVE OF ABSENCE

Leave of absence was granted to Messrs. Ellis and Barklage for one day each.

CALL OF THE HOUSE.

Mr. Gibson moved a call of the House, and it was so ordered

The doors were closed, and the Sergeant at Arms was dispatched to arrest and bring in absentees.

The following named members were subsequently brought to the bar of the House, and being unable to satisfactorily excuse themselves, were each, viz, Messrs. Wilcox, Munday, Little, Caldwell, Turner, and Days, fined one dollar. Messrs. Splivalo and Henshaw were excused.

On motion of Mr. Goodall, further proceedings under the call were dispensed with.

Mr. Gray introduced a concurrent resolution, asking the Governor to return Assembly Bill No 312, for correction of a clerical error.

Adopted.

Mr. Everett, from the special committee to whom was referred Senate Bill No. 499, reported from Senate this morning, verbally recommending its passage.

The bill was taken up, and the rules being suspended by unanimous consent, read a third time and passed.

GENERAL FILE RESUMED.

Assembly Bill No. 770.

Passed on file.

Assembly Bill No. 556—An Act to better define the boundary line between Fresno and Mariposa Counties.

Read a third time and passed

Senate Bill No. 197—An Act to amend an Act entitled an Act to restrict the herding of sheep, approved May eighteenth, eighteen hundred and sixty-one.

Read a third time and passed.

Mr Wilcox gave notice of a motion to reconsider the vote whereby Assembly Bill No. 556 passed.

Substitute for Assembly Bill No. 228—An Act to provide for the payment of damages caused by changing the grade of Second street, in the City and County of San Francisco.

Read a third time and passed.

Assembly Concurrent Resolution No. 31—Recommending pardon of certain criminals.

Mr. Barker moved to lay the resolution on the table.

Lost.

Mr. Wilcox moved the previous question, and it being ordered, on the adoption of the resolution, the ayes and noes were demanded by Messrs. Berry, Slaughter, and Munday, with the following result:

AYES—Messrs. Aldrich, Andrews, Bacon, Baird, Barnes, Caldwell, Connolly, Cooper, Crane, Days, De Haven, Franck, Galloway, Goodall, Hayes, Henshaw, Hopper, James, Luttrell, Meeker, Munday, Rector, Reed, Rice, Sammons, Schrack, Seibe, Slaughter, Spencer, Splivalo, Stillwagon, Tinnin, Turner, Ward, Whiting, Whitney, Wilcox, Woodward, Wright, and Mr. Speaker—40.

NOES—Messrs. Barker, Bayley, Bell, Berry, Bradley, Bockius, Brown, Burckhalter, Chalmers, Coleman, Dannals, Eagan, Edgar, Ellis, Everett, Freeman, French, Gibson, Gray, Harvey, Johnston, Jost, Lee, Little, Long, Mathers, Mott of Los Angeles, Mott of Sacramento, McCullough, Russ, Sargent of Santa Clara, Sargent of San Joaquin, Sensabaugh, Walker, and Wheaton—35.

So the resolution was adopted.

PROTEST.

Mr. Days had leave to introduce the following protest against the passage of the resolution:

Until further consideration, I protest against the recommendation of pardon for Eli Hanna and John McDonald, from Nevada County.

J. M. DAYS.

REPORT.

Mr. Luttrell had leave to make the following report:

Mr. SPEAKER: The Siskiyou, Klamath, and Humboldt delegations, to whom was referred Assembly Bill No. 653, report that they have had the same under consideration, and recommend that it do not pass

RECTOR,
Klamath Delegation.
RUSS,
Humboldt Delegation.
LUTTRELL,
LITTLE,
Siskiyou Delegation.

The bill above reported was taken up and indefinitely postponed.

GENERAL FILE RESUMED.

Assembly Bill No. 527—An Act for the relief of Thomas N. Long.

Rules suspended, bill considered engrossed, read a third time and passed.

Assembly Bill No. 739—An Act to provide for opening, widening, and repairing streets in the Town of Santa Barbara.

Recommitted to the Santa Barbara delegation.

Assembly Bill No. 739.

Taken from the file and referred to the Judiciary Committee.

Assembly Bill No. 571—An Act supplementary to an Act entitled an Act to authorize the Board of Supervisors of the City and County of San Francisco to modify the grades of certain streets, approved March thirtieth, eighteen hundred and sixty-eight, and an Act entitled an Act amendatory of and supplemental to an Act entitled an Act to authorize the Board of Supervisors of the City and County of San Francisco to modify the grade of certain streets, approved March thirtieth, eighteen hundred and sixty-eight, approved February first, eighteen hundred and seventy, to relieve certain classes of persons from damage under certain proceedings had and contemplated under said Act, and to provide for the more speedy payment of claims arising under the said Act.

Ordered engrossed.

Senate Bill No. 385—An Act in regard to Swamp Land District Number Eighteen.

Read a third time and passed.

Senate Bill No 480—An Act to authorize the Commissioners of the funded debt of the City of San Francisco to transfer certain funds and property to said city.

Read a third time and passed.

Senate Bill No. 478—An Act supplementary to an Act entitled an Act to authorize the distribution of the Reports of the State Geological Survey, approved February second, eighteen hundred and seventy-two.

Read a third time and passed.

Mr Splivalo gave notice of reconsideration of the vote on the passage of Senate Bill No. 326, and offered the following resolution:

Resolved, That the Senate be and they are hereby respectfully requested to return to this House Senate Bill No 326, a motion of reconsideration of the vote by which said bill passed the House having been given.

Adopted.

Senate Bill No. 139—An Act to provide for the payment of principal and interest on California Indian War Bond Number Thirty-four.

Considered in Committee of the Whole House.

IN ASSEMBLY.

Reported and recommended.

On the passage of the bill the ayes and noes were demanded by Messrs. Mott of Sacramento, Aldrich, and McCullough, and the bill passed by the following vote:

AYES—Messrs Aldrich, Andrews, Bacon, Barnes, Bell, Bockius, Brown, Cooper, Days, De Haven, Eagan, Everett, Freeman, French, Galloway, Gibson, Goodall, Harvey, Hopper, James, Johnston, Lee, Meeker, Mott of Los Angeles, Mott of Sacramento, McCullough, Reed, Sensabaugh, Spencer, Splivalo, Walker, Whiting, Woodward, and Mr. Speaker—34.

NOES—Messrs Barker, Bayley, Berry Burckhalter, Caldwell, Center, Chalmers, Coleman, Crane, Dannals, Edgar, Ellis, Franck, Hayes, Henshaw, Jost, Little, Long, Luttrell, Mathers, Munday, Rice, Sammons, Sargent of San Joaquin, Seibe, Slaughter, Tinnin, Turner, Ward, and Whitney—30.

REPORT.

Mr. Meeker made the following report:

Mr. SPEAKER: The delegation from San Francisco having considered Assembly Bill No. 779, report the same back and recommend its passage.

MEEKER, for Delegation.

The rules were suspended, and the bill above reported taken up, rules again suspended, considered engrossed, read a third time and passed.

GENERAL FILE RESUMED.

Assembly Bill No. 732—An Act to amend an Act to prescribe rules for the government of the State Library, approved March eighth, eighteen hundred and sixty-one.

Substitute reported adopted, rules suspended, bill considered engrossed, read a third time and passed.

Assembly Bill No 618 was withdrawn from the file.

Assembly Bill No. 742—An Act to enable certain persons to bring suits for damages sustained by the diversion of the waters of the American River into the Sacramento River by the Levee Commissioners of the City of Sacramento.

Mr. Johnston moved to recommit the bill to the Sacramento and Yolo delegations

The ayes and noes were demanded by Messrs. Tinnin, Andrews, and Freeman, and the motion prevailed by the following vote:

AYES—Messrs. Aldrich, Baird, Bradley, Bockius, Brown, Caldwell, Center, Chalmers, Cooper, Crane, Dannals, Days, De Haven, Eagan, Everett, French, Gibson, Goodall, Gray, Harvey, Henshaw, Hopper, James, Johnston, Meeker, Mott of Los Angeles, Mott of Sacramento, McCullough, Reed, Sargent of San Joaquin, Schrack, Seibe, Sensabaugh, Splivalo, Stillwagon, Turner, Whitney, Wright, and Mr Speaker—39.

NOES—Messrs. Andrews, Barker, Barnes, Bayley, Bell, Burckhalter, Coleman, Franck, Freeman, Hayes, Lee, Little, Long, Luttrell, Russ, Sammons, Sargent of Santa Clara, Slaughter, Spencer, Tinnin, Ward, Wheaton, Whiting, and Woodward—24.

INTRODUCTION OF A BILL.

Mr. Wheaton had leave to introduce a bill—An Act entitled an Act for the relief and protection of the agricultural interests of El Dorado, being amendatory of an Act to authorize the incorporation of canal

companies, and to provide for the construction of canals and ditches, approved April second, eighteen hundred and seventy.

Read first and second times and referred to the El Dorado delegation.

GENERAL FILE RESUMED.

Assembly Bill No. 690—An Act in relation to County Judges.

Amendments reported adopted, rules suspended, bill considered engrossed, read a third time and passed

Assembly Bill No. 749.

Passed on file.

Assembly Bill No. 625—An Act to amend an Act entitled an Act to regulate proceedings in civil cases in the Courts of justice of this State, passed April twenty-ninth, eighteen hundred and fifty one

Rules suspended, bill considered engrossed, read a third time and passed.

Assembly Bill No. 737—An Act authorizing the Board of Trustees of the Town of Benicia to issue certain bonds in lieu of bonds lost and destroyed.

Rules suspended, bill considered engrossed, read a third time and passed.

Assembly Bill No. 758—An Act investing the widow with the ownership and management of the family estate on the decease of her husband.

Amended, rules suspended, bill considered engrossed, and on its passage the ayes and noes were demanded by Messrs Sargent, James, and Whitney, with the following result.

AYES—Messrs Aldrich, Bacon, Baird, Barklage, Barnes, Bradley, Bockius, Caldwell, Coleman, Crane, Days, De Haven, Edgar, Ellis, Everett, French, Goodall, Harvey, Hayes, Hopper, Johnston, Lee, Luttrell, Mott of Sacramento, Reed, Rice, Russ, Sammons, Sargent of San Joaquin, Seibe, Sensabaugh, Spencer, Turner, Woodward, Wright, and Mr. Speaker—36.

NOES—Messrs. Andrews, Barker, Bayley, Berry, Burckhalter, Center, Dannals, Eagan, Franck, Freeman, Gray, Henshaw, James, Little, Long, Mathers, Meeker, Mott of Los Angeles, McCullough, Rector, Schrack, Slaughter, Splivalo, Tinnin, Wheaton, Whiting, and Whitney—27.

Mr. Tinnin gave notice of a motion to reconsider.

Assembly Bill No. 759—An Act conferring on woman eligibility to official positions in the management of public schools.

On ordering the bill engrossed, the ayes and noes were demanded by Messrs. Tinnin, Andrews, and Berry, and it was so ordered by the following vote:

AYES—Messrs. Aldrich, Andrews, Bacon, Baird, Barker, Barklage, Barnes, Bayley, Bradley, Bockius, Caldwell, Chalmers, Crane, Dannals, Days, Edgar, Ellis, Everett, Franck, Freeman, French, Goodall, Gray, Harvey, Hayes, Hopper, James, Johnston, Jost, Lee, Little, Mott of Sacramento, McCullough, Reed, Rice, Russ, Sammons, Seibe, Slaughter, Spencer, Splivalo, Tinnin, Turner, Wheaton, Whiting, Whitney, Woodward, Wright, and Mr Speaker—49.

NOES—Messrs. Berry, Burckhalter, Eagan, Henshaw, Long, Mathers, Meeker, Sargent of San Joaquin, Schrack, Sensabaugh, and Walker—11.

Assembly Bill No 760—Proposed amendment to the Constitution of the State of California.

The question being on the engrossment of the bill, the ayes and noes were demanded by Messrs. Berry, Andrews, and Tinnin, and the House refused so to order by the following vote:

AYES—Messrs. Aldrich, Baird, Barklage, Caldwell, Days, Everett, Hopper, Reed, Turner, and Mr. Speaker—10.

NOES—Messrs. Andrews, Bacon, Barker, Barnes, Bayley, Berry, Bradley, Bockius, Burckhalter, Center, Coleman, Crane, Dannals, De Haven, Eagan, Edgar, Ellis, Franck, Freeman, Goodall, Gray, Hayes, Henshaw, James, Lee, Little, Long, Luttrell, Mathers, Meeker, Mott of Los Angeles, Mott of Sacramento, McCullough, Rector, Rice, Russ, Sammons, Sargent of San Joaquin, Schrack, Slaughter, Spencer, Splivalo, Stillwagon, Tinnin, Walker, Ward, Wheaton, Whiting, Whitney, Wilcox, Woodward, and Wright—52.

Assembly Bill No. 767—An Act to confer further powers upon the Board of Supervisors of the City and County of San Francisco.

Rules suspended, bill considered engrossed, rules again suspended, read a third time and passed.

Assembly Bill No. 770—An Act to provide for the appointment of a Deputy Sheriff in Alameda County.

Mr. Crane offered amendments to the bill, which were rejected.

Mr. Wilcox moved the previous question, and it being ordered, on the motion to suspend the rules to consider the bill engrossed, the ayes and noes were demanded by Messrs. Crane, Woodward, and Whitney, with the following result:

AYES—Messrs. Aldrich, Bacon, Baird, Barker, Bradley, Bockius, Burckhalter, Caldwell, Coleman, Connolly, Cooper, Days, De Haven, Eagan, Edgar, Ellis, Franck, Galloway, Goodall, Gray, Harvey, Hayes, James, Johnston, Lee, Mott of Los Angeles, Mott of Sacramento, Munday, Rice, Sargent of Santa Clara, Seibe, Slaughter, Spencer, Splivalo, Stillwagon, Tinnin, Turner, Walker, Wheaton, Wilcox, Wright, and Mr. Speaker—42.

NOES—Messrs. Andrews, Barklage, Bayley, Berry, Brown, Center, Chalmers, Crane, Dannals, Everett, Freeman, French, Henshaw, Hopper, Little, Long, Luttrell, Mathers, Meeker, Rector, Reed, Russ, Sammons, Schrack, Whiting, Whitney, and Woodward—27.

The rules were again suspended, the bill was then considered engrossed, read a third time and passed.

Senate Bill No. 483—An Act to give immediate effect to certain provisions of the Political Code.

Read a third time and passed.

Senate Bill No. 348—An Act to establish meteorological stations in the various counties of this State.

House refused to pass.

Senate Bill No. 463—An Act for the relief of Isaac Hobbs, ex-Sheriff of Solano County.

Considered in Committee of the Whole House.

IN ASSEMBLY.

Reported, and passage recommended.
The House refused to pass.
Senate Bill No. 390.
Passed on file.
Assembly Bill No. 623.
Withdrawn from file.
Assembly Joint Resolution No. 7—Relative to granting bounty to the First Battalion of Mountaineers, California Volunteers, etc.
Rules suspended, bill considered engrossed, read a third time and passed.
Senate Bill No. 51.
Taken from file and referred to Committee on Swamp and Overflowed Lands, with instructions to report it back to-morrow morning, and to take place at head of file.
Senate Bill No. 398.
Last on file, had same reference as bill preceding it.

FURTHER INTRODUCTION OF BILLS.

The rules were suspended and bills were introduced as follows:

By Mr. Wheaton. An Act to provide for redistricting the City and County of San Francisco into wards or Supervisor districts, in accordance with the distribution of the population thereof.
Read first and second times and referred to San Francisco delegation.
By Mr. Chalmers—An Act to amend an Act entitled an Act to protect agricultural interests in El Dorado County.
Read first and second times and referred to El Dorado delegation.

NOTICE.

Mr. Splivalo gave notice of a motion to amend Rule Sixty of the Standing Rules of the Assembly.

RESOLUTIONS.

By Mr. Reed:

Relative to extra pay to Gas Lighters.
Referred to Committee on Rules and Regulations.

By Mr. Hopper (by request):

In favor of allowing extra pay to Hall Watchman.
Referred to Committee on Rules and Regulations.

REPORT.

Mr. Cooper made the following report:

Mr. SPEAKER: Your committee to whom was referred Senate Bill No. 429, report it back without recommendation.

COOPER, for Delegation.

MESSAGE FROM THE SENATE.

The following message was received from the Senate:

SENATE CHAMBER,
March 29th, 1872.

Mr. SPEAKER: I am directed to inform your honorable body that the Senate, on this twenty-ninth day of March, eighteen hundred and seventy-two, passed Assembly Bill No. 617—An Act extending time to the City Railroad Company

Also, passed Senate Bill No. 502—Making appropriation for twenty-second and twenty-third fiscal years.

Also, passed Assembly Bill No. 776—Relating to the Board of Supervisors of Sacramento County.

Also, passed Assembly Concurrent Resolution No. 35—Relative to printing reports.

Also, passed Senate Bill No 503—An Act to appropriate money for the relief of the several Orphan Asylums of the State.

Also, passed Assembly Bill No. 644—An Act to provide for the support of men belonging to the Paid Fire Department of San Francisco.

Also, passed Assembly Bill No. 734—An Act relative to the incorporation of Redwood City.

Also, passed Assembly Bill No. 649—An Act supplementary to an Act entitled an Act to regulate the settlement of estates of deceased persons.

Also, passed Assembly Bill No. 735—An Act amendatory of an Act relative to the incorporation of Redwood City.

Also, passed Assembly Bill No. 648—An Act to authorize the Supervisors of Kern County to levy a special tax.

Also, passed Assembly Bill No. 754—An Act fixing the times and places of holding the District and County Courts in Nevada County.

Also, passed Assembly Bill No. 680—An Act to authorize the Supervisors of Merced County to levy a special tax.

Also, passed Assembly Bill No. 661—An Act to amend an Act concerning roads and highways in Sacramento County.

Also, concurred in Assembly Concurrent Resolution No. 36—Relative to return of Assembly Bill No. 382.

FERRAL, Secretary.

CONSIDERATION OF THE MESSAGE.

Senate Bills Nos. 502 and 503, above reported, were read first and second times and placed on file.

The House concurred in Senate amendments to Assembly Bills Nos. 776, 754, and 661, above reported.

There being no further business at the desk, at five o'clock and forty-five minutes P. M., on motion of Mr. Berry, the House adjourned.

T. B. SHANNON,
Speaker.

M. D. BORUCK, Chief Clerk.

IN ASSEMBLY.

HOUSE OF ASSEMBLY,
Saturday, March 30th, 1872.

House met pursuant to adjournment.
Speaker in the chair.
Roll called.
Quorum present.
Prayer by the Chaplain.
Journal of yesterday read and approved.

LEAVE OF ABSENCE.

Leave of absence was granted for one day each to Messrs. Lofton and Welty.

REPORTS OF STANDING COMMITTEES.

Reports from standing committees were made as follows:

By Mr. McCullough.

From the Committee on Public Buildings and Grounds, reporting items of expenses incurred in the investigation of frauds in the construction of the State Capitol building

Referred to the Committee on Expenditures and Accounts.

Also, by the same—From the same committee, on accounts of certain sums for mileage due witnesses and others summoned to testify before the committee relative to matters under investigation.

Referred to the Committee on Mileage.

By Mr. Ward:

Mr. SPEAKER: The Colusa and Sutter delegation, to whom was referred Assembly Bill No. 778, beg leave to report the same back, and recommend its passage.

WARD, for Delegation.

The rules were suspended, and the bill above reported taken up, rules again suspended, considered engrossed, read a third time and passed.

By Mr. Gibson:

Mr. SPEAKER: Your Committee on Enrollment beg leave to report that they have examined and found correctly enrolled Assembly Bill No 469—An Act to amend an Act entitled an Act to provide for the improvement of public parks in the City of San Francisco—and that the same has, this twenty-ninth day of March, eighteen hundred and seventy-two, at fifty minutes past twelve o'clock, been transmitted to the Governor for his approval.

GIBSON, Chairman

Also, by the same:

Mr. SPEAKER: Your Committee on Enrollment beg leave to report that

they have examined and found correctly enrolled Assembly Bill No. 580—An Act to authorize the Board of Supervisors of Plumas County to complete the Red Clover Valley Wagon Road.

Also, Assembly Bill No. 518—An Act concerning roads and highways in the County of Fresno, and to repeal a certain Act in relation thereto.

Also, Assembly Bill No. 578—An Act to amend an Act entitled an Act concerning roads and highways in the Counties of Klamath and Del Norte, approved March thirty-first, eighteen hundred and sixty-six.

Also, Assembly Bill No. 555—An Act to regulate the salaries and fix the compensation of county officers of San Joaquin County.

Also, Assembly Bill No. 526—An Act in relation to moneys belonging to the State derived from taxes assessed on mortgages.

Also, Assembly Bill No. 552—An Act to amend an Act entitled an Act for the regulation of sailor boarding houses and shipping offices in the City and County of San Francisco, approved March tenth, eighteen hundred and seventy.

Also, Assembly Bill No. 587—An Act to change the manner of electing Supervisors in the County of Del Norte, and prescribing the method thereof.

Also, Assembly Bill No. 477—An Act to amend an Act entitled an Act to authorize the Board of Supervisors of the City and County of San Francisco to open and grade Market street, in said city, from the intersection of said street with Valencia street to its intersection with Seventeenth street, and to condemn private property for the roadway of said street, approved April second, eighteen hundred and seventy.

Also, Assembly Bill No. 385—An Act to authorize the Board of State Harbor Commissioners to set apart a portion of the water front of the City and County of San Francisco for certain purposes.

Also, Assembly Bill No 453—An Act granting certain privileges to the North Beach and Mission Railroad Company.

Also, Assembly Bill No. 747—An Act to amend an Act entitled an Act to amend an Act concerning roads and highways in the County of Alameda, approved March twenty-fourth, eighteen hundred and sixty-two, approved March twenty-third, eighteen hundred and seventy-two.

