CALIFORNIA LEGISLATURE—ASSEMBLY.

TWENTY-THIRD SESSION.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Monday, January 5th, 1880.

Pursuant to the Constitution of the State of California, the Assembly of the Twenty-third Session of the Legislature of California was called to order at twelve o'clock M., in the absence of the Chief Clerk of the last session, by Honorable Milton Wason, senior member elect of the Assembly.

W. M. Ord and E. L. Crawford, Assistant Clerks of last session, were called to the desk by the Acting Speaker.

RESOLUTION.

W. B. May of San Francisco offered the following resolution:

WHEREAS, County Clerks have in some instances failed to furnish their Assemblymen with certificates of election, therefore, be it

Resolved, That all members returned as elected to the Secretary of State, and whose names appear upon the roll-call, be sworn in, and be entitled to their seats upon the floor of this House.

Mr. Tyler moved to amend by inserting the word "temporary" before the word "seats."

Lost.

The resolution was then adopted.

The roll of counties was then called, and the following gentlemen appeared and were duly qualified by taking the following oath, which was administered by the Honorable S. C. Denson, Judge of the Superior Court of the County of Sacramento:

I do solemnly swear that I will support the Constitution of the United States, and the Constitution of the State of California, and that I will faithfully discharge the duties of Assemblyman according to the best of my ability. So help me God.

Alameda County.....C. N. Fox, W. W. Cannon, G. W. Tyler.
Amador County.....R. C. Downs, L. Brusie.
Butte County.....Max Brooks, W. W. Durham.

Contra Costa County.....D. N. Sherburn.
Calaveras County.....H. A. Messenger.
Colusa and Tehama Counties.....W. P. Mathews.
Del Norte County.....L. F. Cooper.
El Dorado County.....T. Fraser.
El Dorado and Alpine Counties.....Cyrus Coleman.
Fresno County.....C. G. Savle.
Humboldt County.....C. L. Stoddard.
Inyo and Mono Counties.....Joseph Wasson.
Los Angeles County.....P. M. Green, R. F. Del Valle.
Lake County.....A. P. McCarty.
Mariposa and Merced Counties.....W. F. Coffman.
Marin County.....C. L. Estey.
Mendocino County.....L. G. Morse.
Monterey County.....E. S. Josselyn.
Nevada County.....J. Levee, A. M. Walker, J. O. Sweetland.
Placer County.....T. L. Chamberlain.
Plumas and Lassen Counties.....Charles Mulholland.
San Francisco County
Ninth District.....W. J. Simon, W. W. Cuthbert, S. J. Garibaldi, J. R. Finlayson.
Tenth District.....T. H. Merry, W. B. May, G. B. Ward, H. A. Gorley.
Eleventh District.....J. J. McCarthy, G. Picket, J. J. McCallion, S. Braunhart.
Twelfth District.....J. J. McDade, Michael Lane, John Burns, P. T. Gafley.
Thirteenth District.....L. J. Hardy, Jr., J. F. Cowdery, S. Maybell, A. B. Magune.
Sacramento County.....Seymour Carr, J. N. Young, Elwood Bruner.
San Diego County.....C. C. Watson.
San Bernardino County.....H. M. Streeter.
San Luis Obispo County.....H. Y. Stanley.
Santa Barbara and Ventura Counties.....Milton Wason.
Santa Clara County.....R. McComas, J. L. York, D. Frink.
Santa Cruz County.....Elihu Anthony.
San Benito County.....J. J. Harris.
San Joaquin County.....W. R. Leadbetter, H. J. Corcoran, E. J. McIntosh.
San Mateo County.....C. N. Felton.
Sierra County.....James Nelson.
Siskiyou and Modoc Counties.....J. R. Cook.
Stanislaus County.....J. D. Spencer.
Solano County.....F. A. Leach, A. Bennett.
Sonoma County.....James Hynes, H. K. Brown, James Adams.
Sutter County.....A. L. Chandler.
Trinity and Shasta Counties.....J. S. P. Bass.
Tuolumne County.....D. Dimond.
Yolo County.....D. N. Hershy.
Yuba County.....J. P. Brown, T. H. Carr.

The roll was then called, and a quorum found to be present.

RESOLUTION.

By Mr. Finlayson:

Resolved, That the Standing Rules of the Twenty-second Session be adopted until otherwise ordered by this House.

Adopted.

Mr. May moved that the further organization be proceeded with by the election of a Speaker.

Adopted.

ELECTION OF SPEAKER.

Nominations for Speaker being declared in order, Mr. McComas nominated J. F. Cowdery.

Mr. McIntosh nominated H. Corcoran.

Mr. Camron nominated George W. Tyler.

Mr. Del Valle nominated J. D. Spencer.

Nominations being closed, the roll was called, with the following result:

For Cowdery—Messrs. Adams, Bennett, Brooks, Brown of Yuba, Bruner, Brusie, Camron, Carr of Sacramento, Chamberlain, Chandler, Coleman, Dimond, Downs, Durham, Estey, Felton, Finlayson, Fox, Fraser, Frink, Gorley, Green, Leach, Leadbetter, May, McComas, Merry, Morse, Mulholland, Nelson, Sherburn, Stanley, Streeter, Tyler, Ward, Wason of Ventura, Wasson of Mono, Watson, York, and Young.

For Corcoran—Messrs Anthony, Braunhart, Burns, Carr of Yuba, Cuthbert, Garibaldi, Gaffey, Josselyn, Lane, Levee, Magune, Mayhell, McCallion, McCarthy of San Francisco, McDade, McIntosh, Pickett, Simon, Spencer, Stoddard, Sweetland, and Walker.

For Tyler—Messrs. Cowdery and Hardy.

For Spencer—Messrs. Bass, Brown of Sonoma, Coffman, Cook, Cooper, Corcoran, Del Valle, Harris, Hershy, Hynes, Mathews, McCarty of Lake, Messenger, and Sayle.

Whole number of votes	78
Necessary to choice	40
Mr. Cowdery	40
Mr. Corcoran	22
Mr Tyler	2
Mr. Spencer	14

Mr. Cowdery, having received a majority of all the votes cast, was declared elected Speaker of the Assembly.

On motion of Mr May, the Acting Speaker appointed Messrs Tyler, Corcoran, and Spencer a committee to conduct the Speaker elect to the chair.

The oath of office was administered by Judge S C. Denson, of the Superior Court of the County of Sacramento, and Speaker Cowdery then took his seat.

REMARKS OF THE SPEAKER.

As your presiding officer I am expected, upon taking the chair, to call special attention to what is demanded by the people respecting the laws I have given the subject of our duties, and what our constituents require of us, a little study, and will point out what, in my opinion, should be our governing policy.

The people of the several counties of the State have been assessed so unequally and taxed so unjustly that they became desperate, and looking for a remedy, they adopted a new Constitution, trusting to it for relief

We are here to enact laws to enforce this new Constitution whenever legislation is necessary. That instrument does not expressly command us to reduce taxation, but if we, in good faith, obey its commands, sufficient property, which has heretofore escaped, will be made to pay its just proportion of government expense, thereby, in connection with reduced official salaries and economy on the part of those in office, lowering the annual tax rate at least twenty per cent.

We are expected to cut down many salaries and official fees, not fixed by the Constitution, from ten to fifty per cent

The public expects this, and we have seen in the largest city in the State how honest, capable men can be found whom the people will elect after pledging themselves that they will, if elected, perform their official duties for salaries about fifty per cent lower than what is fixed by law. The Legislature has been appealed to through a decade to reduce official fees and salaries Gentlemen have been elected pledged to cut them down. The Legislature meets, and the salaried and feed rally at the capital. By some mysterious process known only to the initiated, the lobby goes over to them in a body; their united strength being too much for the Legislature, it adjourns, having done nothing

Unless we are on our guard against this influence, which will come to us clothed in the habiliments of two sexes, we will return home with our names added to the long roll of those who have violated every promise made to secure election

It will be our duty to bring every department of the State government and the counties into harmonious action under the Constitution If we do our utmost, much will remain undone.

After ninety days from the commencement of this session no bill shall be introduced. This is a mandatory constitutional provision It will take us a few days to become acquainted with each other, and then, when each member is assigned to the station he is to fill upon the committees, should commence steady, faithful, conscientious work No Legislature ever met whose members had better opportunity to secure favorable, and I may say grateful remembrance by the people than we will have To secure this favorable remembrance, and to keep good our promises, we must obey the mandates of the Constitution and legislate as it directs, and refrain from legislation wherein it prohibits We must first bring the Courts into harmony with the supreme law. There must be no delay in doing this. If the great body of rules which should govern the administration of the law is involved in grave doubts, is not generally acknowledged and respected, chaos lurks not far away Show me a State where the laws are not respected, and where there is general doubt as to their meaning, where the officers of the law are not respected and their authority is denied, and I will show you a State where commerce is stag-

nant—a community whose common people dwell in hovels, and where, by reason of its universality, brigandage is respected as a legitimate profession. Within our own memories the wages of labor have been materially reduced, grass has grown in the streets of a large city; the sound of the builder's hammer has been silenced, and the iron-worker's tools corroded by the rust of idleness, where they were dropped by the empty dinner pail of the wood-working mechanic, because the insane communist and wide-awake demagogue threatened to annihilate, in one night of riot, bloodshed, and flame, the accumulated capital and homes of the industrious; and we have seen the grass tramped down, the rust fall off, and the dinner pail overflow at the command of restored confidence, following close upon the heels of a political victory, which gave assurance that every man's rights would be respected under the new Constitution even better than they were under the old. We are commanded by the Constitution to provide by law for the punishment of embezzlement or defalcation as a felony. To regulate or prohibit the buying or selling of shares of capital stock of corporations in any Stock Board, Stock Exchange, or stock market under the control of any association. To pass laws for the regulation and limitation of the charges for services performed by telegraph and gas corporations or individuals, for storage or wharfage in which there is a public use.

In this connection the observant among you will notice that whenever it is attempted by legislation to cut off corporate emoluments, that the "poor widow" will come to the front as a stockholder, whose few shares must not be trifled with; but if you scrutinize her closely, you may discover under her black vail the gray whiskers of the millionaire, or waxed mustache of the professional lobbyist. To pass laws to punish as felony all persons attempting to influence the vote of a member of the Legislature, by bribery, promise of reward, intimidation, or any other dishonorable means.

To determine the number of Justices of the Peace to be elected.

To fix by law the jurisdiction of any inferior Court, and the powers and duties of the Judges thereof

To provide for the election of a Clerk of the Supreme Court.

To provide for the publication of opinions of the Supreme Court.

To provide for organizing and disciplining the militia.

To provide for a system of common schools by which a free school shall be supported in each district six months every year after the first year the school shall be established.

To provide funds to carry on the University of California, in case, through certain contingencies, *certain funds are diminished or lost.*

To pass laws to define the powers and duty of the Board of State Prison Wardens, and to carry out the provisions of the Constitution relating to the State's prisoners and the labor of convicts.

To prescribe all necessary regulations for the protection of the State, and the counties, cities, and towns thereof, from the burdens and evils arising from the presence of aliens who are or may become vagrants, paupers, mendicants, criminals, or individuals affected with contagious or infectious diseases, and from aliens otherwise dangerous or detrimental to the well-being and peace of the State, and to impose conditions upon which such persons may reside in the State, and to provide the means and mode of their removal from the State

To discourage by all means within our power the presence of foreigners in the State who are ineligible to become citizens.

To delegate power to cities and towns to remove Chinese without the limits of said cities and towns, and further location within prescribed limits.

To pass laws to exclude from office, serving on juries, and from the right of suffrage, persons convicted of bribery, perjury, forgery, malfeasance in office, or other high crimes

To provide a system of uniform government, and the organization of cities and towns under *uniform laws. To provide for the election or appointment of Boards of Supervisors, Sheriffs,* County Clerks, District Attorneys, and other county or township officers, prescribe their duties, and fix and regulate their compensation.

To pass all laws necessary for the enforcement of the provisions of the Constitution relating to Railroad Commissioners

To provide for the assessment, in small tracts, of all lands not sectionized by the United States Government. (That is, we are commanded to pass laws compelling the owners of large tracts of unsurveyed and unsectionized land to pay their just proportion to the government, or be sold out to those who will.)

To require by law each taxpayer in this State to make and deliver to the County Assessor, annually, a statement under oath, of all his property.

To provide for the levy and collection of annual poll taxes.

To pass all necessary laws to carry out the provisions of the Constitution relating to taxation, just as the majority of the people of the State understood the Constitution when they adopted it.

To protect by law the forced sale of the homestead and other property of heads of families.

To pass laws regulating elections, and prohibiting, under adequate penalties, all undue influence therein from power, bribery, tumult, or other improper practice.

To provide by law for the maintenance and efficiency of a State Board of Health

To provide by law for the speedy improvement of the liens of mechanics, material-men, artisans, and laborers of every class.

Laws should be passed compelling County Treasurers to receive all money offered to be paid into the treasury, and if not otherwise appropriated by law, to place the same to the credit of the School Fund. The violation of a public pledge made to secure election to office should by law be punished as a misdemeanor.

In addition to this, the four Codes, and all the general laws found only in the statutes, must be brought into harmony with our changed condition, and with each other. We must remember that the provisions of the Constitution are mandatory and prohibitory, and if we adjourn without enacting laws we are commanded to pass, or if we pass laws we are commanded not to enact, we violate our obligations.

Section twenty-five of the Constitution will be our principal guide as to what we shall not do; and we will not be here many days before it will be discovered that, though easy to refrain from legislation, it is difficult, even when governed by the best intentions, to legislate properly.

It will be my duty to expedite business so far as it lies in my power. The Speaker must obey and carry out the commands of the Assembly, and unless he has the cooperation of the gentlemen on the floor, his position will not be an enviable one. No matter how conscientious he may be in his rulings, he must expect to have them occasionally overruled by vote of the House.

Without appeal he will take pleasure in correcting any mistakes he may make, if they are pointed out. Thankful for your partiality in making me your presiding officer, I promise to *observe the rules and carry out the will of the Assembly to the best of my ability.*

The next business in order is the election of Speaker pro tem.

ADJOURNMENT.

At one o'clock and thirty minutes P. M., Mr. Braunhart moved to adjourn till to-morrow, at ten o'clock A. M.

So ordered.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Tuesday, January 6th, 1880.

House met pursuant to adjournment.

Speaker Cowdery in the chair.

Roll called, and a quorum found to be present.

Journal of yesterday read and approved.

Mr Hardy moved that the House do now proceed to elect officers in the order prescribed by the Political Code.

So ordered.

ELECTION OF OFFICERS—SPEAKER PRO TEM.

Nominations for Speaker pro tem. being declared in order, Mr. Fox nominated Thomas Fraser.

Mr. Corcoran nominated J. J McCarthy.

Mr. Spencer nominated A P. McCarty.

Nominations being closed, the roll was called, with the following result:

For Fraser—Messrs Adams, Bennett, Brooks, Brown of Yuba, Bruner, Brusie, Camron, Carr of Sacramento, Chamberlain, Chandler, Coleman, Dimond, Downs, Durham, Estey, Felton, Finlayson, Fox, Frink, Gorley, Green, Hardy, Leach, Leadbetter, May, McComas, Merry, Morse, Mulholland, Nelson, Sherburn, Stanley, Stricter, Tyler, Ward, Wason of Ventura, Wasson of Mono, Watson, Young, and Mr Speaker.

For McCarthy—Messrs Anthony, Braunhart, Burns, Carr of Yuba, Corcoran, Cuthbert, Garibaldi, Gaffey, Josselyn, Lane, Levee, Maguire, Maybell, McCallion, McCarty of Lake, McDade, McIntosh, Picket, Simon, Stoddard, Sweetland, and Walker

For McCarty—Messrs Bass, Brown of Sonoma, Coffman, Cook, Cooper, Del Valle, Harris, Hershy, Hynes, Mathews, McCarthy of San Francisco, Messenger, Sayle, and Spencer.

For Fox—Mr. Fraser.

Whole number of votes cast	77
Necessary to a choice	39
Mr Fraser received	40
Mr McCarthy received	22
Mr. McCarty received	14
Mr. Fox received	1

Mr. Fraser, having received a majority of all the votes cast, was declared elected Speaker pro tem., and immediately came forward and the oath of office was administered by Speaker Cowdery.

CHIEF CLERK.

Mr. York nominated F. C. Gunn.
Mr Sweetland nominated E F Smith.
The roll was called, with the following result:

For Gunn—Messrs. Adams, Bennett, Brooks, Brown of Yuba, Bruner, Brusie, Camron, Carr of Sacramento, Chamberlain, Chandler, Coleman, Cooper, Dimond, Downs, Durham, Estey, Felton, Finlayson, Fox, Fraser, Frink, Gorley, Green, Hardy, Leach, Leadbetter, May, McComas, Merry, Morse, Mulholland, Nelson, Sherburn, Stanley, Streeter, Tyler, Ward, Watson, York, Young, and Mr. Speaker.

For Smith—Messrs. Anthony, Bass, Braunhart, Brown of Sonoma, Burns, Carr of Yuba, Coffman, Cook, Corcoran, Cuthbert, Del Valle, Garibaldi, Gaffey, Harris, Hershy, Hynes, Josselyn, Lane, Levee, Maguire, Mathews, Maybell, McCallion, McCarty of Lake, McCarthy of San Francisco, McDade, McIntosh, Messenger, Picket, Sayle, Simon, Spencer, Stoddard, Sweetland, Walker, and Wason of Ventura.

Whole number of votes cast	77
Necessary to a choice	39
Mr Gunn received	41
Mr. Smith received	36

Mr. Gunn, having received a majority of all the votes cast, was declared elected Chief Clerk of the Assembly, and came forward and took the oath of office, which was administered by Speaker Cowdery.

ASSISTANT CLERK.

Mr. Merry nominated J. G Howell
Mr. Corcoran nominated Marcy Ord.
The roll was called, with the following result:

For Howell—Messrs Adams, Bennett, Brooks, Brown of Yuba, Bruner, Brusie, Camron, Carr of Sacramento, Chamberlain, Chandler, Coleman, Dimond, Downs, Durham, Estey, Felton, Finlayson, Fox, Fraser, Frink, Gorley, Green, Hardy, Leach, Leadbetter, May, McComas, Merry, Morse, Mulholland, Nelson, Sherburn, Stanley, Streeter, Tyler, Ward, Wasson of Mono, Watson, York, Young, and Mr. Speaker.

For Ord—Messrs Anthony, Bass, Braunhart, Brown of Sonoma, Burns, Carr of Yuba, Coffman, Cook, Cooper, Corcoran, Cuthbert, Del Valle, Garibaldi, Gaffey, Harris, Hershy, Hynes, Josselyn, Lane, Levee, Maguire, Mathews, Maybell, McCallion, McCarty of Lake, McCarthy of San Francisco, McDade, McIntosh, Messenger, Picket, Sayle, Simon, Spencer, Stoddard, Sweetland, Walker, and Wason of Ventura.

Whole number of votes cast	78
Necessary to a choice	40
Mr. Howell received	41
Mr. Ord received	37

Mr. Howell, having received a majority of all the votes cast, was declared elected Assistant Clerk of the Assembly.

ASSISTANT CLERK.

Mr. Bruner nominated J. M. Wright.

Mr. McCarthy of San Francisco nominated J. J. Galvin.
Mr. McCarty of Lake nominated A. M. S. Carpenter.
The roll was called, with the following result.

For Wright—Messrs Adams, Bennett, Brooks, Brown of Yuba, Bruner, Brusie, Camron, Carr of Sacramento, Chamberlain, Chandler, Coleman, Dimond, Downs, Durham, Estey, Felton, Finlayson, Fox, Fraser, Frink, Gorley, Green, Hardy, Leach, Leadbetter, May, McComas, Merry, Morse, Mulholland, Nelson, Sherburn, Stanley, Streeter, Tyler, Ward, Wason of Ventura, Wasson of Mono, Watson, York, Young, and Mr. Speaker.

For Galvin—Messrs. Anthony, Braunhart, Burns, Carr of Yuba, Corcoran, Cuthbert, Garibaldi, Gaffey, Josselyn, Lane, Levee, Maguire, Maybell, McCallion, McCarthy of San Francisco, McDade, McIntosh, Picket, Simon, Sweetland, and Walker

For Carpenter—Messrs Bass, Brown of Sonoma, Coffman, Cook, Cooper, Del Valle, Harris, Hershy, Hynes, Mathews, McCarty of Lake, Messenger, Sayle, Spencer, and Stoddard.

Whole number of votes cast	78
Necessary to a choice	40
Mr. Wright received	42
Mr. Galvin received	21
Mr. Carpenter received	15

Mr. Wright, having received a majority of all the votes cast, was declared elected Assistant Clerk of the Assembly.

Messrs. Howell and Wright came forward to the desk and took the oath of office.

SERGEANT-AT-ARMS.

Mr. Young nominated R. W. Parker.
Mr. Spencer nominated Jas. Farrelly.
The roll was called, with the following result:

For Parker—Messrs. Adams, Bennett, Brooks, Brown of Yuba, Bruner, Brusie, Camron, Carr of Sacramento, Chamberlain, Chandler, Coleman, Dimond, Downs, Durham, Estey, Felton, Finlayson, Fox, Fraser, Frink, Gorley, Green, Hardy, Leach, Leadbetter May, McComas, Merry, Morse, Mulholland, Nelson, Sherburn, Stanley, Streeter, Tyler, Walker, Ward, Wason of Ventura, Wasson of Mono, Watson, York, Young, and Mr. Speaker.

For Farrelly—Messrs Anthony, Bass, Braunhart, Brown of Sonoma, Burns, Carr of Yuba, Coffman, Cook, Cooper, Corcoran, Cuthbert, Del Valle, Garibaldi, Gaffey, Harris, Hershy, Hynes, Josselyn, Lane, Levee, Maguire, Mathews, Maybell, McCallion, McCarty of Lake, McCarthy of San Francisco, McDade, McIntosh, Messenger, Picket, Sayle, Simon, Spencer, Stoddard, and Sweetland.

Whole number of votes cast	78
Necessary to a choice	40
Mr. Parker received	43
Mr. Farrelly received	35

Mr. Parker, having received a majority of all the votes cast, was declared elected Sergeant-at-Arms of the Assembly.

Mr. Parker came forward and took the oath of office.

ASSISTANT SERGEANT-AT-ARMS.

Mr. Chamberlain nominated A. F. Jewett.
Mr. Gaffey nominated E. H. Jewell.
The roll was called, with the following result:

For Jewett—Messrs Adams, Bennett, Brooks, Brown of Yuba, Bruner, Brusie, Camron, Carr of Sacramento, Chamberlain, Chandler, Coleman, Dimond, Downs, Durham, Estey, Felton, Finlayson, Fox, Fraser, Frink, Gorley, Green, Hardy, Leach, Leadbetter, May, McComas, Merry, Morse, Mulholland, Nelson, Sherburn, Streeter, Tyler, Ward, Wasson of Mono, Watson, York, Young, and Mr. Speaker.

For Jewell—Messrs Anthony, Bass, Braunhart, Brown of Sonoma, Burns, Carr of Yuba, Coffman, Cook, Cooper, Corcoran, Cuthbert, Del Valle, Garibaldi, Gaffey, Harris, Hershy, Hynes, Josselyn, Lane, Levee, Maguire, Mathews, Maybell, McCallion, McCarty of Lake,

McCarthy of San Francisco, McDade, McIntosh, Messenger, Picket, Sayle, Simon, Spencer, Stoddard, Sweetland, Walker, and Wason of Ventura.

Whole number of votes cast	77
Necessary to a choice	39
Mr. Jewett received	40
Mr. Jewell received	37

Mr. Jewett, having received a majority of all the votes cast, was declared elected Assistant Sergeant-at-Arms of the Assembly.

Mr. Jewett came forward and took the oath of office.

MINUTE CLERK.

Mr. Watson nominated F. N. Pauly.

Mr. Stoddard nominated R. F. Carr.

The roll was called, with the following result:

For Pauly—Messrs. Adams, Bennett, Brooks, Brown of Yuba, Bruner, Brusie, Camron, Carr of Sacramento, Chamberlain, Chandler, Coleman, Dimond, Downs, Durham, Estey, Felton, Finlayson, Fox, Fraser, Frink, Gorley, Green, Hardy, Leach, Leadbetter, May, McComas, Merry, Morse, Mulholland, Nelson, Sherburn, Streeter, Tyler, Ward, Wason of Ventura, Wasson of Mono, Watson, York, Young, and Mr. Speaker.

For Carr—Messrs Anthony, Bass, Braunhart, Brown of Sonoma, Burns, Carr of Yuba, Coffman, Cook, Cooper, Corcoran, Cuthbert, Del Valle, Garibaldi, Gaffey, Harris, Hershy, Josselyn, Lane, Levee, Maguire, Mathews, Maybell, McCallion, McCarty of Lake, McCarthy of San Francisco, McDade, McIntosh, Messenger, Picket, Sayle, Simon, Spencer, Stoddard, Sweetland, and Walker.

Whole number of votes cast	76
Necessary to a choice	39
Mr. Pauly received	41
Mr. Carr received	35

Mr. Pauly, having received a majority of all the votes cast, was declared elected Minute Clerk of the Assembly.

Mr. Pauly came forward and took the oath of office.

JOURNAL CLERK.

Mr. Leach nominated Theo. Gray.

Mr. Del Valle nominated J. P. Poole.

The roll was called, with the following result:

For Gray—Messrs Adams, Bennett, Brooks, Brown of Yuba, Bruner, Brusie, Camron, Carr of Sacramento, Chamberlain, Chandler, Coleman, Dimond, Downs, Durham, Estey, Felton, Finlayson, Fox, Fraser, Frink, Gorley, Green, Hardy, Leach, Leadbetter, May, McComas, Merry, Morse, Mulholland, Nelson, Sherburn, Streeter, Tyler, Ward, Wason of Ventura, Wasson of Mono, Watson, York, Young, and Mr. Speaker.

For Poole—Messrs. Anthony, Bass, Braunhart, Brown of Sonoma, Burns, Carr of Yuba, Coffman, Cook, Cooper, Corcoran, Cuthbert, Del Valle, Garibaldi, Gaffey, Harris, Hershy, Hynes, Josselyn, Lane, Levee, Maguire, Mathews, Maybell, McCallion, McCarty of Lake, McCarthy of San Francisco, McDade, McIntosh, Messenger, Picket, Sayle, Simon, Spencer, Stoddard, Sweetland, and Walker.

Whole number of votes cast	77
Necessary to a choice	39
Mr. Gray received	41
Mr. Poole received	36

Mr. Gray, having received a majority of all the votes cast, was declared elected Journal Clerk of the Assembly.

Mr. Gray came forward and took the oath of office.

ENROLLING CLERK.

Mr. Green nominated W. E Reed.
Mr. Braunhart nominated A. D Boren.
The roll was called, with the following result:

For Reed—Messrs. Adams, Bennett, Brooks, Brown of Yuba, Bruner, Brusie, Camron, Carr of Sacramento, Chamberlain, Chandler, Coleman, Dimond, Downs, Durham, Estey, Felton, Finlayson, Fox, Fraser, Frink, Gorley, Green, Hardy, Leach, Leadbetter, May, McComas, Merry, Morse, Mulholland, Nelson, Sherburn, Streeter, Tyler, Ward, Wason of Ventura, Wasson of Mono, Watson, York, Young, and Mr. Speaker.

For Boren—Messrs Anthony, Bass, Braunhart, Brown of Sonoma, Burns, Carr of Yuba, Coffman, Cook, Cooper, Corcoran, Cuthbert, Del Valle, Garibaldi, Gaffey, Harris, Hershy, Hynes, Josselyn, Lane, Levee, Maguire, Mathews, Maybell, McCallion, McCarty of Lake, McCarthy of San Francisco, McDade, McIntosh, Messenger, Picket, Sayle, Simon, Spencer, Stoddard, Sweetland, and Walker.

Whole number of votes cast	77
Necessary to a choice	39
Mr. Reed received	41
Mr. Boren received	36

Mr. Reed, having received a majority of all the votes cast, was declared elected Enrolling Clerk of the Assembly.
Mr. Reed came forward and took the oath of office.

ENGROSSING CLERK.

Mr. Sherburn nominated T. H. McCarthy.
Mr. McCarthy of San Francisco nominated William Lyman.
The roll was called, with the following result:

For McCarthy—Messrs. Adams, Bennett, Brooks, Brown of Yuba, Bruner, Brusie, Camron, Carr of Sacramento, Chamberlain, Chandler, Coleman, Dimond, Downs, Durham, Estey, Felton, Finlayson, Fox, Fraser, Frink, Gorley, Green, Hardy, Leach, Leadbetter, May, McComas, Merry, Morse, Mulholland, Nelson, Sherburn, Streeter, Tyler, Ward, Wason of Ventura, Wasson of Mono, Watson, York, Young, and Mr. Speaker

For Lyman—Messrs Anthony, Bass, Braunhart, Brown of Sonoma, Burns, Carr of Yuba, Coffman, Cook, Cooper, Corcoran, Cuthbert, Del Valle, Garibaldi, Gaffey, Harris, Hershy, Hynes, Josselyn, Lane, Levee, Maguire, Mathews, Maybell, McCallion, McCarty of Lake, McCarthy of San Francisco, McDade, McIntosh, Messenger, Picket, Simon, Spencer, Stoddard, Sweetland, and Walker.

Whole number of votes cast	76
Necessary to a choice	39
Mr. McCarthy received	41
Mr. Lyman received	35

Mr. McCarthy, having received a majority of all the votes cast, was declared elected Engrossing Clerk of the Assembly.
Mr. McCarthy came forward and took the oath of office.

POSTMASTER.

Mr. Fox nominated D. H. Rand.
Mr. Braunhart nominated J. Morrison.
Mr. Spencer nominated Mrs. M. A. Hotaling.
Mr. Braunhart withdrew the name of Mr. Morrison.
The roll was called, with the following result.

For Rand—Messrs. Bennett, Brooks, Brown of Yuba, Bruner, Brusie, Camron, Carr of Sacramento, Chamberlain, Chandler, Coleman, Dimond, Downs, Durham, Estey, Felton, Finlayson, Fox, Fraser, Frink, Gorley, Green, Hardy, Leach, Leadbetter, May, McComas, Merry, Mulholland, Nelson, Sherburn, Streeter, Tyler, Ward, Wasson of Mono, Watson, Young, and Mr. Speaker.

For Hotaling—Messrs. Adams, Anthony, Bass, Braunhart, Brown of Sonoma, Burns, Carr of Yuba, Coffman, Cook, Cooper, Corcoran, Cuthbert, Del Valle, Garibaldi, Gaffey, Harris, Hershy, Hynes, Josselyn, Lane, Levee, Maguire, Mathews, Mayhell, McCallion, McCarty of Lake, McCarthy of San Francisco, McDade, McIntosh, Messenger, Morse, Picket, Sayle, Simon, Spencer, Stoddard, Sweetland, Walker, Wason of Ventura, and York.

Whole number of votes cast	77
Necessary to a choice	39
Mr Rand received	37
Mrs Hotaling received	40

Mrs. Hotaling, having received a majority of all the votes cast, was declared elected Postmistress of the Assembly.

Mrs. Hotaling came forward and took the oath of office.

RESOLUTIONS.

By Mr. May:

Resolved, That the Clerk be instructed to announce to the Senate that the Assembly has completed its organization by the election of the following officers, viz Speaker, J F. Cowdery; Speaker pro tem., T. Fraser, Chief Clerk, C. E Gunn, Assistant Clerk, J. G Howell; Assistant Clerk, J M. Wright, Sergeant-at-Arms, R. W Parker, Assistant Sergeant-at-Arms A. F. Jewett, Minute Clerk, F. N. Pauly, Journal Clerk, Theodore Gray, Enrolling Clerk, W E Reed; Engrossing Clerk, T. H McCarthy, Postmistress, Mrs M. A. Hotaling, and awaits the pleasure of the Senate in legislative business.

Adopted.

By Mr. Tyler—Relative to a meeting of the Senate and Assembly for the purpose of opening and publishing election returns for Governor and Lieutenant-Governor.

Adopted.

Also, Assembly Joint Resolution relative to appointment of a committee to wait on the Governor and Lieutenant-Governor to ascertain at what time they will be ready for inauguration.

Adopted.

Also:

Resolved, That there be added to the Standing Committees of this House, to be appointed by the Speaker, a Committee on Mining Debris, and the lands and interests affected thereby, to consist of seven members.

Referred to the Committee on Rules

By Mr. Merry—Assembly Joint Resolution relative to a joint committee to wait upon the Governor and inform him that the Legislature is now organized.

Adopted

By Mr. Young:

Resolved, That the Speaker of this House be authorized to appoint one Day Watchman, at a salary of four dollars per diem, one Night Watchman, at a salary of five dollars per diem, and one Paper-folder, at a salary of three dollars per diem, all payable out of the Contingent Fund of the Assembly.

Referred to Committee on Contingent Expenses.

By Mr. Fraser:

Resolved, That a committee of three be appointed by the Speaker to ascertain and report the amount due on mileage and per diem of the officers and attachés of the last session, for services rendered in the organization of the present House.

Adopted.

By Mr. McCallion—Assembly Joint Resolution relative to and expressing sympathy with the people of Ireland in their threatened condition of famine.

Mr. Tyler moved to refer to the Committee on Federal Relations.

Upon which motion the ayes and noes were demanded by Messrs. Braunhart, Burns, and Carr.

The roll was called, and the motion was carried by the following vote:

AYES—Messrs. Bass, Bennett, Brooks, Brown of Yuba, Bruner, Brusie, Camron, Carr of Sacramento, Chamberlain, Chandler, Coleman, Cook, Corcoran, Cuthbert, Del Valle, Dimond, Downs, Durham, Estey, Felton, Finlayson, Fox, Fraser, Frink, Garibaldi, Gorley, Green, Hardy, Leach, Leadbetter, May, McComas, McIntosh, Merry, Messenger, Morse, Mulholland, Nelson, Sayle, Sherburn, Stoddard, Streeter, Tyler, Ward, Wason of Ventura, Wasson of Mono, Watson, York, and Mr. Speaker—49.

NOES—Messrs. Adams, Anthony, Braunhart, Brown of Sonoma, Burns, Carr of Yuba, Coffman, Cooper, Gaffey, Hershy, Hynes, Josselyn, Lane, Levee, Maguire, Mathews, Maybell, McCallion, McCarty of Lake, McCarthy of San Francisco, McDade, Picket, Simon, Spencer, Sweetland, Walker, and Young—27.

By Mr. Braunhart:

Resolved, That there be added to the Standing Committees of the House a committee of seven members on Chinese, to whom shall be referred all matters of legislation relative to Chinese.

Referred to the Committee on Rules.

Also:

Resolved, That there be added to the Standing Committees of the House a committee of seven members on labor and capital, to whom shall be referred all matters of legislation relative to the interests of labor and capital.

Referred to the Committee on Rules.

By Mr. Young:

Resolved, That the Sergeant-at-Arms is hereby authorized to appoint a Clerk at the same per diem as is allowed to the Assistant Clerks at the desk, payable out of the Contingent Fund of the Assembly.

Referred to the Committee on Attachés and Employés.

By Mr. May:

Resolved, That the Committee on Attachés and Employés be instructed to report to this House the name of a suitable person for Assistant Journal Clerk.

Referred to the Committee on Attachés and Employés.

By Mr. Merry:

Resolved, That a Standing Committee of nine, the same to be known as the "Committee on County Governments and Municipal Corporations," be appointed by the Speaker.

Referred to the Committee on Rules.

By Mr. Frink:

Resolved, That R. Farrell be and he is hereby appointed Mail Carrier, at a per diem of three dollars, to be paid out of the fund for contingent expenses of the Assembly.

Referred to the Committee on Attachés and Employés.

By Mr. Young.

Resolved, That J. C. Luce be and is hereby appointed Post-office Page at the same per diem as is allowed by law to other Pages of the Assembly, to be paid out of the appropriations for the contingent expenses of the Assembly.

Referred to the Committee on Attachés and Employés.

By. Mr. Braunhart:

Resolved, That the Secretary of State is hereby instructed to provide each member of the Assembly with a copy of the Codes of the State of California.

Adopted.

INTRODUCTION OF BILLS BY PERMISSION.

By Mr. Fox—An Act to repeal an Act entitled an Act to authorize the City and County of San Francisco to provide and maintain public water-works for said city and county, and to condemn and purchase private property for that purpose, approved March twenty-seventh, eighteen hundred and seventy-six.

Read first time, and referred to the San Francisco delegation.

By Mr Tyler—An Act entitled an Act to make the Code of Civil Procedure and the Penal Code of California the rule of action in the Courts as at present organized.

Read first time, and referred to the Judiciary Committee.

RESOLUTION.

By Mr. McCallion:

Resolved. That the Secretary of State be requested to furnish each member of the Assembly with a copy of the Constitution of California.

Adopted.

NOTICES.

By Mr. Fox:

MR. SPEAKER I hereby give notice that I will, to-morrow, introduce a bill to repeal an Act entitled "An Act to authorize the City and County of San Francisco to provide and maintain public water-works for said city and county, and to condemn and purchase private property for that purpose," approved March thirtieth, A. D. eighteen hundred and seventy-four.

Also:

MR. SPEAKER I hereby give notice that I will, to-morrow, introduce a bill to amend the Political Code on the subject of licenses, by adding a new section thereto.

Also:

MR SPEAKER I hereby give notice that I will, to-morrow, introduce a bill to repeal chapter four of title one, part two, of the Political Code, and all laws creating Judicial Districts in this State, defining the boundaries thereof, and fixing the terms of Court therein

Also:

MR. SPEAKER I hereby give notice that I will, to-morrow, introduce a bill for the repeal of an Act entitled "An Act to establish water rates in the City and County of San Francisco" approved March first, A. D. eighteen hundred and seventy-six, and of an Act supplementary thereto and amendatory thereof, approved April third, A. D. eighteen hundred and seventy-six.

INTRODUCTION OF BILLS.

By Mr. Braunhart—An Act for the protection of laborers on public works.

Also, an Act to amend section four hundred and thirty-five of the Penal Code, in relation to the issuance of licenses to aliens.

Also, an Act to amend section three thousand and fifty-nine of the Political Code, in relation to the issuance of licenses to aliens.

Each of the above bills read first time, and referred to the Judiciary Committee.

RECESS.

At twelve o'clock and forty minutes P. M., on motion of Mr. McIntosh, the House took a recess until two o'clock P. M. of this day.

RE-ASSEMBLED.

House re-assembled at two o'clock P. M.

Speaker Cowdery in the chair.

Roll called, and a quorum found to be present.

RESOLUTION.

By Mr. Tyler:

Resolved, That the passage of Assembly Bill—"An Act entitled an Act to make the Code of Civil Procedure and the Penal Code of California the rule of action in the Courts as at present organized"—is one of urgency, and that the rules of the House be suspended and the bill read a second time, to-day.

Upon the adoption of the resolution, the ayes and noes were demanded by Messrs. Fox, McCarthy, and Corcoran.

The roll was called, and the resolution rejected, by the following vote:

AYES—Messrs. Bass, Bruner, Brusie, Camron, Coffman, Cook, Corcoran, Del Valle, Felton, Fox, Nelson, Pickett, Tyler, Wason of Ventura, Watson, Young, and Mr. Speaker—17.

NOES—Messrs. Adams, Anthony, Braunhart, Brown of Sonoma, Brown of Yuba, Burns, Carr of Sacramento, Carr of Yuba, Chamberlain, Chandler, Cooper, Cuthbert, Dimond, Downs, Durham, Estey, Finlayson, Fraser, Frink, Garibaldi, Gaffey, Green, Hardy, Harris, Hershy, Hynes, Josselyn, Lane, Leach, Leadbetter, Levee, Maguire, Mathews, May, Maybell, McCallion, McCarty of Lake, McCarthy of San Francisco, McComas, McDade, McIntosh, Merry, Messenger, Morse, Mulholland, Sayle, Simon, Sherburn, Spencer, Stoddard, Streeter, Sweetland, Walker, Ward, Wasson of Mono, and York—56.

INTRODUCTION OF BILLS BY PERMISSION.

By Mr. Fox—An Act to transfer the records, papers, and business of the Courts existing on the thirty-first day of December, eighteen hundred and seventy-nine, in this State, to the Courts now existing therein.

Read by title, the Chair ruling that reading by title will constitute the first and second readings.

Mr. Carr of Yuba appealed from the ruling of the Chair, which appeal was seconded by Mr. Tyler.

Pending discussion, Mr. Tyler withdrew his second, and moved that the question be referred to the Judiciary Committee for an opinion.

So ordered.

By Mr. Fox—An Act to amend sections one hundred and forty-seven, one hundred and forty-eight, and one hundred and forty-nine of an Act entitled "An Act to establish a Code of Civil Procedure," approved March eleventh, eighteen hundred and seventy-two, relating to the seals of Courts.

Also, an Act to amend sections two hundred and seventy-five, two hundred and seventy-six, and two hundred and eighty-seven of an

Act entitled an Act to establish a Code of Civil Procedure, approved March eleventh, eighteen hundred and seventy-two, relating to attorneys and counselors at law.

Each of the above bills read first time, and referred to Judiciary Committee.

Mr. Carr of Yuba objected to the further introduction of bills without notice.

The Speaker here announced the following appointments:

Porters—John D Boop, Wm Hines, R. A. Hall, and H O Johnson.
Pages—Masters John McLaughlin, Curry Goods, Chas. L Murple, and Elwood Johnson.

RESOLUTIONS.

By Mr. Young:

Resolved, That we do now proceed to the election of a Chaplain for the Assembly

Mr. Cooper moved the indefinite postponement of the resolution.

Upon which motion the ayes and noes were demanded by Messrs. Merry, Braunhart, and Gaffey

Pending discussion of the motion, Mr. A. B. DuBrutz, member elect from Tulare and Kern Counties, appeared and took the oath of office.

At three o'clock and fifteen minutes P. M., Mr. Hardy moved to adjourn until to-morrow, at eleven o'clock A. M.

Lost

The roll was called on the motion to indefinitely postpone, and the motion was rejected by the following vote:

AYES—Messrs. Anthony, Braunhart, Burns, Carr of Yuba, Cooper, Corcoran, Cuthbert, Gaffey, Levee, Maguire, Maybell; McCallion, McCarthy of San Francisco, McDade, Stoddard, and Wasson of Mono—16

NOES—Messrs Adams, Bass, Bennett, Brooks, Brown of Sonoma, Brown of Yuba, Bruner, Brusie, Cannon, Carr of Sacramento, Chamberlain, Chandler, Coffman, Coleman, Cook, Del Valle, Dimond, Downs, DuBrutz, Durham, Estey, Felton, Finlayson, Fox, Fraser, Frink, Garibaldi, Gorley, Green, Hardy, Harris, Hershy, Hynes, Josselyn, Lane, Leach, Leadbetter, Mathews, May, McCarty of Lake, McIntosh, Merry, Messenger, Morse, Mulholland, Nelson, Picket, Sayle, Simon, Sherburn, Spencer, Streeter, Sweetland, Tyler, Walker, Ward, Wason of Ventura, Watson, York, Young, and Mr. Speaker—61.

Mr. Merry offered the following as a substitute for the original resolution:

Resolved, That the clergymen of Sacramento be cordially invited to open the sessions of the Assembly with prayer, in such order as they may among themselves determine.

Ruled out of order.

The resolution was then adopted.

ELECTION OF CHAPLAIN.

Nominations being declared in order, Mr. Tyler nominated the Reverend Mr. Bentley.

Mr. McCarty of Lake nominated the Reverend T. H. B. Anderson.

The roll was called, with the following result:

For Bentley—Messrs. Adams, Anthony, Bass, Bennett, Brooks, Brown of Yuba, Bruner, Brusie, Cannon, Carr of Sacramento, Chamberlain, Chandler, Coleman, Dimond, Downs, Durham, Estey, Finlayson, Fox, Fraser, Frink, Gorley, Green, Hardy, Leach, Leadbetter, May, McComas, McIntosh, Merry, Morse, Mulholland, Nelson, Sherburn, Stoddard, Streeter, Tyler, Ward, Wason of Ventura, Wasson of Mono, Watson, York, Young, and Mr. Speaker.

For Anderson—Messrs. Brown of Sonoma, Burns, Cook, Cooper, Corcoran, Cuthbert, Del Valle, DuBrutz, Felton, Garibaldi, Harris, Hershy, Hynes, Josselyn, Lane, Levee, Maguire, Mathews, Maybell, McCarty of Lake, Picket, Simon, Spencer, Sweetland, and Walker.

For Tyler—Messrs. Carr of Yuba, Gafley, McDade, Messenger, and Sayle

For Smith—McCarthy of San Francisco

Whole number of votes cast	74
Necessary to a choice	38
Mr. Bentley received	43
Mr. Anderson received	25
Dr. Smith received	1
Mr. Tyler received	5

Mr. Bentley, having received a majority of all the votes cast, was declared elected Chaplain of the Assembly.

The Speaker here announced, as a committee to ascertain and report the amount due as mileage and per diem to temporary officers of this House, Messrs. Fraser, McCarthy of San Francisco, and Hardy.

NOTICES.

By Mr. Fox:

MR. SPEAKER I hereby give notice that I will, to-morrow, introduce an Act to amend certain sections of the Code of Civil Procedure, relating to Courts of justice and judicial officers.

Also:

MR. SPEAKER I hereby give notice that I will, to-morrow, introduce an Act to amend an Act entitled "An Act to regulate and govern the State Prison of California," approved April third, eighteen hundred and seventy-six

RESOLUTIONS.

By Mr. McComas:

Resolved, That the Chief Clerk and the Minute Clerk of this House be each authorized to appoint an Assistant for the period of four days, at the same per diem as is allowed the Chief Clerk and the Minute Clerk, *payable out of the Contingent Fund of the Assembly.*

Adopted.

By Mr. Corcoran:

Resolved, That no compensation be given to any person for acting as Chaplain of the Assembly.

By Mr. Young:

Resolved, That the Chaplain of the Assembly receive a salary of five dollars per diem, to be paid out of the Assembly Contingent Fund.

Referred to the Committee on Employés and Attachés.

NOTICE.

By Mr. May:

MR. SPEAKER I give notice that, on to-morrow, I will introduce a bill to define and govern the State Prisons of California.

ADJOURNMENT.

At three o'clock and fifty minutes P. M., on motion of Mr. McComas, the House adjourned to meet to-morrow, at eleven A. M.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Wednesday, January 7th, 1880.

House met pursuant to adjournment.
Speaker in the chair.
Roll called and a quorum present.
Prayer by the Chaplain.
Journal of yesterday read and approved.
Two days' leave of absence was granted to Mr. Stanley.
The Speaker announced the appointment of the following committees:

Committee on Rules—Messrs. Young, Merry, Fox, Garibaldi, and Coffman.
Judiciary Committee—Messrs Fox, Morse, Tyler, Merry, Young, Brunner, Del Valle, Wason of Ventura, Hardy, McCarthy of San Francisco, Cooper, Corcoran, and Walker.
Committee on Attachés and Employés—Messrs Cannon, Brooks, Gorley, Streeter, and Morse.
Joint Committee to wait on Governor and Lieutenant-Governor, on the part of the Assembly—Messrs Tyler, McCarty of Lake, and Del Valle
Committee to wait on the Governor, to inform him of the organization of the House—Messrs. Merry, Braunhart, and Spencer.

REPORT.

By Mr. McCarthy of San Francisco:

ASSEMBLY CHAMBER, SACRAMENTO, January 6th, 1880.

MR SPEAKER: The San Francisco delegation, to whom was referred Assembly Bill No 1—An Act to repeal an Act entitled "An Act to authorize the City and County of San Francisco to provide and maintain public water-works for said city and county, and to condemn and purchase private property for that purpose," approved March twenty-seventh, eighteen hundred and seventy-six—report the same back, with a recommendation that it do pass, and a further recommendation that it be put upon its final passage as speedily as possible.
Eighteen members present and voting. Ayes, 17, noes, 1.

MOTIONS AND RESOLUTIONS.

By Mr. Corcoran:

Resolved, That the Postmaster be authorized to appoint a Post-office Page at a per diem of three dollars, payable out of the Contingent Fund of the Assembly.

Referred to Committee on Attachés and Employés.
By Mr McCarthy of San Francisco:

Resolved, That the San Francisco delegation be and is hereby authorized to employ a Clerk, at the same per diem as is paid to Clerks of other committees, the compensation to be paid out of the Contingent Fund of the Assembly.

Referred to Committee on Attachés and Employés.
By Mr Hardy:

Resolved. That the Sergeant-at-Arms of the Assembly be and he is hereby authorized to appoint a Porter for the Committee Rooms of the Assembly, at the same per diem allowed to other Porters, to be paid out of the Contingent Fund of the Assembly.

Referred to Committee on Attachés and Employés.
By Mr. Leach:

Resolved, That under the authority of section twenty-three, article four, of the Constitution, the Sergeant-at-Arms and Secretary of State be and are hereby instructed to furnish to each member, upon his order, such newspapers, postage stamps and stationery as they may require, the whole not exceeding a cost of twenty-five dollars; *provided*, in case that there be members who prefer to purchase their own supplies, they be allowed to do so, and that at the end of the session such members be allowed the sum of twenty-five dollars in addition to their per diem.

Adopted.
By Mr. Chandler:

Resolved, That the Sergeant-at-Arms be and he is hereby authorized and directed to take from the post-office and express office the letters and papers for members, and deliver the same at the Assembly Chamber to the Postmistress of the Assembly.

Adopted.
By Mr. Brooks:

Resolved, That the Speaker of the Assembly be permitted to appoint a Page for the Speaker's desk, at the same per diem as the other Pages of the Assembly receive.

Referred to the Committee on Employés and Attachés.
By Mr. Merry:

Resolved, That Master William H. Carlson be appointed Post-office Page of the Assembly, at the same per diem as is allowed by law to the other Pages of the Assembly, to be paid out of the fund for the contingent expenses of the Assembly.

Referred to the Committee on Employés and Attachés.

SENATE MESSAGES.

The following messages were received from the Senate:

SENATE CHAMBER, SACRAMENTO, January 6th, 1880.

MR. SPEAKER: I am directed to inform your honorable body that the Senate is now ready for business, having completed its organization by the election of the following officers: Hon. Geo. F. Baker, President pro tem.; M. D. Boruck, Secretary; James A. Orr, Assistant Secretary; John R. Brierly, Assistant Secretary; A. Wasson, Sergeant-at-Arms; G. Meredith, Assistant Sergeant-at-Arms; W. R. Lambert, Minute Clerk; Charles H. Graham, Journal Clerk; E. A. Roberts, Enrolling Clerk; E. E. Ames, Engrossing Clerk; W. A. Crawford, Postmaster.

M. D. BORUCK, Secretary of Senate.

SENATE CHAMBER, SACRAMENTO, January 6th, 1880.

MR. SPEAKER: I am directed by the Senate to inform you that the Senate this day passed Senate Concurrent Resolution No. 1, relative to the appointment of a committee to make arrangements for the inauguration ceremonies.

M. D. BORUCK, Secretary.

Senate Joint Resolution No. 1, above reported, was concurred in.

SENATE CHAMBER, SACRAMENTO, January 7th, 1880.

MR. SPEAKER: I am directed by the Senate to inform your honorable body that the Senate has concurred in Assembly Concurrent Resolution No. 1, relative to meeting in Joint Convention to canvass the vote for Governor and Lieutenant-Governor.

Also, concurred in Assembly Concurrent Resolution No. 2, relative to the appointment of a joint committee to wait upon the Governor elect, and appointed Senators Dickinson, Johnston, and Satterwhite as such committee on the part of the Senate.

Also, concurred in Assembly Concurrent Resolution No. 3, relative to the appointment of a joint committee to wait on the Governor and inform him of the organization of the Legislature, and has appointed Senators Pardee, Watson, and Brown, as such committee on the part of the Senate.

M. D. BORUCK, Secretary.

NOTICES.

By Mr. Bruner:

I hereby give notice that, on to-morrow, I will introduce a bill to provide for the appointment of Court Commissioners, and to define their duties.

By Mr. May:

MR. SPEAKER: I give notice that, at an early day, I will introduce a bill to repeal an Act empowering the Board of Supervisors of the City and County of San Francisco to appoint a Boiler Inspector.

By Mr. Gorley:

MR. SPEAKER: I hereby give notice that, on to-morrow, I shall introduce the following bills:

An Act entitled an Act to define the rights and privileges of aliens in the State of California, of those who are not eligible for citizenship, and of those who do not intend to make the United States or this State their permanent place of residence.

An Act entitled an Act to punish and prevent crime, and to secure to the State of California a higher standard of morality.

An Act entitled an Act to punish and prevent malfeasance in office, embezzlement, defalcation, and peculation on the public funds of this State.

An Act entitled an Act to secure to the children of this State such an education as will tend to promote a love for their country and its institutions, and protect and secure a republican form of government forever.

An Act entitled an Act to define and to limit the rights of land owners in the State of California.

Also:

MR. SPEAKER: I hereby give notice that I will, on to-morrow, introduce an Act entitled an Act to limit and regulate the sale of mining and other stocks.

By Mr. Cuthbert:

MR. SPEAKER: I hereby give notice that, on to-morrow, I will introduce a bill for the protection of citizens engaged in business against alien competition.

By Mr. May:

MR. SPEAKER: I give notice that, on to-morrow, I will introduce a bill in relation to certain deputies and assistants of County Clerks.

By Mr. McCarty of Lake:

I hereby give notice that, at an early day, I will introduce an Act to establish and regulate public schools in the State of California.

RECESS.

At eleven o'clock and forty-six minutes A. M., on motion of Mr. McCarthy of San Francisco, the House took a recess till eleven o'clock and fifty-nine minutes A. M.

RE-ASSEMBLED.

House re-assembled at eleven o'clock and fifty-nine minutes A. M.
Speaker in the chair.
Roll called, and a quorum present.

IN JOINT CONVENTION—PROCEEDINGS OF JOINT CONVENTION TO CANVASS THE RETURNS OF THE ELECTION FOR GOVERNOR AND LIEUTENANT-GOVERNOR

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

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

The roll of Senators was called by the Secretary of the Senate, and the following Senators found to be present:

Messrs. Anderson, Baker, Burt, Brown, Carlock, Chase, Cheney, Conger, Davis, Dickinson, Enos, George, Glascock, Gorman, Harlan, Hill, Hittell, Hudson, Johnson, Johnston, Kane, Kelly, Lampson, Langford, Moreland, Nelson, Neumann, Nye, Pardee, Pool, Rowell, Ryan, Satterwhite, Sears, Traylor, Watson, Wendell, West, and Zuck—39.

The roll of Assemblymen was called by the Clerk of the Assembly, and the following Assemblymen found to be present:

Messrs. Adams, Anthony, Bass, Bennett, Braunhart, Brooks, Brown of Sonoma, Brown of Yuba, Bruner, Brusie, Burns, Cannon, Carr of Sacramento, Carr of Yuba, Chamberlain, Chandler, Collins, Coleman, Cook, Cooper, Corcoran, Cowdery, Cuthbert, Del Valle, Dimond, Downs, DuBrutz, Durham, Estey, Felton, Finlayson, Fox, Fraser, Frink, Garibaldi, Gaffey, Gorley, Green, Hardy, Harris, Hershy, Hynes, Josselyn, Lane, Leach, Leadbetter, Levee, Maguire, Mathews, May, Maybell, McCallion, McCarty of Lake, McCarthy of San Francisco, McConnas, McDade, McIntosh, Merry, Messenger, Morse, Mulholland, Nelson, Picket, Sayle, Simon, Sherburn, Spencer, Stoddard, Streeter, Sweetland, Tyler, Walker, Ward, Wason of Ventura, Wasson of Mono, Watson, York, and Young—78.

The Secretary of the Senate read the Senate Joint Resolution, authorizing the Joint Convention.

The President of the Senate appointed as Tellers, on the part of the Senate, Senators Satterwhite and Conger.

The Speaker of the Assembly appointed as Tellers, on the part of the Assembly, Messrs. Fox and McCarty of Lake.

The Tellers announced that the canvass of the votes cast at the last general election, held on the third day of September, eighteen hundred and seventy-nine, for Governor and Lieutenant-Governor, was as follows:

FOR GOVERNOR.

George C. Perkins	67,966
Hugh J. Glenn	47,665
W. F. White	44,482
A. G. Clark and scattering	117
Whole number of votes cast for Governor	160,230

FOR LIEUTENANT-GOVERNOR.

John Mansfield	67,284
D. C. Reed	19,933
Levi Chase	31,226
W. R. Andrews	42,410
Geo. Barnwell	73
Scattering	5
Whole number of votes cast for Lieutenant-Governor	160,931

The Speaker thereupon declared the result, as certified by the Secretary of State and the Tellers of the Convention, to be: Total number of votes cast for Governor, one hundred and sixty thousand two hundred and thirty, and that George C. Perkins having received a plurality of all the votes cast, was duly elected Governor of the State

of California; and that John Mansfield having received a plurality of all the votes cast at said general election for Lieutenant-Governor, was duly elected Lieutenant-Governor of the State of California, according to the Constitution and the laws of this State.

RECESS.

The Joint Convention now took a recess till eleven o'clock and forty-five minutes A. M. to-morrow.

IN ASSEMBLY.

At one o'clock and fifteen minutes, P. M., on motion of Mr. McCarthy of San Francisco, the House took a recess till two o'clock and thirty minutes P. M. this day.

RE-ASSEMBLED.

House re-assembled at two o'clock and thirty minutes P. M.
Speaker Cowdery in the chair.
Roll called, and quorum present.
The Speaker announced the following committees:

On Military Affairs—Messrs. Gorley, Brown of Yuba, Ward, Hynes, and Lane.
On Inauguration of Governor Elect—Messrs. Brown of Yuba, Sweetland, and Ward.

SECOND READING AND REFERENCE OF BILLS.

Assembly Bill No. 1—An Act to repeal an Act to authorize the City and County of San Francisco to provide and maintain public water-works for said city and county, and to condemn and purchase private property for that purpose, approved March twenty-seventh, eighteen hundred and seventy-six

Read second time, and ordered on file.

Assembly Bill No. 2—An Act entitled an Act to make the Code of Civil Procedure and the Penal Code of California the rule of action in the Courts as at present organized.

Read second time, and referred to Judiciary Committee.

Assembly Bill No. 3—An Act for the protection of laborers on public works.

Read second time, and referred to Judiciary Committee.

Assembly Bill No. 4—An Act to amend section four hundred and thirty-five of the Penal Code, in relation to the issuance of licenses to aliens.

Read second time, and referred to Judiciary Committee.

Assembly Bill No. 5—An Act to amend section three thousand and fifty-nine of the Political Code, in relation to the issuance of licenses to aliens.

Read second time, and referred to Judiciary Committee.

Assembly Bill No. 6—An Act to transfer the records, papers and business of the Courts existing on the thirty-first day of December, eighteen hundred and seventy-nine, in this State, to the Courts now existing therein.

Read second time, and referred to Judiciary Committee.

Assembly Bill No. 7—An Act to amend sections one hundred and forty-seven, one hundred and forty-eight, and one hundred and forty-

nine of an Act entitled an Act to establish a Code of Civil Procedure, approved March eleventh, eighteen hundred and seventy-two, relating to seals of Courts.

Read second time, and referred to Judiciary Committee.

Assembly Bill No. 8—An Act to amend sections two hundred and seventy-five, two hundred and seventy-six, and two hundred and eighty-seven of an Act entitled an Act to establish a Code of Civil Procedure, approved March eleventh, eighteen hundred and seventy-two, relating to attorneys and counselors at law.

Read second time, and referred to Committee on Judiciary.

INTRODUCTION OF BILLS.

The following bills were introduced, read first time, and ordered on file:

By Mr. May—An Act to define, regulate, and govern the State Prisons of California, and to amend and supplement an Act to govern the California State Prison, approved April third, eighteen hundred and seventy-six.

By Mr. Fox—An Act to amend the Political Code on the subject of licenses.

RESOLUTIONS.

By Mr. McComas:

Resolved, That the Chief Clerk be authorized to make requisitions on the Superintendent of Printing for all blanks or printing needed for the use of this Assembly.

Adopted.

INTRODUCTION OF BILLS.

The following bills were introduced, read first time, and ordered on file:

By Mr. Fox—An Act to repeal an Act entitled an Act to authorize the City and County of San Francisco to provide and maintain public water-works for said city and county, and to condemn and purchase private property for that purpose, approved March thirtieth, eighteen hundred and seventy-four.

Also, an Act to repeal chapter four, of title one, of part two, of the Political Code, and all laws creating judicial districts in this State, defining the boundaries thereof, and fixing the terms of Court therein.

Also, an Act to repeal an Act entitled an Act to establish water rates in the City and County of San Francisco, approved March first, eighteen hundred and seventy-six, and an Act amendatory of and supplementary to the same, approved April third, eighteen hundred and seventy-six

Also, an Act to amend an Act entitled an Act to regulate and govern the California State Prison, approved April third, eighteen hundred and seventy-six.

Also, an Act to amend sections thirty-three, thirty-four, thirty-five, thirty-six, forty, forty-three, forty-four, forty-six, forty-seven, forty-eight, forty-nine, fifty, fifty-one, eighty-two, eighty-three, eighty-four, eighty-five, eighty-six, eighty-nine, ninety, one hundred and twelve, one hundred and thirteen, one hundred and fourteen, one hundred and fifteen, one hundred and eighteen, one hundred and thirty, one hundred and thirty-four, one hundred and forty-four, one hundred

and fifty-six, one hundred and fifty-seven, one hundred and fifty-eight, one hundred and sixty-one, one hundred and sixty-six, one hundred and seventy-two, one hundred and seventy-three, one hundred and seventy-nine, one hundred and eighty-four, one hundred and eighty-five, two hundred and fifty-eight, two hundred and fifty-nine, two hundred and sixty-five, two hundred and sixty-six, two hundred and seventy-three, nine hundred and eighteen, of an Act entitled an Act to establish a Code of Civil Procedure, approved March eleventh, eighteen hundred and seventy-two, relating to Courts of justice and judicial affairs.

By Mr. Braunhart—An Act to create and maintain a Bureau of Statistics of Land, Labor, and Capital.

Also, an Act for the protection of patients from extortion by dishonest physicians and druggists.

NOTICE.

By Mr. Sweetland:

MR SPEAKER: I shall introduce, on Monday next, a bill to amend section four thousand two hundred and four of the Political Code, relating to County Clerks.

INTRODUCTION OF BILL.

By Mr Sinon—An Act to repeal section four hundred and twenty of the Penal Code

Read first time, and ordered on file.

RESOLUTIONS.

By Mr. Fox:

Be it resolved, That the Postmaster be authorized to appoint a Post-office Page at a per diem of three dollars, payable out of the Contingent Fund of the Assembly.

Referred to Committee on Attachés and Employés.

By Mr. McCarthy of San Francisco:

Resolved, That the San Francisco delegation be and are hereby authorized to employ a Clerk at the same per diem as is paid to Clerks of other committees, the compensation to be paid out of the Contingent Fund of the Assembly.

Referred to Committee on Attachés and Employés.

INTRODUCTION OF BILLS.

The following bills were read first time, and ordered on file:

By Mr. McCallion—An Act to compel banking corporations, and all other persons and every person doing a banking business, to publish and record a statement of the accounts of all deceased persons.

By Mr. Corcoran—An Act entitled an Act to authorize the County of San Joaquin to issue bonds for the redemption of the bonds of said county, issued to the Big Tree and Carson Valley Turnpike Company, which became due on or about the eighth day of August, eighteen hundred and seventy-eight, and to provide for the payment of the same.

NOTICES.

By Mr. Merry:

MR. SPEAKER: I hereby give notice that I will, at an early day, introduce a bill to regulate the price of illuminating gas furnished to consumers in all cities and cities and counties having a population of one hundred thousand inhabitants and over.

By Mr. McCallion:

MR SPEAKER: I give notice that I will, to-morrow, present a bill to provide for the keeping of accounts in the English language.

Mr. Tyler (by permission) introduced a concurrent resolution in relation to the appointment of Mr. Swift as Minister to China.

Upon the adoption of which the ayes and noes were demanded by Messrs. Braunhart, Lane, and Wason of Ventura.

The roll was called, and the resolution adopted by the following vote:

AYES—Messrs Adams, Anthony, Bass, Bennett, Brooks, Brown of Sonoma, Bruner, Brusie, Cannon, Carr of Sacramento, Chamberlain, Chandler, Coffman, Coleman, Cook, Cooper, Corcoran, Cuthbert, Del Valle, Dumond, Downs, DuBrutz, Durham, Estey, Felton, Finlayson, Fox, Fraser, Frink, Garibaldi, Gaffey, Green, Hardy, Harris, Hershy, Hynes, Josselyn, Lane, Leach, Leadbetter, Levee, Magune, Mathews, May, Maybell, McCallion, McCarty of Lake, McCarthy of San Francisco, McConnas, McDade, McIntosh, Merry, Messenger, Morse, Mulholland, Nelson, Picket, Sayle, Simon, Sherburn, Spencer, Stoddard, Streeter, Tyler, Walker, Wason of Ventura, Watson, York, Young, and Mr. Speaker—68.

NOES—Messrs Braunhart, Burns, and Carr of Yuba—3.

Mr. Braunhart gave notice of a motion to reconsider to-morrow.

ADJOURNMENT.

At three o'clock and fifty minutes P. M., Mr. Levee moved to adjourn until ten o'clock A. M. to-morrow.

Adopted.

IN ASSEMBLY.

ASSEMBLY CHAMBER.
Thursday, January 8th, 1880.

House met pursuant to adjournment.

Speaker in the chair.

Roll called, and a quorum present.

Prayer by the Chaplain.

Minutes read and approved.

Mr. Braunhart, by permission, withdrew his notice of reconsideration.

The Speaker presented the papers in the contested election case of Kellogg *vs.* Mulholland, which was referred to Committee on Elections.

REPORTS OF STANDING COMMITTEES.

Mr. Cannon, from the Committee on Attachés and Employés, made the following reports:

MR. SPEAKER: Your Committee on Attachés and Employés, to whom was referred the following resolution, report favorably upon the same, and recommend its adoption.

CAMRON, Chairman.

Resolved, That the Sergeant-at-Arms is hereby authorized to appoint a Clerk, at the same per diem as is allowed to the Assistant Clerks at the desk, payable out of the Contingent Fund of the Assembly.

Adopted.
Also:

MR. SPEAKER: Your Committee on Attachés and Employés, to whom was referred the following resolution, report the same back to the Assembly with the following amendment: "At the same per diem as that allowed to Clerks at the desk," instead of "at the same per diem as that allowed to members," and recommend it be adopted as amended.

CAMRON, Chairman.

Resolved, That the Judiciary Committee be and they are hereby authorized to appoint a Clerk at the same per diem as that allowed to members.

Resolution adopted as amended by the committee.
Also:

MR. SPEAKER: Your Committee on Attachés and Employés, to whom was referred the following resolution, report favorably, and recommend its adoption.

CAMRON, Chairman.

Resolved, That the Speaker of the Assembly be permitted to appoint a Page for the Speaker's desk at the same per diem as the other Pages of the Assembly receive.

Adopted.
The Speaker appointed Murray Callen a Page in accordance with the foregoing resolution.
Also:

MR. SPEAKER: Your Committee on Attachés and Employés, to whom was referred the following resolution, report favorably upon the same, and recommend its adoption.

CAMRON, Chairman.

Resolved, That the Chaplain of the Assembly receive a salary of five dollars per diem, to be paid out of the Assembly Contingent Fund.

Adopted.
Also:

MR. SPEAKER: Your Committee on Attachés and Employés, to whom was referred the following resolution, beg leave to report the following amendment: "*Resolved*, That the Journal Clerk be and is hereby authorized to appoint an Assistant Journal Clerk for the Assembly, at the same per diem as other Assistant Clerks at the desk, to be paid out of the appropriation for the expense of the Assembly Contingent Fund"—and recommend the adoption of the same.

CAMRON, Chairman.

Resolved, That the Committee on Attachés and Employés be instructed to report to this House the name of a suitable person for Assistant Journal Clerk.

Resolution amended, as reported by the committee, and adopted.
Also:

MR. SPEAKER: Your Committee on Attachés and Employés, to whom was referred the following resolution, report the same back to the Assembly, and recommend that it be adopted.

CAMRON, Chairman.

Resolved, That Master Wm. H. Carlson be appointed Post-office Page of the Assembly, at the same per diem as is allowed by law to the other Pages of the Assembly, to be paid out of the fund for the contingent expenses of the Assembly.

Adopted.
By Mr. Fox:

MR. SPEAKER: The Judiciary Committee have had under consideration the question submitted to it in reference to the requirements of the Constitution in regard to the reading of bills, and herewith submit the following report

The question submitted was not put in regular form, but as your committee understand it from the debate which occurred at the time of the reference, the opinion of the committee is desired as to whether or not the Constitution requires that bills should be read at length on three several days before their final passage. The provision of the Constitution on the subject is found in article four, section fifteen, which reads as follows:

"SEC. 15. No law shall be passed except by bill. Nor shall any bill be put upon its final passage until the same, with the amendments thereto, shall have been printed for the use of the members, nor shall any bill become a law unless the same be read on three several days in each House, unless, in case of urgency, two-thirds of the House where such bill may be pending shall, by a vote of yeas and nays, dispense with this provision. Any bill may originate in either House, but may be amended or rejected by the other, and on the final passage of all bills they shall be read at length, and the vote shall be by yeas and nays upon each bill separately, and shall be entered on the journal; and no bill shall become a law without the concurrence of a majority of the members elected to each House."

It is a long and well established rule of judicial decision, that words are to be taken in their common acceptation when not used in a technical sense. This has many times been held by our ablest jurists, where the language of Constitutions was the subject of consideration and construction. The converse of the proposition is equally well established, that words, when used in a technical sense, are to be construed according to their technical meaning, no matter what may be their common acceptation. It is also well established that in construing the provisions of a Constitution, the terms used are to be construed in the light of, and in the sense in which, the same terms were used and understood before and at the time of the adoption of the Constitution.

Long before the adoption of the Constitution of this or any other State in this Nation, the rule requiring three readings of a bill, or that a bill should be read three several times before its passage, had come to have a well defined and universally accepted technical, parliamentary meaning, and our Constitution was adopted in the light of that understanding. The rule was established before the art of printing was invented, or at least before it was generally practiced, and then required three readings at length, as being the only means by which the members of Parliament could be informed as to the subject-matter and the form of the proposed law. But after printing came into general practice, legislators came to rely upon their own reading, and not upon that of the Clerk, and the "three readings" came to be merely nominal, marking the stages of progress in the passage of the bill, the Clerk confining himself to merely reading the title and the first few words.

This has been the accepted interpretation of the term, and the practice under it, for more than a hundred years. In the light of this interpretation and practice, our Constitution was framed and adopted. It would do violence to every rule of construction that has been established by the Courts of the land, to hold that a provision which required that a bill should be read three times before it was passed (a provision found in a majority of our State Constitutions) required that each reading should be at length, unless so expressly stated. The fact that it must be read on three several days does not change the mode of reading, but simply prohibits the three readings, or any two of them, being on one day, except in case of urgency, when the provision may be dispensed with.

Prior to the adoption of the present Constitution there was no provision in the fundamental law on the subject of either the reading or printing of bills, and yet the Legislature has acted under the rule requiring "three readings" of a bill before it was passed. Under the practice, however, it has not unfrequently happened that bills, some of which were never printed, have never been read at length—the title simply being read, and the House accepting the statement of the author as to the character and scope of the bill. At other times, when a bill was read at length on the second reading and passed to engrossment, it was not read after engrossment on its final passage. Under the first of these practices bills have been passed which, when they came to be published as laws of the State, have been found to contain provisions very different from those which the members supposed were in them when passed, and under the second it has been charged that words have been surreptitiously inserted into bills to which the House had not agreed. It was to prevent these evils that the framers of the Constitution wisely provided that no bill can be passed until it has been printed for the use of the members, and that every bill shall be read at length on its final passage. But it has not compelled either House to cause the bill to be read at length on any other occasion. This is also apparent from the application of the familiar rule, that the expression of the one excludes the other. The term "three readings," having a well known parliamentary meaning, which did not of itself require any reading at length, when the framers of the Constitution required that every bill should have "three readings," and in express terms required that one of those "readings" should be "at length," they fairly excluded the idea of compelling either of the others to be of the same character, and left the other readings to be according to parliamentary meaning and practice.

Your committee are, therefore, of opinion that the Constitution requires that every bill shall be read at length upon its final passage in each House, but that neither House is required to have it read at length at any other stage of its progress. It may do so at its pleasure, but is not compelled to do so.

Unanimously adopted in full committee. FOX, Chairman.

Adopted.
Also:

MR SPEAKER The Judiciary Committee have had under consideration Assembly Bill No. 6—"An Act to transfer the records, papers, and business of the Courts existing on the thirty-first day of December, eighteen hundred and seventy-nine, in this State, to the Courts now existing therein"—and now report the same back, with certain amendments, unanimously adopted by the committee, and recommend the passage of the same as amended.

FOX, Chairman.

REPORTS BY SELECT COMMITTEES.

MR. SPEAKER We, the committee appointed to ascertain and report the amounts due as per diem and mileage of the officers and attaches of the last session, for services rendered in the organization of the present House, make the following report

The following persons, being present as required by the Statute, are entitled to pay as follows

A. J Dobbins, Minute Clerk, two days, and mileage	$28 00
J. M. Farrelly, Sergeant-at-Arms, two days, and mileage	41 20

We also recommend the payment of the following, for services rendered in the organization of the present session.

W. M. Ord, Assistant Clerk, three days	$24 00
E L. Crawford, Assistant Clerk, two days	16 00
R J. Walsh, Assistant Sergeant-at-Arms, two days	12 00
Frank Morse, Postmaster, two days	6 00
George Hofmeister, Page, two days	6 00
Murray Callen, Page, two days	6 00
Hampton Whitiker, Porter, two days	8 00
Samuel Heaton, Porter, two days	8 00
John Ireland, Porter, two days	8 00

Resolved That the Controller be ordered to draw warrants in favor of the above persons, for the amounts set opposite each of their names, respectively, and that the Treasurer pay the same out of the Contingent Fund of the Assembly

THOS FRASER, }
J J McCARTHY, } Committee.
L. J. HARDY, JR., }

Report concurred in, and the resolution adopted.
By Mr. Merry.

MR SPEAKER Your committee, appointed to wait upon Governor Irwin and inform him of the organization of the House, beg leave to report, that they have performed the duty assigned to them, and have been informed by the Governor that he had transmitted his message to the Senate, with the request that a copy of the same be transmitted by the Senate to the Assembly

T. H. MERRY,
S. BRAUNHART,
J. D. SPENCER.

[Speaker pro tem. in the chair.]

RESOLUTIONS.

By Mr. Tyler:

Resolved, That the Sergeant-at-Arms be empowered to procure some suitable person to repair the Assembly clock, to be paid out of the Contingent Fund of the House.

Adopted.
Also:

Resolved That the Sergeant-at-Arms be empowered to procure a box at the Post-office for the Assembly use, the expense thereof to be paid out of the Contingent Fund of the House.

Adopted
By Mr. May:

WHEREAS, No certificate of membership in this Assembly has been presented by any person claiming a right to represent the County of Napa and, whereas, it is suggested that the Hon. William J. Maclay, member elect from that county, is deceased, therefore,

Resolved, That the Speaker of this House certify such vacancy to the Governor, and request him to order an election to fill the same.

Adopted.

By Mr. Bruner:

Resolved, That the Sergeant-at-Arms be authorized to appoint a Mail Carrier, one Porter for Sergeant-at-Arms, one Porter for committee rooms, two Gatekeepers, one Doorkeeper, one Rear Porter.

Referred to Committee on Attachés and Employés.

By Mr. Young:

Resolved, That O. P. Dodge be and he is hereby appointed Watchman, to have charge of the gallery, at a per diem of four dollars, payable out of the appropriation for the contingent expenses of the Assembly.

Referred to Committee on Attachés and Employés.

Also:

Resolved, That P. Leavy be and he is hereby elected Porter to light and attend to the gas within this Assembly-room, whenever required for the use of this House, and that he be paid a salary of four dollars per diem therefor out of the Assembly Contingent Fund.

Referred to Committee on Attachés and Employés.

By Mr. Carr of Yuba:

WHEREAS, The Counties of Sacramento, El Dorado, Placer, Sutter, Yuba, Butte, Plumas, Sierra and Nevada, are most directly interested in the debris question, therefore, be it

Resolved, That the combined delegations of said counties constitute a Committee on Debris, to which shall be referred all matters relating thereto. The Committee shall have power to send for persons and papers, administer oaths, take testimony, and form sub-committees with all the before-mentioned powers.

Referred to the Committee on Rules and Regulations.

By Mr. McCallion:

Resolved, That no member shall be permitted to retain the floor in speaking to a question for more than five minutes at one time.

Laid on the table.

REPORTS.

MR. SPEAKER: The Judiciary Committee have had under consideration Assembly Bill No. 2—"An Act entitled an Act to make the Code of Civil Procedure and the Penal Code of California the rule of action in the Courts as at present organized"—and report the same back with certain amendments, unanimously adopted by the Committee, and recommend the passage of the bill as amended.

FOX, Chairman.

RECESS.

At eleven o'clock and six minutes A. M. Mr. Tyler moved to take a recess until twenty minutes before twelve M.

Carried.

RE-ASSEMBLED.

The House re-assembled at eleven o'clock and forty minutes A. M. Speaker pro tem. in the chair.

Roll called, and quorum present.

RESOLUTION

By Mr. Dimond:

Resolved, That the Speaker be empowered to appoint a Porter to take charge of the committee rooms, at the same per diem as fixed by law for other Porters of the Assembly, to be paid out of the Contingent Fund of the Assembly.

Referred to the Committee on Attachés and Employés.

SENATE MESSAGE.

SENATE CHAMBER, SACRAMENTO, January 8th, 1880.

MR. SPEAKER: I have been directed by the Senate to inform your honorable body that the Senate has, this day, concurred in Assembly Concurrent Resolution No. 4, relative to the appointment of Honorable J. F. Swift as United States Minister to China.

M. D. BORUCK, Secretary.

NOTICES.

By Mr. Young:

MR. SPEAKER: I hereby give notice that I shall, to-morrow, introduce a bill to repeal section twelve hundred and twenty-two (1222) of the Code of Civil Procedure of this State, relating to "contempts."

Also:

MR. SPEAKER: I hereby give notice that I shall, in a few days, introduce a bill to provide for the exemption of certain property from forced sale for taxes.

Also:

MR. SPEAKER: I hereby give notice that I shall, in a few days, introduce a bill continuing in full force and effect all school teachers' city, county and State certificates, educational diplomas, and life diplomas, and all other school teachers' certificates and diplomas issued in the State of California under and in pursuance of the law thereof on or before the thirty-first day of December, A. D. eighteen hundred and seventy-nine.

Also:

MR. SPEAKER: I hereby give notice that I shall to-morrow, introduce a bill to amend section eleven hundred and eleven (1111) of the Penal Code, concerning the testimony of an accomplice.

By Mr. Maybell:

MR. SPEAKER: I hereby give notice that I will, at an early day, present a bill relative to the appropriation of funds paid into the public treasury of any city or county of the State presented by donation.

By Mr. Merry:

MR. SPEAKER: I hereby give notice that I will, at an early day, introduce a bill to so amend the Civil and Penal Codes of California as to prevent the intermarriage of Chinese or Mongolians with persons of the white or Caucasian races.

By Mr. Leach:

MR. SPEAKER: I give notice that I will, to-morrow, introduce an Act to amend sections one thousand five hundred and ninety-nine, one thousand six hundred and three, one thousand six hundred and five, one thousand six hundred and eight, and one thousand six hundred and ten, of an Act entitled "An Act to establish a Penal Code," approved February fourteenth, eighteen hundred and seventy-two, relating to county jails.

Also, an Act to amend sections one thousand four hundred and eighteen and one thousand four hundred and nineteen of an Act entitled "An Act to establish a Penal Code," approved February fourteenth, eighteen hundred and seventy-two, relating to reprieves, commutations, and pardons.

Also, an Act to amend sections seven hundred and thirty-seven, seven hundred and forty-six, seven hundred and forty-nine and seven hundred and fifty-three, of an Act entitled "An Act to establish a Penal Code," approved February fourteenth, eighteen hundred and seventy-two, relating to impeachments.

Also, an Act to amend sections one thousand four hundred and seventy-five and one thousand five hundred and four of an Act entitled "An Act to establish a Penal Code," approved February fourteenth, eighteen hundred and seventy-two, relating to the writ of habeas corpus.

Also, an Act to amend an Act entitled "An Act to define the Senatorial and Assembly Districts of this State, and to apportion the representation thereof," approved March sixteenth, eighteen hundred and seventy-four.

Also, an Act to repeal all laws relating to Judicial Districts in this State.

Also, an Act to amend sections sixty-nine, seventy, eighty, one hundred and thirty-seven, two hundred and twenty-six, two hundred and forty-three, two hundred and forty-four, two hundred and forty-nine, two hundred and fifty-three, two hundred and fifty-eight, two hundred and sixty-five, two hundred and seventy-three, five hundred and ninety-six, five hundred and ninety-eight, six hundred and ninety-two, one thousand and forty-five, one thousand two hundred and forty-seven, one thousand two hundred and sixty-five, one thousand three hundred and sixty-three, one thousand three hundred and sixty-four, two thousand two hundred and eighty-three, two thousand two hundred and eighty-seven, two thousand two hundred and eighty-nine, three thousand four hundred and sixty-seven, three thousand four hundred and sixty-nine, of an Act entitled "An Act to establish a Penal Code," approved February fourteenth, eighteen hundred and seventy-two, conferring upon the Superior Courts, their Judges or officers, the jurisdiction and authority heretofore exercised in certain cases by the Courts abolished by the new Constitution, their Judges or officers.

Also, an Act to amend sections four hundred and seventy-four, six hundred and one, seven hundred and ninety-nine, nine hundred and nine, nine hundred and fifty, one thousand and fifteen, one thousand one hundred and eight, one thousand one hundred and nine, one thousand two hundred and eighty-four, one thousand three hundred and ten, two thousand two hundred and forty, two thousand three hundred and ninety-two, two thousand three hundred and ninety-three, two thousand four hundred and seven, two thousand four hundred and eight, two thousand four hundred and ten, two thousand four hundred and thirteen, two thousand four hundred and fifteen, two thousand eight hundred, two thousand eight hundred and fifty-two, three thousand two hundred and eighty-five, three thousand four hundred and ninety, four thousand and forty-seven, four thousand and seventy-eight, four thousand one hundred and thirty-four, four thousand one hundred and sixty-five, four thousand one hundred and ninety-two, four thousand two hundred and twenty-one, of an Act entitled "An Act to establish a Political Code," approved March twelfth, eighteen hundred and seventy-two, conferring upon the Superior Courts, their Judges or officers, the jurisdiction and authority heretofore exercised in certain cases by the Courts abolished by the new Constitution, their Judges or officers.

By Mr. Tyler:

Mr Speaker I hereby give notice that I shall, to-morrow, introduce a bill relative to donations, by individuals or corporations, to the State and the several counties thereof.

By Mr. Levee:

Mr Speaker I hereby give notice that I will, on to-morrow, introduce a bill to enforce section second of article nineteen of the Constitution of California.

By Mr. Carr of Yuba:

Mr Speaker I hereby give notice that I will, at an early day, introduce a bill providing for the submission to the people of an amendment to section seven, article nine of the Constitution, providing for a State Board of Education, etc

Also:

Mr. Speaker I hereby give notice that I will, at an early day, introduce a bill entitled "A bill to enforce section two, article nineteen of the Constitution of California," in reference to prohibiting corporations in this State from employing Chinese.

By Mr. DuBrutz:

Mr. Speaker I hereby give notice that I will, as soon as practicable, introduce a bill to amend subdivision number three of section number one thousand and twenty-two of the Civil Code of Procedure of the State of California.

Also:

MR SPEAKER I hereby give notice that I will, at the earliest possible time, introduce a bill to amend section two hundred and ninety-nine of the Civil Code, as amended and approved on March twenty-second, eighteen hundred and seventy-eight.

By Mr. Maybell:

MR SPEAKER I desire to give notice that I shall, on to-morrow, introduce an Act entitled an Act to secure the payment of workmen for labor performed either by contract or otherwise

By Mr. Braunhart:

MR SPEAKER I hereby give notice that I will, at an early day, introduce a bill relative to the prevention of the employment of Chinese by corporations.

Also, an Act to provide for the establishment of a uniform series of text-books for use in the public schools of the State.

Also:

MR SPEAKER: I hereby give notice that I will, to-morrow, introduce a bill relative to the election of fifteen freeholders, to frame a charter for cities containing more than one hundred thousand inhabitants, and to provide for the ratification of the same.

INTRODUCTION OF BILLS.

By Mr. May—An Act to repeal an Act, approved March twenty-seventh, eighteen hundred and seventy-six, entitled an Act for the appointment of Inspector of stationary steam-boilers, and steam-tanks, and for the better security of life and property, in the City and County of San Francisco.

Read first time, and ordered on file.

IN JOINT ASSEMBLY.

Thursday, January eighth, at eleven o'clock and forty-five minutes A. M., the Joint Assembly met pursuant to adjournment, in the Assembly Chamber, and was called to order by Senator Brown, in conjunction with the Speaker pro tem of the Assembly.

The rolls of the Senate and Assembly were called by the Secretary of the Senate and the Chief Clerk of the Assembly, and the following Senators and Assemblymen answered as being present:

Messrs. Anderson, Baker, Burt, Brown, Carlock, Cheney, Conger, Davis, Dickinson, Enos, George, Glascock, Gorman, Harlan, Hill Hittell, Hudson, Johnson, Johnston, Kane, Kelly, Lampson, Langford, Moreland, Nelson, Neumann, Nye, Pardee, Pool, Rowell, Ryan, Traylor, Watson, Wendell, West, and Zuck—37

Messrs. Adams, Anthony, Bass, Bennett, Braunhart, Brooks, Brown of Sonoma, Bruner, Brusie, Burns, Camron, Carr of Sacramento, Carr of Yuba, Chamberlain, Chandler, Coffman, Coleman, Cook, Cooper, Cuthbert, Del Valle, Dimond, Downs, DuBrutz, Durham, Estey, Felton, Finlayson, Fox, Fraser, Frink, Garibaldi, Gaffey, Green, Hardy, Harris, Hershy, Hynes, Josselyn, Lane, Leach, Leadbetter, Levee, Maguire, Mathews, May, Maybell, McCallion, McCarty of Lake, McCarthy of San Francisco, McComas, McDade, McIntosh, Merry, Messenger, Morse, Mullholland, Nelson, Picket, Sayle, Simon, Sherburn, Spencer, Stoddard, Streeter, Walker, Wason of Ventura, Wasson of Mono, Watson, York, Young, and Mr Speaker—72.

Quorum present.

Proceedings of Joint Assembly of yesterday were read and approved.

President Johnson and Speaker Cowdery in the chair

The Joint Committee on Inauguration Ceremonies presented at the bar of the Joint Assembly George C. Perkins, Governor elect, and John Mansfield, Lieutenant-Governor elect, and announced that they were in readiness to take the oath of office.

The oath of office was now administered by Judge S. C. Denson, to the Governor and Lieutenant-Governor elect, as follows:

OATH OF OFFICE OF THE GOVERNOR

I do solemnly swear that I will support the Constitution of the United States, and of the State of California, and that I will faithfully discharge the duties of the office of Governor of the State of California according to the best of my ability. So help me God

OATH OF OFFICE OF THE LIEUTENANT-GOVERNOR

I do solemnly swear that I will support the Constitution of the United States and of the State of California, and that I will faithfully discharge the duties of the office of Lieutenant-Governor of the State of California according to the best of my ability. So help me God.

Upon invitation of the presiding officer, the Rev. Mr. Dwinell now offered prayer.

The retiring Governor, the Hon. William Irwin, now introduced Governor Perkins, who delivered his inaugural address, as follows. [For inaugural address see Senate Appendix.]

Minutes of Joint Assembly read and approved.

The Joint Convention then adjourned *sine die*, on motion of Senator Baker.

IN ASSEMBLY—ADJOURNMENT.

Mr. Spencer, at two o'clock and forty-five minutes P. M., moved that the House do now adjourn in honor of the anniversary of the battle of New Orleans.

So ordered.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
FRIDAY, January 9th, 1880.

House met pursuant to adjournment.
Speaker Cowdery in the chair.
Roll called, and a quorum present.
Prayer by the Chaplain.
Journal of yesterday read and approved.

RESOLUTION.

By Mr. Tyler:

Resolved, That the message of Governor Perkins, delivered upon his inauguration yesterday, be referred to the Committee of the Whole House.

So ordered.

REPORT.

By Mr. Camron:

MR SPEAKER Your Committee on Attachés and Employés, to whom was referred the accompanying resolution, report the same back to the Assembly, without their approval, and recommend that it be not adopted

Resolved, That the Speaker of this House be authorized to appoint one Day Watchman, at a salary of four dollars per diem, one Night Watchman, at a salary of five dollars per diem, and one Paper-folder, at a salary of three dollars per diem, all payable out of the Contingent Fund of the Assembly.

But in lieu thereof offer the following substitute, and recommend the adoption of the substitute

Resolved, That the Speaker of the House be authorized to appoint one Day Watchman at a salary of three dollars per diem, one Night Watchman at a salary of four dollars per diem, and one Assistant Postmaster at a salary of three dollars per diem, all payable out of the appropriation for the contingent expenses of the Assembly

Mr. Merry moved to amend by providing that the Night Watchman receive five dollars per diem, instead of four dollars, as provided by the report of the committee.

Pending discussion, the amendment was withdrawn by Mr. Merry.

Mr. Braunhart moved to amend by authorizing the Postmistress to appoint her assistant, instead of the Speaker, as provided by the resolution.

So ordered.

The question recurring upon the adoption of the resolution, as amended, it was adopted.

The Speaker appointed as Day Watchman, M. A. Cook, and as Night Watchman, Frank Raymond.

By Mr. Camron:

MR SPEAKER Your Committee on Attachés and Employés, to whom was referred the accompanying resolution, report the same back to the Assembly, with the following amendment, that the San Francisco delegation "be and are hereby authorized to employ a Clerk, at a salary of five dollars per diem," instead of "at the same per diem as is paid to Clerks of other committees"

Following is the original resolution:

Resolved, That the San Francisco delegation be and are hereby authorized to employ a Clerk, at the same per diem as is paid to Clerks of other committees, the compensation to be paid out of the Contingent Fund of the Assembly.

The amendment recommended by the committee was adopted.

The question recurring upon the adoption of the resolution as amended, the ayes and noes were demanded by Messrs. McIntosh, Cook, and Tyler.

The roll was called, and the resolution adopted by the following vote:

AYES—Messrs. Anthony, Bass, Braunhart, Brooks, Brown of Yuba, Bruner, Burns, Camron, Carr of Yuba, Coffman, Cooper, Corcoran, Cuthbert, Estey, Felton, Finlayson, Fox, Fraser, Garibaldi, Gaffey, Hynes, Josselyn, Lane, Levee, Maguire, Mathews, May, Maybell, McCallion, McCarthy of San Francisco, McComas, McDade, Merry, Mulholland, Nelson, Picket, Sayle, Simon, Spencer, Stoddard, Streeter, Walker, Ward, Wasson of Mono, York, and Young—46.

NOES—Messrs Adams, Bennett, Brusie, Carr of Sacramento, Chamberlain, Chandler, Coleman, Cook, Del Valle, Dimond, Downs, DuBrutz, Durham, Fink, Green, Hardy, Harris Hershy, Leach, Leadbetter, McCarty of Lake, McIntosh, Messenger, Morse, Sherburn, Stanley, Sweetland, Tyler, Wason of Ventura, and Watson—30.

By Mr. Camron:

MR SPEAKER: Your Committee on Attachés and Employés, to whom was referred the hereto attached resolution, report the same back to the Assembly without their approval, and recommend that it be not adopted.

Resolved, That the Sergeant-at-Arms be authorized to appoint a Mail Carrier, one Porter for Sergeant-at-Arms, one Porter for committee rooms, two Gatekeepers, one Doorkeeper, and one Rear Porter.

In lieu of said resolution we offer the following substitute, and recommend the adoption of said substitute:

Resolved, That the Sergeant-at-Arms be authorized to appoint one Mail Carrier at three dollars per diem, one Porter for Sergeant-at-Arms at the salary of three dollars per diem, two Gate-

keepers with a salary of three dollars per diem each, all payable out of the appropriation for the contingent expenses of the Assembly.

Report of Committee concurred in, and the resolution, as amended, was adopted.

By Mr. Camron:

MR. SPEAKER Your Committee on Attachés and Employés, to whom was referred the above resolution, report the same back to the Assembly without their approval, and recommend that it be not adopted.

Resolved, That P. Leavy be and he is hereby elected Porter, to light and attend to the gas within this Assembly-room, whenever required for the use of this House, and that he be paid a salary of four dollars per diem therefor out of the Assembly Contingent Fund.

Report adopted, and resolution rejected.

By Mr. Camron:

MR SPEAKER: Your Committee on Attachés and Employés, to whom was referred the above resolution, report unfavorably upon the same, and recommend that it be not adopted

Resolved. That O. P. Dodge be and he is hereby appointed Watchman, to have charge of the gallery, at a per diem of four dollars, payable out of the appropriation for the contingent expenses of the Assembly.

Mr Braunhart moved to amend by striking out the name of "O. P. Dodge," and inserting in lieu thereof the name of James Kidney, and by striking out "four dollars," and inserting in lieu thereof "three dollars."

So ordered.

Mr. Tyler now moved the indefinite postponement of the resolution.

So ordered.

Mr. Young, from the Committee on Rules and Regulations, submitted a report, which, on motion of Mr. Tyler, was referred to the Committee of the Whole House for consideration.

RECESS.

At twelve o'clock and fifty minutes P. M., on motion of Mr. Hardy, the House took a recess till two o'clock P. M. this day.

RE-ASSEMBLED.

House re-assembled at two o'clock P. M.
Speaker Cowdery in the chair.
Quorum present.

REPORT.

By Mr. Fox:

MR SPEAKER: The Judiciary Committee have had under consideration Assembly Bill No. 7—"An Act to amend sections one hundred and forty-seven, one hundred and forty-eight, and one hundred and forty-nine, of 'an Act entitled an Act to establish a Code of Civil Procedure,' approved March eleventh, eighteen hundred and seventy-two, relating to seals of Courts"—and unanimously report the same back without amendment, and recommend its passage

FOX, Chairman.

Also:

MR. SPEAKER: The Judiciary Committee have had under consideration Assembly Bill No. 8—"An Act to amend sections two hundred and seventy-five, two hundred and seventy-six, and

two hundred and seventy-seven of an Act entitled 'An Act to provide a Code of Civil Procedure,' approved March eleventh, eighteen hundred and seventy-two, relating to attorneys and counselors at law"—and now report the same back with certain amendments unanimously adopted by the committee, and recommend its passage as amended.

FOX, Chairman.

RESOLUTIONS.

By Mr. Sweetland:

Resolved, That the Sergeant-at Arms be and he is hereby authorized to draw a warrant on the Contingent Fund of the Assembly for the sum of ten dollars ($10), to be applied to the payment of Post-office box rent for the use of the Assembly.

Adopted.

By Mr. Braunhart:

Resolved, That the Sergeant-at-Arms be instructed to procure two water filters for the use of the Assembly, to be paid out of the Contingent Fund of the Assembly.

Adopted.

By Mr. Maguire—Assembly Joint Resolution relative to a Joint Committee on Labor and Capital.

Referred to the Committee on Rules.

By Mr. Fraser:

Resolved, That the Chief Clerk is hereby directed to have printed and placed upon the desks of the members of the Assembly, each morning, the Journal of proceedings of the preceding day.

Adopted.

By Mr. Cooper—Assembly Joint Resolution relative to forwarding copies of certain law to the Superior Judges of the several counties.

Adopted.

By Mr. Bruner:

Resolved, That the assistants appointed by the Chief Clerk and Minute Clerk, under a resolution of this House, to act for four days, be authorized to continue as such assistants at the per diem allowed by said resolution, payable out of the Contingent Fund of the Assembly, until otherwise ordered by the Assembly.

Lost.

By Mr. Adams—Relative to the establishment and maintenance of experimental vineyards.

Referred to the Committee on the Culture of the Grapevine.

By Mr. Camron:

Resolved, That the Speaker is hereby authorized to employ J. F. Carter, at a salary of fifty dollars for the entire term, to light and have charge of the gas in the Assembly Hall, to be paid out of the appropriation for the contingent expenses of the Assembly.

Laid on the table.

By Mr. Fraser:

Resolved, That the Speaker be and he is hereby authorized to appoint two additional members of the Judiciary Committee.

Referred to the Committee on Rules.

By Mr. McComas:

Resolved, That the Sergeant-at-Arms be authorized to procure the service of a locksmith and have the locks of the desks and drawers in use in this Chamber repaired, and the same paid out of the Contingent Fund of the Assembly.

Adopted.

By Mr. Wasson of Mono—Relative to instructing Committee on Mines and Mining to report a bill providing for the publication of a report on minerals.

Referred to the Committee on Mines and Mining.

Also, relative to instructing the Committee on Mines and Mining to report a bill providing for the inspection of mines and tunnels.

Referred to the Committee on Mines and Mining.

Also, relative to instructing the Committee on Mines and Mining to report a joint resolution tendering thanks to John W. Mackey, for his efforts in behalf of the mineral exhibit of this State at the Paris Exposition of eighteen hundred and seventy-eight.

Referred to the Committee on Mines and Mining.

By Mr. Bruner:

Resolved, That W. F. Beveridge be allowed twelve dollars for four days service as Post-office Page during the organization of the Assembly, and that the Sergeant-at-Arms be authorized to draw a warrant on the Controller for the payment of the same.

Referred to the Committee on Employés and Attachés.

By Mr. Mulholland:

Resolved, That the proper officer be instructed to keep the heating machinery going night and day, until this hall is sufficiently warmed.

Adopted.

By Mr. Fox:

Resolved, That the Sergeant-at-Arms be and he is hereby authorized to retain for and deliver to I. S. Belcher, T. P. Stoney, and A. C. Freeman, one copy each, of each bill introduced into the Assembly at its present session.

Adopted.

By Mr. McCarty of Lake:

WHEREAS, Two of the old Pages were absent at the opening of this House, and the Sergeant-at-Arms had to and did appoint Harry Helm as Page: therefore,

Resolved, That said Harry Helm be allowed two days' service as a Page, at a per diem of three dollars, and the Controller be authorized to draw his warrant for the same, and the Treasurer is authorized to pay the same.

Referred to the Committee on Employés and Attachés.

By Mr. Hardy:

Resolved, That W. M. Ord be retained for three days from January ninth, to assist the Clerks at the desk of this House, at the same per diem, payable out of the Contingent Fund of the Assembly.

Referred to the Committee on Employés and Attachés.

By Mr. Corcoran:

Resolved, That the consideration of all resolutions be deferred till one day from the date of their introduction.

Ruled out of order.

By Mr. Brooks:

Resolved, That the Sergeant-at-Arms be instructed to receive and receipt to the Controller of State for all warrants due members for their per diem and mileage.

Adopted.

On motion of Mr. Tyler, the resolution authorizing the Speaker to appoint J. F. Carter to have charge of the gas in the Assembly, at a salary of fifty dollars for the session, was taken from the table and adopted. In accordance with the resolution the Speaker announced the appointment of Mr. Carter.

By Mr. Young:

Resolved, That the use of this Assembly-room, with the necessary adjoining rooms, be given to the committee who have in charge the arrangements for the grand inaugural ball, to be held in this place on the evening of January thirteenth, eighteen hundred and eighty.

Rejected.

By Mr. Bruner:

Resolved, That the Speaker be authorized to appoint a Rear Porter, at a per diem of three dollars, to be paid out of the contingent expenses of the Assembly.

Referred to the Committee on Employés and Attachés.

MESSAGE FROM THE GOVERNOR.

SACRAMENTO, January 9th, 1880.

To the Assembly of the State of California:

I have the honor to inform your honorable body that I have appointed Albert Hart as the Private Secretary to the Governor. All official communications which I shall have to make to your honorable body will be made through him.

GEO C. PERKINS, Governor.

NOTICES.

By Mr. Braunhart:

MR. SPEAKER: I hereby give notice that I will, at an early day, introduce a bill relative to the definition and punishment of lobbying.

By Mr. Cook:

MR SPEAKER: I hereby give notice that I will, at an early day, introduce a bill to classify and grade the several counties of this State into four grades or classes.

Also, to provide for the election of all the officers provided for in the Constitution, and fix their compensation.

By Mr. May:

MR. SPEAKER. I give notice that, at an early day, I will introduce a bill to create Boards of Health in maritime cities, or cities and counties containing one hundred thousand population and over, to define the duties of the same, and to repeal all local Acts in conflict therewith.

Also:

MR. SPEAKER. I give notice that, at an early day, I will introduce a bill amending an Act entitled "An Act creating a Board of Bank Commissioners, and prescribing their duties and powers," approved March thirtieth, eighteen hundred and seventy-eight.

By Mr. Gaffey:

MR. SPEAKER: I hereby give notice that I will, at an early date, introduce a bill relating to the license and taxation of vehicles.

By Mr. Camron:

MR. SPEAKER: I hereby give notice that, at an early day, I will introduce an Act to amend section two hundred and sixty-eight of the Political Code.

By Mr. McCarty:

MR SPEAKER I hereby give notice that I will, at an early day, introduce a bill to punish persons engaged in selling personal property by false representation.

By Mr. Fox:

MR SPEAKER I hereby give notice that I will, to-morrow, introduce an Act to amend sections one thousand one hundred and eighty and one thousand one hundred and eighty-one of the Civil Code in relation to proof of acknowledgments.

Also, an Act to amend the Civil Code in relation to corporations.

Also, an Act to amend sections three thousand four hundred and fifteen, three thousand four hundred and sixty-six, three thousand four hundred and ninety-five, three thousand five hundred, and three thousand five hundred and forty-eight of the Political Code, relating to the public lands of the State.

Also, an Act to amend the Political Code in relation to the removal of county seats.

Also, an Act to amend sections one thousand one hundred and eighteen, one thousand one hundred and nineteen, one thousand one hundred and twenty-six, and one thousand one hundred and twenty-seven of the Code of Civil Procedure, relating to contesting elections.

Also, an Act to amend the Political Code in relation to elections.

Also, an Act to amend an Act relating to mutual beneficial and relief associations.

Also, an Act to add a new section to the Penal Code in relation to the local jurisdiction of prosecutions for libel.

Also, an Act to repeal certain sections of the Code of Civil Procedure.

Also, an Act to amend sections three thousand four hundred and ninety-one and three thousand four hundred and ninety-two of the Civil Code in relation to public nuisances.

Also, an Act to amend section two thousand one hundred and seventy of the Civil Code in relation to common carriers.

Also, an Act to amend sections three hundred and ten and three hundred and eleven of the Political Code in relation to the enactment of laws.

Also, an Act to amend sections three hundred and thirty-five and three hundred and sixty-six of the Political Code in relation to the meeting of the Legislature, and the compensation of its members.

Also, an Act to repeal section one thousand six hundred and forty-two of the Political Code, providing for a Judicial election.

Also, an Act to repeal the Act to compel the County Clerk of the City and County of San Francisco to keep open his office on all election days.

Also, an Act to confer upon the Superior Court and each Judge thereof, the powers heretofore possessed by the District, County and Probate Courts of such county, and the Judges thereof.

By Mr. Brooks:

MR SPEAKER: I hereby give notice that, at an early day, I will introduce a bill declaring valid writs, process, and certificates issued by the Superior Courts of this State, or the Clerks thereof, before such Courts shall have been legally provided with seals.

By Mr. Carr of Yuba:

MR. SPEAKER: I give notice that I will, on to-morrow, move to change Rule Seventy-three.

By Mr. Walker:

MR. SPEAKER I desire to give notice that I will, at a future day, introduce a bill to provide for the licensing of, and against the evils arising from, the sale of intoxicating liquors.

By Mr. Sayle:

MR. SPEAKER I hereby give notice that, on to-morrow, I will introduce a bill to amend sections two hundred and sixty-six, two hundred and sixty-seven, two hundred and sixty-eight, and two hundred and sixty-nine of the Political Code, in relation to compensation of members, officers, and employés of the Legislature.

By Mr. Green:

MR. SPEAKER: I desire to give notice that I shall, at an early day, introduce a bill providing for the appointment of County Boards of Education, and defining the duties thereof.

By Mr. Maybell:

MR. SPEAKER I desire to give notice that, at an early day, I will introduce an Act entitled an Act to create a special fund in every county, or city and county, in the State, by an annual poll tax, to be levied upon every male citizen, alien, or alien ineligible to citizenship, for the improvement of public buildings, works, parks, highways, and roads.

Mr. Bruner moved to suspend Rule Seventy-three, in order to consider the motion to grant the use of the Assembly Chamber for the Inaugural Ball.

Upon which motion the ayes and noes were demanded by Messrs. Bruner, Tyler, and Fraser.

The roll was called, and the motion lost by the following vote, a two-thirds majority being necessary:

AYES—Messrs. Bennett, Braunhart, Brooks, Brown of Yuba, Bruner, Burns, Cameron, Carr of Sacramento, Carr of Yuba, Chamberlain, Chandler, Coffman, Coleman, Cooper, Del Valle, Dimond, Estey, Felton, Finlayson, Fox, Fraser, Frink, Gaffey, Hardy, Hynes, Leach, Leadbetter, Maguire, Mathews, May, McCallion, McCarthy of San Francisco, McComas, McDade, Merry, Messenger, Mulholland, Nelson, Sayle, Simon, Sherburne, Spencer, Streeter, Sweetland, Walker, Ward, Wasson of Mono, Wattson, Young, and Mr. Speaker—50.

NOES—Messrs. Adams, Anthony, Bass, Brown of Sonoma, Brusie, Cook, Corcoran, Cuthbert, Downs, DuBrutz, Durham, Garibaldi, Green, Harris, Hershy, Josselyn, Lane, Levee, Maybell, McCarty of Lake, McIntosh, Morse, Picket, Stoddard, Tyler, and York—26.

SECOND READING AND REFERENCE OF BILLS.

Assembly Bill No. 9—An Act to define, regulate, and govern State Prisons of California, and to amend and supplement an Act to govern the California State Prison, approved April third, eighteen hundred and seventy-six.

Read second time, and referred to the Committee on State Prison.

Assembly Bill No. 10—An Act to amend the Political Code on the subject of licenses.

Read second time, and referred to Judiciary Committee.

Assembly Bill No. 11—An Act to repeal an Act entitled an Act to authorize the City and County of San Francisco to provide and maintain public water-works for said city and county, and to condemn and purchase private property for that purpose, approved March thirtieth, eighteen hundred and seventy-four.

Read second time, and referred to Judiciary Committee.

Assembly Bill No. 12—An Act to repeal chapter four, title one, of part two of the Political Code, and all laws creating judicial districts in this State, defining the boundaries thereof, and fixing the terms of Court therein.

Read second time, and referred to the Judiciary Committee.

Assembly Bill No. 13—An Act to repeal an Act entitled an Act to establish water rates in the City and County of San Francisco, approved March first, eighteen hundred and seventy-six; and an Act amendatory of and supplementary to the same, approved April third, eighteen hundred and seventy-six.

Read second time, and referred to the Judiciary Committee.

Assembly Bill No. 16—An Act to create and maintain a Bureau of Statistics of Land, Labor and Capital.

Read second time, and referred to the Judiciary Committee.

Assembly Bill No. 17—An Act for the protection of patients from extortion by dishonest physicians and druggists.

Read second time, and referred to the Committee on Ways and Means.

Assembly Bill No. 18—An Act to repeal section four hundred and twenty of the Penal Code.

Read second time, and referred to the Judiciary Committee.

Assembly Bill No. 19—An Act to compel all banking corporations to publish accounts of deceased depositors.

Read second time, and referred to the Committee on Corporations.

Assembly Bill No. 20—An Act to repeal an Act, approved March twenty-seventh, eighteen hundred and seventy-six, entitled "An Act for the appointment of Inspector of Stationary Steam-boilers and Steam-tanks, and for the better security of life and property in the City and County of San Francisco."

Read second time, and referred to the San Francisco delegation.

Assembly Bill No. 15—An Act to amend sections thirty-three, thirty-four, thirty-five, thirty-six, forty, forty-three, forty-four, forty-six, forty-seven, forty-eight, forty-nine, fifty, fifty-one, eighty-two, eighty-three, eighty-four, eighty-five, eighty-six, eighty-nine, ninety, one hundred and twelve, one hundred and thirteen, one hundred and fourteen, one hundred and fifteen, one hundred and eighteen, one hundred and thirty, one hundred and thirty-four, one hundred and forty-four, one hundred and fifty-six, one hundred and fifty-seven, one hundred and fifty-eight, one hundred and sixty-one, one hundred and sixty-six, one hundred and seventy-two, one hundred and seventy-three, one hundred and seventy-nine, one hundred and eighty-four, one hundred and eighty-five, two hundred and fifty-eight, two hundred and fifty-nine, two hundred and sixty-five, two hundred and sixty-six, two hundred and seventy-three, nine hundred and eighteen, of an Act entitled an Act to establish a Code of Civil Procedure, approved March eleventh, eighteen hundred and seventy-two, relating to the Courts of justice and judicial officers.

Read second time, and referred to Judiciary Committee.

Mr. Bruner moved that Rule Seventy-three be suspended from two o'clock P. M., on Tuesday next, till Wednesday, January fourteenth, eighteen hundred and eighty, at ten o'clock A. M.

Pending discussion, the previous question was moved by Messrs. Lane, McDade, and Cook, and so ordered by the House.

The question recurring upon Mr. Bruner's motion to suspend the rules, the ayes and noes were demanded by Messrs. Nye, Bruner, and Levee.

The roll was called, and the motion carried by the following vote:

AYES—Messrs. Adams, Bennett, Brannhart, Brooks, Brown of Sonoma, Brown of Yuba, Bruner, Brusie, Burns, Cannon, Carr of Sacramento, Chamberlain, Chandler, Coffman, Coleman, Cooper, Cuthbert, Del Valle, Dimond, Downs, Durham, Estey, Felton, Finlayson, Fox, Fraser, Frink, Garibaldi, Gaffey, Green, Hardy, Hershy, Hynes, Lane, Leach, Leadbetter, Mathews, May, McCallion, McCarthy of San Francisco, McComas, McDade McIntosh, Merry, Messenger, Morse, Mulholland, Nelson, Picket, Sayle, Simon, Sherburne, Stoddard, Streeter, Sweetland, Walker, Ward, Wason of Ventura, Wasson of Mono, Wattson, York, Young, and Mr. Speaker—63.

NOES—Messrs. Anthony, Bass, Carr of Yuba, Cook, Corcoran, DuBrutz, Josselyn, Levee, Maguire, Maybell, McCarty of Lake, and Tyler—12.

RESOLUTION.

By Mr. Cooper:

Resolved, That the use of the Assembly Chamber be and the same is hereby granted to the Committee on Inaugural Ball of Sacramento from two o'clock P. M. Tuesday, January thir-

teenth, eighteen hundred and eighty, until nine o'clock A. M. Wednesday, January fourteenth, eighteen hundred and eighty, *provided*, that said committee shall arrange the said Chamber for the meeting of the Assembly at eleven o'clock A. M., Wednesday, January fourteenth, eighteen hundred and eighty, without expense to the Assembly or State.

At four o'clock and ten minutes, Mr. Corcoran moved to adjourn.
Lost.

The question recurring upon the adoption of the resolution, and, pending discussion, the previous question being demanded by Messrs. Carr of Yuba, Braunhart, and Bruner, so ordered, and the resolution adopted.

Mr. Fox moved that when this House adjourn to-day it be till seven o'clock and thirty minutes this evening, at which time it go into Committee of the Whole to consider the report from the Committee on Rules.

Lost.

At four o'clock and fifteen minutes P. M., Mr. Cooper moved to adjourn.

Lost.

RECESS.

At four o'clock and sixteen minutes P. M., on motion of Mr. Burns, the House took a recess till seven o'clock and thirty minutes P. M.

EVENING SESSION.

House re-assembled at seven o'clock and thirty minutes P. M.
Speaker in the chair.
Quorum present.

INTRODUCTION OF BILLS.

By Mr. Tyler—An Act entitled an Act to provide for the receipt and appropriation of donations to the State or counties therein.

Read first time, and referred to the Judiciary Committee.

Also, an Act entitled an Act to amend section one thousand four hundred and fifty-two of the Code of Civil Procedure.

Read first time, and referred to the Judiciary Committee.

Also, an Act entitled an Act to amend section three hundred and forty of the Code of Civil Procedure.

Read first time, and referred to the Judiciary Committee.

By Mr. Braunhart—An Act to provide for the election of fifteen freeholders to frame a charter for cities containing more than one hundred thousand inhabitants, and to provide for the ratification of the same.

Read first time, and referred to the San Francisco delegation.

By Mr. Young—An Act to amend section one thousand one hundred and eleven of the Penal Code, relating to the testimony of an accomplice.

Read first time, and referred to the Judiciary Committee.

By Mr. DuBrutz—An Act to amend subdivision number eight of section one thousand and twenty-two of the Code of Civil Procedure.

Read first time, and referred to the Judiciary Committee.

Also, an Act to amend an Act entitled "An Act to amend section two hundred and ninety-nine of the Civil Code of California," as approved on March twenty-second, eighteen hundred and seventy-eight.

Read first time, and referred to the Judiciary Committee.

By Mr. Young—An Act to repeal section one thousand two hundred and twenty-two of the Code of Civil Procedure, relating to judgments and orders in cases of contempt.

Read first time, and referred to the Judiciary Committee.

Also, an Act to continue in force school teachers' certificates, State educational diplomas, and life diplomas.

Read first time, and referred to the Committee on Education.

By Mr. Leach—An Act to amend sections one thousand four hundred and eighteen and one thousand four hundred and nineteen of an Act entitled an Act to establish a Penal Code, approved February fourteenth, eighteen hundred and seventy-two, relating to reprieves, commutations, and pardons.

Read, and referred to the Judiciary Committee.

Also, an Act to amend sections seven hundred and thirty-seven, seven hundred and forty-six, seven hundred and forty-nine, and seven hundred and fifty-three, of an Act entitled "An Act to establish a Penal Code," approved February fourteenth, eighteen hundred and seventy-two, relating to impeachments.

Read first time, and referred to the Judiciary Committee.

Also, an Act to amend sections one thousand four hundred and seventy-five and one thousand five hundred and four, of an Act entitled "An Act to establish a Penal Code," approved February fourteenth, eighteen hundred and seventy-two, relating to the writ of habeas corpus.

Read first time, and referred to the Judiciary Committee.

Also, an Act to amend an Act entitled "An Act to define the Senatorial and Assembly districts of this State, and to apportion the representation thereof," approved March sixteenth, eighteen hundred and seventy-four.

Read first time, and referred to the Judiciary Committee.

Also, an Act to repeal all laws relating to judicial districts in this State.

Read first time, and referred to the Judiciary Committee.

Also, an Act to amend sections sixty-nine, seventy, eighty, one hundred and thirty-seven, two hundred and twenty-six, two hundred and forty-three, two hundred and forty-four, two hundred and forty-nine, two hundred and fifty-three, two hundred and fifty-eight, two hundred and sixty-five, two hundred and seventy-three, five hundred and ninety-six, five hundred and ninety-eight, six hundred and ninety-two, one thousand and forty-five, one thousand two hundred and forty-seven, one thousand two hundred and sixty-five, one thousand three hundred and sixty-three, one thousand three hundred and sixty-four, two thousand two hundred and eighty-three, two thousand two hundred and eighty-seven, two thousand two hundred and eighty-nine, three thousand four hundred and sixty-seven, and three thousand four hundred and sixty-nine of an Act entitled "An Act to establish a Penal Code," approved February fourteenth, eighteen hundred and seventy-two, conferring upon the Superior Courts, their Judges, or officers, the jurisdiction and authority heretofore exercised in certain cases by the Courts abolished by the new Constitution, their Judges or officers.

Read first time, and referred to the Judiciary Committee.

Also, an Act to amend sections four hundred and seventy-four, six

hundred and one, seven hundred and ninety-nine, nine hundred and nine, nine hundred and fifty, one thousand and fifteen, one thousand one hundred and eight, one thousand one hundred and nine, one thousand two hundred and eighty-four, one thousand three hundred and ten, two thousand two hundred and forty, two thousand three hundred and ninety-two, two thousand three hundred and ninety-three, two thousand four hundred and seven, two thousand four hundred and eight, two thousand four hundred and ten, two thousand four hundred and thirteen, two thousand four hundred and fifteen, two thousand eight hundred, two thousand eight hundred and fifty-two, three thousand two hundred and eighty-five, three thousand four hundred and ninety, four thousand and forty-seven, four thousand and seventy-eight, four thousand one hundred and thirty-four, four thousand one hundred and sixty-five, four thousand one hundred and ninety-two, and four thousand two hundred and twenty-one of an Act entitled "An Act to establish a Political Code," approved March twelfth, eighteen hundred and seventy-two, conferring upon the Snperior Courts, their Judges or officers, the jurisdiction or authority heretofore exercised in certain cases by the Courts abolished by the new Constitution, their Judges or officers

Read first time, and referred to the Judiciary Committee.

By Mr. Lane—An Act to regulate the custody and sale of personal property held in pledge.

Read first time, and referred to the Judiciary Committee.

By Mr. Bruner—An Act entitled an Act to provide for the appointment of Court Commissioners, and to define their duties.

Read first time, and referred to the Judiciary Committee.

By Mr. Cuthbert—An Act for the protection of citizens engaged in business against alien competition.

Read first time, and referred to the Judiciary Committee.

By Mr. McCallion—An Act to provide for the keeping of accounts in the English language.

Read first time, and referred to the Judiciary Committee.

By Mr. Fox, by leave—An Act to confer upon the Superior Court of each county, and the Judge thereof, the powers heretofore possessed by the District, County, and Probate Courts of such county, and the Judges thereof.

Read first time, and referred to the Committee on Judiciary.

Also, an Act to amend sections eleven hundred and eighty and eleven hundred and eighty-one of an Act entitled "An Act to establish a Civil Code," approved March twenty-first, eighteen hundred and seventy-two, relating to the proof and acknowledgments of instruments.

Read first time, and referred to the Committee on Judiciary.

Also, an Act to amend sections three hundred and twelve, three hundred and fifteen, three hundred and twenty-two, three hundred and twenty-three, three hundred and twenty-six, three hundred and fifty-nine, and four hundred and fifteen, and to add a new section to be known as section four hundred and four, of an Act entitled an Act to establish a Civil Code, approved March twenty-first, eighteen hundred and seventy-two, relating to corporations.

Read first time, and referred to Committee on Corporations.

Also, an Act to amend sections three thousand four hundred and fifteen, three thousand four hundred and sixty-six, three thousand four hundred and ninety-five, three thousand five hundred, and

three thousand five hundred and forty-eight, of an Act entitled "An Act to establish a Political Code," approved March twelfth, eighteen hundred and seventy-two, relating to the public land of this State.

Read first time, and referred to the Committee on Public Lands.

Also, an Act to amend sections three thousand nine hundred and seventy-seven, three thousand nine hundred and seventy-nine, three thousand nine hundred and eighty-one, three thousand nine hundred and eighty-four, and to repeal section three thousand nine hundred and seventy-eight, of an Act entitled an Act to establish a Political Code, approved March twelfth, eighteen hundred and seventy-two, relating to the removal of county seats.

Read first time, and referred to the Committee on County and County Boundaries.

Also, an Act to amend sections one thousand one hundred and eighteen, one thousand one hundred and nineteen, one thousand one hundred and twenty-six, and one thousand one hundred and twenty-seven of an Act entitled "An Act to establish a Code of Civil Procedure," approved March eleventh, eighteen hundred and seventy-two, relating to contesting elections.

Read first time, and referred to the Committee on Elections.

Also, an Act to amend an Act entitled an Act relating to mutual, beneficial, and relief associations, approved March twenty-eighth, eighteen hundred and seventy-four.

Read first time, and referred to the Committee on Corporations.

Also, an Act to amend sections one thousand and forty-one, one thousand and fifty-three, one thousand and fifty-five, one thousand and eighty-three, one thousand and eighty-four, one thousand and ninety-seven, one thousand one hundred and six, one thousand one hundred and thirteen, one thousand one hundred and thirty, one thousand two hundred and thirty, one thousand two hundred and thirty-two, one thousand two hundred and thirty-three, one thousand two hundred and thirty-five, one thousand two hundred and eighty-five, one thousand two hundred and eighty-eight, one thousand two hundred and ninety, one thousand three hundred and eleven, and to repeal section one thousand and forty-two, of an Act entitled an Act to establish a Political Code, approved March twelfth, eighteen hundred and seventy-two, relating to elections.

Read first time, and referred to the Committee on Elections.

Also, an Act to add a new section, to be known as section seven hundred and ninety-six, of an Act entitled "An Act to establish a Penal Code," approved February fourteenth, eighteen hundred and seventy-two, relating to the local jurisdiction of prosecutions for libel.

Read first time, and referred to the Judiciary Committee.

Also, an Act to repeal sections forty-one, fifty-four, fifty-five, fifty-six, fifty-seven, fifty-eight, fifty-nine, sixty, sixty-one, sixty-two, sixty-three, sixty-four, sixty-five, sixty-six, sixty-seven, sixty-eight, sixty-nine, seventy, seventy-one, seventy-two, seventy-three, seventy-four, seventy-five, seventy-six, seventy-seven, seventy-eight, eighty-seven, eighty-eight, ninety-four, ninety-five, ninety-six, ninety-seven, ninety-eight, ninety-nine, one hundred, one hundred and four, one hundred and five, one hundred and six, one hundred and seven, one hundred and eight, one hundred and nine, one hundred and ten, one hundred and thirty-nine, one hundred and forty, one hundred and fifty-nine, one hundred and sixty, one hundred and sixty-seven, one hundred and eighty-eight, two hundred and eleven, nine hundred and sixty-

six, nine hundred and sixty-nine, one thousand and fifty-six, one thousand three hundred and seventy-two, and one thousand four hundred and six, of an Act entitled an Act to establish a Code of Civil Procedure, approved March eleventh, eighteen hundred and seventy-two.

Read first time, and referred to the Judiciary Committee.

Also, an Act to amend sections three thousand four hundred and ninety-one and three thousand four hundred and ninety-two of an Act entitled an Act to establish a Civil Code, approved March twenty-first, eighteen hundred and seventy-two, relating to public nuisances.

Read first time, and referred to the Judiciary Committee.

Also, an Act to amend section two thousand one hundred and seventy of an Act entitled "An Act to establish a Civil Code," approved March twenty-first, eighteen hundred and seventy-two, relating to common carriers.

Read first time, and referred to the Judiciary Committee.

Also, an Act to amend sections three hundred and ten and three hundred and eleven of an Act entitled an Act to establish a Political Code, approved March twelfth, eighteen hundred and seventy-two.

Read first time, and referred to the Judiciary Committee.

Also, an Act to amend sections two hundred and thirty-five and two hundred and sixty-six of an Act entitled "An Act to establish a Political Code," approved March twelfth, eighteen hundred and seventy-two, relating to the meeting of the Legislature and the compensation of its members.

Read first time, and referred to the Judiciary Committee.

Also, an Act to repeal section one thousand and forty-two of an Act entitled "An Act to establish a Political Code," approved March twelfth, eighteen hundred and seventy-two, providing for a Judicial election

Read first time, and referred to the Committee on Elections

Also, an Act to repeal an Act entitled an Act to compel the County Clerk of the City and County of San Francisco to keep open his office upon all election days, approved March seventh, eighteen hundred and seventy-six.

Read first time, and referred to the San Francisco delegation.

RESOLUTION.

By Mr. Sweetland:

Resolved, That the Sergeant-at-Arms be and is hereby authorized to draw his warrant on the Contingent Fund of the Assembly for the sum of six dollars ($6 00), to be paid to Edmund Dunkley, for two days service as Page of the Assembly.

Referred to the Committee on Attachés and Employés.

On motion of Mr. Braunhart, the House went into Committee of the Whole, with Mr. Merry in the chair, to consider the report of the Committee on Rules.

The Committee arose, and reported that they had considered the rules reported by the Committee on Rules, and recommend the adoption of Rules One, Two as amended, Three, Four, Five, Seven as amended, Eight, Nine, and Ten.

The report was concurred in.

ADJOURNMENT.

At ten o'clock and twenty-five minutes P. M., on motion of Mr. Braunhart, the House adjourned.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Saturday, January 10th, 1880.

House met pursuant to adjournment.
Speaker Cowdery in the chair.
Roll called, and a quorum present.
One day's leave of absence was granted to Mr. Felton.
Prayer by the Chaplain.
Journal of yesterday, read, corrected, and approved.
House took up the report of the Committee on Rules.
The report was adopted up to Rule Nineteen.
Mr. Braunhart moved to amend Rule Nineteen by adding a subdivision, to be numbered thirty-eight, to read: "A Committee on Labor and Capital, to consist of nine members."
Adopted.
Mr. May moved to amend subdivision twenty-seven of Rule Nineteen, by striking out the words "and reform," after the word "retrenchment."
Lost.
Mr. Green moved to amend by striking out the words "and drainage," from subdivision seventeen of Rule Nineteen.
Lost.
Rule Nineteen was then adopted.
The report of the Committee on Rules was then adopted till Rule Seventy-three was reached.
Mr. Tyler moved to strike out Rule Seventy-three.
Lost.
Mr. McCarty of Lake moved to amend Rule Seventy-three by inserting the word "unanimous" between the words "by" and "consent."
Lost.
The rules were then adopted as reported by the committee.

STANDING RULES OF THE ASSEMBLY.

1.

Hour of meeting.

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

2.

Order of business.

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. Introduction, first reading, and reference of bills.
9. Special orders of the day.
10. Messages from the Senate.
11. Notices.
12. Second reading and reference of bills.
13. Motions and resolutions.
14. Business on general file and third reading of bills.
15. Unfinished business of the preceding day.

3.

Reports of Committees on Engrossed and Enrolled Bills.

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

4.

Messages from the Governor and Senate.

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

5.

Petition to be presented, with a brief statement of contents.

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.

6.

Reading of bills.

Every bill shall be read on three several days previous to its passage, unless, in case of urgency, two-thirds of the House shall by vote of the yeas and nays dispense with this provision, and the last reading shall be at length. No bill shall be read a second time until it shall have been printed and placed upon the desk of each member. 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.

7.

Appropriations of money to be referred to a committee.

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 have been referred to and reported on by a committee of this House.

8.

Proceedings touching appropriations of money to be considered in Committee of the Whole.

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.

9.

Referring, with special instructions.

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

DUTIES OF SPEAKER.

10.

To call House to order.

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.

11.

To preserve order; to decide points of order; and may speak to same.

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.

12.

To have direction of the Hall: may call any member to the chair.

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.

13.

To sign resolutions, etc., attested by the Clerk.

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.

14.

May order the galleries and lobby cleared.

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.

DUTIES OF SERGEANT-AT-ARMS.

15

To attend sittings of House, serve processes.

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.

16.

Fees of Sergeant-at-Arms.

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.

17.

Assistant Sergeant-at-Arms to be Doorkeeper.

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

18.

Standing Committees.

The Standing Committees of the House shall be as follows:

1. A Committee on Agriculture, to consist of seven members.
2. A Committee on Agriculture, Mining, and Mechanic Arts College, to consist of seven members.
3. A Committee on Attachés and Employés, to consist of five members.
4. A Committee on Chinese Immigration and Emigration, to consist of nine members.
5. A Committee on Claims, to consist of seven members
6. A Committee on Commerce and Navigation, to consist of five members.
7. A Committee on Corporations, to consist of nine members.
8. A Committee on Counties and County Boundaries, to consist of nine members.
9. A Committee on County Governments and Municipal Corporations, to consist of nine members.
10. A Committee on the Culture and Improvement of the Grapevine, to consist of seven members.
11. A Committee on Education, to consist of seven members.
12. A Committee on Elections, to consist of seven members.
13. A Committee on Engrossment, to consist of five members.
14. A Committee on Enrollment, to consist of five members.
15. A Committee on Fish and Game, to consist of seven members.
16. A Committee on Federal Relations, to consist of seven members.
17. A Committee on Forestry, to consist of five members.
18. A Committee on Indian Affairs, to consist of five members
19. A Committee on Internal Improvements, to consist of five members.
20. A Committee on Irrigation, to consist of seven members.
21. A Committee on Judiciary, to consist of thirteen members.
22. A Committee on Labor and Capital, to consist of nine members.
23. A Committee on Mileage, to consist of three members.
24. A Committee on Military Affairs, to consist of five members.

25 A Committee on Mines and Mining Interests, to consist of seven members.
26. A Committee on Public Buildings and Grounds, to consist of seven members.
27. A Committee on Public Expenditures and Accounts, to consist of five members.
28 A Committee on Public Lands, to consist of nine members
29. A Committee on Public Morals, to consist of five members
30. A Committee on Public Printing, to consist of seven members.
31. A Committee on Retrenchment, to consist of three members
32. A Committee on Roads and Highways, to consist of five members.
33 A Committee on Rules and Regulations, to consist of five members.
34. A Committee on State Hospital, to consist of five members.
35 A Committee on State Library, to consist of three members.
36. A Committee on State Prison, to consist of eight members.
37. A Committee on Swamp and Overflowed Lands, to consist of eleven members.
38. A Committee on Ways and Means, to consist of seven members.

19.

Committees to be appointed by Speaker.

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

DUTIES OF COMMITTEES.

20.

On Elections.

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.

21.

On Ways and Means.

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.

22

On Claims.

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.

23.

On Commerce and Navigation

It shall be the duty of the Committee on Commerce and Navigation 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 to time their opinion thereon.

24.

On Public Lands.

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.

25.

On Public Expenditures and Accounts.

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.

26.

On Military Affairs.

It shall be the duty of the Committee on Military Affairs to take into consideration all subjects relating to the military establishment and public defense 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.

27.

On Internal Improvements.

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.

28.

On Public Buildings.

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.

29.

On Mileage.

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

30.

On Culture and Improvement of the Grapevine.

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.

31.

On Engrossment.

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 such amendments as may have been made thereto.

32.

On Education.

It shall be the duty of the Committee on Education to consider and report on all matters pertaining to the State Normal School, State Board of Education, Agriculture, Mining and Mechanic Arts College, and State University, and such other matters pertaining to education as may come before them.

33.

Employment of Committee Clerks.

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.

34.

Reference of Bills.

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.

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. Unless otherwise ordered by the House, every bill shall be referred to the appropriate Standing Committee, as indicated by its name given herein.

COMMITTEE OF THE WHOLE HOUSE.

35.

Committee of the Whole

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.

36.

Rules in Committee of the Whole.

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

37.

Motion to rise decided without debate.

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

38.

Calling members to order when transgressing rules.

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.

39.

Speaker to decide who is entitled to the floor.

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

40.

Order in speaking to questions.

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.

41.

Called to order for offensive words in debate.

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.

42.

Personal explanation.

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.

43.

Motions to be stated by Speaker shall be reduced to writing, or may be withdrawn.

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, by leave of the House, at any time before amendment or decision.

44.

Motions to adjourn.

A motion to adjourn shall always be in order, except during roll-call. 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.

45.

Precedence of motions during debate.

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, amend, or substitute, 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.

46.

Previous question.

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.

47.

Questions of order after previous question is ordered.

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.

48.

Previous question demanded.

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

49.

Question indefinitely postponed.

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

50.

Division of questions

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.

51.

Subjects different from the one under consideration

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.

52.

Printing extra number of bills, etc.

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.

53.

Printing of bills.

Two hundred and forty copies of all bills shall be printed. The Sergeant-at-Arms shall be required to certify to the reception by the House of all such printed matter and the quantity thereof.

54.

Printing of maps.

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

55.

Filling blanks

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

56.

Priority of business.

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

57.

Reading of papers.

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.

58.

Notice of reconsideration.

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 recon-

sideration 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.

59.

Elections by House.

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

60.

Calling ayes and noes.

The ayes and noes shall be taken on the final passage of all bills, and when called for by three members on other questions, 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.

61.

Members at Clerk's desk.

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.

62.

Voting on question when interested.

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

63.

Division and count of House.

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

64.

Explaining or changing vote.

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.

65.

Call of the House.

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.

66

Suspending and changing rules.

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 Seven relating to third reading of bills. A motion or resolution proposing to increase or diminish a Standing Committee shall not be adopted until the same has been referred to the Committee on Rules and Regulations, nor then, unless that committee report favorably thereon.

67.

Members absenting themselves.

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.

68.

Persons admitted to floor.

No persons, except Senators, State officers, Governors, and ex-Governors of States, members of Congress, Judges of the Supreme or Superior Courts, members of the press, when accredited by their respective journals, ladies or gentlemen, when specially invited by a member of the House, shall be admitted within the Assembly Chamber, except in the galleries, during the ses-

sion 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.

69.

Smoking in Hall.

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

70.

Parliamentary rules.

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.

71.

Use of Hall.

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

72.

Fees of witnesses.

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 a 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.

73.

Protest of members.

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.

74.

Order of making file.

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.

75.

Taking up bills out of order.

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.

76.

Extra pay.

No increase of pay nor any extra pay shall be allowed any officer or attaché of the House.

77.

Engrossing and enrolling bills.

The Engrossing Clerk, Enrolling Clerk, and Copying Clerks shall engross, enroll, 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 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.

78.

Duty of committee on attachés and employés.

It shall be the duty of the Committee on Attachés and Employés, whenever there is a resolution offered for additional help in any of the various departments of clerical or other assistants 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.

79.

Author to speak last.

The author of a bill, motion, or resolution shall have the privilege of closing the debate, unless the previous question has been sustained.

NOTICES.

By Mr. Maybell:

MR. SPEAKER: I hereby give notice that I will move, on Monday, for a reconsideration of Rule Five on Commerce and Navigation, of the Rules on Standing Committees of the House.

Mr. Fox moved that two hundred and forty copies of the rules be printed. [See January 12th, page 2.]

By Mr. Braunhart:

MR. SPEAKER. I hereby give notice that I will, on Monday, move to add two additional rules to the Standing Rules of the House, defining the duties of the Committee on Labor and Capital, and of the Committee on Chinese Immigration.

INTRODUCTION OF BILLS.

By Mr. Tyler—An Act entitled an Act to amend section three thousand seven hundred and eighty-six of the Political Code.

Read first time, and referred to the Judiciary Committee.

By Mr. Corcoran—An Act entitled an Act to amend sections one, two, three, eight, ten, twelve, twenty-nine, and thirty-six of an Act entitled an Act for the relief of insolvent debtors and protection of creditors, approved May fourteenth, eighteen hundred and seventy-two.

Read first time, and referred to the Judiciary Committee.

Also, an Act entitled an Act to provide for a Board of Commissioners to examine engineers.

Read first time and referred to the Judiciary Committee.

By Mr. Sayle—An Act to amend sections two hundred and sixty-six, two hundred and sixty-seven, two hundred and sixty-eight, and two hundred and sixty-nine of the Political Code, in relation to compensation of members, officers, and employés of the Legislature.

Read first time, and referred to the Judiciary Committee.

By Mr. Leach—An Act to declare valid writs, process and certificates issued by the Superior Courts of this State, or the Clerks thereof, before such Courts shall have been legally provided with seals.

Read first time, and referred to the Judiciary Committee.

By Mr. Morse—An Act to amend sections two hundred and fourteen, two hundred and fifteen, two hundred and sixteen, and two hundred and eighteen, of an Act entitled an Act to establish a Code of Civil Procedure, approved March eleventh, eighteen hundred and seventy-two, and the amendments thereof and supplementary thereto, relating to the time and manner of drawing jurors for Courts of record.

Read first time, and referred to the Judiciary Committee.

By Mr. Cooper—An Act to amend sections three thousand four hundred and forty and three thousand four hundred and ninety-four of the Political Code, relative to interest on deferred payments for State land.

Read first time, and referred to the Committee on Public Lands.

By Mr. Camron—An Act to amend section two hundred and sixty-eight of the Political Code.

Read first time, and referred to the Judiciary Committee.

By Mr. Maybell—An Act to secure the payment of workmen for labor performed, or material furnished, either by contract or otherwise.

Read first time, and referred to the Judiciary Committee.

Also, an Act authorizing the Treasurer of any county, city and county, city or town in the State, to accept any money donated by any person to such county, city and county, city or town.

Read first time, and referred to the Judiciary Committee.

By Mr. Green—An Act providing for the appointment of County Boards of Education, and defining the duties thereof.

Read first time, and referred to the Committee on Education.

By Mr. McCarthy of San Francisco—An Act to punish persons engaged in selling personal property upon false representation.

Read first time, and referred to the Judiciary Committee:

Also, an Act to declare the soliciting of prostitution publicly a misdemeanor.

Read first time, and referred to the Committee on Public Morals.

By Mr. Braunhart—An Act to amend section two hundred and forty-three of the Penal Code, relative to battery.

Read first time, and referred to the Judiciary Committee.

RESOLUTIONS.

By Mr. Sayle—Assembly Joint Resolution, relative to public lands.

Read first time, and referred to the Committee on Public Lands.

By Mr Braunhart:

Resolved, That Assembly Bills Nos. 4, 5, and 10 be referred to Committee on Chinese Immigration and Emigration.

Adopted.

Also:

Resolved, That Assembly Bill No. 3 be withdrawn from the Judiciary Committee and referred to the Committee on Labor and Capital.

Lost.

MOTIONS.

At one o'clock P. M. Mr. Merry moved to adjourn.

Lost.

Mr. Tyler moved that when this House adjourn to-day it be till Monday, at ten o'clock A. M.

Lost.

RESOLUTIONS.

By Mr. Fraser:

Resolved, That the Sergeant-at-Arms be empowered to employ a man to repair the flag-staff on the Capitol, and attend to raising the flag daily during the session.

Lost.

By Mr. McCarthy of San Francisco:

Resolved, That the Sergeant-at-Arms of the House be authorized to supply each newspaper representative, having a seat on the floor of the Assembly, with stationery, the value of which shall not exceed twelve dollars and a half, the same to be paid out of the appropriation for the contingent expenses of the Assembly.

Lost.

By Mr. Brooks:

Resolved, That the Sergeant-at-Arms be instructed to furnish each member of the House, at his request, with postage stamps to an amount not exceeding ten dollars, payable out of the Contingent Fund of the Assembly.

Indefinitely postponed.

By Mr. Corcoran:

Resolved, That the Sergeant-at-Arms be and is hereby authorized to purchase cane-bottomed rotary chairs, for those members of the Assembly who may desire them for use during the session, and that the same be paid for out of the Contingent Fund of the Assembly.

Indefinitely postponed.

MOTIONS.

At one o'clock and fifteen minutes P. M., Mr. Coleman moved to adjourn.

Lost.

At one o'clock and sixteen minutes P. M., Mr. Braunhart moved to take a recess till two o'clock P. M., this day.

Lost.

House took up the general file.

GENERAL FILE.

Assembly Bill No. 1—An Act to repeal an Act entitled "An Act to authorize the City and County of San Francisco to provide and maintain public water-works for said city and county, and to condemn and purchase private property for that purpose," approved March twenty-seventh, eighteen hundred and seventy-six.

Read third time.

Pending discussion, Mr. Carr of Yuba, at two o'clock and five minutes, moved to adjourn.

Lost.

The question recurring upon the passage of the bill, the roll being called by order of the Speaker, the bill was passed by the following vote:

AYES—Messrs. Adams, Anthony, Bass, Bennett, Braunhart, Brooks, Brown of Sonoma, Brown of Yuba, Bruner, Brusie, Burns, Carr of Sacramento, Carr of Yuba, Chamberlain, Chandler, Coffman, Coleman, Cook, Cooper, Corcoran, Cuthbert, Del Valle, Dimond, Downs, DuBrutz, Estey, Finlayson, Fox, Fraser, Frink, Garibaldi, Gaffey, Green, Hardy, Hershy, Hynes, Josselyn, Leach, Leadbetter, Levee, Maguire, May, Maybell, McCallion, McCarty of Lake, McCarthy of San Francisco, McComas, McDade, McIntosh, Merry, Messenger, Morse, Mulholland, Nelson, Picket, Sayle, Simon, Sherburne, Spencer, Stanley, Stoddard, Streeter, Sweetland, Walker, Ward, Wason of Ventura, Wasson of Mono, Wattson, York, Young, and Mr. Speaker—71.

NOES—Mr. Lane—1.

Title approved.

The Speaker announced the appointment of the Committee on Engrossment, as follows: Messrs. Sherburne, Carr of Yuba, Cooper, Hershy, and Josselyn.

ADJOURNMENT.

At two o'clock and fifty-five minutes P. M., on motion of Mr. Del Valle, the House adjourned.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Monday, January 12th, 1880.

House met pursuant to adjournment.
Speaker Cowdery in the chair.
Roll called, and a quorum present.
Prayer by the Chaplain.
Journal of Saturday, January tenth, read, corrected, and approved.
Rule Eighteen was corrected, to read as follows:

18.

Standing Committees.

The Standing Committees of the House shall be as follows:

1. A Committee on Agriculture, to consist of seven members.
2. A Committee on Agriculture, Mining, and Mechanic Arts College, to consist of seven members.
3. A Committee on Attachés and Employés, to consist of five members.
4. A Committee on Chinese Immigration and Emigration, to consist of nine members.
5. A Committee on Claims, to consist of seven members
6. A Committee on Commerce and Navigation, to consist of five members.
7. A Committee on Corporations, to consist of nine members
8. A Committee on Counties and County Boundaries, to consist of nine members.
9. A Committee on County Governments and Municipal Corporations, to consist of nine members.
10. A Committee on the Culture and Improvement of the Grapevine, to consist of seven members.
11. A Committee on Education, to consist of seven members.
12. A Committee on Elections, to consist of seven members.
13. A Committee on Engrossment, to consist of five members.
14. A Committee on Enrollment, to consist of five members.
15. A Committee on Fish and Game, to consist of seven members.
16. A Committee on Federal Relations, to consist of seven members.
17. A Committee on Forestry, to consist of five members
18. A Committee on Indian Affairs, to consist of five members
19. A Committee on Internal Improvements, to consist of five members.
20. A Committee on Irrigation, Water Rights, and Drainage, to consist of seven members.
21. A Committee on Judiciary, to consist of thirteen members
22. A Committee on Labor and Capital, to consist of nine members.
23. A Committee on Mileage, to consist of three members
24. A Committee on Military Affairs, to consist of five members.
25. A Committee on Mines and Mining Interests, to consist of seven members.
26. A Committee on Public Buildings and Grounds, to consist of seven members.
27. A Committee on Public Expenditures and Accounts, to consist of five members
28. A Committee on Public Lands, to consist of nine members
29. A Committee on Public Morals, to consist of five members
30. A Committee on Public Printing, to consist of seven members.
31. A Committee on Retrenchment and Reform, to consist of five members.
32. A Committee on Roads and Highways, to consist of five members.
33. A Committee on Rules and Regulations, to consist of five members.
34. A Committee on State Hospital, to consist of five members.
35. A Committee on State Library, to consist of three members.
36. A Committee on State Prison, to consist of nine members.
37. A Committee on Swamp and Overflowed Lands, to consist of seven members.
38. A Committee on Ways and Means, to consist of nine members.

Motion of Mr. Fox that two hundred and forty copies of the Rules be printed, ordered stricken from the minutes of yesterday, as no action was had thereon.

By Mr. Maybell:

MR. SPEAKER: Pursuant to notice, I move that the vote by which Rule Five, on Commerce and Navigation, of the rules on Standing Committees, be reconsidered.

Mr. Fox moved the indefinite postponement of the motion to reconsider.

Carried.

PETITION.

By Mr. Fox—A petition was presented from certain lawyers of San Francisco relative to the appointment of Court Reporters.

Referred to the Judiciary Committee.

REPORTS OF STANDING COMMITTEES.

By Mr. Camron:

MR. SPEAKER: Your Committee on Attachés and Employés, to whom was referred the hereto attached resolution, report the same back to the Assembly with the following amendment, that the following words be added to the resolution, to wit: "Out of the appropriation of the contingent expenses of the Assembly," and recommend the adoption of the resolution as amended.

CAMRON, Chairman.

Resolved, That W. F. Beveridge be allowed twelve dollars for four days' services as Post-office Page, during the organization of the Assembly, and that the Sergeant-at-Arms be authorized to draw a warrant on the Controller for the payment of the same.

Report received, and resolution amended and adopted.

Also:

Resolved, That the Sergeant-at-Arms of the Assembly be and he is hereby authorized to appoint a Porter for the Committee-rooms of the Assembly, at the same per diem allowed to other Porters, to be paid out of the Contingent Fund of the Assembly.

MR. SPEAKER: Your Committee on Attachés and Employés, to whom was referred the foregoing resolution, report favorably upon the same, and recommend its adoption.

CAMRON, Chairman.

Adopted.

Also:

MR. SPEAKER: Your committee, to whom was referred the accompanying resolution, report the same back, after careful consideration, with the following substitute, and recommend the adoption of the substitute

Resolved, That Colonel W. M. Ord be allowed three days' pay for services rendered at the desk of this House, at the same per diem allowed the other Clerks at the desk, payable out of the Contingent Fund of the Assembly.

CAMRON, Chairman.

Resolved, That W. M. Ord be retained for three days, from January seventh, to assist the Clerks at the desk of this House, at the same per diem, payable out of the Contingent Fund of the Assembly.

Report received, and substitute adopted.

Also:

MR. SPEAKER: Your Committee on Attachés and Employés, to whom was referred the hereto attached resolution, report the same back to the Assembly, with the following amendment, and recommend the adoption of the resolution as amended

Resolved, That Harvey Helm be allowed two days' service as Page, at a per diem of three dollars, to be paid out of the appropriation for the contingent expenses of the Assembly.

CAMRON, Chairman.

WHEREAS, Two of the old Pages were absent at the opening of this House, and the Sergeant-at-Arms had to and did appoint Harvey Helm as Page; therefore

Resolved, That said Harvey Helm be allowed two days' service as Page, at a per diem of three dollars, and the Controller be authorized to draw his warrant for the same, and the Treasurer is authorized to pay the same.

Report received, and resolution adopted as amended.

NOTICE.

By Mr. Leach:

MR SPEAKER: I hereby give notice that I will move to amend Rule Eighteen of this House by the addition of a subdivision entitled "39—A Committee on Taxation and Revenue."

SECOND READING AND REFERENCE OF BILLS.

Assembly Bill No. 14, read second time, and referred to State Prison Committee.

Assembly Bill No. 20, read second time, and referred to Judiciary Committee.

INTRODUCTION AND FIRST READING OF BILLS.

By Mr. Braunhart—An Act to fix the official bonds of certain public officers in cities containing more than one hundred thousand inhabitants.

Ordered on file.

By Mr. Gorley—An Act entitled an Act to define and limit the rights of land owners in the State of California.

Ordered on file.

By Mr. Braunhart—An Act defining the offense of lobbying and prescribing for its punishment.

Referred to Judiciary Committee.

By Mr. Gorley—An Act to limit and regulate the sale of mining and other stocks.

Referred to Committee on Mines and Mining.

Also, an Act entitled an Act to secure to the children of this State such an education as will tend to promote a love of their country and its institutions, and to protect and secure a republican form of government forever.

Referred to Committee on Education.

Also, an Act to define the rights and privileges of aliens in the State of California, of those who are not eligible for citizenship and of those who do not intend to make the United States or this State their permanent place of residence.

Referred to the Judiciary Committee.

Also, an Act entitled an Act to punish and prevent crime, and to secure to the State of California a better standard of morality.

Referred to the Judiciary Committee.

Also, an Act entitled an Act to punish and prevent malfeasance in office—embezzlement, defalcation, and peculation on the public funds of this State.

Referred to the Judiciary Committee.

By Mr. Cooper—An Act to amend section one thousand three hundred and sixty-five of the Code of Civil Procedure, relative to the order of persons entitled to administer on estates of deceased persons.

Read first time, and referred to Judiciary Committee.

By Mr. Garibaldi—An Act to repeal section five hundred and ninety-nine of the Penal Code, relating to the protection of seals and sea lions near the Cliff House, in the City and County of San Francisco.

Read first time, and referred to Committee on Fish and Game.

By Mr. Sweetland—An Act to amend section four thousand two hundred and four of the Political Code.

Read first time, and referred to Judiciary Committee.

By Mr. Maguire—An Act to create a Bureau of Labor and Statistics of Land and Labor, in the State of California.

Read first time, and referred to Judiciary Committee.

By Mr. Del Valle—An Act to provide for the organization of a Board of Railroad and Transportation Commissioners.

Read first time, and referred to Committee on Corporations.

By Mr. McCarty of Lake—An Act to establish and regulate common schools in the State of California.

Read first time, and referred to Committee on Education.

Also, an Act to amend sections thirty-three, thirty-four, thirty-six, forty, forty-one, forty-three, forty-four, forty-five, forty-six, forty-seven, forty-nine, fifty, fifty-four, fifty-five, fifty-six, fifty-seven, sixty, one hundred and twelve, one hundred and thirteen, one hundred and fourteen, one hundred and fifteen, one hundred and sixteen, one hundred and eighteen, and one hundred and twenty-one, and to add four new sections to the Code of Civil Procedure, to be numbered sections fifty-one, fifty-two, fifty-three, and sixty-two, and to repeal sections eighty to ninety inclusive, and one hundred and seventeen, in the Code of Civil Procedure, in relation to the establishment of Courts of justice in the State of California, and the defining their jurisdictions.

Read first time, and referred to the Judiciary Committee.

By Mr. Leach—An Act to amend an Act entitled an Act to amend section three thousand seven hundred and sixty-four of the Political Code of this State.

Read first time, and referred to the Judiciary Committee.

By Mr. Maybell—An Act relating to pledges made before political conventions.

Mr. Lane moved the rejection of the bill.

Upon which the ayes and noes were demanded by Messrs. Braunhart, Maybell, and Carr.

The motion was lost, by the following vote:

AYES—Messrs. Brown of Yuba, Lane, Messenger, and Nelson—4.

NOES—Messrs. Adams, Anthony, Bass, Bennett, Braunhart, Brooks, Brown of Sonoma, Bruner, Brusie, Burns, Cannon, Carr of Sacramento, Carr of Yuba, Chamberlain, Chandler, Coffman, Coleman, Cooper, Corcoran, Cuthbert, Del Valle, Dimond, Downs, DuBrutz, Estey, Felton, Fox, Fraser, Frink, Garibaldi, Gaffey, Gorley, Green, Hardy, Harris, Hershy, Hynes, Josselyn, Leach, Leadbetter, Levee, Maguire, May, Maybell, McCallion, McCarty of Lake, McCarthy of San Francisco, McComas, McDade, McIntosh, Merry, Morse, Picket, Sayle, Simon, Sherburne, Spencer, Stanley, Stoddard, Streeter, Sweetland, Walker, Ward, Wason of Ventura, Wasson of Mono, Wattson, York, Young, and Mr. Speaker—69.

The bill was then read first time, and referred to Judiciary Committee.

By Mr. Maybell—An Act to create a special fund in every county or city and county in the State, by an annual poll-tax upon aliens ineligible to citizenship, for the improvement of county, or city and county parks, building highways, roads, and works.

Read first time, and referred to Committee on Ways and Means.

By Mr. Young—An Act to provide for the exemption of certain property from forced sale for taxes and assessments.

Read first time, and referred to Judiciary Committee.

By Mr. Corcoran—An Act entitled an Act to remove the State Normal School from its present location, and to make the same a portion of the State University.

Read first time, and referred to Committee on Education.

By Mr. Walker—An Act to regulate proceedings in the Superior Court of Nevada County in certain cases.

Read first time, and referred to the Judiciary Committee.

RESOLUTIONS.

By Mr. York:

Resolved, That a committee of three be appointed to confer with a similar committee already appointed by the Senate to examine into the facilities for heating this House.

Adopted.

In accordance with the above resolution, the Speaker appointed Messrs. York, Morse, and Maybell.

By Mr. Fox:

WHEREAS, Assembly Bills Nos. 4, 5, and 10 were, on Saturday last, referred to the Committee on Chinese Immigration and Emigration, under the impression, as stated at the time, that they were Acts relating to Chinese immigration and emigration, and whereas, upon examination, it appears that neither of said bills has reference to that subject, but all refer to the subject of licenses, now, therefore,

Resolved, That said Assembly Bills Nos. 4, 5, and 10, and each of them, be and are hereby withdrawn from the Committee on Chinese Immigration and Emigration and referred to the Committee on Judiciary.

On motion of Mr. Anthony, the resolution was laid on the table.

By Mr. DuBrutz:

Resolved, That the Sergeant-at-Arms be and is hereby authorized to draw a warrant in favor of E. Allen, who has served as Mail Carrier of Assembly five days, at a per diem of three dollars, to be paid out of the contingent expenses of the Assembly.

Adopted.

By Mr. Merry:

Resolved by the Assembly, the Senate concurring, That the Committee on Rules and Regulations of the Assembly meet with a like committee of the Senate in preparing and reporting a set of Joint Rules for the Senate and Assembly.

Adopted.

By Mr. Braunhart:

Resolved, That the following be added to the rules of the Assembly under "Duties of Committees"

On Chinese Immigration and Emigration—It shall be the duty of the Committee on Chinese Immigration and Emigration to take into consideration all propositions relative to the tendencies of Chinese labor upon the political, social, physical, moral, and financial condition of affairs of the State.

Mr. Fox moved to lay the resolution on the table for one day, and that it be printed.

So ordered.

By Mr. Camron:

Resolved, That the Judiciary Committee be and they are hereby authorized to appoint a Clerk, at the same per diem as that allowed to Clerks at the desk, the same to be paid out of the fund for the contingent expenses of the Assembly.

Adopted as a substitute for the following resolution adopted January eighth, eighteen hundred and eighty:

Resolved, That the Judiciary Committee be and they are hereby authorized to appoint a Clerk, at the same per diem as that allowed to members.

Also:

Resolved, That the Speaker of the Assembly be permitted to appoint a Page for the Speaker's desk, at the same per diem as the other Pages of the Assembly receive, to be paid out of the fund for the contingent expenses of the Assembly.

On motion, adopted as a substitute for the following resolution, adopted January eighth, eighteen hundred and eighty:

Resolved, That the Speaker of the Assembly be permitted to appoint a Page for the Speaker's desk, at the same per diem as the other Pages of the Assembly receive.

Report received, and the resolution adopted as amended.

By Mr. Braunhart:

Resolved, That the following be added to the rules of the House, under the appropriate heading.

On Labor and Capital—It shall be the duty of the Committee on Labor and Capital to consider all subjects in relation to the interests of labor and capital which may be referred to them, and report their recommendations thereon.

Mr. Fox moved that the resolution lie on the table for one day, and be printed.

So ordered.

NOTICE.

By Mr. Anthony:

Mr. Speaker: I hereby give notice that, on to-morrow, I will introduce an amendment to Rule Four of the Standing Rule on Committees.

STANDING COMMITTEES.

The Speaker then announced the following Standing Committees:

On Agriculture—Messrs. Chamberlain, Chandler, Carr of Sacramento, Hershy, Fraser, Bennett, and Walker.

On Agriculture, Mining, and Mechanic Arts College—Messrs. York, Mulholland, Brown of Sonoma, Frink, Bass, Anthony, and McDade.

On Claims—Messrs. Merry, McComas, Finlayson, Downs, Bruner, York, and Burns.

On Commerce and Navigation—Messrs. Finlayson, Cuthbert, Ward, Camron, and Gaffey.

On Corporations—Messrs. Brown of Yuba, Felton, Young, Merry, Chamberlain, Gorley, Dimond, Cooper, and Garibaldi.

On Counties and County Boundaries—Messrs. Stanley, Brusie, Gorley, Ward, Sherburne, Bennett, Messenger, Picket, and Gaffey.

On Culture and Improvement of the Grapevine—Messrs. Adams, Leach, Del Valle, Camron, Felton, Mathews, and Wason of Ventura.

On County Governments—Messrs. Streeter, Frink, Ward, Fox, Camron, Carr of Yuba, Felton, McDade, and Stoddard.

On Education—Messrs. Wason of Ventura, Leadbetter, Adams, Fox, Morse, Green, and McComas

On Elections—Messrs. Camron, Merry, Estey, Tyler, Fraser, Braunhart, and McCarthy of San Francisco.

On Enrollment—Messrs. Brooks, Hardy, Spencer, Coleman, and McCarty of Lake.

On Fish and Game—Messrs Leach, Estey, McIntosh, Burns, Hynes, Ward, and Sherburne.

On Federal Relations—Messrs. Mulholland, Durham, Streeter, McCarty of Lake, Coleman, Spencer, and Sayle.

On Forestry—Messrs. Durham, Messenger, McIntosh, Sweetland, and McDade.

On Indian Affairs—Messrs Hardy, Hynes, Levee, Josselyn, and Maybell

On Internal Improvements—Messrs Chandler, Nelson, Coleman, Leadbetter, and Mulholland.

On Irrigation, Water Rights, and Drainage—Messrs. Downs, Brown of Yuba, Young, Del Valle, Fox, Sweetland, and McCallion.

On Labor and Capital—Messrs Green, Tyler, Brown of Sonoma, DuBrutz, Cook, Maybell, Streeter, Finlayson, and Chamberlain.

On Mileage—Messrs. Estey, Hershy, and Carr of Yuba.

On Mines and Mining Interests—Messrs. Wasson of Mono, Young, Nelson, Dimond, Walker, Mulholland, and Josselyn.

On Public Buildings and Grounds—Messrs. Bruner, Spencer, Frink, Leadbetter, Maguire, McDade, and Simon.

On Public Expenditures and Accounts—Messrs. Wattson, York, Leach, Brusie, and Carr of Sacramento.

On Public Lands—Messrs. McComas, Bennett, Green, Hardy, Morse, Wattson, Chandler, Anthony, and Stoddard.

On Public Morals—Messrs Bennett, Braunhart, Corcoran, Lane, and Maybell.

On Public Printing—Messrs. Young, Cooper, Wasson of Mono, Spencer, Sayle, Carr of Sacramento, and Bruner.

On Retrenchment—Messrs. Coleman, McCarthy of San Francisco, Wason of Ventura, Stanley, and Green.

On Roads and Highways—Messrs. Dimond, Downs, Stanley, Nelson, Harris, and McCallion.

On State Hospital—Messrs. Brusie, Durham, Mathews, Cook, and Harris.

On State Library—Messrs. Carr of Sacramento, Young, and DuBrutz.

On State Prison—Messrs. Tyler, May, Estey, Brooks, Carr of Sacramento, Leach, Nelson, Lane, and Maguire.

On Swamp and Overflowed Lands—Messrs. Felton, Camron, Adams, Chandler, Bruner, Corcoran, and Mathews.

On Ways and Means—Messrs. May, Morse, Leach, Downs, Brooks, Brown of Yuba, Del Valle, Cuthbert, and Coffman.

Mr. Young moved that two hundred and fifty copies of cards containing the names of the Standing Committees be printed for the use of the members.

Adopted.

RECESS.

At twelve o'clock and thirty-five minutes P. M., Mr. Cooper moved that the House take a recess until two o'clock P. M.

Carried.

RE-ASSEMBLED.

House re-assembled at two o'clock P. M.

Speaker Cowdery in the chair.

REPORTS.

By Mr. Camron:

Resolved, That the Speaker be authorized to appoint a Rear Porter, at a per diem of three dollars, to be paid out of the appropriation for the contingent expenses of the Assembly.

MR. SPEAKER Your Committee on Attachés and Employés, to whom was referred the above resolution, report the same back, and recommend that it be adopted.

Adopted.

In accordance with above resolution the Speaker appointed Daniel Blue.

Assembly Bill No. 6—An Act to transfer the records, papers, and business of the Courts existing on the thirty-first day of December, eighteen hundred and seventy-nine, in this State, to the Courts now existing therein.

Mr. Lane moved to strike out the word "new" before "Constitution" wherever it occurred in the bill.

So ordered.

The bill was then read third time, amended in accordance with report of the committee, passed, and ordered printed with the amendments thereto.

Assembly Bill No. 2—An Act to make the Code of Civil Procedure and the Penal Code of California the rule of action in the Courts as at present organized—was then taken up, amended as recommended by the committee, and the word "new" ordered stricken out wherever it occurred before the word "Constitution."

Read third time, passed, and ordered printed.

Assembly Bill No. 7—An Act to amend sections one hundred and forty-seven, one hundred and forty-eight, and one hundred and forty-nine, of an Act entitled "An Act to establish a Code of Civil Procedure," approved March eleventh, eighteen hundred and seventy-two, relating to seals of Courts.

Amendments adopted, read third time, passed, and ordered printed, with the amendments thereto.

Assembly Bill No. 8—An Act to amend sections two hundred and seventy-five, two hundred and seventy-six, and two hundred and eighty-seven, of an Act entitled an Act to establish a Code of Civil Procedure, approved March eleventh, eighteen hundred and seventy-two, relating to attorneys and counselors at law.

The question being upon the amendments recommended by the committee, the ayes and noes were demanded by Messrs. Braunhart, Carr of Sacramento, and Lane, and the amendments were lost by the following vote:

AYES—Messrs. Adams, Bennett, Camron, Cook, Corcoran, Cuthbert, Del Valle, Felton, Fox, Gaffey, Hardy, Lane, Leach, Mathews, May, McCarthy of San Francisco, McComas, Merry, Morse, Nelson, Young, and Mr. Speaker—22.

NOES—Messrs. Anthony, Bass, Braunhart, Brooks, Brown of Sonoma, Brown of Yuba, Bruner, Brusie, Burns, Carr of Sacramento, Carr of Yuba, Chamberlain, Chandler, Coffman, Coleman, Cooper, Dimond, Downs, DuBrutz, Durham, Estey, Finlayson, Fraser, Frink, Garibaldi, Gorley, Green, Harris, Hershy, Hynes, Josselyn, Leadbetter, Levee, Maguire, Maybell, McCallion, McCarty of Lake, McIntosh, Messenger, Mulholland, Picket, Sayle, Simon, Sherburne, Spencer, Stanley, Stoddard, Streeter, Sweetland, Tyler, Walker, Ward, Wason of Ventura, Wasson of Mono, Wattson, and York—56.

Mr. Tyler gave notice of a motion to reconsider.

Mr. Fox moved to amend the bill.

Mr. Tyler moved to amend the amendment, upon which the ayes and noes were demanded by Messrs. Sweetland, McCallion, and DuBrutz.

And the amendment was rejected by the following vote:

AYES—Messrs. Adams, Brown of Yuba, Bruner, Brusie, Cameron, Chandler, Corcoran, Del Valle, Downs, Felton, Finlayson, Fox, Hardy, Harris, Lane, May, McCarthy of San Francisco, McComas, Merry, Morse, Mulholland, Nelson, Stanley, Streeter, Tyler, Ward, Wason of Ventura, Wasson of Mono, and Mr Speaker—29

NOES—Messrs. Anthony, Bass, Bennett, Braunhart, Brooks, Brown of Sonoma, Burns, Carr of Sacramento, Carr of Yuba, Chamberlain, Coffman, Coleman, Cook, Cooper, Cuthbert, Dimond,

DuBrutz, Durham, Estey, Fraser, Frink, Garibaldi, Gaffey, Gorley, Green, Hershy, Hynes, Josselyn, Leach, Leadbetter, Levee, Maguire, Mathews, Maybell, McCallion, McCarty of Lake, McDade, McIntosh, Messenger, Picket, Sayle, Simon, Sherburne, Spencer, Stoddard, Sweetland, Walker, Wattson, York, and Young—50.

The question recurring upon Mr. Frink's amendment, and the ayes and noes being demanded by Messrs. DuBrutz, McIntosh, and Maybell, the amendment was lost by the following vote:

AYES—Messrs. Adams, Bennett, Bruner, Camron, Chandler, Corcoran, Del Valle, Fox, Hardy, Harris, Lane, Leach, May, McCarthy of San Francisco, McComas, Merry, Morse, Mulholland, Nelson, Stanley, Tyler, Ward, Wason of Ventura, Young, and Mr. Speaker—25.

NOES—Messrs. Anthony, Bass, Braunhart, Brooks, Brown of Sonoma, Brown of Yuba, Brusie, Burns, Carr of Sacramento, Carr of Yuba, Chamberlain, Coffinan, Coleman, Cook, Cooper, Cuthbert, Dimond, Downs, DuBrutz, Durham, Estey, Felton, Finlayson, Fraser, Frink, Garibaldi, Gaffey, Gorley, Green, Hershy, Hynes, Josselyn, Leadbetter, Levee, Maguire, Mathews, Maybell, McCallion, McCarty of Lake, McDade, McIntosh, Messenger, Picket, Sayle, Simon, Sherburne, Spencer, Stoddard, Streeter, Sweetland, Walker, Wasson of Mono, Wattson, and Young—53.

The previous question was demanded by Messrs. Cooper, DuBrutz and Anthony.

So ordered.

At four o'clock and thirty minutes P. M., Mr. Finlayson moved to adjourn.

Lost.

Mr. Tyler appealing from the decision of the Chair in the matter of the previous question above, the appeal was laid on the table.

ADJOURNMENT.

At four o'clock and forty minutes P. M., Mr. Lane moved to adjourn.

Carried.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Tuesday, January 13th, 1880.

House met pursuant to adjournment.

Speaker Cowdery in the chair.

Roll called, and a quorum present.

Prayer by the Chaplain.

Mr. Tyler moved that the reading of the Journal of yesterday be dispensed with.

So ordered.

Mr. Tyler moved that the Journal of January fifth, eighteen hundred and eighty, be corrected so as to insert in full the remarks that the Speaker made upon taking his seat.

Carried.

Mr Cooper moved the temporary suspension of the rules, in order to take up Assembly Bill No. 8.

Lost.

On motion of Mr. Young, the Journal of yesterday was ordered to be considered read and approved as written.

One week's leave of absence was granted to Mr. DuBrutz of Tulare.

REPORTS OF STANDING COMMITTEES.

By Mr. Fox:

MR SPEAKER: The Judiciary Committee have had under consideration Assembly Bill No. 3—"An Act for the protection of laborers on public works"—and now report the same back, and recommend that the same do not pass, the committee believing that the provisions thereof are unwise, impracticable, and unconstitutional.

FOX, Chairman.

Also:

MR. SPEAKER: The Judiciary Committee have had under consideration Assembly Bill No. 11—"An Act to repeal an Act entitled 'An Act to authorize the City and County of San Francisco to provide and maintain public water-works for said city and county, and to condemn and purchase private property for that purpose,' approved March thirtieth, eighteen hundred and seventy-four"—and now report the same back, and recommend that the same be referred to the San Francisco delegation.

FOX, Chairman.

Also:

MR SPEAKER: The Judiciary Committee have had under consideration Assembly Bill No. 12—"An Act to repeal chapter four, of title one, part two, of the Political Code, and all laws creating Judicial Districts in this State, defining the boundaries thereof, and fixing the terms of the Courts therein"—and now report the same back, and recommend its passage.

FOX, Chairman.

NOTICE.

By Mr. Corcoran:

MR. SPEAKER. You will please take notice that I will, to-morrow, move to amend Rule Eighteen of the Assembly Rules, by adding a new section, number thirty-nine, as follows: "A Committee on Irrigation, to consist of nine members."

INTRODUCTION AND FIRST READING OF BILLS.

By Mr. May—An Act in relation to certain deputies and assistants of County Clerks.

Read first time, and referred to Judiciary Committee.

By Mr. Tyler—An Act to legalize and validate the assessment and assessment roll for State, county, and consolidated city and county taxes of the various counties of the State, for the fiscal year commencing in March, eighteen hundred and seventy-nine.

Read first time, and referred to the Judiciary Committee.

Also, an Act entitled an Act to repeal an Act entitled an Act relative to executions from Courts of Justices of the Peace of the several townships of the County of Alameda.

Read first time, and referred to the Alameda delegation.

By Mr. Gorley—An Act to preserve the public morals and prevent the spread of vice.

Read first time, and referred to the Committee on Public Morals.

By Mr. Levee—An Act to prohibit the sale of intoxicating liquors in the State Capitol building.

Read first time, and referred to the Committee on Public Morals.

By Mr. Walker—An Act to provide for the licensing of, and against the evils arising from, the sale of intoxicating liquors.

Read first time, and referred to the Committee on Public Morals.

By Mr. Fox—An Act to amend sections five hundred and ninety-six and six hundred and thirty-three of the Political Code.

Read first time, and referred to Committee on Corporations.

By Mr. Fox—An Act to amend an Act to provide for the incorporation of mutual insurance companies for the insurance of life and

health against accidents, approved April second, eighteen hundred and sixty-six.

Read first time, and referred to Committee on Corporations.

By Mr. Harris—An Act to amend section one thousand two hundred and ninety-five of the Code of Civil Procedure.

Read first time, and referred to the Judiciary Committee.

By Mr Maybell—An Act relating to the appointment of aliens to positions under State, county, city and county, city, or town officials.

Mr. Braunhart moved its reference to the Committee on Chinese Emigration and Immigration.

Lost.

The bill was then referred to the Judiciary Committee.

By Mr. Braunhart—An Act to limit and fix the wages and hours of labor of conductors, drivers, and employés of street railroads in the cities and towns of the State.

Read first time, and referred to the Committee on Corporations.

Also, an Act to prohibit the employment of Chinese or Mongolians by corporations.

Mr. Braunhart moved its reference to the Committee on Chinese Emigration and Immigration.

The ayes and noes being demanded by Messrs. Braunhart, Maybell, and Carr, the roll was called, and the motion lost by the following vote:

AYES—Messrs Anthony, Braunhart, Brown of Sonoma, Burns, Carr of Yuba, Coffman, Cooper, Corcoran, Cuthbert, DuBrutz, Garibaldi, Gaffey, Hardy, Harris, Hynes, Josselyn, Lane, Levee, Maguire, Mathews, Maybell, McCallion, McCarty of Lake, McCarthy of San Francisco, McDade, Messenger, Picket, Sayle, Simon, Spencer, Stoddard, Sweetland, Walker, and Wattson—34.

NOES—Messrs Adams, Bass, Bennett, Brooks, Brown of Yuba, Brunet, Bruse, Camron, Carr of Sacramento, Chamberlain, Chandler, Coleman, Cook, Del Valle, Dimond, Downs, Durham, Estey, Felton, Finlayson, Fox, Fraser, Frink, Gorley, Green, Hershy, Leach, Leadbetter, May, McComas, McIntosh, Merry, Morse, Mulholland, Nelson, Sherburne, Stanley, Streeter, Tyler, Ward, Wason of Ventura, Wasson of Mono, York, Young, and Mr. Speaker—45.

The bill was then referred to the Committee on Corporations.

At twelve o'clock and six minutes P. M., Mr. Lane moved to adjourn.

Lost.

The Speaker announced the appointment of the Committee on Chinese Immigration and Emigration, as follows:

On Chinese Immigration and Emigration—Messrs. McCarthy of San Francisco, McCarty of Lake, Young, York, Felton, Morse, Carr of Yuba, Maybell, and Anthony.

INTRODUCTION AND FIRST READING OF BILLS.

By Mr. Bennett—An Act to amend section three thousand seven hundred and seventy of the Political Code of this State, relative to the collection of penalties and costs on delinquent taxes.

Read first time, and referred to the Judiciary Committee.

REPORTS.

By Mr. Fox (by permission):

MR. SPEAKER: The Judiciary Committee have had under consideration Assembly Bill No. 13 —"An Act to repeal an Act entitled 'An Act to establish water rates in the City and County of San Francisco,' approved March first, eighteen hundred and seventy-six, and an Act amendatory of and supplementary to the same, approved April third, eighteen hundred and seventy-

six"—and now report the same back, and recommend that it be referred to the San Francisco delegation.

FOX, Chairman.

Report received, and bill referred to the San Francisco delegation.

NOTICE.

By Mr. DuBrutz:

MR. SPEAKER: I hereby give notice that I will, at an early day, introduce an amendment to the Standing Rules of the House, in reference to the reading at length of bills on three several days, protesting against the action of the House against reading at length on first and second days.

Laid on the table.

RESOLUTION.

By Mr. Leach:

MR SPEAKER I move that Messrs. Willis and Stockton be requested to furnish the Clerk of this House the debate of the Convention upon the reading of bills, and upon receipt the Clerk shall read it for the information of the members.

Mr. McIntosh moved to lay the resolution on the table.
Lost.
The question recurring upon the resolution it was adopted.