Also, Assembly Bill No. 598—An Act authorizing the Board of Supervisors of the City and County of San Francisco to provide suitable rooms, attendants, fuel, lights, and stationery, for the Third and Nineteenth District Courts, in and for the City and County of San Francisco and the County of Alameda.

Also, Assembly Bills Nos 666 and 523—An Act concerning the assessment of animals.

Also, Assembly Bill No. 524—An Act making an appropriation for translating into Spanish the several State documents and Reports ordered during the present session of the Legislature.

And that the same have, this twenty-ninth day of March, eighteen hundred and seventy-two, been transmitted to the Governor for his approval.

GIBSON, Chairman.

By Mr. Harvey:

Mr. Speaker. The Committee on Swamp and Overflowed Lands, to whom was referred Senate Bill No. 398—An Act to provide for the payment of legal services rendered the State by Samuel Cross.

Also, Senate Bill No. 51—An Act to provide for the legal services

rendered the State by J. G. Jenkins—have considered the same, report them back and recommend their passage.

Also, have considered Assembly Bill No. 755—An Act to provide for the payment of interest on Trustees' orders against certain swamp land districts—report the same back and recommend its passage.

HARVEY, Chairman.

The rules were suspended, and Senate Bills No. 398 and 51, above reported, severally read a third time and passed.

Assembly Bill No. 755, above reported, was taken up, rules suspended, bill considered engrossed, read a third time and passed.

By Mr. Freeman:

Mr. SPEAKER: The Committee on Internal Improvements, to whom was referred Assembly Bill No 471—An Act to improve and protect the Yosemite Valley and Big Tree Grove—report the same back and recommend that it do not pass.

FREEMAN, Chairman.

Bill laid on the table.

By Mr. Barnes:

Mr. SPEAKER: The Committee on Engrossment beg leave to report that they have examined and find correctly engrossed Assembly Bill No. 770—An Act to provide for the appointment of a Deputy Sheriff in Alameda County.

BARNES, Chairman.

Mr. Splivalo moved a suspension of the rules to take up the bill above reported for consideration.

On the question of suspension of the rules the ayes and noes were demanded by Messrs. Crane, Woodward, and Whitney, and the motion prevailed by the following vote:

AYES—Messrs Aldrich, Bacon, Barker, Barklage, Barnes, Bell, Bradley, Bockius, Brown, Burckhalter, Caldwell, Center, Cooper, De Haven, Ellis, Franck, Gibson, Goodall, Gray, Harvey, Hayes, James, Johnston, Jost, Lee, Little, Luttrell, Meeker, Munday, McCullough, Rice, Sammons, Sargent of Santa Clara, Schrack, Seibe, Sensabaugh, Slaughter, Spencer, Splivalo, Tinnin, Walker, Whiting, Wilcox, Wright, and Mr. Speaker—45.

NOES—Messrs. Andrews, Baird, Bayley, Chalmers, Coleman, Crane, Dannals, Edgar, Everett, Galloway, Henshaw, Hopper, Long, Mathers, Rector, Russ, Sargent of San Joaquin, Whitney, and Woodward—19.

The previous question was ordered.

On motion of Mr. Wilcox, the bill was considered engrossed and read a third time.

On its passage, the ayes and noes were demanded by Messrs. Crane, De Haven, and Andrews, and the bill passed, by the following vote:

AYES—Messrs. Bacon, Barker, Barnes, Bradley, Bockius, Brown, Burckhalter, Caldwell, Center, Chalmers, Connolly, Cooper, Crane,

Days, Edgar, Galloway, Gibson, Goodall, Gray, Harvey, Hayes, James, Johnston, Jost, Lee, Meeker, Mott of Sacramento, McCullough, Rice, Sargent of Santa Clara, Schrack, Seibe, Sensabaugh, Slaughter, Spencer, Sphvalo, Stillwagon, Tinnin, Walker, Wheaton, Whitney, Wilcox, Wright, and Mr. Speaker—44.

NOES—Messrs. Andrews, Barklage, Bayley, Dannals, Ellis, Everett, French, Henshaw, Hopper, Little, Long, Mathers, Munday, Rector, Russ, Sammons, Sargent of San Joaquin, Turner, Whiting, and Woodward—20.

Subsequently Mr. Crane had leave to be recorded as having voted against the passage of the bill.

By Mr. Galloway:

Mr. SPEAKER: The Committee on Public Expenditures and Accounts beg leave to report that they have examined the following bill, found it correct, and recommend that it be paid:

John Breuner, for chairs furnished for inauguration ceremonies, and damages to same, two hundred and eighty-four dollars.

Resolved, That the Controller of State be and he is hereby authorized and directed to draw his warrant in favor of John Breuner for the above sum, payable out of the Contingent Funds of the Senate and Assembly, and that the Treasurer be directed to pay the same out of said Funds.

GALLOWAY, Chairman.

Adopted.

REPORTS OF SELECT COMMITTEES.

Reports from select committees were made as follows:

By Mr. Mott of Sacramento:

Mr. SPEAKER: The Sacramento delegation, to whom was referred Assembly Bill No. 481, together with Senate substitute therefor, report it back, and recommend the passage of the substitute as amended.

MOTT, for Delegation.

The rules were suspended, and the bill above reported taken up, reported amendments adopted, bill considered engrossed, read a third time and passed.

By Mr. Harvey:

Mr. SPEAKER: The special committee to whom was referred Assembly Bill No 717—An Act to encourage the fine arts—have considered the same, report it back, and recommend that it do not pass.

In reporting back this bill, with recommendation that it do not pass, the committee do not wish to discourage the advancement of the fine arts in this State. Our Treasury is not at the present time in a condition to make suitable appropriation for the objects set forth in the bill.

We desire to see our Capitol, at some future time, adorned with choice works of arts, both in painting and sculpture, depicting scenes to

which our people can point with pride as suggestive of the history and natural wealth and beauty of our State. In order that we may secure such, we recommend that a plan may be perfected by which the field may be open to competition, and afford liberal encouragement to the California artists of ability.

HARVEY,
ALDRICH,
E. B. MOTT, Jr.

By Mr. Wheaton:

Mr. SPEAKER: The San Francisco delegation report back Senate Bill No. 497—An Act to supply the City and County of San Francisco with water—two thirds of the delegation recommend its passage.

WHEATON, Chairman.

By Mr. Bockius:

Mr. SPEAKER: The Santa Cruz and Monterey delegation, to whom was referred Assembly Bill No. 763, report the same back without recommendation.

BOCKIUS, for Delegation.

Mr. Bockius had leave to withdraw the bill above reported.

By Mr. Freeman:

Mr. SPEAKER: The Yolo and Napa delegation, to whom was referred Senate Bill No. 507—An Act to more clearly define the boundary line between the Counties of Lake and Yolo—report the same back amended, and recommend its passage as amended.

FREEMAN,
STILLWAGON,
For Delegation.

The rules were suspended, and the bill above reported taken up, reported amendments adopted, and read a third time and passed.

RESOLUTIONS.

Resolutions were offered as follows:

By Mr. Luttrell:

Resolved, That the Senate is hereby requested to immediately transmit to the Assembly, Assembly Bill No. 112, in order that the Assembly may concur in Senate amendments.

Adopted.
By Mr. Galloway:

Resolved, That the Senate be requested to return to this House immediately, Assembly Bill No. 212, passed that body on the twenty-eighth day of March, eighteen hundred and seventy-two.

Adopted.

By Mr Meeker:

Resolved, That after the adjournment of the Legislature the Secretary of State is requested to have collected and carefully stored in the attic story of the Capitol or some proper place, all furniture, and other articles belonging to the State used in committee rooms, carpets excepted.

Adopted.

Also, resolutions were offered by Messrs. Splivalo, Schrack, Wheaton, and Sensabaugh, giving increase of pay to attachés for extra labor, etc.

Severally referred to Committee on Rules and Regulations.

MESSAGE FROM THE SENATE.

The following message was received from the Senate:

SENATE CHAMBER,
March 30th, 1872.

Mr. SPEAKER: I am directed to inform your honorable body that the Senate, on the twenty-ninth day of March, refused to concur in Assembly amendments to Senate Bill No. 361—An Act to provide a system of public schools

Also, passed Assembly Bill No. 335—An Act to amend an Act approved March twelfth, eighteen hundred and sixty-eight, entitled an Act to provide for the drainage of the City of Sacramento and of the lands of Swamp Land District Number Two.

Also, passed substitute for Assembly Bill No. 224—An Act for the relief of A. T. Gray, Treasurer and ex officio Tax Collector of El Dorado County.

Also, indefinitely postponed Assembly Bill No. 676—An Act to authorize Joseph Bridger, guardian of the heirs of Robert S. Carlisle, deceased, to sell certain real estate, etc

Also, refused to pass Assembly Bill No. 314—An Act to regulate the fees of office of the Clerk of Santa Cruz County.

Also, refused a third reading to Assembly Bill No 263—An Act to aid in providing a supply of pure water from Lake Bigler (sometimes called Lake Tahoe) for the use of the inhabitants of the City and County of San Francisco.

Also, that the Senate is unable to comply with the request of your honorable body to return Senate Bill No 326, as said bill, having passed through all the stages of legislation, is now beyond the further control of the Senate.

Also, passed Assembly Bill No. 615—An Act to open and establish a public street in San Francisco, to be called Montgomery Avenue.

Also, amended and passed Assembly Bill No. 779—An Act in regard to the public thoroughfares and property in San Francisco.

Also, passed Assembly Bill No. 737—An Act for the support of certain cemeteries in Tehama County.

FERRAL, Secretary.

CONSIDERATION OF THE MESSAGE.

The House resolved to adhere to its amendments to Senate Bill No. 361, above reported, and asked for the appointment of a committee of conference on the disagreeing vote of the two Houses.

The House concurred in Senate amendments to Assembly Bills Nos. 335, 224, and 207, above reported.

Mr. Walker moved to reconsider the vote whereby the House passed Assembly Bill No. 556.

The motion was laid on the table.

FURTHER REPORTS.

Reports were made as follows:

By Mr. Barnes:

Mr. SPEAKER: The Committee on Engrossment beg leave to report that they have examined and find correctly engrossed Assembly Bill No. 571—An Act supplementary to an Act entitled an Act to authorize the Board of Supervisors of the City and County of San Francisco to modify the grade of certain streets, approved March thirtieth, eighteen hundred and sixty-eight, and an Act entitled an Act amendatory of and supplementary to an Act entitled an Act to authorize the Board of Supervisors of the City and County of San Francisco to modify the grade of certain streets, approved March thirtieth, eighteen hundred and sixty-eight, approved February first, eighteen hundred and seventy, to relieve certain classes of persons from damage under certain proceedings had and contemplated under said Act, and to provide for the more speedy payment of claims arising under said Act.

Also, Assembly Bill No. 690—An Act in relation to County Judges.

Also, Assembly Bill No. 758—An Act investing the widow with the ownership and management of the family estate on the decease of her husband.

Also, Assembly Bill No. 759—An Act conferring upon woman eligibility to official positions in the management of public schools.

BARNES, Chairman.

By Mr. Gibson:

Mr. SPEAKER: Your Committee on Enrollment beg leave to report that they have examined and find correctly enrolled Assembly Bill No. 317—An Act to provide for the protection of an open canal through Channel street, in the City and County of San Francisco—and that the same has, this twenty-ninth day of March, eighteen hundred and seventy-two, at twenty minutes past eight o'clock P. M., been transmitted to the Governor for his approval.

GIBSON, Chairman.

Also, by the same:

Mr. SPEAKER: Your Committee on Enrollment beg leave to report that they have examined and find correctly enrolled Assembly Bill No. 731—An Act to authorize the Board of Supervisors of the County of Yolo to levy and the Collector to collect a special tax for the Plainfield School District.

Also, Assembly Bill No. 761—An Act in relation to the salary of the Treasurer and Auditor of the County of Butte.

Also, Assembly Bill No. 342—An Act to divide the State into Congressional Districts.

Also, Assembly Bill No. 762—An Act to provide for the protection from overflow by Putah Creek, of certain lands in the Counties of Yolo and Solano.

Also, Assembly Bill No. 773—An Act supplementary to an Act to authorize and provide for the payment by the County of Amador, to the County of Calaveras, or its assigns, of interest of certain indebtedness due from the County of Amador to the County of Calaveras, approved March thirty-first, eighteen hundred and sixty-six.

Also, Assembly Bill No. 771—An Act to amend an Act entitled an Act to reincorporate the City of Vallejo, approved March twenty-seventh, eighteen hundred and seventy-two.

Also, Assembly Bill No. 595—An Act supplementary to the Act of April twenty-fifth, eighteen hundred and sixty-three, entitled an Act to incorporate the City of Sacramento.

Also, Assembly Bill No. 722—An Act for the relief of J. Johnson.

Also, Assembly Bill No. 494—An Act to authorize George W. Chesley, and his associates and assigns, to lay down gas pipes in the City of Sacramento.

Also, Assembly Bill No. 473—An Act to repeal an Act entitled an Act to provide for the improvement of the rivers and streams of Santa Clara County, approved April fourth, eighteen hundred and seventy.

Also, Assembly Bill No. 691—An Act defining a lawful and partition fence in the County of Butte.

Also, Assembly Concurrent Resolution No. 34—Relative to authorizing and directing the State Printer to print one thousand copies of the Annual Reports of the Transactions of the State Medical Society.

Also, Assembly Bill No. 487—An Act to provide for the payment of deficiency in the office of Superintendent of Public Instruction.

Also, Assembly Bill No. 543—An Act fixing the salary of certain county officers of the County of Alameda, and providing means for the payment thereof.

And that the same have, this thirtieth day of March, eighteen hundred and seventy-two, at ten o'clock and fifteen minutes, been transmitted to the Governor for his approval.

GIBSON, Chairman.

By Mr. Wheaton:

A resolution in favor of paying Cameron H. King the sum of seventy-five dollars, for services as Assistant Clerk to Committee on Ways and Means for a period of two weeks.

Referred to Committee on Rules and Regulations.

GENERAL FILE.

Senate Bill No. 19—An Act to cede certain lands to the City of San Diego.

Mr. De Haven moved to strike out the enacting clause of the bill.

Mr. Eagan moved to refer the bill to the Judiciary Committee, with instructions.

The previous question was ordered, on motion of Mr. Andrews.

And on the motion to strike out, the ayes and noes were demanded by Messrs. Dannals, Walker, and Whitney, and the House refused to strike out by the following vote:

AYES—Messrs Andrews, Baird, Barker, Barklage, Barnes, Bayley, Berry, Crane, De Haven. Eagan, French. Harvey, Hayes, James, Johnston, Jost, Lee, Long, Luttrell, Meeker, Mott of Sacramento, McCullough, Sammons, Sargent of San Joaquin, Seibe, Spencer, Sphvalo, Stillwagon, Turner, Ward, Wheaton, Whiting, Woodward, and Wright—34.

NOES—Messrs. Aldrich, Bacon, Bell, Bockius, Brown, Burckhalter, Caldwell, Chalmers, Coleman, Connolly, Cooper, Dannals, Days, Ellis, Everett, Franck, Freeman, Galloway, Gibson, Goodall, Gray, Henshaw, Hopper, Little, Mott of Los Angeles, Munday, Rector, Reed, Rice, Russ, Slaughter, Sensabaugh, Tinnin, Walker, Whitney, and Mr. Speaker—36.

The bill was then recommitted to the Judiciary Committee, with instructions to report on Monday, April first.

Mr. Days moved to reconsider the vote whereby the House, on yesterday, passed Assembly Bill No 758

The motion was laid on the table.

Senate Bill No. 304—An Act to amend an Act entitled an Act to prevent extortion in office, and to enforce official duty.

Mr. Spencer moved to lay the bill on the table.

The ayes and noes were demanded by Messrs. Turner, Sargent of San Joaquin, and Spencer, and it was ordered by the following vote.

AYES—Messrs Andrews, Baird, Barker, Barklage, Barnes, Bayley, Bell, Berry, Caldwell, Center, Chalmers, Coleman, Cooper, Crane, De Haven, Eagan, Everett, Freeman. French, Harvey, Hayes, Henshaw, James, Johnston, Little, Long, Meeker, Munday, Pardee, Rice, Sammons, Sargent of San Joaquin, Sphvalo, Tinnin, Turner, Ward, Whiting, Woodward, and Wright—38.

NOES—Messrs. Aldrich, Bacon, Bradley, Bockius, Brown, Dannals, Days, Edgar, Ellis, Franck, Goodall, Gray, Hopper, Jost, Meeker, Mott of Los Angeles, Mott of Sacramento, McCullough, Russ, Sargent of Santa Clara, Schrack, Seibe, Spencer, Wheaton, Whitney, and Mr. Speaker—26.

Assembly Bill No. 749—An Act to provide for the disposal of certain suits now pending in the District Courts of the City and County of San Francisco, and to relieve certain owners of incumbered real estate of double taxation, which the Act passed April fourth, eighteen hundred and seventy, did not relieve.

Indefinitely postponed.

Assembly Bill No. 764—An Act to encourage the production of cane sugar

Considered in Committee of the Whole House.

IN ASSEMBLY.

The committee rose without report.

GENERAL FILE RESUMED.

Assembly Bill No. 462—An Act for the relief of Martha Buckalew.

Withdrawn from file.

Assembly Bill No. 777—An Act to regulate the expenditure of the Road Fund of Solano County.

Rules suspended, bill considered engrossed, read a third time and passed.

Senate Bill No. 390—An Act in relation to the State Printer.

Laid on the table.

Senate Bill No. 442—An Act to authorize suit against the Board of Supervisors of the County of Sacramento.

Mr. Freeman offered an amendment to the bill, and without action thereon, on motion of Mr. Mott of Sacramento, the bill was sent to table.

At one o'clock P. M., on motion of Mr. Andrews, the House prolonged the daily recess for forty-five minutes.

REASSEMBLED.

The House convened at two o'clock and thirty minutes P. M.

Speaker in the chair.

Roll called.

Quorum present.

INTRODUCTION OF BILLS.

Bills were introduced as follows:

By Mr. Andrews—An Act to settle and pay the claim of D. W. Gelwicks, for printing and binding certain catalogues for the use of the State Library.

Read first and second times and considered in Committee of the Whole House.

IN ASSEMBLY.

Reported and passage recommended.

Rules suspended by unanimous consent, bill considered engrossed, read a third time and passed.

FURTHER INTRODUCTION OF BILLS.

By Mr. Wheaton—An Act to amend section three thousand seven hundred and thirteen of the Political Code of the State of California.

Read first and second times, rules unanimously suspended, bill considered engrossed, read a third time and passed.

By Mr. Crane—An Act to fix the fees and salary of the Sheriff of Mariposa County.

Read first and second times and referred to the Mariposa delegation.

FURTHER REPORTS.

Mr. Barker made the following report:

Mr. SPEAKER: Your Committee on Enrollment beg leave to report that they have examined and find correctly enrolled Assembly Bill No. 741—An Act to authorize the Board of Supervisors of Kern County to construct a certain toll road.

Also, Assembly Bill No. 661—An Act to amend an Act entitled an Act concerning roads and highways.

Also, Assembly Bill No. 776—An Act in relation to the Clerk of the Board of Supervisors of Sacramento County.

Also, Assembly Bill No. 754—An Act fixing the time and places of holding the District and County Courts in and for the County of Nevada.

Also, Assembly Bill No. 735—An Act amendatory of an Act entitled an Act amendatory and supplemental to an Act entitled an Act to incorporate the Town of Redwood City, approved March twenty-fourth, eighteen hundred and seventy.

Also, Assembly Bill No. 644—An Act to provide for the support of men belonging to the Paid Fire Department of the City and County of San Francisco who may be disabled while in the performance of their duties.

Also, Assembly Bill No. 649—An Act supplementary to an Act entitled an Act to regulate the settlement of the estates of deceased persons, passed May first, eighteen hundred and fifty-one.

Also, Assembly Bill No. 648—An Act to authorize the Supervisors of Kern County to levy a special tax for the County General Fund.

Also, Assembly Bill No. 608—An Act to authorize the Board of Supervisors of Merced County to levy a special tax for road purposes.

Also, Assembly Bill No. 734—An Act to amend an Act entitled an Act to incorporate the Town of Redwood City, approved March twenty seventh, eighteen hundred and sixty-eight.

And the same have, this thirtieth day of March, eighteen hundred and seventy-two, at forty minutes past two o'clock P. M., been transmitted to the Governor for his approval.

BARKER, for Committee.

By Mr. De Haven:

Mr. SPEAKER: Your Committee on Mileage have examined and found correct the following bills, as certified to by the Committee on Public Buildings and Grounds, and make the following allowance.

To whom due.		Amount.
To J. E. Gorham, Special Messenger to Sergeant at Arms of the Assembly—		
For serving subpœnas on J. B. Hobson	50	
Mileage to Hobson's ranch and back, eighty-two miles, at twenty-five cents per mile	$20 50	
Two days, at five dollars per day	10 00	
Mileage to Hobson's ranch and back, eighty-two miles	20 50	
Two days, at five dollars per day	10 00	
		$62 00
To George Little, for services rendered as Deputy Sergeant at Arms of the Assembly, in serving subpœnas on David Corcoran, at Crane Valley, Fresno County—		
Five hundred miles, at twenty-five cents per mile	$125 00	
Five days, at five dollars per day	25 00	
Serving subpœnas	50	
		150 50
Carried forward		$212 50

To whom due.		Amount.
Brought forward		$212 50
To A. J. Rhoads, serving subpœnas on persons in San Francisco, John Kehoe and H. Kenttyel—		
Mileage, two hundred and thirty-four miles, at twenty-five cents	$58 50	
Mileage, two hundred and thirty-four miles, at twenty-five cents	58 50	
O. Hard, Hobson, Schweitzer, and Magan, three days, at five dollars per day	15 00	
		132 00
Total		$344 50

Resolved, That the Controller of State be and is hereby authorized to draw his warrants in favor of the above named persons for the several amounts due them, and the Treasurer be directed to pay the same out of the Contingent Fund of the Assembly.

DE HAVEN, Chairman.

Adopted.

GENERAL FILE.

Senate Bill No. 429—An Act to amend an Act entitled an Act to grant Guillermo Carrillo and his assigns the right to supply the inhabitants of the Town of Santa Barbara with fresh water.

On the passage of the bill the ayes and noes were demanded by Messrs. Bell, Cooper, and Whiting, with the following result:

AYES—Messrs. Aldrich, Andrews, Barker, Barklage, Barnes, Bayley, Berry, Bradley, Bockius, Brown, Center, Cooper, Crane, Dannals, Edgar, Ellis, Everett, French, Goodall, Gray, Harvey, Henshaw, Long, Luttrell, Meeker, Mott of Los Angeles, Mott of Sacramento, Munday, Sargent of Santa Clara, Sargent of San Joaquin, Seibe, Sensabaugh, Spencer, Tinnin, Turner, Walker, Welty, Whiting, Woodward, and Mr. Speaker—39.

NOES—Messrs. Bacon, Baird, Bell, Caldwell, Coleman, Days, Freeman, Galloway, Gibson, Hayes, James, Johnston, Lee, Little, Mathers, Rector, Rice, Sammons, Stillwagon, Wheaton, and Whitney—23.

Senate Bill No. 503—An Act to appropriate funds for the relief of the several Orphan Asylums of the State.

Considered in Committee of the Whole House.

IN ASSEMBLY.

Reported with recommendation that the bill pass.

Mr. Welty moved to strike out the enacting clause of the bill.

The motion was rejected, and the bill read a third time and passed.

GENERAL FILE RESUMED.

Senate Bill No. 502—An Act making appropriation for deficiencies in the appropriation made for the twenty-second and twenty-third fiscal years.

Considered in Committee of the Whole House.

IN ASSEMBLY.

Reported and passage recommended.

Read a third time and passed.

VETO MESSAGES.

The House took from the table the following messages from the Governor, accompanying three bills without his approval:

STATE OF CALIFORNIA, EXECUTIVE DEPARTMENT,
Sacramento, March 30th, 1872.

To the Assembly of the State of California:

I respectfully return to your honorable body, without my approval, Assembly Bill No. 362—An Act to submit to the qualified electors of Alpine County the question of relocating the county seat of said county.

Since the introduction of this bill the Legislature has passed general laws which will go into operation on the first of May next, which provides a method eminently fair for determining the question of the removal of county seats, and which render special legislation upon the subject unnecessary.

NEWTON BOOTH, Governor.

On the question, "Shall this bill become a law, notwithstanding the objections of the Governor?" the roll was called, and the veto sustained by the following vote:

AYES—None.

NOES—Messrs. Aldrich, Andrews, Bacon, Baird, Barker, Barklage, Barnes, Bayley, Bell, Berry, Bradley, Bockius, Brown, Caldwell, Center, Chalmers, Coleman, Connolly, Cooper, Crane, Dannals, Days, Eagan, Edgar, Ellis, Everett, Franck, Freeman, French, Galloway, Gibson, Goodall, Gray, Harvey, Hayes, Henshaw, Hopper, Jost, Lee, Little, Long, Luttrell, Mathers, Meeker, Mott of Los Angeles, Mott of Sacramento, Munday, Rector, Reed, Russ, Sargent of Santa Clara, Sammons, Sargent of San Joaquin, Schrack, Seibe, Sensabaugh, Spencer, Splivalo, Tinnin, Turner, Ward, Welty, Wheaton, Whiting, Whitney, Wilcox, Woodward, Wright, and Mr. Speaker—69.

STATE OF CALIFORNIA, EXECUTIVE DEPARTMENT,
Sacramento, March 30th, 1872.

To the Assembly of the State of California:

I respectfully return to your honorable body, without my approval,

Assembly Bill No. 354—An Act to submit the question of the removal of the county seat of Kern County to the qualified voters thereof—for the reason given in my message accompanying Assembly Bill No. 362, returned to your honorable body this morning.

NEWTON BOOTH, Governor.

On the question, "Shall this bill become a law, notwithstanding the objections of the Governor?" the roll was called and the veto sustained by the following unanimous vote:

AYES—None.

NOES—Messrs. Aldrich, Andrews, Bacon, Baird, Barker, Barklage, Barnes, Bayley, Bell, Berry, Bradley, Bockius, Brown, Caldwell, Center, Chalmers, Coleman, Connolly, Cooper, Crane, Dannals, Days, De Haven, Eagan, Edgar, Ellis, Everett, Franck, Freeman, French, Galloway, Goodall, Gray, Harvey, Hayes, Henshaw, Hopper, James, Johnston, Jost, Lee, Little, Long, Luttrell, Mathers, Meeker, Mott of Los Angeles, Mott of Sacramento, Munday, McCullough, Rector, Reed, Rice, Russ, Sammons, Sargent of Santa Clara, Sargent of San Joaquin, Schrack, Seibe, Sensabaugh, Spencer, Splivalo, Tinnin, Turner, Walker, Ward, Welty, Wheaton, Whiting, Whitney, Wilcox, Woodward, Wright, and Mr. Speaker—73

STATE OF CALIFORNIA, EXECUTIVE DEPARTMENT,
Sacramento, March 25th, 1872.

To the Assembly of the State of California:

I respectfully return herewith to your honorable body, without my approval, Assembly Bill No. 633—An Act supplementary to an Act entitled an Act to provide terminal depot grounds for the Terminal Central Pacific Railway Company, approved March twenty-eighth, eighteen hundred and sixty-eight.

By the provisions of an Act approved March twenty-eighth, eighteen hundred and sixty-eight, and to which the bill under consideration is supplementary, certain submerged and tide lands in the Bay of San Francisco, contiguous to Goat Island, were granted to the Terminal Central Pacific Railway Company, and their assignees, for the purposes of providing the said company with proper depot and commercial facilities at the western terminus of the road. The company were also granted the right "to locate, occupy, and hold, along the bridge line or lines that shall connect the lands described in said Act and the Oakland and the Alameda or Contra Costa shore, a width of two hundred and fifty feet of the tide or submerged lands over which said bridge or bridges shall be built." Under the provisions of the Act, the lands were appraised, without reference to enhanced value by prospective improvements, at twelve thousand dollars, and that amount was paid into the State Treasury by the company on the twenty-sixth day of September, eighteen hundred and sixty-eight, at which date the acceptance of the company was filed in the office of the Secretary of State.

One of the conditions of the grant was that the company should "commence the improvement of said premises within one year from the

date of their acceptance, and, within two years thereafter, expend on such improvements, not including the expense of its bridge or bridges, not less than one hundred thousand dollars." Another condition was, that the company should, within four years after filing such acceptance, have constructed and in full running order, a first class railroad and ferry communication, according to the provisions of its articles of incorporation, between the City of San Francisco, the premises granted, Oakland, and Vallejo.

The object of the bill under consideration is to extend the time for the expenditure of the one hundred thousand dollars, and the time for the completion of the road, each two years beyond the time now limited by law.

There is no evidence to show that the work of improvement has ever been begun, certainly one hundred thousand dollars has never been expended, as, otherwise, there would be no necessity for the first provision of the present bill.

As the grant depended upon the fulfillment of all the conditions named, under the most liberal construction of language it was forfeited on the twenty-sixth day of September, eighteen hundred and seventy-one.

If the present bill should become a law, and be held operative to extend a time already expired, it would be strictly a new grant, and should be considered as an original proposition. As such, it involves the giving to one railroad company all the available approaches to Goat Island, and virtually all tide and overflowed lands surrounding said island, which are essential to its value for terminal and warehouse purposes. It involves, also, the probable damage and possible destruction of the harbor, by building bridges between the island and the eastern shore of the Bay of San Francisco, and by filling in the flats to a depth of twenty-four feet of water. And it involves, likewise, the question of the power of the State to exercise rights of ownership over the riparian rights of an island which has been reserved by the Government of the United States, by virtue of its sovereignty, for military purposes.

I do not propose to argue these questions, but it is perhaps not impertinent to say that they did not receive that consideration, when the original Act was passed, which their importance demands.

I desire, also, to call attention to the general impolicy of extending time for the fulfillment of conditions for the asking. It is a premium upon a speculation, and it enables parties obtaining grants to hold them in indefinite abeyance for purposes of sale or improvement, or as a means to compel other concessions, as opportunity may offer or interest direct.

NEWTON BOOTH, Governor.

STATE OF CALIFORNIA, EXECUTIVE DEPARTMENT,
Sacramento, March 25th, 1872.

To the Assembly of the State of California:

Since sending the message to your honorable body returning Assembly Bill No 633 without my approval, my attention has been called to the fact that an Act was passed March thirty-first, eighteen hundred and seventy, by which the time for expending one hundred thousand dollars by the Terminal Central Railroad Company, and the time for completing the road by said company, were extended two years beyond the time prescribed in the original Act. No reference was made in Assembly Bill

No 633 to any Act supplementary to the Act of March twenty-eighth, eighteen hundred and sixty-eight, and I inferred there was none. If I had known its existence I should not have stated that the grant to the Terminal Pacific Railroad Company had been already forfeited. On making this correction it may not be improper to add that my views of policy and principle as announced in the message are unchanged, and the fact that an extension has already been given is an additional reason why none other should be granted.

NEWTON BOOTH, Governor.

On the question, "Shall this bill become a law, notwithstanding the objections of the Governor?" the roll was called with the following result, the veto being sustained by a unanimous vote:

AYES—Mr. Connolly—1.

NOES—Messrs. Aldrich, Andrews, Bacon, Baird, Barker, Barklage, Brown, Bayley, Bell, Bradley, Berry, Bockius, Barnes, Caldwell, Center, Chalmers, Coleman, Cooper, Crane, Dannals, Days, De Haven, Eagan, Edgar, Ellis, Everett, Franck, Freeman, French, Galloway, Gibson, Goodall, Gray, Harvey, Hayes, Henshaw, Hopper, James, Johnston, Jost, Lee, Little, Long, Luttrell, Mathers, Meeker, Mott of Los Angeles, Mott of Sacramento, Munday, McCullough, Rector, Reed, Rice, Russ, Sammons, Sargent of Santa Clara, Sargent of San Joaquin, Schrack, Scibe, Sensabaugh, Spencer, Splivalo, Stillwagon, Tinnin, Turner, Walker, Ward, Welty, Wheaton, Whiting, Whitney, Wilcox, Woodward, Wright, and Mr. Speaker—74.

MESSAGE FROM THE SENATE.

The following message was received from the Senate:

SENATE CHAMBER,
March 30th, 1872.

Mr. SPEAKER: I am directed to inform your honorable body that the Senate, on the twenty-ninth day of March, passed Assembly Bill No 436—An Act to provide for the payment of certain Controller's warrants.

Also, on the same day, passed Assembly Bill No. 521—An Act to regulate and fix the salary of the Assessor of Monterey County.

Also, on the same day, refused to pass Assembly Bill No. 498—Relative to interpreters.

Also, on the same day, passed Assembly Bill No. 684—Relative to the survey of the boundary line of Siskiyou and Lassen Counties.

Also, on the same day, refused to pass Assembly Bill No. 520—Relative to Roadmasters of Monterey County.

Also, on the same day, passed Assembly Bill No. 108—Relative to condemnation of property within the limits of the Laguna Survey.

Also, on the same day, passed Senate Concurrent Resolution No. 51—Requesting our Representatives in Congress to urge the passage of a bill introduced by Morrill in the United States Senate to donate certain lands.

Also, to inform your honorable body that the Senate has not yet passed Assembly Bill No. 112, and therefore cannot return the same, and is on the Senate file of to-day.

Also, on the same day, passed Assembly Bill No. 212—An Act to

amend an Act relative to construction of wharves on submerged lands of this State.

Also, on the same day, passed Senate substitute for Assembly Bill No. 721—An Act concerning the Board of Supervisors of Sutter County.

Also, on the same day, amended and passed Assembly Bill No 228—An Act to provide for payment of damages caused by changing the grade of Second street, in the City and County of San Francisco.

Also, on the same day, passed Assembly Bill No. 772—An Act amendatory of an Act entitled an Act to encourage the destruction of squirrels and gophers in certain counties in this State.

Also, on the twenty-ninth instant, passed Assembly Bill No. 386—An Act to provide for the payment of outstanding Controller's warrants drawn against the Swamp Land Fund of Swamp Land District Number Seventeen, in San Joaquin County

Also, on the same day, amended and passed Assembly Bill No. 769—An Act making appropriation for the support of the civil government of this State.

Also, on the same day, passed and ordered transmitted without engrossment, Senate Bill No. 514—An Act to amend an Act in relation to the Civil, Political, and Penal Codes.

The President of the Senate has appointed Messrs. Larkin, Irwin, and Goodale a committee of conference on the part of the Senate on the disagreeing vote of the two Houses on Senate Bill No. 361—An Act to provide a system of common schools.

FERRAL, Secretary.

CONSIDERATION OF THE MESSAGE.

The House concurred in Senate amendments to Assembly Bill No. 721, above reported.

Also, concurred in Senate amendments to Assembly Bill No. 228, above reported.

Mr Jost had leave to be recorded as having opposed concurrence of the House in Senate amendments to Assembly Bill No. 228.

Senate Concurrent Resolution No. 51, above reported, was laid on the table.

The House concurred in Senate amendment to Assembly Bill No. 59, above reported.

Assembly Bill No. 521, above reported, with Senate amendment, was referred to the Monterey delegation.

The House concurred in all Senate amendments, except the last to Assembly Bill No. 228, above reported.

Assembly Bill No 769, reported from the Senate, with amendments, was considered in Committee of the Whole.

IN ASSEMBLY.

The committee rose, and reported concurrence in some and refused to concur in other Senate amendments, and the report was adopted by the House.

Senate Bill No. 514, above reported, was read first and second times and referred to the Judiciary Committee.

REPORT.

Mr. Chalmers had leave to make the following report:

Mr SPEAKER: The El Dorado delegation, to whom was referred Assembly Bill No. 781, report the same back and recommend its passage.

CHALMERS, for Delegation.

The previous question was ordered, on motion of Mr. Wilcox.

On suspending the rules to consider the bill engrossed, the ayes and noes were demanded by Messrs. French, Barker, and Lee, with the following result:

AYES—Messrs. Aldrich, Bacon, Baird, Barklage, Bayley, Bell, Caldwell, Center, Chalmers, Coleman, Cooper, Crane, Dannals, Days, Eagan, Ellis, Galloway, Gibson, Goodall, Gray, Hopper, James, Jost, Little, Long, Luttrell, Meeker, Munday, Rector, Reed, Rice, Schrack, Sensabaugh, Slaughter, Tinnin, Walker, Welty, Whiting, Whitney, Wilcox, Woodward, and Mr Speaker—42

NOES—Messrs Andrews, Barker, Barnes, Berry, Bockius, De Haven, Edgar, Everett, Franck, Freeman, French, Harvey, Henshaw, Johnston, Lee, Mott of Sacramento, Russ, Sargent of San Joaquin, Seibe, Spencer, Stillwagon, and Turner—22.

The bill was considered engrossed, and read a third time, and on its passage the ayes and noes were demanded by Messrs. French, Barker, and Lee, with the following result:

AYES—Messrs. Bacon, Baird, Barklage, Barnes, Bayley, Bell, Caldwell, Center, Chalmers, Coleman, Connolly, Cooper, Dannals, Days, Eagan, Ellis, Galloway, Gibson, Goodall, Gray, Harvey, James, Johnston, Jost, Little, Long, Luttrell, Meeker, Mott of Los Angeles, Mott of Sacramento, Munday, Rector, Reed, Rice, Russ, Sargent of San Joaquin, Schrack, Seibe, Sensabaugh, Slaughter, Spencer, Walker, Ward, Whiting, Wilcox, and Mr. Speaker—42.

NOES—Messrs Andrews, Barker, Bockius, De Haven, Edgar, Everett, French, Freeman, Franck, Henshaw, Lee, and Stillwagon—12.

Mr Spencer gave notice that he would move to reconsider the vote by which the bill passed on the next day on which the Assembly convened.

Mr Luttrell raised the point of order that such notice could not be given under the rules, as according to the notice the motion would be made on the last day of the session.

The Speaker decided the point of order well taken, and from the decision, Mr. Spencer appealed to the House.

On the question, "Shall the decision of the Chair stand as the judgment of the House?" the ayes and noes were demanded by Messrs. Spencer, Crane, and Woodward, and the decision of the Chair was sustained by the following vote:

AYES—Messrs Aldrich, Andrews, Bacon, Barker, Barklage, Barnes, Bayley, Bell, Berry, Bockius, Brown, Caldwell, Center, Chalmers, Coleman, Connolly, Cooper, Dannals, Days, De Haven, Eagan, Ellis, Everett,

Franck, Galloway, Gibson, Goodall, Gray, Harvey, Hayes, Henshaw, Hopper, James, Johnston, Little, Long, Luttrell, Meeker, Mott of Los Angeles, Munday, Rector, Reed, Rice, Sammons, Schrack, Sensabaugh, Slaughter, Splivalo, Tinnin, Turner, Walker, Ward, Whitney, Whiting, and Wilcox—55.

NOES—Messrs. Bacon, Bradley, Crane, Edgar, Freeman, French, Jost, Lee, Mott of Sacramento, Sargent of San Joaquin, Seibe, Spencer, and Woodward—13.

Mr. Spencer then gave notice that he would move a reconsideration of the vote on the passage of the bill to-morrow.

The Speaker decided the motion out of order, and refused to entertain it, inasmuch as the House, by the vote just taken, had adopted his former decision as their judgment.

Mr. Spencer insisted on his privilege to give notice of a motion to reconsider on to-morrow, although it might be the holy Sabbath; for the reason, that in legislative affairs there is no such day as "dies non."

The Speaker remarked, that a notice might be recorded, but that fact would not retard the delivery of the bill to the Senate, whither he should order it transmitted at once.

The Speaker announced the appointment of the following committee of conference on the School Bill: Messrs. Wright, Woodward, and Splivalo.

EXTRA PAY CLAIMS.

Two reports were made, by a majority and minority of the Committee on Rules and Regulations, relative to claims and requests for extra pay, etc.

While the reports were under consideration, the House, at five o'clock and forty minutes P. M., on motion of Mr. Berry, took a recess until eight o'clock P. M.

EVENING SESSION.

The House convened at the hour last named
Speaker in the chair.
Roll called.
Quorum present.

MISCELLANEOUS.

The House took from the table Senate Bill No. 390, on the General File to-day, on motion of Mr. De Haven.

Bill read a third time and passed.

Mr. Eagan moved to take from the table Assembly Bill No. 497—An Act to add an additional section to the Penal Code.

On suspending the rules for this purpose, the ayes and noes were demanded on adopting the motion by Messrs Wheaton, Barker, and Eagan, and the House refused to suspend the rules by the following vote:

AYES—Messrs. Aldrich, Bacon, Baird, Bell, Brown, Caldwell, Center, Chalmers, Connolly, Cooper, Days, De Haven, Eagan, Edgar, Everett, Gibson, Goodall, Luttrell, Mathers, Meeker, Mott of Los Angeles, Mott of Sacramento, Munday, McCullough, Reed, Sargent of Santa Clara, Schrack, Tinnin, Turner, Ward, Welty, Wheaton, Whiting, Wilcox, Woodward, and Wright—36.

NOES—Messrs. Barker, Barklage, Barnes, Bayley, Berry, Bradley, Bockius, Crane, Dannals, Franck, Galloway, Hayes, Henshaw, James, Johnston, Jost, Lee, Little, Long, Rector, Russ, Sammons, Seibe, Sensabaugh, Slaughter, Walker, Whitney, and Mr. Speaker—28.

Mr. Freeman offered a Concurrent Resolution—Requesting the Governor to return Assembly Bill No. 762 for correction, and authorizing the Enrolling Clerk to make the correction.

Adopted.

Mr Shannon moved (Mr. Days in the chair) a suspension of the rules, to take up Senate Bill No. 477—An Act to supply the City and County of San Francisco with water.

The ayes and noes were demanded by Messrs. Shannon, Jost, and Wheaton, and the House refused to suspend the rules by the following vote:

AYES—Messrs. Aldrich, Bayley, Bockius, Brown, Center, Chalmers, Crane, Dannals, Days, De Haven, Eagan, Everett, Franck, Galloway, Gibson, Goodall, Jost, Meeker, Mott of Los Angeles, Mott of Sacramento, Rice, Sargent of Santa Clara, Schrack, Seibe, Slaughter, Tinnin, Turner, Walker, Wheaton, Whiting, Woodward, and Mr. Speaker—32.

NOES—Messrs. Andrews, Bacon, Baird, Barker, Barklage, Barnes, Bell, Berry, Bradley, Caldwell, Coleman, Connolly, Cooper, Edgar, French, Hayes, Henshaw, James, Lee, Little, Munday, McCullough, Rector, Reed, Sammons, Sensabaugh, Splivalo, Stillwagon, Welty, Whitney, Wilcox, and Wright—32.

REPORT.

Mr. Spencer made the following report:

Mr SPEAKER: The Judiciary Committee report back Senate Bill No. 514—An Act to amend and in relation to the Political, Civil, and Penal Codes, and the Code of Civil Procedure, with amendments, and recommend its passage as amended.

SPENCER, Chairman.

Rules suspended, and the bill above reported taken up Amendments reported adopted, rules unanimously suspended, and bill read a third time and passed.

MESSAGE FROM THE SENATE.

The following message was received from the Senate:

SENATE CHAMBER,
March 30th, 1872.

Mr. SPEAKER: I am directed to inform your honorable body that the Senate, on this thirtieth day of March, passed Senate Bill No. 299—Relative to funding the Indian War indebtedness of the State—and ordered the same transmitted without engrossment.

Also, passed Assembly Bill No. 461—Relative to granting certain lands, known as State Reform School Buildings, to the City of Marysville.

Also, passed Assembly Bill No. 603—An Act to release the claim of the State to certain lands.

Also, passed Assembly Bill No. 556—An Act to define the boundary line between Fresno and Mariposa Counties.

Also, passed Assembly Bill No. 478—An Act relating to cabinet departments in the State Library

Also, passed Assembly Bill No. 718—Relative to a special tax in Klamath County.