NOTICES.

By Mr. Braunhart:

MR. SPEAKER: I hereby give notice that I will, at an early day, introduce an amendment to the rules of the House, rescinding its action by which a Committee on Chinese Immigration and Emigration was created.

Also:

MR. SPEAKER: I hereby give notice that I will, at an early day, introduce an amendment to the rules of the House, relative to first, second, and third reading of bills.

ADJOURNMENT.

At twelve o'clock and thirty minutes P. M., Mr. Estey moved that the House do now adjourn.
Carried.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Wednesday, January 14th, 1880.

House met pursuant to adjournment.
Speaker Cowdery in the chair.
Roll called, and a quorum present.
Prayer by the Chaplain.
Reading of the Journal.
Mr. Tyler moved that further reading of the Journal be dispensed with, and the Journal approved.
So ordered.

REPORT OF STANDING COMMITTEE.

By Mr. Wason of Ventura:

MR. SPEAKER: The Committee on Education, to whom was referred Assembly Bill No. 29, have had the same under consideration, and beg leave to report the same back, and recommend its passage.

WASON, Chairman.

INTRODUCTION AND FIRST READING OF BILLS.

By Mr. McCarthy of San Francisco—An Act to make the secreting or storing of human corpses or human bones, in places other than authorized by law, a misdemeanor.

Read first time, and referred to Judiciary Committee.

By Mr. Gorley—An Act entitled an Act to compel the officers of stock companies to sell to the highest bidder, at public auction, the delinquent shares of stock, when so advertised by them for sale.

Read first time, and referred to the Judiciary Committee.

By Mr. Harris—An Act to amend. sections one thousand two hundred and ninety-eight and one thousand three hundred and three of the Code of Civil Procedure.

Read first time, and referred to the Judiciary Committee.

By Mr. Wattson—An Act permitting and authorizing railway and other corporations, organized under the laws of any State or Territory of the United States of America, or any Act of Congress of the United States of America, to do business in this State on the same terms as railway corporations organized under the laws of this State.

Read first time, and referred to Committee on Corporations.

By Mr. Maguire—An Act to establish and enforce eight hours as a legal day's work.

Read first time, and referred to the Committee on Labor and Capital.

By Mr. Bruner—An Act to amend section six hundred and eighty-five of the Code of Civil Procedure of California, in relation to the enforcement of judgments.

Read first time, and referred to the Committee on Judiciary.

MOTIONS AND RESOLUTIONS.

Mr. Braunhart called up the following resolution, pursuant to notice given yesterday:

Resolved, That the following be added to the Rules of the Assembly, under "Duties of Committees"

ON CHINESE IMMIGRATION AND EMIGRATION.

It shall be the duty of the Committee on Chinese Immigration and Emigration to take into consideration all propositions relative to the tendencies of Chinese labor upon the political, social, physical, moral, and financial condition and affairs of the State.

Mr. Tyler moved its indefinite postponement.

Upon which, the ayes and noes being demanded by Messrs. Braunhart, Carr of Yuba, and McCallion, the motion was lost by the following vote:

AYES—Messrs. Bennett, Brooks, Brown of Yuba, Bruner, Brusie, Camron, Carr of Sacramento, Chamberlain, Coleman, Dimond, Downs, Durham, Finlayson, Fox, Fraser, Frink, Gor-

ley, Green, Leach, Leadbetter, May, McComas, McIntosh, Mulholland, Nelson, Sherburne, Stanley, Streeter, Tyler, Ward, York, Young, and Mr. Speaker—33.

NOES—Messrs. Anthony, Bass, Braunhart, Brown of Sonoma, Burns, Carr of Yuba, Coffman, Cook, Cooper, Corcoran, Cuthbert, Del Valle, Estey, Garibaldi, Gaffey, Hardy, Hershy, Hynes, Josselyn, Lane, Levee, Maguire, Mathews, Maybell, McCallion, McCarty of Lake, McCarthy of San Francisco, McDade, Merry, Messenger, Morse, Picket, Sayle, Simon, Spencer, Stoddard, Sweetland, Walker, Wason of Ventura, and Wattson—40.

Mr. Fox moved to amend by substituting the following: "It shall be the duty of the Committee on Chinese Immigration and Emigration to consider and report upon all such bills and resolutions as may be referred to it on the subject of the immigration or emigration of the Chinese, and the treaties relating thereto."

Pending discussion of the above substitute, Messrs. Braunhart, Levee, and Walker moved the previous question.

The question being taken upon the motion to order the main question, the House refused to order it.

Pending the discussion Mr. Braunhart withdrew his resolution.

Mr. Fox offered his substitute above as an original resolution.

Mr. McCarthy of San Francisco moved to lay it on the table.

So ordered.

RECESS.

At twelve o'clock and forty-five minutes P. M., Mr. McCarty of Lake moved to take a recess until two o'clock P. M. this day.

Carried.

RE-ASSEMBLED.

House re-assembled at two o'clock P. M.

Speaker Cowdery in the chair.

RESOLUTIONS.

By Mr. Tyler (by permission):

Resolved, That the Committee on the State Prisons be authorized to appoint a Clerk at a salary of five dollars per day, payable out of the appropriation for the contingent expenses of the Assembly.

Referred to the Committee on Attachés and Employés.

Also:

Resolved, That five hundred copies of Governor Perkins' message be printed for the use of the Assembly.

Adopted.

Also:

Resolved, That the Rev. O. C. Wheeler be tendered the use of the Assembly Chamber on Friday evening, the sixteenth instant, for the purpose of delivering his lecture on Chinese Immigration.

Adopted.

By Mr. Estey:

WHEREAS, A doubt has arisen in the Committee on Mileage as to whether the members of this Assembly receive pay for mileage under the law of eighteen hundred and seventy-seven-eight, or whether the matter is to be governed by the Constitution without further legislation, therefore,

Resolved, That the Judiciary Committee be directed to report to this House what amount of mileage is legally payable to members of this session of the Legislature.

Mr. Braunhart moved to lay it on the table.
Lost.
The resolution was ordered referred to the Judiciary Committee.
By Mr. May:

Resolved, That the Committee on Ways and Means be and it is hereby authorized to employ a Clerk, at the usual per diem of Committee Clerks, to be paid out of the Contingent Fund of the Assembly.

Referred to the Committee on Attachés and Employés.
Also:

Resolved, That the Secretary of State be and he is hereby authorized to furnish stationery to the committees of this House, upon requisition therefor by the Chairman of the same, to be paid out of the Contingent Fund of the Assembly.

Adopted.
By Mr. Morse:

Resolved, That the Sergeant-at-Arms be and he is hereby instructed to receive from, and receipt to, the Controller of State for all warrants due or hereafter to become due to the officers, employés and attachés of the Assembly for their per diem.

Adopted.
By Mr. Corcoran (pursuant to notice):

Resolved, That a Committee on Irrigation be added to the Standing Committees of the House, the said committee to consist of nine members. *It shall be the duty of the said committee* to consider questions respecting irrigation only.

Lost.
By Mr. Young:

Resolved, That the Sergeant-at-Arms is hereby authorized to appoint two additional Porters *to attend to committee-rooms, each to receive a per diem of four dollars*, to be paid out of the Contingent Fund of the Assembly.

Referred to the Committee on Attachés and Employés.
By Mr. Wasson of Mono:

Resolved, That the Committee on Mines and Mining Interests be allowed to appoint a Clerk at the usual compensation.

Referred to the Committee on Attachés and Employés.
By Mr. Braunhart (pursuant to notice).

Resolved, That Rule Six of the Standing Rules of the House is hereby amended to read as follows:

6.

READING OF BILLS.

Every bill shall be read *at length* on three several days previous to its passage, unless, in case of urgency, two-thirds of the House shall, by vote of the yeas and nays, dispense with this provision. No bill shall be read a second time until it shall have been printed and placed upon the desk of each member. 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, but no motion to reject* shall be entertained by the Speaker unless the bill be couched in disrespectful, improper, or insolent language.

Mr. Tyler moved the indefinite postponement of the resolution.

Upon which the ayes and noes being demanded by Messrs. Braunhart, McCallion, and Spencer, the roll was called, and the motion carried by the following vote:

AYES—Messrs. Bennett, Brooks, Brown of Yuba, Bruner, Brusie, Camron, Carr of Sacramento, Chamberlain, Chandler, Coffman, Coleman, Cook, Cooper, Corcoran, Del Valle, Dimond, Downs, Estey, Felton, Finlayson, Fox, Fraser, Frink, Gorley, Green, Hardy, Harris, Hershy, Leach, Leadbetter, Mathews, May, McCarty of Lake, McCarthy of San Francisco, McComas, McIntosh, Morse, Mulholland, Nelson, Sayle, Sherburne, Stanley, Streeter, Tyler, Ward, Wattson, Young, and Mr. Speaker—48.

NOES—Messrs. Adams, Anthony, Bass, Braunhart, Brown of Sonoma, Burns, Carr of Yuba, Cuthbert, Garibaldi, Hynes, Josselyn, Lane, Levee, Maguire, Maybell, McCallion, McDade, Merry, Messenger, Picket, Sinon, Spencer, Stoddard, Sweetland, Walker, Wasson of Mono, and York—27.

The Speaker ordered the Clerk to read the report of the proceedings had in the Constitutional Convention on the adoption of section fifteen, article four, of the Constitution, relative to the method of passing bills by the Legislature, as follows:

IN COMMITTEE OF THE WHOLE, CONSTITUTIONAL CONVENTION, DECEMBER NINETEENTH, EIGHTEEN HUNDRED AND SEVENTY-EIGHT.

Section fifteen of the article on Legislative Department, as reported by the committee, read as follows:

SEC. 15. No law shall be passed except by bill. * * Any bill may originate in either House, but may be amended or rejected by the other, and, on the final passage of all bills, they shall be read at length; and the vote shall be by ayes and noes, separately, and shall be entered on the Journal, and no bill shall become a law without the concurrence of a majority of the members elected to each House.

Mr. Reynolds offered the following amendment:

Insert after the word "bill" "Nor shall any bill be put upon its final passage until the same, with the amendments thereto, shall have been printed for the use of the members. Nor shall any bill become a law unless the same be read on three several days in each House, unless, in case of urgency, two-thirds of the House where such bill may be pending shall, by a vote of yeas and nays, deem it expedient to dispense with this rule."

DEBATE.

MR REYNOLDS—*Mr. President*. This amendment commends itself to the consideration of the committee without any remarks or waste of time in discussion. It simply provides, in addition to the provisions of section fifteen as reported, that the bill and the amendments, if any, shall be printed, before the bill with the amendments shall be put upon its final passage. It seems to me that a provision of this kind needs no comment, need not be urged upon the attention of this committee. We have had sufficient experience here in this Convention, and in early legislative experience to prove, I think, to every man, that it is impossible for a member to understand what he is voting for, or what the provisions of a bill are, by hearing them read at the desk. I undertake to say, that of the legislation which goes through under a suspension of the rules, simply by being read at the desk, not one-quarter of the members know what they are voting for, and the object of the provisions of the amendment is that the bill shall be *read*, or what is the same thing, considered, on three several days before being put upon its final passage The object of that is apparent. It is to prevent hasty legislation, unless in case of urgency, when the rules may be suspended by a two-thirds vote. I think they are both wise provisions, both tending to guard legislation These are the only two provisions intended by this amendment. They are both wise They are not intended to nor will they hamper legislation, but to compel it to be done decently and in order, after the legislation has been well considered.

MR. MCCALLUM—Why, sir, if they put that provision in the Constitution it might be construed that the bill cannot be read by title.

MR. REYNOLDS—The section says that on the final passage of all bills they shall be read at length. That part of the section, construed with the amendment, will not be understood as meaning that the bill shall be read at length on the second and first readings, but *considered* on three several days before passage.

The Constitution of Illinois says: "Every bill shall be read at length on three several days" Now I do not ask *that* in this provision. I only ask that it shall be *considered* on three several days.

Amendment adopted—ayes, 60; noes, 42.

NOTICES (BY PERMISSION).

By Mr. Corcoran:

MR. SPEAKER: You will please take notice that I will, to-morrow, move to amend section twenty of Rule Eighteen, so that it will read as follows: A Committee on Water, Water Rights, and Drainage, to consist of seven members.

Also:

MR. SPEAKER: You will please take notice that I will, to-morrow, move to add a new section to Rule Twenty of the rules of this House, to read as follows: A Committee on Irrigation, to consist of nine members.

Mr. Fox moved to take from the table the following resolution:

WHEREAS, Assembly Bills Nos. 4, 5, and 10 were, on Saturday last, referred to the Committee on Chinese Immigration and Emigration, under the impression, as stated at the time, that they were Acts relating to Chinese immigration and emigration, and whereas, upon examination it appears that neither of said bills has reference to that subject, but all refer to the subject of licenses, now, therefore,

Resolved, That said Assembly Bills, Nos. 4, 5, and 10, and each of them, be and are hereby withdrawn from the Committee on Chinese Immigration and Emigration and referred to the Committee on Ways and Means.

Mr. Braunhart moved its indefinite postponement.

Lost.

The question then being taken on the resolution it was adopted.

GENERAL FILE.

Assembly Bill No. 2—An Act to make the Code of Civil Procedure and the Penal Code of California the rule of action in the Courts as at present organized—was then taken up, and read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Adams, Anthony, Bass, Bennett, Braunhart, Brooks, Brown of Sonoma, Brown of Yuba, Bruner, Brusie, Burns, Camron, Carr of Sacramento, Carr of Yuba, Chamberlain, Chandler, Coffman, Coleman, Cook, Cooper, Corcoran, Cuthbert, Del Valle, Dimond, Downs, Durham, Estey, Felton, Finlayson, Fox, Fraser, Frink, Garibaldi, Gaffey, Gorley, Green, Hardy, Harris, Hershy, Hynes, Josselyn, Lane, Leach, Leadbetter, Levee, Maguire, Mathews, May, Maybell, McCallion, McCarty of Lake, McCarthy of San Francisco, McComas, McDade, McIntosh, Merry, Messenger, Morse, Mulholland, Nelson, Picket, Sayle, Simon, Sherburne, Spencer, Stanley, Stoddard, Streeter, Sweetland, Tyler, Walker, Ward, Wattson, York, Young, and Mr. Speaker—76.

NOES—None.

Assembly Bill No. 7—An Act to amend sections one hundred and forty-seven, one hundred and forty-eight, and one hundred and forty-nine of an Act entitled "An Act to establish a Code of Civil Procedure," approved March eleventh, eighteen hundred and seventy-two, relating to seals of Courts.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Adams, Anthony, Bass, Bennett, Braunhart, Brooks, Brown of Sonoma, Brown of Yuba, Bruner, Brusie, Burns, Camron, Carr of Sacramento, Carr of Yuba, Chamberlain, Chandler, Coffman, Coleman, Cooper, Corcoran, Cuthbert, Del Valle, Dimond, Downs, Durham, Estey, Felton, Finlayson, Fox, Fraser, Frink, Garibaldi, Gaffey, Gorley, Green, Hardy, Harris, Hershy, Hynes, Josselyn, Lane, Leach, Leadbetter, Levee, Maguire, Mathews, May, Maybell, McCallion, McCarty of Lake, McCarthy of San Francisco, McComas, McDade, McIntosh, Merry, Messenger, Morse, Mulholland, Nelson, Picket, Sayle, Simon, Sherburne, Spencer, Stanley, Stoddard, Streeter, Sweetland, Tyler, Walker, Ward, Wattson, York, Young, and Mr Speaker—75.

NOES—None.

Assembly Bill No. 3—An Act for the protection of laborers on public works—came up for final passage, and was read third time.

Mr. Finlayson moved to strike out the enactment clause.

Upon which motion the ayes and noes were demanded by Messrs. Braunhart, Lane, and Maybell, and the bill declared rejected by the following vote:

AYES—Messrs. Adams, Anthony, Bass, Bennett, Brooks, Brown of Sonoma, Brown of Yuba, Bruner, Brusie, Camron, Carr of Sacramento, Chamberlain, Chandler, Coffman, Coleman, Cook, Cooper, Corcoran, Del Valle, Dimond, Downs, Durham, Estey, Felton, Finlayson, Fox, Fraser, Frink, Garibaldi, Gorley, Green, Hardy, Hershy, Hynes, Leach, Leadbetter, Levee, Mathews, May, McCarty of Lake, McComas, McIntosh, Merry, Messenger, Morse, Mulholland, Nelson, Sayle, Sherburne, Spencer, Stanley, Stoddard, Streeter, Sweetland, Tyler, Walker, Ward, Wasson of Mono, Wattson, York, and Young—61.

NOES—Messrs. Braunhart, Burns, Carr of Yuba, Cuthbert, Gaffey, Josselyn, Lane, Maguire, Maybell, McCallion, McCarthy of San Francisco, McDade, Picket, Simon, and Mr. Speaker—15.

Assembly Bill No. 12—An Act to repeal chapter four, of title one, of part two, of the Political Code, and all laws creating judicial districts in this State, defining the boundaries thereof, and fixing the terms of Court therein.

Read third time.

The roll was called, and the bill was passed by the following vote:

AYES—Messrs. Adams, Anthony, Bass, Bennett, Braunhart, Brooks, Brown of Yuba, Bruner, Brusie, Camron, Carr of Sacramento, Carr of Yuba, Chamberlain, Chandler, Coffman, Coleman, Cook, Cooper, Corcoran, Cuthbert, Del Valle, Dimond, Downs, Durham, Estey, Felton, Finlayson, Fox, Fraser, Frink, Garibaldi, Gaffey, Gorley, Green, Hardy, Hershy, Hynes, Josselyn, Lane, Leach, Leadbetter, Levee, Maguire, Mathews, May, Maybell, McCallion, McCarty of Lake, McCarthy of San Francisco, McComas, McDade, McIntosh, Merry, Messenger, Morse, Mulholland, Nelson, Picket, Sayle, Simon, Sherburne, Spencer, Stanley, Streeter, Sweetland, Tyler, Walker, Ward, Wattson, York, Young, and Mr. Speaker—72.

NOES—None.

UNFINISHED BUSINESS.

Assembly Bill No. 8 was taken up, and recommitted to the Judiciary Committee.

ADJOURNMENT.

At three o'clock and thirty-five minutes P. M., Mr. May moved that this House do now adjourn.

Carried.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Thursday, January 15th, 1880.

House met pursuant to adjournment.

Speaker Cowdery in the chair.

Roll called, and a quorum present.

Prayer by the Rev. Dr. Henderson.

Reading of the Journal.

Mr. Tyler moved that the reading of the Journal of yesterday be dispensed with, and the Journal approved.

Adopted.

Leave of absence was granted to Mr. McCarty of Lake for one week.

PETITION.

Mr. Walker presented a petition relative to Chinese.
Referred to Committee on Municipal Corporations.

REPORTS OF STANDING COMMITTEES.

By Mr. Camron:

MR. SPEAKER: Your Committee on Attachés and Employés, to whom was referred the hereto attached resolution below, have carefully considered the same, report the same back to the Assembly, and recommend that it be not adopted.

Resolved, That the Committee on Mines and Mining Interests be allowed to appoint a Clerk, at the usual compensation.

Report received, and resolution lost.
Also:

MR. SPEAKER: Your Committee on Attachés and Employés, to whom was referred the hereto attached resolution, have had the same under careful consideration, and report the same back to the Assembly without their approval, and recommend that it be not adopted.

CAMRON, Chairman.

Resolved, That the Sergeant-at-Arms is hereby authorized to appoint two additional Porters to attend to committee-rooms, each to receive a per diem of four dollars, to be paid out of the Contingent Fund of the Assembly.

Report received.
Mr. York moved to amend the resolution by striking out four dollars and inserting three dollars.
Adopted.
The question recurring upon the resolution, as amended, it was lost.
By Mr. Camron:

MR SPEAKER: Your Committee on Elections, to whom was referred papers indorsed "Assembly papers, contest Kellogg vs. Mulholland," have had the matter under consideration, and beg leave to report as follows

Upon examination of the papers referred to us we find them to consist of—

1. A statement of contest, about in the ordinary form of a complaint in a Court of justice, stating, upon information and belief, as a ground of contest, that Mr. Mulholland had not resided for three years in this State prior to the election, and verified in the usual form of verifying a complaint in the Courts, and filed with the County Clerk of the County of Plumas on the second day of October, eighteen hundred and seventy-nine

2. A certificate of the County Clerk of Lassen County, certifying that the total number of votes cast in the Counties of Plumas and Lassen, for a Joint Assemblyman from those counties, was:

For Charles Mulholland	843
For W. W. Kellogg	647
For J. S. Carter	524

There is nothing in the papers to show that "written notice of the contest," or a "copy thereof," or of the statement, were ever served upon Charles Mulholland, whose seat is attempted to be contested, as required by section two hundred and seventy-six of the Political Code.

It does not appear that any testimony was ever taken in the case.

Section two hundred and seventy-four of the Political Code requires a "statement of the grounds of contest to be filed within twenty days from the date of the certificate of election," but there is nothing among the papers to show when the certificate of election was issued to Mr. Mulholland, and, therefore, nothing to show whether the statement of contest was filed in time or not

Section two hundred and seventy-five of the Political Code requires that, on the filing of a statement of contest, the Clerk with whom it is filed must issue a commission to take testimony. It does not appear that any such commission was issued.

In short, no part of the law seems to have been complied with, so far as the papers show, to entitle a party to contest the right of a person receiving a certificate of election to a seat on this floor.

Your committee are, therefore, of the opinion that the law has not been complied with in this case, and that this House has no right to inquire into the merits thereof; and, therefore, that the Honorable Charles Mulholland, having received a certificate of election in due form, is entitled to his seat on the floor of this House as the joint representative of Plumas and Lassen Counties.

CAMRON, Chairman Committee of Elections.

Report received and adopted.

By Mr. Fox:

ASSEMBLY CHAMBER, SACRAMENTO, January 15th, 1880.

MR. SPEAKER: Your Judiciary Committee, to whom was referred Assembly Bill No. 93—"An Act in relation to certain deputies and assistants of County Clerks"—have had the same under consideration, and now report the same back, and recommend its passage.

FOX, Chairman.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, January 15th, 1880.

MR SPEAKER Your Judiciary Committee, to whom was referred Assembly Bill No 23—"An Act entitled an Act to amend section one thousand four hundred and fifty-two of the Code of Civil Procedure"—have had the same under consideration, and report it back, unanimously recommending its passage.

FOX, Chairman.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, January 15th, 1880.

MR. SPEAKER: Your Judiciary Committee, to whom was referred Assembly Bill No 18—"An Act to repeal section four hundred and twenty of the Penal Code" of this State—have had the same under consideration and report the same back, and recommend that it be not passed.

FOX, Chairman.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, January 15th, 1880.

MR. SPEAKER Your Judiciary Committee, to whom was referred Assembly Bill No 26—"An Act to amend section eleven hundred and eleven of the Penal Code, relating to the testimony of an accomplice"—have had the same under consideration, and report it back, unanimously recommending its passage.

FOX, Chairman.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, January 15th, 1880

MR SPEAKER: Your Judiciary Committee, to whom was referred Assembly Bill No. 8—"An Act to amend sections two hundred and seventy-five, two hundred and seventy-six, and two hundred and eighty-seven of an Act entitled 'An Act to establish a Code of Civil Procedure,' approved March eleventh, eighteen hundred and seventy-two, relating to attorneys and counselors at law"—have had the same under consideration, and now report the same back with amendments, and recommend its passage as amended.

FOX, Chairman.

By Mr. Walker:

MINORITY REPORT.

MR SPEAKER: I hereby report back to the House, Assembly Bill No. 8, heretofore referred to the Judiciary Committee, and recommend that it do pass without amendments by the committee.

WALKER, of Judiciary Committee.

By Mr. Sherburne:

MR. SPEAKER Your Committee on Engrossment have examined and find properly engrossed Assembly Bills Nos. 2, 7, and 12.

SHERBURNE, Chairman.

By Mr. Mulholland:

MR. SPEAKER Your Committee on Federal Relations, to whom was referred the accompanying resolutions following, have carefully considered the same, and recommend to amend, by inserting the word "lawful" after the words "famine and in their" in the last line but three.

MULHOLLAND.

WHEREAS, It appears that the people of Ireland are seriously threatened with the horrors of famine, and whereas, the destitution and suffering that are now prevailing, and that are likely to increase, are in a great measure due to the system of land tenure which prevails in that unfortunate country, therefore,

Resolved by the Senate and Assembly, That the Legislature of California views with most earnest and heartfelt sympathy the efforts now being made by patriotic Irishmen to ameliorate the condition of their beloved country, and extends to the Irish people its sincere wish for the success in their endeavors to obtain for themselves and their posterity the inestimable boon of equal laws and self-government.

Resolved, That we cordially sympathize with the people of Ireland, in their present alarming condition from threatening famine, and in their efforts to obtain relief from the oppressive landlord system.

By Mr. York:

MR. SPEAKER: Your committee appointed to confer with a similar committee appointed by the Senate, to examine into the facilities for heating this building, would respectfully submit the following report

Resolved first, That the Secretary of State be authorized to construct a suitable shed for the protection of wood used for heating this building, to be paid for out of the general fund for contingent expenses of State Capitol

Resolved second, That one additional fireman be appointed by the Secretary of State, to be employed for such term as necessity may require, to be paid the same per diem as the fireman now employed, out of the general fund for contingent expenses of State Capitol.

Resolved third, That the Porters of the Senate and Assembly are hereby instructed to have the Senate and Assembly Chambers put in complete order, and the windows of the same closed as early as eight o'clock A. M., on each morning of this session.

Resolved fourth, That the Engineer be instructed to make a thorough examination of the heating pipes leading to the various parts of this building, and report any defects to the Secretary of State.

Resolved fifth, That whereas the wood now in use for heating this building is not of the best quality; therefore, be it further

Resolved, That in future, none but material of the first quality be procured for the heating purposes of this building.

Signed on the part of Asssembly:

J. L. YORK,
L. G. MORSE,
STEPHEN MAYBELL.

Signed on the part of Senate

GROVE L. JOHNSON,
CHESTER ROWELL,
E. H. PARDEE

INTRODUCTION AND FIRST READING OF BILLS.

By Mr. Carty—An Act to repeal sections two, three, and six, and amending section four, of an Act to provide for the payment of certain bonds of the County of Lake, approved March twenty-eighth, eighteen hundred and seventy-four, in relation to an Assessor and Collector.

Read first time, and referred to the Judiciary Committee.

By Mr. Morse—An Act to amend sections nine hundred and seventy-four, nine hundred and seventy-five, nine hundred and seventy-six, nine hundred and seventy-seven, nine hundred and seventy-eight, and nine hundred and eighty, of an Act entitled "An Act to establish a Code of Civil Procedure," approved March eleventh, eighteen hundred and seventy-two, relating to appeals to County Courts.

Read first time, and referred to the Judiciary Committee.

By Mr. Gorley—An Act making appropriations for the better protection of the flags of California troops of the late war now in the State Capitol, and to provide better security for the State property stored in the State Armory.

Read first time, and referred to the Committee on Military Affairs.

By Mr. McComas—An Act to provide for the registration of electors.

Read first time, and referred to the Committee on Elections.

By Mr. Carr—An Act to amend section two hundred and sixty-six of the Political Code.

Read first time, and referred to the Judiciary Committee.

By Mr. Sinon—An Act to secure the payment of mechanics, laborers, and material for work done or materials furnished on realty.

Read first time, and referred to the Committee on Labor and Capital.

By Mr. Merry—An Act to amend section one thousand three hundred and eighteen of an Act entitled an Act to establish a Code of Civil Procedure, approved March eleventh, eighteen hundred and seventy-two, relative to the contesting of the probate of wills.

Read first time, and referred to the Judiciary Committee.

Also, an Act to amend section seven hundred and two of an Act entitled an Act to establish a Code of Civil Procedure, approved March eleventh, eighteen hundred and seventy-two.

Read first time, and referred to the Judiciary Committee.

Also, an Act to repeal an Act entitled an Act conferring further powers upon the Board of Supervisors of the City and County of San Francisco, approved April first, eighteen hundred and seventy-eight.

Read first time, and referred to the San Francisco delegation.

By Mr. Lane—An Act to create a paid fire department in all cities of over one hundred thousand inhabitants.

Read first time, and referred to the Committee on Labor and Capital.

By Mr. Corcoran—An Act to prevent the sale and use of opium.

Read first time, and referred to the Committee on Public Morals.

By Mr. Maguire—An Act to compel the use of a brand, stamp, stencil, or trade mark in all manufactured commodities.

Read first time, and referred to the Committee on Judiciary.

By Mr. Braunhart—An Act to amend section three hundred and three of the Penal Code, relative to the sale of liquors by females.

Read first time, and referred to the Committee on Judiciary.

NOTICE.

By Mr. York:

MR. SPEAKER: I hereby give notice that, on to-morrow, I will introduce a resolution asking for the appointment of a special committee, entitled Committee on Homestead and Land Monopoly.

MOTIONS AND RESOLUTIONS.

By Mr. Maguire:

Resolved, That the Committee on Capital and Labor be empowered, and it shall be its duty, to hold sessions in the State Capitol building, of which due notice shall be given, and to invite representative men of the trades, professions, and business interests of the State to appear before them, and to give such facts and testimony relating to the laboring interests thereof, and matters connected therewith, as the committee may deem just and proper, and to make special inquiry relative to the effect of the application of labor-saving machinery and its competitive use in the interests of the owners thereof on the productive and manufacturing classes and interests of this State. To report to this House the result of such inquiries, and to recommend such legislative remedies as may be necessary to maintain a healthy relation between the demand for labor and the supply thereof.

Adopted.

By Mr. Downs:

Resolved, That the Committee on Irrigation, Water Rights and Drainage be and they hereby

are authorized to employ a Clerk at a per diem of five dollars, payable out of the Contingent Fund of the Assembly.

Referred to the Committee on Attachés and Employés.

Pursuant to notice, Mr. Corcoran called up his resolution relative to the appointment of a Committee on Water, Water Rights, and Drainage, and moved its adoption.

Adopted.

The rules were then declared amended so as to include a Committee on Irrigation, to consist of nine members.

ASSEMBLY CONCURRENT RESOLUTION.

By Mr. Leach—Relative to the protection of the commercial interests of the Pacific Coast.

WHEREAS, Owing to the great extent of the Pacific Coast, the distance from the seat of Government, and great expense of our commerce in case of war, and the inability of the Government at the present time, in such emergency, to supply us with proper protection, on account of an insufficiency in the number of its war vessels, and as the great important harbors of the Atlantic Coast are amply provided with iron-clads and floating batteries, therefore, be it

Resolved by the Assembly, the Senate concurring, That our Senators and Congressmen are hereby requested to use their utmost endeavors to obtain an appropriation by Congress for the completion of the United States iron-clad Monadnock, now in course of construction at Vallejo.

Resolved, That the Governor be requested to transmit a copy of these resolutions to each of our Senators and Congressmen.

Referred to the Committee on Commerce and Navigation.

At twelve o'clock and thirty-five minutes P. M., Mr. McIntosh moved to take a recess until one o'clock and thirty minutes P. M.

Lost.

Mr. Camron moved that when this House adjourns, it be until ten o'clock A. M. to-morrow.

Lost.

Mr. Tyler then moved that hereafter, at one o'clock P. M., the Chair shall declare a recess until two o'clock P. M.

So ordered.

Mr. McCallion calling up his resolution relative to the destitution and suffering now existing in Ireland, and expressing sympathy therewith, it was ordered to be printed, with the amendments recommended by the Committee on Federal Relations.

By Mr. Carr:

Resolved, That the Committee on Education be increased from seven to nine members.

Referred to the Committee on Rules.

By Mr. Bruner:

Resolved, That the Committee on Public Buildings and Grounds be authorized to proceed and make such examination of all public buildings and grounds of this State as they may deem necessary, and whenever they deem it advisable to take testimony relating thereto that they be empowered to send for persons and papers pertinent to such investigation, and are authorized to employ a Clerk for said committee, when it shall become necessary to employ said Clerk, said services to be paid for out of the Contingent Fund of the Assembly.

Referred to the Committee on Attachés and Employés.

ASSEMBLY JOINT RESOLUTION.

By Mr. Maybell:

Resolved, That immediately after the final passage of Assembly Bill No. 12, and after his Excellency, Governor Perkins, has attached his signature thereto, the Attorney-General shall take the necessary steps to bring said Act before the Supreme Court to test its validity—the said Act having been read merely by title twice, and but once at length.

Adopted.

RECESS.

The hour of one o'clock P. M. having arrived, the House took a recess until two o'clock P. M.

RE-ASSEMBLED.

The House re-assembled at two o'clock P. M.
Speaker Cowdery in the chair.

SECOND READING AND REFERENCE OF BILL.

Assembly Bill No. 29 read second time, and ordered on file.

RESOLUTIONS.

By Mr. Braunhart:

Resolved, That the following be added to the rules of the Assembly, under "Duties of Committees"

ON CHINESE IMMIGRATION AND EMIGRATION.

It shall be the duty of the Committee on Chinese Immigration and Emigration to take into consideration all propositions relative to the tendencies of Chinese labor upon the political, social, physical, and moral condition and affairs of the State, as may be referred to them by the House.

Mr. Tyler moved to substitute the following:

Resolved, That the Committee on Chinese Immigration and Emigration shall take into consideration all such matters as relate to the immigration and emigration, exclusively of the Chinese, and the power of the State to deal therewith, and such other matters as may be referred to them by the House.

Mr. McCallion moved the indefinite postponement of the substitute.
Carried.
Mr. Tyler then moved the indefinite postponement of the original resolution.
Lost.
The question then recurring upon Mr. Braunhart's resolution, and the ayes and noes being demanded by Messrs. Carr of Yuba, Burns, and Braunhart, the roll was called, and the resolution adopted by the following vote:

AYES—Messrs. Adams, Anthony, Bass, Bennett, Braunhart, Brooks, Brown of Sonoma, Brown of Yuba, Bruner, Brusie, Burns, Cameron, Carr of Sacramento, Carr of Yuba, Chamberlain, Chandler, Coffman, Coleman, Cook, Cooper, Cuthbert, Dimond, Downs, Durham, Estey, Felton, Finlayson, Fox, Fraser, Frink, Garibaldi, Gaffey, Gorley, Green, Hardy, Hershy, Hynes, Joselyn, Lane, Leach, Leadbetter, Levee, Maguire, Mathews, May, Maybell, McCallion, McCarthy of San Francisco, McComas, McDade, Merry, Messenger, Morse, Mulholland, Nelson, Picket, Sayle, Simon, Sherburne, Spencer, Stanley, Stoddard, Streeter, Sweetland, Tyler, Walker, Ward, Wasson of Mono, Wattson, York, and Mr. Speaker—70.
NOES—Messrs. Corcoran, McIntosh, and Young—3.

The Speaker announced the appointment of the Committee on Irrigation, as follows:

Committee on Irrigation—Messrs. Corcoran, Streeter, Green, Del Valle, DuBrutz, Sayle, Coffman, Spencer, and McIntosh.

Mr. Sherburne asking to be relieved from serving on the Committee on Fish and Game, the Speaker relieved Mr. Sherburne and appointed Mr. Merry on said committee instead, and appointed Mr. Sherburne upon the Committee on Elections, vice Mr. Merry, excused.

GENERAL FILE.

Assembly Bill No. 6—An Act to transfer the records, papers, and business of the Courts existing on the thirty-first day of December, eighteen hundred and seventy-nine, in this State, to the Courts now existing therein.

Taken up, read third time, and put upon its passage.

Mr. Hardy moved to re-commit the bill to the Judiciary Committee, with special instructions to amend.

Lost.

Roll was then called, and the bill was passed by the following vote:

AYES—Messrs. Adams, Bass, Bennett, Brooks, Brown of Sonoma, Brown of Yuba, Bruner, Brusie, Camron, Carr of Sacramento, Chandler, Coffinan, Coleman, Cook, Cooper, Corcoran, Cuthbert, Del Valle, Dimond, Downs, Durham, Estey, Felton, Finlayson, Fox, Fraser, Fink, Gorley, Green, Hardy, Harris, Hershy, Hynes, Josselyn, Leach, Leadbetter, Maguire, May, McCarthy of San Francisco, McComas, McDade, McIntosh, Merry, Mulholland, Nelson, Picket, Sayle, Simon, Sherburne, Spencer, Stanley, Stoddard, Streeter, Tyler, Ward, Wasson of Mono, York, Young, and Mr. Speaker—59.

NOES—Messrs. Anthony, Braunhart, Burns, Carr of Yuba, Gaffey, Lane, Mathews, Maybell, McCallion, Messenger, Morse, Sweetland, Walker, and Wattson—14

Title approved.

Mr. Hardy gave notice of a motion to reconsider.

ADJOURNMENT.

At four o'clock and five minutes P. M., Mr. Camron moved to adjourn. Carried.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Friday, January 16th, 1880.

House met pursuant to adjournment.

Speaker Cowdery in the chair.

Roll called, and a quorum present.

Prayer by the Chaplain.

Reading of the Journal.

Mr. McCarthy moved that the reading of the Journal be dispensed with, and the Journal approved.

Adopted.

By Mr. Estey:

Mr Speaker: The Committee on Mileage would beg leave to report that the following amounts are due to the members of Assembly for mileage from and to their residences to the Capital, for the Twenty-third Session of this House. We have taken official distances as established by part two, title three, of the Political Code, as amended, as a basis, and have calculated mileage and amounts in accordance with the unanimous opinion of the Judiciary Committee of the Assembly

Name.	County.	Miles	Amount
Adams, J.	Sonoma	282	$42 30
Anthony, E.	Santa Cruz	410	61 50
Bass, J. S P.	Shasta	354	53 10
Bennett, A.	Solano	80	12 00
Braunhart, S.	San Francisco	168	25 20
Brooks, M	Butte	156	23 40
Brown, H R	Sonoma	314	47 10
Brown, J P.	Yuba	194	29 10
Brusie, L.	Amador	100	15 00
Burns, J.	San Francisco	168	25 20
Cameron, W. W.	Alameda	182	27 30
Carr, S.	Sacramento	60	9 00
Carr, T. H.	Yuba	140	21 00
Chamberlain, T. L.	Placer	74	11 10
Chandler, A. L.	Sutter	76	11 40
Coffman, W. F	Mariposa	312	46 80
Coleman, C.	Alpine	450	67 50
Cook, J R	Modoc	758	113 70
Cooper, L F.	Del Norte	728	109 20
Corcoran, H. J.	San Joaquin	96	14 40
Cuthbert, W. W.	San Francisco	168	25 20
Del Valle, R. F	Los Angeles	956	143 40
Dimond, D	Tuolumne	226	33 90
Downs, R. C.	Amador	118	17 70
DuBrutz, A B.	Tulare	422	63 30
Durham, W W	Butte	178	26 70
Estey, C L	Marin	216	32 40
Felton, C N.	San Mateo	210	31 50
Finlayson, J. R	San Francisco	168	25 20
Fox, C. N.	Alameda	182	27 30
Fraser, T.	El Dorado	122	18 30
Frink, D.	Santa Clara	284	42 60
Garibaldi, S J	San Francisco	168	25 20
Gaffey, P. T.	San Francisco	168	25 20
Gorley, H. A	San Francisco	168	25 20
Green, P. M.	Los Angeles	970	145 50
Hardy, L. J.	San Francisco	168	25 20
Harris, J. J	San Benito	346	51 90
Hershey, D. N.	Yolo	60	9 00
Hynes, J	Sonoma	282	42 30
Josselyn, E. S.	Monterey	432	64 80
Lane, M.	San Francisco	168	25 20
Leach, F. A	Solano	120	18 00
Leadbetter, W. R.	San Joaquin	120	18 00
Levee, J	Nevada	186	27 90
Maguire, A B	San Francisco	168	25 20
Mathews, W. P	Tehama	246	36 90
May, W B	San Francisco	168	25 20
Maybell, S.	San Francisco	168	25 20
McCallion, J. J.	San Francisco	168	25 20
McCarty, A P	Lake	408	61 20
McCarthy, J. J.	San Francisco	168	25 20
McComas, R.	Santa Clara	256	38 40
McDade, J. J	San Francisco	168	25 20
McIntosh, E. J	San Joaquin	96	14 40
Merry, T. H.	San Francisco	168	25 20
Messenger, H. A.	Calaveras	146	21 90

REPORT OF COMMITTEE ON MILEAGE—Continued.

NAME	County.	Miles.	Amount
Morse, L G	Mendocino	510	$76 50
Mulholland, C.	Lassen	366	54 90
Nelson, J	Sierra	238	35 70
Pickel, G	San Francisco	168	25 20
Sayle, C G	Fresno	338	50 70
Simon, W. J.	San Francisco	168	25 20
Sherburne, D. N	Contra Costa	178	26 70
Spencer, J. D.	Stanislaus	154	23 10
Stanley, H Y	San Luis Obispo	586	87 90
Stoddard, C L	Humboldt	664	99 60
Streeter, H. M.	San Bernardino	1,192	178 80
Sweetland, J. O.	Nevada	172	25 80
Tyler, G. W.	Alameda	182	27 30
Walker, A M.	Nevada	260	39 00
Ward, G. B.	San Francisco	168	25 20
Wason, M.	Ventura	784	117 60
Wasson, J	Mono	632	94 80
Wattson, C. C.	San Diego	1,154	173 10
York, J. L.	Santa Clara	256	38 40
Cowdery, J F	San Francisco	168	25 20

CHAS. L. ESTEY,
D. N HERSHEY,
T. H. CARR.

Report received and adopted.

RESOLUTION (BY PERMISSION).

By Mr. Cooper:

Resolved, That the Controller be and he is hereby authorized to issue warrants in favor of the members of the Assembly, for the amounts due them under the report of the Committee on Mileage, payable out of the Contingent Fund of the Assembly.

Adopted.

REPORTS OF STANDING COMMITTEES.

By Mr. Camron:

Resolved, That the Committee on the State Prison be authorized to appoint a Clerk, at a salary of five dollars per day, payable out of the appropriation for the contingent expenses of the Assembly.

MR SPEAKER Your Committee on Attachés and Employés, to whom was referred the above resolution, beg leave to report the same back to the Assembly, with their approval, and recommend that it be adopted

CAMRON, Chairman.

Report received, and resolution adopted.
Also:

Resolved, That the Committee on Ways and Means be and it is hereby authorized to employ a Clerk, at the usual per diem of Committee Clerks, to be paid out of the Contingent Fund of the Assembly

MR. SPEAKER: Your Committee on Attachés and Employés, to whom was referred the above resolution, report the same back to the Assembly, with their approval, and recommend its adoption.

CAMRON, Chairman.

Adopted.
By Mr. Fox:

ASSEMBLY CHAMBER, SACRAMENTO, January 16th, 1880.

MR. SPEAKER: Your Judiciary Committee, to whom was referred Assembly Bill No. 31—An Act to amend sections one thousand four hundred and eighteen and one thousand four hundred

and nineteen, of the Penal Code—now report the same back with an amendment, and recommend the passage of the same as amended.

FOX, Chairman.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, January 16th, 1880.

MR SPEAKER: Your Judiciary Committee, to whom was referred Assembly Bill No 32—An Act to amend sections seven hundred and thirty-seven, seven hundred and forty-six, seven hundred and forty-nine, and seven hundred and fifty-three, of the Penal Code, relating to impeachments—have had the same under consideration, and now report the same back, and recommend its passage.

FOX, Chairman.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, January 16th, 1880.

MR. SPEAKER: Your Judiciary Committee, to whom was referred Assembly Bill No 34—An Act to amend an Act entitled "An Act to define the Senatorial and Assembly Districts of this State, and to apportion the representation thereof," approved March seventeenth, eighteen hundred and seventy-four—have had the same under consideration, and now report the same back, and recommend its passage.

FOX, Chairman.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, January 16th, 1880.

MR SPEAKER: Your Judiciary Committee, to whom was referred Assembly Bill No 33—An Act to amend sections one thousand four hundred and seventy-five and one thousand five hundred and four of the Penal Code, in relation to habeas corpus—have had the same under consideration, and now report the same back, and recommend its passage.

FOX, Chairman.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, January 16th, 1880.

MR SPEAKER: Your Judiciary Committee, to whom was referred Assembly Bill No 40—An Act for the protection of citizens engaged in business against alien competition—have had the same under consideration, and now report the same back, and recommend that it do not pass.

FOX, Chairman.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, January 16th, 1880.

MR. SPEAKER Your Judiciary Committee, to whom was referred Assembly Bill No. 38—An Act to regulate the custody and sale of personal property held in pledge—have had the same under consideration, and now report the same back, and recommend that it do not pass

FOX, Chairman.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, January 16th, 1880.

MR. SPEAKER: Your Judiciary Committee, to whom was referred Assembly Bill No 35—An Act to repeal all laws relating to judicial districts in this State—have had the same under consideration, and now report the same back, and recommend that it do not pass, for the reason that another Act, having the same object and accomplishing the same purpose, has already passed this Assembly.

FOX, Chairman.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, January 16th, 1880.

MR. SPEAKER: Your Judiciary Committee, to whom was referred Assembly Bill No 28—An Act to amend section two hundred and ninety-nine of the Civil Code—now report the same back with an amendment, and recommend that the same be passed as amended.

FOX, Chairman.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, January 16th, 1880.

MR. SPEAKER Your Judiciary Committee, to whom was referred Assembly Bill No. 27—An Act to amend section one thousand and twenty-three of the Code of Civil Procedure—report the same back, with a recommendation that the same be returned to the author for correction, or to take such other action in relation thereto as he shall be advised, said Act conflicting with the Constitution in reference to the mode and manner of making amendments.

FOX, Chairman.

No objection being made, Assembly Bill No. 27 was returned to the author.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, January 16th, 1880.

MR SPEAKER: Your Judiciary Committee, to whom was referred Assembly Bill No. 36—An Act to repeal section one thousand two hundred and twenty-two of the Code of Civil Procedure—now report the same back, and recommend its passage.

FOX, Chairman.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, January 16th, 1880.

MR SPEAKER: Your Judiciary Committee, to whom was referred Assembly Bill No. 22—An Act entitled an Act to provide for the receipt and appropriation of donations to the State or counties therein—have had the same under consideration, and report it back with amendments, and recommend the passage of the same as amended.

FOX, Chairman.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, January 16th, 1880.

MR SPEAKER: Your Judiciary Committee, to whom was referred resolution in relation to the doubt suggested by the Committee on Mileage, as to whether the members of this Assembly are to receive mileage under the law of eighteen hundred and seventy-seven-eight, or whether the matter is to be governed by the limitation of the Constitution without further legislation on the subject, respectfully report that we have had the same under consideration, and we find that the section of the Constitution on that subject (section twenty-three, article four), in express terms provides that the amount is to be fixed by law. We are of opinion that the Constitution is not self-operative in that respect, and that the members are either entitled to mileage under the law of eighteen hundred and seventy-seven-eight, or they are entitled to no mileage at all. Our conclusion, therefore, is, that members are entitled to mileage as provided in the law of eighteen hundred and seventy-seven-eight, at the rate of fifteen cents per mile from their respective places of residence to the State Capitol and return.

FOX, Chairman.

WHEREAS, A doubt has arisen in the Committee on Mileage, as to whether the members of this Assembly receive pay for mileage under the law of eighteen hundred and seventy-seven and eight, or whether the matter is to be governed by the Constitution without further legislation, therefore,

Resolved, That the Judiciary Committee be directed to report to this House what amount of mileage is legally payable to members of this session of the Legislature.

Report received and adopted.

By Mr. Finlayson:

MR. SPEAKER: Your Committee on Commerce and Navigation, to whom was referred Assembly Joint Resolution No. 2, relative to the protection of the commercial interests of the Pacific Coast, have considered the same, and report it back, and recommend the passage thereof.

FINLAYSON, Chairman.

By Mr. Young:

MR SPEAKER Your Committee on Rules and Regulations, to whom the annexed resolution was referred, report the same back, and in view of the action already taken by the House, deem the same unnecessary, and recommend that it do not pass.

YOUNG, Chairman.

WHEREAS, The Counties of Sacramento, El Dorado, Placer, Sutter, Yuba, Butte, Plumas, Sierra, and Nevada, are most directly interested in the debris question, therefore, be it

Resolved, That the combined delegations of said counties constitute a Committee on Debris, to which shall be referred all matters relating thereto. The committee shall have power to send for persons and papers, administer oaths, take testimony, and form sub-committees with all the before-mentioned power.

Report received, and resolution lost.

Also:

MR. SPEAKER: Your Committee on Rules and Regulations, to whom was referred the annexed resolution, report the same back, and recommend that it be not adopted.

YOUNG, Chairman.

Resolved, That the Speaker be and he is hereby authorized to appoint two additional members of the Judiciary Committee.

Resolution lost.
Also:

Resolved, That there be added to the Standing Committees of this House, to be appointed by the Speaker, a Committee on Mining Debris, and the lands and interests affected thereby, to consist of seven members.

MR. SPEAKER: Your Committee on Rules and Regulations have had under consideration the annexed resolution, and in view of the fact that the subject-matter thereof has already been provided for by this House, report the same back, and recommend that the same be not adopted.

YOUNG, Chairman.

Resolution lost.
Also:

MR. SPEAKER: Your Committee on Rules and Regulations have had under consideration the annexed resolution, and in view of the fact that this House has already provided for, and there has been appointed, a Committee on Capital and Labor, report the same back, and recommend that it do not pass.

YOUNG, Chairman.

Resolved by the Assembly, the Senate concurring, That a Standing Committee of eight be appointed—five from the Assembly and three from the Senate—to act as a Committee on Labor and Capital.

Resolution lost.
By Mr. Adams:

MR. SPEAKER: Your Committee on the Culture of the Grape, to whom was referred the resolution in reference to ascertaining what facilities the Agricultural Department of the State University has for conducting experiments in viticulture and viniculture, etc., have had the same under consideration, and now recommend the adoption of the resolution.

ADAMS, Chairman.

Resolved, That the Committee on the Culture and Improvement of the Grapevine be instructed to ascertain what facilities the Agricultural Department of the State University has for conducting experiments in viticulture and viniculture, and whether any additional facilities are required, and to report a bill, if necessary, to provide for the establishment and maintenance of experimental vineyards, and for the purchase of apparatus necessary to conduct experiments and impart instruction in the arts of fermentation of wines, distillation of spirits, and the nursing and cure of diseases in vinicultural products, also to obtain full and complete information, for the use of the public, on all subjects pertaining to the supply of wood for cooperage, and the facilities for obtaining the same.

Resolution adopted.

MESSAGE FROM THE GOVERNOR.

STATE OF CALIFORNIA, EXECUTIVE DEPARTMENT,
SACRAMENTO, January 13th, 1880.

To the Assembly of the State of California

I have the honor to transmit to your honorable body, by the request of the Commissioner of Transportation, a printed and corrected copy of his biennial report to the Legislature, accompanied with a communication from him to the Legislature in respect to the same.

GEO. C PERKINS, Governor.

STATE OF CALIFORNIA, SACRAMENTO, January 12th, 1880.

To the Senate and Assembly of the State of California

Owing to some of my manuscript having been destroyed, I herewith transmit to your honorable bodies the printed copy of my biennial report for the years ending December thirty-first, eighteen hundred and seventy-seven and eighteen hundred and seventy-eight. In the copy transmitted an important correction is made.

In the foot-note, marked by an asterisk, on page seventy-eight, I am made to say that the

amount of interest annually payable by the Central Pacific Railroad Company, "includes the interest (not payable till maturity of bonds) due the United States Government on the bonds issued in aid of the construction of said railroad."

The words "not payable till maturity of bonds," in parentheses, should be omitted

B. F. TUTTLE, Commissioner of Transportation.

INTRODUCTION AND FIRST READING OF BILLS.

By Mr. Young—An Act to prevent the accumulation of large landed estates.

Read first time, and referred to the Committee on Public Lands.

By Mr. May—An Act to enable the State Board of Equalization to organize and perform its duties.

Read first time, and referred to the Committee on Ways and Means.

By Mr. Tyler—An Act to amend sections three hundred and eighteen, three hundred and nineteen, three hundred and twenty, three hundred and twenty-one, three hundred and twenty-two, three hundred and twenty-five, three hundred and thirty-six, three hundred and thirty-seven, three hundred and thirty-nine, three hundred and forty, three hundred and forty-two, and three hundred and forty-three, of the Code of Civil Procedure, relative to the limitations of actions.

Read first time, and referred to the Judiciary Committee.

By Mr. Bruner—An Act to fund the indebtedness now outstanding of the swamp land districts of this State represented by State Controller's warrants drawn on the State treasury.

Read the first time, and referred to the Committee on Swamp and Overflowed Lands.

By Mr. McCarthy—An Act to repeal an Act entitled an Act to amend section one thousand five hundred and ninety of the Penal Code, approved March twenty-ninth, eighteen hundred and seventy-eight

Read first time, and referred to the Judiciary Committee.

By Mr. Wasson—An Act to amend section six hundred and ninety-one of the Political Code, approved March eighteenth, eighteen hundred and seventy-eight.

Read first time, and referred to the Judiciary Committee.

By Mr. Messenger—An Act to amend section one thousand one hundred and eighty-three of an Act to establish a Code of Civil Procedure, approved March eleventh, eighteen hundred and seventy-two, relating to liens of mechanics and others upon real and personal property.

Read first time, and referred to the Judiciary Committee.

By Mr. Harris—An Act to amend sections one thousand three hundred and five, one thousand three hundred and thirteen, and one thousand three hundred and seventeen of the Code of Civil Procedure.

Read first time, and referred to the Judiciary Committee.

By Mr. Maybell—An Act relating to employés unable to pay the cost of suit for compensation due them for labor.

Read first time, and referred to the Committee on Labor and Capital.

By Mr. Sinon—An Act to regulate the hours for closing barber shops, bath houses, and hair-dressing saloons on Sunday.

Read first time, and referred, with the accompanying petition

from the barbers of San Francisco, setting forth the desirableness of such legislation, to the Committee on Public Morals.

SENATE MESSAGES.

SENATE CHAMBER, SACRAMENTO, January 15th, 1880.

MR. SPEAKER: I am directed to inform your honorable body that the Senate, on the fourteenth day of January, eighteen hundred and eighty, considered Assembly Concurrent Resolution No. 6, relative to sending certain copies of statutes to the Superior Judges of the State, and, on motion, the Senate adopted the following amendment: After the words "Superior Judges" insert the words "and County Clerks."

Also, concurred in Assembly Concurrent Resolution No. 7, relative to the appointment of a Joint Committee on Rules.

JOHN R. BRIERLY, Assistant Secretary.

CONSIDERATION OF SENATE MESSAGES.

Assembly Concurrent Resolution No. 6—Relative to sending certain copies of statutes to the Superior Judges of the State—taken up, and Senate amendment concurred in.

NOTICE.

By Mr. Camron:

MR. SPEAKER: I hereby give notice that, to-morrow, I will make a motion to amend Standing Rule No. 1, of the Assembly, by inserting the words "ten o'clock," instead of "eleven o'clock."

RESOLUTION.

By Mr. Finlayson:

Resolved, That when this House adjourns to-morrow, it adjourns until Monday, January nineteenth, at two o'clock P. M.

Adopted.
By Mr. Adams:

MR SPEAKER: I give notice that I will, to-morrow, move to reconsider the motion whereby this House adopted the report of the Committee on Mileage

SECOND READING AND REFERENCE OF BILLS.

Assembly Bill No. 23, read second time, and ordered on file.
Assembly Bill No. 26, read second time, and ordered on file.
Assembly Bill No. 93, read second time, and ordered on file.

MOTIONS AND RESOLUTIONS.

By Mr. Young:

Resolved, That the Sergeant-at-Arms be and he is hereby instructed to furnish the State Library with five copies of each bill, resolution, or other papers printed by order of the Assembly.

Adopted.
By Mr. Wasson:

Resolved, That the Committee on Mines and Mining Interests be and are hereby requested to communicate with the Cambridge Museum, of Massachusetts, with a view to procure for the State of California five hundred copies of the volume now in progress of printing, entitled "The Auriferous Gravels of California, by J. D. Whitney;" said work embracing the unpublished portion of the material gathered by Professor Whitney and assistants during the years eighteen

hundred and seventy to eighteen hundred and seventy-five, and embracing the labors of the State Geological Survey from its commencement to its termination.

Mr. Cooper moved to lay the resolution on the table.
Carried.
By Mr. Brooks:

WHEREAS, The Chief Clerk was absent at the opening of this House, and W. M Ord, Acting First Assistant Clerk, was present, and was called to the desk to act as Chief Clerk by the Acting Chairman, therefore, be it

Resolved, That W. M. Ord be allowed mileage from his place of residence at the same rate as allowed the Chief Clerk or other officers at the desk at the opening of the session, and that the Controller is authorized to draw his warrant for the same, payable out of the appropriation for the contingent expenses of the Assembly.

Referred to the Committee on Mileage.
By Mr. Brown:

Resolved, That the Committee on Corporations be allowed to appoint a Clerk, at a salary of five dollars per day, payable out of the Contingent Fund of the Assembly.

Referred to the Committee on Attachés and Employés.
By Mr Gorley:

Resolved, That the Night Watchman having been in charge since the organization of the Assembly, be and he is hereby entitled to draw his per diem from the fifth instant.

Referred to the Committee on Attachés and Employés.
By Mr. Camron:

Resolved, That the Controller be and he is hereby directed to draw his warrant in favor of D. M. Burns, Secretary of State, for the sum of four hundred dollars, for the purchase of postage stamps, and that the same be paid out of the contingent expenses of the Assembly

Referred to the Committee on Attachés and Employés.
Also:

Resolved, That the Sergeant-at-Arms is hereby instructed to have one hundred copies each of the following Assembly Bills, to wit: Nos. 3, 4, 5, 9, 11, 13, 16, 20, and 25, printed for the use of the members of the Legislature.

Referred to the Committee on Attachés and Employés.
Also:

Resolved, That each and every Porter now appointed, or that may hereafter be appointed, in the employ of the Assembly, shall, at their own expense, procure a badge with the word "Porter" plainly printed or stamped upon the same, and shall attach the same to the lapel of his coat so as to be plainly seen, and the Sergeant-at-Arms is instructed to see that this resolution is enforced.

Mr. Carr moved to strike out the words "printed or stamped upon the same," and insert the following: "Be allowed to wear a blue ribbon."

The previous question being moved by Messrs. Felton, McComas, and Adams, the House so ordered.

The question being upon Mr Carr's amendment, it was lost.

The question recurring upon the original resolution, the ayes and noes were demanded by Messrs. Lane, Maybell, and May, and the resolution was rejected by the following vote:

AYES—Messrs. Adams, Bennett, Brooks, Brown of Sonoma, Brown of Yuba, Bruner, Brusie, Camron, Chamberlain, Chandler, Coffman, Coleman, Cook, Cooper, Del Valle, Dimond, Downs, Estey, Finlayson, Fraser, Green, Harris, McCarthy of San Francisco, Merry, Messenger, Mulholland, Nelson, Sayle, Sherburne, Stanley, Stoddard, Streeter, Tyler, Walker, Wason of Ventura, York, and Mr. Speaker—37.

NOES—Messrs. Anthony, Braunhart, Burns, Carr of Sacramento, Carr of Yuba, Corcoran, Cuthbert, Durham, Felton, Fox, Frink, Garibaldi, Gaffey, Gorley, Hardy, Hershey, Hynes, Josselyn, Lane, Leach, Leadbetter, Levee, Maguire, Mathews, May, Maybell, McCallion, McComas, McDade, McIntosh, Morse, Picket, Simon, Spencer, Sweetland, Ward, Wattson, and Young—38.

By Mr. Tyler:

Resolved, That the Sergeant-at-Arms be required to procure four thermometers, at a cost not exceeding five dollars each, and place them in different parts of the Assembly Chamber, and that he keep the Chamber as near as may be at a temperature of sixty-eight degrees, and that the expense thereof be paid out of the Contingent Expense Fund of the Assembly.

Adopted.

By Mr. York (pursuant to notice):

Resolved, That a special committee, consisting of seven members, be appointed, entitled Committee on Homestead and Land Monopoly, and added to the list of Standing Committees.

Referred to the Committee on Rules.

By Mr. Tyler:

Resolved, That the State Prison Committee be allowed to visit the State Prisons at San Quentin and at Folsom, at such time as they may deem proper, and that they have leave of absence for that purpose

Adopted.

Also:

Resolved, That the words "or substitute," in line three of Rule Forty-five, be stricken out.

Resolved, That the following new rule be adopted

RULE —.

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

Referred to Committee on Rules.

INTRODUCTION OF BILL (BY PERMISSION).

By Mr. McCallion—An Act to provide for the removal of aliens whose presence is dangerous to the well-being of communities outside the limits of cities and towns, in the State of California.

The question being upon reference to the Committee on Chinese, Messrs McCallion, Braunhart, and Maybell demanded the ayes and noes.

Pending discussion, the hour of one P. M. having arrived, the House took a recess until two o'clock P. M.

RE-ASSEMBLED.

House re-assembled at two o'clock P. M.

Speaker Cowdery in the chair.

Messrs. Mulholland, Anthony, and Messenger, moving the previous question, the House so ordered.

The question being upon reference to the Committee on Chinese, the roll was called, and the bill was referred by the following vote:

AYES—Messrs Anthony, Bass, Bennett, Braunhart, Brown of Sonoma, Burns, Carr of Sacramento, Carr of Yuba, Coffman, Cuthbert, Fraser, Frink, Garibaldi, Gaffey, Green, Hardy, Hershey, Hynes, Josselyn, Lane, Leadbetter, Levee, Magune, Mathews, Maybell, McCallion, McCarthy of San Francisco, McComas, McDade, McIntosh, Messenger, Morse, Mulholland, Picket, Sayle, Simon, Sherburne, Spencer, Stanley, Stoddard, Sweetland, Walker, Wattson, York, and Young—45.

NOES—Messrs. Adams, Brooks, Brown of Yuba, Bruner, Brusie, Camron, Chamberlain, Chandler, Coleman, Cooper, Corcoran, Del Valle, Dimond, Downs, Durham, Estey, Fox, Leach, May, Nelson, Streeter, Tyler, and Ward—23.

RESOLUTION.

By Mr. Tyler (by permission):

Resolved, That there be a new rule adopted to be known as Rule —:

RULE —.

No debate shall be allowed on any motion to refer a bill to a committee. The Speaker shall first indicate to what committee a bill ought to be referred, and it shall be so referred, unless, upon a motion, without debate, the House, by a majority vote, refer it to some other committee.

Mr. Maybell moved the indefinite postponement of the resolution.
Lost.
Mr. Burns moved to lay it on the table.
Lost.
The previous question being moved by Messrs. Bruner, Tyler, and Brusie, the House so ordered.
Messrs. Braunhart, Lane, and Burns demanding the ayes and noes, the roll was called, and the resolution was adopted by the following vote:

AYES—Messrs. Adams, Bennett, Brooks, Brown of Yuba, Bruner, Brusie, Camron, Carr of Sacramento, Chamberlain, Chandler, Coleman, Cooper, Corcoran, Del Valle, Dimond, Downs, Durham, Estey, Finlayson, Fox, Fraser, Frink, Gorley, Green, Hardy, Leach, Leadbetter, Mathews, May, McComas, McIntosh, Mulholland, Nelson, Sherburne, Stanley, Stoddard, Streeter, Tyler, Ward, Wasson of Mono, Wattson, York, Young, and Mr. Speaker—44.

NOES—Messrs. Anthony, Bass, Braunhart, Brown of Sonoma, Burns, Carr of Yuba, Coffman, Cuthbert, Garibaldi, Gaffey, Harris, Hershey, Hynes, Josselyn, Lane, Levee, Magune, Maybell, McCallion, McCarthy of San Francisco, McDade, Messenger, Morse, Picket, Sayle, Simon, Spencer, Sweetland, and Walker—29.

Mr. Fox calling up the motion to reconsider Assembly Bill No. 6, and Mr. Hardy making his motion of reconsideration pursuant to notice given yesterday, Mr. Fox moved the indefinite postponement of the motion to reconsider.
On motion, Mr. Fox was permitted, by consent of the House, to withdraw his motion to indefinitely postpone the motion to reconsider.
Motion withdrawn.
The previous question being demanded by the requisite number, the House so ordered.
The question recurring upon the motion to reconsider, it was adopted.
Mr. Braunhart moved to recommit, with instructions as expressed in the following resolution:

Resolved, That Assembly Bill No 6 be recommitted to the Judiciary Committee, with special instructions to amend section two of said bill by striking out all after the words "filed in such Court," and insert, in lieu thereof, the following "Nothing in this section contained shall be construed to confer upon any Superior Court, or Judge, jurisdiction of any special proceeding which was pending before a County Judge under an Act entitled 'An Act to authorize the City and County of San Francisco to provide and maintain public water-works for said city and

county, and to condemn and purchase private property for that purpose,' approved March twenty-seventh, eighteen hundred and seventy-six."

The ayes and noes were demanded by Messrs. Braunhart, Maybell, and Hardy.

The roll was called, and the bill was recommitted, by the following vote:

AYES—Messrs. Anthony, Bass, Braunhart, Brown of Sonoma, Burns, Carr of Sacramento, Carr of Yuba, Coffman, Cook, Corcoran, Cuthbert, Del Valle, Finlayson, Fraser, Fink, Garibaldi, Gaffey, Green, Hardy, Hershey, Hynes, Josselyn, Lane, Leadbetter, Levee, Maguire, Mathews, Maybell, McCallion, McCarthy of San Francisco, McComas, McDade, Messenger, Morse, Picket, Sayle, Sinon, Spencer, Stanley, Stoddard, Streeter, Sweetland, Walker, Wasson of Mono, and York—44.

NOES—Messrs. Adams, Bennett, Brooks, Brown of Yuba, Bruner, Brusie, Camron, Chamberlain, Chandler, Coleman, Cooper, Dimond, Downs, Durham, Estey, Fox, Gorley, Leach, May, McIntosh, Mulholland, Nelson, Sherburne, Streeter, Tyler, Ward, Wattson, and Mr. Speaker—29

ADJOURNMENT.

At four o'clock and seven minutes P. M., on motion of Mr. Walker, the House adjourned.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Saturday, January 17th, 1880.

House met pursuant to adjournment.

Speaker Cowdery in the chair.

Roll called, and a quorum present.

Prayer by the Chaplain.

One day's leave of absence was granted to Messrs. Fraser, Hershey, Felton, May, and Merry.

Reading of the Journal.

Mr. Chandler moved that the reading of the Journal of yesterday be dispensed with, and the Journal approved as corrected.

So ordered.

On motion of Mr. Tyler, the words "by request" after Mr. Sinon's name, were ordered stricken from the minutes.

PETITION.

By Mr. York—A petition asking for the repeal of the Medicine Practice Act.

Referred to the Judiciary Committee.

REPORTS OF STANDING COMMITTEES.

By Mr. Estey:

MR. SPEAKER: Your Committee on Mileage, to whom was referred the accompanying resolution, report the same back without action, and ask that it be referred to the Committee on Attaches and Employés.

ESTEY, Chairman.

Resolution referred to Committee on Attachés and Employés in accordance with the recommendation of the report.

By Mr Camron:

Resolved, That the Night Watchman, having been in charge since the organization of the Assembly, be and he is hereby entitled to draw his per diem from the fifth instant

MR SPEAKER: Your Committee on Attachés and Employés, to whom was referred the above resolution, have considered the same and find the facts therein stated to be true, and recommend the adoption of the resolution.

CAMRON, Chairman.

By Mr. McComas:

ASSEMBLY CHAMBER, SACRAMENTO, January 17th, 1880.

MR SPEAKER: Your Committee on Public Lands, to whom was referred Assembly Bill No. 45—An Act to amend sections three thousand four hundred and sixty-six, three thousand four hundred and ninety-five, three thousand five hundred, and three thousand five hundred and ninety-eight of an Act entitled an Act to establish a Political Code, approved March twelfth, eighteen hundred and seventy-two, relating to public lands—have had the same under consideration, and now report it back, and recommend its passage.

McCOMAS, Chairman.

By Mr. Fox:

ASSEMBLY CHAMBER, SACRAMENTO, January 17th, 1880.

MR SPEAKER: Your Judiciary Committee, to whom was referred Assembly Bill No. 41—An Act to provide for the keeping of accounts in the English language—have had the same under consideration, and report the same back, and recommend that it do not pass.

FOX, Chairman.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, January 17th, 1880.

MR. SPEAKER: Your Judiciary Committee, to whom was referred Assembly Bill No. 50—An Act to add a new section, to be known as section seven hundred and ninety-six, of an Act entitled "An Act to establish a Penal Code," approved February fourteenth, eighteen hundred and seventy-two, relating to the local jurisdiction of prosecutions for libel—have had the same under consideration, and report it back, with a recommendation that it be passed.

FOX, Chairman.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, January 17th, 1880.

MR. SPEAKER: Your Judiciary Committee, to whom was referred Assembly Bill No. 51—An Act to repeal sections forty-one, fifty-four, fifty-five, fifty-six, fifty-seven, fifty-eight, fifty-nine, sixty, sixty-one, sixty-two, sixty-three, sixty-four, sixty-five, sixty-six, sixty-seven, sixty-eight, sixty-nine, seventy, seventy-one, seventy-two, seventy-three, seventy-four, seventy-five, seventy-six, seventy-seven, seventy-eight, eighty-seven, eighty-eight, ninety-four, ninety-five, ninety-six, ninety-seven, ninety-eight, ninety-nine, one hundred, one hundred and four, one hundred and five, one hundred and six, one hundred and seven, one hundred and eight, one hundred and nine, one hundred and ten, one hundred and thirty-nine, one hundred and forty, one hundred and fifty-nine, one hundred and sixty, one hundred and sixty-seven, one hundred and eighty-eight, two hundred and eleven, nine hundred and sixty-six, nine hundred and sixty-nine, one thousand and fifty-six, one thousand three hundred and seventy-two, and one thousand four hundred and six, of an Act entitled "An Act to establish a Code of Civil Procedure," approved March eleventh, eighteen hundred and seventy-two—have had the same under consideration, report it back with amendments, and recommend that it pass as amended.

FOX, Chairman.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, January 17th, 1880.

MR SPEAKER: Your Judiciary Committee, to whom was referred Assembly Bill No 52—An Act to amend sections thirty-four hundred and ninety-one and thirty-four hundred and ninety-two of an Act entitled "An Act to establish a Civil Code," approved March twenty-first, eighteen hundred and seventy-two, relating to public nuisances—have had the same under consideration, report it back, and recommend that it pass.

FOX, Chairman.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, January 17th, 1880.

MR SPEAKER: Your Judiciary Committee, to whom was referred Assembly Bill No. 53—An Act to amend section two thousand one hundred and seventy of an Act entitled "An Act to establish a Civil Code," approved March twenty-first, eighteen hundred and seventy-two, relating to common carriers—have had the same under consideration, and report it back with the recommendation that it do pass.

FOX, Chairman.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, January 17th, 1880.

MR. SPEAKER: Your Judiciary Committee, to whom was referred Assembly Bill No. 54—An Act to amend sections three hundred and ten and three hundred and eleven of an Act entitled "An Act to establish a Political Code," approved March twelfth, eighteen hundred and seventy-two, relating to the enactment of statutes—have had the same under consideration, and report it back, with the recommendation that it do pass.

FOX, Chairman.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, January 17th, 1880.

MR. SPEAKER: Your Judiciary Committee, to whom was referred Assembly Bill No. 55—An Act to amend sections two hundred and thirty-five and two hundred and sixty-six of an Act entitled "An Act to establish a Political Code," approved March twelfth, eighteen hundred and seventy-two, relating to the meeting of the Legislature and the compensation of its members—have had the same under consideration, and report it back with amendment, and recommend the passage of the same as amended. Eleven members present and voting: seven affirmatively, four negatively.

FOX, Chairman.

INTRODUCTION AND FIRST READING OF BILLS.

By Mr. Cooper—An Act to amend section two thousand one hundred and sixty-eight of the Civil Code of the State of California.

Read first time, and referred to the Judiciary Committee.

By Mr. York—An Act to repeal an Act entitled an Act to regulate the practice of medicine in the State of California.

Read first time, and referred to the Judiciary Committee.

By Mr. Gorley—An Act to protect the owners of mines and mining property, or persons interested in the ownership of such property, in the full enjoyment of their rights of ownership.

Read first time, and referred to the Committee on Mines and Mining.

By Mr. York—An Act to enable female citizens to vote upon all matters relative to the public schools of the State of California.

Read first time, and referred to the Committee on Elections.

By Mr. Lane—An Act to provide for the safety of lives of residents of the State of California.

Read first time, and referred to the Committee on Public Buildings and Grounds.

By Mr. Gaffey—An Act in relation to the licensing of vehicles.

Read first time, and referred to the Judiciary Committee.

By Mr. Morse—An Act to amend the Penal Code, by adding a new section thereto, to be known as section five hundred and thirty-six, relative to cheats.

Read first time, and referred to the Judiciary Committee.

By Mr. Fox—An Act to amend an Act entitled an Act relative to apprentices and masters, approved April third, eighteen hundred and seventy-six.

Read first time, and referred to the Judiciary Committee.

Also, an Act to amend an Act entitled an Act regulating the sale of mineral lands belonging to the State, approved March twenty-eighth, eighteen hundred and seventy-four.

Read first time, and referred to the Committee on Public Lands.

Also, an Act to amend sections seventeen, nineteen, and twenty-one of an Act entitled an Act to provide for the future management of the Napa State Asylum for the Insane, approved March sixth, eighteen hundred and seventy-six.

Read first time, and referred to the State Hospital Committee.

Also, an Act to amend an Act entitled an Act concerning the selection and sale of University lands, approved March thirteenth, eighteen hundred and seventy-four.

Read first time, and referred to the Committee on Public Lands.

Also, an Act to amend an Act entitled an Act to enable certain parties therein named to alienate or incumber homesteads, approved March twenty-eighth, eighteen hundred and seventy-four.

Read first time, and referred to the Committee on Judiciary.

Also, an Act to amend an Act entitled an Act supplemental to an Act concerning corporations, passed twenty-second April, eighteen hundred and fifty, approved March twenty-first, eighteen hundred and seventy-two.

Read first time, and referred to the Committee on Corporations.

Also, an Act to amend an Act entitled an Act concerning actions for libel and slander, approved March twenty-third, eighteen hundred and seventy-two.

Read first time, and referred to the Committee on Judiciary.

By Mr. Tyler—An Act entitled an Act to appropriate moneys to pay the deficiencies in the expenses of the late Constitutional Convention.

Read first time, and referred to the Committee on Claims.

Mr. Tyler introduced a statement of the Controller of State, setting forth the deficiency in the appropriation to defray the expenses of the Constitutional Convention, and asked its reference to the Committee on Claims, in connection with his bill relative to said deficiency.

So ordered.

By Mr. Brown of Yuba—An Act to organize and define the powers of the Board of Railroad Commissioners.

Read first time, and referred to the Committee on Corporations.

By Mr. Harris—An Act to amend sections one thousand three hundred and twenty-two and one thousand three hundred and thirty-eight of the Code of Civil Procedure, in relation to the probate of wills.

Read first time, and referred to the Judiciary Committee.

By Mr. Walker—An Act to regulate the sale of opium, and other narcotic poisons.

Read first time, and referred to the Committee on Public Morals.

Also, an Act for the regulation of convict labor, and for the abolition of the contract system on public works.

Read first time, and referred to the Committee on Labor and Capital.

By Mr. Messenger—An Act to amend an Act entitled "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 thereto, approved April first, eighteen hundred and seventy-two.

Read first time, and referred to the Judiciary Committee.

NOTICE.

By Mr. Del Valle:

Mr. Speaker: I hereby give notice that I will, on Monday, nineteenth instant, introduce a resolution increasing the number of members of the Committee on Corporations, by adding thereto Messrs. Green and Corcoran, making said committee to consist of eleven members.

SECOND READING AND REFERENCE OF BILLS.

Assembly Bill No. 22, read second time, and amendments recommended by the committee adopted, and passed to the third reading.

AMENDMENT TO THE RULES.

By consent, subdivision twelve of Rule Second was amended by striking out the words "and reference."

SECOND READING OF BILLS.

Assembly Bill No. 28, read second time.

Mr. Young moved its recommittal to the Judiciary Committee.

So ordered.

Assembly Bill No. 30, read second time, and ordered on file.

Assembly Bill No. 31, read second time, and amended as recommended by the committee

Assembly Bill No. 32, read second time, and ordered on file.

Assembly Bill No. 34, read second time, and ordered on file.

Assembly Bill No. 35, read second time, and the bill rejected.

Assembly Bill No. 38, read second time, and by consent withdrawn by the author.

Assembly Bill No. 40, read second time, and by consent withdrawn by the author.

Assembly Bill No. 41, by consent, was withdrawn by Mr. McCallion.

MOTIONS AND RESOLUTIONS.

The House took up Assembly Resolution No. 9.

Mr. Braunhart moved to amend by striking out the words "Senate and," and inserting in lieu thereof the words, "the Senate concurring."

Adopted.

The previous question being demanded by Messrs. Adams, Mulholland, and Spencer, the House so ordered.

The ayes and noes were demanded by Messrs. McCallion, Lane, and Carr of Yuba, and the resolution was adopted by the following vote:

AYES—Messrs. Adams, Anthony, Bass, Bennett, Braunhart, Brown of Sonoma, Brown of Yuba, Bruner, Brusie, Burns, Camron, Carr of Sacramento, Carr of Yuba, Chamberlain, Chandler, Coffman, Coleman, Cook, Cooper, Corcoran, Cuthbert, Del Valle, Edmond, Downs, Durham, Estey, Finlayson, Fox, Frink, Garibaldi, Gaffey, Gorley, Green, Hardy, Harris, Hynes, Josselyn, Lane, Leach, Leadbetter, Levee, Maguire, Mathews, Maybell, McCallion, McCarthy of San Francisco, McComas, McDade, McIntosh, Messenger, Morse, Mulholland, Nelson, Picket, Sayle, Simon, Sherburne, Spencer, Stanley, Stoddard, Streeter, Sweetland, Tyler, Walker, Ward, Wason of Ventura, Wasson of Mono, Wattson, York, Young, and Mr. Speaker—71.

NOES—None.

By Mr. Wasson:

Resolved, That the Committee on Mines and Mining Interests be and are hereby requested to communicate with the Cambridge Museum, of Massachusetts, and ascertain and report to this House the expense of procuring for this State two hundred and fifty copies of a work now being published by that institution, entitled "The Auriferous Gravels of California," which comprises the data, statistics and maps, compiled by the State Geological Survey of California, from eighteen hundred and seventy to eighteen hundred and seventy-five.

Lost.

Mr. Tyler moved that when the House adjourns to-day, it be to meet at two o'clock P. M., on Monday, January nineteenth, eighteen hundred and eighty.

Carried.

Mr. Adams moved to reconsider the report of the Committee on Mileage, relative to the sums due the members of the House for mileage.

The ayes and noes being demanded by the requisite number, the roll was ordered called upon the question to reconsider.

Upon calling the roll the Speaker refused to vote upon the question, stating as a reason that it would be in conflict with Standing Rule Number Sixty-two of this House, to wit: "No person shall vote on any question in the result of which he is personally interested or involved."

Before the result was announced by the Speaker many members of the House arose, desiring to withdraw their votes.

Mr. Tyler moved the indefinite postponement of the whole matter.

So ordered.

ADJOURNMENT.

At one o'clock and fifteen minutes P. M., Mr. Walker moved that this House do now adjourn.

Carried.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Monday, January 19th, 1880.

House met pursuant to adjournment.

Speaker Cowdery in the chair.

Roll called, and a quorum present.

Prayer by the Chaplain.

One day's leave of absence granted Mr. Chandler.

Reading of the Journal of Saturday, January seventeenth.

Mr. Tyler moved that the reading of the Journal be dispensed with, and the Journal approved.

So ordered.

PETITION.

By Mr. Spencer—Asking indefinite leave of absence for Mr. DuBrutz, to bury his deceased child.

Leave of absence granted for one week.

REPORTS OF STANDING COMMITTEES.

By Mr. Young:

MR SPEAKER Your Committee on Rules and Regulations, to whom were referred the annexed resolutions, report the same back, and recommend that the same be adopted

YOUNG, Chairman.

Resolved, That the words "or substitute," in line three of Rule Forty-five, be stricken out
Resolved, That the following new rule be adopted:

RULE —.

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

Report received, and resolution adopted by a two-thirds vote.
Also:

MR. SPEAKER: Your Committee on Rules and Regulations, to whom the annexed resolution was referred, report the same back, and recommend that the same be adopted.

YOUNG, Chairman.

Resolved, That a Standing Committee, consisting of seven members, be appointed, entitled "Committee on Homestead and Land Monopoly," and added to the list of Standing Committees.

Report received, and resolution adopted by a two-thirds vote.
By Mr. Camron:

MR. SPEAKER: Your Committee on Attachés and Employés, to whom was referred the hereto attached resolution, report the same back to the Assembly, and recommend its adoption.

CAMRON, Chairman.

Resolved, That the Controller be and he is hereby authorized to draw his warrant on the Contingent Fund for the sum of six dollars, to be paid to Edmond Dunkley, for two days' service as Page of the Assembly.

Report received, and resolution adopted.
Also:

Resolved, That the Committee on Public Buildings and Grounds be authorized to proceed and make such examination of all public buildings and grounds of this State as they may deem necessary, and, whenever they deem it advisable, to take testimony relating thereto, that they be empowered to send for persons and papers pertinent to such investigation, and authorized to employ a Clerk for said committee, when it shall be necessary to employ said Clerk, said services to be paid for out of the Contingent Fund of the Assembly.

MR. SPEAKER: Your Committee on Attachés and Employés, to whom was referred the above resolution, have carefully considered the same, and report it back to the Assembly with the following amendment, and recommend that the resolution, with the amendment, be adopted: After the words "public buildings and grounds of the State" insert "except the State Prison buildings and grounds."

CAMRON, Chairman.

Mr. Tyler moved to amend the amendment by inserting, after the words "buildings and grounds," the words "Branch State Prison at Folsom."

The amendment was adopted, and the resolution then adopted as amended by the committee.

REPORT OF SELECT COMMITTEE.

MR. SPEAKER: Your Inaugural Committee, having attended to the duties assigned to it, respectfully report that the expense attending the same amounts to eight hundred and twenty-four dollars and seventy-five cents. Of this amount, three hundred and ninety-seven dollars and fifty cents was, by agreement of the Joint Inaugural Committee, apportioned to be paid by your honorable body. We, therefore, recommend that the Controller be authorized to draw a warrant for the said sum of three hundred and ninety-seven dollars and fifty cents, payable out of the Contingent Fund of the Assembly, in favor of the Sergeant-at-Arms, for the liquidation of the items herewith.

ITEMS.

Carriages	$125 00
Band	60 00
Stockton Band	100 00
First Infantry Band	112 50
Total	$397 50

Referred to the Committee on Claims.

INTRODUCTION AND FIRST READING OF BILLS.

By Mr. Young—An Act to exempt the homesteads of all, and heads of, families from forced sale for taxes and assessments.

Read first time, and referred to the Judiciary Committee.

By Mr. Gorley—An Act to regulate and for a day of rest in certain cases.

Bill read first time, and with accompanying petition referred to the Committee on Public Morals.

Also, an Act making appropriation for deficiency for the thirtieth and thirty-first fiscal years, for payment of armory rents, purchase of arms, and other expenses of the National Guard of California.

Read first time, and referred with accompanying paper to the Committee on Military Affairs.

By Mr. Corcoran—An Act to amend section four hundred and seven of the Code of Civil Procedure.

Read first time, and referred to the Committee on Judiciary.

Also, an Act to provide lists of uncanceled mortgages and unsatisfied deeds of trust.

Read first time, and referred to the Committee on Judiciary.

By Mr. Del Valle—An Act to repeal an Act entitled an Act to provide for the extermination of squirrels in certain counties, approved March thirtieth, eighteen hundred and seventy-eight.

Read first time, and referred to the Committee on Agriculture.

By Mr. Tyler—An Act to amend section three hundred and thirty-eight of the Penal Code, relative to pawnbrokers.

Read first time, and referred to the Committee on Judiciary.

Also, an Act to add a new section to the Penal Code of the State of California, to be known as section three hundred and eight, relative to the sale of intoxicating liquors at retail.

Read first time, and referred to the Committee on Public Morals.

By Mr. Maybell—An Act establishing a legal rate of interest.

Read first time, and referred to the Judiciary Committee.

By Mr. Bass—An Act to repeal an Act entitled an Act to change the orthography of the name of a town in Shasta County.

Read first time, and ordered on file.

By Mr. Fox—An Act to amend section one thousand five hundred and ninety of the Penal Code, in relation to persons imprisoned in the State Prison.

Read first time, and referred to the State Prison Committee.

Also, an Act to amend sections two thousand and twenty-one and two thousand and eighty-three of the Code of Civil Procedure, in relation to the taking of depositions and perpetuation of testimony.

Read first time, and referred to the Judiciary Committee.

By Mr. Sayle—An Act to amend sections five hundred and thirty-seven and five hundred and thirty-eight of the Code of Civil Procedure, in relation to attachments.

Read first time, and referred to the Committee on Judiciary.

Also, an Act to amend sections six hundred and eighty-one and six hundred and eighty-five of the Code of Civil Procedure, relating to the execution of the judgment in civil actions.

Read first time, and referred to the Judiciary Committee.

Also, an Act to amend section five hundred and twenty-nine of the Code of Civil Procedure, in relation to injunctions.

Read first time and referred to the Judiciary Committee.

By Mr. Maybell—An Act deducting the valuation of five hundred dollars from the assessment of the property of each person, partnership, company, or corporation in the State.

Read first time, and referred to the Committee on Ways and Means.

By Mr. McCallion—An Act to prevent the importation of coolies into the State of California.

Read first time, and referred to the Committee on Chinese Immigration and Emigration.

By Mr. Braunhart—An Act to provide for the establishment of a uniform series of text-books for use in public schools of the State.

Read first time, and referred to the Committee on Education.

By Mr. Harris—An Act to amend sections one thousand three hundred and forty and one thousand three hundred and forty-five of the Code of Civil Procedure, in relation to probate of wills.

Read first time, and referred to the Committee on Judiciary.

By Mr. Green—An Act concerning homesteads corporations possessed of water and water rights, providing for the regulation, control and distribution of water for irrigation, other purposes, and for the construction and improvement of irrigation works connected therewith.

Read first time, and referred to the Committee on Irrigation.

NOTICE.

By Mr. Tyler:

MR. SPEAKER: I hereby give notice that I will, on to-morrow, move to amend Standing Rule Two of the House, by adding thereto these words:

Provided, that when on any day the order of business is not gone through with, by reason of adjournment, the Speaker shall, after the reading and approval of the Journal, take up the order of business where he left off on the preceding day.

SECOND READING OF BILLS.

Assembly Joint Resolution No. 2, read second time, and ordered on file.

Assembly Bill No. 53, read second time, and ordered on file.

Assembly Bill No. 54, read second time, and ordered on file.

Assembly Bill No. 55, read second time.

Mr. Anthony moved to amend by striking out "eight dollars," and inserting "six dollars."

The ayes and noes were demanded by Messrs. Anthony, May, and Levee.

The previous question being moved by the requisite number the House so ordered.

The question recurring upon the amendment of Mr. Anthony, the roll was called, and the amendment rejected by the following vote:

AYES—Messrs. Anthony, Chamberlain, Cook, Felton, Hardy, Levee, May, Stoddard, and Wattson—9.

NOES—Messrs Adams, Bass, Bennett, Braunhart, Brooks, Brown of Sonoma, Brown of Yuba, Bruner, Brusie, Burns, Camron, Carr of Sacramento, Carr of Yuba, Coleman, Cooper, Corcoran, Cuthbert, Del Valle, Dimond, Downs, Durham, Estey, Finlayson, Fox, Fraser, Frink, Garibaldi, Gaffey, Gorley, Green, Harris, Hershey, Hynes, Josselyn, Lane, Leach, Leadbetter, Maguire, Mathews, Maybell, McCallion, McCarthy of San Francisco, McComas, McDade, Mc-

Intosh, Merry, Messenger, Morse, Mulholland, Nelson, Picket, Sayle, Simon, Sherburne, Spencer, Stanley, Streeter, Sweetland, Tyler, Walker, Ward, Wason of Ventura, Wasson of Mono, York, Young, and Mr Speaker—66.

Mr. Camron moved to strike out section three of the bill.
Adopted.
Bill ordered to print as amended.
Assembly Bill No. 45, read second time, and ordered on file.
Assembly Bill No. 50, read second time, and ordered on file.
Assembly Bill No. 51, read second time, amended as recommended by the committee; title amended; bill ordered to print, as amended.
Assembly Bill No. 52, read second time, and ordered on file.

INTRODUCTION AND FIRST READING OF BILLS.

By Mr. Tyler (by permission)—An Act to amend section six hundred and fifty-four, and to repeal sections six hundred and sixty-six, six hundred and sixty-seven, and six hundred and sixty-eight of the Penal Code, relative to increase of punishment upon conviction for second offense.
Read first time, and referred to the Judiciary Committee.
Also (by permission)—An Act to amend section fifty-four of the Penal Code, relative to crimes against the elective franchise.
Read first time, and referred to Committee on Elections.
Also (by permission)—An Act to amend sections two hundred and fifty-one and two hundred and fifty-two of the Penal Code of California, relative to libels.
Read first time, and referred to the Committee on Judiciary.

RESOLUTIONS.

By Mr. Tyler (by permission):

Resolved, That the Controller be and he hereby is instructed to draw his warrant upon the treasury for the sum of fifty-nine dollars and forty cents, mileage of the State Prison Committee and the Clerk thereof in visiting the Branch Prison at Folsom, payable to the Chairman of said committee, payable out of the per diem and mileage fund of the members.

Referred to the Committee on Claims.
Also:

WHEREAS, The State Prison Committees of the Senate and Assembly, acting in concert, have come to the conclusion that it will be necessary to take some considerable testimony relative to the Branch Prison at Folsom, and have unanimously instructed the Chairmen of those committees to ask authority of their respective Houses to employ a Short-hand Reporter, and with power to administer oaths to witnesses and to send for persons and papers, therefore,

Resolved, That the State Prison Committee of this House be and they are hereby authorized to employ a Short-hand Reporter, to administer oaths, and to send for persons and papers, in making such investigation as they may deem proper relative to the Branch Prison at Folsom and its construction, and the State Prison at San Quentin and its management.

Adopted.
By Mr. Cooper:

Resolved. That the Committee on Public Printing be requested First, to inquire into the causes of delay in printing bills for this House, second, into the causes of errors occurring in the bills and Journals printed for this House, with the view to remedying the same.

Adopted.

By Mr. Wason:

Resolved, That the Committee on Education be and is hereby allowed a Clerk, at the per diem of five dollars per day, to be paid out of the appropriation for the contingent expenses of the Assembly.

Referred to the Committee on Attachés and Employés.

By Mr. McComas:

Resolved, That the Committee on Public Expenditures and Accounts, the Committee on Claims, the Committee on Public Lands, the Committee on Agriculture, Mining, and Mechanic Arts College, be jointly allowed the services of one Clerk, at the usual per diem of five dollars, payable out of the Contingent Fund of the Assembly.

Referred to the Committee on Attachés and Employés.

By Mr. McCarthy:

Resolved, That John Ireland be allowed forty dollars for ten days' services as Porter of Judiciary Committee and San Francisco delegation rooms, up to and including January seventeenth, eighteen hundred and eighty.

Referred to Committee on Attachés and Employés.

MOTION.

Mr. May moved that the resolution authorizing the Controller to issue warrants to members for mileage be amended so as to read, "payable out of the Mileage and Per Diem Fund," instead of the Contingent Expense Fund.

So ordered.

By Mr. Maybell:

MR. SPEAKER: I offer the following resolution:

Be it Resolved, That Bill No. 89, in relation to the taxation of aliens ineligible to citizenship, for the creation of funds in the several counties of the State for the improvement of public parks, buildings, highways, roads, and works, be taken from the Committee on Judiciary and referred to the Committee on Chinese Immigration and Emigration.

Adopted.

Mr. Camron, pursuant to notice, called up his resolution to change the hour of meeting from eleven o'clock A. M. to ten o'clock A. M.

Mr. Adams moved to amend by inserting "ten o'clock and thirty minutes" instead of "ten o'clock."

Lost.

The question then recurring upon the original resolution, it was rejected.

Mr. Del Valle, pursuant to notice, called up his resolution to add to the Committee on Corporations Messrs. Green and Corcoran.

Upon this Mr. Braunhart moved a suspension of the rules.

Lost.

The resolution was referred to the Committee on Rules and Regulations.

ADJOURNMENT.

At four o'clock and ten minutes P. M. Mr. Merry moved that this House do now adjourn.

Carried.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Tuesday, January 20th, 1880.

House met pursuant to adjournment.
Speaker Cowdery in the chair.
Roll called, and a quorum present.
Prayer by the Chaplain.
Reading and approval of the Journal of yesterday.
Mr. Tyler moved that further reading of the Journal be dispensed with, and the Journal approved as corrected.
The Speaker announced the following as the Committee on Homestead and Land Monopoly:

Committee on Homestead and Land Monopoly—Messrs. York, Hardy, Braunhart, Frink, Spencer, Stanley, and Carr of Sacramento.

Mr. McCarthy asked to be excused from serving on the Committee on Chinese Immigration and Emigration.
Mr. McCarthy was excused and Mr. Braunhart substituted.
The Speaker stated that he had a certificate from the Clerk of the Superior Court of Napa County, stating that at a special election held January sixteenth, eighteen hundred and eighty, in said county, for an Assemblyman to represent that county, that Mr. Chancellor Hartson received nine hundred and nine votes, and Mr. A. B. Walker five hundred and sixty-eight votes. Mr. Chancellor Hartson, having received a majority of said votes, was declared duly elected Assemblyman to represent Napa County in the Assembly of the State of California.

REPORTS OF STANDING COMMITTEES.

By Mr. Camron:

MR. SPEAKER: Your Committee on Attachés and Employés, to whom was referred the hereto attached resolution below, have carefully considered the same, and recommend its adoption.

CAMRON, Chairman.

Resolved, That the Committee on Public Expenditures and Accounts, the Committee on Claims, the Committee on Public Lands, and the Committee on Agriculture, Mining and Mechanic Arts College, be jointly allowed the services of one Clerk, at the usual per diem of five dollars, payable out of the Contingent Fund of the Assembly.

Report received, and resolution adopted.
Also:

Resolved, That the Sergeant-at-Arms is hereby instructed to have one hundred copies each of the following Assembly Bills, to wit, Nos. 4, 5, 9, 11, 13, 16, 20, and 25, printed for the use of the members of the Legislature.

MR. SPEAKER. Your Committee on Attachés and Employés, to whom was referred the above resolution, have examined the same, and recommend its adoption.

CAMRON, Chairman.

Report received, and resolution adopted.
Also:

MR. SPEAKER: Your Committee on Employés and Attachés have considered the below resolution, and report the same back to the Assembly and recommend its adoption

CAMRON, Chairman.

Resolved, That the Committee on Corporations be allowed to appoint a Clerk, at a salary of five dollars per day, payable out of the Contingent Fund of the Assembly.

Report received, and resolution adopted.

Also, a verbal report returning the resolution below, proposing to allow mileage to Wm. M. Ord, without recommendation, and submitting the opinion of acting Attorney-General George A. Blanchard:

Resolved, That W. M. Ord be allowed mileage from his place of residence at the same rate as allowed the Chief Clerk or other officers at the desk, at the opening of the session, and that the Controller is authorized to draw his warrant for the same, payable out of the appropriation for contingent expenses of the Assembly.

OFFICE OF THE ATTORNEY-GENERAL, SACRAMENTO, January 19th, 1880.

To the Committee on Employés and Attachés of the Assembly.

GENTLEMEN: Mr. W. M. Ord, Assistant Clerk of the Assembly of eighteen hundred and seventy-seven-eight, tells me that he, as such Assistant Clerk, and upon the advice of the then Attorney-General, Hamilton, came to Sacramento, at the meeting of the present House of the Assembly, to assist in the organization thereof. That he was advised that, as the Chief Clerk of the previous Assembly was dead, the duty would devolve upon him, as Assistant Clerk, to be present in place of the Chief Clerk, deceased That he presented himself, and his services as acting Clerk of your House were accepted until your organization was complete. That you have allowed him his per diem for such service, but are in doubt as to whether he should be allowed his mileage, as was allowed the others who appeared under circumstances similar.

In my opinion it would be lawful and proper, under the circumstances, for the Assembly to allow the mileage to Mr. Ord. It seems to me that, having accepted his services, his claim to per diem and mileage are upon the same footing, and should be paid the same as to the Chief Clerk, had he been alive and present

The Attorney-General is at present absent in San Francisco.

I am, most respectfully, yours,

GEORGE A. BLANCHARD.
Clerk to the Attorney-General, and acting for him.

Resolution adopted.

By Mr. Stanley:

ASSEMBLY CHAMBER, SACRAMENTO, January 20th, 1880.

MR. SPEAKER: The Committee on Counties and County Boundaries have had under consideration Assembly Bill No 46—An Act to amend sections three thousand nine hundred and seventy-seven, three thousand nine hundred and seventy-nine, three thousand nine hundred and eighty-one, and three thousand nine hundred and eighty-four, and to repeal section three thousand nine hundred and seventy-eight, of an Act entitled "An Act to establish a Political Code," approved March twelfth, eighteen hundred and seventy-two, relating to the removal of county seats—and report it back, with the recommendation that it do pass.

STANLEY, Chairman.

By Mr. Fox:

ASSEMBLY CHAMBER, SACRAMENTO, January 20th, 1880.

MR SPEAKER Your Judiciary Committee, to whom was referred Assembly Bill No. 42—An Act to confer upon the Superior Court of each county, and the Judge thereof, the powers heretofore possessed by the District, County, and Probate Courts, of such county, and the Judges thereof—have had the same under consideration, report it back, and recommend its passage. Eleven members present and voting; ten affirmatively, and one negatively.

FOX, Chairman.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, January 20th, 1880.

MR. SPEAKER: Your Judiciary Committee, to whom was referred Assembly Bill No. 24—An Act to amend section three hundred and forty of the Code of Civil Procedure—have had the same under consideration, and at the request of the author report the same back with a recommendation that the same do not pass, for the reason that the provisions thereof are embodied in a more comprehensive bill introduced by him.

FOX, Chairman.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, January 20th, 1880.

MR. SPEAKER: Your Judiciary Committee, to whom was referred Assembly Bill No 39—An Act to provide for the appointment of Court Commissioners, and to define their duties—have had the same under consideration, and now report the same back and recommend that the same be not passed, for the reason that all the approved provisions thereof are embodied in Assembly Bill No. 15.

FOX, Chairman.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, January 20th, 1880.

MR. SPEAKER: Your Judiciary Committee, to whom was referred Assembly Bill No. 43—An Act to amend sections one thousand one hundred and eighty and one thousand one hundred and eighty-one of the Civil Code, relating to the proof and acknowledgment of instruments—have had the same under consideration, and now report the same back and recommend its passage.

FOX, Chairman.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, January 20th, 1880.

MR. SPEAKER: Your Judiciary Committee, to whom was referred Assembly Bill No 37—An Act to amend sections four hundred and seventy-four, six hundred and seven, seven hundred and ninety-nine, nine hundred and nine, nine hundred and fifty, one thousand and fifteen, one thousand one hundred and eight, one thousand one hundred and nine, one thousand two hundred and eighty-four, one thousand three hundred and ten, two thousand two hundred and forty, two thousand three hundred and ninety-two, two thousand three hundred and ninety-three, two thousand four hundred and seven, two thousand four hundred and eight, two thousand four hundred and ten, two thousand four hundred and thirteen, two thousand four hundred and fifteen, two thousand eight hundred, two thousand eight hundred and fifty-two, three thousand two hundred and eighty-five, three thousand four hundred and ninety, four thousand and forty-seven, four thousand and seventy-eight, four thousand one hundred and thirty-four, four thousand one hundred and sixty-five, four thousand one hundred and ninety-two, and four thousand two hundred and twenty-one, of an Act entitled "An Act to establish a Political Code," approved March twelfth, eighteen hundred and seventy-two, conferring upon the Superior Courts, their Judges or officers, the jurisdiction and authority heretofore exercised in certain cases by the Courts abolished by the new Constitution, their Judges or officers—report the same back, with amendments, and recommend that it do pass as amended.

FOX, Chairman.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, January 20th, 1880.

MR. SPEAKER: Your Judiciary Committee, to whom was referred Assembly Bill No. 20—An Act entitled "An Act to authorize the County of San Joaquin to issue bonds for the redemption of the bonds of said county issued to the Big Tree and Carson Valley Turnpike Company, which became due on or about the eighth day of August, eighteen hundred and seventy-eight, and to provide for the payment of the same"—have had the same under consideration, and report it back with a substitute, recommending the passage of the same

FOX, Chairman.

By Mr Green:

ASSEMBLY CHAMBER, January 20th, 1880.

MR. SPEAKER The Committee on Labor and Capital, to whom was referred Assembly Bill No 83, entitled "An Act to create a Bureau of Labor and Statistics of Land and Labor in the State of California," have had the same under consideration, and beg leave to report the same back with the recommendation that it do not pass.

GREEN, Chairman.

Bill referred to Committee on Ways and Means.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, January 20th, 1880.

MR SPEAKER The Committee on Labor and Capital, to whom was referred Assembly Bill No. 16, entitled "An Act to create and maintain a Bureau of Statistics of Land, Labor, and Capital," have had the same under consideration, and beg leave to report the same back, with the recommendation that it do not pass.

GREEN, Chairman.

Bill referred to the Committee on Ways and Means.

By Mr. Fox:

ASSEMBLY CHAMBER, SACRAMENTO, January 20th, 1880.

MR. SPEAKER: Your Judiciary Committee, to whom was re-referred, with instructions, Assembly Bill No. 6—An Act to transfer the records, papers, and business of the Courts exist-

ing on the thirty-first day of December, eighteen hundred and seventy-nine, in this State, to the Courts now existing therein—have had the same under consideration, now report the same back amended as directed, and recommend its passage as amended.

FOX, Chairman.

Assembly Bill No. 6 ordered to head of file.

REPORT OF SPECIAL COMMITTEE.

By Mr. Tyler:

MR SPEAKER: The Alameda delegation, to whom was referred Assembly Bill No. 95, have had the same under consideration, and report the same back with a recommendation that the same do pass.

FOX,
CAMRON, } Alameda Delegation.
TYLER,

INTRODUCTION AND FIRST READING OF BILLS.

By Mr. Messenger—An Act authorizing the Board of Supervisors of Calaveras and Alpine Counties to survey the boundary line between said counties.

Referred to joint delegation of Alpine and Calaveras.

By Mr. Fraser—An Act to amend section four thousand one hundred and nine of the Political Code of the State of California.

Referred to Committee on County Governments and Municipal Corporations.

By Mr. May—An Act to amend sections three hundred and fifty-two, three thousand six hundred and ninety-two, and three thousand seven hundred and two of an Act entitled "An Act to establish a Political Code," approved March twelfth, eighteen hundred and seventy-two, and to add sections three thousand six hundred and ninety-five and three thousand seven hundred to said Code, relating to the State Board of Equalization

Referred to the Committee on Ways and Means.

By Mr. Tyler—An Act to amend sections six hundred and twenty-six, six hundred and twenty-seven, six hundred and twenty-eight, six hundred and thirty-one, six hundred and thirty-two, six hundred and thirty-three, and six hundred and thirty-four of the Penal Code, relative to game and fish.

Referred to the Committee on Fish and Game.

By Mr. Maybell—An Act to add a new section to the Code of Civil Procedure, in relation to counsel fees in judgments for labor.

Referred to the Judiciary Committee.

By Mr. McCallion—An Act to provide for the keeping of accounts in the English language.

Referred to the Judiciary Committee.

By Mr Tyler—An Act to amend section six hundred and nineteen of the Penal Code, relative to disclosing the contents of a telegraphic message.

Referred to the Judiciary Committee.

By Mr. Harris—An Act to amend sections one thousand three hundred and sixty-one and one thousand three hundred and sixty-two of the Code of Civil Procedure, in relation to letters testamentary, and of administration with the will annexed, of the estate of deceased persons.

Referred to the Judiciary Committee.

MESSAGE FROM THE SENATE.

SENATE CHAMBER, SACRAMENTO, January 20th, 1880.

MR. SPEAKER: I am directed to inform your honorable body that the Senate, on January nineteenth, eighteen hundred and eighty, passed Senate Bill No. 83—An Act to authorize the Controller and Treasurer of State to transfer certain funds.

Also, Assembly Bill No. 1—An Act to repeal an Act entitled "An Act to authorize the City and County of San Francisco to provide and maintain public water-works for said city and county, and to condemn and purchase private property for that purpose," approved March twenty-seventh, eighteen hundred and seventy-six.

M. D. BORUCK, Secretary.

CONSIDERATION OF SENATE MESSAGE.

Senate Bill No. 83—An Act to authorize the Controller and Treasurer of State to transfer certain funds—was taken up.

The Clerk read the title of this bill and the enacting clause, and then commenced to read the first section. After he had read part of the bill, the Speaker interrupted the reading by announcing that, "This is the first reading of the bill;" and no member demanding the further reading, it was not further read.

The bill was then ordered on file.

MOTIONS AND RESOLUTIONS.

By Mr. Cuthbert:

Resolved, That Assembly Bill No. 104—An Act to prohibit the employment of Chinese or Mongolians by corporations—be taken from the Committee on Corporations and referred to the Committee on Chinese Immigration and Emigration.

Adopted.

By Mr. Morse:

Resolved, That the Committee on Attachés and Employés, the Committee on Elections, and the Committee on County Governments and Municipal Corporations, be allowed jointly to appoint and employ a Clerk, at a per diem of five dollars, to be paid out of the appropriation for the contingent expenses of the Assembly.

Adopted.

By Mr. Young:

Resolved, That the Committee on Counties and County Boundaries, the Committee on Mines and Mining Interests, the Committee on Military Affairs, and the Committee on Roads and Highways, be allowed to appoint a Clerk to act for the several committees, at a salary of five dollars per day, the same to be paid out of the Contingent Fund of the Assembly.

Referred to Committee on Attachés and Employés.

REPORT OF STANDING COMMITTEE.

By Mr. Fox:

ASSEMBLY CHAMBER, SACRAMENTO, January 20th, 1880.

MR SPEAKER: Your Judiciary Committee, to whom was referred Assembly Bill No 15—An Act to amend certain sections of the Code of Civil Procedure, relating to Courts of justice and judicial officers, now report the same back with amendments, and recommend the passage of the same as amended.

FOX, Chairman.

MOTIONS AND RESOLUTIONS.

By Mr. Carr of Sacramento:

Resolved, That the Committee on Labor and Capital be instructed to set apart such evenings as they may deem proper, for the purpose of hearing the claims of such mechanics, laborers,

clerks, and others as claim to have been defrauded of their wages by reason of the failure of State contractor Miles, and that said committee report the result to this Assembly.

Lost.

By Mr. Carr of Yuba—Assembly Concurrent Resolution, proposing an amendment to section seven, of article nine, of the Constitution.

Referred to the Committee on Education.

Mr. Tyler, pursuant to notice of yesterday, moved to amend the rules, and asked reference of his motion to the Committee on Rules and Regulations.

So ordered.

By Mr. Picket:

Resolved, That Assembly Bill No. 77—An Act entitled an Act to define the rights and privileges of aliens in the State of California, of those who are not eligible for citizenship, and of those who do not intend to make the United States their permanent place of residence—be taken from the Judiciary Committee and referred to the Committee on Chinese Immigration and Emigration.

Lost.

By Mr. Braunhart:

Resolved, That the Committees on Chinese Immigration and Emigration, and Capital and Labor, be authorized to employ a Clerk, at the usual per diem, to be paid out of the Contingent Fund of the Assembly.

Referred to the Committee on Attachés and Employés.

Mr. York moved to correct the Journal of Saturday, January seventeenth, eighteen hundred and eighty, so as to include the roll-call on Mr. Adams' motion to reconsider the report of the Committee on Mileage.

The Speaker ruled the motion out of order, as the roll-call had not been completed.

Mr. Carr of Yuba appealed from the decision of the Speaker.

The question was put, "Shall the decision of the Speaker stand as the decision of the House?"

The vote being taken, the Speaker's decision was sustained.

By Mr. Cook:

Resolved, That it is the sense of this House that the Controller is not, by the irregular proceeding, on Saturday last, on the subject of mileage, authorized to draw the mileage warrants of the members at the rate of fifteen cents per mile.

Mr. McCarthy moved to lay on the table.

So ordered.

GENERAL FILE—THIRD READING AND PASSAGE OF BILLS.

Assembly Bill No. 6, read third time; amendment stricken out; bill ordered reprinted.

Assembly Bill No. 8, taken up.

RECESS.

The hour of recess having arrived, the House took a recess until two o'clock P. M., this day.

RE-ASSEMBLED.

House re-assembled at two o'clock P. M.
Speaker Cowdery in the chair.
Quorum present.

GENERAL FILE.

Consideration of Assembly Bill No. 8—An Act to amend sections two hundred and seventy-five, two hundred and seventy-six, and two hundred and eighty-seven of an Act entitled "An Act to establish a Code of Civil Procedure," approved March eleventh, eighteen hundred and seventy-two, relating to attorneys and counselors at law—resumed.

The bill amended as recommended by the committee.

Mr. Tyler moved to strike out the last clause of section one.

The question being, "Shall the last clause of section one stand as a part of the bill?" the ayes and noes were demanded by Messrs. Wason, Wattson, and Carr of Yuba.

The roll was called, and the motion to strike out adopted by the following vote:

AYES—Messrs. Brown of Sonoma, Burns, Carr of Sacramento, Carr of Yuba, Coffman, Coleman, Durham, Frink, Hershey, Maybell, McCallion, McCarty of Lake, McDade, McIntosh, Messenger, Picket, Sayle, Sherburne, Spencer, Sweetland, Walker, Wattson, York, and Young—24.

NOES—Messrs Adams, Anthony, Bass, Bennett, Braunhart, Brooks, Brown of Yuba, Bruner, Brusie, Camron, Chandler, Cook, Cooper, Corcoran, Cuthbert, Del Valle, Dimond, Downs, Felton, Finlayson, Fox, Garibaldi, Gaffey, Gorley, Green, Hardy, Hynes, Josselyn, Lane, Leach, Leadbetter, Levee, Maguire, Mathews, May, McCarthy of San Francisco, McComas, Merry, Morse, Mulholland, Nelson, Sinon, Stanley, Stoddard, Streeter, Tyler, Ward, Wason of Ventura, and Mr. Speaker—49.

Mr. Braunhart moved to strike out the last clause of section one, and insert instead the following: "And any person may practice in *any* Superior Court of the State who, on the first day of January, eighteen hundred and eighty, was entitled to practice in any District Court thereof."

The ayes and noes were demanded by Messrs. Braunhart, Burns, and Walker.

The roll was called, and the amendment rejected by the following vote:

AYES—Messrs. Anthony, Bass, Braunhart, Brown of Sonoma, Burns, Carr of Sacramento, Carr of Yuba, Coffman, Coleman, Cook, Cuthbert, Garibaldi, Gaffey, Harris, Hershey, Hynes, Josselyn, Levee, Maguire, Maybell, McCallion, McCarty of Lake, McDade, McIntosh, Picket, Sayle, Sinon, Sherburne, Spencer, Stoddard, Sweetland, Walker, York, and Young—34.

NOES—Messrs. Adams, Bennett, Brooks, Brown of Yuba, Bruner, Brusie, Camron, Chandler, Cooper, Corcoran, Del Valle, Dimond, Downs, Durham, Estey, Felton, Finlayson, Fox, Frink, Green, Hardy, Lane, Leach, Leadbetter, Mathews, May, McCarthy of San Francisco, McComas, Merry, Messenger, Morse, Mulholland, Nelson, Stanley, Streeter, Tyler, Ward, Wason of Ventura, Wasson of Mono, Wattson, and Mr. Speaker.—41.

Mr. Sayle moved to strike out all after the word "State," in line seven, down to line ten.

Mr. Adams moved the indefinite postponement of the motion.

Carried.

Assembly Bill No. 29—An Act to continue in force school teachers' certificates, State educational diplomas, and life diplomas—was taken up.

Mr. Maybell moved to amend, by inserting after the word "seventy-

nine," in line nine of the printed bill, the following: "Except such certificates as have been obtained by purchase, bribery, or corrupt practice, the same being proven in open Court."

Mr. McIntosh moved to lay the bill on the table.

Lost.

Mr. Maybell withdrew his amendment.

Mr. Tyler moved to strike out all after the enacting clause, and insert the following as a substitute:

SECTION 1. All teachers in the State of California, having a certificate on the thirty-first day of December, eighteen hundred and seventy-nine, shall be entitled to teach in their respective grades, and to receive pay therefor, until such time as some general law shall be passed providing for the organization of schools and examination of teachers, as provided in the Constitution.

SEC. 2. This Act shall take effect from and after its passage.

At four o'clock and forty minutes P. M. Mr. Estey moved that we do now adjourn.

Lost.

The substitute rejected.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Adams, Anthony, Bass, Bennett, Braunhart, Brooks, Brown of Sonoma, Brown of Yuba, Brunet, Brusie, Burns, Camron, Chandler, Coffman, Coleman, Cook, Cuthbert, Del Valle, Dimond, Downs, Durham, Felton, Finlayson, Fox, Frink, Garibaldi, Gaffey, Gorley, Green, Hardy, Harris, Hershey, Hynes, Josselyn, Lane, Leach, Leadbetter, Levee, Maguire, Mathews, May, McCarty of Lake, McComas, McDade, Messenger, Morse, Picker, Sayle, Simon, Sherburne, Spencer, Stanley, Stoddard, Streeter, Sweetland, Tyler, Walker, Ward, Wason of Ventura, Wisson of Mono, Wattson, York, Young, and Mr. Speaker—64.

NOES—Messrs. Carr of Sacramento, Cooper, Corcoran, Estey, Maybell, McCallion, McCarthy of San Francisco, McIntosh, Merry, Mulholland, and Nelson—11.

Title approved.

Mr. Corcoran moved that substitute for Assembly Bill No. 20 be printed.

So ordered.

ADJOURNMENT.

At four o'clock and fifty minutes P. M., Mr. Camron moved that we do now adjourn.

Carried.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Wednesday, January 21st, 1880.

House met pursuant to adjournment.

Speaker Cowdery in the chair.

Roll called, and a quorum present.

Prayer by the Chaplain.

Reading and approval of the Journal of yesterday.

Mr. Tyler moved that the further reading of the Journal be dispensed with, and the Journal approved as corrected.

So ordered.

Mr. Tyler moved to take up Senate Bill No. 83.

Second reading of the bill.

The Clerk read the title of this bill and the enacting clause, and commenced to read the first part of the bill.

The Speaker interrupted the reading by announcing that "This is the second reading of the bill," and no member demanding the further reading, it was not further read.

The bill ordered to the head of the file for to-morrow.

[Mr. Tyler in the chair.]

PETITION.

Petition from citizens of Red Bluff, relative to education.

Referred to the Committee on Education.

REPORTS OF STANDING COMMITTEES.

By Mr. Brown of Yuba:

ASSEMBLY CHAMBER, SACRAMENTO, January 21st, 1880.

MR. SPEAKER. Your Committee on Corporations, to whom was referred Assembly Bill No. 48—An Act to amend an Act entitled "An Act relating to mutual beneficial and relief associations," approved March twenty-eighth, eighteen hundred and seventy-four—have had the same under consideration, and report it back, recommending passage.

BROWN, Chairman.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, January 21st, 1880

MR. SPEAKER: Your Committee on Corporations, to whom was referred Assembly Bill No. 44—An Act to amend sections three hundred and twelve, three hundred and fifteen, three hundred and twenty-two, three hundred and twenty-three, three hundred and twenty-six, three hundred and fifty-nine, and four hundred and fifteen, and to add a new section to be known as four hundred and four, of "An Act to establish a Civil Code," approved March twenty-first, eighteen hundred and seventy-two, relating to corporations—have had the same under consideration, and report it back with certain amendments, and recommend its passage as amended.

BROWN, Chairman.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, January 21st, 1880.

MR SPEAKER: Your Committee on Corporations, to whom was referred Assembly Bill No. 103—An Act to limit and fix the wages and hours of labor of conductors, drivers, and employés of street railroads in the cities and towns of the State—have had the same under consideration, and report it back with recommendation to be referred to the Committee on Labor and Capital.

BROWN, Chairman.

By Mr. Sherburne:

MR. SPEAKER: Your Committee on Engrossment of Bills have examined and find properly engrossed Assembly Bill No. 29.

SHERBURNE, Chairman.

By Mr. Young:

MR. SPEAKER: Your Committee on Rules and Regulations, to whom was referred the annexed resolution, report the same back, and recommend that the same be adopted.

YOUNG, Chairman.

Resolved, That we add to Standing Rule Two of the House, the following words, to wit: "*Provided*, that when on any day the order of business is not gone through with, by reason of adjournment, the Speaker shall, after the reading and approval of the Journal, take up the order of business where he left off on the preceding day."

The question being upon the adoption of the resolution, Mr. McIntosh moved its indefinite postponement.

So ordered.

By Mr. Merry:

MR. SPEAKER: Your Committee on Claims beg leave to report that they have duly considered Assembly Resolution No. 7, of January nineteenth, eighteen hundred and eighty, and report the same back, and recommend that it be adopted.

MERRY, Chairman.

Resolved, That the Controller be and he hereby is directed to draw his warrant upon the treasury for the sum of fifty-nine dollars and forty cents, mileage of the State Prison Committee and the Clerk thereof, in visiting the Branch Prison at Folsom, payable to the Chairman of said committee, payable out of the contingent expense fund of the Assembly.

Resolution amended by consent, and adopted.

By Mr. McCarthy:

ASSEMBLY CHAMBER, SACRAMENTO, January 21st, 1880.

MR. SPEAKER: The San Francisco delegation, to whom was referred Assembly Bill No. 57—An Act to repeal an Act entitled "An Act to compel the County Clerk of the City and County of San Francisco to keep open his office upon all election days" approved March seventh, eighteen hundred and seventy-six—have had the same under consideration, and report it back, with a recommendation that it do pass.

Fourteen members present and voting aye.

McCARTHY, Chairman.

INTRODUCTION AND FIRST READING OF BILLS.

By Mr. Sinon—An Act to prevent discrimination by gas companies in the State of California.

Referred to the Committee on Corporations.

By Mr. Maybell—An Act prohibiting the employment of prisoners by contract.

Referred to the Judiciary Committee.

By Mr. Gaffey—An Act to compel banks, savings and loan societies, and all and every kind of person or persons, or corporation, receiving moneys or other valuable property on deposit, or for safe keeping, to record and publish such deposit of deceased persons.

Referred to the Committee on Corporations.

By Mr. Camron—An Act to amend sections two hundred and four, two hundred and six, two hundred and nine, two hundred and eleven, two hundred and fourteen, two hundred and fifteen, two hundred and nineteen, and two hundred and forty-one, and to repeal sections two hundred and sixteen, two hundred and seventeen, and two hundred and eighteen, of the Code of Civil Procedure of this State.

Referred to the Judiciary Committee.

By Mr. Spencer—An Act to appropriate money out of the General Fund, in the State treasury, to pay the Clerk of the State Board of Equalization for services rendered as such Clerk.

Referred to the Committee on Claims.

By Mr. Cook—An Act to provide for Boards of Highways, and to assess personal and real property, and collect the tax thereon, for road purposes.

Referred to the Committee on Roads and Highways.

By Mr. Levee—An Act to amend the Penal Code with respect to the punishment of persons guilty of gaming.

Referred to the Committee on Public Morals.

By Mr. Harris—An Act to amend sections one thousand three hundred and eighty-three, one thousand three hundred and eighty-eight, and one thousand three hundred and eighty-nine of the Code of Civil Procedure, in relation to letters of administration upon estates of deceased persons.

Referred to the Committee on Judiciary.

SENATE MESSAGES.

SENATE CHAMBER, SACRAMENTO, January 21st, 1880.

MR. SPEAKER: I am directed to inform your honorable body that the Senate, on this day, has considered the following message from the Governor:

STATE OF CALIFORNIA, EXECUTIVE DEPARTMENT, SACRAMENTO, January 20th, 1880.

To the Senate of the State of California:

I have the honor to transmit to your honorable body the Report of the State Board of Examiners, and as there is but one copy thereof I respectfully ask that the Assembly may be notified of its receipt.

GEO. C. PERKINS, Governor.

The Senate has ordered that the report be printed, and under the Senate rules, 360 copies will be printed for the use of the Legislature.

M. D. BORUCK, Secretary.

SENATE CHAMBER, SACRAMENTO, January 21st, 1880.

MR. SPEAKER: I am directed to inform your honorable body that the Senate, on the twentieth day of January, passed Senate Bill No. 77—An Act making an appropriation for the State Printing Office for the fiscal year ending June thirtieth, eighteen hundred and eighty.

M. D. BORUCK, Secretary.

NOTICES.

By Mr. McDade:

MR. SPEAKER: I give notice that I will, to-morrow, move to amend Rule Nineteen, in regard to increasing the Committee on Education.

RESOLUTION.

By Mr. Adams (by permission):

Resolved, That the Committee on Forestry, the Committee on State Library, and the Committee on Homestead and Land Monopoly, be jointly allowed the services of one Clerk, at the usual per diem of five dollars, payable out of the Contingent Fund of the Assembly.

Referred to the Committee on Attachés and Employés.

REPORT OF STANDING COMMITTEE.

By Mr. Merry:

MR SPEAKER: Your Committee on Claims, to whom was referred the report of Assembly Committee on Inaugural Ceremonies, and the accompanying bills for three hundred and ninety-seven dollars and fifty cents therefor, beg leave to report that they have had the same under consideration, and report the same back, with the following resolution:

MERRY, Chairman.

Resolved, That the sum of three hundred and ninety-seven dollars and fifty cents ($397 50), payable out of the fund for contingent expenses of the Assembly, is hereby appropriated to defray the Assembly's portion of the expenses attending the Governor's inaugural, and that the Controller of State is hereby directed to draw his warrant for that amount in favor of the Sergeant-at-Arms.

Report received, and resolution adopted.

Mr. Fox, by permission, moved that Assembly Bill No. 137 be withdrawn from the Committee on Judiciary and referred to the Committee on Hospitals.

So ordered.

SECOND READING OF BILLS.

Assembly Bill No. 46, read second time, and ordered on file.
Assembly Bill No. 42, read second time, and ordered on file.
Assembly Bill No. 24, read second time.
Mr. Finlayson moved to strike out the enacting clause.
So ordered, and the bill rejected.
Assembly Bill No. 39, read second time.
Mr. Fox moved to strike out the enacting clause.
Carried.
The bill rejected.
Assembly Bill No. 43, read second time.
Mr. Fox moved to amend by striking out of the second subdivision the words "a Mayor or Recorder."
Adopted.
Mr. May moved to amend by inserting the words "city and county."
Adopted.
Mr. Morse moved to strike out the third subdivision, giving power to Court Commissioners to take acknowledgments.
Adopted.
Mr. Fox moved to amend by adding the words "Judge of Supreme and Superior Court."
Lost.
Bill ordered to print.
Assembly Bill No. 37, read second time, and amended as recommended by the committee.
Mr. Cooper moved to strike out from subdivision three of section twenty-five, the words "take and certify acknowledgments to the execution of instruments in writing."
Adopted.
Bill ordered to print.
Assembly Bill No. 95, read second time, and ordered on file.

ASSEMBLY CONCURRENT RESOLUTION.

By Mr. Morse:

WHEREAS, A large amount of mail matter is constantly being transmitted from the Post-offices of the Pacific slope to the Dead Letter Office at Washington, which matter is increased in consequence of the recent order of the Postmaster-General relative to the mode of addressing letters: and whereas, the delay incident to such transmission is the cause of serious inconvenience and even pecuniary loss to the people of the Pacific Coast; therefore,

Resolved by the Assembly, the Senate concurring, That our Senators and Representatives in Congress be and they are hereby requested to use their best endeavors to obtain the establishment at San Francisco of a Dead Letter Office; and, further, that the Governor be requested to furnish a copy of this resolution to each of our Senators and Representatives.

Adopted.

MOTIONS AND RESOLUTIONS.

By Mr. Brusie:

Resolved, That the Committee on State Hospitals be allowed to visit the State Hospitals at such time as they may deem proper, and that they have leave of absence for that purpose.

Adopted.
By Mr. Coleman:

WHEREAS, This House, on January fourteenth instant, authorized the Secretary of State to furnish stationery to committees without limiting the amount of such stationery; therefore, be it

Resolved, That no committee and no delegation, having a Clerk, of this House, be allowed stationery amounting to more than fifteen (15) dollars during the entire session.

Lost.

Mr. Carr of Sacramento moved to take from the table Mr. Cook's resolution relating to the Controller being unauthorized to draw warrants for mileage, in favor of the members, at fifteen cents per mile.

Resolution ruled out of order by the Speaker.

Mr. Leach appealed from the decision of the Chair.

The question being, "Shall the decision of the Chair be sustained," and the ayes and noes being demanded by the requisite number, the roll was called and the appeal sustained by the following vote:

AYES—Messrs. Brooks, Brown of Yuba, Bruner, Cannon, Cooper, Corcoran, Del Valle, Dimond, Fox, Garibaldi, Gorley, Hardy, Hershey, Hynes, Josselyn, Lane, Leadbetter, Mathews, May, Maybell, McCallion, McCarthy of San Francisco, McIntosh, Merry, Messenger, Mulholland, Nelson, Picket, Sayle, Tyler, Walker, Ward, and Young—33.

NOES—Messrs. Adams, Anthony, Bass, Bennett, Braunhart, Brown of Sonoma, Brusie, Burns, Carr of Sacramento, Carr of Yuba, Chamberlain, Chandler, Coffman, Coleman, Cook, Cuthbert, Downs, Durham, Felton, Finlayson, Fraser, Frink, Gaffey, Green, Leach, Levee, Maguire, McCarty of Lake, McComas, McDade, Morse, Simon, Sherburne, Spencer, Stanley, Stoddard, Streeter, Sweetland, Wasson of Mono, Wattson, and York—41.

The question recurs upon the original motion.

RECESS.

Pending discussion thereof, the hour of one o'clock P. M. having arrived, the House took a recess until two o'clock P. M.

RE-ASSEMBLED.

House re-assembled at two o'clock P. M.

Speaker Cowdery in the chair.

Quorum present.

Consideration of Mr. Cook's resolution resumed.

Mr. Leach moved to strike out the word "irregular."

Withdrawn.

The previous question being moved by Messrs. Stanley, Adams, and York, the House so ordered.

Messrs. Carr of Yuba, Brooks, and Leach, demanded the ayes and noes.

The roll was called, and the resolution was adopted by the following vote:

AYES—Messrs Adams, Anthony, Bass, Bennett, Braunhart, Brown of Sonoma, Brusie, Burns, Carr of Sacramento, Carr of Yuba, Chamberlain, Chandler, Coffman, Coleman, Cook, Downs, Durham, Felton, Gaffey, Green, Hardy, Harris, Hynes, Leach, Levee, Maguire, May, Maybell, McCarty of Lake, McComas, McDade, Morse, Simon, Sherburne, Spencer, Stanley, Stoddard, Streeter, Sweetland, Wason of Ventura, Wattson, and York—42.

NOES—Messrs. Brooks, Brown of Yuba, Bruner, Cannon, Cooper, Corcoran, Cuthbert, Del Valle, Dimond, Finlayson, Fox, Fraser, Frink, Garibaldi, Gorley, Hershey, Josselyn, Lane, Leadbetter, Mathews, McCallion, McCarthy of San Francisco, McIntosh, Merry, Mulholland, Nelson, Picket, Sayle, Tyler, Walker, Ward, Wasson of Mono, Young, and Mr. Speaker—34.

Mr. May gave notice that he will move a reconsideration.

By Mr. Leach:

Resolved, That the Controller is not authorized to draw or deliver any warrants for the mileage of members of this body until further orders of this House.

Mr. Tyler moved the indefinite postponement of the resolution.

Upon which Messrs. Leach, Carr of Yuba, and Carr of Sacramento, demanded the ayes and noes.

The previous question being moved by the requisite number, the House so ordered.

The roll was then called, and motion to indefinitely postpone was adopted by the following vote:

AYES—Messrs. Bass, Brooks, Brown of Yuba, Bruner, Brusie, Camron, Coffman, Cooper, Corcoran, Del Valle, Dimond, Estey, Finlayson, Fox, Fraser, Frink, Garibaldi, Gorley, Harris, Hershey, Hynes, Josselyn, Lane, Leadbetter, Mathews, May, McCallion, McCarty of Lake, McCarthy of San Francisco, McIntosh, Merry, Messenger, Mulholland, Nelson, Picket, Sayle, Tyler, Walker, Ward, Wasson of Mono, and Mr. Speaker—41.

NOES—Messrs. Adams, Anthony, Bennett, Braunhart, Burns, Carr of Sacramento, Carr of Yuba, Chamberlain, Chandler, Coleman, Cook, Cuthbert, Downs, Durham, Felton, Gaffey, Green, Hardy, Leach, Levee, Maguire, Maybell, McComas, McDade, Morse, Simon, Sherburne, Spencer, Stanley, Stoddard, Streeter, Sweetland, Wason of Ventura, Wattson, York, and Young—36.

SENATE MESSAGES.

SENATE CHAMBER, SACRAMENTO, January 21st, 1880.

MR. SPEAKER: I am directed to inform your honorable body that the Senate, on January twentieth, eighteen hundred and eighty, passed Senate Concurrent Resolution No. 12, relating to the appointment of a joint committee of three members of each House to prepare and present a case to the Supreme Court concerning Senate Bill No 83, when said bill shall have been passed by the Assembly, and signed by the Governor; and the Senate has appointed Senators Dickinson, Davis, and Enos said committee.

JOHN R. BRIERLY, Assistant Secretary.

SENATE CHAMBER, SACRAMENTO, January 20th, 1880.

MR SPEAKER: The Senate, on this day, adopted the following Concurrent Resolution, No. 12:

Resolved by the Senate, the Assembly concurring, That, upon the passage by the Assembly, and the signing of the Governor, of Senate Bill No. 83, a joint committee to consist of three members of each House shall be appointed by the respective presiding officers thereof, the duty of which committee shall be to prepare and to present a case to the Supreme Court of California for its decision, which shall obtain the opinion of said Court, whether or not said Senate Bill No 83 was passed in each House in conformity with the provisions of section fifteen, of article four, of the Constitution, relating to the reading of bills.

Mr. Tyler moved that the resolution be concurred in.

Carried.

The Speaker appointed as such joint committee, on the part of the Assembly, Messrs. Tyler, Fox, and Bruner.

MOTIONS AND RESOLUTIONS.

By Mr. Tyler:

Resolved, That the Controller be and he is hereby directed to draw his warrant upon the treasury for the sum of one hundred dollars, in favor of the Sergeant-at-Arms, for stationery and postage stamps for the use of his office during the present session of the Legislature, payable out of the Contingent Fund of the Assembly.

Referred to the Committee on Attachés and Employés.

Also:

Resolved, That two thousand copies of the lecture of Rev. O C. Wheeler, delivered in this Chamber on the evening of the sixteenth instant, be procured by the Sergeant-at-Arms of this Assembly, at an expense of not exceeding two hundred and fifty dollars, for distribution in such manner as this House may determine, the expense thereof to be paid out of the Contingent Fund of the Assembly.

Mr. McCallion moved to indefinitely postpone the resolution.

Carried.

By Mr. Corcoran:

Resolved, That the Committee on State Hospitals be authorized to employ a Clerk at a per diem of five dollars, to be paid out of the Contingent Fund of the Assembly.

Referred to the Committee on Attachés and Employés.

NOTICE.

By Mr. Corcoran (by permission):

MR. SPEAKER: You will please take notice that I will, to-morrow, move to amend Rule Forty-five of the Standing Rules of the Assembly, by striking out the words "for the previous question."

RESOLUTION.

By Mr. Maybell:

Resolved, That our members of Congress be requested to move, at an early day, an amendment to the Constitution of the United States and that the said amendment read as follows: "Senators to Congress shall be elected by the people."

Referred to the Committee on Federal Relations.

GENERAL FILE AND THIRD READING OF BILLS.

Assembly Bill No. 6—An Act to transfer the records, papers, and business of the Courts, existing on the thirty-first day of December, eighteen hundred and seventy-nine, in this State, to the Courts now existing therein.

Taken up, read third time, and ordered to be reprinted.

Assembly Bill No. 18—An Act to repeal section four hundred and twenty of the Penal Code.

Read third time.

Mr. Braunhart moved that this bill be made the special order for to-morrow at two o'clock P. M.

So ordered.

ADJOURNMENT.

At four o'clock P. M., Mr. Camron moved that we do now adjourn.

Carried.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Thursday, January 22d, 1880.

House met pursuant to adjournment.

Speaker Cowdery in the chair.

Roll called, and a quorum present.

Prayer by the Chaplain.

One day's leave of absence was granted to Mr. Wason of Ventura.

Reading and approval of the Journal of yesterday.

Mr. Tyler moved that further reading of the Journal be dispensed with, and the Journal approved.

So ordered.

Mr. Tyler moved that the rules be suspended, and Senate Bill No.

83—An Act to authorize the Controller and Treasurer of State to transfer certain funds—be taken up out of order, read third time, and put upon its passage.

So ordered.

The bill, with all amendments, having been printed, was by the Clerk read at length, and the question recurring upon its passage, the roll was called, and the bill was passed by the following vote:

AYES—Messrs. Adams, Anthony, Bass, Bennett, Braunhart, Brooks, Brown of Sonoma, Brown of Yuba, Bruner, Brusie, Burns, Carr of Sacramento, Carr of Yuba, Chamberlain, Chandler, Coffman, Coleman, Cook, Cooper, Corcoran, Cuthbert, Del Valle, Dimond, Downs, Durham, Estey, Felton, Finlayson, Fox, Fraser, Frink, Garibaldi, Gaffey, Gorley, Green, Hardy, Harris, Hershey, Hynes, Josselyn, Lane, Leach, Leadbetter, Levee, Maguire, Mathews, May, Maybell, McCallion, McCarty of Lake, McCarthy of San Francisco, McComas, McDade, McIntosh, Merry, Messenger, Morse, Mulholland, Nelson, Picket, Sayle, Simon, Sherburne, Spencer, Stanley, Stoddard, Streeter, Sweetland, Tyler, Walker, Ward, Wasson of Mono, Wattson, York, Young, and Mr. Speaker—76.

NOES—None.

Title approved.

Bill ordered transmitted to the Senate immediately.

REPORTS OF STANDING COMMITTEES.

By Mr. Young:

MR. SPEAKER: Your Committee on Public Printing, to whom was committed the matter of inquiring after Assembly Bill No. 69, do not find the same printed, and recommend that the original bill be returned to the Printer for printing.

YOUNG, Chairman.

Resolution adopted.

By Mr. Leach:

MR. SPEAKER: Your Committee on Fish and Game, to whom was referred Assembly Bill No. 81, relative to the repeal of the law protecting seals and sea lions, beg leave to report that they have had the same under consideration, and a majority of the committee report the same back, with the recommendation that it do pass.

LEACH, Chairman.

By Mr. Merry:

MR. SPEAKER: Your Committee on Fish and Game, having considered Assembly Bill No. 81—An Act to repeal section five hundred and ninety-nine of the Penal Code, relating to the protection of seals and sea lions near the Cliff House, in the City and County of San Francisco—and a majority of said committee having reported in favor of the passage of said bill, and believing that its passage will work an injury to a large class of my constituents, I beg leave to present this minority report, and to recommend that that bill do not pass.

MERRY, Minority of the Committee on Fish and Game.

By Mr. Brusie:

ASSEMBLY CHAMBER, SACRAMENTO, January 22d, 1880.

MR. SPEAKER: Your Committee on State Hospitals, to whom was referred Assembly Bill No. 145—An Act to amend sections seventeen, nineteen, and twenty-one of an Act entitled an Act to provide for the future management of the Napa State Asylum for Insane, approved March sixth, eighteen hundred and seventy-six—have had the same under consideration, and report it back with a recommendation that it do pass.

BRUSIE, Chairman.

By Mr. McComas:

MR. SPEAKER: Your Committee on Public Lands, to whom was referred Assembly Joint Resolution No. 1, asking the recall of a certain order of the Commissioner of the General Land Office, have had the same under consideration, and hereby report the same back and recommend its adoption.

McCOMAS, Chairman.

By Mr. Camron:

MR. SPEAKER: Your Committee on Attachés and Employés, to whom was referred the resolution below, report the same back with the following amendment: "That the Committee on Education, Committee on Public Morals, and Committee on Indian Affairs, be allowed one Clerk to act for the several committees jointly," instead of "That the Committee on Education be and are hereby allowed a Clerk," and recommend its adoption as amended.

CAMRON, Chairman.

Resolved, That the Committee on Education be and is hereby allowed a Clerk at a per diem of five dollars per day, to be paid out of the appropriation for the payment of the contingent expenses of the Assembly.

Resolution amended as recommended by the committee, and adopted.

Also:

MR. SPEAKER: Your Committee on Attachés and Employés, to whom was referred the resolution hereto attached below, have had the same under consideration, and report it back with the following amendments, to read, "be allowed to appoint 'one' Clerk," instead of "a Clerk," and "to act 'jointly' for the committees," instead of "several committees."

CAMRON, Chairman.

Resolved, That the Committee on Counties and County Boundaries, the Committee on Mines and Mining Interests, the Committee on Military Affairs, and the Committee on Roads and Highways, be allowed to appoint a Clerk to act for the several committees, at a salary of five dollars a day, the same to be paid out of the Contingent Fund of the Assembly.

Resolution amended as recommended by the committee, and adopted.

Also:

MR. SPEAKER: Your Committee on Attachés and Employés, to whom was referred the resolution hereto attached below, beg leave to report the same back with the recommendation that it be not adopted.

CAMRON, Chairman.

Resolved, That the Controller be and he is hereby directed to draw his warrant upon the Treasurer for the sum of one hundred dollars, in favor of the Sergeant-at-Arms of this House, for stationery and stamps for the use of his office during the present session of the Legislature, payable out of the Contingent Fund of the Assembly.

Mr. Tyler moved to strike out one hundred dollars and insert fifty dollars.

Lost.

Mr. McDade moved the indefinite postponement of the resolution.

Carried.

MESSAGE FROM THE GOVERNOR.

STATE OF CALIFORNIA, EXECUTIVE DEPARTMENT,
SACRAMENTO, January 22d, 1880.

To the Assembly of the State of California:

I have the honor to transmit to your honorable body the report of the State Engineer.

GEO. C. PERKINS, Governor.

CONSIDERATION OF MESSAGE FROM THE GOVERNOR.

The above report of the State Engineer ordered referred to the Committee on Irrigation.

INTRODUCTION AND FIRST READING OF BILLS.

The following bills were introduced, each read first time, and referred:

By Mr. Bruner—An Act to amend an Act entitled "An Act providing for the election of an Attorney in and for the City of Sacramento," approved March sixth, eighteen hundred and seventy-eight.

Referred to the Sacramento delegation.

Also, an Act in relation to the trespassing of stock upon uninclosed lands.

Referred to the Committee on Roads and Highways.

Also, an Act to amend an Act entitled "An Act to amend an Act in relation to the county government of the County of Sacramento, approved March thirtieth, eighteen hundred and seventy-four, approved March sixteenth, eighteen hundred and seventy-eight."

Referred to the Sacramento delegation.

By Mr. Hardy—An Act to prohibit and prevent extortion from candidates for public office by reason of such candidacy.

Referred to the Committee on Elections.

By Mr. Messenger—An Act to amend section three thousand four hundred and ninety-five of the Political Code, relating to reservation of public lands for Indians.

Referred to the Committee on Indian Affairs.

By Mr. Adams—An Act to amend sections six hundred and thirteen and six hundred and fourteen of an Act to establish a Penal Code, approved February fourteenth, eighteen hundred and seventy-two, relative to working prisoners confined in county jails.

Referred to the Judiciary Committee.

Also, an Act to add a new section to the Penal Code of the State of California, to be known as section one thousand six hundred and fifteen, in relation to the duty of Sheriffs in working prisoners confined in county jails.

Referred to the Judiciary Committee.

By Mr. Fraser—An Act to amend section two thousand two hundred and ninety-six of the Political Code, relative to taking books from the State Library.

Referred to the Committee on State Library.

By Mr. Fox—An Act to provide for the taking of appeals from judgments or orders given or made in the Courts abolished by the Constitution.

Referred to the Judiciary Committee.

Also, an Act to provide for the selection of lands as indemnity for certain sixteenth and thirty-sixth sections reserved as mineral lands.

Referred to the Committee on Public Lands.

By Mr. Merry—An Act making appropriation for the salaries of the Chief Justice and Associate Justices of the Supreme Court of the State of California, for the balance of the thirty-first fiscal year ending June thirtieth, eighteen hundred and eighty.

Referred to the Committee on Ways and Means.

Also, an Act making appropriation for the State's portion of the salaries of the Superior Judges of the counties of the State of California, for the balance of the thirty-first fiscal year ending June thirtieth, eighteen hundred and eighty.

Referred to the Committee on Ways and Means.

By Mr. Young—An Act to amend section seven hundred and ninety-one of the Political Code, in relation to Notaries Public.
Referred to the Judiciary Committee.

SECOND READING OF BILLS.

Assembly Bill No. 48—An Act to amend an Act entitled "An Act relating to mutual beneficial and relief associations," approved March twenty-eighth, eighteen hundred and seventy-four.
Read second time, and ordered on file.
Assembly Bill No. 44—An Act to amend sections three hundred and twelve, three hundred and fifteen, three hundred and twenty-two, three hundred and twenty-three, three hundred and twenty-six, three hundred and fifty-nine, and four hundred and fifteen, and to add a new section, to be known as section four hundred and four, of an Act entitled "An Act to establish a Civil Code," approved March twenty-first, eighteen hundred and seventy-two, relating to corporations.
Read second time, and amended as recommended by committee.
Mr. Finlayson moved that the bill be referred to the Committee on Judiciary.
Carried.
Assembly Bill No. 57—An Act to repeal an Act entitled "An Act to compel the County Clerk of the City and County of San Francisco to keep open his office upon all election days," approved March seventh, eighteen hundred and seventy-six.
Read second time, and ordered on file.

MOTIONS AND RESOLUTIONS.

By Mr. Chamberlain:

Resolved, That the Committee on Agriculture and the Committee on Labor and Capital be allowed to appoint a Clerk, at a salary of five dollars per day, payable out of the Contingent Fund of the Assembly.

Referred to the Committee on Attachés and Employés.
By Mr. McDade:

Resolved, That the Committee on Education be increased from seven to nine members.

Referred to the Committee on Rules.
Mr. Corcoran, pursuant to notice, moved to take up his resolution to strike out from Rule Forty-five the words "for the previous question."
Mr. Tyler moved to amend by inserting the words "unless called for by ten members."
Amendment accepted.
Mr. Felton moved to indefinitely postpone the resolution.
Carried.
By Mr. Brown of Yuba:

Resolved, That one thousand copies of the State Engineer's Report be printed for general distribution and use of this Assembly.

Mr. Corcoran moved to amend by striking out "one thousand" and inserting "two thousand."

Adopted.
Resolution adopted as amended.
By Mr. Tyler:

Resolved, That the Controller be and is hereby authorized to draw his warrant on the Treasurer, in favor of the Secretary of State, for the sum of four hundred and eighty dollars, to purchase forty copies of Hittell's "Codes and Statutes of California," for use of members and committees, payable out of the Contingent Fund of the Assembly.

Mr. Carr of Yuba moved to lay it on the table.
Lost.
Mr. Camron moved to amend by making the resolution read "fifteen" instead of "forty copies."
Lost.
Mr. May moved to amend as follows:

Resolved, That the Clerk of this House be instructed to communicate with Bancroft & Company, and ascertain at what price they will furnish forty sets of Hittell's Codes.

Amendment accepted, and resolution, as amended, adopted.
By Mr. McCarthy:

Resolved, That the San Francisco delegation be permitted to have the necessary printing done, for its use, through the Chief Clerk of the Assembly, on proper requisitions, signed by the Chairman.

Adopted.
By Mr. Tyler:

Resolved, That the Committee of Three, appointed under the provisions of Concurrent Resolution No. 12, by this House, have leave of absence for such time as may be necessary to attend to the duties imposed upon them by such concurrent resolution.

Adopted.
Mr. Merry moved that the report of the Inaugural Committee, made yesterday, be adopted.
Carried.

INTRODUCTION AND FIRST READING OF BILLS.

By Mr. Tyler (by permission)—An Act to amend section four hundred and twenty of the Penal Code, relative to using language with intent to incite a riot.
Read first time, and referred to the Judiciary Committee.
Also, an Act to amend section nine hundred and seventy-two of the Penal Code, relative to indictments.
Read first time, and referred to the Judiciary Committee.
Also, an Act to amend sections eight hundred and twenty-five, eight hundred and sixty-nine, and eight hundred and seventy-two of the Penal Code, relative to proceedings in criminal actions prosecuted by indictment.
Read first time, and referred to the Judiciary Committee.
Also, an Act to amend sections nine hundred and ninety-five, one thousand and sixteen, one thousand and seventeen, one thousand and twenty, one thousand and twenty-three, and one thousand and forty-one of the Penal Code, relative to pleadings and proceedings after indictment and before the commencement of the trial.
Read first time, and referred to the Committee on Judiciary.
Also, an Act to repeal section one thousand one hundred and

twelve and to amend sections one thousand and seventy-six, one thousand one hundred and twenty-five, one thousand one hundred and thirty, one thousand one hundred and fifty-one, one thousand one hundred and seventy-three, and one thousand one hundred and eighty-one of the Penal Code, relative to proceedings after the commencement of the trial and before judgment.

Read first time, and referred to the Judiciary Committee.

GENERAL FILE—THIRD READING AND REFERENCE OF BILLS.

Assembly Bill No. 6—An Act to transfer the records, papers, and business of the Courts existing on the thirty-first day of December, eighteen hundred and seventy-nine, in this State, to the Courts now existing therein.

Read third time.

The roll was called, and the bill was passed by the following vote:

AYES—Messrs. Adams, Anthony, Bass, Bennett, Brooks, Brown of Sonoma, Brown of Yuba, Bruner, Brusie, Burns, Carr of Sacramento, Carr of Yuba, Chamberlain, Chandler, Coffman, Coleman, Cook, Corcoran, Cuthbert, Del Valle, Dimond, Downs, Durham, Estey, Felton, Finlayson, Fox, Fraser, Frink, Garibaldi, Gaffey, Gorley, Green, Hardy, Harris, Hershey, Hynes, Josselyn, Lane, Leach, Leadbetter, Levee, Maguire, Mathews, May, Maybell, McCallion, McCarty of Lake, McCarthy of San Francisco, McConnas, McDade, McIntosh, Merry, Messenger, Morse, Mulholland, Nelson, Picket, Sayle, Simon, Sherburne, Spencer, Stanley, Stoddard, Streeter, Sweetland, Tyler, Walker, Ward, Wattson, York, Young, and Mr. Speaker—73.

NOES—None.

RECESS.

The hour of one o'clock P. M. having arrived, the House took a recess until 2 o'clock P. M., this day.

RE-ASSEMBLED.

House re-assembled at two o'clock P. M.

Speaker Cowdery in the Chair.

Mr. May, pursuant to notice, moved to reconsider the vote by which the motion relating to the Controller being unauthorized to draw warrants for mileage in favor of members at fifteen cents per mile was adopted yesterday.

Carried.

Mr. May moved to take up the special order for this House.

So ordered.

Mr. Tyler moved that the special order be postponed until one week from to-day, at two o'clock P. M.

Carried.

REPORTS OF STANDING COMMITTEES.

By Mr. Brooks:

MR SPEAKER Your Committee on Enrollment respectfully report that the following Assembly Bill has been correctly enrolled Assembly Bill No. 1—An Act to repeal an Act entitled an Act to authorize the City and County of San Francisco to provide and maintain public waterworks for said city and county, and to condemn and purchase private property for that purpose, approved March twenty-seventh, eighteen hundred and seventy-six—and said bill, at two o'clock P. M., January the twenty-second, was presented to the Governor for his approval.

BROOKS, Chairman.

Assembly Bill No. 23—An Act entitled an Act to amend section one thousand four hundred and fifty-two of the Code of Civil Procedure.

Read third time.

The roll was called and the bill was passed by the following vote:

AYES—Messrs. Adams, Anthony, Bass, Bennett, Braunhart, Brooks, Brown of Sonoma, Brown of Yuba, Bruner, Brusie, Burns, Camron, Carr of Sacramento, Carr of Yuba, Chamberlain, Chandler, Coffman, Coleman, Cook, Cooper, Corcoran, Cuthbert, Del Valle, Dimond, Downs, Durham, Estey, Felton, Finlayson, Fox, Fraser, Frink, Garibaldi, Gaffey, Green, Harris, Hershey, Hynes, Josselyn, Lane, Leach, Leadbetter, Levee, Maguire, Mathews, May, Maybell, McCallion, McCarty of Lake, McCarthy of San Francisco, McDade, McIntosh, Merry, Messenger, Morse, Mulholland, Nelson, Picket, Sayle, Simon, Sherburne, Spencer, Stanley, Streeter, Sweetland, Tyler, Walker, Ward, Wattson, York, Young, and Mr. Speaker—73.

NOES—None.

Title amended, and approved as amended.

Assembly Bill No. 26—An Act to amend section one thousand one hundred and eleven of the Penal Code, relating to the testimony of an accomplice.

Mr. Young moved its reference to the Judiciary Committee.

Carried.

Assembly Bill No. 93—An Act in relation to certain deputies and assistants of County Clerks.

Read third time.

Roll called, and the bill passed by the following vote:

AYES—Messrs. Adams, Anthony, Bass, Bennett, Braunhart, Brooks, Brown of Sonoma, Brown of Yuba, Bruner, Brusie, Burns, Camron, Carr of Sacramento, Carr of Yuba, Chamberlain, Chandler, Coffman, Coleman, Cooper, Corcoran, Cuthbert, Del Valle, Dimond, Downs, Durham, Estey, Felton, Finlayson, Fox, Fraser, Frink, Garibaldi, Gaffey, Green, Harris, Hershey, Hynes, Josselyn, Lane, Leach, Leadbetter, Levee, Maguire, Mathews, May, Maybell, McCallion, McCarty of Lake, McCarthy of San Francisco, McDade, McIntosh, Merry, Messenger, Morse, Mulholland, Nelson, Picket, Sayle, Simon, Sherburne, Spencer, Stanley, Streeter, Sweetland, Tyler, Walker, Ward, Wasson of Mono, Wattson, York, Young, and Mr. Speaker—72.

NOES—Mr. Cook—1.

Title approved.

Assembly Bill No. 30—An Act to repeal section one thousand two hundred and twenty-two of the Code of Civil Procedure, relating to judgments and orders in cases of contempt.

Read third time.

Roll called, and the bill passed by the following vote:

AYES—Messrs. Adams, Bass, Bennett, Braunhart, Brooks, Brown of Sonoma, Brown of Yuba, Bruner, Brusie, Burns, Camron, Carr of Sacramento, Carr of Yuba, Chamberlain, Chandler, Coffman, Coleman, Cook, Cooper, Corcoran, Cuthbert, Del Valle, Dimond, Downs, Durham, Estey, Felton, Finlayson, Fox, Fraser, Frink, Garibaldi, Green, Harris, Hershey, Hynes, Josselyn, Lane, Leach, Leadbetter, Levee, Maguire, Mathews, May, Maybell, McCallion, McCarthy of San Francisco, McComas, McDade, McIntosh, Merry, Messenger, Morse, Mulholland, Nelson, Picket, Sayle, Simon, Sherburne, Spencer, Stanley, Streeter, Sweetland, Tyler, Walker, Ward, Wasson of Mono, Wattson, York, Young, and Mr. Speaker—72.

NOES—None.

Title approved.

Assembly Bill No. 32—An Act to amend sections seven hundred and thirty-seven, seven hundred and forty-six, seven hundred and forty-nine, and seven hundred and fifty-three, of an Act entitled "An Act to establish a Penal Code," approved February fourteenth, eighteen hundred and seventy-two, relating to impeachments.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Adams, Anthony, Bass, Bennett, Braunhart, Brooks, Brown of Sonoma, Brown of Yuba, Brusie, Burns, Camron, Carr of Sacramento, Carr of Yuba, Chamberlain, Chandler, Coffman, Coleman, Cook, Cooper, Corcoran, Cuthbert, Del Valle, Dimond, Downs, Durham, Estey, Felton, Finlayson, Fox, Fraser, Frink, Garibaldi, Gaffey, Green, Harris, Hershey, Hynes, Josselyn, Lane, Leach, Leadbetter, Levee, Maguire, Mathews, May, Maybell, McCallion, McCarty of Lake, McCarthy of San Francisco, McComas, McDade, McIntosh, Merry, Messenger, Morse, Mulholland, Nelson, Picket, Sayle, Simon, Sherburne, Spencer, Stanley, Streeter, Sweetland, Tyler, Walker, Ward, Wasson of Mono, Wattson, York, Young, and Mr. Speaker—73.

NOES—None.

Title approved.

Assembly Bill No. 33—An Act to amend sections one thousand four hundred and seventy-five and one thousand five hundred and four of an Act entitled an Act to establish a Penal Code, approved February fourteenth, eighteen hundred and seventy-two, relating to the writ of habeas corpus.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Adams, Anthony, Bass, Bennett, Braunhart, Brooks, Brown of Sonoma, Brown of Yuba, Bruner, Brusie, Burns, Camron, Carr of Sacramento, Carr of Yuba, Chamberlain, Chandler, Coffman, Coleman, Cook, Cooper, Corcoran, Cuthbert, Del Valle, Dimond, Downs, Durham, Estey, Felton, Finlayson, Fox, Fraser, Frink, Garibaldi, Gaffey, Green, Harris, Hershey, Hynes, Josselyn, Lane, Leach, Leadbetter, Levee, Maguire, Mathews, May, Maybell, McCallion, McCarty of Lake, McCarthy of San Francisco, McComas, McDade, McIntosh, Merry, Messenger Morse, Mulholland, Nelson, Picket, Sayle, Simon, Sherburne, Spencer, Stanley, Streeter, Sweetland, Tyler, Walker, Ward, Wattson, York, Young, and Mr. Speaker—73.

NOES—None.

Title approved.

Assembly Bill No. 34—An Act to amend an Act entitled "An Act to define the Senatorial and Assembly Districts of the State, and to apportion the representation thereof," approved March sixteenth, eighteen hundred and seventy-four.

Read third time.

The roll was called, and the bill was passed by the following vote:

AYES—Messrs Adams, Anthony, Bass, Bennett, Braunhart, Brooks, Brown of Sonoma, Brown of Yuba, Bruner, Brusie, Burns, Carr of Sacramento, Carr of Yuba, Chamberlain, Chandler, Coffman, Coleman, Cook, Cooper, Corcoran, Cuthbert, Del Valle, Dimond, Downs, Durham, Estey, Felton, Finlayson, Fox, Fraser, Frink, Gaffey, Green, Harris, Hershey, Hynes, Josselyn, Lane, Leach, Leadbetter, Levee, Maguire, Mathews, May, Maybell, McCallion, McCarty of Lake, McCarthy of San Francisco, McComas, McDade, McIntosh, Merry, Messenger, Morse, Mulholland, Nelson, Picket, Sayle, Simon, Sherburne, Spencer, Stanley, Streeter, Sweetland, Tyler, Walker, Ward, Wattson, York, Young, and Mr. Speaker—71.

NOES—None.

Title approved.

Assembly Joint Resolution No. 2—Joint Resolution, relative to the protection of the commercial interests of the Pacific Coast.

Read third time.

The roll was called, and the resolution was adopted by the following vote:

AYES—Messrs. Anthony, Bass, Bennett, Braunhart, Brooks, Brown of Yuba, Bruner, Brusie, Burns, Camron, Carr of Sacramento, Chamberlain, Chandler, Coffman, Coleman, Cook, Cooper, Cuthbert, Del Valle, Dimond, Downs, Durham, Estey, Felton, Finlayson, Fox, Fraser, Frink, Gaffey, Green, Hershey, Josselyn, Lane, Leach, Leadbetter, Maguire, May, McComas, Merry, Messenger, Mulholland, Nelson, Picket, Sayle, Simon, Sherburne, Stanley, Streeter, Tyler, Ward, Wasson of Mono, Wattson, Young, and Mr. Speaker—54.

NOES—Messrs. Adams, Brown of Sonoma, Carr of Yuba, Corcoran, Hynes, Levee, Mathews, McCallion, McCarty of Lake, McCarthy of San Francisco, McDade, Morse, Spencer, Sweetland, Walker, and York—16.

Assembly Bill No. 45—An Act to amend sections three thousand four hundred and fifteen, three thousand four hundred and sixty-six, three thousand four hundred and ninety-five, three thousand five hundred, and three thousand five hundred and forty-eight, of an Act entitled "An Act to establish a Political Code," approved March twelfth, eighteen hundred and seventy-two, relating to the public lands of this State.

Read third time.

Mr. Levee moved to refer the bill to the Committee on Public Lands.

Lost.

Mr. Braunhart moved that the bill be recommitted to the Committee on Public Lands, with instruction to strike out "three hundred and sixty acres," and insert "one hundred and sixty acres."

Lost.

The roll was called, and the bill was passed by the following vote:

AYES—Messrs. Adams, Anthony, Bass, Braunhart, Brooks, Brown of Yuba, Bruner, Brusie, Burns, Camron, Carr of Sacramento, Carr of Yuba, Chamberlain, Chandler, Coffman, Coleman, Cook, Cooper, Corcoran, Cuthbert, Del Valle, Dimond, Downs, Durham, Estey, Felton, Finlayson, Fox, Fraser, Frink, Gaffey, Gorley, Green, Hardy, Hershey, Hynes, Josselyn, Lane, Leach, Leadbetter, Levee, Maguire, Mathews, May, Maybell, McCallion, McCarty of Lake, McCarthy of San Francisco, McComas, McDade, McIntosh, Merry, Messenger, Morse, Mulholland, Nelson, Picket, Sayle, Simon, Sherburne, Spencer, Stanley, Streeter, Sweetland, Tyler, Walker, Ward, Wasson of Mono, York, Young, and Mr. Speaker—71.

NOES—None.

Title approved.

Assembly Bill No. 8—An Act to amend sections two hundred and seventy-five, two hundred and seventy-six, and two hundred and eighty-seven of an Act entitled "An Act to establish a Code of Civil Procedure," approved March eleventh, eighteen hundred and seventy-two, relating to attorneys and counselors at law.

Read third time.

Mr. Wattson moved the bill be recommitted, with instructions to insert in line ten, after the word "thereby," the following: "And any person who was an attorney of record in the District Court of his county on the first day of January, eighteen hundred and eighty, is entitled to practice in the Superior Court thereof."

The motion was ruled out of order.

Mr. Braunhart appealed from the decision of the Chair.

The question being, "Shall the decision of the Chair stand as the decision of the House?" the Speaker was sustained.

The roll was called upon the passage of the bill, and the bill was passed by the following vote:

AYES—Messrs. Adams, Bass, Bennett, Brooks, Brown of Sonoma, Brown of Yuba, Bruner, Brusie, Camron, Carr of Sacramento, Chamberlain, Chandler, Coleman, Cook, Cooper, Corcoran, Cuthbert, Del Valle, Dimond, Downs, Durham, Estey, Felton, Finlayson, Fox, Fraser, Frink, Garibaldi, Gaffey, Gorley, Green, Hardy, Harris, Hershey, Hynes, Josselyn, Lane, Leach, Leadbetter, Levee, Maguire, Mathews, May, McCallion, McCarthy of San Francisco, McComas, McDade, McIntosh, Merry, Messenger, Morse, Mulholland, Nelson, Picket, Sayle, Simon, Spencer, Stanley, Streeter, Sweetland, Tyler, Ward, Wasson of Mono, Wattson, York, and Young—66.

NOES—Messrs. Anthony, Braunhart, Burns, Carr of Yuba, Coffman, Maybell, McCarty of Lake, Sherburne, and Walker—9.

Title approved.

NOTICE.

By Mr. Brooks (by permission):

MR. SPEAKER: I hereby give notice that I will, to-morrow, introduce a resolution to amend subdivision blank of Rule Eighteen, increasing the number of the Committee on Water Rights and Drainage from seven to nine members.

Assembly Bill No. 22—An Act to provide for the receipt and appropriation of donations to the State or counties therein.

Taken up.

Mr. Maybell moved to recommit the bill to the Judiciary Committee, with instructions to strike out all after the enacting clause, and insert in lieu thereof all of Assembly Bill No. 67, except its enacting clause.

The ayes and noes were demanded by Messrs. Braunhart, Maybell, and Lane.

At four o'clock and twenty-five minutes P. M., Mr. York moved to adjourn.

Lost.

Messrs. Adams, Morse, and Merry demanded the previous question, and the House so ordered.

The question recurring upon the motion to recommit with instructions, the roll was called, and the motion was lost by the following vote:

AYES—Messrs. Bass, Braunhart, Burns, Carr of Yuba, Cook, Cuthbert, Gaffey, Hynes, Josselyn, Lane, Maguire, Maybell, McCallion, McCarty of Lake, McCarthy of San Francisco, Picket, Simon, Spencer, and Walker—19.

NOES—Messrs. Adams, Anthony, Bennett, Brooks, Brown of Sonoma, Brown of Yuba, Bruner, Brusie, Camron, Carr of Sacramento, Chamberlain, Chandler, Coffman, Coleman, Cooper, Corcoran, Del Valle, Dimond, Downs, Durham, Estey, Felton, Finlayson, Fox, Fraser, Gorley, Green, Hardy, Harris, Hershey, Leach, Leadbetter, Levee, Mathews, May, McComas, McDade, McIntosh, Merry, Messenger, Morse, Mulholland, Nelson, Sayle, Sherburne, Stanley, Streeter, Sweetland, Tyler, Ward, Wasson of Mono, Wattson, York, Young, and Mr. Speaker—55.

Mr. Carr of Yuba, at four o'clock and thirty minutes P. M., moved that we do now adjourn.

Lost.

The bill was read a third time, and the question being upon the passage of the bill, the roll was called, and the bill was passed by the following vote:

AYES—Messrs. Adams, Anthony, Bass, Bennett, Braunhart, Brooks, Brown of Sonoma, Brown of Yuba, Bruner, Brusie, Burns, Camron, Carr of Sacramento, Carr of Yuba, Chamberlain, Chandler, Coffman, Coleman, Cook, Cooper, Corcoran, Cuthbert, Del Valle, Dimond, Downs, Durham, Estey, Felton, Finlayson, Fox, Fraser, Frink, Garibaldi, Gaffey, Gorley, Green, Hardy, Hershey, Hynes, Josselyn, Leach, Leadbetter, Levee, Maguire, Mathews, May, McCarty of Lake, McCarthy of San Francisco, McComas, McDade, McIntosh, Merry, Messenger, Morse, Mulholland, Nelson, Picket, Sayle, Simon, Sherburne, Spencer, Stanley, Streeter, Sweetland, Tyler, Ward, Wasson of Mono, Wattson, York, Young, and Mr. Speaker—71.

NOES—Messrs. Lane, Maybell, McCallion, and Walker—4.

Title amended, and approved as amended.

ADJOURNMENT.

At four o'clock and thirty-five minutes P. M., Mr. Finlayson moved that we do now adjourn.

Carried.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Friday, January 23d, 1880.

House met pursuant to adjournment.
Speaker Cowdery in the chair.
Roll called, and a quorum present.
Prayer by the Chaplain.
Reading and approval of the Journal.
Mr. Tyler moved that further reading of the Journal be dispensed with, and the Journal approved as corrected.
So ordered.

REPORTS OF STANDING COMMITTEES.

By Mr. Sherburne:

MR. SPEAKER: Your Committee on Engrossment have examined, and find properly engrossed, Assembly Bills Nos. 6, 93, 8, 34, and 30.

SHERBURNE, Chairman.

By Mr. May:

MR. SPEAKER: The Committee on Ways and Means, to whom was referred Assembly Bill No. 126, beg leave to report the same back with amendments, and recommend that it do pass.

MAY, Chairman.

By Mr. Gorley:

MR. SPEAKER: Your Committee on Military Affairs, to whom was referred Assembly Bill No. 158—An Act making appropriation for deficiency for the thirtieth and thirty-first fiscal years for the payment of armory rents, purchase of arms, and other expenses of the National Guard of California—beg leave to say that they have carefully considered the bill, and report it back with the recommendation that it do pass.

GORLEY, Chairman.

By Mr. Fox:

ASSEMBLY CHAMBER, SACRAMENTO, January 23d, 1880.

MR. SPEAKER: Your Judiciary Committee, to whom was referred Assembly Bill No. 58—An Act entitled an Act to amend section three thousand seven hundred and eighty-six of the Political Code—have had the same under consideration, and report it back, recommending its passage.

FOX, Chairman.

MESSAGE FROM THE GOVERNOR.

STATE OF CALIFORNIA, EXECUTIVE DEPARTMENT,
SACRAMENTO, January 23d, 1880.

To the Assembly of the State of California:

I have to inform your honorable body that I have approved Assembly Bill No. 1—An Act to repeal an Act entitled an Act to authorize the City and County of San Francisco to provide and maintain public water-works for said city and county, and to condemn and purchase private property for that purpose, approved March twenty-seventh, eighteen hundred and seventy-six.

GEO. C. PERKINS, Governor.

INTRODUCTION AND FIRST READING OF BILLS.

By Mr. Gorley—An Act to regulate the quality and standard illuminating power, and to limit the price of gas in all cities, and cities and counties, of the State of California, containing one hundred thousand population and over.
Read first time, and referred to the Committee on Corporations.

By Mr. Felton—An Act to amend an Act entitled an Act to prescribe the duties and provide the salary of certain officers of San Mateo County, to authorize the issue of bonds for road purposes, and other matters relating thereto, approved March eighteenth, eighteen hundred and seventy-four.

Read first time, and referred to the Committee on Judiciary.

By Mr. Chamberlain—An Act to encourage the destruction of certain wild animals, and to provide for a bounty for the same.

Read first time, and referred to Committee on Agriculture.

By Mr. McCarty—An Act to establish county and township governments, name the officers to be elected therein, and fix their salaries and the fees to be charged and collected by them.

Read first time, and referred to Committee on County Governments and Municipal Corporations.

By Mr. Sherburne—An Act to amend sections two thousand six hundred and forty-six, two thousand six hundred and forty-seven, two thousand six hundred and forty-eight, two thousand six hundred and forty-nine, and two thousand six hundred and fifty, of an Act to establish a Political Code, approved March twelfth, eighteen hundred and seventy-two, relating to highways.

Read first time, and referred to Committee on Roads and Highways.

By Mr. Cuthbert—An Act to prevent the sale of liquors to minors.

Read first time, and referred to Committee on Public Morals.

By Mr. McIntosh—An Act regulating the receiving, transportation, and delivery of grain by railroad corporations, and defining the duties of such corporations with respect thereto.

Read first time, and referred to Judiciary Committee.

By Mr. Maybell—An Act prohibiting public officials from entering into any contract on the part of the public covering a longer period of time than their term of office.

Read first time, and referred to the Committee on County Governments and Municipal Corporations.

By Mr. Merry—An Act relating to landlords and tenants of real property, the change and termination of estates therein for recovering the possession of demised premises, by summary proceeding and damages for unlawful and forcible entry and detainer, and regulating the practice in such cases.

Read first time, and referred to the Judiciary Committee.

By Mr. Anthony—An Act to adopt a spelling-book for use in the public schools of this State.

Read first time, and referred to the Committee on Education.

By Mr. Tyler—An Act to amend section one thousand one hundred and ninety-one of the Penal Code, relative to judgment and execution.

Read first time, and referred to the Judiciary Committee.

Also, an Act to amend sections one thousand two hundred and forty-six, one thousand two hundred and forty-eight, and one thousand two hundred and fifty-two, of the Penal Code, relative to appeals to the Supreme Court.

Read first time, and referred to the Judiciary Committee.

By Mr. Harris—An Act to amend sections one thousand three hundred and ninety-one, one thousand three hundred and ninety-three, one thousand three hundred and ninety-four, and one thousand

three hundred and ninety-seven, of the Code of Civil Procedure, in relation to oaths and bonds of administrators of estates of deceased persons.

Read first time, and referred to the Judiciary Committee.

MESSAGE FROM THE SENATE.

SENATE CHAMBER, SACRAMENTO, January 23d, 1880.

MR. SPEAKER: I am directed to inform your honorable body that the Senate, on this day, adopted Senate Concurrent Resolution No. 13, relative to joint meetings of certain committees of the Senate and of the Assembly.

M. D. BORUCK, Secretary.

Resolved by the Senate, the Assembly concurring, First—That the Committee on Finance of the Senate and the Committee on Ways and Means of the Assembly, be and they are hereby directed to hold joint meetings, and agree upon a bill or bills providing for a system of revenue and taxation; Second—That the Committees of the Senate and Assembly on County, and City, and Township Organizations and Governments, be and they are hereby directed to hold joint meetings, and agree upon a bill or bills providing for a general system of county, city, and township organization and government; Third—That the Judiciary Committees of the Senate and Assembly be and they are hereby directed to hold joint meetings, and agree upon a bill or bills adapting the Codes to the Constitution. Fourth—That each and all of said Committees be and they are hereby directed to immediately enter upon the discharge of the duties hereby devolved upon them, and to report to the Senate and Assembly at as early a day as possible the result of their deliberations.

Senate Concurrent Resolution No. 13, above reported, was read and adopted.

SECOND READING OF BILLS.

Assembly Bill No. 81—An Act to repeal section five hundred and ninety-nine of the Penal Code, relating to the protection of seals and sea lions near the Cliff House, in the City and County of San Francisco.

Taken up, and read second time.

Assembly Bill No. 145—An Act to amend sections seventeen, nineteen, and twenty-one of an Act entitled an Act to provide for the future management of the Napa State Asylum for the Insane, approved March sixth, eighteen hundred and seventy-six.

Read second time.

Assembly Joint Resolution No. 1, asking the recall of a certain order of the Commissioner of General Land Office of the United States.

Read second time.

NOTICE OF RECONSIDERATION.

By Mr. Maybell:

MR. SPEAKER: You will please take notice that I will, on Monday next, move to reconsider the vote whereby Senate Concurrent Resolution No. 13 was adopted.

MOTIONS AND RESOLUTIONS.

By Mr. McCarthy:

WHEREAS, The Senate, having appointed two additional members of the committee to test the legality of the passage of Senate Bill No. 83, therefore, be it

Resolved, That the Speaker appoint two additional members of said committee to represent the Assembly.

Adopted.

The Speaker appointed on the above committee, Messrs. McCarthy and Del Valle as such additional members.

By Mr. York:

Resolved, That a committee of three be appointed to inquire as to what is necessary for the Sergeant-at-Arms' office, and report immediately.

Adopted.

The Speaker appointed as such committee, Messrs. York, Mulholland, and Camron.

By Mr. Brooks:

Resolved, That the Committee on Irrigation, Water Rights and Drainage be increased from seven to nine members.

Referred to the Committee on Rules and Regulations.

By Mr. Felton:

Resolved, That no member of this House shall draw more than twenty-five dollars for contingent expenses during the present session; and in no event shall he draw any more than his actual expenses in case they amount to less than that sum.

Mr. Carr of Yuba moved to lay the resolution on the table.

Carried.

By Mr. Carr of Yuba—Assembly Joint Resolution relative to the protection of the rivers, cities, and agricultural lands of California.

Read first time, and referred to the Committee on Federal Relations.

GENERAL FILE.

Mr. Braunhart withdrew from the Committee on Public Morals..

The Speaker appointed Mr. Streeter on the above committee in his stead.

Mr. Streeter withdrawing from the Committee on Labor and Capital, Mr. Braunhart was appointed by the Speaker instead.

THIRD READING AND PASSAGE OF BILLS.

Assembly Bill No. 31—An Act to amend sections one thousand four hundred and eighteen and one thousand four hundred and nineteen of an Act entitled "An Act to establish a Penal Code," approved February fourteenth, eighteen hundred and seventy-two, relating to reprieves, commutations, and pardons.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Adams, Anthony, Bass, Bennett, Brown of Sonoma, Brown of Yuba, Bruner, Brusie, Burns, Camron, Carr of Sacramento, Carr of Yuba, Chamberlain, Chandler, Coffman, Coleman, Cooper, Corcoran, Cuthbert, Del Valle, Dimond, Downs, Durham, Estey, Finlayson, Fox, Fraser, Frink, Garibaldi, Gaffey, Gorley, Green, Hardy, Harris, Hershey, Hynes, Josselyn, Leach, Levee, Maguire, Mathews, May, Maybell, McCallion, McCarty of Lake, McCarthy of San Francisco, McComas, McDade, McIntosh, Merry, Messenger, Morse, Nelson, Picket, Sayle, Simon, Sherburne, Spencer, Stanley, Stoddard, Streeter, Tyler, Walker, Ward, Wasson of Mono, Young, and Mr. Speaker—67.

NOES—Messrs. Braunhart and Cook—2.

Title approved.

Assembly Bill No. 50—An Act to add a new section, to be known as section seven hundred and ninety-six of an Act entitled "An Act

to establish a Penal Code," approved February fourteenth, eighteen hundred and seventy-two, relating to the local jurisdiction of prosecutions for libel.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Adams, Anthony, Bass, Bennett, Braunhart, Brown of Sonoma, Brown of Yuba, Bruner, Brusie, Burns, Camron, Carr of Sacramento, Carr of Yuba, Chamberlain, Chandler, Coffman, Coleman, Cook, Cooper, Corcoran, Cuthbert, Del Valle, Dimond, Downs, Durham, Estey, Felton, Finlayson, Fox, Fraser, Frink, Garibaldi, Gaffey, Gorley, Green, Hardy, Harris, Hershey, Hynes, Josselyn, Leach, Levee, Maguire, Mathews, May, Maybell, McCallion, McCarty of Lake, McCarthy of San Francisco, McComas, McDade, McIntosh, Merry, Messenger, Morse, Mulholland, Nelson, Picket, Sayle, Simon, Sherburne, Spencer, Stanley, Stoddard, Streeter, Tyler, Walker, Ward, Wasson of Mono, Wattson, York, Young, and Mr. Speaker—73.

NOES—None.

Title approved.

Mr. Tyler moved to take from the table his resolution, relative to supplying the members and committees with the Codes.

The ayes and noes were demanded by Messrs. McCallion, Carr of Yuba, and Picket.

Mr. York moved to strike out "four hundred and eighty dollars" and insert "two hundred and twenty dollars."

Lost.

Mr. Braunhart moved to amend by authorizing the Clerk to purchase said Codes at the lowest price possible, but not to exceed twelve dollars per set.

Lost.

Mr. McComas moved to lay on the table.

Lost.

The roll was called, and the resolution was passed by the following vote:

AYES—Messrs. Adams, Bass, Bennett, Braunhart, Brooks, Brown of Sonoma, Brown of Yuba, Bruner, Brusie, Burns, Chandler, Coffman, Cooper, Del Valle, Dimond, Downs, Durham, Estey, Felton, Finlayson, Fox, Frink, Garibaldi, Gorley, Green, Hardy, Hershey, Lane, Maguire, Mathews, McCarty of Lake, McDade, McIntosh, Merry, Morse, Nelson, Sayle, Simon, Spencer, Stanley, Stoddard, Streeter, Tyler, Walker, Ward, Wasson of Mono, Young and Mr Speaker—48

NOES—Messrs. Anthony, Camron, Carr of Sacramento, Carr of Yuba, Chamberlain, Coleman, Cook, Corcoran, Cuthbert, Fraser, Gaffey, Josselyn, Leach, Levee, May, Maybell, McCallion, McCarthy of San Francisco, McComas, Messenger, Mulholland, Picket, Sherburne, Wattson, and York—25.

Assembly Bill No. 51—An Act to repeal sections forty-one, fifty-four, fifty-five, fifty-six, fifty-seven, fifty-eight, fifty-nine, sixty, sixty-one, sixty-two, sixty-three, sixty-four, sixty-five, sixty-six, sixty-seven, sixty-eight, sixty-nine, seventy, seventy-one, seventy-two, seventy-three, seventy-four, seventy-five, seventy-six, seventy-seven, seventy-eight, eighty-seven, eighty-eight, ninety-four, ninety-five, ninety-six, ninety-seven, ninety-eight, ninety-nine, one hundred, one hundred and four, one hundred and five, one hundred and six, one hundred and seven, one hundred and eight, one hundred and nine, one hundred and ten, one hundred and thirty-nine, one hundred and forty, one hundred and fifty-nine, one hundred and sixty, one hundred and sixty-seven, one hundred and eighty-eight, two hundred and eleven, nine hundred and sixty-six, nine hundred and sixty-nine, one thousand and fifty-six, one thousand three hundred and seventy-two, and one thousand four hundred and six, of an Act entitled "An Act to establish a Code of Civil Procedure," approved March eleventh, eighteen hundred and seventy-two.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Adams, Anthony, Bass, Bennett, Braunhart, Brooks, Brown of Sonoma, Brown of Yuba, Brunet, Brusie, Burns, Camron, Carr of Sacramento, Carr of Yuba, Chamberlain, Chandler, Coffman, Coleman, Cook, Corcoran, Cuthbert, Del Valle, Dimond, Downs, Durham, Estey, Felton, Finlayson, Fox, Fraser, Frink, Garibaldi, Gaffey, Gorley, Green, Hardy, Hershey, Hynes, Josselyn, Lane, Leach, Levee, Maguire, Mathews, May, Maybell, McCallion, McCarty of Lake, McCarthy of San Francisco, McComas, McIntosh, Merry, Messinger, Morse, Mulholland, Nelson, Picket, Sayle, Simon, Sherburne, Spencer, Stanley, Streeter, Tyler, Walker, Ward, Wason of Ventura, Wattson, York, Young, and Mr. Speaker—71.

NOES—None.

Title amended by inserting after eighteen hundred and seventy-two the words, "in relation to Courts of justice and judicial officers," and approved as amended.

Assembly Bill No. 52—An Act to amend sections three thousand four hundred and ninety-one and three thousand four hundred and ninety-two of an Act entitled "An Act to establish a Civil Code," approved March twenty-first, eighteen hundred and seventy-two, relating to public nuisances.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Adams, Anthony, Bass, Bennett, Braunhart, Brooks, Brown of Sonoma, Brown of Yuba, Brunet, Brusie, Burns, Camron, Carr of Sacramento, Carr of Yuba, Chamberlain, Chandler, Coffman, Coleman, Cook, Cooper, Corcoran, Cuthbert, Del Valle, Dimond, Downs, Durham, Estey, Felton, Finlayson, Fox, Fraser, Frink, Gaffey, Gorley, Green, Hardy, Harris, Hershey, Hynes, Josselyn, Lane, Leach, Levee, Maguire, Mathews, May, Maybell, McCallion, McCarty of Lake, McCarthy of San Francisco, McComas, McDade, McIntosh, Merry, Messenger, Morse, Mulholland, Nelson, Picket, Sayle, Simon, Sherburne, Spencer, Stanley, Streeter, Tyler, Walker, Ward, Wason of Ventura, Wattson, York, Young, and Mr. Speaker—73

NOES—None.

Title approved.

RESOLUTION.

By Mr. Braunhart (by permission).

Resolved, That the Committee on Rules be and it is hereby instructed to report, on Monday, the twenty-sixth instant, on the resolution heretofore offered, adding Messrs. Corcoran and Green to the Committee on Corporations.

Lost.

GENERAL FILE—RESUMED.

Assembly Bill No. 53—An Act to amend section two thousand one hundred and seventy of an Act entitled "An Act to establish a Civil Code," approved March twenty-first, eighteen hundred and seventy-two, relating to common carriers.

Taken up.

Mr. Adams moved to amend as follows, by adding after the word "another" at the end of section one, "Every common carrier of passengers by railroad, or by vessel plying upon water lying wholly within this State, shall establish a schedule time for the starting of trains or vessels from their respective stations or wharves, of which public notice shall be given, and shall, weather permitting, except in case of accident, start their said trains or vessels at or within five minutes after the schedule time so established, until notice given, under

a penalty of two hundred and fifty dollars for each neglect so to do, to be recovered by action before any Court of competent jurisdiction upon complaint filed by the District Attorney of the county in the name of the people, and paid into the Common School Fund of the said county.

Amendment adopted.

Section one adopted as amended, and bill read third time and ordered reprinted as amended.

Assembly Bill No. 54.—An Act to amend sections three hundred and ten and three hundred and eleven of an Act entitled "An Act to establish a Political Code," approved March twelfth, eighteen hundred and seventy-two, relating to the enactment of statutes.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs Adams, Anthony, Bass, Bennett, Braunhart, Brooks, Brown of Sonoma, Brown of Yuba, Bruner, Brusie, Burns, Camron, Carr of Sacramento, Carr of Yuba, Chamberlain, Chandler, Coffman, Coleman, Cook, Cooper, Corcoran, Del Valle, Dimond, Downs, Estey, Felton, Finlayson, Fox, Fraser, Fink, Garibaldi, Gaffey, Gorley, Green, Hardy, Harris, Hershey, Hynes, Lane, Leach, Levee, Maguire, Mathews, May, Maybell, McCallion, McCarty of Lake, McCarthy of San Francisco, McComas, McDade, McIntosh, Merry, Messenger, Morse, Mulholland, Nelson, Picket, Sayle, Simon, Sherburne, Spencer, Stanley, Streeter, Tyler, Walker, Ward, Wason of Ventura, Wasson of Mono, Wattson, York, Young, and Mr. Speaker—72.

NOES—None.

Title approved.

ADJOURNMENT.

At one o'clock and fifty-five minutes P. M., Mr. Fox moved that this House do now adjourn until next Monday, at two o'clock P. M.

Carried.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Monday, January 26th, 1880.

The House met pursuant to adjournment at two o'clock P. M.

Speaker Cowdery in the chair.

Roll called, and a quorum present.

Prayer by the Chaplain.

One day's leave of absence was granted to all the absentees.

One week's leave of absence was granted to Mr. DuBrutz.

Reading and approval of the Journal dispensed with for the day.

Speaker Cowdery stated to the Assembly that the Journals from the first day do not correctly show the action of the Assembly, and, though approved by the Assembly, they should be corrected; that, if authorized, he would have them corrected, and the corrections reported to the Assembly.

Mr. Mathews moved that the vote by which the Journals of this House from the first day of the session were approved be reconsidered, and that all necessary corrections be made.

Carried unanimously.

REPORTS OF STANDING COMMITTEES.

By Mr. Braunhart:

MR. SPEAKER: Your Committee on Chinese Immigration and Emigration, to whom was referred Assembly Bill No. 89—An Act to create a special fund in every county, or city and county, in the State, by an annual poll tax upon aliens ineligible to citizenship, for the improvement of county, or city and county, parks, buildings, highways, roads, and works—have had the same under consideration, and report the same back, with the accompanying substitute, and respectfully recommend the passage of the substitute.

BRAUNHART, Chairman.

By Mr. Sherburne:

MR. SPEAKER: Your Committee on Engrossment have examined, and find properly engrossed, Assembly Bill No. 22—An Act to provide for the receipt and appropriation of donations to the State, or counties, or cities and counties, or cities, or towns therein.

Also, No. 23—An Act to amend section one thousand four hundred and fifty-two of the Code of Civil Procedure, in relation to limitations of actions brought by heirs and devisees.

Also, No. 32—An Act to amend sections seven hundred and thirty-seven, seven hundred and forty-six, seven hundred and forty-nine, and seven hundred and fifty-three of an Act entitled "An Act to establish a Penal Code," approved February fourteenth, eighteen hundred and seventy-two, relating to impeachments.

Also, No. 31—An Act to amend sections one thousand four hundred and eighteen and one thousand four hundred and nineteen of an Act entitled "An Act to establish a Penal Code," approved February fourteenth, eighteen hundred and seventy-two, relating to reprieves, commutations, and pardons.

Also, No. 54—An Act to amend sections three hundred and ten and three hundred and eleven of an Act entitled "An Act to establish a Political Code," approved March twelfth, eighteen hundred and seventy-two, relating to the enactment of statutes.

Also, No. 52—An Act to amend sections three thousand four hundred and ninety-one and three thousand four hundred and ninety-two of an Act entitled "An Act to establish a Civil Code," approved March twenty-first, eighteen hundred and seventy-two, relating to public nuisances.

Also, No. 33—An Act to amend sections one thousand four hundred and seventy-five and one thousand five hundred and four of an Act entitled "An Act to establish a Penal Code," approved February fourteenth, eighteen hundred and seventy-two, relating to a writ of habeas corpus.

Also, No. 45—An Act to amend sections three thousand four hundred and fifteen, three thousand four hundred and sixty-six, three thousand four hundred and ninety-five, three thousand five hundred, and three thousand five hundred and forty-eight, of an Act entitled "An Act to establish a Political Code," approved March twelfth, eighteen hundred and seventy-two, relating to the public lands of this State.

Also, No. 50—An Act to add a new section, to be known as section seven hundred and ninety-six of an Act entitled "An Act to establish a Penal Code," approved February fourteenth, eighteen hundred and seventy-two, relating to the local jurisdiction of prosecutions for libel.

Also, No. 51—An Act to repeal sections forty-one, eighty-seven, eighty-eight, ninety-four, ninety-five, ninety-six, ninety-seven, ninety-eight, ninety-nine, one hundred, one hundred and four, one hundred and five, one hundred and six, one hundred and seven, one hundred and eight, one hundred and nine, one hundred and ten, one hundred and thirty-nine, one hundred and forty, one hundred and fifty-nine, one hundred and sixty, one hundred and sixty-seven, one hundred and eighty-eight, two hundred and eleven, nine hundred and sixty-six, nine hundred and sixty-nine, one thousand and fifty-six, one thousand three hundred and seventy-two, and one thousand four hundred and six, of an Act entitled "An Act to establish a Code of Civil Procedure," approved March eleventh, eighteen hundred and seventy-two, relating to Courts of justice and judicial officers.

Also, Joint Resolution No. 2—Relative to the protection of the commercial interests of the Pacific Coast.

SHERBURNE, Chairman.

By Mr. McComas:

MR. SPEAKER: Your Committee on Public Lands, to whom was referred the following bills, viz.: Assembly Bill No. 64—An Act to amend sections three thousand four hundred and forty and three thousand four hundred and ninety-four of the Political Code, relative to interest on deferred payments for State land.

Also, Assembly Bill No. 144—An Act to amend an Act entitled an Act regulating the sale of mineral lands belonging to the State, approved March twenty-eighth, eighteen hundred and seventy-four.

Also, Assembly Bill No. 146—An Act to amend an Act entitled an Act concerning the selection and sale of University lands, approved March thirteenth, eighteen hundred and seventy-four.

We have had the same under consideration, and herewith report them back, recommending their passage.

McCOMAS, Chairman.

INTRODUCTION AND FIRST READING OF BILLS.

By Mr. Streeter—An Act to amend section three thousand and fifty-two of the Civil Code, relating to liens on personal property.

Read first time, and referred to the Judiciary Committee.

Also, an Act authorizing the Board of Supervisors of the counties in which water is sold for purposes of irrigation, to fix the rates at which such water shall be sold.

Read first time, and referred to the Committee on Irrigation.

By Mr. Corcoran—An Act to repeal an Act entitled an Act in relation to the office of Court Commissioner of San Joaquin County, approved March twelfth, eighteen hundred and seventy.

Read first time, and ordered on file.

Also, an Act to repeal an Act entitled an Act to regulate the assessment of migratory herds or bands of live stock, and to provide for an equitable distribution of the taxes derived therefrom, approved March sixteenth, eighteen hundred and seventy-four.

Read first time, and referred to the Committee on Ways and Means

By Mr. Felton—An Act for the further protection of stockholders in mining companies.

Read first time and referred to the Committee on Corporations.

By Mr. Bruner—An Act to add a new section to the Civil Code, relating to corporations.

Read first time, and referred to the Committee on Corporations.

By Mr. McCarty—An Act to protect agriculture and to prevent the trespassing of stock upon private property.

Read first time, and referred to the Committee on Agriculture.

By Mr. Hynes—An Act to provide for the condemnation of land for school purposes.

Read first time, and referred to the Judiciary Committee.

By Mr. Maybell—An Act doubling the penalties for offenses committed by public officers, and abolishing official bonds.

Read first time, and referred to the Committee on Elections.

Also, an Act to prevent the sale of diseased or adulterated milk.

Read first time, and referred to the Judiciary Committee.

By Mr. Cooper—An Act to add a new section eight hundred and twenty-eight to the Code of Civil Procedure.

Read first time, and referred to the Committee on Judiciary.

By Mr Merry—An Act to provide for the incorporation of mutual fire insurance companies, and defining their powers and duties.

Read first time, and referred to the Committee on Corporations.

By Mr. Fraser—An Act to define the railroad districts of this State, and to provide for the election of Commissioners therein.

Read first time, and referred to the Committee on Elections.

By Mr. Harris—An Act to amend section one thousand four hundred and three of the Code of Civil Procedure, relating to the release of sureties from bonds of Administrators.

Read first time, and referred to the Judiciary Committee.

Also, an Act to repeal section nine hundred and eighty-one of the Political Code, relating to bonds of Administrators.

Read first time, and referred to the Judiciary Committee.

Also, an Act to amend section two thousand eight hundred and forty-five of the Civil Code, relating to rights of sureties.

Read first time, and referred to the Judiciary Committee.

By Mr. McComas—An Act to repeal an Act entitled "An Act to ratify and confirm the acts of the Mayor and Common Council of the City of San José," approved March fourth, eighteen hundred and seventy-eight.

Read first time, and ordered on file.

By Mr. Wasson of Mono—An Act for the better protection of laborers in their wages.

Read first time, and referred to the Committee on Labor and Capital.

By Mr. Tyler—An Act to prevent the commencement of suits to quiet the title to, or for the possession of, real estate in certain cases without depositing certain moneys with the Treasurer.

Read first time, and referred to the Judiciary Committee.

REPORT OF SELECT COMMITTEE.

By Mr. Tyler (by permission):

MR SPEAKER Your Select Committee, charged on the part of this House with arguing the case before the Supreme Court as to the necessity of reading bills three times at length, would report that they have discharged that duty, the case being fully argued and submitted for decision on Saturday last, and we confidently look for a decision upholding the action of this House either to-day or to-morrow.

TYLER, Chairman.
FOX.
BRUNER.
DEL VALLE,
McCARTHY.

INTRODUCTION OF BILLS—RESUMED.

By Mr. Camron—An Act to amend section eight hundred and forty-nine of the Code of Civil Procedure.

Read first time, and referred to the Judiciary Committee.

MESSAGE FROM THE SENATE.

SENATE CHAMBER, SACRAMENTO, January 22d, 1880.

MR. SPEAKER I am directed to inform your honorable body that the Senate, on this day, passed Senate Bill No. 56—An Act to amend section seven hundred and fifty-one of the Political Code, relative to Deputy Clerks of the Supreme Court

JOHN R. BRIERLY, Assistant Secretary.

SECOND READING OF BILLS.

Assembly Bill No. 126—An Act to enable the State Board of Equalization to organize and perform its duties.

Amended as recommended by the committee, and section one amended by the House.

Bill read the second time, and ordered printed as amended.

Assembly Bill No 158—An Act making appropriation for deficiencies for the thirtieth and thirty-first fiscal years, for payment of armory rents, purchase of arms, and other expenses of the National Guard of California.

Read second time, and ordered on file.

Assembly Bill No. 58—An Act entitled an Act to amend section three thousand seven hundred and eighty-six of the Political Code.

Read second time, and ordered on file.

Mr. Fox moved to amend the title by striking out the words "entitled an Act," and insert at the close, the words, "relative to tax deeds."

So ordered.

MOTIONS AND RESOLUTIONS.

By Mr. Merry:

Resolved, That the State Controller be and he is hereby requested to furnish this Assembly with a statement containing

First—The names of all persons drawing salaries or in any way paid by the State Treasury: said statement to include all State officers, Commissioners, deputies, clerks, and employés of every description, exclusive of the Governor, Lieutenant-Governor, Senators, Assemblymen, the officers and attachés of the Senate and Assembly.

Second—The annual or monthly salaries paid to such officers, deputies, clerks, and employés, and how fixed, regulated, or established.

Resolved, That such statement when so furnished, shall be referred to the Committee on Retrenchment of this Assembly, with instructions to report such bill or bills fixing the salaries of all such officers, clerks, and employés, in accordance with section nineteen of article five of the Constitution, and that said committee shall also report what reductions of expenses can be made without impairing the efficiency of the various departments of the State Government

Mr. Levee moved to amend so as to include the attachés and employés of the Assembly.

Amendment accepted, and resolution adopted as amended.

By Mr. Cooper:

Resolved, That three hundred and sixty copies of each bill introduced in this House be printed for the use of the members.

Referred to the Committee on Rules and Regulations.

By Mr. Maybell (pursuant to notice):

Mr. Speaker. I move that the vote by which Senate Concurrent Resolution No. 13, relative to joint meetings of certain committees of the Senate and Assembly, be reconsidered.

The ayes and noes being demanded by Messrs. Braunhart, Carr of Yuba, and Maybell, the roll was called, and the resolution rejected by the following vote:

Ayes—Messrs Anthony, Bass, Braunhart, Brown of Sonoma, Burns, Coffman, Corcoran, Del Valle, Garibaldi, Gaffey, Harris, Hershey, Hynes, Josselyn, Lane, Levee, Maguire, Mathews, Maybell, McCallion, McCarty of Lake, McCarthy of San Francisco, Messenger, Picket, Simon, Spencer, Sweetland, and Walker—28.

Noes—Messrs. Bennett, Brooks, Brown of Yuba, Bruner, Brusie, Camron, Carr of Sacramento, Carr of Yuba, Chamberlain, Chandler, Coleman, Cook, Cooper, Cuthbert, Dimond, Downs, Durham, Estey, Felton, Finlayson, Fox, Fraser, Gorley, Green, Hardy, Leach, May, McComas, McIntosh, Merry, Morse, Mulholland, Nelson, Sherburne, Stanley, Stoddard, Streeter, Tyler, Wason of Ventura, Wasson of Mono, Wattson, York, Young, and Mr. Speaker—44.

By Mr. Bruner:

Resolved, That leave of absence be granted to the members of the Committee on Public Buildings and Grounds for one week, from January twenty-seventh, eighteen hundred and eighty, to February second, eighteen hundred and eighty, inclusive.

So ordered.

SECOND READING OF BILLS.

Assembly Bill No. 165—An Act entitled an Act to change the orthography of the name of a town in Shasta County.

Taken up, read second time, and ordered on file.

MOTIONS AND RESOLUTIONS.

By Mr. Young:

Resolved, That the Committees on Public Printing and Rules and Regulations be authorized to employ one Clerk, at a per diem of five dollars, to be paid out of the Contingent Fund of the Assembly.

Referred to Committee on Attachés and Employés.

Mr. Merry moved that when this House adjourn to-day it be to meet at ten o'clock A. M. to-morrow.

Lost.

ADJOURNMENT.

At four o'clock and fifteen minutes P. M., Mr. Finlayson moved to adjourn.

Carried.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Tuesday, January 27th, 1880.

House met pursuant to adjournment.

Speaker Cowdery in the chair.

Roll called, and a quorum present.

Mr. Chancellor Hartson, Assemblyman elect of Napa County, presented himself and qualified by taking the following oath of office, administered by the Speaker:

I do solemnly swear that I will support the Constitution of the United States and of the State of California, and that I will faithfully discharge the duties of the office of Assemblyman according to the best of my ability, so help me God.

Prayer by the Chaplain.

READING AND APPROVAL OF THE JOURNAL OF YESTERDAY.

Mr. Tyler moved that the reading of the Journal of yesterday be dispensed with.

Lost.

Mr. Fox moved that the reading and consideration of the Journal of yesterday be postponed until to-morrow morning.

Lost

Mr. Leach moved to strike out of the Journal the word "reconsider" from Mr. Mathews' motion relative to reconsidering the approval of the Journal by the House, and insert instead, the word "rescind."

Lost.

The Journal of yesterday read, corrected, and approved as corrected.

REPORTS OF STANDING COMMITTEES.

By Mr. Young:

MR. SPEAKER. Your Committee on Public Printing, to whom was referred Senate Bill No 77—entitled "An Act making appropriation for the State Printing Office for the fiscal year ending June thirtieth, eighteen hundred and eighty"—have had the same under consideration, hereby report the same back, and recommend that it do pass without amendment.

YOUNG, Chairman.

By Mr. Bennett:

MR SPEAKER Your Committee on Public Morals, to whom was referred Assembly Bill No. 70—entitled an Act to declare the soliciting of prostitution, publicly, a misdemeanor—have had the same under consideration, and report it back with a recommendation that it do pass.

BENNETT, Chairman.

By Mr. Fox.

ASSEMBLY CHAMBER, SACRAMENTO, January 27th, 1880.

MR. SPEAKER: Your Judiciary Committee, to whom was referred Assembly Bill No. 203—An Act to provide for the taking of appeals from judgments or orders given or made in the Courts abolished by the Constitution—have had the same under consideration, and now report the same back with certain amendments, and recommend the passage of the same as amended.

FOX, Chairman.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, January 27th, 1880.

MR. SPEAKER. Your Judiciary Committee, to whom was referred Assembly Bill No 60—An Act entitled an Act to provide for a Board of Commissioners to examine engineers—have had the same under consideration, and report it back with a recommendation that it do not pass.

FOX, Chairman.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, January 27th, 1880.

MR. SPEAKER Your Judiciary Committee, to whom was referred Assembly Bill No. 62—An Act to declare valid writs, process, and certificates issued by the Superior Courts of this State, or the Clerks thereof, before such Courts shall have been legally provided with seals—have had the same under consideration, and report it back with a recommendation that it pass.

FOX, Chairman.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, January 27th, 1880.

MR. SPEAKER: Your Judiciary Committee, to whom was referred Assembly Bill No. 79—An Act entitled an Act to punish and prevent malfeasance in office, embezzlement, defalcation and peculation on the public funds of this State—have had the same under consideration and report it back, with the recommendation that it do not pass.

FOX, Chairman.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, January 27th, 1880.

MR. SPEAKER Your Judiciary Committee, to whom was referred Assembly Bill No. 80—An Act to amend section one thousand three hundred and sixty-five of the Code of Civil Procedure, relative to the order of persons entitled to administer on the estates of deceased persons—have had the same under consideration, and report it back with amendments, and recommend the passage of the bill as amended.

FOX, Chairman.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, January 27th, 1880.

MR. SPEAKER Your Judiciary Committee, to whom was referred Assembly Bill No 67—An Act authorizing the Treasurer of any county, city and county, city or town in the State, to accept any money donated by any person to such county, city and county, city or town—have had the same under consideration, and report it back with a recommendation that it do not pass.

FOX, Chairman.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, January 27th, 1880.

MR. SPEAKER: Your Judiciary Committee, to whom was referred Assembly Bill No. 77—An Act entitled an Act to define the rights and privileges of aliens in the State of California, of those who are not eligible for citizenship, and of those who do not intend to make the United States their permanent place of residence—have had the same under consideration, and report it back with the recommendation that it do not pass.

FOX, Chairman.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, January 27th, 1880.

MR. SPEAKER: Your Judiciary Committee, to whom was referred Assembly Bill No. 74—An Act defining the offense of lobbying, and prescribing for its punishment—have had the same under consideration, and report it back with a recommendation that it do not pass.

FOX, Chairman.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, January 27th, 1880.

MR. SPEAKER: Your Judiciary Committee, to whom was referred Assembly Bill No. 66—An Act to secure the payment of workmen for labor performed or material furnished either by contract or otherwise—have had the same under consideration, and report it back with the recommendation that it do not pass.

FOX, Chairman.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, January 27th, 1880.

MR. SPEAKER: Your Judiciary Committee, to whom was referred Assembly Bill No. 71—An Act to amend section two hundred and forty-three of the Penal Code, relative to battery—have had the same under consideration, and report it back with a recommendation that it do not pass.

FOX, Chairman.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, January 27th, 1880.

MR. SPEAKER: Your Judiciary Committee, to whom was referred Assembly Bill No. 73—An Act entitled an Act to define and limit the rights of land owners in the State of California—have had the same under consideration, and report it back with a recommendation that it do not pass.

FOX, Chairman.

PETITION.

Mr. Mathews presented a petition from certain School Trustees of Tehama and Colusa Counties, relative to changes in the school law. Referred to the Committee on Education.

REPORTS OF STANDING COMMITTEES—RESUMED.

By Mr. Young:

MR. SPEAKER: Your Committee on Rules and Regulations, to whom was referred the annexed resolution below, have had the same under consideration, and recommend that the same be not adopted.

YOUNG, Chairman.

Resolved, That Messrs. Green and Corcoran be and they are hereby added to the Committee on Corporations.

The resolution was lost, under a standing rule of the House.

Also:

MR. SPEAKER: Your Committee on Rules and Regulations, to whom was referred the annexed resolution below, have had the same under consideration, and recommend that it be not adopted.

YOUNG, Chairman.

Resolved, That the Committee on Education be increased from seven to nine members.

Report received, and resolution lost.

NOTICE.

By Mr. Mathews:

MR SPEAKER I hereby give notice that, to-morrow, I will make a motion to change Rule Nineteen, Subdivision Six, by increasing the members of the Committee on Corporations from nine to eleven.

REPORTS OF STANDING COMMITTEES—RESUMED.

By Mr. Young:

MR SPEAKER: Your Committee on Rules, to whom was referred the annexed resolution, have had the same under consideration, and recommend that the same be adopted.

YOUNG, Chairman.

Resolved, That three hundred and sixty copies of each bill introduced in this House be printed for the use of the members.

Report received, and resolution adopted.
By Mr. Camron:

MR. SPEAKER: Your Committee on Attachés and Employés, to whom was referred the following resolution, report the same back to the Assembly, without their approval, and recommend that it be not adopted.

CAMRON, Chairman.

Resolved, That the Committee on State Hospitals be authorized to employ a Clerk, at a per diem of five dollars, to be paid out of the Contingent Fund of the Assembly

Report received, and resolution adopted.
Also:

MR. SPEAKER: Your Committee on Attachés and Employés beg leave to make a report to the Assembly, as follows

Your committee have, constantly, resolutions referred to them asking for the House to authorize the further employment of attachés; and, upon investigation, we find that there is already more help employed by the Assembly than is necessary for the transaction of its business, and your committee would recommend that the action of the House in electing an Enrolling Clerk be rescinded, and the office declared vacant; that in the Post-office department there be one vacancy declared; that two Porters be discharged; that all the Committee Clerks, except those employed by the Committees on Corporations, County Government, Education, Judiciary, State Prison, Ways and Means, and Public Buildings and Grounds, be discharged.

All of which is respectfully submitted, etc.

CAMRON, Chairman.

Mr. Tyler moved to lay the report on the table.

The ayes and noes were demanded by Messrs. Camron, Brooks, and Levee.

The roll was called, and the motion to lay on the table prevailed by the following vote:

AYES—Messrs. Anthony, Bass, Braunhart, Brusie, Burns, Carr of Sacramento, Carr of Yuba, Chamberlain, Coffman, Cook, Cooper, Corcoran, Cuthbert, Del Valle, Dimond, Downs, Fox, Garibaldi, Gaffey, Josselyn, May, Maybell, McCallion, McCarty of Lake, McCarthy of San Francisco, McConnas, McIntosh, Messenger, Nelson, Picket, Sayle, Stoddard, Sweetland, Tyler, Walker, Wasson of Mono, Wattson, York, and Young—39.

NOES—Messrs. Adams, Bennett, Brooks, Brown of Yuba, Camron, Chandler, Coleman, Durham, Estey, Felton, Finlayson, Fraser, Goiley, Green, Hardy, Harris, Hershey, Hartson, Lane, Leach, Levee, Mathews, Merry, Morse, Mulholland, Sherburne, Stanley, Streeter, Ward, Wason of Ventura, and Mr. Speaker—31.

Also:

Resolved, That the Committee on Agriculture and the Committee on Labor and Capital be allowed to appoint a Clerk, at a salary of five dollars per day, payable out of the Contingent Fund of the Assembly.

MR. SPEAKER. Your Committee on Attachés and Employés, to whom was referred the above resolution, report the same back to the Assembly without their approval, and recommend that it be not adopted.

CAMRON, Chairman.

RECESS.

Pending consideration of above report, the hour of one o'clock P. M. having arrived, the House took a recess until two o'clock P. M.

RE-ASSEMBLED.

House re-assembled at two o'clock P. M.
Speaker Cowdery in the chair.
Quorum present.

REPORTS OF STANDING COMMITTEES—RESUMED.

Consideration of the report by Mr. Camron continued.

Mr. Braunhart, taking exceptions to certain remarks made by Mr. Tyler, asked that the language excepted to, in which Mr. Tyler referred to Mr. Braunhart, the gentleman of San Francisco from the Eleventh District, as "the gentleman from Judea," be taken down by the Clerk.

So ordered.

The previous question being demanded by Messrs. Del Valle, Merry, and Adams, the House so ordered.

The ayes and noes were demanded by Messrs. Camron, Brooks, and Levee.

The roll was called, and the resolution was adopted by the following vote:

AYES—Messrs. Anthony, Braunhart, Brusie, Burns, Carr of Sacramento, Carr of Yuba, Chamberlain, Coffman, Cooper, Corcoran, Cuthbert, Del Valle, Dimond, Downs, Garibaldi, Gaffey, Green, Hartson, Hynes, Josselyn, Lane, Mathews, Maybell, McCallion, McCarthy of San Francisco, McIntosh, Messenger, Nelson, Picket, Sayle, Sweetland, Tyler, Walker, Wattson, York, and Young—36.

NOES—Messrs. Adams, Bass, Bennett, Brooks, Brown of Sonoma, Brown of Yuba, Camron, Chandler, Coleman, Durham, Estey, Felton, Finlayson, Fox, Fraser, Gorley, Hardy, Hershey, Leach, Levee, May, McCarty of Lake, McComas, Merry, Morse, Mulholland, Sherburne, Stanley, Stoddard, Streeter, Ward, Wason of Ventura, and Mr. Speaker—33.

Mr. Tyler being allowed to explain his remarks, said that he had no intention of insulting the gentleman from San Francisco, and if the words used were offensive to that gentleman, he would very kindly beg his pardon.

Mr. Braunhart had the permission of the House to speak to a question of privilege.

By Mr. Camron:

MR. SPEAKER: Your Committee on Attachés and Employés, to whom was referred the below resolution, report the same back to the Assembly without their approval, and recommend that it be not adopted.

CAMRON, Chairman.

Resolved, That the Committee on Forestry, the Committee on State Library, and the Committee on Homestead and Land Monopoly, be jointly allowed the services of one Clerk, at the usual per diem of five dollars, payable out of the Contingent Fund of the Assembly.

The question being on the adoption of the resolution, the ayes and noes were demanded by Messrs. Camron, Coleman, and Leach.

Mr. York moved that the consideration of the motion be postponed for one week.

Lost.

The roll was called, and the resolution rejected by the following vote:

AYES—Messrs. Adams, Anthony, Braunhart, Burns, Carr of Yuba, Chamberlain, Coffman, Cooper, Corcoran, Cuthbert, Del Valle, Dimond, Garibaldi, Gaffey, Green, Hynes, Josselyn, Lane, Mathews, Maybell, McCallion, McCarthy of San Francisco, McIntosh, Nelson, Picket, Sayle, Tyler, Walker, and Young—29

NOES—Messrs Bennett, Brooks, Brown of Sonoma, Brown of Yuba, Brusie, Camron, Carr of Sacramento, Chandler, Coleman, Cook, Downs, Estey, Felton, Finlayson, Fox, Fraser, Gorley, Hardy, Hershey, Hartson, Leach, Leadbetter, May, McCarty of Lake, McComas, Merry, Messenger, Morse, Mulholland, Sherburne, Stanley, Stoddard, Streeter, Sweetland, Ward, Wason of Ventura, Wattson, York, and Mr. Speaker—39.

Also:

Resolved, That the Committee on Irrigation, Water Rights and Drainage be and they hereby are authorized to employ a Clerk, at a per diem of five dollars, payable out of the Contingent Fund of the Assembly.

MR. SPEAKER Your Committee on Attachés and Employés, to whom was referred the above resolution, report the same back to the Assembly without their approval, and recommend that it be not adopted.

CAMRON, Chairman

The resolution was withdrawn by permission.

Also.

MR. SPEAKER: Your Committee on Attachés and Employés, to whom was referred the resolution below, report the same back to the Assembly without their approval, and recommend that it be not adopted.

CAMRON, Chairman.

Resolved, That the Committees on Chinese Immigration and Emigration and Capital and Labor be authorized to employ a Clerk at the usual per diem, to be paid out of the Contingent Fund of the Assembly.

The ayes and noes were demanded by the requisite number.

The roll was called, and the resolution was rejected by the following vote:

AYES—Messrs. Braunhart, Burns, Carr of Yuba, Chamberlain, Coffman, Cooper, Corcoran, Cuthbert, Dimond, Downs, Garibaldi, Gaffey, Josselyn, Lane, Magune, Mathews, Maybell, McCallion, McCarthy of San Francisco, Picket, Sayle, Sweetland, Tyler, Walker, York, and Young—26.

NOES—Messrs Adams, Anthony, Bass, Bennett, Brooks, Brown of Sonoma, Brown of Yuba, Brusie, Camron, Carr of Sacramento, Chandler, Coleman, Cook, Del Valle, DuBrutz, Durham, Estey, Finlayson, Fox, Fraser, Gorley, Green, Hardy, Hershey, Hynes, Leach, May, McCarty of Lake, McComas, McIntosh, Merry, Messenger, Morse, Mulholland, Nelson, Sherburne, Stanley, Stoddard, Streeter, Ward, Wason of Ventura, Wasson of Mono, Wattson, and Mr. Speaker—45.

REPORT OF SPECIAL COMMITTEE.

By Mr. Carr of Sacramento:

MR SPEAKER The Sacramento delegation, to whom was referred Assembly Bill No 197—An Act to amend an Act entitled "An Act to amend an Act in relation to the county government of the County of Sacramento," approved March thirteenth, eighteen hundred and seventy-four, approved March sixteenth, eighteen hundred and seventy-eight—respectfully report that they have examined the bill, and report the same back, and recommend its passage.

J N YOUNG,
SEYMOUR CARR,
ELWOOD BRUNER.

The bill reported above ordered on file.

REPORTS OF STANDING COMMITTEES—RESUMED.

By Mr. Gorley:

ASSEMBLY CHAMBER, SACRAMENTO, January —, 1880.

MR. SPEAKER: Your Committee on Military Affairs, to whom was referred Assembly Bill No. 114—An Act making appropriations for the better protection of the flags of California troops of the late war, now in the State Capitol, and to provide better security for the State property stored in the State Armory—have had the same under consideration, and unanimously report a substitute, and recommend the adoption of the substitute.

GORLEY, for Committee.

REPORT OF SPECIAL COMMITTEE.

By Mr. York:

MR. SPEAKER: Your Select Committee, to whom was referred an examination of the office of Sergeant-at-Arms, would respectfully submit the following report.

Resolved, That the Sergeant-at-Arms be allowed sixty (60) dollars for the necessary and contingent expenses of his office, to be paid out of the Contingent Fund of the Assembly.

J. L YORK,
C. MULHOLLAND,
W. W. CAMRON.

Report adopted.

NOTICE OF RECONSIDERATION.

By Mr. Camron:

MR SPEAKER I hereby give notice that, to-morrow, I will move to reconsider the resolution allowing the Hospital Committee to employ a Clerk

INTRODUCTION AND FIRST READING OF BILLS.

By Mr. May—An Act to appropriate money to the California Artificial Stone Company, to pay the balance due the company for laying down the stone walks and avenues about the Capitol grounds.

Read first time, and referred to the Committee on Claims.

By Mr. Messenger—An Act to amend sections three thousand seven hundred and seventy-three, three thousand seven hundred and eighty-five, three thousand eight hundred and thirteen, three thousand eight hundred and fifteen, three thousand eight hundred and sixteen, and three thousand eight hundred and ninety-seven, of the Political Code, relating to the sale of property for taxes.

Read first time, and referred to the Committee on Judiciary.

By Mr. Felton—An Act amendatory of and supplemental to an Act entitled "An Act supplemental to an Act entitled an Act concerning corporations, passed twenty-second April, eighteen hundred and fifty," approved March twenty-first, eighteen hundred and seventy-two.

Read first time and referred to the Committee on Corporations.

By Mr. Felton—An Act amendatory of an Act entitled "An Act for the better protection of the stockholders in corporations formed under the laws of the State of California for the purpose of carrying on and conducting the business of mining," approved March thirtieth, eighteen hundred and seventy-four.

Read first time, and referred to the Committee on Corporations.

Also, an Act to provide for a Commissioner of Agriculture, for the encouragement of agriculture and other industries.

Read first time, and referred to the Committee on Agriculture.

By Mr. Sayle—An Act to amend sections three hundred and thirty and three hundred and thirty-three of the Penal Code, and to add a new section thereto, to be known as section three hundred and thirty-seven, in relation to gaming.

Read first time, and referred to the Judiciary Committee.

By Mr. Maybell—An Act abolishing the collection of tolls over roads and bridges.

Read first time, and referred to the Committee on Roads and Highways.

By Mr. Leach—An Act to amend sections one thousand five hundred and ninety-nine, one thousand six hundred and three, one thousand six hundred and five, one thousand six hundred and eight, and one thousand six hundred and ten, of an Act entitled "An Act to establish a Penal Code," approved February fourteenth, eighteen hundred and seventy-two, relating to county jails.

Read first time, and referred to the Committee on Judiciary.

By Mr. Fox—An Act to amend section one thousand two hundred and seventy-six of the Code of Civil Procedure.

Read first time, and referred to the Judiciary Committee.

By Mr. Gorley—An Act to regulate the price of water for domestic use in this State.

Read first time, and referred to the Committee on Corporations.

By Mr Burns—An Act investing widows with the ownership of the family estates on the decease of their husbands

Read first time, and referred to the Committee on Judiciary.

By Mr. Tyler—An Act to add a new section to the Penal Code, to be known as section one thousand three hundred and eight, relative to the forfeiture of the undertaking of bail, or of the deposit of money.

Read first time, and referred to the Judiciary Committee.

Also, an Act to add a new section to the Penal Code, relative to crimes against public justice.

Read first time, and referred to the Judiciary Committee.

Also, an Act to amend section nine hundred and eighty-seven of the Penal Code, relative to pleadings and proceedings after indictment and before the commencement of the trial.

Read first time, and referred to the Judiciary Committee.

By Mr. Carr of Sacramento—An Act to amend an Act entitled "An Act to organize Levee District Number One of Sacramento County, and to provide for its government," approved March thirtieth, eighteen hundred and seventy-eight.

Read first time, and referred to the Committee on Swamp and Overflowed Lands.

By Mr Merry—An Act to amend section sixty of the Civil Code of California, relative to the intermarriage of whites with negroes and persons of other races.

Read first time, and referred to the Committee on Public Morals.

By Mr. Green—An Act to guard and protect the right of suffrage, providing penalties for offenses against such right, and defining the duties of District Attorneys in relation thereto.

Read first time, and referred to the Committee on Elections.

Also, an Act to establish a State Board of Horticulture, defining the duties thereof, and providing for their compensation and that of other officers.

Read first time, and referred to the Committee on Agriculture.

By Mr. Harris—An Act to amend sections one thousand three hundred and ninety-eight and one thousand four hundred and two of the Code of Civil Procedure, in relation to bonds and sufficiency of sureties of administrators of estates of deceased persons.

Read first time, and referred to the Committee on Judiciary.

Also, an Act to amend section one thousand four hundred and sixty-eight of the Code of Civil Procedure, relating to the provision for the support of the family and of the homestead.

Read first time, and referred to the Committee on Judiciary.

Also, an Act to amend sections one thousand three hundred and thirty-six, one thousand five hundred and thirty-seven, and one thousand five hundred and forty, of the Code of Civil Procedure, relating to the sale of real estate of decedents.

Read first time, and referred to the Judiciary Committee.

Also, an Act to repeal section one thousand four hundred and six of the Code of Civil Procedure, relating to release of sureties from bonds of administrators.

Read first time, and referred to the Judiciary Committee.

Also, an Act to amend sections one thousand four hundred and eleven, one thousand four hundred and twelve, one thousand four hundred and thirteen, one thousand four hundred and fourteen, and one thousand four hundred and fifteen, of the Code of Civil Procedure, relating to special administrators.

Read first time, and referred to the Judiciary Committee.

MESSAGE FROM THE SENATE.

SENATE CHAMBER, SACRAMENTO, January 26th, 1880.

MR. SPEAKER: I am directed to inform your honorable body that the Senate, on this day, passed Senate Bill No. 23—An Act to amend sections eighty-six, eighty-nine, two hundred and twenty-seven, two hundred and twenty-eight, five hundred and four, and five hundred and fourteen of the Penal Code, relating to crimes and punishments.

Senate Bill No. 24—An Act to amend sections six hundred and eighty-nine, one thousand and forty-two, one thousand four hundred and thirty, and one thousand four hundred and thirty-five, of the Penal Code, relating to trials by jury.

Senate Bill No. 28—An Act to repeal section four thousand three hundred and twenty-nine of the Political Code, regulating the salaries of County Judges.

Senate Bill No. 29—An Act to repeal sections four hundred and ninety-nine and six hundred and eighty-four of the Political Code, relating to the salaries and compensation of public officers.

Senate Bill No. 31—An Act to amend sections one thousand three hundred and thirty-eight and one thousand three hundred and fifty-three of the Penal Code, providing for the examination of witnesses.

Senate Bill No. 33—An Act to add a new section, to be known as section ninety, to the Penal Code, relating to the crime of lobbying.

Senate Bill No. 35—An Act to amend section one thousand and twenty-nine of the Penal Code, relating to the prosecutions of Judges of the Superior Courts.

Senate Bill No. 36—An Act to repeal sections one thousand and twenty-eight, one thousand and thirty, one thousand one hundred and twelve, and one thousand one hundred and forty-three of the Penal Code, relating to judicial proceedings in criminal cases.

Senate Bill No. 37—An Act to amend section eight hundred and eight of the Penal Code, declaring who are Magistrates.

JOHN R. BRIERLY, Assistant Secretary.

CONSIDERATION OF SENATE MESSAGE.

Senate Bill No. 56—An Act to amend section seven hundred and fifty-one of the Political Code, relative to Deputy Clerks of the Supreme Court.

Read first time, and ordered to head of the file for second reading.

Mr. Fox moved that as this was a case of urgency, the rules be suspended, the bill considered engrossed, and put upon its second reading.

The roll was called, and the motion lost by the following vote:

AYES—Messrs. Adams, Brooks, Brown of Sonoma, Brown of Yuba, Brusie, Camron, Chamberlain, Chandler, Coleman, Cooper, Del Valle, Downs, Durham, Estey, Finlayson, Fox, Fraser, Gorley, Green, Hardy, Harris, Hershey, Hartson, Hynes, Mathews, May, McCarty of Lake, McComas, Mulholland, Sherburne, Stanley, Streeter, Ward, Wasson of Mono, York, and Mr. Speaker—36.

NOES—Messrs. Anthony, Bass, Bennett, Braunhart, Burns, Carr of Sacramento, Carr of Yuba, Coffman, Cook, Corcoran, Cuthbert, Felton, Garibaldi, Gaffey, Josselyn, Lane, Leach, Levee, Maybell, McCallion, McCarthy of San Francisco, McIntosh, Merry, Messenger, Morse, Picket, Sayle, Stoddard, Sweetland, Tyler, Walker, Wason of Ventura, and Wattson—33.

Senate Bill No. 23—An Act to amend sections eighty-six, eighty-nine, two hundred and twenty-seven, two hundred and twenty-eight, five hundred and four, and five hundred and fourteen, of the Penal Code, relating to crimes and punishments.

Read first time, and referred to the Judiciary Committee.

Senate Bill No. 24—An Act to amend sections six hundred and eighty-nine, one thousand and forty-two, one thousand four hundred and thirty, and one thousand four hundred and thirty-five, of the Penal Code, relating to trials by jury.

Read first time, and referred to the Judiciary Committee.

Senate Bill No. 28—An Act to repeal section four thousand three hundred and twenty-nine of the Political Code, regulating the salaries of County Judges.

Read first time, and referred to the Judiciary Committee.

Senate Bill No. 29—An Act to repeal sections four hundred and ninety-nine and six hundred and eighty-four of the Political Code, relating to the salaries and compensation of public officers.

Read first time, and referred to the Judiciary Committee.

Senate Bill No. 31—An Act to amend sections one thousand three hundred and thirty-eight and one thousand three hundred and fifty-three of the Penal Code, providing for the examination of witnesses.

Read first time, and referred to the Judiciary Committee.

Senate Bill No. 33—An Act to add a new section, to be known as section ninety, to the Penal Code, relating to the crime of lobbying.

Read first time, and referred to the Judiciary Committee.

Senate Bill No. 35—An Act to amend section one thousand and twenty-nine of the Penal Code, relating to prosecutions of Judges of Superior Courts.

Read first time, and referred to the Committee on Judiciary.

Senate Bill No. 36—An Act to repeal sections one thousand and twenty-eight, one thousand and thirty, one thousand one hundred and twelve, and one thousand one hundred and forty-three, of the Penal Code, relating to judicial proceedings in criminal cases.

Read first time, and referred to the Committee on Judiciary.

Senate Bill No. 37—An Act to amend section eight hundred and eight of the Penal Code, declaring who are Magistrates.

Read first time, and referred to the Judiciary Committee.

NOTICE.

By Mr. Carr:

MR SPEAKER I give notice that I will, to-morrow, move to change Rule Sixty-six.

MOTIONS AND RESOLUTIONS.

Mr. Stoddard introduced a joint resolution, relative to the construction of a canal across the Isthmus, connecting North and South America.

Read first time, and referred to the Committee on Federal Relations.

By Mr. McCallion:

Resolved, That the Sergeant-at-Arms be authorized to procure a screen to be placed on the inside of the main entrance to the Assembly Chamber, for the purpose of preventing the great draught which now enters the Chamber through that entrance, to be paid out of the fund for the contingent expenses of the Assembly.

Adopted.

NOTICE OF RECONSIDERATION.

By Mr. Camron:

MR. SPEAKER I hereby give notice that, on to-morrow, I will move to reconsider the resolution authorizing the Sergeant-at-Arms to procure a screen for the Assembly Chamber.

At four o'clock and fifteen minutes P. M., Mr. Merry moved to adjourn until ten o'clock A. M. to-morrow.

Lost.

MOTIONS AND RESOLUTIONS.

By Mr. Carr of Yuba:

Resolved, That the two Gate-keepers employed by the Assembly be discharged, and that the Sergeant-at-Arms be and he is hereby ordered to delegate two of the Porters to act as Gate-keepers during the sessions of the Assembly.

Mr. Tyler moved to make the motion the special order for the first day of April next, at two o'clock P. M.

Carried.

By Mr. Braunhart:

Resolved, That the Clerk of the Committee on State Prisons be instructed to act as the Clerk of the Committee on Chinese Immigration and Emigration.

Mr. Tyler moved to make the motion the special order for the first day of April next, at eleven o'clock A. M.

Lost.

Resolution then adopted.

ADJOURNMENT.

At four o'clock and twenty minutes P. M. Mr. Harris moved that this House do now adjourn.

Carried.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Wednesday, January 28th, 1880.

House met pursuant to adjournment.
Speaker Cowdery in the chair.
Roll called, and a quorum present.
Prayer by the Chaplain.

READING AND APPROVAL OF THE JOURNAL.

Mr. Mathews moved that the further reading of the Journal of yesterday be dispensed with.
Carried.
The Journal of yesterday was corrected, and declared approved.
Mr. Braunhart moved that the House do now proceed to the consideration of the general file.
So ordered.

GENERAL FILE.

Assembly Bill No. 53—An Act to amend section two thousand one hundred and seventy of an Act entitled "An Act to establish a Civil Code," approved March twenty-first, eighteen hundred and seventy-two, relating to common carriers.
Taken up, and read third time.
The roll was called, and the bill was passed by the following vote:

AYES—Messrs. Adams, Anthony, Bass, Bennett, Braunhart, Brooks, Brown of Sonoma, Brown of Yuba, Brusie, Burns, Camron, Carr of Sacramento, Carr of Yuba, Chamberlain, Chandler, Coffman, Coleman, Cook, Cooper, Corcoran, Cuthbert, Del Valle, Dimond, Downs, Durham, Estey, Felton, Finlayson, Fox, Fraser, Gaffey, Gorley, Green, Hardy, Harris, Hershey, Hartson, Hynes, Josselyn, Lane, Leach, Levee, Mathews, Maybell, McCallion, McCarty of Lake, McCarthy of San Francisco, McComas, McIntosh, Merry, Messenger, Morse, Mulholland, Nelson, Picket, Sayle, Sherburn, Stanley, Stoddard, Streeter, Swectland, Tyler, Walker, Ward, Wason of Ventura, Wasson of Mono, Wattson, York, and Mr. Speaker—69.
NOES—None.

Title approved.
Assembly Bill No. 55—An Act to amend sections two hundred and thirty-five and two hundred and sixty-six of an Act entitled "An Act to establish a Political Code," approved March twelfth, eighteen hundred and seventy-two, relating to the meeting of the Legislature, and the compensation of its members.
Read third time.
Mr. Sayle objected to the passage of the bill because it had not been read three times at length.
The Speaker overruled the objection, as the bill had been read three times at length.
Mr. Carr of Sacramento moved to amend the bill as follows: "This Act shall take effect and be in force from and after its passage."
Amendment declared out of order.
Mr. Gaffey moved to amend as follows: "This Act shall take effect one day after its passage."
Lost.

The question being upon the passage of the bill, the roll was called, and the bill passed by the following vote:

AYES—Messrs Adams, Bass, Bennett, Brooks, Brown of Yuba, Brusie, Camron, Carr of Sacramento, Carr of Yuba, Chamberlain, Chandler, Coffman, Coleman, Cook, Cooper, Corcoran, Del Valle, Dimond, Downs, Durham, Estey, Finlayson, Fox, Fraser, Garibaldi, Gorley, Green, Hardy, Harris, Hartson, Hynes, Josselyn, Lane, Mathews, May, McCallion, McCarty of Lake, McCarthy of San Francisco, McComas, McIntosh, Merry, Messenger, Morse, Mulholland, Nelson, Picket, Sayle, Sherburne, Stanley, Stoddard, Streeter, Sweetland, Tyler, Walker, Ward, Wason of Ventura, Wasson of Mono, Watson, Young, and Mr. Speaker—61

NOES—Messrs. Anthony, Braunhart, Burns, Felton, Gaffey, Hershey, Leach, Levee, Maybell, and York—10.

Title approved.

Assembly Bill No. 20—An Act to authorize the County of San Joaquin to issue bonds for the redemption of the bonds of said county, issued to the Big Tree and Carson Valley Turnpike Company, which became due on or about the eighth day of August, eighteen hundred and seventy-eight, and to provide for the payment of the same, being the substitute for Assembly Bill No. 20, an Act entitled an Act to authorize the County of San Joaquin to issue bonds for the redemption of the bonds of said county, issued to the Big Tree and Carson Valley Turnpike Company, which became due on or about the eighth day of August, eighteen hundred and seventy-eight, and to provide for the payment of the same—recommended by the Judiciary Committee.

Taken up, and adopted.

The bill was read the third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs Adams, Anthony, Bass, Bennett, Braunhart, Brooks, Brown of Sonoma, Brown of Yuba, Brusie, Burns, Camron, Carr of Sacramento, Carr of Yuba, Chamberlain, Chandler, Coffman, Coleman, Cook, Cooper, Corcoran, Cuthbert, Del Valle, Dimond, Downs, Durham, Estey, Felton, Finlayson, Fox, Fraser, Garibaldi, Gaffey, Gorley, Green, Hardy, Harris, Hershey, Hartson, Hynes, Josselyn, Lane, Leach, Levee, Mathews, May, Maybell, McCallion, McCarty of Lake, McCarthy of San Francisco, McComas, McIntosh, Merry, Messenger, Morse, Mulholland, Nelson, Picket, Sayle, Sherburne, Spencer, Stanley, Stoddard, Streeter, Sweetland, Tyler, Walker, Ward, Wason of Ventura, Wasson of Mono, York, Young, and Mr. Speaker—72.

NOES—None.

Title approved.

Assembly Bill No. 15—An Act to amend sections thirty-three, thirty-four, thirty-five, thirty-six, forty, forty-three, forty-four, forty-six, forty-seven, forty-eight, forty-nine, fifty, fifty-one, eighty-two, eighty-three, eighty-four, eighty-five, eighty-six, eighty-nine, ninety, one hundred and twelve, one hundred and thirteen, one hundred and fourteen, one hundred and fifteen, one hundred and eighteen, one hundred and thirty, one hundred and thirty-four, one hundred and forty-four, one hundred and fifty-six, one hundred and fifty-seven, one hundred and fifty-eight, one hundred and sixty-one, one hundred and sixty-six, one hundred and seventy-two, one hundred and seventy-three, one hundred and seventy-nine, one hundred and eighty-four, one hundred and eighty-five, two hundred and fifty-eight, two hundred and fifty-nine, two hundred and sixty-five, two hundred and sixty-six, two hundred and seventy-three, and nine hundred and eighteen, of an Act entitled "An Act to establish a Code of Civil Procedure," approved March eleventh, eighteen hundred and seventy-two, relating to Courts of justice and judicial officers.

Mr. Fox moved to amend by striking out the word "other" before the word "writs," in line seven of section six.

Adopted.

Mr. Cooper moved to insert, after the word "prohibition," in line six of section six, the words "quo warranto."

Adopted.

Mr. Sayle moved to amend as follows: By striking out all of section twelve from the beginning of the section down to and including the word "sessions" in line seven, and in lieu thereof inserting "All the sessions of the Supreme Court shall be held at the State Capitol."

The ayes and noes were demanded by Messrs. McIntosh, Adams, and Merry.

The previous question was demanded by Messrs. Merry, Adams, and York.

The House so ordered.

The roll was called, and the amendment lost by the following vote:

AYES—Messrs. Carr of Yuba, Chamberlain, Cook, McIntosh, Sayle, and Walker—6

NOES—Messrs. Adams, Anthony, Bass, Bennett, Braunhart, Brooks, Brown of Sonoma, Brown of Yuba, Brusie, Burns, Camron, Carr of Sacramento, Chandler, Coffman, Coleman, Cooper, Corcoran, Cuthbert, Del Valle, Dimond, Downs, Durham, Estey, Felton, Finlayson, Fox, Fraser, Garibaldi, Gaffey, Gorley, Green, Hardy, Harris, Hershey, Hartson, Hynes, Josselyn, Lane, Leach, Levee, Mathews, May, Maybell, McCallion, McCarty of Lake, McCarthy of San Francisco, McComas, Merry, Messenger, Morse, Nelson, Picket, Sherburne, Stanley, Stoddard, Streeter, Sweetland, Tyler, Ward, Wason of Ventura, Wasson of Mono, Wattson, York, Young, and Mr. Speaker—66.

Mr. Tyler moved to amend the section by striking out all of section twelve from the word "The," in line four of the section, down to and including the word "sessions," in line seven, and inserting in lieu thereof the following words: "All the sessions of the Supreme Court shall be held in the City and County of San Francisco."

Withdrawn.

Section thirteen amended as recommended by the Judiciary Committee.

RECESS.

Pending the discussion of the bill, the hour of one o'clock P. M. having arrived, the House took a recess until two o'clock P. M. this day.

RE-ASSEMBLED.

House re-convened at two o'clock P. M.

Speaker Cowdery in the chair.

Quorum present.

NOTICE OF RECONSIDERATION.

Mr. Hardy gave notice that he would move a reconsideration of the vote by which Assembly Bill No. 55 was passed.

By Mr. Gaffey:

MR SPEAKER: I hereby give notice that I will, on to-morrow, move to reconsider the vote by which the amendment to Assembly Bill No. 55 was lost.

Consideration of Assembly Bill No. 15—An Act to amend sections thirty-three, thirty-four, thirty-five, thirty-six, forty, forty-three, forty-four, forty-six, forty-seven, forty-eight, forty-nine, fifty, fifty-one,

eighty-two, eighty-three, eighty-four, eighty-five, eighty-six, eighty-nine, ninety, one hundred and twelve, one hundred and thirteen, one hundred and fourteen, one hundred and fifteen, one hundred and eighteen, one hundred and thirty, one hundred and thirty-four, one hundred and forty-four, one hundred and fifty-six, one hundred and fifty-seven, one hundred and fifty-eight, one hundred and sixty-one, one hundred and sixty-six, one hundred and seventy-two, one hundred and seventy-three, one hundred and seventy-nine, one hundred and eighty-four, one hundred and eighty-five, two hundred and fifty-eight, two hundred and fifty-nine, two hundred and sixty-five, two hundred and sixty-six, two hundred and seventy-three, and nine hundred and eighteen, of an Act entitled "An Act to establish a Code of Civil Procedure," approved March eleventh, eighteen hundred and seventy-two, relating to Courts of justice and judicial officers—resumed.

Mr. Hardy moved to amend section nineteen, by striking out all the words after the word "excepted," and inserting in lieu thereof the words "provided that injunctions and writs of prohibition may be issued and served on legal holidays and non-judicial days, and the process of such Courts shall extend to all parts of the State."

Adopted.

Mr. Brown of Sonoma moved to amend as follows: "*provided*, that in counties where more than one Superior Judge is elected, either of said Judges may, by an order filed with the County Clerk, hold sessions of the Court at such other places in the county as such Judge may direct in said order."

Lost.

Mr. Walker moved to amend by adding the words "any Superior Judge may hold Court in any town in his county, at his discretion."

Lost.

Mr. Sayle moved to insert "four" instead of "two" before the word "years."

Lost.

Mr. McIntosh moved to strike out of section twenty-nine the word "two" and insert instead the word "five."

Lost.

Mr. Tyler moved to amend section thirty-one, after the word "elected," in line four, by inserting the words "or within three miles thereof; *provided*, that he shall remain at his office, in the county seat, during office hours."

Mr. Felton moved to amend by inserting in line five of section thirty-one, after the word "reside," the words "in the county and."

Adopted.

The question then being upon Mr. Tyler's amendment, it was adopted.

Mr. Sayle moved to amend by inserting after the words "office hours," the words "from nine A. M. till four P. M., except one hour from twelve M. to 1 P. M."

Lost.

Mr. Walker moved to amend by striking out from line three of section thirty-three, the word "Court."

Adopted.

Mr. Cooper moved to amend by striking from section thirty-six, the words contained in lines nine and ten.

Lost.

Mr. Corcoran moved to amend by striking out of section thirty-nine, all after the word "hereby," and inserting the word "repealed"

Adopted.

The House returned to the consideration of section thirty-five.

Mr. Young moved to amend by inserting in section thirty-five the following: "nor shall he be interested, either directly or indirectly, with any other attorney or counselor, or any other person, in the compensation to be received for the prosecution or defense of any action or proceeding, or for conducting any other legal business, except in an action or proceeding to which he is a party on the record."

Adopted.

Mr. Fox moved to strike out the words "or Court Commissioner."

Adopted.

Mr. Fox moved to amend section forty, by striking out all after the word "hereby," and insert the word "repealed."

Adopted.

Mr. Fox moved to strike out section forty-three.

Adopted.

Title amended, and approved as amended.

Bill amended as recommended by the committee, read third time, and ordered printed as amended.

Assembly Bill No. 46—An Act to amend sections three thousand nine hundred and seventy-seven, three thousand nine hundred and seventy-nine, three thousand nine hundred and eighty-one, and three thousand nine hundred and eighty-four, and to repeal section three thousand nine hundred and seventy-eight, of an Act entitled "An Act to establish a Political Code," approved March twelfth, eighteen hundred and seventy-two, relating to the removal of county seats.

Read third time.

The roll was called, and the bill was passed by the following vote:

AYES—Messrs Adams, Bass, Bennett, Brusie, Cannon, Chamberlain, Chandler, Coleman, Cook, Cooper, Corcoran, Dimond, Durham, Estey, Felton, Finlayson, Fox, Fraser, Gambaldi, Gaffey, Green, Hardy, Harris, Hershey, Mathews, McCallion, McCarty of Lake, McCarthy of San Francisco, McComas, McIntosh, Merry, Messenger, Mulholland, Nelson, Picket, Sayle, Sherburne, Stanley, Stoddard, Sweetland, Tyler, Walker, Ward, Wason of Ventura, Wasson of Mono, Wattson, York, and Mr Speaker—49.

NOES—Messrs Anthony, Braunhart, Brown of Sonoma, Burns, Carr of Sacramento, Carr of Yuba, Hynes, Josselyn, Lane, Maybell, and Young—11.

Title approved.

ADJOURNMENT.

At four o'clock and ten minutes P. M. Mr. Cooper moved to adjourn. Carried.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Thursday, January 29th, 1880.

House met pursuant to adjournment.

Speaker Cowdery in the chair.

Roll called, and quorum present.

Prayer by the Chaplain.

READING AND APPROVAL OF THE JOURNAL.

Mr. Leach moved that further reading of the Journal of yesterday be dispensed with.

Carried.

The Journal corrected and approved.

REPORTS OF STANDING COMMITTEES.

By Mr. Camron:

Resolved, That the Controller be and he is hereby directed to draw his warrant in favor of D. M. Burns, Secretary of State, for the sum of four hundred (400) dollars, for the purchase of postage stamps, and that the same be paid out of the fund for the contingent expenses of the Assembly.

MR SPEAKER: Your Committee on Attachés and Employés, to whom was referred the above resolution, beg leave to report the same back to the Assembly, and recommend that it be not adopted, but in lieu thereof, offer the following substitute, and recommend the adoption of the substitute

Resolved, That the Controller be and he is hereby directed to draw his warrant on the Contingent Fund of the Assembly in favor of D. M. Burns, Secretary of State, for the sum of four hundred dollars, for the purchase of postage stamps for the members of the Assembly, and the Secretary of State is hereby required and directed to furnish a statement to the Assembly at least three days before the adjournment of the same, showing the amount disbursed, to whom, and the amount delivered to each Assemblyman; and the amount remaining in the possession of the Secretary of State, if there be any, shall be paid into the State treasury to the credit of the Contingent Fund of the Assembly.

CAMRON, Chairman.

Substitute adopted, and the resolution adopted as amended.

By Mr. May:

ASSEMBLY CHAMBER, SACRAMENTO, January 29th, 1880.

MR. SPEAKER. The Committee on Ways and Means, to whom was referred Assembly Bill No 4, having considered and amended the same, ask leave to report it back, with a recommendation that it do pass.

MAY, Chairman.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, January 29th, 1880.

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred Assembly Bill No. 5, having fully considered and amended the same, beg leave to report it back to the House, and recommend that it do pass.

MAY, Chairman.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, January 29th, 1880.

MR SPEAKER: Your Committee on Ways and Means, to whom was referred Assembly Bill No. 10, having carefully considered the same, and finding its provisions covered by other bills heretofore favorably reported upon by this committee, do, therefore, recommend that the author have leave to withdraw the same.

MAY, Chairman.

By Mr. Wasson:

ASSEMBLY CHAMBER, SACRAMENTO, January 28th, 1880.

MR. SPEAKER Your Committee on Mines and Mining Interests, to whom was referred Assembly Bill No. 135—An Act to protect the owners of mines and mining property, or persons interested in the ownership of such property, in the full enjoyment of their rights of ownership—report that they have had the same under consideration, and report it back to the Assembly, with the recommendation that the author of the bill be permitted to withdraw it, for the reason that another bill is now before the Assembly covering the same points in a more comprehensive way.

WASSON, Chairman.

By Mr. Sherburne:

MR. SPEAKER Your Committee on Engrossment have examined and find properly engrossed Assembly Bill No. 46—An Act to amend sections three thousand nine hundred and

seventy-seven, three thousand nine hundred and seventy-nine, three thousand nine hundred and eighty-one, and three thousand nine hundred and eighty-four, and to repeal section three thousand nine hundred and seventy-eight, of an Act entitled "An Act to establish a Political Code," approved March twelfth, eighteen hundred and seventy-two, relating to the removal of county seats.

Assembly Bill No. 20—An Act to authorize the County of San Joaquin to issue bonds for the redemption of the bonds of said county issued to the Big Tree and Carson Valley Turnpike Company, which became due on or about the eighth day of August, eighteen hundred and seventy-eight, and to provide for the payment of the same.

Assembly Bill No. 53—An Act to amend section two thousand one hundred and seventy of an Act entitled "An Act to establish a Civil Code," approved March twenty-first, eighteen hundred and seventy-two, relating to common carriers.

SHERBURNE, Chairman.

By Mr. Brusie:

MR. SPEAKER: Your Committee on State Hospitals, to whom was referred Assembly Bill No. 131—An Act to repeal an Act entitled an Act to regulate the practice of medicine in the State of California—have had the same under consideration, and report the same back, and recommend that it be not passed.

BRUSIE, Chairman.

By Mr. Streeter:

SACRAMENTO, January 28th, 1880.

MR. SPEAKER: Your Committee on County Governments and Municipal Corporations, to whom was referred resolutions passed by the Board of Trustees of Nevada City, December fourth, eighteen hundred and seventy-nine, beg leave to report the same back, with the recommendation that they be referred to the Committee on Chinese Immigration and Emigration.

STREETER, Chairman.

Also:

SACRAMENTO, January 29th, 1880.

MR. SPEAKER: Your Committee on County Governments and Municipal Corporations, to whom was referred Assembly Bill No. 220—An Act prohibiting public officials from entering into any contract on the part of the public covering a longer period of time than their term of office—beg leave to report the same back to the Assembly, with the recommendation that it do not pass.

STREETER, Chairman.

By Mr. Bennett:

MR. SPEAKER: Your Committee on Public Morals, to whom was referred Assembly Bill No. 97—An Act entitled an Act to prohibit the sale of intoxicating liquors in the State Capitol building—have had the same under consideration, beg leave to report the same back, and to amend section one by inserting after the word "and," in line four, printed bill, the words, "shall upon conviction be," and recommend its passage as amended.

BENNETT, Chairman.

Also:

MR. SPEAKER: Your Committee on Public Morals, to whom was referred Assembly Bill No. 96—An Act entitled an Act to preserve the public morals, and prevent the spread of vice—have had the same under consideration, and beg leave to report it back, with the recommendation that the author be allowed to withdraw it and introduce a substitute.

BENNETT, Chairman.

Also:

MR. SPEAKER: Your Committee on Public Morals, to whom was referred Assembly Bill No. 78—An Act entitled an Act to punish and prevent crime, and to secure to the State of California a better standard of morality—have had the same under consideration, and beg leave to report it back to the House, with the recommendation that it do not pass.

BENNETT, Chairman.

By Mr. Brown of Yuba:

ASSEMBLY CHAMBER, SACRAMENTO, January 27th, 1880.

MR. SPEAKER: The Committee on Corporations, to whom was referred Assembly Bill No. 99 (Ninety-nine)—entitled an Act to amend sections five hundred and ninety-six and six hundred and thirty-three of the Political Code—have had the same under consideration, and report the same back to the Assembly, with an amendment to the title, and recommend its passage as amended.

BROWN of Yuba, Chairman.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, January 28th, 1880.

MR. SPEAKER: The Committee on Corporations, to whom was referred Assembly Bill No. 19—entitled an Act to compel banking corporations and all other persons and every person doing a banking business, to publish and record a statement of the accounts of all deceased persons—have had the same under consideration, and report the same back to the Assembly, with a substitute, and recommend the passage of the substitute.

BROWN of Yuba, Chairman.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, January 28th, 1880.

MR. SPEAKER: The Committee on Corporations, to whom was referred Assembly Bill No. 189—entitled an Act to compel banks, savings and loan societies, and all and every kind of person or persons, or corporations, receiving moneys or other valuable property on deposit, or for safe keeping, to record and publish such deposit of deceased persons—have had the same under consideration, and report the same back to the Assembly, and recommend that it do not pass, the same subject being embodied in Assembly Bill No. 19.

BROWN of Yuba, Chairman.

REPORT OF SPECIAL COMMITTEE.

By Mr. McCarthy:

ASSEMBLY CHAMBER, SACRAMENTO, January 29th, 1880.

MR. SPEAKER: The San Francisco delegation, to whom was referred Assembly Bill No. 72—An Act to fix the official bonds of certain public officers in cities containing more than one hundred thousand inhabitants—have had the same under consideration, and report it back, with the accompanying substitute, recommending the passage of the substitute.

Fifteen members present and voting: ayes, ten; noes, five.

McCARTHY, Chairman.

INTRODUCTION AND FIRST READING OF BILLS.

By Mr. Braunhart—An Act to regulate the buying and selling of stocks.

Read first time, and referred to the Committee on Corporations.

MOTION.

Mr. Tyler moved that the House hereafter take a recess daily at one o'clock P. M. until two o'clock P. M., and at four o'clock and thirty minutes P. M. until seven o'clock and thirty minutes P. M., and that the evening session be for the first reading of bills only.

Mr. Maybell moved the indefinite postponement of the motion.

The ayes and noes were demanded by Messrs. McCarty, Maybell, and Felton.

Mr. Adams moved to lay the motion on the table.

Carried.

INTRODUCTION AND FIRST READING OF BILLS—RESUMED.

By Mr. Tyler—An Act in reference to supplying incorporated towns, cities, and cities and counties, and the inhabitants thereof, with fresh water, for municipal, domestic, and other purposes.

Read first time, and referred to the Committee of the Whole.

By Mr. Del Valle—An Act to provide for the refunding of the funded debt of the City of Los Angeles, created by an Act of Legislature, approved February first, eighteen hundred and sixty-eight, and entitled an Act to authorize the Mayor and Common Council of the City of Los Angeles to take and subscribe seventy-five thousand

dollars to the capital stock of the Los Angeles and San Pedro Railroad Company, in the County of Los Angeles, and to provide for the payment of the same, and other matters relating thereto.

Read first time, and referred to the Judiciary Committee.

By Mr. Felton—An Act to amend section three hundred and ninety-four of the Code of Civil Procedure.

Read first time, and referred to the Judiciary Committee.

RESOLUTIONS.

By Mr. Tyler (by permission).

Resolved, That bills shall not be read the first time until they shall have been printed.

Mr. Carr of Yuba offered the following substitute:

Resolved, That on the introduction of bills, they be not read a first time until printed, unless the reading is called for by some member.

Lost.

The question recurring upon the original motion, it was adopted.

BILLS INTRODUCED AND ORDERED PRINTED.

The following bills were introduced, and ordered printed in accordance with the above resolution:

By Mr. Tyler—An Act to amend sections one thousand two hundred and seventy-three, one thousand two hundred and seventy-eight, one thousand two hundred and eighty, one thousand two hundred and eighty-seven, one thousand two hundred and eighty-eight, one thousand three hundred and five, one thousand three hundred and six, and one thousand three hundred and seven of the Penal Code, relative to miscellaneous proceedings.

By Mr. Camron—An Act to authorize and empower the Boards of Supervisors of the several counties of this State, to allow certain outstanding road claims, and provide for their payment.

By Mr. Young—An Act to provide for the construction of a "State Printing Office," and "State Armory."

Also, an Act to provide for the repair and completion of the Governor's Mansion.

Also, an Act making appropriation for deficiency in the appropriation for the permanent improvement of the State Capitol grounds, lying east of the State Capitol building.

By Mr. McCarty—An Act to define the western boundary line of Lake County, adjoining Mendocino and Sonoma Counties.

By Mr. McIntosh—An Act to declare the Mokelumne River navigable.

By Mr. Brooks—An Act to add a new section to the Civil Code, to be known as section four hundred and fifty-three, in relation to life insurance companies.

By Mr. May—An Act entitled an Act to amend an Act to amend the Political Code, respecting the health and quarantine regulations of the City and County of San Francisco, approved March ninth, eighteen hundred and seventy-eight.

By Mr. Harris—An Act to amend section one thousand four hun-

dred and sixty-nine of the Code of Civil Procedure, relating to the provision for the support of the family of decedents.

By Mr. Brooks—An Act for the relief of W. S. Safford.

By Mr. Gaffey—An Act relating to the acts and doings of local Boards of Supervisors.

By Mr. May—An Act to appropriate money for the payment of the deficiency in the appropriation for the support of the State Printing Office for the twenty-ninth fiscal year

Also, an Act to appropriate money for the payment of the deficiency in the appropriation for the support of the State Printing Office for the thirtieth fiscal year.

By Mr. Fox—An Act to amend section fourteen of the Civil Code, defining certain terms used in said Code

Also, an Act granting relief to taxpayers whose lands have been sold to the State.

By Mr. Nelson—An Act to amend an Act entitled an Act authorizing the Board of Supervisors of Sierra County to build a certain wagon road in said county, and to issue bonds therefor.

By Mr. Stanley—An Act to amend sections two thousand six hundred and fifty-seven, two thousand six hundred and fifty-nine, two thousand six hundred and sixty, and two thousand six hundred and sixty-one, of the Political Code.

By Mr. Braunhart—An Act to amend the Political Code of the State of California.

By Mr. Leach—An Act to repeal an Act entitled "An Act to regulate the assessment of migratory herds or bands of live stock, and to provide for an equitable distribution of the taxes derived therefrom," approved March sixteenth, eighteen hundred and seventy-four.

By Mr. Fraser—An Act to amend section one thousand and twenty-seven of the Political Code.

By Mr. Leach—An Act to repeal an Act entitled "An Act concerning the assessment of animals," approved March thirtieth, eighteen hundred and seventy-two.

By Mr. Brusie—An Act to authorize County Boards of Supervisors to establish and regulate the price of water supplied to placer and hydraulic mines.

By Mr. Wasson of Mono—An Act to establish Courts of Conciliation in each of the counties of this State, and defining the duties thereof.

By Mr. York—An Act entitled an Act to invest the widow with the ownership and management of the family estate on the decease of the husband.

JOINT RESOLUTION.

The following Assembly Joint Resolution introduced and ordered printed:

By Mr. Stanley—Relative to and asking our Senators and Representatives in Congress to use their influence to obtain an appropriation from the General Government to be expended in the construction of a breakwater for the Harbor of San Luis Obispo, and to declare said harbor a port of entry.

RECESS.

The hour of one P. M. having arrived, the House took a recess until two o'clock P. M.

RE-ASSEMBLED.

The House re-assembled at two o'clock P. M.
Speaker Cowdery in the chair.
Quorum present.

SPECIAL ORDER.

Special order for two o'clock P. M., Assembly Bill No. 18—An Act to repeal section four hundred and twenty of the Penal Code—taken up.

Mr. Fox moved to postpone the special order until one week from this day, at the same hour.

Lost.

Mr. Fox moved to strike out the enacting clause.

Lost.

Mr. May had the floor, and, being called to order for irrelevancy, appealed from the decision of the Chair.

The question being, "Shall the Speaker's decision stand as the decision of the House?" the Speaker's decision was, by a division of the House, sustained.

Mr. Tyler moved to amend the bill by striking out all after the enacting clause, and inserting the following:

SECTION 1. Section four hundred and twenty of the Penal Code is hereby amended to read as follows:

Section 420. Any person who, in the presence or hearing of twenty-five or more persons, shall utter any language with intent either to incite a riot at the present or in the future, or any act or acts of criminal violence against person or property, or who shall suggest, or advise, or encourage any act or acts of criminal violence against any person, or persons, or property, or shall advise or encourage forcible resistance to any of the laws of this State, shall be deemed guilty of a misdemeanor, and, on conviction thereof, shall be punished by imprisonment in the County Jail not exceeding two years, or by fine not exceeding ($5,000) five thousand dollars, or by both.

SEC. 2. This Act shall take effect immediately.

Mr. May moved that the House go into the Committee of the Whole to discuss this bill.

Lost.

The previous question was demanded by Messrs. Adams, Mulholland, and Tyler.

The ayes and noes were demanded, upon ordering the main question, by Messrs. Braunhart, Carr of Yuba, and Merry.

The roll was called, and the previous question was lost by the following vote:

AYES—Messrs. Adams, Brown of Yuba, Brusie, Chamberlain, Chandler, Downs, Hartson, McCallion, McComas, McIntosh, Merry, Messenger, Morse, Mulholland, Sherburne, Stanley, Streeter, Sweetland, Tyler, Wason of Ventura, Wasson of Mono, and Wattson—22.

NOES—Messrs. Anthony, Bass, Bennett, Braunhart, Brown of Sonoma, Burns, Cameron, Carr of Yuba, Coffman, Coleman, Cook, Cooper, Corcoran, Cuthbert, Del Valle, Dimond, Durham, Estey, Felton, Finlayson, Fox, Fraser, Garibaldi, Gaffey, Gorley, Green, Hardy, Hershey, Hynes, Josselyn, Lane, Leach, Levee, Mathews, May, McCarty of Lake, McCarthy of San Francisco, Picket, Walker, Ward, York, Young, and Mr. Speaker—43.

The question being on Mr. Tyler's amendment, the ayes and noes were demanded by Messrs. Braunhart, Hynes, and Hardy.

The roll was called, and the amendment was lost by the following vote:

AYES—Messrs. Adams, Bennett, Brusie, Cameron, Chandler, Coleman, Cooper, Corcoran, Del

Valle, Downs, Durham, Felton, Fox, Fraser, Hershey, Hartson, McComas, Merry, Messenger, Morse, Stanley, Streeter, Ward, Wason of Ventura, Wasson of Mono, and Mr. Speaker—26.

NOES—Messrs. Anthony, Bass, Braunhart, Brown of Sonoma, Brown of Yuba, Burns, Carr of Yuba, Chamberlain, Coffman, Cook, Cuthbert, Dimond, Finlayson, Garibaldi, Gaffey, Gorley, Green, Hardy, Harris, Hynes, Josselyn, Lane, Leach, Levee, Mathews, May, Maybell, McCallion, McCarty of Lake, McCarthy of San Francisco, McIntosh, Picket, Sherburne, Stoddard, Sweetland, Walker, Wattson, York, and Young—39.

The bill was read the third time, the roll was called, and the bill was passed by the following vote:

AYES—Messrs. Anthony, Bass, Bennett, Braunhart, Brown of Sonoma, Brown of Yuba, Brusie, Burns, Cameron, Carr of Yuba, Chamberlain, Chandler, Coffman, Coleman, Cook, Cuthbert, Del Valle, Dimond, Downs, Durham, Felton, Finlayson, Fraser, Garibaldi, Gaffey, Gorley, Green, Hardy, Harris, Hershey, Hartson, Hynes, Josselyn, Leach, Levee, Mathews, May, Maybell, McCallion, McCarty of Lake, McCarthy of San Francisco, McComas, McIntosh, Merry, Picket, Sherburne, Stanley, Stoddard, Streeter, Sweetland, Walker, Ward, Wason of Ventura, Wattson, York, and Young—56.

NOES—Messrs. Adams, Corcoran, Fox, Messenger, Morse, Wasson of Mono, and Mr Speaker—7.

Title approved.

MOTIONS AND RESOLUTIONS.

Mr. Fox (by permission), moved an amendment to Rule Six, as follows:

Resolved, That Rule Six be amended by adding thereto the following: "At the introduction of any bill, the author shall rise in his place, and upon being recognized by the Speaker, shall present the same, and the title thereof shall be announced from the desk, when the reading thereof may be demanded by any member, and if so demanded the same shall then be read for the first time, and if not rejected shall be referred and printed. If the reading be not demanded on presentation, the bill shall go to the file and be printed, and the first reading thereof shall not be had until the same is printed and laid on the desk of members, when it shall be read under the eighth order of business."

Adopted.

At five o'clock P. M., Mr. Merry moved to adjourn until ten o'clock A. M. to-morrow.

Lost.

Mr. Hardy, pursuant to notice, moved to reconsider the vote by which Assembly Bill No. 55—An Act to amend sections two hundred and thirty-five and two hundred and sixty-six of an Act entitled an Act to establish a Political Code, approved March twelfth, eighteen hundred and seventy-two, relating to the meeting of the Legislature and the compensation of its members—was passed.

Carried.

At five o'clock and five minutes P. M., Mr. McCarty moved to adjourn.

Lost.

RESOLUTION.

By Mr. McCallion (by permission):

Resolved, That a select committee of five members of this House be appointed, for the purpose of inquiring into the cause of the transfer of passengers, infected with small-pox, from the Pacific Mail Company's steamer City of Pekin, in violation of the quarantine laws of the Port of San Francisco, and any other violation of the law in connection with such transfer of infected passengers. Said committee shall have power to send for persons and papers, and take testimony, and report to this House at an early day.

Adopted.

The Speaker appointed Messrs. McCallion, Gorley, Maybell, Braunhart, and Tyler, as such committee.

REPORT OF STANDING COMMITTEE.

By Mr. Camron (by permission):

MR. SPEAKER: Your Committee on Elections, to whom was referred Assembly Bill No. 139—entitled an Act to enable female citizens to vote upon all matters relating to the public schools of the State of California—have considered the same, and report it back to the Assembly, and recommend it be referred to the Committee on Judiciary.

CAMRON, Chairman.

Report received, and the bill so referred.

ADJOURNMENT.

At five o'clock and ten minutes P. M. Mr. Braunhart moved to adjourn.
Carried.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Friday, January 30th, 1880.

The House met pursuant to adjournment.
Speaker Cowdery in the chair.
Roll called, and a quorum present.
Prayer by the Chaplain.

READING AND APPROVAL OF THE JOURNAL.

Mr. Chandler moved that further reading of the Journal of yesterday be dispensed with, and that the Journal be approved as corrected.
Carried.
Mr. Chandler moved that the House do now proceed to the consideration of the general file.
Lost.

PETITIONS.

By Mr. Cooper—A petition from citizens of Del Norte County, asking for the passage of a local option law.
Referred to the Judiciary Committee.
By Mr. York—A petition from Mrs. Dr. Goodrich, asking to be relieved from political disabilities.
Referred to the Judiciary Committee.

REPORTS OF STANDING COMMITTEES.

By Mr. Fox:

ASSEMBLY CHAMBER, SACRAMENTO, January 30th, 1880.

MR. SPEAKER: Your Judiciary Committee, to whom was referred Assembly Bill No. 107—An Act entitled an Act to compel the officers of stock companies to sell to the highest bidder, at public auction, the delinquent shares of stock when so advertised by them for sale—have had the same under consideration, and report it back with the recommendation not to pass.

FOX, Chairman

Also:

ASSEMBLY CHAMBER, SACRAMENTO, January 30th, 1880.

MR. SPEAKER: Your Judiciary Committee, to whom was referred Assembly Bill No. 105—An Act to amend section three thousand seven hundred and seventy of the Political Code of this State, relative to the collection of penalties and costs on delinquent taxes—have had the same under consideration, and report it back with the recommendation that it be referred to the Committee on Ways and Means.

FOX, Chairman.

Report received, and bill referred to the Committee on Ways and Means.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, January 30th, 1880.

MR. SPEAKER: Your Judiciary Committee, to whom was referred Assembly Bill No. 102—An Act relating to the appointment of aliens to positions under State, county, city and county, city or town officials—have had the same under consideration, and report it back with amendments, with recommendation that it do pass as amended.

FOX, Chairman.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, January 30th, 1880.

MR. SPEAKER. Your Judiciary Committee, to whom was referred Assembly Bill No. 92—An Act to regulate proceedings in the Superior Court of Nevada County, in certain cases—have had the same under consideration, and report it back with the recommendation that the author thereof be allowed to withdraw said bill.

FOX, Chairman.

Assembly Bill No. 92, reported above, withdrawn.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, January 30th, 1880.

MR SPEAKER: Your Judiciary Committee, to whom was referred Assembly Bill No. 88—An Act relating to pledges made before political conventions—have had the same under consideration, and report it back with the recommendation that it do not pass

FOX, Chairman.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, January 30th, 1880.

MR. SPEAKER Your Judiciary Committee, to whom was referred Assembly Bill No. 87—An Act to amend an Act entitled an Act to amend section three thousand seven hundred and sixty-four of the Political Code of this State—have had the same under consideration, and report it back with the recommendation that it be referred to the Committee on Ways and Means.

FOX, Chairman.

The bill above reported referred to the Committee on Ways and Means.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, January 30th, 1880.

MR. SPEAKER: Your Judiciary Committee, to whom was referred Assembly Bill No. 86—An Act to amend sections thirty-three, thirty-four, thirty-six, forty, forty-one, forty-three, forty-four, forty-five, forty-six, forty-seven, forty-nine, fifty, fifty-four, fifty-five, fifty-six, fifty-seven, sixty, one hundred and twelve, one hundred and thirteen, one hundred and fourteen, one hundred and fifteen, one hundred and sixteen, one hundred and eighteen, and one hundred and twenty-one, and to add four new sections to the Code of Civil Procedure, to be numbered sections fifty-one, fifty-two, fifty-three, and sixty-two, and to repeal sections eighty to ninety, inclusive, and one hundred and seventeen, in the Code of Civil Procedure, in relation to the establishment of Courts of justice in the State of California, and the defining their jurisdictions—have had the same under consideration, and report it back with recommendation that it do not pass, the provisions thereof being embraced in several bills already before the Assembly.

FOX, Chairman.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, January 30th, 1880.

MR. SPEAKER. Your Judiciary Committee, to whom was referred Assembly Bill No 63—An Act to amend sections two hundred and fourteen, two hundred and fifteen, two hundred and sixteen, and two hundred and eighteen, of an Act entitled an Act to establish a Code of Civil Procedure, approved March eleventh, eighteen hundred and seventy-two, and the amend-

ments thereof and supplementary thereto, relating to the time and manner of drawing jurors for Courts of record—have had the same under consideration, and report it back with a substitute, recommending the passage of the substitute.

FOX, Chairman.

By Mr. Bennett:

MR SPEAKER: Your Committee on Public Morals, to whom was referred Assembly Bill No. 122—An Act entitled an Act to prevent the sale and use of opium—have had the same under consideration, and beg leave to report it back with amendments, and recommend its passage as amended.

BENNETT, Chairman.

INTRODUCTION OF BILLS.

The following bills were introduced and ordered printed:

By Mr. Merry—An Act to amend section eight hundred and thirty-two of the Civil Code, concerning lateral and subjacent support of land.

By Mr Camron—An Act to encourage and improve stock breeding in the State.

By Mr. Bass—An Act to amend section one thousand seven hundred and twenty-six of an Act entitled an Act to establish a Code of Civil Procedure, approved March eleventh, eighteen hundred and seventy-two, relating to the duties of Public Administrator, and defining what estates to be administered by him.

By Mr Ward—An Act to prohibit managers of theaters in the cities and towns of this State from imposing upon the public by placarding seats "Taken" when the same have not been sold, and for other purposes

By Mr. Fraser—An Act to amend sections four hundred and eight and five hundred and twenty-eight of the Political Code, and to repeal section four hundred and fifteen of said Code, relative to printing the laws in Spanish.

By Mr. Harris—An Act to amend sections one thousand four hundred and sixty-five and one thousand four hundred and sixty-six of the Code of Civil Procedure, relating to the support of the family of decedents.

By Mr. Young—An Act to incorporate religious societies.

MESSAGES FROM THE SENATE.

SENATE CHAMBER, SACRAMENTO, January 29th, 1880.

MR SPEAKER: I am directed to inform your honorable body that the Senate, on January twenty-eighth, eighteen hundred and eighty, passed the following Concurrent Resolution No. 16—Relative to granting leave of absence to sub-committees of the Committees on Mines and Mining, to visit the State University and examine into the condition and management of the College of Mines.

J. R. BRIERLY, Assistant Secretary.

Resolved by the Senate, the Assembly concurring, That a joint sub-committee of the Committees on Mines and Mining, selected by said committees, be granted leave of absence to visit the State University, and examine into the condition and management of the College of Mines.

The above reported Senate Concurrent Resolution No. 16, taken up, and concurred in.

SENATE CHAMBER, SACRAMENTO, January 29th, 1880.

MR. SPEAKER: I am directed to inform your honorable body that the Senate, on this day, concurred in Assembly Concurrent Resolution No. 9, expressing sympathy for the people of Ireland.

J. R. BRIERLY, Assistant Secretary.

SENATE CHAMBER, SACRAMENTO, January 29th, 1880.

MR. SPEAKER: I am directed to inform your honorable body that the Senate, on January fourteenth, eighteen hundred and eighty, concurred in Assembly Concurrent Resolution No. 7, relative to the appointment of a joint committee on rules, and on the twenty-eighth day of January, eighteen hundred and eighty, the President of the Senate appointed the Standing Committee of Rules of the Senate, Senators Sears, Johnson, Dickinson, Watson, and Satterwhite, as the joint committee on rules on the part of the Senate.

J. R. BRIERLY, Assistant Secretary.

SENATE CHAMBER, SACRAMENTO, January 26th, 1880

MR. SPEAKER. I am directed to inform your honorable body that the Senate, on this day, indefinitely postponed Assembly Bill No 2—An Act entitled an Act to make the Code of Civil Procedure and the Penal Code of California the rule of action in the Courts as at present organized.

J. R. BRIERLY, Assistant Secretary

NOTICES.

By Mr. Young:

MR. SPEAKER: I hereby give notice I shall, to-morrow, move to amend Rule Forty-five, so it will read as follows "When a question is under debate or before the House, no motion shall be received but to adjourn, to lay on the table, to postpone to a day certain, to commit or amend, for the previous question, to postpone indefinitely, which several motions shall have precedence in the order in which they are named, but the first two and the 'previous question' 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.

SECOND READING OF BILLS.

Senate Bill No. 56—An Act to amend section seven hundred and fifty-one of the Political Code, relative to Deputy Clerks of the Supreme Court.

Read second time, and ordered on file.

Mr. Young moved that Senate Bill No. 77—An Act making an appropriation for the State Printing Office for the fiscal year ending June thirtieth, eighteen hundred and eighty—be taken up out of its order, and made the special order for to-morrow at twelve o'clock M.

So ordered.

The bill read the second time.

Assembly Bill No. 89—An Act to create a special fund in every county, or city and county in the State, by an annual poll tax upon aliens ineligible to citizenship, for the improvement of county, or city and county parks, buildings, highways, roads, and works.

Read second time.

The committee reported a substitute, and recommended its adoption.

Mr. Young moved to amend the substitute by striking out the words "Common School Fund of the county and city and county," and insert the words "Common School Fund of the State."

Adopted.

RECESS.

Pending discussion of the motion, the hour of one P. M. having arrived, the House took a recess for one hour.

RE-ASSEMBLED.

House re-assembled at two o'clock P. M.

Speaker Cowdery in the chair.

Quorum present.

SECOND READING OF BILLS—RESUMED.

Consideration of Assembly Bill No. 89—An Act to create a special fund in every county or city and county in the State, by an annual poll tax upon aliens ineligible to citizenship, for the improvement of county or city and county parks, buildings, highways, roads, and works—resumed.

The previous question was demanded by Messrs. Adams, Hardy, and York, and the House so ordered.

The question being upon the amendment recommended by the committee, and the ayes and noes being demanded by Messrs. Adams, Fraser, and Maybell, the roll was called, and the substitute was adopted by the following vote:

AYES—Messrs. Adams, Anthony, Bass, Braunhart, Brown of Sonoma, Brown of Yuba, Brusie, Burns, Cameron, Carr of Yuba, Chamberlain, Chandler, Coffman, Coleman, Cook, Cooper, Cuthbert, Del Valle, Dimond, Downs, Durham, Felton, Finlayson, Fox, Fraser, Garibaldi, Green, Hardy, Hershey, Hartson, Hynes, Josselyn, Leach, Levee, Mathews, May, McCalhon, McCarty of Lake, McComas, Merry, Picket, Sherburne, Stanley, Stoddard, Streeter, Sweetland, Walker, Ward, Wason of Ventura, Wasson of Mono, Wattson, York, Young, and Mr. Speaker—54.

NOES—Messrs. Bennett, Corcoran, Gaffey, Gorley, Maybell, McCarthy of San Francisco, and McIntosh—7.

Mr. Maybell moved to amend by striking out "fifty dollars," and inserting "five hundred dollars" instead.

Lost.

Assembly Bill No. 64—An Act to amend sections three thousand four hundred and forty and three thousand four hundred and ninety-four of the Political Code, relative to interest or deferred payments for State land.

Mr. Braunhart moved to amend by striking out the word "seven," and inserting the word "six."

Lost.

Bill read second time, and ordered to third reading.

Assembly Bill No. 144—An Act to amend an Act entitled an Act regulating the sale of mineral lands belonging to the State, approved March twenty-eighth, eighteen hundred and seventy-four.

Read second time, and ordered to third reading.

Assembly Bill No. 146—An Act to amend an Act entitled an Act concerning the selection and sale of University lands, approved March thirteenth, eighteen hundred and seventy-four.

Read second time, and ordered to third reading.

Assembly Bill No. 70—An Act to declare the soliciting of prostitution publicly a misdemeanor.

Read second time, and ordered to third reading.

Assembly Bill No. 60—An Act entitled an Act to provide for a Board of Commissioners to examine engineers.

The above bill was withdrawn by its author.

Assembly Bill No. 62—An Act to declare valid writs, process, and certificates issued by the Superior Courts of this State, or the Clerks thereof, before such Courts shall have been legally provided with seals.

Read second time, and ordered to third reading.

Assembly Bill No. 79—An Act entitled an Act to punish and pre-

vent malfeasance in office, embezzlement, defalcation, and peculation on the public funds of this State.

Withdrawn by the author.

Assembly Bill No. 80—An Act to amend section one thousand three hundred and sixty-five of the Code of Civil Procedure, relating to the order of persons entitled to administer on the estates of deceased persons.

Amended as recommended by the committee.

Mr. Adams moved to amend, by inserting the words "Public Administrator" before the word "creditors," in line fourteen.

Mr. McIntosh moved to strike out the words "Public Administrators" wherever it occurred in the bill.

Adopted.

Mr. Fox moved to insert as subdivision nine, the words "in counties, and cities and counties, having one hundred thousand inhabitants, the Public Administrator."

Mr. Del Valle moved to amend the amendment, by striking out "one hundred thousand" and inserting "twenty-five thousand" instead.

Lost.

The question recurring on Mr. Fox's amendment, it was adopted.

Mr. Young moved to amend by inserting, "the creditors in a sum not less than one hundred dollars, who were creditors at the time of the death of the decedent."

Adopted.

The bill read a second time, and ordered to third reading.

RESOLUTION.

By Mr. Fox (by permission):

Resolved. That a select committee of three be appointed by the Speaker to inquire into and report to this Assembly what bills, if any, have been passed by the Assembly without having been actually read at length on three several days before their final passage, and if any are found which were not so read, to make such recommendation in relation thereto as to the committee may seem necessary and proper.

Adopted.

SECOND READING OF BILLS—CONTINUED.

Assembly Bill No. 67—An Act authorizing the Treasurer of any county, city and county, city, or town, in the State, to accept any money donated by any person to such county, city and county, city, or town.

Withdrawn by the author.

Assembly Bill No. 77—An Act entitled an Act to define the rights and privileges of aliens in the State of California; of those who are not eligible for citizenship, and of those who do not intend to make the United States their permanent place of residence.

Read second time.

Mr. Fox moved to strike out the enacting clause.

The motion was carried, and the bill rejected.

Assembly Bill No. 74—An Act defining the offense of lobbying, and prescribing for its punishment.

Read second time, and ordered to third reading.

At four o'clock and forty-five minutes P. M., Mr. Walker moved to adjourn.

Lost.

Assembly Bill No. 66—An Act to secure the payment of workmen for labor performed, or material furnished, either by contract or otherwise.

Read second time.

The ayes and noes were demanded by Messrs. Braunhart, Burns, and Maybell, upon the question, "Shall this bill receive a third reading."

The roll was called, and the bill was ordered to a third reading by the following vote:

AYES—Messrs. Bass, Braunhart, Brown of Sonoma, Burns, Carr of Yuba, Coffman, Coleman, Cook, Cuthbert, Felton, Finlayson, Fraser, Garibaldi, Gaffey, Gorley, Green, Harris, Hynes, Josselyn, Levee, Mathews, Maybell, McCallion, McCarty of Lake, McIntosh, Picket, Stoddard, Streeter, Sweetland, and Wattson—30.

NOES—Messrs. Adams, Bennett, Brown of Yuba, Brusie, Chamberlain, Chandler, Cooper, Corcoran, Del Valle, Downs, Durham, Fox, Hardy, Hershey, Hartson, Leach, May, McCarthy of San Francisco, McComas, Morse, Sherburne, Stanley, Wason of Ventura, York, Young, and Mr. Speaker—26.

Mr. Del Valle moved that the Committee on Corporations be directed to report Assembly Bill No. 84—An Act to provide for the organization of a Board of Railroad and Transportation Commissioners—back to the House immediately.

Adopted.

At five o'clock and twenty minutes P. M., Mr. Hardy moved that this House do now adjourn.

Upon which the ayes and noes were demanded by Messrs. Braunhart, Burns, and Carr of Yuba.

The roll was called, and the motion was lost by the following vote:

AYES—Messrs. Brusie, Coffman, Coleman, Cooper, Downs, Felton, Finlayson, Fox, Fraser, Hardy, Hartson, May, McCallion, and Wason of Ventura—14.

NOES—Messrs. Adams, Bass, Bennett, Braunhart, Brown of Sonoma, Brown of Yuba, Burns, Carr of Yuba, Chamberlain, Chandler, Cook, Corcoran, Cuthbert, Del Valle, Garibaldi, Gaffey, Gorley, Green, Harris, Hershey, Hynes, Josselyn, Leach, Levee, Mathews, Maybell, McCarty of Lake, McCarthy of San Francisco, McComas, McIntosh, Morse, Picket, Sherburne, Stanley, Stoddard, Streeter, Sweetland, Wattson, York, and Young—40.

Mr. Del Valle moved that Assembly Bill No. 84—An Act to provide for the organization of a Board of Railroad and Transportation Commissioners be placed at the head of the file for to-morrow.

Carried.

ADJOURNMENT.

At five o'clock and twenty-five minutes P. M., Mr. Finlayson moved that this House do now adjourn.

Carried.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Saturday, January 31st, 1880.

House met pursuant to adjournment.
Speaker Cowdery in the chair.
Roll called, and a quorum present.
One day's leave of absence granted Messrs. Merry and Ward.
Prayer by the Chaplain.

READING AND APPROVAL OF JOURNAL.

Mr. Chandler moved that further reading of the Journal of yesterday be dispensed with.
Carried.
The Journal of yesterday approved.
The Speaker announced that he had received a communication from the Controller in compliance with a resolution of the House, relative to the salaries of the State officers, employés, and the attachés of the House.
Referred to the Committee on Retrenchment and Reform.

RESOLUTION.

By Mr. May (by permission), Assembly Concurrent Resolution:

Resolved by the Assembly, the Senate concurring, That a joint committee of six, three from the Assembly and three from the Senate, be appointed to confer with the Honorables I. S. Belcher, Thomas P. Stoney, and A. C. Freeman, in regard to the work they have performed at the joint suggestion of his Excellency, Governor George C. Perkins, and of his immediate predecessor, ex-Governor William Irwin, and to report to the Legislature their recommendation of suitable action therein.

Adopted.
The Speaker appointed, on the part of the Assembly, Messrs. May, Brown of Sonoma, and Carr of Yuba.

REPORTS OF STANDING COMMITTEES.

By Mr. Brown of Yuba:

ASSEMBLY CHAMBER, SACRAMENTO, January 31st, 1880

MR. SPEAKER: The Committee on Corporations, to whom was referred Assembly Bill No. 84—An Act to provide for the organization of a Board of Railroad and Transportation Commissioners—have had the same under consideration, and report the same back to the Assembly, by order of the House yesterday, and insist that they have not had the same in their possession fifteen days, as represented yesterday. Your committee received said bill January 19th, and this is but the 12th day since its receipt.

BROWN of Yuba, Chairman.

By Mr. Sherburne:

ASSEMBLY CHAMBER, SACRAMENTO, January 31st, 1880.

MR. SPEAKER: Your Committee on Engrossment have examined, and find correctly engrossed, Assembly Bill No. 18—An Act to repeal section four hundred and twenty of the Penal Code.

SHERBURNE, Chairman.

INTRODUCTION OF BILLS.

The following bills were introduced and ordered printed:

By Mr Cuthbert—An Act to prevent a monopoly on railroads, steamboats, steamships, and other common carriers.

By Mr. Gorley—An Act to pay the claim of Mary M. Springer, widow and heir of Thos. A. Springer, late State Printer, deceased.

By Mr. Picket—An Act to amend section three thousand and fifty-one of the Civil Code, in reference to liens for services.

By Mr. Cooper—An Act to amend section one thousand eight hundred and eighty of the Code of Civil Procedure, relating to persons who cannot testify.

By Mr. Morse—An Act to amend section five hundred and fifty-five of the Penal Code, relative to false weights and measures.

By Mr. Coffman—An Act to amend section three thousand seven hundred and sixty-four of the Political Code of this State, in relation to the collection of delinquent taxes.

By Mr. McCallion—An Act concerning passengers in vessels coming to any city or port in the State of California.

By Mr. Durham—An Act to encourage the planting and cultivation of forest trees.

RESOLUTION.

By Mr. Hynes (by permission)—Assembly Joint Resolution, relative to and asking an appropriation of one hundred thousand dollars from the General Government for improving Petaluma Creek.

Read first time, and ordered printed.

INTRODUCTION OF BILLS—RESUMED.

The following bill was introduced and ordered printed:

By Mr. McCarthy—An Act to authorize the Sheriff or other officer of any county jail or city prison, to cut the hair of prisoners to within one inch of the scalp.

SENATE MESSAGE.

SENATE CHAMBER, SACRAMENTO, January 30th, 1880.

MR. SPEAKER: I am directed to inform your honorable body that the Senate, on this day, passed Senate Bill No 39—An Act to amend sections six hundred and eighty-two, seven hundred and eighty-four, seven hundred and eighty-seven, seven hundred and eighty-eight, seven hundred and eighty-nine, seven hundred and ninety, seven hundred and ninety-two, eight hundred, eight hundred and one, eight hundred and two, eight hundred and six, eight hundred and eighty-eight, nine hundred and forty-nine, nine hundred and fifty, nine hundred and fifty-one, nine hundred and fifty-three, nine hundred and fifty-four, nine hundred and fifty-five, nine hundred and fifty-seven, nine hundred and fifty-eight, nine hundred and fifty-nine, nine hundred and sixty, nine hundred and sixty-one, nine hundred and sixty-four, nine hundred and sixty-five, nine hundred and sixty-six, nine hundred and sixty-seven, nine hundred and sixty-eight, nine hundred and sixty-nine, nine hundred and seventy, nine hundred and seventy-one, nine hundred and seventy-two, nine hundred and seventy-six, nine hundred and seventy-seven, nine hundred and eighty-one, nine hundred and eighty-two, nine hundred and eighty-five, nine hundred and eighty-eight, nine hundred and eighty-nine, nine hundred and ninety, nine hundred and ninety-five, nine hundred and ninety-six, nine hundred and ninety-seven, nine hundred and ninety-eight, nine hundred and ninety-nine, one thousand and four, one thousand and five, one thousand and eight, one thousand and nine, one thousand and twelve, one thousand and sixteen, one thousand and seventeen, one thousand and eighteen, one thousand and nineteen, one thousand and twenty-one, one thousand and twenty-two, one thousand and twenty-three, one thousand and twenty-four, one thousand and twenty-five, one thousand and thirty-three, one thousand and forty-three, one thousand and forty-seven, one thousand and forty-eight, one thousand and fifty-two, one thousand and sixty-five, one thousand and

seventy-four, one thousand and ninety-three, one thousand and ninety-five, one thousand and ninety-eight, one thousand and ninety-nine, one thousand one hundred, one thousand one hundred and three, one thousand one hundred and four, one thousand one hundred and thirteen, one thousand one hundred and fourteen, one thousand one hundred and fifteen, one thousand one hundred and seventeen, one thousand one hundred and twenty-one, one thousand one hundred and twenty-five, one thousand one hundred and twenty-six, one thousand one hundred and thirty-one, one thousand one hundred and forty-one, one thousand one hundred and forty-eight, one thousand one hundred and fifty, one thousand one hundred and fifty-one, one thousand one hundred and fifty-five, one thousand one hundred and fifty-eight, one thousand one hundred and fifty-nine, one thousand one hundred and sixty, one thousand one hundred and sixty-five, one thousand one hundred and seventy, one thousand one hundred and eighty-one, one thousand one hundred and eighty-five, one thousand one hundred and eighty-seven, one thousand one hundred and eighty-eight, one thousand two hundred, one thousand two hundred and seven, one thousand two hundred and thirty-eight, one thousand two hundred and seventy-three, one thousand two hundred and eighty-four, one thousand two hundred and eighty-five, one thousand two hundred and eighty-seven, one thousand two hundred and eighty-nine, one thousand three hundred and ten, one thousand three hundred and twenty-six, one thousand three hundred and thirty-five, one thousand three hundred and forty-six, one thousand three hundred and forty-nine, one thousand three hundred and fifty-four, one thousand three hundred and fifty-eight, one thousand three hundred and sixty-eight, one thousand three hundred and seventy, one thousand three hundred and seventy-three, one thousand three hundred and eighty-two, one thousand three hundred and eighty three, one thousand three hundred and ninety-five, one thousand three hundred and ninety-six, one thousand four hundred and one, and one thousand four hundred and twenty-nine, of the Penal Code, and to add a new section thereto, to be known as section eight hundred and nine, to provide for prosecutions, and to adapt the provisions of said Code thereto.

BRIERLY, Assistant Secretary.

Mr. Braunhart had leave to withdraw Assembly Bill No. 74—An Act defining the offense of lobbying and prescribing for its punishment.

INTRODUCTION OF BILLS—RESUMED.

The following bills were introduced and ordered printed:

By Mr. Braunhart—An Act to amend section eighty-five of the Penal Code, and to add two new sections to the same in relation to giving or offering bribes to members of the Legislature, to be numbered respectively sections ninety and ninety-one.

By Mr. Downs—An Act to establish road districts, regulate the election and duties of Road Overseers, and the duties of County Supervisors, in relation to highways, in counties of the third and fourth classes.

CONSIDERATION OF SENATE MESSAGE.

Senate Bill No. 39—An Act to amend sections six hundred and eighty-two, seven hundred and eighty-four, seven hundred and eighty-seven, seven hundred and eighty-eight, seven hundred and eighty-nine, seven hundred and ninety, seven hundred and ninety-two, eight hundred, eight hundred and one, eight hundred and two, eight hundred and six, eight hundred and eighty-eight, nine hundred and forty-nine, nine hundred and fifty, nine hundred and fifty-one, nine hundred and fifty-three, nine hundred and fifty-four, nine hundred and fifty-five, nine hundred and fifty-seven, nine hundred and fifty-eight, nine hundred and fifty-nine, nine hundred and sixty, nine hundred and sixty-one, nine hundred and sixty-four, nine hundred and sixty-five, nine hundred and sixty-six, nine hundred and sixty-seven, nine hundred and sixty-eight, nine hundred and sixty-nine, nine hundred and seventy, nine hundred and seventy-one, nine hundred and seventy-two, nine hundred and seventy-six, nine hundred and seventy-seven, nine hundred and eighty-one, nine hundred and eighty-two, nine hundred and eighty-five, nine hun-

dred and eighty-eight, nine hundred and eighty-nine, nine hundred and ninety, nine hundred and ninety-five, nine hundred and ninety-six, nine hundred and ninety-seven, nine hundred and ninety-eight, nine hundred and ninety-nine, one thousand and four, one thousand and five, one thousand and eight, one thousand and nine, one thousand and twelve, one thousand and sixteen, one thousand and seventeen, one thousand and eighteen, one thousand and nineteen, one thousand and twenty-one, one thousand and twenty-two, one thousand and twenty-three, one thousand and twenty-four, one thousand and twenty-five, one thousand and thirty-three, one thousand and forty-three, one thousand and forty-seven, one thousand and forty-eight, one thousand and fifty-two, one thousand and sixty-five, one thousand and seventy-four, one thousand and ninety-three, one thousand and ninety-five, one thousand and ninety-eight, one thousand and ninety-nine, one thousand one hundred, one thousand one hundred and three, one thousand one hundred and four, one thousand one hundred and thirteen, one thousand one hundred and fourteen, one thousand one hundred and seventeen, one thousand one hundred and twenty-one, one thousand one hundred and twenty-five, one thousand one hundred and twenty-six, one thousand one hundred and thirty-one, one thousand one hundred and forty-one, one thousand one hundred and forty-eight, one thousand one hundred and fifty, one thousand one hundred and fifty-one, one thousand one hundred and fifty-five, one thousand one hundred and fifty-eight, one thousand one hundred and fifty-nine, one thousand one hundred and sixty, one thousand one hundred and sixty-five, one thousand one hundred and seventy, one thousand one hundred and eighty-one, one thousand one hundred and eighty-five, one thousand one hundred and eighty-seven, one thousand one hundred and eighty-eight, one thousand two hundred, one thousand two hundred and seven, one thousand two hundred and thirty-eight, one thousand two hundred and seventy-three, one thousand two hundred and eighty-four, one thousand two hundred and eighty-five, one thousand two hundred and eighty-seven, one thousand two hundred and eighty-nine, one thousand three hundred and ten, one thousand three hundred and twenty-six, one thousand three hundred and thirty-five, one thousand three hundred and forty-six, one thousand three hundred and forty-nine, one thousand three hundred and fifty-four, one thousand three hundred and fifty-eight, one thousand three hundred and sixty-eight, one thousand three hundred and seventy, one thousand three hundred and seventy-three, one thousand three hundred and eighty-two, one thousand three hundred and eighty-three, one thousand three hundred and ninety-five, one thousand three hundred and ninety-six, one thousand four hundred and one, and one thousand four hundred and twenty-nine, of the Penal Code, and to add a new section thereto, to be known as section eight hundred and nine, to provide for prosecutions, and to adapt the provisions of said Code thereto—taken up, and the first reading begun.

SPECIAL ORDER.

Pending the reading of this bill, the hour of twelve o'clock M. having arrived, the House took up Senate Bill No. 77—An Act making an appropriation for the State Printing Office for the fiscal year ending June thirtieth, eighteen hundred and eighty—being the special

order for this hour, and went into Committee of the Whole to consider it, with Mr. Fraser in the chair.

The bill considered in Committee of the Whole.

The committee arose, and reported the bill back, recommending its passage.

IN ASSEMBLY.

Speaker Cowdery in the chair.

The report of the committee was received and adopted, and the bill read third time

Roll called, and a quorum present.

The roll was then called on the passage of the bill, and the bill was passed by the following vote:

AYES—Messrs. Adams, Bass, Bennett, Braunhart, Brown of Sonoma, Brown of Yuba, Brusie, Burns Cameron, Carr of Yuba, Chandler, Coffman, Coleman, Cook, Cooper, Cuthbert, Del Valle, Downs, Durham, Felton, Finlayson, Fox, Fraser, Garibaldi, Gaffey, Gorley, Green, Haray, Hershey, Hynes, Josselyn, Levee, Mathews, May, Maybell, McCallion, McCarty of Lake, McCarthy of San Francisco, McIntosh, Messenger, Morse, Picket, Sherburne, Stanley, Stoddard, Streeter, Walker, Wason of Ventura, Wattson, York, Young, and Mr. Speaker—52.

NOES—None.

Title approved.

Two days' leave of absence granted to Mr. Levee.

The first reading of Senate Bill No. 39—An Act to amend sections six hundred and eighty-two, seven hundred and eighty-four, seven hundred and eighty-seven, seven hundred and eighty-eight, seven hundred and eighty-nine, seven hundred and ninety, seven hundred and ninety-two, eight hundred, eight hundred and one, eight hundred and two, eight hundred and six, eight hundred and eighty-eight, nine hundred and forty-nine, nine hundred and fifty, nine hundred and fifty-one, nine hundred and fifty-three, nine hundred and fifty-four, nine hundred and fifty-five, nine hundred and fifty-seven, nine hundred and fifty-eight, nine hundred and fifty-nine, nine hundred and sixty, nine hundred and sixty-one, nine hundred and sixty-four, nine hundred and sixty-five, nine hundred and sixty-six, nine hundred and sixty-seven, nine hundred and sixty-eight, nine hundred and sixty-nine, nine hundred and seventy, nine hundred and seventy-one, nine hundred and seventy-two, nine hundred and seventy-six, nine hundred and seventy-seven, nine hundred and eighty-one, nine hundred and eighty-two, nine hundred and eighty-five, nine hundred and eighty-eight, nine hundred and eighty-nine, nine hundred and ninety, nine hundred and ninety-five, nine hundred and ninety-six, nine hundred and ninety-seven, nine hundred and ninety-eight, nine hundred and ninety-nine, one thousand and four, one thousand and five, one thousand and eight, one thousand and nine, one thousand and twelve, one thousand and sixteen, one thousand and seventeen, one thousand and eighteen, one thousand and nineteen, one thousand and twenty-one, one thousand and twenty-two, one thousand and twenty-three, one thousand and twenty-four, one thousand and twenty-five, one thousand and thirty-three, one thousand and forty-three, one thousand and forty-seven, one thousand and forty-eight, one thousand and fifty-two, one thousand and sixty-five, one thousand and seventy-four, one thousand and ninety-three, one thousand and ninety-five, one thousand and ninety-eight, one thousand and ninety-nine, one thousand one hundred, one thousand one hundred and three, one thousand one hundred and four, one

thousand one hundred and thirteen, one thousand one hundred and fourteen, one thousand one hundred and fifteen, one thousand one hundred and seventeen, one thousand one hundred and twenty-one, one thousand one hundred and twenty-five, one thousand one hundred and twenty-six, one thousand one hundred and thirty-one, one thousand one hundred and forty-one, one thousand one hundred and forty-eight, one thousand one hundred and fifty, one thousand one hundred and fifty-one, one thousand one hundred and fifty-five, one thousand one hundred and fifty-eight, one thousand one hundred and fifty-nine, one thousand one hundred and sixty, one thousand one hundred and sixty-five, one thousand one hundred and seventy, one thousand one hundred and eighty-one, one thousand one hundred and eighty-five, one thousand one hundred and eighty-seven, one thousand one hundred and eighty-eight, one thousand two hundred, one thousand two hundred and seven, one thousand two hundred and thirty-eight, one thousand two hundred and seventy-three, one thousand two hundred and eighty-four, one thousand two hundred and eighty-five, one thousand two hundred and eighty-seven, one thousand two hundred and eighty-nine, one thousand three hundred and ten, one thousand three hundred and twenty-six, one thousand three hundred and thirty-five, one thousand three hundred and forty-six, one thousand three hundred and forty-nine, one thousand three hundred and fifty-four, one thousand three hundred and fifty-eight, one thousand three hundred and sixty-eight, one thousand three hundred and seventy, one thousand three hundred and seventy-three, one thousand three hundred and eighty-two, one thousand three hundred and eighty-three, one thousand three hundred and ninety-five, one thousand three hundred and ninety-six, one thousand four hundred and one, and one thousand four hundred and twenty-nine, of the Penal Code, and to add a new section thereto, to be known as section eight hundred and nine, to provide for prosecutions, and to adapt the provisions of said Code thereto—was resumed.

RECESS.

Pending the reading of the bill, the hour of one o'clock P. M. having arrived, the House took a recess until two o'clock P. M.

RE-ASSEMBLED.

House re-assembled at two o'clock P. M.

Speaker Cowdery in the chair.

At two o'clock and one minute P. M., Mr. Fraser moved to adjourn until Monday next at two o'clock P. M.

Lost.

Quorum present.

FIRST READING OF BILL.

The first reading of Senate Bill No. 39—An Act to amend sections six hundred and eighty-two, seven hundred and eighty-four, seven hundred and eighty-seven, seven hundred and eighty-eight, seven hundred and eighty-nine, seven hundred and ninety, seven hundred and ninety-two, eight hundred, eight hundred and one, eight hundred and two, eight hundred and six, eight hundred and eighty-eight, nine hundred and forty-nine, nine hundred and fifty, nine

hundred and fifty-one, nine hundred and fifty-three, nine hundred and fifty-four, nine hundred and fifty-five, nine hundred and fifty-seven, nine hundred and fifty-eight, nine hundred and fifty-nine, nine hundred and sixty, nine hundred and sixty-one, nine hundred and sixty-four, nine hundred and sixty-five, nine hundred and sixty-six, nine hundred and sixty-seven, nine hundred and sixty-eight, nine hundred and sixty-nine, nine hundred and seventy, nine hundred and seventy-one, nine hundred and seventy-two, nine hundred and seventy-six, nine hundred and seventy-seven, nine hundred and eighty-one, nine hundred and eighty-two, nine hundred and eighty-five, nine hundred and eighty-eight, nine hundred and eighty-nine, nine hundred and ninety, nine hundred and ninety-five, nine hundred and ninety-six, nine hundred and ninety-seven, nine hundred and ninety-eight, nine hundred and ninety-nine, one thousand and four, one thousand and five, one thousand and eight, one thousand and nine, one thousand and twelve, one thousand and sixteen, one thousand and seventeen, one thousand and eighteen, one thousand and nineteen, one thousand and twenty-one, one thousand and twenty-two, one thousand and twenty-three, one thousand and twenty-four, one thousand and twenty-five, one thousand and thirty-three, one thousand and forty-three, one thousand and forty-seven, one thousand and forty-eight, one thousand and fifty-two, one thousand and sixty-five, one thousand and seventy-four, one thousand and ninety-three, one thousand and ninety-five, one thousand and ninety-eight, one thousand and ninety-nine, one thousand one hundred, one thousand one hundred and three, one thousand one hundred and four, one thousand one hundred and thirteen, one thousand one hundred and fourteen, one thousand one hundred and fifteen, one thousand one hundred and seventeen, one thousand one hundred and twenty-one, one thousand one hundred and twenty-five, one thousand one hundred and twenty-six, one thousand one hundred and thirty-one, one thousand one hundred and forty-one, one thousand one hundred and forty-eight, one thousand one hundred and fifty, one thousand one hundred and fifty-one, one thousand one hundred and fifty-five, one thousand one hundred and fifty-eight, one thousand one hundred and fifty-nine, one thousand one hundred and sixty, one thousand one hundred and sixty-five, one thousand one hundred and seventy, one thousand one hundred and eighty-one, one thousand one hundred and eighty-five, one thousand one hundred and eighty-seven, one thousand one hundred and eighty-eight, one thousand two hundred, one thousand two hundred and seven, one thousand two hundred and thirty-eight, one thousand two hundred and seventy-three, one thousand two hundred and eighty-four, one thousand two hundred and eighty-five, one thousand two hundred and eighty-seven, one thousand two hundred and eighty-nine, one thousand three hundred and ten, one thousand three hundred and twenty-six, one thousand three hundred and thirty-five, one thousand three hundred and forty-six, one thousand three hundred and forty-nine, one thousand three hundred and fifty-four, one thousand three hundred and fifty-eight, one thousand three hundred and sixty-eight, one thousand three hundred and seventy, one thousand three hundred and seventy-three, one thousand three hundred and eighty-two, one thousand three hundred and eighty-three, one thousand three hundred and ninety-five, one thousand three hundred and ninety-six, one thousand four hundred and one, and one thousand four hundred and twenty-

nine, of the Penal Code, and to add a new section thereto, to be known as section eight hundred and nine, to provide for prosecutions, and to adapt the provisions of said Code thereto—resumed and completed, and the bill referred to the Judiciary Committee.

SENATE MESSAGE.

SENATE CHAMBER, SACRAMENTO, January 30th, 1880.

MR. SPEAKER: I am directed to inform your honorable body that the Senate, on this day, passed Senate Bill No. 32—An Act to amend sections seven hundred and twelve, seven hundred and twenty-eight, seven hundred and thirty-two, seven hundred and sixty, seven hundred and seventy-one, seven hundred and seventy-two, eight hundred and eighteen, eight hundred and twenty, eight hundred and fifty, eight hundred and ninety, nine hundred and thirty, one thousand one hundred and ninety-seven, one thousand three hundred and thirty, one thousand four hundred and sixty-six, one thousand four hundred and sixty-eight, one thousand four hundred and sixty-nine, one thousand five hundred and fifteen, one thousand five hundred and sixteen, and one thousand five hundred and fifty-six, of the Penal Code, providing for certain proceedings before the Superior Courts or the Judges thereof.

Senate Bill No. 34—An Act to amend sections eight hundred and seventy-two, eight hundred and seventy-five, and to repeal section eight hundred and seventy-four, of the Penal Code, relating to commitments of persons charged with crime.

Senate Bill No. 38—An Act to amend sections one thousand three hundred and five, one thousand three hundred and six, and one thousand three hundred and seven, of the Penal Code, relating to forfeiture of bail or money deposited in lieu of bail.

Senate Bill No. 93—An Act to amend section one hundred and thirty of the Code of Civil Procedure, relating to rules of Courts.

Senate Bill No. 109—An Act to amend sections three hundred and sixty-seven, three hundred and seventy-two, and three hundred and seventy-three, of the Code of Civil Procedure, relating to parties to civil actions.

Senate Bill No. 112—An Act to amend sections four hundred and seven and four hundred and twelve of the Code of Civil Procedure, relating to the manner of commencing civil actions.

Senate Bill No. 114—An Act to amend sections four hundred and eighty, four hundred and ninety-three, five hundred and twenty-five, five hundred and forty-eight, five hundred and fifty-four, five hundred and fifty-six, and five hundred and sixty-five, of the Code of Civil Procedure, relating to provisional remedies in civil actions.

Senate Bill No. 115—An Act to amend section five hundred and ninety-three of the Code of Civil Procedure, relating to entry of civil causes on Court calendars.

Senate Concurrent Resolution No. 9—Relative to appropriation by the General Government for dredging Humboldt Bay.

JOHN R. BRIERLY, Assistant Secretary.

CONSIDERATION OF SENATE MESSAGE.

Senate Bill No. 32—An Act to amend sections seven hundred and twelve, seven hundred and twenty-eight, seven hundred and thirty-two, seven hundred and sixty, seven hundred and seventy-one, seven hundred and seventy-two, eight hundred and eighteen, eight hundred and twenty, eight hundred and fifty, eight hundred and ninety, nine hundred and thirty, one thousand one hundred and ninety-seven, one thousand three hundred and thirty, one thousand four hundred and sixty-six, one thousand four hundred and sixty-eight, one thousand four hundred and sixty-nine, one thousand five hundred and fifteen, one thousand five hundred and sixteen, one thousand five hundred and fifty-six, of the Penal Code, providing for certain proceedings before the Superior Courts or the Judges thereof.

Read first time, and referred to the Judiciary Committee.

Senate Bill No. 34—An Act to amend sections eight hundred and seventy-two, eight hundred and seventy-five, and to repeal section eight hundred and seventy-four, of the Penal Code, relating to commitments of persons charged with crime.

Read first time, and referred to the Judiciary Committee.

Senate Bill No. 38—An Act to amend sections one thousand three

hundred and five, one thousand three hundred and six, and one thousand three hundred and seven, of the Penal Code, relating to forfeiture of bail or money deposited in lieu of bail.

Read first time, and referred to the Judiciary Committee

Senate Bill No. 93—An Act to amend section one hundred and thirty of the Code of Civil Procedure, relating to rules of Courts.

Read first time, and referred to the Judiciary Committee.

Senate Bill No. 109—An Act to amend sections three hundred and sixty-seven, three hundred and seventy-two, and three hundred and seventy-three, of the Code of Civil Procedure, relating to civil actions.

Read first time, and referred to the Judiciary Committee

Senate Bill No. 112—An Act to amend sections four hundred and seven and four hundred and twelve of the Code of Civil Procedure, relating to the manner of commencing civil actions.

Read first time, and referred to the Judiciary Committee.

Senate Bill No. 114—An Act to amend sections four hundred and eighty, four hundred and ninety-three, five hundred and twenty-five, five hundred and forty-eight, five hundred and fifty-four, five hundred and fifty-six, and five hundred and sixty-five, of the Code of Civil Procedure, relating to provisional remedies in civil actions.

Read first time, and referred to the Judiciary Committee.

Senate Bill No. 115—An Act to amend section five hundred and ninety-three of the Code of Civil Procedure, relating to entry of civil causes on Court calendar.

Read first time, and referred to the Judiciary Committee.

Senate Joint Resolution No. 9—Relative to an appropriation by the General Government for dredging Humboldt Bay.

Read first time, and referred to the Judiciary Committee.

FIRST READING OF BILLS.

Assembly Bill No. 84—An Act to provide for the organization of a Board of Railroad and Transportation Commissioners.

Read first time, and referred to the Committee on Corporations.

Assembly Joint Resolution No. 5—Relative to procuring an appropriation for the construction of a breakwater in the Harbor of San Luis Obispo.

Read first time, and referred to the Committee on Commerce and Navigation.

Assembly Bill No. 275—An Act to provide for the construction of a State Printing Office and State Armory.

Read first time, and referred to the Committee on Public Buildings and Grounds.

Assembly Bill No. 276—An Act for the repair and completion of the Governor's mansion.

Read first time, and referred to the Committee on Public Buildings and Grounds.

Assembly Bill No. 278—An Act to define the western boundary line of Lake County, adjoining Mendocino and Sonoma Counties.

Read first time.

Mr. Adams moved that the bill be rejected.

Lost.

The bill was then referred to the Committee on Counties and County Boundaries.

Assembly Bill No. 280—An Act to add a new section to the Civil Code, to be known as section four hundred and fifty-three, in relation to life insurance companies.

Read first time, and referred to the Committee on Corporations.

Senate Concurrent Resolution No. 9—Relative to an appropriation by the General Government for dredging Humboldt Bay.

Taken up.

Mr. May moved to amend so as to read as follows: "That our Senators be instructed and our Representatives in Congress requested."

Adopted, and the resolution adopted as amended.

SECOND READING OF BILLS.

Assembly Bill No. 203—An Act to provide for the taking of appeals from judgments or orders given or made in the Courts abolished by the Constitution.

The title amended as recommended by the committee.

Bill amended as recommended by the committee, and read second time.

Assembly Bill No. 71—An Act to amend section two hundred and forty-three of the Penal Code, relative to battery.

Read second time.

The question being, "Shall this bill receive a third reading?" upon a vote of the House, the result was declared in the negative, and the bill rejected.

Assembly Bill No. 73—An Act entitled an Act to define and limit the right of land owners in the State of California.

Read second time.

The question being, "Shall this bill be read a third time?" the House refused a third reading to the bill.

Assembly Bill No. 197—An Act to amend an Act entitled an Act to amend an Act in relation to the county government of the County of Sacramento, approved March thirtieth, eighteen hundred and seventy-four, approved March sixteenth, eighteen hundred and seventy-eight.

Read second time, and ordered to third reading.

Assembly Bill No. 114—An Act making appropriations for the better protection of the flags of California troops of the late war, now in the State Capitol, and to provide better security for the State property stored in the State Armory.

Read second time.

The substitute recommended by the committee rejected.

The bill was re-referred to the Committee on Military Affairs.

Assembly Bill No. 228—An Act to repeal an Act entitled an Act in relation to the office of Court Commissioner of San Joaquin County, approved March twelfth, eighteen hundred and seventy.

Read second time, and ordered to third reading.

Assembly Bill No. 138—An Act to protect the owners of mines and mining property, or persons interested in the ownership of such property, in the full enjoyment of their rights of ownership.

Withdrawn by the author.

Assembly Bill No. 137—An Act to repeal an Act entitled an Act to regulate the practice of medicine in the State of California.

Read second time, and ordered to third reading.

Assembly Bill No. 220—An Act prohibiting public officials from entering into any contract on the part of the public, covering a longer period of time than their term of office.

Read second time, and ordered to third reading.

Assembly Bill No. 97—An Act to prohibit the sale of intoxicating liquors in the State Capitol building.

Amended as recommended by the committee.

Read second time, and ordered to third reading.

Assembly Bill No. 96—An Act to preserve the public morals and prevent the spread of vice.

Withdrawn by the author.

Assembly Bill No 78—An Act entitled an Act to punish and prevent crime, and secure to the State of California a better standard of morality.

Read second time.

The question being, "Shall this bill be rejected," the House rejected the bill.

Assembly Bill No. 99—An Act to amend sections five hundred and ninety-six and six hundred and thirty-three of the Political Code.

Read second time.

Title amended as recommended by committee, and bill ordered to third reading.

Assembly Bill No. 189—An Act to compel banks, savings and loan societies, and all and every kind of person or persons, or corporation, receiving moneys or other valuable property on deposit, or for safe-keeping, to record and publish such deposits of deceased persons.

Withdrawn by the author.

At five o'clock and forty minutes P. M., Mr. Burns moved to adjourn.

Lost.

Assembly Bill No. 72—An Act to fix the official bonds of certain public officers in cities containing more than one hundred thousand inhabitants.

The committee recommended adoption of substitute.

Substitute adopted.

The bill read second time, and ordered to third reading.

Mr. Braunhart moved the suspension of the rules to consider a resolution.

Lost

Assembly Bill No. 107—An Act entitled an Act to compel the officers of stock companies to sell to the highest bidder, at public auction, the delinquent shares of stock when so advertised by them for sale.

Withdrawn by the author.

ADJOURNMENT.

At five o'clock and fifty minutes P. M , on the motion of Mr. Gaffey, the House adjourned.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Monday, February 2d, 1880.

The House met pursuant to adjournment.
Speaker Cowdery in the chair.
Roll called, and a quorum present.
Prayer by the Chaplain.

READING AND APPROVAL OF THE JOURNAL.

Mr. Gaffey moved that further reading of the Journal of Saturday be dispensed with.

The Journal of Friday approved.

One day's leave of absence granted to Mr. Felton.

Two days' leave of absence granted to Mr. Mulholland on account of sickness.

REPORT FROM THE SPEAKER.

The Speaker stated that, acting under the order of the Assembly, made on Monday, the twenty-sixth day of January, he had caused the Journal to be corrected; that the Journals are correctly written to, and including, January fourteenth; that the Journals since said fourteenth do not correctly show the proceedings of the Assembly and the business before it; that the following corrections should be made, and when made the Journal will be correct, viz.:

Commencing on line thirty-six, page one hundred and fifty-one, insert after the word "Congressmen" the words "read first time and."

In line two, page one hundred and fifty-three, insert after the words "Assembly Bill No. 29," the words "An Act to continue in force school teachers' certificates, State educational diplomas, and life diplomas"

Also, commencing in line twenty-two, page one hundred and sixty-nine, insert after the words "Assembly Bill No. 23," the words "An Act entitled an Act to amend section one thousand four hundred and fifty-two of the Code of Civil Procedure."

Commencing in line twenty-four, page one hundred and sixty-nine, after the words "Assembly Bill No. 26," insert "An Act to amend section one thousand one hundred and eleven of the Penal Code, relating to the testimony of an accomplice."

On line twenty-six, page one hundred and sixty-nine, after the words "Assembly Bill No. 93," insert the words "An Act in relation to certain deputies and assistants of County Clerks."

On line eighteen, page one hundred and seventy-three, after the word "California," insert the words "read first time."

On line twenty-eight, page one hundred and eighty-two, after the words "Assembly Bill No. 22," insert the words "An Act to provide for the receipt and appropriation of donations to the State or counties therein."

On line thirty-six, page one hundred and eighty-two, insert after the words "Assembly Bill No. 28," the words "An Act to amend an Act entitled an Act to amend section two hundred and ninety-nine

of the Civil Code of California, as approved March twenty-second, eighteen hundred and seventy-eight."

On line thirty-seven, page one hundred and eighty-two, after the words "Assembly Bill No. 30," insert the words "An Act to repeal section one thousand two hundred and twenty-two of the Code of Civil Procedure, relating to judgments and orders in cases of contempt."

On line thirty-eight, page one hundred and eighty-two, after the words "Assembly Bill No. 31," insert the words "An Act to amend sections one thousand four hundred and eighteen and one thousand four hundred and nineteen of an Act entitled an Act to establish a Penal Code, approved February fourteenth, eighteen hundred and seventy-two, relating to reprieves, commutations, and pardons."

On line one, page one hundred and eighty-three, after the words "Assembly Bill No. 32," insert the words "An Act to amend sections seven hundred and thirty-seven, seven hundred and forty-six, seven hundred and forty-nine, and seven hundred and fifty-three, of an Act entitled an Act to establish a Penal Code, approved February fourteenth, eighteen hundred and seventy-two, relating to impeachments."

On line two, page one hundred and eighty-three, after the words "Assembly Bill No. 34," insert the words "An Act to amend an Act entitled an Act to define the Senatorial and Assembly Districts of the State, and to apportion the representation thereof, approved March sixteenth, eighteen hundred and seventy-four."

On line twenty-six, page one hundred and eighty-nine, after the words "Assembly Joint Resolution," insert the words, "relative to the protection of the commercial interests of the Pacific Coast."

On line twenty-eight, page one hundred and eighty-nine, after the words "Assembly Bill No. 53," insert the words "An Act to amend section two thousand one hundred and seventy of an Act entitled an Act to establish a Civil Code, approved March twenty-first, eighteen hundred and seventy-two, relating to common carriers."

On line twenty-nine, page one hundred and eighty-nine, after the words "Assembly Bill No. 54," insert the words "An Act to amend sections three hundred and ten and three hundred and eleven of an Act entitled an Act to establish a Political Code, approved March twelfth, eighteen hundred and seventy-two, relating to the enactment of statutes."

On line thirty-four, page one hundred and eighty-nine, after the words "Assembly Bill No. 55," insert the words "An Act to amend sections two hundred and thirty-five and two hundred and sixty-six of an Act entitled an Act to establish a Political Code, approved March twelfth, eighteen hundred and seventy-two, relating to the meeting of the Legislature and the compensation of its members."

On line eighteen, page one hundred and ninety, after the words "Assembly Bill No. 45," insert the words "An Act to amend sections three thousand four hundred and fifteen, three thousand four hundred and sixty-six, three thousand four hundred and ninety-five, three thousand five hundred, and three thousand five hundred and forty-eight, of an Act entitled an Act to establish a Political Code, approved March twelfth, eighteen hundred and seventy-two, relating to the public lands of this State."

On line twenty, page one hundred and ninety, after the words "Assembly Bill No. 50," insert the words "An Act to add a new section

to be known as section seven hundred and ninety-six, of an Act entitled an Act to establish a Penal Code, approved February fourteenth, eighteen hundred and seventy-two, relating to the local jurisdiction of prosecutions for libel."

On line twenty-one (on margin), page one hundred and ninety, after the words "Assembly Bill No. 51," insert the words "An Act to repeal sections forty-one, fifty-four, fifty-five, fifty-six, fifty-seven, fifty-eight, fifty-nine, sixty, sixty-one, sixty-two, sixty-three, sixty-four, sixty-five, sixty-six, sixty-seven, sixty-eight, sixty-nine, seventy, seventy-one, seventy-two, seventy-three, seventy-four, seventy-five, seventy-six, seventy-seven, seventy-eight, eighty-seven, eighty-eight, ninety-four, ninety-five, ninety-six, ninety-seven, ninety-eight, ninety-nine, one hundred, one hundred and four, one hundred and five, one hundred and six, one hundred and seven, one hundred and eight, one hundred and nine, one hundred and ten, one hundred and thirty-nine, one hundred and forty, one hundred and fifty-nine, one hundred and sixty, one hundred and sixty-seven, one hundred and eighty-eight, two hundred and eleven, nine hundred and sixty-six, nine hundred and sixty-nine, one thousand and fifty-six, one thousand three hundred and seventy-two, and one thousand four hundred and six, of an Act entitled an Act to establish a Code of Civil Procedure, approved March eleventh, eighteen hundred and seventy-two."

On line twenty-four, page one hundred and ninety, after the words "Assembly Bill No. 52" insert the words "An Act to amend sections three thousand four hundred and ninety-one and three thousand four hundred and ninety-two of an Act entitled an Act to establish a Civil Code, approved March twenty-first, eighteen hundred and seventy-two, relating to public nuisances."

On line thirty-nine, page one hundred and ninety-eight, insert after heading "Introduction and first reading of bills," the words "The following bills were introduced, each read first time, and referred."

On line eighteen, page two hundred and one, after the words "Assembly Concurrent Resolution by Mr. Carr of Yuba," insert the words "Read first time"

On margin of page two hundred and two, insert after "Assembly Bill No. 6," the words "An Act to transfer the records, papers, and business of the Courts existing on the thirty-first day of December, eighteen hundred and seventy-nine, in this State, to the Courts now existing therein."

On margin of page two hundred and two, after "Assembly Bill No. 8," insert the words "An Act to amend sections two hundred and seventy-five, two hundred and seventy-six, and two hundred and eighty-seven, of an Act entitled an Act to establish a Code of Civil Procedure, approved March eleventh, eighteen hundred and seventy-two, relating to attorneys and counselors at law."

On line thirty-three, page two hundred and three, after the word "rejected," insert the words "The bill read third time."

On line seventeen, page two hundred and five, after "Senate Bill No 83," insert the words "An Act to authorize the Controller and Treasurer of State to transfer certain funds"

On line eleven, page two hundred and eight, after the heading "Introduction and first reading of bills," in a new line, insert the words, "The following bills were introduced, read first time, and referred as stated below."

On line twelve, page two hundred and eleven, after "Assembly

Bill No. 46," insert the words "An Act to amend sections three thousand nine hundred and seventy-seven, three thousand nine hundred and seventy-nine, three thousand nine hundred and eighty-one, and three thousand nine hundred and eighty-four, and to repeal section three thousand nine hundred and seventy-eight, of an Act entitled an Act to establish a Political Code, approved March twelfth, eighteen hundred and seventy-two, relating to the removal of county seats."

On line sixteen, page two hundred and eleven, after the words "Assembly Bill No. 42," insert the words "An Act to confer upon the Superior Court of each county, and the Judges thereof, the powers heretofore possessed by the District, County, and Probate Courts of such county, and the Judges thereof."

On line twenty-six, page two hundred and eleven, after the words "Assembly Bill No. 43," insert the words "An Act to amend sections one thousand one hundred and eighty and one thousand one hundred and eighty-one of an Act entitled an Act to establish a Civil Code, approved March twenty-first, eighteen hundred and seventy-two, relating to the proof and acknowledgment of instruments."

On line margin of page two hundred and twelve, after the words "Assembly Bill No. 37," insert the words "An Act to amend sections four hundred and seventy-four, six hundred and one, seven hundred and ninety-nine, nine hundred and nine, nine hundred and fifty, one thousand and fifteen, one thousand one hundred and eight, one thousand one hundred and nine, one thousand two hundred and eighty-four, one thousand three hundred and ten, two thousand two hundred and forty, two thousand three hundred and ninety-two, two thousand three hundred and ninety-three, two thousand four hundred and seven, two thousand four hundred and eight, two thousand four hundred and ten, two thousand four hundred and thirteen, two thousand four hundred and fifteen, two thousand eight hundred, two thousand eight hundred and fifty-two, three thousand two hundred and eighty-five, three thousand four hundred and ninety, four thousand and forty-seven, four thousand and seventy-eight, four thousand one hundred and thirty-four, four thousand one hundred and sixty-five, four thousand one hundred and ninety-two, and four thousand two hundred and twenty-one, of an Act entitled an Act to establish a Political Code, approved March twelfth, eighteen hundred and seventy-two, conferring upon the Superior Courts, their Judges or officers, the jurisdiction and authority heretofore exercised in certain cases by the Courts abolished by the new Constitution, their Judges or officers."

On line ten, page two hundred and twelve, after the words, "Assembly Bill No. 95," insert the words "An Act entitled an Act to repeal an Act entitled an Act relative to executions from Courts of Justices of the Peace of the several townships of the County of Alameda."

On line twenty, page two hundred and nineteen, after the words "Senate Bill No. 83," insert the words "An Act to authorize the Controller and Treasurer of State to transfer certain funds."

On line eleven, page two hundred and forty-four, after the heading "Introduction and first reading of bills," insert the words, "The following bills were introduced, read first time, and referred."

On line twelve, page two hundred and twenty-six, after the words "Assembly Bill No. 48," insert the words "An Act to amend an Act

entitled an Act relating to mutual, beneficial, and relief associations, approved March twenty-eighth, eighteen hundred and seventy-four."

On line one, page ——, after the words "Assembly Bill No. 44," insert the words "An Act to amend sections three hundred and twelve, three hundred and fifteen, three hundred and twenty-two, three hundred and twenty-three, three hundred and twenty-six, three hundred and fifty-nine, and four hundred and fifteen, and to add a new section, to be known as section four hundred and four, of an Act entitled an Act to establish a Civil Code, approved March twenty-first, eighteen hundred and seventy-two, relating to corporations."

On line twenty, page two hundred and twenty-six, after the words "Assembly Bill No. 57," insert the words "An Act to repeal an Act entitled an Act to compel the County Clerk of the City and County of San Francisco to keep open his office upon all election days, approved March seventh, eighteen hundred and seventy-six."

On line twenty, page two hundred and twenty-nine, after the words "Assembly Bill No. 6," insert the words "An Act to transfer the records, papers, and business of the Courts existing on the thirty-first day of December, eighteen hundred and seventy-nine, in this State, to the Courts now existing therein.

Also, commencing in line thirty-two, page two hundred and thirty-six, after the words "Assembly Bill No 8," insert the words "An Act to amend sections two hundred and seventy-five, two hundred and seventy-six, and two hundred and eighty-seven, of an Act entitled an Act to establish a Code of Civil Procedure, approved March eleventh, eighteen hundred and seventy-two, relating to attorneys and counselors at law."

On line one, page two hundred and thirty-eight, after the words "Assembly Bill No. 22," insert the words "An Act to provide for the receipt and appropriation of donations to the State or counties therein."

PETITION.

By Mr. Braunhart—A petition from the Pharmaceutical Society and College of Pharmacy of San Francisco, indorsing the bill introduced by Hon. S. Braunhart, relating to paying percentages to druggists by physicians.

Referred to the Committee on Ways and Means.

REPORT OF STANDING COMMITTEE.

By Mr. Finlayson.

MR SPEAKER: Your Committee on Commerce and Navigation, to whom was referred Assembly Joint Resolution No. 5—Relative to procuring an appropriation for the construction of a breakwater in the Harbor of San Luis Obispo—have favorably considered the same, and recommend its passage.

FINLAYSON, Chairman.

INTRODUCTION OF BILLS.

The following bills were introduced, and ordered printed:

By Mr. May—An Act to amend an Act entitled an Act creating a Board of Bank Commissioners, and prescribing their duties and powers, approved March thirtieth, A. D. eighteen hundred and seventy-eight.

By Mr Bass—An Act to amend section four hundred and eighty-seven of the Penal Code.

By Mr. Hardy—An Act to amend sections three hundred and sixty-three, three hundred and seventy-two, and three hundred and seventy-three, of the Code of Civil Procedure of California, relating to parties to civil actions.

By Mr. Carr of Yuba—An Act to amend section one thousand eight hundred and fifty-eight of the Political Code, relating to the apportionment of State and county school moneys

By Mr. Streeter—An Act for the better protection of fruit trees and vines.

By Mr. Durham—An Act to provide for the planting of native trees and shrubs in the State Capitol grounds.

By Mr. Adams—An Act to authorize the formation of water-works companies in towns and villages containing less than five thousand population.

FIRST READING AND REFERENCE OF BILLS.

Assembly Bill No. 273—An Act to amend sections one thousand two hundred and seventy-three, one thousand two hundred and seventy-eight, one thousand two hundred and eighty, one thousand two hundred and eighty-seven, one thousand two hundred and eighty-eight, one thousand three hundred and five, one thousand three hundred and six, and one thousand three hundred and seven, of the Penal Code, relative to miscellaneous proceedings.

Read first time, and referred to the Judiciary Committee

Assembly Bill No. 274—An Act to authorize and empower the Boards of Supervisors of the several counties of this State to allow certain outstanding road claims, and provide for their payment.

Read first time, and referred to the Committee on County Governments and Municipal Corporations.

Assembly Bill No. 277—An Act making appropriation for deficiency in the appropriation for the permanent improvement of the State Capitol building.

Read first time, and referred to the Committee on Public Buildings and Grounds.

Assembly Bill No. 279—An Act to declare the Mokelumne River navigable.

Read first time, and referred to the Committee on Commerce and Navigation.

Assembly Bill No. 282—An Act to amend section one thousand and twenty-seven of the Political Code.

Read first time, and referred to the Committee on Judiciary.

Assembly Bill No. 288—An Act to appropriate money for the payment of the deficiency in the appropriation for the support of the State Printing Office for the thirtieth fiscal year.

Read first time, and referred to the Committee on Public Printing

Assembly Bill No. 289—An Act to appropriate money for the payment of the deficiency in the appropriation for the support of the State Printing Office, for the twenty-ninth fiscal year

Read first time, and referred to the Committee on Public Printing.

Assembly Bill No. 291—An Act to repeal an Act entitled an Act to regulate the assessment of migratory herds and bands of live stock, and to provide for an equitable distribution of the taxes derived therefrom, approved March sixteenth, eighteen hundred and seventy-four.

Read first time, and referred to Committee on Ways and Means.

Assembly Bill No. 292—An Act to amend section fourteen of the Civil Code, defining certain terms used in said Code.

Read first time, and referred to the Judiciary Committee.

Assembly Bill No. 295—An Act to repeal an Act concerning the assessment of animals, approved March thirtieth, eighteen hundred and seventy-two.

Read first time, and referred to the Committee on Ways and Means.

Assembly Bill No. 296—An Act for the relief of W. S. Safford.

Read first time, and referred to the Committee on Claims.

Assembly Bill No. 287—An Act to authorize County Boards of Supervisors to establish and regulate the price of water supplied to placer and hydraulic mines.

Read first time, and referred to the Committee on Water Rights and Drainage.

Assembly Bill No. 285—An Act to amend sections two thousand six hundred and fifty-seven, two thousand six hundred and fifty-nine, two thousand six hundred and sixty, and two thousand six hundred and sixty-one, of the Political Code.

Read first time, and referred to the Committee on Roads and Highways.

Indefinite leave of absence was granted to Mr. Chandler on account of sickness in his family.

Assembly Bill No 300—An Act to amend section one thousand seven hundred and twenty-six of an Act entitled an Act to establish a Code of Civil Procedure, approved March eleventh, eighteen hundred and seventy-two, relating to the duties of Public Administrators, and defining what estates to be administered by them.

Read first time, and referred to the Judiciary Committee.

SENATE MESSAGE.

SENATE CHAMBER, SACRAMENTO, January 31st, 1880.

MR. SPEAKER I am directed to inform your honorable body that the Senate, on January thirtieth, eighteen hundred and eighty, passed Senate Bill No. 116—An Act to amend sections six hundred and thirteen, six hundred and seventeen, and six hundred and eighteen, of the Code of Civil Procedure, relating to trials by jury in civil actions

Senate Bill No. 117—An Act to repeal section six hundred and sixty-three of the Code of Civil Procedure.

Senate Bill No. 124—An Act to amend sections seven hundred and fourteen and seven hundred and fifteen of the Code of Civil Procedure, relating to proceedings supplementary to execution.

Senate Bill No 125—An Act to amend sections seven hundred and forty-two, seven hundred and fifty-five, seven hundred and ninety-four, eight hundred and two, eight hundred and four, eight hundred and sixteen, and eight hundred and twenty-six, of the Code of Civil Procedure, relating to actions in particular cases

Senate Bill No. 133—An Act to repeal an Act entitled an Act to provide for the extermination of squirrels in certain counties, approved March thirtieth, eighteen hundred and seventy-eight.

BRIERLY, Assistant Secretary.

CONSIDERATION OF SENATE MESSAGE.

Senate Bill No. 116—An Act to amend sections six hundred and thirteen, six hundred and seventeen, and six hundred and eighteen, of the Code of Civil Procedure, relating to trials by jury in civil actions.

Read first time, and referred to the Judiciary Committee.

Senate Bill No. 117—An Act to repeal section six hundred and sixty-three of the Code of Civil Procedure.

Read first time, and referred to the Committee on Judiciary.

Senate Bill No. 124—An Act to amend sections seven hundred and fourteen and seven hundred and fifteen of the Code of Civil Procedure, relating to proceedings supplementary to execution.

Read first time, and referred to the Judiciary Committee.

Senate Bill No. 125—An Act to amend sections seven hundred and forty-two, seven hundred and fifty-five, seven hundred and ninety-four, eight hundred and two, eight hundred and four, eight hundred and sixteen, and eight hundred and twenty-six, of the Code of Civil Procedure, relating to actions in particular cases

Read first time, and referred to the Judiciary Committee.

Senate Bill No. 133—An Act to repeal an Act entitled an Act to provide for the extermination of squirrels in certain counties, approved March thirtieth, eighteen hundred and seventy-eight.

Read first time, and referred to the Committee on Agriculture.

SECOND READING OF BILLS.

Assembly Bill No. 242—An Act to repeal an Act entitled an Act to ratify and confirm the acts of the Mayor and Common Council of the City of San José, approved March fourth, eighteen hundred and seventy-eight

Read second time, and ordered to third reading.

Assembly Bill No. 102—An Act relating to the appointment of aliens to positions under State, county, city and county, city or town officials.

Read second time, and ordered to third reading.

Assembly Bill No. 88—An Act relating to pledges made before political conventions.

Read second time.

Mr. Maybell moved to amend by striking out from section one, all after the word "measures," down to and including the word "salary;" also to strike out the words "return such portion of salary according," and insert instead the word "keep."

Mr. Finlayson moved to strike out the enacting clause of the bill.

Upon which the ayes and noes were demanded by Messrs. Braunhart, Maybell, and McCallion.

The question being, "Shall the enacting clause of this bill be stricken out?" the roll was called, and the result declared in the affirmative by the following vote:

AYES—Messrs. Adams, Bass, Bennett, Brown of Sonoma, Brown of Yuba, Camron, Carr of Yuba, Chamberlain, Coleman, Cook, Cooper, Del Valle, Downs, Durham, Felton, Finlayson, Fox, Fraser, Gorley, Green, Hardy, Hershey, Hartson, Josselyn, Lane, Mathews, McComas, McIntosh, Messenger, Morse Sherburne, Stanley, Stoddard, Streeter, Sweetland, Tyler, Ward, Wason of Ventura, Wasson of Mono, York, Young, and Mr. Speaker—42.

NOES—Messrs. Anthony, Braunhart, Burns, Carr of Sacramento, Coffman, Cuthbert, Garibaldi, Gaffey, May, Maybell, McCallion, McCarty of Lake, McCarthy of San Francisco, Sayle, and Wattson—15

And the bill declared rejected.

RECESS.

The hour of one o'clock P. M. having arrived, the House took a recess until two o'clock P. M.

RE-ASSEMBLED

House re-assembled at two o'clock P. M
Speaker Cowdery in the chair
Quorum present.

SECOND READING OF BILLS—RESUMED.

Assembly Bill No. 86—An Act to amend sections thirty-three, thirty-four, thirty-six, forty, forty-one, forty-three, forty-four, forty-five, forty-six, forty-seven, forty-nine, fifty, fifty-four, fifty-five, fifty-six, fifty-seven, sixty, one hundred and twelve, one hundred and thirteen, one hundred and fourteen, one hundred and fifteen, one hundred and sixteen, one hundred and eighteen, and one hundred and twenty-one, and to add four new sections to the Code of Civil Procedure, to be numbered sections fifty-one, fifty-two, fifty-three, and sixty-two, and to repeal sections eighty to ninety inclusive, and one hundred and seventeen, in the Code of Civil Procedure, in relation to the establishment of Courts of justice in the State of California, and defining their jurisdiction.

Withdrawn.

One day's leave of absence was granted to Mr. Picket

Assembly Bill No. 63—An Act to amend sections two hundred and fourteen, two hundred and fifteen, two hundred and sixteen, and two hundred and eighteen, of an Act entitled an Act to establish a Code of Civil Procedure, approved March eleventh, eighteen hundred and seventy-two, and the amendments thereof and supplementary thereto, relating to the time and manner of drawing jurors for Courts of record.

Substitute recommended by the committee adopted.

The bill, as amended, read second time, and ordered to third reading.

Assembly Bill No. 122—An Act to prevent the sale and use of opium.

Mr. May moved to refer the bill to the Committee on Hospitals.

Lost.

Mr. Felton moved to strike out the first section of the bill.

Adopted.

Mr. Tyler moved the reference of the bill to the Judiciary Committee.

Carried.

MOTIONS AND RESOLUTIONS.

By Mr. Finlayson—Assembly Joint Resolution, relative to the procuring of a quarantine depot.

Read first time, and referred to Committee on Commerce and Navigation.

By Mr. May:

Resolved, That the Committee on Corporations be instructed to report to this House, whether or not the Bank Commissioners of this State have complied with the law in making a report of the business of their office, during the first week of the session.

Adopted.

By Mr. Fox:

Resolved, That the Judiciary Committee be and they are hereby authorized to appoint an additional Clerk, at a salary of six dollars per day, to be paid out of the fund for the contingent expenses of the Assembly

Rules suspended, and the resolution adopted by a two-thirds vote.
By Mr. Downs:

Resolved, That the Committee on Water Rights and Drainage be authorized to employ a Clerk, at a per diem of five dollars, payable out of the Contingent Fund of the Assembly.

Referred to the Committee on Attachés and Employés.
By Mr. Carr of Yuba (pursuant to notice):

Resolved, That Standing Rule Sixty-six of the Assembly be changed so as to read as follows: "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 Six relating to third reading of bills."

Upon which the ayes and noes were demanded by Messrs. Carr of Yuba, Braunhart, and McCarty.

The roll was called, and the resolution was, by the Speaker, declared lost by the following vote:

AYES—Messrs. Adams, Anthony, Bass, Braunhart, Brooks, Brown of Sonoma, Brown of Yuba, Burns, Carr of Sacramento, Carr of Yuba, Chamberlain, Coleman, Cook, Cooper, Corcoran, Cuthbert, Del Valle, Durham, Estey, Fraser, Garibaldi, Gaffey, Green, Harris, Hershey, Josselyn, Lane, Leach, Mathews, Maybell, McCallion, McCarty of Lake, McCarthy of San Francisco, McComas, McIntosh, Messenger, Morse, Stanley, Stoddard, Streeter, Sweetland, Walker, Wason of Ventura, Wattson, and York—45

NOES—Messrs Downs, Felton, Finlayson, Fox, Gorley, Hartson, May, Merry, Nelson, Sherburne, Tyler, Ward, Wasson of Mono, Young, and Mr. Speaker—15.

The Speaker deciding that it required two-thirds of the House to decide the question in the affirmative, Mr. Braunhart appealed from the decision of the Speaker.

The question being, "Shall the decision of the Speaker stand as the decision of the House?" and the ayes and noes being demanded by the requisite number, the roll was called, and the question declared in the affirmative by the following vote:

AYES—Messrs. Adams, Anthony, Bass, Bennett, Brooks, Brown of Yuba, Camron, Carr of Sacramento, Chamberlain, Coleman, Cook, Cooper, Cuthbert, Dimond, Downs, Durham, Estey, Felton, Finlayson, Fox, Fraser, Gorley, Hardy, Hershey, Hartson, Leach, Mathews, May, McCallion, McCarthy of San Francisco, McComas, McIntosh, Merry, Messenger, Morse, Nelson, Sherburne, Stanley, Stoddard, Streeter, Sweetland, Tyler, Walker, Ward, Wasson of Mono, York, and Young—47.

NOES—Messrs. Braunhart, Burns, Carr of Yuba, Corcoran, Del Valle, Garibaldi, Gaffey, Green, Josselyn, Lane, Maybell, McCarty of Lake, and Wason of Ventura—13

By Mr. Tyler—Assembly Joint Resolution:

WHEREAS, The President of the United States did, some time ago, nominate for the position of Collector of the Port of San Francisco, John M. Morton, a son of that grand old war Governor of Indiana, the late Oliver P. Morton, who so materially aided the Government in its efforts to crush the rebellion in eighteen hundred and sixty-one; and whereas, most of the Senators and Representatives of California have seen fit to oppose the confirmation of said John M Morton, upon the ground, as stated in the dispatches, that he is a carpet-bagger in California (he having resided here only some seven years), and not because he lacks either ability or integrity; and whereas, a majority of the committee of the United States Senate have, after the fullest investigation, reported in favor of his confirmation, and yet one of our Senators has asked the Senate to postpone the consideration of the confirmation to a future day, with the evident intention of opposing his confirmation on the floor of the Senate, therefore,

Resolved by the House, the Senate concurring, That the reason given for opposing the confirmation of John M. Morton as Collector of the Port of San Francisco is neither sound nor statesmanlike

Resolved, That our Senators in Congress be instructed, and our Representatives requested, to withdraw all opposition to his confirmation, without they can assign more valid reasons than those already assigned for their opposition.

Resolved, That the Secretary of State cause a copy of these resolutions to be sent to each of our Senators and Representatives in Congress.

Mr. Gorley moved that the resolutions be laid on the table
So ordered.
By Mr. Felton:

Resolved, That the Committee on Mileage are hereby instructed to report the amount due to committees and their clerks while traveling, at a rate not exceeding ten cents per mile.

Adopted.
By Mr. Young:

MR SPEAKER I move to amend Rule Forty-five as follows: "When a question is under debate or before the House, no motion shall be received but to adjourn, to lay on the table, to postpone to a day certain, to commit or amend, for the previous question, to postpone indefinitely, which several motions shall have precedence in the order in which they are named, but the first two and the previous question shall be decided without debate, except when the measure under consideration is reported from a committee, the member reporting the measure shall be allowed to close the debate, notwithstanding the pendency of the previous question, and no motion to postpone to a day certain, to commit or postpone indefinitely being decided, shall again be allowed on the same day and at the same stage of the proceedings."

Mr. Fox moved that the motion lie on the table for one day, and be printed.
Carried.
By Mr. Maybell—Assembly Joint Resolution, relative to amending the National Constitution so as to prohibit the second re-election of any citizen to the office of President of the United States.
Referred to the Committee on Federal Relations.
By Mr. Hardy:

Resolved, That the Select Committee of the Assembly, heretofore appointed to inquire into the recent landing of passengers infected with small-pox, from the steamship "City of Peking," at the Port of San Francisco, be instructed and empowered to proceed to San Francisco and there investigate said matter, and that the members of said committee be allowed a mileage not to exceed ten cents per mile.

Mr. Tyler moved to amend by striking out "instructed" and insert instead the words "be requested."
Lost.
Mr. Burns moved that the committee referred to in above resolution be discharged.
So ordered, and the resolution withdrawn.
By Mr. Corcoran:

Resolved, That the Committee on Irrigation be authorized to employ a Clerk at a per diem of five dollars, to be paid out of the Contingent Fund of the Assembly.

Referred to the Committee on Attachés and Employés.
Mr. Tyler moved that the members of all traveling committees be allowed five cents per mile mileage.
Mr. McComas moved to lay on the table.
Lost.
Mr. Fox moved the indefinite postponement of the motion
Carried.
On motion of Mr. Fox, Senate Bill No. 56—An Act to amend section seven hundred and fifty-one of the Political Code, relative to Deputy Clerks of the Supreme Court—was taken up.
Mr. Gaffey moved that the House go into Committee of the Whole for the purpose of considering the bill.
So ordered.

The House went into Committee of the Whole, with Mr. Fraser in the chair.

The Committee arose and reported the bill back as amended, and recommended the passage of the bill as amended.

IN ASSEMBLY.

Speaker Cowdery in the chair.

The Committee of the Whole reported the bill back as amended, recommending its passage as amended.

The amendment recommended by the Committee of the Whole adopted.

The bill was read the third time, and ordered printed.

Title amended, and approved as amended.

GENERAL FILE.

Assembly Bill No. 15—An Act to amend sections thirty-three, thirty-four, thirty-five, thirty-six, forty, forty-three, forty-four, forty-six, forty-seven, forty-eight, forty-nine, fifty, fifty-one, eighty-two, eighty-three, eighty-four, eighty-five, eighty-six, eighty-nine, ninety, one hundred and twelve, one hundred and thirteen, one hundred and fourteen, one hundred and fifteen, one hundred and eighteen, one hundred and thirty, one hundred and thirty-four, one hundred and forty-four, one hundred and fifty-six, one hundred and fifty-seven, one hundred and fifty-eight, one hundred and sixty-one, one hundred and sixty-six, one hundred and seventy-two, one hundred and seventy-three, one hundred and seventy-nine, one hundred and eighty-four, one hundred and eighty-five, two hundred and fifty-eight, two hundred and fifty-nine, two hundred and sixty-five, two hundred and sixty-six, two hundred and seventy-three, and nine hundred and eighteen, of an Act entitled "An Act to establish a Code of Civil Procedure," approved March eleventh, eighteen hundred and seventy-two, relating to Courts of justice and judicial officers.

Taken up and considered.

Mr. Morse moved to amend by inserting the words "except those arising in Justices' Court."

Lost.

Mr. Corcoran moved to insert a proviso, as follows: "*Provided*, that those elected in eighteen hundred and seventy-nine shall hold for one year only."

Mr. Messenger moved to strike out "four years," and insert "two years."

Lost.

The question recurring upon the motion to insert a proviso by Mr. Corcoran, the motion was lost.

The bill read the third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs Adams, Anthony, Bennett, Braunhart, Brooks, Brown of Sonoma, Brown of Yuba, Burns, Camron, Carr of Sacramento, Carr of Yuba, Chamberlain, Coffman, Coleman, Cook, Cooper, Corcoran, Cuthbert, Del Valle, Dimond, Downs, DuBrutz, Durham, Estey, Felton, Finlayson, Fox, Fraser, Garibaldi, Gaffey, Gorley, Green, Hardy, Harris, Hershey, Hartson, Josselyn, Lane, Leach, Mathews, May, Maybell, McCallion, McCarty of Lake, McCarthy of San Francisco, McComas, McIntosh, Merry, Messenger, Morse, Nelson, Savle, Sherburne, Stanley, Stoddard, Streeter, Tyler, Walker, Ward, Wason of Ventura, Wasson of Mono, Wattson, York, Young, and Mr. Speaker—65.

NOES—Mr. Sweetland—1.

Title amended, and approved as amended.

ADJOURNMENT.

At five o'clock and twenty minutes P. M., Mr. Fraser moved that this House do now adjourn.
Carried.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Tuesday, February 3d, 1880.

House met pursuant to adjournment.
Speaker Cowdery in the chair.
Roll called, and a quorum present.
Prayer by the Chaplain.

READING AND APPROVAL OF THE JOURNAL.

Mr. York moved that the further reading of the Journal be dispensed with.
So ordered.
The Journal of Saturday approved.

RESOLUTION.

By Mr. Morse:

Resolved, That the corrections to the Journal, reported by the Speaker and entered on the Journal of yesterday's proceedings, and that said corrections be adopted and approved, and that the Journals shall be read as though each of said corrections were written on the page referred to in said corrections, and that the Journals of this Assembly, commencing on the first day of the session, up to and including Saturday, January thirty-first, be and they are hereby approved.

Unanimously adopted.

PETITIONS.

By the Speaker—From the Barbers' Verein of San Francisco, asking for the passage of the bill introduced by Mr. Gorley, entitled an Act to regulate and provide for a day of rest.
Referred to the Committee on Public Morals.

REPORTS OF STANDING COMMITTEES.

By Mr. Chamberlain:

ASSEMBLY CHAMBER, SACRAMENTO, February 2d, 1880.

MR. SPEAKER: The Committee on Agriculture, to whom was referred Assembly Bill No 161—An Act to repeal an Act entitled an Act to provide for the extermination of squirrels in certain counties, approved March thirtieth, A. D. one thousand eight hundred and seventy-eight—have had the same under consideration, and report the same back to the Assembly without amendment, and recommend that it do not pass And on account of the same matter being contained in Senate Bill No. 133 (now before the Assembly), we further recommend that the author (Del Valle) have permission to withdraw the same.

CHAMBERLAIN, Chairman.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, February 2d, 1880.

MR. SPEAKER The Committee on Agriculture, to whom was referred Senate Bill No. 133—An Act to amend an Act entitled an Act to provide for the extermination of squirrels in certain

counties, approved March thirtieth, A. D one thousand eight hundred and seventy-eight—have had the same under consideration, and report the same back to the Assembly without amendment, and recommend its passage.

CHAMBERLAIN, Chairman.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, February 2d, 1880.

MR. SPEAKER: The Committee on Agriculture, to whom was referred Assembly Bill No. 215—An Act to encourage the destruction of certain wild animals, and to provide for a bounty for the same—have had the same under consideration, and report the same back to the Assembly without amendment, and recommend its passage.

CHAMBERLAIN, Chairman

Also:

ASSEMBLY CHAMBER, SACRAMENTO, February 2d, 1880.

MR SPEAKER The Committee on Agriculture, to whom was referred Assembly Bill No 232—An Act to protect agriculture, and to prevent the trespassing of stock upon private property—have had the same under consideration, and report the same back to the Assembly without amendment, and recommend that it do not pass.

CHAMBERLAIN, Chairman.

By Mr. Brown of Yuba:

ASSEMBLY CHAMBER, SACRAMENTO, February 3d, 1880

MR. SPEAKER: The Committee on Corporations, to whom was referred resolution relative to Bank Commissioners, have made due inquiry, and they find that said Commissioners have failed to comply with section thirteen of the Act creating a Board of Bank Commissioners, approved March thirtieth, eighteen hundred and seventy-eight.

BROWN of Yuba, Chairman.

By Mr. Fox:

ASSEMBLY CHAMBER, SACRAMENTO, February 3d, 1880.

MR SPEAKER Your Judiciary Committee, to whom was referred Assembly Bill No. 207—An Act to amend section seven hundred and ninety-one of the Political Code, in relation to Notaries Public—have had the same under consideration, and report it back, recommending that the author have leave to withdraw the same.

FOX, Chairman.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, February 3d, 1880.

MR SPEAKER: Your Judiciary Committee, to whom was referred Assembly Bill No. 168—An Act to amend sections five hundred and thirty-seven and five hundred and thirty-eight of the Code of Civil Procedure, in relation to attachments—have had the same under consideration, and report it back, recommending its rejection.

FOX, Chairman

Also:

ASSEMBLY CHAMBER, SACRAMENTO, February 3d, 1880.

MR SPEAKER: Your Judiciary Committee, to whom was referred Assembly Bill No 164—An Act establishing a legal rate of interest—have had the same under consideration, and report it back, recommending its rejection.

FOX, Chairman.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, February 3d, 1880.

MR. SPEAKER: Your Judiciary Committee, to whom was referred Assembly Bill No. 159—An Act to amend section four hundred and seven of the Code of Civil Procedure—have had the same under consideration, and report it back with amendment, and recommend its passage as amended.

FOX, Chairman.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, February 3d, 1880.

MR SPEAKER: Your Judiciary Committee, to whom was referred Assembly Bill No. 160—An Act to provide lists of uncanceled mortgages and unsatisfied deeds of trust—have had the same under consideration, and report it back, recommending that it be referred to the Committee on Ways and Means.

FOX, Chairman.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, February 3d, 1880.

MR. SPEAKER: Your Judiciary Committee, to whom was referred Assembly Bill No. 162—An Act to amend section three hundred and thirty-eight of the Penal Code, relative to pawnbrokers—have had the same under consideration, and report it back, recommending its passage.

FOX, Chairman.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, February 3d, 1880.

MR. SPEAKER: Your Judiciary Committee, to whom was referred Assembly Bill No. 156—An Act to exempt the homesteads of all heads of families from forced sales for taxes and assessments—have had the same under consideration, and report it back, recommending its rejection.

FOX, Chairman.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, February 3d, 1880.

MR. SPEAKER: Your Judiciary Committee, to whom was referred Assembly Bill No. 155—An Act to amend an Act entitled 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 thereto, approved April first, eighteen hundred and seventy-two—have had the same under consideration, and report it back, recommending its rejection.

FOX, Chairman.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, February 3d, 1880.

MR. SPEAKER: Your Judiciary Committee, to whom was referred Assembly Bill No. 149—An Act to amend an Act entitled an Act concerning action for libel and slander, approved March twenty-third, eighteen hundred and seventy-two—have had the same under consideration, and report it back, recommending its passage.

FOX, Chairman.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, February 3d, 1880.

MR. SPEAKER: Your Judiciary Committee, to whom was referred Assembly Bill No. 148—An Act to amend an Act entitled an Act to enable certain parties therein named to alienate or incumber homesteads, approved March twenty-fifth, eighteen hundred and seventy-four—have had the same under consideration, and report it back, recommending its passage.

FOX, Chairman.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, February 3d, 1880.

MR. SPEAKER: Your Judiciary Committee, to whom was referred Assembly Bill No. 143—An Act to amend an Act entitled an Act relating to apprentices and masters, approved April third, eighteen hundred and seventy-six—have had the same under consideration, and report it back, recommending its passage.

FOX, Chairman.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, February 3d, 1880.