Also, passed Assembly Joint Resolution No. 20—Relative to fortifications in San Diego Harbor.

Also, amended and passed Assembly Bill No. 76—An Act to provide for the payment of the State's portion of the salary of the County Auditor of Mariposa County.

Also, amended and passed Senate Bill No. 515—Proposed amendments to the Constitution of the State of California.

Also, amended and passed Senate Bill No. 62—Proposed amendments to section second, Article IV, of the Constitution of the State of California.

Also, amended and passed Senate Bill No 35—Amendments to the Constitution proposed at the nineteenth session of the Legislature.

The President of the Senate appointed Messrs Banvard, Wilson, and Gwin a committee of conference, on the part of the Senate, on the disagreeing vote between the two Houses on Assembly Bill No 769—An Act to appropriate money for the support of the civil government of this State.

Also, passed Assembly substitute for Senate substitute for Assembly Bill No. 481—An Act relative to a Paid Fire Department in Sacramento City.

Also, concurred in Assembly Concurrent Resolution No. 31—Recommending the pardon of certain criminals.

Also, passed Assembly Bill No. 782—An Act to settle and pay the claim of D. W. Gelwicks.

Also, corrected Assembly Bill No. 212—An Act in relation to the construction of wharves on overflowed lands in this State.

Also, passed Assembly Bill No. 546—An Act to amend an Act restricting the herding of sheep to certain pastures in the Counties of Sonoma and Marin.

Also, amended and passed Assembly Bill No. 659—An Act supplementary to an Act to protect agriculture, etc.

Also, passed Senate Bill No. 192—An Act relating to validating and confirming certain contracts for street work in San Francisco.

Also, passed Assembly Bill No. 565—An Act for the better protection of the lands in Swamp Land District Number Two.

Also, passed Senate Bill No. 466—An Act concerning the office of District Attorney of Sacramento County

Also, indefinitely postponed Assembly Bill No. 105—An Act to regulate wharfage and dockage and abolish tolls in San Francisco.

Also, passed Assembly Bill No. 553—An Act for the encouragement of irrigation.

FERRAL, Secretary.

CONSIDERATION OF THE MESSAGE.

The House concurred in Senate amendments to Assembly Bill No. 76, above reported.

Senate Bill No. 515, above reported, was read first and second times,

and the rules being suspended by unanimous consent, the bill was read a third time and passed.

Following is the proposed amendment to the Constitution of the State of California:

The Senate and Assembly of the State of California, at the nineteenth session of the Legislature thereof, commencing on the fourth of December, eighteen hundred and seventy-one, do propose the following amendment to the Constitution of the State:

Section twenty-one of Article XI of the Constitution, is hereby amended so as to read as follows.

Section 21 All laws, decrees, regulations, and provisions, which from their nature require publication, shall be published in such manner as the Legislature may direct.

On the passage of the bill, the roll was called with the following result:

AYES—Messrs. Aldrich, Andrews, Bacon, Baird, Barker, Barklage, Barnes, Bayley, Bell, Berry, Bradley, Bockius, Brown, Caldwell, Center, Chalmers, Coleman, Connolly, Crane, Dannals, Days, De Haven, Eagan, Edgar, Everett, Franck, French, Galloway, Gibson, Goodall, Harvey, Hayes, Henshaw, James, Jost, Lee, Little, Long, Meeker, Mott of Los Angeles, Mott of Sacramento, Munday, McCullough, Rector, Reed, Rice, Sammons, Sargent of Santa Clara, Schrack, Slaughter, Tinnin, Turner, Ward, Welty, Wheaton, Whitney, Whiting, Wilcox, Woodward, and Mr. Speaker—60.

NOES—Mr. Wright—1.

Senate Bill No. 62, above reported.

Proposed amendments to section second of Article IV of the Constitution of the State of California.

The Senate and Assembly of the State of California, at the nineteenth session of the Legislature thereof, do propose the following amendment to the Constitution of the State:

Section second of Article IV is amended so as to read as follows:

SEC. 2 The sessions of the Legislature shall be biennial, and shall commence on the second Monday in January next ensuing the election of its members, unless the Governor of the State shall in the interim convene the Legislature by proclamation. No session shall continue longer than ninety (90) days

The bill was read a first and second times.

Mr. Meeker offered an amendment to the bill.

Mr. Wheaton moved that it lay on the table.

Whereupon the ayes and noes were demanded by Messrs Barker, Dannals, and Barklage, and the House refused so to order by the following vote:

AYES—Messrs. Aldrich, Bacon, Baird, Barnes, Bell, Bradley, Cooper, Days, Franck, Galloway, James, Mott of Los Angeles, Mott of Sacramento, McCullough, Rector, Reed, Sargent of Santa Clara, Schrack, Spivalo, Ward, Welty, Whiting, Whitney, Wilcox, and Wright—25.

NOES—Messrs. Andrews, Barker, Barklage, Bayley, Berry, Bockius, Brown, Center, Chalmers, Connolly, Crane, Dannals, Eagan, Everett,

Freeman, French, Gibson, Goodall, Hopper, Johnston, Jost, Little, Long, Meeker, Munday, Rice, Sammons, Slaughter, Spencer, Stillwagon, Tinnin, Turner, Walker, Wheaton, Woodward, and Mr. Speaker—36.

The amendment was rejected, and the rules were suspended for the third reading of the bill, and on its passage the roll was called, with the following result:

AYES—Messrs. Andrews, Barker, Barklage, Bayley, Berry, Bockius, Brown, Center, Chalmers, Connolly, Cooper, Crane, Dannals, Eagan, Everett, Franck, Freeman, French, Gibson, Goodall, Henshaw, Johnston, Jost, Long, Munday, Rice, Sargent of Santa Clara, Slaughter, Tinnin, Turner, Walker, Welty, Wheaton, Woodward, and Mr. Speaker—35.

NOES—Messrs. Aldrich, Bacon, Baird, Barnes, Bell, Bradley, Days, De Haven, Edgar, Galloway, Harvey, Hayes, Hopper, James, Little, Meeker, Mott of Los Angeles, Mott of Sacramento, McCullough, Rector, Reed, Sammons, Sargent of San Joaquin, Schrack, Spencer, Splivalo, Stillwagon, Ward, Whiting, Whitney, Wilcox, and Wright—32.

So the bill was lost.

Senate Bill No. 35, above reported—Amendment to the Constitution proposed at the nineteenth session of the Legislature.

The Legislature of the State of California at its nineteenth session, commencing on the fourth day of December, eighteen hundred and seventy-one, proposed the following amendments to section twenty-six of Article IV of the Constitution:

SEC. 26. The Legislature shall not pass special or local laws in any of the following enumerated cases, that is to say: For granting divorces, changing the names of persons, companies, or corporations; for laying out, establishing, or opening roads, streets, alleys, or public squares; providing for summoning, selecting, or impaneling grand or trial juries, regulating county business, granting the right to maintain a ferry; granting the right to construct or maintain a bridge, except across waters that have been declared navigable; granting the right to use or occupy for a railroad or other purposes, a street, square, or alley in any city or town. In all enumerated in this section, laws shall be general, and have a uniform operation throughout the State.

Read a first and second times, and objection being made to third reading, it went to the file.

Senate Bill No 299, above reported, read a first and second times and referred to Committee on Claims.

Subsequently Mr. Mott of Sacramento made the following report:

MR. SPEAKER. The Committee on Claims, to whom was referred Senate Bill No. 299, beg leave to report it back and recommend its passage.

MOTT, Chairman.
ALDRICH,
COOPER,
WELTY,
BACON,
DE HAVEN.

The bill was ordered placed at head of file for Monday, April first.

The House concurred in Senate amendments to Assembly Bill No. 659, above reported.

Senate Bill No. 192, above reported, read first and second times and referred to the San Francisco delegation.

Senate Bill No. 466, above reported, read first and second times and referred to the Sacramento delegation.

MESSAGE FROM THE SENATE.

The following message was received from the Senate:

SENATE CHAMBER,
March 30th, 1872.

Mr. SPEAKER: I am directed to inform your honorable body that the Senate, on this thirtieth day of March, concurred in Assembly Concurrent Resolutions Nos 38 and 39—Relative to correction of Assembly Bills Nos. 615 and 762, respectively.

FERRAL, Secretary.

CONFERENCE COMMITTEE.

The Speaker announced the appointment of Messrs. Wheaton, Mott of Sacramento, and Stillwagon, a committee of conference on the part of the Assembly on the disagreeing vote of the two Houses on the General Appropriation Bill.

RESOLUTIONS.

The following resolutions were offered:

By Mr. Johnston:

Resolved, That all the attachés that have not been allowed extra pay, be allowed one dollar per day extra, commencing from the beginning of the session, and that the Controller be and is hereby authorized to draw his warrants for the same.

Referred to the Committee on Rules and Regulations.

By Mr. Splivalo:

Resolved, That a special committee of three be appointed by the Chair, to inquire into and recommend what amount may be reasonably paid to the attaches of this House as extra compensation for extra services rendered.

The Speaker appointed the following committee under the resolution: Messrs. Splivalo, Reed, and Wilcox.

REPORT.

Mr Hayes made the following report:

Mr. SPEAKER: Your Committee on Enrollment beg leave to report that they have examined and found correctly enrolled, Assembly Bill No. 615—An Act to open and establish a public street in the City and

County of San Francisco, to be called Montgomery Avenue, and to take private lands therefor.

Also, Assembly Bill No. 779—An Act in regard to public thoroughfares and property in the City and County of San José.

Also, Assembly Bill No. 730—An Act for the support of certain cemeteries of Tehama County.

Also, substitute for Assembly Bill No 207—An Act to amend an Act entitled an Act to establish a Paid Fire Department for the City and County of San Francisco, approved March second, eighteen hundred and sixty-six.

Also, Assembly Bill No. 335—An Act to amend an Act, approved March twelfth, eighteen hundred and sixty-eight, entitled an Act to provide for the drainage of the City of Sacramento, and of the lands of Swamp Land District Number Two.

Also, Assembly Bill No. 108—An Act to repeal an Act entitled an Act authorizing the condemnation of private property within the limits of the "Laguna Survey," approved March twenty-fifth, eighteen hundred and seventy, and to provide for the expense incurred under said Act.

Also, Assembly Bill No. 436—An Act to provide for the payment of certain warrants drawn on the State Treasury

Also, Assembly Bill No. 684—An Act providing for the survey of the line forming a portion of the southern boundary of Siskiyou County and the northern boundary of Lassen County, approved March twentieth, eighteen hundred and seventy-two.

Also, Assembly Bill No 224—An Act for the relief of A. F. Gray, Treasurer and ex officio Tax Collector of El Dorado County

Also, Assembly Bill No 772—An Act amendatory of an Act entitled an Act to encourage the destruction of squirrels and gophers in certain counties of this State, and to provide for a bounty for the same.

Also, Assembly Bill No 386—An Act to provide for the payment of outstanding Controller's warrants drawn against the Swamp Land Fund of Swamp Land District Number Seventeen, San Joaquin County

Also, Assembly Bill No. 228—An Act to provide for the payment of damages caused by changing the grade of Second street, in the City and County of San Francisco.

Also, Assembly Bill No 59—An Act to fix the time for holding election for members of Congress, and to repeal certain Acts

Also, Assembly Bill No 782—An Act to settle and pay D. W. Gelwicks for printing and binding the catalogues for the use of the State Library.

And that they have, this thirtieth day of March, eighteen hundred and seventy-two, at ten o'clock, been transmitted to the Governor for his approval.

HAYES, for Committee.

MINING BUREAU.

Mr. Eagan presented a memorial, passed by the Mining Bureau of the Pacific Coast, in relation to certain proposed amendments to the present laws of Congress concerning the sale and disposition of mineral lands.

Also, a joint resolution, embodying the objects desired by the modification of the system.

Made special order for Monday, at twelve o'clock M.

There being no further business at the desk requiring present action,

the House, on motion of Mr. Berry, at ten o'clock and fifty minutes P M, adjourned.

T. B. SHANNON,
Speaker.

M. D. BORUCK, Chief Clerk.

IN ASSEMBLY.

HOUSE OF ASSEMBLY,
Monday, April 1st, 1872.

House met pursuant to adjournment.
Speaker in the chair.
Roll called.
Quorum present.
Journal of Saturday read and approved.

REPORTS OF STANDING COMMITTEES.

Reports from standing committees were made as follows:

By Mr. Harvey:

Mr. SPEAKER: The Committee on Swamp and Overflowed Lands, to whom was referred Senate Bill No 413—An Act to provide for an official survey of the swamp and overflowed, tide and salt marsh lands in Sonoma County—have considered the same, report it back, and recommend its passage.

HARVEY, Chairman.

The rules were suspended and the bill above reported taken up, read a third time and passed.

By Mr. Luttrell:

Mr. SPEAKER: The Committee on Rules and Regulations, to whom was referred Assembly Resolution—Relative to the payment of Isaac Miller—report the same back with the recommendation that it pass.

LUTTRELL, Chairman.

The rules were suspended and the resolution above reported adopted.

Also, by the same:

Mr. SPEAKER. The Committee on Rules and Regulations, to whom was referred Assembly Resolution—Relative to the payment of the claim of C. H. King—report that we have had the same under consideration and recommend that it do pass.

LUTTRELL, Chairman.

The rules were suspended and the resolution above reported adopted.

By Mr. Mott:

Mr. SPEAKER: The Committee on Claims, to whom was referred Assembly Bills Nos. 214 and 302—report them back and recommend that they do not pass.

MOTT, Chairman.

The rules were suspended, and the bills above reported were severally laid on the table.

By Mr. Eagan:

Mr. SPEAKER: The Committee on Agriculture herewith report back all petitions, memorials, and other miscellaneous documents referred to them. This winds up all business before the Committee on Agriculture.

EAGAN, Chairman.

By Mr. McCullough.

Mr. SPEAKER: The San Francisco delegation, to whom was referred Senate Bill No. 192—report the same back and recommend its passage.

McCULLOUGH,
SPLIVALO,
JAMES,
REED,
SEIBE.

The House refused to suspend the rules for a third reading of the bill.

By Mr. Galloway:

Mr. SPEAKER: The Committee on Public Expenditures and Accounts beg leave to report that they have examined the following bills and accounts, found them correct, and recommend that they be paid:

To whom due.	Amount.
Sacramento Bee	$2 50
Northern Record	9 00
Northern Independent	7 50
Butte Record	3 00
California Farmer	12 00
Sacramento Gas Company	18 00
A. J. Rhoads (expressage)	10 15
Weekly Alta	3 00

Resolved, That the Controller of State be and he is hereby authorized and directed to draw warrants in favor of the above named persons for the amounts set opposite their respective names, and that the Treasurer be directed to pay the same.

GALLOWAY, Chairman

By Mr. Wheaton:

Mr Speaker: Your committee of conference on disagreement of Senate and Assembly on amendments to the General Appropriation Bill, Assembly Bill No 769, recommend that the Senate recede from its amendment in relation to the Prison Commission, and the modification of the amendment to the San Francisco Lying-in and Foundling Hospital, so as to read "seven thousand two hundred dollars" instead of "five thousand dollars."

WHEATON,
E B. MOTT, Jr.,
STILLWAGON,
Assembly Committee.
BANVARD,
WILSON,
GWIN,
Senate Committee.

The report was adopted.

MOTIONS AND RESOLUTIONS.

By Mr. Days:

A Concurrent Resolution—Relative to compensating E. H. Pomeroy for services as Clerk to the Committee on Public Lands.

Adopted
Also, by the same:

A Concurrent Resolution—Relative to swamp and overflowed lands in this State.

Adopted.
By Mr. Splivalo:

A Concurrent Resolution—From a special committee to examine into matters relative to extra pay to attaches, etc.

The resolution was amended, and on a motion to suspend the rules for its consideration, the ayes and noes were demand by Messrs. Coleman, Cooper, and Whiting, and the House refused to suspend the rules by the following vote:

Ayes—Messrs. Bacon, Bell, Burckhalter, Connolly, Cooper, Galloway, Gibson, Goodall, Gray, James, Jost, Lee, Little, Mott of Los Angeles, McCullough, Rector, Seibe, Sensabaugh, Slaughter, Splivalo, Stillwagon, Walker, Ward, Whiting, and Wilcox—25.

Noes—Messrs Aldrich, Andrews, Baird, Barker, Barklage, Barnes, Bradley, Bockius, Brown, Center, Chalmers, Coleman, Crane, Dannals, Days, De Haven, Edgar, Ellis, Everett, Franck, Freeman, French, Harvey, Hayes, Henshaw, Lofton, Long, Luttrell, Mathers, Meeker, Mott of Sacramento, Munday, Pardee, Rice, Sammons, Sargent of Santa Clara, Sargent of San Joaquin, Schrack, Spencer, Turner, Welty, Whitney, Woodward, Wright, and Mr. Speaker—45.

Mr. Aldrich moved a suspension of the rules to take up the veto message of the Governor on Assembly Bill No. 165

The ayes and noes were demanded by Messrs. Aldrich, Reed, and Berry, and the motion prevailed by the following vote:

AYES—Messrs Aldrich, Andrews, Bacon, Baird, Barker, Barklage, Barnes, Bell, Bradley, Bockius, Brown, Burckhalter, Caldwell, Center, Chalmers, Coleman, Connolly, Cooper, Dannals, Days, De Haven, Eagan, Edgar, Everett, Franck, French, Galloway, Goodall, Gray, Harvey, Hayes, Henshaw Hopper, James, Johnston, Jost, Lee, Lolton, Long, Meeker, Munday, Reed, Russ, Sammons, Sargent of Santa Clara, Sargent of San Joaquin, Schrack, Seibe, Sensabaugh, Spencer, Spivalo, Turner, Walker, Ward, Wheaton, Whitney, Woodward, Wright, and Mr. Speaker—59.

NOES—Messrs Crane, Ellis, Freeman, Little, Luttrell, Mathers, Mott of Los Angeles, McCullough, Pardee, Slaughter, Tinnin, and Wilcox—12.

MESSAGE FROM THE GOVERNOR.

STATE OF CALIFORNIA, EXECUTIVE DEPARTMENT,
Sacramento, March — 1872.

To the Assembly of the State of California:

I herewith respectfully return to your honorable body Assembly Bill No. 165—An Act for the relief of John Jackson, Sheriff and ex-officio Tax Collector for Trinity County, without my approval.

The claimant was the defendant under an indictment for misdemeanor in the United States Circuit Court for selling foreign miners' licenses as Sheriff of Trinity County, the decision of the case involved an adjudication upon a conflict between the laws of the government of the United States and those of the State of California

The case was regarded as a test of the right of the State to impose a tax on foreign miners under the law of Congress commonly known as the Civil Rights Bill. A penality of a fine of twenty dollars was imposed and no costs adjudged against the defendant.

The bill under consideration appropriates five thousand dollars to pay the defendant for his expenses and damages in the suit, and exempts the appropriation from consideration by the Board of Examiners. If the State had any interest in maintaining the supremacy of her own statutes over the laws of the United States, or in the settlement of the question of a conflict of laws, she had a law officer in the person of her own Attorney General, commissioned, sworn, and paid for that purpose. His entire competence to discharge that duty is not doubted, and he had a contingent fund under his control and could employ additional counsel whenever in his opinion the dignity of the State or importance of the case demanded it. That he recognized and discharged his duty in this matter is evidenced by his report to the Governor, wherein he states that he considered it his duty to defend the suit and did defend it.

The proceedings of the Court and the judgment rendered show that the trial involved a question of law rather than of penalty, and, after the decision, the present bill seems to me to convert a penalty for a violation of a law of Congress into a premium.

NEWTON BOOTH, Governor.

On the question, "Shall this bill become a law, notwithstanding the objections of the Governor?" the roll was called with the following result:

AYES—Messrs. Andrews, Burckhalter, Connolly, Cooper, Dannals, Eagan, Ellis, Henshaw, Little, Luttrell, Mathers, Mott of Los Angeles, Munday, Rector, Reed, Schrack, Sensabaugh, Slaughter, Tinnin, Walker, Ward, Whiting, Wilcox, and Mr. Speaker—24.

NOES—Messrs. Aldrich, Bacon, Baird, Barker, Barklage, Barnes, Bell, Bradley, Bockius, Brown, Center, Chalmers, Coleman, Crane, Days, De Haven, Edgar, Everett, Franck, Freeman, French, Galloway, Goodall, Gray, Harvey, Hayes, Hopper, James, Johnston, Jost, Lee, Lofton, Long, Meeker, Mott of Sacramento, McCullough, Pardee, Rice, Russ, Sammons, Sargent of Santa Clara, Sargent of San Joaquin, Seibe, Spencer, Splivalo, Turner, Welty, Wheaton, Whitney, Woodward, and Wright—51.

Also, the following message was taken up for consideration:

STATE OF CALIFORNIA, EXECUTIVE DEPARTMENT,
Sacramento, April 1st, 1872.

To the Assembly of the State of California:

Assembly Bill No. 552—An Act to amend an Act entitled an Act for the regulation of sailor boarding houses and shipping offices in the City and County of San Francisco, approved the tenth day of March, eighteen hundred and seventy—is herewith respectfully returned to your honorable body without my approval.

It was the intention of the Legislature, in creating the Marine Board of the Port of San Francisco, to establish a check upon that class of landlords designated in the Act, to protect sailors and shipmasters from growing and constantly recurring evils, and reform abuses which had become notorious.

To effectually accomplish this, it is necessary to inhibit any and all interference with a vessel or its crew, entering the harbor, from boatmen, runners, shipping agents, or landlords, before such vessel is made fast to the wharf. This is fully provided for in the Act of eighteen hundred and seventy.

The bill under consideration modifies this essential restriction to such an extent as to make the entire Act one of questionable utility. It is a provision which requires, from its nature and its relation to other portions of the law, to be precise in its expression, stringent in its terms, and unavoidable in its consequences, and to render it inoperative would be to withdraw from the sailor his surest existing protection, and subject the shipmaster to the most serious of those evils which the law was designed to remedy.