MR. SPEAKER: Your Judiciary Committee, to whom was referred Assembly Bill No. 131—An Act to amend section one thousand one hundred and eighty-three of an Act to establish a Code of Civil Procedure, approved March eleventh, eighteen hundred and seventy-two, relating to liens of mechanics and others, upon real and personal property—have had the same under consideration, and report it back with the recommendation that it do not pass.

FOX, Chairman.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, February 3d, 1880.

MR. SPEAKER: Your Judiciary Committee, to whom was referred Assembly Bill No. 141—An Act in relation to the licensing of vehicles—have had the same under consideration, and report it back with the recommendation that it do not pass.

FOX, Chairman.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, February 3d, 1880.

MR. SPEAKER: Your Judiciary Committee, to whom was referred Assembly Bill No. 142—An Act to amend the Penal Code by adding a new section thereto, to be known as five hundred and thirty-six, relative to cheats—have had the same under consideration, and report it back, recommending its passage.

FOX, Chairman.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, February 3d, 1880.

MR SPEAKER: Your Judiciary Committee, to whom was referred Assembly Bill No. 129—An Act to repeal an Act entitled an Act to amend section one thousand five hundred and ninety of the Penal Code, approved March twenty-ninth, eighteen hundred and seventy-eight—have had the same under consideration, and report it back with the recommendation that it be referred to the Committee on State Prison.

FOX, Chairman.

The bill referred to the Committee on State Prison.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, February 3d, 1880.

MR SPEAKER: Your Judiciary Committee, to whom was referred Assembly Bill No. 120—An Act to amend section seven hundred and two of an Act entitled an Act to establish a Code of Civil Procedure, approved March eleventh, eighteen hundred and seventy-two—have had the same under consideration, and report it back, with the recommendation that it do pass.

FOX, Chairman.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, February 3d, 1880.

MR SPEAKER: Your Judiciary Committee, to whom was referred Assembly Bill No. 123—An Act to compel the use of a brand, stamp, stencil, or trade-mark, on all manufactured commodities—have had the same under consideration, and report it back, recommending its rejection.

FOX, Chairman.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, February 3d, 1880.

MR SPEAKER: Your Judiciary Committee, to whom was referred Assembly Bill No. 124—An Act to amend section three hundred and three of the Penal Code, relative to sale of liquors by females—have had the same under consideration, and report it back with the recommendation that it do not pass.

FOX, Chairman.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, February 3d, 1880.

MR SPEAKER: Your Judiciary Committee, to whom was referred Assembly Bill No. 127—An Act to amend sections three hundred and eighteen, three hundred and nineteen, three hundred and twenty, three hundred and twenty-one, three hundred and twenty-two, three hundred and twenty-five, three hundred and thirty-six, three hundred and thirty-seven, three hundred and thirty-nine, three hundred and forty, three hundred and forty-two and three hundred and forty-three, of the Code of Civil Procedure, relating to limitations of actions—have had the same under consideration, and report it back, with the recommendation that it do pass.

FOX, Chairman.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, February 3d, 1880.

MR. SPEAKER: Your Judiciary Committee, to whom was referred Assembly Bill No. 130—An Act to amend section six hundred and ninety-one of the Political Code, approved March eighteenth, eighteen hundred and seventy-eight—have had the same under consideration, and report it back with amendments, and recommend its passage as amended.

FOX, Chairman.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, February 3d, 1880.

MR SPEAKER: Your Judiciary Committee, to whom was referred Assembly Bill No. 116—An Act to amend section two hundred and sixty-six of the Political Code—have had the same under consideration, and report it back with the recommendation that it do not pass, its provisions being already provided for (Assembly Bill No. 61).

FOX, Chairman.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, February 3d, 1880.

MR SPEAKER: Your Judiciary Committee, to whom was referred Assembly Bill No. 118—An Act to amend section one thousand three hundred and eighteen of an Act entitled an Act to establish a Code of Civil Procedure, approved March eleventh, eighteen hundred and seventy-two, relative to the contesting of the probate of wills—have had the same under consideration, and report it back with amendments, and recommend its passage as amended.

FOX, Chairman.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, February 3d, 1880.

MR. SPEAKER: Your Judiciary Committee, to whom was referred Assembly Bill No 112—An Act to repeal sections two, three, and six, and to amend section four of an Act to provide for the payment of certain bonds of the County of Lake, approved March twenty-eighth, eighteen hundred and seventy-four, in relation to an Assessor and Collector—have had the same under consideration, and report it back, with recommendation of passage.

FOX, Chairman.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, February 3d, 1880

MR. SPEAKER. Your Judiciary Committee, to whom was referred Assembly Bill No. 94—An Act to legalize and validate the assessment and assessment roll for State, county, and consolidated city and county taxes of the various counties of the State, for the fiscal year commencing in March, eighteen hundred and seventy-nine—have had the same under consideration, and report it back with amendments, and recommend its passage as amended.

FOX, Chairman.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, February 3d, 1880.

MR SPEAKER Your Judiciary Committee, to whom was referred Assembly Bill No. 111—An Act to amend section six hundred and eighty-five of the Code of Civil Procedure of California, in relation to the enforcement of judgments—have had the same under consideration, and report it back with amendments, and recommend its passage as amended.

FOX, Chairman.

Also

ASSEMBLY CHAMBER, SACRAMENTO, February 3d, 1880

MR. SPEAKER: Your Judiciary Committee, to whom was referred Assembly Bill No 65—An Act to amend section two hundred and sixty-eight of the Political Code—have had the same under consideration, report it back with amendments, and recommend its passage as amended.

FOX, Chairman.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, February 3d, 1880.

MR. SPEAKER Your Judiciary Committee, to whom was referred Assembly Bill No. 90—An Act to provide for the exemption of certain property from forced sale for taxes and assessments—have had the same under consideration, and report it back, with recommendation that it do not pass.

Ten members of committee present, and voting—eight ayes, and two noes.

FOX, Chairman.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, February 3d, 1880.

MR SPEAKER Your Judiciary Committee, to whom was referred Assembly Bill No. 61—An Act to amend sections two hundred and sixty-six, two hundred and sixty-seven, two hundred and sixty-eight, and two hundred and sixty-nine, of the Political Code, in relation to compensation of members, officers, and employés of the Legislature—have had the same under consideration, and report the same back, with the recommendation that it do not pass, the general provisions thereof being otherwise provided for.

FOX, Chairman.

By Mr. Wason:

ASSEMBLY CHAMBER, SACRAMENTO, February 3d, 1880.

MR. SPEAKER Your Committee on Mines and Mining Interests, to whom was referred Assembly Bill No. 75—An Act entitled an Act to limit and regulate the sale of mining and other stocks—have had the same under consideration, and beg leave to report the bill back with amendments, and recommend that, as amended, the bill do pass.

WASON, Chairman.

By Mr. McComas:

ASSEMBLY CHAMBER, SACRAMENTO, February 3d, 1880.

MR SPEAKER: Your Committee on Public Lands, to whom was referred Assembly Bill No. 125—An Act to prevent the accumulation of large landed estates—have had the same under consideration, and report it back, and recommend that the same be referred to the Committee on Homestead and Land Monopoly.

McCOMAS, Chairman.

Bill referred to the Committee on Homestead and Land Monopoly.

By Mr. Dimond:

ASSEMBLY CHAMBER, SACRAMENTO, February 3d, 1880.

MR. SPEAKER: Your Committee on Roads and Highways, to whom was referred Assembly Bill No. 252—entitled an Act abolishing the collection of tolls over roads and bridges—have had the same under consideration, and beg leave to report the bill back to the Assembly, with the recommendation that it do not pass.

DIMOND, Chairman.

Also:

MR. SPEAKER: Your Committee on Roads and Highways, to whom was referred Assembly Bill No. 192—entitled an Act to provide for Boards of Highways, and to assess personal and real property and collect the tax thereon for road purposes—have had the same under consideration, and beg leave to report the bill back to the Assembly, with the recommendation that it do not pass.

DIMOND, Chairman.

By Mr. Brooks:

ASSEMBLY CHAMBER, SACRAMENTO, February 3d, 1880.

MR. SPEAKER: The Committee on Enrollment respectfully report that Assembly Concurrent Resolution No. 9, expressing sympathy for the people of Ireland, has been correctly enrolled, and said resolution, at eleven o'clock A. M., February third, eighteen hundred and eighty, was presented to the Governor for his approval.

BROOKS, Chairman.

INTRODUCTION OF BILLS.

The following bills were introduced, and ordered printed:

By Mr. Fraser—An Act to amend sections one thousand and forty-one, one thousand and fifty-three, one thousand and fifty-five, one thousand and eighty-three, one thousand and eighty-four, one thousand and ninety-seven, one thousand one hundred and six, one thousand one hundred and eight, one thousand one hundred and nine, one thousand one hundred and thirteen, one thousand one hundred and thirty, one thousand one hundred and forty-seven, one thousand two hundred and twenty-eight, one thousand two hundred and thirty, one thousand two hundred and thirty-two, one thousand two hundred and thirty-five, one thousand two hundred and thirty-six, one thousand two hundred and thirty-seven, one thousand two hundred and eighty-four, one thousand two hundred and eighty-eight, one thousand three hundred and ten, one thousand three hundred and eleven, and one thousand three hundred and forty-three, of the Political Code, relating to elections, and to repeal section one thousand and forty-two of said Code.

Also, an Act to amend section four thousand and twenty-six of the Political Code.

By Mr. Chamberlain—An Act to prevent persons passing through inclosures and leaving them open, by tearing down fences or otherwise, and to prevent hunting upon inclosed lands in the State of California.

By Mr. Braunhart—An Act for the maintenance and government of the police force in consolidated city and county governments of the State of California.

By Mr. Brooks—An Act to allow unincorporated towns and villages to equip and maintain a fire department, and to assess and collect taxes from time to time for such purpose, and to create a Board of Fire Commissioners.

FIRST READING OF BILLS.

Assembly Bill No. 281—An Act to amend the Political Code, respecting the health and quarantine regulations of the City and

County of San Francisco, approved March ninth, eighteen hundred and seventy-eight.

Read first time, and referred to San Francisco delegation.

RESOLUTION.

By Mr. Burns—Assembly Joint Resolution, relative to procuring the enforcement of the eight-hour law on the works of the General Government in this State.

Introduced, and ordered printed.

FIRST READING OF BILLS—RESUMED.

Assembly Bill No. 283—An Act to amend section one thousand four hundred and sixty-nine of the Code of Civil Procedure, relating to the provision for the support of the family of decedents.

Read first time, and referred to the Committee on Judiciary.

Assembly Bill No 284—An Act to amend an Act entitled an Act authorizing the Board of Supervisors of Sierra County to build a certain wagon road in Sierra County, and to issue bonds therefor.

Read first time, and ordered on file.

Assembly Bill No. 286—An Act relating to the acts and doings of local Boards of Supervisors.

Read first time, and referred to the San Francisco delegation.

Assembly Bill No. 290—An Act granting relief to taxpayers whose lands have been sold to the State.

Read first time, and referred to the Judiciary Committee.

Assembly Bill No. 293—An Act to invest the widow with the ownership and management of the family estate on the decease of the husband.

Read first time, and referred to the Committee on Judiciary.

Assembly Bill No 294—An Act to establish Courts of Conciliation in each of the counties of this State, and defining the duties thereof.

Read first time, and referred to the Committee on Judiciary.

Assembly Bill No. 297—An Act to amend the Political Code of the State of California.

Read first time, and referred to the Judiciary Committee.

Assembly Bill No. 298—An Act to amend section eight hundred and thirty-two of the Civil Code, concerning lateral and subjacent support of land.

Read first time, and referred to the Judiciary Committee.

Assembly Bill No. 301—An Act to prohibit managers of theaters, in the cities and towns of this State, from imposing upon the public by placarding seats "Taken," when the same have not been sold, and for other purposes.

Read first time, and referred to the Committee on Judiciary.

Assembly Bill No. 302—An Act to amend sections four hundred and eight and five hundred and twenty-eight of the Political Code, and to repeal section four hundred and fifteen of said Code, relative to printing the laws in Spanish.

Read first time, and referred to the Committee on Judiciary.

Assembly Bill No. 303—An Act to amend sections one thousand four hundred and sixty-five and one thousand four hundred and sixty-six of the Code of Civil Procedure, relating to the support of the family of decedents.

Read first time, and referred to the Committee on Judiciary.

Assembly Bill No. 304—An Act to incorporate religious societies.

Read first time, and referred to the Committee on Corporations

Assembly Bill No. 305—An Act to prevent a monopoly on railroads, steamboats, steamships, and other common carriers

Read first time, and referred to the Committee on Corporations.

Assembly Joint Resolution No 6, relative to procuring a congressional appropriation of one hundred thousand dollars, for the purpose of improving Petaluma Creek for the purposes of navigation.

Read first time, and ordered on file.

MESSAGE FROM THE SENATE.

SENATE CHAMBER, SACRAMENTO, February 2d, 1880.

MR. SPEAKER: I am directed to inform your honorable body that the Senate, on January thirtieth, eighteen hundred and eighty, passed Senate Concurrent Resolution No. 18, relative to printing additional copies of report of the State Engineer.

The Senate has, this day, received from the Governor part two, continued, of the report of the State Engineer, with a request that the Senate notify the Assembly that only one copy has been made of the report.

JOHN R. BRIERLY, Assistant Secretary.

SENATE CHAMBER, SACRAMENTO, February 3d, 1880.

MR. SPEAKER: I am directed to inform your honorable body that the Senate, on February second, eighteen hundred and eighty, passed Assembly Bill No. 6—An Act to transfer the records, papers, and business of the Courts existing on the thirty-first day of December, eighteen hundred and seventy-nine, in this State, to the Courts now existing therein.

Assembly Bill No. 93—An Act in relation to certain deputies and assistants of County Clerks.

Assembly Bill No 29—An Act to continue in force school teachers' certificates, State educational diplomas, and life diplomas.

Senate Bill No. 143—An Act to repeal an Act entitled an Act for the appointment of Inspector of stationary steam-boilers and steam-tanks, and for the better security of life and property in the City and County of San Francisco, approved March twenty-seventh, eighteen hundred and seventy-six.

Senate Bill No. 96—An Act to amend sections one and two of an Act entitled an Act giving a lien to loggers and laborers employed in logging camps upon the logs cut and hauled by the persons who employ them, approved March thirtieth, eighteen hundred and seventy-eight

JOHN R. BRIERLY, Assistant Secretary.

CONSIDERATION OF SENATE MESSAGES.

Senate Concurrent Resolution No. 18—Authorizing the printing of additional copies of the report of the State Engineer.

Taken up, and adopted.

Senate Bill No. 96—An Act to amend sections one and two of an Act entitled an Act giving a lien to loggers and laborers employed in logging camps upon the logs cut and hauled by the persons who employ them, approved March thirtieth, A. D. eighteen hundred and seventy-eight.

Read first time, and referred to the Judiciary Committee.

Senate Bill No. 143—An Act to repeal an Act entitled an Act for the appointment of Inspector of stationary steam-boilers and steam-tanks, and for the better security of life and property in the City and County of San Francisco, approved March twenty-seventh, eighteen hundred and sixty-seven.

Read first time, and referred to San Francisco delegation.

SECOND READING OF BILLS.

Assembly Joint Resolution No. 5—Relative to procuring an appro-

priation for the construction of a breakwater in the Harbor of San Luis Obispo.

Read second time, and ordered on file.

MOTIONS AND RESOLUTIONS.

By Mr. May:

Resolved, That the Attorney-General be instructed to take such action as he may judge fitting to obtain from the Board of Bank Commissioners a compliance with section thirteen of the Act creating said Board.

Adopted.

By Mr. Merry:

Resolved, That the Committee on Claims of the Assembly is hereby authorized and empowered to employ a stenographic reporter when taking testimony relative to any claim before said committee, provided that said reporter be only paid for the time actually employed, and for transcribing the testimony actually taken.

Referred to the Committee on Attachés and Employés.

By Mr. Tyler:

Resolved, That the Controller be and he hereby is directed to draw his warrant on the Treasurer, payable out of the Contingent Fund of the Assembly, in favor of George W. Tyler as Chairman of select committee of the House in arguing an agreed case in the Supreme Court relative to reading bills three times at length, for mileage due said committee, at ten cents per mile, amounting to the sum of eighty-four dollars.

Referred to the Committee on Mileage.

GENERAL FILE—THIRD READING AND PASSAGE OF BILLS.

Senate Bill No. 56—An Act to amend section seven hundred and fifty-one of the Political Code, relative to Deputy Clerks of the Supreme Court, and to make an appropriation for their salaries.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Adams, Anthony, Bass, Bennett, Braunhart, Brooks, Brown of Sonoma, Brown of Yuba, Burns, Cameron, Carr of Sacramento, Carr of Yuba, Chamberlain, Coffman, Coleman, Cooper, Corcoran, Cuthbert, Del Valle, Downs, DuBrutz, Estey, Finlayson, Fox, Fraser, Garibaldi, Gatley, Hardy, Hershey, Hartson, Josselyn, Lane, Leach, May, Maybell, McCallion, McCarty of Lake, McCarthy of San Francisco, McComas, McIntosh, Merry, Messenger, Morse, Nelson, Picket, Sayle, Sherburne, Stoddard, Sweetland, Tyler, Ward, York, Young, and Mr. Speaker—54.

NOES—None.

Title amended, and approved as amended.

Assembly Bill No. 42—An Act to confer upon the Superior Court of each county, and the Judge thereof, the powers heretofore possessed by the District, County, and Probate Courts of such county and the Judges thereof.

Bill read third time.

Mr. Fox moved to amend by striking out the proviso contained in the bill.

Adopted.

RECESS.

Pending the passage of the bill, the hour of one o'clock P. M. having arrived, the House took a recess until two o'clock P. M.

RE-ASSEMBLED.

The House re-assembled at two o'clock P. M.
Speaker Cowdery in the chair.
Quorum present.

GENERAL FILE—RESUMED.

Assembly Bill No. 42—An Act to confer upon the Superior Court of each county, and the Judge thereof, the powers heretofore possessed by the District, County, and Probate Courts of such county and the Judges thereof.

Ordered reprinted as amended.

Assembly Bill No. 43—An Act to amend sections one thousand one hundred and eighty and one thousand one hundred and eighty-one of an Act entitled "An Act to establish a Civil Code," approved March twenty-first, eighteen hundred and seventy-two, relating to the proof and acknowledgment of instruments.

Read third time and ordered reprinted with amendments.

Assembly Bill No. 37—An Act to amend sections four hundred and seventy-four, six hundred and one, seven hundred and ninety-nine, nine hundred and nine, nine hundred and fifty, one thousand and fifteen, one thousand one hundred and eight, one thousand one hundred and nine, one thousand two hundred and eighty-four, one thousand three hundred and ten, two thousand two hundred and forty, two thousand three hundred and ninety-two, two thousand three hundred and ninety-three, two thousand four hundred and seven, two thousand four hundred and eight, two thousand four hundred and ten, two thousand four hundred and thirteen, two thousand four hundred and fifteen, two thousand eight hundred, two thousand eight hundred and fifty-two, three thousand two hundred and eighty-five, three thousand four hundred and ninety, four thousand and forty-seven, four thousand and seventy-eight, four thousand one hundred and thirty-four, four thousand one hundred and sixty-five, four thousand one hundred and ninety-two, and four thousand two hundred and twenty-one, of an Act entitled "An Act to establish a Political Code," approved March twelfth, eighteen hundred and seventy-two, conferring upon the Superior Courts, their Judges or officers, the jurisdiction and authority heretofore exercised in certain cases by the Courts abolished by the new Constitution, their Judges or officers.

Read third time.

The roll was called, and the bill passed by the following vote.

AYES—Messrs Adams, Anthony, Bennett, Brooks, Brown of Sonoma, Brown of Yuba, Bruner, Burns, Carr of Sacramento, Carr of Yuba, Chamberlain, Coffman, Coleman, Cooper, Corcoran, Cuthbert, Del Valle, Dimond, Downs, DuBrutz, Estey, Felton, Finlayson, Fox, Fraser, Frink, Garibaldi, Gaffey, Green, Hardy, Hershey, Hartson, Josselyn, Lane, Leach, Leadbetter, Levee, Magune, May, Maybell, McCallion, McCarty of Lake, McCarthy of San Francisco, McComas, McIntosh, Merry, Messenger, Morse, Mulholland, Nelson, Picket, Sayle, Simon, Sherburne, Stanley, Stoddard, Streeter, Sweetland, Tyler, Walker, Ward, Wason of Ventura, Wasson of Mono, Watson, York, Young, and Mr. Speaker—67.

NOES—None.

Title amended, and approved as amended.

Assembly Bill No. 95—An Act entitled an Act to repeal an Act entitled an Act relative to executions from Courts of Justices of the Peace of the several townships of the County of Alameda.

Read third time.

The roll was called, and the bill was passed by the following vote:

AYES—Messrs. Adams, Anthony, Bass, Bennett, Brooks, Brown of Sonoma, Brown of Yuba, Bruner, Burns, Carr of Sacramento, Carr of Yuba, Chamberlain, Coleman, Cooper, Corcoran, Cuthbert, Del Valle, Dimond, Downs, DuBrutz, Estey, Felton, Finlayson, Fox, Fraser, Frink, Gaffey, Green, Hardy, Hershey, Hartson, Josselyn, Leach, Leadbetter, Levee, Maguire, May, Maybell, McCallion, McCarty of Lake, McCarthy of San Francisco, McComas, McIntosh, Merry, Messenger, Morse, Mulholland, Nelson, Picket, Sayle, Simon, Sherburne, Stanley, Stoddard, Streeter, Sweetland, Tyler, Walker, Ward, Wason of Ventura, Wasson of Mono, Wattson, York, Young, and Mr. Speaker—65.

NOES—None.

Title amended, and approved as amended.

Assembly Bill No. 48—An Act to amend an Act entitled "An Act relating to mutual, beneficial, and relief associations," approved March twenty-eighth, eighteen hundred and seventy-four.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Adams, Anthony, Bass, Bennett, Brown of Sonoma, Brown of Yuba, Bruner, Burns, Carr of Sacramento, Coleman, Cooper, Corcoran, Cuthbert, Del Valle, Dimond, Downs, DuBrutz, Estey, Felton, Finlayson, Fox, Fraser, Frink, Gaffey, Green, Hardy, Hershey, Hartson, Josselyn, Leach, Leadbetter, Levee, Maguire, May, McCallion, McCarty of Lake, McCarthy of San Francisco, McComas, McIntosh, Merry, Messenger, Morse, Mulholland, Nelson, Picket, Sayle, Simon, Sherburne, Stoddard, Streeter, Sweetland, Tyler, Walker, Ward, Wason of Ventura, Wasson of Mono, Wattson, York, Young, and Mr. Speaker—60.

NOES—Messrs. Carr of Yuba and Maybell—2.

Title approved.

Assembly Bill No. 57—An Act to repeal an Act entitled "An Act to compel the County Clerk of the City and County of San Francisco to keep open his office upon all election days," approved March seventh, eighteen hundred and seventy-six.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Adams, Anthony, Bass, Bennett, Brown of Sonoma, Brown of Yuba, Bruner, Burns, Carr of Sacramento, Carr of Yuba, Coleman, Cooper, Corcoran, Cuthbert, Del Valle, Dimond, Downs, DuBrutz, Estey, Felton, Finlayson, Fox, Fraser, Frink, Garibaldi, Gaffey, Green, Hardy, Hershey, Hartson, Lane, Leach, Leadbetter, Levee, Maguire, May, Maybell, McCallion, McCarty of Lake, McCarthy of San Francisco, McComas, McIntosh, Merry, Messenger, Morse, Mulholland, Nelson, Picket, Sayle, Simon, Sherburne, Stanley, Stoddard, Streeter, Tyler, Walker, Ward, Wason of Ventura, Wasson of Mono, Watson, York, Young, and Mr. Speaker—6[illegible]

NOES—None

Title approved.

Assembly Bill No. 81—An Act to amend section five hundred and ninety-nine of the Penal Code, relating to the protection of seals and sea lions near the Cliff House, in the City and County of San Francisco.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Adams, Anthony, Bass, Bennett, Braunhart, Brooks, Brown of Sonoma, Bruner, Burns, Camron, Carr of Sacramento, Carr of Yuba, Coleman, Cooper, Corcoran, Cuthbert, Del Valle, Dimond, Downs, DuBrutz, Estey, Felton, Finlayson, Fox, Frink, Garibaldi, Gaffey, Green, Hardy, Hershey, Josselyn, Lane, Leach, Leadbetter, Levee, Maguire, Maybell, McCallion, McCarty of Lake, McCarthy of San Francisco, McComas, McDade, McIntosh, Morse, Mulholland, Picket, Simon, Sherburne, Spencer, Stanley, Streeter, Tyler, Walker, Wason of Ventura, Wattson, York, and Young—57.

NOES—Messrs. Brown of Yuba, Chamberlain, Fraser, Hartson, May, Merry, Messenger, Nelson, Sayle, Stoddard, Sweetland, and Ward—12.

Mr. Tyler gave notice that he would, on to-morrow, move to reconsider the vote by which the bill passed.

Title of the bill approved.

Assembly Bill No. 145—An Act to amend sections seventeen, nineteen, and twenty-one, of an Act entitled an Act to provide for the future management of the Napa State Asylum for the Insane, approved March sixth, eighteen hundred and seventy-six.

Pending the third reading, the bill was referred to the Committee on Judiciary.

Assembly Joint Resolution No. 1—Joint Resolution, asking the recall of a certain order of the Commissioner of the General Land Office of the United States.

Read third time, and passed

Assembly Bill No. 165—An Act to repeal an Act entitled an Act to change the orthography of the name of a town in Shasta County.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Adams, Anthony, Bass, Bennett, Brooks, Brown of Sonoma, Bruner, Burns, Cannon, Carr of Sacramento, Carr of Yuba, Coffman, Corcoran, Cuthbert Del Valle, Dimond, Downs, DuBrutz, Felton, Finlayson, Fraser, Fink, Garibaldi, Green, Hardy, Hershey, Hartson, Josselyn, Lane, Leach, Leadbetter, Levee, Maguire, May, Maybell, McCallion, McCarty of Lake, McComas, McIntosh, Morse, Mulholland, Picket, Sayle, Simon, Sherburne, Spencer, Stanley, Stoddard, Streeter, Sweetland, Tyler, Walker, Ward, Wattson, York, Young, and Mr. Speaker—57

NOES—None.

Title approved.

Assembly Bill No. 126—An Act to enable the State Board of Equalization to organize and perform its duties.

Taken up, and sections four and five stricken out of the bill.

Bill read third time, and referred to the Judiciary Committee.

Assembly Bill No. 158—An Act making appropriation for deficiency for the thirtieth and thirty-first fiscal years for payment of armory rents, purchase of arms, and other expenses of the National Guard of California.

Passed on file.

Assembly Bill No. 58—An Act to amend section three thousand seven hundred and eighty-six of the Political Code, relative to tax deeds.

Read third time.

The roll was called, and the bill was refused passage by the following vote:

AYES—Messrs Adams, Bennett, Brown of Sonoma, Brown of Yuba, Bruner, Coleman, Cuthbert, DuBrutz, Fox, Fraser, Green, Hardy, Hershey, Leach, Leadbetter, McIntosh, Merry, Messenger, Morse, Nelson, Sherburne, Stoddard, Ward, Young, and Mr. Speaker—25.

NOES—Messrs Anthony, Bass, Braunhart, Brooks, Burns, Carr of Sacramento, Carr of Yuba, Chamberlain, Coffman, Cooper, Corcoran, Del Valle, Downs, Estey, Felton, Finlayson, Fink, Garibaldi, Gilley, Josselyn, Lane, Levee, Maguire, May, Maybell, McCallion, McCarty of Lake, McCarthy of San Francisco, McComas, McDade, Picket, Sayle, Simon, Spencer, Stanley, Streeter, Sweetland, Tyler, Walker, Wason of Ventura, Wattson, and York—42.

Mr Tyler gave notice that he would, on to-morrow, move to reconsider the vote by which the bill was refused passage.

ADJOURNMENT.

At four o'clock and fifty minutes P. M. Mr. Burns moved to adjourn. Carried.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Wednesday, February 4th, 1880.

The House met pursuant to adjournment.
Speaker Cowdery in the chair.
Roll called, and a quorum present.
One day's leave of absence granted to Mr. Morse on account of sickness.
Prayer by the Chaplain.

READING AND APPROVAL OF THE JOURNAL OF YESTERDAY.

Mr. Coffman moved that further reading of the Journal be dispensed with.
So ordered.
The Journal of yesterday was corrected.
The Journal of Monday was approved.

MOTIONS FOR RECONSIDERATION.

By Mr Tyler (pursuant to notice):

MR SPEAKER I now move that the vote by which Assembly Bill No. 81—An Act to amend section five hundred and ninety-nine of the Penal Code, relating to the protection of seals and sea lions near the Cliff House, in the City and County of San Francisco—was passed, be reconsidered.

Mr. Tyler then moved that the motion to reconsider be made the special order for next Tuesday, at two o'clock P. M.
Lost.
Mr. Braunhart moved that the motion to reconsider be laid upon the table.
Lost.
Mr. Tyler moved that the motion to reconsider be made the special order for next Friday, at two o'clock P. M.
Lost.
The question recurring upon the motion to reconsider, by a vote of the House the motion was declared lost.
By Mr. Tyler (pursuant to notice):

MR SPEAKER: I now move to reconsider the vote by which Assembly Bill No 58—An Act to amend section three thousand seven hundred and eighty-six of the Political Code, relative to tax deeds—was refused passage yesterday.

The motion was adopted, the vote declared reconsidered, and the bill ordered on file.
Mr. Tyler moved that the above bill be made the special order for Tuesday next, at two o'clock P. M.
Lost.

PETITIONS.

A communication from the Bank Commissioners, relative to the delay that has obtained in making their report to the Legislature, was read, and referred to the Attorney-General.

A petition from Sister M. Phileta McCarthy, relative to and asking for an appropriation for St. Vincent's Female Orphan Asylum, at Santa Barbara, California, was read, and referred to the Committee on Ways and Means.

REPORTS OF STANDING COMMITTEES.

By Mr. Finlayson:

MR. SPEAKER: Your Committee on Commerce and Navigation, to whom was referred Assembly Bill No. 279—An Act to declare the Mokelumne River navigable—have duly considered the same, and report it back with a recommendation that it do pass.

FINLAYSON, Chairman.

By Mr. Brown of Yuba:

ASSEMBLY CHAMBER, SACRAMENTO, February 4th, 1880.

MR. SPEAKER: The Committee on Corporations, to whom was referred Assembly Bill No. 151—An Act to organize and define the powers of the Board of Railroad Commissioners—have had the same under consideration, and report the same back to the Assembly with amendments, and recommend its passage as amended.

BROWN of Yuba, Chairman.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, February 4th, 1880.

MR. SPEAKER: The Committee on Corporations, to whom was referred Assembly Bill No. 230—An Act for the further protection of stockholders in mining companies—have had the same under consideration, and report the same back to the Assembly with amendment, and recommend its passage as amended.

BROWN of Yuba, Chairman.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, February 4th, 1880.

MR. SPEAKER: The Committee on Corporations, to whom was referred Assembly Bill No. 147—An Act to amend an Act entitled an Act supplemental to an Act concerning corporations, passed twenty-second April, eighteen hundred and fifty, approved March twenty-first, eighteen hundred and seventy-two—have had the same under consideration, and report the same back to the Assembly without amendment, and recommend its passage.

BROWN of Yuba, Chairman.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, February 4th, 1880.

MR. SPEAKER: The Committee on Corporations, to whom was referred Assembly Bill No. 248—An Act amendatory of and supplemental to an Act entitled an Act concerning corporations, passed twenty-second April, eighteen hundred and fifty, approved March twenty-first, eighteen hundred and seventy-two—have had the same under consideration, and report the same back to the Assembly without amendment, and recommend its passage.

BROWN of Yuba, Chairman.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, February 4th, 1880.

MR. SPEAKER: The Committee on Corporations, to whom was referred Assembly Bill No. 109—An Act permitting and authorizing railway and other corporations, organized under the laws of any State or Territory of the United States of America, or any Act of Congress of the United States of America, to do business in this State on the same terms as railway corporations organized under the laws of this State—have had the same under consideration, and report the same back to the Assembly with amendments, and recommend its passage as amended.

BROWN of Yuba, Chairman.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, February 4th, 1880.

MR. SPEAKER: The Committee on Corporations, to whom was referred Assembly Bill No. 84—An Act to provide for the organization of a Board of Transportation Commissioners—have had the same under consideration, and report the same back to the Assembly without amendment, and recommend that it do not pass; the whole subject being embodied more fully in Assembly Bill No. 151.

BROWN of Yuba, Chairman.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, February 4th, 1880.

MR. SPEAKER: The Committee on Corporations, to whom was referred Assembly Bill No. 231—An Act to add a new section to the Civil Code, relating to corporations—have had the same under consideration, and report the same back to the Assembly without amendment, and recommend that it do not pass.

BROWN of Yuba, Chairman.

RECESS.

The hour of one o'clock P. M. having arrived, the House took a recess for one hour.

RE-ASSEMBLED.

House re-assembled at two o'clock P. M.
Speaker Cowdery in the chair.
Quorum present.

REPORTS OF STANDING COMMITTEES—RESUMED.

By Mr. Sherburne:

IN ASSEMBLY, February 4th, 1880.

MR. SPEAKER: Your Committee on Engrossment beg leave to report that they have examined, and find properly engrossed, Assembly Bill No. 48—An Act to amend an Act entitled "An Act relating to mutual, beneficial, and relief associations," approved March twenty-eighth, eighteen hundred and seventy-four.

Assembly Bill No. 95—An Act to repeal an Act entitled an Act relating to executions from Courts of Justices of the Peace of the several townships of the County of Alameda.

Assembly Bill No. 15—An Act to amend sections thirty-three, thirty-four, thirty-five, thirty-six, forty, forty-three, forty-four, forty-six, forty-seven, forty-eight, forty-nine, fifty, fifty-one, eighty-two, eighty-three, eighty-four, eighty-eight, ninety, one hundred and twelve, one hundred and thirteen, one hundred and fourteen, one hundred and fifteen, one hundred and eighteen, one hundred and thirty, one hundred and thirty-four, one hundred and forty-four, one hundred and fifty-six, one hundred and fifty-seven, one hundred and fifty-eight, one hundred and sixty-one, one hundred and sixty-six, one hundred and seventy-two, one hundred and seventy-three, one hundred and seventy-nine, one hundred and eighty-four, one hundred and eighty-five, two hundred and sixty-five, two hundred and sixty-six, nine hundred and eighteen, and to repeal sections two hundred and fifty-eight and two hundred and fifty-nine, of an Act entitled "An Act to establish a Code of Civil Procedure," approved March eleventh, eighteen hundred and seventy-two, relating to Courts of justice and judicial officers.

SHERBURNE, Chairman.

By Mr. Brooks:

ASSEMBLY CHAMBER, SACRAMENTO, February 4th, 1880.

MR. SPEAKER: The Committee on Enrollment respectfully report that Assembly Bill No. 6—An Act to transfer the records, papers, and business of the Courts existing on the thirty-first day of December, eighteen hundred and seventy-nine, in this State, to the Courts now existing therein—has been correctly enrolled, and has, this fourth day of February, eighteen hundred and eighty, at two o'clock P. M., been presented to the Governor for his approval.

BROOKS, Chairman.

By Mr. Mulholland:

MR. SPEAKER: Your Committee on Federal Relations, to whom was referred the accompanying Assembly Joint Resolution No. 3, beg leave to report that they have carefully considered the same, and unanimously recommend the adoption thereof.

MULHOLLAND, Chairman.

By Mr. Fox:

ASSEMBLY CHAMBER, SACRAMENTO, February 4th, 1880.

MR. SPEAKER: Your Judiciary Committee, to whom was referred the petition below of Sarah L. Knox-Goodrich, for the removal of her political disabilities, have had the same under consideration, and beg leave to report: After a careful examination of all the facts and circumstances, accepting her own statement as to her citizenship and residence to be true, and giving to the Constitution that liberal and literal interpretation which we have ascertained must be given to the language of that instrument, we find that the petitioner is under no political disability which it is in the power of this Legislature to remove. By the terms of the Constitution

there is no office in the State to which she may not aspire, and no avocation or profession which she may not follow. The only right that is denied her is that of the elective franchise, and that is denied her by the express terms of the fundamental law of the land, and it is not in our power to confer it upon her by legislative enactment. We find ourselves compelled, therefore, to report the petition back without recommendation.

FOX, Chairman.

PETITION OF SARAH L KNOX-GOODRICH FOR RELIEF FROM POLITICAL DISABILITIES.

To the Senate and Assembly in Legislature assembled, in the City of Sacramento, State of California:

I, Sarah L. Knox-Goodrich, a citizen of the United States a resident of the State of California, City of San José, County of Santa Clara, hereby respectfully petition your honorable body for the removal of her political disabilities, that she may exercise her right to vote, all State constitutions and statute laws to the contrary notwithstanding Your petitioner respectfully represents that she is a real estate owner, paying heavy taxes annually for public improvements, and for the support of a government in which she has no representation. "Taxation without representation is tyranny" She also represents that she is governed without her consent, notwithstanding the key-note of our Declaration of Independence is, that governments derive "then just powers from the consent of the governed" According to our declaration of rights, article four, "The sole and exclusive right of governing themselves is vested in the people" Representatives are required to be chosen by the people, and still women are denied the right as people, as citizens, and as taxpayers, to any participation whatever. For relief from all such disabilities, your petitioner will ever pray

January 22d, 1880. SARAH L KNOX-GOODRICH.

By Mr. Green:

ASSEMBLY CHAMBER, SACRAMENTO, February 3d, 1880

MR. SPEAKER The Committee on Labor and Capital, to whom was referred Assembly Bill No. 117—An Act to secure the payment of mechanics, laborers, and material men, for work done or materials furnished on realty—have had the same under consideration, and report the same back to the Assembly, with the recommendation that it be referred to the Judiciary Committee.

GREEN, Chairman.

The bill was referred to the Committee on Judiciary.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, February 3d, 1880.

MR SPEAKER The Committee on Labor and Capital, to whom was referred Assembly Bill No 154—An Act for the regulation of convict labor and for the abolition of the contract system in public works—have had the same under consideration, and report the same back to the Assembly, with the recommendation that it be referred to the Committee on State Prison

GREEN, Chairman.

The bill, above reported, was referred to the Committee on State Prison.

By Mr. Estey:

MR SPEAKER Your Committee on Mileage, to whom was referred a resolution allowing mileage to the select committee to argue the three reading case before the Supreme Court, report the same back and recommend that it do pass

ESTEY, Chairman.

Resolved, That the Controller be and he hereby is directed to draw his warrant on the Treasurer, payable out of the Contingent Fund of the Assembly, in favor of Geo W. Tyler, as Chairman of select committee of House in arguing agreed case in Supreme Court relative to reading bills three times at length, for mileage due said committee, amounting to the sum of eighty-four dollars

By Mr. Bennett:

MR SPEAKER Your Committee on Public Morals, to whom was referred Assembly Bill No. 134—An Act entitled an Act to regulate the hours for closing barber shops, bath houses, and hair-dressing saloons on Sunday—have had the same under consideration, and beg leave to report it back with amendments, and recommend its passage as amended.

BENNETT, Chairman.

Also:

MR. SPEAKER: Your Committee on Public Morals, to whom was referred Assembly Bill No. 163—An Act entitled an Act to add a new section to the Penal Code of the State of California, to be known as section three hundred and eight, relative to the sale of intoxicating liquors at retail—have had the same under consideration, and beg leave to report the same back without recommendation, the committee being evenly divided in opinion as to the merits of the bill.

BENNETT, Chairman.

Also:

MR. SPEAKER: Your Committee on Public Morals, to whom was referred Assembly Bill No. 261—An Act entitled an Act to amend section sixty of the Civil Code of California, relating to the intermarriage of whites with negroes and persons of other races—have had the same under consideration, and beg leave to report the same back, and to recommend its passage.

BENNETT, Chairman.

Also:

MR. SPEAKER: Your Committee on Public Morals, to whom was referred Assembly Bill No. 157—An Act entitled an Act to regulate and provide for a day of rest in certain cases—have had the same under consideration, and beg leave to report it back with amendments, and recommend its passage as amended.

BENNETT, Chairman.

By Mr. Tyler:

MR. SPEAKER: Your Committee on State Prison, to whom was referred Assembly Bill No. 129—An Act to repeal an Act to amend section one thousand five hundred and ninety of the Penal Code, in relation to persons imprisoned in the State Prison—respectfully report that they have had the same under consideration, and report it back, with the recommendation that it do not pass.

And the same with reference to Assembly Bill No. 166—An Act to repeal section five hundred and ninety of the Penal Code.

TYLER, Chairman.

By Mr. Corcoran:

ASSEMBLY CHAMBER, SACRAMENTO, February 4th, 1880.

MR. SPEAKER: The Committee on Irrigation, to whom was referred Assembly Bill No. 227—An Act authorizing the Board of Supervisors of the counties in which water is sold for the purposes of irrigation, to fix the rates at which such water shall be sold—have had the same under consideration, and report the same back to the Assembly with a substitute, and recommend the passage of the substitute.

CORCORAN, Chairman.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, February 4th, 1880.

MR. SPEAKER: Your Committee on Irrigation, to whom was referred Assembly Bill No. 175—An Act concerning homestead corporations possessed of water and water rights, providing for the regulation, control, and distribution of water for irrigation and other purposes, and for the construction and improvement of irrigation works connected therewith—have had the same under consideration, and report the same back to the Assembly with amendment, and recommend its passage as amended.

CORCORAN, Chairman.

By Mr. Hardy:

MR. SPEAKER: Your Committee on Indian Affairs, to whom was referred Assembly Bill No. 199—An Act entitled an Act to amend section three thousand four hundred and ninety-five of the Political Code, relating to reservation of public lands for Indians—have had the same under consideration, and beg leave to report the same back to the Assembly with an amendment, and recommend its passage as amended.

HARDY, JR., Chairman.

REPORTS OF SPECIAL COMMITTEES.

By Mr McCarthy:

STATE CAPITOL, February 4th, 1880.

MR. SPEAKER: The San Francisco delegation, to whom was referred Senate Bill No. 142—An Act to repeal an Act entitled "An Act for the appointment of Inspector of Stationary Steam-

boilers and Steam-tanks, and for the better security of life and property in the City and County of San Francisco," approved March twenty-seventh, eighteen hundred and seventy-six—have had the same under consideration, and herewith report it back, recommending its passage. Eleven members present and voting—eight ayes, three noes.

McCARTHY, Chairman.

By Mr. Lane:

STATE CAPITOL, February 4th, 1880.

MR. SPEAKER: The undersigned, a minority of the San Francisco delegation, to whom was referred Senate Bill No 143—An Act to repeal an Act entitled "An Act for the appointment of Inspector of Stationary Steam-boilers and Steam-tanks, and for the better security of life and property in the City and County of San Francisco," approved March twenty-seventh, eighteen hundred and seventy-six—beg leave, respectfully, to dissent from the report of the majority, because we believe it is the wish of our constituency that the bill should not be passed.

LANE,
BURNS,
McCALLION,
GARIBALDI.

By Mr. McCarthy:

STATE CAPITOL, February 4th, 1880.

MR. SPEAKER: The San Francisco delegation, to whom was referred Assembly Bill No 21—An Act to repeal an Act approved March twenty-seventh, eighteen hundred and seventy-six, entitled "An Act for the appointment of Inspector of Stationary Steam-boilers and Steam-tanks, and for the better security of life and property in the City and County of San Francisco"—have had the same under consideration, and herewith report it back, recommending that the author be allowed to withdraw it.

This disposition of the bill is recommended because Senate Bill No. 143, which contains exactly the same provisions, has been acted upon by the delegation

McCARTHY, Chairman.

Also:

STATE CAPITOL, February 4th, 1880.

MR SPEAKER: The San Francisco delegation, to whom was referred Assembly Bill No. 13—An Act to repeal an Act entitled "An Act to establish water rates in the City and County of San Francisco," approved March first, eighteen hundred and seventy-six, and an Act amendatory of and supplementary to the same, approved April third, eighteen hundred and seventy-six—have had the same under consideration, and herewith report it back, recommending its passage.

Eleven members present and voting—nine ayes, two noes.

McCARTHY, Chairman.

Also:

STATE CAPITOL, February 4th, 1880.

MR SPEAKER: The San Francisco delegation, to whom was referred Assembly Bill No. 25—An Act to provide for the election of fifteen freeholders to frame a charter for cities containing more than one hundred thousand inhabitants, and to provide for the ratification of the same—have had the same under consideration, and herewith report it back with amendments, recommending its passage as amended.

Twelve members present and voting—nine ayes, three noes.

McCARTHY, Chairman.

Mr. Sinon had leave to withdraw Assembly Bill No. 117—An Act to secure the payment of mechanics, laborers, and material men for work done or materials furnished.

INTRODUCTION OF BILLS

The following bills were introduced and ordered printed.

By Mr. Del Valle—An Act to amend section three thousand seven hundred and eighty of the Political Code, relative to time for redemption of property sold for taxes.

By Mr. Fox—An Act to amend section two of an Act entitled an Act to amend an Act entitled an Act to incorporate the City of Oakland, passed March twenty-fifth, eighteen hundred and fifty-four, and

repealing certain other Acts in relation to said city, approved April twenty-fourth, eighteen hundred and sixty-two.

By Mr. Finlayson—An Act to amend section four hundred and eleven of the Political Code.

By Mr. York—An Act to amend section seven hundred and ninety-two of the Political Code, relative to qualifications for Notaries Public.

Also, an Act to amend section one hundred and ninety of the Penal Code, relative to the punishment of the crime of murder.

By Mr. Brown of Yuba—An Act to promote drainage.

By Mr. Simon—An Act to provide for and enforce liens of mechanics, material men, artisans, and laborers.

By Mr. McCarthy—An Act to limit the compensation for clerical services in the Executive Department of the State government.

By Mr Coffman—An Act to authorize the Boards of Supervisors of the several counties of this State to transfer a certain fund.

By Mr. Cooper—An Act to amend section five hundred and thirty-eight of the Code of Civil Procedure, relating to the issuance of writs of attachment.

By Mr. Adams—An Act to encourage the planting of jute.

By Mr. Cooper—An Act to amend sections seven hundred and seventy-eight, seven hundred and seventy-nine, seven hundred and eighty, seven hundred and eighty-one, and seven hundred and eighty-two, of the Code of Civil Procedure, relating to the publication and sale of the reports of the Supreme Court.

By Mr McIntosh—An Act to regulate riparian rights

FIRST READING OF BILLS.

Assembly Joint Resolution—Relative to the procuring of a Quarantine Depot.

Read first time, and ordered on file

Assembly Bill No. 299—An Act to encourage and improve stock breeding in the State.

Read first time, and referred to the Committee on Agriculture.

Assembly Bill No. 306—An Act to pay the claim of Mary M. Springer, widow and heir of Thos. A. Springer, late State Printer, deceased.

Read first time, and referred to the Committee on Claims.

Assembly Bill No. 307—An Act to amend section three thousand and fifty-one of the Civil Code, in reference to liens for services.

Read first time, and referred to the Judiciary Committee.

Assembly Bill No. 308—An Act to amend section one thousand eight hundred and eighty of the Code of Civil Procedure, relating to persons who cannot testify.

Read first time, and referred to the Judiciary Committee.

Assembly Bill No. 309—An Act to amend section five hundred and fifty-five of the Penal Code, relative to false weights and measures.

Read first time, and referred to the Committee on Judiciary.

Assembly Bill No. 310—An Act to amend section three thousand seven hundred and sixty-four of the Political Code of this State, in relation to the collection of delinquent taxes

Read first time, and referred to the Committee on Ways and Means.

Assembly Bill No. 311—An Act concerning passengers in vessels coming into any city or port in the State of California.

Read first time, and referred to the Committee on Chinese Immigration and Emigration.

Assembly Bill No. 312—An Act to encourage the planting and cultivation of forest trees.

Read first time, and referred to the Committee on Forestry.

Assembly Bill No. 313—An Act to authorize the Sheriff or other officer of any county jail or city prison to cut the hair of prisoners to within one inch of the scalp.

Read first time, and referred to the Committee on State Prison.

Assembly Bill No. 314—An Act to amend section eighty-five of the Penal Code, and to add two new sections to the same, in relation to giving or offering bribes to members of the Legislature, to be numbered respectively sections ninety and ninety-one.

Read first time, and referred to the Committee on Judiciary.

Assembly Bill No. 315—An Act to establish road districts, regulate the election and duties of Road Overseers, and the duties of County Supervisors, in relation to highways in counties of the third and fourth classes.

Read first time, and referred to the Committee on Roads and Highways

Assembly Bill No. 316—An Act to amend an Act entitled an Act creating a Board of Bank Commissioners, and prescribing their duties and powers, approved March thirtieth, A. D eighteen hundred and seventy-eight.

Read first time, and referred to the Committee on Corporations.

Assembly Bill No. 317—An Act to amend section four hundred and eighty-seven of the Penal Code.

Read first time, and referred to the Committee on Judiciary.

Assembly Bill No. 318—An Act to amend sections three hundred and sixty-seven, three hundred and seventy-two, and three hundred and seventy-three, of the Code of Civil Procedure of California, relating to parties to civil actions.

Read first time, and referred to the Judiciary Committee.

Assembly Bill No. 319—An Act to amend section one thousand eight hundred and fifty-eight of the Political Code, relating to the apportionment of State and county school moneys.

Read first time, and referred to the Committee on Education.

Assembly Bill No. 320—An Act for the better protection of fruit trees and vines.

Read first time, and referred to the Committee on the Culture and Improvement of the Grapevine.

Assembly Bill No. 322—An Act to authorize the formation of waterworks companies in towns and villages containing less than five thousand population.

Read first time, and referred to the Committee on County Governments and Municipal Corporations.

Assembly Bill No. 321—An Act to provide for the planting of native trees and shrubs in the State Capitol grounds.

Read first time, and referred to the Committee on Public Buildings and Grounds.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, February 4th, 1880

MR. SPEAKER: I am directed to inform your honorable body that the Senate, on this day, passed Senate Concurrent Resolution No. 10—Relative to the Franco-American Treaty.

JOHN R. BRIERLY, Assistant Secretary.

SENATE CHAMBER, SACRAMENTO, February 4th, 1880.

MR. SPEAKER: I am directed to inform your honorable body that the Senate, on this day, passed Assembly Bill No. 33—An Act to amend sections one thousand four hundred and seventy-five and one thousand five hundred and four of an Act entitled an Act to establish a Penal Code, approved February fourteenth, eighteen hundred and seventy-two, relating to a writ of habeas corpus—with amendments adopted in Senate, and ask that the Assembly concur in said amendments.

Assembly Bill No. 32—An Act to amend sections seven hundred and thirty-seven, seven hundred and forty-six, seven hundred and forty-nine, and seven hundred and fifty-three, of an Act entitled an Act to establish a Penal Code, approved February fourteenth, eighteen hundred and seventy-two, relating to impeachments—with amendments, and ask that the Assembly concur in said amendments.

Assembly Bill No. 31—An Act to amend sections one thousand four hundred and eighteen and one thousand four hundred and nineteen of an Act entitled an Act to establish a Penal Code, approved February fourteenth, eighteen hundred and seventy-two, relating to reprieves, commutations, and pardons—with amendments, and ask that the Assembly concur in said amendments.

Assembly Joint Resolution No. 2—Relative to the protection of the commercial interests of the Pacific Coast.

Senate Bill No. 57—An Act in relation to the currency of the United States.

JOHN R. BRIERLY, Assistant Secretary.

CONSIDERATION OF MESSAGES FROM THE SENATE.

Senate Concurrent Resolution No. 10—Relative to Franco-American Treaty.

Taken up, and passed.

Senate Bill No. 57—An Act in relation to the currency of the United States.

Read first time, and referred to the Judiciary Committee.

NOTICE.

By Mr. Tyler:

MR. SPEAKER. I hereby give notice that, on Thursday of next week, as soon as the Journal is approved, I shall move that the House go into Committee of the Whole for the purpose of considering Assembly Bill No. 270, for supplying incorporated towns and cities, and the inhabitants thereof, with fresh water.

MESSAGE FROM THE SENATE.

SENATE CHAMBER, SACRAMENTO, February 4th, 1880.

MR. SPEAKER: I am directed to inform your honorable body that the Senate, on this day, has considered Assembly message with reference to Senate Bill No. 56, and finding that said bill has been improperly transmitted to the Senate, has directed that said bill be returned to the Assembly for correction.

M. D. BORUCK, Secretary.

Bill ordered correctly amended and returned to the Senate.

INTRODUCTION OF BILLS.

The following bills were introduced and ordered printed:

By Mr. Adams (by permission)—An Act to add a new section to the Political Code, to be known as section three thousand three hundred and ninety, in relation to licensing persons ineligible to become citizens under the laws of the United States engaged in the business of laundrying.

Also, an Act to add a new section to the Political Code, to be known as section three thousand three hundred and eighty-nine, relative to the licensing of persons ineligible to citizenship under the

laws of the United States engaged in the business of raising and peddling agricultural and other products of the soil.

SECOND READING OF BILLS.

Assembly Bill No. 161—An Act to repeal an Act entitled an Act to provide for the extermination of squirrels in certain counties, approved March thirtieth, eighteen hundred and seventy-eight.

Withdrawn.

Senate Bill No. 133—An Act to amend an Act entitled an Act to provide for the extermination of squirrels in certain counties, approved March thirtieth, eighteen hundred and seventy-eight.

Read second time, and ordered on file.

Assembly Bill No. 215—An Act to encourage the destruction of certain wild animals, and to provide for a bounty for the same.

Read second time

Mr. Cooper moved to amend by adding to section two, the words "to be paid for out of the funds of the State."

Lost.

Mr. Fox moved to amend by inserting after the word "destroy," the words "by them or by some person in their employ."

Adopted.

Mr. Fox moved to amend by striking out the word "four-footed" before the word animals.

Lost.

Mr. Downs moved to amend by striking out "three dollars," and inserting "one dollar."

Lost.

Mr. Stanley moved to amend by striking out "three dollars," and insert "one dollar," and change coyote from the four dollar class to the one dollar class.

Lost.

Mr. Felton moved to amend, making it discretionary with the Boards of Supervisors of the several counties of the State to adopt the provisions of the Act or not for their respective counties, as they deemed right.

Mr Fox moved to amend the amendment by striking out all after the enacting clause, and inserting instead section one: "The Boards of Supervisors of the several counties in this State may provide, by ordinance or resolution, for the payment of a bounty, to be fixed by such Board, for the destruction of such wild animals as are destructive of the flocks and herds of farmers or stock raisers in their respective counties."

The ayes and noes were demanded by Messrs. Walker, Levee, and Sweetland

The roll was called, and the amendment introduced by Mr. Fox was lost by the following vote:

AYES—Messrs Anthony, Bass, Bennett, Brooks, Brown of Yuba, Carr of Yuba, Coffman, Cooper, Cuthbert, Del Valle, Dimond, Downs, Estey, Fox, Green, Leach, Levee, Merry, Stanley, Stoddard, Streeter, Wason of Ventura, and Young—23.

NOES—Messrs. Adams, Braunhart, Brown of Sonoma, Bruner, Burns, Camron, Carr of Sacramento, Chamberlain, Chandler, Coroman, DuBrutz, Felton, Finlayson, Fraser, Frink, Garibaldi, Gaffey, Hardy, Hershey, Hartson, Josselyn, Leadbetter, Maguire, May, Maybell, McCarty of Lake, McCarthy of San Francisco, McComas, McDade, McIntosh, Messenger, Picket, Sayle, Simon, Sherburne, Spencer, Sweetland, Tyler, Walker, Ward, Wasson of Mono, Wattson, and York—43

Mr. Sweetland gave notice that he would, on to-morrow, move to reconsider the vote by which the amendment was lost.

Mr. Felton withdrew his amendment.

Mr. Wason moved to amend by striking out the word "coyote" from line four and inserting the same word in line five, after the word "cat."

Carried.

ADJOURNMENT.

At four o'clock and forty-five minutes P. M. Mr. Estey moved that this House do now adjourn.

Carried.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Thursday, February 5th, 1880.

House met pursuant to adjournment.

Speaker Cowdery in the chair.

Roll called, and a quorum present.

One day's leave of absence granted to Messrs. McDade, Morse, and Nelson.

Prayer by the Chaplain.

Reading and approval of the Journal of yesterday.

Mr. Chandler moved that further reading of the Journal be dispensed with.

So ordered.

The Journals of Tuesday and Wednesday approved.

MOTION.

Mr. Tyler moved to take the following resolution from the table:

Resolved, That each day this House take a recess at one P. M. until two P. M., and at half-past four P. M. until seven and one-half P. M., and that, until further ordered, the evening session shall be for the first reading of bills only.

So ordered.

MOTION OF RECONSIDERATION.

By Mr. Sweetland (pursuant to notice):

MR. SPEAKER: I now move to reconsider the vote by which the amendment to Assembly Bill No. 215—An Act to encourage the destruction of certain wild animals, and to provide for a bounty for the same—was lost.

Upon which the ayes and noes were demanded by Messrs. Estey, Walker, and Levee.

The roll was called, and the motion to reconsider was lost by the following vote:

AYES—Messrs Anthony, Bass, Bennett, Brooks, Burns, Carr of Yuba, Coleman, Cooper, Del Valle, Downs, Estey, Fox, Garibaldi, Gorley, Green, Hardy, Josselyn, Leach, Levee, Maybell, McCarthy of San Francisco, McIntosh, Merry, Nelson, Simon, Sherburne, Stanley, Stoddard, Streeter, Sweetland, Ward, and Wason of Ventura—32.

NOES—Messrs. Adams, Brown of Sonoma, Brown of Yuba, Bruner, Camron, Carr of Sacramento, Chamberlain, Chandler, Coffman, Coroman, Cuthbert, Dimond, DuBrutz, Felton, Finlayson, Fraser, Frink, Hershey, Hartson, Leadbetter, May, McCarty of Lake, McComas, Messenger, Mulholland, Sayle, Spencer, Tyler, Walker, Wattson, York, and Young—32.

PETITION.

By Mr. Frink—A petition from Mrs. Martha Pursell, Miss Mary Courtney, Mrs. Esther Clevinger, and Julia D. Morgan, asking for the removal of political disabilities, was introduced and referred to the Judiciary Committee.

MOTION.

Mr. Young moved to recommit to the Committee on Corporations Assembly Bill No. 84—An Act to provide for the organization of a Board of Railroad and Transportation Commissioners.

Lost.

PETITION.

By Mr. May—A petition from certain citizens of San Francisco, remonstrating against legislation adverse to the Chinese.

Referred to the Committee on Chinese Immigration and Emigration.

ASSEMBLY CONCURRENT RESOLUTION.

By Mr. Brooks:

Resolved by the Assembly, the Senate concurring, That the State Printer be and he is hereby directed to deliver to the Secretary of State one hundred and sixty copies of all bills passed by the present Legislature, for distribution to the Superior Judges and County Clerks of this State, pursuant to the joint resolution passed by the Senate and Assembly, January sixteenth, eighteen hundred and eighty.

Adopted.

PETITIONS.

The following petitions were presented:

By Mr. Maguire—From certain citizens of San Francisco, relative to the matter of the Pennsylvania Avenue.

Referred to the San Francisco delegation.

By Mr. Chandler—From the residents of Fairview School District in the Counties of Placer and Sutter, relative to the passage of some law to authorize adjoining school districts to maintain a joint school.

Referred to the Committee on Education.

REPORTS OF STANDING COMMITTEES.

By Mr. Sherburne:

ASSEMBLY CHAMBER, SACRAMENTO, February 5th, 1880.

MR. SPEAKER: Your Committee on the Engrossment of Bills beg leave to report that they have examined and find properly engrossed Assembly Bill No. 57—An Act to repeal an Act entitled "An Act to compel the County Clerk of the City and County of San Francisco to keep open his office upon all election days," approved March seventh, eighteen hundred and seventy-six.

Assembly Bill No. 165—An Act to repeal an Act entitled an Act to change the orthography of the name of a town in Shasta County.

Assembly Joint Resolution No. 1—Asking the recall of a certain order of the Commissioner of the General Land Office of the United States.

Assembly Bill No. 81—An Act to repeal section five hundred and ninety-nine of the Penal Code, relating to the protection of seals and sea lions near the Cliff House, in the City and County of San Francisco.

SHERBURNE, Chairman.

By Mr. Brooks:

ASSEMBLY CHAMBER, SACRAMENTO, February 5th, 1880.

MR. SPEAKER: Your Committee on Enrollment respectfully report that the following Assembly bills have been correctly enrolled, viz.: No. 29—An Act to continue in force school teachers' certificates, State educational diplomas, and life diplomas.

Also, No. 93—An Act in relation to certain deputies and assistants of County Clerks.

And the same were this day, February 5th, at eleven o'clock A. M., presented to the Governor for his approval.

BROOKS, Chairman.

Mr. Fox presenting a report from the Judiciary Committee, and Mr. Cooper objecting to its reception, Mr. Camron moved that the report be recommended by the House.

Carried.

By Mr. Fox:

ASSEMBLY CHAMBER, SACRAMENTO, February 5th, 1880.

MR. SPEAKER: Your Judiciary Committee, to whom was referred Assembly Bill No. 36—An Act to amend sections sixty-nine, seventy, eighty, one hundred and thirty-seven, two hundred and twenty-six, two hundred and forty-three, two hundred and forty-four, two hundred and forty-nine, two hundred and fifty-three, two hundred and fifty-eight, two hundred and sixty-five, two hundred and seventy-three, five hundred and ninety-six, five hundred and ninety-eight, six hundred and ninety-two, one thousand and forty-five, one thousand two hundred and forty-seven, one thousand two hundred and sixty-five, one thousand three hundred and sixty-three, one thousand three hundred and sixty-four, two thousand two hundred and eighty-three, two thousand two hundred and eighty-seven, two thousand two hundred and eighty-nine, three thousand four hundred and sixty-seven, and three thousand four hundred and sixty-nine, of the Civil Code, conferring upon the Superior Courts and their Judges and officers the jurisdiction and authority heretofore exercised by the Courts abolished by the Constitution, their Judges and officers.

Also, Assembly Bill No. 126—An Act to enable the State Board of Equalization to organize and perform its duties—(*which was referred to the Committee after having been amended by the House*).

Also, Assembly Bill No. 170—An Act to amend section five hundred and twenty-nine of the Code of Civil Procedure, in relation to injunctions.

Also, Assembly Bill No. 176—An Act to amend section five hundred and sixty-four, and to repeal sections six hundred and sixty-six, six hundred and sixty-seven, and six hundred and sixty-eight, of the Penal Code, in relation to increase of punishment upon conviction for second offense.

Also, Assembly Bill No. 178—An Act to amend sections two hundred and fifty-one and two hundred and fifty-two of the Penal Code, in relation to libels.

Also, Assembly Bill No. 190—An Act to amend sections two hundred and four, two hundred and six, two hundred and nine, two hundred and eleven, two hundred and fourteen, two hundred and fifteen, two hundred and nineteen, and two hundred and twenty-one, and to repeal sections two hundred and sixteen, two hundred and seventeen, and two hundred and eighteen, of the Code of Civil Procedure, in relation to the drawing of juries.

Also, Assembly Bill No. 200—An Act to amend sections one thousand six hundred and thirteen and one thousand six hundred and fourteen of the Penal Code, relative to working prisoners confined in the county jails—have the same under consideration, and now report the same back, with amendments to each, and recommend that they severally be passed as amended.

Your committee have also had under consideration Assembly Bill No. 169—An Act to amend sections six hundred and eighty-one and six hundred and eighty-five of the Code of Civil Procedure, relating to the execution of judgments in civil actions—and report the same back with a recommendation that it do not pass, for the reason that the subject-matter thereof has been already provided for in bills now before this Assembly, and heretofore reported upon.

Also, that they have had under consideration Assembly Bill No. 201—An Act to add a new section to the Penal Code, to be known as section one thousand six hundred and fifteen, in relation to the duty of Sheriffs in working prisoners confined in county jails—and report the same back, with a recommendation that it do not pass, for the reason that the same provision is embodied in an amendment proposed to Assembly Bill No. 200, recommended by this committee.

Also, that they have had under consideration Assembly Bill No. 188—An Act to prohibit the employment of prisoners by contract—and now report the same back with a recommendation that the same be referred to the State Prison Committee.

Your committee have also had under consideration Assembly Bill No. 183—An Act to add a new section to the Code of Civil Procedure, in relation to counsel fees in judgments for labor, and Assembly Bill No. 184—An Act to provide for the keeping of accounts in the English language in certain cases; and Assembly Bill No. 185—An Act to amend section six hundred and nineteen of the Penal Code, relative to disclosing the contents of telegraphic messages—and report the same back with a recommendation that they severally do pass.

Your committee have also had under consideration Assembly Bill No. 139—An Act to enable female citizens to vote upon all matters relating to the public schools of the State—and regret to find that, under the Constitution, they are compelled to report the same back, with a recommendation that it do not pass.

Your committee have also had under consideration Assembly Bill No. 122—An Act to prevent the sale and use of opium—which was referred to them after having been amended in the House by striking out section one, and now report the same back, with certain other amendments suggested to the bill as printed, and recommend that the House adhere to the amendment already made, adopt the amendments made by this committee, and then pass the bill as thus amended.

FOX, Chairman

By Mr. Green:

ASSEMBLY CHAMBER, SACRAMENTO, February 3d, 1880.

MR. SPEAKER: The Committee on Labor and Capital, to whom was referred Assembly Bill No. 110—An Act to establish and enforce eight hours as a legal day's work—have had the same under consideration, and report the same back to the Assembly with amendment, and recommend its passage.

Six members present, and voting: Ayes—Messrs. Finlayson, Braunhart, DuBrutz, and Brown; noes—Messrs. Tyler and Green.

GREEN, Chairman

By Mr. Green:

MR. SPEAKER: A minority of the Committee on Labor and Capital have had under consideration Assembly Bill No. 110—An Act to establish and enforce eight hours as a legal day's work—and report the same back with amendments, and recommend its passage as amended.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, February 3d, 1880.

MR. SPEAKER: The Committee on Labor and Capital, to whom was referred Assembly Bill No. 243—An Act for the better protection of laborers in their wages—have had the same under consideration, and report the same back to the Assembly with amendment, and recommend its passage.

GREEN, Chairman

By Mr. Carr of Sacramento:

ASSEMBLY CHAMBER, SACRAMENTO, February 5th, 1880.

MR. SPEAKER: Your Committee on State Library, to whom was referred Assembly Bill No. 202—have had the same under consideration, and report it back, recommending its rejection.

CARR, Chairman.

By Mr. May:

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred Assembly Bill No. 15—having fully considered the same, beg leave to report it back to the House, and recommend that it do not pass, as another bill, covering the same grounds, has been recommended for passage by this committee.

MAY, Chairman

Also:

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred Assembly Bill No. 171, having fully considered the same, beg leave to report it back to the House with the recommendation that it do not pass.

MAY, Chairman

Also:

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred Assembly Bill No. 17, and a petition for the passage of the same, have had them under consideration, and now beg leave to report them back, with a substitute by the same author, and recommend that the substitute be adopted.

MAY, Chairman.

Also:

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred Assembly Bill No. 83—having fully considered and amended the same, beg leave to report it back to the House, and recommend that it do pass as amended.

MAY, Chairman.

MESSAGE FROM THE GOVERNOR.

STATE OF CALIFORNIA, EXECUTIVE DEPARTMENT,
SACRAMENTO, February 4th, 1880.

To the Assembly of the State of California.

I have to inform your honorable body that I have approved Assembly Bill No. 6—An Act to transfer the records, papers, and business of the Courts existing on the thirty-first day of December, eighteen hundred and seventy-nine, in this State, to the Courts now existing therein.

GEO. C. PERKINS, Governor.

INTRODUCTION OF BILLS.

The following bills were introduced, and ordered printed:

By Mr. Young—An Act to repeal sections three hundred and fifteen and three hundred and sixteen of the Code of Civil Procedure, relating to the time of commencing actions for the recovery of real property.

By Mr. Green—An Act to ascertain the number of minor orphans, half-orphans, abandoned children, and aged persons in indigent circumstances in institutions in this State for the support and maintenance of which are entitled to State aid.

By Mr. DuBrutz—Assembly Joint Resolution, asking congressional aid in behalf of a large number of settlers upon government land, in what is known as the Mussel Slough District, in Tulare County, California

By Mr. Brooks—An Act to amend section eight hundred and forty-nine of the Code of Civil Procedure

By Mr. Sayle—An Act to amend section nine hundred and fifty of the Political Code, in relation to bonds of officers.

By Mr. Tyler—An Act to amend sections nine hundred and forty-nine, nine hundred and fifty, nine hundred and fifty-one, nine hundred and fifty-two, nine hundred and fifty-three, nine hundred and fifty-four, nine hundred and fifty-five, nine hundred and fifty-seven, nine hundred and fifty-eight, nine hundred and fifty-nine, nine hundred and sixty, nine hundred and sixty-one, nine hundred and sixty-four, nine hundred and sixty-five, nine hundred and sixty-six, nine hundred and sixty-seven, nine hundred and sixty-eight, nine hundred and sixty-nine, nine hundred and seventy, nine hundred and seventy-one, and nine hundred and seventy-two, of the Penal Code, in reference to indictments, informations, and their forms

Also, an Act to add two sections to the Code of Civil Procedure, relative to attachments, to be known as sections five hundred and sixty and five hundred and sixty-one.

By Mr. Wasson of Mono—An Act to amend an Act entitled an Act for the protection of miners, approved March thirteenth, eighteen hundred and seventy-two.

NOTICE.

By Mr. Tyler:

MR. SPEAKER: I hereby give notice that, on to-morrow, I will move to alter Rule One, of this House, so as to read as follows "The House shall meet each day of sitting, at nine o'clock and thirty minutes A. M., unless the House shall adjourn to some other hour and take a recess, until otherwise ordered, from one to two o'clock P. M."

CONSIDERATION OF SENATE MESSAGES.

Assembly Bill No. 31—An Act to amend sections one thousand

four hundred and eighteen and one thousand four hundred and nineteen of an Act entitled an Act to establish a Penal Code, approved February fourteenth, eighteen hundred and seventy-two, relating to reprieves, commutations, and pardons.

Mr. Fox moved that this House refuse to concur in the Senate amendments.

So ordered.

Assembly Bill No. 32—An Act to amend sections seven hundred and thirty-seven, seven hundred and forty-six, seven hundred and forty-nine, and seven hundred and fifty-three, of an Act entitled an Act to establish a Penal Code, approved February fourteenth, eighteen hundred and seventy-two, relating to impeachments.

Mr. Tyler moved that the House do not concur in the Senate amendments.

Carried.

Assembly Bill No. 33—An Act to amend sections one thousand four hundred and seventy-five and one thousand five hundred and four of an Act entitled an Act to establish a Penal Code, approved February fourteenth, eighteen hundred and seventy-two, relating to a writ of habeas corpus.

Mr. Tyler moved that the House do not concur in the Senate amendments to the bill.

Carried.

SECOND READING OF BILLS.

Assembly Bill No. 232—An Act to protect agriculture, and to prevent the trespassing of stock upon private property.

Read second time, and referred to the Committee on County Governments and Municipal Corporations

Assembly Bill No 207—An Act to amend section seven hundred and ninety-one of the Political Code, in relation to Notaries Public.

Withdrawn.

Assembly Bill No. 168—An Act to amend sections five hundred and thirty-seven and five hundred and thirty-eight of the Code of Civil Procedure, in relation to attachments.

On motion, the enacting clause was stricken out and the bill rejected.

Assembly Bill No. 164—An Act establishing a legal rate of interest.

Mr. Finlayson moved to strike out the enacting clause of the bill.

RECESS.

Pending discussion of the motion, the hour of one o'clock P. M. having arrived, the House took a recess for one hour.

RE-ASSEMBLED.

The House re-assembled at two o'clock P. M.

Speaker Cowdery in the chair.

Quorum present.

SECOND READING OF BILLS—RESUMED.

Consideration of Assembly Bill No. 164—An Act to establish a legal rate of interest—resumed.

Mr. Tyler offered the following amendment: In line two, section one, strike out the word "six," and insert the word "three."

Lost.

Also, the following amendment: Add at the end of line six, section one, as follows: "*Provided*, that any person or corporation, who has money, who shall refuse to loan to any person desiring to borrow upon request, at the rate above specified, shall be guilty of a misdemeanor, and upon conviction shall be punished by fine not exceeding five hundred dollars, or by imprisonment not exceeding six months, or by both such fine and imprisonment."

Lost.

Mr. Tyler moved to amend section seven as follows: Amend section seven by striking out the word "misdemeanor," and insert the word "felony." Also, strike out all after the word "be," in line four.

Lost.

Mr. Fox moved to strike out section seven.

Lost.

Mr. Fox moved to strike out section ten.

Lost.

Bill read second time, and ordered to third reading.

Mr. Tyler gave notice that he would move, to-morrow, to reconsider the vote by which above amendments were lost.

Mr Fox gave notice that he would, to-morrow, move to reconsider the vote by which the bill was ordered to third reading.

Assembly Bill No. 159—An Act to amend section four hundred and seven of the Code of Civil Procedure.

Bill amended as recommended by the committee

Read second time, and ordered to third reading

Assembly Bill No. 162—An Act to amend section three hundred and thirty-eight of the Penal Code, relative to pawnbrokers.

Bill read second time, and ordered to third reading.

Assembly Bill No. 156—An Act to exempt the homesteads of all heads of families from forced sale for taxes and assessments.

Read second time.

Upon the question, "Shall the bill be read a third time," the ayes and noes were demanded by Messrs. Braunhart, Garibaldi, and Lane.

Mr. Bruner moved to amend the bill in section one, in line two, by striking out the word "five," and inserting in lieu thereof the word "two."

Lost.

Mr. Anthony moved to strike out, in line two, the word "thousand," and insert the word "hundred."

The previous question was demanded by Messrs. Adams, Downs, and Stanley, and the House so ordered.

The question being upon the amendment, the House refused to amend.

The question recurring upon the passage of the bill to a third reading, the roll was called, and the bill was refused a third reading by the following vote:

AYES—Messrs. Anthony, Bass, Braunhart, Bruner, Burns, Carr of Yuba, Cuthbert, Garibaldi, Gaffey, Josselyn, Lane, Levee, Maguire, McCarthy of San Francisco, McDade, Picket, Sayle, Simon, Walker, Wason of Ventura, and Young—21

NOES—Messrs. Adams, Bennett, Brooks, Brown of Sonoma, Brown of Yuba, Carr of Sacramento, Chamberlain, Chandler, Coffman, Coleman, Cooper, Corcoran, Del Valle, Dimond, Downs, DuBrutz, Estey, Felton, Finlayson, Fox, Fraser, Frink, Gorley, Green, Hardy, Hershey,

Hartson, Leach, Leadbetter, May, Maybell, McCarty of Lake, McComas, McIntosh, Merry, Messenger, Mulholland, Sherburne, Spencer, Stanley, Stoddard, Streeter, Sweetland, Tyler, Ward, Wattson, York, and Mr. Speaker—48.

Mr. Maybell gave notice that he would, on to-morrow, move to reconsider the vote by which this bill was refused a third reading.

Assembly Bill No. 155—An Act to amend an Act entitled 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 thereto approved April first, eighteen hundred and seventy-two.

Read second time, and the bill withdrawn.

Assembly Bill No. 149—An Act to amend an Act entitled an Act concerning actions for libel and slander, approved March twenty-third, eighteen hundred and seventy-two.

Read second time, and ordered to a third reading.

Assembly Bill No. 148—An Act to amend an Act entitled an Act to enable certain parties therein named to alienate or incumber homesteads, approved March twenty-fifth, eighteen hundred and seventy-four.

Read second time, and ordered to a third reading

Assembly Bill No. 143—An Act to amend an Act entitled an Act relating to apprentices and masters, approved April third, eighteen hundred and seventy-six.

Read second time.

Mr. Maybell moved that the enacting clause be stricken out.

Lost.

Mr. Braunhart moved, as a substitute, the following:

SECTION 1. An Act entitled an Act relating to apprentices and masters, approved April third, eighteen hundred and seventy-six, is hereby repealed.

SEC. 2. This Act shall take effect immediately.

The Speaker said: "The Chair will put a motion to the House, as he has a perfect right to do, to wit: Shall this debate continue?"

The question being taken, the House refused to continue the debate.

The ayes and noes were demanded by the requisite number, the question being upon the amendment of Mr. Braunhart.

The roll was called, and the amendment was rejected by the following vote:

AYES—Messrs. Burns, Carr of Yuba, Garibaldi, Josselyn, Levee, Maybell, McDade, and Walker—8.

NOES—Messrs. Anthony, Bass, Bennett, Braunhart, Brooks, Brown of Yuba, Bruner, Cameron, Carr of Sacramento, Chamberlain, Chandler, Coffman, Coleman, Cooper, Corcoran, Cuthbert, Del Valle, Dimond, Downs, Estey, Felton, Fox, Fraser, Fink, Gaffey, Gorley, Green, Hardy, Hershey, Hartson, Lane, Leach, Leadbetter, Maguire, May, McCarty of Lake, McCarthy of San Francisco, McComas, McIntosh, Merry, Mulholland, Picket, Sayle, Simon, Sherburne, Spencer, Stanley, Stoddard, Streeter, Sweetland, Tyler, Ward, Wason of Ventura, Wasson of Mono, Wattson, York, Young, and Mr. Speaker—58.

The bill was then passed to a third reading by vote of the House.

Mr. Braunhart gave notice that he would, on to-morrow, move to reconsider the vote by which his amendment for the above bill was rejected.

Assembly Bill No. 131—An Act to amend section one thousand one hundred and eighty-three of "An Act to establish a Code of Civil Procedure," approved March eleventh, eighteen hundred and

seventy-two, relating to liens of mechanics and others upon real and personal property.

Read second time, and withdrawn.

Assembly Bill No. 141—An Act in relation to the licensing of vehicles.

Read second time, and amended so as to strike out the word "tax."

The ayes and noes being demanded by the requisite number, the roll was called, and the bill was refused a third reading by the following vote:

AYES—Messrs. Anthony, Carr of Yuba, Corcoran, Cuthbert, Dunond, Gaffey, Hardy, Josselyn, Levee, Mayhell, McIntosh, Messenger, Picket, and Walker—14.

NOES—Messrs. Adams, Bass, Bennett, Braunhart, Brooks, Brown of Yuba, Bruner, Burns Camron Chamberlain, Chandler, Coleman, Cooper, Del Valle, Downs, DuBurtz, Estey, Felton, Finlayson, Fox, Fraser, Frink, Garibaldi, Gorley, Green, Hershey, Hartson, Lane, Leach, Leadbetter, Maguire, May, McCarty of Lake, McCarthy of San Francisco, McComas, McDade, Merry, Sayle, Simon, Sherburne, Spencer, Stanley, Stoddard, Streeter, Tyler, Ward, Wason of Ventura, Wasson of Mono, York, Young, and Mr. Speaker—51

Mr. Bruner moved that at 5 o'clock the House take a recess.

Lost.

Mr. McCarthy moved that when this House adjourns, it be to meet at nine and a half A. M. to-morrow.

Carried.

Assembly Bill No. 142—An Act to amend the Penal Code, by adding a new section thereto, to be known as section five hundred and thirty-six, relative to cheats.

Read second time, and ordered to third reading.

Assembly Bill No. 120—An Act to amend section seven hundred and two of an Act entitled "An Act to establish a Code of Civil Procedure," approved March eleventh, eighteen hundred and seventy-two

Read second time, and ordered to third reading.

Assembly Bill No. 123—An Act to compel the use of a brand, stamp, stencil, or trade-mark, on all manufactured commodities.

Read second time.

The question being, "Shall the bill be read a third time?" the House refused a third reading to the bill.

RECESS.

Mr. Bruner now moved that the House take a recess until seven o'clock P. M.

Carried.

RE-ASSEMBLED.

House re-assembled at seven o'clock P. M.

Speaker Cowdery in the chair.

Quorum present.

SECOND READING OF BILLS—RESUMED.

Assembly Bill No. 124—An Act to amend section three hundred and three of the Penal Code, relative to the sale of liquors by females.

Read second time

Mr. Lane moved that the enacting clause of the bill be stricken out.

Motion adopted, and bill rejected.

Assembly Bill No. 127—An Act to amend sections three hundred and eighteen, three hundred and nineteen, three hundred and twenty, three hundred and twenty-one, three hundred and twenty-two, three hundred and twenty-five, three hundred and thirty-six, three hundred and thirty-seven, three hundred and thirty-nine, three hundred and forty, three hundred and forty-two, and three hundred and forty-three, of the Code of Civil Procedure, relative to limitations of actions.

Read second time, and ordered to third reading

Assembly Bill No. 130—An Act to amend section six hundred and ninety-one of the Political Code, approved March eighteenth, eighteen hundred and seventy-eight.

Amended as recommended by the committee.

Mr. Sayle moved to amend by striking out the word "Fresno," in line eight, printed bill, and inserting said word in line eleven.

Adopted.

Mr. Tyler moved to take "San Diego County" out of line five, and insert it after the word "Mono," in line seven.

Adopted.

Title amended.

Mr. McIntosh moved to amend the bill so as to include San Joaquin among the counties having thirty Notaries Public.

Adopted.

Title amended a second time.

Mr. Braunhart moved to strike out the word "must" after the word "Governor," and insert the word "may."

Adopted.

The word "creation," in line fourteen, ordered stricken out, and the word "passage" inserted, and the word "subsequently" changed to the word "subsequent."

The bill read second time, and ordered to third reading.

Assembly Bill No 116—An Act to amend section two hundred and sixty-six of the Political Code.

Withdrawn

Assembly Bill No. 118—An Act to amend section one thousand three hundred and eighteen of an Act entitled "An Act to establish a Code of Civil Procedure," approved March eleventh, eighteen hundred and seventy-two, relative to the contesting of the probate of wills.

Amended as recommended by the committee.

Read second time, and ordered to third reading.

Assembly Bill No. 112—An Act to repeal sections two, three, and six, and to amend section four of "An Act to provide for the payment of certain bonds of the County of Lake," approved March twenty-eighth, eighteen hundred and seventy-four, in relation to an Assessor and Collector.

Read second time, and ordered to third reading.

Assembly Bill No 94—An Act to legalize and validate the assessment and the assessment roll for State, county, and consolidated city and county taxes of the various counties of the State, for the fiscal year commencing in March, eighteen hundred and seventy-nine.

Amended as recommended by the committee.

Read second time.

The question being upon the amendments to the bill recommended

by the committee, upon a vote of the House they were declared adopted.

Title amended to correspond with the amendments made to the bill.

Mr. Lane moved to strike out the enacting clause of the bill.

The ayes and noes being demanded by Messrs. Lane, Braunhart, and Garibaldi, the roll was called, and the motion to strike out the enacting clause rejected by the following vote.

AYES—Messrs. Braunhart, Burns, Carr of Yuba, Cooper, Corcoran, Dimond, Garibaldi, Gaffey, Josselyn, Lane, Maguire, Maybell, and Walker—13.

NOES—Messrs. Adams, Anthony, Bass, Bennett, Bruner, Camron, Carr of Sacramento, Chandler, Coleman, Downs, DuBrutz, Felton, Finlayson, Fox, Fraser, Frink, Green, Hardy, Hershey, Hynes, Leadbetter, May, McCarthy of San Francisco, McDade, McIntosh, Merry, Messenger, Mulholland, Sayle, Simon, Sherburne, Spencer, Stanley, Stoddard, Streeter, Tyler, Ward, Wasson of Mono, Wattson, York, and Mr Speaker—41.

Mr. Braunhart moved that the bill be referred to the San Francisco delegation.

Lost.

The bill was then ordered to a third reading.

Mr. Finlayson moved that when we adjourn it be to meet at eleven o'clock A. M. to-morrow.

Carried.

Assembly Bill No. 111—An Act to amend section six hundred and eighty-five of the Code of Civil Procedure of California, in relation to the enforcement of judgments.

Amendments recommended by the committee adopted.

Bill read second time, and ordered to third reading.

Assembly Bill No. 65—An Act to amend section two hundred and sixty-eight of the Political Code.

Amendment recommended by the committee to insert "five dollars" instead of "four dollars," relating to Committee Clerks.

Adopted.

Mr. Tyler gave notice that he would move to reconsider the vote by which the second amendment of the committee was lost.

Mr. Carr of Yuba moved to strike out the word "Enrolling Clerk."

Adopted.

Mr. Corcoran moved to amend by striking out "six dollars" and inserting "eight dollars," in line seven.

[Mr. Braunhart in the chair.]

Mr. Lane moved to amend the amendment so as to include the Sergeant-at-Arms in the eight-dollar class.

Mr. Coleman moved that the bill be referred to the Committee on Retrenchment and Reform.

Lost.

At ten o'clock and six minutes P. M., Mr. McCarthy moved that we do now adjourn.

Lost.

The question being upon the amendment to the amendment by Mr. Lane, the ayes and noes were demanded by Messrs. Adams, Lane, and Finlayson.

The roll was called, and the amendment was adopted by the following vote:

AYES—Messrs. Braunhart, Burns, Corcoran, Del Valle, Dimond, Downs, Finlayson, Fox, Frink, Garibaldi, Gaffey, Hynes, Josselyn, Lane, Leadbetter, Maguire, May, McCarthy of San Francisco McDade, McIntosh, Messenger, Mulholland, Simon, Spencer, Tyler, Ward, Wattson, York, and Mr. Speaker—29.

NOES—Messrs. Adams, Anthony, Bass, Bennett, Cannon, Carr of Sacramento, Carr of Yuba, Chandler, Coleman, Cooper, DuBrutz, Estey, Fraser, Hardy, Hershey, Levee, Sayle, Sherburne, Stanley, Stoddard, and Streeter—21.

The question recurring upon the amendment of Mr. Corcoran, it was adopted.

The bill was then withdrawn.

At ten o'clock and fifteen minutes P. M. Mr. Sinon moved to adjourn.

Lost.

Mr. Burns moved a call of the House at ten o'clock and seventeen minutes P. M.

Mr. Fraser moved we do now adjourn.

Lost.

The question recurring upon the motion for a call of the House, the roll was called and a quorum found present.

Mr. Tyler moved that further proceedings under the call of the House be dispensed with.

Carried.

ADJOURNMENT.

At ten o'clock and twenty-five minutes P. M. Mr. Finlayson moved we do now adjourn.

Carried.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Friday, February 6th, 1880.

The House met pursuant to adjournment.

Speaker Cowdery in the chair.

Roll called, and a quorum present.

Prayer by the Chaplain.

Reading and approval of the Journal of yesterday.

Mr. Chandler moved that the further reading of the Journal be dispensed with.

So ordered.

The Journal of Thursday approved.

RECONSIDERATION.

Mr. Stanley, pursuant to notice, moved to reconsider the vote by which the House refused to pass Assembly Bill No. 156—An Act to exempt the homesteads of all heads of families from forced sale for taxes and assessments.

The previous question being demanded by the requisite number, the House so ordered.

The House then refused to reconsider the bill

Mr. Mulholland moved to reconsider the vote by which the House refused to adopt the amendment to Assembly Bill No. 143—An Act to amend an Act entitled "An Act relating to apprentices and masters," approved April third, eighteen hundred and seventy-six

Lost.

Mr. Fox withdrew his notice of reconsideration, given yesterday, relative to Assembly Bill No. 164—An Act establishing a legal rate of interest.

RESOLUTION.

By Mr. Carr (by permission):

Resolved, That two hundred and forty extra copies of Assembly Bill No. 334 be printed.

Adopted.

NOTICE.

By Mr. Del Valle:

MR. SPEAKER I hereby give notice that I will, on to-morrow, move to amend Rule One of this House.

RESOLUTION.

By Mr. Brooks:

Resolved, That the office of Enrolling Clerk be declared vacant from and after this date.

The ayes and noes were demanded by Messrs. Carr of Yuba, Brooks, and Camron.

The roll was called, and the resolution was adopted by the following vote:

AYES—Messrs Adams, Anthony, Bass, Brooks, Brown of Sonoma, Brown of Yuba, Bruner, Burns, Camron, Carr of Sacramento, Carr of Yuba, Chamberlain, Chandler, Coleman, Cuthbert, Del Valle, Downs, DuBrutz, Estey, Felton, Finlayson, Fox, Fraser, Frink, Garibaldi, Gorley, Green, Hardy, Hershey, Hartson, Josselyn, Leach, Leadbetter, Levee, May, Maybell, McCarty of Lake, McCarthy of San Francisco, McComas, McDade, McIntosh, Merry, Messenger, Morse, Mulholland, Nelson, Sayle, Simon, Spencer, Stanley, Stoddard, Streeter, Sweetland, Ward, Wasson of Mono, Wattson, York, and Mr Speaker—58.

NOES—Messrs Bennett, Braunhart, Coffman, Cooper, Corcoran, Dimond, Gaffey, Hynes, Lane, Maguire, McCallion, Picket, Walker, and Wason of Ventura—14.

And the office of Enrolling Clerk was declared vacant.

REPORTS OF STANDING COMMITTEES.

By Mr. Streeter:

ASSEMBLY CHAMBER, SACRAMENTO, February 4th, 1880.

MR. SPEAKER: The Committee on County Government and Municipal Corporations, to whom was referred Assembly Bill No. 274—An Act to authorize and empower the Boards of Supervisors of the several counties of this State to allow certain outstanding road claims, and provide for their payment—have had the same under consideration, and report the same back to the Assembly, and recommend its passage.

STREETER, Chairman

By Mr. Sherburne:

ASSEMBLY CHAMBER, SACRAMENTO, February 6th, 1880.

MR. SPEAKER Your Committee on Engrossment beg leave to report that they have examined and find properly engrossed Assembly Bill No. 37—An Act to amend sections four hundred and seventy-four, six hundred and one, seven hundred and ninety-nine, nine hundred and nine, nine hundred and fifty, one thousand and fifteen, one thousand one hundred and eight, one thousand one hundred and nine, one thousand two hundred and eighty-four, one thousand three hundred and ten, two thousand two hundred and forty, two thousand three hundred and ninety-two, two thousand three hundred and ninety-three, two thousand four hundred and seven, two thousand four hundred and eight, two thousand four hundred and ten, two thousand four hundred and thirteen, two thousand four hundred and fifteen, two thousand eight hundred, two thousand eight hundred and fifty-two, three thousand two hundred and eighty-five, three thousand four hundred and ninety, four thousand and forty-seven, four thousand and seventy-eight, four thousand one hundred and thirty-four, four thousand one hundred and sixty-five, four thousand one hundred and ninety-two, and four thousand two hundred and twenty-one, of an Act entitled "An Act to establish a Political Code," approved March

twelfth, eighteen hundred and seventy-two, conferring upon the Superior Courts, their Judges or officers, the jurisdiction and authority heretofore exercised in certain cases by the Courts abolished by the Constitution, their Judges or officers.

SHERBURNE, Chairman.

By Mr. Brooks:

ASSEMBLY CHAMBER, SACRAMENTO, February 6th, 1880.

MR SPEAKER The Committee on Enrollment respectfully report that Assembly Joint Resolution No 2—Relative to the protection of the commercial interests of the Pacific Coast—has been correctly enrolled, and this day, at eleven o'clock A. M., been presented to the Governor for his approval.

BROOKS, Chairman.

REPORT OF SELECT COMMITTEE.

By Mr. Coleman:

MR. SPEAKER The joint delegation of Alpine and Calaveras Counties, to whom was referred Assembly Bill No 179—An Act authorizing the Boards of Supervisors of Calaveras and Alpine Counties to survey the boundary line between said counties—have had the same under consideration, believe that the cost of making such survey would be greater than the benefits that would result therefrom, therefore report the bill back to the House, with a recommendation that the author of the bill be allowed to withdraw the same.

COLEMAN, for Delegation.

Bill withdrawn.

MESSAGE FROM THE GOVERNOR.

STATE OF CALIFORNIA, EXECUTIVE DEPARTMENT, SACRAMENTO, February 5th, 1880.

To the Assembly of the State of California

I have to inform your honorable body that I have approved Assembly Bill No. 29—An Act to continue in force school teachers' certificates, State educational diplomas, and life diplomas.

GEO. C. PERKINS, Governor.

INTRODUCTION OF BILLS.

The following bills were introduced, and ordered printed:

By Mr. May—An Act to regulate the practice of pharmacy.

By Mr. Green—An Act to amend sections four hundred and five, four hundred and seven, four hundred and nine, four hundred and ten, four hundred and twelve, four hundred and sixteen, four hundred and thirty-two, four hundred and thirty-seven, four hundred and forty-six, four hundred and sixty-five, four hundred and seventy-two, five hundred and ninety-three, one thousand and twenty-one, one thousand and twenty-two, one thousand three hundred and eighty-nine, and one thousand eight hundred and eighty, and to repeal sections four hundred and six, four hundred and eight, and four hundred and forty-two, of the Code of Civil Procedure.

By Mr Maybell—An Act prohibiting any company or corporation whose business is to supply illuminating gas or water for public use from charging their consumers for pipes communicating with such company or corporation's supply pipes or street mains and the line of the street or sidewalk curb fronting the premises to be supplied and then making connection with the pipe of the consumer.

By Mr. Chandler—An Act to provide a system of drainage for agricultural lands.

Also, an Act to provide for the protecting of lands from overflow other than lands recognized as swamp lands.

By Mr Brooks—An Act to add section eight hundred and eighty-eight to the Code of Civil Procedure

RESOLUTIONS.

By Mr. Anthony—Assembly Joint Resolution, relative to Government lands in the State of California.

By Mr. Carr (by permission):

Resolved, That the Engrossing Committee be and they are hereby empowered to employ a Clerk at a per diem of five dollars per day.

Referred to the Committee on Attachés and Employés.

By Mr. Gaffey:

Resolved by the Assembly, the Senate concurring, That our Senators in Congress be and they are hereby instructed, and our Representatives requested, to use their influence to obtain the establishment of a postal telegraph system throughout the United States.

Unanimously adopted.

FIRST READING OF BILLS.

Assembly Bill No. 323—An Act to amend sections one thousand and forty-one, one thousand and fifty-three, one thousand and fifty-five, one thousand and eighty-three, one thousand and eighty-four, one thousand and ninety-seven, one thousand one hundred and six, one thousand one hundred and eight, one thousand one hundred and nine, one thousand one hundred and thirteen, one thousand one hundred and thirty, one thousand one hundred and forty-seven, one thousand two hundred and twenty-eight, one thousand two hundred and thirty, one thousand two hundred and thirty-two, one thousand two hundred and thirty-five, one thousand two hundred and thirty-six, one thousand two hundred and thirty-seven, one thousand two hundred and eighty-four, one thousand two hundred and eighty-eight, one thousand three hundred and ten, one thousand three hundred and eleven, and one thousand three hundred and forty-three, of the Political Code, relating to elections, and to repeal section one thousand and forty-two of said Code.

The Clerk was authorized to insert the enacting clause.

Bill read first time, and referred to the Committee on Claims.

Assembly Bill No. 324—An Act to amend section four thousand and twenty-six of the Political Code.

Read first time, and referred to the Committee on Judiciary.

Assembly Bill No. 325—An Act to prevent persons passing through inclosures and leaving them open by tearing down fences or otherwise, and to prevent hunting upon inclosed lands in the State of California.

Read first time, and referred to the Committee on Agriculture.

Assembly Bill No. 326—An Act for the maintenance and improvement of the police force in consolidated city and county governments of the State of California.

Read first time, and referred to the Judiciary Committee.

Assembly Bill No. 327—An Act to allow unincorporated towns and villages to equip and maintain a fire department, and to assess and collect taxes from time to time for such purposes, and to create a Board of Fire Commissioners.

Read first time, and referred to the Committee on County Governments and Municipal Corporations.

Assembly Bill No. 328—An Act to amend section three thousand seven hundred and eighty of the Political Code, relative to time for redemption of property sold for taxes.

Read first time, and referred to the Committee on Ways and Means.

Assembly Bill No. 329—An Act to amend section two of an Act entitled "An Act to amend an Act entitled an Act to incorporate the City of Oakland, passed March twenty-fifth, eighteen hundred and fifty-four, and repealing certain other Acts in relation to said city," approved April twenty-fourth, eighteen hundred and sixty-two.

Read first time, and referred to the Alameda delegation

MESSAGE FROM THE SENATE.

SENATE CHAMBER, SACRAMENTO, February 5th, 1880.

MR SPEAKER I am directed to inform your honorable body that the Senate, on this day, passed Assembly Bill No 34—An Act to amend an Act entitled an Act to define the Senatorial and Assembly Districts of this State, and to apportion the representation thereof, approved March sixteenth, eighteen hundred and seventy-four

Assembly Bill No. 18—An Act to repeal section four hundred and twenty of the Penal Code.

Senate Bill No. 5—An Act to provide for the improvement of Normal School Square, in the City of San José.

Senate Bill No. 140—An Act to amend sections nine hundred and forty-three, nine hundred and forty-eight, and nine hundred and fifty-nine, of the Code of Civil Procedure, relating to appeals in civil actions

Senate Bill No 145—An Act to amend section one thousand of the Code of Civil Procedure, relating to inspection of writings

Senate Bill No 146—An Act to amend sections one thousand and four and one thousand and five of the Code of Civil Procedure, relating to motions and orders in civil actions.

Senate Bill No. 147—An Act to amend section one thousand and fifty-four of the Code of Civil Procedure, relating to the time within which certain acts are to be done

Senate Bill No 148—An Act to amend section one thousand and fifty-five of the Code of Civil Procedure, relating to actions against Sheriffs.

Senate Bill No. 149—An Act to repeal section one thousand and fifty-six of the Code of Civil Procedure.

Senate Bill No. 150—An Act to amend section one thousand and fifty-eight of the Code of Civil Procedure relating to civil actions, wherein the State or an officer thereof, or a county, city and county, city or town, is a party.

Senate Bill No. 151—An Act to amend section one thousand one hundred and eight of the Code of Civil Procedure, relating to writs of review, mandate, or prohibition.

Senate Bill No. 139—An Act to repeal chapters four and five, of title thirteen, of part two, of the Code of Civil Procedure, and each and every section of said chapters four and five, relating to appeals in civil actions

Senate Bill No. 113—An Act to amend sections four hundred and thirty-two, four hundred and fifty-four, and four hundred and seventy-three, of the Code of Civil Procedure, relating to appeals in civil actions

M. D. BORUCK, Secretary.

CONSIDERATION OF SENATE MESSAGE.

Senate Bill No. 5—An Act to provide for the improvement of the Normal School Square, in the City of San José.

Read first time, and referred to the Committee on Ways and Means.

Senate Bill No. 140—An Act to amend sections nine hundred and forty-three, nine hundred and forty-eight, and nine hundred and fifty-nine, of the Code of Civil Procedure, relating to appeals in civil actions.

Senate Bill No. 145—An Act to amend section one thousand of the Code of Civil Procedure, relating to inspection of writings.

Senate Bill No. 146—An Act to amend sections one thousand and four and one thousand and five of the Code of Civil Procedure, relating to motions and orders in civil actions.

Senate Bill No. 147—An Act to amend section one thousand and

fifty-four of the Code of Civil Procedure, relating to the time within which certain acts are to be done.

Senate Bill No. 148—An Act to amend section one thousand and fifty-five of the Code of Civil Procedure, relating to actions against Sheriffs.

Senate Bill No. 149—An Act to repeal section one thousand and fifty-six of the Code of Civil Procedure.

Senate Bill No. 150—An Act to amend section one thousand and fifty-eight of the Code of Civil Procedure, relating to civil actions wherein the State, or an officer thereof, or a county, city and county, city, or town, is a party.

Senate Bill No. 151—An Act to amend section one thousand one hundred and eight of the Code of Civil Procedure, relating to writs of review, mandate, or prohibition.

Senate Bill No. 139—An Act to repeal chapters four and five, of title thirteen, of part two, of the Code of Civil Procedure, and each and every section of said chapters four and five, relating to appeals in civil actions.

Senate Bill No. 113—An Act to amend sections four hundred and thirty-two, four hundred and fifty-four, and four hundred and seventy-three, of the Code of Civil Procedure, relating to pleadings in civil actions.

Each of the above ten bills read first time, and referred to the Judiciary Committee.

SECOND READING OF BILLS.

Assembly Bill No. 90—An Act to provide for the exemption of certain property from forced sale for taxes and assessments.

Pending the second reading of the bill, Mr. May moved to strike out the enacting clause.

The previous question being demanded by Messrs. Tyler, Adams, and Frink, the House so ordered.

The ayes and noes were demanded by Messrs. Braunhart, Maybell, and Lane.

The roll was called, and the motion to strike out the enacting clause prevailed by the following vote:

AYES—Messrs Adams, Bennett, Brooks, Brown of Yuba, Cannon, Chandler, Coffman, Coleman, Cooper, Corcoran, Del Valle, Downs, DuBrutz, Estey, Felton, Fox, Fraser, Frink, Green, Hardy, Hershey, Hartson, Hynes, Leach, Leadbetter, May, McComas, McIntosh, Messenger, Morse, Mulholland, Nelson, Sherburne, Spencer, Stanley, Stoddard, Streeter, Sweetland, Tyler, Ward, Wattson, York, and Mr. Speaker—43.

NOES—Messrs. Anthony, Bass, Braunhart, Brown of Sonoma, Bruner, Burns, Carr of Sacramento, Carr of Yuba, Chamberlain, Cuthbert, Garibaldi, Gaffey, Gorley, Josselyn, Lane, Levee, Maguire, Maybell, McCallion, McCarty of Lake, McCarthy of San Francisco, McDade, Picket, Sayle, Simon, Wason of Ventura, and Young—27.

The bill was declared rejected.

The hour of one o'clock P. M. having arrived, the House took a recess for one hour.

RE-ASSEMBLED.

The House re-assembled at two o'clock P. M.

Speaker Cowdery in the chair.

Quorum present.

SECOND READING OF BILLS—RESUMED.

Assembly Bill No. 61—An Act to amend sections two hundred and sixty-six, two hundred and sixty-seven, two hundred and sixty-eight, and two hundred and sixty-nine, of the Political Code, in relation to compensation of members, officers, and employès of the Legislature.

Withdrawn by the author.

Mr. Tyler moved to suspend the rules in order to consider Assembly Bill No 36—An Act to amend sections sixty-nine, seventy, eighty, one hundred and thirty-seven, two hundred and twenty-six, two hundred and forty-three, two hundred and forty-four, two hundred and forty-nine, two hundred and fifty-three, two hundred and fifty-eight, two hundred and sixty-five, two hundred and seventy-three, five hundred and ninety-six, five hundred and ninety-eight, six hundred and ninety-two, one thousand and forty-five, one thousand two hundred and forty-seven, one thousand two hundred and sixty-five, one thousand three hundred and sixty-three, one thousand three hundred and sixty-four, two thousand two hundred and eighty-three, two thousand two hundred and eighty-seven, two thousand two hundred and eighty-nine, three thousand four hundred and sixty-seven, and three thousand four hundred and sixty-nine, of an Act entitled "An Act to establish a Civil Code," approved February fourteenth, eighteen hundred and seventy-two, conferring upon the Superior Courts, their Judges or officers, the jurisdiction and authority heretofore exercised, in certain cases, by the Courts abolished by the new Constitution, their Judges or officers.

Carried by a two-third vote.

Section one amended as recommended by the committee.

Mr. Merry moved to amend section one by adding the words, "*Provided*, that the said Clerk shall not issue a license authorizing the marriage of a white person with a negro, mulatto, or Mongolian."

Adopted.

Mr. York moved to amend section two by adding after the word "that" the words, "or any person of good moral character."

Lost.

Mr. Walker moved to amend by inserting in line four, after the word "Mayor," the words "Notary Public."

Lost

Mr. Spencer moved to strike out the word "Mayor" from line four.

Adopted.

Mr. York moved to amend by striking out the word "Priest."

Lost

The amendment recommended by the committee was adopted.

Mr. Levee moved to strike out from line seven, of section five, the word "without," and insert instead the word "by."

Lost

The amendment recommended by the committee to section ten was adopted.

The Speaker appointed Messrs. Tyler, Merry, and Fox, as a Committee of Conference, requested by the Senate this day, on the three bills below mentioned, to wit:

Assembly Bill No. 31—An Act to amend sections one thousand four hundred and eighteen and one thousand four hundred and nineteen of an Act entitled "An Act to establish a Penal Code," approved Feb-

ruary fourteenth, eighteen hundred and seventy-two, relating to reprieves, commutations, and pardons.

Assembly Bill No. 32—An Act to amend sections seven hundred and thirty-seven, seven hundred and forty-six, seven hundred and forty-nine, and seven hundred and fifty-three, of an Act entitled "An Act to establish a Penal Code," approved February fourteenth, eighteen hundred and seventy-two, relating to impeachments.

Assembly Bill No. 33—An Act to amend sections one thousand four hundred and seventy-five and one thousand five hundred and four of an Act entitled "An Act to establish a Penal Code," approved February fourteenth, eighteen hundred and seventy-two, relating to the writ of habeas corpus.

Mr. McIntosh moved to amend by inserting after the words "third degree," the words "or any citizen."

Adopted.

Amendment to section twelve, recommended by the committee, adopted.

The bill amended as recommended by the committee, so as to add a new section, to be known as section thirteen.

The committee amendment to section fourteen was adopted.

Mr Hardy moved to amend by striking out the word "incorporated," from line four, of section fourteen.

Adopted.

Section sixteen amended as recommended by the committee.

Mr. York moved to strike out all after the word "hereby," in section sixteen of the bill, and insert the word "repealed."

The ayes and noes were demanded by Messrs. Carr of Yuba, Braunhart, and McCallion.

The roll was called, and the amendment rejected by the following vote:

AYES—Messrs DuBrutz and York—2.

NOES—Messrs. Adams, Anthony, Bass, Bennett, Braunhart, Brooks, Brown of Sonoma, Brown of Yuba, Brunet, Burns, Camron, Carr of Sacramento, Carr of Yuba, Chamberlain, Chandler, Coffman, Coleman, Cooper, Corcoran, Cuthbert, Del Valle, Dimond, Downs, Estey, Felton, Finlayson, Fox, Fraser, Frink, Garibaldi, Gaffey Gorley, Green, Hardy, Hershey, Hartson, Hynes Josselyn, Lane, Leach, Leadbetter, Maguire, May, Maybell, McCallion, McCarty of Lake, McCarthy of San Francisco, McComas, McDade McIntosh, Merry, Messenger, Morse, Mulholland, Picket, Savle, Simon, Sherburne, Spencer, Stanley, Stoddard, Streeter, Sweetland, Tyler, Walker, Ward, Wason of Ventura, Wasson of Mono, Young, and Mr. Speaker—70.

Mr. Young moved to strike out of page eight, line twenty-five, of printed bill, the word "section" and insert the word "title."

Lost.

Section seventeen, recommended by the committee as an amendment, adopted.

The amendment to section eighteen, recommended by the committee, adopted.

The amendment to section twenty-one, recommended by the committee, adopted.

The committee recommended, as an amendment, the striking out of sections twenty-six and twenty-seven.

Adopted.

The bill read second time, and ordered to third reading.

Mr. Tyler moved suspension of the rules, in order to consider Assembly Bill No. 190—An Act to amend sections two hundred and four, two hundred and six, two hundred and nine, two hundred and

eleven, two hundred and fourteen, two hundred and fifteen, two hundred and ninteen, and two hundred and forty-one, and to repeal sections two hundred and sixteen, two hundred and seventeen, and two hundred and eighteen, of the Code of Civil Procedure of this State.

The ayes and noes were demanded by Messrs. Braunhart, Levee, and Fraser.

The roll was called, and the rules were suspended by the following vote:

AYES—Messrs. Adams, Bass, Bennett, Brooks, Brown of Sonoma, Brown of Yuba, Bruner, Cannon, Carr of Sacramento, Chamberlain, Chandler, Coleman, Corcoran, Del Valle, Dimond, Downs, Estey, Felton, Finlayson, Fox, Fraser, Fink, Garibaldi, Hardy, Hershey, Hartson Hynes, Leach, Leadbetter, McCarty of Lake, McConnas, McDade, McIntosh, Merry Messenger, Morse, Mulholland, Nelson, Sayle, Simon, Sherburne, Stanley, Stoddard, Streeter, Sweetland, Tyler, Ward, Wilson of Ventura, Wattson, York, Young, and Mr Speaker—52

NOES—Messrs. Anthony, Braunhart, Burns, Carr of Yuba, Coffman, Cooper, DuBrutz, Gaffey, Gorley, Green, Josselyn, Lane, Levee, Maguire, May, Maybell, McCallion, McCarthy of San Francisco, Picket, and Walker—20.

Assembly Bill No. 190—An Act to amend sections two hundred and four, two hundred and six, two hundred and nine, two hundred and eleven, two hundred and fourteen, two hundred and fifteen, two hundred and nineteen, and two hundred and forty-one, and to repeal sections two hundred and sixteen, two hundred and seventeen, and two hundred and eighteen, of the Code of Civil Procedure of this State.

Amendments recommended by the committee to section two adopted.

Mr Corcoran moved to amend section one, in line thirteen, by striking out lines thirteen, fourteen, and fifteen from the word "Judge" to the word "Sheriff" inclusive, and insert in lieu thereof the words "Board of Supervisors."

Adopted.

Mr. Fox moved to insert the word "county," in line three, of section three.

Adopted.

Mr. Tyler moved to insert, in line eleven, after the word "if," the words "the name of."

Adopted.

Mr. Young moved to insert the words "who is exempt from jury service," in section eight, line twelve, after word "county."

Adopted.

The amendments recommended by the committee to section nine adopted.

The bill read second time, and ordered to a third reading

Mr. Fox moved to suspend the rules and take up Assembly Bill No. 42—An Act to confer upon the Superior Court of each county, and the Judge thereof, the powers heretofore possessed by the District, County, and Probate Courts of such county, and the Judges thereof.

Adopted by a two-thirds vote.

The bill was then taken up, read third time, and passed by the following vote:

AYES—Messrs. Adams, Anthony, Bass, Bennett, Braunhart, Brooks, Brown of Sonoma, Brown of Yuba, Burns, Cannon, Carr of Sacramento, Carr of Yuba, Chamberlain, Coffman, Coleman, Corcoran, Cuthbert, Dimond, Downs, DuBrutz, Estey, Felton, Finlayson, Fox, Fraser,

Frink, Garibaldi, Gaffey, Gorley, Green, Hardy, Hershey, Hartson, Hynes, Josselyn, Lane, Leach, Leadbetter, Levee, Magune, May, Maybell, McCarty of Lake, McCarthy of San Francisco, McComas, McIntosh, Merry, Messenger, Morse, Mulholland, Nelson, Picket, Sayle, Simon, Sherburne, Spencer, Stanley, Stoddard, Sweetland, Tyler, Walker, Ward, Wason of Ventura, York, Young, and Mr. Speaker—66.

NOES—None.

Title approved.

ADJOURNMENT.

At four o'clock and fifty minutes P. M., Mr. Felton moved to adjourn.

Carried.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Saturday, February 7th, 1880.

House met pursuant to adjournment.

Speaker Cowdery in the chair.

Roll called, and a quorum present.

Prayer by the Chaplain.

One day's leave of absence granted to Mr. Fraser, and two days leave of absence granted to Mr. Adams.

Reading and approval of the Journal of yesterday.

Mr. Bruner moved that further reading of the Journal be dispensed with.

So ordered.

The Journal approved.

NOTICE.

By Mr. McIntosh:

MR SPEAKER I give notice that, on Monday next, I will move the House to amend Rule Number Forty.

The proposed amendment laid over for one day, and ordered printed.

Mr. Del Valle, pursuant to notice given yesterday, moved to take up his resolutions to amend Rule One, as follows:

Resolved, That the sessions of this House shall hereafter begin at nine o'clock and thirty minutes A. M.; recess from one o'clock P. M. to two o'clock P. M.; shall adjourn at five o'clock P. M., and shall hold such night sessions as the House may desire, and further

Resolved, That this House will, from and after Monday, the ninth instant, consider in preference to all other matters those bills relating to revenue and taxation, city and county governments, enabling Acts putting in motion the Boards formed by the Constitution, Acts referring to Chinese, and appropriation Acts

Mr. Spencer moved to amend so as to include the subject of education

Amendment accepted.

Mr. Spencer moved to amend so as to include legislation on irrigation.

Adopted.

Mr. Merry moved to amend by adding "and all bills relating to the mandatory requirements of the Constitution."

Adopted.

Mr. Corcoran moved to amend by adding "laws relating to stocks, stock gambling, navigation, debris, swamp and overflowed lands."

The Chair ruled the motion out of order.

Mr. Corcoran appealed from the decision of the Chair.

The ayes and noes being demanded by the requisite number, the roll was called, and the Speaker was sustained by the following vote:

AYES—Messrs. Anthony, Bass, Bennett, Brooks, Brown of Sonoma, Brown of Yuba, Bruner, Brusie, Camron, Carr of Sacramento, Chamberlain, Chandler, Coleman, Cuthbert, Del Valle, Dimond, Downs, DuBrutz, Estey, Felton, Finlayson, Fox, Frink, Gorley, Green, Hardy, Hershey, Hartson, Hynes, Josselyn, Leach, Leadbetter, Levee, May, McCarty of Lake, McComas, McIntosh, Merry, Messenger, Morse, Mulholland, Nelson, Sayle, Spencer, Stanley, Stoddard, Streeter, Sweetland, Ward, Wason of Ventura, Wasson of Mono, Wattson, York, and Young—54.

NOES—Messrs. Braunhart, Burns, Carr of Yuba, Cooper, Corcoran, Gaffey, Lane, Maguire, Maybell, McCallhon, McCarthy of San Francisco, McDade, Picket, Simon, and Walker—15

The previous question being demanded by Messrs. Mulholland, McCarty, and Bruner, the House so ordered.

The ayes and noes were demanded by the requisite number.

The roll was called, and the resolution was adopted by the following vote:

AYES—Messrs. Anthony, Bass, Bennett, Braunhart, Brooks, Brown of Sonoma, Brown of Yuba, Bruner, Camron, Carr of Sacramento, Chamberlain, Chandler, Coleman, Cuthbert, Del Valle, Dimond, Downs, DuBrutz, Estey, Felton, Finlayson, Fox, Frink, Garibaldi, Gorley, Green, Hardy, Hershey, Hartson, Hynes, Leach, Leadbetter, Levee, Maguire, May, McCarty of Lake, McCarthy of San Francisco, McComas, McDade, McIntosh, Merry, Messenger, Morse, Mulholland, Nelson, Sayle, Simon, Spencer, Stanley, Stoddard, Streeter, Sweetland, Ward, Wason of Ventura, Wasson of Mono, Wattson, York, Young, and Mr. Speaker—59

NOES—Messrs Burns, Carr of Yuba, Cooper, Corcoran, Gaffey, Josselyn, Lane, Maybell, McCallhon, Picket, and Walker—11.

Mr. Braunhart gave notice that he would move to reconsider the vote by which the resolution was adopted.

One day's leave of absence was granted to Mr. Sherburne.

REPORTS OF STANDING COMMITTEES.

By Mr. Hershey:

ASSEMBLY CHAMBER, SACRAMENTO, February 7th, 1880.

MR. SPEAKER: Your Committee on Engrossment beg leave to report that they have examined, and find properly engrossed, Assembly Bill No. 42—An Act to confer upon the Superior Court of each county, and the Judge thereof, the powers heretofore possessed by the District, County, and Probate Courts of such county, and the Judges thereof.

HERSHEY, for Committee.

By Mr. Brooks:

ASSEMBLY CHAMBER, SACRAMENTO, February 7th, 1880

MR SPEAKER The Committee on Enrollment respectfully report that the following Assembly bills have been correctly enrolled Assembly Bill No. 18—An Act to repeal section four hundred and twenty of the Penal Code.

Also, Assembly Bill No. 34—An Act to amend an Act entitled "An Act to define the Senatorial and Assembly Districts of this State, and to apportion the representation thereof," approved March sixteenth, eighteen hundred and seventy-four.

And said bills, at eleven o'clock A. M., February seventh, eighteen hundred and eighty, were presented to the Governor for his approval.

BROOKS, Chairman

By Mr. Fox:

ASSEMBLY CHAMBER, SACRAMENTO, February 7th, 1880

MR. SPEAKER Your Judiciary Committee, to whom was referred Assembly Bill No 28—An Act to amend section two hundred and ninety-nine of the Civil Code—have had the same under consideration, and now report the same back with an amendment, and recommend its passage as amended

FOX, Chairman.

By Mr. Estey:

MR. SPEAKER: Your Committee on Mileage find that C. Hartson, of Napa County, is entitled to eighteen dollars and thirty cents mileage.

ESTEY, Chairman.

Resolved, That the Controller is hereby directed to draw his warrant in favor of C. Hartson for eighteen dollars and thirty cents mileage.

Adopted.

PETITION.

By Mr. Stanley (by permission)—A petition from citizens of San Luis Obispo, relating to county governments.

Referred to the Committee on County Governments and Municipal Corporations.

FIRST READING OF BILLS.

Assembly Joint Resolution No. 10—Relative to the enforcement of the United States statute making eight hours the length of a day's labor on public works.

Read first time, and referred to the Committee on Labor and Capital.

Assembly Bill No. 330—An Act to amend section four hundred and eleven of the Code of Civil Procedure.

Read first time, and referred to the Judiciary Committee.

Assembly Bill No. 331—An Act to amend section seven hundred and ninety-two of the Political Code, relative to qualifications for Notaries Public.

Read first time, and referred to the Judiciary Committee.

Assembly Bill No. 332—An Act to amend section one hundred and ninety of the Penal Code, relative to the punishment of the crime of murder

Read first time, and referred to the Judiciary Committee.

Assembly Bill No. 335—An Act to amend sections seven hundred and seventy-eight, seven hundred and seventy-nine, seven hundred and eighty, seven hundred and eighty-one, and seven hundred and eighty-two, of the Code of Civil Procedure, relating to the publication and sale of the reports of the Supreme Court.

Read first time, and referred to the Committee on Judiciary.

Assembly Bill No 336—An Act to amend section five hundred and thirty-eight of the Code of Civil Procedure, relating to the issuance of writs of attachment

Read first time, and referred to the Judiciary Committee.

Assembly Bill No. 337—An Act to encourage the planting of jute.

Read first time, and referred to the Committee on Agriculture, Mining, and Mechanic Arts College.

Assembly Bill No. 338—An Act to authorize the Boards of Supervisors of the several counties of this State to transfer a certain fund.

Read first time, and referred to the Committee on Ways and Means.

Assembly Bill No. 339—An Act to limit the compensation for clerical services in the Executive Department of the State Government.

Read first time, and referred to the Committee on Judiciary.

Assembly Bill No. 240—An Act to repeal section nine hundred and eighty-one of the Political Code, relating to Boards of Administrators.

346

Read first time, and referred to the Committee on Judiciary.

Assembly Bill No. 341—An Act to add a new section to the Political Code, to be known as section three thousand three hundred and ninety, in relation to licensing persons ineligible to become citizens under the laws of the United States, engaged in the business of laundrying

Read first time, and referred to the Committee on Chinese Immigration and Emigration.

Assembly Bill No. 342—An Act to add a new section to the Political Code, to be known as section three thousand three hundred and eighty-nine, in relation to the licensing of persons ineligible to citizenship under the laws of the United States, engaged in the business of raising and selling agricultural and other products of the soil.

Read first time, and referred to the Judiciary Committee.

Assembly Bill No. 343—An Act to repeal sections three hundred and fifteen and three hundred and sixteen of the Code of Civil Procedure, relating to the time of commencing actions for the recovery of real property.

Read first time, and referred to the Judiciary Committee.

Assembly Bill No. 346—An Act to amend section nine hundred and fifty of the Political Code, in relation to bonds of officers.

Read first time, and referred to the Committee on Judiciary.

Assembly Bill No. 333—An Act to regulate riparian rights.

Read first time, and referred to the Committee on Water Rights and Drainage.

MESSAGE FROM THE SENATE.

SENATE CHAMBER, SACRAMENTO, February 6th, 1880.

MR SPEAKER: I am directed to inform your honorable body that the Senate, on this day, considered Assembly message, with reference to certain bills, as follows Senate Bill No. 56—An Act to amend section seven hundred and fifty-one of the Political Code, relating to Deputy Clerks of the Supreme Court. The Senate concurred in Assembly amendment to the title of said bill, and refused to concur in Assembly amendment to section two of said bill.

Also, Assembly Bill No. 31—An Act to amend sections one thousand four hundred and eighteen and one thousand four hundred and nineteen of an Act entitled "An Act to establish a Penal Code," approved February fourteenth, eighteen hundred and seventy-two, relating to reprieves, commutations, and pardons. The Senate refused to recede from Senate amendments to said bill, and requests a conference.

Also, Assembly Bill No. 32—An Act to amend sections seven hundred and thirty-seven, seven hundred and forty-six, seven hundred and forty-nine, and seven hundred and fifty-three, of an Act entitled "An Act to establish a Penal Code," approved February fourteenth, eighteen hundred and seventy-two, relating to impeachments The Senate refused to recede from Senate amendments to said bill, and requests a conference.

Also, Assembly Bill No 33—An Act to amend sections one thousand four hundred and seventy-five and one thousand five hundred and four of an Act entitled "An Act to establish a Penal Code," approved February fourteenth, eighteen hundred and seventy-two, relating to a writ of habeas corpus The Senate refused to recede from the Senate amendments to said bill, and requests a conference.

The Senate has appointed to act on the part of the Senate, on a Conference Committee, upon the Senate amendments to Assembly Bills Nos. 31, 32, and 33, Senators Wendell, Hittell, and Satterwhite.

JOHN R. BRIERLY, Assistant Secretary.

CONSIDERATION OF SENATE MESSAGE.

The Speaker appointed Messrs. Tyler, Merry, and Fox, as a Committee of Conference, on the three bills below mentioned, to wit:

Assembly Bill No. 31—An Act to amend sections one thousand four hundred and eighteen and one thousand four hundred and nineteen of an Act entitled "An Act to establish a Penal Code," approved

February fourteenth, eighteen hundred and seventy-two, relating to reprieves, commutations, and pardons.

Assembly Bill No. 32—An Act to amend sections seven hundred and thirty-seven, seven hundred and forty-six, seven hundred and forty-nine, and seven hundred and fifty-three, of an Act entitled "An Act to establish a Penal Code," approved February fourteenth, eighteen hundred and seventy-two, relating to impeachments.

Assembly Bill No. 33—An Act to amend sections one thousand four hundred and seventy-five and one thousand five hundred and four of an Act entitled "An Act to establish a Penal Code," approved February fourteenth, eighteen hundred and seventy-two, relating to the writ of habeas corpus.

Senate Bill No. 56—An Act to amend section seven hundred and fifty-one of the Political Code, relating to Deputy Clerks of the Supreme Court.

Taken up.

The House refused to recede from its amendment to the bill.

Mr. Finlayson gave notice that he would, on to-morrow, move to reconsider the vote by which the House refused to recede from its amendment to the above bill.

SECOND READING OF BILLS.

Assembly Bill No. 75—An Act entitled an Act to limit and regulate the sale of mining and other stocks.

All amendments recommended by the committee rejected.

Mr Felton moved to amend by striking out the word "hypothecating," from lines one and two, of section four.

RECESS.

Pending discussion of the amendment, the House took a recess until two o'clock P. M.

RE-ASSEMBLED.

House re-assembled at two o'clock P. M.

Speaker Cowdery in the chair

Quorum present.

SECOND READING OF BILLS—CONTINUED.

Consideration of Assembly Bill No. 75—An Act entitled an Act to limit and regulate the sale of mining and other stocks—resumed.

Mr. Felton's amendment withdrawn.

Bill read second time, and ordered to third reading.

Assembly Bill No. 252—An Act abolishing the collection of tolls over roads and bridges.

Read second time, and referred to the San Francisco delegation.

Assembly Bill No. 192—An Act to provide for Boards of Highways, and to assess personal and real property, and collect the tax thereon, for road purposes.

Passed on file.

Assembly Bill No. 284—An Act to amend an Act entitled an Act authorizing the Board of Supervisors of Sierra County to build a certain wagon road in said county, and to issue bonds therefor.

Read second time, and ordered to third reading.

WITHDRAWAL.

Mr. Braunhart (by permission), withdrew his notice of reconsideration, given this morning.

SECOND READING OF BILLS—RESUMED.

Assembly Bill No. 279—An Act to declare the Mokelumne River navigable.

Read second time, and ordered to third reading.

Assembly Bill No. 151—An Act to organize and define the powers of the Board of Railroad Commissioners.

Taken up.

Read first time, and ordered to second reading.

Assembly Bill No. 230—An Act for the further protection of stockholders in mining companies.

Taken up.

Amendments recommended by the committee adopted.

The bill read second time, and ordered to third reading.

Assembly Bill No. 147—An Act to amend an Act entitled "An Act supplemental to an Act concerning corporations, passed twenty-second April, eighteen hundred and fifty," approved March twenty-first, eighteen hundred and seventy-two.

Read second time, and referred to the Judiciary Committee.

Assembly Bill No. 248—An Act amendatory of and supplemental to an Act entitled "An Act supplemental to an Act entitled an Act concerning corporations, passed twenty-second April, eighteen hundred and fifty," approved March twenty-first, eighteen hundred and seventy-two.

Read second time.

Amendments recommended by the committee adopted.

Mr. Messenger moved to strike out "one-fourth," and insert "a majority."

Lost.

Mr. Fox moved to amend by striking out the word "company," wherever it occurs in the bill, and inserting the word "corporation" instead.

Adopted.

Mr. Morse moved to amend by inserting in section one, line twenty, the words "such Secretary" after the word "and" and before the word "shall."

Adopted.

The bill ordered to a third reading

Assembly Bill No. 109—An Act permitting and authorizing railway and other corporations organized under the laws of any State or Territory of the United States of America, or any Act of Congress of the United States of America, to do business in this State on the same terms as railway corporations organized under the laws of this State.

Amendment recommended by the committee, to be known as section two of the bill, not adopted, but ordered printed with the bill.

Bill read second time, and ordered to third reading.

Assembly Bill No. 84—An Act to provide for the organization of a Board of Railroad and Transportation Commissioners.

Mr Braunhart moved to amend as follows: By adding the words,

"and a Bailiff, who shall perform the duties of Janitor, and receive as compensation for his services the sum of one thousand five hundred dollars per annum."

Mr. McCarthy moved to amend the amendment by striking out "one thousand five hundred dollars," and inserting "nine hundred dollars."

Lost.

Mr. McCarthy moved to strike out "one thousand five hundred dollars," and insert "one thousand two hundred dollars."

Adopted.

The question recurring upon Mr. Braunhart's amendment, it was adopted.

Mr. Cooper moved to amend by striking out "two thousand four hundred dollars," and inserting "one thousand six hundred dollars," in line two, section five.

Lost.

Mr Anthony moved to strike four hundred dollars from the Secretary's salary.

Lost.

Mr Gaffey moved to strike out "covered" and insert instead the word "conveyed," in section six.

Adopted.

Mr. Anthony moved to amend by striking out "State Board of Examiners," from line four, section seven, after the word "the," and inserting instead "Board of Railroad Commissioners, not to exceed five thousand dollars."

Adopted.

Mr. Braunhart moved to insert, after the word "Stenographer," the word "Bailiff," in line one, section eight.

Adopted.

Mr. Levee moved to strike out section eight of the bill.

Lost.

Mr. McCarthy moved to amend by striking out from line one, section nine, the word "five," and inserting instead the word "four."

Mr. Hardy moved to amend the amendment by substituting "three," for "four."

Upon which the ayes and noes were demanded by Messrs. Cooper, Merry, and Carr of Yuba.

The roll was called, and the amendment to the amendment was rejected by the following vote:

AYES—Messrs. Brown of Yuba, Bruner, Burns, Chamberlain, Coleman, Cooper, Dimond, Estey, Finlayson, Frink, Gorley, Hardy, Levee, Merry, Mulholland, Nelson, Stanley, Sweetland, Ward, and York—20.

NOES—Messrs. Anthony, Bass, Bennett, Braunhart, Brown of Sonoma, Cannon, Carr of Yuba, Chandler, Corcoran, Cuthbert, Del Valle, Downs, DuBrutz, Fox, Garibaldi, Gaffey, Green, Hershey, Hynes, Josselyn, Lane, Leach, Leadbetter, Maguire, Maybell, McCallion, McCarty of Lake, McCarthy of San Francisco, McComas, McDade, McIntosh, Messenger, Morse, Picket, Sayle, Simon, Spencer, Stoddard, Streeter, Walker, Wason of Ventura, Wasson of Mono, Wattson, Young, and Mr. Speaker—45.

The question recurring upon the amendment, the ayes and noes were demanded by Messrs. Merry, York, and Chamberlain.

The roll was called, and the amendment was adopted by the following vote:

AYES—Messrs Anthony, Bennett, Brown of Sonoma, Brown of Yuba, Bruner, Burns, Cannon, Chamberlain, Chandler, Coleman, Cooper, Cuthbert, Dimond, Downs, Estey, Finlayson,

Frink, Garibaldi, Gaffey, Gorley, Green, Hardy, Hynes, Josselyn, Leach, Leadbetter, Levee, Maguire, Maybell, McCarty of Lake, McCarthy of San Francisco, McComas, McDade, McIntosh, Merry, Morse, Mulholland, Nelson, Picket, Simon, Stanley, Streeter, Sweetland, Ward, Wason of Ventura, Wasson of Mono, Wattson, York, and Young—49.

NOES—Messrs. Bass, Braunhart, Carr of Yuba, Corcoran, Del Valle, DuBrutz, Fox, Hershey, Lane, McCallion, Messenger, Sayle, Spencer, Stoddard, Walker, and Mr. Speaker—16.

Mr. McCarty moved to amend by adding to section eight the words: "And either of said Commissioners, or the attachés thereof, accepting a free passage on any railroad in this State, shall be guilty of felony, and on conviction thereof shall be imprisoned in the State Prison for one year and removed from office."

Adopted.

Bill read second time, and ordered to head of file for Monday for third reading.

At four o'clock and fifty-eight minutes P. M., Mr. McCarthy moved to adjourn to eleven o'clock A. M. Monday.

Lost.

At four o'clock and fifty-nine minutes P. M., Mr. Finlayson moved to adjourn until ten o'clock A. M. Monday.

Lost.

ADJOURNMENT.

At five o'clock P. M., Mr. Chandler moved to adjourn until nine o'clock and thirty minutes A. M. Monday.

Carried.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Monday, February 9th, 1880.

House met pursuant to adjournment.

Speaker Cowdery in the chair.

Roll called, and a quorum present.

Prayer by the Chaplain.

READING AND APPROVAL OF THE JOURNAL.

The Journal of Saturday was read and corrected.

Mr. Finlayson, pursuant to notice, moved to reconsider the vote by which the House refused to recede from its amendment to Senate Bill No. 56—An Act to amend section seven hundred and fifty-one of the Political Code, relative to Deputy Clerks of the Supreme Court—on Saturday.

Lost.

The Speaker appointed as a Committee of Conference on the Assembly amendments to above bill, Messrs. McIntosh, Hardy, and Fox.

Mr. Corcoran, rising to a question of privilege, the Chair ruled him out of order, on the point that no member had a right to consume the time of the Assembly in discussing what had been said in a caucus.

Mr. Corcoran appealed from the decision of the Chair, and was again called to order for reflecting upon the Chair.

Mr. Corcoran again appealed from the decision of the Chair, upon which the ayes and noes were demanded by Messrs. Braunhart, Maybell, and Carr of Yuba.

The roll was called, and the Speaker's decision sustained by the following vote:

AYES—Messrs. Anthony, Bass, Bennett, Braunhart, Brown of Sonoma, Brown of Yuba, Bruner, Camron, Chamberlain, Chandler, Coleman, Del Valle, Dimond, Downs, DuBrutz, Estey, Finlayson, Fox, Frink, Garibaldi, Gorley, Green, Hardy, Hershey, Hynes, Leach, Leadbetter, McCarty of Lake, McComas, McIntosh, Merry, Messenger, Morse, Mulholland, Nelson, Sayle, Spencer, Stanley, Stoddard, Streeter, Sweetland, Ward, Wason of Ventura, Wasson of Mono, Wattson, York, and Young—47

NOES—Messrs. Burns, Carr of Yuba, Cooper, Cuthbert, Gaffey, Josselyn, Lane, Maguire, Maybell, McCallion, McCarthy of San Francisco, McDade, Picket, Simon, and Walker—15.

The question now recurring upon Mr. Corcoran's first appeal from the decision of the Chair, the ayes and noes were demanded by Messrs. Braunhart, Maybell, and Carr of Yuba.

The roll was called, and the Chair was sustained by the following vote:

AYES—Messrs. Anthony, Bass, Bennett, Brown of Sonoma, Brown of Yuba, Bruner, Camron, Chamberlain, Chandler, Coleman, Del Valle, Downs, DuBrutz, Estey, Finlayson, Fox, Frink, Gorley, Green, Hardy, Hershey, Hynes, Leach, Leadbetter, McCarty of Lake, McComas, McIntosh, Merry, Messenger, Morse, Mulholland, Nelson, Sayle, Spencer, Stanley, Stoddard, Streeter, Sweetland, Ward, Wason of Ventura, Wasson of Mono, Wattson, York, and Young—44.

NOES—Messrs. Braunhart, Burns, Carr of Yuba, Cooper, Corcoran, Cuthbert, Gaffey, Josselyn, Lane, Levee, Maguire, Maybell, McCallion, McCarthy of San Francisco, McDade, Picket, Simon, and Walker—18.

PETITION.

By Mr. Morse—A petition from citizens of Mendocino County, asking for the passage of a local option law, was presented and referred to the Committee on Public Morals.

MESSAGE FROM THE GOVERNOR.

STATE OF CALIFORNIA, EXECUTIVE DEPARTMENT,
SACRAMENTO, February 7th, 1880.

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 repeal section four hundred and twenty of the Penal Code.

Also, Assembly Bill No. 34—An Act to amend an Act entitled "An Act to define the Senatorial and Assembly Districts of this State, and to apportion the representation thereof," approved March sixteenth, eighteen hundred and seventy-four.

GEORGE C. PERKINS, Governor.

INTRODUCTION OF BILLS.

The following bills were introduced and ordered printed:

By Mr. Lane—An Act to amend an Act entitled an Act concerning lodging houses and sleeping apartments within the limits of incorporated cities, approved April third, eighteen hundred and seventy-six.

Also, an Act to amend an Act to amend the Political Code, respecting the Board of Health of San Francisco.

By Mr. Maybell—An Act creating an annual license tax upon private liveried servants and heraldic devices.

JOINT RESOLUTION.

By Mr. Braunhart—A Joint Resolution, relative to the discrimination in charges for fares and freights practiced by the Union Pacific and Central Pacific Railroads.

Read first time, and ordered printed.

INTRODUCTION OF BILLS—CONTINUED.

By Mr. Messenger—An Act to amend section one thousand four hundred and eleven of the Civil Code. relating to appropriation of water rights.

Introduced and ordered printed.

FIRST READING AND REFERENCE OF BILLS.

Assembly Joint Resolution No. 11—Asking congressional aid in behalf of a large number of settlers upon Government land in what is known as the Mussel Slough District, in Tulare County, California.

Read first time, and referred to the Committee on Agriculture.

Assembly Bill No. 344—An Act to ascertain the number of minor orphans, half orphans, abandoned children, and aged persons in indigent circumstances, in institutions in this State for the support and maintenance of which they are entitled to State aid.

Read first time, and referred to the Committee on County Governments and Municipal Corporations.

Assembly Bill No. 345—An Act to amend section eight hundred and forty-nine of the Code of Civil Procedure.

Read first time, and referred to the Committee on Judiciary.

Assembly Bill No. 347—An Act to amend sections nine hundred and forty-nine, nine hundred and fifty, nine hundred and fifty-one, nine hundred and fifty-three, nine hundred and fifty-four, nine hundred and fifty-five, nine hundred and fifty-seven, nine hundred and fifty-eight, nine hundred and fifty-nine, nine hundred and sixty, nine hundred and sixty-one, nine hundred and sixty-four, nine hundred and sixty-five, nine hundred and sixty-six, nine hundred and sixty-seven, nine hundred and sixty-eight, nine hundred and sixty-nine, nine hundred and seventy, nine hundred and seventy-one, and nine hundred and seventy-two, of the Penal Code, in reference to indictments, informations, and their forms.

Read first time, and referred to the Judiciary Committee.

Assembly Bill No. 348—An Act to add two sections to the Code of Civil Procedure, relative to attachments, to be known as sections five hundred and sixty and five hundred and sixty-one.

Read first time, and referred to the Committee on Mines and Mining Interests.

Assembly Bill No 349—An Act to amend an Act entitled an Act for the protection of mines, approved March thirteenth, eighteen hundred and seventy-two.

Read first time, and referred to the Judiciary Committee.

SENATE MESSAGE.

SENATE CHAMBER, SACRAMENTO, February 9th, 1880.

MR SPEAKER: I am directed to inform your honorable body that the Senate, on February seventh, passed Senate Bill No. 118—An Act to amend part one of the Code of Civil Procedure,

and each and every title, chapter, article, and section of said part one, and substituting a new part one to take the place thereof in said Code, relating to Courts of justice, and the various officers connected therewith.

Also, Senate Bill No. 94—An Act to amend sections two hundred and sixty-five and two hundred and sixty-six of the Code of Civil Procedure, relating to ministerial officers of the Supreme Court.

Also, Senate Bill No. 141—An Act to amend chapters two and three, of title thirteen, of part two, of the Code of Civil Procedure, and each and every section of said chapters two and three, and to substitute new chapters two and three, to take the place thereof in said Code, relating to appeals in civil actions.

Also, Senate Concurrent Resolution No. 17—Relative to exemption from duty of steam plows.

JOHN R. BRIERLY, Assistant Secretary.

CONSIDERATION OF SENATE MESSAGE.

Senate Concurrent Resolution No. 17—Relating to duty on steam plows.

Read, and concurred in.

Senate Bill No. 94—An Act to amend sections two hundred and sixty-five and two hundred and sixty-six of the Code of Civil Procedure, relating to ministerial officers of the Supreme Court.

Read first time, and referred to the Judiciary Committee.

Senate Bill No. 141—An Act to amend chapters two and three, of title thirteen, of part two, of the Code of Civil Procedure, and each and every section of said chapters two and three, and to substitute new chapters two and three, to take the place thereof in said Code relating to appeals in civil actions.

Read first time, and referred to the Judiciary Committee.

Senate Bill No. 118—An Act to amend part one of the Code of Civil Procedure, and each and every title, chapter, article, and section of said part one, and substituting a new part one, to take the place thereof in said Code, relating to Courts of justice, and the various officers connected therewith.

Read first time, and referred to the Judiciary Committee.

RECESS.

The hour of one o'clock P. M. having arrived, the House took a recess for one hour.

RE-ASSEMBLED.

The House re-assembled at two o'clock P. M.

Speaker Cowdery in the chair.

Quorum present.

NOTICE.

By Mr. Fox:

MR. SPEAKER: I hereby give notice that, on Wednesday next, I will move the adoption of a new rule for the government of this Assembly, to read as follows:

RULE EIGHTY.

No member shall speak more than once on the same question, and not more than five minutes at one time, except that the author of a bill may speak five minutes at the opening, and ten minutes at the close of the debate. This rule shall not apply to debates in Committee of the Whole

Ordered printed.

Mr. McIntosh gave notice that he would, to-morrow, call up his notice to amend Rule Forty of the Assembly.

One day's leave of absence was granted to Mr. Coffman.

Mr. Fox moved to take up Assembly Bill No. 62—An Act to declare valid writs, process, and certificates issued by the Superior Courts of this State, or the Clerks thereof, before such Courts shall have been legally provided with seals.

So ordered.

The bill read third time.

The roll was called, and the bill was passed by the following vote:

AYES—Messrs. Anthony, Bass, Bennett, Braunhart, Brooks, Brown of Yuba, Bruner, Burns, Camron, Carr of Sacramento, Carr of Yuba, Chamberlain, Chandler, Coleman, Cooper, Corcoran, Cuthbert, Del Valle, Dimond, Durham, Felton, Fox, Fraser, Frink, Garibaldi, Gaffey, Green, Hardy, Harris, Hershey, Hartson, Hynes, Josselyn, Lane, Leach, Levee, Maguire, Mathews, May, Maybell, McCallion, McCarthy of San Francisco, McComas, McDade, McIntosh, Merry, Messenger, Morse, Mulholland, Nelson, Picket, Simon, Sherburne, Stanley, Stoddard, Sweetland, Tyler, Walker, Wason of Ventura, York, and Mr. Speaker—61.

NOES—None.

Title approved.

Upon motion of Mr. Fox, Assembly Bill No. 203—An Act to provide for the taking of appeals from judgments or orders given or made in the Courts abolished by the Constitution—was taken up, read second time, the roll was called, and the bill passed by the following vote:

AYES—Messrs. Anthony, Bennett, Braunhart, Brooks, Brown of Sonoma, Brown of Yuba, Bruner, Burns, Camron, Carr of Sacramento, Carr of Yuba, Chamberlain, Chandler, Coleman, Cooper, Corcoran, Cuthbert, Del Valle, Dimond, DuBrutz, Durham, Estey, Finlayson, Fox, Frink, Garibaldi, Gaffey, Gorley, Green, Hardy, Harris, Hershey, Hynes, Josselyn, Lane, Leach, Leadbetter, Levee, Maguire, Mathews, May, Maybell, McCallion, McCarty of Lake, McCarthy of San Francisco, McComas, McDade, McIntosh, Merry, Messenger, Morse, Mulholland, Nelson, Picket, Simon, Sherburne, Spencer, Stanley, Stoddard, Sweetland, Walker, Ward, Wason of Ventura, Wasson of Mono, York, Young, and Mr. Speaker—67.

NOES—None

Title approved.

Mr. Del Valle moved to take up Assembly Bill No. 84—An Act to provide for the organization of a Board of Railroad and Transportation Commissioners, and refer it to a committee of one, with instructions to strike out the amendment to section eight, making it a felony for a Commissioner to accept a free pass from any railroad company.

Mr. Spencer moved that Mr. Del Valle be appointed such committee.

Adopted.

The question recurred upon Mr. Del Valle's motion, and the bill ordered recommitted, with instructions by the House.

REPORT OF SPECIAL COMMITTEE.

By Mr. Del Valle (by permission):

ASSEMBLY CHAMBER, SACRAMENTO, February 9th, 1880.

MR. SPEAKER: Your Special Committee, to whom was referred Assembly Bill No. 84, with special instructions to strike out from section nine, line two, of original bill, the word "three," and insert "four," and strike out from section eight, line four, of printed bill, the words "and either of said Commissioners, or the attachés thereof, accepting a free passage on any railroad in this State, shall be guilty of felony, and on conviction thereof shall be imprisoned in the State Prison for one year and removed from office," hereby reports that the words have been stricken out as ordered.

R. F. DEL VALLE, Special Committee of One.

Assembly Bill No. 84—An Act to provide for the organization of a Board of Railroad and Transportation Commissioners.

Reported as above, and ordered to head of the file to-morrow.

SECOND READING OF BILLS.

Assembly Bill No. 192—An Act to provide for Boards of Highways, and to assess personal and real property, and collect the tax thereon for road purposes.

Withdrawn.

Assembly Bill No. 151—An Act to organize and define the powers of the Board of Railroad Commissioners.

Mr. McComas moved to strike out the enacting clause of the bill.

Upon which the ayes and noes were demanded by Messrs. Braunhart, Carr of Yuba, and Gaffey.

The roll was called, and the motion to strike out the enacting clause was lost by the following vote:

AYES—Messrs. Anthony, Bass, Braunhart, Brown of Sonoma, Burns, Carr of Yuba, Cook, Corcoran, Cuthbert, Del Valle, DuBrutz, Garibaldi, Gaffey, Green, Hershey, Hynes, Josselyn, Lane, Maguire, Mathews, Maybell, McCallion, McCarty of Lake, McCarthy of San Francisco, McComas, McDade, McIntosh, Morse, Picket, Sayle, Simon, Spencer, Stoddard, Streeter, Sweetland, Wason of Ventura, and Wasson of Mono—37.

NOES—Messrs Bennett, Brooks, Brown of Yuba, Bruner, Bruise, Camron, Carr of Sacramento, Chamberlain, Chandler, Coleman, Cooper, Dumond, Downs, Durham, Estey, Felton, Finlayson, Fox, Fraser, Frink, Gorley, Hardy, Hartson, Leach, Leadbetter, Levee, May, Merry, Messenger, Mulholland, Nelson, Sherburne, Stanley, Tyler, Walker, Ward, Wattson, York, Young, and Mr. Speaker—40

The amendments recommended by the committee to section one adopted.

Mr. Del Valle moved that this bill, with all its amendments, be printed, and that the bill come up for consideration to-morrow.

Adopted.

The bill ordered to the head of the file for second reading to-morrow.

Assembly Bill No. 231—An Act to add a new section to the Civil Code, relating to corporations.

Withdrawn.

Assembly Joint Resolution No. 3—Relative to the protection of the rivers, cities, and agricultural lands of California.

Read second time.

The word "joint" stricken out, and the word "concurrent" ordered inserted, and the resolution then adopted.

Assembly Bill No. 134—An Act to regulate the hours for closing barber shops, bath houses, and hair-dressing saloons on Sunday.

The committee's amendments to section one adopted; the committee's amendment to section two lost.

Mr. Tyler moved to insert after the word "dollars" the words "or imprisonment in the county jail not exceeding twenty-five days, or by both such fine and imprisonment."

Lost.

The bill read second time.

Mr. Fox moved to recommit the bill with instructions to make it conform to the Code.

So ordered.

On motion of Mr. Tyler, the bill was referred to the Judiciary Committee.

Assembly Bill No. 163—An Act to add a new section to the Penal

Code of the State of California, to be known as section three hundred and eight, relative to the sale of intoxicating liquors at retail.

Read second time.

Mr. Lane moved to strike out the enacting clause of the bill.

The previous question being demanded by Messrs. Estey, Merry, and Walker, the House refused to order the main question.

Mr. Fox moved that the bill be committed to the Judiciary Committee to make it conform to the Code.

Adopted.

Assembly Bill No. 261—An Act to amend section sixty of the Civil Code of California, relating to the intermarriage of whites with negroes and persons of other races.

Mr. McCallion moved to strike out all the classes enumerated except "Mongolian."

Lost.

Mr. Bruner moved to amend by adding the words "hereafter contracted."

Adopted.

Mr. Cooper moved to insert after the word "are," the words "illegal and."

Adopted.

Bill read second time, and ordered to third reading.

Assembly Bill No. 157—An Act to regulate and provide for a day of rest in certain cases.

The committee amendment, proposing to strike out the preamble, adopted.

The bill read second time.

Mr. York moved to strike out the enacting clause of the bill.

Mr. Del Valle moved the bill be referred to the Judiciary Committee, to make it conform to the Codes.

Lost.

The question recurring upon the motion to strike out the enacting clause, the House so ordered, and the bill was declared rejected.

Assembly Bill No. 129—An Act to repeal an Act entitled "An Act to amend section one thousand five hundred and ninety of the Penal Code," approved March twenty-ninth, eighteen hundred and seventy-eight

Withdrawn.

Assembly Bill No. 166—An Act to amend section one thousand five hundred and ninety of the Penal Code, in relation to persons imprisoned in the State Prison.

Withdrawn.

Assembly Bill No. 227—An Act authorizing the Boards of Supervisors of the counties in which water is sold for irrigation, to fix the rates at which such water shall be sold.

Substitute recommended by the committee adopted.

The bill read second time.

Mr. Del Valle moved to amend by adding the words "no person, company, or corporation selling water for irrigation or other purposes, shall be permitted to exercise any control as to the use of the water after the delivery to the purchasers."

Adopted.

Mr. Maybell moved that the bill be printed as amended.

So ordered.

Assembly Bill No. 175—An Act concerning homestead corpora-

tions possessed of water and water rights, providing for the regulation, control, and distribution of water for irrigation, and other purposes, and for the construction and improvement of irrigation works connected therewith.

The amendments recommended by the committee adopted.

Mr. McCallion moved to amend by striking out the word "majority," from line two, section three, and inserting the words "two-thirds."

Lost.

Mr. Tyler moved to amend by striking out the words "two weeks" and inserting the words "four weeks," in line seven, section two.

Adopted.

Mr. Maybell moved to insert, after the word "week," the words "in a daily newspaper, and if there be none, in a weekly newspaper."

Adopted.

Mr. Green moved to amend by inserting the words "once a week" before the word "daily."

Adopted.

Mr. Gaffey moved to amend line four, section five, by inserting the words "in a daily newspaper, and if there be none, in a weekly newspaper."

Adopted.

Mr. Fox moved to amend by striking out the last two lines of section five.

Adopted.

Mr. Maybell moved to amend by adding a new section, to read as follows: "And it shall be unlawful for any such corporation, organized under this Act, to employ any Chinese or Mongolian on said works, directly or indirectly, according to article nineteen, section two, of the Constitution, under the penalty of forfeiture of their rights under the provisions of this Act."

Adopted.

Mr. Fox moved to add to section six the words "for the purpose of managing their water rights, and for no other purpose."

Adopted.

Read second time, and ordered to third reading.

ADJOURNMENT.

Mr. Camron, at four o'clock and fifty-nine minutes P. M., moved to adjourn.

Carried.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Tuesday, February 10th, 1880.

The House met pursuant to adjournment.

Speaker Cowdery in the chair.

Roll called, and a quorum present.

Prayer by the Chaplain.

READING AND APPROVAL OF THE JOURNAL.

Mr. May moved that the further reading of the Journal be dispensed with.

So ordered.

The Journal of Saturday approved.

PETITION.

By Mr. May—A petition from the San Francisco Ladies' Protective and Relief Society, asking for an appropriation.

Referred to the Committee on Ways and Means.

REPORTS OF STANDING COMMITTEES.

By Mr. Chamberlain:

ASSEMBLY CHAMBER, SACRAMENTO, February 9th, 1880.

MR. SPEAKER: The Committee on Agriculture, to whom was referred Assembly Bill No. 325—An Act to prevent persons passing through inclosures and leaving them open, by tearing down fences or otherwise, and to prevent hunting upon inclosed land in the State of California—have had the same under consideration, and report the same back to the Assembly without amendment, and recommend its passage.

CHAMBERLAIN, Chairman.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, February 9th, 1880.

MR. SPEAKER: The Committee on Agriculture, to whom was referred Assembly Bill No. 342—An Act to add a new section to the Political Code, to be known as section three thousand three hundred and eighty-nine, in relation to the licensing of persons ineligible to citizenship under the laws of the United States, engaged in the business of raising and selling agricultural and other products of the soil—have had the same under consideration, and report the same back to the Assembly without amendment, and recommend that it be referred to the Committee on Chinese Immigration and Emigration.

CHAMBERLAIN, Chairman.

The bill was referred to the Committee on Chinese Immigration and Emigration.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, February 9th, 1880.

MR. SPEAKER: The Committee on Agriculture, to whom was referred Assembly Bill No. 250—An Act to provide for a Commissioner of Agriculture, for the encouragement of agriculture and other industries—have had the same under consideration, and report the same back to the Assembly without amendment, and recommend that it do not pass.

CHAMBERLAIN, Chairman.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, February 9th, 1880.

MR. SPEAKER: The Committee on Agriculture, to whom was referred Assembly Bill No. 263—An Act to establish a State Board of Horticulture, defining the duties thereof, and providing for their compensation and that of other officers—have had the same under consideration, and report the same back to the Assembly without amendment, and recommend that it do not pass.

CHAMBERLAIN, Chairman.

By Mr. Braunhart:

MR. SPEAKER: Your Committee on Chinese Immigration and Emigration, to whom was referred Assembly Bill No. 104—An Act to prohibit the employment of Chinese or Mongolians by corporations—have had the same under consideration, report the same back with a substitute, and recommend the passage of the substitute.

Also, Assembly Bill No. 135—An Act to provide for the removal of aliens, whose presence is dangerous to the well being of communities, outside the limits of cities and towns in the State of California—beg leave to report the same back with a substitute, and recommend the passage of the substitute.

Also, Assembly Bill No. 341—An Act to add a new section to the Political Code, to be known as section three thousand three hundred and ninety, in relation to licensing persons ineligible to become citizens under the laws of the United States engaged in the business of laundrying—beg leave to report the same back, and recommend that the author have leave to withdraw the same.

BRAUNHART, Chairman.

By Mr. Sherburne:

ASSEMBLY CHAMBER, SACRAMENTO, February 10th, 1880.

MR. SPEAKER: Your Committee on Engrossment have examined, and find correctly engrossed, Assembly Bill No. 62—An Act to declare valid writs, process, and certificates, issued by the Superior Courts of this State, or the Clerks thereof, before such Courts shall have been legally provided with seals.

Also, Assembly Bill No. 203—An Act to provide for the taking of appeals from judgments or orders given or made in the Courts abolished by the Constitution.

SHERBURNE, Chairman.

The Committee on Education was granted further time to report on the bills in their possession.

INTRODUCTION OF BILLS.

The following bills were introduced, and ordered printed:

By Mr. May—An Act in relation to certain deputies, assistants, and copyists of County Clerks.

By Mr. Tyler—An Act to add a new section to the Penal Code, relative to advertisements to procure abortion.

Also, an Act to amend section one hundred and thirty-seven of the Civil Code, in reference to divorce.

By Mr. Sherburne—An Act to amend section two thousand nine hundred and fourteen of an Act entitled an Act to establish a Political Code, approved March twelfth, eighteen hundred and seventy-two.

By Mr. Morse—An Act entitled an Act to amend sections two hundred and fifty-eight and two hundred and fifty-nine of the Code of Civil Procedure.

By Mr. Corcoran—An Act to preserve the navigation of the San Joaquin and Sacramento Rivers, and to appropriate money for that purpose.

By Mr. Messenger—An Act to prevent the running at large of sheep or hogs in the State of California.

By Mr. Cooper—An Act to declare the Klamath River navigable.

REPORT OF COMMITTEE OF CONFERENCE.

By Mr. Tyler:

MR. SPEAKER: Your Committee of Conference on Assembly Bills Nos. 31, 32, and 33, respectfully report that they have met the committee on the part of the Senate and conferred with them, and the committees have agreed to recommend to their respective Houses that the House adhere to its refusal to agree to amendments numbers two and three, and consent to Senate amendment number one; and your committee, therefore, report in favor of such action by the House.

TYLER, Chairman.

Report received and adopted.

FIRST READING AND REFERENCE OF BILLS.

Assembly Joint Resolution No. 12—Relative to Government lands in the State of California.

Read first time, and referred to the Committee on Agriculture.

Assembly Bill No. 334—An Act to promote drainage.

Read first time.

Mr. Brooks moved its reference to the Joint Committees on Water Rights and Drainage and Agriculture.

So ordered.

Assembly Bill No. 355—An Act to add section eight hundred and eighty-eight to the Code of Civil Procedure.

Read first time, and referred to the Committee on Judiciary.

Assembly Bill No. 350—An Act to regulate the practice of pharmacy.

Read first time, and referred to the Committee on State Hospitals.

Assembly Bill No. 351—An Act to amend sections four hundred and five, four hundred and seven, four hundred and nine, four hundred and ten, four hundred and twelve, four hundred and sixteen, four hundred and thirty-two, four hundred and thirty-seven, four hundred and forty-six, four hundred and sixty-five, four hundred and seventy-two, five hundred and ninety-three, one thousand and twenty-one, one thousand and twenty-two, one thousand three hundred and eighty-nine, and one thousand eight hundred and eighty, and to repeal sections four hundred and six, four hundred and eight, and four hundred and forty-two, of the Code of Civil Procedure.

Read first time, and referred to the Judiciary Committee.

NOTICE.

By Mr. McIntosh:

Mr. Speaker I hereby give notice that I will call up the notice to amend Rule Number Forty on next Thursday, the seventeenth.

INTRODUCTION OF A BILL.

The following bill was introduced, and ordered printed:

By Mr. Cuthbert (by permission)—An Act to amend section one thousand five hundred and ninety of the Penal Code, in relation to persons imprisoned in the State Prison.

SECOND READING OF BILLS.

Assembly Bill No. 199—An Act to amend section three thousand four hundred and ninety-five of the Political Code, relating to reservation of public lands for Indians.

The amendment recommended by the committee adopted.

Read second time, and ordered to third reading.

Senate Bill No. 143—An Act to repeal an Act entitled "An Act for the appointment of Inspector of Stationary Steam-boilers and Steam-tanks, and for the better security of life and property in the City and County of San Francisco," approved March twenty-seventh, eighteen hundred and seventy-six.

Read second time, and ordered to third reading.

Assembly Bill No. 13—An Act to repeal an Act entitled "An Act to establish water rates in the City and County of San Francisco," approved March first, eighteen hundred and seventy-six, and an Act amendatory of and supplementary to the same, approved April third, eighteen hundred and seventy-six..

Read second time, and ordered to third reading.

Assembly Bill No. 25—An Act to provide for the election of fifteen freeholders to frame a charter for cities containing more than one hundred thousand inhabitants, and to provide for the ratification of the same.

The amendments recommended by the committee adopted.

Mr. Leach moved to amend by inserting "three times a week" instead of "daily."

Lost.

The bill read second time.

Mr. May moved that the enacting clause of the bill be stricken out.

Upon which the ayes and noes were demanded by Messrs. Braunhart, Maybell, and Lane.

The roll was called, and the House refused to strike out the enacting clause by the following vote:

AYES—Messrs. Adams, Bennett, Brown of Yuba, Bruner, Brusie, Camron, Carr of Sacramento, Chamberlain, Chandler, Dimond, Downs, Durham, Felton, Finlayson, Fox, Fraser, Frink, Hardy, Harison, Leach, Leadbetter, May, McComas, McIntosh, Mulholland, Nelson, Stanley, Streeter, Tyler, Ward, and Young—31.

NOES—Messrs. Anthony, Bass, Braunhart, Brooks, Brown of Sonoma, Burns, Carr of Yuba, Coffman, Cook, Cooper, Corcoran, Cuthbert, Del Valle, DuBrutz, Estey, Garibaldi, Gaffey, Gorley, Green, Hershey, Josselyn, Lane, Levee, Maguire, Mathews, Maybell, McCallion McCarty of Lake, McCarthy of San Francisco, McDade, Merry, Messenger, Morse, Ticket, Sayle, Simon, Sherburne, Spencer, Stoddard, Sweetland, Walker, Wason of Ventura, Wattson, York, and Mr. Speaker—44.

Mr. Tyler moved to recommit the bill to the Committee on County Governments and Municipal Corporations.

Mr Merry moved to amend line one, section one, by striking out "the," and inserting "any."

Adopted.

Also, in same section, line two, by striking out the word "shall," and inserting the word "may."

Adopted.

Mr. Braunhart moved to amend by striking out, from lines one and two, section two, the words "the governmental authority in which is the right."

Adopted.

Mr. May moved to amend by inserting the words "the local legislative authority may issue the election proclamation."

Lost.

Mr. Braunhart moved to insert, in line one, section two, the words "is hereby authorized."

Adopted.

Mr. Tyler moved to strike out section one, and insert instead the following: "Whenever the legislative authority of any city or city and county in this State, containing over one hundred thousand inhabitants, shall deem it advisable, it may, by ordinance, provide for holding an election for fifteen freeholders to frame a charter, as provided by article eleven, section eight, of the Constitution."

Lost.

The bill ordered to a third reading.

Mr. Del Valle moved to take up for third reading Assembly Bill No. 84—An Act to provide for the organization of a Board of Railroad and Transportation Commissioners.

So ordered.

Mr. Bruner moved to make Assembly Bill No. 151—An Act to

organize and define the powers of the Board of Railroad Commissioners—the special order for two o'clock P. M. this day.

Lost.

The hour of one o'clock P. M. having arrived, the House took a recess until two o'clock P. M.

RE-ASSEMBLED.

The House re-assembled at two o'clock P. M.

Speaker Cowdery in the chair.

Quorum present.

Assembly Bill No. 84—An Act to provide for the organization of a Board of Railroad and Transportation Commissioners—taken up pursuant to order of the House made before recess.

Mr. Maybell moved to amend section eight, in line four, of the bill, by inserting after the word "State," "it shall be a felony for any said Commissioner, Secretary, Stenographer, Bailiff, or Attorney to receive or travel upon any free pass or ticket, at reduced rates, over any railroad in this State."

Lost

Mr. Maybell moved to amend the bill by striking out of line one, section nine, the words "four thousand," and inserting instead the words "thirty-five hundred."

Upon which the ayes and noes were demanded by Messrs. Merry, Maybell, and Cooper.

The roll was called, and the amendment rejected by the following vote:

AYES—Messrs Anthony, Brown of Yuba, Bruner, Chamberlain, Coleman, Cooper, Corcoran, Cuthbert, Dimond, Estey, Finlayson, Gorley, Levee, Maybell, Simon, Stanley, Ward, Wattson, and York—19.

NOES—Messrs. Adams, Bass, Bennett, Braunhart, Brooks, Brown of Sonoma, Brusie, Burns, Camron, Carr of Sacramento, Carr of Yuba, Coffman, Cook, Del Valle, Downs, DuBrutz, Felton, Fox, Fraser, Frink, Garibaldi, Gaffey, Green, Hardy, Hartson, Hynes, Josselyn, Lane, Leach, Leadbetter, Maguire, Mathews, May, McCallion, McCarty of Lake, McCarthy of San Francisco, McComas, McDade, McIntosh, Merry, Messenger, Morse, Mulholland, Nelson, Picket, Sayle, Sherburne, Spencer, Stoddard, Streeter, Sweetland, Tyler, Walker, Wason of Ventura, Young, and Mr. Speaker—56.

Mr. Merry gave notice that he would move to reconsider the vote by which the amendment was rejected.

Mr. Frink moved to amend the bill by inserting in section nine, line one, after the word "receive," the words "for the period of one year."

Lost.

Mr. Sweetland moved to amend by inserting after word "first," in section ten, the words "a statement of."

Lost.

Pending the passage of the bill, Mr. Cooper moved to take up Assembly Bill No. 151—An Act to organize and define the powers of the Board of Railroad Commissioners—and have it read for information.

So ordered.

The question recurred upon the passage of Assembly Bill No. 84—An Act to provide for the organization of a Board of Railroad and Transportation Commissioners.

Mr. May raised the point of order that the printed bill did not correspond with the written bill.

The Speaker ruled the point of order not well taken, as it could not have been the intention of the framers of the Constitution to have any stricter rule used in interpreting its provisions than were used in Courts of law, hence it was unnecessary to have a bill reprinted for the correction of a single word that was evidently a typographical error.

Mr. Camron appealed from the decision of the Chair.

The question being, "Shall the decision of the Chair stand as the judgment of the House?" the ayes and noes were demanded by Messrs. McCallion, Stoddard, and McComas.

The roll was called, and the Speaker's decision was sustained by the following vote:

AYES—Messrs. Adams, Anthony, Bennett, Braunhart, Brooks, Brown of Sonoma, Brown of Yuba, Bruner, Brusie, Camron, Carr of Sacramento, Carr of Yuba, Chamberlain, Chandler, Coffman, Coleman, Cook, Cooper, Corcoran, Cuthbert, Del Valle, Dimond, Downs, DuBrutz, Durham, Estey, Finlayson, Fox, Fraser, Frink, Garibaldi, Gaffey, Gorley, Green, Hershey, Hartson, Hynes, Josselyn, Lane, Leach, Leadbetter, Maguire, Mathews, May, Maybell, McCallion, McCarty of Lake, McCarthy of San Francisco, McComas, McDade, McIntosh, Merry, Messenger, Morse, Mulholland, Nelson, Picket, Sayle, Sinon, Sherburne, Spencer, Stanley, Stoddard, Streeter, Sweetland, Tyler, Walker, Ward, Wason of Ventura, Wasson of Mono, Wattson, and York—72.

NOES—Messrs. Burns, Felton, Levee, and Young—4

The roll was called, and the bill was passed by the following vote:

AYES—Messrs. Adams, Anthony, Bass, Bennett, Braunhart, Brooks, Brown of Sonoma, Brusie, Burns, Camron, Carr of Yuba, Chamberlain, Coffman, Cook, Corcoran, Cuthbert, Del Valle, Downs, DuBrutz, Durham, Estey, Finlayson, Garibaldi, Gaffey, Green, Hershey, Hartson, Hynes, Josselyn, Lane, Leach, Maguire, Mathews, Maybell, McCallion, McCarty of Lake, McCarthy of San Francisco, McComas, McDade, Messenger, Morse, Picket, Sayle, Sinon, Spencer, Stoddard, Streeter, Sweetland, Walker, Ward, Wason of Ventura, Wasson of Mono, Wattson, and Mr. Speaker—54.

NOES—Messrs. Brown of Yuba, Carr of Sacramento, Coleman, Cooper, Dimond, Felton, Fox, Fraser, Frink, Gorley, Hardy, Leadbetter, May, McIntosh, Merry, Mulholland, Nelson, Sherburne, Stanley, Tyler, York, and Young—22.

Title approved.

Mr. Merry withdrew his notice of reconsideration.

REPORT OF STANDING COMMITTEE.

By Mr. Fox (by permission):

ASSEMBLY CHAMBER, SACRAMENTO, February 10th, 1880.

MR. SPEAKER: Your Judiciary Committee, to whom was referred Senate Bill No. 24—An Act to amend sections six hundred and eighty-nine, one thousand and forty-two, one thousand four hundred and thirty, and one thousand four hundred and thirty-five, of the Penal Code, relating to trials by jury

Also, Senate Bill No. 28—An Act to repeal section four thousand three hundred and twenty-nine of the Political Code, regulating the salaries of County Judges.

Have had said bills under consideration, and report them back with recommendation that they do pass

Your Judiciary Committee, to whom was also referred Senate Bill No. 23—An Act to amend sections eighty-six, eighty-nine, two hundred and twenty-seven, two hundred and twenty-eight, five hundred and four, and five hundred and fourteen, of the Penal Code, relating to crimes and punishments—have had the same under consideration, and now report it back with amendments, and recommend its passage as amended.

Your committee have also had under consideration Assembly Bill No. 163—An Act to add a new section to the Penal Code, relating to the sale of intoxicating liquors at retail—and now report the same back with a substitute, and recommend the passage of the substitute.

FOX, Chairman.

SECOND READING OF BILLS—RESUMED.

Assembly Bill No. 151—An Act to organize and define the powers of the Board of Railroad Commissioners.

Withdrawn.

Assembly Bill No. 126—An Act to enable the State Board of Equalization to organize and perform its duties.

Taken up.

The amendment recommended by the committee to section two adopted.

The bill read third time, and ordered printed with the amendments.

Title approved.

INTRODUCTION OF A BILL.

The following bill was introduced, and ordered printed:

By Mr. Messenger (by permission)—An Act giving a lien to persons performing labor in connection with a threshing machine, upon the grain threshed by such machine.

SECOND READING OF BILLS—RESUMED.

Assembly Bill No. 170—An Act to amend section five hundred and twenty-nine of the Code of Civil Procedure, in relation to injunctions.

Read second time.

Amended, and ordered to third reading.

RULES SUSPENDED.

Assembly Bill No. 36—An Act to amend sections sixty-nine, seventy, eighty, one hundred and thirty-seven, two hundred and twenty-six, two hundred and forty-three, two hundred and forty-four, two hundred and forty-nine, two hundred and fifty-three, two hundred and fifty-eight, two hundred and sixty-five, two hundred and seventy-three, five hundred and ninety-six, five hundred and ninety-eight, six hundred and ninety-two, one thousand and forty-five, one thousand two hundred and forty-seven, one thousand two hundred and sixty-five, one thousand three hundred and sixty-three, one thousand three hundred and sixty-four, two thousand two hundred and eighty-three, two thousand two hundred and eighty-seven, two thousand two hundred and eighty-nine, three thousand four hundred and sixty-seven, and three thousand four hundred and sixty-nine, of an Act entitled "An Act to establish a Civil Code," approved February fourteenth, eighteen hundred and seventy-two, conferring upon the Superior Courts, their Judges or officers, the jurisdiction and authority heretofore exercised, in certain cases, by the Courts abolished by the new Constitution, their Judges or officers.

Taken up out of its order.

Mr. DuBrutz moved to amend section five, line nine, by inserting, after the word "treated," the words "shall be given a good common school education."

Lost.

Mr. Fox moved that this bill be made the special order to be taken up immediately after roll-call to-morrow morning.
So ordered.

ADJOURNMENT.

Mr. McCarthy, at four o'clock and fifty-five minutes P. M., moved that we do now adjourn.
Carried.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Wednesday, February 11th, 1880.

House met pursuant to adjournment.
Speaker Cowdery in the chair.
Roll called, and a quorum present.
Prayer by the Chaplain.

READING AND APPROVAL OF THE JOURNAL.

Mr. Anthony moved that further reading of the Journal be dispensed with.
So ordered.
The Journal of Monday approved.

SPECIAL ORDER.

The consideration of Assembly Bill No. 36—An Act to amend sections sixty-nine, seventy, eighty, one hundred and thirty-seven, two hundred and twenty-six, two hundred and forty-three, two hundred and forty-four, two hundred and forty-nine, two hundred and fifty-three, two hundred and fifty-eight, two hundred and sixty-five, two hundred and seventy-three, five hundred and ninety-six, five hundred and ninety-eight, six hundred and ninety-two, one thousand and forty-five, one thousand two hundred and forty-seven, one thousand two hundred and sixty-five, one thousand three hundred and sixty-three, one thousand three hundred and sixty-four, two thousand two hundred and eighty-three, two thousand two hundred and eighty-seven, two thousand two hundred and eighty-nine, three thousand four hundred and sixty-seven, and three thousand four hundred and sixty-nine, of an Act entitled "An Act to establish a Civil Code," approved February fourteenth, eighteen hundred and seventy-two, conferring upon the Superior Courts, their Judges or officers, the jurisdiction and authority heretofore exercised, in certain cases, by the Courts abolished by the new Constitution, their Judges or officers—the special order for this hour, resumed.
The bill read third time, and the consideration temporarily suspended, awaiting the arrival of the Chairman of the Judiciary Committee.

REPORTS OF STANDING COMMITTEES.

By Mr. Sherburne:

ASSEMBLY CHAMBER, February 11th, 1880.

MR SPEAKER: Your Committee on Engrossment have examined and find correctly engrossed Assembly Bill No. 84—An Act to provide for the organization of a Board of Railroad and Transportation Commissioners.

SHERBURNE, Chairman.

By Mr. Young:

MR. SPEAKER. Your Committee on Public Printing, to whom was referred Assembly Bill No. 289, report the same back, and recommend that the same do pass.

YOUNG, Chairman.

Also:

MR. SPEAKER: Your Committee on Public Printing, to whom was referred Assembly Bill No. 288, report the same back, and recommend that the same do pass.

YOUNG, Chairman.

By Mr. May:

MR SPEAKER: Your Committee on Ways and Means, to whom were referred Assembly Bills Nos. 205 and 206, having fully considered and amended the same, beg leave to report the same back to the House with the recommendation that they do pass as amended.

MAY, Chairman.

SACRAMENTO, February 10th, 1880.

By Mr. Maybell:

STATE CAPITOL, February 11th, 1880.

MR. SPEAKER: The San Francisco delegation, to whom was referred Assembly Bill No. 252—An Act abolishing the collection of tolls over roads and bridges—have had the same under consideration, and herewith report it back with the accompanying substitute, recommending the passage of the substitute. Sixteen members present and voting—thirteen ayes, three noes.

Also, Assembly Bill No. 286—An Act relating to the acts and doings of local Boards of Supervisors—report the same back, with the recommendation that it do pass. Fourteen members present and voting aye.

McCARTHY, Chairman.

Mr. Tyler moved that the Committee on Rules cause the rules of this House to be printed at once.

Adopted.

INTRODUCTION OF BILLS.

The following bills were introduced and ordered printed:

By Mr. Maybell—An Act prohibiting any company or corporation, whose business it is to supply water or illuminating gas for public use, from charging their consumers for meters.

By Mr. Sweetland—An Act to restrict and regulate the use of intoxicating liquors.

By Mr. Watson—An Act entitled an Act to prevent paupers from coming from other States into this State, or from one county of this State into another for relief.

By Mr. Sinon—An Act to prevent the sale (or keeping for sale) of goods, wares, or merchandise in whole or in part, under false signs, labels, cards, or placards.