The various other amendments contained in the bill are good ones, and are perhaps necessary to the better working of the law, but the bill as a whole would, in my opinion, operate to injure rather than to improve the present law.

NEWTON BOOTH,
Governor.

On the question, "Shall this bill become a law, notwithstanding the objections of the Governor?" the roll was called, and the veto was sustained by the following unanimous vote:

AYES—None.

NOES—Messrs. Aldrich, Andrews, Bacon, Baird, Barker, Barklage, Barnes, Bell, Berry, Bradley, Bockius, Brown, Caldwell, Center, Chalmers, Coleman, Crane, Dannals, Days, De Haven, Eagan, Edgar, Ellis, Everett, Franck, Freeman, French, Galloway, Gibson, Goodall, Gray, Harvey, Hayes, Henshaw, Hopper, James, Johnston, Jost, Lee, Little, Lofton, Long, Luttrell, Mathers, Meeker, Mott of Los Angeles, Mott of Sacramento, Munday, McCullough, Pardee, Reed, Rice, Sammons, Sargent of Santa Clara, Sargent of San Joaquin, Schrack, Slaughter, Spencer, Splivalo, Stillwagon, Tinnin, Turner, Walker, Welty, Wheaton, Whiting, Whitney, Woodward, and Wright—69.

MESSAGE FROM THE SENATE.

The following message was received from the Senate:

SENATE CHAMBER,
April 1st, 1872.

Mr. SPEAKER: I am directed to inform your honorable body that the Senate, on this first day of April, passed Senate Bill No 516—An Act to make appropriation for the salary of the Supreme Court Reporter.

Also, passed Senate Bill No. 517—Relative to the issuance of bonds by the County of Sacramento

Also, passed Assembly Bill No. 712—An Act providing for the management and sale of the lands belonging to the State.

Also, adopted Assembly Concurrent Resolution No. 40—Relative to the payment of E. H. Pomeroy.

Also, passed Senate Bill No. 518—Relative to the payment of the claim of P. A. Dorris.

Also, adopted Senate Concurrent Resolution No. 53—Relative to transmitting to the Governor for his signature, without enrollment, Senate Bill No. 514—An Act to amend and in relation to the Civil, Political, and Penal Codes.

Also, passed Assembly Bill No 767—An Act to confer further powers upon the Board of Supervisors of the City and County of San Francisco.

Also, passed Assembly Bill No. 694—An Act to provide for the repair and improvement of roads and highways in the City and County of San Francisco

Also, amended and passed substitute for Assembly Bill No. 534—An Act to amend an Act entitled an Act to amend an Act entitled an Act regulating marriages, passed April twenty second, eighteen hundred and fifty, approved April ninth, eighteen hundred and sixty-three.

Also, returned to your honorable body Assembly Concurrent Resolution No. 41, the same transmitted from Assembly to Senate by mistake.

Also, passed Assembly Bill No. 693—An Act in relation to foreign corporations.

Also, passed Assembly Bill No. 662—An Act to protect the wages of labor and the salaries and fees of subordinate officers

Also, Assembly Bill No 736—An Act concerning certain duplicate bonds of the funded debt of eighteen hundred and fifty-seven.

Also, concurred in and amended Assembly substitute for Senate Bill No. 361—An Act to provide a system of common schools—and respectfully request the concurrence of your honorable body.

Also, amended and passed Assembly Bill No. 567—An Act to authorize the inhabitants on the Mormon Slough, in San Joaquin County, to form a reclamation district and collect taxes therein.

Also, passed Assembly Bill No. 658—An Act to amend an Act entitled an Act to provide for the management and sale of the lands belonging to the State.

Also, passed Assembly Bill No. 416—An Act relating to the Board of Education of San Francisco

Also, passed Assembly Bill No. 667—An Act relating to the Industrial School of San Francisco.

Also, amended and passed Assembly Bill No 783—Relative to Political Code.

Also, passed Assembly Bill No 781—An Act relative to the relief of the agricultural interests of El Dorado County.

Also, passed Assembly Bill No. 766—An Act relating to aid for the Mercantile Library Association

Also, receded from its amendments relative to Prison Commission.

Also, receded from its amendments relative to Foundling and Lying-in Hospital, being amendments to Assembly Bill No. 769—An Act to make appropriation for the support of the civil government of this State

Also, adopted Senate Concurrent Resolution No 52—Relative to suspending Joint Rule Number Fifteen—and respectfully ask the concurrence of your honorable body in the same.

FERRAL, Secretary.

CONSIDERATION OF THE MESSAGE.

Assembly Bill No. 783, with Senate amendments, referred to Committees on Ways and Means and Education, jointly.

The House concurred in Senate amendments to Assembly Bills Nos. 781 and 567.

Senate Bill No. 361, above reported.

The following report, received from a special committee on conference, was adopted.

Mr. SPEAKER: The special committee of conference on the disagreeing vote of the Senate and Assembly on Senate Bill No. 361—An Act to provide for a system of common schools, together with Assembly substitute for the same—herewith report the following amendment to the substitute: Amend section six by inserting after the word "sufficient," in line seven, the following, "when taken with county school moneys derived from other sources," and recommend the passage of the substitute as amended.

IRWIN,
LARKIN,
GOODALE,
Senate Committee.
WRIGHT,
WOODWARD,
SPLIVALO,
Assembly Committee.

The House concurred in Senate amendments to Assembly Bill No. 567, above reported.

Also, concurred in Assembly Concurrent Resolution No 52, above reported.

FURTHER REPORTS.

Reports were made as follows:

By Mr. Harvey:

Mr. SPEAKER. The Committee on Swamp Lands, to whom was referred Assembly Bill No. 463—An Act to confirm titles to purchasers of certain lands—report the same back, and recommend it do not pass.

HARVEY, Chairman.

The bill above reported was ordered to the table.

By Mr. Gray:

Mr. SPEAKER: Your Committee on Corporations, to whom was referred Assembly Bill No. 753—An Act to amend an Act approved March twenty-ninth, eighteen hundred and seventy, entitled an Act to amend an Act entitled an Act to authorize the formation of corporations to provide the members thereof with homesteads, or lots of land suitable for homesteads, approved May twentieth, eighteen hundred and sixty-one—report the same back without recommendation.

Also, Assembly Bill No. 619—An Act to amend an Act entitled an Act in reference to corporations organized in this State for the purpose of mining out of this State, approved March fifth, eighteen hundred and sixty-one—report the same back without recommendation.

Also, Assembly Bill No 491—An Act to provide for the construction of a wagon and turnpike road in Monterey County—report the same back without recommendation.

Also, Assembly Bill No 608—An Act for the protection of mortgagers—report the same back without recommendation.

Also, Assembly Bill No. 467—An Act to amend an Act entitled an Act to incorporate the City of Gilroy—report the same back without recommendation.

Also, Assembly Bill No. 96—An Act to provide for the construction of a railroad from San Juan, in Monterey County, to line of Pajaro Valley and Gilroy Railroad—report the same back without recommendation.

Also, Assembly Bill No. 109—An Act to tax and regulate foreign insurance companies doing business in the State of California—report the same back without recommendation

Also, Assembly Bill No. 309—An Act to incorporate the City of Visalia, and for other purposes—report the same back without recommendation.

And your committee respectfully report that this closes up the business before them.

GRAY, Chairman.

By Mr. Goodall:

Mr. SPEAKER: The Committee on Commerce and Navigation herewith

return petition of citizens against the passage of the Act to regulate the planting and propagating of lobsters and eels, as the last document in the hands of the committee, and finishing up its business.

GOODALL, Chairman.

RESOLUTION.

By Mr. Crane:

Resolved, That the San Francisco and Alameda delegation, to whom was referred Senate bill to define the boundary line between Alameda and San Francisco Counties, be required to report the same to this House immediately.

The resolution was lost and the bill finally referred to San Francisco delegation.

Mr. Wheaton verbally reported back Assembly Bill No. 783—An Act to amend section three thousand seven hundred and thirteen of the Political Code of the State of California—recommending concurrence in Senate amendments to the bill.

Report was adopted.

SENATE BILLS CONTINUED.

Senate Bill No. 516, above reported, read first and second times and considered in Committee of the Whole House.

IN ASSEMBLY.

Reported and passage recommended.

Rules suspended by unanimous consent, and bill read a third time and passed

Senate Bill No. 517, above reported, read first and second times and referred to the Sacramento delegation.

Senate Bill No. 518, above reported, read first and second times, rules suspended by unanimous consent, and bill read a third time and passed.

FURTHER REPORTS.

By Mr. Franck:

MR SPEAKER. Your Committee on Public Morals, to whom was referred Assembly Bill No. 428, report it back and recommend that it do not pass.

Also, report back all petitions referred to your committee.

FRANCK, Chairman.

By Mr. Pardee:

Mr. SPEAKER: The Committee on Public Buildings and Grounds have obeyed the wishes of this House, and have examined many witnesses, but on account of sickness in the family of the Chairman of the committee, it is an impossibility to epitomize an extended report, compiling it from the voluminous testimony in the hands of the committee, and they refer those interested to the testimony in the Appendix.

The committee will state that the law of eighteen hundred and sixty-three, prescribing the manner in which materials shall be furnished, has

been grossly ignored, and that the whole business pertaining to the construction of the State Capitol and the Governor's Mansion has been conducted in a loose and uncommendable manner.

PARDEE, Chairman.

Also, by the same:

Mr. SPEAKER: The Committee on Public Buildings and Grounds report back Senate Bill No. 337, and recommend that it do not pass.

PARDEE, Chairman.

Bill laid on the table.

By Mr. Gray:

Mr. SPEAKER: Your special committee to whom was referred Senate Bill No. 451—An Act to amend an Act for the incorporation of water companies, approved April twenty-second, eighteen hundred and fifty-eight—report it back and recommend that it be laid upon the table.

GRAY, Chairman.

Bill laid on the table.

SPECIAL ORDER.

At twelve o'clock M. the House took up the special order of the day, Assembly Joint Resolution No. 38—Relative to mines and mining interests in the State of California.

On the passage of the resolution, the ayes and noes were demanded by Messrs. Eagan, Bell, and Bacon, with the following result:

AYES—Messrs. Aldrich, Bacon, Barker, Barklage, Barnes, Bell, Bockius, Brown, Burckhalter, Caldwell, Coleman, Cooper, Eagan, Galloway, Gibson, Goodall, Gray, Jost, Munday, McCullough, Pardee, Reed, Rice, Schrack, Seibe, and Stillwagon—26.

NOES—Messrs. Andrews, Baird, Bayley, Berry, Bradley, Connolly, Crane, Days, Everett, Freeman, French, Harvey, Hopper, Johnston, Lee, Little, Long, Meeker, Mott of Sacramento, Sammons, Sargent of Santa Clara, Sargent of San Joaquin, Spencer, Splivalo, Tinnin, Turner, Welty, Whiting, Whitney, Wilcox, Woodward, Wright, and Mr Speaker—33.

So the resolution was lost.

Assembly Bill No. 534, above reported with Senate amendments, heretofore non-concurred in by Assembly, again came up in Senate message above reported.

On the question, "Shall the House adhere to its former non-concurrence?" the ayes and noes were demanded by Messrs. Splivalo, James, and Wheaton, and the motion prevailed by the following vote:

AYES—Messrs. Aldrich, Andrews, Bacon, Barker, Barklage, Barnes, Bayley, Bell, Bockius, Brown, Burckhalter, Caldwell, Center, Dannals, Everett, Freeman, French, Galloway, Gibson, Goodall, Harvey, Hayes, Henshaw, James, Jost, Little, Lofton, Long, Luttrell, Meeker, Munday, McCullough, Reed, Sammons, Sargent of Santa Clara, Sargent of San Joaquin, Slaughter, Splivalo, Tinnin, Walker, Welty, Whiting, Whitney, and Woodward—44.

NOES—Messrs. Bradley, Crane, Days, Eagan, Edgar, Franck, Hopper, Mott of Los Angeles, Pardee, Rice, Seibe, Stillwagon, Ward, Wheaton, and Mr. Speaker—15.

At one o'clock P. M., on motion of Mr. Andrews, the House prolonged the daily recess for three quarters of an hour.

REASSEMBLED.

The House reassembled at half past two o'clock P. M.
Speaker in the chair.
Roll called.
Quorum present.

MESSAGE FROM THE SENATE.

The following message was received from the Senate:

SENATE CHAMBER,
April 1st, 1872.

MR SPEAKER: I am directed to inform your honorable body that the Senate, on this first day of April, eighteen hundred and seventy-two, passed Senate Joint Resolution No 9—Relative to ocean mail steamship service.

FERRAL, Secretary.

CONSIDERATION OF THE MESSAGE.

Senate Joint Resolution No. 9, above reported, was taken up for consideration.

The resolution was read first and second times, rules suspended, and read a third time.

On its passage, the ayes and noes were demanded by Messrs. Berry, Andrews, and Whiting, and the resolution was passed, by the following vote:

AYES—Messrs. Bacon, Baird, Barker, Barnes, Bell, Bradley, Bockius, Brown, Burckhalter, Caldwell, Cooper, Crane, Dannals, De Haven, Eagan, Edgar, Franck, Freeman, French, Galloway, Gibson, Goodall, Gray, Harvey, Hopper, James, Johnston, Jost, Lee, Lofton, Meeker, Mott of Los Angeles, McCullough, Pardee, Reed, Rice, Russ, Sammons, Sargent of Santa Clara, Sargent of San Joaquin, Schrack, Seibe, Slaughter, Spencer, Splivalo, Stillwagon, Turner, Welty, Wheaton, Wilcox, Woodward, Wright, and Mr Speaker—53.

NOES—Messrs. Aldrich, Andrews, Barklage, Bayley, Berry, Center, Coleman, Days, Everett, Hayes, Henshaw, Little, Long, Luttrell, Mathers, Munday, Rector, Sensabaugh, Tinnin, Walker, Ward, Whiting, and Whitney—23.

REPORT.

Mr. Barker made the following report:

MR. SPEAKER: Your Committee on Enrollment beg leave to report that they have examined and found correctly enrolled Assembly Bill No.

781—An Act entitled an Act for the relief and protection of the agricultural interest of El Dorado County.

Also, Assembly Bill No. 766—An Act to repeal an Act entitled an Act to aid the Mercantile Library Association of the City and County of San Francisco, in paying its indebtedness, approved February nineteenth, eighteen hundred and seventy.

And that the same have, this first day of April, eighteen hundred and seventy-two, at twelve o'clock and thirty-five minutes, been transmitted to the Governor for his approval.

BARKER.

MESSAGE FROM THE SENATE.

The following message was received from the Senate:

SENATE CHAMBER,
April 1st, 1872.

Mr. SPEAKER: I am directed to inform your honorable body that the Senate, on this first day of April, passed Senate Bill No. 509—An Act to authorize the Assessor of the City and County of San Francisco to appoint deputies.

Also, passed Assembly Bill No. 699—An Act to appropriate money for the per diem of officers and clerks of the Assembly.

Also, passed Assembly Bill No. 686—An Act relative to the Sheriff's office in San Francisco.

Also, passed Assembly Bill No. 738—Relative to the road indebtedness of Tuolumne County.

Also, passed Assembly Bill No. 755—An Act to provide for the payment of interest against certain swamp land districts

Also, passed Senate Bill No. 70—An Act to provide additional grounds for the Capitol building.

I am further directed to inform your honorable body that the Senate, on this day, passed Senate Bill No 519—An Act to repeal certain statutes—and ordered the same transmitted to the House without engrossment.

FERRAL, Secretary.

CONSIDERATION OF THE MESSAGE.

Senate Bill No. 70, above reported, read first and second times, and the House refused to suspend the rules for a third reading.

Senate Bill No. 509, above reported, read first and second times and referred to the San Francisco delegation.

RESOLUTION.

Mr. Mott of Los Angeles offered a resolution, authorizing the Controller of State to draw his warrant on the State Treasurer in favor of Charles A. Sumner, phonographic reporter for the *Daily Record*, for the sum of three dollars and fifty cents per diem during the session.

On its adoption, the ayes and noes were demanded by Messrs. Lee, Long, and Barklage, and it was adopted by the following vote.

AYES—Messrs. Andrews, Bacon, Baird, Brown, Burckhalter, Caldwell,

Cooper, Dannals, Eagan, French, Galloway, Goodall, Gray, Henshaw, Hopper, James, Johnston, Jost, Little, Mathers, Meeker, Mott of Los Angeles, Munday, McCullough, Pardee, Rector, Reed, Rice, Russ, Sargent of Santa Clara, Seibe, Slaughter, Sphvalo, Tinnin, Turner, Whiting, and Wilcox—37.

NOES—Messrs Aldrich, Barker, Barklage, Barnes, Bayley, Bell, Berry, Bradley, Bockius, Center, Coleman, Crane, Days, Edgar, Everett, Franck, Freeman, Harvey, Hayes, Lee, Long, Sammons, Sargent of San Joaquin, Sensabaugh, Spencer, Ward, Welty, Wheaton, Whitney, Woodward, Wright, and Mr. Speaker—31.

MESSAGE FROM THE GOVERNOR.

The House took up for consideration the following message from the Governor:

STATE OF CALIFORNIA, EXECUTIVE DEPARTMENT,
Sacramento, April 1st, 1872.

To the Assembly of the State of California:

Substitute for Assembly Bill No. 228—An Act to provide for the payment of damages caused by changing the grade of Second street, in the City and County of San Francisco—is herewith respectfully returned to your honorable body without my approval.

The object of this bill is to compel the City of San Francisco to pay damages to property within certain limits, occasioned by the Second street cut.

The great hardship suffered by the owners of property on Rincon Hill is fully recognized. If the State, however, is to compel the city to pay the damages in this case, does not equity and fair dealing demand that the law should be broad enough to cover all cases which differ from this only in the amount involved?

It has very often occurred, in making street improvements in San Francisco, that the value of a portion of the property assessed to make such improvements has been depreciated or destroyed thereby. The system of making street improvements by assessments upon the property lying along the street has been long established. If any change is desired, it should be a radical one. It is true that the grading of Second street was under a special Act of the Legislature, but the Act under which other streets have been opened and graded alike fails to give any remedy to those whose property may be damaged—even though the damages amount to confiscation.

NEWTON BOOTH, Governor.

On the question "Shall this bill become a law, notwithstanding the objections of the Governor?" the roll was called, with the following result:

AYES—Messrs. Baird, Barker, Burckhalter, Caldwell, Center, Gibson, Goodall, Gray, Henshaw, Meeker, Munday, McCullough, Rector, Reed, Schrack, Sensabaugh, Stillwagon, Wheaton, and Mr. Speaker—19.

NOES—Messrs. Aldrich, Andrews, Bacon, Barklage, Barnes, Bayley, Bell, Berry, Bradley, Bockius, Brown, Coleman, Cooper, Crane, Dannals,

Days, De Haven, Eagan, Edgar, Everett, Franck, Freeman, French, Galloway, Harvey, Hayes, Hopper, James, Johnston, Jost, Lee, Little, Long, Mott of Los Angeles, Pardee, Rice, Russ, Sammons, Sargent of Santa Clara, Sargent of San Joaquin, Seibe, Slaughter, Spencer, Splivalo, Tinnin, Turner, Walker, Ward, Whiting, Whitney, Wilcox, Woodward, and Wright—53.

REPORTS CONTINUED.

By Mr. Mott of Sacramento:

Mr. SPEAKER: The Sacramento delegation, to whom was referred Senate Bill No. 517, report it back and recommend its passage.

MOTT, for Delegation.

The rules were suspended and the bill above reported taken up, read a third time and passed.

By Mr. Wright:

Mr. SPEAKER: The Committee on Education, to whom was referred Senate Bill No. 464—An Act to authorize the Napa Ladies Seminary to grant diplomas—report the same back and recommend its passage.

WRIGHT, Chairman.

Rules suspended, and the bill above reported read a third time and passed.

By Mr. Mott of Sacramento:

Mr. SPEAKER: The Committee on Claims report back Assembly Bill No. 476, Assembly Concurrent Resolution No. 23, and Petition offered by Gordon P. Cummings, without recommendation, and further report that the committee have now acted upon all business entrusted to them by this House.

MOTT, Chairman.

RESOLUTION.

By Mr. Caldwell:

Resolved by the Assembly, That the sum of one hundred and eighty dollars ($180) be paid out of the Contingent Fund of the Assembly to Richard Palmer, being one half of the amount due him for hoisting and attending the American flag at the State Capitol since the commencement of the present session to date, at the rate of three dollars per day.

On motion of Mr. Splivalo, the House reconsidered its vote of nonconcurrence in Senate amendment to Assembly Bill No. 534.

The question being on concurring, the ayes and noes were demanded by Messrs. Meeker, Bell, and Aldrich, and the House again refused to concur by the following vote:

AYES—Messrs. Bacon, Baird, Connolly, Cooper, Crane, Dannals, Days, Eagan, Franck, Gray, James, Lee, Little, Pardee, Rector, Reed, Russ,

Schrack, Slaughter, Splivalo, Stillwagon, Tinnin, Turner, Welty, Wheaton, and Whiting—26.

NOES—Messrs. Aldrich, Andrews, Barklage, Barnes, Bayley, Bell, Berry, Bockius, Brown, Burckhalter, Caldwell, Center, Coleman, Everett, Freeman, Galloway, Goodall, Harvey, Hayes, Henshaw, Hopper, Johnston, Jost, Long, Luttrell, Mathers, Meeker, Mott of Los Angeles, McCullough, Sammons, Sargent of San Joaquin, Seibe, Walker, Ward, Whitney, and Woodward—36.

Mr. Hayes made the following report:

Mr. SPEAKER: Your Committee on Enrollment beg leave to report that they have examined and found correctly enrolled Assembly Bill No. 553—An Act for the encouragement of irrigation.

Also, Assembly Bill No. 546—An Act to amend an Act entitled an Act to amend an Act restricting the herding of sheep to certain pastures in the Counties of Sonoma and Marin, approved April twenty-first, eighteen hundred and fifty-seven, and the Act amendatory thereof, approved April twenty-eighth, eighteen hundred and sixty, approved March fourteenth, eighteen hundred and seventy.

Also, Assembly Bill No. 556—An Act to better define the boundary line between Fresno and Mariposa Counties.

Also, substitute for Assembly Bill No. 212—An Act to amend an Act, approved March thirty-first, eighteen hundred and seventy, entitled an Act supplementary to and amendatory of an Act entitled an Act to authorize the Board of Supervisors of the several counties of this State to grant the right to construct wharves on the overflowed and submerged lands of this State, approved April eighth, eighteen hundred and fifty-eight.

Also, Assembly Bill No. 461—An Act granting certain lands and buildings known as the State Reform School Property to the City of Marysville.

Also, Assembly Bill No. 76—An Act to provide for the payment of the State's portion of the salary of the County Auditor of Mariposa County.

Also, Assembly Bill No 478—An Act to provide for the establishment of a Cabinet Department in the State Library.

Also, Assembly Bill No. 718—An Act to empower the Board of Supervisors of Klamath County to levy a special tax for a certain purpose.

Also, Assembly Bill No. 603—An Act to release the claim of the State of California to certain lands in township eleven north, range four east, Monte Diablo base and meridian.

Also, Assembly Bill No. 659—An Act supplementary to and amendatory of an Act to protect agriculture and to prevent the trespassing of animals upon private property, approved March twenty-sixth, eighteen hundred and sixty six, approved March twenty-eighth, eighteen hundred and sixty-eight.

Also, Assembly Joint Resolution No. 20—Relative to fortifications in San Diego Harbor.

Also, Assembly Bill No. 565—An Act for the better protection of the lands in Swamp Land District Number Two, in Sacramento County.

Also, substitute for Assembly Bill No. 481—An Act to establish a Paid Fire Department in the City of Sacramento.

And that the same have, this first day of April, eighteen hundred and

seventy-two, at thirty-five minutes past ten o'clock, been transmitted to the Governor for his approval.

HAYES, for Committee.

By Mr. Gibson:

Mr. SPEAKER: Your Committee on Enrollment beg leave to report that they have examined and found correctly enrolled Assembly Bill No 712—An Act to amend an Act to provide for the management and sale of the lands belonging to the State, approved March twenty-eighth, eighteen hundred and sixty-eight.

Also, Assembly Bill No. 699—An Act to appropriate money for the per diem of officers and clerks of the Assembly at the nineteenth session of the Legislature.

Also, Assembly Bill No 769—An Act to make appropriations for the support of the civil government of the State of California for the twenty-fourth and twenty-fifth fiscal years.

Also, Assembly Bill No. 738—An Act to amend section three thousand seven hundred and thirteen of the Political Code of the State of California.

Also, Assembly Bill No. 686—An Act concerning the office of Sheriff of the City and County of San Francisco.

Also, Assembly Bill No 738—An Act to provide for the payment of certain road indebtedness of Tuolumne County.

Also, Assembly Bill No. 767—An Act to confer further powers upon the Board of Supervisors of the City and County of San Francisco.

Also, Assembly Bill No 416—An Act to authorize the Board of Education of the City and County of San Francisco to pay certain claims.

Also, Assembly Bill No. 658—An Act to amend an Act entitled an Act to provide for the management and sale of the lands belonging to the State, approved March twentieth, eighteen hundred and sixty eight

Also, Assembly Bill No. 667—An Act supplementary to an Act entitled an Act supplementary to an Act entitled an Act to establish the Industrial School Department of the City and County of San Francisco, approved April fifteenth, eighteen hundred and fifty-eight, approved February fifteenth, eighteen hundred and sixty-four.

Also, Assembly Bill No. 31—Recommending pardon of certain criminals.

Also, Assembly Bill No. 662—An Act to protect the wages of labor and the salaries and fees of subordinate officers.

Also, Assembly Bill No. 736—An Act concerning certain duplicate bonds of the funded debt of eighteen hundred and fifty-seven

Also, Assembly Bill No. 694—An Act to provide for the repair and improvement of roads and highways in the City and County of San Francisco.

Also, Assembly Bill No. 693—An Act in relation to foreign corporations.

And that the same have, this first day of April, eighteen hundred and seventy-two, at ten minutes past four o'clock, been transmitted to the Governor for his approval.

GIBSON, Chairman.

Mr. McCullough moved to suspend the rules and take up Senate Bill No. 192.

On suspending the rules, the ayes and noes were demanded by Messrs. McCullough, Berry, and Sargent of San Joaquin, with the following result:

AYES—Messrs. Andrews, Bacon, Barker, Barnes, Bradley, Brown, Burckhalter, Caldwell, Center, Chalmers, Connolly, Dannals, Days, De Haven, Eagan, Franck, French, Gibson, Hopper, James, Lee, Luttrell, Meeker, Mott of Los Angeles, Mott of Sacramento, McCullough, Rector, Reed, Rice, Russ, Sammons, Sargent of Santa Clara, Sargent of San Joaquin, Schrack, Seibe, Slaughter, Splivalo, Tinnin, Turner, Walker, Ward, Whiting, Wilcox, and Woodward—44.

NOES—Messrs. Aldrich, Baird, Barklage, Bell, Bockius, Coleman, Cooper, Edgar, Freeman, Galloway, Goodall, Harvey, Hayes, Henshaw, Jost, Long, Mathers, Pardee, Sensabaugh, Spencer, Stillwagon, Welty, Wheaton, and Mr Speaker—26.

So the motion was lost.

Senate Bill No. 299—An Act to fund the Indian war indebtedness of the State.

Mr Andrews moved to lay the bill on the table, whereupon the ayes and noes were demanded by Messrs Andrews, Berry, and Meeker, and the motion was lost by the following vote.

AYES—Messrs Barklage, Bayley, Bell, Bradley, Bockius, Brown, Burckhalter, Caldwell, Center, Coleman, Dannals, Edgar, Franck, Gibson, Hayes, Hopper, James, Lee, Long, Mathers, Meeker, Mott of Los Angeles, Pardee, Rice, Sargent of San Joaquin, Schrack, Slaughter, Spencer, Turner, Wheaton, and Woodward—31

NOES—Messrs Andrews, Bacon, Baird, Barker, Berry, Connolly, Cooper, De Haven, Eagan, Freeman, Galloway, Goodall, Gray, Harvey, Henshaw, Johnston, Jost, Little, Mott of Sacramento, McCullough, Rector, Russ, Sammons, Seibe, Sensabaugh, Splivalo, Stillwagon, Tinnin, Walker, Ward, Welty, Whiting, and Wilcox—33.

At five o'clock and twenty-five minutes P. M, Mr. Lee moved that the House take a recess until nine o clock P M

The ayes and noes were demanded by Messrs. Lee, Caldwell, and Meeker, with the following result:

AYES—Messrs. Baird, Bayley, Bell, Bockius, Burckhalter, Caldwell, Coleman, Connolly, Cooper, Crane, Days, Eagan, Edgar, Franck, Freeman, Galloway, Gibson, Hayes, James, Jost, Lee, Long, Mathers, Meeker, Mott of Los Angeles, Pardee, Rector, Rice, Sammons, Sargent of Santa Clara, Sargent of San Joaquin, Seibe, Sensabaugh, Slaughter, Spencer, Stillwagon, Turner, Ward, Wheaton, Whitney, and Woodward—41.

NOES—Messrs Aldrich, Andrews, Bacon, Barker, Barklage, Barnes, Berry, Bradley, Brown, Center, Dannals, De Haven, Everett, French, Goodall, Gray, Harvey, Henshaw, Hopper, Johnston, Little, Luttrell, Mott of Sacramento, McCullough, Reed, Russ, Schrack, Splivalo, Tinnin, Walker, Welty, Whiting, Wilcox, and Mr. Speaker—34.

FINAL SESSION.

At nine o'clock P. M., the House reassembled.
Speaker in the chair.
Roll called.
Quorum present.

MESSAGES FROM THE GOVERNOR.

The following messages were received from the Governor:

STATE OF CALIFORNIA, EXECUTIVE DEPARTMENT,
Sacramento, March 30th, 1872.

To the Assembly of the State of California:

I have to inform your honorable body that I have approved Assembly Bill No. 434—An Act to provide for finishing the State Normal School building, and paying the indebtedness incurred in the construction thereof.

Also, Assembly Bill No 616—An Act validating certain contracts in relation to the excavation of Putah Creek Canals, and extending the time of performing the same

Also, Assembly Bill No. 469—An Act amendatory of and supplemental to an Act entitled an Act to provide for the improvement of public parks in the City of San Francisco, approved April fourth, eighteen hundred and seventy.

Also, Assembly Bill No 589—An Act to provide for the payment of the salaries and fees of the officers of Alpine County.

Also, Assembly Bill No 518—An Act concerning roads and highways in the County of Fresno, and to repeal a certain Act in relation thereto.

Also, Assembly Bill No. 385—An Act to authorize the Board of State Harbor Commissioners to set apart a portion of the water front of the City and County of San Francisco for certain purposes.

Also, Assembly Bill No 578—An Act to amend an Act entitled an Act concerning roads and highways in the Counties of Klamath and Del Norte, approved March thirty-first, eighteen hundred and sixty-six.

Also, Assembly Bill No. 453—An Act granting certain privileges to the North Beach and Mission Railroad Company.

Also, Assembly Bill No. 526—An Act in relation to moneys belonging to the State derived from taxes assessed on mortgages

Also, Assembly Bill No. 655—An Act to authorize the Board of Supervisors of the City and County of San Francisco to appropriate money for the improvement of Washington Plaza, in said city and county.

Also, Assembly Bill No 582—An Act to authorize the Board of Supervisors of Trinity County to levy a special tax for surveying purposes.

Also, substitute for Assembly Bill No. 611—An Act to prevent hunting and shooting on private grounds in the City and County of San Francisco.

Also, Assembly Bill No 627—An Act to authorize the Trustees of Red Bluff School District, in Tehama County, to borrow money for the maintenance of the public school therein.

Also, Assembly Bill No. 673—An Act to authorize the conveyance of a certain lot of land in the City and County of San Francisco to the San Francisco Ladies' Protection and Relief Society.

Also, Assembly Bill No 650—An Act to fix the terms of the County Court of the County of Monterey

Also, Assembly Bill No. 634—An Act to authorize John Rann or S. C. Long, Yuba County, State of California, to remove certain remains of deceased persons

Also, Assembly Bill No. 643—An Act to authorize Isaac Bluxome to remove from his private property, on the Rancho de Mircelacon, in Sonoma County, State of California, certain dead bodies to a public graveyard.

Also, Assembly Bill No 411—An Act the better to define the boundaries between the Counties of Humboldt, Mendocino, Trinity, and Klamath.

Also, Assembly Bill No 350—An Act supplementary to the Act of April twenty-fifth, eighteen hundred and sixty-three, entitled an Act to incorporate the City of Sacramento.

Also, Assembly Bill No. 524—An Act making an appropriation for translating into Spanish the several State documents and Reports ordered during the present session of the Legislature.

Also, Assembly Bill No. 580—An Act to authorize the Board of Supervisors of Plumas County to complete the Red Clover Valley Wagon Road.

Also, Assembly Bill No 587—An Act to change the manner of electing Supervisors in the County of Del Norte, and prescribing the method thereof.

Also, Assembly Bill No. 598—An Act authorizing the Board of Supervisors of the City and County of San Francisco to provide suitable rooms, attendants, fuel, lights, and stationery for the Third and Nineteenth District Courts, in and for the City and County of San Francisco and the County of Alameda.

Also, substitute for Assembly Bills Nos. 666 and 523—An Act concerning the assessment of animals.

Also, Assembly Bill No. 482—An Act to provide for the organization of an Exempt Fireman's Association in the City of Sacramento.

Also, Assembly Bill No. 703—An Act to vacate certain streets, alleys, and market places in the City and County of San Francisco for commercial purposes, and other matters relating thereto.

Also, substitute for Assembly Bills Nos 407, 388, and 639—An Act to provide the City of Sacramento with a better supply of water.

Also, Assembly Bill No. 558—An Act to properly define the boundaries of the Town of Antioch, and extend the same.

Also, Assembly Bill No. 438—An Act to provide for the redemption of the bonded indebtedness of Calaveras County.

Also, Assembly Bill No. 635—An Act relating to the salary and duties of the Assessor of Tehama County.

Also, substitute for Assembly Bill No. 269—An Act supplemental to an Act entitled an Act to authorize the incorporation of canal companies, and to provide for the construction of canals and ditches, approved April second, eighteen hundred and seventy.

Also, Assembly Bill No. 487—An Act to provide for the payment of deficiency in the office of Superintendent of Public Instruction.

Also, Assembly Bill No. 382—An Act supplemental to and amendatory of an Act entitled an Act to change the time for holding municipal elections in the City and County of San Francisco, and to define the official terms of certain officers therein mentioned, approved April second, eighteen hundred and sixty-six.

Also, Assembly Bill No. 670—An Act to amend an Act entitled an Act to authorize the Board of Trustees of Woodland School District, in the County of Yolo, to borrow money for certain purposes, and provide for the payment of the same, approved February twenty-fourth, eighteen hundred and seventy two.

Also, Assembly Bill No. 704—An Act relating to Swamp Land District Number Seventy, Sutter County.

Also, Assembly Bill No. 636—An Act supplementary to an Act entitled an Act to provide for the protection of certain lands in the County of Sutter from overflow, approved March twenty-fifth, eighteen hundred and sixty-eight

Also, Assembly Bill No. 568—An Act to provide for a street railroad within the Town and County of Napa, State of California.

Also, Assembly Bill No. 492—An Act in relation to certain officers in Tehama County.

Also, Assembly Bill No. 594—An Act to fix the salary of the District Attorney of Plumas County.

Also, Assembly Bill No 591—An Act to adjust the accounts of Swamp Land District Number Eighteen, in the Counties of Yolo and Solano

Also, Assembly Bill No 734—An Act to amend an Act entitled an Act to incorporate the Town of Redwood City, approved March twenty-seventh, eighteen hundred and sixty eight.

Also, Assembly Bill No. 473—An Act to repeal an Act entitled an Act to provide for the improvement of the rivers and streams of Santa Clara County, approved April fourth, eighteen hundred and seventy.

Also, substitute for Assembly Bill No. 494—An Act to authorize George W Chesley and his associates and assigns to lay down gas pipes in the City of Sacramento.

Also, Assembly Bill No. 722—An Act for the relief of J Johnson.

Also, Assembly Bill No 595—An Act supplementary to the Act of April twenty-fifth, eighteen hundred and sixty-three, entitled an Act to incorporate the City of Sacramento.

Also, Assembly Bill No. 771—An Act to amend an Act entitled an Act to incorporate the City of Vallejo, approved March twenty seventh, eighteen hundred and seventy-two.

Also, Assembly Bill No 773—An Act supplementary to an Act to authorize and provide for the payment by the County of Amador to the County of Calaveras, or its assigns, of interest on certain indebtedness due from the County of Amador to the County of Calaveras, approved March thirty-first, eighteen hundred and sixty six

Also, Assembly Bill No 342—An Act to divide the State into Congressional Districts.

Also, Assembly Bill No. 731—An Act to authorize the Board of Supervisors of the County of Yolo to levy, and the Collector to collect, a special tax for the Plainfield School District.

Also, Assembly Bill No. 529—An Act amendatory of an Act entitled an Act to organize and regulate the Justices' Court of the City and County of San Francisco, approved March twenty-sixth, eighteen hundred and sixty six.

Also, Assembly Bill No 649—An Act supplementary to an Act entitled an Act to regulate the settlement of the estates of deceased persons, passed May first, eighteen hundred and fifty one.

Also, Assembly Bill No. 648—An Act to authorize the Supervisors of Kern County to levy a special tax for the County General Fund.

Also, Assembly Bill No. 680—An Act authorizing the Board of Supervisors of Merced County to levy a special tax for road purposes.

Also, Assembly Bill No. 754—An Act regulating proceedings in Courts of record of Nevada County in certain cases.

Also, Assembly Bill No. 761—An Act in relation to the salary of the Treasurer and Auditor of the County of Butte.

Also, Assembly Bill No. 691—An Act defining a lawful and partition fence in the Counties of Butte and Yuba.

Also, Assembly Bill No. 741—An Act to authorize the Board of Supervisors of Kern County to purchase a certain toll road.

Also, Assembly Bill No. 661—An Act to amend an Act entitled an Act concerning roads and highways in the County of Sacramento, approved April second, eighteen hundred and seventy.

Also, Assembly Bill No. 735—An Act amendatory of an Act entitled an Act amendatory of and supplementary to an Act entitled an Act to incorporate the Town of Redwood City, approved March twenty-seventh, eighteen hundred and sixty-eight, approved March twenty-fourth, eighteen hundred and seventy.

Also, Assembly Bill No. 776—An Act in relation to the President and Clerk of the Board of Supervisors of the County of Sacramento

Also, Assembly Bill No. 305—An Act to provide for funding the indebtedness of the reclamation and levee districts of the State.

Also, Assembly Bill No 644—An Act to provide for the support of men belonging to the Paid Fire Department of the City and County of San Francisco who may be disabled while in the performance of their duties.

Also, Assembly Bill No. 543—An Act fixing the salaries of certain county officers of the County of Alameda, and providing means for the payment thereof.

Also, Assembly Bill No. 782—An Act to settle and pay the claim of D. W. Gelwicks for printing and binding catalogues for the use of the State Library.

NEWTON BOOTH, Governor.

STATE OF CALIFORNIA, EXECUTIVE DEPARTMENT,
Sacramento, April 1st, 1872.

To the Assembly of the State of California:

I have to inform your honorable body that I have approved Assembly Bill No. 555—An Act to regulate the salaries and fix the compensation of the county officers of San Joaquin County.

Also, Assembly Bill No. 637—An Act supplemental to an Act entitled an Act to incorporate the City of Sacramento, approved April twenty-fifth, eighteen hundred and sixty-three.

Also, substitute for Assembly Bill No. 572—An Act to provide for the support of the common schools of the City and County of San Francisco, and to define the powers and duties of the Board of Education thereof.

Also, substitute for Assembly Bill No. 207—An Act amendatory of and supplementary to an Act entitled an Act to establish a Paid Fire Department for the City and County of San Francisco, approved March second, eighteen hundred and sixty-six.

Also, Assembly Bill No. 335—An Act to amend an Act approved March twelfth, eighteen hundred and sixty-eight, entitled an Act to provide for the drainage of the City of Sacramento and of the lands of Swamp Land District Number Two.

Also, Assembly Bill No. 772—An Act amendatory of an Act entitled an Act to encourage the destruction of squirrels and gophers in certain counties in this State, and to provide for a bounty for the same.

Also, substitute for Assembly Bill No. 59—An Act to fix the time for holding election for members of Congress, and to repeal certain Acts.

Also, Assembly Bill No. 436—An Act to provide for the payment of certain Controller's warrants drawn upon the State Treasury.

Also, substitute for Assembly Bill No. 317—An Act to provide for the construction of an open canal through Channel street and Mission Creek, in the City and County of San Francisco, for sanitary purposes, and for the taking of private lands for public use.

Also, substitute for Assembly Bill No 224—An Act for the relief of A. F. Gray, Treasurer and ex officio Tax Collector of El Dorado County.

Also, Assembly Bill No. 730—An Act for the support of certain cemeteries in Tehama County

Also, Assembly Bill No 615—An Act to open and establish a public street in the City and County of San Francisco, to be called Montgomery Avenue, and to take private lands therefor.

Also, substitute for Assembly Bill No. 108—An Act to repeal an Act entitled an Act authorizing the condemnation of private property within the limits of the Laguna Survey, approved March twenty-fifth, eighteen hundred and seventy, and to provide for the payment of the expenses incurred under said Act.

Also, Assembly Bill No. 478—An Act to provide for the establishment of a Cabinet Department in the State Library.

Also, Assembly Bill No. 461—An Act granting certain lands and buildings, known as the State Reform School property, to the City of Marysville.

Also, Assembly Bill No. 718—An Act to empower the Board of Supervisors of Klamath County to levy a special tax for a certain purpose.

Also, Assembly Bill No 603—An Act to release the claim of the State of California to certain lands in township eleven north, range four east, Mount Diablo base and meridian.

Also, Assembly Bill No. 762—An Act to provide for the protection from overflow, by Putah Creek, of certain lands in the Counties of Yolo and Solano.

Also, Assembly Bill No. 481—An Act to establish a Paid Fire Department in the City of Sacramento.

Also, Assembly Bill No 556—An Act to better define the boundary line of Mariposa and Fresno Counties.

Also, substitute for Assembly Bill No. 477—An Act amendatory of and supplementary to an Act entitled an Act to authorize the Board of Supervisors of the City and County of San Francisco to open and grade Market street, in said city, from the intersection of said street with Valencia street to its intersection with Seventeenth street, and to condemn private property for the roadway of said street, approved April second, eighteen hundred and seventy.

Also, Assembly Bill No. 546—An Act to amend an Act entitled an Act to amend an Act restricting the herding of sheep to certain pastures in the Counties of Sonoma and Marin, approved April twentieth, eighteen

hundred and fifty-seven, and the Act amendatory thereof, approved April twenty-eighth, eighteen hundred and sixty, approved March fourteenth, eighteen hundred and seventy.

Also, Assembly Bill No. 659—An Act supplementary to and amendatory of an Act to protect agriculture and to prevent the trespassing of animals upon private property, approved March twenty-sixth, eighteen hundred and sixty-six, approved March twenty-eighth, eighteen hundred and sixty-eight.

Also, Assembly Bill No. 766—An Act to repeal an Act entitled an Act to aid the Mercantile Library Association of the City and County of San Francisco in paying its indebtedness, approved February nineteenth, eighteen hundred and seventy.

Also, Assembly Bill No. 693—An Act in relation to foreign corporations.

Also, Assembly Bill No. 738—An Act to provide for the payment of certain road indebtedness of Tuolumne County.

Also, Assembly Bill No. 699—An Act to appropriate money for per diem of officers and Clerks of the Assembly at the nineteenth session of the Legislature.