By Mr. Adams—An Act for the promotion of the viticultural industries of the State.

SPECIAL ORDER—RESUMED.

The consideration of Assembly Bill No. 36—An Act to amend sections sixty-nine, seventy, eighty, one hundred and thirty-seven, two hundred and twenty-six, two hundred and forty-three, two hundred and forty-four, two hundred and forty-nine, two hundred and fifty-three, two hundred and fifty-eight, two hundred and sixty-five, two hundred and seventy-three, five hundred and ninety-six, five hundred and ninety-eight, six hundred and ninety-two, one thousand and forty-five, one thousand two hundred and forty-seven, one thousand two hundred and sixty-five, one thousand three hundred and sixty-three, one thousand three hundred and sixty-four, two thousand two hundred and eighty-four, two thousand two hundred and eighty-seven, two thousand two hundred and eighty-nine, three thousand four hundred and sixty-seven, and three thousand four hundred and sixty-nine, of an Act entitled "An Act to establish a Civil Code," approved February fourteenth, eighteen hundred and seventy-two, conferring upon the Superior Courts, their Judges or officers, the jurisdiction and authority heretofore exercised, in certain cases, by the Courts abolished by the new Constitution, their Judges or officers—now resumed.

Mr. Young moved to amend section sixteen, line twenty-five, by striking out the word "section," and inserting instead the word "title;" also, in line twenty-four, by inserting the word "religious" before the word "corporation."

Lost.

Mr. Merry moved to amend section twenty, line six, by inserting after the word "survivor," the words "and the children of such spouses, if there are any."

Mr. Corcoran moved to amend the amendment by inserting before the word "children," the word "minor."

Accepted.

The question recurring upon the amendment as amended, the House refused to adopt the amendment.

The roll was then called, and the bill was passed by the following vote:

AYES—Messrs. Adams, Anthony, Bass, Bennett, Braunhart, Brooks, Brown of Sonoma, Brown of Yuba, Bruner, Brusie, Burns, Camron, Carr of Sacramento, Carr of Yuba, Chamberlain, Chandler, Coffman, Coleman, Cook, Cooper, Corcoran, Del Valle, Dimond, Downs, DuBrutz, Durham, Estey, Felton, Finlayson, Fox, Fraser, Frink, Garibaldi, Gaffey, Gorley, Green, Hardy, Harris, Hershey, Hartson, Hynes, Josselyn, Lane, Leadbetter, Levee, Magune, Mathews, May, Maybell, McCalhon, McCarty of Lake, McCarthy of San Francisco, McComas, McIntosh, Merry, Messenger, Mulholland, Nelson, Picket, Sayle, Simon, Sherburne, Spencer, Stanley, Stoddard, Streeter, Sweetland, Walker, Ward, Wason of Ventura, Wattson, Young, and Mr. Speaker—73.

NOES—Mr. York—1.

Mr. Anthony gave notice of a motion to reconsider the vote by which Mr. Young's amendment to section sixteen was lost.

Title amended, and approved as amended.

FIRST READING AND REFERENCE OF BILLS.

Assembly Bill No. 353—An Act to provide a system of drainage for agricultural lands.

Read first time, and referred to the Committee on Internal Improvements.

Assembly Bill No. 352—An Act prohibiting any company or corporation whose business is to supply illuminating gas, or water for public use, from charging their consumers for pipes communicating with such company or corporation supply pipes, or street mains, and the line of the street or sidewalk curb fronting the premises to be supplied, and there making connection with the pipe of the consumer.

Read first time, and referred to the Committee on Corporations.

Assembly Bill No. 360—An Act to amend section one thousand four hundred and eleven of the Civil Code, relating to appropriation of water rights.

Read first time, and referred to the Committee on Water Rights and Drainage.

Assembly Bill No. 359—An Act creating an annual license tax upon private liveried servants and heraldic devices.

Read first time, and referred to the Committee on Ways and Means.

Assembly Bill No. 357—An Act to amend an Act entitled an Act concerning lodging houses and sleeping apartments within the limits of incorporated cities, approved April third, eighteen hundred and seventy-six.

Read first time, and referred to the Committee on Chinese Immigration and Emigration.

Mr. Anthony withdrew his notice of reconsideration given this morning.

Assembly Joint Resolution No. 13—Relative to the enactment of the Regan Bill into a law of the United States.

Read second time, and referred to the Committee on Federal Relations.

Assembly Bill No. 358—An Act to amend an Act to amend the Political Code, respecting the Board of Health of San Francisco.

Read first time, and referred to the San Francisco delegation.

Assembly Bill No. 356—An Act giving a lien to persons performing labor in connection with a threshing machine, upon the grain threshed by such machine.

Read first time, and referred to the Committee on Agriculture.

Assembly Bill No. 354—An Act entitled an Act to provide for the protection of lands from overflow other than lands recognized as swamp lands.

Read first time, and referred to the Committee on Internal Improvements.

MESSAGE FROM THE SENATE.

SENATE CHAMBER, SACRAMENTO, February 11th, 1880.

MR. SPEAKER. I am directed to inform your honorable body that the Senate, on February ninth, eighteen hundred and eighty, passed Assembly Bill No. 12—An Act to repeal chapter four, of title one, of the Political Code, and all laws creating judicial districts in this State, defining the boundaries thereof, and fixing the terms of Court therein—with an amendment to the title of said bill.

JOHN R. BRIERLY, Assistant Secretary.

The Senate amendment to the title of above bill concurred in.

SECOND READING OF BILLS.

Rules suspended.

Assembly Bills Nos. 288—An Act to appropriate money for the

payment of the deficiency in the appropriation for the support of the State Printing Office, for the thirtieth fiscal year; and, 289—An Act to appropriate money for the payment of the deficiency in the appropriation for the support of the State Printing Office for the twenty-ninth fiscal year; and, 205—An Act making appropriation for the salaries of the Chief Justice and Associate Justices of the Supreme Court of the State of California, for the balance of the thirty-first fiscal year, ending June thirtieth, eighteen hundred and eighty; and, 206—An Act making appropriation for the State's portion of the salaries of the Superior Judges of the counties of the State of California, for the balance of the thirty-first fiscal year ending June thirtieth, eighteen hundred and eighty.

Taken up out of order.

Each of the two last amended as recommended by the committee, and each of the four bills read second time, and ordered to the head of the file in the order in which it was read to-day.

Rules suspended.

Assembly Bill No. 104—An Act to prohibit the employment of Chinese or Mongolians by corporations.

Taken up.

Read second time, and ordered to the fifth place on the file.

Rules suspended.

Assembly Bill No. 190—An Act to amend sections two hundred and four, two hundred and six, two hundred and nine, two hundred and eleven, two hundred and fifteen, two hundred and fourteen, two hundred and nineteen, and two hundred and forty-one, and to repeal sections two hundred and sixteen, two hundred and seventeen, and two hundred and eighteen, of the Code of Civil Procedure of this State.

Taken up.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Adams, Anthony, Bennett, Braunhart, Brooks, Brown of Sonoma, Brown of Yuba, Bruner, Brusie, Burns, Camron, Carr of Sacramento, Carr of Yuba, Chamberlain, Chandler, Coffman, Coleman, Cooper, Corcoran, Cuthbert, Del Valle, Dimond, DuBrutz, Durham, Estey, Fox, Fraser, Frink, Gaffey, Gorley, Green, Hardy, Harris, Hershey, Hartson, Hynes, Josselyn, Lane, Leach, Leadbetter, Levee, Maguire, Mathews, May, McCallion, McCarty of Lake, McCarthy of San Francisco, McDade, McIntosh, Merry, Messenger, Morse, Mulholland, Nelson, Picket, Sayle, Sinon, Sherburne, Spencer, Stanley, Stoddard, Streeter, Tyler, Walker, Ward, Wason of Ventura, Wattson, York, Young, and Mr. Speaker—70.

NOES—None.

Title amended, and approved as amended.

Rules suspended.

Assembly Bill No. 43—An Act to amend sections one thousand one hundred and eighty and one thousand one hundred and eighty-one of an Act entitled "An Act to establish a Civil Code," approved March twenty-first, eighteen hundred and seventy-two, relating to the proof and acknowledgment of instruments.

Taken up.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Adams, Anthony, Bass, Bennett, Braunhart, Brooks, Brown of Sonoma, Brown of Yuba, Bruner, Brusie, Burns, Camron, Carr of Sacramento, Carr of Yuba, Chamberlain, Chandler, Coffman, Coleman, Cook, Cooper, Corcoran, Cuthbert, Del Valle, Dimond, Downs, DuBrutz, Durham, Estey, Felton, Fox, Fraser, Frink, Gaffey, Gorley, Green, Hardy, Harris,

Hershey, Hartson, Hynes, Josselyn, Leach, Levee, Maguire, Mathews, May, Maybell, McCallion, McCarty of Lake, McCarthy of San Francisco, McDade, McIntosh, Merry, Messenger, Morse, Mulholland, Nelson, Picket, Sayle, Simon, Sherburne, Spencer, Stanley, Stoddard, Streeter, Tyler, Walker, Ward, Wason of Ventura, Wattson, York, Young, and Mr. Speaker—73.
NOES—None.

Title approved.
The rules were suspended.
Assembly Bill No. 279—An Act to declare the Mokelumne River navigable.
Taken up.
Read third time.
The roll was called, and the bill passed by the following vote:

AYES—Messrs. Adams, Anthony, Bass, Bennett, Braunhart, Brooks, Brown of Sonoma, Brown of Yuba, Bruner, Brusie, Burns, Camron, Carr of Sacramento, Chamberlain, Chandler, Coffman, Coleman, Cook, Cooper, Corcoran, Cuthbert, Del Valle, Dimond, Downs, DuBrutz, Durham, Estey, Fox, Fraser, Frink, Gaffey, Gorley, Green, Harris, Hartson, Hershey, Hynes, Josselyn, Leach, Leadbetter, Levee, Maguire, Mathews, May, Maybell, McCallion, McCarty of Lake, McCarthy of San Francisco, McIntosh, Merry, Messenger, Morse, Mulholland, Nelson, Picket, Sayle, Simon, Sherburne, Stanley, Stoddard, Streeter, Tyler, Walker, Ward, Wason of Ventura, Wattson, York, Young, and Mr. Speaker—69.
NOES—Mr Carr of Yuba—1.

Title approved.
Rules suspended.
Assembly Bill No. 197—An Act to amend an Act entitled "An Act to amend an Act in relation to the county government of the County of Sacramento," approved March thirtieth, eighteen hundred and seventy-four, approved March sixteenth, eighteen hundred and seventy-eight.
Taken up.
Read third time.
Section two amended by inserting the word "Recorder" after the word "Auditor."
The roll was called, and the bill was refused passage by the following vote:

AYES—Messrs. Brown of Yuba, Bruner, Carr of Sacramento, Coleman, Dimond, Fraser, Frink, Maguire, May, McIntosh, Messenger, Mulholland, Nelson, Stanley, Tyler, Walker, and Young—17.
NOES—Messrs Adams, Anthony, Bass, Bennett, Braunhart, Brooks, Brown of Sonoma, Brusie, Camron, Carr of Yuba, Chamberlain, Chandler, Coffman, Cook, Cooper, Corcoran, Cuthbert, Downs, DuBrutz, Durham, Estey, Felton, Finlayson, Fox, Garibaldi, Gaffey, Gorley, Green, Harris, Hershey, Hynes, Josselyn, Leach, Leadbetter, Levee, Mathews, Maybell, McCallion, McCarty of Lake, McCarthy of San Francisco, McDade, Merry, Morse, Picket, Sherburne, Spencer, Stoddard, Streeter, Ward, Wason of Ventura, Wattson, York, and Mr Speaker—53.

Mr. Braunhart moved to take up Assembly Bill No. 4—An Act to amend section four hundred and thirty-five of the Penal Code, in relation to the issuance of licenses to aliens; and Assembly Bill No. 5—An Act to amend section three thousand and fifty-nine of the Political Code, in relation to the issuance of licenses to aliens—at two o'clock P. M. this day.
So ordered.

RECESS.

The hour of one o'clock P. M. having arrived, the House took a recess for one hour.

IN ASSEMBLY.

House re-assembled at two o'clock P. M.

Speaker Cowdery in the chair.

Quorum present.

Pursuant to motion adopted this day, before recess, Assembly Bill No. 5—An Act to amend section three thousand and fifty-nine of the Political Code, in relation to the issuance of licenses to aliens—was taken up, amended as recommended by the committee, and read third time.

Pursuant to the motion adopted this day, before recess, Assembly Bill No. 4—An Act to amend section four hundred and thirty-five of the Penal Code, in relation to the issuance of licenses to aliens—was taken up.

The committee recommended to amend section two of the bill as follows:

SECTION 2. This Act shall take effect and be in force from and after the first day of July, eighteen hundred and eighty.

Upon which the ayes and noes were demanded by Messrs. Maybell, Braunhart, and Carr of Yuba.

The roll was called, and the amendment was adopted by the following vote:

AYES—Messrs. Adams, Bennett, Brown of Sonoma, Brown of Yuba, Bruner, Brusie, Camron, Carr of Sacramento, Chamberlain, Chandler, Coleman, Dimond, Downs, Estey, Fox, Fraser, Frink, Gorley, Green, Hartson, Leach, Leadbetter, Mathews, May, McCarty of Lake, McComas, McIntosh, Messenger, Morse, Mulholland, Sherburne, Stanley, Stoddard, Streeter, Ward, Wason of Ventura, Wattson, York, Young, and Mr. Speaker—40.

NOES—Messrs. Anthony, Bass, Braunhart, Brooks, Burns, Carr of Yuba, Cook, Cooper, Corcoran, Del Valle, DuBrutz, Durham, Felton, Finlayson, Garibaldi, Gaffey, Harris, Hershey, Hynes, Josselyn, Lane, Levee, Maguire, Maybell, McCallion, McCarthy of San Francisco, McDade, Merry, Nelson, Picket, Sayle, Simon, Spencer, Sweetland, Tyler, and Walker—36.

Mr. Tyler moved to strike out the enacting clause of the bill.

Lost.

The bill read third time, and ordered printed.

Rules suspended.

Assembly Bill No. 75—An Act entitled an Act to limit and regulate the sale of mining and other stocks.

Taken up.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Anthony, Bass, Bennett, Braunhart, Brooks, Brown of Sonoma, Brown of Yuba, Bruner, Brusie, Burns, Camron, Carr of Sacramento, Carr of Yuba, Chamberlain, Chandler, Coffman, Coleman, Cook, Cooper, Corcoran, Cuthbert, Del Valle, Dimond, DuBrutz, Durham, Estey, Fraser, Frink, Garibaldi, Gaffey, Gorley, Green, Hardy, Harris, Hershey, Hartson, Hynes, Josselyn, Lane, Leach, Leadbetter, Levee, Maguire, Mathews, Maybell, McCallion, McCarty of Lake, McCarthy of San Francisco, McComas, McDade, McIntosh, Messenger, Morse, Mulholland, Picket, Sayle, Simon, Sherburne, Spencer, Stanley, Stoddard, Streeter, Sweetland, Walker, Ward, Wason of Ventura, Wattson, York, and Young—69.

NOES—Messrs. Adams, Downs, Felton, Finlayson, Fox, May, Merry, Nelson, Tyler, and Mr. Speaker—10.

Title approved.

Rules suspended.

Assembly Bill No. 184—An Act to provide for the keeping of accounts in the English language.

Taken up.

Read second time.

Mr. Maybell moved to amend by inserting, in line one, section one, after the words "every corporation," the words "whose members are ineligible to citizenship, or persons ineligible to citizenship."

Lost.

Mr. Harris moved to amend by striking out the words "or person," from line one, section one.

Lost.

Mr. Del Valle moved to strike out the enacting clause of the bill.

Upon which the ayes and noes were demanded by Messrs. Maybell, McCallion, and Lane.

The roll was called, and the motion to strike out the enacting clause of the bill was lost by the following vote:

AYES—Messrs. Bennett, Brooks, Del Valle, Downs, Hershey, Leach, Streeter, Young, and Mr. Speaker—9.

NOES—Messrs. Adams, Anthony, Bass, Braunhart, Brown of Sonoma, Brusie, Burns, Camron, Carr of Sacramento, Carr of Yuba, Chamberlain, Chandler, Coffman, Coleman, Cook, Cooper, Corcoran, Cuthbert, Dimond, DuBrutz, Durham, Estey, Felton, Finlayson, Fox, Fraser, Frink, Garibaldi, Gaffey, Gorley, Green, Harris, Hartson, Hynes, Josselyn, Lane, Leadbetter, Levee, Magune, Mathews, May, Maybell, McCallion, McCarty of Lake, McCarthy of San Francisco, McComas, McDade, McIntosh, Merry, Morse, Mulholland, Picket, Sinon, Sherburne, Spencer, Stanley, Stoddard, Tyler, Ward, and Wattson—60.

Mr. McCarthy moved to amend by adding after the word "language," in section one, the words, "and any corporation or person failing or refusing to comply with this section shall be guilty of a misdemeanor."

Adopted.

The bill ordered to third reading.

SECOND READING OF BILLS.

Assembly Bill No. 176—An Act to amend section six hundred and fifty-four, and to repeal sections six hundred and sixty-six, six hundred and sixty-seven, and six hundred and sixty-eight, of the Penal Code, relative to increase of punishment upon conviction for second offenses.

Read second time, amended as recommended by committee, and ordered to third reading.

Assembly Bill No. 178—An Act to amend sections two hundred and fifty-one and two hundred and fifty-two of the Penal Code of California, relative to libels.

Read second time, and amended as recommended by the committee.

Mr. Morse moved to amend by striking out all after the word "fact," in line seven, section one.

Upon which the ayes and noes were demanded by Messrs. Braunhart, Maybell, and Sinon.

The roll was called, and the amendment was adopted by the following vote:

AYES—Messrs. Anthony, Bass, Bennett, Braunhart, Brooks, Burns, Carr of Yuba, Chandler, Coffman, Cook, Cooper, Corcoran, Cuthbert, Del Valle, Dimond, DuBrutz, Durham, Estey, Finlayson, Garibaldi, Gaffey, Green, Hardy, Harris, Hartson, Hynes, Josselyn, Leach, Leadbetter, Levee, Magune, Mathews, Maybell, McCallion, McCarthy of San Francisco, McComas, Morse, Picket, Sayle, Sinon, Sherburne, Spencer, Stanley, Stoddard, Streeter, Walker, Ward, Wason of Ventura, York, and Young—50.

NOES—Messrs. Adams, Bruner, Brusie, Carr of Sacramento, Downs, Fox, Fraser, Frink, Hershey, Lane, May, McCarty of Lake, McIntosh, Messenger, Mulholland, Nelson, Tyler, and Mr. Speaker—18.

Mr. Braunhart moved to strike out the enacting clause.

ADJOURNMENT.

Pending discussion of the motion, at five o'clock P. M., Mr. Bruner moved to adjourn until ten o'clock A. M. to-morrow.
Carried.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Thursday, February 12th, 1880.

House met pursuant to adjournment.
Speaker Cowdery in the chair.
Roll called, and a quorum present.
Prayer by the Chaplain.

READING AND APPROVAL OF THE JOURNAL.

Mr. Chandler moved that the further reading of the Journal be dispensed with.
So ordered.
The Journal of Tuesday approved.

REPORTS OF STANDING COMMITTEES.

By Mr. Green:

ASSEMBLY CHAMBER, SACRAMENTO, February 11th, 1880.

MR. SPEAKER: The Committee on Labor and Capital, to whom was referred Assembly Bill No. 133—An Act relating to employés unable to pay the cost of suit for compensation due them for labor—have had the same under consideration, and report a substitute bill back to the Assembly, and recommend its passage.

GREEN, Chairman.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, February 11th, 1880.

MR. SPEAKER. The Committee on Labor and Capital, to whom was referred Assembly Joint Resolution No. 10—Relative to the enforcement of the United States statute, making eight hours the length of a day's labor on public works—have had the same under consideration, and report the same back to the Assembly without amendment, and recommend its passage.

GREEN, Chairman.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, February 11th, 1880.

MR. SPEAKER: The Committee on Labor and Capital, to whom was referred Assembly Bill No. 103—An Act to limit and fix the wages and hours of labor of conductors, drivers, and employés of street railroads in the cities and towns of the State—have had the same under consideration, and report the same back to the Assembly without amendment, and recommend that it do not pass.

GREEN, Chairman.

By Mr. Camron:

MR. SPEAKER: Your Committee on Attachés and Employés have considered the resolution below, and recommend its adoption.

CAMRON, Chairman.

Resolved, That the Committee on Water Rights and Drainage be authorized to employ a Clerk at a per diem of five dollars, payable out of the Contingent Fund of the Assembly.

Report received, and resolution adopted.

By Mr. Fox:

ASSEMBLY CHAMBER, SACRAMENTO, January 12th, 1880.

MR. SPEAKER: Your Judiciary Committee, to whom was referred Senate Bill No. 29—An Act to repeal sections four hundred and ninety-nine and six hundred and eighty-four of the Political Code, relating to the salaries and compensations of public officers.

Also, Senate Bill No. 31—An Act to amend sections one thousand three hundred and thirty-eight and one thousand three hundred and fifty-three of the Penal Code, providing for the examination of witnesses.

Also, Senate Bill No. 35—An Act to amend section one thousand and twenty-nine of the Penal Code, relating to prosecutions of Judges of Superior Courts.

Also, Senate Bill No. 36—An Act to repeal sections one thousand and twenty-eight, one thousand and thirty, one thousand one hundred and twelve, and one thousand one hundred and forty-three, of the Penal Code, relating to judicial proceedings in criminal cases.

Also, Senate Bill No. 37—An Act to amend section eight hundred and eight of the Penal Code, declaring who are Magistrates.

And, also, Senate Bill No. 57—An Act in relation to the currency of the United States.

Have had the same under consideration, and now report the same back, recommending that they severally be passed.

Your committee to whom also was referred Senate Bill No. 33—An Act to add a new section, to be known as section ninety, to the Penal Code, relating to the crime of lobbying—have had the same under consideration, and report it back with recommendation that it be indefinitely postponed, as the provisions therein contained are provided for in Senate Bill No. 23.

FOX, Chairman.

INTRODUCTION OF BILLS.

The following bills were introduced, and ordered printed:

By Mr. Tyler—An Act to appropriate moneys for the payment of I. S. Belcher, Thos. P. Stoney, and A. C. Freeman for services in preparing bills adapting the Codes to the Constitution.

By Mr. Gorley—An Act to amend section two thousand four hundred and sixty-four of the Political Code, relating to pilots and pilot regulations.

By Mr. Chandler—An Act to empower the Directors of Levee District Number One of Sutter County to issue bonds for the payment or funding of the unfunded indebtedness of said levee district, and to provide for the redemption of such bonds by taxing the property in the district.

By Mr. Merry—An Act concerning the medical department of the University of California.

By Mr. Frink—An Act prohibiting the keeping or sale of animals affected with glanders.

By Mr. Maguire—An Act to amend an Act entitled an Act to regulate the practice of medicine in the State of California, approved April third, eighteen hundred and seventy-six.

By Mr. DuBrutz—An Act for the relief of Kern County.

Rules suspended.

Assembly Bill No 112—An Act to repeal sections two, three, and six, and to amend section four, of "An Act to provide for the payment of certain bonds of the County of Lake," approved March twenty-eighth, eighteen hundred and seventy-four, in relation to an Assessor and Collector.

Taken up, and read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Adams, Anthony, Bass, Bennett, Braunhart, Brooks, Brown of Sonoma, Brown of Yuba, Bruner, Brusie, Burns, Camron, Carr of Sacramento, Chamberlain, Coleman, Cook, Cooper, Corcoran, Cuthbert, Del Valle, Downs, DuBrutz, Durham, Estey, Felton, Finlayson, Fox, Fraser, Frink, Garibaldi, Gaffey, Gorley, Green, Hardy, Hershey, Hartson, Josselyn, Lane, Levee, Magune, Mathews, May, McCallion, McCarty of Lake, McCarthy of San Francisco, McComas, Merry, Messenger, Morse, Mulholland, Nelson, Picket, Sayle, Simon, Sherburne, Stanley, Stoddard, Streeter, Tyler, Walker, Ward, Wason of Ventura, Wattson, York, Young, and Mr. Speaker—66

NOES—Messrs. Carr of Yuba and Leach—2.

Title approved.

Mr. Bruner gave notice that he would, on to-morrow, move to reconsider the vote by which the bill was passed.

FIRST READING AND REFERENCE OF BILLS.

Assembly Bill No. 363—An Act to amend section one hundred and thirty-seven of the Civil Code, in reference to divorce.

Read first time, and referred to the Judiciary Committee.

The House went into Committee of the Whole to consider Assembly Bill No. 270—An Act in reference to supplying incorporated towns, cities, and cities and counties, and the inhabitants thereof, with fresh water for municipal, domestic, and other purposes.

Mr. Fraser in the chair.

The bill was considered in Committee of the Whole.

IN ASSEMBLY.

Speaker Cowdery in the chair.

The Chairman of the Committee of the Whole reported that the Committee of the Whole had made progress in considering Assembly Bill No. 270—An Act in reference to supplying incorporated towns, cities, and cities and counties, and the inhabitants thereof, with fresh water for municipal, domestic, and other purposes, and now reported the same back and asked leave to sit again.

RECESS.

The hour of one o'clock P. M. having arrived, the House took a recess for one hour.

RE-ASSEMBLED.

The House re-assembled at two o'clock P. M.

Speaker Cowdery in the chair.

Quorum present.

Mr. Bruner withdrew his notice of reconsideration given this morning.

REPORT OF COMMITTEE ON ENGROSSMENT.

By Mr. Sherburne:

ASSEMBLY CHAMBER, SACRAMENTO, February 12th, 1880.

MR. SPEAKER: Your Committee on Engrossment have examined, and find properly engrossed, Assembly Bill No 43—An Act to amend sections one thousand one hundred and eighty and one thousand one hundred and eighty-one of an Act entitled "An Act to establish a Civil Code," approved March twenty-first, eighteen hundred and seventy-two.

Also, Assembly Bill No. 190—An Act to amend sections two hundred and four, two hun-

dred and six, two hundred and nine, two hundred and eleven, two hundred and fourteen, two hundred and fifteen, two hundred and nineteen, and two hundred and forty-one, and to repeal sections two hundred and sixteen, two hundred and seventeen, and two hundred and eighteen, of the Code of Civil Procedure of this State, in relation to the selection and drawing of jurors.

Also, Assembly Bill No. 279—An Act to declare the Mokelumne River navigable.

Also, Assembly Bill No. 12—An Act to repeal chapter four, title one, of part two, of the Political Code, and all laws creating Judicial Districts in this State, defining the boundaries thereof, and fixing the terms of Court therein.

Also, No. 36—An Act to amend sections sixty-nine, seventy, eighty, one hundred and thirty-seven, two hundred and twenty-six, two hundred and forty-three, two hundred and forty-four, two hundred and forty-nine, two hundred and fifty-three, two hundred and fifty-eight, two hundred and sixty-five, two hundred and seventy-three, five hundred and ninety-three, five hundred and ninety-six, five hundred and ninety-eight, six hundred and two, one thousand two hundred and forty-one, one thousand two hundred and forty-five, one thousand two hundred and forty-seven, one thousand two hundred and sixty-five, one thousand three hundred and sixty-three, one thousand three hundred and sixty-four, two thousand two hundred and eighty-three, two thousand two hundred and eighty-seven, and two thousand two hundred and eighty-nine, of an Act to establish a Civil Code, approved March twenty-first, eighteen hundred and seventy-two, conferring upon the Superior Courts, their Judges and officers, the jurisdiction and authority heretofore exercised, in certain cases, by the Courts abolished by the Constitution, their Judges or officers.

SHERBURNE, Chairman.

CONSIDERATION OF THE REPORT OF THE COMMITTEE OF THE WHOLE.

The Speaker stated as follows:

GENTLEMEN OF THE ASSEMBLY: The Committee of the Whole House has had under consideration Assembly Bill No. 270. The committee has risen, reported progress, and now asks leave to sit again.

Report received.

The question being, "Shall the House go into Committee of the Whole to consider the bill as requested in the report of the Committee of the Whole House?" Mr. Adams moved to amend so that the House should go into Committee of the Whole Saturday next, at two o'clock P. M., for the purpose of considering this bill

Upon which the ayes and noes were demanded by Messrs. Gaffey, Camron, and Maybell.

The Speaker stated that the question was not debatable.

Mr. Young appealed from the decision of the Chair.

The question being put, "Shall the decision of the Chair stand as the judgment of the House?" the Speaker was sustained.

The roll was called, and the House refused to go into the Committee of the Whole on Saturday next, at two o'clock P. M., by the following vote:

AYES—Messrs. Adams, Braunhart, Brown of Sonoma, Brown of Yuba, Chamberlain, Coffman, Cook, DuBrutz, Durham, Felton, Finlayson, Fox, Fraser, Gorley, Green, Hartson, Hynes, Lane, Mathews, May, McCallion, McIntosh, Messenger, Mulholland, Nelson, Sayle, Stoddard, Sweetland, Tyler, Walker, Wasson of Mono, Wattson, and York—33

NOES—Messrs. Anthony, Bass, Bennett, Bruner, Brusie, Burns, Camron, Carr of Sacramento, Carr of Yuba, Chandler, Coleman, Cooper, Corcoran, Cuthbert, Del Valle, Dimond, Downs, Estey, Frink, Garibaldi, Gaffey, Hardy, Hershey, Josselyn, Leach, Levee, Maguire, Maybell, McCarty of Lake, McCarthy of San Francisco, McComas, McDade, Merry, Morse, Picket, Simon, Sherburne, Spencer, Stanley, Streeter, Ward, Wason of Ventura, Young, and Mr. Speaker—44.

The House then went into Committee of the Whole for the purpose of again considering Assembly Bill No. 270—An Act in reference to supplying incorporated towns, cities, and cities and counties, and the inhabitants thereof, with fresh water for municipal, domestic, and other purposes.

Mr. Fraser in the chair.

The committee arose, reported progress, and asked leave to sit again.

IN ASSEMBLY.

Speaker Cowdery in the chair.

REPORT OF THE COMMITTEE OF THE WHOLE.

By Mr. Fraser:

MR. SPEAKER: The Committee of the Whole have had under consideration Assembly Bill No. 270—An Act in reference to supplying incorporated towns, cities, and cities and counties, and the inhabitants thereof, with fresh water for municipal, domestic, and other purposes—and hereby report progress in the consideration of the same, and ask leave to sit again.

RECESS.

At five o'clock and ten minutes P. M. the House took a recess until seven o'clock and thirty minutes P. M., this day.

IN ASSEMBLY.

The House re-assembled at seven o'clock and thirty minutes P. M.
Speaker Cowdery in the chair.
Quorum present.

CONSIDERATION OF THE REPORT OF THE COMMITTEE OF THE WHOLE.

The report of the Committee of the Whole taken up.
Pending its consideration, Mr. Gorley had leave to withdraw a petition of the bakers of San Francisco, introduced by himself.
The report received and adopted.
The House went into Committee of the Whole for the purpose of further considering Assembly Bill No. 270—An Act in reference to supplying incorporated towns, cities, and cities and counties, and the inhabitants thereof, with fresh water for municipal, domestic, and other purposes.
Mr. Fraser in the chair.
The Committee arose, reported the bill back, and recommended its rejection.

IN ASSEMBLY.

Speaker Cowdery in the chair.
The Chairman of the Committee of the Whole House made the following report:

MR. SPEAKER: The Committee of the Whole, having considered Assembly Bill No. 270, do now report it back, and recommend its rejection.

Mr. Merry moved that the bill be indefinitely postponed.
The ayes and noes were demanded by Messrs. Braunhart, Maybell, and Camron.
The roll was called, and the motion to indefinitely postpone the bill was carried by the following vote:

AYES—Messrs. Adams, Anthony, Bass, Braunhart, Brown of Sonoma, Brown of Yuba, Bruner, Burns, Camron, Carr of Yuba, Coleman, Cook, Cooper, Corcoran, Cuthbert, Del Valle, Downs,

Durham, Estey, Frink, Garibaldi, Gaffey, Gorley, Hardy, Harris, Hartson, Hershey, Josselyn, Lane, Leach, Leadbetter, Levee, Maguire, Maybell, McCallion, McCarty of Lake, McCarthy of San Francisco, McComas, McDade, Merry, Morse, Picket, Simon, Sherburne, Spencer, Stanley, Stoddard, Streeter, Tyler, Ward, Wason of Ventura, and Young—52.

NOES—Messrs. Bennett, Brusie, Carr of Sacramento, Chamberlain, Chandler, DuBrutz, Felton, Finlayson, Fox, Fraser, Green, Hynes, Mathews, May, McIntosh, Messenger, Mulholland, Nelson, Sayle, Sweetland, Walker, Wasson of Mono, Wattson, York, and Mr. Speaker—25.

Mr. Tyler gave notice that he would, to-morrow, move to reconsider the vote by which the House moved to indefinitely postpone the bill.

ADJOURNMENT.

At eleven o'clock and twenty minutes P. M., Mr. Bruner moved that this House adjourn to meet to-morrow at eleven o'clock A. M.

Carried.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Friday, February 13th, 1880.

The House met pursuant to adjournment.

Speaker Cowdery in the chair.

Roll called, and a quorum present.

Prayer by the Chaplain.

READING AND APPROVAL OF THE JOURNAL.

Mr. May moved that further reading of the Journal be dispensed with.

So ordered.

The Journal of Wednesday approved.

Mr. May moved that the rules be temporarily suspended, in order to consider in the House, instead of in Committee of the Whole, the first four bills, viz.: Assembly Bills Nos. 288, 289, 205, and 206, at the head of the file, for third reading.

Rules suspended by unanimous consent.

Assembly Bill No. 288—An Act to appropriate money for the payment of the deficiency in the appropriation for the support of the State Printing Office for the thirtieth fiscal year.

Taken up.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Adams, Anthony, Bass, Bennett, Braunhart, Brooks, Brown of Sonoma, Brown of Yuba, Bruner, Brusie, Burns, Cannon, Carr of Sacramento, Carr of Yuba, Chandler, Coffman, Coleman, Cook, Cooper, Corcoran, Cuthbert, Del Valle, Dimond, Downs, DuBrutz, Durham, Estey, Finlayson, Fox, Fraser, Frink, Garibaldi, Gaffey, Gorley, Green, Harris, Hershey, Hynes, Josselyn, Lane, Leach, Leadbetter, Levee, Maguire, Mathews, May, Maybell, McCallion, McCarty of Lake, McCarthy of San Francisco, McComas, Merry, Morse, Mulholland, Nelson, Picket, Sayle, Simon, Sherburne, Spencer, Stanley, Stoddard, Streeter, Tyler, Walker, Ward, Wason of Ventura, Wasson of Mono, Wattson, York, Young, and Mr. Speaker—72.

NOES—None.

Title approved.

Rules suspended by unanimous consent.

Senate Bill No. 289—An Act to appropriate money for the payment of the deficiency in the appropriation for the support of the State Printing Office for the twenty-ninth fiscal year.

Taken up, and read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Adams, Anthony, Bass, Bennett, Braunhart, Brooks, Brown of Yuba, Bruner, Brusie, Burns, Camron, Carr of Sacramento, Carr of Yuba, Chandler, Coffman, Coleman, Cooper, Corcoran, Cuthbert, Del Valle, Dimond, DuBrutz, Durham, Estey, Fox, Fraser, Frink, Gaffey, Gorley, Green, Harris, Hershey, Hynes, Josselyn, Lane, Leach, Leadbetter, Levee, Maguire, Mathews, May, Maybell, McCallion, McCarty of Lake, McCarthy of San Francisco, McComas, McIntosh, Merry, Morse, Mulholland, Nelson, Picket, Sayle, Simon, Sherburne, Spencer, Stanley, Stoddard, Streeter, Sweetland, Tyler, Walker, Wason of Ventura, Wasson of Mono, Wattson, York, Young, and Mr. Speaker—68.

NOES—None.

Title approved.

The rules suspended by unanimous consent.

Assembly Bill No. 205—An Act making appropriation for the salaries of the Chief Justice and Associate Justices of the Supreme Court of the State of California for the balance of the thirty-first fiscal year, ending June thirtieth, eighteen hundred and eighty.

Taken up.

Read third time.

The roll was called, and the bill passed by the following vote .

AYES—Messrs. Adams, Anthony, Bass, Brown of Yuba, Bruner, Brusie, Burns, Camron, Carr of Sacramento, Carr of Yuba, Chandler, Coffman, Coleman, Cook, Cooper, Corcoran, Cuthbert, Del Valle, Dimond, Downs, DuBrutz, Durham, Estey, Finlayson, Fox, Fraser, Frink, Garibaldi, Gaffey, Gorley, Green, Hershey, Josselyn, Lane, Leach, Leadbetter, Levee, Maguire, Mathews, May, Maybell, McCallion, McCarty of Lake, McComas, McIntosh, Merry, Morse, Mulholland, Nelson, Picket, Sayle, Simon, Sherburne, Spencer, Stanley, Stoddard, Streeter, Sweetland, Tyler, Walker, Wason of Ventura, Wasson of Mono, Wattson, Young, and Mr. Speaker—65.

NOES—None.

Title approved.

The rules suspended by unanimous consent.

Assembly Bill No. 206—An Act making appropriation for the State's portion of the salaries of the Superior Judges of the State of California for the balance of the fiscal year ending June thirtieth, eighteen hundred and eighty.

Taken up.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Adams, Anthony, Bass, Bennett, Braunhart, Brooks, Brown of Yuba, Bruner, Brusie, Burns, Camron, Carr of Sacramento, Carr of Yuba, Chandler, Coffman, Coleman, Cook, Cooper, Corcoran, Cuthbert, Del Valle, Dimond, Downs, Durham, Estey, Finlayson, Fox, Fraser, Frink, Garibaldi, Gaffey, Gorley, Green, Hershey, Josselyn, Lane, Leach, Leadbetter, Levee, Maguire, Mathews, May, Maybell, McCallion, McCarty of Lake, McCarthy of San Francisco, McComas, McIntosh, Merry, Morse, Mulholland, Nelson, Picket, Sayle, Simon, Sherburne, Spencer, Stanley, Stoddard, Streeter, Sweetland, Tyler, Walker, Ward, Wason of Ventura, Wasson of Mono, Wattson, York, Young, and Mr. Speaker—70.

NOES—None.

Title approved.

Rules suspended by unanimous consent.

Assembly Bill No. 104—An Act to prohibit the employment of Chinese or Mongolians by corporations.

Taken up.

Mr. Tyler moved to amend by striking out all after the word "that," from line three, section four, and inserting instead the words

"such corporation shall pay a fine of not less than one thousand dollars nor more than five thousand dollars."

Mr. McCallion moved to indefinitely postpone the amendment.

Mr. Cooper moved to lay the bill on the table.

Upon which the ayes and noes were demanded by Messrs. Anthony, Maybell, and Braunhart.

The roll was called, and the motion prevailed by the following vote:

AYES—Messrs. Bennett, Brooks, Brown of Yuba, Bruner, Brusie, Camron, Carr of Sacramento, Chandler, Coleman, Cooper, Corcoran, Cuthbert, Downs, Durham, Estey, Fox, Fraser, Frink, Gaffey, Hartson, Josselyn, Leach, Maguire, Maybell, McCarthy of San Francisco, McComas, McDade, McIntosh, Mulholland, Nelson, Sayle, Simon, Sherburne, Stanley, Sweetland, Tyler, Walker, Wason of Ventura, Wasson of Mono, Wattson, and Young—41.

NOES—Messrs. Adams, Anthony, Bass, Braunhart, Burns, Carr of Yuba, Coffman, Cook, Del Valle, Dimond, DuBrutz, Felton, Finlayson, Garibaldi, Gorley, Green, Harris, Hershey, Lane, Leadbetter, Levee, Mathews, May, McCallion, McCarty of Lake, Morse, Picket, Spencer, Stoddard, Streeter, Ward, York, and Mr. Speaker—33.

Rules suspended in order to take up Senate message of this date

SENATE MESSAGE.

SENATE CHAMBER, SACRAMENTO, February 13th, 1880.

MR. SPEAKER: I am directed to inform your honorable body that the Senate, on February twelfth, eighteen hundred and eighty, passed Senate Bill No. 6—An Act to amend the Penal Code by adding two new sections thereto, to be known as sections one hundred and seventy-eight and one hundred and seventy-nine, prohibiting the employment of Chinese by corporations.

Also, that the Senate has this day received from the Governor the report of the Bank Commissioners, with a request that the Assembly be informed that the report has been presented to the Senate.

JOHN R. BRIERLY, Assistant Secretary.

CONSIDERATION OF SENATE MESSAGE.

Mr. Carr of Yuba moved that, this being a case of urgency contemplated by the Constitution, the rules of the Assembly be temporarily suspended, and that Senate Bill No. 6—An Act to amend the Penal Code, by adding two new sections thereto, to be known as sections one hundred and seventy-eight and one hundred and seventy-nine, prohibiting the employment of Chinese by corporations—be now read and placed upon its final passage.

The roll was called, and the House suspended the rules by the following two-thirds vote:

AYES—Messrs Anthony, Bass, Braunhart, Brown of Yuba, Brusie, Burns, Camron, Carr of Sacramento, Carr of Yuba, Chandler, Cook, Cooper, Corcoran, Cuthbert, Del Valle, Dimond, DuBrutz, Estey, Felton, Finlayson, Fraser, Garibaldi, Gaffey, Gorley, Green, Harris, Hershey, Hynes, Josselyn, Lane, Leadbetter, Levee, Maguire, Maybell, McCallion, McCarty of Lake, McCarthy of San Francisco, McComas, McDade, McIntosh, Merry, Morse, Mulholland, Nelson, Picket, Sayle, Simon, Sherburne, Spencer, Stoddard, Streeter, Sweetland, Tyler, Walker, Ward, Wasson of Mono, Wattson, York, Young, and Mr. Speaker—60.

NOES—Messrs. Adams, Bennett, Brooks, Downs, Durham, Fox, Frink, Leach, Mathews, May, Stanley, and Wason of Ventura—12.

The bill was then read, the roll was called, and the bill passed by the following vote:

AYES—Messrs. Adams, Anthony, Bass, Bennett, Braunhart, Brooks, Brown of Yuba, Brusie, Burns, Camron, Carr of Sacramento, Carr of Yuba, Chamberlain, Chandler, Coleman, Cook, Cooper, Corcoran, Cuthbert, Del Valle, Dimond, DuBrutz, Durham, Estey, Felton, Finlayson, Fraser, Frink, Garibaldi, Gaffey, Gorley, Green, Harris, Hartson, Hynes, Josselyn,

Lane, Leach, Leadbetter, Levee, Maguire, Mathews, May, Maybell, McCallion, McCarty of Lake, McCarthy of San Francisco, McComas, McDade, McIntosh, Merry, Morse, Mulholland, Nelson, Picket, Sayle, Simon, Sherburne, Spencer, Stanley, Stoddard, Streeter, Sweetland, Walker, Ward, Wason of Ventura, Wasson of Mono, Wattson, York, Young, and Mr. Speaker—72.

NOES—Messrs. Downs, Fox, and Hershey—3.

Title approved.

Assembly Bill No. 104—An Act to prohibit the employment of Chinese or Mongolians by corporations—taken from the table and indefinitely postponed.

Rules suspended by unanimous consent.

Assembly Bill No. 5—An Act to amend section three thousand and fifty-nine of the Political Code, in relation to the issuance of licenses to aliens.

Taken up, and read the third time.

RECESS.

Pending discussion of the bill, the hour of one o'clock P. M. having arrived, the House took a recess for one hour.

RE-ASSEMBLED.

The House re-assembled at two o'clock P. M.

Speaker Cowdery in the chair.

Quorum present.

Mr. Tyler withdrew his notice of a motion to reconsider the vote by which the House refused to pass Assembly Bill No. 270, on yesterday.

Three days' leave of absence was granted to Mr. Brown of Sonoma.

The consideration of Assembly Bill No. 5—An Act to amend section three thousand and fifty-nine of the Political Code, in relation to the issuance of licenses to aliens—resumed.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Adams, Anthony, Bass, Braunhart, Brown of Yuba, Brusie, Burns, Camron, Carr of Sacramento, Carr of Yuba, Chamberlain, Chandler, Coffman, Coleman, Cook, Cooper, Corcoran, Cuthbert, Del Valle, Dimond, Downs, DuBrutz, Estey, Felton, Finlayson, Fox, Fraser, Frink, Garibaldi, Gaffey, Gorley, Green, Hardy, Harris, Hartson, Hershey, Hynes, Josselyn, Lane, Leach, Leadbetter, Levee, Maguire, Mathews, May, Maybell, McCallion, McCarty of Lake, McCarthy of San Francisco, McComas, McDade, McIntosh, Merry, Messenger, Morse, Mulholland, Picket, Sayle, Simon, Sherburne, Spencer, Stanley, Stoddard, Streeter, Sweetland, Walker, Wason of Ventura, Wattson, York, Young, and Mr. Speaker—71.

NOES—Messrs. Bennett, Brooks, Bruner, Nelson, Tyler, and Wasson of Mono—6.

Title approved.

Mr. Fox asked leave to withdraw Assembly Bill No. 10—An Act to amend the Political Code on the subject of licenses.

So ordered.

Assembly Bill No. 162—An Act to amend section three hundred and thirty-eight of the Penal Code, relative to pawnbrokers.

Recommitted to the Judiciary Committee.

Rules suspended.

Assembly Bill No. 4—An Act to amend section four hundred and thirty-five of the Penal Code, in relation to the issuance of licenses to aliens.

Taken up.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Adams, Anthony, Braunhart, Brown of Yuba, Brusie, Burns, Cameron, Carr of Sacramento, Carr of Yuba, Chamberlain, Chandler, Coleman, Cook, Cooper, Corcoran, Cuthbert, Del Valle, Dimond, Downs, Estey, Felton, Finlayson, Fox, Fraser, Frink, Garibaldi, Gaffey, Gorley, Green, Hardy, Harris, Hershey, Josselyn, Lane, Leach, Leadbetter, Levee, Maguire, Mathews, May, Maybell, McCallion, McCarty of Lake, McCarthy of San Francisco, McComas, McDade, McIntosh, Merry, Messenger, Morse, Mulholland, Picket, Sayle, Simon, Sherburne, Spencer, Stanley, Stoddard, Streeter, Sweetland, Walker, Wason of Ventura, Wason of Mono, Wattson, York, Young, and Mr. Speaker—67

NOES—Messrs. Bennett, Brooks, Bruner, Nelson, and Tyler—5.

Title approved.

Assembly Bill No. 271—Withdrawn from the Judiciary Committee and referred to the Los Angeles delegation.

Rules suspended by unanimous consent.

Assembly Bill No. 126—An Act to enable the State Board of Equalization to organize and perform its duties.

Taken up.

Read third time.

The roll was called, and the bill was passed by the following vote:

AYES—Messrs. Adams, Anthony, Bass, Bennett, Brooks, Brown of Yuba, Bruner, Brusie, Burns, Cameron, Carr of Sacramento, Carr of Yuba, Chamberlain, Chandler, Coffman, Coleman, Cook, Cooper, Corcoran, Del Valle, Dimond, Downs, DuBrutz, Estey, Felton, Finlayson, Fox, Fraser, Frink, Garibaldi, Gaffey, Gorley, Green, Harris, Hershey, Josselyn, Lane, Leach, Leadbetter, Levee, Maguire, Mathews, May, Maybell, McCallion, McCarty of Lake, McCarthy of San Francisco, McComas, McIntosh, Messenger, Morse, Mulholland, Nelson, Picket, Sayle, Simon, Sherburne, Spencer, Stanley, Stoddard, Streeter, Sweetland, Walker, Wason of Ventura, Wattson, York, Young, and Mr. Speaker—68.

NOES—None.

Title approved.

Rules unanimously suspended.

Assembly Bill No. 135—An Act to provide for the removal of aliens whose presence is dangerous to the well-being of communities outside the limits of cities and towns in the State of California.

Taken up.

Read second time.

The substitute recommended by the committee adopted.

Mr. Tyler moved to strike out the enacting clause.

Lost.

The bill was ordered to a third reading.

Rules suspended.

Assembly Bill No. 89—An Act to provide for a poll tax upon alien inhabitants of the State of California.

Taken up.

Read third time.

Mr. Tyler moved to amend by striking out the words "and ineligible to citizenship," from line one, section five.

Lost.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Adams, Anthony, Bass, Braunhart, Bruner, Brusie, Burns, Cameron, Carr of Sacramento, Carr of Yuba, Chamberlain, Coffman, Coleman, Cook, Corcoran, Cuthbert, Downs, DuBrutz, Finlayson, Fraser, Garibaldi, Gaffey, Gorley, Hardy, Harris, Hartson, Hynes, Josselyn, Lane, Leach, Leadbetter, Levee, Maguire, Mathews, May, Maybell, McCallion, McCarty of Lake, McCarthy of San Francisco, McDade, McIntosh, Merry, Messenger, Mulholland, Picket,

Sayle, Simon, Sherburne, Spencer, Stanley, Stoddard, Streeter, Sweetland, Walker, Wason of Ventura, Wattson, York, and Young—58.

NOES—Messrs Bennett, Brooks, Chandler, Cooper, Del Valle, Dimond, Estey, Fox, Frink, Hershey, McComas, Morse, Nelson, Tyler, and Mr. Speaker—15.

Title approved.

Rules unanimously suspended.

Assembly Bill No. 102—An Act relating to the appointment of aliens to positions under State, county, city and county, city, or town officials.

Taken up.

Read third time.

The roll was called, and the bill was passed by the following vote:

AYES—Messrs. Adams, Anthony, Bennett, Braunhart, Brooks, Bruner, Brusie, Burns, Carr of Sacramento, Chamberlain, Chandler, Coffman, Coleman, Cooper, Corcoran, Del Valle, Dimond, Downs, Estey, Finlayson, Fox, Frink, Garibaldi, Gaffey, Gorley, Green, Hardy, Harris, Hartson, Hershey, Lane, Leach, Leadbetter, Levee, Maguire, Mathews, Maybell, McCallion, McCarthy of San Francisco, McComas, McIntosh, Merry, Messenger, Morse, Mulholland, Nelson, Sayle, Simon, Stanley, Stoddard, Streeter, Wason of Ventura, and Mr. Speaker—53.

NOES—Messrs Bass, Carr of Yuba, Hynes, May, McCarty of Lake, Sherburne, Spencer, Sweetland, Tyler, Walker, Wattson, and York—12.

Title approved.

Rules unanimously suspended.

Assembly Bill No. 184—An Act to provide for the keeping of accounts in the English language.

Taken up.

Read third time.

At four o'clock and fifty-seven minutes P. M. Mr. Cooper moved to adjourn.

Lost.

Mr. May moved to amend by inserting after the words "English," the words "or some European language."

Adopted.

Mr. Tyler moved to amend the bill by inserting before the word "language," the words "Asiatic or African."

Lost.

At five o'clock P. M. Mr. Leach moved to adjourn until nine o'clock and thirty minutes A. M. to-morrow.

Lost.

The bill ordered printed with the amendment.

ADJOURNMENT.

At five o'clock and one minute P. M. Mr. Braunhart moved that the House adjourn to meet at ten o'clock and thirty minutes A. M. to-morrow.

Carried.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Saturday, February 14th, 1880.

The House met pursuant to adjournment.

Speaker Cowdery in the chair.

Roll called, and a quorum present.

Prayer by the Chaplain.

Two days' leave of absence granted Messrs. Streeter and Ward, and one day's leave of absence granted Messrs. Durham and Young.

READING AND APPROVAL OF THE JOURNAL.

Mr. Mulholland moved that further reading of the Journal of yesterday be dispensed with.

So ordered.

The Journal of Thursday approved.

Mr. Downs asked to be recorded as voting "no" on Senate Bill No. 6.

So ordered.

Mr. Mulholland asked to be recorded as voting "aye" on Assembly Bills Nos. 288 and 289.

So ordered.

PETITIONS.

By Mr. McCarty—From citizens of Lake County, asking for the passage of Assembly Bill No. 278, in reference to the boundary of Lake, Sonoma, and Mendocino Counties.

Referred to Committee on County Boundaries.

The Speaker presented, and had read from the desk, a communication from Mary E. Keeny, President, and Mary P. MacCrellish, Secretary, of the Protestant Orphan Asylum of San Francisco, asking for State aid for the Protestant Orphan Asylum.

Referred to the Committee on Ways and Means.

By Mr. Green—From citizens of Westminster, asking such legislation as will secure to them the benefits to be derived from article eleven, section eleven, of our Constitution.

Referred to Committee on County Governments and Municipal Corporations.

REPORTS OF STANDING COMMITTEES.

By Mr. Brown:

ASSEMBLY CHAMBER, SACRAMENTO, February 14th, 1880.

MR. SPEAKER: The Committee on Corporations, to whom was referred Assembly Bill No. 249—An Act amendatory of an Act for the better protection of the stockholders in corporations formed under the laws of the State of California for the purpose of carrying on and conducting the business of mining, approved March thirtieth, A. D eighteen hundred and seventy-four—have had the same under consideration, and report the same back to the Assembly with amendments, and recommend its passage as amended.

Also, Assembly Bill No. 269—An Act to regulate the buying and selling of stocks—and report the same back without recommendation—three for, two against.

BROWN of Yuba, Chairman.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, February 14th, 1880.

MR. SPEAKER: The Committee on Corporations, to whom was referred Assembly Bill No. 187—An Act to prevent discrimination by gas companies in the State of California—have had the same under consideration, and report the same back to the Assembly without amendment, and recommend its passage.

Also, Assembly Bill No. 316—An Act to amend an Act entitled an Act creating a Board of Bank Commissioners and prescribing their duties and powers, approved March thirtieth, A. D. eighteen hundred and seventy-eight—without amendment, and recommend its passage.

Also, Assembly Bill No. 289—An Act to add a new section to the Civil Code, to be known as section four hundred and fifty-three, in relation to life insurance companies—and recommend that it do not pass.

Also, Assembly Bill No. 305—An Act to prevent a monopoly on railroads, steamships, and other common carriers—and recommend that it do not pass.

Also, Assembly Bill No. 213—An Act to regulate the quality and standard illuminating power and to limit the price of gas in all cities, and cities and counties, of the State of California, con-

taining one hundred thousand population and over—and recommend that it be referred to the San Francisco delegation, it affecting San Francisco alone.

BROWN of Yuba, Chairman.

Assembly Bill No. 213, above reported, referred to the San Francisco delegation.

By Mr. Cooper:

ASSEMBLY CHAMBER, SACRAMENTO, February 14th, 1880.

MR. SPEAKER: The minority of the Committee on Corporations, to whom was referred Assembly Bill No. 316—An Act to amend an Act entitled "An Act creating a Board of Bank Commissioners, and prescribing their duties and powers," approved March thirtieth, eighteen hundred and seventy-eight—have had the same under consideration, and report the same back to the Assembly without amendment and recommend it do not pass.

THOS. L. CHAMBERLAIN,
S. J. GARIBALDI.
L. F. COOPER.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, February 14th, 1880.

MR. SPEAKER: The minority of the Committee on Corporations, to whom was referred Assembly Bill No. 269—An Act to regulate the buying and selling of stocks—have had the same under consideration, and report the same back to the Assembly with amendments, and recommend its passage as amended.

COOPER,
GARIBALDI.

By Mr. Wason:

MR. SPEAKER: Your Committee on Education, to whom was referred Assembly Bill No. 91—An Act entitled an Act to remove the State Normal School from its present location, and to make the same a part of the State University—have had the same under consideration, and beg leave to report the same back, with the recommendation that it be indefinitely postponed.

WASON, Chairman.

By Mr. Brooks:

ASSEMBLY CHAMBER, SACRAMENTO, February 13th, 1880.

MR. SPEAKER: The Committee on Enrollment respectfully report as correctly enrolled Assembly Bill No. 12—An Act to repeal chapter four, of title one, part two, of the Political Code, and all laws creating Judicial Districts in this State, defining the boundaries thereof, and fixing the terms of Courts therein—and was presented to the Governor for his approval this day, February thirteenth, eighteen hundred and eighty, at forty minutes past twelve o'clock P. M.

BROOKS, Chairman.

By Mr. Sherburne:

ASSEMBLY CHAMBER, SACRAMENTO, February 14th, 1880.

MR. SPEAKER. Your Committee on Engrossment beg leave to report that they have examined and find properly engrossed Assembly Bill No. 112, being an Act to repeal sections two, three, and six, and to amend section four, of "An Act to provide for the payment of certain bonds of the County of Lake," approved March twenty-eighth, eighteen hundred and seventy-four, in relation to an Assessor and Collector.

Also, Assembly Bill No. 205, being an Act making appropriation for the salaries of the Chief Justice and Associate Justices of the Supreme Court of the State of California, for the balance of the thirty-first fiscal year, ending June thirtieth, eighteen hundred and eighty.

Also, Assembly Bill No. 206, being an Act making appropriation for the State's portion of the salaries of the Superior Judges of the counties of the State of California, for the balance of the thirty-first fiscal year, ending June thirtieth, eighteen hundred and eighty.

Also, Assembly Bill No. 288, being an Act to appropriate money for the payment of the deficiency in the appropriation for the support of the State Printing Office for the thirtieth fiscal year.

Also, Assembly Bill No. 289, being an Act to appropriate money for the payment of the deficiency in the appropriation for the support of the State Printing Office for the twenty-ninth fiscal year.

Also, Assembly Bill No. 4, being an Act to amend section four hundred and thirty-five of the Penal Code, in relation to the issuance of licenses to aliens.

Also, Assembly Bill No. 5, being an Act to amend section three thousand and fifty-nine of the Political Code, in relation to the issuance of licenses to aliens.

Also, Assembly Bill No. 89, being an Act to provide for a poll tax upon alien inhabitants of the State of California.

Also, Assembly Bill No. 102, being an Act relating to the appointment of aliens to positions under State, county, city and county, city, and town officials.

Also, Assembly Bill No. 126, being an Act to enable the State Board of Equalization to organize and perform its duties.

Also, Assembly Bill No. 75, being an Act entitled an Act to limit and regulate the sale of mining and other stocks.

SHERBURNE, Chairman.

By Mr. Durham:

ASSEMBLY CHAMBER, SACRAMENTO, February 13th, 1880.

MR. SPEAKER: The Committee on Forestry, to whom was referred Assembly Bill No 312—An Act to encourage the planting and cultivation of forest trees—have had the same under consideration, and report it back to the Assembly without amendment, and recommend its passage.

DURHAM, Chairman.

By Mr. Fox:

ASSEMBLY CHAMBER, SACRAMENTO, February 14th, 1880.

MR. SPEAKER: Your Judiciary Committee, to whom was recommitted Assembly Bill No. 162—An Act to amend section three hundred and thirty-eight of the Penal Code, relative to pawnbrokers—have had the same again under consideration, and now report the same back with amendments, and recommend the passage of the same as amended.

FOX, Chairman.

By Mr. Estey:

MR. SPEAKER: Your Committee on Mileage have considered the report of the Chairman of Committee on State Hospital, find it correct, and recommend the adoption of the following resolution:

ESTEY, Chairman.

Resolved, That the Controller be and he is hereby instructed to draw his warrant in favor of Dr L. Brusie for the sum of one hundred and ninety and eighty one-hundredths dollars, payable out of the Contingent Fund of the Assembly.

Report received, and resolution adopted.

Also:

MR. SPEAKER: Your Committee on Mileage have considered the report of the Chairman of the State Prison Committee, and recommend the adoption of the following resolution.

ESTEY, Chairman.

Resolved, That the Controller be and he is hereby instructed to draw his warrant in favor of G. W. Tyler for the sum of two hundred and twenty-four dollars and forty cents ($224 40), for mileage for the State Prison Committee and its Clerk and Short-hand Reporter.

Report received, and resolution adopted.

REPORT OF SPECIAL COMMITTEE.

By Mr. Del Valle:

ASSEMBLY CHAMBER, SACRAMENTO, February 14th, 1880.

MR. SPEAKER: The Los Angeles delegation, to whom was referred Assembly Bill No. 271—An Act to provide for the funding of the funded debt of the City of Los Angeles, created by an Act of Legislature, approved February first, eighteen hundred and seventy-eight, and entitled "An Act to authorize the Mayor and Common Council of the City of Los Angeles to take and subscribe seventy-five thousand dollars to the capital stock of the Los Angeles and San Pedro Railroad Company, in the County of Los Angeles, and to provide for the payment of the same, and other matters relating thereto"—have had the same under consideration, and herewith report the same back to the Assembly, with the recommendation that it do pass.

R. F. DEL VALLE.
P. M. GREEN.

MESSAGES FROM THE GOVERNOR.

STATE OF CALIFORNIA, EXECUTIVE DEPARTMENT,
SACRAMENTO, February 13th, 1880.

To the Assembly of the State of California:

I have to inform your honorable body that I have approved Assembly Bill No. 93—An Act in relation to certain deputies and assistants of County Clerks.

GEO. C. PERKINS, Governor.

STATE OF CALIFORNIA, EXECUTIVE DEPARTMENT,
SACRAMENTO, February 13th, 1880.

To the Assembly of the State of California:

I have to inform your honorable body that I have approved Assembly Bill No. 12—An Act to repeal chapter four, of title one, part two, of the Political Code, and all laws creating judicial districts in this State, defining the boundaries thereof, and fixing the terms of Court therein.

GEO. C. PERKINS, Governor.

INTRODUCTION OF BILLS.

The following bills were introduced, and ordered printed:

By Mr. Felton—An Act to redeem and refund the bonds issued by the County of San Mateo, under and by virtue of an Act to provide funds for the construction and improvement of highways in the County of San Mateo, approved April fourth, eighteen hundred and seventy.

By Mr. Hardy—An Act to authorize the appointment of four interpreters and translators of foreign languages of the Criminal Courts of the City and County of San Francisco.

By Mr. Spencer—An Act to amend an Act to provide for the building of a school house in Modesto School District, in the County of Stanislaus, in the State of California, approved January ninth, eighteen hundred and seventy-four.

By Mr. Fraser—An Act in relation to the public roads and highways in the several counties of this State.

By Mr. Burns—An Act to repeal section number one thousand one hundred and twenty-five of the Code of Civil Procedure.

By Mr. Adams—An Act amendatory and to repeal certain sections of an Act entitled an Act for the more effectual prevention of cruelty to animals.

By Mr Harris—An Act to amend sections one thousand five hundred and eighty-two and one thousand eight hundred and fifty-eight of the Political Code, relating to public schools.

Also, an Act to establish Boards of Health.

Also, an Act to appropriate funds for the relief of the several orphan asylums in this State.

By Mr. Braunhart—Assembly Joint Resolution, relative to the free coinage of silver.

FIRST READING AND REFERENCE OF BILLS.

Assembly Bill No. 361—An Act in relation to certain deputies, assistants, and copyists of County Clerks.

Read first time, and referred to the San Francisco delegation.

Assembly Bill No. 362—An Act to add a new section to the Penal Code, relative to advertisements to procure abortion.

Read first time, and referred to Committee on Public Morals.

Assembly Bill No. 364—An Act to amend section two thousand nine hundred and fourteen of an Act entitled an Act to establish a Political Code, approved March twelfth, eighteen hundred and seventy-two.

Read first time, and referred to Committee on Commerce and Navigation.

Assembly Bill No. 366—An Act to preserve the navigation of the San Joaquin and Sacramento Rivers, and to appropriate money for that purpose.

Read first time and referred to Committee on Commerce and Navigation.

Assembly Bill No. 367—An Act to prevent the running at large of sheep, goats or hogs, in the State of California.

Read first time, and referred to the Committee on Agriculture.

Assembly Bill No. 368—An Act to declare the Klamath River navigable.

Read first time, and referred to the Committee on Commerce and Navigation.

Assembly Bill No. 365—An Act entitled an Act to amend sections two hundred and fifty-eight and two hundred and fifty-nine of the Code of Civil Procedure.

Read first time, and referred to the Committee on Judiciary.

Assembly Bill No. 369—An Act to amend section one thousand five hundred and ninety of the Penal Code, in relation to persons imprisoned in the State Prison.

Read first time, and referred to the Committee on State Prison.

Assembly Bill No. 370—An Act prohibiting any company or corporation, whose business is to supply water or illuminating gas for public use, from charging their consumers for meters.

Read first time, and referred to the Committee on Corporations.

Assembly Bill No. 371—An Act to restrict and regulate the use of intoxicating liquors.

Read first time, and referred to the Committee on Public Morals.

Assembly Bill No. 372—An Act to prevent paupers from coming from other States into this State, or from one county of this State into another for relief.

Read first time, and referred to the Committee on County Governments and Municipal Corporations.

Assembly Bill No. 373—An Act to prevent the sale, or keeping for sale, of goods, wares, or merchandise, in whole or in part, under false signs, labels, cards, or placards.

Read first time, and referred to the Committee on Chinese Immigration and Emigration.

Assembly Bill No. 374—An Act for the promotion of the viticultural industries of the State.

Read first time, and referred to the Committee on Culture and Improvement of the Grapevine.

MESSAGES FROM THE SENATE.

SENATE CHAMBER, SACRAMENTO, February 11th, 1880.

MR. SPEAKER: I am directed to inform your honorable body that the Senate, on February tenth, eighteen hundred and eighty, passed Senate Bill No 158—An Act to amend sections eight hundred and thirty-eight, eight hundred and forty-three, eight hundred and forty-four, eight hundred and forty-five, eight hundred and ninety-seven, eight hundred and ninety-eight, eight hundred and ninety-nine, nine hundred and twelve, nine hundred and eighteen, and nine hundred and twenty-one, of the Code of Civil Procedure, relating to proceedings in Justices' Courts.

Also, Senate Bill No. 159—An Act to amend sections one thousand one hundred and sixty-three, one thousand one hundred and sixty-six, one thousand one hundred and sixty-seven, one thousand one hundred and sixty-eight, one thousand one hundred and seventy-one, one thousand one hundred and seventy-six, and one thousand one hundred and seventy-nine, of the Code of Civil Procedure, relating to summary proceedings for obtaining possession of real property in certain cases.

Also, Senate Bill No. 161—An Act to amend sections one thousand two hundred and twenty-seven, one thousand two hundred and thirty, and one thousand two hundred and thirty-three, of the Code of Civil Procedure, relating to the voluntary dissolution of corporations.

Also, Senate Bill No. 163—An Act to amend sections one thousand two hundred and sixty-

nine and one thousand two hundred and seventy-two of the Code of Civil Procedure, relating to escheated estates

Also, Senate Bill No. 164—An Act to amend sections one thousand two hundred and seventy-five, one thousand two hundred and seventy-six, one thousand two hundred and seventy-eight, and one thousand two hundred and seventy-nine, of the Code of Civil Procedure, relating to change of names.

Also, Senate Bill No. 165—An Act to amend section one thousand two hundred and eighty-three of the Code of Civil Procedure, relating to arbitrations.

Also, Senate Bill No. 175—An Act to amend sections one thousand seven hundred and forty-seven, one thousand seven hundred and forty-eight, one thousand seven hundred and forty-nine, one thousand seven hundred and fifty, one thousand seven hundred and fifty-four, one thousand seven hundred and fifty-five, one thousand seven hundred and fifty-six, one thousand seven hundred and fifty-seven, one thousand seven hundred and fifty-eight, one thousand seven hundred and sixty-three, one thousand seven hundred and sixty-four, one thousand seven hundred and sixty-six, one thousand seven hundred and sixty-nine, one thousand seven hundred and seventy-three, one thousand seven hundred and seventy-four, one thousand seven hundred and seventy-five, one thousand seven hundred and eighty, one thousand seven hundred and eighty-one, one thousand seven hundred and eighty-two, one thousand seven hundred and eighty-three, one thousand seven hundred and eighty-four, one thousand seven hundred and eighty-five, one thousand seven hundred and eighty-eight, one thousand seven hundred and ninety-one, one thousand seven hundred and ninety-two, one thousand seven hundred and ninety-three, one thousand seven hundred and ninety-six, one thousand seven hundred and ninety-seven, one thousand seven hundred and ninety-eight, one thousand seven hundred and ninety-nine, one thousand eight hundred, one thousand eight hundred and one, one thousand eight hundred and two, one thousand eight hundred and three, one thousand eight hundred and four, and one thousand eight hundred and eight, of the Code of Civil Procedure, relating to guardians and wards.

Also, Senate Bill No. 176—An Act to amend sections one thousand eight hundred and eleven and one thousand eight hundred and twelve of the Code of Civil Procedure, relating to sole traders.

Also, Senate Bill No. 177—An Act to amend sections one thousand nine hundred and ninety-four, one thousand nine hundred and ninety-five, two thousand and twenty-four, two thousand and thirty-six, two thousand and thirty-seven, two thousand and seventy, and two thousand and eighty-four, of the Code of Civil Procedure, relating to evidence.

Also, Senate Bill No. 178—An Act to add a new section to the Penal Code, to be known as section seven hundred and ninety-six, relating to the place of trial of indictments or informations for publications in newspapers

Also, Senate Bill No. 213—An Act to amend section three hundred and fifty-eight of the Civil Code, concerning corporations

Also, Senate Bill No. 180—An Act to amend section two thousand eight hundred and fourteen of the Political Code, concerning public ways.

Also, Senate Bill No. 108—An Act granting relief to the taxpayers whose lands have been sold to the State.

Also, Senate Bill No. 152—An Act to amend sections one thousand one hundred and sixteen, one thousand one hundred and eighteen, one thousand one hundred and nineteen, one thousand one hundred and twenty, one thousand one hundred and twenty-five, one thousand one hundred and twenty-six, and one thousand one hundred and twenty-seven, and to repeal section one thousand one hundred and twenty-four of the Code of Civil Procedure, relating to contesting certain elections.

Also, Senate Bill No. 223—An Act to amend section one thousand three hundred and eighty-six of the Civil Code, relating to succession.

Also, Senate Bill No. 184—An Act to amend section one thousand four hundred and sixty-eight of the Code of Civil Procedure, relating to personal property set apart for the use of the family.

M. D. BORUCK, Secretary.

SENATE CHAMBER, SACRAMENTO, February 11th, 1880.

MR. SPEAKER: I am directed to inform your honorable body that the Senate, on this day, adopted the report of the Conference Committee, and receded from Senate amendments numbers two and three to each of the following

Assembly Bill No 31—An Act to amend sections one thousand four hundred and eighteen and one thousand four hundred and nineteen of the Penal Code, relating to reprieves, commutations, and pardons.

Assembly Bill No. 32—An Act to amend sections seven hundred and thirty-seven, seven hundred and forty-six, seven hundred and forty-nine, and seven hundred and fifty-three, of the Penal Code, relating to impeachments.

Assembly Bill No. 33—An Act to amend sections one thousand four hundred and seventy-five and one thousand five hundred and four of the Penal Code, relating to the writ of habeas corpus.

M. D. BORUCK, Secretary.

Senate Bill No. 158—An Act to amend sections eight hundred and thirty-eight, eight hundred and forty-three, eight hundred and forty-four, eight hundred and forty-five, eight hundred and ninety-seven, eight hundred and ninety-eight, eight hundred and ninety-nine, nine hundred and twelve, and nine hundred and twenty-one, of the Code of Civil Procedure, relating to proceedings in Justices' Courts.

Senate Bill No 159—An Act to amend sections one thousand one hundred and sixty-three, one thousand one hundred and sixty-six, one thousand one hundred and sixty-seven, one thousand one hundred and sixty-eight, one thousand one hundred and seventy-one, one thousand one hundred and seventy-six, and one thousand one hundred and seventy-nine, of the Code of Civil Procedure, relating to summary proceedings for obtaining possession of real property in certain cases.

Senate Bill No. 161—An Act to amend sections one thousand two hundred and twenty-seven, one thousand two hundred and thirty, and one thousand two hundred and thirty-three, of the Code of Civil Procedure, relating to the voluntary dissolution of corporations.

Senate Bill No. 163—An Act to amend sections one thousand two hundred and sixty-nine and one thousand two hundred and seventy-two of the Code of Civil Procedure, relating to escheated estates.

Senate Bill No. 164—An Act to amend sections one thousand two hundred and seventy-five, one thousand two hundred and seventy-six, one thousand two hundred and seventy-eight, and one thousand two hundred and seventy-nine, of the Code of Civil Procedure, relating to change of names.

Senate Bill No. 165—An Act to amend section one thousand two hundred and eighty-three of the Code of Civil Procedure, relating to arbitrations.

Senate Bill No. 176—An Act to amend sections one thousand eight hundred and eleven and one thousand eight hundred and twelve of the Code of Civil Procedure, relating to sole traders.

Senate Bill No. 177—An Act to amend sections one thousand nine hundred and ninety-four, one thousand nine hundred and ninety-five, two thousand and twenty-four, two thousand and thirty-six, two thousand and thirty-seven, two thousand and seventy, and two thousand and eighty-four, of the Code of Civil Procedure, relating to evidence.

Senate Bill No. 178—An Act to add a new section to the Penal Code, to be known as section seven hundred and ninety-six, relating to the place of trial of indictments or information for publication in newspapers.

Each of the above nine bills read first time, and referred to the Committee on Judiciary.

Senate Bill No. 213—An Act to amend section three hundred and fifty-eight of the Civil Code, concerning corporations.

Read first time, and referred to the Committee on Corporations.

Senate Bill No. 180—An Act to amend section two thousand eight hundred and fourteen of the Political Code, concerning public ways.

Read first time, and referred to the Committee on Roads and Highways.

Senate Bill No. 108—An Act granting relief to taxpayers whose lands have been sold to the State.

Senate Bill No. 152—An Act to amend sections one thousand one hundred and sixteen, one thousand one hundred and eighteen, one thousand one hundred and nineteen, one thousand one hundred and twenty, one thousand one hundred and twenty-five, one thousand one hundred and twenty-six, and one thousand one hundred and twenty-seven, and to repeal section one thousand one hundred and twenty-four, of the Code of Civil Procedure, relating to contesting certain elections.

Senate Bill No. 175—An Act to amend sections one thousand seven hundred and forty-seven, one thousand seven hundred and forty-eight, one thousand seven hundred and forty-nine, one thousand seven hundred and fifty, one thousand seven hundred and fifty-four, one thousand seven hundred and fifty-five, one thousand seven hundred and fifty-six, one thousand seven hundred and fifty-seven, one thousand seven hundred and fifty-eight, one thousand seven hundred and sixty-three, one thousand seven hundred and sixty-four, one thousand seven hundred and sixty-six, one thousand seven hundred and sixty-nine, one thousand seven hundred and seventy-three, one thousand seven hundred and seventy-four, one thousand seven hundred and seventy-five, one thousand seven hundred and eighty, one thousand seven hundred and eighty-one, one thousand seven hundred and eighty-two, one thousand seven hundred and eighty-three, one thousand seven hundred and eighty-four, one thousand seven hundred and eighty-five, one thousand seven hundred and eighty-eight, one thousand seven hundred and ninety-one, one thousand seven hundred and ninety-two, one thousand seven hundred and ninety-three, one thousand seven hundred and ninety-six, one thousand seven hundred and ninety-seven, one thousand seven hundred and ninety-eight, one thousand seven hundred and ninety-nine, one thousand eight hundred, one thousand eight hundred and one, one thousand eight hundred and two, one thousand eight hundred and three, one thousand eight hundred and four, and one thousand eight hundred and eight, of the Code of Civil Procedure, relating to guardians and wards.

Senate Bill No. 223—An Act to amend section one thousand three hundred and eighty-six of the Civil Code, relating to succession.

Senate Bill No. 184—An Act to amend section one thousand four hundred and sixty-eight of the Code of Civil Procedure, relating to property set apart for the use of the family.

Considered, and each of the above five bills read first time, and referred to the Judiciary Committee.

Rules suspended in order to take up Senate Bills Nos. 23, 24, and 28.

Rules suspended by unanimous consent.

Senate Bill No. 23—An Act to amend sections eighty-six, eighty-nine, two hundred and twenty-seven, two hundred and twenty-eight, five hundred and four, and five hundred and fourteen, of the Penal Code, relating to crimes and punishments.

Taken up.

Amendments recommended by the committee adopted.

Bill read the second time, and ordered to third reading.

Rules suspended by unanimous consent.

Senate Bill No. 24—An Act to amend sections six hundred and eighty-nine, one thousand and forty-two, one thousand four hundred and thirty, and one thousand four hundred and thirty-five, of the Penal Code, relating to trials by jury.

Taken up.

Read second time, and ordered to third reading.

Rules suspended by unanimous consent.

Senate Bill No. 28—An Act to repeal section four thousand three hundred and twenty-nine of the Political Code, regulating the salaries of County Judges.

Taken up.

Read second time, and ordered to third reading.

Rules suspended by unanimous consent.

Senate Bill No. 29—An Act to repeal sections four hundred and ninety-nine and six hundred and eighty-four of the Political Code, relating to the salaries and compensation of public officers.

Taken up.

Read second time, and ordered to third reading.

Rules suspended.

Assembly Bill No. 28—An Act to amend an Act entitled an Act to amend section two hundred and ninety-nine of the Civil Code of California, as approved March twenty-second, eighteen hundred and seventy-eight.

Taken up.

The amendment recommended by the committee adopted.

Bill read second time, and ordered to third reading.

SECOND READING OF BILLS.

Assembly Bill No. 200—An Act to amend sections six hundred and thirteen and six hundred and fourteen of an Act to establish a Penal Code, approved February fourteenth, eighteen hundred and seventy-two, relative to working prisoners confined in county jails.

Read second time.

Mr. Braunhart moved to strike out the enacting clause, upon which, the previous question being demanded by Messrs. Adams, Mulholland, and Green, the House so ordered.

The question recurring upon the motion to strike out the enacting clause, the ayes and noes were demanded by the requisite number.

The roll was called, and the House refused to strike out the enacting clause by the following vote:

AYES—Messrs. Braunhart, Burns, Cooper, Dimond, Gaffey, Josselyn, Lane, and McCallion—8.

NOES—Messrs. Adams, Anthony, Bass, Brooks, Brown of Yuba, Bruner, Brusie, Camron, Carr of Sacramento, Carr of Yuba, Chandler, Coffman, Coleman, Cook, Corcoran, Cuthbert, Del Valle, Downs, DuBrutz, Estey, Felton, Finlayson, Fox, Fraser, Frink, Garibaldi, Gorley, Green, Hardy, Hershey, Hynes, Leach, Levee, Maguire, Mathews, May, Maybell, McCarty of Lake, McCarthy of San Francisco, McComas, McDade, McIntosh, Merry, Messenger, Mulholland, Nelson, Picket, Sayle, Simon, Sherburne, Spencer, Stanley, Stoddard, Sweetland, Tyler, Wason of Ventura, Wattson, York, and Mr. Speaker—59.

The bill ordered to third reading.

At one o'clock P. M., Mr. Camron moved to adjourn until Monday next, at eleven o'clock A. M., upon which the ayes and noes were demanded by the requisite number.

The roll was called, and the motion lost by the following vote:

AYES—Messrs. Braunhart, Brooks, Brown of Yuba, Camron, Carr of Sacramento, Cook, Cooper, Corcoran, Dimond, Fraser, Gaffey, Garibaldi, Josselyn, Mathews, McCarthy of San Francisco, McDade, Nelson, Picket, and Sayle—19.

NOES—Messrs. Adams, Anthony, Bass, Bruner, Brusie, Burns, Carr of Yuba, Chandler, Coleman, Cuthbert, Del Valle, Downs, DuBrutz, Estey, Felton, Finlayson, Fox, Frink, Gorley, Green, Hardy, Hershey, Hynes, Lane, Leach, Levee, Maguire, May, Maybell,

McCallion, McCarty of Lake, McComas, McIntosh, Merry, Messenger, Mulholland, Sherburne, Spencer, Stanley, Stoddard, Sweetland, Tyler, Wason of Ventura, Wattson, York, and Mr. Speaker—47.

RECESS.

The hour of one o'clock P. M. having arrived, the House took a recess until two o'clock P. M.

RE-ASSEMBLED.

House re-assembled at two o'clock P. M.
Speaker Cowdery in the chair
Quorum present.

SECOND READING OF BILLS—RESUMED.

Assembly Bill No. 169—An Act to amend sections six hundred and eighty-one and six hundred and eighty-five of the Code of Civil Procedure, relating to the execution of judgment in civil actions.

Withdrawn.

Assembly Bill No. 201—An Act to add a new section to the Penal Code of the State of California, to be known as section one thousand six hundred and fifteen, in relation to the duty of Sheriffs in working prisoners confined in the county jails.

Withdrawn.

Assembly Bill No. 183—An Act to add a new section to the Code of Civil Procedure, in relation to counsel fees in judgments for labor.

Read second time, and ordered to third reading.

Assembly Bill No. 185—An Act to amend section six hundred and nineteen of the Penal Code, relative to disclosing the contents of a telegraphic message.

Read second time, and ordered to third reading.

Assembly Bill No. 139—An Act to enable female citizens to vote upon all matters relating to the public schools of the State of California.

Read second time, and ordered to third reading.

Assembly Bill No. 122—An Act to prevent the sale and use of opium.

Amended as recommended by the committee.

Mr. Fox moved to amend by adding after the word "committed" the words "by filing a transcript thereof in the office of the County Recorder," line three, section two.

Adopted.

Mr. Fox moved to amend by striking out section eight.

Carried.

Mr. Tyler moved to amend by striking out the word "appears," in line five, the word "not" in line six, and the word "no" in line six, section two, and inserting instead the words "does not appear."

Adopted.

Mr. Fox moved to amend section five so as to read as follows: "Any person violating any of the provisions of this Act shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be punished.

Adopted.

Section nine ordered stricken out.

Mr. Hardy moved to amend by striking out section four of the printed bill.

Lost.

The bill read second time, and ordered to third reading.

Assembly Bill No. 110—An Act to establish and enforce eight hours as a legal day's work.

At four o'clock and fifteen minutes P. M., Mr. Fox moved to adjourn.

Upon which the ayes and noes were demanded by Messrs. Braunhart, Carr of Yuba, and Maybell.

The roll was called, and the motion was lost by the following vote:

AYES—Messrs. Adams, Bass, Brooks, Brusie, Coffman, Cook, Dimond, Downs, Felton, Fox, Gorley, McComas, McIntosh, Mulholland, Sherburne, Stoddard, and Tyler—17

NOES—Messrs. Anthony, Braunhart, Burns, Carr of Yuba, Chamberlain, Chandler, Coleman, Corcoran, Cuthbert, Del Valle, DuBrutz, Estey, Finlayson, Fraser, Frink, Gaffey, Green, Hershey, Hynes, Josselyn, Lane, Leach, Leadbetter, Levee, Maguire, May, Maybell, McCallion, McCarty of Lake, McCarthy of San Francisco, Merry, Messenger, Morse, Picket, Sinon, Spencer, Sweetland, Wason of Ventura, Wasson of Mono, Wattson, York, and Mr. Speaker—42.

Mr. McCarthy moved to make the bill the special order for two o'clock P. M. Monday.

Lost.

The previous question was demanded by Messrs. Del Valle, Morse, and Merry, and the House so ordered.

The question recurring upon the amendment to insert the word "public" before the word "works," and the ayes and noes being demanded by the requisite number, the roll was called, and the motion to amend prevailed by the following vote:

AYES—Messrs. Adams, Bass, Brooks, Brusie, Camron, Chamberlain, Chandler, Coffman, Coleman, Cook, Cooper, Dimond, Downs, DuBrutz, Estey, Felton, Fox, Fraser, Frink, Green, Hershey, Leach, Leadbetter, Levee, May, McCarty of Lake, McComas, McIntosh, Messenger, Mulholland, Sherburne, Stanley, Stoddard, Sweetland, Tyler, York, and Mr. Speaker—37

NOES—Messrs. Anthony, Braunhart, Burns, Carr of Yuba, Cuthbert, Del Valle, Garibaldi, Gaffey, Gorley, Hynes, Josselyn, Lane, Maguire, Maybell, McCallion, McCarthy of San Francisco, Morse, Picket, Sinon, Spencer, Wason of Ventura, Wasson of Mono, and Wattson—23.

Mr. Tyler moved that the enacting clause of the bill be stricken out, upon which the ayes and noes were demanded by the requisite number.

The roll was called, and the motion to strike out the enacting clause was lost by the following vote:

AYES—Messrs. Adams, Brooks, Brusie, Chamberlain, Chandler, Coleman, Downs, Fox, Fraser, Frink, Hershey, Messenger, Mulholland, Sherburne, Tyler, Wasson of Mono, and Mr. Speaker—17

NOES—Messrs. Anthony, Bass, Braunhart, Burns, Camron, Carr of Yuba, Coffman, Cook, Cooper, Corcoran, Cuthbert, Del Valle, Dimond, DuBrutz, Estey, Felton, Garibaldi, Gaffey, Gorley, Green, Hynes, Josselyn, Lane, Leach, Leadbetter, Levee, Maguire, May, Maybell, McCallion, McCarty of Lake, McCarthy of San Francisco, McComas, McIntosh, Merry, Morse, Picket, Sinon, Spencer, Stanley, Stoddard, Sweetland, Wason of Ventura, Wattson, and York—45.

The bill read second time.

Mr. Maguire moved that the bill be recommitted to the Committee on Labor and Capital.

So ordered.

At four o'clock and fifty-five minutes P. M., Mr. Sinon moved to adjourn until Monday, at eleven o'clock A. M.

Lost.

ADJOURNMENT.

Mr. Leach, at four o'clock and fifty-six minutes P. M., moved to adjourn.
Carried.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Monday, February 16th, 1880.

House met pursuant to adjournment.
Speaker Cowdery in the chair.
Roll called, and a quorum present.
Prayer by the Chaplain.

READING AND APPROVAL OF THE JOURNAL OF SATURDAY.

Mr. Tyler moved that further reading of the Journal of Saturday be dispensed with.
So ordered.
The Journal of Friday approved.
One day's leave of absence granted to Mr. Hartson.

REPORTS OF STANDING COMMITTEES.

By Mr. Camron:

ASSEMBLY CHAMBER, SACRAMENTO, February 16th, 1880.

MR. SPEAKER: Your Committee on Elections, to whom was referred Assembly Bill No. 262—An Act to guard and protect the right of suffrage, providing penalties for offenses against such right, and defining the duties of District Attorneys in relation thereto—have had the same under consideration, and report it back with the recommendation that the author have leave to withdraw the bill.

CAMRON, Chairman.

The bill above reported withdrawn.
Also:

ASSEMBLY CHAMBER, SACRAMENTO, February 16th, 1880.

MR. SPEAKER: Your Committee on Elections, to whom was referred Assembly Bill No. 198—An Act to prohibit and prevent extortion from candidates for public office by reason of such candidacy—have had the same under consideration, and report it back to the Assembly with the recommendation that it do not pass.

CAMRON, Chairman.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, February 16th, 1880.

MR. SPEAKER: Your Committee on Elections, to whom was referred Assembly Bill No 47—An Act to amend sections one thousand one hundred and eighteen, one thousand one hundred and nineteen, one thousand one hundred and twenty-six, and one thousand one hundred and twenty-seven, of an Act entitled "An Act to establish a Code of Civil Procedure," approved March eleventh, eighteen hundred and seventy-two, relating to contesting elections—have had the same under consideration, and report it back to the Assembly, and recommend its passage.

CAMRON, Chairman.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, February 16th, 1880.

MR. SPEAKER: Your Committee on Elections, to whom was referred Assembly Bill No. 49—An Act to amend sections one thousand and forty-one, one thousand and fifty-three, one thousand and fifty-five, one thousand and eighty-three, one thousand and eighty-four, one thousand and ninety-seven, one thousand one hundred and six, one thousand one hundred and thirteen,

one thousand one hundred and thirty, one thousand two hundred and thirty-two, one thousand two hundred and thirty-three, one thousand two hundred and thirty-five, one thousand two hundred and eighty-five, one thousand two hundred and eighty-eight, one thousand two hundred and ninety, and one thousand three hundred and eleven, and to repeal section one thousand and forty-two, of an Act entitled "An Act to establish a Political Code," approved March twelfth, eighteen hundred and seventy-two, relating to elections—have had the same under consideration, and report it back, with recommendation that it do not pass.

CAMRON, Chairman.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, February 16th, 1880.

MR. SPEAKER: Your Committee on Elections, to whom was referred Assembly Bill No. 56—An Act to repeal section one thousand and forty-two of an Act entitled "An Act to establish a Political Code," approved March twelfth, eighteen hundred and seventy-two, providing for a judicial election—have had the same under consideration, and report it back, with recommendation that it do not pass.

CAMRON, Chairman.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, February 16th, 1880.

MR. SPEAKER: Your Committee on Elections, to whom was referred Assembly Bill No. 238—An Act to define the Railroad Districts of this State, and to provide for the election of Commissioners therein—have had the same under consideration, and report it back, with recommendation that the author have leave to withdraw the bill.

CAMRON, Chairman.

The bill above reported withdrawn.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, February 16th, 1880.

MR. SPEAKER: Your Committee on Elections, to whom was referred Assembly Bill No. 234—An Act doubling the penalties for offenses committed by public officers and abolishing official bonds—have had the same under consideration, and report it back, with recommendation that it do not pass.

CAMRON, Chairman.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, February 16th, 1880.

MR. SPEAKER: Your Committee on Elections, to whom was referred Assembly Bill No. 177—An Act to amend section fifty-four of the Penal Code, relative to crimes against the elective franchise—have had the same under consideration, and report the same back to the Assembly with amendment, and recommend its passage.

CAMRON, Chairman.

By Mr. Sherburne:

ASSEMBLY CHAMBER, February 16th, 1880.

MR. SPEAKER: Your Committee on Engrossment have examined, and find correctly engrossed, Assembly Bill No. 31—An Act to amend sections one thousand four hundred and eighteen and one thousand four hundred and nineteen of the Penal Code, relating to reprieves, commutations, and pardons.

Also, Assembly Bill No. 32—An Act to amend sections seven hundred and thirty-seven, seven hundred and forty-six, seven hundred and forty-nine, and seven hundred and fifty-three, of the Penal Code, relating to impeachments.

Also, Assembly Bill No. 33—An Act to amend sections one thousand four hundred and seventy-five and one thousand five hundred and four of the Penal Code, relating to the writ of habeas corpus.

SHERBURNE, Chairman.

By Mr. Morse:

ASSEMBLY CHAMBER, SACRAMENTO, February 16th, 1880.

MR. SPEAKER: Your Judiciary Committee, to whom was referred Assembly Bill No. 214—An Act to amend an Act entitled an Act to prescribe the duties and provide the salary of certain officers of San Mateo County, to authorize the issue of bonds for road purposes, and other matters relating thereto, approved March eighteenth, eighteen hundred and seventy-four.

Also, Assembly Bill No. 223—An Act to amend section one thousand one hundred and ninety-one of the Penal Code, relative to judgment and execution.

Also, Assembly Bill No. 224—An Act to amend sections one thousand two hundred and forty-six, one thousand two hundred and forty-eight, and one thousand two hundred and fifty-two, of the Penal Code, relative to appeals to the Supreme Court.

Also, Assembly Bill No. 259—An Act to amend section nine hundred and eighty-seven of the Penal Code, relative to pleadings and proceedings after indictment and before the commencement of the trial.

Also, Senate Bill No. 32—An Act to amend sections seven hundred and twelve, seven hundred and twenty-eight, seven hundred and thirty-two, seven hundred and sixty, seven hundred and seventy-one, seven hundred and seventy-two, eight hundred and eighteen, eight hundred and twenty, eight hundred and fifty, eight hundred and ninety, nine hundred and thirty-five, one thousand one hundred and ninety-seven, one thousand three hundred and thirty, one thousand four hundred and sixty-six, one thousand four hundred and sixty-eight, one thousand four hundred and sixty-nine, one thousand five hundred and fifteen, one thousand five hundred and sixteen, and one thousand five hundred and fifty-six, of the Penal Code, providing for certain proceedings before the Superior Courts or the Judges thereof

Have had the same under consideration, and now report the same back with a recommendation that they each severally do pass.

Your committee have also had under consideration Senate Bill No. 34—An Act to amend sections eight hundred and seventy-two and eight hundred and seventy-five, and to repeal section eight hundred and seventy-four, of the Penal Code, relating to commitments of persons charged with crime.

Also, Assembly Bill No 44—An Act to amend sections three hundred and twelve, three hundred and fifteen, three hundred and twenty-two, three hundred and twenty-three, three hundred and twenty-six, three hundred and fifty-nine, and four hundred and fifteen, of the Civil Code, and to add a new section to said Code, to be known as section four hundred and four, relating to corporations.

Also, Senate Bill No. 109—An Act to amend sections three hundred and sixty-seven, three hundred and seventy-two, and three hundred and seventy-three, of the Code of Civil Procedure, relating to parties to civil actions.

Also, Assembly Bill No. 211—An Act to amend sections nine hundred and ninety-five, one thousand and sixteen, one thousand and seventeen, one thousand and twenty, one thousand and twenty-three, and one thousand and forty-one, of the Penal Code, relative to pleadings and proceedings after indictment and before the commencement of trial

Also, Assembly Bill No. 113—An Act to amend sections nine hundred and seventy-four, nine hundred and seventy-five, nine hundred and seventy-six, nine hundred and seventy-seven, nine hundred and seventy-eight, and nine hundred and eighty, of the Code of Civil Procedure, relating to appeals from Justices' Courts.

Also, Assembly Bill No 145—An Act to amend sections seventeen, nineteen, and twenty-one, of an Act entitled "An Act to provide for the future management of the Napa State Asylum for the Insane."

Also, Assembly Bill No. 210—An Act to amend sections eight hundred and twenty-five, eight hundred and sixty-nine, and eight hundred and seventy-two, of the Penal Code, relative to proceedings in criminal actions prosecuted by indictment.

Also, Assembly Bill No 212—An Act to repeal section one thousand one hundred and twelve, and to amend sections one thousand and seventy-six, one thousand one hundred and twenty-five, one thousand one hundred and thirty, one thousand one hundred and fifty-one, one thousand one hundred and seventy-three, and one thousand one hundred and eighty-one, of the Penal Code, relative to proceedings after the commencement of trial and before judgment.

Also, Assembly Bill No 226—An Act to amend section three thousand and fifty-two of the Civil Code, relative to liens on personal property.

Also, Assembly Bill No. 257—An Act to add a new section to the Penal Code, to be known as section one thousand three hundred and eight, relative to the forfeiture of undertakings of bail or of the deposit of money.

Also, Assembly Bill No. 258—An Act to add a new section to the Penal Code, relative to crimes against public justice.

Also, Assembly Bill No. 273—An Act to amend sections one thousand two hundred and seventy-three, one thousand two hundred and seventy-eight, one thousand two hundred and eighty, one thousand two hundred and eighty-seven, one thousand two hundred and eighty-eight, one thousand three hundred and five, one thousand three hundred and six, and one thousand three hundred and seven, of the Penal Code, relative to miscellaneous proceedings.

And now report the same back, with amendments to each, and recommend that they severally be passed as amended.

Your committee have also had under consideration Assembly Bill No. 219—An Act regulating the receiving, transportation, and delivery of grain by railroad corporations, and defining the duties of such corporations in relation thereto—and now report the same back without recommendation.

Also, Assembly Bill No. 330—An Act to amend section four hundred and eleven of the Code of Civil Procedure—which they now report back without recommendation as to the question of its passage, but submit an amendment which they recommend be adopted, if the bill be passed. The vote on this action, declining to make any recommendation as to the passage of the bill, stood five ayes to three noes, eight being present. The minority dissent from such action, and recommend the passage of the bill as amended.

The committee have also had under consideration Assembly Bill No. 147—An Act to amend an Act entitled "An Act supplemental to an Act concerning corporations," passed April twenty-second, eighteen hundred and fifty—and now report the same back with a recommendation that the same do not pass, for the reason that the same sections and Act are amended in another bill already considered by this House.

The committee have also had under consideration Assembly Bill No. 318—An Act to amend

sections three hundred and sixty-seven, three hundred and seventy-two and three hundred and seventy-three, of the Code of Civil Procedure, relating to parties to civil actions—and report the same back with a recommendation that it do not pass, for the reason that the same provisions are included in Senate Bill No. 109, which has already passed the Senate.

The committee have also had under consideration Senate Bill No. 94—An Act to amend sections two hundred and sixty-five and two hundred and sixty-six of the Code of Civil Procedure, relating to ministerial officers of the Supreme Court—and report the same back, with a recommendation that it do not pass, for the reason that the same officers are provided for in Assembly Bill No. 15, which has already passed this Assembly.

The committee have also had under consideration Senate Bill No. 38—An Act to amend sections one thousand three hundred and five, one thousand three hundred and six, and one thousand three hundred and seven, of the Penal Code, relating to forfeiture of bail, or money deposited in lieu thereof—and report the same back, with a recommendation that it do not pass.

Also, Assembly Bill No. 209—An Act to amend section nine hundred and seventy-two of the Penal Code, relative to indictments.

Also, Assembly Bill No. 208—An Act to amend section four hundred and twenty of the Penal Code, relative to using language with intent to incite a riot.

Also, Assembly Bill No. 167—An Act to amend sections two thousand and twenty-one and two thousand and eighty-three of the Code of Civil Procedure, in relation to the taking of depositions and perpetuation of testimony.

Also, Assembly Bill No. 136—An Act to amend section two thousand one hundred and sixty-eight of the Civil Code.

And now report the same back, with a recommendation that they severally be not passed.

FOX, Chairman.

By Mr. Cooper:

ASSEMBLY CHAMBER, SACRAMENTO, February 16th, 1880.

MR. SPEAKER: The minority of your Judiciary Committee, to whom was referred Assembly Bill No. 136—An Act to amend section two thousand one hundred and sixty-eight of the Civil Code of the State of California—have had the same under consideration, and report it back without amendment, and with a recommendation that it do pass.

COOPER,
CORCORAN,
WALKER.
McCARTHY.

Assembly Bill No. 198—An Act to prohibit and prevent extortion from candidates for public office by reason of such candidacy.

Ordered re-referred to the Committee on Elections.

INTRODUCTION OF BILLS.

The following bills were introduced, and ordered printed:

By Mr. Merry—An Act prescribing the form of complaints in actions to recover delinquent taxes and to authorize the bringing of suits therefor.

By Mr. Bruner—An Act to authorize Boards of Supervisors to employ a deputy in certain cases.

By Mr. Cooper—An Act to provide for the auditing and payment of the county portion of the salary of Superior Judges.

By Mr. Maybell—An Act creating a head tax upon male foreigners who have not declared their intentions.

FIRST READING OF BILLS.

Assembly Bill No. 375—An Act to appropriate moneys for the payment of I. S. Belcher, Thos. P. Stoney, and A. C. Freeman, for services in preparing bills adapting the Codes to the Constitution.

Read first time, and referred to the Committee on Claims.

Assembly Bill No. 376—An Act to amend section two thousand four hundred and sixty-four of the Political Code, relating to pilots and pilot regulations.

Read first time, and referred to the Committee on Commerce and Navigation.

Assembly Bill No. 377—An Act to empower the Directors of Levee District Number One, of Sutter County, to issue bonds for the payment or funding of the unfunded indebtedness of said levee district, and to provide for the redemption of such bonds by taxing the property in the district.

Read first time.

Ordered on file.

Assembly Bill No. 378—An Act concerning the Medical Department of the University of California.

Read first time, and referred to the Committee on Education.

Assembly Bill No. 379—An Act prohibiting the keeping or sale of animals afflicted with glanders.

Read first time, and referred to the Committee on Agriculture.

Assembly Bill No. 380—An Act to amend an Act entitled an Act to regulate the practice of medicine in the State of California, approved April third, eighteen hundred and seventy-six.

Read first time, and referred to the Judiciary Committee.

Assembly Bill No. 381—An Act for the relief of Kern County.

Read first time, and referred to the Committee on Ways and Means.

MESSAGE FROM THE SENATE.

The following message was received from the Senate.

SENATE CHAMBER, SACRAMENTO, February 15th, 1880.

MR. SPEAKER: I am directed to inform your honorable body that the Senate, on February thirteenth, eighteen hundred and eighty, concurred in Assembly Concurrent Resolution No. 12—Relative to the appointment of a joint committee to confer with I. S. Belcher, Thomas P. Stoney, and A. C. Freeman, as to the work they have performed in revising the Codes

Also, on this day, concurred in Assembly Concurrent Resolution No. 14—Relative to the establishment of a postal telegraph system throughout the United States.

Also, concurred in Assembly Concurrent Resolution No. 15—Relative to the protection of the rivers, cities, and agricultural lands of California.

Also, adopted Senate Concurrent Resolution No. 20—Relative to the appointment of eight Commissioners to manage the Yosemite Valley and the Mariposa Big Tree Grove.

Also, passed Senate Bill No 277—An Act to amend section four of an Act entitled "An Act to authorize the Board of Trustees of the Town of Colusa to issue bonds for road purposes," approved March twentieth, eighteen hundred and seventy-eight.

Also, adopted Senate Concurrent Resolution No. 22—Relative to printing Bank Commissioners' Report

JOHN R. BRIERLY, Assistant Secretary.

CONSIDERATION OF SENATE MESSAGE.

Senate Concurrent Resolution No. 20—Relative to appointment of eight Commissioners to manage the Yosemite Valley and the Mariposa Big Tree Grove.

Senate Concurrent Resolution No. 22—Relative to printing Bank Commissioners' Report.

Each of the above Senate Concurrent Resolutions read and concurred in.

Senate Bill No. 277—An Act to amend section four of an Act entitled "An Act to authorize the Board of Trustees of the Town of Colusa to issue bonds for road purposes," approved March twentieth, eighteen hundred and seventy-eight.

Read first time, and referred to the joint delegation of Colusa and Tehama Counties.

SECOND READING OF BILLS.

Assembly Bill No. 243—An Act for the better protection of laborers in their wages.

Read second time.

The amendments recommended by the committee adopted, and the bill ordered to third reading.

Assembly Bill No. 202—An Act to amend sections two thousand two hundred and ninety-six of the Political Code, relative to taking books from the State Library.

Ordered re-referred to the Committee on State Library.

Assembly Bill No. 16—An Act to create and maintain a Bureau of Statistics of Land, Labor, and Capital.

Passed on file.

Assembly Bill No. 171—An Act deducting the valuation of five hundred dollars from the assessment of the property of each person, partnership, company, or corporation in this State.

Read second time, and the bill refused a third reading

Assembly Bill No. 17—An Act for the protection of patients from extortion by dishonest physicians and druggists.

The substitute recommended by the committee adopted.

Mr. Braunhart moved to amend by adding a new section, to be known as section three of the bill.

Mr. May moved to amend the amendment by inserting between the words "pharmacist" and "shall be guilty" the words "or shall by any arbitrary signs, words, or numbers, indicate to any druggist the sum he is to charge for filling such prescription."

Adopted.

Mr. Braunhart's amendment then adopted as amended.

Mr. Braunhart moved to further amend the bill by the addition of a new section, to be known as section four of the bill.

Adopted.

Mr. May moved to amend section four as follows: By inserting between the words "dispensed" and "shall" the words "or who shall base his charge for filling any prescription upon secret suggestions thereto contained in such prescription, or who shall prescribe for patients over his counter, or shall fill any prescription containing any poison a second time, or oftener, for the same or for any other patient, without the consent of the prescribing physician."

Mr. Braunhart moved to amend the amendment by striking out all after the word "prescription."

Adopted.

The question recurring upon Mr. May's amendment, as amended, it was adopted.

Mr. Lane moved to add a new section, as follows: "All prescriptions by physicians shall be written in English."

Lost.

Mr. Corcoran moved to amend by adding a new section: "All prescriptions shall be written in some modern language."

Lost.

Mr. Sinon moved to amend by adding a new section requiring all prescriptions to be written in English if the patients requested it.

Adopted.

The bill read second time, and ordered to a third reading.

Mr. Braunhart gave notice that he would move to reconsider the vote by which the above amendment was adopted.

Assembly Bill No. 83—An Act to create a Bureau of Labor and Statistics of Land and Labor in the State of California.

Amendments recommended by the committee proposed.

Pending the discussion of the bill, the gentleman from Alameda, Mr. Tyler, was called to order for using disrespectful language in alluding to a member from San Francisco as "a gentleman by way of the sand lot," and, refusing to take his seat, was ordered under arrest.

Mr. Lane moved that the gentleman from Alameda be discharged from arrest.

Carried.

Mr. Sinon moved that any member using language disrespectful of another member be deprived of his right to speak on the floor of the House for two days.

Carried.

RECESS.

Pending the further discusion of the bill, the hour of one o'clock P. M. having arrived, the House took a recess for one hour.

RE-ASSEMBLED.

The House re-assembled at two o'clock P. M.

Speaker Cowdery in the chair.

Quorum present.

Mr. Braunhart withdrew his notice of motion to reconsider the vote by which Assembly Bill No. 17 was amended this day.

SECOND READING OF BILLS—CONTINUED.

The consideration of Assembly Bill No. 83—An Act to create a Bureau of Labor, and Statistics of Land and Labor in the State of California—resumed.

The question being on the adoption of the amendments recommended by the committee, they were adopted.

Mr. Tyler moved to amend section three as follows: By adding at the close of line twelve the words, "which information shall be furnished to all free of charge."

Adopted.

Mr. Tyler moved to recommit the bill for amendment.

Lost.

Mr. Frink moved to strike out the words "necessary traveling expenses," in line three, section nine.

Adopted.

Mr. Tyler moved to strike out the word "daily," in line one, section eleven.

Adopted.

Mr. Young moved to amend subdivision three, section three, line twelve, by inserting the words "all communications requesting information in possession of the Bureau shall be promptly answered, and such information furnished."

Adopted.

The bill was read the second time, and ordered to third reading.

Mr. Finlayson arose to a question of privilege, and introduced the following:

WHEREAS, The Hon. G. W. Tyler, in the course of debate, alluded to another honorable member as "gentleman by way of the sand lots," and whereas, the Honorable the Speaker called the honorable gentleman to order, and subsequently the Hon G. W. Tyler was ordered in arrest and brought before the bar of the House, and, on motion, was discharged from arrest;

Resolved, That this House indorses and approves the action of the Honorable the Speaker, and reprobates in severe terms the too common practice among honorable members of indulging in personalities, and place our trust in our Honorable Speaker that henceforth all unparliamentary discussions will be promptly stopped.

Upon which the ayes and noes were demanded by the requisite number

Mr. Fraser in the chair.

Mr. Adams moved to amend by inserting the words, "ordered him to take his seat, which he refused to do, and for which" between the words "and" at the close of line four, and "the" in line five.

Accepted.

Mr. Merry moved to lay the resolution on the table.

Lost.

Mr. Frink moved the indefinite postponement of the resolution.

Mr. Fox offered the following as a substitute:

Resolved, That it was the right and the duty of the Speaker to cause the arrest of Honorable G. W. Tyler, for disobedience of the rules of the House and order of the Speaker to take his seat when called to order; but, having been arrested and brought to the bar of the House, it was the province of the House then to say whether the proceeding should be further prosecuted; and the judgment of the House upon that subject having been pronounced, it should be and is final, and in no manner reflects upon the action of the Speaker in causing the arrest.

Adopted.

The question recurring upon the adoption of the original resolution, as amended, the roll was called, and the resolution adopted by the following vote:

AYES—Messrs. Adams, Anthony, Bass, Bennett, Brooks, Brown of Yuba, Bruner, Brusie, Burns, Cameron, Carr of Yuba, Chamberlain, Chandler, Coffman, Coleman, Cook, Cooper, Corcoran, Cuthbert, Del Valle, Dimond, Downs, Durham, Estey, Finlayson, Fox, Fraser, Frink, Garibaldi, Gaffey, Gorley, Green, Harris, Hynes, Josselyn, Lane, Leach, Leadbetter, Magune, Mathews, May, Mayhell, McCarty of Lake, McCarthy of San Francisco, McComas, McDade, McIntosh, Merry, Messenger, Mulholland, Nelson, Picket, Sayle, Simon, Sherburne, Spencer, Stanley, Stoddard, Sweetland, Walker, Ward, Wason of Ventura, Wattson, and York—64.

NOES—Messrs. DuBrutz, McCallion, and Morse—3.

ADJOURNMENT.

At four o'clock and forty minutes P. M. Mr. Levee moved to adjourn. Carried.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Tuesday, February 17th, 1880.

House met pursuant to adjournment.

Speaker Cowdery in the chair.

Roll called, and a quorum present.

Prayer by the Chaplain.

One day's leave of absence granted to Mr. Braunhart.

READING AND APPROVAL OF THE JOURNAL.

Mr. Chandler moved that the further reading of the Journal be dispensed with.

So ordered.

The Journal of Saturday approved.

Mr. Nelson stated that he was reported as voting on the eight hour bill, when he was absent.

PETITION.

Presented by the Speaker—From the St. Vincent's Roman Catholic Orphan Asylum, asking for an appropriation to enable them to continue their benefactions.

Referred to the Committee on Ways and Means.

REPORTS OF STANDING COMMITTEES.

By Mr. Dimond:

ASSEMBLY CHAMBER, February 17th, 1880.

MR SPEAKER. Your Committee on Roads and Highways, to whom was referred Senate Bill No. 180—An Act to amend section two thousand eight hundred and fourteen of the Political Code, concerning public ways—have had the same under consideration, and beg leave to report the same back, with recommendation that it do pass.

DIMOND, Chairman.

Also:

MR SPEAKER Your Committee on Roads and Highways, to whom was referred Assembly Bill No 196—An Act in relation to the trespassing of stock upon uninclosed lands—have had the same under consideration, and beg leave to report the bill back to the Assembly, with the recommendation that it do not pass.

DIMOND, Chairman.

REPORT OF SELECT COMMITTEE.

By Mr. Mathews—A verbal report, returning Senate Bill No. 277—An Act to amend section four of an Act entitled an Act to authorize the Board of Trustees of the Town of Colusa to issue bonds for road purposes, approved March twentieth, eighteen hundred and seventy-eight—and recommending its passage.

The bill ordered on file.

INTRODUCTION OF BILLS.

The following bills were introduced, and ordered printed:

By Mr. Hynes—An Act for the protection of life and property in localities contiguous to railroads.

By Mr. Sherburne—An Act to amend section three thousand seven hundred and eighty-nine of the Political Code, relative to tax deeds.

By Mr. Gorley—An Act to provide for the equal taxation of assessable lands, and to define their boundaries.

By Mr. Young—An Act to amend section two thousand nine hundred and fifty-five of the Civil Code, relating to mortgage of personal property.

By Mr. Wason—An Act to amend section one thousand two hun-

dred and seven of the Civil Code, relating to records of instruments affecting real property.

By Mr. Streeter—An Act to amend section three thousand seven hundred and forty-six of the Political Code.

FIRST READING AND REFERENCE OF BILLS.

Assembly Joint Resolution No. 14—Relative to the financial policy of the General Government.

Read first time, and referred to the Committee on Federal Relations

Assembly Bill No. 382—An Act to redeem and refund the bonds issued by the County of San Mateo under and by virtue of an Act to provide funds for the construction and improvement of highways in the County of San Mateo, approved April fourth, eighteen hundred and seventy.

Read first time, and ordered on file.

Assembly Bill No. 383—An Act to authorize the appointment of four interpreters and translators of foreign languages, of the criminal Courts of the City and County of San Francisco.

Read first time, and referred to the San Francisco delegation.

Assembly Bill No. 386—An Act to repeal section number one thousand one hundred and twenty-five of the Code of Civil Procedure.

Read first time, and referred to the Judiciary Committee.

INTRODUCTION OF BILLS—CONTINUED.

The following bills were introduced, and ordered printed:

By Mr. Gorley (by permission)—An Act to repeal sections three hundred and thirty-one, three hundred and thirty-two, three hundred and thirty-three, three hundred and thirty-four, three hundred and thirty-five, three hundred and thirty-six, three hundred and thirty-seven, three hundred and thirty-eight, three hundred and thirty-nine, three hundred and forty, three hundred and forty-one, three hundred and forty-two, three hundred and forty-five, three hundred and forty-six, three hundred and forty-seven, three hundred and forty-eight, and three hundred and forty-nine, of the Civil Code of the State of California, concerning corporations.

By Mr. Coffman—An Act to repeal an Act entitled 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, approved February thirteenth, eighteen hundred and seventy-two.

SECOND READING OF BILLS.

Assembly Bill No 16—An Act to create and maintain a Bureau of Statistics of Land, Labor, and Capital.

Passed on file.

Assembly Joint Resolution No. 7—Relative to the procuring of a quarantine depot.

Read second time, and ordered to third reading.

Assembly Bill No. 274—An Act to authorize and empower the Boards of Supervisors of the several counties of this State to allow certain outstanding road claims, and provide for their payment.

Read second time, and ordered to third reading.

Assembly Bill No. 325—An Act to prevent persons passing through inclosures and leaving them open, by tearing down fences or otherwise, and to prevent hunting upon inclosed lands in the State of California.

Read second time, and ordered to third reading.

Assembly Bill No. 250—An Act to provide for a Commissioner of Agriculture, for the encouragement of agriculture and other industries.

Assembly Bill No. 263—An Act to establish a State Board of Horticulture, defining the duties thereof, and providing for their compensation and that of other officers.

Assembly Bill No. 341—An Act to add a new section to the Political Code, to be known as section three thousand three hundred and ninety, in relation to licensing persons ineligible to become citizens under the laws of the United States engaged in the business of laundrying.

Each of the three above bills withdrawn by permission of the House.

REPORTS OF STANDING COMMITTEES—RESUMED.

By Mr. May—Majority report of Joint Committee on Revenue and Taxation:

MR SPEAKER Your Committee on Revenue and Taxation have had under consideration the question of providing revenue for the support of the government of the State, and the various bills presented to the Legislature and referred to the committee upon that subject. The committee has not been able to agree, but the majority concur in a bill which is presented with this report, and is entitled "An Act to amend sections three thousand six hundred and seven, three thousand six hundred and seventeen, three thousand six hundred and twenty-seven, three thousand six hundred and twenty-eight, three thousand six hundred and twenty-nine, three thousand six hundred and thirty, three thousand six hundred and thirty-four, three thousand six hundred and forty, three thousand six hundred and forty-one, three thousand six hundred and forty-three, three thousand six hundred and fifty, three thousand six hundred and fifty-one, three thousand six hundred and fifty-two, three thousand six hundred and sixty-three, three thousand six hundred and seventy-three, three thousand six hundred and seventy-eight, three thousand six hundred and seventy-nine, three thousand seven hundred and thirty, three thousand seven hundred and fifty-two, three thousand eight hundred and thirty-nine, and three thousand eight hundred and sixty-one, and to add a new section, to be numbered three thousand six hundred and sixty-four, to, and to reenact section three thousand seven hundred and seventeen, of title nine, of the Political Code, to provide revenue for the support of the government of the State."

The first question which presented itself to the committee was whether the legislation required upon this subject ought to be embodied in an independent Act, or made a part of the Political Code

That Code already contained a complete revenue law—one which had been in force for several years: had been, to some extent, judicially construed and interpreted, and had, in the main, proved satisfactory to the State, and adequate to the accomplishment of the purposes for which it was enacted The committee, therefore, deemed it best to take that law as the basis of its action, and to propose only such amendments as were suggested by the experience and reflection of the committee, or were required to harmonize the law with the recently adopted Constitution of the State.

The first amendment proposed is to section three thousand six hundred and seven of the Political Code. By this amendment this section is made to declare that all property is subject to taxation, except that exempted by the laws of the United States or by the Constitution of this State. The section further provides that no property shall be subject to double taxation, or to be twice charged or assessed for the same tax, and that moneys on deposit with any banking corporation, and stock or shares of stock issued by any corporation organized under the laws of the State, and held by bona fide residents of the State, shall be deemed and treated, for the purposes of assessment and taxation, as a part of the property of such corporation.

The second amendment proposed is to section three thousand six hundred and seventeen. Its object is to enlarge the definition of the term real estate, contained in that section, so as to include "the interest in land held or acquired by virtue of a mortgage, deed of trust, contract, or other obligation affecting land, by which a debt is secured." This amendment is obviously required by the provisions of the Constitution declaring that mortgages, deeds of trust, and

other instruments securing the payment of debts, shall be treated as an interest in the property affected thereby.

The third amendment is to section three thousand six hundred and twenty-seven, and, if adopted, it will incorporate into that section the provisions of sections two, four, and five, of article thirteen, of the Constitution, requiring that "cultivated and uncultivated land, of the same quality and similarly situated, shall be assessed at the same value," declaring the mode in which mortgages, deeds of trust, and other contracts by which debts are secured, shall be assessed, and the respective rights and obligations of mortgagors and mortgagees in regard to the taxes imposed, and also providing that all contracts made after January first, eighteen hundred and eighty, by which a debtor is obligated to pay any tax or assessment on money loaned, or on any mortgage, deed of trust, or other lien, shall, as to any interest specified therein, and as to such tax or assessment, be null and void.

The fourth amendment is to section three thousand six hundred and twenty-eight, and its chief object is to direct the Assessor to assess all property to the person, firm, or corporation by which it was owned, or in whose possession or control it was at twelve o'clock M of the first Monday in March, as required by the Constitution. This amendment also enacts that no mistake in the name of the owner of real estate shall invalidate the assessment thereof.

Section three thousand six hundred and twenty-nine of the Political Code is the subject of the fifth amendment.

This amendment directs the Assessor to exact a statement in the form prescribed by the State Board of Equalization from each firm, person, and corporation.

The taxpayer, in this statement, in addition to the matter formerly required, "must separately state and describe mortgages, deeds of trust, contracts, and other obligations by which debts are secured, stocks issued by corporations, credits for moneys deposited with savings and loan corporations, or other corporations doing a banking business, all other credits, debts owing by such person, firm, or corporation to *bona fide* residents of the State, or to firms or corporations doing business in the State."

The sixth amendment proposed is to section three thousand six hundred and thirty, regarding the affidavit to be exacted by the Assessor.

Besides the matter heretofore required, this affidavit must state that the list made by the affiant contains a full and correct statement of all property subject to taxation, which he owned or had in his possession, or under his control, at twelve o'clock M, on the first Monday in March, and that the debts therein stated to be owing by him are owing to *bona fide* residents of the State, or to firms or corporations doing business in this State.

The seventh amendment is designed to conform section three thousand six hundred and thirty-four to the provisions of section three, of article thirteen, of the Constitution, directing the assessment of surveyed lands in sections or fractions of sections, and requiring the "Legislature to provide by law for the assessment, in small tracts, of all lands not sectionized by the United States Government."

The eighth amendment is to section three thousand six hundred and forty, and, if adopted, will prohibit the assessment of the property of a firm to the individual members thereof, and of deposits to the individual depositor thereof, and of stock to the individual holders thereof, it being the policy of the amendments proposed by the majority of your committee to assess all the property of a firm to the firm, and all the property, franchises, and deposits of each corporation to such corporation.

By the ninth amendment, provisions are added to section three thousand six hundred and forty-one, requiring the assessment of franchises and specifying the place and mode in which such assessments must be made, authorizing the State Board of Equalization to apportion the valuation of mortgages and other instruments affecting lands situate in two or more counties, or in two or more subdivisions or districts of the same county providing for deductions for the amounts actually paid on any mortgage on or before the first Monday in March, and in those cases where the amount of a mortgage or deed of trust is in excess of the cash value of the land, declaring that the mortgage or deed of trust must be assessed at its full value, and that the realty shall not be assessed.

Section three thousand six hundred and forty-three, as proposed to be amended by the tenth amendment, provides for the assessment of ferries, and of franchises, water-craft, and toll bridges connecting more than one county

The eleventh amendment is to section three thousand six hundred and fifty. The new requirements proposed, are: First, that the form of the assessment book shall be as prescribed by the State Board of Equalization; second, that in case of mortgaged property, the roll must show the value of the mortgage, and the value of the remainder after deducting the value of the mortgage; third, that if all the taxable property of a corporation is assessed, then that its stock must be assessed to the owner and holder thereof only in the amount which its market value exceeds its par value; fourth, that credits for deposits with banking corporations doing business in this State, all of the property of which has been assessed, must be assessed to the owner and holder thereof only in the amount in which the value of such credits exceeds the amount of the money so deposited; fifth, that in assessing unsecured credits, there must be deducted therefrom the unsecured debts due from the owner thereof; sixth, that taxable improvements shall be assessed though situate on lands not subject to taxation.

The twelfth amendment is to section three thousand six hundred and fifty-one, and its object is to permit the State Board of Equalization to prescribe the form of the assessment book, and to provide that, until the Board prescribes such form, the book shall be in the form heretofore used.

Section three thousand six hundred and fifty-two is proposed to be amended in some unimportant particulars in respect to the oath to be taken by the Assessors and their deputies on the completion of the assessment book.

By the provisions of the present Constitution railroads lying in two or more counties must, with the franchise and rolling stock thereof, be assessed by the State Board of Equalization.

Hence section three thousand six hundred and sixty-three is amended by striking out the provisions regarding the assessment of such railroads and their rolling stock, as the law in regard to such assessments should be embodied in that portion of the Code defining the powers and prescribing the duties of the State Board of Equalization.

The fifteenth amendment is to section three thousand six hundred and seventy-three. Its object is to vest the County Boards of Equalization with more ample powers than those heretofore confided in them by statute, and to enable them to determine all complaints in regard to the assessment of property, the deduction of debts from credits, the valuation of stocks, and of credits for moneys deposited with savings and loan and other banking corporations.

Section three thousand six hundred and seventy-eight is, by the sixteenth amendment, enlarged so as to require the Recorders in the several counties to furnish the Assessor with complete abstracts of all mortgages, deeds of trust, etc., remaining unsatisfied at twelve o'clock M. of the first Monday in March, and also to require the Board of Supervisors to furnish the Recorder with clerical assistance when necessary to enable them to comply with this section.

Section three thousand six hundred and seventy-nine of the Political Code provides for assessments to be made, after the completion of the regular assessment, of all property not already assessed, but declares that "*no person must be assessed under this section except a resident of the county*." The seventeenth amendment proposed by your committee is to omit the last clause.

The eighteenth amendment consists of the reenactment of section three thousand seven hundred and seventeen of the Political Code.

The bill reported herewith amends section three thousand seven hundred and thirty so as to require the County Auditor to enter upon the assessment roll the changes ordered therein by the State Board of Equalization.

The twentieth amendment is to strike out the words "Probate Judge" in section three thousand seven hundred and fifty-two, and insert in place thereof the words "Superior Court;" while the twenty-first and twenty-second amendments are to sections three thousand eight hundred and thirty-nine and three thousand eight hundred and sixty-one, and their object is to conform the provisions of those sections relating to poll taxes to the provisions of the present Constitution on the same subject.

It is apprehended that the chief ground of opposition to the bill presented herewith will be based upon the fact that its first section declares that no property shall be subject to double taxation, and that its subsequent sections are conceived in consonance with this declaration. The double taxation which is thus sought to be obviated, arises, mainly, if not exclusively in reference to the taxation of stocks in corporations formed and doing business in this State, and of moneys on deposit with the savings and loan corporations of the State. That to tax at its full cash value the franchise and all the real and personal property of a corporation is an effectual and complete taxation of all the value belonging to such corporation, whether tangible or intangible, is beyond dispute. It is equally beyond controversy that the stock issued to the stockholders of the corporation is but a certificate showing the interest which the holder has in the entire assets of the corporation, just as a deed is merely the evidence of the interest which the grantee has acquired in the property described therein. If the government saw fit, it might, perhaps, direct the tax to be assessed and levied upon either the land or the deed, but no one will contend that an *ad valorem* tax on *both* could be made consistent with the principles of natural equity or the plain mandate of the Constitution that "all property shall be taxed in proportion to its value, to be ascertained as provided by law." If five persons own a farm or a manufactory, as tenants in common, worth one hundred thousand dollars, there is no doubt as to the mode of its assessment, and that such assessment can, in no form, be made to exceed that sum. If these five men choose to form a corporation to fix the value of their property at one hundred thousand dollars, and to name their capital stock at the same sum, it is evident that they have created nothing of value, that the property and its worth are precisely the same as before. The government if it prefers that mode, may treat the capital stock as the basis of assessment and taxation, but if it does so, it must not again value and assess that which is the sole thing giving the stock any value whatever. In other words, if the farm or manufactory is assessed at one hundred thousand dollars, and the stock representing it at another one hundred thousand dollars, while no advance has been made in the assessed value of other farms or manufactories, this is a clear case of an assessment of property otherwise than "in proportion to its value."

If A has one thousand dollars and loans it to B, it is clear that the assessment of this property, as a mortgage or otherwise to A for one thousand dollars, is a just and constitutional assessment, because in proportion to the value of the property. But if C, having one thousand dollars, deposit it with D, a savings bank, which loans it to E, and the result of these transactions is two assessments, viz. one to C and one to D, and each for one thousand dollars, here is a mode of assessment not in proportion to value, for C's one thousand dollars is made to contribute to the support of the government, during the same year, twice as much as A's one thousand dollars.

If, as a question of policy, either the savings and loan societies, or any other class of corporations, ought to be exterminated, then the legislation for that purpose should be honest,

straightforward, and professing to pursue that end, and not enacted under the guise of assessing all property in proportion to its value.

The mode of assessment proposed by the majority of your committee does not exempt any corporation from the taxation of any property whatsoever held by it. On the contrary, it provides for the assessment, against each corporation, of its franchise, its real and personal property, its deposits and mortgages, and all credits held by it. When these assessments are made, and the taxes thereon collected and paid, it must follow that such payment diminishes the profits of the corporation, and is indirectly borne by the stockholders and depositors, by being deducted from the fund out of which their dividends are paid. Having thus paid one tax, and thereby contributed to the revenue of the State, "in proportion to the value of their property," shall there be exacted from the depositors another tax of the same amount, levied upon the same property, in the same year, and for the same purposes?

No honest business can be successfully conducted in this State if it labors, directly or indirectly, under the burden of double taxation. The imposition of such taxation necessarily destroys the subject taxed. The depositors in our savings banks are mainly persons who have not acquired any considerable amount of wealth, who are seeking by industry and frugality to amass a sufficient competency with which to secure a home, or to provide against want in sickness or old age, and who do not feel competent to directly keep and invest their savings to the best advantage. To needlessly legislate against this class of people is worse than foolish, it approaches the dignity of a crime. A tax on the market value of the capital stock of a corporation, over and above the value of its real and personal property, has sometimes been supported on the ground that it is a tax on the corporate franchise.

But section three thousand six hundred and forty-one, as proposed to be amended by the majority of your committee, expressly provides for the assessment of franchises at their full cash value. Any further assessment of franchises would therefore necessarily result in double taxation.

Perhaps, however, the opposition to the bill reported herewith will ultimately be supported on the sole ground that the Constitution necessarily and unavoidably exacts a double taxation of the property of corporations having a capital stock, and also of the deposits in savings and other banks.

In seeking for a correct interpretation of the provisions of the Constitution on this subject, it is well to remember that all presumptions are against duplicate taxation. Thus, Judge Cooley, at page one hundred and sixty-five of his work on taxation, says: "It has very properly and justly been held that a construction of the laws was not to be adopted that would subject the same property to be twice charged for the same tax, unless it was required by express words of the statute, or by necessary implication. It is a fundamental maxim in taxation that the same property shall not be subject to a double tax, payable by the same party, either directly or indirectly; and where it is once decided that any kind or class of property is liable to be taxed under one provision of the statutes, it has been held to follow, as a legal conclusion, that the Legislature could not have intended the same property should be subject to another tax, though there may be general words in the law which would seem to imply that it may be taxed a second time. This is a sound and very just rule of construction, and it has been applied in many cases, where at first reading of the law a double taxation might seem to have been intended."

So far as the Constitutional Convention went into the details of taxation, it sought to avoid the duplicate assessment of the same property. It declared that the assessment should be made as of twelve o'clock M. of a certain day, and thus prevented the various assessments that might otherwise have been occasioned by changes in the form, location, or ownership of the same personalty during the period in which assessments throughout the State were being made.

It required that credits secured by mortgage should be deducted from the value of the property affected thereby. It authorized the Legislature to provide for the deduction from unsecured solvent credits, of the unsecured debts owed by the holders of such credits to residents of this State, and it stated, at the commencement of its article on the subject, that "all property in the State, not exempt under the laws of the United States, shall be taxed in proportion to its value, to be ascertained as provided by law." Under this provision, as we understand it, it is the duty as well as the right of the Legislature to enact laws which will, as far as possible, prevent all double taxation, for if there be double taxation it can never co-exist with the taxation of property in proportion to its value.

The former Constitution of this State declared that "taxation shall be equal and uniform throughout the State, all property in the State shall be taxed in proportion to its value," etc. For more than a quarter of a century the statutes enacted under that Constitution, governing the assessment of stock, were substantially as follows: "The owner or holder of stock in any private or incorporated company or association, the entire capital of which is invested in property which is assessed, or the capital of which is assessed, shall not be assessed individually for his stock in such company or association," etc. (Statutes 1854, p. 104, Sec. 62, St. 1857, p. 328, Sec. 6, St. 1861, p. 423, Sec. 16, and Political Code, Sec. 3640.)

During that quarter of a century many cases were determined, involving the interpretation of that Constitution upon the subject of taxation, but, so far as we are aware, it was never held or claimed that the provisions of these several statutes were in any way in conflict with the mandate of the Constitution requiring all property to be taxed.

In New Hampshire, when it was attempted, after taxing the whole property of corporations, to further tax the capital stock, the Supreme Court said: "A taxation of the shares at their

appraised value would, in fact, be a double taxation: once to the corporation itself, and again to the corporators, which would be unjust, oppressive, and *unconstitutional*." (Smith vs. Burley, 9 N. H. 423, quoted and approved in Savings Bank vs. Nashua, 46 N. H. 398.)

An article of the Bill of Rights, in Maryland, declares that "every person in the State ought to contribute his proportion of the public taxes for the support of the government, according to his actual worth in real or personal property."

Under this article the Supreme Court declared that "although the State may elect to tax either the capital stock, or the real and personal property of the company, *yet it cannot tax both*." (State vs. Cumb. and Penn. R. R. Co., 40 Md. 22, 52.) Under the same article the same Court had previously held that no double taxation could be imposed on deposits in savings banks. (State vs. Sterling, 20 Md. 502.)

It is certain that when the present Constitution was under discussion before the people its advocates contended that it neither required nor permitted any double taxation in the case either of deposits or of capital stock. We shall quote some of the views expressed at that time, to show the construction given to the Constitution by its friends, and that the measures contained in the bill reported herewith, are in harmony with that construction. Thus the San Francisco Chronicle, in an editorial published on April twenty-second, eighteen hundred and seventy-nine, said: "One of the misrepresentations most persisted in by the opposition to the new Constitution, is that it proposes to tax deposits in savings banks twice; once as to credits or individual depositors, and again as credits of the banks. Thus, they say, if Jones has one thousand dollars deposited in the Hibernia Savings Bank, he will be assessed upon his pass-book for that sum, as a creditor of the bank, and the bank will be also assessed for the same property, as a part of its credits and interest. The argument continues that this will so decrease the profits of the deposits as to discourage savings, break up the savings banks, and bring general ruin upon the country. The argument is so utterly unfounded that it is hardly worthy of a reply, especially as we have already answered it several times. But because it is still harped upon, we will notice it again.

"The Constitution establishes this fundamental rule: 'All property in the State, not exempt under the laws of the United States, shall be taxed *in proportion to its value, to be ascertained as provided by law*.' Under the general rule, it must be remembered that the leading idea is *proportionate value*. The object clearly is, to compel each citizen to contribute in proportion to the value of the property which the law protects for him. This means equal taxation—that is *taxation according to ability to pay*. It is susceptible of no other construction. It is the rule laid down by Adam Smith, and approved by all subsequent writers of acknowledged authority. And because the judgments of men are fallible, because Assessors are apt to differ as to the mode of determining values, the Constitution clothes the Legislature with power to provide for ascertaining the value of property. The only limitation upon the power of the Legislature, in this respect is that the values should be proportionate, and that all property shall be taxed, whether tangible or intangible. In the latter class, as will be seen by reference to the definition of the word property in the Constitution, fall credits in banks. Now the Legislature may tax bank deposits in either of two ways. It may tax them to the individual depositors separately, or to the banks collectively, which are simply agents for the depositors. They are property having value, and certainly should pay taxes. But they cannot be taxed both to the banks and to the depositors. Why? Because that would be taxing the same property at twice its value, and not in proportion to its value. It would be just like taxing gas stock to the individual shareholders, and again to the corporation, or like taxing real estate in the hands of an agent, and again to the owner. It would be unequal, unjust, ridiculous, and clearly unconstitutional. The natural way would be to tax the deposits in the banks, and not tax the depositors individually."

The same questions had thus been previously discussed in an article by an eminent member of the Convention, General Volney E. Howard, and published in the same paper, on April eleventh, eighteen hundred and seventy-nine: "It has been developed by the Press, that it is the salutary provision of the proposed Constitution, for the regulation of corporations, which has produced the violent opposition to its adoption. The motive is obvious. Under the provisions of the present Constitution as construed by the Supreme Court, that mortgages and credits are not property for the purposes of taxation, the moneyed corporations and the money-changers and stock gamblers escape taxation nearly altogether. They naturally wish to continue this great boon of exemption from the burden of the State. They raise a false issue and clamor by alleging that the Constitution, as proposed in taxing credits, imposes double taxation.

"They ignore the fact that the Constitution declares that 'all property in the State shall be taxed in proportion to its value, to be ascertained according to law,' and to make assurance doubly sure, provides 'State and County Boards of Equalization, whose duty it shall be to equalize the valuation of the taxable property of the several counties in the State, for the purposes of taxation, and also that the Board is authorized and empowered to increase or lower the entire assessment roll, or any assessment of property contained therein, so as to equalize the assessment of property contained in said assessment roll.' It is, therefore, clear that double taxation is impossible hereafter, if the new Constitution shall be adopted: First, under this provision, if *property should be doubly taxed, it would not be according to value, and if it appears on the* face of the assessment, it would be void, and the Court would so declare; second, if it was so assessed, it would be the sworn duty of the Board of Equalization to reduce it to a single valuation. If a man deposits money in a savings bank, whether loaned or not, it could be taxed but once, whether taxed to the depositor or the bank, and whether taxed on the money deposited or on the loan. It is absurd to say there could be one tax on the pass-book and another on

the money, whether loaned or not. The assertion is a false alarm, created for a single purpose. Again, 'the value is to be ascertained as provided by law.' That is, as the Legislature may direct, and therefore it would be in the power of the Legislature to adopt a system which would prevent double taxation, if ever resorted to.

The same learned jurist, in a prior communication to the same paper, had called attention to the Maryland decision hereinbefore cited, and had said: "The attempt to alarm the depositors in savings banks with double taxation is entirely disingenuous. If a party deposits money in a savings bank for loan, he is in fact the owner of the money, and the bank the agent or trustee, and whether loaned in his name or that of the bank the tax will be on the loan or mortgage. It cannot be on both, because they are not two values." In the same paper, on April thirtieth, eighteen hundred and seventy-nine, in an answer to the card of the Directors of the Hibernia Bank, it was said: "The new Constitution does not change the condition of either the depositor or the bank; the pass-book, as such, is not taxed; it is merely evidence of the amount of money on deposit: it is the deposit that is taxed, and this tax can be paid as at present, either by the bank or the depositor. If paid by the bank, *the depositor is released*; if by the depositor, the bank is released. *It can only be assessed once and paid once in each year.*" Similar opinions were expressed in an editorial of the same paper on the same day, and were very generally urged during the canvass by the friends of the proposed Constitution.

Having thus sought to show that the bill herewith presented is in harmony with equity, with sound public policy, with the language of the Constitution requiring taxation of all property in proportion to its value, and with the construction of that Constitution insisted upon by its advocates in the campaign preceding its adoption, we respectfully submit our proposed amendments to the consideration of the Senate and Assembly of the State.

E. H. PARDEE, Chairman of Senate Finance Committee.
WM. B. MAY, Chairman Assembly Committee on Ways and Means.

Mr. May, by permission, introduced the following bill in connection with the above report:

An Act to amend sections three thousand six hundred and seven, three thousand six hundred and seventeen, three thousand six hundred and twenty-seven, three thousand six hundred and twenty-eight, three thousand six hundred and twenty-nine, three thousand six hundred and thirty, three thousand six hundred and thirty-four, three thousand six hundred and forty, three thousand six hundred and forty-one, three thousand six hundred and forty-three, three thousand six hundred and fifty, three thousand six hundred and fifty-one, three thousand six hundred and fifty-two, three thousand six hundred and sixty-three, three thousand six hundred and seventy-three, three thousand six hundred and seventy-eight, three thousand six hundred and seventy-nine, three thousand seven hundred and thirty, three thousand seven hundred and fifty-two, three thousand eight hundred and thirty-nine, and three thousand eight hundred and sixty-one, and to add a new section, to be numbered three thousand six hundred and sixty-four to, and to reenact section three thousand seven hundred and seventeen of title nine of the Political Code, to provide revenue for the support of the government of the State.

Above bill ordered printed.

By Mr. Leach (by permission):

MR. SPEAKER: The minority of the Joint Committee on Finance of the Senate and Ways and Means of the Assembly, to whom were referred the various bills on revenue and taxation, hereby introduce the annexed bill as a substitute for the bill recommended by the majority, and the said minority give the following reasons as their grounds of disagreement:

The adoption of the minority's system of taxing stock would increase the taxable property of the State at least seventy-five millions of dollars, and to that extent lessen the rate of taxation.

Section three thousand six hundred and seven of the bill submitted by the majority appears clearly to violate section one, of article thirteen, of our Constitution, which requires all credits, claims, and demands, due or owing from banks or individuals, to be assessed alike.

And such discrimination in favor of banks and against individuals is alike unreasonable, and unjust, and unconstitutional, and, if made, would occasion a loss to the State of at least fifty millions of dollars of assessable property, and to that extent would increase the rate of taxation.

If the theory of assessing credits contained in the majority bill should be adopted, as people from all parts of the State, even from its most remote corners, deposit their money largely in the cities, or the money centers, it would result in the reduction of assessments and revenue in all

parts of the State, except where the principal banks are located, and where the principal deposits are made.

Such a system, if adopted, would work great injustice, would tend to enrich the money centers, and to impoverish all other parts of the State

One of the principal objections to the system of taxation contained in the bill of the majority, supported by a portion of the joint committee that has had under consideration the question of revenue and taxation, is that, while it admits the right and duty of the Legislature to assess the stock of incorporated companies, it adopts a system of assessing premiums only—that is, the difference between the market value and the par value, when the par value is less than the market value, which so seldom occurs that it renders the constitutional provision requiring stocks to be taxed practically nugatory.

The system for the taxation of stocks, contained in the minority bill, is simple and intelligible in its terms, and, we submit, is in exact compliance with a just and liberal construction of the mandates of the Constitution itself, and will accomplish the purposes intended. This system is expressed in section three thousand six hundred and forty of the minority bill, and is as follows

Section 3640 Corporations, associations, and joint stock companies, having their principal place of business in this State, shall be assessed with the market value of their capital stock, after deducting therefrom the value of all other property assessed to them, and such capital stock shall not be assessed to the individual owners thereof

The owners or holders of capital stock in corporations, associations, and joint stock companies, whose principal place of business is not within the State, must be individually assessed for such stock.

For the foregoing reasons, and other reasons not necessary to mention, we recommend the adoption of the report submitted by the minority, and the passage of the bill herewith introduced.

SACRAMENTO, February 16th, 1880.

W. W MORELAND,
A B. CARLOCK,
FRANK A. LEACH,
L. G. MORSE,
R. F. DEL VALLE,
WM W CUTHBERT,
MAX BROOKS,
C HARTSON,
J. P. BROWN.

INTRODUCTION OF A BILL.

By Mr. Leach (by permission)—An Act to amend sections three thousand six hundred and seven, three thousand six hundred and seventeen, three thousand six hundred and twenty-seven, three thousand six hundred and twenty-eight, three thousand six hundred and twenty-nine, three thousand six hundred and thirty, three thousand six hundred and thirty-four, three thousand six hundred and forty, three thousand six hundred and forty-three, three thousand six hundred and fifty, three thousand six hundred and fifty-one, three thousand six hundred and fifty-two, three thousand six hundred and sixty-three, three thousand six hundred and seventy-three, three thousand six hundred and seventy-eight, three thousand six hundred and seventy-nine, three thousand seven hundred and seventeen, three thousand seven hundred and thirty, three thousand seven hundred and fifty-two, three thousand seven hundred and fifty-six, three thousand eight hundred and thirty-nine, and three thousand eight hundred and sixty-one, and to repeal sections three thousand six hundred and eighty and three thousand six hundred and eighty-seven, of an Act entitled "An Act to establish a Political Code," approved March twelfth, eighteen hundred and seventy-two, relating to revenue, and to add two new sections, numbered three thousand six hundred and sixty-four and three thousand six hundred and sixty-five.

Which was ordered printed.

Both of the above bills were ordered to be considered together.

Two thousand extra copies of the bills reported by the Committee on Ways and Means ordered printed.

SECOND READING OF BILLS—CONTINUED.

Assembly Bill No. 286—An Act relating to the acts and doings of local Boards of Supervisors.

Read second time, and ordered to third reading.

Assembly Bill No. 133—An Act relating to employés unable to pay the cost of suit for compensation due them for labor.

The substitute recommended by the committee adopted

Mr. Tyler moved that the bill be rejected.

Upon which the ayes and noes were demanded by Messrs. Maybell, Carr of Yuba, and Sinon.

The roll was called, and the motion was carried by the following vote.

AYES—Messrs. Adams, Bennett, Brooks, Brown of Yuba, Bruner, Brusie, Camron, Carr of Sacramento, Chamberlain, Chandler, Cooper, Corcoran, Del Valle, Downs, Durham, Estey, Fox, Fraser, Frink, Hershey, Hartson, Mathews, McCarty of Lake, McCarthy of San Francisco, McComas, Merry, Messenger, Morse, Mulholland, Nelson, Sayle, Sherburne, Spencer, Stanley, Stoddard, Tyler, Ward, Wasson of Mono, Watson, York, Young, and Mr. Speaker—42.

NOES—Messrs. Anthony, Bass, Braunhart, Brown of Sonoma, Burns, Carr of Yuba, Coffman, Coleman, Cook, Cuthbert, Dumond, DuBrutz, Finlayson, Garibaldi, Gaffey, Gorley, Green, Hardy, Hynes, Josselyn, Lane, Leach, Leadbetter, Levee, Maguire, May, Maybell, McCallion, McDade, McIntosh, Picket, Sinon, Streeter, Sweetland, Walker, and Wason of Ventura—36.

The bill declared rejected.

Senate Bill No 94—An Act to amend sections two hundred and sixty-five and two hundred and sixty-six of the Code of Civil Procedure, relating to ministerial officers of the Supreme Court.

Ordered re-committed to the Judiciary Committee.

THIRD READING OF BILLS.

Mr. Leach moved that the following bills be now taken up and considered:

Senate Bill No. 23—An Act to amend sections eighty-six, eighty-nine, two hundred and twenty-seven, two hundred and twenty-eight, five hundred and four, and five hundred and fourteen, of the Penal Code, relating to crimes and punishments.

Senate Bill No. 24—An Act to amend sections six hundred and eighty-nine, one thousand and forty-two, one thousand four hundred and thirty, and one thousand four hundred and thirty-five, of the Penal Code, relating to trials by jury.

Senate Bill No. 28—An Act to repeal section four thousand three hundred and twenty-nine of the Political Code, regulating the salaries of County Judges.

Senate Bill No. 29—An Act to repeal sections four hundred and ninety-nine and six hundred and eighty-four of the Political Code, relating to the salaries and compensation of public officers.

So ordered.

Senate Bill No. 23—An Act to amend sections eighty-six, eighty-nine, two hundred and twenty-seven, two hundred and twenty-eight, five hundred and four, and five hundred and fourteen, of the Penal Code, relating to crimes and punishments.

Taken up

Pending the reading of the above bill, Senate Bill No. 24—An Act to amend sections six hundred and eighty-nine, one thousand and forty-two, one thousand four hundred and thirty, and one thousand

four hundred and thirty-five, of the Penal Code, relating to trials by jury—was taken up.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Adams, Anthony, Bennett, Braunhart, Brooks, Brown of Sonoma, Brown of Yuba, Bruner, Brusie, Burns, Camron, Carr of Sacramento, Carr of Yuba, Chamberlain, Chandler, Coffman, Coleman, Cook, Corcoran, Cuthbert, Del Valle, Dimond, Downs, DuBrutz, Durham, Estey, Finlayson, Fox, Fraser, Frink, Gaffey, Gorley, Green, Hardy, Hartson, Hershey, Hynes, Josselyn, Lane, Leach, Leadbetter, Levee, Maguire, Mathews, May, McCallion, McCarty of Lake, McCarthy of San Francisco, McComas, McDade, McIntosh, Merry, Messenger, Morse, Mulholland, Nelson, Picket, Sayle, Simon, Sherburne, Spencer, Stanley, Stoddard, Streeter, Tyler, Walker, Wason of Ventura, Wattson, Young, and Mr. Speaker—70.

NOES—None.

Title approved.

Consideration of Senate Bill No. 23—An Act to amend sections eighty-six, eighty-nine, two hundred and twenty-seven, two hundred and twenty-eight, five hundred and four, and five hundred and fourteen of the Penal Code, relating to crimes and punishments—resumed.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Adams, Anthony, Bass, Bennett, Brooks, Brown of Sonoma, Brown of Yuba, Bruner, Brusie, Burns, Camron, Carr of Sacramento, Carr of Yuba, Chamberlain, Chandler, Coffman, Coleman, Cook, Cooper, Corcoran, Cuthbert, Del Valle, Dimond, Downs, DuBrutz, Durham, Estey, Felton, Finlayson, Fox, Fraser, Frink, Gaffey, Gorley, Green, Hardy, Hartson, Hershey, Josselyn, Lane, Leach, Leadbetter, Maguire, Mathews, May, McCallion, McCarty of Lake, McCarthy of San Francisco, McComas, McDade, McIntosh, Merry, Messenger, Morse, Mulholland, Nelson, Picket, Sayle, Simon, Sherburne, Spencer, Stanley, Stoddard, Streeter, Sweetland, Tyler, Walker, Ward, Wason of Ventura, Wattson, York, Young, and Mr. Speaker—73.

NOES—Messrs. Braunhart and Hynes—2.

Title approved.

Mr. Hardy had leave to withdraw Assembly Bill No. 318—An Act to amend sections three hundred and sixty-seven, three hundred and seventy-two, and three hundred and seventy-three, of the Code of Civil Procedure of California, relating to parties to civil actions.

Senate Bill No. 28—An Act to repeal section four thousand three hundred and twenty-nine of the Political Code, regulating the salaries of County Judges.

Taken up.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Adams, Anthony, Bass, Bennett, Braunhart, Brooks, Brown of Sonoma, Brown of Yuba, Bruner, Brusie, Burns, Camron, Carr of Sacramento, Chamberlain, Chandler, Coffman, Coleman, Cook, Cooper, Corcoran, Cuthbert, Del Valle, Dimond, Downs, DuBrutz, Durham, Estey, Finlayson, Fox, Fraser, Frink, Gaffey, Gorley, Green, Hardy, Hartson, Hershey, Hynes, Josselyn, Lane, Leach, Leadbetter, Maguire, Mathews, May, McCallion, McCarty of Lake, McCarthy of San Francisco, McComas, McDade, McIntosh, Merry, Messenger, Morse, Mulholland, Nelson, Picket, Sayle, Simon, Sherburne, Spencer, Stanley, Stoddard, Streeter, Sweetland, Tyler, Ward, Wason of Ventura, Wattson, York, Young, and Mr. Speaker—72.

NOES—None.

Title approved.

Senate Bill No. 29—An Act to repeal sections four hundred and ninety-nine and six hundred and eighty-four of the Political Code, relating to the salaries and compensation of public officers.

Taken up, and read third time

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Adams, Anthony, Bass, Bennett, Braunhart, Brooks, Brown of Sonoma, Brown of Yuba, Bruner, Brusie, Burns, Carr of Sacramento, Carr of Yuba, Chamberlain, Chandler, Coffman, Coleman, Cook, Cooper, Corcoran, Cuthbert, Del Valle, Dimond, Downs, DuBrutz, Durham, Estey, Finlayson, Fox, Fraser, Frink, Gaffey, Gorley, Green, Hardy, Hartson, Hershey, Hynes, Josselyn, Lane, Leadbetter, Magune, Mathews, May, McCallion, McCarty of Lake, McCarthy of San Francisco, McComas, McDade, McIntosh, Merry, Messenger, Morse, Mulholland, Nelson, Picket, Sayle, Sherburne, Spencer, Stanley, Stoddard, Streeter, Sweetland, Tyler, Walker, Ward, Wason of Ventura, Wattson, York, and Mr. Speaker—70.
NOES—None.

Title approved.

SECOND READING OF BILLS—CONTINUED.

Assembly Bill No. 16—An Act to create and maintain a Bureau of Statistics of Land, Labor, and Capital.

Ordered to the foot of the second reading file.

Assembly Joint Resolution No. 10—Relative to the enforcement of the United States statute making eight hours the length of a day's labor on public works

Read second time, and ordered to third reading.

Assembly Bill No. 103—An Act to limit and fix the wages and hours of labor of conductors, drivers, and employés of street railroads in the cities and towns of the State.

A substitute was proposed by Mr. Braunhart.

RECESS.

Pending discussion, the hour of one o'clock P. M. having arrived, the House took a recess for one hour.

RE-ASSEMBLED.

House re-assembled at two o'clock P. M.
Speaker Cowdery in the chair.
Quorum present.

SECOND READING OF BILLS—RESUMED.

The title of Senate Bill No. 23—An Act to amend sections eighty-six, eighty-nine, two hundred and twenty-seven, two hundred and twenty-eight, five hundred and four, and five hundred and fourteen, of the Penal Code, relating to crimes and punishments—corrected.

Consideration of Assembly Bill No. 103—An Act to limit and fix the wages and hours of labor of conductors, drivers, and employés of street railroads in the cities and towns of the State—resumed.

The substitute adopted.

Mr. Tyler moved that the bill be referred to the Judiciary Committee

Upon which the ayes and noes were demanded by Messrs. Braunhart, Simon, and Carr of Yuba.

The roll was called, and the motion to refer was carried by the following vote:

AYES—Messrs. Adams, Bennett, Brown of Sonoma, Brown of Yuba, Bruner, Camron, Carr of Sacramento, Chamberlain, Cooper, Corcoran, Del Valle, Downs, DuBrutz, Estey, Felton, Finlayson, Fox, Frink, Hartson, Leach, Leadbetter, May, McCarty of Lake, McComas, McIntosh, Messenger, Morse, Nelson, Sayle, Sherburne, Streeter, Tyler, Ward, Wattson, York, and Young—36.

NOES—Messrs. Anthony, Bass, Braunhart, Burns, Carr of Yuba, Coffman, Coleman, Cuthbert, Dimond, Fraser, Garibaldi, Gaffey, Green, Hershey, Josselyn, Lane, Levee, Maguire, Maybell, McCallion, McDade, Merry, Picket, Simon, Spencer, Stoddard, Sweetland, Walker, and Mr. Speaker—29.

THIRD READING OF BILLS.

Assembly Bill No. 135—An Act to provide for the removal of aliens whose presence is dangerous to the well-being of communities outside the limits of cities and towns in the State of California.

Taken up.

Read third time.

Mr. Bruner offered a substitute for the bill.

Pending discussion, the use of the Assembly Chamber for this evening granted to the Committees on Agriculture, and Mines and Mining Interests, for the purpose of considering such subjects as had been referred to them.

The previous question being demanded by the requisite number, the House so ordered.

The question being upon the adoption of the substitute, the House ordered its rejection.

The question recurring upon the passage of the bill, the roll was called, and the bill passed by the following vote:

AYES—Messrs. Adams, Anthony, Bass, Braunhart, Brown of Sonoma, Brown of Yuba, Bruner, Burns, Camron, Carr of Sacramento, Carr of Yuba, Chamberlain, Coffman, Cooper, Corcoran, Cuthbert, Del Valle, Dimond, Durham, Estey, Finlayson, Garibaldi, Gaffey, Gorley, Green, Hardy, Hartson, Josselyn, Lane, Leach, Leadbetter, Levee, Maguire, May, Maybell, McCallion, McCarthy of San Francisco, McDade, McIntosh, Merry, Messenger, Mulholland, Picket, Sayle, Simon, Stoddard, Sweetland, Walker, Ward, Young, and Mr. Speaker—51.

NOES—Messrs. Bennett, Brusie, Coleman, Cook, Downs, DuBrutz, Felton, Fox, Fraser, Frink, Hershey, Hynes, Mathews, McCarty of Lake, McComas, Morse, Nelson, Sherburne, Spencer, Stanley, Streeter, Tyler, Wason of Ventura, Wattson, and York—26.

Title approved.

Mr. Bruner gave notice of a motion to reconsider the vote by which the bill was passed.

INTRODUCTION OF BILLS.

The following bills were introduced, and ordered printed:

By Mr. Felton (by permission)—An Act to promote emigration from the State of California.

Read first time, and referred to the Committee on Commerce and Navigation.

By Mr. Braunhart—An Act to amend sections two thousand four hundred and thirty, two thousand four hundred and fifty-seven, two thousand four hundred and fifty-eight, two thousand four hundred and sixty-four, two thousand four hundred and sixty-six, two thousand four hundred and sixty-seven, and two thousand four hundred and sixty-eight, of the Political Code, in relation to pilots and pilot regulations.

RESOLUTION.

Mr. McIntosh, pursuant to notice, called up his resolution to amend Rule Forty, as follows:

RULE FORTY.

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 once during the consideration of any one question on the same day, nor more than five minutes, and at the same stage of the proceedings, except the author of the bill, who may speak five minutes to open and ten minutes to close. This rule is not applicable to Committee of the Whole.

Mr. Carr of Yuba moved the indefinite postponement of the resolution.

At four o'clock and forty minutes P. M Mr. Sinon moved to adjourn.

Lost.

The previous question being demanded by the requisite number, the House so ordered.

The ayes and noes were demanded by the requisite number.

The roll was called, and the motion to indefinitely postpone was lost by the following vote:

AYES—Messrs. Braunhart, Burns, Carr of Yuba, Cooper, Corcoran, Cuthbert, Durham, Garibaldi, Gaffey, Josselyn, Lane, Maguire, May, Maybell, McCallion, McCarthy of San Francisco, McDade, Simon, and Spencer—19.

NOES—Messrs. Adams, Anthony, Bass, Bennett, Brown of Sonoma, Bruner, Brusie, Camron, Carr of Sacramento, Chamberlain, Coffman, Coleman, Cook, Dimond, Downs, DuBrutz, Estey, Felton, Finlayson, Fox, Fraser, Frink, Gorley, Green, Hardy, Hartson, Hershey, Hynes, Leach, Leadbetter, Levee, Mathews, McCarty of Lake, McComas, McIntosh, Merry, Messenger, Morse, Mulholland, Nelson, Picket, Sayle, Sherburne, Stanley, Stoddard, Streeter, Sweetland, Tyler, Walker, Ward, Wason of Ventura, Wasson of Mono, Wattson, York, Young, and Mr. Speaker—56.

At four o'clock and forty-eight minutes P. M., Mr. Gaffey moved to adjourn.

Lost.

The previous question being demanded by the requisite number the House so ordered.

The question recurring upon Mr. McIntosh's resolution, the ayes and noes were demanded by the requisite number.

The roll was called, and the resolution was lost by the following vote:

AYES—Messrs Adams, Anthony, Bass, Bennett, Bruner, Brusie, Camron, Carr of Sacramento, Chamberlain, Coleman, Dimond, Downs, Durham, Estey, Felton, Finlayson, Fox, Fraser, Frink, Gorley, Green, Hartson, Hershey, Leach, Leadbetter, Levee, McComas, McIntosh, Merry, Messenger, Mulholland, Nelson, Sayle, Sherburne, Stanley, Stoddard, Streeter, Tyler, Ward, Wason of Ventura, Wasson of Mono, Wattson, York, and Mr Speaker—44.

NOES—Messrs. Braunhart, Brown of Sonoma, Burns, Carr of Yuba, Coffman, Cook, Cooper, Corcoran, Cuthbert, DuBrutz, Garibaldi, Gaffey, Harris, Hynes, Josselyn, Lane, Maguire, Mathews, May, Maybell, McCallion, McCarty of Lake, McCarthy of San Francisco, McDade, Morse, Picket, Simon, Spencer, Sweetland, Walker, and Young—31.

ADJOURNMENT.

At five o'clock and ten minutes P. M., Mr. Leach moved to adjourn.

Carried.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Wednesday, February 18th, 1880.

The House met pursuant to adjournment.
Speaker Cowdery in the chair.
Roll called, and a quorum present.
Prayer by the Chaplain.

READING AND APPROVAL OF THE JOURNAL.

Mr. Hershey moved that the further reading of the Journal be dispensed with.
So ordered.
The Journal of Monday approved.

REPORTS OF STANDING COMMITTEES.

By Mr. Brown of Yuba:

ASSEMBLY CHAMBER, SACRAMENTO, February 18th, 1880.

MR. SPEAKER: The Committee on Corporations, to whom was referred Assembly Bill No. 304—An Act to incorporate religious societies—have had the same under consideration, and report the same back to the Assembly, as amended, without recommendation, for its consideration.

Also, Assembly Bill No. 100—An Act to amend an Act to provide for the incorporation of mutual insurance companies for the insurance of life and health, and against accidents, approved April second, A. D. eighteen hundred and sixty-six—and report the same back to the Assembly, without recommendation, for its consideration.

BROWN of Yuba, Chairman.

By Mr. Mulholland:

MR. SPEAKER: Your Committee on Federal Relations, to whom was referred the accompanying resolution, have carefully considered the same, report the same back, and recommend that it be not adopted.

MULHOLLAND, Chairman.

Resolved, That our members of Congress be requested to move, at an early day, an amendment to the Constitution of the United States, and that the said amendment read as follows: "Senators to Congress shall be elected by the people."

By Mr. Wasson of Mono:

ASSEMBLY CHAMBER, February 4th, 1880.

MR. SPEAKER: Your Committee on Mines and Mining Interests, to whom was referred the subject matter of a proposed resolution, introduced in the Assembly January twelfth, eighteen hundred and eighty, by Mr. Wasson of Mono, relative to the action of Mr. John W. Mackey of Nevada, who donated the sum of five thousand dollars to defray the cost of transporting a valuable collection of California minerals to the Paris Exposition of eighteen hundred and seventy-eight, beg leave to report that they have carefully considered the matter, and have determined to report the accompanying joint resolution, and recommend its adoption.

Your committee desire further to say, in this connection, that it is but due to the gentleman named in this joint resolution that some official recognition should be made by the people of this State of the disinterested and patriotic aid given to the Commission appointed by the State under the Act of Congress inviting such appointment, in the efforts of such Commission to secure creditable representation of the industrial resources of California at the French Exposition. The Legislature of eighteen hundred and seventy-seven-seventy-eight (Twenty-second Session), through some oversight, or owing to the pressure of other business, adjourned without providing the means or facilities with which to carry out, on behalf of California, the system of representation at the Paris Exposition, adopted and provided for by the other States of the Union. A Commission had been appointed by the Governor, in accordance with the invitation of Congress, but owing to the failure of the Legislature to provide means for the transportation of such articles as might properly represent the industries and resources of the State, there seemed at

the last moment no hope that California would be able to occupy the department assigned to her in the Exposition. At this juncture and after all other efforts to raise the means had failed, Mr. John W Mackey, a citizen of another State, though largely identified with the interests of California, voluntarily contributed from his own means the necessary funds to defray the cost of transmitting a large and very valuable collection of mineral specimens, which a committee of enterprising citizens had succeeded in gathering. These minerals represented almost exclusively the vast resources of California, and the reports of the Commissioner-General of the United States, together with the Commissioners of the various States to the Exposition, verify the statement that California's magnificent mineral display was regarded as one of the most important, instructive, and, at the same time, most attractive features of the Exposition

Under these circumstances, therefore, your committee are unanimously of opinion that the joint resolution referred to, if adopted, would be but a graceful and proper recognition of the private agency by which our great State was, in the absence of official method, enabled to be most creditably represented at so important an industrial display as that of the French Exposition of eighteen hundred and seventy-eight.

WASSON, Chairman.

By Mr. Finlayson:

MR SPEAKER: Your Committee on Commerce and Navigation, to whom was referred Assembly Bill No. 405—An Act to promote emigration from the State of California—have had the same under consideration, and recommend its passage

FINLAYSON, Chairman

INTRODUCTION OF BILLS.

The following bills were introduced, and ordered printed:

By Mr. May—An Act making appropriation to repay to B. F. Tuttle, late Commissioner of Transportation, certain moneys disbursed by him on account of contingent expenses.

Also, an Act making appropriation to pay R. P. Maynard, late Secretary to Commissioners of Transportation, the balance of salary due to him for the twenty-ninth and thirtieth fiscal years.

By Mr. Merry—An Act to repeal an Act entitled an Act to regulate the practice of pharmacy in the City and County of San Francisco, approved March twenty-eighth, eighteen hundred and seventy-two.

Also, an Act entitled an Act to amend an Act entitled an Act to regulate the practice of pharmacy in the City and County of San Francisco, approved March thirty-first, eighteen hundred and seventy-six.

ASSEMBLY JOINT RESOLUTION.

By Mr. Wasson, of Mono—Assembly Joint Resolution, relative to extending thanks to John W. Mackey for aid rendered by him to transport specimens of minerals to the Paris Exposition of eighteen hundred and seventy-eight.

Read first time.

FIRST READING OF BILL.

Assembly Bill No. 384—An Act to amend an Act to provide for the building of a school house in Modesto School District in the County of Stanislaus, in the State of California, approved January ninth, eighteen hundred and seventy-four.

Taken up.

REPORTS OF SELECT COMMITTEE.

By Mr. McCarthy (by permission):

STATE CAPITOL, February 18th, 1880.

MR SPEAKER: The San Francisco delegation, to whom was referred Assembly Bill No. 11—An Act to repeal an Act entitled "An Act to authorize the City and County of San Francisco to provide and maintain public water-works for said city and county, and to condemn and purchase private property for that purpose," approved March thirtieth, eighteen hundred and

seventy-four—have had the same under consideration, and herewith report it back, with the recommendation that it do not pass

Fourteen members present and voting—thirteen ayes, one no.

McCARTHY, Chairman.

Also:

STATE CAPITOL, February 18th, 1880.

MR. SPEAKER: The San Francisco delegation, to whom was referred Assembly Bill No. 119—An Act to repeal an Act entitled an Act conferring further powers upon the Board of Supervisors of the City and County of San Francisco, approved April first, eighteen hundred and seventy-eight—have had the same under consideration, but owing to the different statements made by parties interested, the delegation has been unable to decide whether to recommend the bill for passage or not. In this extreme, the following sub-committee was appointed at the last meeting to visit San Francisco and take testimony in the matter, and now ask that the same committee be vested with authority by this House. Committee: Magune, Burns, Ward, McCallion, Hardy.

McCARTHY, Chairman.

Report received and adopted.

By Mr. Fox (by permission):

Resolved, That the State Controller be and he is hereby authorized and directed to draw his warrant in favor of John Ireland, for pay as Porter and Janitor of the Judiciary Committee, at the rate of three dollars per day, from the ninth day of January, eighteen hundred and eighty, payable out of the Contingent Fund of the Assembly.

Adopted.

FIRST READING AND REFERENCE OF BILLS—CONTINUED.

Assembly Bill No. 384—An Act to amend an Act entitled an Act to provide for the building of a school house in Modesto School District, in the County of Stanislaus, in the State of California, approved January ninth, eighteen hundred and seventy-four.

Again taken up, read first time, and ordered on file.

Assembly Bill No. 385—An Act in relation to the public roads and highways in the several counties of this State.

Read first time, and referred to the Committee on Roads and Highways.

Assembly Bill No. 387—An Act amendatory and to repeal certain sections of an Act entitled an Act for the more effectual prevention of cruelty to animals.

Read first time, and referred to the Judiciary Committee.

Assembly Bill No. 388—An Act to amend sections one thousand five hundred and eighty-two and one thousand eight hundred and fifty-eight of the Political Code, relating to public schools.

Read first time, and referred to the Committee on Education.

Assembly Bill No. 389—An Act to establish Boards of Health.

Read first time, and referred to the Committee on Education.

Assembly Bill No. 390—An Act to appropriate funds for the relief of the several Orphan Asylums in this State.

Read first time, and referred to the Committee on State Hospitals.

Assembly Bill No. 391—An Act prescribing the form of complaint in actions to recover delinquent taxes, and to authorize the bringing of suits therefor.

Read first time, and referred to the Committee on Judiciary.

Assembly Bill No. 392—An Act to authorize Boards of Supervisors to employ a deputy in certain cases.

Read first time, and ordered on file.

Assembly Bill No. 393—An Act to provide for the auditing and payment of the county portion of the salary of Superior Judges.

Read first time, and referred to the Committee on Ways and Means.

MESSAGE FROM THE SENATE.

The following message was received from the Senate:

SENATE CHAMBER, SACRAMENTO, February 17th, 1880.

MR. SPEAKER I am directed to inform your honorable body that the Senate, on February sixteenth, eighteen hundred and eighty, passed Senate Bill No. 162—An Act to amend sections one thousand two hundred and forty-three, one thousand two hundred and forty-four, and one thousand two hundred and fifty-four, of the Code of Civil Procedure, relating to eminent domain.

Also, Senate Bill No 179—An Act to amend section five hundred and fourteen of the Civil Code, concerning wagon road corporations.

Also, Senate Bill No. 270—An Act to amend section two thousand nine hundred and forty-one of the Civil Code, relating to the satisfaction of mortgages.

Also, Senate Bill No 282—An Act to add a new section to the Civil Code, to be known as section three hundred and twenty-seven, to enforce the provisions of section three, of article twelve, of the Constitution.

Also, Senate Bill No. 281—An Act to amend section two thousand two hundred and seventeen of the Political Code, relating to committal of insane persons

Also, Senate Bill No 285—An Act to amend sections seven hundred and sixty-three and nine hundred and thirty-nine of the Code of Civil Procedure, relating to proceedings in partition and appeals therefrom

Also, Senate Bill No. 191—An Act to repeal an Act entitled an Act to create and organize Reclamation District Number Two Hundred and Five, and to define its boundaries and provide for its government, approved April first, eighteen hundred and seventy-eight.

Also, Senate Bill No 218—An Act to prohibit the issuance of licenses to aliens not eligible to become electors of the State of California.

Also, passed Senate Concurrent Resolution No 23—Relative to leave of absence for the Committees of Military Affairs to visit armories and inspect National Guard at San Francisco.

JAMES A. ORR, Assistant Secretary.

CONSIDERATION OF SENATE MESSAGE.

Senate Bill No. 162—An Act to amend sections one thousand two hundred and forty-three, one thousand two hundred and forty-four, and one thousand two hundred and fifty-four, of the Code of Civil Procedure, relating to eminent domain.

Taken up.

Read first time, and referred to the Judiciary Committee

Senate Bill No. 179—An Act entitled an Act to amend section five hundred and fourteen, of title five, part four, of the Civil Code, concerning wagon road corporations.

Read first time, and referred to the Committee on Roads and Highways.

Senate Bill No. 270—An Act to amend section two thousand nine hundred and forty-one of the Civil Code.

Read first time, and referred to the Committee on Judiciary.

Senate Bill No. 282—An Act to enforce the provisions of section three, of article twelve, of the Constitution.

Read first time, and referred to the Committee on Judiciary.

Senate Bill No. 281—An Act to amend section two thousand two hundred and seventeen of the Political Code, relating to committal of insane persons.

Read first time, and referred to the Judiciary Committee.

Senate Bill No. 285—An Act to amend sections seven hundred and sixty-three and nine hundred and thirty-nine of the Code of Civil Procedure, relating to proceedings in partition and appeals therefrom.

Read first time, and referred to the Committee on Judiciary.

Senate Bill No 191—An Act to repeal an Act entitled "An Act to create and organize Reclamation District Number Two Hundred and Five, and to define its boundaries and provide for its government," approved April first, eighteen hundred and seventy-eight.

Read first time, and referred to the Committee on Swamp and Overflowed Lands.

Senate Bill No. 218—An Act to prohibit the issuance of licenses to aliens not eligible to become electors of the State of California.

Read first time, and referred to the Committee on Chinese Immigration and Emigration.

Senate Concurrent Resolution No. 23—Relative to leave of absence for the Committees of Military Affairs to visit armories and inspect the National Guard at San Francisco.

Read, and concurred in

SECOND READING OF BILLS.

Assembly Bill No. 113—An Act to amend sections nine hundred and seventy-four, nine hundred and seventy-five, nine hundred and seventy-six, nine hundred and seventy-seven, nine hundred and seventy-eight, and nine hundred and eighty, of an Act entitled "An Act to establish a Code of Civil Procedure," approved March eleventh, eighteen hundred and seventy-two, relating to appeals to County Courts.

Taken up.

Amended as recommended by the committee.

Mr. Tyler moved to amend by striking out the word "sufficient," from lines four and five, section five.

Adopted.

Mr. Young moved to amend by inserting, in section five, line thirty, the words "the undertaking must be filed within five days from the time of filing the notice of appeal."

Adopted.

The bill read second time, and ordered to the head of third reading file.

Mr. Tyler moved that the following bills be taken up for second reading:

Assembly Bill No. 211—An Act to amend sections nine hundred and ninety-five, one thousand and sixteen, one thousand and seventeen, one thousand and twenty, one thousand and twenty-three, and one thousand and forty-one, of the Penal Code, relative to pleadings and proceedings after indictment, and before the commencement of the trial.

Assembly Bill No. 210—An Act to amend sections eight hundred and twenty-five, eight hundred and sixty-nine, and eight hundred and seventy-two, of the Penal Code, relating to proceedings in criminal actions prosecuted by indictment.

Assembly Bill No. 212—An Act to repeal section one thousand one hundred and twelve, and to amend sections one thousand and seventy-six, one thousand one hundred and twenty-five, one thousand one hundred and thirty, one thousand one hundred and fifty-one, one thousand one hundred and seventy-three, and one thousand one hundred and eighty-one, of the Penal Code, relative to proceedings after the commencement of the trial and before judgment

Assembly Bill No. 257—An Act to add a new section to the Penal

Code, to be known as section one thousand three hundred and eight, relative to the forfeiture of the undertaking of bail or of the deposit of money.

Assembly Bill No. 258—An Act to add a new section to the Penal Code, relative to crimes against public justice.

Assembly Bill No. 273—An Act to amend sections one thousand two hundred and seventy-three, one thousand two hundred and seventy-eight, one thousand two hundred and eighty, one thousand two hundred and eighty-seven, one thousand two hundred and eighty-eight, one thousand three hundred and five, one thousand three hundred and six, and one thousand three hundred and seven, of the Penal Code, relative to miscellaneous proceedings.

So ordered.

By consent, Assembly Bill No. 405—An Act to promote emigration from the State of California—taken up.

Read second time, and ordered to the second place on third reading file.

INTRODUCTION OF A BILL.

By Mr. Maybell (by permission)—An Act to add three new sections to the Penal Code, to be known as sections three hundred and twenty-seven, three hundred and twenty-eight, and three hundred and twenty-nine, in relation to stock boards or stock exchanges.

The above bill introduced and ordered printed.

SECOND READING OF BILLS—CONTINUED.

Assembly Bill No. 211—An Act to amend sections nine hundred and ninety-five, one thousand and sixteen, one thousand and seventeen, one thousand and twenty, one thousand and twenty-three, and one thousand and forty-one, of the Penal Code, relative to pleadings and proceedings after indictment and before the commencement of the trial.

Taken up.

The amendments recommended by the committee adopted.

Read second time, and ordered to third reading.

Assembly Bill No. 210—An Act to amend sections eight hundred and twenty-five, eight hundred and sixty-nine, and eight hundred and seventy-two, of the Penal Code, relating to proceedings in criminal actions prosecuted by indictment.

Taken up.

All the amendments recommended by the committee adopted except the following, "and striking out from lines six, seven, and eight, the words 'upon the demand of the prosecuting attorney, or of the defendant, or his counsel.'"

Mr Corcoran moved to amend section two as follows, after the words "direction," insert the words "and in other cases."

Adopted.

Mr. Fox moved to strike out section three.

Adopted.

The bill was read second time, and ordered to third reading.

Assembly Bill No 212—An Act to repeal section one thousand one hundred and twelve, and to amend sections one thousand and seventy-six, one thousand one hundred and twenty-five, one thou-

sand one hundred and thirty, one thousand one hundred and fifty-one, one thousand one hundred and seventy-three, and one thousand one hundred and eighty-one, of the Penal Code, relative to proceedings after the commencement of the trial and before judgment.