Also, substitute for Assembly Bill No. 76—An Act to provide for the payment of the State's portion of the salary of the County Auditor and Assessor of Mariposa County.

Also, Assembly Bill No. 747—An Act to amend an Act entitled an Act to amend an Act concerning roads and highways in the County of Alameda, approved March twenty-fourth, eighteen hundred and sixty-two, approved March twenty-third, eighteen hundred and seventy-two.

Also, substitute for Assembly Bill No. 212—An Act to amend an Act entitled an Act to authorize the Boards of Supervisors of the several counties of this State to grant the right to construct wharves on the overflowed and submerged lands of this State, approved April eighth, eighteen hundred and fifty-eight.

Also, Assembly Bill No. 712—An Act to amend an Act to provide for the management and sale of the lands belonging to the State, approved March twenty-eighth, eighteen hundred and sixty eight.

Also, Assembly Bill No. 736—An Act concerning certain duplicate bonds of the funded debt of eighteen hundred and fifty-seven.

Also, Assembly Bill No. 686—An Act concerning the office of Sheriff of the City and County of San Francisco.

Also, Assembly Bill No 783—An Act to amend section three thousand seven hundred and thirteen of the Political Code of the State of California

Also, Assembly Bill No. 684—An Act providing for the survey of the line forming a portion of the southern boundary of Siskiyou County and the northern boundary of Lassen County.

Also, Assembly Bill No. 694—An Act to provide for the repair and improvement of roads and highways in the City and County of San Francisco.

Also, Assembly Bill No. 767—An Act to confer further powers upon the Board of Supervisors of the City and County of San Francisco.

Also, Assembly Bill No 769—An Act to make appropriations for the support of the civil government of the State of California for the twenty-fourth and twenty-fifth fiscal years.

Also, Assembly Bill No 667—An Act supplementary to an Act entitled an Act supplementary to an Act entitled an Act to establish the

Industrial School Department of the City and County of San Francisco, approved April fifteenth, eighteen hundred and fifty-eight, approved February fifteenth, eighteen hundred and sixty-four.

Also, substitute for Assembly Bill No. 386—An Act to provide for the payment of outstanding Controller's warrants drawn against the Swamp Land Fund of Swamp Land District Number Seventeen.

Also, Assembly Bill No. 662—An Act to protect the wages of labor, and the salaries and fees of subordinate officers.

NEWTON BOOTH, Governor.

REPORTS.

Reports were made as follows:

By Mr. Spencer:

Mr. SPEAKER: The Committee on Judiciary report back Senate Bill No. 519—An Act to repeal certain statutes—and recommend its passage.

SPENCER, Chairman.

The rules were suspended and the bill above reported taken up.

Objection was made to a unanimous suspension of the rules for a third reading of the bill, and the bill was laid over.

On motion of Mr. Gray, Senate Bill No. 509 was taken up under suspension of the rules.

Rules being suspended, read a third time and passed.

Messrs. Gray, Aldrich, Wheaton, and James, were granted leave to be recorded as voting against the passage of the bill.

Mr. Harvey offered the following:

Resolved, That at a quarter before ten o'clock this evening, this House will take a recess for thirty minutes.

Adopted.

MESSAGES FROM THE SENATE.

The following messages were received from the Senate:

SENATE CHAMBER,
April 1st, 1872.

Mr. SPEAKER: I am directed to inform your honorable body that the Senate, on this day, passed Assembly Bill No. 706—An Act to amend an Act entitled an Act to repeal an Act to declare and regulate the power of the Board of Supervisors of the City and County of San Francisco to take private lands for certain public improvements, and to prescribe the manner of its execution, approved April fourth, eighteen hundred and sixty-four, approved March thirtieth, eighteen hundred and sixty-eight

Also, passed Assembly Bill No. 346—An Act to provide funds to be applied to building a House of Correction in the City and County of San Francisco, and to authorize the construction of such House of Correction.

Also, passed Assembly Bill No. 143—Relating to Notaries Public in Sacramento County.

Also, passed Assembly Bill No. 652—An Act to provide funds for the further reclamation of Swamp Land Districts Numbers Fifty and Fifty-one, in Sacramento County.

Also, passed Assembly Bill No. 746—Relative to the protection of certain lands.

FERRAL, Secretary.

SENATE CHAMBER,
April 1st, 1872.

Mr SPEAKER: I am directed to inform your honorable body that the Senate, on this day, passed Senate Bill No. 347—An Act to provide for the construction of a public road from the Town of Amador City to the Town of Sutter Creek, in Amador County, and the collection of tolls thereon—and ordered transmitted to the Assembly without engrossment.

SHACKELFORD, Assistant Secretary.

SENATE CHAMBER,
April 1st, 1872.

Mr. SPEAKER. I am directed to inform your honorable body that the Senate, on this first day of April, passed Assembly Bill No. 768—An Act to quiet title to certain lands in Yolo County.

FERRAL, Secretary.

SENATE CHAMBER,
April 1st, 1872.

Mr. SPEAKER: I am directed to inform your honorable body that the Senate, on this first day of April, passed Assembly Bill No. 724—An Act relative to opening, widening, and extending streets in the City of San José.

Also, passed Senate Bill No. 488—An Act supplementary to an Act entitled an Act to incorporate the City of Petaluma.

FERRAL, Secretary.

CONSIDERATION OF THE MESSAGES.

The House concurred in Senate amendments to Assembly Bills Nos. 746, 143, and 112, above reported.

Mr. Splivalo moved a suspension of the rules to take up Senate Bill No. 792, and it was so ordered by the following vote, the ayes and noes being demanded by Messrs. Splivalo, Meeker, and Whiting:

AYES—Messrs. Andrews, Bacon, Baird, Barker, Barklage, Barnes, Berry, Brown, Burckhalter, Caldwell, Dannals, Days, Eagan, Freeman, French, Galloway, Gray, Harvey, Hayes, Henshaw, Hopper, James, Little, Meeker, Mott of Los Angeles, Mott of Sacramento, Munday, McCullough, Rector, Reed, Rice, Russ, Sargent of Santa Clara, Sargent of San Joaquin, Schrack, Seibe, Sensabaugh, Slaughter, Splivalo, Still-

wagon, Tinnin, Turner. Walker, Ward, Whiting, Whitney, Wilcox, Woodward, Wright, and Mr. Speaker—50.

NOES—Messrs. Aldrich, Bayley, Bell, Bockius, Center, Chalmers, Connolly, Crane, Edgar, Everett, Franck, Goodall, Lee, Long, Mathers, Pardee, Sammons, Spencer, Welty, and Wheaton—20.

On striking out the enacting clause of the bill, the ayes and noes were demanded by Messrs. Wheaton, Gray, and Goodall, and the House refused to strike out by the following vote:

AYES—Messrs. Aldrich, Bayley, Bell. Berry, Bockius, Coleman, Crane. Edgar, Everett, Franck, Galloway, Goodall, Gray, Jost, Lee, Pardee, Russ, Sammons, Sargent of Santa Clara, Sargent of San Joaquin, Spencer, Wheaton, and Woodward—23.

NOES—Messrs. Andrews, Bacon, Baird, Barklage, Barnes, Brown, Burckhalter, Caldwell, Center, Chalmers, Connolly, Cooper, Dannals, Days, Eagan, Ellis, Freeman, French, Harvey, Hayes, Henshaw, Hopper, James, Johnston, Little, Long, Luttrell, Mathers, Meeker, Mott of Los Angeles, Mott of Sacramento, Munday, McCullough, Rector, Reed, Rice, Schrack, Seibe, Sensabaugh, Slaughter, Sphvalo, Stillwagon, Tinnin, Turner, Walker, Ward, Welty, Whiting, Whitney, Wilcox, Wright, and Mr. Speaker—52.

On the passage of the bill, the ayes and noes were demanded by Messrs Harvey, Johnston, and Mott of Sacramento, and the bill passed by the following vote:

AYES—Messrs. Andrews, Bacon, Baird, Barklage, Barnes, Bradley, Brown, Burckhalter, Caldwell, Center, Chalmers, Connolly, Cooper, Dannals, Days, De Haven, Eagan, Ellis, Freeman, French, Gibson, Harvey, Hayes, Henshaw, Hopper, James, Johnston, Little, Long, Luttrell, Mathers, Mott of Los Angeles, Mott of Sacramento, Munday, McCullough, Rector, Reed, Rice, Sargent of Santa Clara, Schrack, Seibe, Sensabaugh, Slaughter, Sphvalo, Stillwagon, Tinnin, Turner, Walker, Ward, Welty, Whiting, Whitney, Wilcox, Wright, and Mr. Speaker—55

NOES—Messrs. Aldrich, Bayley, Bell, Berry, Bockius, Coleman, Crane, Edgar, Everett, Franck, Galloway, Goodall, Gray, Jost, Lee, Meeker, Pardee, Russ, Sammons, Sargent of San Joaquin, Spencer, Wheaton, and Woodward—23.

By Mr. Johnston:

Mr. SPEAKER: The Sacramento delegation have had under consideration Senate substitute for Senate Bill No. 466—An Act concerning the office of District Attorney of Sacramento County—and recommend its passage.

JOHNSTON, for Delegation.

The rules were suspended, and the bill above reported taken up, read a third time and passed.

Senate Bill No. 432, above reported in Senate message, read first and second times, and, by unanimous consent, read a third time and passed.

The House concurred in Senate Concurrent Resolution No. 54, above reported.

Mr. Spencer moved a suspension of the rules to take up Senate Bill No 519.

Mr. Splivalo objected; being sufficient, under the rule, to prevent the consideration of the bill at this time.

RESOLUTION.

Mr. Brown offered the following resolution:

Resolved, That Thomas Jones, Postmaster of the Assembly, be and is hereby authorized to remain and forward the mail matter coming to members, and receive two weeks' pay therefor, payable out of the Contingent Fund of the Assembly.

Adopted.

FURTHER REPORTS.

By Mr Franck:

Mr. SPEAKER: The Santa Clara delegation, to whom was referred Assembly Bill No. 299, also Senate Bill No. 473, report them back with a recommendation that they do not pass.

FRANCK, for Delegation.

By Mr. Johnston:

Mr. SPEAKER: The Sacramento delegation, to whom was referred Assembly Bill No. 192, report the same back, and recommend that it do not pass.

JOHNSTON, for Delegation.

By Mr. Baird:

Mr. SPEAKER: The San Mateo delegation, to whom was referred Assembly Bill No. 719, beg leave to report the same back and recommend that it do not pass.

BAIRD, for Delegation.

By Mr. Barker:

Mr. SPEAKER: Your Committee on Enrollment beg leave to report that they have examined and found correctly enrolled Assembly Bill No 706—An Act to amend an Act entitled an Act to repeal an Act to declare and regulate the power of the Board of Supervisors of the City and County of San Francisco to take private lands for certain public improvements, and to prescribe the manner of its execution, approved April fourth, eighteen hundred and sixty-four, approved March thirtieth, eighteen hundred and sixty-eight.

Also, Assembly Bill No. 346—An Act to provide funds to be applied to building a House of Correction in the City and County of San Francisco, and to authorize the construction of such House of Correction.

And that the same have, this first day of April, eighteen hundred and seventy-two, at forty minutes past nine o'clock, been transmitted to the Governor for his approval.

BARKER, for Committee.

Mr. Wheaton, from the Committee on Ways and Means, made a verbal report, returning sundry bills, petitions, etc, referred to that committee and not acted on.

Mr. Wheaton, from the San Francisco delegation, made a verbal report, returning all bills and papers not acted on remaining in the hands of the delegation.

Mr. Freeman made a report from the Sacramento and Yolo delegations, jointly, returning sundry bills and papers referred to them jointly.

Mr. Pardee made the following report:

Mr. SPEAKER: The Committee on Public Buildings and Grounds, to whom was assigned the duty of investigating alleged frauds in the construction of the State Capitol building, have been compelled to incur the expenses hereinafter itemized, the payment of which is recommended by the committee:

To whom due.	Miles.	Amount.
G. P. Cummings, witness, mileage to and from San Francisco	234	$58 50
C. H. Leavitt, witness, mileage to and from San Francisco	234	58 50
J. Van Dyke, witness, mileage to and from San Francisco	234	58 50
D. Corcoran, witness, mileage to and from Crane Valley, Fresno County	500	125 00
John Kehoe, witness, mileage to and from San Francisco	234	58 50

Mr. SPEAKER: The Committee on Public Buildings and Grounds, to whom was assigned the duty of investigating alleged frauds in the construction of the State Capitol building, have been compelled to incur the following bill of L. H. Garrigus, the payment of which is recommended by the committee:

L. H. Garrigus, for experting books, fifty dollars.

PARDEE, Chairman.

By Mr. Galloway:

Mr SPEAKER: The Committee on Public Accounts and Expenditures desire to report that they have examined and find correct, a bill for which the annexed resolution provides payment, and report it correct, and recommend the adoption of the resolution as follows.

GALLOWAY, Chairman.

Resolved, That the sum of two hundred dollars be allowed to M. E Jimenez, for writing done on the Journal of the Assembly prior to the nineteenth day of January, and that the Controller of State is hereby authorized and directed to draw his warrant for said amount in favor

of said M. E. Jimenez, payable out of the Contingent Fund of the Assembly.

Adopted.
By Mr. De Haven:

Mr Speaker: The Committee on Mileage, to whom was referred the accounts of witnesses summoned to appear before the Committee on Public Buildings and Grounds in the matter of the alleged frauds in the construction of the State Capitol building, report the following amounts, viz.

To whom due.	Miles.	Amount.
G. P. Cummings, witness	234	$58 50
C. H. Leavitt, witness	234	58 50
J. Van Dyke, witness	234	58 50
John Kehoe, witness	234	58 50
D. Corcoran	500	125 00

Also, the account of L. H. Garrigus, for experting books, fifty dollars, and recommend the passage of the following resolution:

Resolved, That the State Controller be and he is hereby directed to draw his warrants on the Contingent Fund of the Assembly for the above amounts, and that the State Treasurer is required to pay the same.

De HAVEN, Chairman.

On the adoption of the resolution, the ayes and noes were called, with the following result:

Ayes—Messrs. Andrews, Bacon, Barker, Barklage, Bayley, Berry, Bradley, Bockius, Center, Connolly, Cooper, Freeman, French, Goodall, Gray, Harvey, Henshaw, Hopper, Johnston, Meeker, Mott of Los Angeles, Mott of Sacramento, McCullough, Pardee, Russ, Sargent of San Joaquin, Schrack, Sensabaugh, Splivalo, Stillwagon, Tinnin, Turner, Walker, Wheaton, Whiting, Wilcox, and Mr. Speaker—36.

Noes—Messrs. Aldrich, Baird, Bell, Brown, Burckhalter, Caldwell, Chalmers, Coleman, Dannals, Days, Eagan, Edgar, Everett, Franck, Galloway, Gibson, Hayes, James, Jost, Lee, Little, Long, Rector, Reed, Rice, Sammons, Sargent of Santa Clara, Seibe, Slaughter, Spencer, Welty, Whitney, and Woodward—32.

On the passage of the bill, the ayes and noes were demanded by Messrs. Coleman, Baird, and Jost, with the following result:

Ayes—Messrs. Aldrich, Andrews, Bacon, Barker, Barnes, Berry, Connolly, Cooper, French, Galloway, Gibson, Goodall, Gray, Harvey,

Henshaw, James, Johnston, Lee, Little, Meeker, Mott of Sacramento, McCullough, Reed, Russ, Sargent of Santa Clara, Schrack, Seibe, Sensabaugh, Sphvalo, Stillwagon, Tinnin, Walker, Welty, Whiting, Wilcox, and Mr. Speaker—36.

NOES—Messrs Baird, Barklage, Bayley, Bell, Bradley, Bockius, Brown, Burckhalter, Caldwell, Center, Chalmers, Coleman, Dannals, Days, Eagan, Edgar, Everett, Franck, Freeman, Hayes, Hopper, Jost, Long, Mott of Los Angeles, Munday, Pardee, Rector, Rice, Sammons, Sargent of San Joaquin, Slaughter, Spencer, Turner, Ward, Whitney, Woodward, and Wright—37.

Mr. Mott of Sacramento moved a suspension of the rules to take up Senate Bill No. 70—An Act to provide additional grounds for the State Capitol building, in the City of Sacramento.

Mr. Berry moved to lay the bill on the table.

On which the ayes and noes were demanded by Messrs. Wilcox, Andrews, and Bayley, the House refusing to so order by the following vote:

AYES—Messrs. Aldrich, Andrews, Baird, Barker, Barklage, Berry, Bockius, Coleman, Crane, Days, Edgar, Everett, Franck, Freeman, Gibson, Goodall, Lee, Little, Rector, Sammons, Sargent of San Joaquin, Seibe, Sensabaugh, Tinnin, Turner, Walker, Ward, Wheaton, Whitney, and Woodward—30.

NOES—Messrs. Bacon, Bayley, Bell, Brown, Burckhalter, Caldwell, Center, Chalmers, Cooper, Dannals, De Haven, Eagan, French, Harvey, Hayes, Henshaw, Hopper, James, Johnston, Jost, Long, Luttrell, Meeker, Mott of Sacramento, McCullough, Pardee, Reed, Rice, Russ, Sargent of Santa Clara, Schrack, Slaughter, Stillwagon, Welty, Whiting, Wilcox, and Mr. Speaker—38.

Mr. Barker moved the indefinite postponement of the bill.

Mr. Wilcox moved the previous question.

On ordering the same, the ayes and noes were demanded by Messrs. Bayley, Whiting, and Sargent of San Joaquin, and the demand was sustained by the following vote:

AYES—Messrs. Bacon, Bayley, Bell, Caldwell, Center, Chalmers, Connolly, De Haven, Eagan, French, Galloway, Gibson, Gray, Harvey, Henshaw, Hopper, James, Johnston, Jost, Meeker, Mott of Sacramento, Munday, McCullough, Pardee, Reed, Rice, Russ, Sargent of Santa Clara, Schrack, Sensabaugh, Slaughter, Spencer, Stillwagon, Welty, Whiting, Wilcox, and Mr. Speaker—37.

NOES—Messrs. Aldrich, Andrews, Baird, Barker, Barklage, Berry, Bockius, Brown, Coleman, Cooper, Crane, Dannals, Days, Edgar, Everett, Franck, Freeman, Goodall, Lee, Little, Long, Rector, Sammons, Sargent of San Joaquin, Seibe, Sphvalo, Tinnin, Turner, Walker, Ward, Wheaton, Whitney, Woodward, and Wright—34.

On the indefinite postponement of the bill the ayes and noes were demanded by Messrs Wilcox, Andrews, and Bayley, and the motion was lost by the following vote:

AYES—Messrs. Aldrich, Andrews, Baird, Barker, Barklage, Berry, Bockius, Coleman, Crane, Days, Edgar, Everett, Franck, Freeman, Good-

all, Lee, Little, Rector, Sammons, Sargent of San Joaquin, Seibe, Tinnin, Turner, Walker, Wheaton, Whitney, Woodward, and Wright—28.

NOES—Messrs. Bacon, Bayley, Bell, Brown, Burckhalter, Center, Chalmers, Connolly, Cooper, Dannals, De Haven, Eagan, French, Galloway, Gibson, Gray, Harvey, Henshaw, Hopper, James, Johnston, Jost, Meeker, Mott of Sacramento, Munday, McCullough, Pardee, Reed, Rice, Russ, Sargent of Santa Clara, Schrack, Slaughter, Spencer, Splivalo, Stillwagon, Welty, Whiting, Wilcox, and Mr. Speaker—40.

On the passage of the bill the ayes and noes were again demanded by Messrs. Berry, Andrews, and Woodward, with the following result.

AYES—Messrs. Bacon, Bayley, Bell, Bockius, Brown, Burckhalter, Center, Chalmers, Cooper, Dannals, De Haven, Eagan, French, Galloway, Gibson, Gray, Harvey, Hopper, James, Johnston, Jost, Long, Meeker, Mott of Sacramento, Munday, McCullough, Pardee, Reed, Rice, Russ, Sargent of Santa Clara, Schrack, Spencer, Stillwagon, Welty, Whiting, Wilcox, and Mr. Speaker—38.

NOES—Messrs. Aldrich, Andrews, Baird, Barker, Barklage, Berry, Coleman, Crane, Days, Edgar, Everett, Franck, Freeman, Goodall, Henshaw, Lee, Little, Rector, Sammons, Sargent of San Joaquin, Seibe, Slaughter, Tinnin, Turner, Walker, Ward, Wheaton, Whitney, Woodward, and Wright—30.

And so the bill passed.

REPORT.

Mr. Gibson made the following report:

Mr. SPEAKER: Your Committee on Enrollment beg leave to report that they have examined and find correctly enrolled Assembly Bill No 746—An Act to provide for the better protection of certain lands in San Joaquin County from overflow—and that the same has, this first day of April, eighteen hundred and seventy-two, at eleven o'clock, been transmitted to the Governor for his approval.

GIBSON, Chairman.

By Mr. Hayes:

Mr. SPEAKER: Your Committee on Enrollment beg leave to report that they have examined and found correctly enrolled Assembly Bill No. 567—An Act to authorize the inhabitants on the Mormon Slough, in San Joaquin County, to form a reclamation district, and collect taxes therein.

Also, Assembly Bill No. 768—An Act to quiet title to certain lands in the County of Yolo.

Also, Assembly Bill No. 755—An Act to provide for the payment of interest on Trustees' orders against certain swamp land districts.

And that the same have, this first day of April, eighteen hundred and seventy-two, at eight o'clock and twenty minutes P. M., been transmitted to the Governor for his approval.

HAYES, for Committee.

By Mr. Gibson:

Mr. SPEAKER: Your Committee on Enrollment beg leave to report that they have examined and found correctly enrolled Assembly Bill No. 143—An Act to amend an Act providing for the appointment of addi-

tional Notaries Public in Sacramento County, approved April fourth, eighteen hundred and seventy—and that the same has, this first day of April, eighteen hundred and seventy-two, at ten o'clock and forty-five minutes, been transmitted to the Governor for his approval.