Taken up.

Sections two and three stricken out.

Mr. Bruner moved to amend by striking out the words "the testimony shows," in section one, lines nine and ten, and inserting the words "it appears to the Court upon declaration, oath, or otherwise."

Lost.

Mr Bruner moved to strike out from section four, line five, all after the word "trial."

Lost.

The amendments recommended by the committee adopted.

Mr. Tyler moved to insert the words "or information," in subdivision one, of section seven, after the words "an indictment."

Adopted.

The above amendment, on motion of Mr. Fox, rescinded.

Mr. Tyler moved to add a new section, as section nine: "This Act shall take effect immediately."

Adopted.

The bill read second time, and ordered to third reading.

Assembly Bill No. 405—An Act to promote emigration from the State of California.

Taken up and amended.

Assembly Bill No. 258—An Act to add a new section to the Penal Code, relative to crimes against public justice.

Amendments recommended by the committee adopted.

Read second time, and ordered to third reading.

Senate Bill No. 31—An Act to amend sections one thousand three hundred and thirty-eight and one thousand three hundred and fifty-three of the Penal Code, providing for the examination of witnesses.

Read second time, and ordered to third reading.

RECESS.

The hour of one o'clock P. M. having arrived, the House took a recess for one hour.

IN ASSEMBLY.

House re-assembled at two o'clock P. M.

Speaker Cowdery in the chair.

Quorum present.

The revenue bills made the special order for second reading, at two o'clock P. M., on Tuesday next

SECOND READING OF BILLS—RESUMED.

Senate Bill No. 35—An Act to amend section one thousand and twenty-nine of the Penal Code, relating to prosecutions of Judges of the Superior Courts.

Read second time, and ordered to third reading.

Senate Bill No. 36—An Act to repeal sections one thousand and twenty-eight, one thousand and thirty, one thousand one hundred

and twelve, and one thousand one hundred and forty-three, of the Penal Code, relating to judicial proceedings in criminal cases.

Read second time, and ordered to third reading.

Senate Bill No. 37—An Act to amend section eight hundred and eight of the Penal Code, declaring who are Magistrates.

Read second time, and ordered to third reading.

Senate Bill No. 57—An Act relative to the currency of the United States.

Read second time, and ordered to third reading.

Senate Bill No. 33—An Act to add a new section, to be known as section ninety, to the Penal Code, relating to the crime of lobbying.

Read second time, and refused a third reading

Assembly Bill No. 257—An Act to add a new section to the Penal Code, to be known as section one thousand three hundred and eight, relative to the forfeiture of the undertaking of bail or of the deposit of money.

Read second time, and ordered to third reading.

Assembly Bill No. 273—An Act to amend sections one thousand two hundred and seventy-three, one thousand two hundred and seventy-eight, one thousand two hundred and eighty, one thousand two hundred and eighty-seven, one thousand two hundred and eighty-eight, one thousand three hundred and five, one thousand three hundred and six, and one thousand three hundred and seven, of the Penal Code, relative to miscellaneous proceedings.

Read second time.

The amendments recommended by the committee adopted.

Mr. Tyler moved to amend by striking out the word "sufficient."

Adopted.

The bill read second time, and ordered to third reading.

REPORT FROM COMMITTEE ON ENROLLMENT.

By Mr. Brooks:

MR. SPEAKER: Your Committee on Enrollment respectfully report that the following Assembly bills have been correctly enrolled. Assembly Bill No. 31—An Act to amend sections one thousand four hundred and eighteen and one thousand four hundred and nineteen of the Penal Code, relating to reprieves, commutations, and pardons.

Also, Assembly Bill No. 32—An Act to amend sections seven hundred and thirty-seven, seven hundred and forty-six, seven hundred and forty-nine, and seven hundred and fifty-three of the Penal Code, relating to impeachments.

Also, Assembly Bill No. 33—An Act to amend sections one thousand four hundred and seventy-five and one thousand five hundred and four of the Penal Code, relating to the writ of habeas corpus.

And the same were, on the eighteenth day of February, presented to the Governor for his approval.

BROOKS, Chairman.

Assembly Bill No. 208—An Act to amend section four hundred and twenty of the Penal Code, relative to using language with intent to incite a riot.

Withdrawn.

Assembly Bill No. 209—An Act to amend section nine hundred and seventy-two of the Penal Code, relative to indictments.

Withdrawn.

Assembly Bill No. 167—An Act to amend sections two thousand and twenty-one and two thousand and eighty-three of the Code of Civil Procedure, in relation to the taking of depositions and perpetuation of testimony.

Withdrawn.

Senate Bill No. 32—An Act to amend sections seven hundred and twelve, seven hundred and twenty-eight, seven hundred and thirty-two, seven hundred and sixty, seven hundred and seventy-one, seven hundred and seventy-two, eight hundred and eighteen, eight hundred and twenty, eight hundred and fifty, eight hundred and ninety, nine hundred and thirty-five, one thousand one hundred and ninety-seven, one thousand three hundred and thirty, one thousand four hundred and sixty-six, one thousand four hundred and sixty-eight, one thousand four hundred and sixty-nine, one thousand five hundred and fifteen, one thousand five hundred and sixteen, and one thousand five hundred and fifty-six, of the Penal Code, providing for certain proceedings before the Superior Courts, or the Judges thereof.

Read second time, and ordered to third reading.

Senate Bill No. 34—An Act to amend sections eight hundred and seventy-two and eight hundred and seventy-five, and to repeal section eight hundred and seventy-four, of the Penal Code, relating to commitments of persons charged with crime.

Mr. Fox moved to amend by inserting, in line five, section one, the words "make or."

Adopted.

The amendments recommended by the committee adopted.

The bill read second time, and ordered to third reading

Senate Bill No. 109—An Act to amend sections three hundred and sixty-seven, three hundred and seventy-two, and three hundred and seventy-three, of the Code of Civil Procedure, relating to parties to civil actions.

The amendments recommended by the committee adopted.

The bill read second time, and ordered to third reading.

Assembly Bill No 49—An Act to amend sections one thousand and forty-one, one thousand and fifty-three, one thousand and fifty-five, one thousand and eighty-three, one thousand and eighty-four, one thousand and ninety-seven, one thousand one hundred and six, one thousand one hundred and thirteen, one thousand one hundred and thirty, one thousand two hundred and thirty, one thousand two hundred and thirty-two, one thousand two hundred and thirty-three, one thousand two hundred and thirty-five, one thousand two hundred and eighty-five, one thousand two hundred and eighty-eight, one thousand two hundred and ninety, one thousand three hundred and eleven, and to repeal section one thousand and forty-two, of an Act entitled "An Act to establish a Political Code," approved March twelfth, eighteen hundred and seventy-two, relating to elections

Withdrawn.

Assembly Bill No. 56—An Act to repeal section one thousand and forty-two of an Act entitled "An Act to establish a Political Code," approved March twelfth, eighteen hundred and seventy-two, providing for a judicial election.

Withdrawn.

Assembly Bill No. 249—An Act amendatory of an Act entitled "An Act for the better protection of the stockholders in corporations formed under the laws of the State of California for the purpose of carrying on and conducting the business of mining," approved March thirtieth, eighteen hundred and seventy-four.

The amendments recommended by the committee adopted.

Mr. Fox moved to amend by inserting, in line one, section four, after the word "Act," the words "so far as they do," instead of the word "in," stricken out.

Adopted.

The bill read second time, and ordered to third reading.

Assembly Bill No. 269—An Act to regulate the buying and selling of stocks.

Pending consideration of the above bill, Assembly Bill No. 11—An Act to repeal an Act entitled an Act to authorize the City and County of San Francisco to provide and maintain public water-works for said city and county, and to condemn and purchase private property for that purpose, approved March thirtieth, eighteen hundred and seventy-four—was withdrawn.

The consideration of Assembly Bill No. 269—An Act to regulate the buying and selling of stock—resumed

The amendments recommended by a minority of the committee adopted.

The bill read second time.

Mr. Tyler moved to order the bill printed, as amended, and referred to the Committee on Judiciary.

Lost.

The bill ordered to third reading.

At four o'clock and ten minutes P. M. Mr. Fox moved we do now adjourn.

Upon which the ayes and noes were demanded by Messrs. Carr of Yuba, Braunhart, and Maybell.

The roll was called, and the motion lost by the following vote:

AYES—Messrs. Bennett, Braunhart, Brown of Yuba, Bruner, Brusie, Burns, Camron, Carr of Sacramento, Chandler, Coleman, Cuthbert, Dimond, Durham, Estey, Felton, Finlayson, Fox, Fraser, Frink, Garibaldi, Gaffey, Gorley, Josselyn, Lane, Maguire, Maybell, McCallion, McCarthy of San Francisco, McComas, McDade, Merry, Morse, Mulholland, Nelson, Sherburne, Stanley, Stoddard, Streeter, Sweetland, Tyler, Ward, Wason of Ventura, Wattson, York, and Young—45.

NOES—Messrs Anthony, Bass, Brown of Sonoma, Carr of Yuba, Corcoran, DuBrutz, Green, Hardy, Hartson, Hershey, Hynes, Leach, Leadbetter, Levee, Mathews, McCarty of Lake, McIntosh, Messenger, Picket, Sayle, Simon, Spencer, Walker, and Mr. Speaker—24.

ADJOURNMENT.

At four o'clock and twenty minutes P. M. Mr. Braunhart moved we do now adjourn

Carried.

IN ASSEMBLY

ASSEMBLY CHAMBER,
Thursday, February 19th, 1880.

House met pursuant to adjournment.

Speaker Cowdery in the chair.

Roll called, and a quorum present.

Prayer by the Chaplain.

READING AND APPROVAL OF THE JOURNAL.

Mr. McCarthy moved that the further reading of the Journal be dispensed with.

So ordered.

The Journal of Tuesday approved

Mr. May moved that the revenue bills be kept at the head of their respective files, on and after Tuesday next, until disposed of.

So ordered.

REPORTS OF STANDING COMMITTEES.

By Mr. York:

MR SPEAKER Your Committee on Agriculture, Mining, and Mechanic Arts College, to whom was referred Assembly Bill No 337, have had the same under consideration, and report the bill back recommending its passage.

YORK, Chairman.

Also:

MR. SPEAKER: Your Committee on Homestead and Land Monopoly, to whom was referred Assembly Bill No. 125, report the same back with the amendments, for the consideration of the House, without recommendation.

YORK, Chairman.

By Mr. Merry:

ASSEMBLY CHAMBER, SACRAMENTO, February 19th, 1880.

MR. SPEAKER The Committee on Claims, to whom was referred Assembly Bill No. 296—An Act for the relief of W. S. Safford—have had the same under consideration, and report the same back to the Assembly without amendment, and recommend its passage, the said claim of W. S. Safford being a judment for costs, and interest, thereon, in an action wherein the people of the State of California were plaintiffs and said W. S. Safford defendant. Judgment was rendered for the defendant in the Third District Court, and affirmed by the Supreme Court.

MERRY, Chairman.

By Mr. Adams:

MR SPEAKER: Your Committee on the Culture and Improvement of the Grapevine, to whom was referred Assembly Bill No. 374—An Act for the promotion of the viticultural industries of the State—beg leave to report that they have carefully considered the same; that they found it necessary to take the testimony of persons of skill and experience, which testimony is hereto attached.

Your committee recommend that one thousand copies of said testimony be printed in pamphlet form, and that the bill do pass.

ADAMS, Chairman.

The report was received, and the recommendation adopted, and one thousand copies of the testimony taken by said committee ordered printed.

Also:

MR. SPEAKER: Your Committee on the Culture and Improvement of the Grapevine, to whom was referred Assembly Bill No. 320—An Act for the better protection of fruit trees and vines—beg leave to report that they have carefully considered the same, and recommend that the bill do pass.

ADAMS, Chairman.

By Mr. Streeter:

ASSEMBLY CHAMBER, SACRAMENTO, February 18th, 1880.

MR SPEAKER. The Committee on County Government, to whom was referred Assembly Bill No. 327—An Act to allow unincorporated towns and villages to equip and maintain a fire department, and to assess and collect taxes from time to time for such purposes—have had the same under consideration, and report the same back to the Assembly, with amendments, and recommend its passage as amended.

STREETER, Chairman.

By Mr. Camron:

ASSEMBLY CHAMBER, SACRAMENTO, February 16th, 1880.

MR. SPEAKER: The Committee on Elections, to whom was referred Assembly Bill No. 323—An Act to amend sections one thousand and forty-one, one thousand and fifty-three, one thousand and fifty-five, one thousand and eighty-three, one thousand and eighty-four, one thousand and ninety-seven, one thousand one hundred and six, one thousand one hundred and eight, one thousand one hundred and nine, one thousand one hundred and thirteen, one thousand one hundred and thirty, one thousand one hundred and forty-seven, one thousand two hundred and twenty-eight, one thousand two hundred and thirty, one thousand two hundred and thirty-two, one thousand two hundred and thirty-five, one thousand two hundred and thirty-six, one thousand two hundred and thirty-seven, one thousand two hundred and eighty-four, one thousand two hundred and eighty-eight, one thousand three hundred and ten, one thousand three hundred and eleven, and one thousand three hundred and forty-three, of the Political Code, relating to elections—have had the same under consideration, and report the same back to the Assembly, with amendments, and recommend its passage as amended.

CAMRON, Chairman.

By Mr. Sherburne:

ASSEMBLY CHAMBER, February 19th, 1880.

MR. SPEAKER: Your Committee on Engrossment beg leave to report that they have examined, and find properly engrossed, Assembly Bill No. 135, being an Act to provide for the removal of Chinese whose presence is dangerous to the well being of communities, outside the limits of cities and towns in the State of California.

Also, Assembly Concurrent Resolution No. 1—Relative to meeting in Joint Assembly to count the votes cast for Governor and Lieutenant-Governor, at the election held on the third of September, eighteen hundred and seventy-nine.

Also, Assembly Concurrent Resolution No. 2—Relative to the appointment of a joint committee to wait on the Governor and Lieutenant-Governor, to ascertain the time they are ready for inauguration.

Also, Assembly Concurrent Resolution No. 3—Relative to the appointment of a joint committee to wait on the Governor, and inform him that the Legislature is now organized, and prepared to receive any communication he may be pleased to make.

Also, Assembly Concurrent Resolution No. 4—Relative to the appointment of J. F. Swift as United States Minister to China.

Also, Assembly Concurrent Resolution No. 6—Relative to forwarding copies of certain laws to Superior Judges and County Clerks.

Also, Assembly Concurrent Resolution No. 7—Relative to the appointment of a Joint Committee on Rules.

Also, Assembly Concurrent Resolution No. 14—Relative to the establishment of a postal telegraph system throughout the United States.

Also, Assembly Concurrent Resolution No. 15—Relative to the protection of the rivers, cities, and agricultural lands of California.

Also, Assembly Concurrent Resolution No. 12—Relative to the appointment of a joint committee to confer with I. S. Belcher, Thomas P. Stoney, and A. C. Freeman, as to the work they have performed in revising the Codes.

SHERBURNE, Chairman.

By Mr. Wattson:

ASSEMBLY CHAMBER, SACRAMENTO, February 18th, 1880.

MR. SPEAKER: Your Committee on Public Expenditures and Accounts, to whom were referred sundry bills in reference to expenditures for filters, pitchers, thermometers, repairing furniture, etc., incurred by the Sergeant-at-Arms, have had the same under consideration, and present the following resolution, and recommend its passage:

Resolved, That the Controller is authorized to draw a warrant in favor of the Sergeant-at-Arms of the Assembly, and the Treasurer is instructed to pay the same out of the Contingent Fund of the Assembly, to the amount of seventy-four dollars and twenty-five cents ($74 25), for expenses incurred, as follows:

Wm. D. Comstock, for repairing furniture	$0 75
Wm. D. Comstock, for one screen	20 00
L. L. Lewis & Company, for one No. 6 filter	25 00
L. L. Lewis & Company, for one No. 2 filter	15 00
L. L. Lewis & Company, for two pitchers, at $1	2 00
L. L. Lewis & Company, for one dozen tumblers	2 00
L. L. Lewis & Company, for four thermometers, at $1 25	5 00
L. L. Lewis & Company, for two pitchers, at $1 25	2 50
L. L. Lewis & Company, for one dozen tumblers	2 00
	$74 25

WATTSON, Chairman.

Report received and resolution adopted.

By Mr. May:

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred Assembly Bills Nos. 291 and 295, having duly considered the same, respectfully recommend that the author have leave to withdraw the same.

MAY, Chairman.

SACRAMENTO, February 19th, 1880

Bill reported above withdrawn.

By Mr. Merry:

ASSEMBLY CHAMBER, SACRAMENTO, February 19th, 1880.

MR. SPEAKER: The Committee on Claims, to whom was referred Assembly Bill No. 306—An Act to pay the claim of Mary M. Springer, widow and heir of Thomas A Springer, late State Printer, deceased—have had the same under consideration, and report the same back to the Assembly, and recommend that it do not pass. Your committee are of the opinion that the Act, approved March twenty-third, eighteen hundred and seventy-eight, appropriating seven thousand dollars to Mrs Springer, was intended, as stated in said Act, in full settlement of said claim and in full compensation thereof (Statutes 1877-78, page 530).

MERRY, Chairman.

MESSAGE FROM THE GOVERNOR.

The following message was received from the Governor:

STATE OF CALIFORNIA, EXECUTIVE DEPARTMENT,
SACRAMENTO, February 18th, 1880.

To the Assembly of the State of California:

I have to inform your honorable body that I have approved Assembly Bill No. 31—An Act to amend sections fourteen hundred and eighteen and fourteen hundred and nineteen of the Penal Code, relating to reprieves, commutations, and pardons

Also, Assembly Bill No. 32—An Act to amend sections seven hundred and thirty-seven, seven hundred and forty-six, seven hundred and forty-nine, and seven hundred and fifty-three, of the Penal Code, relating to impeachments.

Also, Assembly Bill No. 33—An Act to amend sections one thousand four hundred and seventy-five and one thousand five hundred and four of the Penal Code, relating to the writ of habeas corpus.

GEO. C. PERKINS, Governor.

INTRODUCTION OF BILLS.

The following bills were introduced, and ordered printed:

By Mr. Maybell—An Act to improve publications in the press.

By Mr. Tyler—An Act to prevent fraudulent banking.

By Mr. Carr of Yuba—An Act to amend section four hundred and twenty-four of the Penal Code, relating to embezzlement and falsification of accounts by public officers, and prescribing the punishment therefor.

By Mr. Green—An Act providing for the organization of irrigation districts, and defining the duties of certain officers in relation thereto.

REPORTS OF STANDING COMMITTEE.

By Mr. Chandler:

MR SPEAKER Your Committee on Internal Improvements, to whom was referred Assembly Bill No. 354—An Act to provide for the protection of lands from overflow, other than lands recognized as swamp lands—have had the same under consideration, and report the same back, and recommend its passage.

CHANDLER, Chairman

Also:

MR. SPEAKER Your Committee on Internal Improvements, to whom was referred Assembly Bill No 353—An Act to provide a system of drainage for agricultural lands—have had the same under consideration, and report the same back, and recommend its passage.

CHANDLER, Chairman.

FIRST READING AND REFERENCE OF BILLS.

Assembly Bill No. 401—An Act to repeal sections three hundred and thirty-one, three hundred and thirty-two, three hundred and thirty-three, three hundred and thirty-four, three hundred and thirty-five, three hundred and thirty-six, three hundred and thirty-seven, three hundred and thirty-eight, three hundred and thirty-nine, three hundred and forty, three hundred and forty-one, three hundred and forty-two, three hundred and forty-five, three hundred and forty-six, three hundred and forty-seven, three hundred and forty-eight, and three hundred and forty-nine, of the Civil Code of the State of California, concerning corporations.

Read first time, and referred to the Committee on Corporations.

Assembly Bill No. 402—An Act to repeal an Act entitled 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, approved February thirteenth, eighteen hundred and seventy-two.

Read first time, and ordered on file.

Assembly Bill No. 400—An Act to amend section three thousand seven hundred and forty-six of the Political Code

Read first time, and referred to the Committee on Ways and Means.

Assembly Bill No. 399—An Act to amend section one thousand two hundred and seven of the Civil Code, relating to records of instruments affecting real property.

Read first time, and referred to the Judiciary Committee.

Assembly Bill No. 398—An Act to amend section two thousand nine hundred and fifty-five of the Civil Code of California, relating to mortgages of personal property.

Read first time, and referred to the Judiciary Committee

Assembly Bill No. 396—An Act to amend section three thousand seven hundred and eighty-nine of the Political Code, relative to tax deeds.

Read first time, and referred to the Judiciary Committee.

Assembly Bill No. 395—An Act for the protection of life and property in localities contiguous to railroads

Read first time, and referred to the Judiciary Committee.

Assembly Bill No. 397—An Act to provide for the equal taxation of assessable lands, and to define their boundaries.

Read first time, and referred to the Committee on Ways and Means.

Assembly Bill No. 406—An Act to amend sections two thousand four hundred and thirty, two thousand four hundred and fifty-seven, two thousand four hundred and fifty-eight, two thousand four hundred and sixty-four, two thousand four hundred and sixty-six, two thousand four hundred and sixty-seven, and two thousand four hundred and sixty-eight, of the Political Code, in relation to pilots and pilot regulations.

Read first time, and referred to the Committee on Commerce and Navigation.

Assembly Bill No. 394—An Act creating a head tax upon male foreigners who have not declared their intentions.

Read first time, and referred to the Committee on Chinese Immigration and Emigration.

Assembly Bill No. 403—An Act to amend sections three thousand six hundred and seven, three thousand six hundred and seventeen, three thousand six hundred and twenty-seven, three thousand six hundred and twenty-eight, three thousand six hundred and twenty-nine, three thousand six hundred and thirty, three thousand six hundred and thirty-four, three thousand six hundred and forty, three thousand six hundred and forty-one, three thousand six hundred and forty-three, three thousand six hundred and fifty, three thousand six hundred and fifty-one, three thousand six hundred and fifty-two, three thousand six hundred and sixty-three, three thousand six hundred and seventy-three, three thousand six hundred and seventy-eight, three thousand six hundred and seventy-nine, three thousand seven hundred and thirty, three thousand seven hundred and fifty-two, three thousand eight hundred and thirty-nine, and three thousand eight hundred and sixty-one, and to add a new section, to be numbered three thousand six hundred and sixty-four to, and to reenact section three thousand seven hundred and seventeen of title nine, of the Political Code, to provide revenue for the support of the government of the State.

Read first time, and ordered to second reading, as special order, at two o'clock P. M. on Tuesday next.

RESOLUTION

By Mr. Bruner (by permission):

Resolved, That the Sergeant-at-Arms be and he is hereby instructed to keep all extra copies of all bills in his office, and shall dispense them only upon the order of members of the Assembly.

Adopted.

Mr. Spencer moved to reconsider the vote by which the above resolution was adopted.

Carried.

The resolution was then referred to the Committee on Rules, with instructions to report forthwith.

By Mr. Tyler:

WHEREAS, By a rule of this House witnesses are entitled to twenty-five cents per mile travel fees each way, and whereas, this House has decided that ten cents per mile is a proper amount for travel fees for its committee; therefore,

Resolved, That all witnesses hereafter subpœnaed shall receive ten cents per mile travel fees each way, and two dollars per day attendance.

Upon which the ayes and noes were demanded by Messrs. Tyler, DuBrutz, and Walker.

Mr. Braunhart moved to suspend Rule Seventy-five for two weeks to consider above resolution.

So ordered.

Mr. Hardy moved to amend the resolution so as to include "those heretofore subpœnaed."

Lost.

The previous question being demanded by the requisite number, the House so ordered.

The roll was called, and the resolution was adopted by the following vote:

AYES—Messrs. Adams, Anthony, Bass, Bennett, Braunhart, Brooks, Brown of Sonoma, Brown of Yuba, Bruner, Brusie, Camron, Carr of Sacramento, Carr of Yuba, Chandler, Coffman, Coleman, Cook, Cooper, Corcoran, Cuthbert, Del Valle, Downs, DuBrutz, Durham, Estey, Felton, Fraser, Fink, Garibaldi, Gaffey, Green, Hardy, Harris, Hartson, Hershey, Hynes, Josselyn, Leach, Leadbetter, Levee, Maguire, Mathews, May, Maybell, McCallion, McCarty of Lake, McCarthy of San Francisco, McComas, McDade, McIntosh, Merry, Messenger, Morse, Mulholland, Nelson, Picket, Savle, Simon, Sherburne, Spencer, Stanley, Stoddard, Streeter, Sweetland, Tyler, Walker, Ward, Wason of Ventura, York, Young, and Mr Speaker—71.

NOES—Messrs. Burns and Lane—2.

NOTICE.

By Mr. Braunhart (by permission):

MR. SPEAKER: I hereby give notice that I will at an early day introduce an amendment to Rule Seventy-five, in relation to fees of witnesses. Also, an amendment to Rule Seventeen, in relation to fees of Sergeant-at-Arms

FIRST READING OF BILLS—CONTINUED.

Assembly Bill No. 404—An Act to amend sections three thousand six hundred and seven, three thousand six hundred and seventeen, three thousand six hundred and twenty-seven, three thousand six hundred and twenty-eight, three thousand six hundred and twenty-nine, three thousand six hundred and thirty, three thousand six hundred and thirty-four, three thousand six hundred and forty, three thousand six hundred and forty-three, three thousand six hundred and fifty, three thousand six hundred and fifty-one, three thousand six hundred and fifty-two, three thousand six hundred and sixty-three, three thousand six hundred and seventy-three, three thousand six hundred and seventy-eight, three thousand six hundred and seventy-nine, three thousand seven hundred and seventeen, three thousand seven hundred and thirty, three thousand seven hundred and fifty-two, three thousand seven hundred and fifty-six, three thousand eight hundred and thirty-nine, and three thousand eight hundred and sixty-one, and to repeal sections three thousand six hundred and eighty and three thousand six hundred and eighty-seven of an Act entitled an Act to establish a Political Code, approved March twelfth, eighteen hundred and seventy-two, relating to revenue, and to add two new sections, numbered three thousand six hundred and sixty-four and three thousand six hundred and sixty-five.

Taken up, and two thousand copies of the following paragraph, inadvertently left out by the committee, ordered printed by itself, viz.:

First—The term "property" includes moneys, credits, bonds, stocks, dues, franchises, and all other matters and things, real, personal, and mixed, capable of private ownership.

Second—The term "real estate" includes:

The bill read first time, and ordered to second reading as special order at two o'clock P. M. on Tuesday next.

SECOND READING OF BILLS.

Mr. Corcoran moved that the Committee on Corporations be instructed to report Assembly Bill No. 255 back forthwith.

Carried.

REPORT FROM COMMITTEE ON CORPORATIONS.

By Mr. Brown:

ASSEMBLY CHAMBER, SACRAMENTO, February 19th, 1880.

MR. SPEAKER: The Committee on Corporations, to whom was referred Assembly Bill No. 255—An Act to regulate the price of water for domestic use in this State—have had the same under consideration, and report the same back to the Assembly without amendment, by order of the House.

BROWN of Yuba, Chairman.

The above bill was made the special order for second reading, on Wednesday next, at two o'clock P. M.

Mr. May moved that Assembly Bill No. 316—An Act entitled "An Act creating a Board of Bank Commissioners, and prescribing their duties and powers," approved March thirtieth, A. D. eighteen hundred and seventy-eight—be ordered to the foot of the second reading file.

Lost.

Mr. Del Valle moved that the bill be now taken up for its second reading.

Lost.

THIRD READING OF BILLS.

Assembly Bill No. 405—An Act to promote emigration from the State of California.

Taken up.

Read third time.

The roll was called, and the bill was passed by the following vote:

AYES—Messrs. Anthony, Bass, Bennett, Braunhart, Brown of Sonoma, Brown of Yuba, Bruner, Brusie, Burns, Camron, Carr of Sacramento, Carr of Yuba, Chamberlain, Chandler, Coffman, Coleman, Cook, Cooper, Corcoran, Cuthbert, Del Valle, Dimond, Downs, DuBrutz, Durham, Estey, Felton, Finlayson, Fox, Fraser, Frink, Garibaldi, Gaffey, Gorley, Green, Hershey, Hynes, Josselyn, Lane, Leach, Leadbetter, Maguire, Mathews, May, Maybell, McCallion, McCarty of Lake, McCarthy of San Francisco, McComas, McIntosh, Merry, Messenger, Morse, Mulholland, Picket, Sayle, Simon, Sherburne, Spencer, Stanley, Stoddard, Streeter, Tyler, Walker, Ward, Wason of Ventura, Wasson of Mono, York, Young, and Mr. Speaker—70.

NOES—None.

Title approved.

Assembly Bill No. 19—An Act to compel all banking corporations to publish accounts of deceased depositors.

Taken up.

The substitute recommended by the committee adopted.

The bill read third time, and ordered printed as amended.

Assembly Bill No. 227—An Act authorizing the Boards of Supervisors of the counties in which water is sold for irrigation, to fix the rates at which such water shall be sold.

Taken up.

Read third time.

The roll was called, and the bill was passed by the following vote:

AYES—Messrs. Adams, Anthony, Bass, Bennett, Braunhart, Brown of Sonoma, Brown of Yuba, Bruner, Brusie, Burns, Cannon, Carr of Sacramento, Carr of Yuba, Chamberlain, Chandler, Coffman, Coleman, Cooper, Corcoran, Cuthbert, Del Valle, Dimond, DuBrutz, Durham, Estey, Felton, Finlayson, Fox, Frink, Garibaldi, Gaffey, Gorley, Green, Hardy, Hershey, Hynes, Josselyn, Lane, Leach, Leadbetter, Levee, Maguire, Mathews, May, McCallion, McCarty of Lake, McCarthy of San Francisco, McComas, McIntosh, Merry, Messenger, Morse, Picket, Sayle, Simon, Sherburne, Spencer, Stoddard, Streeter, Ward, Wason of Ventura, Wasson of Mono, Wattson, York, Young, and Mr. Speaker—67.

NOES—Messrs. Sweetland, Tyler, and Walker—3.

Title approved.

Assembly Bill No. 175—An Act concerning homestead corporations possessed of water and water rights, providing for the regulation, control, and distribution of water for irrigation, and other purposes, and for the construction and improvement of irrigation works connected therewith.

Taken up.

Mr. Young moved to strike out section six of the bill.

Lost.

Mr. Young gave notice that he would, on to-morrow, move to reconsider the vote by which the above motion was lost.

The bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Adams, Anthony, Bass, Bennett, Braunhart, Brown of Yuba, Brusie, Burns, Cannon, Carr of Sacramento, Carr of Yuba Chamberlain, Chandler, Coffman, Coleman, Cook, Cooper, Cuthbert, Del Valle, Dimond, DuBrutz, Durham, Estey, Finlayson, Fox, Frink, Garibaldi, Gaffey, Gorley, Green, Hardy, Harris, Hershey, Josselyn, Lane, Leach, Leadbetter, Levee, Maguire, May, McCallion, McCarthy of San Francisco, McComas, McDade, McIntosh, Merry, Morse, Mulholland, Nelson, Picket, Sayle, Sherburne, Spencer, Stanley, Stoddard, Steeier, Tyler, Walker, Ward, Wason of Ventura, Wasson of Mono, Wattson, York, Young, and Mr. Speaker—65.

NOES—None.

Title approved.

Mr. Young gave notice that he would move to reconsider the vote by which the bill passed.

Assembly Bill No. 94—An Act to legalize and validate the assessment and assessment roll for State, county, and consolidated city and county taxes of the various counties of the State, for the fiscal year commencing in March, eighteen hundred and seventy-nine.

Taken up.

Read third time

RECESS.

Pending the discussion of the bill, the hour of one o'clock P. M. arrived, and the House took a recess for one hour.

RE-ASSEMBLED.

House re-assembled at two o'clock P. M.

Speaker Cowdery in the chair.

Quorum present.

REPORT OF STANDING COMMITTEE.

By Mr. Sherburne:

ASSEMBLY CHAMBER, February 19th, 1880.

MR SPEAKER Your Committee on Engrossment have examined, and find properly engrossed, Assembly Bill No. 405—An Act to promote emigration from the State of California.

SHERBURNE, Chairman.

The consideration of Assembly Bill No. 94—An Act to legalize and validate the assessment and assessment roll for State, county, and consolidated city and county taxes of the various counties of the State, for the fiscal year commencing in March, eighteen hundred and seventy-nine—resumed.

Mr. Gaffey moved that the bill be temporarily passed on file, in order to consider Assembly Bill No. 58.

Lost.

The previous question being demanded by the requisite number, the House so ordered

The roll was called, and the bill was passed by the following vote:

AYES—Messrs Adams, Anthony, Bass, Bennett, Braunhart, Brooks, Brown of Sonoma, Brown of Yuba, Bruner, Brusie, Burns, Camron, Carr of Sacramento, Carr of Yuba, Chamberlain, Chandler, Coffman, Coleman, Cook, Corcoran, Cuthbert, Dimond, DuBrutz, Durham, Estey, Finlayson, Fox, Fraser, Frink, Hardy, Hershey, Leach, Levee, Maguire, Mathews, May, McCarty of Lake, McCarthy of San Francisco, McComas, McIntosh, Merry, Messenger, Morse, Mulholland, Nelson, Sayle, Simon, Sherburne, Spencer, Stanley, Stoddard, Streeter, Sweetland, Tyler, Walker, Ward, Wason of Ventura, Wasson of Mono, Wattson, York, Young, and Mr. Speaker—61.

NOES—Messrs. Cooper, Garibaldi, Gaffey, Josselyn, Lane, Maybell, McCallion, and Picket—8.

Mr. Braunhart gave notice that he would move to reconsider the vote by which the bill passed.

Title approved, as amended, and bill declared passed.

Mr. Braunhart moved to take up Assembly Bill No. 58.

Lost.

SECOND READING OF BILLS

Assembly Bill No 187—An Act to prevent discrimination by gas companies in the State of California.

Mr. Young moved to amend by striking out all after the word "consumers," in line five, down to the word "if," in line eleven.

Adopted.

Mr. Fox moved to amend section one by inserting the words, "person, firm, association, or," immediately before the word "corporation," wherever it occurs in this section.

Adopted.

The bill read a second time, and ordered to third reading.

Assembly Bill No. 316—An Act to amend an Act entitled "An Act creating a Board of Bank Commissioners, and prescribing their duties and powers," approved March thirtieth, A. D. eighteen hundred and seventy-eight.

Mr. Del Valle moved to strike out the first section of the bill.

Upon which the ayes and noes were demanded by the requisite number.

RECESS.

Pending discussion, Mr. Fox moved that we do now take a recess until seven o'clock this evening.

Upon which the ayes and noes were demanded by the requisite number.

The roll was called, and the motion was carried by the following vote:

AYES—Messrs Adams, Bennett, Brooks, Brown of Yuba, Bruner, Brusie, Camron, Carr of Sacramento, Chamberlain, Chandler, Downs, Durham, Estey, Felton, Finlayson, Fox, Fraser, Frink, Gorley, Green, Hardy, Leach, Leadbetter, May, McComas, McIntosh, Merry, Mulholland, Nelson, Sherburne, Stanley, Streeter, Tyler, Ward, Wason of Ventura, Wasson of Mono, Wattson, York, Young, and Mr Speaker—40.

NOES—Messrs. Anthony, Bass, Braunhart, Brown of Sonoma, Burns, Carr of Yuba, Coffman, Coleman, Cook, Cooper, Corcoran, Del Valle, Dimond, DuBrutz, Garibaldi, Gaffey, Hershey, Hynes, Josselyn, Lane, Levee, Maguire, Mathews, Maybell, McCallion, McCarty of Lake, McCarthy of San Francisco, McDade, Messenger, Morse, Picket, Sayle, Simon, Spencer, Stoddard, Sweetland, and Walker—37.

RE-ASSEMBLED

The House re-assembled at seven o'clock P. M.

Speaker Cowdery in the chair.

Quorum present.

The consideration of Assembly Bill No. 316—An Act to amend an Act entitled "An Act creating a Board of Bank Commissioners, and prescribing their duties and powers," approved March thirtieth, A. D. eighteen hundred and seventy-eight—resumed.

Mr. Tyler moved to postpone the consideration of this bill until next Wednesday, at seven o'clock P. M.

Upon which the ayes and noes were demanded by the requisite number.

The roll was called, and the motion was lost by the following vote:

AYES—Messrs. Bennett, Brooks, Brown of Yuba, Bruner, Brusie, Camron, Carr of Sacramento, Chamberlain, Chandler, Cook, Cuthbert, Dimond, Downs, Durham, Estey, Finlayson, Fox, Fraser, Frink, Gorley, Green, Leach, Leadbetter, May, McComas, McIntosh, Merry, Morse, Nelson, Sherburne, Stanley, Stoddard, Streeter, Tyler, Walker, Wason of Ventura, Wason of Mono, Wattson, York, and Mr. Speaker—40.

NOES—Messrs. Anthony, Bass, Braunhart, Brown of Sonoma, Burns, Carr of Yuba, Cooper, Corcoran, Del Valle, DuBrutz, Garibaldi, Gaffey, Hershey, Josselyn, Lane, Levee, Magune, Mathews, Maybell, McCallion, McCarty of Lake, McCarthy of San Francisco, Messenger, Picket, Sayle, Simon, Spencer, and Sweetland—28.

At seven o'clock and ten minutes P. M., Mr. Corcoran moved that we do now adjourn.

Lost.

Mr. Fox moved that this bill be recommitted to the Committee on Corporations.

The previous question was demanded by Messrs. Braunhart, Bruner, and Fox.

Upon which the ayes and noes were demanded by the requisite number.

The roll was called and the House ordered the main question by the following vote:

AYES—Messrs. Adams, Anthony, Bennett, Braunhart, Brooks, Brown of Yuba, Bruner, Brusie, Carr of Sacramento, Chamberlain, Chandler, Coffman, Coleman, Corcoran, Cuthbert, Dimond, Downs, Durham, Estey, Felton, Finlayson, Fox, Fraser, Frink, Gaffey, Gorley, Green, Hardy, Harris, Leadbetter, May, Maybell, McComas, McIntosh, Morse, Mulholland, Nelson, Picket, Sherburne, Stanley, Stoddard, Streeter, Tyler, Walker, Ward, Wason of Ventura, Wason of Mono, Wattson, York, and Mr. Speaker—50.

NOES—Messrs. Bass, Brown of Sonoma, Camron, Carr of Yuba, Cooper, Del Valle, DuBrutz, Garibaldi, Hershey, Hynes, Josselyn, Lane, Leach, Maguire, Mathews, McCallion, McCarty of Lake, McCarthy of San Francisco, McDade, Merry, Messenger, Sayle, Simon, Spencer, and Sweetland—24.

The question recurring upon the motion to recommit the bill, the ayes and noes were demanded by Messrs. Maybell, Gaffey, and Carr of Yuba.

The roll was called, and the motion was carried by the following vote:

AYES—Messrs. Adams, Bennett, Brooks, Brown of Yuba, Bruner, Brusie, Carr of Sacramento, Chamberlain, Chandler, Coleman, Dimond, Downs, Durham, Estey, Felton, Finlayson, Fox, Fraser, Frink, Gorley, Green, Hardy, Leach, Leadbetter, May, McComas, McIntosh, Morse, Mulholland, Nelson, Sherburne, Stanley, Streeter, Tyler, Walker, Ward, Wason of Ventura, Wasson of Mono, Wattson, York, and Mr. Speaker—41.

NOES—Messrs. Anthony, Bass, Braunhart, Brown of Sonoma, Camron, Carr of Yuba, Coffman, Cooper, Corcoran, Cuthbert, Del Valle, DuBrutz, Garibaldi, Gaffey, Harris, Hershey, Hynes, Josselyn, Lane, Levee, Maguire, Mathews, Maybell, McCallion, McCarty of Lake,

McCarthy of San Francisco, McDade, Messenger, Picket, Sayle, Simon, Spencer, Stoddard, and Sweetland—34.

ADJOURNMENT.

At eight o'clock and five minutes P. M. Mr. Mathews moved that we do now adjourn.

Carried.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Friday, February 20th, 1880.

House met pursuant to adjournment.
Speaker Cowdery in the chair.
Roll called, and a quorum present.
Prayer by the Chaplain.

READING AND APPROVAL OF THE JOURNAL.

Mr. Chandler moved that the further reading of the Journal be dispensed with.

So ordered.

The Journal of Wednesday approved.

Two days' leave of absence granted to Mr. Hartson.

REPORTS OF STANDING COMMITTEES.

By Mr. Sherburne:

ASSEMBLY CHAMBER, *February 20th, 1880.*

MR SPEAKER: The Committee on Engrossment beg leave to report that they have examined, and find properly engrossed, Assembly Bill No 227—entitled an Act authorizing the Boards of Supervisors of the counties in which water is sold for the purposes of irrigation to fix the rates at which such water shall be sold.

SHERBURNE, Chairman.

By Mr. Fox:

ASSEMBLY CHAMBER, SACRAMENTO, February 20th, 1880.

MR. SPEAKER. Your Committee on Judiciary, to whom was re-referred Senate Bill No. 94—An Act to amend sections two hundred and sixty-five and two hundred and sixty-six of the Code of Civil Procedure, relating to ministerial officers of the Supreme Court—have had the *same under consideration, and report it back, with recommendation that it do pass.*

FOX, Chairman.

Also

ASSEMBLY CHAMBER, SACRAMENTO, February 20th, 1880.

MR. SPEAKER. Your Judiciary Committee, to whom was referred Senate Bill No 285—An Act to amend sections seven hundred and sixty-three and nine hundred and thirty-nine of the Code of Civil Procedure, relating to proceedings in partition and appeals therefrom—have had the same under consideration, and report it back with recommendation that it pass.

Your committee have also had under consideration Assembly Bill No. 290—An Act granting relief to taxpayers whose lands have been sold to the State.

Also, Assembly Bill No 347—An Act to amend sections nine hundred and forty-nine, nine hundred and fifty, nine hundred and fifty-one, nine hundred and fifty-two, nine hundred and fifty-three, nine hundred and fifty-four, nine hundred and fifty-five, nine hundred and fifty-seven, nine hundred and fifty-eight, nine hundred and fifty-nine, nine hundred and sixty, nine hundred and sixty-one, nine hundred and sixty-four, nine hundred and sixty-five, nine hundred and sixty-six, nine hundred and sixty-seven, nine hundred and sixty-eight, nine hundred and sixty-nine, nine hundred and seventy, nine hundred and seventy-one, and nine hundred and seventy-two, of the Penal Code, in reference to indictments, informations, and their forms.

Also, Assembly Bill No. 348—An Act to add two sections to the Code of Civil Procedure, relative to attachments, to be known as sections five hundred and sixty and five hundred and sixty-one.

And now report the same back with amendments to each, and recommend that they severally be passed as amended

FOX, Chairman.

By Mr. McCarthy:

STATE CAPITOL, February 20th, 1880.

MR. SPEAKER: The San Francisco delegation, to whom was referred Assembly Bill No 361—An Act in relation to certain deputies, assistants, and copyists of County Clerks—have had the same under consideration, and herewith report it back, with the recommendation that it do pass. Sixteen members present and voting aye.

INTRODUCTION OF BILLS.

The following bills were introduced, and ordered printed:

By Mr. Wasson of Mono—An Act to provide for the establishment and maintenance of a Mining Bureau.

By Mr. Hardy—An Act to supply the public schools of this State with the map of the geological survey of California and Nevada, made and compiled by the late Geologist of this State.

By Mr. Maybell—An Act to repeal section two thousand five hundred and thirty-six of the Political Code, relating to proposals and contracts for construction of new sea wall, and to substitute a new section in lieu thereof relating to same matter.

Also, an Act to discourage and prohibit corporations and individuals from holding large tracts of land.

By Mr. Fox—An Act in relation to certified copies of the records or papers filed officially in the office of the State Surveyor-General and Register of the State Land Office.

FIRST READING AND REFERENCE OF BILLS.

Assembly Bill No 407—An Act making appropriation to repay to B. F. Tuttle, late Commissioner of Transportation, certain money disbursed by him on account of contingent expenses.

Read first time, and referred to the Committee on Ways and Means.

INTRODUCTION OF A BILL.

The following bill was introduced, and ordered printed

By Mr. Lane (by permission)—An Act to prohibit the maintenance of laundries and wash houses within the fire limits of incorporated cities of this State.

FIRST READING AND REFERENCE OF BILLS—RESUMED.

Assembly Bill No. 408—An Act making an appropriation to pay R. P Maynard, late Secretary to Commissioner of Transportation, the balance of salary due to him for the twenty-ninth and thirtieth fiscal years.

Read first time, and referred to the Committee on Claims.

Assembly Bill No. 409—An Act to repeal an Act entitled an Act to regulate the practice of pharmacy in the City and County of San Francisco, approved March twenty-eighth, eighteen hundred and seventy-two; also, an Act entitled an Act to amend an Act entitled

an Act to regulate the practice of pharmacy in the City and County of San Francisco, approved March thirty-first, eighteen hundred and seventy-six.

Read first time, and referred to the San Francisco delegation.

Assembly Bill No. 410—An Act to add three new sections to the Penal Code, to be known as sections three hundred and twenty-seven, three hundred and twenty-eight, and three hundred and twenty-nine, in relation to stock boards or stock exchanges.

Read first time, and referred to the Committee on Mines and Mining Interests.

SECOND READING OF BILLS.

Assembly Bill No. 280—An Act to add a new section to the Civil Code, to be known as section four hundred and fifty-three, in relation to life insurance companies.

Withdrawn.

Assembly Bill No. 305—An Act to prevent a monopoly on railroads, steamboats, steamships, and other common carriers.

Read second time.

The question being, "Shall this bill be read a third time?" the ayes and noes were demanded by Messrs. Maguire, Lane, and Cuthbert.

The roll was called, and the bill refused a third reading by the following vote

AYES—Messrs Anthony, Braunhart, Brooks, Brown of Sonoma, Burns, Carr of Yuba, Coffman, Cuthbert, Del Valle, Dimond, DuBrutz, Durham, Finlayson, Fraser, Garibaldi, Gaffey, Green, Hardy, Lane, Levee, Maguire, Mathews, May, Maybell, McCallion, McCarty of Lake, McCarthy of San Francisco, Messenger, Nelson, Simon, Stoddard, Sweetland, and Walker—33.

NOES—Messrs. Adams, Bass, Bennett, Brown of Yuba, Brunet, Brusie, Cannon, Carr of Sacramento, Chandler, Cook, Corcoran, Downs, Fox, Frink, Hershey, Josselyn, Leach, Leadbetter, McComas, McIntosh, Merry, Mulholland, Nelson, Sayle, Sherburne, Stanley, Tyler, Ward, Wason of Ventura, Wasson of Mono, Wattson, York, Young, and Mr Speaker—34.

And the bill declared rejected.

One day's leave of absence was granted to Mr Hynes.

Assembly Bill No. 91—An Act to remove the State Normal School from its present location, and to make the same a part of the State University—taken up.

Mr. Corcoran moved to strike out the first, second, third, fourth, fifth, sixth, and seventh sections of the bill.

Carried.

Mr. Corcoran moved to amend so as to make the salary of the professor two thousand five hundred dollars, and of the assistants two thousand dollars.

Adopted.

Mr. Tyler moved to strike out the words "or other" after the word "religion," in section nine, line one.

Adopted.

Mr. Tyler moved to amend by striking out the word "not," line one, section eleven, and all after the word "State," in line three.

Adopted.

Mr. Wason moved to strike out section eleven of the bill.

Adopted.

The bill read second time, and ordered to third reading.

REPORT OF STANDING COMMITTEE.

By Mr. Felton (by permission):

MR. SPEAKER: Your Committee on Swamp and Overflowed Lands, to whom was referred Senate Bill No. 191—An Act to repeal an Act entitled "An Act to create and organize Reclamation District Number Two Hundred and Five, and to define its boundaries and provide for its government"—beg leave to report that they have had the same under consideration, and respectfully recommend its passage.

Also, that they have had Assembly Bill No. 260—An Act to amend an Act entitled "An Act to organize Levee District Number One of Sacramento County, and to provide for its government"—under consideration, and beg leave to report the same, with a recommendation that it do pass.

FELTON, Chairman.

SECOND READING OF BILLS—RESUMED.

Assembly Bill No. 361—An Act in relation to certain deputies, assistants, and copyists of County Clerks.

Read second time.

Mr. Maybell moved to strike out the enacting clause of the bill.

Mr. Fox moved to recommit the bill to the San Francisco delegation.

Mr. Anthony moved to commit the bill to the Committee on County Governments and Municipal Corporations.

The motion was carried, and the bill referred to the Committee on County Governments and Municipal Corporations.

Assembly Bill No. 312—An Act to encourage the planting and cultivation of forest trees.

Read second time.

Mr. Fox moved its reference to the Judiciary Committee.

So ordered.

Assembly Bill No. 271—An Act to provide for the refunding of the funded debt of the City of Los Angeles, created by an Act of Legislature, approved February first, eighteen hundred and sixty-eight, and entitled "An Act to authorize the Mayor and Common Council of the City of Los Angeles to take and subscribe seventy-five thousand dollars to the capital stock of the 'Los Angeles and San Pedro Railroad Company,' in the County of Los Angeles, and to provide for the payment of the same, and other matters relating thereto."

Read second time, and ordered to third reading.

Assembly Bill No. 47—An Act to amend sections one thousand one hundred and eighteen, one thousand one hundred and nineteen, one thousand one hundred and twenty-six, and one thousand one hundred and twenty-seven, of an Act entitled "An Act to establish a Code of Civil Procedure," approved March eleventh, eighteen hundred and seventy-two, relating to contesting elections.

Read second time, and ordered to third reading.

Assembly Bill No. 234—An Act doubling the penalties for offenses committed by public officers, and abolishing official bonds.

Read second time.

Mr. Tyler moved that the enacting clause be stricken out.

So ordered.

Assembly Bill No. 177—An Act to amend section fifty-four of the Penal Code, relative to crimes against the elective franchise.

Read second time.

The amendments recommended by the committee adopted.

Mr. Sweetland moved to amend by inserting the word "occupation" in the amendment to the bill.

Adopted.

Mr Braunhart moved to strike out subdivision five.

Lost.

Mr. McCallion moved to amend by adding at the close of the bill, "providing that nothing in this Act shall be construed to apply to any public officer already elected."

Adopted.

The bill ordered to a third reading.

Assembly Bill No. 214—An Act to amend an Act entitled "An Act to prescribe the duties and provide the salary of certain officers of San Mateo County, to authorize the issue of bonds for road purposes, and other matters relating thereto," approved March eighteenth, eighteen hundred and seventy-four.

Read second time, and ordered to third reading.

Assembly Bill No. 223—An Act to amend section one thousand one hundred and ninety-one of the Penal Code, relative to judgment and execution.

Read second time.

Mr. Tyler moved to strike out all after the word "verdict," in line seven, section one.

Adopted.

The bill ordered to position number four, on third reading file.

Assembly Bill No. 224—An Act to amend sections one thousand two hundred and forty-six, one thousand two hundred and forty-eight, and one thousand two hundred and fifty-two, of the Penal Code, relative to appeals to the Supreme Court.

The bill read second time, and ordered to position number five on third reading file.

Assembly Bill No. 259—An Act to amend section nine hundred and eighty-seven of the Penal Code, relative to pleadings and proceedings after indictment, and before the commencement of the trial.

Read second time, and ordered to third reading.

Assembly Bill No. 226—An Act to amend section three thousand and fifty-two of the Civil Code, relating to liens on personal property.

Read second time.

The amendments recommended by the committee adopted, and the bill ordered to a third reading.

Assembly Bill No. 219—An Act regulating the receiving, transportation, and delivery of grain by railroad corporations, and defining the duties of such corporations with respect thereto.

Mr. Tyler moved to amend by striking out the words "including such," from line twenty-three, section six, and inserting instead the words "and a;" also, in line twenty-three, the word "to" instead of the words "as may," and the word "fixed" instead of the word "assessed," in line twenty-three.

Adopted.

Mr. Tyler moved to amend by striking out the words "or which can be used," from line five, section seven, and inserting instead of the word "proper" the word "competent," in line twenty-five of said section, also, to add at the close of the section, the words "and the Courts shall have power so to do."

Adopted.

Mr. Tyler moved to amend by striking out section eight of the bill.

Adopted.

Mr. Tyler moved to amend by striking out all after the word "unloaded," from line fifteen, section nine.

Adopted.

Mr. Tyler moved to amend by striking out all of section ten down to the word "any."

Adopted.

Mr. Tyler moved to amend by striking out the word "section," from line five, section eleven, and inserting instead the words "any violation of the provisions of this Act."

Adopted.

Mr. Tyler moved to insert at the end of the section, "and the Board of Railroad Commissioners is hereby charged with the duty of seeing this Act enforced."

Adopted.

The bill was read second time, and ordered to third reading.

Assembly Bill No. 330—An Act to amend section four hundred and eleven of the Code of Civil Procedure.

Mr. Walker moved to strike out the enacting clause of the bill.

RECESS.

Pending discussion of the bill, the hour of one o'clock P. M. having arrived, the House took a recess until two o'clock P. M.

RE-ASSEMBLED.

The House re-assembled at two o'clock P. M.

Speaker Cowdery in the chair.

Quorum present.

SECOND READING OF BILLS—CONTINUED.

The consideration of Assembly Bill No. 330—An Act to amend section four hundred and eleven of the Code of Civil Procedure—resumed.

The previous question being demanded by Messrs. Stanley, Mulholland, and York, the House so ordered.

The question recurring upon the motion to strike out the enacting clause, the ayes and noes were demanded by Messrs. Braunhart, Carr of Yuba, and Maybell.

The roll was called, and the motion was carried by the following vote:

AYES—Messrs. Adams, Anthony, Bass, Braunhart, Brooks, Brown of Sonoma, Brusie, Burns, Carr of Sacramento, Carr of Yuba, Chandler, Coffman, Coleman, Cooper, Del Valle, Dimond, DuBrutz, Estey, Fraser, Frink, Garibaldi, Gaffey, Gorley, Josselyn, Lane, Leadbetter, Levee, Maguire, Mathews, May, Maybell, McCallion, McCarthy of San Francisco, McComas, McIntosh, Messenger, Morse, Mulholland, Pickett, Sayle, Simon, Sherburne, Spencer, Stanley, Stoddard, Streeter, Walker, Ward, Wilson of Ventura, Wasson of Mono, and York—51.

NOES—Messrs. Brunner, Felton, Finlayson, Sweetland, Tyler, and Mr. Speaker—6.

Mr. Cooper moved that the House now take up Assembly Bill No. 113—An Act to amend sections nine hundred and seventy-four, nine hundred and seventy-five, nine hundred and seventy-six, nine hundred and seventy-seven, nine hundred and seventy-eight, and nine hundred and eighty, of an Act entitled "An Act to establish a Code

of Civil Procedure," approved March eleventh, eighteen hundred and seventy-two, relating to appeals to County Courts.

So ordered, and the bill taken up.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs Adams, Anthony, Bass, Bennett, Brooks, Brown of Sonoma, Brown of Yuba, Bruner, Brusie, Burns, Carr of Sacramento, Chandler, Coffman, Coleman, Cooper, Del Valle, Dimond, DuBrutz, Durham, Estey, Finlayson, Fraser, Frink, Gaffey, Green, Hardy, Hershey, Josselyn, Lane, Leach, Leadbetter, Levee, Maguire, Mathews, May, McCallion, McCarthy of San Francisco, McComas, McIntosh, Merry, Messenger, Morse, Mulholland, Nelson, Picket, Sayle, Sherburne, Spencer, Stanley, Stoddard, Tyler, Walker, Ward, Wason of Ventura, Wasson of Mono, York, Young, and Mr. Speaker—58.

NOES—None.

Title amended, and approved as amended.

RECONSIDERATION.

Mr. Young, pursuant to notice, moved to reconsider the vote by which Assembly Bill No. 175 was passed yesterday.

Lost.

Mr. Bruner had leave to withdraw Assembly Bill No. 196—An Act in relation to the trespassing of stock upon uninclosed lands.

REPORTS.

By Mr. Young:

MR. SPEAKER: Your Committee on Rules, to whom was referred the matter of the distribution of bills, recommend as follows:

Resolved, That whenever only three hundred and sixty copies of any one bill are printed, each member of this House shall be entitled to receive not exceeding three copies, and the Sergeant-at-Arms is hereby instructed not to deliver exceeding three such copies to any one member, and then only upon his personal application or written order

Resolved further, That the Sergeant-at-Arms, Porters, Day and Night Watchmen, are hereby authorized and instructed to keep all persons out of the Assembly room when the House is not in session, except reporters, journalists, clerks of committees, the clerks at the desk, and members of the House

Resolved further, That in the first instance one bill shall be distributed as at present.

YOUNG, Chairman.

Mr. Del Valle moved to amend the resolution so as to allow two copies of each bill to the reporters, and three copies of each bill to each of the Clerks at the desk.

Adopted, and the resolutions adopted as amended.

By Mr. Streeter (by permission):

ASSEMBLY CHAMBER, SACRAMENTO, February 20th, 1880.

MR. SPEAKER: The Committee on County Governments and Municipal Corporations, to whom was referred Assembly Bill No 361—An Act in relation to deputies, assistants, and copyists of County Clerks—have had the same under consideration, and report the same back to the Assembly, with the following amendments, and recommend its passage as amended

The words "county or," in line three, section one, (printed copy) erased, and insert the following: "having over one hundred thousand inhabitants."

Section one, line fifteen, erase the word "five," and insert "four."

Section one, line fifteen, after the word "each" insert the following "for the days of actual service rendered."

STREETER, Chairman.

The bill above reported taken up.

The amendments recommended by the committee adopted.

Mr. Tyler moved to amend by striking out the word "four," from line eight, section one, and inserting instead the word "three."

Mr. Maybell moved to amend by striking out "four," line eight, section one, and inserting "two" instead.

Mr. Adams moved to strike out the enacting clause of the bill.

The previous question was demanded by Messrs. Walker, York, and Green, and the House so ordered.

The ayes and noes were demanded by Messrs. Braunhart, May, and Carr of Yuba.

The roll was called, and the motion to strike out the enacting clause was lost by the following vote:

AYES—Messrs. Adams, Anthony, Bennett, Brown of Sonoma, Brown of Yuba, Carr of Yuba, Chamberlain, Frink, Josselyn, Leach, Maybell, McCarty of Lake, Simon, Walker, Wattson, and York—16.

NOES—Messrs Bass, Braunhart, Brooks, Bruner, Brusie, Burns, Carr of Sacramento, Chandler, Coffman, Coleman, Cook, Cooper, Corcoran, Cuthbert, Del Valle, Dimond, DuBrutz, Durham, Estey, Felton, Finlayson, Fox, Fraser, Gaffey, Green, Hardy, Hershey, Lane, Leadbetter, Levee, Maguire, Mathews, May, McCallion, McCarthy of San Francisco, McComas, McDade, McIntosh, Merry, Messenger, Morse, Mulholland, Nelson, Picket, Sayle, Sherburne, Spencer, Stanley, Streeter, Sweetland, Tyler, Ward, Wason of Ventura, Wasson of Mono, Young, and Mr. Speaker—56.

The question recurring upon the motion to amend by striking out "four" and inserting "two," it was lost.

The question then recurred upon the motion to strike out "four" and insert "three" instead, and it was carried.

The bill read second time, and ordered to third reading.

THIRD READING OF BILLS.

Assembly Bill No. 211—An Act to amend sections nine hundred and ninety-five, one thousand and sixteen, one thousand and seventeen, one thousand and twenty, one thousand and twenty-three, and one thousand and forty-one, of the Penal Code, relative to pleadings and proceedings after indictment, and before the commencement of the trial

Read third time.

The roll was called, and the bill was passed by the following vote:

AYES—Messrs. Adams, Anthony, Bass, Bennett, Brown of Sonoma, Brown of Yuba, Bruner, Brusie, Carr of Sacramento, Carr of Yuba, Chamberlain, Chandler, Coffman, Cook, Corcoran, Cuthbert, Del Valle, Dimond, DuBrutz, Durham, Estey, Finlayson, Fox, Fraser, Frink, Garibaldi, Green, Hardy, Hershey, Josselyn, Lane, Leach, Levee, Maguire, Mathews, May, Maybell, McCallion, McCarty of Lake, McCarthy of San Francisco, McComas, McIntosh, Messenger, Morse, Mulholland, Nelson, Picket, Sayle, Simon, Sherburne, Stanley, Stoddard, Streeter, Tyler, Ward, Wason of Ventura, Wasson of Mono, Wattson, York, Young, and Mr. Speaker—61.

NOES—Messrs. Braunhart, Spencer, Sweetland, and Walker—4.

Title approved.

Assembly Bill No. 210—An Act to amend sections eight hundred and twenty-five, eight hundred and sixty-nine, and eight hundred and seventy-two, of the Penal Code, relating to proceedings in criminal actions prosecuted by indictment

The bill read third time.

Mr. Del Valle moved to recommit the bill with instructions to strike out the words "at his own request."

Lost.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Adams, Anthony, Bass, Bennett, Brooks, Bruner, Brusie, Burns, Carr of Sacramento, Carr of Yuba, Chamberlain, Chandler, Coffman, Cook, Corcoran, Cuthbert, DuBrutz, Durham, Estey, Finlayson, Fox, Fraser, Frink, Garibaldi, Gaffey, Green, Hardy, Hershey, Josselyn, Lane, Leach, Leadbetter, Levee, Maguire, Mathews, May, Maybell, McCallion, McCarty of Lake, McCarthy of San Francisco, McComas, McIntosh, Messenger, Morse, Mulholland, Nelson, Picket, Sayle, Sherburne, Stanley, Stoddard, Streeter, Sweetland, Tyler, Ward, Wason of Ventura, Wasson of Mono, Wattson, York, Young, and Mr. Speaker—61.

NOES—Messrs. Braunhart, Del Valle, Spencer, and Walker—4.

Title amended, and approved as amended.

SECOND READING OF BILLS—RESUMED.

Senate Bill No. 38—An Act to amend sections one thousand three hundred and five, one thousand three hundred and six, and one thousand three hundred and seven, of the Penal Code, relating to forfeiture of bail, or money deposited in lieu of bail.

Pending the second reading of the bill, it was refused a third reading.

Assembly Bill No. 136—An Act to amend section two thousand one hundred and sixty-eight of the Civil Code of the State of California.

Read second time.

The question being, "Shall this bill have a third reading?" the ayes and noes were demanded by Messrs. Corcoran, Maybell, and Brooks

The roll was called, and the House ordered the bill to a third reading by the following vote:

AYES—Messrs. Anthony, Bass, Braunhart, Brooks, Burns, Carr of Sacramento, Carr of Yuba, Coffman, Cooper, Corcoran, Cuthbert, Del Valle, Dimond, DuBrutz, Finlayson, Garibaldi, Gaffey, Hershey, Josselyn, Lane, Levee, Maguire, Mathews, May, Maybell, McCallion, McCarthy of San Francisco, McIntosh, Picket, Sayle, Simon, Spencer, Stoddard, Sweetland, and Walker—35.

NOES—Messrs. Adams, Bennett, Brown of Yuba, Bruner, Brusie, Chamberlain, Chandler, Cook, Downs, Durham, Felton, Fox, Frazer, Frink, Green, Hardy, Leach, Leadbetter, McCarty of Lake, McComas, Messenger, Morse, Mulholland, Nelson, Sherburne, Stanley, Streeter, Tyler, Ward, Wason of Ventura, Wasson of Mono, Wattson, York, Young, and Mr. Speaker—35.

Assembly Bill No 377—An Act to empower the Directors of Levee District Number One, of Sutter County, to issue bonds for the payment or funding of the unfunded indebtedness of said levee district, and to provide for the redemption of such bonds by taxing the property in the district.

Read second time, and ordered to third reading.

Assembly Bill No. 63—An Act to amend sections two hundred and fourteen, two hundred and fifteen, two hundred and sixteen, and two hundred and eighteen, of an Act entitled "An Act to establish a Code of Civil Procedure," approved March eleventh, eighteen hundred and seventy-two, and the amendments thereof and supplementary thereto, relating to the time and manner of drawing jurors for Courts of record.

Withdrawn.

The Speaker announced that there was an error in the footing of the roll-call, as announced by the Chair, on Assembly Bill No. 136; that the vote stood thirty-five ayes and thirty-five noes, and consequently the Chair decided that the bill was refused a third reading.

Mr. Braunhart appealed from the decision of the Chair, upon which the ayes and noes were demanded by Messrs. Braunhart, Carr of Yuba, and Maybell.

The roll was called, and the Speaker's decision was sustained by the following vote.

AYES—Messrs. Adams, Bennett, Brown of Yuba, Bruner, Brusie, Carr of Sacramento, Chamberlain, Chandler, Coffman, Dimond, Downs, Durham, Estey, Felton, Fox, Fraser, Fink, Green, Hardy, Hershey, Leach, Leadbetter, McCarty of Lake, McComas, McIntosh, Messenger, Morse, Mulholland, Nelson, Sherburne, Stanley, Streeter, Tyler, Ward, Wason of Ventura, Wasson of Mono, Wattson, York, and Young—39

NOES—Messrs. Anthony, Bass, Braunhart, Brooks, Brown of Sonoma, Burns, Carr of Yuba, Corcoran, Cuthbert, Del Valle, DuBrutz, Finlayson, Garibaldi, Gaffey, Josselyn, Lane, Levee, Maguire, Mathews, May, Maybell, McCallion, McCarthy of San Francisco, Picket, Sayle, Simon, Spencer, Stoddard, Sweetland, and Walker—31.

Assembly Bill No. 196—An Act in relation to the trespassing of stock upon uninclosed lands.

Withdrawn.

ADJOURNMENT.

At four o'clock and fifty-five minutes P. M. Mr Tyler moved to adjourn.

Carried.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Saturday, February 21st, 1880.

House met pursuant to adjournment.

Speaker Cowdery in the chair.

Roll called, and a quorum present.

Prayer by the Chaplain.

One day's leave of absence was granted to Messrs. Camron, Merry, Gorley, Coleman, and Ward.

By unanimous consent the vote by which Assembly Bill No. 136—An Act to amend section two thousand one hundred and sixty-eight of the Civil Code of the State of California, was refused a third reading was reconsidered, and the bill ordered to a third reading.

READING AND APPROVAL OF THE JOURNAL.

Mr. Fraser moved that the further reading of the Journal be dispensed with.

So ordered.

The Journal of Thursday approved.

PETITIONS.

By Mr. Brusie—Petitions were presented from St. Joseph's Infant Asylum, the Roman Catholic Female Orphan Asylum, and the Santa Cruz Female Orphan Asylum, asking for appropriations.

Referred to the Committee on Ways and Means.

Mr. Leach moved that five hundred extra copies of Assembly Bill No. 404 be printed.

So ordered.

Mr. Leach moved that the above five hundred copies be distributed among such members as had not yet received such bill.

Adopted.

REPORTS OF STANDING COMMITTEES.

By Mr. Chamberlain:

ASSEMBLY CHAMBER, SACRAMENTO, February 19th, 1880.

MR SPEAKER The Committee on Agriculture, to whom was referred Assembly Bill No 356—An Act giving a lien to persons performing labor in connection with a threshing machine, upon the grain threshed by such machine—have had the same under consideration, and report the same back to the Assembly without amendment and recommend that it do not pass.

Also, the Committee on Agriculture, to whom was referred Assembly Joint Resolution No 11—Asking congressional aid in behalf of a large number of settlers upon Government land, in what is known as the "Mussel Slough District," in Tulare County, California—have had the same under consideration, and report the same back to the Assembly with four amendments, and recommend its adoption as amended.

Also, your Committee on Agriculture have had under consideration Assembly Joint Resolution No. 12—Relative to Government lands in the State of California—and report the same back to the Assembly without amendment, and recommend its adoption.

T. L CHAMBERLAIN, Chairman.

By Mr. Braunhart:

STATE CAPITOL, SACRAMENTO, February 21st, 1880.

MR. SPEAKER Your Committee on Chinese Immigration and Emigration, to whom was referred Assembly Bill No. 357—An Act to amend an Act entitled "An Act concerning lodging houses and sleeping apartments within the limits of incorporated cities," approved April third, eighteen hundred and seventy-six—have had the same under consideration, and herewith report it back, with the recommendation that it do pass.

Also, Senate Bill No 218—An Act to prohibit the issuance of licenses to aliens not eligible to become electors of the State of California—report the same back, with the recommendation that it do pass.

Also, Assembly Bill No 342—An Act to add a new section to the Political Code, to be known as section three thousand three hundred and eighty-nine, in relation to the licensing of persons ineligible to citizenship under the laws of the United States, engaged in the business of raising and selling agricultural and other products of the soil—report the same back, with the recommendation that the author be permitted to withdraw it, for the reason that a bill has passed the House which precludes persons ineligible to become citizens of the United States from obtaining licenses.

Also, Assembly Bill No. 394—An Act creating a head tax upon male foreigners who have not declared their intentions—report the same back, with the recommendation that it be referred to the Judiciary Committee

Also, Assembly Bill No. 172—An Act to prevent the importation of coolies into the State of California—report the same back, with the recommendation that the author be allowed to withdraw it, for the reason that the United States laws are applicable

Also, Assembly Bill No. 311—An Act concerning passengers in vessels coming to any city or port in the State of California—report the same back, with a substitute, recommending the passage of the substitute.

S. BRAUNHART, Chairman

Assembly Bill No. 394, reported above, ordered referred to Committee on Judiciary.

MINORITY REPORT.

By Mr. York:

MR. SPEAKER: The undersigned, a minority of the Committee on Claims, respectfully dissent from the report of the majority of said committee in reporting back for rejection Assembly Bill No. 306—*An Act to pay the claim of Mary M. Springer, widow and heir of Thomas A Springer*, late State Printer, deceased—for the reason that we believe that it is a legal and equitable claim against the State.

J L. YORK,
ELWOOD BRUNER.

REPORTS OF STANDING COMMITTEES.

By Mr. Finlayson:

ASSEMBLY CHAMBER, SACRAMENTO, February 19th, 1880.

MR. SPEAKER: Your Committee on Commerce and Navigation, to whom was referred Assem-

bly Bill No 368—An Act to declare the Klamath River navigable—have had the same under consideration, and report it back, with a recommendation that the same be passed.

JAMES R. FINLAYSON, Chairman.

By Mr. Brown of Yuba:

ASSEMBLY CHAMBER, SACRAMENTO, February 21st, 1880.

MR. SPEAKER The Committee on Corporations, to whom was referred Assembly Bill No. 352—An Act prohibiting any company or corporation whose business is to supply illuminating gas or water for public use from charging their consumers for pipes communicating with such company or corporation supply pipes or street mains and the line of the street or sidewalk curb—have had the same under consideration, and report the same back to the Assembly without amendment, and recommend that it do not pass, for the reason that it is in direct conflict with section nineteen, article eleven, of the Constitution.

Also, Assembly Bill No. 370—An Act prohibiting any company or corporation whose business is to supply water or illuminating gas for public use from charging their consumers for meters—and report the same back to the Assembly without amendment, and recommend that it do not pass.

Also, Senate Bill No 213—An Act to amend section three hundred and fifty-eight of the Civil Code, concerning corporations—and report the same back to the Assembly without amendment, and recommend that it do pass.

Also, Assembly Bill No. 237—An Act to provide for the incorporation of mutual fire insurance companies, and defining their powers and duties—and report the same back to the Assembly, with amendments, and recommend its passage as amended.

BROWN of Yuba, Chairman.

By Mr. Sherburne:

ASSEMBLY CHAMBER, SACRAMENTO, February 21st, 1880.

MR. SPEAKER The Committee on Engrossment beg leave to report that they have examined and find properly engrossed Assembly Bill No. 175—An Act concerning homestead corporations possessed of water and water rights, providing for the regulation, control, and distribution of water for irrigation and other purposes, and for the construction and improvement of irrigation works connected therewith.

Also, Assembly Bill No. 210—An Act to amend sections eight hundred and twenty-five and eight hundred and sixty-nine of the Penal Code, relating to proceedings in criminal actions, prosecuted by indictment.

Also, Assembly Bill No 94—An Act to legalize and validate the assessment and assessment roll for State, county, and consolidated city and county taxes of the various counties of the State for the fiscal year eighteen hundred and seventy-nine and eighteen hundred and eighty.

Also, Assembly Bill No 211—An Act to amend sections nine hundred and ninety-five, ten hundred and sixteen, ten hundred and seventeen, ten hundred and twenty, ten hundred and twenty-three, and ten hundred and forty-one, of the Penal Code, relative to pleadings and proceedings after indictment and before the commencement of the trial.

Also, Assembly Bill No. 113—An Act to amend sections nine hundred and seventy-four, nine hundred and seventy-five, nine hundred and seventy-six, nine hundred and seventy-seven, nine hundred and seventy-eight, and nine hundred and eighty, of an Act entitled "An Act to establish a Code of Civil Procedure," approved March eleventh, eighteen hundred and seventy-two, relating to appeals to Superior Courts

SHERBURNE, Chairman

Mr. McCarty moved that Assembly Bill No. 216 be recalled from the Committee on County Governments and Municipal Corporations.

Lost.

Mr. McCarty moved that the above bill be ordered reported back at the next meeting of the House.

Carried.

Mr. Fraser moved to include Assembly Bill No. 180 in the above motion.

So ordered.

By Mr. Brooks:

MR. SPEAKER: Your Committee on Enrollment respectfully report that the following Assembly Concurrent Resolutions have been correctly enrolled No 1—Relative to meeting in Joint Assembly to count votes cast for Governor and Lieutenant-Governor at the election held on the third day of September, eighteen hundred and seventy-nine.

No. 2—Relative to appointment of a joint committee to wait on Governor and Lieutenant-Governor to ascertain the time they are ready for inauguration.

No. 3—Relative to the appointment of a joint committee to wait on the Governor, that the

Legislature is now organized and prepared to receive any communications he may be pleased to make to it

No. 4—Relative to the appointment of Hon J F. Swift as United States Minister to China.

No. 6—Relative to forwarding copies of certain laws to Superior Judges and County Clerks.

No. 7—Relative to the appointment of a joint committee on Rules

No 12—Relative to the appointment of a joint committee to confer with I. S. Belcher, Thomas P Stoney, and A. C. Freeman as to the work they have performed in revising the Codes.

No. 14—Relative to the establishment of a postal telegraph system throughout the United States.

No. 15—Relative to the protection of the rivers, cities, and agricultural lands of California.

BROOKS, Chairman.

February 21st, 1880.

By Mr. Estey:

MR SPEAKER: Your Committee on Mileage have considered the report of the Chairman of the Committee on Mines and Mining Interests, find the same correct, and recommend the adoption of the following resolution:

Resolved, That the Controller is hereby instructed to draw his warrant in favor of Jos. Wasson for mileage of the Committee on Mines and Mining Interests, in visiting the College of Mining at Berkeley, in the sum of $76 80, payable out of the Contingent Fund of the Assembly.

ESTEY, Chairman.

Resolution adopted.

Also.

MR. SPEAKER Your Committee on Mileage, to whom was referred the matter of the mileage of the Committee on Public Buildings and Grounds, beg leave to report that they have examined the said accounts, and find that the members of the said committee have necessarily traveled the number of miles and are entitled to the several amounts set opposite their respective names, as follows

Elwood Bruner, 389 miles	$38 90
J. D Spencer, 389 miles	38 90
D. Frink, 389 miles	38 90
W. R Leadbetter, 389 miles	38 90
A. B. Maguire, 389 miles	38 90
J. J. McDade, 389 miles	38 90
W. J. Simon, 389 miles	38 90
A. J. Bruner, clerk, 389 miles	38 90

And your committee would respectfully recommend the adoption of the following resolution.

Resolved, That the Controller of State be and he is hereby directed to draw his warrant on the State Treasurer in favor of the persons above reported, and for the several amounts set opposite their respective names, and the State Treasurer is directed to pay the same out of the Contingent Fund of this Assembly

ESTEY, Chairman.

The above resolution adopted.

INTRODUCTION OF BILLS.

The following bills were introduced and ordered printed:

By Mr. Gorley—An Act to amend section three thousand three hundred and eighty-four of the Political Code, relating to peddlers' and hawkers' licenses, exempting disabled Union soldiers and sailors from their payment.

By Mr. DuBrutz—An Act to make it a penal offense for any officer of this State, or of any subdivision thereof, to take any property within this State, either under a writ of attachment or writ of execution, which said property is clearly exempt from forced sale under the laws of this State, and to provide a remedy for persons whose property is so taken.

By Mr. McDade—An Act to procure and preserve monthly statements of the business and operations of corporations organized or incorporated for the purpose of mining, milling, reducing or working ores, metals, or minerals.

By Mr McCarthy—An Act to amend section three hundred and thirty-six of the Penal Code, relative to gaming by minors in saloons or other drinking places.

By Mr. Brooks—An Act to amend sections seven hundred, seven hundred and one, seven hundred and two, seven hundred and three, seven hundred and four, and seven hundred and five, of an Act entitled an Act to establish a Code of Civil Procedure, approved March eleventh, eighteen hundred and seventy-two, so as to provide for the redemption of real estate sold under the power contained in trust deeds

By Mr Burns—An Act to exempt insurance companies from all responsibility for risks on property where aliens ineligible to become electors are employed and reside.

Also, Assembly joint resolution relative to corporations employing Chinese, and the Attorney-General's duties in connection therewith.

By Mr. Young—An Act to amend sections one thousand one hundred and sixty-three, one thousand one hundred and sixty-six, one thousand one hundred and seventy-one, and one thousand one hundred and seventy-eight of the Code of Civil Procedure of the State of California, relative to actions of forcible entry and detainer.

SECOND READING OF BILLS.

Senate Bill No 180—An Act to amend section two thousand eight hundred and fourteen of the Political Code, concerning public ways.

Read second time, and ordered to third reading

Senate Bill No. 277—An Act to amend section four of an Act entitled "An Act to authorize the Board of Trustees of the Town of Colusa to issue bonds for road purposes," approved March twentieth, eighteen hundred and seventy-eight

Read second time, and ordered to third reading.

Assembly Bill No. 382—An Act to redeem and refund the bonds issued by the County of San Mateo under and by virtue of "An Act to provide funds for the construction and improvement of highways in the County of San Mateo," approved April fourth, eighteen hundred and seventy.

Read second time, and ordered to third reading

Assembly Bill No 16—An Act to create and maintain a Bureau of Statistics of Land, Labor, and Capital.

Passed on file.

Assembly Joint Resolution No. 15—Relative to extending the thanks of the State to J. W Mackey.

Read second time, and ordered to third reading.

Assembly Bill No. 304—An Act to incorporate religious societies.

Ordered printed, with amendments proposed in brackets, and bill ordered to head of second reading file.

Assembly Bill No. 100—An Act to amend "An Act to provide for the incorporation of mutual insurance companies for the insurance of life and health, and against accidents," approved April second, eighteen hundred and sixty-six.

Passed on file.

Assembly Bill No. 384—An Act to amend an Act entitled "An Act to provide for the building of a school house in Modesto School District, in the County of Stanislaus, in the State of California," approved January ninth, eighteen hundred and seventy-four.

Read second time, and ordered to third reading.

Mr. Burns moved that the House adjourn at eleven o'clock A. M., to meet on Tuesday next at two o'clock P. M.

Mr. DuBrutz moved that when we adjourn to-day it be to meet at nine o'clock and thirty minutes A. M on Tuesday.

Lost.

The original motion then prevailed.

Assembly Bill No. 392—An Act to authorize Boards of Supervisors to employ a deputy in certain cases.

Mr. Adams moved to amend by striking out fifty dollars and inserting twenty-five dollars.

Adopted.

Mr. Carr of Yuba moved the bill be referred to the Committee on County Governments and Municipal Corporations.

Lost.

Bill read second time, and ordered to third reading.

Assembly Bill No. 337—An Act to encourage the planting of jute.

Read second time, and ordered to third reading.

Assembly Bill No. 125—An Act to prevent the accumulation of large landed estates.

Read second time; the amendments recommended by the committee adopted.

Assembly Bill No. 320—An Act for the better protection of fruit trees and vines.

Read second time, and ordered to third reading.

Mr. Fox moved that the Judiciary Committee be authorized to have the file of the Judiciary Committee printed.

So ordered.

ADJOURNMENT.

At eleven o'clock A. M., Mr. Bruner moved that we do now adjourn, to meet again on Tuesday next, at two o'clock P. M.

Carried.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Tuesday, February 24th, 1880.

The House met pursuant to adjournment.

Speaker Cowdery in the chair.

Roll called, and a quorum present.

One day's leave of absence granted to Mr. Estey.

Prayer by the Chaplain.

READING AND APPROVAL OF THE JOURNAL.

Mr. Frink moved that further reading of the Journal be dispensed with.

So ordered.

The Journal of Friday and Saturday approved.

Mr Carr of Yuba moved to correct the Journal of Friday, Febru-

ary twentieth, so as to show that Mr. Picket voted in favor of Assembly Bill No. 305

So ordered.

INTRODUCTION OF BILLS.

The following bills were introduced and ordered printed:

By Mr. Del Valle—An Act to establish a Branch Normal School.

Also, an Act to amend section six hundred and eighty-eight of the Code of Civil Procedure, relating to property liable to be seized in execution.

Also, an Act to amend section four thousand two hundred and twenty-one of the Political Code, relative to counting money in the County treasury, and making a statement thereof.

Also, an Act to amend sections one thousand and forty-four and two thousand nine hundred and forty-seven of the Civil Code, and to add two new sections thereto, to be numbered one thousand and ninety-six and one thousand one hundred and sixteen, relating to transferring and mortgaging property.

By Mr. Sayle—An Act to provide for the appointment of Water Commissioners in districts to be formed by the Boards of Supervisors of the several counties of this State, on rivers or watercourses where ten or more canal ditches or other outlets receive water therefrom of the capacity of twenty cubic feet or more of water per second.

By Mr. Tyler—An Act to amend section four hundred and eleven of the Code of Civil Procedure.

By Mr. Maybell—An Act to add section one hundred and thirty-nine to the Penal Code.

Also, an Act to prevent the burying of human remains within three miles of the limits of any city containing over one hundred thousand inhabitants.

By Mr. Gaffey—An Act to amend section two thousand five hundred and thirty-six of the Political Code.

Read first time, and ordered to second reading.

By Mr. Carr of Yuba—An Act to provide for the erection of three Normal School buildings.

REPORTS OF STANDING COMMITTEES.

By Mr. Fox:

ASSEMBLY CHAMBER, SACRAMENTO, February 24th, 1880.

MR. SPEAKER: Your Judiciary Committee have had under consideration Senate Bill No. 118—An Act to amend part one of the Code of Civil Procedure, and each and every title, chapter, article, and section of said part one, and substituting a new part one to take the place thereof in said Code, relating to the Courts of justice, and the various officers connected therewith—and now report the same back with amendments, and recommend the passage of the same as amended.

We have also had under consideration Assembly Bill No. 134, and the several petitions relating thereto, the same being an Act to regulate the hours for closing barber shops, bath houses, and hair-dressing saloons on Sunday, and believing that the provisions of said Act, if adopted, ought to be embodied in the Penal Code, have prepared and herewith submit a substitute for said Act, incorporating the same into the Penal Code, and recommend the passage of the substitute.

We have also had under consideration Assembly Bill No. 251—An Act to amend sections three hundred and thirty and others of the Penal Code, in relation to gaming.

Also, Assembly Bill No. 301—An Act to prohibit the managers of theaters in the cities and towns of this State from imposing upon the public, by placarding seats "taken" when the same have not been sold, and for other purposes.

Also, Assembly Bill No. 332—An Act to amend section one hundred and ninety of the Penal Code, relative to the punishment of the crime of murder.

Also, Assembly Bill No. 335—An Act to amend sections seven hundred and seventy-eight, seven hundred and seventy-nine, seven hundred and eighty, seven hundred and eighty-one, and seven hundred and eighty-two, of the Political Code, relating to the publication and sale of the reports of the Supreme Court.

Also, Assembly Bill No. 336—An Act to amend section five hundred and thirty-eight of the Code of Civil Procedure, relating to the issuance of writs of attachment.

Also, Assembly Bill No. 340—An Act to provide for and enforce liens of mechanics, material men, artisans, and laborers.

And now report the same back, with amendments to each, and recommend that they severally be passed as amended.

We have also had under consideration Assembly Bill No. 236—An Act to add a new section, to be known as section eight hundred and twenty-eight, to the Code of Civil Procedure.

Also, Assembly Bill No. 282—An Act to amend section one thousand and twenty-seven of the Political Code, relating to the great seal of the State.

Also, Assembly Bill No. 292—An Act to amend section fourteen of the Civil Code relating to certain terms used in said Code.

Also, Assembly Bill No. 300—An Act to amend section one thousand seven hundred and twenty-six of the Code of Civil Procedure, relating to the duties of Public Administrators, and defining what estates to be administered by them.

Also, Assembly Bill No. 302—An Act to amend sections four hundred and eight and four hundred and twenty-eight, and to repeal section four hundred and fifteen of the Political Code, relating to the duties of Secretary of State.

Also, Assembly Bill No. 309—An Act to amend section five hundred and fifty-five of the Penal Code, relative to false weights and measures.

Also, Assembly Bill No. 324—An Act to amend section four thousand and twenty-six of the Political Code relative to filling vacancies in Boards of Supervisors.

Also, Assembly Bill No. 331—An Act to amend section seven hundred and ninety-two of the Political Code, relative to the qualifications of Notaries Public.

Also, Assembly Bill No. 343—An Act to repeal sections three hundred and fifteen and three hundred and sixteen of the Code of Civil Procedure, relating to the time of commencing actions for the recovery of real property.

Also, Assembly Bill No. 349—An Act to amend an Act entitled an Act for the protection of miners, approved March thirteenth, eighteen hundred and seventy-two.

And now report the same back, and recommend that they do severally pass.

We have also had under consideration Assembly Bill No. 326—An Act for the maintenance and government of the police force in consolidated city and county governments—and now report the same back, and recommend that the same be referred to the San Francisco delegation.

We have also had under consideration Assembly Bill No. 339—An Act to limit the compensation for clerical services in the executive department of the State government—and now report the same back, and recommend that the bill be referred to the Committee on Retrenchment.

We have also had under consideration Assembly Bill No. 272—An Act to amend section three hundred and ninety-four of the Code of Civil Procedure. This Act contemplates so amending the statutes as to permit the State to be sued, but to make such a change involves the amendment of many other sections found in different parts of the Code, and the preparation of a bill with considerable care. The present bill is insufficient to accomplish the purpose of the author, and we therefore report the same back with a recommendation that he have leave to withdraw the same, and present a new bill if he shall be so advised.

We have also had under consideration Assembly Bill No. 365—An Act to amend sections two hundred and fifty-eight and two hundred and fifty-nine of the Code of Civil Procedure. The purpose of this bill is accomplished by provisions found in Senate Bill No. 118, now on its passage through this House, and we therefore report the bill back, with a recommendation that the author have leave to withdraw the same.

We have also had under consideration Assembly Bill No. 235—An Act to prevent the sale of diseased or adulterated milk. This bill, in the judgment of the committee, is no better than the present provisions of the Penal Code, and if any new or additional provision is to be made on the subject it should be incorporated into the Penal Code. We therefore recommend that this bill do not pass.

We have also had under consideration Assembly Bill No. 245—An Act to amend section eight hundred and forty-nine of the Code of Civil Procedure.

Also, Assembly Bill No. 247—An Act to amend sections three thousand seven hundred and seventy-three, three thousand seven hundred and eighty-five, three thousand eight hundred and thirteen, three thousand eight hundred and fifteen, three thousand eight hundred and sixteen, and three thousand eight hundred and ninety-seven, of the Political Code, relating to the sale of property for delinquent taxes.

Also, Assembly Bill No. 294—An Act to establish Courts of Conciliation in each of the counties of this State, and defining the duties thereof.

Also, Assembly Bill No. 297—An Act to amend the Political Code of the State of California—(which has, since its presentation and reference, been substituted for another bill).

Also, Assembly Bill No. 307—An Act to amend section three thousand and fifty-one of the Civil Code, in reference to liens for services.

Also, Assembly Bill No. 308—An Act to amend section one thousand eight hundred and eighty of the Code of Civil Procedure, relating to persons who cannot testify.

Also, Assembly Bill No. 312—An Act to encourage the planting and cultivation of forest trees.

Also, Assembly Bill No. 314—An Act to amend section eighty-five of the Penal Code, and to add a new section to the same, in relation to the giving and offering of bribes to members of the Legislature.

Also, Assembly Bill No. 317—An Act to amend section four hundred and eighty-seven of the Penal Code

Also, Assembly Bill No 345—An Act to amend section eight hundred and forty-nine of the Code of Civil Procedure.

Also, Assembly Bill No. 346—An Act to amend section nine hundred and fifty of the Political Code, in relation to bonds of officers.

And recommend that they severally do not pass The last named of these, and some of the others, have already been provided in bills which have passed this House.

We have also had under consideration Assembly Bill No 103—An Act to limit and fix the wages and hours of labor of conductors, drivers, and employés of street railroads in the cities and towns of this State.

Also, Assembly Bill No 233—An Act to provide for the condemnation of land for school purposes.

Also, Assembly Bill No. 256—An Act investing widows with the ownership of the family estates on the decease of their husbands

Also, Assembly Bill No. 293—An Act to invest the widow with the ownership and management of the family estate on the decease of the husband.

Also, Assembly Bill No 351—An Act to amend sections four hundred and five, four hundred and seven, four hundred and nine, four hundred and ten, four hundred and twelve, four hundred and sixteen, four hundred and thirty-two, four hundred and thirty-seven four hundred and forty-six, four hundred and sixty-five, four hundred and seventy-two, five hundred and ninety-three, one thousand and twenty-one, one thousand three hundred and eighty-nine, and one thousand eight hundred and eighty, and to repeal sections four hundred and six, four hundred and eight, and four hundred and forty-two, of the Code of Civil Procedure

And now report the same back, and recommend that they be severally indefinitely postponed

Your committee have also had under consideration Senate Bill No. 96—An Act to amend sections one and two of an Act entitled "An Act giving a lien to loggers and laborers employed in logging camps, upon the logs cut and hauled by the persons who employ them," approved March thirtieth, eighteen hundred and seventy-eight—and upon examination find that the bill has been materially amended in the Senate, and was not, so far as the committee can ascertain, printed with the amendments. We therefore report the same back and recommend that it be returned to the Senate.

We have also had under consideration Senate Bill No. 152—An Act to amend sections one thousand one hundred and sixteen, one thousand one hundred and eighteen one thousand one hundred and nineteen one thousand one hundred and twenty, one thousand one hundred and twenty-five, one thousand one hundred and twenty-six, and one thousand one hundred and twenty-seven, of the Code of Civil Procedure, relative to contesting certain elections—and find a material variance between the engrossed and printed bills We therefore report the same back and recommend that the attention of the Senate be called to the variance, and it be requested to report whether the same has been correctly engrossed

We have also had under consideration Senate Bill No 108—An Act granting relief to taxpayers whose lands have been sold to the State.

Also, Senate Bill No. 113—An Act to amend sections four hundred and thirty-two, four hundred and fifty-four, and four hundred and seventy-three, of the Code of Civil Procedure, relating to pleadings in civil actions.

Also, Senate Bill No. 114—An Act to amend sections four hundred and eighty, four hundred and ninety-three, five hundred and twenty-five, five hundred and forty-eight, five hundred and fifty-four, five hundred and fifty-six, and five hundred and sixty-five, of the Code of Civil Procedure, relating to provisional remedies in civil actions

Also, Senate Bill No 115—An Act to amend section five hundred and ninety-three of the Code of Civil Procedure, relating to entry of civil causes on Court calendars

Also, Senate Bill No. 116—An Act to amend sections six hundred and thirteen, six hundred and seventeen, and six hundred and eighteen, of the Code of Civil Procedure, relating to trial by jury in civil actions

Also, Senate Bill No 117—An Act to repeal section six hundred and sixty-three of the Code of Civil Procedure.

Also, Senate Bill No. 124—An Act to amend sections seven hundred and fourteen and seven hundred and fifteen of the Code of Civil Procedure, relating to proceedings supplementary to execution

Also, Senate Bill No. 125—An Act to amend sections seven hundred and forty-two, seven hundred and fifty-five, seven hundred and ninety-four, eight hundred and two, eight hundred and four, eight hundred and sixteen, and eight hundred and twenty-six, of the Code of Civil Procedure, relating to actions in particular cases.

Also, Senate Bill No 140—An Act to amend sections nine hundred and forty-three, nine hundred and forty-eight, and nine hundred and fifty-nine, of the Code of Civil Procedure, relating to appeals in civil actions

Also, Senate Bill No. 145—An Act to amend section one thousand of the Code of Civil Procedure, relating to inspection of writings.

Also, Senate Bill No. 146—An Act to amend sections one thousand and four and one thousand and five of the Code of Civil Procedure, relating to motions and orders in civil actions.

Also, Senate Bill No. 147—An Act to amend section one thousand and fifty-four of the Code of Civil Procedure relating to the time within which certain actions are to be done.

Also, Senate Bill No 148—An Act to amend section one thousand and fifty-five of the Code of Civil Procedure, relating to actions against Sheriffs.

Also, Senate Bill No. 149—An Act to repeal section one thousand and fifty-six of the Code of Civil Procedure

Also, Senate Bill No 150—An Act to amend section one thousand and fifty-eight of the Code of Civil Procedure, relating to civil actions wherein the State, or an officer thereof, or a county, city and county, city, or town, is a party

Also, Senate Bill No 151—An Act to amend section one thousand one hundred and eight of the Code of Civil Procedure, relating to writs of review, mandate, and prohibition

Also, Senate Bill No 159—An Act to amend sections one thousand one hundred and sixty-three, one thousand one hundred and sixty-six, one thousand one hundred and sixty-seven, one thousand one hundred and sixty-eight, one thousand one hundred and seventy-one, one thousand one hundred and seventy-six, and one thousand one hundred and seventy-nine, of the Code of Civil Procedure, relating to summary proceedings for obtaining possession of real property in certain cases

Also, Senate Bill No 161—An Act to amend sections one thousand two hundred and twenty-seven, one thousand two hundred and thirty, and one thousand two hundred and thirty-three, of the Code of Civil Procedure, relating to the voluntary dissolution of corporations

Also, Senate Bill No. 163—An Act to amend sections one thousand two hundred and sixty-nine and one thousand two hundred and seventy-two of the Code of Civil Procedure, relating to escheated estates.

Also, Senate Bill No. 165—An Act to amend section one thousand two hundred and eighty-three of the Code of Civil Procedure, relating to arbitrations.

And now report the same back without amendment, and recommend that they severally be passed

We have also had under consideration Senate Bill No. 112—An Act to amend sections four hundred and seven and four hundred and twelve of the Code of Civil Procedure, relating to the manner of commencing civil actions

Also, Senate Bill No 141—An Act to amend chapters two and three, of title twelve, of part two, of the Code of Civil Procedure, relating to appeals in civil actions

Also, Senate Bill No. 158—An Act to amend sections eight hundred and thirty-eight, eight hundred and forty-three, eight hundred and forty-four, eight hundred and forty-five, eight hundred and ninety-seven, eight hundred and ninety-eight, eight hundred and ninety-nine, nine hundred and twelve, nine hundred and eighteen and nine hundred and twenty-one, of the Code of Civil Procedure, relating to proceedings in Justices' Courts.

Also, Senate Bill No. 162—An Act to amend sections one thousand two hundred and forty-three, one thousand two hundred and forty-four, and one thousand two hundred and fifty-four, of the Code of Civil Procedure, relating to eminent domain.

Also, Senate Bill No 164—An Act to amend sections one thousand two hundred and seventy-five, one thousand two hundred and seventy-six, one thousand two hundred and seventy-eight, and one thousand two hundred and seventy-nine, of the Code of Civil Procedure, relating to change of names

Also, Senate Bill No. 175—An Act to amend sections one thousand seven hundred and forty-seven one thousand seven hundred and forty-eight, one thousand seven hundred and forty-nine, one thousand seven hundred and fifty, one thousand seven hundred and fifty-four, one thousand seven hundred and fifty-five, one thousand seven hundred and fifty-six, one thousand seven hundred and fifty-seven, one thousand seven hundred and fifty-eight, one thousand seven hundred and sixty-three, one thousand seven hundred and sixty-four, one thousand seven hundred and sixty-six, one thousand seven hundred and sixty-nine, one thousand seven hundred and seventy-three, one thousand seven hundred and seventy-four, one thousand seven hundred and seventy-five, one thousand seven hundred and eighty, one thousand seven hundred and eighty-one, one thousand seven hundred and eighty-two, one thousand seven hundred and eighty-three, one thousand seven hundred and eighty-four, one thousand seven hundred and eighty-five, one thousand seven hundred and eighty-eight, one thousand seven hundred and ninety-one, one hundred and ninety-two, one thousand seven hundred and ninety-three, one thousand seven hundred and ninety-six, one thousand seven hundred and ninety-seven, one thousand seven hundred and ninety-eight, one thousand seven hundred and ninety-nine, one thousand eight hundred, one thousand eight hundred and one, one thousand eight hundred and two, one thousand eight hundred and three, one thousand eight hundred and four, and one thousand eight hundred and eight, of the Code of Civil Procedure, relating to guardians and wards

Also, Assembly Bill No 363—An Act to amend section one hundred and thirty-seven of the Civil Code in reference to divorce

And now report the same back, with amendments to each, and recommend that they severally do pass as amended.

We have also had under consideration Senate Bill No. 178—An Act to add a new section to the Penal Code, to be known as section seven hundred and ninety-six, relating to the place of trial of indictments or informations for publications in newspapers—and now report the same back, with a recommendation that it do not pass, for the reason that the same provision has

been made, and in the same form, in Assembly Bill No 50, which passed this House and went to the Senate a month since, and before this bill was introduced.

We have also had under consideration Senate Bill No 184—An Act to amend section one thousand four hundred and sixty-eight of the Code of Civil Procedure, relating to property set apart for the use of the family

Also, Assembly Bill No 265—An Act for the same purpose

And, upon examination, find that the amendment of this section is insufficient to complete a needed reform of the law on that subject, and that, when the other sections upon the same subject are changed as they should be, this section will need still further change We have, therefore, directed the drafting of a new bill amending the entire chapter of which this forms a part, and report these bills back with a recommendation that they do not pass.

We have also had under consideration Senate Bill No. 93—An Act to amend section one hundred and thirty of the Code of Civil Procedure, relating to rules of Courts.

Also, Senate Bill No. 139—An Act to repeal chapters four and five of title thirteen, of part two, of the Code of Civil Procedure

And now report the same back, and recommend that they be severally indefinitely postponed.

We have also had under consideration Assembly Bill No. 254—An Act to amend section one thousand two hundred and seventy-six of the Code of Civil Procedure—and have embraced the provisions thereof in Senate Bill No. 164, and now report said Assembly bill back with a recommendation that the author have leave to withdraw the same.

We have also had under consideration Assembly Bill No. 391—An Act prescribing the form of complaint in actions to recover delinquent taxes, and to authorize the bringing of suits therefor—and now report the same back, with a recommendation that it do pass.

We have also had under consideration Assembly Bill No. 355—An Act to add section eight hundred and eighty-eight to the Code of Civil Procedure.

Also, Assembly Bill No 395—An Act for the protection of life and property in localities contiguous to railroads.

And now report the same back, with a recommendation that they do not pass.

We have also had under consideration Assembly Bill No. 380—An Act to amend an Act entitled an Act to regulate the practice of medicine in the State of California, approved April third, eighteen hundred and seventy-six.

Also, Assembly Bill No 386—An Act to repeal section one thousand one hundred and twenty-five of the Code of Civil Procedure.

Also, Assembly Bill No. 387—An Act amendatory, and to repeal certain sections, of an Act entitled an Act for the more effectual prevention of cruelty to animals

And now report the same back, with a recommendation that they be severally indefinitely postponed

We have also had under consideration Senate Bill No. 270—An Act to amend section two thousand nine hundred and forty-one of the Civil Code, relating to the satisfaction of mortgages.

Also, Assembly Bill No. 298—An Act to amend section two thousand nine hundred and fifty-five of the Civil Code, relating to mortgages of personal property

And now report the same back, with a recommendation that they do pass.

We have also had under consideration Assembly Bill No. 221—An Act relating to landlords and tenants, etc

Also, Senate Bill No. 281—An Act to amend section two thousand two hundred and seventeen of the Political Code, relating to committal of insane persons.

Also, Assembly Bill No. 396—An Act to amend section three thousand seven hundred and eighty-nine of the Political Code, relative to tax deeds

Also, Assembly Bill No 298—An Act to amend section eight hundred and thirty-two of the Civil Code, concerning lateral and subjacent support of land.

Also, Assembly Bill No. 399—An Act to amend section one thousand two hundred and seven of the Civil Code, relating to records of instruments affecting real property.

And now report the same back, and recommend that they severally do not pass.

Also, Assembly Bill No. 244—An Act to prevent the commencement of suits to quiet the title to or for the possession of real estate in certain cases, without depositing certain moneys with the Treasurer—and now report the same back with amendments, and recommend its passage as amended

FOX, Chairman.

Assembly Bill No. 326—An Act for the maintenance and government of the police force in consolidated city and county governments

Referred to the San Francisco delegation, in accordance with the report of the Judiciary Committee above

Assembly Bill No. 339—An Act to limit the compensation for clerical services in the executive department of the State government.

Referred to the Committee on Retrenchment and Reform, in accordance with the report of the Judiciary Committee above

Senate Bill No. 96—An Act to amend sections one and two of an Act entitled "An Act giving a lien to loggers and laborers employed in logging camps, upon the logs cut and handled by the persons who employ them," approved March thirtieth, eighteen hundred and seventy-eight

And Senate Bill No. 152—An Act to amend sections one thousand one hundred and sixteen, one thousand one hundred and eighteen, one thousand one hundred and nineteen, one thousand one hundred and twenty, one thousand one hundred and twenty-five, one thousand one hundred and twenty-six, and one thousand one hundred and twenty-seven, of the Code of Civil Procedure, relative to contesting certain elections.

Both of the above bills ordered returned to the Senate, in accordance with the recommendation of the Judiciary Committee.

By Mr. Bruner:

MR. SPEAKER: Your Committee on Public Buildings and Grounds, to whom was referred Assembly Bill No. 140—An Act entitled an Act to provide for the safety of lives of residents of the State of California—have had the same under consideration, and respectfully report the same back without recommendation.

Also, Assembly Bill No. 277—An Act entitled an Act making appropriation for deficiency in the appropriation for the permanent improvement of the Capitol grounds lying east of the State Capitol building—with the recommendation that it do pass.

Also, Assembly Bill No. 276—An Act entitled an Act to provide for the repair and completion of the Governor's mansion—with the recommendation that it do not pass.

Also, Assembly Bill No. 321—An Act entitled an Act to provide for the planting of native trees and shrubs in the State Capitol grounds—with the recommendation that it do pass.

BRUNER, Chairman.

By Mr. Streeter.

ASSEMBLY CHAMBER, SACRAMENTO, February 21st, 1880.

MR. SPEAKER: Your Committee on County Governments and Municipal Corporations, to whom was referred Assembly Bill No. 216—An Act to establish county and township governments, name the officers to be elected therein, and fix their salaries and the fees to be charged and collected by them—have had the same under consideration, and report it back, with the recommendation that it do not pass.

STREETER, Chairman.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, February 21st, 1880.

MR. SPEAKER: Your Committee on County Governments and Municipal Corporations, to whom was referred Assembly Bill No. 180—An Act to amend section four thousand one hundred and nine of the Political Code—have had the same under consideration, and report it back, with the recommendation that the bill be re-referred to the committee for further consideration.

STREETER, Chairman.

The report received, and the bill reported above re-referred to the Committee on County Governments and Municipal Corporations.

By Mr. Dimond:

ASSEMBLY CHAMBER, February 24th, 1880.

MR. SPEAKER: Your Committee on Roads and Highways, to whom was referred Senate Bill No. 179—An Act to amend section five hundred and fourteen of the Civil Code, concerning wagon road corporations—have had the same under consideration, and beg leave to report the same back with amendments, and recommend that the bill, as amended, do pass.

DIMOND, Chairman.

SPECIAL ORDERS.

Assembly Bill No. 403—An Act to amend sections three thousand six hundred and seven, three thousand six hundred and seventeen, three thousand six hundred and twenty-seven, three thousand six hundred and twenty-eight, three thousand six hundred and twenty-nine, three thousand six hundred and thirty, three thousand six

hundred and thirty-four, three thousand six hundred and forty, three thousand six hundred and forty-one, three thousand six hundred and forty-three, three thousand six hundred and fifty, three thousand six hundred and fifty-one, three thousand six hundred and fifty-two, three thousand six hundred and sixty-three, three thousand six hundred and seventy-three, three thousand six hundred and seventy-eight, three thousand six hundred and seventy-nine, three thousand seven hundred and thirty, three thousand seven hundred and fifty-two, three thousand eight hundred and thirty-nine, and three thousand eight hundred and sixty-one, and to add a new section, to be numbered three thousand six hundred and sixty-four, to, and to reënact section three thousand seven hundred and seventeen of, title nine, of the Political Code, to provide revenue for the support of the government of the State

Assembly Bill No. 404—An Act to amend sections three thousand six hundred and seven, three thousand six hundred and seventeen, three thousand six hundred and twenty-seven, three thousand six hundred and twenty-eight, three thousand six hundred and twenty-nine, three thousand six hundred and thirty, three thousand six hundred and thirty-four, three thousand six hundred and forty, three thousand six hundred and forty-three, three thousand six hundred and fifty, three thousand six hundred and fifty-one, three thousand six hundred and fifty-two, three thousand six hundred and sixty-three, three thousand six hundred and seventy-three, three thousand six hundred and seventy-eight, three thousand six hundred and seventy-nine, three thousand seven hundred and seventeen, three thousand seven hundred and thirty, three thousand seven hundred and fifty-two, three thousand seven hundred and fifty-six, three thousand eight hundred and thirty-nine, and three thousand eight hundred and sixty-one, and to repeal sections three thousand six hundred and eighty and three thousand six hundred and eighty-seven of an Act entitled "An Act to establish a Political Code," approved March twelfth, eighteen hundred and seventy-two, relating to revenue, and to add two new sections, numbered three thousand six hundred and sixty-four and three thousand six hundred and sixty-five.

Taken up for consideration.

Pending the consideration of above bills, the following bill, Assembly Bill No. 285—An Act to amend sections seven hundred and sixty-three and nine hundred and thirty-nine of the Code of Civil Procedure, relating to proceedings in partition and appeals therefrom—was recommitted to the Judiciary Committee.

Mr. Leach moved that the House proceed to discuss the above bills before reading said bills second time

Lost.

Assembly Bill No. 404—An Act to amend sections three thousand six hundred and seven, three thousand six hundred and seventeen, three thousand six hundred and twenty-seven, three thousand six hundred and twenty-eight, three thousand six hundred and twenty-nine, three thousand six hundred and thirty, three thousand six hundred and thirty-four, three thousand six hundred and forty, three thousand six hundred and forty-three, three thousand six hundred and fifty, three thousand six hundred and fifty-one, three thousand six hundred and fifty-two, three thousand six hundred and sixty-three, three thousand six hundred and seventy-three, three thousand

six hundred and seventy-eight, three thousand six hundred and seventy-nine, three thousand seven hundred and seventeen, three thousand seven hundred and thirty, three thousand seven hundred and fifty-two, three thousand seven hundred and fifty-six, three thousand eight hundred and thirty-nine, and three thousand eight hundred and sixty-one, and to repeal sections three thousand six hundred and eighty and three thousand six hundred and eighty-seven, of an Act entitled "An Act to establish a Political Code," approved March twelfth, eighteen hundred and seventy-two, relating to revenue, and to add two new sections, numbered three thousand six hundred and sixty-four and three thousand six hundred and sixty-five.

Taken up, and read second time.

Assembly Bill No. 403—An Act to amend sections three thousand six hundred and seven, three thousand six hundred and seventeen, three thousand six hundred and twenty-seven, three thousand six hundred and twenty-eight, three thousand six hundred and twenty-nine, three thousand six hundred and thirty, three thousand six hundred and thirty-four, three thousand six hundred and forty, three thousand six hundred and forty-one, three thousand six hundred and forty-three, three thousand six hundred and fifty, three thousand six hundred and fifty-one, three thousand six hundred and fifty-two, three thousand six hundred and sixty-three, three thousand six hundred and seventy-three, three thousand six hundred and seventy-eight, three thousand six hundred and seventy-nine, three thousand seven hundred and thirty, three thousand seven hundred and fifty-two, three thousand eight hundred and thirty-nine, and three thousand eight hundred and sixty-one, and to add a new section, to be numbered three thousand six hundred and sixty-four, to, and to reenact section three thousand seven hundred and seventeen of, title nine, of the Political Code, to provide revenue for the support of the government of the State.

Taken up, and read second time.

The question being whether Assembly Bill No. 404 or Assembly Bill No. 403 shall be read a third time, Mr. Leach moved that Assembly Bill No. 404 be read a third time, and Mr. May moved to amend the motion so that Assembly Bill No 403 be read a third time.

Pending discussion, Mr. Morse moved that the above bills be made the special order for to-morrow at ten o'clock A. M.

So ordered.

ADJOURNMENT.

At four o'clock and forty-five minutes P. M. Mr. May moved that we do now adjourn.

Carried.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Wednesday, February 25th, 1880.

House met pursuant to adjournment.

Speaker Cowdery in the chair.

Roll called, and a quorum present.

Prayer by the Chaplain.

READING AND APPROVAL OF THE JOURNAL.

Mr. McComas moved that the further reading of the Journal be dispensed with.

So ordered.

The Journal of yesterday approved.

REPORT OF STANDING COMMITTEE.

By Mr Fox:

ASSEMBLY CHAMBER, SACRAMENTO, February 25th, 1880.

MR. SPEAKER Your Judiciary Committee, to whom was referred Assembly Bill No. 82—An Act to amend section four thousand two hundred and four of the Political Code.

Also, Assembly Bill No. 253—An Act to amend sections one thousand five hundred and ninety-nine, one thousand six hundred and three, one thousand six hundred and five, one thousand six hundred and eight, and one thousand six hundred and ten, of the Penal Code, relating to county jails.

Have had the same under consideration, and now report the same back with amendments, and recommend the passage of the same as amended

FOX, Chairman.

INTRODUCTION OF BILLS.

The following bills were introduced and ordered printed:

By Mr. Gaffey—An Act to prohibit the letting of contracts for labor on public works by any public officer.

By Mr. Tyler—An Act to amend section fifty-nine of the Civil Code, relative to validity of marriages.

FIRST READING AND REFERENCE OF BILLS.

Assembly Bill No. 411—An Act to improve publications in the press.

Assembly Bill No. 412—An Act to prevent fraudulent banking.

Assembly Bill No. 413—An Act to amend section four hundred and twenty-four of the Penal Code, relating to embezzlement and falsification of accounts by public officers, and prescribing the punishment therefor.

Each of the above three bills read first time, and referred to the Judiciary Committee.

Assembly Bill No. 414—An Act providing for the organization of irrigation districts, and defining the duties of certain officers in relation thereto.

Read first time, and referred to the Committee on Irrigation.

Assembly Bill No. 415—An Act to provide for the establishment and maintenance of a Mining Bureau

Read first time, and referred to the Committee on Mines and Mining.

Assembly Bill No. 416—An Act to supply to the public schools of this State the map of the geological survey of California and Nevada made and compiled by the late geologist of this State

Read first time, and referred to the Committee on Education.

Assembly Bill No. 417—An Act to repeal section two thousand five hundred and thirty-six of the Political Code, relating to proposals and contracts for construction of new sea-wall, and to substitute a new section in lieu thereof, relating to same matter.

Read first time, and referred to the Committee on Commerce and Navigation.

Assembly Bill No. 418—An Act to discourage and prohibit corporations and individuals from holding large tracts of land.

Read first time, and referred to the Committee on Homestead and Land Monopoly.

Assembly Bill No. 419—An Act in relation to certified copies of the records or papers filed officially in the office of the State Surveyor-General and Register of the State Land Office.

Read first time, and referred to the Committee on Judiciary.

Assembly Bill No. 420—An Act to prohibit the maintenance of laundries and wash houses within the fire limits of incorporated cities of this State.

Read first time, and referred to the Committee on Chinese Immigration and Emigration.

Assembly Bill No. 421—An Act to amend section three thousand three hundred and eighty-four of the Political Code, relating to peddlers' and hawkers' licenses, exempting disabled Union soldiers and sailors from their payment.

Read first time, and referred to the Committee on Ways and Means.

Assembly Bill No. 422—An Act to make it a penal offense for any officer of this State, or of any subdivision thereof, to take any property within this State, either under a writ of attachment or writ of execution, which said property is clearly exempt from forced sale under the laws of this State, and to provide a remedy for persons whose property is so taken.

Read first time, and referred to the Committee on Judiciary.

Assembly Bill No. 423—An Act to procure and preserve monthly statements of the business and operations of corporations organized or incorporated for the purpose of mining, milling, reducing, or working ores, metals, or minerals.

Read first time, and referred to the Committee on Judiciary.

Assembly Bill No. 424—An Act to amend section three hundred and thirty-six of the Penal Code, relative to gaming by minors in saloons or other drinking places.

Read first time, and referred to the Committee on Public Morals

Assembly Bill No. 425—An Act to amend sections seven hundred, seven hundred and one, seven hundred and two, seven hundred and three, seven hundred and four, and seven hundred and five, of an Act entitled "An Act to establish a Code of Civil Procedure," approved March eleventh, eighteen hundred and seventy-two, so as to provide for the redemption of real estate sold under the power contained in trust deeds.

Read first time, and referred to Judiciary Committee.

SPECIAL ORDERS.

Assembly Bill No. 403—An Act to amend sections three thousand six hundred and seven, three thousand six hundred and seventeen, three thousand six hundred and twenty-seven, three thousand six hundred and twenty-eight, three thousand six hundred and twenty-nine, three thousand six hundred and thirty, three thousand six hundred and thirty-four, three thousand six hundred and forty, three thousand six hundred and forty-one, three thousand six hundred and forty-three, three thousand six hundred and fifty, three thousand six hundred and fifty-one, three thousand six hundred

and fifty-two, three thousand six hundred and sixty-three, three thousand six hundred and seventy-three, three thousand six hundred and seventy-eight, three thousand six hundred and seventy-nine, three thousand seven hundred and thirty, three thousand seven hundred and fifty-two, three thousand eight hundred and thirty-nine, and three thousand eight hundred and sixty-one, and to add a new section, to be numbered three thousand six hundred and sixty-four to, and to reenact section three thousand seven hundred and seventeen of, title nine, of the Political Code, to provide revenue for the support of the government of the State—and Assembly Bill No 404—An Act to amend sections three thousand six hundred and seven, three thousand six hundred and seventeen, three thousand six hundred and twenty-seven, three thousand six hundred and twenty-eight, three thousand six hundred and twenty-nine, three thousand six hundred and thirty, three thousand six hundred and thirty-four, three thousand six hundred and forty, three thousand six hundred and forty-three, three thousand six hundred and fifty, three thousand six hundred and fifty-one, three thousand six hundred and fifty-two, three thousand six hundred and sixty-three, three thousand six hundred and seventy-three, three thousand six hundred and seventy-eight, three thousand six hundred and seventy-nine, three thousand seven hundred and seventeen, three thousand seven hundred and thirty, three thousand seven hundred and fifty-two, three thousand seven hundred and fifty-six, three thousand eight hundred and thirty-nine, and three thousand eight hundred and sixty-one, and to repeal sections three thousand six hundred and eighty and three thousand six hundred and eighty-seven of an Act entitled "An Act to establish a Political Code," approved March twelfth, eighteen hundred and seventy-two, relating to revenue, and to add two new sections, numbered three thousand six hundred and sixty-four and three thousand six hundred and sixty-five—the special order for this hour, taken up for consideration.

The question was upon Mr. May's motion, that Assembly Bill No. 403 shall be substituted for Assembly Bill No. 404 for third reading.

Upon which the ayes and noes were demanded by Messrs. May, Wason, and Brooks.

RECESS.

Pending the decision, the House took a recess until two o'clock P. M.

RE-ASSEMBLED.

House re-assembled at two o'clock P. M.

Speaker Cowdery in the chair.

Quorum present

The use of the Assembly Chamber, for this evening, was granted to the Committees on Mining Debris and Agriculture

The consideration of Assembly Bill No. 403—An Act to amend sections three thousand six hundred and seven, three thousand six hundred and seventeen, three thousand six hundred and twenty-seven, three thousand six hundred and twenty-eight, three thousand six hundred and twenty-nine, three thousand six hundred and

thirty, three thousand six hundred and thirty-four, three thousand six hundred and forty, three thousand six hundred and forty-one, three thousand six hundred and forty-three, three thousand six hundred and fifty, three thousand six hundred and fifty-one, three thousand six hundred and fifty-two, three thousand six hundred and sixty-three, three thousand six hundred and seventy-three, three thousand six hundred and seventy-eight, three thousand six hundred and seventy-nine, three thousand seven hundred and thirty, three thousand seven hundred and fifty-two, three thousand eight hundred and thirty-nine, and three thousand eight hundred and sixty-one, and to add a new section, to be numbered three thousand six hundred and sixty-four to, and to reenact section three thousand seven hundred and seventeen of, title nine, of the Political Code, to provide revenue for the support of the government of the State—and of Assembly Bill No. 404—An Act to amend sections three thousand six hundred and seven, three thousand six hundred and seventeen, three thousand six hundred and twenty-seven, three thousand six hundred and twenty-eight, three thousand six hundred and twenty-nine, three thousand six hundred and thirty, three thousand six hundred and thirty-four, three thousand six hundred and forty, three thousand six hundred and forty-three, three thousand six hundred and fifty, three thousand six hundred and fifty-one, three thousand six hundred and fifty-two, three thousand six hundred and sixty-three, three thousand six hundred and seventy-three. three thousand six hundred and seventy-eight, three thousand six hundred and seventy-nine, three thousand seven hundred and seventeen, three thousand seven hundred and thirty, three thousand seven hundred and fifty-two, three thousand seven hundred and fifty-six, three thousand eight hundred and thirty-nine, and three thousand eight hundred and sixty-one, and to repeal sections three thousand six hundred and eighty and three thousand six hundred and eighty-seven, of an Act entitled "An Act to establish a Political Code," approved March twelfth, eighteen hundred and seventy-two, relating to revenue, and to add two new sections, numbered three thousand six hundred and sixty-four and three thousand six hundred and sixty-five—resumed.

The question was upon the motion of Mr. May to amend Mr. Leach's motion, by substituting Assembly Bill No. 403 for Assembly Bill No 404 for third reading.

Pending discussion, Mr. Tyler moved that the above question be made the special order for to-morrow, at eleven o'clock A. M.

Lost

Mr Tyler then moved to make this question the special order for ten o'clock A. M. to-morrow.

Carried.

ADJOURNMENT.

At five o'clock P. M. Mr. Tyler moved to adjourn.

Carried.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Thursday, February 26th, 1880.

House met pursuant to adjournment.
Speaker Cowdery in the chair.
Roll called, and quorum present.
Prayer by the Chaplain

READING AND APPROVAL OF THE JOURNAL.

Mr. Chandler moved that the further reading of the Journal be dispensed with.
So ordered.
The Journal of yesterday approved.

PETITIONS.

By Mr. Brown of Sonoma—A petition from members of Enterprise Lodge of Good Templars of Guerneville, in Sonoma County, protesting against any appropriation to encourage the manufacture of wine.
Referred to the Committee on Culture and Improvement of the Grape.
By Mr. Wason of Ventura—A petition from citizens and taxpayers of Santa Barbara County, asking that salaries of public officers be reduced, as far as they can be consistent with public good.
Referred to the Committee on County Governments and Municipal Corporations.

REPORTS OF STANDING COMMITTEES.

By Mr. Camron:

MR SPEAKER Your Committee on Attachés and Employés have considered the resolution below, and report the same back to the Assembly, and recommend its adoption.

CAMRON, Chairman.

Resolved, That the Committee on Irrigation be authorized to employ a Clerk at a per diem of five dollars, to be paid out of the Contingent Fund of the Assembly.

Adopted.
By Mr. Merry:

ASSEMBLY CHAMBER, February 26th, 1880.

MR SPEAKER: Your Committee on Claims beg leave to report that they have had under consideration Assembly Bill No. 150—An Act to appropriate moneys to pay the deficiencies in the expenses of the late Constitutional Convention—and report the same back as follows:

Your committee is unanimous in the opinion that the members, officers, and attachés of said Convention are entitled to full payment for the unpaid residue of the one hundred days authorized by the Act convening the Constitutional Convention—and, therefore, they hereby submit a bill appropriating the sum of twenty thousand and seventy-nine dollars and ninety-one cents, for that purpose, and recommend its passage.

Your committee is also of the opinion that the officers and attachés of the late Constitutional Convention are entitled to compensation for the services rendered by them during the fifty-seven days that said Convention was in session, over and above the one hundred days allowed by the Act convening said Convention, and, therefore, they do herewith submit a bill appro-

priating the sum of seven thousand and fourteen dollars and forty-seven cents, for that purpose, and do recommend its passage.

As to the payment of the per diem of the members of the late Constitutional Convention, for the fifty-seven days that the said Convention was in session, over and above the one hundred days authorized by the Act convening it, your committee is unable to agree, and they therefore respectfully report the subject back to the Assembly without recommendation.

All of which is respectfully submitted.

MERRY, Chairman.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, February 26th, 1880.

MR. SPEAKER: Your Committee on Claims, to whom was referred Assembly Bill No. 375—An Act to appropriate moneys for the payment of I. S. Belcher, Thos. P. Stoney, and A. C. Freeman for services in preparing bills adapting the Codes to the Constitution—have had the same under consideration, and report it back, with the recommendation that it do not pass.

MERRY, Chairman.

By Mr. Estey:

MR. SPEAKER: Your Committee on Mileage have considered the report of the Chairman of the Committee on Military Affairs, have found it correct, and recommend the adoption of the following resolution.

ESTEY, Chairman.

Resolved, That the Controller be and is hereby authorized to draw his warrant for one hundred dollars and eighty cents in favor of H. A. Gorley, for mileage due the Committee on Military Affairs for travel to and from San Francisco, in obedience to a resolution of the Assembly, the same to be paid from the Contingent Fund of the Assembly.

Resolution adopted.

By Mr. Dimond:

ASSEMBLY CHAMBER, February 25th, 1880.

MR. SPEAKER: Your Committee, to whom were referred Assembly Bills Nos. 217, 285, and 315, Acts relating to roads and highways, have had the same under consideration, and beg leave to report the bills back to the Assembly, with the recommendation that their respective authors have leave to withdraw them, the committee having agreed upon and recommended the passage of another and more general bill covering the same points.

DIMOND, Chairman.

Also:

ASSEMBLY CHAMBER, February 25th, 1880.

MR. SPEAKER: Your Committee on Roads and Highways, to whom was referred Assembly Bill No. 385, in relation to the public roads and highways in the several counties of the State, have had the same under consideration, and report it back to the Assembly, with amendments, with the recommendation that the bill, as amended, do pass.

DIMOND, Chairman.

By Mr. Tyler:

ASSEMBLY CHAMBER, February 26th, 1880.

MR. SPEAKER: Your Committee on State Prison, to whom was referred Assembly Bill No. 154—An Act for the regulation of convict labor and for the abolition of the contract system on public works.

Also, Assembly Bill No. 369—An Act to amend section one thousand five hundred and ninety of the Penal Code, in relation to persons imprisoned in the State Prison.

Have had the same under consideration, and now report the same back, recommending that they be indefinitely postponed.

Your committee, to whom, also, was referred Assembly Bill No. 313—An Act to authorize the Sheriff or other officer of any county jail or city prison to cut the hair of prisoners to within one inch of the scalp—have had the same under consideration, and report it back with amendments, recommending the passage of the bill as amended.

TYLER, Chairman.

INTRODUCTION OF BILLS.

The following bills were introduced, and ordered printed:

By Mr. Streeter—An Act to provide for the improvement of streets within cities of less than one hundred thousand inhabitants, organized and existing for municipal purposes.

By Mr. McCarty—An Act to amend an Act entitled an Act to prevent hogs from running at large in the Towns of Lakeport and Lower Lake, in Lake County, approved March twenty-third, eighteen hundred and seventy-eight.

By Mr. Hershey—An Act to amend sections six hundred and thirty-four and six hundred and thirty-six of the Penal Code, for the better protection of salmon in the waters of California.

By Mr. Ward—An Act entitled an Act to prohibit civic and political societies and organizations from carrying fire-arms through the public streets of any city or town within the State.

By Mr. Morse—An Act to amend section one thousand and ninety-four of the Political Code, in relation to elections.

By Mr. Messenger—An Act to amend section two thousand seven hundred and thirty of the Political Code, relating to highways.

By Mr. Harris—An Act creating a Board of Wharfage and Storage Commissioners, and prescribing their duties and powers.

By Mr. Adams—An Act to amend section one thousand two hundred and seventy-six of the Code of Civil Procedure, relative to change of names of persons and corporations.

By Mr. Merry—An Act to provide for the payment of the per diem of the officers and attachés of the late Constitutional Convention for fifty-seven days' services rendered in excess of the time allowed by the Act convening said Convention.

Also, an Act to provide for the payment of the per diem of the members, officers, and attachés of the late Constitutional Convention, for the unpaid residue of the one hundred days allowed by the Act convening said Convention.

COMMUNICATION.

By Mr Adams—A communication from the City Council of the City of Santa Rosa, County of Sonoma, offering a building and grounds, free of incumbrance, to the State, in consideration of the location of the State Normal School therein.

Read, and referred to the Committees on Education and Public Buildings and Grounds.

MOTION.

Mr. Speaker: I move that the following bills now on the second reading file be brought forward and placed at the head of the second reading file, there to stand, and to be considered in the order hereinafter named, next after the disposition of Assembly Bills Nos. 403 and 404, to wit:

1. Senate Bill No. 118, now thirty-two on file.
2. Senate Bill No 116, now one hundred and sixteen on file.
3. Senate Bill No. 113, now sixty-seven on file.
4. Senate Bill No 112, now eighty-six on file.
5. Senate Bill No 141, now eighty-seven on file
6. Senate Bill No. 158, now eighty-eight on file
7. Senate Bill No. 175, now ninety-one on file
8. Assembly Bill No 347, now fifteen on file.
9. Senate Bill No. 115, now sixty-nine on file.
10. Senate Bill No. 140, now seventy-four on file.
11. Senate Bill No. 147, now seventy-seven on file.
12. Senate Bill No. 124, now seventy-two on file.
13. Senate Bill No. 125, now seventy-three on file.
14. Senate Bill No. 114, now sixty-eight on file
15. Senate Bill No. 146, now seventy-six on file.
16. Senate Bill No. 159, now eighty-two on file.

So ordered.

SENATE MESSAGE.

The following message was received from the Senate:

SENATE CHAMBER, SACRAMENTO, February 24th, 1880.

MR. SPEAKER: I am directed to inform your honorable body that the Senate, on February eighteenth, eighteen hundred and eighty, indefinitely postponed Assembly Bill No. 84—An Act to provide for the organization of a Board of Railroad and Transportation Commissioners.

Also, on February twentieth, concurred in Assembly Concurrent Resolution No. 13—Relative to the printing of extra copies of the laws passed by the present Legislature for distribution to the Superior Judges and County Clerks of this State.

Also, on February twenty-first, passed Senate Bill No. 192—An Act to provide for the publication of the debates and proceedings of the Constitutional Convention of the State of California.

Also, on February twenty-fourth, concurred in Assembly Concurrent Resolution No. 11—Relative to the establishment of a Dead Letter Office at San Francisco.

JOHN R. BRIERLY, Assistant Clerk.

CONSIDERATION OF SENATE MESSAGE.

Senate Bill No. 192—An Act to provide for the publication of the debates and proceedings of the Constitutional Convention of the State of California.

Read first time, and referred to the Committee on Public Printing.

RESOLUTION.

By Mr. Braunhart, by permission:

Resolved, That Rule Seventeen be hereby amended to read as follows:

FEES OF SERGEANT-AT-ARMS.

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, ten 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.

Resolved, That Rule Seventy-five be hereby amended to read as follows:

FEES OF WITNESSES.

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 and going from the place of examination, the sum of ten 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.

Resolution adopted.

SPECIAL ORDERS.

Assembly Bill No. 403—An Act to amend sections three thousand six hundred and seven, three thousand six hundred and seventeen, three thousand six hundred and twenty-seven, three thousand six hundred and twenty-eight, three thousand six hundred and twenty-nine, three thousand six hundred and thirty, three thousand six hundred and thirty-four, three thousand six hundred and forty, three thousand six hundred and forty-one, three thousand six hundred and forty-three, three thousand six hundred and fifty, three

thousand six hundred and fifty-one, three thousand six hundred and fifty-two, three thousand six hundred and sixty-three, three thousand six hundred and seventy-three, three thousand six hundred and seventy-eight, three thousand six hundred and seventy-nine, three thousand seven hundred and thirty, three thousand seven hundred and fifty-two, three thousand eight hundred and thirty-nine, and three thousand eight hundred and sixty-one, and to add a new section, to be numbered three thousand six hundred and sixty-four to, and to reenact section three thousand seven hundred and seventeen of, title nine, of the Political Code, to provide revenue for the support of the government of the State—and Assembly Bill No. 404—An Act to amend sections three thousand six hundred and seven, three thousand six hundred and seventeen, three thousand six hundred and twenty-seven, three thousand six hundred and twenty-eight, three thousand six hundred and twenty-nine, three thousand six hundred and thirty, three thousand six hundred and thirty-four, three thousand six hundred and forty, three thousand six hundred and forty-three, three thousand six hundred and fifty, three thousand six hundred and fifty-one, three thousand six hundred and fifty-two, three thousand six hundred and sixty-three, three thousand six hundred and seventy-three, three thousand six hundred and seventy-eight, three thousand six hundred and seventy-nine, three thousand seven hundred and seventeen, three thousand seven hundred and thirty, three thousand seven hundred and fifty-two, three thousand seven hundred and fifty-six, three thousand eight hundred and thirty-nine, and three thousand eight hundred and sixty-one, and to repeal sections three thousand six hundred and eighty and three thousand six hundred and eighty-seven, of an Act entitled "An Act to establish a Political Code," approved March twelfth, eighteen hundred and seventy-two, relating to revenue, and to add two new sections, numbered three thousand six hundred and sixty-four and three thousand six hundred and sixty-five.

The special orders for this hour taken up.

Speaker pro tem. Fraser in the chair.

The question being upon Mr. May's motion to substitute Assembly Bill No. 403 for Assembly Bill No. 404 for third reading.

The previous question being demanded by the requisite number, the House refused to order it.

RECESS.

Pending discussion of the question to substitute Assembly Bill No. 403 for Assembly Bill No 404, for third reading, the hour of one o'clock P. M. having arrived, the House took a recess for one hour.

RE-ASSEMBLED.

The House re-assembled at two o'clock P. M.

Speaker Cowdery in the chair.

Quorum present.

THE CONSIDERATION OF SPECIAL ORDERS—CONTINUED.

Assembly Bill No. 403—An Act to amend sections three thousand six hundred and seven, three thousand six hundred and seventeen,

three thousand six hundred and twenty-seven, three thousand six hundred and twenty-eight, three thousand six hundred and twenty-nine, three thousand six hundred and thirty, three thousand six hundred and thirty-four, three thousand six hundred and forty, three thousand six hundred and forty-one, three thousand six hundred and forty-three, three thousand six hundred and fifty, three thousand six hundred and fifty-one, three thousand six hundred and fifty-two, three thousand six hundred and sixty-three, three thousand six hundred and seventy-three, three thousand six hundred and seventy-eight, three thousand six hundred and seventy-nine, three thousand seven hundred and thirty, three thousand seven hundred and fifty-two, three thousand eight hundred and thirty-nine, and three thousand eight hundred and sixty-one, and to add a new section, to be numbered three thousand six hundred and sixty-four to, and to reenact section three thousand seven hundred and seventeen of, title nine, of the Political Code, to provide revenue for the support of the government of the State—and of Assembly Bill No. 404—An Act to amend sections three thousand six hundred and seven, three thousand six hundred and seventeen, three thousand six hundred and twenty-seven, three thousand six hundred and twenty-eight, three thousand six hundred and twenty-nine, three thousand six hundred and thirty, three thousand six hundred and thirty-four, three thousand six hundred and forty, three thousand six hundred and forty-three, three thousand six hundred and fifty, three thousand six hundred and fifty-one, three thousand six hundred and fifty-two, three thousand six hundred and sixty-three, three thousand six hundred and seventy-three, three thousand six hundred and seventy-eight, three thousand six hundred and seventy-nine, three thousand seven hundred and seventeen, three thousand seven hundred and thirty, three thousand seven hundred and fifty-two, three thousand seven hundred and fifty-six, three thousand eight hundred and thirty-nine, and three thousand eight hundred and sixty-one, and to repeal sections three thousand six hundred and eighty and three thousand six hundred and eighty-seven, of an Act entitled "An Act to establish a Political Code," approved March twelfth, eighteen hundred and seventy-two, relating to revenue, and to add two new sections, numbered three thousand six hundred and sixty-four and three thousand six hundred and sixty-five—resumed.

The question being upon the motion to substitute Assembly Bill No. 403 for Assembly Bill No 404, for third reading, the roll was called, and the motion was lost by the following vote:

AYES—Messrs Adams, Brown of Yuba, Bruner, Brusie, Cameron, Coffman, Coleman, Dimond, Downs, Felton, Fox, May, Nelson, Tyler, and Young—15.

NOES—Messrs Anthony, Bass, Bennett, Braunhart, Brooks, Brown of Sonoma, Burns, Carr of Sacramento, Carr of Yuba, Chamberlain, Cook, Cooper, Corcoran, Cuthbert, Del Valle, DuBrutz, Durham, Estey, Finlayson, Fraser, Frink, Garibaldi, Gaffey, Gorley, Green, Hardy, Harris, Hartson, Hershey, Hynes, Josselyn, Lane, Leach, Levee, Maguire, Mathews, Maybell, McCallion, McCarty of Lake, McCarthy of San Francisco, McComas, McDade, McIntosh, Merry, Messenger, Morse, Picket, Sayle, Simon, Sherburne, Spencer, Stanley, Stoddard, Streeter, Sweetland, Walker, Ward, Wason of Ventura, Wattson, and York—60.

Assembly Bill No. 404—An Act to amend sections three thousand six hundred and seven, three thousand six hundred and seventeen, three thousand six hundred and twenty-seven, three thousand six hundred and twenty-eight, three thousand six hundred and twenty-nine, three thousand six hundred and thirty, three thousand six

hundred and thirty-four, three thousand six hundred and forty, three thousand six hundred and forty-three, three thousand six hundred and fifty, three thousand six hundred and fifty-one, three thousand six hundred and fifty-two, three thousand six hundred and sixty-three, three thousand six hundred and seventy-three, three thousand six hundred and seventy-eight, three thousand six hundred and seventy-nine, three thousand seven hundred and seventeen, three thousand seven hundred and thirty, three thousand seven hundred and fifty-two, three thousand seven hundred and fifty-six, three thousand eight hundred and thirty-nine, and three thousand eight hundred and sixty-one, and to repeal sections three thousand six hundred and eighty and three thousand six hundred and eighty-seven, of an Act entitled "An Act to establish a Political Code," approved March twelfth, eighteen hundred and seventy-two, relating to revenue, and to add two new sections, numbered three thousand six hundred and sixty-four and three thousand six hundred and sixty-five—was then ordered to third reading without objection.

RESOLUTION.

By Mr. Fox:

Resolved, That the floor of the House, within the bar, be cleared of all persons except members and attachés, and members of the press who now have seats assigned them on the floor of the House, and that during the remainder of the session no persons shall be admitted to the floor of the House, within the bar, except members and attachés, and members of the press now having seats assigned to them on said floor, officers and members of the Senate, State officers, Governors and ex-Governors of States, members of Congress, and Judges of the Supreme and Superior Courts; *provided*, that ladies invited by members may be seated within the bar.

Mr. Maybell moved to lay the resolution upon the table.

Upon which the ayes and noes were demanded by Messrs. Merry, Maybell, and Brooks.

The roll was called, and the motion was lost by the following vote:

AYES—Messrs. Anthony, Bass, Braunhart, Brown of Sonoma, Burns, Carr of Yuba, Cook, Cuthbert, Del Valle, DuBrutz, Garibaldi, Gaffey, Harris, Hershey, Hynes, Josselyn, Lane, Levee Maguire, Mathews, Maybell, McCallion, McCarty of Lake, McCarthy of San Francisco, McDade, Messenger, Pickett, Sayle, Sinon, Spencer, Sweetland, and Walker—32.

NOES—Messrs. Adams, Bennett, Brooks, Brown of Yuba, Bruner, Brusie, Camron, Carr of Sacramento, Chamberlain, Coffman, Coleman, Dimond, Downs, Durham, Estey, Felton, Finlayson, Fox, Fraser, Frink, Gorley, Green, Hartson, Leach, Leadbetter, May, McComas, McIntosh, Merry, Morse, Nelson, Sherburne, Stanley, Stoddard, Streeter, Tyler, Ward, Wason of Ventura, Wasson of Mono, Wattson, York, Young, and Mr. Speaker—43

Mr. McDade moved to amend the resolution by inserting after the word "ladies" the following words, "or gentlemen, when specially invited by a member of this House."

Upon which the ayes and noes were demanded by Messrs. Maybell, Sinon, and McDade.

The previous question was demanded by Messrs. Tyler, Mulholland, and York.

Upon which the ayes and noes were demanded by Messrs. Braunhart, Maybell, and Carr of Yuba.

The roll was called, and the previous question was ordered by the following vote:

AYES—Messrs. Adams, Bennett, Brooks, Brown of Yuba, Bruner, Brusie, Camron, Carr of Sacramento, Chamberlain, Coleman, Dimond, Downs, Durham, Estey, Felton, Finlayson, Fox, Fraser, Frink, Gorley, Green, Hartson, Leach, Leadbetter, May, McComas, McIntosh, Merry, Morse, Mulholland, Nelson, Sherburne, Stanley, Streeter, Tyler, Ward, Wason of Ventura, Wasson of Mono, Wattson, York, and Young—41.

NOES—Messrs. Anthony, Bass, Braunhart, Brown of Sonoma, Burns, Carr of Yuba, Cook, Cooper, Corcoran, Cuthbert, DuBrutz, Garibaldi, Gaffey, Harris, Hershey, Hynes, Josselyn, Lane, Levee, Maguire, Mathews, Maybell, McCallion, McCarty of Lake, McCarthy of San Francisco, McDade, Messenger, Picket, Sayle, Simon, Spencer, Stoddard, and Walker—33.

At four o'clock P. M. Mr. Carr of Yuba moved to adjourn, upon which the ayes and noes were demanded by Messrs. Braunhart, Carr of Yuba, and Maybell.

The roll was called and the motion was lost by the following vote:

AYES—Messrs Carr of Yuba, Gaffey, Maguire, Mathews, McCarty of Lake, Sherburne, Stoddard, Sweetland, and Walker—9.

NOES—Messrs. Adams, Anthony, Bass, Bennett, Braunhart, Brooks, Brown of Sonoma, Brown of Yuba, Bruner, Brusie, Burns, Cannon, Carr of Sacramento, Chamberlain, Coleman, Cook, Cooper, Corcoran, Cuthbert, Dimond, Downs, DuBrutz, Durham, Estey, Felton, Finlayson, Fox, Fraser, Frink, Garibaldi, Gorley, Green, Harrison, Hershey, Hynes, Josselyn, Lane, Leach, Leadbetter, Levee, May, Maybell, McCallion, McCarthy of San Francisco, McComas, McDade, McIntosh, Merry, Messenger, Morse, Mulholland, Nelson, Picket, Sayle, Simon, Spencer, Stanley, Streeter, Tyler, Ward, Wason of Ventura, Wasson of Mono, Wattson, York, Young, and Mr. Speaker—67.

The question recurred upon the amendment offered by Mr. McDade.

The roll was called, and the amendment was lost by the following vote:

AYES—Messrs. Anthony, Bass, Braunhart, Burns, Carr of Yuba, Cook, Cooper, Corcoran, Cuthbert, DuBrutz, Garibaldi, Gaffey, Harris, Hershey, Hynes, Josselyn, Lane, Levee, Maguire, Mathews, Maybell, McCallion, McCarty of Lake, McCarthy of San Francisco, McDade, Messenger, Picket, Sayle, Simon, Spencer, Stoddard, and Walker—32

NOES—Messrs Adams, Bennett, Brooks, Brown of Yuba, Bruner, Brusie, Cannon, Carr of Sacramento, Chamberlain, Coleman, Downs, Durham, Estey, Felton, Finlayson, Fox, Fraser, Frink, Gorley, Green, Harrison, Leach, Leadbetter, May, McComas, McIntosh, Merry, Morse, Mulholland, Nelson, Sherburne, Stanley, Streeter, Tyler, Ward, Wason of Ventura, Wasson of Mono, Wattson, York, Young, and Mr. Speaker—41

The previous question was demanded by Messrs. Merry, Mulholland, and Wason.

Pending the demand for the previous question, at four o'clock and ten minutes P. M., Mr. Braunhart moved to adjourn.

Upon which the ayes and noes were demanded by Messrs. Braunhart, Maybell, and Carr of Yuba.

The roll was called, and the motion was lost by the following vote:

AYES—Messrs. Braunhart, Cook, Cuthbert, Gaffey, Josselyn, Levee, Mathews, Maybell, McCarty of Lake, and Simon—10.

NOES—Messrs. Adams, Anthony, Bass, Bennett, Brooks, Brown of Yuba, Bruner, Brusie, Burns, Cannon, Carr of Sacramento, Carr of Yuba, Chamberlain, Chandler, Coleman, Cooper, Corcoran, Downs, DuBrutz, Durham, Estey, Felton, Finlayson, Fox, Fraser, Frink, Garibaldi, Gorley, Green, Harrison, Hershey, Hynes, Lane, Leach, Leadbetter, Maguire, May, McCallion, McCarthy of San Francisco, McComas, McDade, McIntosh, Merry, Messenger, Morse, Mulholland, Nelson, Picket, Sayle, Sherburne, Spencer, Stanley, Stoddard, Streeter, Sweetland, Tyler, Ward, Wason of Ventura, Wasson of Mono, Wattson, York, Young, and Mr. Speaker—63.

The Speaker decided that the previous question had been ordered by the House generally, and consequently went back to the original resolution

Mr. Braunhart appealed from the decision of the Chair.

The question being, "Shall the decision of the Chair stand as the judgment of the House?" the ayes and noes were demanded by Messrs Braunhart, Maybell, and Carr of Yuba.

The roll was called, and the Chair sustained by the following vote:

AYES—Messrs. Adams, Anthony, Bass, Bennett, Brooks, Brown of Sonoma, Brown of Yuba, Bruner, Brusie, Burns, Cannon, Carr of Sacramento, Carr of Yuba, Chamberlain, Chandler, Coleman, Cooper, Dimond, Downs, DuBrutz, Durham, Estey, Felton, Finlayson, Fox, Fraser, Frink, Gorley, Green, Hartson, Hershey, Hynes, Josselyn, Lane, Leach, Leadbetter, Maguire, Mathews, May, McCallion, McCarthy of San Francisco McComas, McDade, McIntosh, Merry, Messenger, Morse, Mulholland, Nelson, Picket, Sayle, Sherburne, Spencer, Stanley, Stoddard, Streeter, Tyler, Walker, Ward, Wason of Ventura, Wasson of Mono, Wattson, York, and Young—64

NOES—Messrs. Braunhart, Corcoran, Maybell, and McCarty of Lake—4.

At four o'clock and thirty minutes P. M. Mr. McCarty moved to adjourn, upon which the ayes and noes were demanded by Messrs. Braunhart, Sinon, and Carr of Yuba.

The roll was called, and the motion was lost by the following vote:

AYES—Messrs. Carr of Yuba, Cook, Cooper, Dimond, Gaffey, Josselyn, Mathews, McCarty of Lake, Sinon, and Walker—10

NOES—Messrs. Adams, Anthony, Bass, Bennett, Brooks, Brown of Sonoma, Brown of Yuba, Bruner, Brusie, Burns, Cannon, Carr of Sacramento, Chamberlain, Chandler, Coleman, Corcoran, Downs, DuBrutz, Durham, Estey, Felton, Finlayson, Fox, Fraser, Frink, Garibaldi, Gorley, Green, Hardy, Hershey, Hynes, Lane, Leach, Leadbetter, Maguire, May, Maybell, McCallion, McCarthy of San Francisco, McComas, McIntosh, Merry, Messenger, Morse, Mulholland, Nelson, Picket, Sherburne, Spencer, Stanley, Stoddard, Streeter, Tyler, Ward, Wason of Ventura, Wasson of Mono, Wattson, York, Young, and Mr. Speaker—60

The question recurred upon the original resolution by Mr. Fox.

Pending the calling of the roll Mr. McDade changed his vote, and gave notice that he would move to reconsider the vote by which the resolution was adopted

The roll was called, and the resolution adopted by the following vote:

AYES—Messrs. Adams, Bennett, Brooks, Brown of Yuba, Bruner, Brusie, Cannon, Carr of Sacramento, Chamberlain, Chandler, Coleman, Dimond, Downs, Durham, Estey, Felton, Finlayson, Fox, Fraser, Frink, Gorley, Green, Hartson, Leach, Leadbetter, May, McComas, McDade, McIntosh, Merry, Morse, Mulholland, Nelson, Sherburne, Stanley, Stoddard, Streeter, Tyler, Ward, Wason of Ventura, Wasson of Mono, Wattson, York, Young, and Mr. Speaker—45

NOES—Messrs. Anthony, Bass, Braunhart, Brown of Sonoma, Burns, Carr of Yuba, Cook, Cooper, Corcoran, Cuthbert, DuBrutz, Garibaldi, Gaffey, Hershey, Hynes, Josselyn, Lane, Levee, Maguire, Mathews, Maybell McCarty of Lake, McCarthy of San Francisco, Messenger, Picket, Sinon, Spencer, Sweetland, and Walker—29.

ADJOURNMENT.

At four o'clock and fifty minutes P. M., Mr. Tyler moved we do now adjourn.

The ayes and noes were demanded by the requisite number.

The roll was called, and the motion to adjourn was carried by the following vote:

AYES—Messrs Adams, Bennett, Brooks, Brown of Yuba, Bruner, Brusie, Cannon, Carr of Sacramento, Chamberlain, Chandler, Coffman, Coleman, Cooper, Dimond, Downs, Durham, Estey, Felton, Finlayson, Fox, Fraser, Frink, Gorley, Green, Hartson, Leach, Leadbetter, Levee, May, McComas, McIntosh, Merry, Morse, Mulholland, Nelson, Picket, Sherburne, Stanley, Stoddard, Streeter, Sweetland, Tyler, Ward, Wason of Ventura, Wasson of Mono, Wattson, Young, and Mr. Speaker—48.

NOES—Messrs. Anthony, Bass, Braunhart, Burns, Carr of Yuba, Cook, Corcoran, Cuthbert, DuBrutz, Garibaldi, Gaffey, Hershey, Hynes, Josselyn, Lane, Maguire, Mathews, Maybell, McCallion McCarty of Lake, McCarthy of San Francisco, McDade, Messenger, Sinon, Spencer, and Walker—26.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Friday, February 27th, 1880.

House met pursuant to adjournment.
Speaker Cowdery in the chair.
Rolled called, and a quorum present.
Prayer by the Chaplain.

READING AND APPROVAL OF THE JOURNAL.

Mr. Tyler moved that the further reading of the Journal be dispensed with.
So ordered.
The Journal of yesterday corrected and approved.

PRIVILEGED QUESTION.

Mr. Tyler, arising to a privileged question, introduced the following:

WHEREAS, There has been printed in several of the papers of this State a telegram purporting to have been sent from Sacramento to Denis Kearney, in San Francisco, as follows, to wit:

"We hear that you are about erecting a gallows on the sand lots. There is more need of erecting a gallows in Sacramento. Come up immediately. Bring some hemp.

"S. MAYBELL,
"CAPT. JOSSELYN."

Therefore, resolved, That a special committee of three be appointed by the Speaker to inquire whether the Hon. Stephen Maybell and Hon. E. S. Josselyn, members of this House, were the authors of or sent said telegram. If so, what is the meaning of the same, and what action it is proper for this House to take in the premises, with power to send for persons and papers, and administer oaths.

Mr. McCarthy moved to lay the resolution on the table.
Upon which the ayes and noes were demanded by Messrs. Lane, McCarthy, and Sinon.
The roll was called, and the motion was lost by the following vote:

AYES—Messrs. Anthony, Bass, Braunhart, Burns, Carr of Yuba, Coleman, Cooper, Corcoran, Cuthbert, DuBrutz, Fraser, Gaffey, Green, Harris, Hershey, Hynes, Lane, Levee, Maguire, McCarty of Lake, McCarthy of San Francisco, Messenger, Picket, Sinon, Spencer, Stoddard, Sweetland, and Walker—28.

NOES—Messrs. Adams, Bennett, Brooks, Brown of Yuba, Bruner, Brusie, Carr of Sacramento, Chamberlain, Chandler, Coffman, Del Valle, Dimond, Downs, Durham, Estey, Felton, Finlayson, Fox, Frink, Gorley, Hardy, Hartson, Leach, Leadbetter, May, McComas, McIntosh, Merry, Morse, Mulholland, Nelson, Sayle, Sherburne, Stanley, Streeter, Tyler, Ward, Wason of Ventura, Wasson of Mono, Wattson, York, Young, and Mr. Speaker—43.

The question recurred upon the resolution of Mr. Tyler.
Mr. Cooper raised the point of order that the resolution was based upon a publication in a newspaper.
The Chair ruled the point of order not well taken.
Mr. Cooper appealed from the decision of the chair.
Mr. Corcoran seconded the appeal.

The previous question, on the appeal, was demanded by Messrs. Adams, York, and Mulholland, and the House so ordered.

The question being, "Shall the decision of the Chair stand as the judgment of the House?" the ayes and noes were demanded by Messrs. Cooper, Corcoran, and McCarthy.

The roll was called, and the Speaker was sustained by the following vote:

AYES—Messrs. Adams, Bass, Bennett, Braunhart, Brooks, Brown of Sonoma, Brown of Yuba, Bruner, Brusie, Burns, Carr of Sacramento, Carr of Yuba, Chamberlain, Chandler, Cook, Cuthbert, Del Valle, Dimond, Downs, Durham, Estey, Finlayson, Fox, Fraser, Frink, Garibaldi, Gorley, Green, Hardy, Hartson, Hynes, Leach, Leadbetter, Levee, Mathews, May, McCarty of Lake, McIntosh, Merry, Morse, Mulholland, Nelson, Picket, Sayle, Sherburne, Stanley, Stoddard, Streeter, Tyler, Ward, Wason of Ventura, Wasson of Mono, Wattson, York, and Young—55.

NOES—Messrs. Anthony, Cooper, Corcoran, DuBrutz, Gaffey, Harris, Hershey, Lane, Maguire, McCarthy of San Francisco, Messenger, Simon, Spencer, Sweetland, and Walker—15.

Mr. Maybell demanded that Mr. Tyler's language, to-wit: "These men howling on the sand lots," be taken down.

Mr. Fox demanded that the language of Mr. Maybell be taken down, where he referred to Mr. Tyler, and spoke of him as "a shyster lawyer."

Mr. Maybell, denying that he used the words, the question was being put to the House, "Is it the sense of the Assembly that Mr. Maybell used the language as charged?" and the Speaker was stating the question, and Mr. Braunhart persisting in interrupting him by rising to points of order, called Mr. Braunhart to order and ordered him to take his seat, and upon his refusing to do so ordered him under arrest.

Mr. McDade, seconded by Mr. Maguire, moved that Mr. Braunhart be discharged from arrest.

Mr Fox moved to lay the motion on the table until the matter under discussion is disposed of, upon which the ayes and noes were demanded by Messrs Carr of Yuba, McDade, and Walker.

The roll was called, and the motion to lay on the table prevailed by the following vote:

AYES—Messrs. Adams, Bennett, Brooks, Brown of Yuba, Bruner, Brusie, Carr of Sacramento, Chamberlain, Chandler, Dimond, Downs, Durham, Estey, Felton, Finlayson, Fox, Fraser, Frink, Gorley, Green, Hartson, Leach, Leadbetter, May, McComas, Merry, Morse, Mulholland, Nelson, Sayle, Sherburne, Stanley, Streeter, Tyler, Ward, Wason of Ventura, Wasson of Mono, Wattson, York, and Young—40

NOES—Messrs Anthony, Bass, Burns, Carr of Yuba, Coleman, Cook, Cooper, Corcoran, Cuthbert, Garibaldi, Gaffey, Harris, Hershey, Hynes, Josselyn, Lane, Levee, Maguire, Mathews, Maybell, McCallion, McCarthy of San Francisco, McDade, McIntosh, Messenger, Picket, Simon, Stoddard, Sweetland, and Walker—30.

Mr. DuBrutz was excused from voting.

The question being to lay on the table the question whether Mr. Maybell used the language attributed to him, the House ordered it laid on the table.

The previous question was demanded by Messrs. Tyler, Frink, and Mulholland, and the House so ordered

The question being upon Mr. Tyler's resolution, the roll was called, and the resolution was adopted by the following vote:

AYES—Messrs Adams, Brooks, Brown of Yuba, Bruner, Brusie, Carr of Sacramento, Chamberlain, Chandler, Dimond, Downs, Durham, Estey, Finlayson, Fox, Fraser, Frink, Gorley, Hardy, Hartson, Leadbetter, May, McComas, McIntosh, Merry, Morse, Mulholland, Nelson, Sayle, Sherburne, Stanley, Streeter, Tyler, Ward, Wason of Ventura, Wasson of Mono, Wattson, York, Young, and Mr. Speaker—39.

NOES—Messrs Anthony, Bass, Bennett, Burns, Carr of Yuba, Coleman, Cook, Cooper, Corcoran, Cuthbert, Del Valle, DuBrutz, Felton, Garibaldi, Gaffey, Green, Harris, Hershey, Hynes, Lane, Leach, Levee, Maguire, Mathews, McCarty of Lake, McCarthy of San Francisco, McDade, Messenger, Picket, Simon, Spencer, Stoddard, Sweetland, and Walker—34.

Mr. Braunhart being brought before the bar of the House, and commencing to speak, and using the language repeated below, Mr. Morse demanded that Mr. Braunhart's language be taken down by the Clerk, as follows: Mr. Braunhart said, "He desired that he be not treated as a felon, even if the attorney of the Spring Valley Water Company demanded it."

The Chair stated the question to be, "Is the language above used by Mr. Braunhart disorderly?"

The House, by division, decided the language to be disorderly.

The question being, "What shall be the judgment of the House in regard to the contempt of Mr Braunhart?" Mr. York moved that Mr. Braunhart be suspended from the privilege of the floor of the House for two days.

Mr. Braunhart, asking to speak in his own defense, the House granted him permission

The question being upon the motion to suspend Mr Braunhart from the privilege of the floor of the House for two days, Mr. Carr of Yuba moved to amend so as to discharge Mr. Braunhart from arrest.

Upon which the ayes and noes were demanded by Messrs McCallion, Lane, and Burns.

The roll was called, and the amendment was lost by the following vote:

AYES—Messrs Anthony, Bass, Burns, Carr of Yuba, Cooper, Corcoran, Cuthbert, Garibaldi, Gaffey, Harris, Hynes, Josselyn, Lane, Maguire, Mathews, Maybell, McCallion, McCarty of Lake, McCarthy of San Francisco, McDade, McIntosh, Messenger, Picket, Simon, Spencer, Stoddard, and Walker—27.

NOES—Messrs Adams, Bennett, Brooks, Brown of Sonoma, Brown of Yuba, Bruner, Brusie, Camron, Carr of Sacramento, Chamberlain, Chandler, Cook, Dimond, Downs, Durham, Estey, Felton, Findayson, Fox, Fraser, Frink, Gorley, Hardy, Hartson, Hershey, Leach, Leadbetter, Levee, May, McComas, Merry, Morse, Mulholland, Nelson, Sayle, Sherburne, Stanley, Streeter, Sweetland, Tyler, Ward, Wason of Ventura, Wasson of Mono, Wattson, York, and Young—46

Mr. Gorley moved to amend the motion so that Mr. Braunhart be brought before the bar of the House, and that he be censured by the Speaker in behalf of the House.

Mr. Gaffey moved to amend the amendment so as to deprive Mr. Braunhart of the floor of the House for one-half hour.

Lost.

Mr. Simon moved that the question under discussion be made the special order for seven o'clock and thirty minutes P. M. this day.

Lost.

The question recurred upon the motion of Mr Gorley to amend the original motion.

It was adopted.

The previous question being demanded by the requisite number, the House so ordered.

The question being now upon the motion as amended, the ayes and noes were demanded by Messrs. Maybell, Carr of Yuba, and McDade.

The roll was called, and the resolution was adopted by the following vote:

AYES—Messrs. Adams, Bennett, Brooks, Brown of Yuba, Bruner, Brusie, Camron, Carr of Sacramento, Chamberlain, Chandler, Coleman, Dimond, Downs, Durham, Estey, Felton, Finlayson, Fox, Fraser, Frink, Gorley, Hartson, Hershey, Leadbetter, May, McComas, McIntosh, Merry, Morse, Mulholland, Nelson, Sayle, Sherburne, Stanley, Streeter, Tyler, Ward, Wason of Ventura, Wasson of Mono, Wattson, York, and Young—42

NOES—Messrs. Anthony, Brown of Sonoma, Burns, Carr of Yuba, Cook, Corcoran, Cuthbert, Garibaldi, Gaffey, Harris, Hynes, Josselyn, Lane, Levee, Maguire, Mathews, Maybell, McCallion, McCarty of Lake, McCarthy of San Francisco, McDade, Messenger, Pickett, Simon, Spencer, Stoddard, Sweetland, and Walker—28.

Mr. Braunhart stated: "The victim of political hatred is here."

Upon which Mr. Fox moved that Mr. Braunhart be suspended from the privilege of the floor of the House for one month.

The question being, "Is the language used by Mr. Braunhart disorderly?" the ayes and noes were demanded by Messrs. Maybell, Lane, and Burns, and pending the calling of the roll Mr. Braunhart addressed the Chair with the words, "You are bound to get even with me, ain't you?"

The Speaker asked the words to be taken down.

Mr. McCarthy of San Francisco changed his vote, and gave notice of a motion to reconsider.

The calling of the roll was completed, and the House decided the language to be disorderly by the following vote:

AYES—Messrs. Adams, Brooks, Brown of Yuba, Bruner, Brusie, Camron, Carr of Sacramento, Chamberlain, Chandler, Coleman, Dimond, Downs, Durham, Estey, Felton, Finlayson, Fox, Fraser, Frink, Gorley, Green, Hartson, Hershey, Leach, Leadbetter, May, McCarthy of San Francisco, McComas, McIntosh, Merry, Morse, Mulholland, Nelson, Sayle, Sherburne, Stanley, Streeter, Tyler, Ward, Wason of Ventura, Wasson of Mono, Wattson, and York—43.

NOES—Messrs. Anthony, Bennett, Burns, Carr of Yuba, Corcoran, DuBrutz, Garibaldi, Gaffey, Harris, Hynes, Josselyn, Lane, Levee, Maguire, Mathews, Maybell, McCallion, McDade, Messenger, Pickett, Simon, Spencer, Sweetland, Walker, and Young—25.

Mr. Leach moved to amend the motion to suspend for one month so as to read three days.

Mr. Levee moved to amend as follows: "That Mr. Braunhart be allowed to take his seat, but not permitted to address the House until Monday next."

Lost.

The question recurred upon the motion to suspend, as amended by Mr. Leach.

Upon which the ayes and noes were demanded by Messrs. Carr of Yuba, Maybell, and McDade.

The roll was called, and the motion was carried by the following vote:

AYES—Messrs. Adams, Bennett, Brooks, Brown of Yuba, Bruner, Brusie, Camron, Carr of Sacramento, Chamberlain, Chandler, Coleman, Dimond, Downs, Durham, Estey, Felton, Finlayson, Fox, Fraser, Frink, Gorley, Green, Hartson, Leach, Leadbetter, May, McComas, McIntosh, Merry, Morse, Mulholland, Nelson, Sherburne, Stanley, Streeter, Tyler, Ward, Wason of Ventura, Wasson of Mono, Wattson, and York—41.

NOES—Messrs. Anthony, Bass, Burns, Carr of Yuba, Cooper, Corcoran, Cuthbert, Del Valle, DuBrutz, Garibaldi, Gaffey, Harris, Hershey, Hynes, Josselyn, Lane, Levee, Maguire, Mathews, Maybell, McCallion, McCarthy of San Francisco, McDade, Messenger, Pickett, Sayle, Simon, Spencer, Stoddard, Sweetland, Walker, and Young—32.

PROTEST.

Mr. Spencer offered the following protest:

SACRAMENTO, February 27th, 1880

We, the undersigned, Representatives in the Assembly of the Legislature of the State of California, severally and singly for ourselves hereby protest against the action of a majority of

this House, this day, in consuming time on immaterial matters, when important legislation is pending, and request the same to be entered on the Journal.

J. D. SPENCER,
A. B. DuBRUTZ,
JAMES HYNES,
H. A. MESSENGER,
C. G. SAYLE,
WM. P. MATHEWS,
J. S P. BASS,
L. F. COOPER,
D. N HERSHEY,
R. F. DEL VALLE,
J. J. HARRIS,
JAMES O SWEETLAND,
JEREMIAH LEVEE,
A. P. McCARTY,
H. K. BROWN.

PRIVILEGED QUESTION.

By Mr. Tyler:

WHEREAS, Denis Kearney, on the floor of the Assembly Chamber, and immediately after the adjournment of the Assembly for the day, on the twenty-sixth day of February, A. D. eighteen hundred and eighty, did make a violent, insulting, abusive, and threatening attack upon the Honorable James Adams, a member of the Assembly, for the vote which had been given by the said Adams upon a resolution that day passed by the Assembly, to clear the floor thereof within the bar of the House, and did then and there use to and toward the said Adams violent, insulting, abusive, and threatening language, and among other things did threaten said Adams with personal injury, or words to that effect, now, therefore,

Resolved, That he, the said Denis Kearney, be and is hereby excluded from the Assembly Chamber, and from all the galleries, lobbies halls, and ante-chambers thereto attached, from the rooms of the Sergeant-at-Arms, and from all committee-rooms under the control of the Assembly, for and during the entire remainder of this session of the Legislature, and the Speaker, Sergeant-at-Arms, and all other officers and employés of the Assembly, having charge of the rooms thereof, are hereby directed to see that this resolution is strictly enforced, not only during the hours of actual session, but during all hours, and at all times, until this Legislature shall have adjourned *sine die*

Mr. Maguire moved the indefinite postponement of the resolution.

Upon which the ayes and noes were demanded by Messrs. Maybell, Carr of Yuba, and Maguire.

The roll was called, and the motion was lost by the following vote:

AYES—Messrs. Anthony, Bass, Bennett, Burns, Carr of Yuba, Cook, Corcoran, Cuthbert, Garibaldi, Gafley, Harris, Hershey, Hynes, Josselyn, Lane, Levee, Maguire, Mathews, Maybell, McCallion, McCarthy of San Francisco, McDade, Messenger, Picket, Simon, Spencer, Stoddard, Sweetland, and Walker—29.

NOES—Messrs. Adams, Brooks, Brown of Sonoma, Brown of Yuba, Bruner Busie, Camron, Carr of Sacramento, Chamberlain, Chandler, Dumond, Downs, DuBrutz, Durham, Felton, Finlayson, Fox, Fraser, Frink, Green, Hartson, Leach, May, McCarty of Lake, McComas, McIntosh, Merry, Morse, Mulholland, Nelson, Sherburne, Stanley, Streeter, Tyler, Ward, Wason of Ventura, Wasson of Mono, Wattson, York, and Mr Speaker—40.

Mr. Tyler moved the adoption of the resolution.

The previous question being demanded by Messrs. Tyler, Mulholland, and York, the House so ordered.

Mr. Felton moved the reference of the resolution to a committee of three.

So ordered.

The Speaker appointed Messrs. Bruner, Hynes, and Mulholland as such committee.

The Speaker appointed, as a committee to consider the resolution of investigation relative to Messrs. Maybell and Josselyn, Messrs. Wason of Ventura, Merry, and Coffman.

PROTEST.

By Mr. McCarthy.

SACRAMENTO, February 27th, 1880.

MR. SPEAKER: We, the undersigned, members of the Assembly, hereby protest against the action of this House in taking up the time of the House and of the people in the consideration of trivial, foolish, and partisan matters, not necessary, and entirely uncalled for, while matters of vital importance are pending before the House, and are being neglected while the people are clamoring for legislation. And we further protest against the refusal of the House to allow a representative of the people to speak on the floor of this House.

H. J. CORCORAN,
P. F. GAFFEY,
J. J. McCARTHY,
WM. J SINON,
STEPHEN MAYBELL,
JOHN J. McDADE,
T. H CARR,
JOHN BURNS,
MICHAEL LANE,
GARRETT PICKET,
AUGUSTUS B MAGUIRE,
A. M WALKER

At twelve o'clock and forty-five minutes P. M. Mr. Corcoran moved we do now adjourn.

Lost.

RESOLUTION.

By Mr. Leach:

Resolved, That no more resolutions be entertained by the House until Assembly Bill No 404 is finally disposed of.

Adopted.

RECESS.

The House took a recess until two o'clock P. M.

RE-ASSEMBLED.

The House re-assembled at two o'clock P. M.

Speaker Cowdery in the chair.

Quorum present

Mr. Leach moved that the House take up Assembly Bill No. 404—An Act to amend sections three thousand six hundred and seven, three thousand six hundred and seventeen, three thousand six hundred and twenty-seven, three thousand six hundred and twenty-eight, three thousand six hundred and twenty-nine, three thousand six hundred and thirty, three thousand six hundred and thirty-four, three thousand six hundred and forty, three thousand six hundred and forty-three, three thousand six hundred and fifty, three thousand six hundred and fifty-one, three thousand six hundred and fifty-two, three thousand six hundred and sixty-three, three thousand six hundred and seventy-three, three thousand six hundred and seventy-eight, three thousand six hundred and seventy-nine, three thousand seven hundred and seventeen, three thousand seven hundred and thirty, three thousand seven hundred and fifty-two, three thousand seven hundred and fifty-six, three thousand eight hundred and thirty-nine, and three thousand eight hundred and sixty-one, and to repeal sections three thousand six hundred and

eighty and three thousand six hundred and eighty-seven, of an Act entitled "An Act to establish a Political Code," approved March twelfth, eighteen hundred and seventy-two, relating to revenue, and to add two new sections, numbered three thousand six hundred and sixty-four and three thousand six hundred and sixty-five—for consideration.

So ordered.

Mr. Leach moved to amend by striking out the word "said" before "Code," from line one, section one, and inserting instead the words "the Political."

Adopted.

Mr. Leach moved to amend section two as follows: (Page two), strike out line five and insert the following two subdivisions: "*First*—The term 'property' includes moneys, credits, bonds, stocks, dues, franchises, and all other matters and things, real, personal, and mixed, capable of private ownership. *Second*—The term 'real estate' includes."

Adopted.

Mr. Leach moved to amend by striking out the seventh subdivision of section two, and inserting instead the words: "The term 'credits,' means those debts not secured by mortgage or trust deed owing to the person, firm, corporation, or association assessed, (by bona fide residents of this State). The term 'debts,' means those unsecured liabilities owing by the person, firm, corporation, or association, assessed to bona fide residents of this State."

Mr. May moved to amend the amendment by striking out the words "bona fide residents of this State."

Adopted.

The amendment offered by Mr. Leach was then adopted as amended.

Mr. Sayle moved to amend as follows: Insert between lines twenty-two and twenty-three, a new part to subdivision three, of section two, as follows: "3. All perennial grains not of natural growth."

Lost.

Mr. Sweetland moved to amend section two, line eight, by inserting after the words "quarries in the land," the words "all timber of natural growth on the lands of other persons, or on the land of the United States."

Adopted.

Mr Young moved to amend by striking out the words "bona fide residents of this State," from lines thirty and thirty-one, section two.

Lost.

Mr. Bennett moved to amend subdivision seventh by inserting the word "solvent" before the word "debts."

Adopted.

Mr. Hartson moved to amend the amendment offered by Mr. Sweetland by substituting the following: "All timber belonging to individuals or corporations growing or being on the lands of the United States."

Adopted.

Mr Fox moved to amend by adding at the end of subdivision six, now subdivision seven, the words "or firms, or associations, or corporations doing business therein."

Adopted.

Mr. Green moved to amend by striking out the word "and" following the word "sowing," from line twenty-seven, section two, and inserting instead the word "or."

Adopted.

Mr Hartson moved to amend by striking out the word "other," from line seven, section three.

Adopted.

Mr Hardy moved to amend in line seven, section three, by inserting after the word "them," the words "represented by such capital stock"

Lost

Mr. Hartson moved to amend, in line seven, section three, by inserting after the word "them," the words "in this State or elsewhere"

Adopted.

Mr. Morse moved to amend by inserting after the word "elsewhere," the words "of which such capital stock is the representative."

Adopted.

Mr. Young moved to amend, after the word "security," in line nineteen, section three, by inserting the words, "and shall be first satisfied, if possible, out of the property or security upon which the tax was assessed before resorting to the other."

Lost.

Mr. Anthony moved to amend by striking out the word "may," from line nine, section seven, page eight, and inserting instead the word "shall."

Adopted.

Mr. Anthony moved to amend by striking out, after the word "Court," down to the word "then," from line fifteen, section seven, and inserting, instead, the words "shall find that the land has not been surveyed or divided into subdivisions of six hundred and forty acres or less, so that each part or parcel may be described by metes and bounds."

Adopted

Mr. Anthony moved to amend by striking out the words "description of," from line eighteen, section seven, and inserting instead the words "survey and define."

Adopted.

Mr Anthony moved to amend line twenty-one, section seven, by inserting the words "survey and."

Adopted.

Mr Hartson moved to amend by striking out the word "other," and inserting after "them," in line six, section eight, the words "in this State, or elsewhere, of which such capital stock is the representative."

Adopted.

Mr. Tyler moved to amend by striking out the word "not," after the word "shall," from line six, section eight

Upon which Messrs Maybell, Carr of Yuba, and Lane demanded the previous question, and the House so ordered.

The amendment above was then rejected.

Mr. Young gave notice of a motion to reconsider the vote by which section eight was adopted

Mr. Leach moved the following as a substitute for section nine:

SECTION 9. Section three thousand six hundred and forty-three of the Political Code is amended so as to read as follows. Section 3643 Where ferries connect more than one county, the wharves, storehouses, and all stationary property, belonging to or connected with such ferries, must be assessed and the taxes paid in the county where located. The value of the franchise, and water-craft, and of toll bridges, connecting more than one county, must be assessed in equal proportions in the counties connected by such ferries or toll bridges.

Adopted.

Mr. Leach moved to amend by striking out the words "all other facts required by the State Board of Equalization or the Assessor," from line forty-four, section five.

Adopted.

Mr. Anthony moved to amend line eleven, section ten, by inserting after the word "acres" the words "not exceeding in each and every tract more than six hundred and forty acres."

Adopted.

Mr. Anthony moved to amend line seventeen, section ten, by inserting the words "Lots unimproved and similarly situated shall be assessed at the same value."

Adopted.

Mr. Fraser, Speaker pro tem., in the chair.

Mr. Levee moved to amend line fifteen, section ten, by inserting the words "of the lot and" after the word "number."

Adopted.

Mr. Hartson moved to amend by striking out the words "and claimants, known and unknown," from line one, page twelve, and inserting instead the words "when known, and, if not known, to unknown owners."

Adopted.

Mr. McIntosh moved to amend by striking out the words "a road poll tax or," from line sixty-one, section ten.

Adopted.

Mr. Tyler moved to amend by striking out the words "I have assessed it," from line eleven, section twelve, and inserting instead the words "and that the same has been assessed."

Adopted.

Mr. Morse gave notice that, on to-morrow, he would move to reconsider the vote by which amendments were made to sections three thousand six hundred and forty and three thousand six hundred and twenty-seven, which are in sections three and eight of the bill

The use of the Assembly Chamber was granted to the Committees on Irrigation, and Swamp and Overflowed Lands, for this evening.