GIBSON, Chairman.

By Mr. Barker:

Mr. SPEAKER: Your Committee on Enrollment beg leave to report that they have examined and found correctly enrolled Assembly Bill No. 652—An Act to provide funds for the further reclamation of Swamp Land Districts Numbers Fifty and Fifty-four, in Sacramento County—and that the same has, this first day of April, eighteen hundred and seventy-two, at eleven o'clock, been transmitted to the Governor for his approval.

BARKER, for Committee.

On motion of Mr. Wilcox, the House took a recess for ten minutes to prepare for the interesting ceremonies about to ensue.

PRESENTATIONS.

On coming to order, Mr. Wilcox approached the desk, and standing before a magnificent silver tea service, placed thereon, thus addressed the Speaker:

Of all the pleasing duties which I have been called upon to perform during the present session of the Legislature, I am now assigned the discharge of one, of all the most agreeable and delightful. We are now upon the eve of closing what is perhaps the most eventful session that has ever been held in this State. Whatever of good or of bad we may have done passes with this night into the history of the legislation of our State, and it is to be hoped that the good has exceeded the bad. At any rate, I can say for myself—and I believe I speak the sentiments of almost every member on this floor when I say that which I now propose to do—I believe the members of this nineteenth session of the California Legislature have striven with all their ability, and with unimpeachable honesty, to advance the public interests and to direct our legislation for the public good. I say, then, gentlemen, that among all the pleasing duties which I have been called upon to perform here, the most satisfactory one of all is presenting, in the name of the Assembly of the Legislature of this State, to him who we have elected to the high, honorable, and important position of presiding officer, a token of our profound esteem and regard for the manner in which he has discharged the arduous duties of his station. I say it is an exceedingly great pleasure for me to perform this duty. I as a Democrat; I as one of the minority, and a small minority at that, declare that it is a pleasure to me emphatically to give my voice on this occasion in complimentary testimonial to the man whom the majority elected to be our presiding officer, and to dictate such rules and regulations as he deemed best for our government. And now, on behalf of all the members of this Assembly, Democratic as well as Republican—but more especially on the part of the members of the Democratic party, the minority, who have received at your hands so many courtesies—in the name of the representatives of the people in this body at the nineteenth session of the

Legislature, permit me, Mr. Speaker, to present to you this elegant set of silver, as a small testimonial of their appreciation of the firmness and kindness with which you have discharged the duties of your position. And now, on the eve of our disbanding, to meet no more together in this world, perchance—for the probabilities are that this Assembly will never meet together again—let me, in their name, present to you their kindest regards, and their hope for your future welfare and prosperity.

Mr. Shannon made the following

RESPONSE:

Gentlemen of the Assembly:

I shall imitate somewhat my distinguished friend, Mr. Wilcox of Mariposa, in his opening remarks, when he referred to the fact that it was one of the most pleasant duties of the session to be able as an exponent of the wishes and sentiments and feelings of members toward myself. This, to me, is one of the most agreeable and pleasant occasions of the session, when I believe that each member of this House sincerely and honestly entertains for me as their presiding officer those feelings and sentiments which have been so ably and eloquently expressed by the gentleman from Mariposa. It is, therefore, to me the most gratifying portion of the proceedings of this Assembly. And as a token of those feelings and opinions, I accept in the spirit in which it is offered, this magnificent gift from your hands as a token or manifestation of the honest convictions of each and every member of the House. You will pardon the egotism in my saying this, for I believe it to be true, that through all the administration as presiding officer, I have aimed to do impartial justice. I may not on all occasions have succeeded, but on any occasion of failure, it was an error of the head and not of the heart. I went into this chair upon the commencement of this session with a full determination that I would enforce the rules rigidly and impartially, and treat all members upon principles of broad equality. Whether I have succeeded or not is for you to determine I therefore accept this present—this magnificent present—as a token of your regard and of your appreciation. Had I the language to express the real gratitude that prompts me to say this, I should no doubt make you all feel that I entirely realize and appreciate this great compliment that you have bestowed upon me.

TO MARCUS D. BORUCK.

Mr. Gray then approached the lower end of the desk, whereon were another silver tea set and costly silver tankard, and thus addressed the Chief Clerk:

Just four months ago we came to this place strangers, from all localities, from various localities; and each deeming the wants of his own county paramount and far ahead of those of any other place. All were somewhat selfishly disposed, and yet every one was zealous to serve the State faithfully. Our term of service is about to expire. We are about to retire to our homes, and it is very proper just now to briefly revert or glance at our record. We can congratulate ourselves upon the harmony with which this body has been characterized. And while we, upon this floor, have differed among ourselves, yet when the question has been

decided, we have yielded our differences and have submitted to the verdict of the Assembly, and have again become as friendly as we were before. And our Speaker has always succeeded on every occasion of apparent or threatening difficulty, in his administration as a presiding officer. He has been equal to every occasion, and we have in our retrospect no time to look back upon when anything has happened in this House which we must remember with regret. Further, in the selection of members of this House to take his position, the Speaker has shown a wise discretion, or at least I think he has been exceedingly happy in his choice. We have had the unruffled and amicable Hopper in that seat, we have had the precise Days, we have had the impartial and good natured Andrews, and we have had the impetuous Wilcox. And all have governed well. And all have succeeded in maintaining good order; and nothing has happened to mar the harmony of this House. But while we must acknowledge all this, there is one other whom we must not forget, and one to whom is due a great deal of credit for his contribution to the concord and business dispatch which has characterized the records of this Assembly And I refer to the Chief Clerk of this Assembly. We find his department is well up in the business which he was appointed to superintend. The Journals are all complete. The Appendix has all been copied, and while on former occasions—I believe on every occasion within the last six years—there has been a heavy bill for copying the Appendix and other documents after the close of the session, we find today all work of this kind has been perfected. And while the Senate file on this night of adjournment contains some seventy or eighty bills, ours has but five, and three of those are Assembly measures. All of which shows the utmost dispatch and punctuality on the part of our Chief Clerk To-morrow we shall go from here, and these halls will be vacant. After to-morrow we shall no longer have Berry with his call for the ayes and noes; no Whiting to call for the previous question; nor Pardee nor James to move for an adjournment. But all will be quiet here We can no longer listen to the sarcasms of a Spencer, or the annihilating speeches upon minority representation and mortgage taxation delivered from Father Meeker's scrap-book; nor shall we hear any more in regard to swamp and overflowed lands from our friends Harvey and Berry Nor shall we have the land laws of this country and the nations of Europe expounded to us by Mr. Days, nor will the outrages of the Second street cut be recited by our friend Mr. Aldrich; nor shall we hear any more the earnest speech and admonition in behalf of the Bank Commissioner from Mr. Spinvall. Nor shall we have anti-railroad and anti subsidy speeches, interlarded with a reference to that amiable Committee on Corporations, from Andrews and Luttrell. All this will be past, and we will be private citizens, and no more Assemblymen in session in the Legislature of California Nor yet, shall we hear from Alameda County propositions to reduce the salaries and fees of the Sheriff of Mariposa. Mr. Mott, of Sacramento, will no longer interest and convince us by his statistics of the Committee on Claims, nor shall we be astonished in regard to the Chaplain question by the gentleman from Tulare, Mr. Burckhalter, and Mr Wheaton can have the floor as he likes Mr. Speaker, before we leave it is my pleasant duty to tender to our Chief Clerk, Marcus D. Boruck, a testimonial of the high esteem in which he is held by the members of this Assembly. We have contributed to purchase a piece of silver, which we now present to him. It is the silver pitcher upon the desk. We know that our Chief Clerk has often-

times been severely tried in the administration of his office. We know that we have often asked him to repeat the reading of bills which were lengthy and tedious in their construction, and perhaps difficult to decipher in their chirography. We know that we have called for the roll repeatedly after a long and wearisome debate, and yet we remember that all though this the duties which have been imposed upon him he has always been found not only an efficient and faithful but courteous servant. Therefore it is with pleasure that now, in the name of the members of this Assembly, I desire to present to him the piece of silver to which I have pointed upon that table.

ADDITIONAL PRESENTATION TO MR. BORUCK.

Mr. Wheaton:

I claim the floor probably for the last time this session. I heartily indorse all that my colleague, Mr Gray, has said in behalf of the eminent services of the Speaker of this House and the Chief Clerk. And I rise to say that the services of Mr. Boruck have not only been appreciated by the members of this Assembly, but also by the attaches and clerks who have been subordinate to him And I have been selected as the medium through which to tender, in their behalf, a token of their appreciation of his kindness to them, a set of silver at the left hand of the desk, which I have the pleasure of presenting on their behalf.

RESPONSE BY MR. BORUCK.

Mr. Speaker: With your permission, sir, and that of the members of this Assembly, I come forward to express to you my gratification at this evidence of your appreciation of my conduct in the position which I have had the honor to fill during the nineteenth session of the Legislature. I came here through an ordeal which few have ever been compelled to experience in order to reach this position. And I find, after having served here four months, that your verdict has been such as to lead me to suppose that you have always reposed entire confidence in me. The beautiful present which the members of this House have given me, intrinsically is nothing, but it is the fact of their offering it in the manner they have which gives it a significance of which any man might feel proud. The clerks and attaches of this House have also contributed to place me under lasting obligations to them, for the evidence of their good feeling towards me as the Chief Clerk of this House. And whatever ability I may possess for the faithful and correct discharge of the duties of this place, without the concurrence of the excellent clerks which this House placed at my command, my efforts would have been comparatively unsuccessful in merting and obtaining your approval. To them—to my Assistant Clerks—I am indebted for much of the success which has crowned my endeavors here as the chief clerical officer of the House. And when I say that I shall never forget them, and the confidence which they have shown in me, and the liberality which they have shown to me, I mean precisely what I say. I desire to announce to this House, in connection with this presentation, the receipt of an official letter which has been sent me by my Copying Clerks. And, with the permission of the House, I will read the communication:

ASSEMBLY CHAMBER,
April 1st, 1872.

M. D. BORUCK, ESQ., *Chief Clerk of the Assembly:*

SIR: We are pleased to inform you that the copying of the Assembly, for this, its nineteenth session, including the writing up of the Appendix, has been entirely completed, and no copying now remains on hand to be performed after the close of the session.

Very respectfully yours,

ISAAC AYER,
F. CREQUE,
Copying Clerks of Assembly.

There will be no deficiency for the twentieth session of the Legislature to pay for copying work which was done or ordered at the nineteenth session. To be brief, and not to detain the House and yourself, Mr. Speaker, I again return my sincere and heartfelt acknowledgments for the compliments which have been paid to me this evening.

PRESENTATION TO MR. HOPPER.

Mr. Mott of Sacramento:

As one of the Committee on Claims, I would claim the floor, while in a quiet and conversational way I address my friend and colleague, and the Speaker pro tem of this House, Mr. Hopper. Mr. Mott remarked that one of the first acts of the Speaker pro tem during the session, was perhaps inadvertently alluded to in the character of the gift which he was about to offer—in pairs—a pair of goblets and a pair of napkin rings. Mr. Mott said that the House appreciated the impartial manner in which the Speaker pro tem had discharged his duties, and the members trusted that long life and happiness and prosperity would be the portion of Mr. Hopper. He presented, in behalf of the Assembly, the two silver goblets and the beautiful napkin rings which stood in the center of the Clerk's desk.

RESPONSE OF MR. HOPPER.

Gentlemen will allow me to return my sincere thanks for the kindly feeling you have manifested towards me. I am sure I reciprocate this sentiment towards every member of this Assembly. We have had some pretty long speeches during this session of the Legislature, and certainly this is not the time for protracted remarks. I only wish, in returning to you my thanks, to add the hope that prosperity may be your lot, and that you may have all the happiness which your hearts could wish, and all the honors to which you may reasonably aspire. If in any of my rulings I may have seemed to any one to have committed injustice, believe me it has been unintentional, and could I be made aware of the fact it would be regretted. I am grateful for the uninterrupted courtesy which has been shown to me during the present session by members of this House. And I hope that the same feeling and conduct will be manifested between the members of this Assembly in all our intercourse hereafter, and so long as we may live. Repeating my sincere thanks, I gratefully accept your gift.

PRESENTATION TO THE ASSISTANT CLERK.

Mr. Splivalo:

With the permission of the Speaker I will address the Assistant Clerk, Mr. Dixon. Mr Dixon: You were appointed, after a well contested struggle, Assistant Clerk of this House. During this session, from that desk you have witnessed the contrary and opposite votes of the two Sargents, and the onslaughts of annihilation from Father Meeker. We, on our side of the House, have been watching you also. And after due deliberation this Assembly has come to the conclusion that you deserve a good caning. This is the cane which we mean to give you—not to apply to you! If ever hereafter, in the course of years, you should feel in the darkness of the world, or that it was closing its doors upon you as against any of your good intentions or ambitions—which I hope will not be the case—you then can look back, with the aid of this reminder, to the past, and reflect upon the many warm friendships which you have made in this House during this session. And we hope that this cane will act as a magnet to lead you in the right way, and secure you in a successful progress through life. Accept, Mr. Dixon, this cane, in the name and on behalf of the members of this Assembly.

RESPONSE OF MR. DIXON.

Mr. Speaker and gentlemen of the Assembly: I do not propose to bore you with a long speech. Allow me simply to return my heartfelt and sincere thanks. I can truly say that I have passed many pleasant hours with you here, and in general association with the members. If I have done my duty here—as I believe I have—I am satisfied with my work and your approbation. I thank you for this token of your regard.

MESSAGES FROM THE GOVERNOR.

The following messages were received from the Governor:

STATE OF CALIFORNIA, EXECUTIVE DEPARTMENT,
Sacramento, April 1st, 1872.

To the Assembly of the State of California:

I have to inform your honorable body that I have approved Assembly Bill No. 143—An Act to amend an Act providing for the appointment of additional Notaries Public in Sacramento County, approved April fourth, eighteen hundred and seventy.

Also, Assembly Bill No. 785—An Act to provide funds for the further reclamation of Swamp Land Districts Numbers Fifty and Fifty-four, in Sacramento County.

Also, Assembly Bill No. 706—An Act to amend an Act entitled an Act to repeal an Act to declare and regulate the power of the Board of Supervisors of the City and County of San Francisco to take private lands for certain public improvements, and to prescribe the manner of

its execution, approved April fourth, eighteen hundred and sixty-four, approved March thirtieth, eighteen hundred and sixty-eight.

NEWTON BOOTH, Governor.

STATE OF CALIFORNIA, EXECUTIVE DEPARTMENT,
Sacramento, April 1st, 1872.

To the Assembly of the State of California:

I have to inform your honorable body that I have approved Assembly Bill No. 768—An Act to quiet title to certain land in the County of Yolo.

Also, Assembly Bill No. 755—An Act to provide for the payment of interest on Trustees' orders against certain swamp land districts.

Also, Assembly Bill No. 346—An Act to provide funds to be applied to building a House of Correction in the City and County of San Francisco, and to authorize the construction of such House of Correction.

Also, Assembly Bill No. 383—An Act to provide and pay for services rendered the City and County of San Francisco.

Also, substitute for Assembly Bill No. 112—An Act to amend an Act entitled an Act to regulate proceedings in civil cases in the Courts of justice in this State, passed April twenty-ninth, eighteen hundred and fifty-one.

Also, Assembly Bill No. 746—An Act to provide for the better protection of certain lands in San Joaquin County from overflow.

NEWTON BOOTH, Governor.

REPORTER COMPLIMENTED.

Mr. Mott of Los Angeles offered the following resolution, which was adopted:

Whereas, The reports of Assembly proceedings at this session, published in the Sacramento *Daily Record*, are unequaled for fullness, impartiality, and accuracy, and whereas, it is but fitting that the practice of Congress and other deliberative bodies where similar reports are made should be recognized in this State; therefore, be it

Resolved, That Charles A. Sumner, reporter for the *Daily Record*, be and he is hereby allowed a per diem of three dollars and a half, from the commencement to the end of the session, payable out of the appropriation for contingent expenses of the Assembly; and the State Controller is hereby authorized and required to draw his warrant in his favor therefor.

Adopted.

Mr. Splivalo offered the following resolutions:

Resolved, That the Sergeant at Arms and his Clerk be and they are hereby directed to remain one week, to turn over all property in and outside of the Capitol building belonging to the State that is now in his charge, and that they be allowed the usual per diem for that time.

Resolved, That the Controller be and he is hereby authorized to draw his warrants on the Contingent Fund of the Assembly for the above named parties, and the Treasurer be directed to pay the same.

Adopted.

REPORT.

By Mr. Spencer:

Mr. SPEAKER: The Committee on Judiciary report back Assembly Bills Nos. 590, 626, 586, 710, 739, 702, 70, 140, 550, 532, 427, 329, 559, 474, and 508; and Senate Bills Nos. 248, 397, 459, 44, 428, 415, and 19; and three petitions; and recommend that said bills be preserved for future reference.

SPENCER, Chairman.

RESOLUTION.

Mr. Reed offered the following resolution:

Resolved, That all the Pages of this House, including George Thompson, L. Smart, E. Johnson, R. Hall, and J. Simons, be and they are hereby allowed fifty dollars each, and all the Doorkeepers of this House seventy-five dollars each; and the Controller is authorized to draw his warrant in favor of each of the above mentioned parties; and the Treasurer is directed to pay the same.

Adopted.

Mr. Wilcox moved the appointment of a committee to wait on the Governor, to inform him that the Assembly is ready to adjourn.

The Speaker directed the Clerk to inform the Senate that the Assembly will adjourn sine die at twelve o'clock, and to ascertain whether they have any further business to transact with the Assembly.

The Speaker appointed as committee to wait on the Governor Messrs. Wilcox, Spencer, and Splivalo.

FINAL MESSAGE FROM THE SENATE.

The following message was received from the Senate:

SENATE CHAMBER,
April 1st, 1872.

Mr. SPEAKER: I am directed to inform your honorable body that the Senate, on this first day of April, refused to recede from its amendments to Assembly Bill No. 112—An Act to amend an Act entitled an Act to regulate proceedings in civil cases in the Courts of justice of this State.

Also, Senate Bill No. 432—An Act to authorize the Controller to issue duplicate warrants.

Also, adopted Senate Concurrent Resolution—Relative to printing Reports of Agricultural Society.

FERRAL, Secretary.

REPORT.

Mr. Gibson made the following report:

Mr. SPEAKER: Your Committee on Enrollment beg leave to report that

they have examined and found correctly enrolled Assembly Bill No. 112—An Act to amend an Act entitled an Act to regulate proceedings in civil cases in the Courts of justice of this State, passed April twenty-ninth, eighteen hundred and fifty-one—and that the same has, this first day of April, A. D. eighteen hundred and seventy-two, at eleven o'clock and thirty-five minutes, been transmitted to the Governor for his approval.

GIBSON, Chairman.

Mr. James offered a resolution to pay the gas men of the Capitol one hundred and twenty dollars each for the session.

Lost.

Mr. Splivalo offered a resolution to pay E. Johnson and Lawrence Mank, porters, seventy-five dollars each extra.

Lost.

FINALE.

Shortly before midnight the Secretary of the Senate came into the Assembly Chamber and informed the House that the Senate had transacted all its business, and was about to adjourn sine die.

Mr. Wilcox, from the committee to wait on His Excellency the Governor, reported that the committee had performed that duty, and that the Governor informed the committee that he had no further communication to make.

VALEDICTORY.

The hour of twelve o'clock having arrived, the Speaker addressed the House as follows:

Gentlemen of the Assembly:

When human nature and human wisdom shall have attained perfection, unobjectionable legislation may be anticipated. Until then, conflicting interests and geographical antagonisms will assert themselves in the State councils, and divide men into parties and subdivisions of parties.

As the hour of final adjournment has arrived, in obedience to custom, I am expected to make some remarks to those with whom I have been associated, and over whose deliberations I have presided.

Some of our determinations have not seemed to meet with universal approbation, and yet I apprehend that experience will demonstrate that no positively mischievous or oppressive measure has passed into statute this session. A watchful press has notified the people that much has been done in this direction; while little credit is vouchsafed for the inauguration of measures which must exert an influence favorable to the development of our resources and the equitable adjustment of the burdens of government.

We have taken such action in relation to revenue laws as must tend towards a more just equalization of taxation, and, consequently, to reduce taxes. The reduction of harbor dues lightens restrictions upon commerce, and greatly reduces charges heretofore burdensome upon the agriculturist and manufacturer. We have relieved those sections of the State demanding its repeal from the operations of the so-called Five Per Cent Law, and retained its provisions in an improved and guarded form

for those growing and expanding districts whose people demanded its retention with a pronounced unanimity that no faithful representative could afford to ignore.

We have responded to the voice of the metropolis, and placed within her power and control the means of securing such railway connections as her position and necessities require, and as are calculated to further her interests if judiciously used. If in years past similar provisions had been made for terminal purposes, a whole community would have been spared the anxiety of the past few days, and probably the taxable property of San Francisco would have been many millions in excess of its present standard.

A code of laws has been enacted, in the preparation of which much time has been employed. The Legislature has assumed that it comprised a system adapted to the requirements of the community, and the good or bad results which future experience shall develop, will mainly rest upon the Commissioners charged with its preparation. I apprehend that in the main it will be found to work well. If not, subsequent legislation can readily remedy defects, guided by the intervening experience under its workings.

I must be indulged in reprobating that selfish and narrow spirit which combined to defeat a new legislative apportionment. Since the last apportionment the agricultural and commercial centers have steadily advanced in wealth and increased in population, while in the remaining sections of the State the reverse is the rule. The disposition to cling to power is natural, but in this instance its exercise, and as exercised by one branch of the Legislature, is to deny the right of representation. It is the assertion of the right of taxation without representation. It is indirectly the revival of colonial subordination. No free and intelligent people will submit to so plain and palpable an outrage; and time will avenge this gross wrong, unless there is a called session to enforce obedience to constitutional rights.

In conclusion, I recur with great pleasure to matters personal to myself. The uniform kindness extended to me places me under obligations to each member of this body. Gentlemen, you have my thanks, and best wishes for your health and prosperity in life.