Mr. Leach moved that Assembly Bill No. 404 be made special order for immediately after prayer by the Chaplain to-morrow.

So ordered.

ADJOURNMENT.

At five o'clock and three minutes P. M. Mr. Cooper moved to adjourn.

Carried.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Saturday, February 28th, 1880.

House met pursuant to adjournment.
Speaker Cowdery in the chair.
Roll called, and a quorum present.
Prayer by the Chaplain.

Mr. Braunhart, addressing the Speaker, was called to order by the Speaker, and informed that he was suspended from the privileges of the floor for three days, and consequently could not address the Chair.

Mr. Braunhart persisting, the Speaker addressed the House as to what action the House would take in the premises.

Mr. Tyler moved that Mr. Braunhart be taken in charge by the Sergeant-at-Arms, and kept in charge until his term of suspension expires.

The previous question being demanded by Messrs. Tyler, Mulholland, and Frink, the House so ordered.

The question recurring upon the motion of Mr. Tyler, the ayes and noes were demanded by Messrs. Carr of Yuba, Garibaldi, and Burns.

The roll was called, and the motion was carried by the following vote:

AYES—Messrs. Anthony, Bennett, Brooks, Brown of Yuba, Bruner, Brusie, Carr of Sacramento, Chamberlain, Chandler, Coleman, Dimond, Downs, Durham, Estey, Fox, Fraser, Frink, Gorley, Green, Hardy, Hartson, Leadbetter, May, McComas, McIntosh, Merry, Morse, Mulholland, Nelson, Sayle, Sherburne, Stanley, Strecter, Tyler, Ward, Wason of Ventura, Wasson of Mono, Waltson, York, and Young—40.

NOES—Messrs Bass Brown of Sonoma, Burns, Carr of Yuba, Cook, Cooper, Corcoran, Cuthbert, Del Valle, DuBuntz, Finlayson, Garibaldi, Gaffey, Harris Hershey Hynes, Josslyn, Lane, Leach, Levee, Magune, Mathews, Maybell, McCallion, McCarty of Lake, McCarthy of San Francisco, McDade, Messenger, Picket, Simon, Spencer, Sweetland, and Walker—33

Two days' leave of absence was granted to Messrs Felton and Camron, and two days' leave of absence was granted to Mr. Coffman.

The Speaker directed the Sergeant-at-Arms to take Mr. Braunhart in charge.

Mr McCallion gave notice of a motion to reconsider the vote by which the Sergeant-at-Arms was directed to take Mr. Braunhart in charge

Mr McComas moved that the House do now proceed to the regular order of business.

So ordered.

READING AND APPROVAL OF THE JOURNAL.

Mr. Tyler moved that the further reading of the Journal be dispensed with.

So ordered.

The Journal of yesterday corrected.

INTRODUCTION OF BILLS.

The following bills were introduced, and ordered printed:

By Mr Carr of Yuba—An Act to dispose of mining debris, and protect the rivers and low lands of California from damage thereby.

By Mr. McCarty of Lake—An Act to authorize the Boards of Supervisors of the several counties, or the corporate authorities of cities or towns, or cities and counties, to pass all local, police, sanitary, and other regulations not in conflict with general laws.

By Mr. Chamberlain—An Act to prevent the flow of mining debris in certain rivers of this State.

By Mr. McCallion—An Act in relation to benevolent societies, organizations, and corporations.

By Mr. Tyler—An Act to regulate fees in certain cases.

Also, an Act to amend section four thousand one hundred and twenty-one of the Political Code, relative to Sheriffs, Clerks, and Constables.

By Mr Brooks—An Act to provide for the laying out and recording of town sites.

By Mr. Maybell—An Act for the better protection of depositors of banks in liquidation.

By Mr. Morse—Assembly Joint Resolution, relative to and asking Congress for an appropriation for the Postal Department, so as to prevent reduction of mail service on star lines.

By Mr. Sayle—An Act to establish a Branch Normal School.

By Mr. Gorley—An Act to regulate and provide a day of rest in certain cases.

SPECIAL ORDER.

The consideration of Assembly Bill No. 404—An Act to amend sections three thousand six hundred and seven, three thousand six hundred and seventeen, three thousand six hundred and twenty-seven, three thousand six hundred and twenty-eight, three thousand six hundred and twenty-nine, three thousand six hundred and thirty, three thousand six hundred and thirty-four, three thousand six hundred and forty, three thousand six hundred and forty-three, three thousand six hundred and fifty, three thousand six hundred and fifty-one, three thousand six hundred and fifty-two, three thousand six hundred and sixty-three, three thousand six hundred and seventy-three, three thousand six hundred and seventy-eight, three thousand six hundred and seventy-nine, three thousand seven hundred and seventeen, three thousand seven hundred and thirty, three thousand seven hundred and fifty-two, three thousand seven hundred and fifty-six, three thousand eight hundred and thirty-nine, and three thousand eight hundred and sixty-one, and to repeal sections three thousand six hundred and eighty and three thousand six hundred and eighty-seven of an Act entitled "An Act to establish a Political Code," approved March twelfth, eighteen hundred and seventy-two, relating to revenue, and to add two new sections, numbered three thousand six hundred and sixty-four and three thousand six hundred and sixty-five—resumed.

Mr. Hartson moved to amend by substituting the following for section thirteen:

SECTION 13. Section three thousand six hundred and sixty-three of said Code is hereby amended so as to read as follows

Section 3663. Water ditches constructed for mining, manufacturing, or irrigation purposes, and wagon or turnpike toll roads, with their franchises, and all improvements attached to such properties, must be listed by the Assessor as real estate, and as a whole, without separating the

land and franchise and improvements, either in the description or valuation of the same. And in case a ditch, or wagon, or turnpike, or toll road lies in more than one county, the State Board of Equalization shall assess the same in accordance with the system of assessing railroads operated in more than one county, as provided in section three thousand six hundred and sixty-four of the Political Code, so far as may be applicable.

Mr. Leach moved to amend the amendment by inserting the words "or telegraph line," after the words "toll road" wherever the latter occur in the amendment.

Adopted.

The question being on the adoption of Mr. Hartson's amendment, it was adopted.

The question recurring on the adoption of section thirteen, as amended, it was adopted as amended.

Mr. Morse moved to amend, in lines twenty-two and twenty-three, section fourteen, by inserting the word "annual" between the words "the" and "gross."

Adopted.

Mr. Leach moved to amend by striking out the words "adding thirty per cent. to the assessable valuation thereof," from lines twenty-seven and twenty-eight, section fourteen, and inserting instead the words "the valuation fixed by them shall be final and conclusive."

Adopted.

Mr. Leach moved to amend by striking out the words "said property shall be assessed at its actual cash value," from line twenty-eight, section fourteen.

Adopted.

Mr. Leach moved to amend by striking out the words "and such," from line twenty-nine, section fourteen, and inserting instead the word "the."

Adopted.

Mr Leach moved to amend line thirty-one, section fourteen, and insert the word "the" before the word "depot."

Adopted.

Mr. Leach moved to amend by striking out all after the words "and gravel beds," down to "railway," in line thirty-one, section fourteen, and insert instead the words "shall be assessed by the Assessor of the county where situated as other property."

Pending discussion of the amendment above, Mr. McDade, by permission, introduced the following:

WHEREAS, The Hon. S. Braunhart is restrained of his liberty by order of the House, be it

Resolved, That the said Hon. S. Braunhart be permitted to proceed to San Francisco, to appear before the Supreme Court of California, in charge of the Sergeant-at-Arms of the House.

Adopted.

By Mr. Merry:

Resolved, That a committee of three be appointed by the Speaker to represent the Assembly in the argument before the Supreme Court, in the case of the Hon. S. Braunhart.

Adopted.

The Speaker appointed as such committee Messrs. Fox, Merry, and Tyler.

Mr. McCarthy moved that two members of the House be appointed to represent Mr. Braunhart in the Supreme Court.

Lost.

The question being upon Mr. Leach's amendment to section fourteen of Assembly Bill No. 404, it was adopted.

Mr. Hartson moved to amend by striking out the words "the third Monday in March," from line ten, section fourteen, and inserting instead the words "the first Monday of April."

Adopted.

Mr. Leach moved to amend by striking out the word "Auditor," from line forty-one, section seventeen, and inserting instead the word "Assessor."

Adopted.

Mr. Hartson moved to amend by striking out the word "and," from line three, section twenty-one, and inserting instead the word "or."

Adopted.

Mr. McIntosh moved to amend by striking out the word "last," from line three, section twenty-two, and inserting instead the word "first."

Lost.

Mr. Carr of Sacramento moved to amend his amendment by striking out all after the word "dollars," from line five, section twenty-three.

Lost.

Mr. Young moved to amend, in line seven, section twenty-three, by inserting after the word "dollars" the following: "*Provided further*, that nothing herein shall affect any law imposing a greater poll tax upon inhabitants ineligible to citizenship."

Adopted.

Title of the bill amended.

Mr. May moved to amend section three as follows: By adding to the close of the section, "When the entire assets of any savings bank are situated in this State, and are properly assessed therein, the depositors in such savings bank shall not be again assessed for their interests in said assets."

RECESS.

Pending discussion of the amendment, the hour of one o'clock P. M. having arrived, the House took a recess for one hour.

RE-ASSEMBLED.

House re-assembled at two o'clock P. M.

Speaker Cowdery in the chair.

Quorum present.

The consideration of Assembly Bill No. 404—An Act to amend sections three thousand six hundred and seven, three thousand six hundred and seventeen, three thousand six hundred and twenty-seven, three thousand six hundred and twenty-eight, three thousand six hundred and twenty-nine, three thousand six hundred and thirty, three thousand six hundred and thirty-four, three thousand six hundred and forty, three thousand six hundred and forty-three, three thousand six hundred and fifty, three thousand six hundred and fifty-one, three thousand six hundred and fifty-two, three thousand six hundred and sixty-three, three thousand six hundred and seventy-three, three thousand six hundred and seventy-eight, three thousand six hundred and seventy-nine, three thousand seven hundred and seventeen, three thousand seven hundred and thirty, three thou-

sand seven hundred and fifty-two, three thousand seven hundred and fifty-six, three thousand eight hundred and thirty-nine, and three thousand eight hundred and sixty-one, and to repeal sections three thousand six hundred and eighty and three thousand eight hundred and eighty-seven of an Act entitled "An Act to establish a Political Code," approved March twelfth, eighteen hundred and seventy-two, relating to revenue, and to add two new sections, numbered three thousand six hundred and sixty-four and three thousand six hundred and sixty-five—resumed, the question being on Mr. May's amendment to section three of the bill.

RESOLUTION.

By Mr. Maybell:

Resolved, That the floor of the House within the bar be cleared of all persons, except members and attachés, and members of the press who now have seats assigned them on the floor of the House.

Lost.

The previous question being demanded by the requisite number, the House so ordered.

The question recurring upon the amendment of Mr. May, the ayes and noes were demanded by Messrs Leach, Young, and Brooks.

The roll was called, and the amendment was lost by the following vote:

AYES—Messrs Brown of Yuba, Brusie, Coleman Cooper, Downs, Finlayson, Green, Leadbetter, May, McComas, Messenger, Mulholland, Nelson, Ward, and Young—15

NOES—Messrs. Anthony, Bass, Bennett, Brooks, Brown of Sonoma, Bruner, Burns, Carr of Sacramento, Carr of Yuba, Chamberlain, Chandler, Cook, Cuthbert, Del Valle, Dimond, Estey, Fraser, Fink, Garibaldi, Gaffey, Harris, Hartson, Hershey, Hynes, Josselyn, Lane, Leach, Levee, Maguire, Mathews, Maybell, McCallion, McCarty of Lake, McDade, McIntosh, Picket, Sayle, Simon Sherburne, Spencer, Stanley, Stoddard, Streeter, Sweetland, Walker, Wason of Ventura, Wattson, and York—48.

Mr. Bruner gave notice that he would, on Monday, move to reconsider the vote by which the amendment was rejected.

Mr. Young moved to make Assembly Bill No. 404 the special order for Monday at two o'clock P. M

Mr. Leach moved to amend the motion so as to make the bill the special order for Monday, immediately after reading and approval of the Journal.

Mr. York moved to return to section twenty-three of the bill for amendment.

Lost.

The question recurring upon Mr. Leach's motion, it was adopted.

Mr. Carr of Yuba moved, that the Committee on Printing be instructed to have this bill printed by ten o'clock A. M. Monday.

Adopted.

SENATE MESSAGE

SENATE CHAMBER, SACRAMENTO, February 28th, 1880.

MR SPEAKER I am directed to inform your honorable body that the Senate, on February twenty-seventh, passed Senate Bill No 96—An Act to amend sections one and two of an Act entitled "An Act giving a lien to loggers and laborers employed in logging-camps, upon the logs cut and hauled by the persons who employ them," approved March thirtieth, eighteen hundred and seventy-eight.

Also, on this day, passed Senate Bill No 392—An Act to amend section five hundred and ninety-five of the Code of Civil Procedure, relating to postponement of trials

M. D. BORUCK, Secretary.

Senate Bill No. 392—An Act to amend section five hundred and ninety-five of the Code of Civil Procedure, relating to postponement of trials

Read first time, and referred to the Judiciary Committee.

Mr. McCarthy moved that Assembly Bill No. 361—An Act in relation to certain deputies, assistants, and copyists of County Clerks—be now taken up.

So ordered.

Mr. May moved to refer the bill to the San Francisco delegation with instructions to strike out "three Clerks," and insert "four Clerks."

Carried.

Assembly Bill No. 28—An Act to amend an Act entitled "An Act to amend section two hundred and ninety-nine of the Civil Code of California," as approved on March twenty-second, eighteen hundred and seventy-eight.

Taken up

Read fourth time.

The roll was called, and the bill was passed by the following vote:

AYES—Messrs. Anthony, Bass, Bennett, Brooks, Brown of Sonoma, Brown of Yuba, Bruner, Burns, Carr of Sacramento, Carr of Yuba, Chamberlain, Coleman, Cook, Cuthbert, Del Valle, Finlayson, Fraser, Frink, Garibaldi, Gafley, Green, Hardy, Harris, Hartson Hershey, Hynes, Josselyn, Lane, Leach, Leadbetter, Levee, Maguire, Mathews, May, Maybell, McCallion, McCarty of Lake, McCarthy of San Francisco, McComas, McIntosh, Messenger, Mulholland, Nelson, Picket, Sayle, Sherburne, Stanley, Stoddard, Streeter, Sweetland, Ward, Wason of Ventura, Wattson, York, Young, and Mr Speaker—56.

NOES—None

Title approved.

Mr. Merry moved to make Assembly Bill No. 125—An Act to prevent the accumulation of large landed estates—the special order for Wednesday, at two o'clock P. M.

Lost.

REPORT OF SPECIAL COMMITTEE.

By Mr. McCarthy:

STATE CAPITOL, February 28th, 1880.

MR SPEAKER The San Francisco delegation, to whom was referred Assembly Bill No. 361—An Act in relation to certain deputies, assistants, and copyists, of County Clerks—report the same back with an amendment, as instructed by the House, and recommend its passage as amended

McCARTHY, Chairman.

The bill above reported amended as recommended by the committee.

The bill ordered printed, as amended, and made the special order immediately after the reading of the Journal on Monday next.

Senate Bill No. 133—An Act to amend an Act entitled an Act to provide for the extermination of squirrels in certain counties, approved March thirtieth, eighteen hundred and seventy-eight.

Taken up.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Anthony, Bass, Bennett, Brooks, Brown of Yuba, Bruner, Burns, Carr of Sacramento, Carr of Yuba, Chamberlain, Cook, Cooper, Del Valle, Estey, Finlayson, Fraser, Frink,

Garibaldi, Gaffey, Green, Hardy, Harris, Hartson, Hershey, Hynes, Lane, Leech, Leadbetter, Levee, Magune, Mathews, May, Mayhell, McCallion, McCarty of Lake, McCarthy of San Francisco, McComas, McDade, Mulholland, Nelson, Sayle, Simon, Sherburne, Stanley, Stoddard, Streeter, Sweetland, Ward, Wason of Ventura, Wattson, York, Young, and Mr. Speaker—53.

NOES—None.

Title approved.

SENATE MESSAGE.

The following message was received from the Senate:

SENATE CHAMBER, SACRAMENTO, February 26th, 1880.

MR SPEAKER: I am directed to inform your honorable body that the Senate, on February twenty-fourth, eighteen hundred and eighty, passed Senate Bill No. 279—An Act to add a new section to the Penal Code, to be known as section three hundred and seven, relating to the use of opium.

Also, Senate Bill No 89—An Act to amend section four hundred and twenty-four of the Penal Code, relating to embezzlements and falsifications of accounts by public officers.

Also, Senate Bill No 236—An Act to amend section six of an Act entitled "An Act concerning the water front of the City and County of San Francisco," approved March fifteenth, eighteen hundred and seventy-eight, and to confer further powers upon the Board of State Harbor Commissioners.

Also, Senate Bill No. 306—An Act relating to the intoxication of officers

Also, Senate Bill No. 245—An Act to amend section three thousand four hundred and eighty-one of the Political Code.

Also, on February twenty-fifth, passed Senate Bill No. 226—An Act to amend section one thousand five hundred and eighty-six of the Penal Code, relating to transportation of convicts to State Prisons

Also, Senate Bill No. 227—An Act to amend section two thousand two hundred and twenty-one of the Political Code, relating to transportation of insane persons to Asylums.

Also, Senate Concurrent Resolution No 14—Relative to modification of Burlingame Treaty, to memorialize the President and Congress of the United States.

Also, Senate Bill No. 283—An Act to confer power upon incorporated cities and towns to remove Chinese without the limits of such cities and towns, or to provide for their location within prescribed portions of those limits.

Also, Senate Bill No. 78—An Act to pay the claim of Hiram Clock for services rendered as Porter to the Senate of the Twenty-second Session.

Also, Senate Bill No 79—An Act to pay the claim of James Saultry for services rendered as Head Porter of the Senate of the Twenty-second Session.

Also, Senate Bill No. 304—An Act to amend an Act entitled "An Act to provide for increasing the law library of the corporation known as the San Francisco Law Library, and to secure the use of the same to the Courts held in San Francisco, the bar, the city and county government, and the people of the City and County of San Francisco," approved March ninth, eighteen hundred and seventy.

Also, Senate Concurrent Resolution No. 11—Relative to the utilization of convict labor.

Also, Assembly Bill No. 46—An Act to amend sections three thousand nine hundred and seventy-seven, three thousand nine hundred and seventy-nine, three thousand nine hundred and eighty-one, and three thousand nine hundred and eighty-four, and to repeal section three thousand nine hundred and seventy-eight, of an Act entitled "An Act to establish a Political Code," approved March twelfth, eighteen hundred and seventy-two, relating to the removal of county seats

Also, Assembly Bill No 52—An Act to amend sections three thousand four hundred and ninety-one and three thousand four hundred and ninety-two of an Act entitled an Act to establish a Civil Code, approved March twenty-first, eighteen hundred and seventy-two, relating to public nuisances.

Also, Assembly Bill No 54—An Act to amend sections three hundred and ten and three hundred and eleven of an Act entitled an Act to establish a Political Code, approved March twelfth, eighteen hundred and seventy-two, relating to the enactment of statutes.

Also, on February twenty-fifth, passed Senate Bill No. 336—An Act to provide for the erection of a building for the use of the Normal School.

Also, Senate Bill No. 335—An Act providing for the appointment of an additional Notary Public for the City and County of San Francisco for the accommodation of the inhabitants of said city and county residing at the Presidio

Also, Senate Bill No 153—An Act to amend section one thousand one hundred and forty-four of the Code of Civil Procedure, relating to discharge of persons imprisoned on civil process.

Also, Senate Bill No 182—An Act to amend the Penal Code by adding a new section thereto, to be known as section nine hundred and twenty-eight, relating to the duties of the grand jury

Also, Senate Bill No 248—An Act to amend sections eight hundred and seventy-one and nine hundred of the Code of Civil Procedure, relating to proceedings in Justices' Courts

Also, Senate Bill No. 240—An Act to repeal an Act entitled an Act relating to advances bona fide made to agents intrusted with goods, and for the better protection of such advances, approved March thirtieth, eighteen hundred and seventy-eight.

Also, on February twenty-fifth, eighteen hundred and eighty, passed Senate Bill No. 252—An Act to amend section one thousand eight hundred and eighty of the Code of Civil Procedure, relating to witnesses.

Also, Senate Bill No. 261—An Act to amend section one thousand three hundred and seventy-nine of the Code of Civil Procedure, relating to the granting of letters of administration.

Also, Senate Bill No. 296—An Act to appropriate money for the support of orphans, half orphans, and abandoned children.

Also, Assembly Bill No. 205—An Act making appropriation for the salaries of the Chief Justice and Associate Justices of the Supreme Court of the State of California for the balance of the thirty-first fiscal year ending June thirtieth, eighteen hundred and eighty.

Also, Assembly Bill No. 206—An Act making appropriation for the State's portion of the salaries of the Superior Judges of the counties of the State of California, for the balance of the thirty-first fiscal year ending June thirtieth, eighteen hundred and eighty.

Also, Assembly Bill No. 288—An Act to appropriate money for the payment of the deficiency in the appropriation for the support of the State Printing Office for the thirtieth fiscal year.

Also, on February twenty-fifth, passed Assembly Bill No. 289—An Act to appropriate money for the payment of the deficiency in the appropriation for the support of the State Printing Office for the twenty-ninth fiscal year.

JAMES A. ORR, Assistant Secretary.

CONSIDERATION OF SENATE MESSAGE.

Senate Bill No. 336—An Act to provide for the erection of a building for the use of the Normal School.

Read first time, and referred to the Committee on Public Buildings.

Senate Bill No. 279—An Act to add a new section to the Penal Code, to be known as section three hundred and seven, relating to the use of opium.

Read first time, and referred to the Committee on Public Morals.

Mr. Fraser, Speaker pro tem., in the chair.

Senate Bill No. 89—An Act to amend section four hundred and twenty-four of the Penal Code, relating to embezzlements and falsification of accounts by public officers.

Read first time, and referred to the Committee on Judiciary.

Senate Bill No. 236—An Act to amend section six of an Act entitled an Act concerning the water-front of the City and County of San Francisco, approved March fifteenth, eighteen hundred and seventy-eight, and to confer further powers upon the Board of State Harbor Commissioners.

Read first time, and referred to the Committee on Commerce and Navigation.

Senate Bill No 306—An Act relating to the intoxication of officers.

Read first time, and referred to the Committee on Public Morals.

Roll called, and a quorum present.

At four o'clock P. M. Mr. Cuthbert moved to adjourn.

Lost.

Senate Bill No. 245—An Act to amend section three thousand four hundred and eighty-one of the Political Code.

Read first time, and referred to the Committee on Swamp and Overflowed Lands.

Senate Bill No. 226—An Act to amend section one thousand five hundred and eighty-six of the Penal Code, relating to transportation of convicts to State Prisons.

Read first time, and referred to the Committee on Judiciary

Senate Bill No. 227—An Act to amend section two thousand two hundred and twenty-one of the Political Code, relating to transportation of insane persons to Asylums.

Read first time, and referred to the Committee on Judiciary.

Senate Concurrent Resolution No. 14—Relative to modification of Burlingame Treaty, to memorialize the President and Congress of the United States.

Read first time, and referred to the Committee on Federal Relations.

Senate Bill No. 283—An Act to confer power upon incorporated cities and towns to remove Chinese without the limits of such cities and towns, or to provide for their location within prescribed portions of their limits.

Read first time, and referred to the Committee on Chinese Immigration and Emigration.

Senate Bill No. 78—An Act to pay the claim of Hiram Clock for services rendered as Porter to the Senate at the Twenty-second Session.

Read first time, and referred to the Committee on Claims.

Senate Bill No. 79—An Act to pay the claim of James Saultry for services rendered as Head Porter of the Senate of the Twenty-second Session.

Read first time, and referred to the Committee on Claims.

Senate Bill No. 304—An Act to provide for increasing the law library of the corporation known as the San Francisco Law Library, and to secure the use of the same to the Courts held at San Francisco, the bar, the city and county government, and the people of the City and County of San Francisco, approved March ninth, eighteen hundred and seventy.

Read first time, and referred to the San Francisco delegation.

Senate Concurrent Resolution No. 11—Relative to the utilization of convict labor.

Read first time, and referred to the Committee on Commerce and Navigation.

Senate Bill No. 335—An Act providing for the appointment of an additional Notary Public for the City and County of San Francisco, for the accommodation of the inhabitants of said city and county residing at the Presidio.

Read first time, and referred to the Judiciary Committee.

Senate Bill No. 153—An Act to amend section one thousand one hundred and forty-four of the Code of Civil Procedure, relating to discharge of persons imprisoned on civil process.

Read first time, and referred to the Judiciary Committee.

Senate Bill No. 182—An Act to amend the Political Code by adding a new section thereto, to be known as section four thousand one hundred and twenty-five, relating to the duties of the grand jury.

Read first time, and referred to the Committee on Judiciary.

Senate Bill No. 248—An Act to amend sections eight hundred and seventy-one and nine hundred of the Code of Civil Procedure, relating to proceedings in Justices' Courts.

Read first time, and referred to the Committee on Judiciary.

Senate Bill No 240—An Act to repeal an Act entitled an Act relating to advances bona fide made to agents intrusted with goods, and for the better protection of such advances, approved March thirtieth, eighteen hundred and seventy-eight.

Read first time, and referred to the Committee on Judiciary.

Senate Bill No. 252—An Act to amend section one thousand eight hundred and eighty of the Code of Civil Procedure, relating to witnesses.

Read first time, and referred to the Committee on Judiciary.

Senate Bill No. 261—An Act to amend sections one thousand three hundred and seventy-nine of the Code of Civil Procedure, relating to granting of letters of administration.

Read first time, and referred to the Committee on Judiciary.

Senate Bill No. 296—An Act to appropriate money for the support of orphans, half orphans, and abandoned children.

Read first time, and referred to the Committee on Hospitals.

Senate Bill No 96—An Act to amend sections one and two of an Act entitled an Act giving a lien to loggers and laborers employed in logging camps upon the logs cut and hauled by the persons who employ them, approved March thirtieth, A. D. eighteen hundred and seventy-eight.

Read first time, and referred to the Committee on Judiciary.

At four o'clock and twenty minutes P. M. Mr. Stanley moved to adjourn.

Lost.

ADJOURNMENT.

At four o'clock and twenty-two minutes P. M. Mr. McCarthy moved we do now adjourn.

Carried.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Monday, March 1st, 1880.

House met pursuant to adjournment.

Speaker Cowdery in the chair.

Roll called, and a quorum present.

Prayer by the Chaplain.

Mr. Bruner withdrew his notice of a motion to reconsider the amendment to Assembly Bill No. 404.

READING AND APPROVAL OF THE JOURNAL.

Mr. Frink moved that the further reading of the Journal of Saturday be dispensed with.

So ordered.

The Journal of Friday approved.

Mr McCallion withdrew his notice of reconsideration given Saturday.

SPECIAL ORDER.

The special orders for this hour temporarily postponed.

PETITIONS.

By Mr Walker—A petition from ex-soldiers and sailors and citizens of Nevada County, asking that the thirtieth day of May be made a legal holiday.

Referred to the Committee on Judiciary.

By Mr. Wason of Ventura—A petition from the merchants, business men, and other residents of Santa Barbara, protesting against the passage of Senate Bill No. 188.

Referred to the Committee on Corporations.

REPORTS OF STANDING COMMITTEES.

By Mr. Finlayson:

ASSEMBLY CHAMBER, SACRAMENTO, February 28th, 1880.

MR SPEAKER The Committee on Commerce and Navigation, to whom was referred Assembly Bill No 364—An Act to amend section two thousand nine hundred and fourteen of an Act entitled an Act to establish a Political Code, approved March twelfth, eighteen hundred and seventy-two—have had the same under consideration, and report the same back to the Assembly with approval, and recommend its passage.

Also, Assembly Bill No 417—An Act to repeal section two thousand three hundred and thirty-six of the Political Code, relating to proposals and contracts for construction of new sea wall, and to substitute a new section in lieu thereof relating to the same—have had the same under consideration, and report the same back to the Assembly, with a recommendation that it do not pass

FINLAYSON, Chairman.

By Mr. Brown of Yuba:

ASSEMBLY CHAMBER SACRAMENTO, February 28th, 1880.

MR SPEAKER The Committee on Corporations, to whom was referred Assembly Bill No. 401—An Act to repeal sections three hundred and thirty-one, three hundred and thirty-two, three hundred and thirty-three, three hundred and thirty-four, three hundred and thirty-five, three hundred and thirty-six, three hundred and thirty-seven, three hundred and thirty-eight, three hundred and thirty-nine, three hundred and forty, three hundred and forty-one, three hundred and forty-two, three hundred and forty-five, three hundred and forty-six, three hundred and forty-seven, three hundred and forty-eight, and three hundred and forty-nine, of the Civil Code of the State of California, concerning corporations—have had the same under consideration, and report the same back to the Assembly without amendment, and recommend that it do not pass.

BROWN of Yuba, Chairman.

By Mr. Streeter:

ASSEMBLY CHAMBER, SACRAMENTO, February 26th, 1880.

MR. SPEAKER Your Committee on County Governments and Municipal Corporations, to whom was referred Assembly Bill No 341—An Act to ascertain the number of minor orphans, half orphans, abandoned children, and aged persons in indigent circumstances in institutions in this State for the support and State aid—have had the same under consideration, and report it back, with recommendation that it be referred to the Committee on Hospitals.

STREETER, Chairman.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, February 26th, 1880

MR. SPEAKER Your Committee on County Governments and Municipal Corporations, to whom was referred Assembly Bill No. 232—An Act to protect agriculture and to prevent the trespassing of stock upon private property—have had the same under consideration, and report it back, with recommendation that it be indefinitely postponed.

STREETER, Chairman.

By Mr. Wason of Ventura:

MR. SPEAKER Your Committee on Education, to whom was referred Assembly Bills Nos. 68, 76, 85, 388, and 319, have had the same under consideration, and hereby report them back, with the recommendation that they do not pass, for the reason that the principal provisions of those bills are embodied in a substitute bill, prepared by your committee, which is herewith presented, and its passage recommended.

WASON, Chairman

By Mr. Sherburne:

ASSEMBLY CHAMBER, February 28th, 1880.

MR SPEAKER: The Committee on Engrossment beg leave to report that they have examined, and find properly engrossed, Assembly Concurrent Resolution No. 13—Relative to the printing of extra copies of the laws passed by the present Legislature, for distribution to the Superior Judges and County Clerks of this State

Also, Assembly Concurrent Resolution No. 11—Relative to the establishment of a Dead Letter Office at San Francisco.

SHERBURNE, Chairman.

By Mr. Morse:

MR. SPEAKER: Your committee, to whom was referred Senate Bill No. 392—An Act to amend section five hundred and ninety-five of the Code of Civil Procedure, relating to postponement of trials—having had the same under consideration, herewith report it back, with the recommendation that it do pass.

MORSE, for Judiciary Committee.

One day's leave of absence granted Mr. DuBrutz.

By Mr. Mulholland:

ASSEMBLY CHAMBER, February 26th, 1880.

MR SPEAKER: Your Committee on Mines and Mining Interests, to whom was referred Assembly Bill No. 410—An Act to add three new sections to the Code, to be known as sections three hundred and twenty-seven, three hundred and twenty-eight, and three hundred and twenty-nine, in relation to stock boards and stock exchanges—have had the same under consideration, and beg leave to report the bill back to the Assembly, with the recommendation that it be indefinitely postponed.

WASSON, Chairman.

Also:

ASSEMBLY CHAMBER, February 26th, 1880.

MR. SPEAKER: Your Committee on Mines and Mining Interests, to whom was referred Assembly Bill No 415—An Act to provide for the establishment and maintenance of a Mining Bureau—have had the same under consideration, and beg leave to report the bill back to the Assembly, with the recommendation that it do pass

WASSON, Chairman.

By Mr. Bruner:

ASSEMBLY CHAMBER, March 1st, 1880.

MR SPEAKER: Your Committee on Public Buildings and Grounds, to whom was referred Senate Bill No. 336—An Act to provide for the erection of a building for the use of the Normal School—have had the same under consideration, and report it back, with the recommendation that it do pass.

BRUNER, Chairman.

By Mr. Carr of Sacramento:

ASSEMBLY CHAMBER, March 1st, 1880.

MR. SPEAKER Your State Library Committee, to whom was referred Assembly Bill No. 202—An Act to amend section two thousand two hundred and ninety-six of the Political Code, relative to taking books from the State Library—report the same back to the House, and recommend its passage

CARR, Chairman.

By Mr. May:

SACRAMENTO, February 27th, 1880.

MR. SPEAKER Your Committee on Ways and Means, to whom were referred Assembly Bills Nos. 393—An Act to provide for the auditing and payment of the county portion of the salary of Superior Judges—and 407—An Act making appropriations to repay to B F. Tuttle, late Commissioner of Transportation, certain moneys disbursed by him on account of contingent expenses—having considered the same, beg leave to report them back to the House, with the recommendation that they do pass

MAY, Chairman.

Also:

SACRAMENTO, February 27th, 1880.

MR SPEAKER: Your Committee on Ways and Means, to whom were referred Assembly Bills Nos. 87—An Act to amend an Act entitled "An Act to amend section three thousand seven hundred and sixty-four of the Political Code of this State"—and 105—An Act to amend section three thousand seven hundred and seventy of the Political Code of this State, relative to the collection of penalties and costs on delinquent taxes—having considered and amended the same, beg leave to report them back to the House, with the recommendation that they do pass as amended.

MAY, Chairman.

Also:

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred Assembly Bill No. 310—An Act to amend section three thousand seven hundred and sixty-four of the Political Code of this State, in relation to the collection of delinquent taxes—having considered the

same, beg leave to report it back to the House, with the recommendation that the author have leave to withdraw the same, as another bill covering the same grounds has been recommended for passage by this committee.

SACRAMENTO, February 27th, 1880. MAY, Chairman.

Also:

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred Assembly Bill No. 159—An Act creating an annual license tax upon private liveried servants and heraldic devices—having considered the same, beg leave to report it back to the House, with the recommendation that it do not pass.

SACRAMENTO, February 27th, 1880. MAY, Chairman.

INTRODUCTION OF BILL.

The following bill was introduced, and ordered printed:

By Mr. Wason of Ventura: An Act to amend sections one thousand five hundred and seventeen, one thousand five hundred and twenty-one, one thousand five hundred and thirty-two, one thousand five hundred and forty-three, one thousand five hundred and forty-five, one thousand five hundred and forty-eight, one thousand five hundred and fifty, one thousand five hundred and fifty-one, one thousand five hundred and seventy-seven, one thousand five hundred and ninety-three, one thousand five hundred and ninety-seven, one thousand five hundred and ninety-eight, one thousand six hundred, one thousand six hundred and eleven, one thousand six hundred and sixteen, one thousand six hundred and seventeen, one thousand six hundred and nineteen, one thousand six hundred and twenty, one thousand six hundred and twenty-one, one thousand six hundred and twenty-two, one thousand six hundred and twenty-four, one thousand six hundred and sixty-two, one thousand six hundred and sixty-three, one thousand six hundred and sixty-five, one thousand six hundred and sixty-six, one thousand six hundred and ninety-six, one thousand seven hundred and one, one thousand seven hundred and twelve, one thousand seven hundred and fifteen, one thousand seven hundred and sixty-eight, one thousand seven hundred and sixty-nine, one thousand seven hundred and seventy, one thousand seven hundred and seventy-one, one thousand seven hundred and seventy-two, one thousand seven hundred and seventy-four, one thousand seven hundred and seventy-five, one thousand seven hundred and eighty-seven, one thousand seven hundred and eighty-eight, one thousand seven hundred and ninety, one thousand seven hundred and ninety-one, one thousand eight hundred and seventeen, one thousand eight hundred and eighteen, one thousand eight hundred and thirty-four, one thousand eight hundred and thirty-five, one thousand eight hundred and thirty-six, one thousand eight hundred and thirty-seven, one thousand eight hundred and fifty-seven, one thousand eight hundred and fifty-eight, one thousand eight hundred and fifty-nine, one thousand eight hundred and sixty-one, one thousand eight hundred and sixty-nine, one thousand eight hundred and seventy-one, and one thousand eight hundred and seventy-four, to add new sections one thousand five hundred and sixty-five, one thousand five hundred and eighty-three, one thousand seven hundred and three, one thousand seven hundred and four, and one thousand eight hundred and seventy-nine, and to repeal sections one thousand five hundred and fifty-one, one thousand six

hundred and fifty-two, one thousand six hundred and sixty-nine, one thousand six hundred and seventy, one thousand seven hundred and forty-one, one thousand seven hundred and forty-two, one thousand seven hundred and forty-three, one thousand seven hundred and forty-four, one thousand seven hundred and forty-six, one thousand seven hundred and forty-seven, one thousand seven hundred and forty-eight, one thousand seven hundred and forty-nine, one thousand seven hundred and fifty, one thousand seven hundred and fifty-one, one thousand seven hundred and fifty-two, one thousand seven hundred and fifty-three, one thousand seven hundred and fifty-four, one thousand seven hundred and fifty-five, one thousand seven hundred and fifty-seven, one thousand seven hundred and fifty-eight, one thousand seven hundred and seventy-seven, one thousand seven hundred and ninety-three, one thousand seven hundred and ninety-four, one thousand eight hundred and thirty-eight, one thousand eight hundred and forty, one thousand eight hundred and forty-one, one thousand eight hundred and forty-two, one thousand eight hundred and forty-three, one thousand eight hundred and forty-four, one thousand eight hundred and forty-five, one thousand eight hundred and forty-six, one thousand eight hundred and forty-seven, one thousand eight hundred and forty-eight, one thousand eight hundred and forty-nine, one thousand eight hundred and fifty, one thousand eight hundred and fifty-one, one thousand eight hundred and fifty-two, and one thousand eight hundred and seventy-two, of an Act entitled an Act to establish a Political Code, approved March twelfth, A. D. eighteen hundred and seventy-two, relating to public schools.

On the motion of Mr. Morse, Senate Bill No. 392—An Act to amend section five hundred and ninety-five of the Code of Civil Procedure, relating to postponement of trials—taken up, read second time, and ordered to third reading.

FIRST READING AND REFERENCE OF BILLS.

Assembly Bill No. 435—An Act to prevent the burying of human remains within three miles of the limits of any city containing over one hundred thousand inhabitants.

Read first time, and referred to the Committee on County Governments and Municipal Corporations.

Assembly Bill No. 449—An Act to provide for the payment of the per diem, of the members, officers and attachés of the late Constitutional Convention for the unpaid residue of the one hundred days allowed by the Act convening said Convention.

Read first time, and ordered to second reading.

PETITIONS.

By Mr. Bass (by permission)—A petition from citizens of Reading, California, asking that a Branch State Normal School be established at said Town of Reading, in Shasta County, California.

Referred to the Committee on Public Buildings and Grounds

Also, petition from ex-soldiers and sailors, and citizens of the County of Shasta, asking that the thirtieth day of May be made a legal holiday.

Referred to the Judiciary Committee.

FIRST READING AND REFERENCE OF BILLS—CONTINUED.

Assembly Bill No. 432—An Act to provide for the appointment of Water Commissioners in districts to be formed by the Boards of Supervisors of the several counties of this State on rivers or water-courses where ten or more canal ditches or other outlets receive water therefrom of the capacity of twenty cubic feet or more of water per second.

Read first time, and referred to the Committee on Water Rights and Drainage.

Assembly Bill No. 441—An Act to amend an Act entitled an Act to prevent hogs from running at large in the Towns of Lakeport and Lower Lake, in Lake County, approved March twenty-third, eighteen hundred and seventy-eight.

Read first time, and, with accompanying petition asking a repeal of the hog law as applicable to the Town of Lower Lake, referred to the Committee on Judiciary.

SPECIAL ORDER.

Assembly Bill No. 404—An Act to amend sections three thousand six hundred and seven, three thousand six hundred and seventeen, three thousand six hundred and twenty-seven, three thousand six hundred and twenty-eight, three thousand six hundred and twenty-nine, three thousand six hundred and thirty, three thousand six hundred and thirty-four, three thousand six hundred and forty, three thousand six hundred and forty-three, three thousand six hundred and fifty, three thousand six hundred and fifty-one, three thousand six hundred and fifty-two, three thousand six hundred and sixty-three, three thousand six hundred and seventy-three, three thousand six hundred and seventy-eight, three thousand six hundred and seventy-nine, three thousand seven hundred and seventeen, three thousand seven hundred and thirty, three thousand seven hundred and fifty-two, three thousand seven hundred and fifty-six, three thousand eight hundred and thirty-nine, and three thousand eight hundred and sixty-one, and to repeal sections three thousand six hundred and eighty and three thousand eight hundred and eighty-seven, of an Act entitled "An Act to establish a Political Code," approved March twelfth, eighteen hundred and seventy-two, relating to revenue, and to add two new sections, numbered three thousand six hundred and sixty-four and three thousand six hundred and sixty-five.

Taken up.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Adams, Anthony, Bass, Bennett, Brooks, Brown of Sonoma, Brown of Yuba, Bruner, Busse, Burns, Carr of Sacramento, Carr of Yuba, Chamberlain, Chandler, Cook, Cooper, Corcoran, Cuthbert, Del Valle, Estey, Finlayson, Fraser, Frink, Garibaldi, Gaffey, Green, Hardy, Harris, Hartson, Hershey, Hynes, Josselyn, Lane, Leach, Leadbetter, Levee, Maguire, Mathews, May, Maybell, McCallon, McCarty of Lake, McCarthy of San Francisco, McComas, McIntosh, Morse, Mulholland, Picket, Savle, Simon, Sherburne, Spencer, Stanley, Stoddard, Streeter, Walker, Ward, Wilson of Ventura, Wattson, York, Young, and Mr. Speaker—62.

NOES—Messrs. Cannon, Coleman, Downs, Messenger, and Nelson—5.

Title approved.

Mr. Corcoran moved to make Assembly Bill No. 255 special order for to-morrow, at two o'clock P. M.

Lost.

RESOLUTION.

By Mr. Adams (by permission):

Resolved, That the Committee on the Culture of the Grapevine be authorized to employ a Clerk, at the usual per diem, payable out of the Assembly Contingent Fund.

Referred to the Committee on Attachés and Employés.

Mr. Corcoran moved that Assembly Bill No. 255—An Act to regulate the price of water for domestic use in this State—be made the special order for two o'clock P. M. Wednesday.

Lost.

Mr. Young moved that Assembly Bill No. 125—An Act to prevent the accumulation of large landed estates—be made the special order for two o'clock P. M. Thursday.

Lost.

FIRST READING AND REFERENCE OF BILLS—CONTINUED.

Assembly Bill No. 440—An Act to provide for the improvement of streets within cities of less than one hundred thousand inhabitants, organized and existing for municipal purposes.

Read first time, and referred to the Committee on County Governments and Municipal Corporations.

Assembly Bill No. 426—An Act to exempt insurance companies from all responsibility for risks on property where aliens ineligible to become electors are employed and reside.

Read first time, and referred to the Committee on Corporations.

Mr. Sweetland, by unanimous consent, was ordered recorded as voting aye on Assembly Bill No 404.

Assembly Bill No. 427—An Act to amend sections one thousand one hundred and sixty-three, one thousand one hundred and sixty-six, one thousand one hundred and seventy-one, and one thousand one hundred and seventy-eight, of the Code of Civil Procedure, of the State of California, relative to actions of forcible entry and detainer.

Read first time, and referred to the Judiciary Committee.

Assembly Concurrent Resolution No. 16—To appoint a joint committee to ascertain the names of corporations now employing Chinese, and to report to the Attorney-General within thirty days after their appointment, instructing the Attorney-General to prosecute such corporations

Read first time, and referred to the Committee on Chinese Immigration and Emigration

Assembly Bill No. 428—An Act to establish a Branch Normal School.

Read first time, and referred to the Committee on Public Buildings and Grounds.

Assembly Bill No. 429—An Act to amend section six hundred and eighty-eight of the Code of Civil Procedure, relating to property liable to be seized in execution.

Read first time, and referred to the Committee on Judiciary.

Assembly Bill No. 430—An Act to amend section four thousand

two hundred and twenty-one of the Political Code, relative to counting money in the county treasury and making a statement thereof.

Read first time, and referred to the Committee on Judiciary

Assembly Bill No. 431—An Act to amend sections one thousand and forty-four and two thousand nine hundred and forty-seven of the Civil Code, and to add two new sections thereto, to be numbered one thousand and ninety-six and one thousand one hundred and sixteen, relating to transferring and mortgaging property.

Read first time, and referred to the Committee on Corporations.

Assembly Bill No. 433—An Act to amend section four hundred and eleven of the Code of Civil Procedure.

Read first time, and referred to the Committee on Judiciary.

Assembly Bill No. 434—An Act to add section one hundred and thirty-nine to the Penal Code.

Read first time, and referred to the Committee on Judiciary.

Assembly Bill No. 436—An Act to amend section two thousand five hundred and thirty-six of the Political Code.

Read first time, and referred to the Committee on Commerce and Navigation.

Assembly Bill No. 437—An Act to provide for the erection of three Normal School buildings.

Read first time, and referred to the Committee on Public Buildings and Grounds

Assembly Bill No. 438—An Act to prohibit the letting of contracts for labor on public works by any public officer.

Read first time, and referred to the Committee on Judiciary.

Assembly Bill No 439—An Act to amend section fifty-nine of the Civil Code, relative to the validity of marriage.

Read first time, and referred to the Committee on Judiciary.

Assembly Bill No. 443—An Act to prohibit civic and political societies and organizations from carrying fire-arms through the public streets of any city or town within the State.

Read first time, and referred to Judiciary Committee.

Assembly Bill No 444—An Act to amend section one thousand and ninety-four of the Political Code, in relation to elections

Read first time, and referred to the Committee on County Governments and Municipal Corporations.

Assembly Bill No 445—An Act to amend section two thousand seven hundred and thirty of the Political Code, relating to highways.

Read first time, and referred to the Committee on County Governments and Municipal Corporations.

Assembly Bill No. 446—An Act creating a Board of Wharfage and Storage Commissioners, and prescribing their duties and powers.

Read first time, and referred to the Committee on Corporations

Assembly Bill No. 448—An Act to provide for the payment of the per diem of the officers and attachés of the late Constitutional Convention, for fifty-seven days' services rendered in excess of the time allowed by the Act convening said Convention

Read first time, and ordered to second reading

SECOND READING OF BILLS.

Senate Bill No. 118—An Act to amend part one of the Code of Civil Procedure, and each and every title, chapter, article, and section of said part one, and substituting a new part one, to take the

place thereof in said Code, relating to Courts of justice, and the various officers connected therewith.

Taken up.

The amendments recommended by the committee up to and including committee amendment number six adopted.

Speaker pro tem. Fraser in the chair.

Pending the consideration of above bill, the Committee on Engrossment made reports as below.

By Mr. Sherburne:

ASSEMBLY CHAMBER, March 1st, 1880.

MR. SPEAKER: Your Committee on Engrossment beg leave to report that they have examined, and find properly engrossed, Assembly Bill No 28—An Act to amend an Act entitled "An Act to amend section two hundred and ninety-nine of the Civil Code of California," as approved on March twenty-second, eighteen hundred and seventy-eight.

SHERBURNE, Chairman.

Also:

ASSEMBLY CHAMBER, March 1st, 1880.

MR SPEAKER Your Committee on Engrossment beg leave to report that they have examined, and find properly engrossed, Assembly Bill No 404—An Act to amend sections three thousand six hundred and seven, three thousand six hundred and seventeen, three thousand six hundred and twenty-seven, three thousand six hundred and twenty-eight, three thousand six hundred and twenty-nine, three thousand six hundred and thirty, three thousand six hundred and thirty-four, three thousand six hundred and forty, three thousand six hundred and forty-three, three thousand six hundred and fifty, three thousand six hundred and fifty-one, three thousand six hundred and fifty-two, three thousand six hundred and sixty-three, three thousand six hundred and seventy-three, three thousand six hundred and seventy-eight, three thousand six hundred and seventy-nine, three thousand seven hundred and seventeen, three thousand seven hundred and thirty, three thousand seven hundred and fifty-two, three thousand seven hundred and fifty-six, three thousand eight hundred and thirty-nine, three thousand eight hundred and sixty-one, and to repeal sections three thousand six hundred and eighty and three thousand eight hundred and eighty-seven, of an Act entitled "An Act to establish a Political Code," approved March twelfth, eighteen hundred and seventy-two, relating to revenue, and to add two new sections, numbered three thousand six hundred and sixty-four and three thousand six hundred and sixty-five

SHERBURNE, Chairman.

The reading and consideration of Senate Bill No. 118—An Act to amend part one of the Code of Civil Procedure, and each and every title, chapter, article, and section of said part one, and substituting a new part one, to take the place thereof in said Code, relating to Courts of justice, and the various officers connected therewith—resumed.

The question being, "Shall committee amendment number seven to the bill be adopted?" the ayes and noes were demanded by Messrs. Lane, Sinon, and McCarthy.

The roll was called, and the amendment was adopted by the following vote:

AYES—Messrs. Anthony, Bass, Brown of Sonoma, Burns, Carr of Yuba, Cook, Cooper, Corcoran, Del Valle, DuBrutz, Garibaldi, Gaffey, Harris Hartson, Hershey, Josselyn, Lane, Levee, Maguire, Mathews, May Maybell, McCallion, McCarty of Lake, McCarthy of San Francisco, Picket, Sayle Sinon, Sherburne, Spencer, Stoddard, Streeter, Sweetland, and Walker—34.

NOES—Messrs. Adams Bennett Brooks, Bruner, Brusie, Catt of Sacramento, Cuthbert, Dimond, Estey, Finlayson, Fox, Fraser, Frink, Green, Hardy, Leach, Leadbetter, McComas, McIntosh, Morse, Nelson, Stanley, Tyler, Ward, Wason of Ventura, Wattson, York, Young, and Mr. Speaker—28.

Mr. May gave notice that he would, on to-morrow, move to reconsider the vote by which committee amendment number seven to Senate Bill No. 118 was adopted.

The amendment number eight, recommended by the committee, adopted.

Mr. Fox moved to amend section eighty-six, line ten, by inserting the words "two Deputy Clerks," instead of the words "a Deputy Clerk."

Adopted.

Mr. Tyler moved to amend section eighty-six, line three, by inserting after the word "office," the words "for two years and."

Adopted.

Mr. Fox moved that further consideration of the bill be suspended until Assembly Bill No. 361—An Act in relation to certain deputies, assistants, and copyists of County Clerks—be disposed of.

So ordered.

THE SPECIAL ORDER FOR THIS DAY IMMEDIATELY AFTER READING OF JOURNAL.

Assembly Bill No 361—An Act in relation to certain deputies, assistants, and copyists of County Clerks.

Taken up.

Read third time.

The roll was called, and the bill passed by the following vote

AYES—Messrs. Anthony, Bass, Bennett, Brooks, Brown of Sonoma, Brown of Yuba, Bruner, Bruste, Burns, Carr of Yuba, Cooper, Corcoran, Cuthbert, Del Valle, DuBrutz, Estey, Finlayson, Fox, Fraser, Garibaldi, Gaffey, Green, Harris, Hershey, Hynes, Josselyn, Lane, Leach, Leadbetter, Maguire, Mathews, May, McCallion, McCarty of Lake, McCarthy of San Francisco, McComas, Messenger, Morse, Nelson, Pickett, Sayle, Simon, Sherburne, Spencer, Stanley, Stoddard, Streeter, Sweetland, Walker, Ward, Wason of Ventura, Watson, York, and Young—55.

NOES—Messrs. Adams, Carr of Sacramento, Dimond, Frink, Hardy, Hartson, Maybell, McIntosh, and Tyler—9.

Title approved.

RESOLUTION.

By Mr Sweetland:

Section seventeen of article twenty, of the Constitution of the State of California, provides that eight hours is a legal day's work on all State work, and the two Watchmen of the Assembly are each working twelve hours per day.

Resolved, That the Sergeant-at-Arms be and is hereby authorized to appoint an additional Watchman at the same rate per diem as those at present employed, and payable out of the Contingent Fund of the Assembly.

Referred to the Committee on Attachés and Employés.

RECESS.

The hour of one o'clock P. M. having arrived, the House took a recess until two o'clock P. M.

RE-ASSEMBLED.

House re-assembled at two o'clock P. M.

Speaker Cowdery in the chair.

Quorum present.

Mr. Wason moved that double the usual number of copies of the bill recommended by the Committee on Education, being Assembly Bill No. 460, be ordered printed, and one hundred copies of the same be placed at the disposal of the State Superintendent of Schools.

Adopted.

Mr. McCarthy moved that double the usual number of copies of Assembly Bill No. 85 be ordered printed.

Lost.

One day's leave of absence granted Mr. Coffman on account of sickness.

SECOND READING OF BILLS—CONTINUED.

The consideration of Senate Bill No. 118—An Act to amend part one of the Code of Civil Procedure, and each and every title, chapter, article, and section of said part one, and substituting a new part one, to take the place thereof in said Code, relating to Courts of justice, and the various officers connected therewith—resumed.

The amendment recommended by the committee to section ninety-one adopted.

Mr Fox moved to amend by striking out the word "nine," from line twelve, section eighty-eight, and inserting instead the word "eight."

Adopted.

The amendment recommended by the committee to section ninety-two adopted

The amendment recommended by the committee to section ninety-five adopted.

The amendment recommended by the committee to section ninety-seven adopted.

Mr. Hardy moved to amend section eighty-seven, line twelve, by inserting after the word "of," the words "not to exceed."

Adopted.

Mr. Fox moved that section one hundred and three be re-referred to the Judiciary Committee for amendment.

Adopted.

The committee amendment to section one hundred and four adopted.

The amendment recommended by the committee to section one hundred and twelve adopted

The amendment recommended by the committee to section one hundred and thirteen adopted.

The amendments recommended by the committee to section one hundred and fifteen adopted

The amendment recommended by the committee to section one hundred and forty-nine adopted.

The amendments recommended by the committee to section one hundred and fifty-one adopted.

The amendment recommended by the committee to section one hundred and fifty-eight adopted.

Pending discussion on the amendment recommended by the committee to section one hundred and fifty-nine, a report from the Committee on Engrossment was made by Mr. Sherburne, as follows:

ASSEMBLY CHAMBER March 18, 1880

MR SPEAKER: The Committee on Engrossment have examined and find properly engrossed, Assembly Bill No 361—An Act in relation to certain deputies, assistants, and copyists of County Clerks.

SHERBURNE, Chairman

REPORT FROM THE COMMITTEE ON ENROLLMENT.

By Mr. Brooks:

MR SPEAKER Your Committee on Enrollment respectfully report that the following Assembly bills have been correctly enrolled No. 206—An Act making appropriation for the State's portion of the salaries of the Superior Judges of the counties of the State of California for the balance of the thirty-first fiscal year ending June thirtieth, eighteen hundred and eighty.

No 205—An Act making appropriation for the salaries of the Chief Justice and Associate Justices of the Supreme Court of the State of California for the balance of the thirty-first fiscal year ending June thirtieth, eighteen hundred and eighty.

No 288—An Act to appropriate money for the payment of the deficiency in the appropriation for the support of the State Printing Office for the thirtieth fiscal year

No 289—An Act to appropriate money for the payment of the deficiency in the appropriation for the support of the State Printing Office for the twenty-ninth fiscal year.

And were this day, March first, eighteen hundred and eighty at three o'clock P M, presented to the Governor for his approval.

BROOKS, Chairman

The amendments recommended by the committee to section one hundred and sixty adopted.

The Committee on Judiciary, by Mr. Fox, reported back the substitute for section one hundred and three, as amended by the committee.

The question being, "Shall the substitute for section one hundred and three, as amended by the Judiciary Committee, stand as section one hundred and three?" Mr. Lane moved to amend the amendment above, by striking out the following, viz: "No person shall be eligible to the office of Justice of the Peace in any city having over ten thousand inhabitants, who has not been admitted to practice law in a Court of record and."

Carried.

Mr. Del Valle gave notice that he would move to reconsider the vote by which the amendment to the amendment was carried.

The substitute for section one hundred and three, recommended by the committee, adopted as amended by Mr Lane's motion

The amendment recommended by the committee to section one hundred and seventy-one adopted.

Mr. Cooper moved that the bill be placed at the head of the second reading file to-morrow

Carried.

The question being upon the amendment recommended by the committee to section one hundred and fifty-nine, and the previous question being demanded by the requisite number, the House so ordered.

The ayes and noes were demanded by Messrs. Walker, Anthony, and Levee.

The roll was called, and the amendment was lost by the following vote:

AYES—Messrs Bennett, Brooks, Bruner, Brusie, Chamberlain, Chandler, Cooper, Corcoran, Downs DuBrutz, Durham, Estey, Fox, Fink, Green, Hutson, Hershey, Leach, Mathews May, McCarthy of San Francisco, McComas, Morse, Nelson, Sayle, Stanley, Streeter, Tyler, Wason of Ventura, York, and Young—31

NOES—Messrs Adams, Anthony, Bass, Brown of Sonoma, Brown of Yuba, Burns, Carr of Sacramento, Carr of Yuba, Cook, Del Valle, Felton, Fraser, Garibaldi Gorley, Hardy, Hynes, Josselyn, Lane, Leadbetter, Levee, Maguire, Maybell, McCallion, McCarty of Lake, McDade, McIntosh, Messenger, Mulholland, Picket, Simon, Sherburne, Stoddard, Sweetland, Walker, and Mr Speaker—35.

Mr Del Valle gave notice that he would, on to-morrow, move to reconsider the vote by which the above amendment was lost.

The amendment recommended by the committee to section number one hundred and eighty-two adopted.

The amendment recommended by the committee to section one hundred and eighty-seven adopted.

Mr. Fox moved that the further consideration of the bill be deferred until after the reading of the Journal to-morrow.

So ordered.

PROTEST.

By Mr. Fox:

MR SPEAKER Having been, by order of the House, absent from the Assembly at the time of the passage of Assembly Bill No 404, and, by reason of such absence, having no opportunity to vote on the final passage thereof, the undersigned hereby protest, and ask that this, their protest, be entered upon the Journal, against the passage of said Assembly Bill No. 404, on the ground that the same is unjust in principle, unconstitutional in form, that it will create a large fictitious assessment upon which no revenue will be collected, and will ultimately result in imposing unjust and unequal burdens upon the poor and middle classes.

CHARLES N. FOX, of Alameda County.
GEORGE W. TYLER, of Alameda County.

March 1st, 1880.

ADJOURNMENT.

At five o'clock and two minutes P. M. Mr. Fraser moved that we do now adjourn.

Carried.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Tuesday, March 2d, 1880.

House met pursuant to adjournment.

Speaker Cowdery in the chair.

Roll called, and a quorum present.

Prayer by the Chaplain.

One day's leave of absence granted to Mr. Fraser.

READING AND APPROVAL OF THE JOURNAL.

Mr. McComas moved that the further reading of the Journal be dispensed with.

So ordered.

The Journal of Saturday approved.

PETITIONS

By Mr. Coffman—A petition from the citizens of Merced County, protesting against the passage of Senate Bill No. 192.

Referred to Committee on Printing.

By Mr. Morse—A petition from the officers of Mendocino County Agricultural Association, asking that the State assume control of all agricultural societies.

Referred to the Committee on Agriculture.

By Mr. Durham—A petition from citizens of Chico and vicinity, asking the appointment of a joint committee of the Legislature to visit Chico, with a view to establishing the State Normal School or a branch thereof in that town.

Referred to the Committee on Education.

On motion of Mr. Del Valle, all bills relating to Normal Schools that were referred to the Committee on Public Buildings and Grounds, were recalled and referred to the Committee on Education.

REPORTS OF STANDING COMMITTEES.

By Mr. Finlayson:

ASSEMBLY CHAMBER, SACRAMENTO, March 2d, 1880.

MR. SPEAKER: The Committee on Commerce and Navigation, to whom was referred Senate Bill No. 236—An Act to amend section six of an Act entitled "An Act concerning the water front of the City and County of San Francisco," approved March fifteenth, eighteen hundred and seventy-eight, and to confer further powers upon the Board of State Harbor Commissioners—have had the same under consideration, and report the same back to the Assembly, and recommend its passage.

Also, Senate Concurrent Resolution No. 11—Relative to the utilization of convict labor—have considered the same, and report it back, with a recommendation that it be referred to the Committee on Federal Relations, that being the appropriate committee.

FINLAYSON, Chairman.

Senate Concurrent Resolution No. 11, above reported, ordered referred to the Committee on Federal Relations.

By Mr. Mulholland:

MR. SPEAKER: Your Committee on Federal Relations, to whom was referred Senate Concurrent Resolution No. 14—Relative to modification of Burlingame Treaty, to memorialize the President and Congress of the United States—have had the same under consideration, and report the same back to the Assembly, with the recommendation that it do pass.

Also, Assembly Joint Resolution No. 14—Relative to the construction of a canal across the Isthmus of Darien—that they have had the same under consideration, and report the same back, *with the recommendation that it do pass as amended.*

MULHOLLAND, Chairman.

By Mr. Fox:

ASSEMBLY CHAMBER, SACRAMENTO, March 2d, 1880.

MR. SPEAKER: Your Judiciary Committee, to whom was referred Senate Bill No. 223—An Act to amend section one thousand three hundred and eighty-six of the Civil Code, relating to succession.

Also, Senate Bill No. 285—An Act to amend sections seven hundred and sixty-three and nine hundred and thirty-nine of the Code of Civil Procedure, relating to proceedings in partition and appeals therefrom.

And now report the same back, with amendments to each, and recommend that they severally be passed as amended.

FOX, Chairman.

By Mr. Bennett:

MR. SPEAKER: Your Committee on Public Morals, to whom was referred Assembly Bill No. 155—An Act to regulate the sale of opium and other narcotic poisons—have had the same under consideration, and report the same back to the Assembly, with the recommendation that the author be allowed to withdraw the bill, as another one on the same subject is before the Assembly at its third reading.

Also, Assembly Bill No. 371—An Act to restrict and regulate the use of intoxicating liquors—that they have had the same under consideration, and report the same back to the Assembly, without recommendation.

Also, Assembly Bill No. 193—An Act to amend the Penal Code with respect to the punishment of persons guilty of gaming—that they have had the same under consideration, and report the same back to the Assembly, with the recommendation that the author be allowed to withdraw the bill, as there is another bill before the Assembly on the same subject.

Also, Assembly Bill No. 362—An Act to add a new section to the Penal Code, relative to advertisement to procure abortion—that they have had the same under consideration, and report the same back to the Assembly, with the recommendation that it do pass as amended.

Also, Senate Bill No. 306—An Act relating to the intoxication of officers—that they have had the same under consideration, and report it back, with the recommendation that it do pass.

BENNETT, Chairman.

By Mr. Young.

MR. SPEAKER: Your Committee on Public Printing, to whom was referred Senate Bill No. 192, hereby report the same back with amendments, and recommend that the same do pass as amended.

YOUNG, Chairman.

By Mr. Downs:

MR. SPEAKER: Your Committee on Water Rights and Drainage, to whom was referred Assembly Bill No. 360 having fully considered and amended the same, beg leave to report it back to the House, with the recommendation that it do pass as amended.

SACRAMENTO, March 2d. DOWNS, Chairman.

Also:

MR. SPEAKER: Your Committee on Water Rights and Drainage, to whom was referred Assembly Bill No. 432, having fully considered the same, beg leave to report it back to the House, with the recommendation that it be re-referred to the Committee on Irrigation.

SACRAMENTO, March 2d. DOWNS, Chairman.

The bill, above reported back, was ordered re-referred to the Committee on Irrigation.

MESSAGE FROM THE GOVERNOR.

The following message was received from the Governor:

STATE OF CALIFORNIA, EXECUTIVE DEPARTMENT,
SACRAMENTO, March 1st, 1880.

To the Assembly of the State of California:

I have to inform your honorable body that I have approved Assembly Bill No. 205—An Act making appropriation for the salaries of the Chief Justice and Associate Justices of the Supreme Court of the State of California for the balance of the thirty-first fiscal year ending June thirtieth, eighteen hundred and eighty.

Also, Assembly Bill No. 206—An Act making appropriation for the State's portion of the salaries of the Superior Judges of the counties of the State of California for the balance of the thirty-first fiscal year ending June thirtieth, eighteen hundred and eighty.

Also, Assembly Bill No. 288—An Act to appropriate money for the payment of the deficiency in the appropriation for the support of the State Printing Office for the thirtieth fiscal year.

Also, Assembly Bill No. 289—An Act to appropriate money for the payment of the deficiency in the appropriation for the support of the State Printing Office for the twenty-ninth fiscal year.

GEO. C. PERKINS, Governor.

Mr. Morse moved that Assembly Bill No. 392—An Act to amend section five hundred and ninety-five of the Code of Civil Procedure, relating to postponement of trials—be now taken up.

So ordered.

The bill taken up.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Adams, Anthony, Bass, Bennett, Brooks, Brown of Sonoma, Brown of Yuba, Brusie, Burns, Cannon, Carr of Sacramento, Chamberlain, Chandler, Coffman, Coleman, Cook, Cooper, Cuthbert, Del Valle, Dimond, Downs, DuBrutz, Durham, Estey, Finlayson, Fox, Frink, Garibaldi, Gaffey, Gorley, Green, Hardy, Harris, Hershey, Hynes, Josselyn, Lane, Leach, Levee, Magune, Mathews, McCallum, McCarty of Lake, McCarthy of San Francisco, McComas, McDade, Merry, Morse, Mulholland, Nelson, Pickel, Sayle, Simon, Sherburne, Stanley, Stoddard, Streeter, Tyler, Walker, Ward, Wason of Ventura, York, Young, and Mr. Speaker—65.

NOES—Mr. Messenger—1.

Title approved.

PROTEST.

By Mr. McDade:

MR. SPEAKER: The undersigned hereby desires to protest against the action of the House in refusing to allow him to record his vote in favor of Assembly Bill No. 404, just in principle, constitutional in form, equitable in its effects, designed to ameliorate the condition of the poor and middle classes, and to remedy the evils which have resulted from an unjust, unfair, and disproportionate taxation in the past and to secure in the future the payment of a just share of the revenue of the State by all the property in the State.

J. J. McDADE, San Francisco.

INTRODUCTION OF BILLS.

The following bills were introduced, and ordered printed:

By Mr. Gorley—An Act concerning the grading and other improvement of streets in cities or cities and counties of one hundred thousand or more inhabitants.

Also, an Act concerning the burial of decedents within the limits of incorporated cities, or consolidated cities and counties of one hundred thousand or more inhabitants, and to prohibit the same.

By Mr. Bass—An Act to establish a Branch State Normal School in the Town of Reading, Shasta County, California.

By Mr. Frink—An Act to repeal section one thousand four hundred and one of the Civil Code, and to amend section one thousand four hundred and two of the Civil Code.

By Mr. Picket—An Act to amend section six hundred and thirty-two of the Civil Code.

Also, an Act to add a new section to the Civil Code, in relation to gas corporations.

By Mr. Brown of Sonoma—An Act to provide for the location and maintenance of a Branch Normal School at the City of Santa Rosa, Sonoma County.

By Mr. McComas—An Act concerning roads and highways in this State.

By Mr. Durham—An Act to provide for the erection of buildings for the use of the Normal Schools of the State.

By Mr. Spencer—An Act to protect county jails, and to prevent communication with persons confined therein.

By Mr. Carr of Yuba—An Act to prohibit the landing within this State, under certain circumstances, of any vagrant, pauper, mendicant, person afflicted with any contagious disease, or any person or class of persons declared to be dangerous to the health, well-being, or peace of this State, and to provide the means for carrying the same into effect.

RECONSIDERATION.

By Mr. May (pursuant to notice):

MR. SPEAKER: I now move to reconsider the vote by which section eighty-six of Senate Bill No. 118—An Act to amend part one of the Code of Civil Procedure, and each and every title, chapter, article, and section of said part one, and substituting a new part one, to take the place thereof in said Code, relating to Courts of Justice, and the various officers connected therewith—was amended so as to authorize Justices of the Peace to appoint Clerks of Justices' Courts.

Upon which the ayes and noes were demanded by Messrs. Maybell, Josselyn, and Sinon.

The roll was called, and the motion to reconsider prevailed by the following vote:

AYES—Messrs. Anthony, Bennett, Brooks, Brown of Sonoma, Brown of Yuba, Bruner, Brusie, Camron, Carr of Sacramento, Chamberlain, Chandler, Coleman, Cuthbert, Dimond, Downs, Durham, Finlayson, Fox, Frink, Gorley, Green, Hardy, Leach, Leadbetter, May, McComas, McIntosh, Merry, Morse, Mulholland, Nelson, Sayle, Sherburne, Stanley, Stoddard, Streeter, Tyler, Ward, Wason of Ventura, Wasson of Mono, Watson, York, and Young—43.

NOES—Messrs. Bass, Braunhart, Burns, Carr of Yuba, Coffman, Cook, Cooper, Corcoran, Del Valle, DuBrutz, Estey, Garibaldi, Gaffey, Harris, Hershey, Hynes, Josselyn, Lane, Levee, Maguire, Mathews, Maybell, McCallion, McCarty of Lake, McCarthy of San Francisco, McDade, Messenger, Picket, Simon, Spencer, Walker, and Mr. Speaker—32.

INTRODUCTION OF BILLS—CONTINUED.

The following bills were introduced, and ordered printed:

By Mr. Braunhart (by permission)—An Act to encourage the mining industry, and to suppress stock gambling.

By Mr. Maybell—An Act relating to corporations employing aliens ineligible to citizenship.

FIRST READING AND REFERENCE OF BILLS.

Assembly Bill No. 442—An Act to amend sections six hundred and thirty-four and six hundred and thirty-six of the Penal Code for the better protection of salmon in the waters of California.

Read first time, and referred to the Committee on Fish and Game.

Assembly Bill No. 447—An Act to amend section one thousand two hundred and seventy-six of the Code of Civil Procedure, relative to change of names of persons and corporations.

Read first time, and referred to the Committee on Judiciary.

SECOND READING OF BILLS.

The consideration of Senate Bill No. 118—An Act to amend part one of the Code of Civil Procedure, and each and every title, chapter, article, and section of said part one, and substituting a new part one, to take the place thereof in said Code, relating to Courts of justice, and the various officers connected therewith—resumed.

Section one hundred and ninety-nine of the bill was amended as recommended by the committee.

The amendment recommended by the committee to section two hundred of the bill adopted.

Mr. Lane moved to amend subdivision eleven of section two hundred by inserting at the close thereof the words, "an acting member of the National Guard of California, or a person who has served seven years as a member of such."

Adopted.

Mr. May moved that the amendment of the committee to section eighty-six of the bill, so as to prevent Justices of the Peace to appoint Clerks of Justices Courts, be not adopted.

Upon which the ayes and noes were demanded by Messrs. May, Corcoran, and Brooks.

The roll was called, and the amendment was lost by the following vote:

AYES—Messrs. Bass, Braunhart, Brown of Sonoma, Burns, Carr of Yuba, Coffman, Cook, Cooper, Corcoran, Del Valle, DuBrutz, Gaffey, Harris, Hershey, Hynes, Josselyn, Lane, Levee, Maguire, Mathews, Maybell, McCallion, McCarty of Lake, McCarthy of San Francisco, McDade, Messenger, Picket, Simon, Spencer, Stoddard, Sweetland, Walker, and Mr. Speaker—33.

NOES—Messrs. Anthony, Bennett, Brooks, Brown of Yuba, Bruner, Brusie, Carr of Sacramento, Chamberlain, Chandler, Coleman, Downs, Durham, Estey, Felton, Finlayson, Fox,

Frink, Gorley, Green, Leach, Leadbetter, May, McComas, McIntosh, Merry, Morse, Mulholland, Nelson, Sayle, Sherburne, Stanley, Streeter, Tyler, Ward, Wason of Ventura, Wasson of Mono, York, and Young—38.

Mr. Messenger gave notice that he would, on to-morrow, move to reconsider the vote by which the House adopted the amendment to subdivision eleven of section two hundred of the bill.

The amendment recommended by the committee to section two hundred and four adopted.

Section two hundred and six amended as recommended by the committee and adopted.

Section two hundred and nine temporarily passed.

Section two hundred and eleven amended as recommended by the committee and adopted.

Section two hundred and nine amended as recommended by the committee and adopted.

Section two hundred and fourteen amended as recommended by the committee and adopted.

Section two hundred and fifteen amended as recommended by the committee and adopted.

Sections two hundred and sixteen, two hundred and seventeen, and two hundred and eighteen of the bill stricken out by recommendation of the committee.

Section two hundred and nineteen amended as recommended by the committee and adopted.

Section two hundred and twenty-one amended as recommended by the committee and adopted

Mr. Tyler moved to amend by striking out the words "Judge, or Judges, or any of the," from line four, section two hundred and twenty-five, and inserting instead the word "Court."

Adopted.

The amendments recommended by the committee to sections two hundred and thirty and two hundred and thirty-one were each adopted.

Mr. Brooks moved to amend by striking out the words "one hundred dollars," from line three, section two hundred and forty, and inserting instead the words "fifty dollars."

Adopted.

Mr. Tyler moved to amend the amendment by striking out the words "Judge, or Judges," from the amendment, and inserting instead the word "Court."

Adopted.

Section two hundred and forty-one amended as recommended by the committee, and amended as above stated, and adopted as amended

Mr. Fox moved to amend in line four, section two hundred and fifty-eight, by inserting after the word "State," the words "having but one Superior Judge," and by inserting after the word "county," in line five, the words "who may exercise the powers in this chapter provided, in any case where the Judge is sick or disqualified from acting"

Adopted.

Mr. Merry moved to amend by striking out after the word "provide," the words "at the expense of the city, or city and county," from line twenty-seven, section two hundred and fifty-nine.

Adopted.

Mr. McCarty gave notice of a motion to reconsider the vote by which the amendment to section two hundred and fifty-eight was adopted.

Mr. Fox moved that this chapter two of the bill be recommitted to the Judiciary Committee.

Carried.

The amendment recommended by the committee to section two hundred and sixty-two adopted

The amendments recommended by the committee to section two hundred and seventy adopted.

The amendment recommended by the committee to section two hundred and seventy-five adopted.

Mr. Young moved to amend by striking out after the word "Court" the words "or requested by either party," from line eleven, section two hundred and sixty-nine.

Adopted.

The amendment recommended by the committee to section two hundred and seventy-six adopted

The amendment recommended by the committee to section two hundred and seventy-nine adopted.

Mr. Braunhart moved to amend by striking out subdivision one of section two hundred and eighty-three.

Mr. Braunhart was granted permission, by the House, to read from a brief in speaking to the above motion.

RECESS.

Pending discussion, the hour of one o'clock P. M. having arrived, the House took a recess until two o'clock P. M.

RE-ASSEMBLED.

The House re-assembled at two o'clock P. M.

Speaker Cowdery in the chair.

Quorum present

PRIVILEGED QUESTION.

Mr. May had leave to speak to a privileged question; and, in conclusion, moved that the further reading of the brief being read by Mr. Braunhart at the time the hour of recess arrived, this morning, be dispensed with.

Upon which the ayes and noes were demanded by Messrs. May, Merry, and Wason of Ventura.

The roll was called, and the motion was carried by the following vote:

AYES—Messrs Adams, Anthony, Bass, Bennett, Brooks, Brown of Yuba, Bruner, Brusie, Carr of Sacramento, Chamberlain, Chandler, Coleman, Dimond, Downs, Estey, Finlayson, Fox, Frink, Godley, Hutson, Leach, Leadbetter, Maguire, Mathews, May, McCarthy of San Francisco, McComas, McIntosh, Merry, Morse, Sherburne, Stanley, Stoddard Streeter, Valle Del, Ward, Wason of Ventura, York, Young, and Mr Speaker—40

NOES—Messrs Burns, Cook, Corcoran Cuthbert, DuBrutz Garibaldi, Hynes Jossely n, Lane, Mayhell, McCallion, McCarty of Lake, McDade, Nelson, Picket, Sayle, Simon, Spencer, Walker, and Wattson—20.

The consideration of Senate Bill No. 118—An Act to amend part one of the Code of Civil Procedure, and each and every title, chap-

ter, article, and section of said part one, and substituting a new part one, to take the place thereof in said Code, relating to Courts of justice, and the various officers connected therewith—resumed.

The question being on the striking out of subdivision one, of section two hundred and eighty-three, the motion was withdrawn.

Mr. Mathews moved to amend by adding, as subdivision nine, the following: "An attorney violating any of the provisions of this section must be suspended from the privilege of practicing his profession in any Court in this State for a term of not less than one month, nor more than six months, and to suffer such other penalties as the Court may inflict," in line twenty-one, section two hundred and eighty-two.

Adopted.

Mr. Tyler moved to amend by striking out the word "preceding," from line one, section two hundred and eighty-five.

Adopted.

The amendments recommended by the committee to section two hundred and eighty-seven adopted.

Mr. Young moved to amend, in line eleven, section two hundred and eighty-seven, by inserting the word "willfully" after the word "or."

Adopted.

The amendment recommended by the committee to add new sections to the bill as follows: "Sections two hundred and sixteen, two hundred and seventeen, two hundred and eighteen, and two hundred and twenty-one, of the Code of Civil Procedure, and all Acts and parts of Acts in conflict with the provisions of this Act, are hereby repealed."

Adopted.

REPORT FROM THE JUDICIARY COMMITTEE.

MR SPEAKER: Your Judiciary Committee, to whom was recommitted chapter two, part three, of Senate Bill No. 118, beg leave to report that, after mature consideration, we believe it best to amend said chapter as printed only by inserting in section two hundred and fifty-eight, after the word "State," in line four, the words "having but one Superior Judge" and we recommend that the balance of the amendment to said section be stricken out.

FOX, Chairman,
TYLER,
HARDY,
DEL VALLE,
McCARTHY,
BRUNER,
MERRY,
WASON,
COOPER,
MORSE

Report of the committee adopted, and the bill amended as recommended by the committee.

Mr Del Valle, pursuant to notice, moved to reconsider the vote by which section one hundred and three of the bill was amended yesterday.

Mr. Maybell moved to indefinitely postpone the motion to reconsider.

The previous question was demanded by Messrs. Carr of Sacramento, Levee, and Merry, and the House so ordered.

The ayes and noes were demanded by the requisite number.

The roll was called, and the motion to indefinitely postpone the motion to reconsider was lost by the following vote:

AYES—Messrs. Anthony, Bass, Braunhart, Burns, Carr of Sacramento, Carr of Yuba, Chamberlain, Chandler, Coleman, Cook, Cuthbert, Dimond, Garibaldi, Gaffey, Gorley, Hynes, Josselyn, Lane, Leadbetter, Levee, Maguire, Maybell, McCallion, McCarty of Lake, McDade, McIntosh, Messenger, Picket, Simon, Sherburne, Spencer, Stoddard, and Walker—33.

NOES—Messrs. Adams, Bennett, Brooks, Brusie, Cannon, Cooper, Corcoran, Downs, DuBrutz, Estey, Felton, Finlayson, Fox, Frink, Green, Hardy, Leach, Mathews, May, McCarthy of San Francisco, McComas, Merry, Morse, Mulholland, Nelson, Sayle, Stanley, Streeter, Tyler, Valle Del, Ward, Wason of Ventura, Wasson of Mono, Young, and Mr. Speaker—35.

The question recurring upon the motion to reconsider, the ayes and noes were demanded by Messrs. Braunhart, Carr of Yuba, and McDade.

The roll was called, and the motion was carried by the following vote:

AYES—Messrs. Adams, Bennett, Brooks, Brusie, Cannon, Chamberlain, Chandler, Coleman, Cooper, Corcoran, Dimond, Downs, DuBrutz, Estey, Felton, Finlayson, Fox, Frink, Green, Leach, Mathews, May, McCarthy of San Francisco, McComas, Merry, Morse, Mulholland, Nelson, Sayle, Stanley, Streeter, Tyler, Valle Del, Ward, Wason of Ventura, Wasson of Mono, York, Young, and Mr. Speaker—39.

NOES—Messrs. Anthony, Bass, Braunhart, Burns, Carr of Sacramento, Carr of Yuba, Cook, Cuthbert, Garibaldi, Gaffey, Gorley, Hardy, Hershey, Hynes, Josselyn, Lane, Leadbetter, Levee, Maguire, Maybell, McCallion, McCarty of Lake, McDade, McIntosh, Messenger, Picket, Simon, Sherburne, Spencer, Stoddard, Sweetland, and Walker—32.

Mr. Del Valle, pursuant to notice, moved to reconsider the vote by which the amendment of the committee to section one hundred and fifty-nine was rejected by the House yesterday.

Carried.

The amendment recommended by the committee to section one hundred and fifty-nine adopted.

Subdivision eleven, section two hundred.

Mr. Messenger moved to reconsider the vote by which subdivision eleven of section two hundred was amended, so as to exempt persons who had served seven years in the National Guard of California, was adopted.

Carried.

The House then rejected the proposed amendment.

The bill read second time, and ordered to third reading, at the head of the file.

REPORT FROM COMMITTEE ON ENROLLMENT.

By Mr. Brooks:

ASSEMBLY CHAMBER, March 2d, 1880

MR. SPEAKER: Your Committee on Enrollment respectfully report that the following Assembly bills have been correctly enrolled: No. 46—An Act to amend sections three thousand nine hundred and seventy-seven, three thousand nine hundred and seventy-nine, three thousand nine hundred and eighty-one, and three thousand nine hundred and eighty-four, and to repeal section three thousand nine hundred and seventy-eight, of an Act entitled "An Act to establish a Political Code," approved March twelfth, eighteen hundred and seventy-two, relating to the removal of county seats.

No. 52—An Act to amend sections three thousand four hundred and ninety-one and three thousand four hundred and ninety-two of an Act entitled "An Act to establish a Civil Code," approved March twenty-first, eighteen hundred and seventy-two, relating to public nuisances.

No. 54—An Act to amend sections three hundred and ten and three hundred and eleven of an Act entitled "An Act to establish a Political Code," approved March twelfth, eighteen hundred and seventy-two, relating to the enactment of statutes.

And were this day, March second, at ten o'clock a. m., presented to the Governor for his approval.

BROOKS, Chairman.

PETITION.

By Mr. Mathews (by permission)—A petition from citizens of Colusa County, protesting against the passage of what is known as the Brown drainage bill, and asking for the passage of the bill known as the Johnson bill.

Referred to the Committee on Water Rights and Drainage.

SECOND READING OF BILLS—RESUMED.

Senate Bill No. 116—An Act to amend sections six hundred and thirteen, six hundred and seventeen, and six hundred and eighteen, of the Code of Civil Procedure, relating to trials by jury in civil actions.

Read second time, and ordered to third reading.

Senate Bill No. 113—An Act to amend sections four hundred and thirty-two, four hundred and fifty-four, and four hundred and seventy-three, of the Code of Civil Procedure, relating to pleadings in civil actions.

Read second time, and ordered to third reading.

Senate Bill No. 112—An Act to amend sections four hundred and seven and four hundred and twelve of the Code of Civil Procedure, relating to the manner of commencing civil actions.

Read second time, and amended as recommended by the committee, and ordered to third reading.

Senate Bill No. 141—An Act to amend chapters two and three, of title thirteen, of part two, of the Code of Civil Procedure, and each and every section of said chapters two and three, and to substitute new chapters two and three to take the place thereof in said Code, relating to appeals in civil actions

Read second time, and amended as recommended by the committee.

The title amended as recommended by the committee, and the bill ordered to third reading.

Senate Bill No. 158—An Act to amend sections eight hundred and thirty-eight, eight hundred and forty-three, eight hundred and forty-four, eight hundred and forty-five, eight hundred and ninety-seven, eight hundred and ninety-eight, eight hundred and ninety-nine, nine hundred and twelve, nine hundred and eighteen, and nine hundred and twenty-one, of the Code of Civil Procedure, relating to proceedings in Justices' Courts.

Read second time

The amendment to section two recommended by the committee was adopted

The amendment recommended by the committee to section five was adopted

The bill ordered to third reading

Senate Bill No 175—An Act to amend sections one thousand seven hundred and forty-seven, one thousand seven hundred and forty-eight, one thousand seven hundred and forty-nine, one thousand seven hundred and fifty, one thousand seven hundred and fifty-four, one thousand seven hundred and fifty-five, one thousand seven hundred and fifty-six, one thousand seven hundred and fifty-seven, one thousand seven hundred and fifty-eight, one thousand seven hundred and sixty-three, one thousand seven hundred and sixty-four, one thousand seven hundred and sixty-six, one thousand seven hundred

and sixty-nine, one thousand seven hundred and seventy-three, one thousand seven hundred and seventy-four, one thousand seven hundred and seventy-five, one thousand seven hundred and eighty, one thousand seven hundred and eighty-one, one thousand seven hundred and eighty-two, one thousand seven hundred and eighty-three, one thousand seven hundred and eighty-four, one thousand seven hundred and eighty-five, one thousand seven hundred and eighty-eight, one thousand seven hundred and ninety-one, one thousand seven hundred and ninety-two, one thousand seven hundred and ninety-three, one thousand seven hundred and ninety-six, one thousand seven hundred and ninety-seven, one thousand seven hundred and ninety-eight, one thousand seven hundred and ninety-nine, one thousand eight hundred, one thousand eight hundred and one, one thousand eight hundred and two, one thousand eight hundred and three, one thousand eight hundred and four, and one thousand eight hundred and eight, of the Code of Civil Procedure, relating to guardians and wards.

Read second time

The amendments recommended by the committee to sections one, two, three, four, five, six, seven, eight, nine, ten, eleven, twelve, seventeen, eighteen, nineteen, twenty, twenty-two, twenty-three, twenty-four, twenty-five, twenty-six, twenty-seven, twenty-eight, twenty nine, thirty-one, thirty-two, thirty-three, thirty-four, and thirty-six were adopted.

The bill ordered to third reading.

Mr. Corcoran moved to take a recess until seven o'clock and thirty minutes P. M. this evening.

ADJOURNMENT.

At four o'clock and fifty-five minutes P. M Mr Cooper moved to adjourn, upon which motion Messrs. Braunhart, Simon, and McDade demanded the ayes and noes.

The roll was called, and the motion was carried, by the following vote:

AYES—Messrs Bass, Brown of Yuba, Burns, Cannon, Carr of Sacramento, Coffman, Coleman, Cooper, Cuthbert, DuBrutz, Garibaldi, Gaffey, Green, Hardy Harris, Hershey, Hynes, Josselyn, Lane, Levee, Maguire, Mathews, Mavbell, McCallion, McCarty of Lake, McCarthy of San Francisco McDade, Merry, Morse, Mulholland, Nelson, Picket, Sayle, Sherburne, Stoddard, Sweetland, Walker, Ward, Wason of Ventura, and Young—40

NOES—Messrs. Adams, Anthony, Bennett, Braunhart Busse, Carr of Yuba, Chamberlain, Cook, Corcoran, Downs, Finlayson, Fox, Funk, Leach, Leadbetter, May, McComas, McIntosh, Messenger, Simon, Spencer, Stanley, Tyler, Valle Del, and York—25

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Wednesday, March 3d, 1880.

House met pursuant to adjournment.
Speaker Cowdery in the chair.
Roll called, and a quorum present.
Prayer by the Chaplain.

READING AND APPROVAL OF THE JOURNAL.

Mr. Chandler moved that the further reading of the Journal be dispensed with.

So ordered

Four days' leave of absence was granted to Mr. Durham.

The Journal of Monday approved.

PETITIONS.

By Mr Mulholland—A petition from citizens and taxpayers of California, asking such legislation as will secure to the citizens the benefits to be derived from article eleven, section eleven, of our Constitution, in preventing the destructive traffic in intoxicating liquors.

Referred to the Committee on Ways and Means.

By Mr. Nelson—A petition from merchants, mechanics, and miners of Sierra City, protesting against the passage of bills reducing the rates of telegraphing.

Referred to Committee on Corporations.

By Mr. Felton—A petition from citizens of San Mateo County, asking such legislation as will authorize the Boards of Supervisors of counties, and the municipal authorities of incorporated cities and towns, to cause persons in jail, under sentence of imprisonment, to labor on any public work in the county, city, or town receiving the benefit thereof, using proper precautions in the employment of such persons

Referred to the Committee on State Prison.

By Mr. Bass—Two petitions from citizens of Reading, asking such legislation as will establish the State Normal School, or a branch thereof, in said Town of Reading

Referred to the Committee on Education.

REPORTS OF STANDING COMMITTEES.

By Mr. Finlayson:

ASSEMBLY CHAMBER, SACRAMENTO, March 2d, 1880.

MR SPEAKER Your Committee on Commerce and Navigation, to whom was referred Assembly Bill No 366—An Act to preserve the navigation of the San Joaquin and Sacramento Rivers, and to appropriate money for that purpose—have had the same under consideration, and report it back to the Assembly without recommendation.

FINLAYSON, Chairman.

By Mr. Estey:

MR SPEAKER Your Committee on Mileage have considered the report of the Chairman of the State Hospital Committee, and find that the Clerk of said committee, Jas. S Reamey, is entitled to twenty-one dollars and twenty cents mileage, and we recommend the adoption of the following resolution

Resolved, That the Controller is hereby instructed to draw his warrant in favor of Jas S Reamey, for the sum of twenty-one dollars and twenty cents, payable out of the Contingent Fund of the Assembly.

ESTLY, Chairman.

Resolution adopted.

REPORTS FROM SELECT COMMITTEES.

By Mr. Fox:

MR. SPEAKER Your select committee, appointed to appear in the Supreme Court in the matter of the application of Hon S Braunhart *in re* habeas corpus, beg leave to report that

they have performed the duties assigned them. The Court, however, declined to make the writ returnable before ten o'clock on Monday morning, March first, eighteen hundred and eighty, at which time the period of suspension fixed by the House had expired, and the said Mr Braunhart had been released from custody. Return was made accordingly, and the writ dismissed.

March 2d, 1880 FOX, Chairman

By Mr. McCarthy:

STATE CAPITOL, March 2d, 1880.

MR SPEAKER: The San Francisco delegation, to whom was referred Assembly Bill No. 119—An Act to repeal an Act entitled 'An Act conferring further powers upon the Board of Supervisors of the City and County of San Francisco,' approved April first, eighteen hundred and seventy-eight—have had the same under consideration, and herewith report it back, with the recommendation that it do pass. Fifteen members present and voting—eleven ayes, four noes

Also, Senate Bill No 304—An Act to amend an Act entitled "An Act to provide for increasing the law library of the corporation known as the San Francisco Law Library, and to secure the use of the same to the Courts held at San Francisco, the bar the city and county government, and the people of the City and County of San Francisco," approved March ninth, eighteen hundred and seventy—report the same back, with the recommendation that it do pass Twelve members present and voting—ten ayes, two noes.

McCARTHY, Chairman.

MESSAGE FROM THE GOVERNOR.

The following message was received from the Governor:

STATE OF CALIFORNIA, EXECUTIVE DEPARTMENT, SACRAMENTO, March 2d, 1880

To the Assembly of the State of California.

I have to inform your honorable body that I have approved Assembly Bill No. 46—An Act to amend sections thirty-nine hundred and seventy-seven, thirty-nine hundred and seventy-nine, thirty-nine hundred and eighty-one, thirty-nine hundred and eighty-four, and to repeal section thirty-nine hundred and seventy-eight, of an Act entitled "An Act to establish a Political Code," approved March twelfth, eighteen hundred and seventy-two, relating to the removal of county seats

Also, Assembly Bill No. 52—An Act to amend sections thirty-four hundred and ninety-one *and thirty-four hundred and ninety-two of an Act entitled "An Act to establish a Civil Code,"* approved March twenty-first, eighteen hundred and seventy-two, relating to public nuisances.

Also, Assembly Bill No. 54—An Act to amend sections three hundred and ten and three hundred and eleven of an Act entitled "An Act to establish a Political Code," approved March twelfth, eighteen hundred and seventy-two, relating to the enactment of statutes.

GEO. C. PERKINS, Governor.

REPORT FROM SELECT COMMITTEE.

By Mr. Hynes:

MR SPEAKER: Your special committee, appointed February twenty-seventh, A. D. eighteen hundred and eighty, to investigate the alleged attack made by Denis Kearney upon the Hon. James Adams on the floor of the Assembly Chamber, February twenty-sixth, A D. eighteen hundred and eighty, beg leave to report as follows:

We find from the testimony, and also from the admissions of Denis Kearney himself, that he did make a threatening attack upon the said Hon James Adams, as charged in the Resolution No 2, below, upon a privileged question, offered by Mr. Tyler, in Assembly, February twenty-seventh, A D eighteen hundred and eighty.

Respectfully,

JAMES HYNES
CHAS MULHOLLAND,
ELWOOD BRUNER

WHEREAS, Denis Kearney, on the floor of the Assembly Chamber, and immediately after the adjournment of the Assembly for the day, on the twenty-sixth day of February, A D eighteen hundred and eighty, did make a violent, insulting, abusive, and threatening attack upon the Honorable James Adams, a member of the Assembly, for the vote which had been given by the said Adams upon a resolution, that day passed by the Assembly, to clear the floor thereof within the bar of the House and did then and there use to and toward the said Adams violent, insulting, abusive, and threatening language, and among other things did threaten said Adams with personal injury, or words to that effect, now, therefore,

Resolved, That he, the said Denis Kearney, be and is hereby excluded from the Assembly Chamber, and from all the galleries, lobbies, halls, and ante-chambers thereto attached, from the rooms of the Sergeant-at-Arms, and from all committee-rooms under the control of the Assembly, for and during the entire remainder of this session of the Legislature, and the Speaker, Sergeant-at-Arms, and all other officers and employés of the Assembly, having charge of the rooms thereof, are hereby directed to see that this resolution is strictly enforced, not only during the hours of actual session, but during all hours, and at all times, until this Legislature shall have adjourned *sine die*.

The question being upon the adoption of the report of the committee, Mr. Burns moved that the further consideration of this matter be indefinitely postponed.

The previous question was demanded by Messrs. Corcoran, Walker, and Wason, and the House so ordered.

The question being upon the motion to indefinitely postpone the motion to adopt the report of the committee, the ayes and noes were demanded by Messrs. Tyler, Walker, and Merry.

The roll was called, and the motion was lost by the following vote:

AYES—Messrs. Anthony, Bass, Burns, Carr of Yuba, Coffman, Cooper, Corcoran, Cuthbert, DuBrutz, Garibaldi, Gaffey, Harris, Josselyn, Lane, Levee, Maguire, Mathews, Maybell, McCallion, McCarthy of San Francisco, McDade, Picket, Simon, Spencer, Stoddard, Sweetland, and Walker—27.

NOES—Messrs. Adams, Bennett, Brooks, Brown of Yuba, Bruner, Brusie, Camron, Carr of Sacramento, Chamberlain, Chandler, Coleman, Cook, Dimond, Downs, Estey, Felton, Finlayson, Fox, Fink, Gorley, Green, Hershey, Hynes, Leach, Leadbetter, May, McCarty of Lake, McComas, McIntosh, Merry, Messenger, Morse, Mulholland, Nelson, Sayle, Sherburne, Stanley, Streeter, Tyler, Ward, Wason of Ventura, Wasson of Mono, Wattson, York, and Young—45.

The question recurring upon the adoption of the report, the ayes and noes were demanded by Messrs. Tyler, Merry, and Ward.

The roll was called, and the report of the committee was adopted by the following vote:

AYES—Messrs. Bennett, Brooks, Brown of Yuba, Bruner, Brusie, Camron, Carr of Sacramento, Chamberlain, Chandler, Coleman, Dimond, Downs, Estey, Felton, Finlayson, Fox, Fink, Gorley, Green, Hershey, Hynes, Leach, Leadbetter, Mathews, May, McCallion, McCarty of Lake, McComas, McIntosh, Merry, Messenger, Morse, Nelson, Sayle, Sherburne, Spencer, Stanley, Stoddard, Streeter, Tyler, Ward, Wason of Ventura, Wasson of Mono, Wattson, York, Young, and Mr. Speaker—47.

NOES—Messrs. Anthony, Bass, Burns, Carr of Yuba, Coffman, Cook, Cooper, Corcoran, Cuthbert, DuBrutz, Garibaldi, Gaffey, Harris, Josselyn, Lane, Levee, Maguire, Maybell, McCarthy of San Francisco, McDade, Picket, Simon, Sweetland, and Walker—24.

Mr. McCallion moved that the resolution reported above be indefinitely postponed.

Upon which the ayes and noes were demanded by Messrs. Tyler, Camron, and Merry.

Mr. Bruner moved to amend the resolution as follows:

Resolved, That Denis Kearney be and he is hereby excluded from the floor of the Assembly Chamber, within the bar, at all times, whether the House be in session or not, from and after the passage of this resolution until the adjournment of this Legislature *sine die*.

The previous question was demanded by Messrs. Merry, Mulholland, and McIntosh, and the House so ordered.

The question recurring upon the adoption of the amendment it was rejected.

The question recurred upon the motion to indefinitely postpone the resolution to exclude Mr. Kearney from the Assembly Chamber and the rooms attached thereto for the remainder of the session of the Legislature.

The roll was called, and the motion was lost by the following vote:

AYES—Messrs. Anthony, Bass, Bennett, Braunhart, Burns, Carr of Yuba, Corcoran, Cuthbert, DuBrutz, Garibaldi, Gaffey, Harris, Hershey, Josselyn, Lane, Levee, Maguire, Mathews, Maybell, McCallion, McCarthy of San Francisco, McDade, Messenger, Picket, Simon, Sherburne, Spencer, Stoddard, and Walker—30.

NOES—Messrs. Adams, Brooks, Brown of Yuba, Bruner, Brusie, Camron, Carr of Sacramento, Chamberlain, Chandler, Coleman, Dimond, Downs, Felton, Finlayson, Fox, Frink, Gorley, Green, Leach, Leadbetter, May, McCarty of Lake, McComas, McIntosh, Merry, Morse, Mulholland, Nelson, Sayle, Stanley, Streeter, Tyler, Ward, Wason of Ventura, Wasson of Mono, Wattson, York, Young, and Mr. Speaker—39.

Mr. Cooper and Mr. Estey were paired. Mr. Cooper would have voted aye, and Mr. Estey no.

The question now recurred upon the adoption of the resolution to exclude Mr. Kearney from the Assembly Chamber, and from the rooms attached thereto, for the remainder of the session.

Upon which the ayes and noes were demanded by Messrs. Tyler, Merry, and York.

The roll was called, and the resolution adopted by the following vote.

Pending calling of the roll, Mr. Hardy had one day's leave of absence on account of sickness.

AYES—Messrs. Adams, Braunhart, Brooks, Brown of Yuba, Bruner, Brusie, Camron, Carr of Sacramento, Chamberlain, Chandler, Coleman, Dimond, Downs, Finlayson, Fox, Frink, Gorley, Green, Leach, Leadbetter, May, McCarty of Lake, McComas, McIntosh, Merry, Messenger, Morse, Mulholland, Nelson, Sayle, Stanley, Streeter, Tyler, Ward, Wason of Ventura, Wasson of Mono, Wattson, York, Young, and Mr. Speaker—40.

NOES—Messrs. Anthony, Bass, Bennett, Burns, Carr of Yuba, Corcoran, Cuthbert, DuBrutz, Felton, Garibaldi, Gaffey, Harris, Hershey, Josselyn, Lane, Levee, Maguire, Mathews, Maybell, McCallion, McCarthy of San Francisco, McDade, Picket, Simon, Sherburne, Spencer, Stoddard, and Walker—28.

Mr. Braunhart gave notice that he would, on to-morrow, move to reconsider the vote by which the resolution was adopted.

Assembly Bill No. 298—An Act to amend section eight hundred and thirty-two of the Civil Code, concerning lateral and subjacent support of land.

Taken from file, and re-referred to Judiciary Committee.

INTRODUCTION OF BILLS

The following bills were introduced, and ordered printed:

By Mr. Bruner—An Act for the relief of H. Conolly.

By Mr. Morse—An Act for the protection of sheep and goats by placing out poisons for the destruction of dogs and wild animals.

By Mr. Young—An Act to add a new section to the Code of Civil Procedure, relating to pleadings.

Also, an Act to add two new sections to the Code of Civil Procedure, to be known and designated as sections one thousand and sixty and one thousand and sixty-one.

By Mr. Camron—An Act concerning roads and highways.

By Mr. Fox—An Act to amend section one thousand two hundred and sixty-five of the Civil Code, in relation to homesteads.

Also, an Act to amend sections one thousand four hundred and sixty-five, one thousand four hundred and sixty-eight, one thousand four hundred and seventy-four, and one thousand four hundred and seventy-five, of the Code of Civil Procedure, in relation to homesteads.

By Mr. Felton—An Act for the relief of Thos. W. Lathrop, ex-Sheriff of the County of San Mateo.

Also, an Act for the relief of John C. Edgar, ex-Sheriff of the County of San Mateo.

Also, an Act to amend section seven of an Act entitled an Act to amend and revise an Act entitled "An Act to incorporate the Town of Redwood City," approved March twenty-seventh, A. D. eighteen hundred and sixty-eight, and the several Acts amendatory thereof and supplementary thereto, and for other purposes, approved March thirtieth, A. D. eighteen hundred and seventy-four.

By Mr. McCarthy—An Act to create an additional Police Court in consolidated city and county governments of more than one hundred thousand population.

PRIVILEGED QUESTION.

By Mr. Sinon:

Resolved, That the Assembly meet two evenings in the week, Wednesday and Friday, at half past seven o'clock P. M., for the purpose of considering business on the third reading file

Mr. Young moved to amend so as to include Tuesdays and Thursdays.

Mr. Braunhart moved to amend so as to read each day.

Mr. Braunhart addressing the Assembly, Mr. Tyler asking if Mr. Braunhart would permit a question, and Mr. Braunhart replying, that he did not allow a gentleman to ask him questions in the Assembly with whom he did not associate in social life, the Speaker called Mr. Braunhart to order, and stated that his language was unparliamentary, and he could not be permitted to continue the discussion in that manner, and asked if the House would permit Mr. Braunhart to speak further on this subject.

Upon which the ayes and noes were demanded by Messrs. Wason of Ventura, Maybell, and Leach.

The roll was called, and Mr. Braunhart was forbidden to speak further, by the following vote:

AYES—Messrs. Anthony, Burns, Lane, Maybell, and Walker—5

NOES—Messrs Adams, Bass, Bennett, Brooks, Brown of Yuba, Busse, Cannon, Carr of Sacramento, Carr of Yuba, Chandler, Coffman, Coleman, Cook, Corcoran, Cuthbert, Downs, Estey, Felton, Finlayson, Fox, Frink, Garibaldi, Gatley, Gorley, Green, Hershey, Hynes, Josselyn, Leach, Leadbetter, Maguire, Mathews, May, McCallion, McCarty of Lake, McComas, McDade, McIntosh, Merry, Messenger, Morse, Mulholland, Nelson, Picket, Sayle, Simon, Sherburne, Spencer, Stanley, Stoddard, Streeter, Sweetland, Ward, Wason of Ventura, Wasson of Mono, York, Young, and Mr. Speaker—58.

The question being taken up on the second amendment it was rejected.

The question was then taken on first amendment, and it was rejected.

The House then rejected the original resolution.

Mr. Lane had leave to withdraw Assembly Bill No 140—An Act to provide for the safety of lives of residents of the State of California.

FIRST READING AND REFERENCE OF BILLS

Assembly Bill No. 285—An Act to amend section two thousand six hundred and fifty-seven, two thousand six hundred and fifty-

nine, two thousand six hundred and sixty, and two thousand six hundred and sixty-one, of the Political Code.

Withdrawn.

Assembly Joint Resolution No. 16—Relative to and asking Congress to make increased appropriation to the Postal Department, so that mail services may not be diminished on "star" routes.

Read first time, and referred to the Committee on Federal Relations

Assembly Bill No 450—An Act to dispose of mining debris, and protect the rivers and low lands of California from damage thereby.

Read first time, and referred to the Joint Committees on Agriculture and Water Rights and Drainage.

Assembly Bill No. 451—An Act to authorize the Boards of Supervisors of the several counties, or the corporate authorities of cities or towns, or cities and counties, to pass all local, police, sanitary, and other regulations not in conflict with general laws.

Read first time, and referred to the Committee on County Governments and Municipal Corporations.

Assembly Bill No. 452—An Act to prevent the flow of mining debris in certain rivers of this State.

Read first time, and referred to the Joint Committees on Agriculture and Water Rights and Drainage.

Assembly Bill No 453—An Act in relation to benevolent societies, organizations, and corporations

Read first time, and referred to the Judiciary Committee.

Assembly Bill No 346—An Act to amend section nine hundred and fifty of the Political Code, in relation to bonds of officers.

Withdrawn.

Assembly Bill No. 454—An Act to regulate fees in certain cases.

Read first time, and referred to the Committee on Judiciary.

Assembly Bill No. 455—An Act to amend section four thousand one hundred and twenty-one of the Political Code, relative to Sheriffs, Clerks, and Constables.

Read first time, and referred to the Committee on Judiciary.

Assembly Bill No 456—An Act to provide for the laying out and recording of town sites.

Read first time, and referred to the Committee on County Governments and Municipal Corporations.

Assembly Bill No. 457—An Act for the better protection of depositors of banks in liquidation.

Read first time, and referred to the Committee on Judiciary.

Assembly Bill No. 458—An Act to establish a Branch Normal School.

Read first time, and referred to the Committee on Education.

Assembly Bill No. 459—An Act to regulate and provide for a day of rest in certain cases

Read first time, and referred to the Committee on Indian Affairs

Assembly Bill No. 387—An Act amendatory, and to repeal certain sections, of an Act entitled "An Act for the more effectual prevention of cruelty to animals."

Withdrawn

NOTICE.

By Mr. Braunhart:

Mr Speaker I hereby give notice that I will, at an early day, introduce an amendment to Rule One, in relation to hours of meeting and of adjournment of the Assembly.

SECOND READING OF BILLS.

Assembly Bill No 347—An Act to amend sections nine hundred and forty-nine, nine hundred and fifty, nine hundred and fifty-one, nine hundred and fifty-two, nine hundred and fifty-three, nine hundred and fifty-four, nine hundred and fifty-five, nine hundred and fifty-seven, nine hundred and fifty-eight, nine hundred and fifty-nine, nine hundred and sixty, nine hundred and sixty-one, nine hundred and sixty-four, nine hundred and sixty-five, nine hundred and sixty-six, nine hundred and sixty-seven, nine hundred and sixty-eight, nine hundred and sixty-nine, nine hundred and seventy, nine hundred and seventy-one, and nine hundred and seventy-two, of the Penal Code, in reference to indictments, informations, and their forms.

Read second time.

The amendments recommended by the committee adopted, and the bill ordered to third reading.

Assembly Bill No. 233—An Act to provide for the condemnation of land for school purposes.

Withdrawn.

Senate Bill No. 115—An Act to amend section five hundred and ninety-three of the Code of Civil Procedure, relating to entry of civil causes on Court calendars.

Read second time, and ordered to third reading

Senate Bill No. 140—An Act to amend sections nine hundred and forty-three, nine hundred and forty-eight, and nine hundred and fifty-nine, of the Code of Civil Procedure, relating to appeals in civil actions.

Read second time, and ordered to third reading.

Senate Bill No. 147—An Act to amend section one thousand and fifty-four of the Code of Civil Procedure, relating to the time within which certain acts are to be done.

Read second time, and ordered to third reading.

Senate Bill No. 124—An Act to amend sections seven hundred and fourteen and seven hundred and fifteen of the Code of Civil Procedure, relating to proceedings supplementary to execution.

Read second time, and ordered to third reading.

Senate Bill No 125—An Act to amend sections seven hundred and forty-two, seven hundred and fifty-five, seven hundred and ninety-four, eight hundred and two, eight hundred and four, eight hundred and sixteen, and eight hundred and twenty-six, of the Code of Civil Procedure, relating to actions in particular cases

Read second time, and ordered to third reading.

Senate Bill No. 114—An Act to amend sections four hundred and eighty, four hundred and ninety-three, five hundred and twenty-five, five hundred and forty-eight, five hundred and fifty-four, five hundred and fifty-six, and five hundred and sixty-five, of the Code of Civil Procedure, relating to provisional remedies in civil actions

Read second time, and ordered to third reading

Senate Bill No. 146—An Act to amend sections one thousand and four and one thousand and five of the Code of Civil Procedure, relating to motions and orders in civil actions.

Read second time, and ordered to third reading.

Senate Bill No. 159—An Act to amend sections one thousand one hundred and sixty-three, one thousand one hundred and sixty-six,

one thousand one hundred and sixty-seven, one thousand one hundred and sixty-eight, one thousand one hundred and seventy-one, one thousand one hundred and seventy-six, and one thousand one hundred and seventy-nine, of the Code of Civil Procedure, relating to summary proceedings for obtaining possession of real property in civil cases.

Read second time, and ordered to third reading.

On motion of Mr Finlayson, Senate Bill No 236—An Act concerning the Board of State Harbor Commissioners—was taken up, read second time, and ordered to third reading.

On motion of Mr. Merry, Assembly Bill No. 120—An Act to amend section seven hundred and two of an Act entitled "An Act to establish a Code of Civil Procedure," approved March eleventh, eighteen hundred and seventy-two—was taken up, and read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs Adams, Anthony, Bass, Bennett, Brooks, Brown of Yuba, Brusie, Burns, Carr of Sacramento, Carr of Yuba, Chandler, Coffman, Coleman, Cook, Cooper, Corcoran, Downs, DuBrutz Estey, Finlayson Fox, Frink, Gaffey, Gorley, Green, Hardy, Harris, Hartson Hershey, Hynes, Josselyn, Leach, Leadbetter, Maguire, Mathews, Maybell, McCallion, McCarthy of San Francisco, McComas, McDade, McIntosh, Merry, Messenger, Morse, Mulholland, Nelson, Picket, Sayle, Sherburne, Spencer, Stanley, Stoddard, Streeter, Walker, Ward, Wason of Ventura, Watson, York, and Young—59.

NOES—Mr. Tyler and Mr. Speaker—2.

Title approved

RECESS.

The hour of one o'clock P. M. having arrived, the House took a recess for one hour.

RE-ASSEMBLED.

The House re-assembled at two o'clock P. M.

Speaker Cowdery in the chair.

Quorum present.

SECOND READING OF BILLS—RESUMED.

Assembly Bill No. 304—An Act to incorporate religious societies.

Read second time.

The amendments recommended by the committee were adopted.

Section four stricken out, and substitute therefor recommended by the committee adopted.

The bill was then referred to the Judiciary Committee.

Mr. Felton moved to take up Senate Bill No. 191—An Act to repeal an Act entitled "An Act to create and organize Reclamation District Number Two Hundred and Five, and to define its boundaries and provide for its government," approved April first, eighteen hundred and seventy-eight.

Lost.

Mr. Fox moved to take up the bills on third reading file for consideration.

Lost.

Assembly Bill No. 16—An Act to create and maintain a Bureau of Statistics of Land, Labor and Capital.

Withdrawn.

Assembly Bill No. 100—An Act to amend "An Act to provide for the

incorporation of mutual insurance companies for the insurance of life and health, and against accidents," approved April second, eighteen hundred and sixty-six.

Read second time, and ordered to third reading.

Assembly Bill No. 255—An Act to regulate the price of water for domestic use in this State.

Taken up.

Mr. McDade moved to strike out the enacting clause of the bill.

Mr. Gorley had leave to read from a newspaper article as a part of his speech.

Mr. Del Valle in the chair.

The previous question was demanded by Messrs. McCallion, Estey, and York, and the House refused to order it.

The question being taken upon Mr. McDade's motion to strike out the enacting clause of the bill, the motion was lost.

Mr. Tyler moved to refer the bill to the Committee on Water Rights and Drainage.

Lost.

Mr. Tyler moved that the bill be referred to the Committee on Irrigation

Carried.

RESOLUTION.

By Mr. McCallion:

Resolved, That the floor of this Assembly Chamber be cleared of all persons who are not Senators, State officers, Governors, ex-Governors of States, members of Congress, Judges of the Supreme or Superior Courts, members of the Press, and ladies.

Mr. Morse moved to lay the resolution on the table.

Upon which the ayes and noes were demanded by the requisite number.

The roll was called, and the motion was carried by the following vote:

AYES—Messrs. Adams, Anthony, Bass, Bennett, Brooks, Brown of Sonoma, Brown of Yuba, Busse, Cannon, Chamberlain, Coffman, Coleman, Cook, Dimond, Downs, Felton, Finlayson, Fox, Fraser, Frink, Gorley, Green, Hartson, Hershey, Hynes, Leach, Leadbetter, Mathews, May, McCarty of Lake, McComas, McIntosh, Messenger, Morse, Nelson, Picket, Sayle, Sherburne, Spencer, Stanley, Stoddard, Streeter, Sweetland, Tyler, Valle Del, Ward, Wasson of Mono, Watson, York, and Young—50.

NOES—Messrs. Brannhart, Burns, Carr of Sacramento, Carr of Yuba, Cooper, Corcoran, Cuthbert, DuBrutz, Estey, Garibaldi, Gaffey, Hardy, Josselyn, Lane, Levee, Maguire, Maybell, McCallion, McCarthy of San Francisco, McDade, Merry, Simon, Walker, and Wason of Ventura—24.

Assembly Bill No. 315—An Act to establish road districts, regulate the election and duties of Road Canvassers, and the duties of County Supervisors, in relation to highways in counties of the third and fourth classes.

Withdrawn.

Assembly Bill No. 296—An Act for the relief of W. S. Safford.

Read second time

Mr. Maybell moved to strike out the enacting clause.

Mr Leach moved to refer the bill to the Judiciary Committee.

Carried.

Mr Simon moved to take a recess until seven o'clock and thirty minutes P. M.

Upon which the ayes and noes were demanded by the requisite number.

The roll was called, and the motion was lost by the following vote:

AYES—Messrs. Adams, Anthony, Bass, Braunhart, Burns, Carr of Yuba, Chamberlain, Coffman, Cook, Corcoran, Finlayson, Fink, Garibaldi, Green, Hardy, Lane, Leach, Leadbetter, Levee, Magune, May, McCarthy of San Francisco, McComas, McIntosh, Messenger, Simon, Spencer, Tyler, Valle Del, Wattson, York, and Mr. Speaker—32.

NOES—Messrs. Bennett, Brooks, Brown of Sonoma, Brown of Yuba, Brusie, Cannon, Carr of Sacramento, Chandler, Coleman, Cooper, Cuthbert, Dimond, Downs, DuBrutz, Estey, Felton, Fox, Fraser, Gaffey, Gorley, Harris, Hershey, Hynes, Josselyn, Mathews, Maybell, McCallion, McCarty of Lake, McDade, Merry, Morse, Mullholland, Nelson, Picket, Savle, Shelburne, Stanley, Stoddard, Streeter, Sweetland, Walker, Ward, Wason of Ventura, and Young—44.

ADJOURNMENT.

At five o'clock and two minutes P. M. Mr. Camron moved we do now adjourn.

Carried.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Thursday, March 4th, 1880.

House met pursuant to adjournment.

Speaker Cowdery in the chair.

Roll called, and a quorum present.

Prayer by the Chaplain.

READING AND APPROVAL OF THE JOURNAL.

Mr. York moved that the further reading of the Journal be dispensed with.

So ordered.

Three days' leave of absence granted to Mr. Bruner on account of sickness.

The Journal of Tuesday approved.

PETITIONS.

By Mr. Fox—A petition from the students of the University of California, praying for such legislation as will authorize the graduates of the Colleges of Science and of Letters, from this institution, to be, by virtue of their diplomas, entitled to teach in the public schools of this State.

Referred to the Committee on Education.

By Mr. McCarty—A petition from citizens of Lower Lake, remonstrating against the annulling of the present hog law of the county.

Referred to the Judiciary Committee.

By Mr. Wasson of Mono—A petition from the Regents of the University of California, setting forth the wants of the State University, and asking adequate appropriations therefor.

Referred to the Committee on Ways and Means.

By Mr. Fraser—A petition from the ex-soldiers and sailors and citizens of the County of El Dorado, asking that the thirtieth day of May be set apart as a legal holiday.

Referred to the Committee on Judiciary.

By Mr. Bass—Four petitions from citizens of Shasta, Trinity, and Siskiyou Counties, asking for the establishment of a Branch Normal School in the Town of Reading, in Shasta County.

The four petitions above referred to the Committee on Education.

REPORTS OF STANDING COMMITTEES.

By Mr. Camron:

MR. SPEAKER: Your Committee on Attachés and Employés, to whom was referred the resolution below, have considered the same, report it back to the Assembly, and recommend its adoption.

CAMRON, Chairman.

Resolved, That the Committee on the Culture and Improvement of the Grapevine be authorized to employ a Clerk, at the usual per diem, payable out of the Assembly Contingent Fund.

The question being on the adoption of the resolution, Mr. Green moved to amend as follows. "That the Clerk of the Committee on Labor and Capital be assigned to duty as Clerk of the Committee on the Culture and Improvement of the Grapevine."

The previous question was demanded by Messrs Morse, Merry, and Braunhart, and the House so ordered.

The question was taken on the amendment, and the amendment was rejected.

The question recurring upon the original resolution, it was adopted.

By Mr. Braunhart:

MR SPEAKER: Your Committee on Chinese Immigration and Emigration, to whom was referred Senate Bill No 283—An Act to confer power upon incorporated cities and towns to remove Chinese without the limits of such cities and towns, or to provide for their location within prescribed portions of those limits—have had the same under consideration, respectfully report the same, and recommend its passage

Also, Assembly Bill No. 375—An Act to prevent the sale, or keeping for sale, of goods, wares, or merchandise, in whole or in part, under false signs, labels, cards, or placards—and recommend its passage.

Also, Assembly Bill No 420—An Act to prohibit the maintenance of laundries and wash houses within the fire limits of incorporated cities of this State—beg leave to report the same back with amendments, and recommend its passage with amendments

Also, Assembly Concurrent Resolution No 16—To appoint a joint committee to ascertain the names of corporations now employing Chinese, and to report to the Attorney-General within thirty days after their appointment, instructing the Attorney-General to prosecute such corporations—beg leave to report the same back with amendments, and recommend the passage of the same with amendments.

BRAUNHART, Chairman.

By Mr. Streeter:

ASSEMBLY CHAMBER, SACRAMENTO, March 3d, 1880.

MR. SPEAKER Your Committee on County Governments and Municipal Corporations, to whom was referred Assembly Bill No 435—An Act to prevent the burying of human remains within three miles of the limits of any city containing over one hundred thousand inhabitants—have had the same under consideration, and report it back, with recommendation that it be indefinitely postponed.

STREETER, Chairman.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 3d, 1880.

MR SPEAKER Your Committee on County Governments and Municipal Corporations, to whom was referred Assembly Bill No 444—An Act to amend section one thousand and ninety-four of the Political Code, in relation to elections—have had the same under consideration, and report it back, with recommendation that it be referred to the Committee on Elections.

STREETER, Chairman.

Bill referred to the Committee on Elections.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 3d, 1880.

MR. SPEAKER: Your Committee on County Governments and Municipal Corporations, to whom was referred Assembly Bill No. 389—An Act to establish Boards of Health—have had the same under consideration, and report it back, with recommendation that it do not pass.

STREETER, Chairman.

By Mr. Wason of Ventura:

MR. SPEAKER: Your Committee on Education, to whom was referred Assembly Bill No. 378—An Act entitled an Act concerning the Medical Department of the University of California—have had the same under consideration, and herewith report the same back, and recommend its passage.

Also, Assembly Concurrent Resolution No. 10—Relative to amending section seven, of article nine, of the Constitution—and report the same back, with the recommendation that the author have leave to withdraw it.

Also, Assembly Bill No. 173—An Act entitled "An Act to provide for the establishment of a uniform series of text-books in the public schools of the State"—and recommend that the same be indefinitely postponed.

Also, Assembly Bill No. 222—An Act entitled "An Act to adopt a spelling-book for use in the public schools of this State"—with the recommendation that the author have leave to withdraw it.

Also, Assembly No. 416—An Act entitled an Act to supply to the public schools of this State the map of the geological survey of California and Nevada, made and compiled by the late Geologist of this State—and recommend that it be indefinitely postponed.

WASON, Chairman.

By Mr. Sherburne:

MR. SPEAKER: Your Committee on Engrossment have examined, and find correctly engrossed, Assembly Bill No. 120—An Act to amend section seven hundred and two of an Act entitled "An Act to establish a Code of Civil Procedure," approved March eleventh, eighteen hundred and seventy-two, in relation to redemption of property sold under execution.

SHERBURNE, Chairman.

By Mr. Brooks:

ASSEMBLY CHAMBER, March 4th, 1880.

MR. SPEAKER: Your Committee on Enrollment respectfully report that the following Assembly Concurrent Resolutions have been correctly enrolled:

No. 11—Relative to the establishment of a Dead Letter Office at San Francisco.

Also, No. 13—Relative to the printing of extra copies of the laws passed by the present Legislature, for distribution to the Superior Judges and County Clerks of this State.

BROOKS, Chairman.

By Mr. Mulholland:

MR. SPEAKER: Your Committee on Federal Relations have had the accompanying Assembly Joint Resolution No. 16—Relative to, and asking Congress to make increased appropriations to the postal department, so that mail services may not be diminished on "star" routes—under consideration, and report the same back, with a recommendation that it do pass.

MULHOLLAND, Chairman.

By Mr. Corcoran:

ASSEMBLY CHAMBER, SACRAMENTO, March 4th, 1880.

MR. SPEAKER: The Committee on Irrigation, to whom was referred Assembly Bill No. 255—An Act to regulate the price of water for domestic use in this State—have had the same under consideration, and report the same back to the Assembly with a substitute, and recommend its passage.

CORCORAN, Chairman.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 4th, 1880.

MR. SPEAKER: The Committee on Irrigation, to whom was referred Assembly Bill No. 414—An Act providing for the organization of irrigation districts, and defining the duties of certain officers in relation thereto—have had the same under consideration, and report the same back to the Assembly, and recommend that it be referred to the Judiciary Committee.

CORCORAN, Chairman.

The bill reported above referred to the Judiciary Committee.

By Mr. Fox:

MR. SPEAKER: Your Committee on Judiciary beg leave to report that, by an oversight, the name of John Ireland, their Porter and Janitor, has been omitted from the pay-roll of attaches, and that he is entitled to be placed on said pay-roll, to draw pay from February nineteenth, at the rate of three dollars per day, payable out of the Contingent Fund of the Assembly, and recommend that it be so done.

FOX, Chairman.

Report adopted.

By Mr. Brusie:

MR. SPEAKER: Your Committee on State Hospital, to whom was referred Assembly Bill No. 350—entitled an Act to regulate the practice of pharmacy—have had the same under advisement, together with the amendments thereto, and report the same back, with the recommendation that Senate Bill No. 385—entitled an Act to regulate the practice of pharmacy—be substituted therefor.

BRUSIE, Chairman.

By Mr. Felton:

MR. SPEAKER: Your Committee on Swamp and Overflowed Lands, to whom was referred Senate Bill No. 245—An Act to amend section three thousand four hundred and eighty-one of the Political Code—beg leave to report that they have had the same under consideration, and recommend its passage.

FELTON, Chairman.

By Mr. Downs:

ASSEMBLY CHAMBER, SACRAMENTO, March 4th, 1880.

MR. SPEAKER: The Committee on Water Rights and Drainage, to whom was referred Assembly Bill No. 333—An Act to regulate riparian rights—have had the same under consideration, and report the same back to the Assembly without amendment, and recommend that it be referred to the Committee on Irrigation.

DOWNS, Chairman.

The bill referred to the Committee on Irrigation.

By Mr. May:

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred Assembly Bill No. 229—An Act to repeal an Act entitled an Act to regulate the assessment of migratory herds or bands of live stock, and to provide for an equitable distribution of the taxes derived therefrom, approved March sixteenth, eighteen hundred and seventy-four—and Assembly Bill No. 397—An Act to provide for the equal taxation of assessable lands, and to define their boundaries—having fully considered the same, beg leave to report them back to the House, with the recommendation that they do not pass.

SACRAMENTO, March 4th, 1880. MAY, Chairman.

Also:

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred Assembly Bill No. 181—An Act to amend sections three hundred and fifty-two, three thousand six hundred and ninety-two, and three thousand seven hundred and two, of an Act entitled "An Act to establish a Political Code," approved March twelfth, eighteen hundred and seventy-two, and to add sections three thousand six hundred and ninety-five and three thousand seven hundred to said Code, relating to the State Board of Equalization—having fully considered and amended the same, beg leave to report it back to the House, with the recommendation that it do pass as amended.

SACRAMENTO, March 4th, 1880. MAY, Chairman.

Also:

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred Assembly Bill No. 160—An Act to provide lists of unenrolled mortgages and unsatisfied deeds of trust—having fully considered the same, beg leave to report it back to the House, with the recommendation that the author have permission to withdraw it, as the substantial provisions of said bill are incorporated in Assembly Bill No. 404, which has already passed the Assembly.

SACRAMENTO, March 4th, 1880. MAY, Chairman.

Also.

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred Assembly Bill No. 338—An Act to authorize the Boards of Supervisors of the several counties of this State to

transfer a certain fund—having fully considered the same, beg leave to report it back to the House, with the recommendation that the author have permission to withdraw it.

SACRAMENTO, March 4th, 1880. MAY, Chairman.

Also:

MR SPEAKER: Your Committee on Ways and Means, to whom was referred Assembly Bill No. 381—An Act for the relief of Kern County—beg leave to report the same back to the House, at the request of the author, without recommendation.

SACRAMENTO, March 4th, 1880. MAY, Chairman.

REPORT OF SPECIAL COMMITTEE.

ASSEMBLY CHAMBER, SACRAMENTO, March 3d, 1880.

MR SPEAKER: The undersigned, the Committee of Conference on the disagreement between the Senate and Assembly as to Senate Bill No. 56—An Act to amend section seven hundred and fifty-one of the Political Code, relative to Deputy Clerks of the Supreme Court, and to make an appropriation for their salaries—recommend that the following amendment to section two be adopted: Amend section two by striking out the words "seven hundred and fifty," and insert in lieu thereof the words "six hundred and sixty-six and sixty-seven one-hundredths."

E. J. McINTOSH,
L. J. HARDY,
CHAS. N. FOX,
For the Assembly.

GROVE L. JOHNSON,
JOHN W. SATTERWHITE,
THEODORE H. HITTELL,
For the Senate.

RESOLUTION.

By Mr. McCarthy (by permission):

WHEREAS, A committee consisting of A. B. Maguire, John Burns, Geo. B. Ward, J. J. McCallion, and L. J. Hardy, Jr., pursuant to the authority and instructions given them by the Assembly, February eighteenth, eighteen hundred and eighty, visited San Francisco for the purpose of hearing and considering evidence and facts relative to the repeal of an Act entitled "An Act conferring further powers upon the Board of Supervisors of the City and County of San Francisco," approved April first, eighteen hundred and seventy-eight, and are entitled to a mileage of ten cents per mile for each member; therefore, be it

Resolved, That the Controller of the State be and he is hereby directed to draw his warrants on the State Treasurer in favor of the following persons, for the amounts set opposite their respective names, and the State Treasurer is directed to pay the same out of the Contingent Fund of the Assembly, to wit:

A. B. Maguire, one hundred and sixty-eight miles	$16 80
John Burns, one hundred and sixty-eight miles	16 80
Geo. B. Ward, one hundred and sixty-eight miles	16 80
J. J. McCallion, one hundred and sixty-eight miles	16 80
L. J. Hardy, Jr., one hundred and sixty-eight miles	16 80

Resolution adopted.

Mr. Maybell asking that the Committee of Investigation appointed to inquire into the authenticity of a certain telegram purporting to be signed by Assemblymen Maybell and Josselyn, members of this House, be instructed to report thereon, Mr. May moved the indefinite postponement of the whole matter.

So ordered.

AMENDMENT OF THE RULES.

Mr Corcoran moved that a new rule be hereby added to the standing rules of the Assembly, to be known as Rule Number Eighty-three, to read as follows: "The House shall hold night sessions, to commence at seven o'clock P. M., on Wednesday and Friday evenings of each week."

Carried, and the rule declared adopted

Mr. Braunhart, pursuant to notice, moved to reconsider the vote by which the resolution was adopted yesterday whereby Denis Kearney was excluded from the Assembly Chamber and the rooms attached thereto or under control of the Assembly.

The previous question being demanded by Messrs. Wason of Ventura, Levee, and May, the House so ordered.

The motion to reconsider rejected.

INTRODUCTION OF BILLS.

The following bills were introduced, and ordered printed.

By Mr. Fraser—An Act to pay the claims of the Board of Reclamation Fund Commissioners, C. F. Reed, E N. Strout, and A. S. Bender; and of G. G. W. Morgan, Secretary; J. T. Morgan, Assistant Secretary; and Hiram Clock, Porter, of said Board.

By Mr. Cooper—A concurrent resolution relative to, and asking the aid of our Senators and Representatives to secure, the establishment of a lighthouse and steam fog signal station at Point St. George on the northern coast of California

Read first time, and ordered printed.

By Mr. Camron—An Act to repeal an Act to provide for the building of a bridge across the mouth of the Bay of San Leandro, in the Town of Alameda, and to authorize the Supervisors of the County of Alameda to levy a special tax for that purpose, approved March twenty-third, eighteen hundred and seventy-four.

By Mr. Morse—An Act to amend section four thousand three hundred and thirty of the Political Code, relative to fixing the salaries of District Attorneys.

FIRST READING AND REFERENCE OF BILLS.

Assembly Bill No. 460—An Act to amend sections one thousand five hundred and seventeen, one thousand five hundred and twenty-one, one thousand five hundred and thirty-two, one thousand five hundred and forty-three, one thousand five hundred and forty-five, one thousand five hundred and forty-eight, one thousand five hundred and fifty, one thousand five hundred and fifty-one (*a*), one thousand five hundred and seventy-seven, one thousand five hundred and ninety-three, one thousand five hundred and ninety-seven, one thousand five hundred and ninety-eight, one thousand six hundred, one thousand six hundred and eleven, one thousand six hundred and sixteen, one thousand six hundred and seventeen, one thousand six hundred and nineteen, one thousand six hundred and twenty, one thousand six hundred and twenty-one, one thousand six hundred and twenty-two, one thousand six hundred and twenty-four, one thousand six hundred and sixty-two, one thousand six hundred and sixty-three, one thousand six hundred and sixty-five, one thousand six hundred and sixty-six, one thousand six hundred and ninety-six, one thousand seven hundred and one, one thousand seven hundred and twelve, one thousand seven hundred and fifteen, one thousand seven hundred and sixty-eight, one thousand seven hundred and sixty-nine, one thousand seven hundred and seventy, one thousand seven hundred and seventy-one, one thousand seven hundred and seventy-two, one thousand seven

hundred and seventy-four, one thousand seven hundred and seventy-five, one thousand seven hundred and eighty-seven, one thousand seven hundred and eighty-eight, one thousand seven hundred and ninety, one thousand seven hundred and ninety-one, one thousand eight hundred and seventeen, one thousand eight hundred and eighteen, one thousand eight hundred and thirty-four, one thousand eight hundred and thirty-five, one thousand eight hundred and thirty-six, one thousand eight hundred and thirty-seven, one thousand eight hundred and fifty-seven, one thousand eight hundred and fifty-eight, one thousand eight hundred and fifty-nine, one thousand eight hundred and sixty-one, one thousand eight hundred and sixty-nine, one thousand eight hundred and seventy-one, one thousand eight hundred and seventy-four, to add new sections one thousand five hundred and sixty-five, one thousand five hundred and eighty-three, one thousand seven hundred and three, one thousand seven hundred and four, and one thousand eight hundred and seventy-nine, and to repeal sections one thousand five hundred and fifty-one (*b*), one thousand six hundred and fifty-two, one thousand six hundred and sixty-nine, one thousand six hundred and seventy, one thousand seven hundred and forty-one, one thousand seven hundred and forty-two, one thousand seven hundred and forty-three, one thousand seven hundred and forty-four, one thousand seven hundred and forty-five, one thousand seven hundred and forty-six, one thousand seven hundred and forty-seven, one thousand seven hundred and forty-eight, one thousand seven hundred and forty-nine, one thousand seven hundred and fifty, one thousand seven hundred and fifty-one, one thousand seven hundred and fifty-two, one thousand seven hundred and fifty-three, one thousand seven hundred and fifty-four, one thousand seven hundred and fifty-five, one thousand seven hundred and fifty-seven, one thousand seven hundred and fifty-eight, one thousand seven hundred and seventy-seven, one thousand seven hundred and ninety-three, one thousand seven hundred and ninety-four, one thousand eight hundred and thirty-eight, one thousand eight hundred and forty, one thousand eight hundred and forty-one, one thousand eight hundred and forty-two, one thousand eight hundred and forty-three, one thousand eight hundred and forty-four, one thousand eight hundred and forty-five, one thousand eight hundred and forty-six, one thousand eight hundred and forty-seven, one thousand eight hundred and forty-eight, one thousand eight hundred and forty-nine, one thousand eight hundred and fifty, one thousand eight hundred and fifty-one, one thousand eight hundred and fifty-two, one thousand eight hundred and seventy-two, of an Act entitled an Act to establish a Political Code, approved March twelfth, A. D. eighteen hundred and seventy-two, relating to public schools.

Read first time, and ordered on file for second reading.

MESSAGE FROM THE SENATE.

The following message was received from the Senate:

SENATE CHAMBER, SACRAMENTO, March 2d, 1880

MR SPEAKER I am directed to inform your honorable body that the Senate, on March first, passed Senate Bill No 152—An Act to amend sections one thousand one hundred and sixteen, one thousand one hundred and eighteen, one thousand one hundred and nineteen, one thousand one hundred and twenty, one thousand one hundred and twenty-five, one thousand one hun-

dred and twenty-six, and one thousand one hundred and twenty-seven, also to repeal section one thousand one hundred and twenty-four of the Code of Civil Procedure, relating to contesting certain elections.

JAMES A. ORR, Assistant Secretary.

CONSIDERATION OF SENATE MESSAGE.

Senate Bill No. 152—An Act to amend sections one thousand one hundred and sixteen, one thousand one hundred and eighteen, one thousand one hundred and nineteen, one thousand one hundred and twenty, one thousand one hundred and twenty-five, one thousand one hundred and twenty-six, and one thousand one hundred and twenty-seven, also to repeal section one thousand one hundred and twenty-four of the Code of Civil Procedure, relating to contesting certain elections.

Read first time, and referred to the Judiciary Committee.

Assembly Bill No. 193—An Act to amend the Penal Code, with respect to the punishment of persons guilty of gaming.

Withdrawn.

Assembly Bill No. 380—An Act to amend an Act entitled "An Act to regulate the practice of medicine in the State of California," approved April third, eighteen hundred and seventy-six.

Withdrawn.

Assembly Bill No. 68—An Act providing for the appointment of County Boards of Education, and defining the duties thereof.

Withdrawn.

Assembly Bill No. 217—An Act to amend sections two thousand six hundred and forty-six, two thousand six hundred and forty-seven, two thousand six hundred and forty-eight, two thousand six hundred and forty-nine, and two thousand six hundred and fifty, of "An Act to establish a Political Code," approved March twelfth, eighteen hundred and seventy-two, relating to highways.

Withdrawn.

Assembly Bill No. 172—An Act to prevent the importation of coolies into the State of California.

Withdrawn.

SECOND READING OF BILLS.

Assembly Bill No. 374—An Act for the promotion of the viticultural industries of the State.

Taken up.

Sections one, two, three, and eight amended as recommended by the committee.

Mr. Lane moved to amend section five, line three, by inserting after the word "expenses" the words "not to exceed fifty dollars."

Mr. Tyler moved to strike out the enacting clause of the bill.

Mr. Braunhart, speaking upon the motion, and the gentleman from Sonoma County, Mr. Adams, rising to a point of order, said "Mr. Braunhart is stating a falsehood."

Upon the demand of Mr. Braunhart, the words spoken, as above stated by Mr. Adams, were ordered taken down by the Clerk.

RECESS.

Pending discussion, the hour of one o'clock P. M. having arrived, the House took a recess for one hour.

RE-ASSEMBLED.

The House re-assembled at two o'clock P. M.
Speaker Cowdery in the chair.
Quorum present.

SECOND READING OF BILLS—CONTINUED.

The consideration of Assembly Bill No. 374—An Act for the promotion of the viticultural industries of the State—resumed.

The question being upon striking out the enacting clause of the bill, the previous question was demanded by Messrs Messenger, Levee, and Finlayson, and the House so ordered

The ayes and noes were demanded by Messrs. Camron, Merry, and Maybell.

The roll was called, and the motion to strike out the enacting clause was lost by the following vote:

AYES—Messrs. Anthony, Bass, Bennett, Braunhart, Carr of Sacramento, Chamberlain, Chandler, Coleman, Cook, Corcoran, Dimond, DuBrutz, Frink, Hershey, Lane, Leadbetter, McCarty of Lake, McComas, Morse, Mulholland, Nelson, Sherburne, Stoddard, Tyler, Walker, and York—26

NOES—Messrs Adams, Brooks, Brown of Sonoma, Brown of Yuba, Brusie, Camron, Carr of Yuba, Coffman, Cooper, Downs, Estey, Felton, Finlayson, Fox, Fraser, Garibaldi, Gaffey, Gorley, Green, Hardy, Hynes, Josselyn, Leach, Levee, Maguire, Mathews, May, Maybell, McCallion, McCarthy of San Francisco, McDade, Merry, Messenger, Sayle, Simon, Spencer, Stanley, Streeter, Sweetland, Valle Del, Ward, Wason of Ventura, Wattson, Young, and Mr. Speaker—45.

Mr Tyler moved that this bill be made the special order for the first day of April.

Mr. McCallion moved to lay the motion on the table.

Carried.

The question now recurred upon the motion to amend section five, so as to make the expense of transportation not to exceed fifty dollars per year.

Lost.

Mr. Mulholland moved to amend by striking out all of section eight of the bill

Upon which the ayes and noes were demanded by Messrs. Mulholland, Lane, and Walker.

The roll was called, and the motion was lost by the following vote:

AYES—Messrs. Anthony, Bennett, Braunhart, Brown of Yuba, Chamberlain, Chandler, Coleman, Corcoran, Cuthbert, Dimond, DuBrutz, Fraser, Frink, Green, Hershey, Lane, Leadbetter, Maguire, McCarty of Lake, McCarthy of San Francisco, McComas, McDade, McIntosh, Morse, Mulholland, Nelson, Sayle, Sherburne, Stoddard, Tyler, Walker, and Ward—32

NOES—Messrs Adams, Bass, Brooks, Brown of Sonoma, Brusie, Camron, Carr of Sacramento, Coffman, Cook, Cooper, Downs, Estey, Felton, Finlayson, Fox, Garibaldi, Gaffey, Hardy, Hynes, Josselyn, Leach, Levee, Mathews, May, Maybell, McCallion, Messenger, Picket Simon, Spencer, Stanley, Streeter, Valle Del, Wason of Ventura, Wasson of Mono, York, Young, and Mr. Speaker—38.

Mr. Felton moved to amend by striking out from and including the word "the," at the end of line four, section eight, to and including the word "apparatus," in line seven; also, by striking out all of line nine after the word "viticulture," and all of line ten, also, by striking out from line eleven the words "wines, brandies," also, by striking out all after the word "State," in line twelve, to and including the word "discovered," in line fifteen.

Upon which, the previous question being demanded by Messrs. Adams, Maybell, and Estey, the House so ordered.

The question being taken on the amendment it was lost.

Mr. Tyler moved to amend by striking out section eight of the bill, and inserting the following:

SECTION 8. There is hereby appropriated out of the General Fund the sum of one hundred thousand dollars, for the purpose of erecting a College at Berkeley, to be known as the "College of Viticulture," and to be a branch of the State University, for the purpose of educating the students of such University in wine and brandy manufacture, and in all matters relating to viticulture.

The Speaker decided the amendment out of order, on the ground that it was not germane to section eight.

Mr. Tyler appealed from the decision of the Chair.

Pending discussion, the appeal was withdrawn by leave of the House.

Mr. Fox moved to amend by striking out from and including the word "the," at the end of line four, section eight, to and including the word "apparatus," in line seven.

Upon which the previous question being demanded by the requisite number, the House so ordered.

The ayes and noes were demanded by Messrs. Braunhart, Lane, and Maybell.

The roll was called, and the amendment was lost by the following vote:

AYES—Messrs. Adams, Brooks, Brown of Sonoma, Brown of Yuba, Brusie, Cannon, Coffman, Cooper, Downs, Estey, Felton, Fox, Gafley, Gorley, Green, Hardy, Hynes, Leach, Levee, Maguire, Mathews, May, McCallion, Merry, Messenger, Spencer Streeter, Valle Del, Ward, Wason of Ventura, Wasson of Mono, Wattson, and Mr Speaker—33.

NOES—Messrs. Anthony, Bennett, Braunhart, Burns, Carr of Sacramento, Carr of Yuba, Chamberlain, Chandler, Coleman, Cook, Corcoran, Dimond, Fraser, Frink, Garibaldi, Hershey, Josselyn, Lane, Leadbetter, Maybell, McCarty of Lake, McCarthy of San Francisco, McComas, McIntosh, Morse, Mulholland, Nelson, Picket, Sayle, Simon, Sherburne, Stanley, Stoddard, Tyler, Walker, York, and Young—37.

Mr. Mulholland moved to amend by striking out after the word "to," in line four, all the words down to the word "to," and including the word "especially." Also to strike out all from and after the word "the," down to the close of the section from line four.

Mr. Tyler moved to refer the bill to the Committee on Claims.

Mr. McCallion moved to amend so as to re-refer it to the Committee on Culture and Improvement of the Grapevine.

Lost.

The question recurring upon the motion to refer to the Committee on Claims, it was lost.

Mr. Corcoran moved its reference to the Committee on Public Morals.

Upon which the ayes and noes were demanded by the requisite number.

Mr. Braunhart, at four o'clock and forty minutes P. M., moved to adjourn.

Lost

The roll was called, and the motion to refer was carried by the following vote:

AYES—Messrs. Anthony, Bass, Bennett, Braunhart, Burns, Carr of Sacramento, Carr of Yuba, Chamberlain, Chandler, Cook, Corcoran, Dimond, Frink, Garibaldi, Green, Hardy, Hershey,

Lane, Leadbetter, Maguire, McCarty of Lake, McCarthy of San Francisco, McComas, McDade, McIntosh, Morse, Mulholland, Nelson, Sayle, Sherburne, Stoddard, Tyler, Valle Del, Walker, Ward, and York—36.

NOES—Messrs. Adams, Brooks, Brown of Sonoma, Brown of Yuba, Brusie, Cameron, Coffman, Cooper, Cuthbert, Downs, Estey, Felton, Finlayson, Fox, Fraser, Gaffey, Hynes, Leach, Levee, Mathews, May, Maybell, McCallion, Merry, Messenger, Picket, Simon, Spencer, Stanley, Streeter, Wason of Ventura, Wasson of Mono, Wattson, Young, and Mr. Speaker—35.

Mr. Del Valle gave notice that he would, on to-morrow, move to reconsider the vote by which the bill was referred to the Committee on Public Morals.

Mr. Fox moved to amend the rules of the House by adding a new rule, to read as follows:

RULE EIGHTY-FOUR.

No member shall speak more than five minutes at one time, except that the author of a bill may speak five minutes at the opening and ten minutes at the close of the debate. This rule shall not apply to debate in Committee of the Whole.

Pending discussion, the motion was withdrawn.

RESOLUTION.

By Mr. Merry (by permission):

Resolved, That the Controller be and he is hereby authorized and directed to draw his warrant on the Treasurer, payable out of the Contingent Fund of the Assembly, for the sum of thirty-four dollars and five cents, in favor of R. W. Parker, for mileage and expenses in the matter of Hon. S. Braunhart *in re* habeas corpus. Also, that said Controller draw his warrant in favor of the Chairman of the Select Committee appointed to represent the Assembly in said case, for the sum of fifty dollars and forty cents, mileage due said committee.

Referred to the Committee on Mileage.

ADJOURNMENT.

At four o'clock and fifty-five minutes P. M. Mr. Sinon moved to adjourn.

Upon which the ayes and noes were demanded by Messrs. Lane, Braunhart, and Sinon.

The roll was called, and the motion was carried by the following vote:

AYES—Messrs. Adams, Bass, Brooks, Brown of Sonoma, Brown of Yuba, Brusie, Cameron, Carr of Sacramento, Coffman, Cook, Cooper, Dimond, Downs, Estey, Felton, Finlayson, Fox, Garibaldi, Gorley, Green, Harris, Josselyn, Levee, Mathews, Maybell, McCallion, McCarty of Lake, McCarthy of San Francisco, McDade, Merry, Morse, Nelson, Picket, Sherburne, Stanley, Streeter, Walker, Ward, Wason of Ventura, Wasson of Mono, York, and Young—42.

NOES—Messrs. Anthony, Bennett, Braunhart, Burns, Carr of Yuba, Chamberlain, Chandler, Coleman, Corcoran, Cuthbert, Fraser, Fink, Hardy, Hershey, Hynes, Lane, Leach, Leadbetter, Maguire, May, McComas, McIntosh, Messenger, Mulholland, Sayle, Simon, Spencer, Stoddard, Tyler, Valle Del, Wattson, and Mr. Speaker—32.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Friday, March 5th, 1880.

House met pursuant to adjournment.
Speaker Cowdery in the chair
Roll called, and a quorum present.
Prayer by the Chaplain.

READING AND APPROVAL OF THE JOURNAL.

Mr. Chandler moved that the further reading of the Journal be dispensed with.
So ordered.
The Journal of yesterday approved.

REPORTS OF STANDING COMMITTEES

By Mr. Chamberlain:

ASSEMBLY CHAMBER, SACRAMENTO, March 5th 1880.

MR. SPEAKER The Committee on Agriculture, to whom was referred Assembly Bill No. 299—An Act to encourage and improve stock breeding in the State—have had the same under consideration, and report the same back to the Assembly without amendment, and recommend that it do not pass.

CHAMBERLAIN, Chairman

By Mr. Fox.

ASSEMBLY CHAMBER, SACRAMENTO, March 5th, 1880.

MR SPEAKER Your Judiciary Committee, to whom was referred Assembly Bill No 441—An Act to amend an Act entitled an Act to prevent hogs from running at large in the towns of Lakeport and Lower Lake, in Lake County, approved March twenty-third, eighteen hundred and seventy-eight—have had the same under consideration, and report it back, with recommendation that it do not pass, and that the author be allowed to withdraw the same and accompanying petitions

We have also had under consideration Assembly Bill No. 433—An Act to amend section four hundred and eleven of the Code of Civil Procedure

Also, Assembly Bill No. 439—An Act to amend section fifty-nine of the Civil Code, relative to validity of marriage.

Also, Assembly Bill No. 455—An Act to amend section four thousand one hundred and twenty-one of the Political Code, relative to Sheriffs, Clerks, and Constables.

And now report the same back, with a recommendation that they severally be passed

We have also had under consideration Assembly Bill No. 414—An Act providing for the organization of irrigation districts, and defining the duties of certain officers in relation thereto.

Also, Assembly Bill No. 454—An Act to regulate fees in certain cases

And now report them back, with recommendation that they severally do not pass

We have also had under consideration Assembly Bill No 296—An Act for the relief of W S Safford

And, Assembly Bill No. 298—An Act to amend section eight hundred and thirty-two of the Civil Code, concerning lateral and subjacent support of land.

And now report the same back with amendments to each, and recommend that they severally do pass as amended.

FOX, Chairman.

Assembly Bill No. 441—An Act to amend an Act entitled "An Act to prevent hogs from running at large in the Towns of Lakeport and Lower Lake, in Lake County," approved March twenty-third, eighteen hundred and seventy-eight.
Withdrawn.

RESOLUTION.

By Mr Hynes:

Resolved, That the Controller be and he is hereby authorized to draw his warrant on the Treasurer in favor of John P. Cosgrove for the sum of $10, payable out of the Contingent Fund of the Assembly, for services rendered as Phonographic Reporter of the special committee appointed to take testimony in reference to the attack of Denis Kearney upon Assemblyman James Adams.

JAMES HYNES.
CHAS. MULHOLLAND.

Referred to the Committee on Claims.

Mr. Fox moved that at ten o'clock A. M., this morning, the House take up the bills on the third reading file, and proceed to consider them in the order in which they stand on the file.

Carried.

REPORTS OF STANDING COMMITTEES—RESUMED.

By Mr. Brusie:

MR SPEAKER Your Committee on State Hospital, to whom was referred Senate Bill No. 296—entitled an Act to appropriate money for the support of orphans, half orphans, and abandoned children—have had the same under advisement, and report it back with amendments, and recommend that it do pass

BRUSIE, Chairman.

Also:

MR. SPEAKER Your Committee on State Hospital, to whom was referred Assembly Bill No. 344—entitled an Act to ascertain the number of minor orphans, half orphans, and abandoned children, and aged persons in indigent circumstances, in institutions of this State, for the support and maintenance of which they are entitled to State aid—have had the same under advisement and report the same back, with the recommendation that it do not pass, since all its provisions are fully embraced in Senate Bill No 296, which your committee has duly considered and reported back with the recommendation that it do pass, together with the amendments thereto.

BRUSIE, Chairman.

The Speaker alluding to the remarks made yesterday by Mr. Adams regarding Mr. Braunhart, Mr. Adams said he did not intend to be insulting to that gentleman.

Whereupon Mr. Braunhart moved that Mr Adams be excused.

So ordered.

Mr Del Valle, pursuant to notice given yesterday, moved to reconsider the vote by which the House referred Assembly Bill No. 374—An Act for the promotion of the viticultural industries of the State—to the Committee on Public Morals.

Upon which the ayes and noes were demanded by Messrs. Merry, Gaffey, and Adams.

The roll was called, and the motion to reconsider carried by the following vote:

AYES—Messrs. Adams, Brooks, Brown of Sonoma, Brown of Yuba, Brusie, Camion, Carr of Yuba, Coffman, Cooper, Cuthbert, Downs, Estey, Finlayson, Fox, Gaffey, Green, Hartson, Hynes, Leach, Leadbetter, Levee, Mathews, May, McCallion, McCarty of Lake, McDade, McIntosh, Merry, Messenger, Simon, Spencer, Stanley, Streeter, Valle Del, Wason of Ventura, Wasson of Mono, Wattson, York, Young, and Mr Speaker—40.

NOES—Messrs Anthony, Bass, Bennett, Braunhart, Burns, Carr of Sacramento, Chamberlain, Chandler, Coleman, Corcoran, Dimond, DuBrutz, Durham, Fraser, Frink, Garibaldi, Gorley, Harris, Hershey, Josselyn, Lane, Maguire, McCarthy of San Francisco, McComas, Morse, Mulholland, Nelson, Picket, Sayle, Sherburne, Stoddard, Tyler, Walker, and Ward—34.

GENERAL FILE—THIRD READING.

Senate Bill No. 118—An Act to amend part one of the Code of Civil Procedure, and each and every title, chapter, article, and sec-

tion of said part one, and substituting a new part one, to take the place thereof in said Code, relating to Courts of justice, and the various officers connected therewith.

Passed on file.

Senate Bill No. 116—An Act to amend sections six hundred and thirteen, six hundred and seventeen, and six hundred and eighteen, of the Code of Civil Procedure, relating to trials by jury in civil actions.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs Anthony, Bass, Braunhart, Brown of Sonoma, Brown of Yuba, Brusie, Cameron, Chamberlain, Chandler, Coffman, Coleman, Cook, Corcoran, Cuthbert, Downs, DuBrutz, Estey, Finlayson, Fox, Fraser, Frink, Garibaldi, Gaffey, Green, Hardy, Harris, Hershey, Hynes, Josselyn, Lane, Leach, Levee, Magune, Mathews, May, Maybell, McCallion, McCarty of Lake, McCarthy of San Francisco, McComas, McIntosh, Merry, Messenger, Morse, Mulholland, Nelson, Picket, Sayle, Simon, Sherburne, Spencer, Stanley, Stoddard, Streeter, Tyler, Valle Del, Walker, Ward, Wason of Ventura, Young, and Mr. Speaker—61.

NOES—None.

Title approved

Senate Bill No 113—An Act to amend sections four hundred and thirty-two, four hundred and fifty-four, and four hundred and seventy-three, of the Code of Civil Procedure, relating to pleadings in civil actions.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs Anthony Bass, Braunhart, Brown of Sonoma, Brown of Yuba, Brusie, Burns, Cameron, Carr of Sacramento, Carr of Yuba, Chamberlain, Chandler, Coffman, Coleman, Cook, Corcoran, Cuthbert Downs, DuBrutz Estey, Felton, Finlayson, Fox, Fraser, Frink, Garibaldi, Gaffey, Hardy, Harris, Hershey, Josselyn, Lane, Leach, Levee, Magune, May, Maybell, McCallion, McCarty of Lake, McComas, McIntosh, Merry, Messenger, Morse, Mulholland, Nelson, Picket, Sayle, Simon, Spencer, Stanley, Stoddard, Streeter, Tyler, Valle Del, Walker, Ward, Wason of Ventura, Young, and Mr. Speaker—60.

NOES—None.

Title approved.

Senate Bill No. 112—An Act to amend sections four hundred and seven and four hundred and twelve of the Code of Civil Procedure, relating to the manner of commencing civil actions

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Adams, Anthony, Bass, Brown of Yuba, Brusie, Burns, Cameron, Carr of Sacramento, Carr of Yuba, Chamberlain, Chandler, Coffman, Coleman, Cook, Corcoran, Cuthbert, Downs, Estey, Finlayson, Fox, Fraser, Garibaldi, Gaffey, Green, Hardy, Harris, Hershey, Hynes, Josselyn, Lane, Leach, Levee, Magune, Mathews, May, Maybell, McCallion, McCarty of Lake, Merry, Messenger, Morse, Mulholland, Nelson, Picket, Sayle, Simon, Sherburne, Spencer, Stanley, Stoddard, Streeter, Tyler, Valle Del, Walker, Ward, Wason of Ventura, Young, and Mr. Speaker—57.

Title approved.

Senate Bill No. 141—An Act to amend chapter two, of title thirteen, of part two, of the Code of Civil Procedure, and each and every section of said chapter two, and to substitute a new chapter two, to take the place thereof in said Code, relating to appeals in civil actions.

Passed on file.

Senate Bill No. 158—An Act to amend sections eight hundred and thirty-eight, eight hundred and forty-three, eight hundred and forty-

four, eight hundred and forty-five, eight hundred and ninety-seven, eight hundred and ninety-eight, eight hundred and ninety-nine, nine hundred and twelve, nine hundred and eighteen, and nine hundred and twenty-one, of the Code of Civil Procedure, relating to proceedings in Justices' Courts.

Read third time

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Adams, Anthony, Bass, Brooks, Brown of Sonoma, Brown of Yuba, Brusie, Burns, Carr of Sacramento, Chamberlain, Chandler, Coffman, Coleman, Cuthbert, Downs, DuBrutz, Estey, Finlayson, Fox, Fraser, Frink, Harris, Hershey, Hynes, Josselyn, Leach, Maguire, Mathews, May, Maybell, McCallion, McCarty of Lake, McCarthy of San Francisco, McComas, McIntosh, Merry, Morse, Mulholland, Nelson, Sayle, Simon, Sherburne, Spencer, Stanley, Stoddard, Tyler, Valle Del, Walker, Ward, Wason of Ventura, Young, and Mr. Speaker—52

NOES—Mr. Levee—1.

Title approved.

Senate Bill No. 175—An Act to amend sections one thousand seven hundred and forty-seven, one thousand seven hundred and forty-eight, one thousand seven hundred and forty-nine, one thousand seven hundred and fifty, one thousand seven hundred and fifty-four, one thousand seven hundred and fifty-five, one thousand seven hundred and fifty-six, one thousand seven hundred and fifty-seven, one thousand seven hundred and fifty-eight, one thousand seven hundred and sixty-three, one thousand seven hundred and sixty-four, one thousand seven hundred and sixty-six, one thousand seven hundred and sixty-nine, one thousand seven hundred and seventy-three, one thousand seven hundred and seventy-four, one thousand seven hundred and seventy-five, one thousand seven hundred and eighty, one thousand seven hundred and eighty-one, one thousand seven hundred and eighty-two, one thousand seven hundred and eighty-three, one thousand seven hundred and eighty-four, one thousand seven hundred and eighty-five, one thousand seven hundred and eighty-eight, one thousand seven hundred and ninety-one, one thousand seven hundred and ninety-two, one thousand seven hundred and ninety-three, one thousand seven hundred and ninety-six, one thousand seven hundred and ninety-seven, one thousand seven hundred and ninety-eight, one thousand seven hundred and ninety-nine, one thousand eight hundred, one thousand eight hundred and one, one thousand eight hundred and two, one thousand eight hundred and three, one thousand eight hundred and four, and one thousand eight hundred and eight, of the Code of Civil Procedure, relating to guardians and wards.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Adams, Anthony, Bass, Braunhart, Brooks, Brown of Yuba, Brusie, Burns, Chamberlain, Chandler, Coffman, Coleman, Cook, Corcoran, Downs, DuBrutz, Estey, Felton, Fox, Fraser, Frink, Gaffey, Gorley, Green, Hardy, Hershey, Hynes, Josselyn, Leach, Leadbetter, Levee, Maguire, Mathews, May, McCallion, McCarty of Lake, McCarthy of San Francisco, McComas, McDade, McIntosh, Merry, Morse, Mulholland, Picket, Sayle, Simon, Sherburne, Stanley, Stoddard, Tyler, Valle Del, Walker, Ward, Wason of Ventura, York, Young, and Mr. Speaker—57.

NOES—None.

Title approved.

Assembly Bill No. 347—An Act to amend sections nine hundred and forty-nine, nine hundred and fifty, nine hundred and fifty-one,

nine hundred and fifty-two, nine hundred and fifty-three, nine hundred and fifty-four, nine hundred and fifty-five, nine hundred and fifty-seven, nine hundred and fifty-eight, nine hundred and fifty-nine, nine hundred and sixty, nine hundred and sixty-one, nine hundred and sixty-four, nine hundred and sixty-five, nine hundred and sixty-six, nine hundred and sixty-seven, nine hundred and sixty-eight, nine hundred and sixty-nine, nine hundred and seventy, nine hundred and seventy-one, and nine hundred and seventy-two, of the Penal Code, in reference to indictments, informations, and their forms.

Withdrawn.

Senate Bill No. 115—An Act to amend section five hundred and ninety-three of the Code of Civil Procedure, relating to entry of civil causes on Court calendars.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Adams, Anthony, Bass, Brooks, Brown of Yuba, Brusie, Burns, Coffman, Coleman, Cook, Corcoran, Downs, DuBrutz, Estey, Felton, Fox, Fraser, Funk, Gorley, Green, Hardy, Harris, Hershey, Josselyn, Lane, Leach, Leadbetter, Levee, Magune, May, Maybell, McCallion, McCarty of Lake, McCarthy of San Francisco, McConnas, McDade, McIntosh, Merry, Morse, Mulholland, Picket, Sayle, Sherburne, Stanley, Stoddard, Streeter, Tyler, Valle Del, Walker, Ward, Wason of Ventura, York, Young, and Mr. Speaker—54.

NOES—None.

Title approved.

Senate Bill No. 140—An Act to amend sections nine hundred and forty-three, nine hundred and forty-eight, and nine hundred and fifty-nine, of the Code of Civil Procedure, relating to appeals in civil actions.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Adams, Anthony, Bass, Bennett, Braunhart, Brooks, Brown of Yuba, Brusie, Burns, Camron, Chamberlain, Chandler, Coffman, Coleman, Cook, Corcoran, Downs, DuBrutz, Estey, Felton, Finlayson, Fox, Fraser, Funk, Garibaldi, Gaffey, Gorley, Green, Hardy, Harris, Hershey, Hynes, Josselyn, Lane, Leach, Leadbetter, Levee, Magune, May, Maybell, McCallion, McCarty of Lake, McCarthy of San Francisco, McConnas, McIntosh, Merry, Messenger, Morse, Mulholland, Nelson, Picket, Sayle, Simon, Sherburne, Stanley, Stoddard, Streeter, Sweetland, Tyler, Valle Del, Walker, Ward, Wason of Ventura, York, Young, and Mr. Speaker—64.

NOES—None.

Title approved.

Senate Bill No. 147—An Act to amend section one thousand and fifty-four of the Code of Civil Procedure, relating to the time within which certain acts are to be done.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Adams, Anthony, Bass, Bennett, Braunhart, Brooks, Brown of Sonoma, Brown of Yuba, Brusie, Burns, Camron, Chamberlain, Chandler, Coffman, Coleman, Cook, Corcoran, Downs, DuBrutz, Estey, Felton, Finlayson, Fox, Fraser, Garibaldi, Gaffey, Green, Hardy, Hershey, Josselyn, Lane, Leach, Leadbetter, Levee, Magune, May, Maybell, McCallion, McCarty of Lake, McCarthy of San Francisco, McConnas, McDade, McIntosh, Merry, Messenger, Morse, Mulholland, Nelson, Picket, Sherburne, Stanley, Stoddard, Streeter, Sweetland, Valle Del, Walker, Wason of Ventura, York, Young, and Mr. Speaker—61

NOES—None.

Title approved

Senate Bill No. 121—An Act to amend sections seven hundred and fourteen and seven hundred and fifteen of the Code of Civil Procedure, relating to proceedings supplementary to execution.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs Adams, Anthony, Bass, Bennett, Brooks, Brown of Sonoma, Brusie, Burns, Cannon, Carr of Yuba, Chandler, Coleman, Cook, Corcoran, Cuthbert, Downs, DuBrutz, Estey, Finlayson, Fox, Fraser, Frink, Garibaldi, Gaffey, Gorley, Green, Hardy Hershey, Josselyn, Lane, Leach Leadbetter, Levee, Maguire, Maybell, McCallion, McCarty of Lake, McCarthy of San Francisco, McComas, McDade, McIntosh, Merry Morse, Mulholland Nelson, Picket, Sayle, Sherburne, Stanley, Stoddard, Streeter, Sweetland, Tyler, Valle Del, Walker, Ward, Wason of Ventura, York, Young, and Mr. Speaker—60.

NOES—None

Title approved.

Senate Bill No. 125—An Act to amend sections seven hundred and forty-two, seven hundred and fifty-five, seven hundred and ninety-four, eight hundred and two, eight hundred and four, eight hundred and sixteen, and eight hundred and twenty-six, of the Code of Civil Procedure, relating to actions in particular cases.

Read third time

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Adams, Anthony, Bass, Bennett, Braunhart, Brusie, Burns, Cannon, Carr of Sacramento, Carr of Yuba, Chandler, Coleman, Corcoran, Cuthbert, Downs, DuBrutz, Estey, Finlayson, Fox, Fraser, Frink, Garibaldi, Green, Hardy, Harris, Josselyn, Leach, Leadbetter, Levee, Maguire, May, Maybell, McCallion, McCarthy of San Francisco, McComas, McDade, McIntosh, Merry, Messenger, Morse, Mulholland, Picket, Sayle, Simon, Sherburne, Spencer, Stanley, Stoddard, Streeter, Tyler, Valle Del, Walker, Ward, Wason of Ventura, York, Young, and Mr Speaker—57.

NOES—None.

Title approved.

Senate Bill No. 114—An Act to amend sections four hundred and eighty, four hundred and ninety-three, five hundred and twenty-five, five hundred and forty-eight, five hundred and fifty-four, five hundred and fifty-six, and five hundred and sixty-five, of the Code of Civil Procedure, relating to provisional remedies in civil actions.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Adams, Anthony, Bass Bennett, Braunhart, Brooks, Brown of Sonoma, Brown of Yuba, Brusie, Cannon, Carr of Sacramento, Chamberlain, Chandler, Coleman, Corcoran, Cuthbert, Downs, Felton, Finlayson, Fox, Fraser, Frink, Garibaldi, Gorley, Green, Hardy, Josselyn, Leadbetter, Levee, Maguire, Mathews, May, Maybell, McCallion, McCarty of Lake, McCarthy of San Francisco, McComas, McDade, McIntosh, Merry, Messenger, Morse, Mulholland, Nelson, Picket, Sayle, Sherburne, Spencer, Stanley, Stoddard, Streeter, Tyler, Valle Del, Walker, Ward, Wasson of Ventura, York, Young, and Mr. Speaker—59.

NOES—None.

Title approved.

Senate Bill No. 146—An Act to amend sections one thousand and four and one thousand and five of the Code of Civil Procedure, relating to motions and orders in civil actions.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs Adams, Anthony, Bass, Bennett, Braunhart, Brooks, Brown of Sonoma, Brusie, Cannon, Carr of Sacramento, Chamberlain, Chandler, Coleman, Cook, Corcoran, Cuthbert, Downs, DuBrutz, Felton, Finlayson, Fox, Fraser, Frink, Garibaldi, Gorley, Green, Hardy, Harris Hershey, Josselyn, Lane, Leach, Leadbetter, Levee, Mathews, May, Maybell, McCallion, McCarthy of San Francisco, McComas, McDade, McIntosh, Messenger, Morse, Mulholland, Nelson, Sayle, Simon, Sherburne, Stanley, Stoddard, Streeter, Tyler, Valle Del Walker, Ward, Wason of Ventura, Wasson of Mono, Wattson, York, Young, and Mr. Speaker—62.

NOES—None.

Title approved.

Senate Bill No. 159—An Act to amend sections one thousand one hundred and and sixty-three, one thousand one hundred and sixty-six, one thousand one hundred and sixty-seven, one thousand one hundred and sixty-eight, one thousand one hundred and seventy-one, one thousand one hundred and seventy-six, and one thousand one hundred and seventy-nine, of the Code of Civil Procedure, relating to summary proceedings for obtaining possession of real property in civil cases.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs Adams, Anthony, Bass, Bennett, Braunhart, Brooks, Brown of Sonoma, Brusie, Burns, Camron, Carr of Sacramento, Carr of Yuba, Chamberlain, Chandler, Coleman, Cook, Corcoran, Cuthbert, Downs, DuBrutz, Felton, Finlayson, Fox, Fraser, Frink, Garibaldi, Gorley, Green, Hardy, Hershey, Josselyn, Lane Leach, Leadbetter, Levee, Maguire, Mathews, May, Maybell, McCallion, McCarty of Lake, McCarthy of San Francisco, McDade, McIntosh, Merry, Messenger, Morse, Mulholland, Nelson, Picket, Sayle, Sherburne, Spencer, Stanley, Stoddard, Streeter, Tyler, Valle Del, Walker, Ward, Wason of Ventura, Wasson of Mono, Wattson, York, Young, and Mr. Speaker—67.

NOES—None.

Title approved.

Senate Bill No. 236—An Act concerning the Board of State Harbor Commissioners.

Read third time

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Adams, Anthony, Bass, Braunhart, Brooks, Brown of Sonoma, Brusie, Burns, Camron, Carr of Sacramento, Chamberlain, Chandler, Coleman, Cook, Corcoran, Cuthbert, Downs, DuBrutz, Felton, Finlayson, Fox Fraser, Garibaldi, Gaffey, Gorley, Green, Hardy, Harris, Hershey, Josselyn, Lane, Leach, Leadbetter, Levee, Maguire, Mathews, May, Maybell, McCallion, McCarthy of San Francisco, McDade, McIntosh, Morse, Mulholland, Nelson, Picket, Sayle, Simon, Spencer, Stanley, Stoddard, Streeter, Tyler, Valle Del, Walker, Ward, Wason of Ventura, Wasson of Mono, Wattson, York, and Young—61.

NOES—None.

Title approved.

Assembly Bill No. 223—An Act to amend section one thousand one hundred and ninety-one of the Penal Code, relative to judgment and execution.

Read third time.

The question being upon the passage of the bill, the previous question was demanded by Messrs. Felton, Camron, and Simon, and the House so ordered.

The roll was called, and the bill passed by the following vote:

AYES—Messrs Adams, Anthony, Bass, Bennett, Brooks, Brown of Sonoma, Brown of Yuba, Brusie, Burns, Camron, Carr of Sacramento, Carr of Yuba, Chamberlain Chandler, Coleman, Cook, Corcoran, Cuthbert, Downs, DuBrutz, Estey, Felton, Finlayson, Fox, Fraser, Frink, Gaffey, Gorley, Green, Hardy, Harris, Hershey, Lane, Leach, Leadbetter, Levee, Maguire, Mathews, May, Maybell, McCallion, McCarthy of San Francisco, McComas, McDade, Merry, Messenger, Morse, Mulholland, Nelson Picket, Sayle, Simon, Sherburne, Spencer, Stanley, Stoddard, Streeter, Tyler, Valle Del, Walker, Wason of Ventura, Wasson of Mono, Wattson, York, Young, and Mr Speaker—66.

NOES—Messrs. Braunhart, Garibaldi, and Josselyn—3.

Title approved.

Senate Bill No. 141—An Act to amend chapter two, of title thirteen, of part two, of the Code of Civil Procedure, and each and every section of said chapter two, and to substitute a new chapter two, to take the place thereof, in said Code, relating to appeals in civil actions.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Adams, Anthony, Bennett, Braunhart, Brown of Sonoma, Brusie, Burns, Camron, Carr of Sacramento, Carr of Yuba, Chamberlain, Chandler, Coleman, Corcoran, Downs, DuBrutz, Estey, Felton, Finlayson, Fox, Fraser, Frink, Garibaldi, Gaffey, Gorley, Green, Hardy, Harris, Hershey, Josselyn, Lane, Leach, Leadbetter, Levee, Maguire, Mathews, May, Maybell, McCallion, McCarty of Lake, McCarthy of San Francisco, McComas, McDade, McIntosh, Merry, Messenger, Morse, Mulholland, Nelson, Picket, Sayle, Simon, Sherburne, Spencer, Stanley, Stoddard, Streeter, Tyler, Valle Del, Walker, Ward, Wason of Ventura, Wason of Mono, Wattson, York, Young, and Mr. Speaker—67.

NOES—None.

Title approved.

Assembly Bill No. 224—An Act to amend sections one thousand two hundred and forty-six, one thousand two hundred and forty-eight, and one thousand two hundred and fifty-two, of the Penal Code, relative to appeals to the Supreme Court.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Adams, Anthony, Bass, Bennett, Braunhart, Brooks, Brown of Yuba, Brusie, Camron, Carr of Sacramento, Chamberlain, Chandler, Coleman, Cook, Corcoran, Cuthbert, Downs, DuBrutz, Estey, Felton, Finlayson, Fox, Fraser, Frink, Garibaldi, Gaffey, Gorley, Green, Hardy, Harris, Hershey, Hynes, Josselyn, Lane, Leach, Leadbetter, May, Maybell, McCallion, McCarty of Lake, McCarthy of San Francisco, McComas, McIntosh, Merry, Messenger, Morse, Mulholland, Nelson, Picket, Sayle, Simon, Sherburne, Spencer, Stanley, Stoddard, Streeter, Tyler, Valle Del, Walker, Ward, Wason of Ventura, Wattson, York, Young, and Mr. Speaker—65.

NOES—None.

Title approved.

Assembly Bill No. 158—An Act making appropriation for deficiency for the thirtieth and thirty-first fiscal years for payment of armory rents, purchase of arms, and other expenses of the National Guard of California.

Mr. May moved that the rules be suspended and the bill considered in the Assembly.

So ordered, on a division of the House, by a two-thirds vote.

The bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Adams, Anthony, Bennett, Braunhart, Brooks, Brown of Sonoma, Brown of Yuba, Brusie, Camron, Carr of Sacramento, Chamberlain, Chandler, Coleman, Cuthbert, Dimond, Estey, Finlayson, Fox, Fraser, Frink, Gorley, Hardy, Hynes, Lane, Leach, Leadbetter, Mathews, May, McComas, McIntosh, Merry, Messenger, Morse, Mulholland, Nelson, Sayle, Sherburne, Spencer, Stanley, Stoddard, Streeter, Sweetland, Tyler, Valle Del, Walker, Ward, Wason of Ventura, Wattson, York, Young, and Mr. Speaker—51.

NOES—Messrs. Bass, Carr of Yuba, Cook, Corcoran, DuBrutz, Garibaldi, Gaffey, Hershey, Josselyn, Maybell, McCallion, McCarty of Lake, McCarthy of San Francisco, McDade, Picket, and Simon—16.

Title approved.

Assembly Bill No. 55—An Act to amend sections two hundred and thirty-five and two hundred and sixty-six of an Act entitled "An Act to establish a Political Code," approved March twelfth, eighteen hundred and seventy-two, relating to the meeting of the Legislature, and the compensation of its members.

Read third time.

Mr. Braunhart moved to amend by adding a new section, to be known as section three of the bill, and to read as follows:

Section 3. This Act shall take effect immediately.

Upon which, the ayes and noes were demanded by Messrs. Braunhart, Carr of Yuba, and DuBrutz.

The previous question being demanded by the requisite number, the House so ordered.

The roll was called, and the amendment lost by the following vote:

AYES—Messrs. Braunhart, Carr of Yuba, DuBrutz, Hardy, Josselyn, Lane, Levee, and Wason of Ventura—8

NOES—Messrs. Adams, Anthony, Bass, Bennett, Brooks, Brusie, Camron, Carr of Sacramento, Chamberlain, Chandler, Coleman, Cook, Corcoran, Cuthbert, Dimond, Estey, Finlayson, Fox, Fraser, Frink, Garibaldi, Gaffey, Gorley, Hershey, Hynes, Leach, Leadbetter, Maguire, Mathews, May, Maybell, McCallion, McCarty of Lake, McCarthy of San Francisco, McConnas, McDade, McIntosh, Merry, Messenger, Morse, Mulholland, Nelson, Picket, Sayle, Simon, Sherburne, Spencer, Stanley, Stoddard, Strecter, Tyler, Valle Del, Walker, Ward, Wattson, York, and Young—57.

Mr McCarty moved to amend by striking out "eight dollars," and inserting "seven dollars"

Pending discussion, the hour of one o'clock P. M. having arrived, the House took a recess for one hour.

RE-ASSEMBLED.

The House re-assembled at two o'clock P. M.

Speaker Cowdery in the chair.

Quorum present.

The consideration of Assembly Bill No. 55—An Act to amend sections two hundred and thirty-five and two hundred and sixty-six of an Act entitled "An Act to establish a Political Code," approved March twelfth, eighteen hundred and seventy-two, relating to the meeting of the Legislature, and the compensation of its members—resumed.

The question being on the amendment to strike out "eight dollars," and insert "seven dollars," the previous question being demanded by Mesers. Walker, Camron, and Simon, the House so ordered.

The question being taken on the amendment, it was lost.

The roll was then called, and the bill passed by the following vote:

AYES—Messrs Bass, Bennett, Brown of Yuba, Camron, Carr of Sacramento, Carr of Yuba, Chamberlain, Chandler, Cook, Cooper, Corcoran, Cuthbert, Dimond, Estey, Finlayson, Fox, Fraser, Frink, Garibaldi, Gaffey, Green, Hershey, Josselyn, Lane, Leach, Leadbetter, Maguire, Mathews, May, Maybell, McCarthy of San Francisco, McConnas, McDade, McIntosh, Merry, Messenger, Morse, Mulholland, Nelson, Picket, Sayle, Simon, Sherburne, Spencer, Stanley, Strecter, Sweetland, Tyler, Valle Del, Walker, Ward, Wason of Ventura, and Wattson—53.

NOES—Messrs. Anthony, Braunhart, Burns, DuBrutz, Hardy, and McCarty of Lake—6.

Title approved

Assembly Bill No. 64—An Act to amend sections three thousand four hundred and forty and three thousand four hundred and ninety-four of the Political Code, relative to interest on deferred payments on State land.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Anthony, Bass, Bennett, Brown of Yuba, Brusie, Burns, Camron, Carr of Sacramento, Chamberlain, Chandler, Cook, Cooper, Corcoran, Cuthbert, Dimond, DuBrutz, Estey, Fox, Fraser, Frink, Garibaldi, Gaffey, Green, Hardy, Hershey, Hynes, Josselyn, Lane, Leach,

Leadbetter, Maguire, Mathews, May, McCallion, McCarty of Lake, McComas, McIntosh, Merry, Messenger, Morse, Mulholland, Nelson, Picket, Sayle, Simon, Sherburne, Spencer, Stanley, Stoddard, Streeter, Sweetland, Tyler, Valle Del, Walker, Ward, Wason of Ventura, Wattson, York, Young, and Mr. Speaker—60.

Title approved.

Assembly Bill No. 144—An Act to amend an Act entitled "An Act regulating the sale of mineral lands belonging to the State," approved March twenty-eighth, eighteen hundred and seventy-four.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs Adams, Anthony, Bass, Bennett, Brown of Yuba, Brusie, Camron, Carr of Sacramento, Carr of Yuba, Chamberlain, Chandler, Coleman, Cook, Cooper, Corcoran, Cuthbert, Dimond, Estey, Felton, Finlayson, Fox, Fraser, Garibaldi, Gaffey, Gorley, Green, Hardy, Hershey, Hynes, Josselyn, Lane, Leach, Leadbetter, Maguire, Mathews, May, Maybell, McCallion, McCarty of Lake, McComas McDade, McIntosh, Merry, Messenger, Morse, Mulholland, Nelson, Picket Simon, Spencer, Stanley, Stoddard, Streeter, Sweetland, Tyler, Valle Del, Walker, Ward, Wason of Ventura, Young, and Mr. Speaker—61.

NOES—None.

Title approved.

Assembly Bill No. 146—An Act to amend an Act entitled "An Act concerning the selection and sale of University lands," approved March thirteenth, eighteen hundred and seventy-four.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs Adams Anthony, Bass, Bennett, Brown of Yuba, Brusie, Burns, Camron, Carr of Sacramento, Carr of Yuba, Chamberlain, Chandler, Coleman, Cook, Cooper, Corcoran, Cuthbert, Dimond, Estey, Felton, Finlayson, Fox, Fraser, Frink, Garibaldi, Gaffey, Gorley, Green, Hardy, Hershey, Hynes, Josselyn, Lane, Leach, Leadbetter, Maguire, Mathews, Maybell, McCallion, McCarty of Lake, McDade, McIntosh, Merry, Messenger, Morse, Mulholland, Nelson, Picket, Simon, Sherburne, Stanley, Stoddard, Streeter, Sweetland, Tyler, Valle Del, Walker, Ward, Wason of Ventura, Wattson, Young, and Mr Speaker—62.

NOES—Mr. DuBrutz—1.

Title approved.

Assembly Bill No 70—An Act to declare the soliciting of prostitution publicly a misdemeanor.

Read third time.

Mr McCallion moved to amend, in line one, section one, by inserting after the word "female," the words "and every male person."

The previous question was demanded by Messrs. Leach, Camron, and Maybell, and the House so ordered.

The ayes and noes were demanded, on the adoption of the amendment, by Messrs. Carr of Yuba, Maybell, and Braunhart.

The roll was called, and the amendment adopted by the following vote:

AYES—Messrs Adams, Anthony, Braunhart, Burns, Carr of Sacramento, Carr of Yuba, Chandler, Coleman, Cooper, Cuthbert, Dimond, DuBrutz, Estey, Fraser, Frink, Garibaldi, Gaffey, Hardy, Hershey, Hynes, Josselyn, Lane, Leadbetter, Maguire, Maybell, McCallion, McCarty of Lake, McDade, McIntosh, Mulholland, Nelson, Picket, Sayle, Simon, Sherburne, Sweetland, Tyler, Wason of Ventura, Wattson, York, and Young—41

NOES—Messrs Bass, Bennett Brown of Yuba, Brusie, Camron, Chamberlain, Cook, Corcoran, Downs, Felton, Finlayson, Fox, Gorley, Green, Leach, Levee, May, McComas, Merry, Messenger, Morse, Spencer, Stanley, Stoddard, Streeter, Valle Del, Walker, Ward, and Mr. Speaker—29.

Mr. Merry moved to amend by striking out the second section.

Lost.

Mr. Fox moved to amend by striking out the word "female," from line —, section one, and inserting instead the word "person."

Adopted.

Mr. Lane moved to amend by striking out the enacting clause.

The previous question was demanded by Messrs. Lane, Camron, and Braunhart, and the House so ordered.

The motion to strike out the enacting clause was lost.

The bill ordered printed as amended.

Assembly Bill No. 80—An Act to amend section one thousand three hundred and sixty-five of the Code of Civil Procedure, relative to the order of persons entitled to administer on the estates of deceased persons.

Read third time.

Mr. May moved to commit to Committee on Judiciary, with instructions to transpose subdivisions eight and nine, of section one.

Mr Young moved to amend the amendment, by committing with instructions to transpose subdivisions eight and nine, and to strike out the words "one hundred thousand," and insert "fifteen thousand"

The previous question was demanded by Messrs. Finlayson, Sinon, and Camron, and the House so ordered.

The question being upon the amendment to the amendment it was lost.

The question recurring upon the motion to recommit with instructions, the House, by a division, carried the motion.

Assembly Bill No 66—An Act to secure the payment of workmen for labor performed, or material furnished, either by contract or otherwise

Read third time.

The roll was called, and the bill refused passage by the following vote:

AYES—Messrs Anthony, Braunhart, Burns, Carr of Yuba, Cuthbert, Dimond, DuBrutz, Estey, Finlayson, Fraser, Gaffey, Hynes, Josselyn, Lane, Levee, Magune, Maybell, McCallion, McDade, McIntosh, Messenger, Picket, Sinon, Spencer, Stoddard, and Sweetland—26.

NOES—Messrs Bass, Bennett, Brooks, Brusie, Cannon, Carr of Sacramento, Chamberlain, Chandler, Coleman, Cook, Corcoran, Downs, Fox, Fink, Gorley, Green, Hardy, Hershey, Leach, Leadbetter, Mathews, May, McCarty of Lake, McCarthy of San Francisco, McComas, Merry, Morse, Mulholland, Nelson, Sayle, Sherburne, Stanley, Tyler, Valle Del, Walker, Ward, Wason of Ventura, Wattson, York, Young, and Mr. Speaker—42.

REPORT OF JUDICIARY COMMITTEE.

By Mr. Fox:

MR SPEAKER Your Judiciary Committee, to whom was recommitted, with certain instructions, Assembly Bill No 80—An Act to amend section one thousand three hundred and sixty-five of the Code of Civil Procedure, relative to the order of persons entitled to administer on the estates of deceased persons—report the same back amended pursuant to instructions

FOX, Chairman.

THIRD READING OF BILLS—CONTINUED.

Assembly Bill No. 228—An Act to repeal an Act entitled an Act in relation to the office of Court Commissioner of San Joaquin County, approved March twelfth, eighteen hundred and seventy.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs Anthony, Bass, Bennett, Brooks, Brown of Sonoma, Brown of Yuba, Brusie, Camron, Carr of Sacramento, Chamberlain, Chandler, Coleman, Cooper, Corcoran, Cuthbert, Dimond, Downs, DuBrutz, Estey, Finlayson, Fox, Fraser, Frink, Gaffey, Green, Hardy, Hershey Hynes Josselyn, Lane, Leach, Leadbetter, Levee, Mathews, May, McCallion, McCarty of Lake, McCarthy of San Francisco, McComas, McDade McIntosh, Merry, Messenger, Morse, Mulholland, Picket, Sayle, Simon, Sherburne, Spencer, Stanley, Stoddard, Sweetland, Tyler, Valle Del, Walker, Ward, Wason of Ventura, Wattson, York, Young, and Mr Speaker—62.
NOES—Mr Maybell—1.

Title approved.

Assembly Bill No. 137—An Act to repeal an Act entitled "An Act to regulate the practice of medicine in the State of California."

Read third time.

Mr. Braunhart moved that the enacting clause of the bill be stricken out.

Mr. York moved to make the bill the special order for Wednesday next.

Lost.

The question recurred upon the motion to strike out the enacting clause.

The previous question was demanded by Messrs. Morse, Simon, and Stanley, and the House refused to order it.

Pending further discussion, the previous question being demanded by the requisite number, the House so ordered.

The ayes and noes were demanded by Messrs. Levee, Walker, and Morse.

The roll was called, and the motion to strike out the enacting clause was carried by the following vote:

AYES—Messrs Bass, Braunhart, Brooks, Brown of Sonoma, Brusie, Burns, Carr of Sacramento, Cook, Cooper, Corcoran, Cuthbert, Downs, Estey, Felton, Finlayson, Garibaldi, Gaffey, Green, Hardy, Hershey, Leach, Levee, Mathews, May, McCarthy of San Francisco, McDade, Messenger, Morse, Mulholland, Simon, Sherburne, Spencer, Streeter, Valle Del, Ward, Wason of Ventura, Young, and Mr Speaker—38.
NOES—Messrs Adams, Anthony, Bennett, Brown of Yuba, Camron, Chamberlain, Chandler, Coleman, Dimond, DuBrutz, Fox, Fraser, Frink, Hynes, Josselyn, Lane, Leadbetter, Magune, Maybell, McCallion, McCarty of Lake, McComas, McIntosh, Merry, Nelson, Picket, Sayle, Stanley, Stoddard, Sweetland, Tyler, Walker, Wattson, and York—34.

RECESS.

Mr. Leach moved that the House take a recess until seven o'clock P. M.

Carried.

RE-ASSEMBLED.

The House re-assembled at seven o'clock P. M.

Speaker Cowdery in the chair

Quorum present.

THIRD READING OF BILLS—CONTINUED.

Assembly Bill No. 99—An Act to amend sections five hundred and ninety-six and six hundred and thirty-three of the Political Code, relating to life insurance.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs Anthony, Bass, Bennett, Braunhart, Brown of Sonoma, Brown of Yuba, Brusie, Burns, Camron, Carr of Sacramento, Carr of Yuba, Chamberlain, Chandler, Coleman,

Dimond, Downs, Estey, Fox, Fraser, Frink, Garibaldi, Gorley, Green, Hershey, Hynes, Lane, Leach, Levee, Magune, Mathews, May, McCallion, McCarty of Lake, McCarthy of San Francisco, McComas, McDade, McIntosh, Merry, Messenger, Morse, Mulholland, Nelson, Picket, Sayle, Simon, Sherburne, Spencer, Stoddard, Streeter, Sweetland, Tyler, Valle Del, Walker, Wason of Ventura, Young, and Mr. Speaker—56.

NOES—None.

Title amended, and approved as amended.

Assembly Bill No. 97—An Act to prohibit the sale of intoxicating liquors in the State Capitol building.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Anthony, Bennett, Braunhart, Brooks, Brown of Sonoma, Brusie, Camron, Carr of Yuba, Chandler, Coleman, Cooper, Corcoran, Dimond, Downs, DuBrutz, Estey, Fox, Frink, Garibaldi, Gaffey, Gorley, Green, Hardy, Hershey, Hynes, Josselyn, Leach, Leadbetter, Levee, Magune, Mathews, May, Maybell, McCarty of Lake, McCarthy of San Francisco, McComas, McDade, McIntosh, Merry, Messenger, Morse, Mulholland, Sayle, Simon, Sherburne, Spencer, Stoddard, Streeter, Sweetland, Valle Del, Walker, Wason of Ventura, York, and Mr. Speaker—54.

NOES—Messrs. Bass, Brown of Yuba, Carr of Sacramento, Chamberlain, Cook, Fraser, Lane, McCallion, Nelson, Picket, Tyler, and Young—12.

Title approved.

Mr. Corcoran gave notice of a motion to reconsider the vote by which the enacting clause of Assembly Bill No. 137—An Act to repeal an Act entitled "An Act to regulate the practice of medicine in the State of California"—was stricken out.

Assembly Bill No. 220—An Act prohibiting public officials from entering into any contract, on the part of the public, covering a longer period of time than their term of office.

Read third time.

Mr. Maybell moved the adoption of a substitute for sections one and two of the bill.

Mr. Tyler moved to refer the bill to the Committee on County Governments and Municipal Corporations.

Lost.

Mr. Tyler moved to strike out the enacting clause of the bill.

Mr. Maybell withdrew the substitute.

The motion to strike out the enacting clause withdrawn.

Mr. Maybell moved to amend the first section so as to limit the term of any contract let by the Supervisors to two years.

Adopted.

Mr. Maybell moved to amend section two by striking out all after the word "office."

Adopted.

The bill then ordered printed with amendments.

Assembly Bill No. 72—An Act to fix the official bonds of certain public officers of cities containing more than one hundred thousand inhabitants.

Read third time

The previous question being demanded by Messrs Camron, Leach, and Carr of Sacramento, the House so ordered.

The roll was then called, and the bill refused passage by the following vote:

AYES—Messrs. Bass, Braunhart, Burns, Carr of Yuba, Cook, Cooper, Corcoran, Cuthbert, Garibaldi, Gaffey, Hardy, Hartson, Hynes, Josselyn, Lane, Levee, Magune, Mathews, Maybell, McCallion, McCarty of Lake, McCarthy of San Francisco, McDade, McIntosh, Messenger, Picket, Sayle, Simon, Spencer, Stoddard, Sweetland, Valle Del, and Walker—33.

NOES—Messrs Adams, Anthony, Bennett, Brooks, Brown of Sonoma, Brown of Yuba, Brusie, Camron, Carr of Sacramento, Chamberlain, Chandler, Coleman, Downs, DuBrutz, Estey, Felton, Finlayson, Fox, Fraser, Frink, Gorley, Green, Hershey, Leach, Leadbetter, May, McComas, Merry, Morse, Mulholland Nelson, Sherburne, Stanley, Streeter, Tyler, Ward, Wason of Ventura, Wasson of Mono, York, Young, and Mr Speaker—41.

Assembly Bill No. 242—An Act to repeal an Act entitled an Act to ratify and confirm the acts of the Mayor and Common Council of the City of San José, approved March fourth, eighteen hundred and seventy-eight.

Passed on file.

At nine o'clock and thirty-five minutes P. M. Mr. DuBrutz moved to adjourn.

Lost.

Assembly Bill No. 63—An Act to amend sections two hundred and fourteen, two hundred and fifteen, two hundred and sixteen, and two hundred and eighteen, of an Act entitled "An Act to establish a Code of Civil Procedure," approved March eleventh, eighteen hundred and seventy-two, and the amendments thereof and supplementary thereto, relating to the time and manner of drawing jurors for Courts of record.

Withdrawn.

Assembly Joint Resolution No. 5—Relative to procuring an appropriation for the construction of a breakwater in the Harbor of San Luis Obispo.

Read third time, and passed.

Assembly Joint Resolution No. 6—Relative to procuring a Congressional appropriation of one hundred thousand dollars for the purpose of improving Petaluma Creek for the purposes of navigation.

Read third time, and passed

Assembly Bill No. 58—An Act to amend section three thousand seven hundred and eighty-six of the Political Code, relative to tax deeds

Mr. McCallion moved to strike out the enacting clause of the bill.

The previous question was demanded by Messrs. Finlayson, Leach, and Lane, and the House so ordered.

The question being upon striking out the enacting clause, the ayes and noes were demanded by Messrs. Braunhart, Maybell, and Carr of Yuba.

The roll was called, and the motion was carried by the following vote:

AYES—Messrs. Adams, Anthony, Bass, Braunhart, Burns, Camron, Carr of Yuba, Cook, Cooper, Corcoran, Cuthbert, DuBrutz, Estey, Felton, Finlayson, Garibaldi, Gaffey, Harrison, Hershey, Josselyn, Lane, Leach, Leadbetter, Levee, Maguire, Mathews, May, Maybell, McCallion, McCarty of Lake, McCarthy of San Francisco, McDade, Messenger, Picket, Simon, Spencer, Streeter, Valle Del, Walker, and Young—40

NOES—Messrs Bennett, Brooks, Brown of Yuba, Brusie, Carr of Sacramento, Chamberlain, Chandler, Coleman, Downs, Fox, Fraser, Frink, Gorley, Green, Hardy, Hynes, McComas, McIntosh, Merry, Morse, Mulholland, Nelson, Savle, Sherburne Stanley, Stoddard, Sweetland, Tyler, Ward, Wason of Ventura, Wasson of Mono, Wattson, and Mr. Speaker—33

Assembly Bill No. 215—An Act to encourage the destruction of certain wild animals, and to provide for a bounty for the same.

Mr Bass moved that the bill be indefinitely postponed.

Upon which the ayes and noes were demanded by Messrs. Chamberlain, Frink, and Walker.

The previous question being demanded by the requisite number, and the House so ordered.

The roll was called, and the motion to indefinitely postpone the bill was carried by the following vote:

AYES—Messrs. Adams, Anthony, Bass, Bennett, Braunhart, Brooks, Brown of Yuba, Brusie, Burns, Cannon, Carr of Sacramento, Carr of Yuba, Coleman, Cook, Cooper, Cuthbert, Downs, DuBrutz, Estey, Garibaldi, Green, Hardy, Hynes, Josselyn, Lane, Leach, Leadbetter, Maguire, Mathews, May, Maybell, McCarty of Lake, McCarthy of San Francisco, McIntosh, Messenger, Morse, Mulholland, Simon, Sherburne, Stanley, Stoddard, Streeter, Sweetland, Valle Del, Ward, and Young—46

NOES—Messrs. Chamberlain, Chandler, Corcoran, Finlayson, Fox, Fraser, Frink, Goffey, Gorley, Hartson, Hershey, Levee, McCallion, McComas, McDade, Merry, Nelson, Picket, Sayle, Spencer, Tyler, Walker, Wason of Ventura, and York—23.

At ten o'clock and twenty minutes P. M. Mr. Mulholland moved to adjourn.

Lost.

Mr. Messenger gave notice of a motion to reconsider the vote by which the bill was indefinitely postponed.

Assembly Bill No. 164—An Act establishing a legal rate of interest.

Mr. Merry moved to amend section one by striking out the word "six," in line two, and insert the word "seven."

Mr. Maybell moved to make the bill the special order for Monday, at two o'clock P. M.

Lost.

At ten o'clock and thirty minutes P. M. Mr. Mulholland moved to adjourn.

Lost.

Mr. Braunhart moved the bill be passed on file.

So ordered.

ADJOURNMENT.

At ten o'clock and thirty-one minutes P. M. Mr. Estey moved to adjourn.

Carried.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Saturday, March 6th, 1880.

House met pursuant to adjournment.

Speaker Cowdery in the chair.

Roll called, and a quorum present.

Prayer by the Chaplain.

READING AND APPROVAL OF THE JOURNAL.

Mr. Hershey moved that the further reading of the Journal be dispensed with

So ordered.

The Journal of yesterday approved.

Assembly Bill No. 350—An Act to regulate the practice of pharmacy.

Re-referred to the Committee on State Hospital.

One day's leave of absence granted to Mr. Coffman.

Assembly Bill No. 221—An Act relating to landlords and tenants of real property, the change and termination of estates therein, for recovering the possession of demised premises by summary proceedings, and damages for unlawful and forcible entry and detainer, and regulating the practice in such cases

Withdrawn.

Mr. Corcoran, pursuant to notice, moved to reconsider the vote by which the enacting clause of Assembly Bill No. 137—An Act to repeal an Act entitled "An Act to regulate the practice of medicine in the State of California"—was stricken out.

Temporarily passed, pending receiving of reports of standing committees.

PETITIONS.

By the Speaker—A petition from citizens of Mendocino County, asking that the thirtieth day of May be made a legal holiday.

Referred to the Judiciary Committee

By Mr. Bass—A petition from citizens of Trinity County, asking such legislation as would cause the State to donate such sums as may be collected by means of State poll taxes to the various County School Funds of the State

Also, a petition from citizens of the same county, petitioning for such an amendment to the State Constitution as will permit such legislation

Both petitions referred to the Committee on Education.

REPORTS OF STANDING COMMITTEES.

By Mr. Sherburne:

ASSEMBLY CHAMBER, March 6th, 1880.

MR. SPEAKER The Committee on Engrossment have examined, and report that they find properly engrossed, Assembly Bill No 228—An Act to repeal an Act entitled "An Act in relation to the office of Court Commissioner of San Joaquin County," approved March twelfth, eighteen hundred and seventy

Also, Assembly Bill No. 224—An Act to amend sections one thousand two hundred and forty-six, one thousand two hundred and forty-eight, and one thousand two hundred and fifty-two, of the Penal Code, relative to appeals to the Supreme Court

Also, Assembly Bill No. 64—An Act to amend sections three thousand four hundred and forty and three thousand four hundred and ninety-four of the Political Code, relative to interest on deferred payments for State land.

Also, Assembly Bill No 158—An Act making appropriation for deficiency for the thirtieth and thirty-first fiscal years for payment of armory rents, purchase of arms, and other expenses of the National Guard of California.

Also, Assembly Bill No 55—An Act to amend sections two hundred and thirty-five and two hundred and sixty-six of an Act entitled "An Act to establish a Political Code," approved March twelfth, eighteen hundred and seventy-two, relating to the meeting of the Legislature, and the compensation of its members.

Also, Assembly Bill No. 144—An Act to amend an Act entitled "An Act regulating the sale of mineral lands belonging to the State," approved March twenty-eighth, eighteen hundred and seventy-four

Also, Assembly Bill No. 146—An Act to amend an Act entitled "An Act concerning the selection and sale of University lands," approved March thirteenth, eighteen hundred and seventy-four

Also, Assembly Bill No 223—An Act to amend section one thousand one hundred and ninety-one of the Penal Code, relative to judgment and execution.

Also, Assembly Bill No. 97—An Act to prohibit the sale of intoxicating liquors in the State Capitol building.

Also, Assembly Joint Resolution No. 5—Relative to procuring an appropriation for the construction of a breakwater in the Harbor of San Luis Obispo

Also, Assembly Joint Resolution No. 6—Relative to procuring a Congressional appropriation of one hundred thousand dollars for the purpose of improving Petaluma Creek for the purposes of navigation.

SHERBURNE, Chairman.

By Mr. Hardy:

MR SPEAKER: Your Committee on Indian Affairs, to whom was referred Assembly Bill No. 459—An Act entitled an Act to regulate and provide a day of rest in certain cases—have had the same under consideration, and herewith report it back, and recommend its passage.

HARDY, Chairman.

By Mr. Fox:

ASSEMBLY CHAMBER, SACRAMENTO, March 6th, 1880.

MR SPEAKER: Your Judiciary Committee, to whom was referred Senate Bill No. 89—An Act to amend section four hundred and twenty-four of the Penal Code, relating to embezzlements and falsification of accounts by public officers.

Also, Assembly Bill No 412—An Act to prevent fraudulent banking.

Also, Assembly Bill No 419—An Act in relation to certified copies of the records or papers filed officially in the office of the State Surveyor-General and Register of the State Land Office.

And also, Assembly Bill No 443—An Act to prohibit civic and political societies and organizations from carrying fire-arms through the public streets of any city or town within the State.

And now report the same back, with recommendation that they severally be passed

We have also had under consideration Assembly Bill No. 429—An Act to amend section six hundred and eighty-eight of the Code of Civil Procedure, relating to property liable to be seized in execution

Also, Assembly Bill No 430—An Act to amend section four thousand two hundred and twenty-one of the Political Code, relative to counting money in the county treasury, and making a statement thereof

Also, Assembly Bill No. 413—An Act to amend section four hundred and twenty-four of the Penal Code, relating to embezzlement and falsification of accounts by public officers, and prescribing the punishment therefor.

And now report the same back, with recommendation that they severally do not pass, and that the authors of said bills, Nos 430 and 413, be allowed to withdraw them.

We have also had under consideration Assembly Bill No 447—An Act to amend section one thousand two hundred and seventy-six of the Code of Civil Procedure, relative to change of names of persons and corporations—and now report the same back, with recommendation that the author be allowed to withdraw it, as its provisions are contained in a Senate bill already acted upon by this committee.

We have also considered Assembly Bill No 434—An Act to add section number one hundred and thirty-nine to the Penal Code.

Also, Senate Bill No 39—An Act to amend sections six hundred and eighty-two, seven hundred and eighty-four, seven hundred and eighty-seven, seven hundred and eighty-eight, seven hundred and eighty-nine, seven hundred and ninety, seven hundred and ninety-two, eight hundred, eight hundred and one, eight hundred and two, eight hundred and six eight hundred and eighty-eight, nine hundred and forty-nine, nine hundred and fifty nine hundred and fifty-one, nine hundred and fifty-three nine hundred and fifty-four, nine hundred and fifty-five, nine hundred and fifty-seven, nine hundred and fifty-eight, nine hundred and fifty-nine, nine hundred and sixty, nine hundred and sixty-one, nine hundred and sixty-four, nine hundred and sixty-five, nine hundred and sixty-six, nine hundred and sixty-seven, nine hundred and sixty-eight, nine hundred and sixty-nine, nine hundred and seventy, nine hundred and seventy-one, nine hundred and seventy-two nine hundred and seventy-six, nine hundred and seventy-seven, nine hundred and eighty-one, nine hundred and eighty-two, nine hundred and eighty-five, nine hundred and eighty-eight, nine hundred and eighty-nine, nine hundred and ninety, nine hundred and ninety-five, nine hundred and ninety-six, nine hundred and ninety-seven, nine hundred and ninety-eight, nine hundred and ninety-nine, one thousand and four, one thousand and five, one thousand and eight, one thousand and nine, one thousand and twelve, etc, of the Penal Code, and to add a new section thereto, to be known as section eight hundred and nine, to provide for prosecutions, and to adapt the provisions of said Code thereto.

And now report the same back with amendments, recommending that they severally be passed as amended.

FOX, Chairman.

By Mr. Merry:

ASSEMBLY CHAMBER, SACRAMENTO, March 6th, 1880

MR SPEAKER: Your Committee on Claims, to whom was referred the claim of John P. Cosgrove for the sum of ten dollars, for services rendered as Phonographic Reporter for the Special Committee appointed to inquire into the threatening attack of Denis Kearney upon the Hon. James Adams, have had the same under consideration, and report it back, and recommend the adoption of the accompanying resolution.

MERRY, Chairman.

Resolved, That the Controller be and he is hereby authorized to draw his warrant on the Treasurer in favor of John P Cosgrove, for the sum of ten dollars ($10), payable out of the Contingent Fund of the Assembly, for services rendered as Phonographic Reporter of the Special Committee appointed to take testimony in reference to the attack of Denis Kearney upon Assemblyman James Adams

Resolution adopted.
By Mr. Estey:

MR. SPEAKER: Your Committee on Mileage have considered the resolution below, find it correct, and recommend the adoption thereof

ESTEY, Chairman.

Resolved, That the Controller be and he is hereby authorized and directed to draw his warrant on the Treasurer, payable out of the Contingent Fund of the Assembly, for the sum of thirty-four and five one-hundredths dollars, in favor of R. W. Parker, for mileage and expenses in the matter of Hon S Braunhart, *in re* habeas corpus. Also, that said Controller draw his warrant in favor of the Chairman of the Select Committee appointed to represent the Assembly in said case, for the sum of fifty and forty one-hundredths dollars, mileage due said committee.

Assembly Bill No. 430—An Act to amend section four thousand two hundred and twenty-one of the Political Code, relative to counting money in the county treasury, and making a statement thereof—reported above by the Chairman of the Judiciary Committee, withdrawn.

Resolution reported by the Chairman of the Committee on Mileage, above, adopted.

By Mr. Estey:

MR. SPEAKER: Your Committee on Mileage have considered the resolution below, and recommend its adoption

ESTEY, Chairman

Resolved, That the Controller be and he is hereby authorized to draw his warrant on the Treasurer in favor of Geo W. Tyler, for the sum of thirty-three and eighty one-hundredths dollars ($33 80), payable out of the Contingent Fund of the Assembly, for mileage of the Chairman of the State Prison Committee and its Phonographic Reporter to San Francisco, to take the testimony of Mr Bennett, a paralyzed witness residing in San Francisco.

Resolution adopted.

INTRODUCTION OF BILLS.

The following bills were introduced, and ordered printed:

By Mr. Walker—An Act to amend section eight hundred and fifty-one of the Code of Civil Procedure, relative to form of pleadings in Justices Courts

Also, an Act to amend sections one thousand nine hundred and seventeen, one thousand nine hundred and thirty-four, one thousand nine hundred and thirty-nine, one thousand nine hundred and forty-one, one thousand nine hundred and fifty-five, one thousand nine hundred and sixty, one thousand nine hundred and seventy-three, one thousand nine hundred and seventy-four, one thousand nine hundred and seventy-five, one thousand nine hundred and eighty-two, one thousand nine hundred and eighty-six, one thousand nine hundred and ninety, one thousand nine hundred and ninety-two, two thousand and twenty-two, two thousand and twenty-eight, two thousand and thirty-nine, two thousand and fifty-nine, two thousand and ninety-five, two thousand and ninety-nine, two thousand and seventy-seven, one thousand nine hundred and forty-two, one thousand nine hundred and twenty, one thousand nine hundred and sixty-two, one thousand nine hundred and sixty-five, two thousand and ninety-four, and two thousand one hundred and fourteen, of the Political Code of California, to repeal section one thousand nine hundred and seventy-five of said Code, approved March

thirtieth, eighteen hundred and seventy-eight, and section one thousand nine hundred and ninety-one of said Code, and to add a new section to said Code, to be known and numbered as section one thousand nine hundred and seventy-seven, relating to the State militia.

By Mr. Morse—An Act to authorize the Board of Supervisors of Mendocino County to issue and sell bonds of the county to the amount of seventeen thousand dollars, for the purpose of paying the outstanding bonds of the county issued under the Funding Act, approved April nineteenth, eighteen hundred and sixty-two

By Mr. Maybell—An Act requiring physicians to report cases of infectious and contagious diseases

By Mr. Fraser—An Act to pay the claim of James W. Marshall.

By Mr Sherburne—An Act to amend sections two thousand six hundred and forty-five, two thousand six hundred and forty-six, two thousand six hundred and forty-seven, two thousand six hundred and forty-eight, two thousand six hundred and forty-nine, two thousand six hundred and fifty, two thousand six hundred and fifty-three, two thousand six hundred and fifty-seven, two thousand six hundred and fifty-eight, two thousand six hundred and fifty-nine, two thousand six hundred and sixty, two thousand six hundred and sixty-one, two thousand six hundred and sixty-two, two thousand six hundred and sixty-three, two thousand six hundred and eighty-five, two thousand six hundred and eighty-seven, two thousand six hundred and eighty-eight, two thousand six hundred and ninety-eight, two thousand seven hundred and three, two thousand seven hundred and six, two thousand seven hundred and seven, two thousand seven hundred and eight, two thousand seven hundred and eleven, two thousand seven hundred and fourteen, two thousand seven hundred and twenty-four, two thousand seven hundred and twenty-five, two thousand seven hundred and twenty-six, two thousand seven hundred and twenty-nine, two thousand seven hundred and thirty-one, two thousand seven hundred and thirty-two, two thousand seven hundred and forty-three, two thousand seven hundred and forty-six, two thousand seven hundred and forty-seven, two thousand seven hundred and fifty-four, and two thousand seven hundred and fifty-five, and to repeal sections two thousand six hundred and fifty-one, two thousand six hundred and fifty-two, two thousand six hundred and fifty-four, two thousand six hundred and eighty-six, and two thousand seven hundred and four, of the Political Code, relating to roads and highways.

Mr. Fox moved that the bills on third reading be now considered. Adopted.

Mr Corcoran renewed his motion to reconsider the vote by which the enacting clause of Assembly Bill No. 137—An Act to repeal an Act entitled "An Act to regulate the practice of medicine in the State of California"—was stricken out.

The consideration of bills on the third reading file temporarily suspended in order to consider above motion.

The motion to reconsider was lost.

NOTICE.

By Mr. Messenger:

Mr Speaker I give notice that I will, on to-morrow, move to amend subdivision nine of Standing Rule Nineteen so as to read, "A Committee on County Governments to consist of nine members," and to add thereto a new subdivision to be numbered forty-one, to read, "A Committee on Municipal Corporations to consist of nine members."

Assembly Bill No. 242—An Act to repeal an Act entitled an Act to ratify and confirm the acts of the Mayor and Common Council of the City of San José, approved March fourth, eighteen hundred and seventy-eight.

Withdrawn.

THIRD READING OF BILLS.

Assembly Bill No 164—An Act establishing a legal rate of interest.

Taken up.

The amendment to section one, line two, to strike out the word "six," and insert the word "seven," adopted.

Mr. Fox moved to amend by striking out all after the word "year," from line two, section one.

Adopted.

Mr. Fox moved to amend by striking out section two of the bill.

Carried.

Mr. Fox moved to amend by striking out the words "thirty days," from line two, section three.

Mr. Fraser, Speaker pro tem., in the chair.

Pending further discussion of the bill, it was withdrawn by the author.

Assembly Bill No. 159—An Act to amend section four hundred and seven of the Code of Civil Procedure.

Withdrawn.

Assembly Bill No. 149—An Act to amend an Act entitled "An Act concerning actions for libel and slander," approved March twenty-third, eighteen hundred and seventy-two.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Anthony, Bass, Braunhart, Brooks, Brusie, Burns, Camron, Chamberlain, Coleman, Cook, Cooper, Corcoran, Dimond, Downs, DuBrutz, Estey, Felton, Fox, Fraser, Frink, Garibaldi, Gaffey, Gorley, Josselyn, Leach, Levee, Maguire, McCallion, McCarthy of San Francisco, McComas, McIntosh, Merry, Messenger, Morse, Mulholland, Simon, Sherburne, Stanley, Stoddard, Sheefer, Tyler, Valle Del, Ward, Wason of Ventura, Wattson, York, and Young—47.

NOES—Messrs Brown of Sonoma and Maybell—2.

Title approved.

PROTEST.

By Mr. Braunhart:

MR SPEAKER: I hereby enter my protest against the action of the House, by which the Hon Geo. W Tyler, Hon. Chas N Fox, and Hon T H. Merry were permitted to vote upon a resolution involving an expenditure of money, in the sum of fifty dollars and forty cents, in which they were personally interested, and against the further action of the House by which I was not permitted to vote or speak on said resolution, not being personally interested, and ordered outside of the bar of the House.

Very respectfully, SAMUEL BRAUNHART

THIRD READING OF BILLS—RESUMED.

Assembly Bill No. 148—An Act to amend an Act entitled "An Act to enable certain parties, therein named, to alienate or incumber homesteads," approved March twenty-fifth, eighteen hundred and seventy-four

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Adams, Anthony, Bass, Braunhart, Brooks, Brown of Sonoma, Brown of Yuba, Brusie, Burns, Cannon, Carr of Sacramento, Chamberlain, Chandler, Coleman, Cook, Cuthbert, Downs, Felton, Fox, Fraser, Frink, Garibaldi, Gaffey, Gorley, Green, Hynes, Josselyn, Leach, Maguire, McCallion, McCarthy of San Francisco, McComas, McIntosh, Merry, Messenger, Morse, Mulholland, Nelson, Picket, Sayle, Simon, Sherburne, Spencer, Stanley, Stoddard, Streeter, Sweetland, Tyler, Valle Del, Ward, Wason of Ventura, Wattson, York, and Young—54.

NOES—Messrs Cooper, Dimond, DuBrutz, Estey, Levee, and Maybell—6.

Title approved.

Assembly Bill No. 143—An Act to amend an Act entitled "An Act relating to apprentices and masters," approved April third, eighteen hundred and seventy-six.

Read third time.

Mr. McCallion moved to amend after the word "eighteen," in line seven, section four, by inserting the words, "but in no case shall the term of apprenticeship be for a longer term than five years."

Adopted.

Mr. Maybell moved to strike out the enacting clause of the bill.

Mr. Fox raised the point of order that the motion having been made and lost before, could not be again put.

The Speaker pro tem ruled the point not well taken, as the bill had since been amended.

Mr. Fox appealed from the decision of the Speaker.

Pending discussion, the appeal was withdrawn.

The question came on the motion to strike out the enacting clause, and the motion was lost.

Mr. Tyler gave notice that he would move to reconsider the vote by which the amendment to the bill was adopted.

Assembly Bill No 142—An Act to amend the Penal Code, by adding a new section thereto, to be known as section five hundred and thirty-six, relative to cheats.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Adams, Anthony, Bass, Bennett, Brooks, Brown of Sonoma, Brusie, Burns, Cannon, Carr of Sacramento, Chamberlain, Chandler, Coleman, Cook, Cooper, Corcoran, Dimond, Downs, DuBrutz, Estey, Felton, Fox, Fraser, Frink, Garibaldi, Gorley, Green, Harris, Hynes, Josselyn, Lane, Leach, Levee, Maguire, Mathews, McCallion, McCarthy of San Francisco, McComas, McDade, Merry, Messenger, Morse, Mulholland, Nelson, Picket, Sayle, Simon, Sherburne, Stanley, Stoddard, Streeter, Sweetland, Tyler, Valle Del, Walker, Ward, Wason of Ventura, Wattson, York, and Young—60.

NOES—None

Title approved.

Mr. Stoddard moved to take up Senate Bill No. 57—An Act relative to the currency of the United States.

Lost.

Assembly Bill No 127—An Act to amend sections three hundred and eighteen, three hundred and nineteen, three hundred and twenty, three hundred and twenty-one, three hundred and twenty-two, three hundred and twenty-five, three hundred and thirty-six, three hundred and thirty-seven, three hundred and thirty-nine, three hundred and forty, three hundred and forty-two, and three hundred and forty-three, of the Code of Civil Procedure, relative to limitations of actions.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Adams, Anthony, Bass, Bennett, Brooks, Brown of Sonoma, Brusie, Burns, Camron, Carr of Sacramento, Chamberlain, Chandler, Cook, Cooper, Corcoran, Dimond, Estey, Felton, Fox, Fraser, Frink, Garibaldi, Gorley, Harris, Hynes, Josselyn, Lane, Leach, Levee, Maguire, Mathews, McCallion, McComas, McDade, McIntosh, Merry, Messenger, Morse, Mulholland, Nelson, Picket, Sayle, Simon, Sherburne, Stanley, Stoddard, Streeter, Tyler, Valle Del, Walker, Ward, Wason of Ventura, Wattson, York, and Young—55.
NOES—Mr Maybell—1.

Title approved.

Assembly Bill No 130—An Act to amend section six hundred and ninety-one of the Political Code, approved March eighteenth, eighteen hundred and seventy-eight.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs Adams, Anthony, Bass, Bennett, Brooks, Brusie, Burns, Camron, Carr of Sacramento, Carr of Yuba, Chandler, Coleman, Cook, Cooper, Corcoran, Dimond, Downs, DuBrutz, Estey, Felton, Fox, Fraser, Frink, Garibaldi, Gorley, Green, Harris, Hynes, Josselyn, Lane, Leach, Levee, Maguire, Mathews, McCallion, McCarthy of San Francisco, McComas, McIntosh, Merry, Messenger, Morse, Mulholland, Nelson, Picket, Sayle, Sherburne, Stanley, Stoddard, Streeter, Sweetland, Tyler, Valle Del, Walker, Ward, Wason of Ventura, Wasson of Mono, Wattson, York, and Young—59.
NOES—None

Title amended, and approved as amended.

Assembly Bill No. 118—An Act to amend section one thousand three hundred and eighteen of an Act entitled "An Act to establish a Code of Civil Procedure," approved March eleventh, eighteen hundred and seventy-two, relative to the contesting of the probate of wills.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs Adams, Anthony, Bass, Bennett, Braunhart, Brooks, Brusie, Burns, Camron, Carr of Sacramento, Carr of Yuba, Chamberlain Chandler, Coleman, Cook, Cooper, Corcoran, Cuthbert, Dimond, Downs, Estey, Felton, Fox, Fraser, Frink, Garibaldi, Gorley, Green, Harris, Hynes, Josselyn, Lane, Leach, Levee, Maguire, Mathews, Maybell, McCallion, McCarthy of San Francisco, McComas, McDade, McIntosh, Merry, Messenger, Morse, Mulholland, Nelson, Picket, Sherburne, Stanley, Stoddard, Streeter, Tyler, Valle Del, Walker, Ward, Wason of Ventura, York, and Young—59.
NOES—None.

Title approved.

Assembly Bill No. 111—An Act to amend section six hundred and eighty-five of the Code of Civil Procedure of California, in relation to the enforcement of judgments.

Read third time.

Speaker Cowdery in the chair.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Adams Anthony, Bass Bennett, Brusie, Camron, Carr of Sacramento, Chamberlain, Chandler, Coleman, Cook, Cooper, Corcoran, Dimond, Downs, DuBrutz, Estey, Felton, Fox, Fraser, Frink, Gaffey, Gorley, Green, Harris, Hynes, Leach Levee, Maguire, Mathews, McCallion, McCarthy of San Francisco, McComas, McDade, McIntosh, Merry, Messenger, Morse, Mulholland, Nelson, Picket, Sayle, Sherburne, Stanley, Stoddard, Streeter, Valle Del, Walker, Ward, Wason of Ventura, Wattson, York, Young, and Mr. Speaker—54
NOES—Messrs Braunhart, Brooks, Carr of Yuba, Garibaldi, Lane, and Maybell—6.

Title approved.

Assembly Bill No. 284—An Act to amend an Act entitled "An Act authorizing the Board of Supervisors of Sierra County to build a certain wagon road in said county, and to issue bonds therefor."

Read third time.

Mr. Fraser moved that the Clerk be authorized to correct the bill.
So ordered.

The question being upon the passage of the bill, and Mr. Braunhart having the floor, and in the course of his remarks using the language, "Members of this House had treated him infamously," Mr. Fox raised the point of order that the words were disrespectful to the Assembly, and Mr. Tyler moved that the words be taken down by the Clerk.

So ordered.

RECESS.

The hour of one o'clock P. M. having arrived, the House took a recess for one hour.

RE-ASSEMBLED.

The House re-assembled at two o'clock P. M.

Speaker Cowdery in the chair.

Quorum present.

Mr. McIntosh gave notice that he would, on Monday next, move to reconsider the vote by which Assembly Bill No. 111—An Act to amend section six hundred and eighty-five of the Code of Civil Procedure of California, in relation to the enforcement of judgments—passed the House

The consideration of Assembly Bill No. 284—An Act to amend an Act entitled "An Act authorizing the Board of Supervisors of Sierra County to build a certain wagon road in said county, and to issue bonds therefor"—resumed.

The roll was called, and the bill passed by the following vote:

AYES—Messrs Adams, Anthony, Bass, Bennett, Braunhart, Brown of Sonoma, Brown of Yuba, Brusie, Burns, Cannon, Coleman, Cooper, Corcoran, Cuthbert, Dimond, Felton, Fox, Frink, Gaffey, Green, Hynes, Lane, Leach, Maybell, McCarthy of San Francisco, McComas, McIntosh, Merry, Messenger, Morse, Mulholland, Nelson, Sayle, Sherburne, Spencer, Stanley, Stoddard, Streeter, Tyler, Valle Del, Walker, Ward, Wason of Ventura, Wattson, York, Young, and Mr Speaker—47.

NOES—Messrs. Cook, Picket, and Simon—3.

Title approved.

The Speaker stated that Mr. Braunhart used language this morning that was disrespectful to the House, which was taken down by the Clerk upon motion of Mr. Tyler. During the hour of recess Mr. Braunhart had stated to the Speaker that he was at the time laboring under great mental excitement, caused by fancied wrongs and slights, and that he was very sorry that he used such language, and that he desired to withdraw the same and resume pleasant relations with every member of the House. The Speaker also stated that he knew Mr. Braunhart deeply regretted all that occurred, not only what unpleasant scenes he had been an actor in to-day, but also in the past, and he hoped the gentleman's excuse would be received, as he was confident that the future would be free from such disturbances

Mr. Tyler moved that the whole matter of the disorderly language be indefinitely postponed.

Carried unanimously

Mr Wason of Ventura moved that Senate messages be taken up to consider Senate Bill No 426—An Act to continue in operation the public schools of this State.

So ordered.

That portion of the Senate message of March sixth, eighteen hundred and eighty, relating to the passage of said bill, was then read.

Mr. Wason moved that this be considered a case of urgency within the meaning of the Constitution.

Upon which motion the roll was called, and the House so decided by the following vote:

AYES—Messrs. Adams, Anthony, Bass, Bennett, Braunhart, Brooks, Brown of Yuba, Brusie, Burns, Camron, Carr of Yuba, Coleman, Cook, Cooper, Corcoran, Cuthbert, Dimond, Downs, DuBrutz, Felton, Fox, Fraser, Frink, Garibaldi, Gaffey, Gorley, Green, Hynes, Josselyn, Lane, Maguire, Maybell, McCallion, McCarthy of San Francisco, McComas, McDade, McIntosh, Merry, Messenger, Morse, Mulholland, Nelson, Picket, Sayle, Simon, Sherburne, Spencer, Stanley, Stoddard, Streeter, Sweetland, Tyler, Valle Del, Walker, Ward, Wason of Ventura, Wasson of Mono, Wattson, York, Young, and Mr. Speaker—61

NOES—Mr. Leach—1.

The said Senate Bill No. 426—An Act to continue in operation the public schools of this State—was then taken up and read.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Anthony, Bass, Bennett, Braunhart, Brown of Sonoma, Brown of Yuba, Brusie, Burns, Camron, Carr of Yuba, Coleman, Cook, Cooper, Corcoran, Cuthbert, Downs, DuBrutz, Felton, Fox, Fraser, Frink, Garibaldi, Gaffey, Gorley, Green, Hynes, Josselyn, Lane, Leach, Levee, Maguire, Maybell, McCallion, McCarthy of San Francisco, McComas, McDade, McIntosh, Merry, Messenger, Morse, Mulholland, Nelson, Picket, Sayle, Simon, Sherburne, Spencer, Stanley, Stoddard, Streeter, Sweetland, Tyler, Valle Del, Walker, Ward, Wason of Ventura, Wattson, York, Young and Mr. Speaker—60

NOES—None

Senate Bill No. 118—An Act to amend part one of the Code of Civil Procedure, and each and every title, chapter, article, and section of said part one, and substituting a new part one, to take the place thereof in said Code, relating to Courts of justice, and the various officers connected therewith.

Taken up.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Adams, Anthony, Bass, Bennett, Braunhart, Brown of Sonoma, Brown of Yuba, Brusie, Camron, Chandler, Coleman, Cook, Cooper, Corcoran, Dimond, Downs, DuBrutz, Estey, Felton, Fox, Fraser, Frink, Gorley, Green, Harris, Hynes, Josselyn, Lane, Leach, Maguire, Mathews, Maybell, McCallion, McCarthy of San Francisco, McComas, McDade, McIntosh, Merry Messenger, Morse, Mulholland, Nelson, Picket, Sayle, Sherburne, Spencer, Stanley, Stoddard, Streeter, Tyler, Valle Del, Ward, Wason of Ventura, Wasson of Mono, Wattson, York, Young, and Mr Speaker—58

NOES—Messrs. Levee, Sweetland, and Walker—3.

Title approved.

Assembly Bill No. 230—An Act for the further protection of stockholders in mining companies.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Adams, Anthony, Bass, Bennett, Braunhart, Brown of Sonoma, Brown of Yuba, Brusie, Burns, Chandler, Coleman, Cook, Cooper, Corcoran, Dimond, Downs DuBrutz, Estey, Felton, Fox, Fraser, Gorley, Green, Harris, Hynes, Josselyn, Lane, Leach, Levee, Maguire, Maybell, McCallion, McIntosh, Merry, Messenger, Morse, Mulholland, Nelson, Picket, Sayle, Sherburne, Spencer, Stanley Stoddard, Streeter, Sweetland, Tyler, Valle Del, Walker, Ward, Wason of Ventura, Wattson, York, Young, and Mr. Speaker—55.

NOES—None.

Title approved.

Assembly Bill No. 248—An Act amendatory of and supplemental to an Act entitled "An Act supplemental to an Act entitled an Act concerning corporations, passed April twenty-second, eighteen hundred and fifty," approved March twenty-first, eighteen hundred and seventy-two.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Adams, Anthony, Bass, Bennett, Braunhart, Brown of Sonoma, Brown of Yuba, Brusie, Camron, Chandler, Coleman, Cook, Cooper, Corcoran, Cuthbert, Dimond, Downs, Estey, Felton, Fox, Fraser, Frink, Gorley, Green, Harris, Hynes, Josselyn, Lane, Leach, Levee, Maguire, McCallion, McCarthy of San Francisco, McIntosh, Merry, Messenger, Morse, Mulholland, Nelson, Picket, Sayle, Sherburne, Spencer, Stanley, Streeter, Sweetland, Tyler, Valle Del, Walker, Ward, Wason of Ventura, Wasson of Mono, Wattson, York, Young, and Mr. Speaker—56.

NOES—None.

Title approved.

Assembly Bill No. 109—An Act permitting and authorizing railway and other corporations organized under the laws of any State or Territory of the United States of America, or any Act of Congress of the United States of America, to do business in this State on the same terms as railway corporations organized under the laws of this State.

Read third time.

The amendment recommended by the committee adopted.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Adams, Bass, Brown of Sonoma, Brown of Yuba, Brusie, Camron, Chandler, Cook, Cooper, Corcoran, Cuthbert, Dimond, Downs, DuBrutz, Estey, Felton, Fox, Fraser, Frink, Gorley, Green, Harris, Hynes, Josselyn, Lane, Leach, Levee, Maguire, Maybell, McCallion, McCarthy of San Francisco, McComas, McDade, McIntosh, Merry, Messenger, Morse, Mulholland, Nelson, Picket, Sayle, Simon, Sherburne, Spencer, Stanley, Streeter, Tyler, Valle Del, Ward, Wason of Ventura, Wattson, York, Young, and Mr. Speaker—54.

NOES—Messrs. Anthony, Sweetland, and Walker—3.

Title approved.

Mr. Levee gave notice that he would, on Monday, move to reconsider the vote by which the House passed the above bill.

Assembly Bill No. 261—An Act to amend section sixty of the Civil Code of California, relating to the intermarriage of whites with negroes and persons of other races.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Adams, Anthony, Bass, Bennett, Braunhart, Brown of Sonoma, Brown of Yuba, Brusie, Chandler, Cook, Cooper, Cuthbert, Downs, DuBrutz, Estey, Fox, Fraser, Green, Harris, Josselyn, Lane, Maguire, McCarthy of San Francisco, McComas, McDade, McIntosh, Merry, Messenger, Morse, Mulholland, Nelson, Picket, Sayle, Simon, Spencer, Stanley, Tyler, Valle Del, Walker, Ward, Wason of Ventura, Wattson, York, Young, and Mr. Speaker—45.

NOES—Messrs. Dimond, Gorley, Maybell, McCallion, Sherburne, Stoddard, and Sweetland—7.

Title approved.

Mr. York gave notice that he would, on Monday, move to reconsider the vote by which the House passed the bill.

Assembly Bill No. 199—An Act to amend section three thousand four hundred and ninety-five of the Political Code, relating to reservation of public lands for Indians.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs Adams, Anthony, Bass, Bennett, Braunhart, Brown of Sonoma, Brown of Yuba, Brusie, Camron, Chandler, Coleman, Cook, Cuthbert, Dimond, Downs, DuBrutz, Estey, Fraser, Frink, Gorley, Green, Harris, Hynes, Josselyn, Lane, Maguire, Maybell, McCallion, McComas, McIntosh, Merry, Messenger, Mulholland, Nelson, Picket, Sayle, Simon, Sherburne, Spencer, Stanley, Stoddard, Streeter, Sweetland, Tyler, Valle Del, Walker, Ward, Wason of Ventura, York, Young, and Mr. Speaker—51

NOES—Messrs. Felton, Fox, Leach, McCarthy of San Francisco, and Morse—5.

Title approved.

Senate Bill No. 143—An Act to repeal an Act entitled "An Act for the appointment of Inspector of Stationary Steam-boilers and Steam-tanks, and for the better security of life and property in the City and County of San Francisco," approved March twenty-seventh, eighteen hundred and seventy-six.

Read third time.

The previous question being demanded by Messrs. Cuthbert, Leach, and Lane, the House so ordered.

The roll was then called, and the bill was passed by the following vote:

AYES—Messrs. Adams, Anthony, Bass, Bennett, Braunhart, Burns, Camron, Carr of Yuba, Chandler, Coleman, Cook, Cooper, Corcoran, Cuthbert, Dimond, Downs, Estey, Felton, Fox, Fraser, Gaffey, Gorley, Green, Hynes, Leach, Maguire, McCallion, McCarthy of San Francisco, McDade, McIntosh, Merry, Morse, Picket, Simon, Spencer, Stanley, Stoddard, Streeter, Sweetland, Valle Del, Walker, Ward, Wason of Ventura, York, Young, and Mr. Speaker—46.

NOES—Messrs Brown of Sonoma, Brown of Yuba, Brusie, DuBrutz, Frink, Josselyn, Lane, Levee, Maybell, McComas, Messenger, Nelson, Sayle, Sherburne, Tyler, and Wattson—16.

Title approved.

Mr. Fox moved that so many of the bills on the third reading file as have not been disposed of be made the special order for Monday next at ten o'clock A. M.

Carried.

Mr. McCallion gave notice that he would, on Monday next, move to reconsider the vote by which Senate Bill No. 143 was passed to-day.

At four o'clock and thirty-five minutes P. M. Mr. Camron moved to adjourn.

Lost.

Mr. Braunhart moved to take a recess until seven o'clock and thirty minutes P. M.

Lost.

At four o'clock and thirty-six minutes P. M. Mr. McCarthy moved to adjourn.

Lost.

Assembly Bill No. 147—An Act to amend an Act entitled "An Act supplemental to an Act concerning corporations, passed twenty-second April, eighteen hundred and fifty," approved March twenty-first, eighteen hundred and seventy-two.

Withdrawn

Assembly Bill No. 460—An Act to amend sections one thousand five hundred and seventeen, one thousand five hundred and twenty-one, one thousand five hundred and thirty-two, one thousand five hundred and forty-three, one thousand five hundred and forty-five, one thousand five hundred and forty-eight, one thousand five hundred and fifty, one thousand five hundred and fifty-one (*a*), one thousand five hundred and seventy-seven, one thousand five hundred and ninety-three, one thousand five hundred and ninety-seven, one

thousand five hundred and ninety-eight, one thousand six hundred, one thousand six hundred and eleven, one thousand six hundred and sixteen one thousand six hundred and seventeen, one thousand six hundred and nineteen, one thousand six hundred and twenty, one thousand six hundred and twenty-one, one thousand six hundred and twenty-two, one thousand six hundred and twenty-four, one thousand six hundred and sixty-two, one thousand six hundred and sixty-three, one thousand six hundred and sixty-five, one thousand six hundred and sixty-six, one thousand six hundred and ninety-six, one thousand seven hundred and one, one thousand seven hundred and twelve, one thousand seven hundred and fifteen, one thousand seven hundred and sixty-eight, one thousand seven hundred and sixty-nine, one thousand seven hundred and seventy, one thousand seven hundred and seventy-one, one thousand seven hundred and seventy-two, one thousand seven hundred and seventy-four, one thousand seven hundred and seventy-five, one thousand seven hundred and eighty-seven, one thousand seven hundred and eighty-eight, one thousand seven hundred and ninety, one thousand seven hundred and ninety-one, one thousand eight hundred and seventeen, one thousand eight hundred and eighteen, one thousand eight hundred and thirty-four, one thousand eight hundred and thirty-five, one thousand eight hundred and thirty-six, one thousand eight hundred and thirty-seven, one thousand eight hundred and fifty-seven, one thousand eight hundred and fifty-eight, one thousand eight hundred and fifty-nine, one thousand eight hundred and sixty-one, one thousand eight hundred and sixty-nine, one thousand eight hundred and seventy-one, and one thousand eight hundred and seventy four, to add new sections one thousand five hundred and sixty-five one thousand five hundred and eighty-three, one thousand seven hundred and three, one thousand seven hundred and four, and one thousand eight hundred and seventy-nine, and to repeal sections one thousand five hundred and fifty-one (*b*), one thousand six hundred and fifty-two, one thousand six hundred and sixty-nine, one thousand six hundred and seventy, one thousand seven hundred and forty-one one thousand seven hundred and forty-two, one thousand seven hundred and forty-three, one thousand seven hundred and forty-four, one thousand seven hundred and forty-five, one thousand seven hundred and forty-six, one thousand seven hundred and forty-seven, one thousand seven hundred and forty-eight, one thousand seven hundred and forty-nine, one thousand seven hundred and fifty, one thousand seven hundred and fifty-one, one thousand seven hundred and fifty-two, one thousand seven hundred and fifty-three, one thousand seven hundred and fifty-four, one thousand seven hundred and fifty-five, one thousand seven hundred and fifty-seven, one thousand seven hundred and fifty-eight, one thousand seven hundred and seventy-seven, one thousand seven hundred and ninety-three, one thousand seven hundred and ninety-four, one thousand eight hundred and thirty-eight, one thousand eight hundred and forty, one thousand eight hundred and forty-one, one thousand eight hundred and forty-two, one thousand eight hundred and forty-three, one thousand eight hundred and forty-four, one thousand eight hundred and forty-five, one thousand eight hundred and forty-six, one thousand eight hundred and forty-seven, one thousand eight hundred and forty-eight, one thousand eight hundred and forty-nine, one thousand

eight hundred and fifty, one thousand eight hundred and fifty-one, one thousand eight hundred and fifty-two, and one thousand eight hundred and seventy-two, of an Act entitled an Act to establish a Political Code, approved March twelfth, A. D. eighteen hundred and seventy-two, relating to public schools.

Made the special order for Wednesday next, at two o'clock P. M., on motion of Mr. Carr of Yuba.

Assembly Bill No. 17—An Act for the protection of patients from extortion by dishonest physicians and druggists.

Passed on file.

Assembly Bill No 184—An Act to provide for the keeping of accounts in the English language.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Adams, Anthony, Bass, Braunhart, Brown of Sonoma, Brown of Yuba, Brusie, Burns, Camron, Carr of Yuba, Coleman, Cook, Cooper, Corcoran, Cuthbert, Downs, Estey, Felton, Fox, Fraser, Garibaldi, Gaffey, Gorley, Green, Hynes, Lane, Leach, Levee, Maguire, Maybell, McCallion, McCarthy of San Francisco, McComas, McIntosh, Merry, Messenger, Morse, Nelson, Picket, Sayle, Simon, Sherburne, Stanley, Stoddard, Sweetland, Valle Del, Walker, Ward, Wason of Ventura, Wattson, and Mr. Speaker—52

NOES—Messrs. Bennett, Chandler, DuBrutz, Frink, Spencer, Streeter, Tyler, and Young—8.

Mr. Fraser, Speaker pro tem., in the chair.

Title approved.

At four o'clock and forty-five minutes P. M. Mr. Gaffey moved to adjourn.

Lost.

Assembly Bill No. 19—An Act to compel banks, savings and loan societies, and all and every kind of person or persons or corporation receiving moneys or other valuable property on deposit or for safe keeping, to publish a sworn statement in certain cases.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Adams, Anthony, Bass, Bennett, Braunhart, Brown of Sonoma, Brown of Yuba, Brusie, Camron, Carr of Yuba, Chandler, Cooper, Corcoran, Cuthbert, Downs, DuBrutz, Estey, Felton, Fox, Fraser, Frink, Garibaldi, Gaffey, Gorley, Green, Harris, Hynes, Lane, Leach, Levee, Maguire, Maybell, McCallion, McCarthy of San Francisco, McComas, McIntosh, Merry, Messenger, Morse, Nelson, Picket, Sayle, Simon, Sherburne, Spencer, Stanley, Stoddard, Streeter, Sweetland, Valle Del, Walker, Ward, Wason of Ventura, York, and Young—55.

NOES—Messrs. Coleman and Tyler—2

Title approved.

ADJOURNMENT.

At four o'clock and fifty-five minutes P. M. Mr. Camron moved to adjourn.

Upon which motion the ayes and noes were demanded by Messrs. Maybell, Felton, and Carr of Yuba.

The roll was called, and the motion was carried by the following vote:

AYES—Messrs Adams, Bass, Bennett, Brown of Sonoma, Brown of Yuba, Brusie, Camron, Carr of Yuba, Chandler, Coleman, Cook, Cuthbert, Downs, Felton, Fox, Fraser, Frink, Garibaldi, Gaffey, Gorley, Green, Josselyn, Lane, Levee, Maguire, McCallion, McCarthy of San Francisco, Merry, Morse, Nelson, Picket, Simon, Sherburne, Stanley, Stoddard, Sweetland, Valle Del, Walker, Wason of Ventura, and Young—40.

NOES—Messrs Anthony, Braunhart, Cooper, Corcoran, Estey, Hynes, Leach, Maybell, McComas, McIntosh, Messenger, Sayle, Spencer, Streeter, Tyler, and York—16.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Monday, March 8th, 1880.

House met pursuant to adjournment.
Speaker Cowdery in the chair.
Roll called, and a quorum present.
Prayer by the Chaplain.
One day's leave of absence granted to Messrs. Leadbetter, Chamberlain, and Finlayson, and two days' leave of absence granted to Mr. Mathews.

READING AND APPROVAL OF THE JOURNAL.

Mr. McComas moved that the further reading of the Journal be dispensed with.
So ordered.
The Journal of Saturday approved

PETITIONS.

By Mr. Cook—Two petitions from citizens of Shasta County, and one petition each from the Counties of Shasta and Modoc, asking for the establishment of a Branch Normal School at the Town of Reading.
Above petitions referred to the Committee on Education.
By Mr Anthony—A petition from citizens of the State asking that the right to succeed to the community property, on the death of the husband, be conferred upon the wife.
Referred to the Judiciary Committee.
Also, a petition from citizens of the State, asking such legislation as will allow women citizens to vote for all State, county, city, and school district officers.
Referred to the Committee on Education.
Also, a petition from citizens of the State, asking such legislation as will qualify the women citizens of the State to vote for President and Vice-President of the United States.
Referred to the Committee on Elections.

REPORTS OF STANDING COMMITTEES.

By Mr. Brown of Yuba:

ASSEMBLY CHAMBER, SACRAMENTO, March 8th, 1880.

MR. SPEAKER: The Committee on Corporations, to whom was referred Assembly Bill No 316—An Act to amend an Act entitled "An Act creating a Board of Bank Commissioners and prescribing their duties and powers," approved March thirtieth, A D eighteen hundred and seventy-eight—have had the same under consideration, and report the same back to the Assembly with amendments, and recommend its passage as amended

BROWN of Yuba, Chairman.

By Mr. Sherburne:

ASSEMBLY CHAMBER, March 8th, 1880.

MR SPEAKER: The Committee on Engrossment have examined, and report that they find properly engrossed, Assembly Bill No 99—An Act to amend sections five hundred and ninety-six and six hundred and thirty-three of the Political Code, relating to life insurance

Also, Assembly Bill No 148—An Act to amend an Act entitled "An Act to enable certain parties therein named to alienate or incumber homesteads," approved March twenty-fifth, eighteen hundred and seventy-four.

Also, Assembly Bill No. 149—An Act to amend an Act entitled "An Act concerning actions for libel and slander," approved March twenty-third, eighteen hundred and seventy-two.

Also, Assembly Bill No. 142—An Act to amend the Penal Code by adding a new section thereto, to be known as section five hundred and thirty-six, relative to cheats.

Also, Assembly Bill No. 118—An Act to amend section one thousand three hundred and eighteen of an Act entitled "An Act to establish a Code of Civil Procedure," approved March eleventh, eighteen hundred and seventy-two, relative to the contesting of the probate of wills.

Also, Assembly Bill No. 130—An Act to amend section six hundred and ninety-one of the Political Code, approved March eighteenth, eighteen hundred and seventy-eight, relating to Notaries Public.

Also, Assembly Bill No. 127—An Act to amend sections three hundred and eighteen, three hundred and nineteen, three hundred and twenty, three hundred and twenty-one, three hundred and twenty-two, three hundred and twenty-five, three hundred and thirty-six, three hundred and thirty-seven, three hundred and thirty-nine, three hundred and forty, three hundred and forty-two, and three hundred and forty-three of the Code of Civil Procedure, relative to limitations of actions.

SHERBURNE, Chairman.

INTRODUCTION OF BILLS.

The following bills were introduced, and ordered printed:

By Mr. Maybell—An Act to amend section five thousand three hundred and fifty-six of the Civil Code.

By Mr. Morse—An Act to provide for the payment of the expense incurred in the capture of ex-convicts accused of the commission of felony.

By Mr. Maybell—An Act to impose a tax on Chinese in this State.

By Mr. Tyler—An Act to establish a State Detective Force, for the better enforcement of the laws.

The Speaker presented a communication from the Chamber of Commerce of San Francisco, relative to the Atlantic and Pacific Railroad.

Referred to the Committee of the Whole House.

Mr. Tyler, pursuant to notice, moved to reconsider the vote by which the amendment to Assembly Bill No. 143—An Act to amend an Act entitled "An Act relating to apprentices and masters," approved April third, eighteen hundred and seventy-six—was adopted.

Mr. Burns moved to lay the motion on the table.

Lost.

The vote was then reconsidered.

The amendment was then rejected.

Mr. Levee, pursuant to notice, moved to reconsider the vote by which the House passed Assembly Bill No. 109—An Act permitting and authorizing railway and other corporations organized under the laws of any State or Territory of the United States of America, or any Act of Congress of the United States of America, to do business in this State on the same terms as railway corporations organized under the laws of this State.

Upon which the ayes and noes were demanded by Messrs. Levee, Cooper, and Wason of Ventura.

The roll was called, and the motion was lost by the following vote:

AYES—Messrs. Anthony, Bennett, Burns, Carr of Yuba, Chandler, Cuthbert, Dimond, Fraser, Gaffey, Gorley, Green, Harris, Hershey, Hynes, Leach, Levee, Maguire, Maybell, McCallion, McCarty of Lake, McCarthy of San Francisco, McConnas, McDade, Morse, Mulholland, Picket, Sayle, Simon, Spencer, Stanley, Streeter, Swectland, Valle Del, Ward, Wason of Ventura, and Wattson—36.

NOES—Messrs. Adams, Bass, Brown of Sonoma, Brown of Yuba, Bruner, Busse, Cannon, Coleman, Cook, Cooper, Corcoran, Durham, Estey, Felton, Fox, Funk, Garibaldi, Josselyn, Lane, McIntosh, Messenger, Nelson, Sherburne, Stoddard, Tyler, Wasson of Mono, York, Young, and Mr. Speaker—29.

The Speaker, ruling that under the Constitution it required the same number of votes, to wit, a majority of the votes of the Assembly, to reconsider a vote by which a bill had passed the House as it did to pass the bill, Mr. Del Valle appealed from the decision of the Speaker.

The question was, "Shall the decision of the Chair stand as the judgment of the House?"

Mr. Del Valle withdrew his appeal

The Speaker's decision was then declared to be the judgment of the House.

Mr McCallion, pursuant to notice, moved to reconsider the vote by which the House passed Senate Bill No. 143—An Act to repeal an Act entitled "An Act for the appointment of Inspector of Stationary Steam-boilers and Steam-tanks, and for the better security of life and property in the City and County of San Francisco," approved March twenty-seventh, eighteen hundred and seventy-six.

Mr. Gorley moved that the motion to reconsider be indefinitely postponed.

Carried.

Mr. York moved to reconsider the vote by which Assembly Bill No. 261—An Act to amend section sixty of the Civil Code of California, relating to the intermarriage of whites with negroes and persons of other races—was passed.

Mr. Carr of Yuba moved to lay the motion to reconsider on the table.

Carried.

Assembly Bill No. 310—An Act to amend section three thousand seven hundred and sixty-four of the Political Code of this State, in relation to the collection of delinquent taxes.

Withdrawn.

SPECIAL ORDER FOR MONDAY, MARCH EIGHTH, EIGHTEEN HUNDRED AND EIGHTY, AT TEN O'CLOCK A. M.

Third reading file now taken up.

Assembly Bill No. 242—An Act to repeal an Act entitled an Act to ratify and confirm the acts of the Mayor and Common Council of the City of San José, approved March fourth, eighteen hundred and seventy-eight.

Ordered to the foot of the third reading file.

Assembly Bill No. 13—An Act to repeal an Act entitled "An Act to establish water rates in the City and County of San Francisco," approved March first, eighteen hundred and seventy-six, and an Act amendatory of and supplementary to the same, approved April third, eighteen hundred and seventy-six.

Read third time.

The roll was called, and the bill refused passage by the following vote:

AYES—Messrs. Bennett, Bruner, Brusie, Coleman, Cooper, Corcoran, Cuthbert, Durham, Estey, Felton, Fox, Fraser, Frink, Gorley, Green, Hershey, Leach, McCallion, McCarthy of San Francisco, McComas, McIntosh, Merry, Messenger, Morse, Nelson, Sayle, Sherburne, Stanley, Stoddard, Streeter, Tyler, Ward, Wason of Ventura, Wasson of Mono, York, and Mr. Speaker—36.

NOES—Messrs Adams, Anthony, Braunhart, Brown of Sonoma, Burns, Carr of Yuba, Chandler, Coffman, Garibaldi, Hynes, Josselyn, Lane, Levee, Magune, Maybell, McCarty of Lake, McDade, Picket, Simon, Spencer, Sweetland, and Young—23.

Assembly Bill No. 25—An Act to provide for the election of fifteen freeholders to frame a charter for cities containing more than one hundred thousand inhabitants, and to provide for the ratification of the same.

Taken up.

Mr. Braunhart moved to amend by inserting the words "or special," in line one, of section one, between the words "general" and "election."

Adopted.

Mr. Tyler moved to return to the consideration of section one of the bill for the purpose of amending it.

Carried.

Mr. Fraser, Speaker pro tem., in the chair.

Mr. Tyler moved to amend by striking out section one of the bill and the adoption of the substitute.

Mr. Tyler having the floor, and hearing laughter, used the following language: "What's that fellow laughing at."

Mr. Maybell moved that the language be taken down by the Clerk.

So ordered.

Mr. Maybell moved that the language be declared disorderly.

Mr. Merry moved the indefinite postponement of the whole matter.

Carried.

The question being upon the adoption of Mr Tyler's substitute for section one of the bill, the ayes and noes were demanded by Messrs. Merry, May, and Felton.

The roll was called, and the amendment was rejected by the following vote:

AYES—Messrs. Adams, Anthony, Bennett, Brooks, Brown of Yuba, Bruner, Brusie, Chandler, Coleman, Cooper, Dimond, Estey, Fox, Fraser, Frink, Gorley, Hershey, Hynes, Leach, May, McComas, McIntosh, Merry, Morse, Mulholland, Nelson, Sherburne, Stoddard, Tyler, Ward, Wasson of Mono, York, and Young—33.

NOES—Messrs. Bass, Braunhart, Brown of Sonoma, Burns, Carr of Yuba, Coffinan, Cook, Corcoran, Cuthbert, Felton, Garibaldi, Gaffey, Green, Josselyn, Lane, Maguire, Maybell, McCalhon, McCarty of Lake, McCarthy of San Francisco, McDade, Messenger, Picket, Sayle, Simon, Spencer, Stanley, Strecter, Sweetland, Valle Del, Walker, Wason of Ventura, and Wattson—33

Mr. Felton gave notice that he would, to-morrow, move to reconsider the vote by which the amendment was lost

Mr. Braunhart moved to amend by inserting the words "or special," in line two, section two.

Adopted.

Mr. Braunhart moved to amend by striking out the words "shall in said proclamation for the election of officers include therein the call for the election of fifteen freeholders," from lines three and four, section two.

Adopted.

Mr. Fox moved to amend by adding, at the close of section two, the words "whenever so directed by the Board of Supervisors of such city and county."

RECESS.

Pending discussion, the hour of one o'clock P. M. having arrived, the House took a recess for one hour.

RE-ASSEMBLED.

House re-assembled at two o'clock P. M.

Speaker Cowdery in the chair.

Quorum present.

The consideration of Assembly Bill No. 25—An Act to provide for the election of fifteen freeholders to frame a charter for cities containing more than one hundred thousand inhabitants, and to provide for the ratification of the same—resumed.

The question being on Mr. Fox's amendment to section two, to add at the close of the section the words, "whenever so directed by the Board of Supervisors of such city and county," Mr. Adams moved to amend the amendment by substituting the following words: "And the Board of Supervisors are hereby directed, and it is made their duty, within thirty days after the passage of this Act to pass the necessary ordinances or resolutions for the calling of said election."

Upon which the ayes and noes were demanded by Messrs. Braunhart, Lane, and Burns.

The roll was called, and the amendment to the amendment was rejected by the following vote:

AYES—Messrs. Adams, Anthony, Bass, Braunhart, Brown of Sonoma, Burns, Carr of Yuba, Coffman, Cook, Cooper, Cuthbert, Garibaldi, Gaffey, Green, Harris, Hynes, Josselyn, Lane, Levee, Maguire, Maybell, McCallion, McCarty of Lake, McCarthy of San Francisco, McDade, Picket, Simon, Spencer, Stoddard, Streeter, Sweetland, Valle Del, Walker, and Wattson—34

NOES—Messrs. Bennett, Brooks, Brown of Yuba, Bruner, Brusie, Carr of Sacramento, Chandler, Coleman, Dimond, Durham, Estey, Felton, Fox, Fraser, Frink, Gorley, Hardy, Hartson, Hershey, Leach, May, McComas, McIntosh, Merry, Messenger, Morse, Mulholland, Nelson, Sherburne, Stanley, Tyler, Ward, Wason of Ventura, Wasson of Mono, York, Young, and Mr. Speaker—37.

Mr. Braunhart asked the privilege of withdrawing the bill.

Upon which the ayes and noes were demanded by the requisite number.

The roll was called, and the request refused by the following vote:

AYES—Messrs. Anthony, Bass, Braunhart, Brown of Sonoma, Burns, Carr of Yuba, Coffman, Cook, Cooper, Cuthbert, Garibaldi, Gaffey, Green, Hardy, Hynes, Lane, Levee, Maguire, Maybell, McCallion, McCarty of Lake, McCarthy of San Francisco, McDade, Messenger, Picket, Simon, Sherburne, Spencer, Sweetland, Valle Del, Walker, and Wattson—32

NOES—Messrs. Adams, Bennett, Brooks, Brown of Yuba, Bruner, Brusie, Carr of Sacramento, Chandler, Coleman, Dimond, Durham, Estey, Felton, Fox, Fraser, Frink, Gorley, Hartson, Hershey, Josselyn, Leach, May, McComas, McIntosh, Merry, Morse, Mulholland, Nelson, Stanley, Streeter, Tyler, Ward, Wason of Ventura, Wasson of Mono, York, Young, and Mr. Speaker—38.

The previous question was then demanded upon the third reading of the bill by Messrs. Tyler, Stanley, and Felton, and the House so ordered.

The question recurred upon the amendment moved by Mr. Fox, and it was adopted.

The bill read third time, and ordered printed as amended.

Assembly Bill No. 170—An Act to amend section five hundred and twenty-nine of the Code of Civil Procedure, in relation to injunctions.

Read third time.

The roll was called, and the bill was passed by the following vote:

AYES—Messrs. Adams, Anthony, Bass, Bennett, Brooks, Brown of Sonoma, Bruner, Brusie, Burns, Carr of Yuba, Chandler, Coffman, Coleman, Cook, Cooper, Corcoran, Cuthbert, Dimond, Durham, Estey, Felton, Fox, Fraser, Frink, Gaffey, Green, Hardy, Hershey, Hynes, Josselyn, Levee, Maguire, May, Maybell, McCallion, McCarty of Lake, McCarthy of San Francisco, McComas, McDade, McIntosh, Messenger, Morse, Mulholland, Nelson, Picket, Sayle, Simon, Sherburne, Spencer, Stanley, Stoddard, Streeter, Sweetland, Tyler, Valle Del, Walker, Ward, Wason of Ventura, Wasson of Mono, Wattson, York, Young, and Mr. Speaker—63.
NOES—None.

Title approved.

Assembly Bill No. 163—An Act to add a new section to the Penal Code of the State of California, to be known as section three hundred and eight, relative to the sale of intoxicating liquors at retail.

Taken up.

Mr. Lane moved to strike out the enacting clause of the bill.

Upon which the ayes and noes were demanded by Messrs. Lane, Maybell, and Carr of Yuba.

The roll was called, and the motion was lost by the following vote:

AYES—Messrs Braunhart, Burns, Corcoran, Cuthbert, Dimond, Garibaldi, Gaffey, Josselyn, Lane, Maybell, McCallion, Picket, Simon, and Wason of Ventura—14.
NOES—Messrs. Adams, Anthony, Bass, Bennett, Brooks, Bruner, Brusie, Carr of Sacramento, Carr of Yuba, Chandler, Coleman, Cook, Cooper, Durham, Estey, Fox, Fraser, Frink, Gorley, Green, Hardy, Hartson, Hershey, Hynes, Leach, Levee, Maguire, May, McCarty of Lake, McCarthy of San Francisco, McComas, McIntosh, Merry, Messenger, Morse, Mulholland, Nelson, Sayle, Sherburne, Spencer, Stanley, Stoddard, Streeter, Sweetland, Tyler, Valle Del, Walker, Ward, Wasson of Mono, York, Young, and Mr. Speaker—52.

The substitute for the bill recommended by the committee adopted.

The bill read third time.

Mr. Adams moved to amend by striking out "five hundred dollars," and inserting instead "one thousand dollars"

Mr. Maybell moved to amend the amendment by substituting "two thousand dollars" instead of "one thousand dollars."

Lost.

The question recurring upon Mr. Adams' amendment, it was lost.

Mr. Anthony moved to amend by striking out the words "five hundred dollars," and inserting instead the words "fifty dollars."

Lost.

The bill ordered printed as amended.

Assembly Bill No. 176—An Act to amend section six hundred and fifty-four, and to repeal sections six hundred and sixty-six, six hundred and sixty-seven, and six hundred and sixty-eight, of the Penal Code, relative to increase of punishment upon conviction for second offense.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Adams, Anthony, Bennett, Braunhart, Brooks, Bruner, Burns, Carr of Sacramento, Chandler, Coleman, Cook, Cooper, Corcoran, Dimond, Durham, Estey, Fox, Fraser, Frink, Gaffey, Gorley, Green, Hardy, Hartson, Hershey, Hynes, Josselyn, Lane, Levee, Maguire, May, McCallion, McCarty of Lake, McCarthy of San Francisco, McComas, McDade, Merry, Morse, Mulholland, Nelson, Sayle, Simon, Sherburne, Stanley, Stoddard, Streeter, Sweetland, Tyler, Valle Del, Walker, Ward, Wason of Ventura, Wasson of Mono, York, Young, and Mr. Speaker—56.
NOES—Messrs Leach and Picket—2.

Title approved.

Assembly Bill No. 252—An Act abolishing the collection of tolls over roads and bridges.

Taken up.

The substitute recommended by the committee adopted.

The bill read third time, and ordered printed as amended.

Assembly Bill No. 200—An Act to amend sections six hundred and thirteen and six hundred and fourteen of an Act to establish a Penal Code, approved February fourteenth, eighteen hundred and seventy-two, relative to working prisoners confined in county jails.

Taken up.

Mr. Lane moved to strike out the word "buildings," in line six, of section one.

The previous question, on the third reading of the bill, was demanded by Messrs. Tyler, Stanley, and Cook, and the House so ordered.

The amendment was then rejected.

The bill was read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Adams, Anthony, Bennett, Brown of Sonoma, Brown of Yuba, Bruner, Brusie, Carr of Sacramento, Chandler, Coffman, Coleman, Cook, Cooper, Corcoran, Cuthbert, Durham, Estey, Felton, Fox, Fraser, Frink, Gorley, Green, Hardy, Harris, Hartson, Hershey, Hynes, Leach, Levee, May, McCarty of Lake, McComas, McDade, McIntosh, Merry, Messenger, Morse, Mulholland, Sayle, Simon, Sherburne, Spencer, Stanley, Stoddard, Sweetland, Tyler, Valle Del, Walker, Ward, Wasson of Mono, Wattson, York, Young, and Mr. Speaker—55.

NOES—Messrs. Bass, Braunhart, Brooks, Burns, Garibaldi, Gaffey, Josselyn, Lane, Maguire, Maybell, McCallion, and Picket—12.

Title approved.

Mr. Fox moved that so much of the special order of this day as has not been disposed of be made the special order for ten o'clock A. M. to-morrow.

Carried.

At four o'clock and fifty-five minutes P. M. Mr. Cooper moved to adjourn.

Lost.

Mr. Bruner moved to make Senate Bill No. 336—An Act to provide for the erection of a building for the use of the Normal School—the special order for Wednesday next, at two o'clock P. M.

Lost.

Mr. Corcoran moved that the substitute recommended by the committee for Assembly Bill No 255—An Act to regulate the price of water for domestic use in this State—be ordered printed.

Carried.

Mr. Corcoran then moved to make the bill and the substitute the special order for Thursday next, at two o'clock P. M.

Upon which the ayes and noes were demanded by Messrs. Braunhart, Maybell, and Simon.

The roll was called, and the motion was lost by the following vote:

AYES—Messrs. Bennett, Braunhart, Brooks, Brusie, Burns, Carr of Yuba, Chandler, Coffman, Cook, Cooper, Corcoran, Cuthbert, Durham, Estey, Garibaldi, Green, Hardy, Harris, Hartson, Hershey, Josselyn, Lane, Leach, Maguire, Maybell, McCallion, McCarthy of San Francisco, McComas, McDade, Merry, Picket, Sayle, Simon, Spencer, Sweetland, Valle Del, Walker, and Mr. Speaker—38.

NOES—Messrs. Anthony, Bass, Brown of Sonoma, Brown of Yuba, Bruner, Carr of Sacramento, Coleman, Dimond, Felton, Fox, Fraser, Frink, Gorley, Hynes, Levee, May, McCarty of Lake, McIntosh, Messenger, Nelson, Sherburne, Stoddard, Tyler, Ward, Wasson of Mono, Wattson, York, and Young—25.

ADJOURNMENT.

Mr. McCarty, at five o'clock P. M., moved that we do now adjourn.

Carried.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Tuesday, March 9th, 1880.

House met pursuant to adjournment.
Speaker Cowdery in the chair.
Roll called, and a quorum present.
Prayer by the Chaplain.

READING AND APPROVAL OF THE JOURNAL.

Mr. Chandler moved that the further reading of the Journal be dispensed with.
So ordered.
The Journal of yesterday approved.

PETITIONS.

By Mr. Cook—Two petitions from citizens of Siskiyou County, asking for the establishment of a Branch State Normal School at the Town of Reading.
Both petitions referred to the Committee on Education.
By Mr. Hershey—Two petitions from citizens of the State, asking such legislation as will best secure to the people the benefits included in, and to be derived from, article eleven, section eleven, of the Constitution.
Both petitions referred to the Committee on County Governments and Municipal Corporations

REPORTS OF STANDING COMMITTEES.

By Mr. Brown of Yuba:

ASSEMBLY CHAMBER, SACRAMENTO, March 9th, 1880.

MR. SPEAKER: The Committee on Corporations, to whom was referred Assembly Bill No. 431—An Act to amend sections one thousand and forty-four and two thousand nine hundred and forty-seven of the Civil Code, and to add two new sections thereto, to be numbered one thousand and ninety-six and one thousand one hundred and sixteen, relating to transferring and mortgaging property—have had the same under consideration, and report the same back to the Assembly without amendment, and recommend its passage

Also, Assembly Bill No. 426—An Act to exempt insurance companies from all responsibility for risks on property where aliens ineligible to become electors are employed and resude—and report the same back without amendment, and recommend that it do not pass

Also, Assembly Bill No 446—An Act creating a Board of Wharfage and Storage Commissioners, and prescribing their duties and powers—and report the same back without amendment, and recommend that it do not pass, two members of the committee dissenting

BROWN of Yuba, Chairman

By Mr. Brooks:

MR. SPEAKER: Your Committee on Enrollment would respectfully report that we now need the assistance of a Clerk, in order to facilitate the business of the House, and therefore ask that we may be allowed to appoint a Clerk, at the usual per diem paid other Clerks, payable out of the Assembly Contingent Fund

March 9th, 1880. BROOKS, Chairman.

Mr. Carr of Yuba moved that the report of the Committee be adopted.
Carried.

By Mr. Fox:

ASSEMBLY CHAMBER, March 9th, 1880.

MR. SPEAKER. Your Judiciary Committee, to whom was referred Senate Bill No 96—An Act to amend sections one and two of an Act entitled an Act giving a lien to loggers and laborers employed in logging camps upon the logs cut and hauled by the persons who employ them, approved March thirtieth, A D. eighteen hundred and seventy-eight.

Also, Senate Bill No. 152—An Act to amend sections one thousand one hundred and sixteen, one thousand one hundred and eighteen, one thousand one hundred and nineteen, one thousand one hundred and twenty, one thousand one hundred and twenty-five, one thousand one hundred and twenty-six, and one thousand one hundred and twenty-seven, and to repeal section one thousand one hundred and twenty-four of the Code of Civil Procedure, relating to contesting certain elections.

Also, Senate Bill No. 153—An Act to amend section one thousand one hundred and forty-four of the Code of Civil Procedure, relating to discharge of persons imprisoned on civil process

Also, Senate Bill No. 226—An Act to amend section one thousand five hundred and eighty-six of the Penal Code, relating to transportation of convicts to State Prisons

Also, Senate Bill No 227—An Act to amend section two thousand two hundred and twenty-one of the Political Code, relating to transportation of insane persons to Asylums.

Also, Senate Bill No. 240—An Act to repeal an Act entitled an Act relating to advances bona fide made to agents intrusted with goods, and for the better protection of such advances, approved March thirtieth, eighteen hundred and seventy-eight.

Also, Senate Bill No. 252—An Act to amend section one thousand eight hundred and eighty of the Code of Civil Procedure, relating to witnesses.

Also, Senate Bill No. 261—An Act to amend section one thousand three hundred and seventy-nine of the Code of Civil Procedure, relating to the granting of letters of administration

And also Senate Bill No. 282—An Act to add a new section to the Civil Code, to be known as section three hundred and twenty-seven, to enforce the provisions of section three, of article twelve, of the Constitution

Have had the same under consideration, and report them back with recommendation that they severally be passed.

We have also had under consideration Senate Bill No. 335—An Act providing for the appointment of an additional Notary Public for the City and County of San Francisco, for the accommodation of the inhabitants of said city and county residing at the Presidio—and now report the same back, with a recommendation that it do not pass. Six members present and voting: four ayes, two noes

We have also had under consideration Senate Bill No 177—An Act to amend sections one thousand nine hundred and ninety-four, one thousand nine hundred and ninety-five, two thousand and twenty-four, two thousand and thirty-six, two thousand and thirty-seven, two thousand and seventy, and two thousand and eighty-four, of the Code of Civil Procedure, relating to evidence.

Also, Senate Bill No. 182—An Act to amend the Penal Code by adding a new section thereto, to be known as section nine hundred and twenty-eight, relating to the duties of the Grand Jury.

And, also, Senate Bill No. 248—An Act to amend sections eight hundred and seventy-one and nine hundred of the Code of Civil Procedure, relating to proceedings in Justices' Courts.

And now report the same back with amendments to each, and recommend that they severally do pass as amended.

FOX, Chairman.

INTRODUCTION OF BILLS.

The following bills were introduced, and ordered printed:

By Mr. May—An Act to empower consolidated cities and counties of over one hundred thousand inhabitants to pay out of the General Fund demands for rent of Court-rooms and chambers for the Superior Courts and of police stations and for salaries of Janitors.

Also, an Act to empower consolidated cities and counties of over one hundred thousand inhabitants, to make alterations to county prisons and county jails for sanitary purposes.

By Mr. McCarthy—An Act to amend sections twelve and fourteen of an Act entitled an Act creating a Board of Bank Commissioners, approved March thirtieth, eighteen hundred and seventy-eight, relative to salaries of Commissioners and Clerk.

Also, an Act to amend sections three hundred and eighty-four, three hundred and eighty-five, three hundred and eighty-six, four hundred and seventeen, four hundred and eighteen, four hundred and nineteen, four hundred and twenty, four hundred and twenty-

two, four hundred and thirty-eight, four hundred and thirty-nine, four hundred and forty, four hundred and forty-one, four hundred and fifty-five, four hundred and fifty-six, four hundred and seventy-one, four hundred and seventy-two, four hundred and eighty-four, four hundred and eighty-five, four hundred and eighty-six, five hundred, five hundred and fourteen, five hundred and sixteen, two thousand one hundred and thirteen, two thousand one hundred and fourteen, two hundred and sixty-seven, three hundred and ninety-six, three hundred and ninety-seven, four hundred and fifty-seven, two thousand three hundred and two, two thousand three hundred and three, six hundred and twenty-eight, six hundred and twenty-nine, seven hundred and fifty-five, and seven hundred and fifty-six, and to repeal sections four hundred and ninety-nine, six hundred and eighty-five, and four hundred and twenty-one, of the Political Code, relative to the salaries of State officers, Deputies, and Clerks.

By Mr. Wason of Ventura—An Act to amend an Act to provide a Code of Civil Procedure.

By Mr. Walker—An Act to amend section ten of the Code of Civil Procedure, relative to legal holidays.

By Mr. Maybell—An Act to provide for the levying and collection of a tax upon incomes.

FIRST READING AND REFERENCE OF BILLS.

Assembly Bill No 472—An Act to encourage the mining industry and to suppress stock gambling.

Read first time, and ordered on file

Assembly Bill No. 461—An Act concerning the grading and other improvements of streets in cities and towns of one hundred thousand or more inhabitants.

Read first time, and referred to the San Francisco delegation.

REPORT OF COMMITTEE ON ENGROSSMENT.

By Mr. Sherburne:

MR. SPEAKER: Your Committee on Engrossment have examined, and find properly engrossed, Assembly Bill No. 109—An Act permitting and authorizing railway and other corporations organized under the laws of any State or Territory of the United States of America, or any Act of Congress of the United States of America, to do business in this State on the same terms as railway corporations organized under the laws of this State

Also, Assembly Bill No. 284—An Act to amend an Act entitled "An Act authorizing the Board of Supervisors of Sierra County to build a certain wagon road in said county, and to issue bonds therefor."

Also, Assembly Bill No. 111—An Act to amend section six hundred and eighty-five of the Code of Civil Procedure of California, in relation to the enforcement of judgments.

Also, Assembly Bill No. 248—An Act amendatory of and supplemental to an Act entitled an Act concerning corporations, passed twenty-second April, eighteen hundred and fifty, approved March twenty-first, eighteen hundred and seventy-two.

Also, Assembly Bill No. 261—An Act to amend section sixty of the Civil Code of California, relative to the intermarriage of whites with negroes and persons of other races

Also, Assembly Bill No 176—An Act to amend section six hundred and fifty-four, and to repeal sections six hundred and sixty-six, six hundred and sixty-seven, and six hundred and sixty-eight, of the Penal Code, relative to increase of punishment upon conviction for second offense.

Also, Assembly Bill No 230—An Act for the further protection of stockholders in mining companies

Also, Assembly Bill No. 19—An Act to compel banks, savings and loan societies, and all and every kind of persons or corporations receiving moneys, or other valuable property, on deposit or for safe keeping, to publish a sworn statement in certain cases

Also, Assembly Bill No 184—An Act to provide for the keeping of accounts in the English or some European language.

Also, Assembly Bill No. 200—An Act to amend sections one thousand six hundred and thirteen and one thousand six hundred and fourteen of an Act to establish a Penal Code, approved February fourteenth, eighteen hundred and seventy-two, and to add a new section thereto, to be known as section one thousand six hundred and fifteen, relative to working prisoners confined in the county jail.

Also, Assembly Bill No. 170—An Act to amend section five hundred and twenty-nine of the Code of Civil Procedure, in relation to injunctions.

Also, Assembly Bill No. 199—An Act to amend section three thousand four hundred and ninety-five of the Political Code, relating to reservation of public lands for Indians.

SHERBURNE, Chairman.

FIRST READING AND REFERENCE OF BILLS—RESUMED.

Assembly Bill No. 462—An Act concerning the burials of decedents within the limits of incorporated cities, or consolidated cities and counties, of one hundred thousand or more inhabitants, and to prohibit the same.

Read first time, and referred to the San Francisco delegation.

Assembly Bill No. 463—An Act to establish a Branch Normal School in the Town of Reading, Shasta County, California.

Read first time, and referred to Committee on Education.

Assembly Bill No. 464—An Act to repeal section one thousand four hundred and one of the Civil Code, and to amend section one thousand four hundred and two of the Civil Code.

Read first time, and referred to the Committee on Judiciary.

Assembly Bill No. 465—An Act to amend section six hundred and thirty-two of the Civil Code.

Read first time, and referred to the Committee on Corporations.

Assembly Bill No. 466—An Act to add a new section to the Civil Code, in relation to gas corporations.

Read first time, and referred to the Committee on Corporations.

Assembly Bill No. 467—An Act to provide for the location and maintenance of a Branch Normal School at the City of Santa Rosa, Sonoma County.

Read first time, and referred to the Committee on Education.

Assembly Bill No. 468—An Act concerning roads and highways in this State.

Read first time, and referred to the Committee on County Governments and Municipal Corporations.

Assembly Bill No. 469—An Act to provide for the erection of buildings for the use of the Normal Schools of the State.

Read first time, and referred to the Committee on Education.

SPECIAL ORDER FOR MARCH NINTH, EIGHTEEN HUNDRED AND EIGHTY, AT TEN O'CLOCK A. M.

Third Reading File—taken up on motion of Mr. Fox.

Assembly Bill No. 80—An Act to amend section one thousand three hundred and sixty-five of the Code of Civil Procedure, relative to the order of persons entitled to administer on the estates of deceased persons.

Taken up.

The report of the committee adopted, and bill ordered printed with amendments.

Assembly Bill No. 143—An Act to amend an Act entitled "An Act relating to apprentices and masters," approved April third, eighteen hundred and seventy-six.

Read third time.

The roll was called, and the bill was passed by the following vote:

AYES—Messrs. Adams, Anthony, Bass, Bennett, Brown of Sonoma, Brown of Yuba, Bruner, Camron, Carr of Sacramento, Carr of Yuba, Chandler, Coffman, Cook, Corcoran, Cuthbert, Downs, DuBrutz, Durham, Estey, Felton, Finlayson, Fox, Fraser, Frink, Gaffey, Green, Hardy, Harris, Hartson, Hershey, Leach, May, McCallion, McCarty of Lake, McCarthy of San Francisco, McComas, McIntosh, Merry, Morse, Nelson, Picket, Sayle, Simon, Sherburne, Spencer, Stanley, Stoddard, Streeter, Tyler, Valle Del, Walker, Ward, Wason of Ventura, Wasson of Mono, Wattson, York, Young, and Mr. Speaker—58.

NOES—Messrs. Braunhart, Burns, Garibaldi, Josselyn, Lane, Levee, Maguire, Maybell, McDade, Messenger, and Sweetland—11.

Title approved.

Assembly Bill No. 183—An Act to add a new section to the Code of Civil Procedure, in relation to counsel fees in judgments for labor.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Adams, Anthony, Bass, Bennett, Braunhart, Brown of Sonoma, Brown of Yuba, Burns, Carr of Sacramento, Carr of Yuba, Coffman, Cook, Corcoran, Cuthbert, Downs, DuBrutz, Durham, Estey, Finlayson, Fox, Fraser, Frink, Garibaldi, Green, Hartson, Hershey, Josselyn, Lane, Leach, Levee, Maguire, May, Maybell, McCallion, McCarty of Lake, McCarthy of San Francisco, McComas, McDade, McIntosh, Merry, Messenger, Morse, Mulholland, Nelson, Picket, Sayle, Simon, Sherburne, Spencer, Stanley, Stoddard, Streeter, Sweetland, Tyler, Valle Del, Walker, Ward, Wason of Ventura, Wasson of Mono, Wattson, York, Young, and Mr. Speaker—63.

NOES—None.

Title amended, and approved as amended.

Assembly Bill No. 185—An Act to amend section six hundred and nineteen of the Penal Code, relative to disclosing the contents of a telegraphic message.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Adams, Anthony, Bass, Bennett, Brown of Sonoma, Brown of Yuba, Brusie, Burns, Camron, Carr of Sacramento, Carr of Yuba, Chandler, Coffman, Cook, Corcoran, Cuthbert, Dimond, Downs, DuBrutz, Estey, Finlayson, Fox, Fraser, Frink, Garibaldi, Gaffey, Gorley, Green, Hartson, Hershey, Hynes, Josselyn, Lane, Leach, Levee, Maguire, Maybell, McCallion, McCarty of Lake, McCarthy of San Francisco, McComas, McDade, McIntosh, Merry, Morse, Mulholland, Nelson, Picket, Sayle, Simon, Sherburne, Spencer, Stanley, Stoddard, Streeter, Sweetland, Tyler, Valle Del, Walker, Ward, Wason of Ventura, Wasson of Mono, Wattson, and York—64.

NOES—Messrs. Braunhart, Young, and Mr. Speaker—3.

Title approved.

Assembly Bill No. 139—An Act to enable female citizens to vote upon all matters relating to the public schools of the State of California.

Passed on file.

Assembly Bill No. 122—An Act to prevent the sale and use of opium.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Adams, Anthony, Bass, Bennett, Braunhart, Brown of Sonoma, Brown of Yuba, Bruner, Brusie, Camron, Carr of Sacramento, Carr of Yuba, Coffman, Cook, Cooper, Corcoran, Cuthbert, Dimond, Downs, DuBrutz, Durham, Estey, Felton, Finlayson, Fox, Fraser, Frink, Garibaldi, Gaffey, Gorley, Green, Hardy, Hynes, Josselyn, Lane, Leach, Levee, Maguire, May, Maybell, McCallion, McCarty of Lake, McCarthy of San Francisco, McComas, McDade, McIntosh, Merry, Morse, Nelson, Picket, Sayle, Simon, Sherburne, Spencer, Stanley, Stoddard, Streeter, Sweetland, Tyler, Valle Del, Walker, Ward, Wason of Ventura, Wasson of Mono, Wattson, Young, and Mr. Speaker—65.

NOES—Mr. Hershey—1.

Title approved.

Assembly Bill No 162—An Act to amend section three hundred and thirty-eight of the Penal Code, relative to pawnbrokers.

Read third time.

The committee recommended amendment.

Mr. Lane moved to amend the amendment by striking out the words "fifteen per cent," from lines five and thirteen, section one, and inserting instead the words "seven per cent."

Lost.

Mr. Levee moved to amend the amendment by striking out the word "fifteen," from lines five and thirteen, section one, and inserting instead the word "twelve."

Mr Finlayson moved to strike out the enacting clause of the bill.

Lost.

The question recurring upon the amendment to the amendment, it was lost.

The amendment recommended by the committee was then adopted.

Mr. Braunhart moved to amend by inserting in line three, section one, after the word "of," the words "a pawnbroker by," and by striking out, in line ten, of same section, the words "shall be deemed a pawnbroker."

The previous question was demanded by Messrs. Cooper, Finlayson, and Sinon, and the House so ordered.

The question came on Mr. Braunhart's amendment, and it was lost.

The bill was read third time, and ordered printed as amended.

Assembly Bill No. 243—An Act for the better protection of laborers in their wages.

Read third time

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Anthony, Bass, Bennett, Braunhart, Brown of Sonoma, Brown of Yuba, Brusie, Burns, Camron, Carr of Sacramento, Chandler, Coleman, Cook, Cooper, Corcoran, Cuthbert, Dimond, Downs, DuBrutz, Durham, Finlayson, Fox, Fraser, Frink, Garibaldi, Gaffey, Gorley, Hardy, Harris, Hartson, Hershey, Hynes, Josselyn, Lane, Levee, Maguire, May, Maybell, McCalhon, McCarthy of San Francisco, McComas, McDade, McIntosh, Merry, Morse, Mulholland, Nelson, Picket, Sayle, Simon, Sherburne, Spencer, Stanley, Stoddard, Sweetland, Tyler, Valle Del, Walker, Ward, Wason of Ventura, Wasson of Mono, York, Young, and Mr. Speaker—66.

NOES—Mr. McCarty of Lake—1

Title approved.

Assembly Bill No 83—An Act to create a Bureau of Labor and Statistics of Land and Labor in the State of California.

The rules were suspended, and the bill considered in the House.

The bill was read third time.

The roll was called, and the bill was passed by the following vote:

AYES—Messrs. Adams, Anthony, Bass, Bennett, Braunhart, Brown of Yuba, Brusie, Burns, Cooper, Corcoran, Cuthbert, Downs, Durham, Estey, Felton, Finlayson, Fraser, Gaffey, Gorley, Green, Hardy, Harris, Hartson, Josselyn, Lane, Leach, Levee, Maguire, May, Maybell, McCalhon, McCarthy of San Francisco, McDade, McIntosh, Morse, Picket, Simon, Stoddard, Streeter, Sweetland, Valle Del, Walker, Ward, Wason of Ventura, Wasson of Mono, and Mr Speaker—46

NOES—Messrs. Brown of Sonoma, Carr of Sacramento, Chandler, Coleman, Cook, DuBrutz, Fox, Frink, Hershey, Hynes, McCarty of Lake, McComas, Merry, Messenger, Mulholland, Nelson, Sayle, Sherburne, Spencer, Stanley, Tyler, Wattson, York, and Young—24

Title approved.

Assembly Bill No. 44—An Act to amend sections three hundred

and twelve, three hundred and fifteen, three hundred and twenty-two, three hundred and twenty-three, three hundred and twenty-six, three hundred and fifty-nine, and four hundred and fifteen, and to add a new section, to be known as section four hundred and four, of an Act entitled "An Act to establish a Civil Code," approved March twenty-first, eighteen hundred and seventy-two, relating to corporations.

Taken up, and, on motion of Mr. Fox, ordered to the head of second reading file.

One day's leave of absence granted to Mr. Leadbetter.

Assembly Bill No. 145—An Act to amend sections seventeen, nineteen, and twenty-one of an Act entitled "An Act to provide for the future management of the Napa State Asylum for the Insane," approved March sixth, eighteen hundred and seventy-six.

Ordered to second reading file, to take the second place on the file.

Assembly Joint Resolution No. 7—Relative to the procuring of a quarantine depot.

Read third time, and passed.

Assembly Bill No. 274—An Act to authorize and empower the Boards of Supervisors of the several counties of this State to allow certain outstanding road claims, and provide for their payment.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs Adams, Anthony, Bass, Bennett, Brooks, Brown of Sonoma, Brusie, Burns, Camron, Carr of Sacramento, Chandler, Coleman, Cook, Corcoran, Cuthbert, Dimond, Downs, DuBrutz Durham, Estey, Felton, Finlayson, Fox, Fraser, Frink, Gaffey, Gorley, Green, Hardy, Harris, Hartson, Hershey, Hynes, Josselyn, Lane, May, McCallion, McCarty of Lake, McCarthy of San Francisco, McDade, McIntosh, Merry, Messenger, Morse, Mulholland, Nelson, Picket, Sayle, Spencer, Stanley, Stoddard, Streeter, Sweetland, Valle Del, Walker, Ward, Wason of Ventura, Wattson, York, and Mr Speaker—60

NOES—Mr. Young—1.

Title approved

Assembly Bill No 325—An Act to prevent persons passing through inclosures and leaving them open, by tearing down fences or otherwise, and to prevent hunting upon inclosed lands in the State of California.

Passed on file.

Assembly Bill No. 286—An Act relating to the acts and doings of local Boards of Supervisors.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs Adams, Anthony, Bass, Bennett, Brooks, Brusie, Burns, Camron, Carr of Sacramento, Carr of Yuba, Chandler, Coleman, Cook, Corcoran, Cuthbert, Dimond, Downs, BuBrutz, Durham, Estey, Felton, Finlayson, Fox, Fraser, Frink, Gaffey, Gorley, Green, Hardy, Harris, Hershey, Hynes, Josselyn, Lane, Levee, Maguire, May, McCallion, McCarty of Lake, McCarthy of San Francisco, McComas, McDade, Merry, Messenger, Morse, Mulholland, Picket, Sayle, Simon, Sherburne, Spencer, Stanley, Stoddard, Streeter, Sweetland, Valle Del, Walker, Ward, Wason of Ventura, Wattson, Young, and Mr. Speaker—63

NOES—Messrs. McIntosh and Nelson—2.

Title amended, and approved as amended.

Assembly Joint Resolution No. 10—Relative to the enforcement of the United States statute making eight hours the length of a day's labor on public works.

Read third time, and passed.

Assembly Bill No. 212—An Act to repeal section one thousand one

hundred and twelve, and to amend sections one thousand and seventy-six, one thousand one hundred and twenty-five, one thousand one hundred and thirty, one thousand one hundred and fifty-one, one thousand one hundred and seventy-three, and one thousand one hundred and eighty-one, of the Penal Code, relative to proceedings after the commencement of the trial and before judgment.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs Anthony, Bass, Bennett, Braunhart, Brooks, Brown of Sonoma, Brusie, Burns, Carr of Sacramento, Carr of Yuba, Chandler Coleman, Cook, Corcoran, Cuthbert, Dimond, Downs, Durham, Estey, Finlayson, Fox, Fraser, Frink, Gorley, Green, Hardy, Hartson, Hershey, Hynes, Josselyn, Maguire, May, McCallion, McCarty of Lake, McCarthy of San Francisco, McIntosh, Merry, Morse, Mulholland, Nelson, Picket, Sayle, Sherburne, Spencer, Stanley, Stoddard, Streeter, Sweetland, Tyler, Valle Del, Walker, Ward, Wason of Ventura, Wattson, York, Young, and Mr Speaker—57.

NOES—None.

Title amended, and approved as amended.

Assembly Bill No. 258—An Act to add a new section to the Penal Code, relative to crimes against public justice.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Anthony, Bass, Bennett, Brooks, Brown of Sonoma, Brown of Yuba, Brusie, Carr of Yuba, Chandler, Corcoran, Cuthbert, Dimond, Downs, DuBrutz, Durham, Estey, Felton, Finlayson, Fox, Fraser, Frink, Gaffey, Gorley, Hardy, Hartson, Hershey, Hynes, Josselyn, Leach, May, McCarty of Lake, McCarthy of San Francisco, McComas, McDade, Messenger, Morse, Mulholland, Nelson, Picket, Sayle, Simon, Spencer, Stoddard, Streeter, Tyler, Valle Del, Ward, Wason of Ventura, Young, and Mr Speaker—50.

NOES—Messrs. Braunhart, Burns, Carr of Sacramento, Coleman, Cook Green, Lane, Levee, Maguire, McCallion, McIntosh, Merry, Sherburne, Sweetland, and Walker—15.

Title approved.

Senate Bill No. 31—An Act to amend sections one thousand three hundred and thirty-eight and one thousand three hundred and fifty-three of the Penal Code, providing for the examination of witnesses.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs Anthony, Bass, Braunhart, Brooks, Brown of Yuba, Brusie, Burns, Carr of Sacramento, Carr of Yuba, Chandler, Coleman, Cook, Corcoran, Cuthbert, Dimond, Downs, DuBrutz, Durham, Estey, Felton, Finlayson, Fox, Fraser, Frink, Gaffey, Gorley, Green, Hardy, Hartson, Hershey, Hynes, Josselyn, Lane, Leach, Maguire, McCallion, McCarty of Lake, McCarthy of San Francisco, McComas, McIntosh, Merry, Messenger, Morse, Mulholland, Nelson, Picket, Simon, Sherburne, Spencer, Stanley, Streeter, Sweetland, Tyler, Valle Del, Walker, Ward, Wason of Ventura, York, Young, and Mr. Speaker—60

NOES—None

Title approved.

Senate Bill No. 35—An Act to amend section one thousand and twenty-nine of the Penal Code, relating to prosecutions of Judges of the Superior Courts.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Anthony, Braunhart, Brooks, Brown of Sonoma, Brown of Yuba, Brusie, Burns, Carr of Sacramento, Carr of Yuba, Chandler, Coleman, Corcoran, Cuthbert, Dimond, Downs, DuBrutz, Durham, Estey, Felton, Finlayson, Fox, Fraser, Frink, Gorley, Green, Hardy, Hershey Hynes, Josselyn, Leach, Maguire, McCallion, McCarty of Lake, McCarthy of San Francisco, McComas, McDade, McIntosh, Merry, Morse, Mulholland, Nelson, Picket, Sayle,

Sherburne, Spencer, Stanley, Streeter, Sweetland, Tyler, Valle Del, Walker, Ward, Wason of Ventura, York, Young, and Mr. Speaker—56.
NOES—None.

Title approved.

Senate Bill No. 36—An Act to repeal sections one thousand and twenty-eight, one thousand and thirty, one thousand one hundred and twelve, and one thousand one hundred and forty-three of the Penal Code, relating to judicial proceedings in criminal cases.

Read third time.

The roll was called, and the bill passed by the following vote.

AYES—Messrs. Adams, Anthony, Bass, Braunhart, Brooks, Brown of Sonoma, Brown of Yuba, Brusie, Burns, Carr of Sacramento, Carr of Yuba, Chandler, Cook, Cooper, Corcoran, Dimond, Downs, DuBrutz, Durham, Estey, Felton, Finlayson, Fox, Fraser, Frink, Gaffey, Gorley, Harris, Hartson, Hershey, Hynes, Josselyn, Maguire, May, McCallion, McCarty of Lake, McCarthy of San Francisco, McComas, McDade, McIntosh, Merry, Morse, Nelson, Picket, Savle, Spencer, Stanley, Stoddard, Streeter, Sweetland, Tyler, Walker, Ward, Wason of Ventura, Wattson, York, Young, and Mr. Speaker—58.
NOES—None.

Title approved.

Senate Bill No 37—An Act to amend section eight hundred and eight of the Penal Code, declaring who are magistrates.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs Adams, Anthony, Bass, Braunhart, Brooks, Brown of Sonoma, Brown of Yuba, Brusie, Burns, Carr of Sacramento, Carr of Yuba, Chandler, Coleman, Cook, Cooper, Corcoran, Dimond, Downs, DuBrutz, Durham, Estey, Felton, Finlayson, Fox, Fraser, Gaffey, Gorley, Hardy, Harris, Hartson, Hershey, Hynes, Josselyn Leach, Maguire, May, McCallion, McCarty of Lake, McCarthy of San Francisco, McComas, McDade, McIntosh, Merry, Morse, Mulholland, Nelson, Picket, Sherburne, Spencer, Streeter, Sweetland, Tyler, Valle Del, Walker, Wason of Ventura, Wattson, York, Young, and Mr. Speaker—59.
NOES—None.

Title approved.

Senate Bill No. 57—An Act relative to the currency of the United States.

Read third time.

The roll was called, and the bill was passed by the following vote:

AYES—Messrs Adams, Anthony, Bass, Braunhart, Brooks, Brown of Sonoma, Brown of Yuba, Brusie, Carr of Sacramento, Carr of Yuba, Chamberlain, Chandler, Coleman, Cook, Cooper, Dimond, Downs, DuBrutz, Durham, Estey, Finlayson, Fox, Frink, Gaffey, Gorley, Hardy, Harris, Hartson, Hershey, Hynes, Josselyn, Lane, Leach, Maguire, May, McCallion, McCarty of Lake, McCarthy of San Francisco, McComas, McIntosh, Merry, Messenger, Morse, Mulholland, Nelson, Picket, Sherburne, Spencer, Stoddard, Streeter, Sweetland, Tyler, Walker, Ward, Wason of Ventura, Wattson, York, Young, and Mr. Speaker—60.
NOES—None.

Title approved.

Assembly Bill No. 257—An Act to add a new section to the Penal Code, to be known as section one thousand three hundred and eight, relative to the forfeiture of the undertaking of bail or of the deposit of money.

Taken up, and ordered to the third place on second reading file.

Senate Bill No. 34—An Act to amend sections eight hundred and seventy-two and eight hundred and seventy-five, and to repeal section eight hundred and seventy-four, of the Penal Code, relating to commitments of persons charged with crime.

Read third time.

The roll was called and the bill passed by the following vote:

AYES—Messrs Adams, Anthony, Bass, Bennett, Brown of Sonoma, Brown of Yuba, Brusie, Carr of Sacramento, Chamberlain, Chandler, Coleman, Cook, Cooper, Dimond, Downs, DuBrutz, Durham, Estey, Felton, Fox, Fraser, Frink, Garibaldi, Gaffey, Gorley, Hardy, Harris, Hartson, Hershey, Hynes, Josselyn, Lane, Leach, Maguire, May, McCallion, McCarty of Lake, McCarthy of San Francisco, McComas, McDade, McIntosh, Merry, Messenger, Morse, Mulholland, Nelson, Picket, Savle, Sherburne, Stoddard, Streeter, Sweetland, Valle Del, Walker, Ward, Wason of Ventura, Wattson, York, Young, and Mr. Speaker—60.

NOES—None

Title approved.

RECESS.

The hour of one o'clock P. M. having arrived, the House took a recess for one hour.

RE-ASSEMBLED.

The House re-assembled at two o'clock P. M.

Speaker Cowdery in the chair.

Quorum present.

Mr. Felton withdrew his notice of motion to reconsider the vote by which his amendment was lost.

Assembly Bill No. 25—An Act to provide for the election of fifteen freeholders to frame a charter for cities containing more than one hundred thousand inhabitants, and to provide for the ratification of the same.

The use of the Assembly Chamber, for Thursday evening, was granted to the Santa Clara delegation for a woman's suffrage meeting.

SPECIAL ORDER—THIRD READING FILE—CONTINUED.

Assembly Bill No 325—An Act to prevent persons passing through inclosures and leaving them open, by tearing down fences or otherwise, and to prevent hunting upon inclosed lands in the State of California.

Taken up.

Mr. Sinon moved to strike out section three.

Lost.

Mr. Anthony moved to amend, in line one, section three, by inserting after the word "land," the words, "not exceeding six hundred and forty acres."

Mr. Tyler moved the bill be referred to the Committee on Judiciary.

Carried.

Assembly Bill No. 80—An Act to amend section one thousand three hundred and sixty-five of the Code of Civil Procedure, relative to the order of persons entitled to administer on the estates of deceased persons.

Taken up.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Adams, Anthony, Bass, Bennett, Braunhart, Brooks, Brown of Sonoma, Brown of Yuba, Brusie, Burns, Carr of Yuba, Chamberlain, Chandler, Coffman, Cook, Cooper, Corcoran, Cuthbert, Dimond, Downs, Durham, Estey, Felton Finlayson, Fox, Fraser, Frink, Garibaldi, Gaffey, Gorley, Green, Hardy, Harris, Hartson, Hynes, Josselyn, Leach, Leadbetter, Maguire, Mathews, May, Maybell, McCarty of Lake, McCarthy of San Francisco, McIntosh,

Merry, Messenger, Mulholland, Nelson, Picket, Sayle, Simon, Sherburne, Spencer, Stanley, Stoddard, Strecter, Sweetland, Tyler, Valle Del, Walker, Wason of Ventura, Wattson, and York—64.

Noes—Messrs. Bruner, Lane, McComas, and Mr. Speaker—4.

Title approved.

Assembly Bill No. 273—An Act to amend sections one thousand two hundred and seventy-three, one thousand two hundred and seventy-eight, one thousand two hundred and eighty, one thousand two hundred and eighty-seven, one thousand two hundred and eighty-eight, one thousand three hundred and five, one thousand three hundred and six, and one thousand three hundred and seven, of the Penal Code, relative to miscellaneous proceedings.

Read third time.

The roll was called, and the bill passed by the following vote:

Ayes—Messrs. Adams, Anthony, Bass, Bennett, Braunhart, Brown of Yuba, Brusie, Burns, Carr of Yuba, Chamberlain, Chandler, Coffman, Coleman, Cook, Cuthbert, Dimond, Downs, Durham, Estey, Felton, Finlayson, Fox, Fraser, Frink, Garibaldi, Gatley, Hardy, Harris, Hershey, Hynes, Josselyn, Lane, Leach, Leadbetter, Levee, Magune, Mathews, May, McCallion, McCarthy of San Francisco, McComas, McDade, McIntosh, Merry, Mulholland, Nelson, Picket, Sayle, Simon, Sherburne, Spencer, Stanley, Stoddard, Tyler, Valle Del, Walker, Ward, Wattson, Young, and Mr. Speaker—60.

Noes—Messrs. Brown of Sonoma, McCarty of Lake, Messenger, and York—4.

Title approved.

Mr Tyler moved to take up Senate Bill No 108—An Act granting relief to taxpayers whose lands have been sold to the State.

So ordered.

The bill taken up.

Mr. Estey moved to amend by striking out the words from line fourteen, section one, "fifty per cent. penalty."

Adopted.

The bill read second time, and ordered printed as amended

Mr. Tyler gave notice that he would move to reconsider the vote by which the amendment was adopted.

Mr. Carr of Yuba, by permission, introduced Assembly Joint Resolution, relative to the Act of Congress enabling honorably discharged soldiers and sailors, their widows and orphan children to acquire homesteads on the public lands of the United States.

The above Assembly Joint Resolution ordered printed.

Assembly Bill No. 290—An Act granting relief to taxpayers whose lands have been sold to the State.

Withdrawn.

Senate Bill No. 32—An Act to amend sections seven hundred and twelve, seven hundred and twenty-eight, seven hundred and thirty-two, seven hundred and sixty, seven hundred and seventy-one, seven hundred and seventy-two, eight hundred and eighteen, eight hundred and twenty, eight hundred and fifty, eight hundred and ninety, nine hundred and thirty-five, one thousand one hundred and ninety-seven, one thousand three hundred and thirty, one thousand four hundred and sixty-six, one thousand four hundred and sixty-eight, one thousand four hundred and sixty-nine, one thousand five hundred and fifteen, one thousand five hundred and sixteen, and one thousand five hundred and fifty-six, of the Penal Code, providing for certain proceedings before the Superior Courts, or the Judges thereof.

Taken up

Mr. Tyler moved to amend by striking out the words "or to," from

line six, section two, and inserting instead the word "by;" also, by striking out, in line seven, the word "to," and inserting the words "or Chief of Police;" also, by striking out, in line eight, the word "to;" also, by striking out, in line nine, the words "either of those officers," and inserting the word "Governor."

Mr. Lane moved to amend the amendment by striking out the words "Chief of Police."

Lost.

The question recurring upon the amendment, it was adopted.

The bill then ordered reprinted as amended.

Senate Bill No. 109—An Act to amend sections three hundred and sixty-seven, three hundred and seventy-two, and three hundred and seventy-three, of the Code of Civil Procedure, relating to parties to civil actions.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Adams, Anthony, Bass, Bennett, Brooks, Bruner, Brusie, Burns, Cairron, Carr of Sacramento, Chamberlain, Chandler, Coleman, Cook, Cooper, Corcoran, Cuthbert, Dimond, Downs, Durham, Felton, Finlayson, Fox, Fraser, Garibaldi, Gaffey, Gorley, Green, Hardy, Harris, Hartson, Hershey, Hynes, Josselyn, Leach, Leadbetter, Levee, Maguire, May, McCallion, McCarty of Lake, McCarthy of San Francisco, McComas, McDade, McIntosh, Merry, Messenger, Morse, Mulholland, Picket, Sayle, Simon, Sherburne, Spencer, Stoddard, Streeter, Tyler, Valle Del, Walker, Ward, Wason of Ventura, Wasson of Mono, Young, and Mr. Speaker—64.

NOES—Mr. Maybell—1.

Title approved.

Assembly Bill No. 249—An Act amendatory of an Act entitled "An Act for the better protection of the stockholders in corporations formed under the laws of the State of California for the purpose of carrying on and conducting the business of mining," approved March thirtieth, eighteen hundred and seventy-four.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Adams, Anthony, Bass, Bennett, Braunhart, Brown of Sonoma, Bruner, Brusie, Carr of Sacramento, Chamberlain, Chandler, Coffman, Coleman, Cook, Cooper, Corcoran, Cuthbert, Dimond, Downs, DuBrutz, Durham, Estey, Felton, Finlayson, Fox, Fraser, Funk, Garibaldi, Green, Hardy, Harris, Hartson, Hynes, Josselyn, Lane, Leach, Leadbetter, Levee, Maguire, Maybell, McCallion, McCarty of Lake, McCarthy of San Francisco, McDade, McIntosh, Merry, Messenger, Morse, Mulholland, Picket, Sayle, Simon, Sherburne, Spencer, Stoddard, Streeter, Sweetland, Tyler, Valle Del, Walker, Ward, Wason of Ventura, Wattson, Young, and Mr. Speaker—65.

NOES—None.

Title approved.

Assembly Bill No. 269—An Act to regulate the buying and selling of stocks.

Read third time.

Amended as recommended by the author.

Mr. Tyler moved to strike out section ten of the bill.

Carried.

Mr. Tyler moved to strike out section eleven of the bill.

Carried.

Mr. Fox moved to strike out section nine of the bill.

Lost.

Mr. Fox moved to strike out section four of the bill.

Upon which the ayes and noes were demanded by Messrs. Braunhart, Lane, and Maybell.

The roll was called, and the motion was adopted by the following vote:

AYES—Messrs. Adams, Bass, Bennett, Brooks Bruner, Brusie, Camron, Carr of Sacramento, Chamberlain, Chandler, Coleman, Cook, Dimond, Downs, DuBrutz, Durham, Felton, Finlayson, Fox, Fraser, Frink, Hardy, Hershey, Hynes, Leach, Leadbetter, May, McCarty of Lake, McComas, McIntosh, Merry, Mulholland, Sherburne, Stanley, Streeter, Tyler, Ward, Wason of Ventura, York, Young, and Mr. Speaker—41.

NOES—Messrs. Anthony, Braunhart, Burns, Coffman, Cooper, Corcoran, Cuthbert, Estey, Garibaldi, Gorley, Green, Harison, Josselyn, Lane, Maguire, Maybell, McCallion, McCarthy of San Francisco, Morse, Picket, Sayle, Sinon, Spencer, Stoddard, Sweetland, Walker, and Wasson of Mono—27.

Mr. Fox moved that the further consideration of this bill be indefinitely postponed.

Upon which the ayes and noes were demanded by Messrs. Braunhart, Sinon, and Picket.

The roll was called, and the motion was lost by the following vote:

AYES—Messrs. Bennett, Brooks, Bruner, Brusie, Camron, Chamberlain, Chandler, Coleman, Cook, Dimond, Downs, Durham, Felton, Finlayson, Fox, Fraser, Frink, Leach, Leadbetter, May, McComas, McIntosh, Merry, Messenger, Mulholland, Sherburne, Streeter, Tyler, Ward, Wason of Mono, York, Young, and Mr. Speaker—35.

NOES—Messrs Adams, Anthony, Bass, Braunhart, Burns, Carr of Sacramento, Coffman, Cooper, Corcoran, Cuthbert, DuBritz, Estey, Garibaldi, Gaffey, Gorley, Green, Hardy, Harris, Harison, Hershey, Hynes, Josselyn, Lane, Levee, Maguire, Maybell, McCallion, McCarty of Lake, McCarthy of San Francisco, McDade, Morse, Picket, Sayle, Sinon, Spencer, Stanley, Stoddard, Sweetland, and Valle Del—39.

The bill was then withdrawn.

Assembly Bill No. 187—An Act to prevent discrimination by gas companies in the State of California.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs Adams, Anthony, Bass, Bennett, Braunhart, Brooks, Brown of Sonoma, Brusie, Burns, Carr of Sacramento, Carr of Yuba, Chamberlain, Chandler, Coffman, Coleman, Cooper, Corcoran, Cuthbert, Dimond, Durham, Estey, Finlayson, Fraser, Frink, Garibaldi, Gaffey, Gorley, Green, Hardy, Harris, Harison, Hynes, Josselyn, Lane, Leach, Leadbetter, Levee, Maguire, Maybell, McCallion, McCarty of Lake, McCarthy of San Francisco, McComas, McIntosh, Merry, Messenger, Mulholland, Nelson, Picket, Sayle, Sinon, Sherburne, Spencer, Stanley, Stoddard, Streeter, Tyler, Valle Del, Walker, Ward, Wason of Ventura, Wattson, York, and Young—64

NOES—Messrs. Camron, Downs, Felton, Fox, Hershey, May, and Morse—7.

Title approved.

Assembly Bill No. 91—An Act to remove the State Normal School from its present location, and to make the same a part of the State University.

Read third time.

Mr. McCarthy moved to make the bill the special order for seven o'clock to-morrow evening.

Lost.

The previous question was demanded by the requisite number, and the House so ordered.

The question recurring upon the passage of the bill, the roll was called, and the bill refused passage by the following vote:

AYES—Messrs. Anthony, Braunhart, Brusie, Burns, Camron, Carr of Yuba, Coffman, Cooper, Corcoran, Estey, Garibaldi, Gaffey, Hershey, Josselyn, Levee, Maybell, McCallion, McCarty of Lake, McCarthy of San Francisco, McIntosh, Messenger, and Picket—22.

NOES—Messrs. Adams, Bennett, Brooks, Brown of Yuba, Bruner, Carr of Sacramento, Chamberlain, Chandler, Coleman, Dimond, Downs, DuBrutz, Durham, Finlayson, Fox, Fraser, Frink,

Gorley, Green, Hardy, Harris, Hartson, Hynes, Lane, Leach, Maguire, May, McComas, McDade, Merry, Morse, Nelson, Sayle, Simon, Sherburne, Spencer, Stanley, Stoddard, Streeter, Sweetland, Tyler, Valle Del, Walker, Ward, Wason of Ventura, Wattson, York, Young, and Mr. Speaker—49.

Mr. Morse moved that the consideration of the third reading file be made the special order for to-morrow at ten o'clock A. M.
Carried.
Mr. Leach gave notice that he would, on to-morrow, move to reconsider the vote by which the House to-day granted the use of the Assembly Chamber to the Santa Clara delegation for the purpose of holding a woman's suffrage meeting on Thursday evening.
At four o'clock and fifty-eight minutes P. M. Mr. Camron moved to adjourn until ten o'clock A. M. to-morrow.
Lost.

ADJOURNMENT.

At five o'clock P. M. Mr. Tyler moved to adjourn.
Carried.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Wednesday, March 10th, 1880.

House met pursuant to adjournment.
Speaker Cowdery in the chair.
Roll called, and a quorum present.
Prayer by the Chaplain.

READING AND APPROVAL OF THE JOURNAL.

Mr. Hardy moved that the further reading of the Journal be dispensed with.
So ordered.
The Journal of yesterday approved.
One day's leave of absence granted to Mr. Estey on account of sickness.

REPORTS OF STANDING COMMITTEES.

By Mr. Finlayson:

ASSEMBLY CHAMBER, SACRAMENTO, March 9th, 1880.

MR SPEAKER: Your Committee on Commerce and Navigation, to whom was referred Assembly Bill No. 436—An Act to amend section two thousand five hundred and thirty-six of the Political Code—have had the same under consideration, and report it back without recommendation.

Also, Assembly Bill No. 406—An Act to amend sections two thousand four hundred and thirty, two thousand four hundred and fifty-seven, two thousand four hundred and fifty-eight, two thousand four hundred and sixty-four, two thousand four hundred and sixty-six, two thousand four hundred and sixty-seven, and two thousand four hundred and sixty-eight, of the Political Code, in relation to pilots and pilot regulations.

And, Assembly Bill No. 376—An Act to amend section two thousand four hundred and sixty-four of the Political Code, relating to pilots and pilot regulations

Have had the same under consideration, and report them back with the recommendation that they do not pass.

FINLAYSON, Chairman.

By Mr. Sherburne:

MR. SPEAKER. Your Committee on Engrossment have examined, and find properly engrossed, Assembly Bill No 143—An Act to amend an Act entitled an Act relating to apprentices and masters, approved April third, eighteen hundred and seventy-six.

Also, Assembly Bill No 183—An Act to add a new section to the Code of Civil Procedure, in relation to counsel fees in judgments for labor

Also, Assembly Bill No 185—An Act to amend section six hundred and nineteen of the Penal Code, relative to disclosing the contents of a telegraphic message

Also, Assembly Bill No 122—An Act to prevent the sale and use of opium.

Also, Assembly Bill No. 243—An Act for the better protection of laborers in their wages.

Also, Assembly Bill No 83—An Act to create a Bureau of Labor and Statistics of Land and Labor in the State of California

Also, Assembly Joint Resolution No 7—Relative to the procuring of a quarantine depot

Also, Assembly Bill No 274—An Act to authorize and empower the Boards of Supervisors of the several counties of this State to allow certain outstanding road claims and provide for their payment

Also, Assembly Bill No. 286—An Act relating to the acts and doings of local Boards of Supervisors

Also, Assembly Joint Resolution No. 10—Relative to the enforcement of the United States statute making eight hours the length of a day's labor on public works.

Also, Assembly Bill No 212—An Act to repeal section one thousand one hundred and twelve, and to amend sections one thousand and seventy-six, one thousand one hundred and twenty-five, one thousand one hundred and thirty, one thousand one hundred and fifty-one, one thousand one hundred and seventy-three, and one thousand one hundred and eighty-one, of the Penal Code, relative to proceedings after the commencement of the trial and before judgment.

Also, Assembly Bill No 258—An Act to add a new section to the Penal Code, relative to crimes against public justice.

Also, Assembly Bill No 80—An Act to amend section thirteen hundred and sixty-five of the Code of Civil Procedure, relative to order of persons entitled to administer on the estate of deceased persons.

SHERBURNE, Chairman.

By Mr. Fox:

MR. SPEAKER: Your Judiciary Committee, to whom was referred Assembly Bill No 325, have had the same under consideration, and report the same back with a substitute, and recommend the passage of the substitute.

FOX, Chairman.
McCARTHY,
COOPER,
DEL VALLE,
MORSE,
MERRY,
YOUNG,
TYLER.

REPORT OF SPECIAL COMMITTEE.

By Mr. McCarthy:

STATE CAPITOL, March 10th, 1880

MR SPEAKER The San Francisco delegation, to whom was referred Assembly Bill No 140—An Act to provide for the safety of lives of residents of the State of California—have had the same under consideration, and herewith report it back, with the recommendation that it do pass. Nine members present and voting—seven ayes, two noes

Also, Assembly Bill No 353—An Act to authorize the appointment of four interpreters and translators of foreign languages of the Criminal Courts of the City and County of San Francisco—report the same back with amendments, and recommend its passage as amended Eight members present and voting—six ayes, two noes.

McCARTHY, Chairman.

Mr. McCarthy moved that Senate Bill No. 335—An Act providing for the appointment of an additional Notary Public for the City and County of San Francisco, for the accommodation of the inhabitants of said city and county residing at the Presidio—be referred to the San Francisco delegation.

So ordered.

REPORTS OF STANDING COMMITTEES—RESUMED.

By Mr. York:

ASSEMBLY CHAMBER, SACRAMENTO, March 9th, 1880.

MR SPEAKER: Your Committee on Homestead and Land Monopoly, to whom was referred Assembly Bill No. 418—An Act to discourage and prohibit corporations and individuals from holding large tracts of land—have had the same under consideration, and report it back, with the recommendation that it be indefinitely postponed.

YORK, Chairman.

PETITIONS.

By Mr. Hartson—A petition from ex-soldiers, sailors, and citizens of the County of Napa, asking that the thirtieth day of May be set aside as a legal holiday

Referred to the Judiciary Committee.

By Mr. Brown of Sonoma—A petition from citizens of Forestville, Sonoma County, asking such legislation as will secure to them the rights and privileges of section eleven, of article eleven, of the Constitution.

Referred to the Committee on County Governments and Municipal Corporations.

By Mr. Hynes—A remonstrance from citizens of Sonoma County against the passage of any bill giving any of the territory properly belonging to said Sonoma County to Napa, or any other county.

Referred to the Committee on County Governments and Municipal Corporations.

By Mr. York—A petition from Esther S. Shaw for relief from political disabilities.

Referred to the Committee on Elections.

By Mr. Messenger—A petition from citizens of Nevada County, asking legislation to prevent the running at large of hogs, goats, and sheep in the townships of Rough and Ready and Grass Valley, in said county.

Referred to the Committee on Agriculture.

INTRODUCTION OF BILLS.

The following bills were introduced, and ordered printed:

By Mr. Walker—An Act to grant to certain parties therein named the right of way for a railroad from the Town of Truckee to the Town of Quincy.

By Mr. Stanley—An Act to disincorporate the City of San Luis Obispo, and provide for the payment of its debts

By Mr. Gorley—An Act to amend the Political Code concerning the collection of license taxes

By Mr. Green—An Act to amend section two hundred and sixty-eight of the Political Code.

By Mr. Cook—An Act supplementary to subdivision (9) nine of section four thousand and forty-six of the Political Code, approved March twelfth, eighteen hundred and seventy-two, relative to county buildings.

By Mr Finlayson—An Act to amend section two thousand four hundred and sixty-four of the Political Code, relating to pilots and pilot regulations

By Mr. Young—An Act supplemental to and amendatory of an Act entitled an Act supplemental to and amendatory of an Act

entitled an Act to regulate the practice of medicine in the State of California, approved April third, eighteen hundred and seventy-six, passed April first, eighteen hundred and seventy-eight.

By Mr. Stoddard—An Act to amend section eleven of an Act entitled an Act to incorporate the City of Eureka, approved February tenth, eighteen hundred and seventy.

FIRST READING AND REFERENCE OF BILLS.

Assembly Bill No. 478—An Act concerning roads and highways.

Read first time, and referred to the Committee on County Governments and Municipal Corporations.

Assembly Bill No. 493—An Act to amend sections two thousand six hundred and forty-five, two thousand six hundred and forty-six, two thousand six hundred and forty-seven, two thousand six hundred and forty-eight, two thousand six hundred and forty-nine, two thousand six hundred and fifty, two thousand six hundred and fifty-three, two thousand six hundred and fifty-seven, two thousand six hundred and fifty-eight, two thousand six hundred and fifty-nine, two thousand six hundred and sixty, two thousand six hundred and sixty-one, two thousand six hundred and sixty-two, two thousand six hundred and sixty-three, two thousand six hundred and eighty-five, two thousand six hundred and eighty-seven, two thousand six hundred and eighty-eight, two thousand six hundred and ninety-eight, two thousand seven hundred and three, two thousand seven hundred and six, two thousand seven hundred and seven, two thousand seven hundred and eight, two thousand seven hundred and eleven, two thousand seven hundred and fourteen, two thousand seven hundred and twenty-four, two thousand seven hundred and twenty-five, two thousand seven hundred and twenty-six, two thousand seven hundred and twenty-nine, two thousand seven hundred and thirty-one, two thousand seven hundred and thirty-two, two thousand seven hundred and forty-three, two thousand seven hundred and forty-six, two thousand seven hundred and forty-seven, two thousand seven hundred and fifty-four, and two thousand seven hundred and fifty-five, and to repeal sections two thousand six hundred and fifty-one, two thousand six hundred and fifty-two, two thousand six hundred and fifty-four, two thousand six hundred and eighty-six, and two thousand seven hundred and four, of the Political Code, relating to roads and highways.

Read first time, and referred to the Committee on County Governments and Municipal Corporations.

SPECIAL ORDER.

Special order for this hour—third reading file—taken up.

Assembly Bill No. 139—An Act to enable female citizens to vote upon all matters relating to the public schools of the State of California

Passed on file.

Assembly Bill No. 76—An Act entitled an Act to secure to the children of this State such an education as will tend to promote a love of their country and its institutions, and to protect and secure a republican form of government forever.

On second reading file—withdrawn.

Senate Bill No. 32—An Act to amend sections seven hundred and twelve, seven hundred and twenty-eight, seven hundred and thirty-two, seven hundred and sixty, seven hundred and seventy-one, seven hundred and seventy-two, eight hundred and eighteen, eight hundred and twenty, eight hundred and fifty, eight hundred and ninety, nine hundred and thirty-five, one thousand one hundred and ninety-seven, one thousand three hundred and thirty, one thousand four hundred and sixty-six, one thousand four hundred and sixty-eight, one thousand four hundred and sixty-nine, one thousand five hundred and fifteen, one thousand five hundred and sixteen, and one thousand five hundred and fifty-six, of the Penal Code, providing for certain proceedings before the Superior Courts, or the Judges thereof.

Passed on file.

Assembly Bill No. 271—An Act to provide for the refunding of the funded debt of the City of Los Angeles, created by an Act of Legislature, approved February first, eighteen hundred and sixty-eight, and entitled "An Act to authorize the Mayor and Common Council of the City of Los Angeles to take and subscribe seventy-five thousand dollars to the capital stock of the 'Los Angeles and San Pedro Railroad Company,' in the County of Los Angeles, and to provide for the payment of the same, and other matters relating thereto."

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs Bennett, Brooks, Brown of Sonoma, Bruner, Brusie, Burns, Camron, Carr of Sacramento, Carr of Yuba, Chamberlain, Chandler, Coffman, Coleman, Cook, Cooper, Corcoran, Dimond, Downs, Durham, Fox, Fraser, Frink, Gaffey, Gorley, Green, Harris, Hartson, Hershey, Josselyn, Lane, Maguire, Mathews, May, McCallion, McCarthy of San Francisco, McComas, Merry, Messenger, Picket, Sherburne, Spencer, Stanley, Stoddard, Streeter, Valle Del, Walker, Ward, Wason of Ventura, Wasson of Mono, and Young—51.

NOES—Messrs. Adams, Anthony, Cuthbert, DuBrutz, Finlayson, Hardy, Hynes, Maybell, McCarty of Lake, Morse, Mulholland, Sayle, Simon, Sweetland, Tyler, York, and Mr Speaker—17.

Title approved.

Assembly Bill No. 47—An Act to amend sections one thousand one hundred and eighteen, one thousand one hundred and nineteen, one thousand one hundred and twenty-six, and one thousand one hundred and twenty-seven, of an Act entitled "An Act to establish a Code of Civil Procedure," approved March eleventh, eighteen hundred and seventy-two, relating to contesting elections.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs Adams, Anthony, Bass, Bennett, Brooks, Brown of Sonoma, Brown of Yuba, Bruner, Brusie, Burns, Camron, Carr of Sacramento, Chamberlain, Chandler, Coffman, Coleman, Cook, Corcoran, Cuthbert, Dimond, Downs, DuBrutz, Durham, Finlayson, Fox, Garibaldi, Gaffey, Green, Hardy, Harris, Hartson, Hershey, Hynes, Josselyn, Leach, Leadbetter, Levee, Maguire, Mathews, May, McCarty of Lake, McCarthy of San Francisco, McComas, McIntosh, Merry, Messenger, Morse, Mulholland, Picket, Sayle, Simon, Sherburne, Spencer, Stanley, Stoddard, Streeter, Tyler, Valle Del, Walker, Ward, Wason of Ventura, Wasson of Mono, Wattson, Young, and Mr Speaker—65.

NOES—Messrs Lane, McCallion, and Sweetland—3.

Title approved.

Assembly Bill No. 177—An Act to amend section fifty-four of the Penal Code, relative to crimes against the elective franchise.

Read third time.

Mr. Hardy moved to return to section one of the bill for the purpose of amendment.

Upon which the ayes and noes were demanded by the requisite number.

The roll was called, and the motion lost by the following vote:

AYES—Messrs. Anthony, Bass, Brown of Sonoma, Bruner, Burns, Coffman, Coleman, Cooper, Corcoran, Cuthbert, DuBrutz, Gaffey, Hardy, Hynes, Josselyn, Lane, Leadbetter, Levee, Maguire, McCarty of Lake, Messenger, Morse, Picket, Simon, Spencer, Stanley, Valle Del, Walker, Wason of Ventura, Wasson of Mono, York, and Mr Speaker—32

NOES—Messrs. Adams, Bennett, Brooks, Brown of Yuba, Brusie, Camron, Carr of Sacramento, Chamberlain, Chandler, Dimond, Downs, Durham, Fox, Frink, Gorley, Green, Harris, Harison, Hershey, Leach, May, McCallion, McCarthy of San Francisco, McComas, McIntosh, Merry, Mulholland, Sayle, Sherburne, Stoddard, Streeter, Sweetland, Tyler, Ward, Wattson, and Young—36.

The roll was then called, and the bill passed by the following vote:

AYES—Messrs. Adams, Anthony, Bass, Bennett, Braunhart, Brooks, Brown of Sonoma, Brown of Yuba, Bruner, Brusie, Burns, Camron, Carr of Sacramento, Chamberlain, Chandler, Coffman, Coleman, Cuthbert, DuBrutz, Durham, Finlayson, Fox, Frink, Gorley, Green, Harris, Hartson, Hershey, Hynes, Leach, Leadbetter, Levee, Maguire, Mathews, May, McCallion, McCarty of Lake, McCarthy of San Francisco, McComas, McIntosh, Merry, Morse, Mulholland, Nelson, Picket, Sayle, Sherburne, Spencer, Stanley, Stoddard, Streeter, Sweetland, Tyler, Valle Del Walker, Ward, Wason of Ventura, Wasson of Mono, Wattson, York, Young, and Mr. Speaker—62.

NOES—Messrs Cooper, Corcoran, Dimond, Downs, Gaffey, Josselyn, Lane, Maybell, Messenger, and Simon—10.

Title approved.

Assembly Bill No 214—An Act to amend an Act entitled "An Act to prescribe the duties and provide the salary of certain officers of San Mateo County, to authorize the issue of bonds for road purposes, and other matters relating thereto," approved March eighteenth, eighteen hundred and seventy-four.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Adams, Anthony, Bass, Braunhart, Brooks, Brown of Sonoma, Brown of Yuba, Bruner, Brusie, Burns, Carr of Sacramento, Chamberlain, Coffman, Coleman, Corcoran, Cuthbert, Dimond, Downs, DuBrutz, Durham, Felton, Finlayson, Fox, Frink, Green, Harris, Hartson, Hershey, Hynes, Josselyn, Leach, Leadbetter, Levee, Maguire, Mathews, May, McCallion, McCarty of Lake, McComas McIntosh, Merry, Messenger, Morse, Mulholland, Nelson, Picket, Sayle, Simon, Sherburne, Spencer, Stanley, Stoddard, Streeter, Sweetland, Tyler, Valle Del, Walker, Ward, Wattson, York, Young, and Mr Speaker—62.

NOES—Messrs. Gaffey, Maybell, and McCarthy of San Francisco—3.

Title approved.

Assembly Bill No. 259—An Act to amend section nine hundred and eighty-seven of the Penal Code, relative to pleadings and proceedings after indictment and before the commencement of the trial.

Read third time.

Mr. Merry moved to amend by striking out all after the word "do," in line nine, section one

The previous question was demanded by Messrs. Streeter, Morse, and Mathews, and the House so ordered

The question coming upon the amendment moved by Mr. Merry, the ayes and noes were demanded by Messrs. Merry, May, and Maybell.

The roll was called, and the amendment was adopted by the following vote:

AYES—Messrs. Adams, Anthony, Bass, Bennett, Braunhart, Brown of Sonoma, Bruner, Brusie, Burns, Camron, Carr of Sacramento, Chamberlain, Chandler, Coleman, Cook, Cuth-

bert, Downs, Fraser, Garibaldi, Gaffey, Gorley, Hardy, Harris, Hartson, Hershey, Josselyn, Lane, Leach, Leadbetter, Levee, Maguire, Mathews, May, Maybell, McCallion, McCarty of Lake, McComas, McDade, Merry, Messenger, Mulholland, Picket, Sayle, Simon, Sherburne, Spencer, Stanley, Stoddard, Streeter, Tyler, Valle Del, Ward, Young, and Mr. Speaker—54.

NOES—Messrs. Brown of Yuba, Corcoran, DuBrutz, Fox, Frink, Green, Hynes, McCarthy of San Francisco, McIntosh, Morse, Nelson, Sweetland, Walker, Wason of Ventura, Wattson, and York—16.

Mr. Tyler gave notice that he would, on to-morrow, move to reconsider the vote by which the House adopted the amendment.

The bill ordered printed as amended.

Assembly Bill No. 226—An Act to amend section three thousand and fifty-two of the Civil Code, relating to liens on personal property.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Adams, Anthony, Bass, Bennett, Braunhart, Brown of Sonoma, Brown of Yuba, Bruner, Brusie, Burns, Carr of Sacramento, Carr of Yuba, Chamberlain, Chandler, Coleman, Cook, Cooper, Corcoran, Cuthbert, Dimond, Downs, Durham, Fox, Fraser, Frink, Garibaldi, Gaffey, Green, Hardy, Harris, Hartson, Hershey, Hynes, Josselyn, Lane, Leach, Leadbetter, Levee, Maguire, Mathews, Maybell, McCallion, McCarty of Lake, McCarthy of San Francisco, McDade, McIntosh, Merry, Messenger, Morse, Mulholland, Nelson, Picket, Sayle, Simon, Sherburne, Spencer, Stanley, Stoddard, Streeter, Sweetland, Valle Del, Walker, Ward, Wason of Ventura, Wattson, York, Young, and Mr. Speaker—68.

NOES—None.

Title approved.

Assembly Bill No. 219—An Act regulating the receiving, transportation, and delivery of grain by railroad corporations, and defining the duties of such corporations with respect thereto.

Taken up.

Mr. Young moved to strike out the enacting clause of the bill.

Upon which the ayes and noes were demanded by Messrs. Maybell, Young, and McCarty.

The roll was called, and the motion was lost by the following vote:

AYES—Messrs. Downs, Fox, and Young—3.

NOES—Messrs. Anthony, Bass, Bennett, Braunhart, Brooks, Brown of Yuba, Bruner, Camron, Carr of Sacramento, Carr of Yuba, Chamberlain, Chandler, Coffman, Cook, Cooper, Corcoran, Cuthbert, Dimond, DuBrutz, Finlayson, Fraser, Frink, Gorley, Green, Hartson, Hershey, Hynes, Josselyn, Lane, Leach, Leadbetter, Levee, Maguire, Mathews, May, Maybell, McCallion, McCarty of Lake, McCarthy of San Francisco, McComas, McDade, McIntosh, Merry, Messenger, Morse, Picket, Sayle, Simon, Sherburne, Spencer, Stanley, Stoddard, Sweetland, Valle Del, Walker, Ward, Wasson of Ventura, Wattson, York, and Mr. Speaker—61.

The previous question being demanded by the requisite number, the House so ordered.

The bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Anthony, Bennett, Braunhart, Brooks, Brown of Sonoma, Bruner, Carr of Sacramento, Carr of Yuba, Chamberlain, Chandler, Coffman, Cook, Cooper, Corcoran, Cuthbert, DuBrutz, Durham, Finlayson, Fraser, Garibaldi, Gaffey, Gorley, Green, Hardy, Hershey, Hynes, Josselyn, Lane, Leach, Leadbetter, Levee, Maguire, Mathews, May, Maybell, McCallion, McCarty of Lake, McCarthy of San Francisco, McDade, McIntosh, Morse, Sayle, Simon, Sherburne, Spencer, Stanley, Stoddard, Valle Del, Walker, Wason of Ventura, Wattson, and Mr. Speaker—52.

NOES—Messrs. Adams, Bass, Brown of Yuba, Brusie, Camron, Dimond, Downs, Fox, Frink, McComas, Merry, Messenger, Nelson, Streeter, Sweetland, Ward, York, and Young—18.

Title approved.

Assembly Bill No. 377—An Act to empower the Directors of Levee District Number One, of Sutter County, to issue bonds for the payment or funding of the unfunded indebtedness of said levee district,

and to provide for the redemption of such bonds by taxing the property in the district.

Read third time.

The roll was called, and the bill was passed by the following vote:

AYES—Messrs. Adams, Bass, Bennett, Brooks, Brown of Sonoma, Brusie, Carr of Sacramento, Carr of Yuba, Chamberlain, Chandler, Coffman, Cook, Cooper, Corcoran, Cuthbert, Dimond, Downs, DuBrutz, Durham, Finlayson, Fox, Fraser, Garibaldi, Gafley, Gorley, Green, Hardy, Harris, Hartson, Hershey, Hynes, Josselyn, Lane, Leach, Leadbetter, Levee, Magune, Mathews, May, Maybell, McCarty of Lake, McCarthy of San Francisco, McComas, McIntosh, Merry, Messenger, Morse, Mulholland, Picket, Sayle, Sherburne, Spencer, Stanley, Steeter, Valle Del, Walker, Ward, Wason of Ventura, Wattson, York, and Young—61.

NOES—Messrs. Anthony, McCallion, and Stoddard—3.

Title approved.

RECESS.

The hour of one o'clock P. M. having arrived, the House took a recess for one hour.

RE-ASSEMBLED.

House re-assembled at two o'clock P. M.

Speaker Cowdery in the chair.

Quorum present.

SPECIAL ORDER.

The special order for this day, Assembly Bill No. 460—An Act to amend sections one thousand five hundred and seventeen, one thousand five hundred and twenty-one, one thousand five hundred and thirty-two, one thousand five hundred and forty-three, one thousand five hundred and forty-five, one thousand five hundred and forty-eight, one thousand five hundred and fifty, one thousand five hundred and fifty-one (*a*), one thousand five hundred and seventy-seven, one thousand five hundred and ninety-three, one thousand five hundred and ninety-seven, one thousand five hundred and ninety-eight, one thousand six hundred, one thousand six hundred and eleven, one thousand six hundred and sixteen, one thousand six hundred and seventeen, one thousand six hundred and nineteen, one thousand six hundred and twenty, one thousand six hundred and twenty-one, one thousand six hundred and twenty-two, one thousand six hundred and twenty-four, one thousand six hundred and sixty-two, one thousand six hundred and sixty-three, one thousand six hundred and sixty-five, one thousand six hundred and sixty-six, one thousand six hundred and ninety-six, one thousand seven hundred and one, one thousand seven hundred and twelve, one thousand seven hundred and fifteen, one thousand seven hundred and sixty-eight, one thousand seven hundred and sixty-nine, one thousand seven hundred and seventy, one thousand seven hundred and seventy-one, one thousand seven hundred and seventy-two, one thousand seven hundred and seventy-four, one thousand seven hundred and seventy-five, one thousand seven hundred and eighty-seven, one thousand seven hundred and eighty-eight, one thousand seven hundred and ninety, one thousand seven hundred and ninety-one, one thousand eight hundred and seventeen, one thousand eight hundred and eighteen, one thousand eight hundred and thirty-four, one thousand eight hundred and thirty-five, one thousand eight hundred and thirty-six, one thousand eight hundred and thirty-seven, one thou-

sand eight hundred and fifty-seven, one thousand eight hundred and fifty-eight, one thousand eight hundred and fifty-nine, one thousand eight hundred and sixty-one, one thousand eight hundred and sixty-nine, one thousand eight hundred and seventy-one, and one thousand eight hundred and seventy-four, to add new sections one thousand five hundred and sixty-five, one thousand five hundred and eighty-three, one thousand seven hundred and three, one thousand seven hundred and four, and one thousand eight hundred and seventy-nine, and to repeal sections one thousand five hundred and fifty-one (*b*), one thousand six hundred and fifty-two, one thousand six hundred and sixty-nine, one thousand six hundred and seventy, one thousand seven hundred and forty-one, one thousand seven hundred and forty-two, one thousand seven hundred and forty-three, one thousand seven hundred and forty-four, one thousand seven hundred and forty-five, one thousand seven hundred and forty-six, one thousand seven hundred and forty-seven, one thousand seven hundred and forty-eight, one thousand seven hundred and forty-nine, one thousand seven hundred and fifty, one thousand seven hundred and fifty-one, one thousand seven hundred and fifty-two, one thousand seven hundred and fifty-three, one thousand seven hundred and fifty-four, one thousand seven hundred and fifty-five, one thousand seven hundred and fifty-seven, one thousand seven hundred and fifty-eight, one thousand seven hundred and seventy-seven, one thousand seven hundred and ninety-three, one thousand seven hundred and ninety-four, one thousand eight hundred and thirty-eight, one thousand eight hundred and forty, one thousand eight hundred and forty-one, one thousand eight hundred and forty-two, one thousand eight hundred and forty-three, one thousand eight hundred and forty-four, one thousand eight hundred and forty-five, one thousand eight hundred and forty-six, one thousand eight hundred and forty-seven, one thousand eight hundred and forty-eight, one thousand eight hundred and forty-nine, one thousand eight hundred and fifty, one thousand eight hundred and fifty-one, one thousand eight hundred and fifty-two, and one thousand eight hundred and seventy-two, of an Act entitled an Act to establish a Political Code, approved March twelfth, A. D. eighteen hundred and seventy-two, relating to public schools—on motion of Mr. Wason of Ventura, ordered to foot of second reading file.

THIRD READING OF BILLS—RESUMED.

Assembly Bill No. 136—An Act to amend section two thousand one hundred and sixty-eight of the Civil Code of the State of California

Taken up.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Anthony, Bass, Braunhart, Brooks, Brown of Sonoma, Bruner, Brusie, Burns, Carr of Yuba, Coffman, Cook, Cooper, Corcoran, Cuthbert, Dimond, Downs, DuBrutz, Durham, Finlayson, Frink, Garibaldi, Gaffey, Gorley, Green, Harris, Hartson, Hershey, Hynes, Josselyn, Lane, Leadbetter, Maguire, Mathews, Maybell, McCallion, McCarty of Lake, McCarthy of San Francisco, McComas, McDade, McIntosh, Merry, Messenger, Morse, Mulholland, Picket, Savle, Simon, Sherburne, Spencer, Stoddard, Sweetland, Tyler, Valle Del, Walker, York, and Mr. Speaker—56.

NOES—Messrs Bennett, Brown of Yuba, Fox, Fraser, Leach, May, Nelson, Stanley, Streeter, and Wason of Ventura—10

Title amended, and approved as amended.

Senate Bill No. 180—An Act to amend section two thousand eight hundred and fourteen of the Political Code, concerning public ways.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Anthony, Bass, Bennett, Braunhart, Brooks, Brown of Yuba, Bruner, Brusie, Burns, Carr of Yuba, Coffman, Coleman, Cook, Corcoran, Cuthbert, Dimond, Downs, DuBrutz, Durham, Finlayson, Fox, Fraser, Frink, Garibaldi, Gaffey, Gorley, Green, Harris, Hartson, Hershey, Josselyn, Leach, Leadbetter, Maguire, Mathews, May, Maybell, McCallion, McCarty of Lake, McCarthy of San Francisco, McDade, McIntosh, Merry, Messenger, Morse, Mulholland, Nelson, Picket, Sayle, Sherburne, Spencer, Stanley, Stoddard, Tyler, Valle Del, Walker, Ward, Wason of Ventura, and York—59.

NOES—Mr. Lane and Mr. Speaker—2.

Title approved.

Senate Bill No. 277—An Act to amend section four of an Act entitled "An Act to authorize the Board of Trustees of the Town of Colusa to issue bonds for road purposes," approved March twentieth, eighteen hundred and seventy-eight.

Read third time

The roll was called, and the bill was passed by the following vote:

AYES—Messrs Adams, Anthony, Bennett, Braunhart, Brooks, Brown of Sonoma, Brown of Yuba, Bruner, Brusie, Burns, Carr of Sacramento, Carr of Yuba, Chamberlain, Coffman, Coleman, Cooper, Corcoran, Cuthbert, Dimond, Downs, DuBrutz, Durham, Fox, Fraser, Frink, Garibaldi, Gaffey, Green, Hardy, Harris, Hartson, Hershey, Josselyn, Lane, Leach, Leadbetter, Maguire, Mathews, May, McCallion, McCarty of Lake, McCarthy of San Francisco, McDade, McIntosh, Merry, Messenger, Morse, Mulholland, Nelson, Picket, Sayle, Simon, Sherburne, Spencer, Stanley, Stoddard, Streeter, Sweetland, Tyler, Valle Del, Walker, Ward, Wason of Ventura, York, and Mr. Speaker—65

NOES—None

Title approved.

Assembly Bill No. 382—An Act to redeem and refund the bonds issued by the County of San Mateo under and by virtue of "An Act to provide funds for the construction and improvement of highways in the County of San Mateo," approved April fourth, eighteen hundred and seventy.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Adams, Bass, Bennett, Braunhart, Brooks, Brown of Sonoma, Brown of Yuba, Bruner, Brusie, Burns, Camron, Carr of Sacramento, Chamberlain, Coffman, Coleman, Cook, Cooper, Corcoran, Dimond, Downs, Durham, Felton, Fraser, Frink, Garibaldi, Gaffey, Gorley, Green, Hardy, Harris, Hershey, Hynes, Josselyn, Lane, Leadbetter, Maguire, Mathews, May, McCallion, McCarty of Lake, McCarthy of San Francisco, McComas, McDade, McIntosh, Merry, Messenger, Morse, Mulholland, Nelson, Picket, Sayle, Simon, Sherburne, Spencer, Stanley, Stoddard, Sweetland, Tyler, Valle Del, Walker, Ward, York, and Young—63.

NOES—Messrs. Anthony and Maybell—2.

Title approved.

Assembly Joint Resolution No. 15—Relative to extending the thanks of the State to J. W. Mackey.

Passed on file.

Assembly Bill No. 384—An Act to amend an Act entitled "An Act to provide for the building of a school house in Modesto School District, in the County of Stanislaus, in the State of California," approved January ninth, eighteen hundred and seventy-four.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Adams, Bass, Bennett, Braunhart, Brooks, Brown of Sonoma, Brown of Yuba, Bruner, Burns, Carr of Sacramento, Carr of Yuba, Chamberlain, Coffman, Cook, Corcoran, Cuthbert, Dimond, Downs, DuBrutz, Durham, Fox, Fraser, Frink, Garibaldi, Gorley, Green, Hardy, Harris, Hartson, Hershey, Hynes, Josselyn, Leach, Maguire, Mathews, May, McCallion, McCarty of Lake, McCarthy of San Francisco, McComas, McDade, McIntosh, Merry, Messenger, Morse, Mulholland, Nelson, Picket, Sayle, Simon, Sherburne, Spencer, Stanley, Stoddard, Sweetland, Tyler, Walker, Ward, Wason of Ventura, Wasson of Mono, Wattson, York, and Young—63.
NOES—Mr. Maybell—1.

Title approved.

Assembly Joint Resolution No. 15—Relative to extending the thanks of the State to J. W. Mackey.

Taken up.

Read third time.

Mr. McCallion moved the indefinite postponement of the resolution.

Lost.

The ayes and noes were demanded upon the passage of the resolution by Messrs. McCallion, Tyler, and Walker.

The roll was called, and the resolution passed by the following vote:

AYES—Messrs. Adams, Bass, Bennett, Brooks, Brown of Sonoma, Brown of Yuba, Bruner, Brusie, Burns, Camron, Carr of Sacramento, Coleman, Cuthbert, Downs, Durham, Finlayson, Fox, Fraser, Gorley, Hardy, Hartson, Hershey, Hynes, Josselyn, Lane, Leach, Maguire, Mathews, May, McCarty of Lake, McCarthy of San Francisco, McDade, Merry, Messenger, Mulholland, Nelson, Simon, Sherburne, Spencer, Stanley, Stoddard, Sweetland, Wason of Ventura, Wasson of Mono, Wattson, York, Young, and Mr. Speaker—48.
NOES—Messrs Anthony, Cook, Corcoran, Dimond, DuBrutz, Frink, Garibaldi, Gaffey, Harris, Maybell, McCallion, McIntosh, Morse, Picket, Sayle, Tyler, Walker, and Ward—18

Assembly Bill No. 392—An Act to authorize Boards of Supervisors to employ a deputy in certain cases.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Adams, Anthony, Bass, Bennett, Braunhart, Brooks, Brown of Sonoma, Brown of Yuba, Bruner, Brusie, Burns, Camron, Carr of Sacramento, Chamberlain, Chandler, Coffman, Coleman, Cook, Cooper, Corcoran, Dimond, Downs, Fox, Fraser, Frink, Gaffey, Gorley, Green, Hardy, Harris, Hartson, Hynes, Josselyn, Leach, Maguire, Mathews, May, McCallion, McCarty of Lake, McCarthy of San Francisco, McComas, McIntosh, Merry, Messenger, Morse, Nelson, Sayle, Simon, Sherburne, Spencer, Stanley, Stoddard, Sweetland, Tyler, Valle Del, Walker, Ward, Wason of Ventura, Wasson of Mono, Wattson, York, Young, and Mr. Speaker—63.
NOES—Messrs. Carr of Yuba, Cuthbert, DuBrutz, Garibaldi, Hershey, Lane, Maybell, Mulholland, and Picket—9.

Title approved.

Assembly Bill No. 337—An Act to encourage the planting of jute.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Adams, Anthony, Bass, Brooks, Brown of Sonoma, Brown of Yuba, Bruner, Brusie, Carr of Sacramento, Carr of Yuba, Chamberlain, Chandler, Coffman, Coleman, Cook, Cooper, Corcoran, Cuthbert, Dimond, Downs, DuBrutz, Durham, Finlayson, Fox, Frink, Garibaldi, Gaffey, Gorley, Green, Hardy, Hartson, Hershey, Hynes, Josselyn, Lane, Maguire, Mathews, May, McCallion, McCarty of Lake, McDade, McIntosh, Merry, Messenger, Morse, Mulholland, Nelson, Picket, Simon, Sherburne, Spencer, Stanley, Stoddard, Streeter, Sweetland, Valle Del, Walker, Ward, Wason of Ventura, Wasson of Mono, Wattson, York, Young, and Mr Speaker—64
NOES—Messrs. Bennett, Harris, Leach, McComas, and Tyler—5.

Title approved.

Assembly Bill No. 125—An Act to prevent the accumulation of large landed estates.

Taken up.

Mr Young moved to make above bill the special order for eleven o'clock A. M. to-morrow.

Lost.

Mr. Del Valle moved to strike out the enacting clause of the bill.

Mr. Camron moved to make the bill the special order for seven o'clock and thirty minutes P. M this day.

Lost.

The question recurring upon the motion to strike out the enacting clause, Mr. Tyler moved a call of the House.

Carried.

A quorum being present, Mr. Leach moved that further proceedings under the call be dispensed with.

So ordered.

The previous question being demanded by Messrs. Tyler, Frink, and Walker, the House so ordered.

The ayes and noes were demanded by Messrs. Braunhart, Maguire, and Anthony, on the motion to strike out the enacting clause.

The roll was called, and the motion was lost by the following vote:

AYES—Messrs Adams, Bennett, Brooks, Chamberlain, Chandler, Coleman, Cooper, Corcoran, Downs, Fox, Fraser, Frink, Hartson, Hershey, Leach, Leadbetter, Mathews, May, McCarty of Lake, McComas, Messenger, Nelson, Spencer, Tyler, Valle Del, Wason of Ventura, Wattson, and Mr. Speaker—28.

NOES—Messrs. Anthony, Bass, Braunhart, Brown of Sonoma, Brown of Yuba, Bruner, Brusie, Burns, Carr of Sacramento, Carr of Yuba, Cook, Cuthbert, Dimond, DuBrutz, Durham, Garibaldi, Gaffey, Gorley, Green, Hardy, Hynes, Josselyn, Lane, Maguire, Maybell, McCallion, McCarthy of San Francisco, McDade, McIntosh, Merry, Morse, Mulholland, Picket, Sayle, Simon, Sherburne, Stanley, Stoddard, Streeter, Sweetland, Walker, Ward, York, and Young—44.

The question recurring upon the passage of the bill, the previous question was demanded by Messrs. Merry, Lane, and Tyler, and the House so ordered.

The bill was read third time.

Pending the calling of the roll, Mr. Sinon gave notice of a motion to reconsider the vote by which the House refused to pass the bill.

The calling of the roll was completed, and the bill refused passage by the following vote:

AYES—Messrs. Anthony, Bass, Braunhart, Brown of Sonoma, Brusie, Burns, Carr of Yuba, Cook, Cuthbert, Durham, Finlayson, Garibaldi, Gaffey, Gorley, Hardy, Hynes, Josselyn, Lane, Maguire, Maybell, McCallion, McCarthy of San Francisco, McDade, Mulholland, Picket, Sayle, Stoddard, Sweetland, Walker, and Young—30.

NOES—Messrs Adams, Bennett, Brooks, Brown of Yuba, Bruner, Carr of Sacramento, Chamberlain, Chandler, Coleman, Cooper, Corcoran, Dimond, Downs, DuBrutz, Fox, Fraser, Frink, Green, Hartson, Hershey, Leach, Mathews, May, McCarty of Lake, McComas, McIntosh, Merry, Messenger, Morse, Nelson, Simon, Sherburne, Spencer, Stanley, Streeter, Tyler, Valle Del, Ward, Wason of Ventura, Wasson of Mono, Wattson, York, and Mr. Speaker—43.

Mr. Mulholland gave notice of a motion to reconsider the vote by which Assembly Bill No. 136—An Act to amend section two thousand one hundred and sixty-eight of the Civil Code of the State of California—was passed by the House this day.

Assembly Bill No. 320—An Act for the better protection of fruit trees and vines.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs Adams, Bennett, Braunhart, Brooks, Brown of Sonoma, Bruner, Brusie, Burns, Carr of Cuba, Coleman, Cooper, Cuthbert, Downs, Finlayson, Fox, Garibaldi, Gaffey, Gorley,

Green, Hardy, Leach, Leadbetter, Maguire, Mathews, May, McCarthy of San Francisco, McComas, McDade, McIntosh, Morse, Mulholland, Nelson, Pickett, Sayle, Simon, Stanley, Streeter, Valle Del, Wason of Ventura, Wasson of Mono Wattson, and Mr Speaker—42.

NOES—Messrs Anthony, Bass, Brown of Yuba, Carr of Sacramento, Chamberlain, Chandler, Cook, Corcoran, Dimond, DuBrutz, Durham, Fraser, Frink, Hartson, Hershey, Hynes, Josselyn, Lane, McCallion, McCarty of Lake, Merry, Messenger, Sherburne, Spencer, Stoddard, Sweetland, Tyler, Walker, Ward, York, and Young—31.

Title approved.

Mr. Hartson moved that Senate message, so far as it regards Assembly Bill No. 404—An Act to amend sections three thousand six hundred and seven, three thousand six hundred and seventeen, three thousand six hundred and twenty-seven, three thousand six hundred and twenty-eight, three thousand six hundred and twenty-nine, three thousand six hundred and thirty, three thousand six hundred and thirty-four, three thousand six hundred and forty, three thousand six hundred and forty-three, three thousand six hundred and fifty, three thousand six hundred and fifty-one, three thousand six hundred and fifty-two, three thousand six hundred and sixty-three, three thousand six hundred and seventy-three, three thousand six hundred and seventy-eight, three thousand six hundred and seventy-nine, three thousand seven hundred and seventeen, three thousand seven hundred and thirty, three thousand seven hundred and fifty-two, three thousand seven hundred and fifty-six, three thousand eight hundred and thirty-nine, and three thousand eight hundred and sixty-one, and to repeal sections three thousand six hundred and eighty and three thousand eight hundred and eighty-seven, of an Act entitled "An Act to establish a Political Code," approved March twelfth, eighteen hundred and seventy-two, relating to revenue, and to add two new sections, numbered three thousand six hundred and sixty-four and three thousand six hundred and sixty-five—be made the special order for to-morrow, at two o'clock P. M.

Carried.

Assembly Bill No. 134—An Act to regulate the hours for closing barber shops, bath houses, and hair-dressing saloons on Sunday.

Taken up.

Substitute recommended by the committee adopted, and the bill ordered printed.

Assembly Bill No. 312—An Act to encourage the planting and cultivation of forest trees.

Withdrawn.

Mr. Carr of Yuba, at four o'clock and fifty-five minutes P. M., moved to adjourn until nine o'clock A. M. to-morrow.

Lost.

RECESS.

The House then took a recess until seven o'clock P. M.

RE-ASSEMBLED.

House re-assembled at seven o'clock P. M.

Speaker Cowdery in the chair.

Quorum present.

Senate Bill No 296—An Act to appropriate money for the support of orphans, half orphans, and abandoned children.

Re-referred to the Committee on State Hospital.

Assembly Bill No. 103—An Act to limit and fix the wages and hours of labor of conductors, drivers, and employés.

Taken up.

Mr. Braunhart moved to strike out "ten" and insert instead "twelve," wherever the word "ten" occurs in the bill.

Adopted

Mr. Lane moved to amend by striking out the words "one dollar," from section three, wherever they occur.

Lost.

The bill ordered printed as amended.

Assembly Bill No. 232—An Act to protect agriculture, and to prevent the trespassing of stock upon private property.

Taken up.

Mr. Chamberlain moved that the bill be indefinitely postponed.

Carried.

Assembly Bill No. 100—An Act to amend an Act to provide for the incorporation of mutual insurance companies for the insurance of life and health, and against accidents, approved April second, eighteen hundred and sixty-six.

Read third time.

The roll was called, and the bill was passed by the following vote:

AYES—Messrs Adams, Anthony, Bass, Braunhart, Brooks, Brown of Sonoma, Brown of Yuba, Bruner, Brusie, Burns, Carr of Sacramento, Carr of Yuba, Chandler, Coffman, Coleman, Cook, Corcoran, Cuthbert, Dumond, Downs, DuBrutz, Durham, Felton, Finlayson, Fox, Fraser, Green, Hershey, Hynes, Josselyn, Leach, Leadbetter, Levee, Maguire, Mathews, May, McCallion, McCarty of Lake, McCarthy of San Francisco, McIntosh, Merry, Messenger, Mulholland, Nelson, Picket, Sayle, Spencer, Stanley, Stoddard, Tyler, Valle Del, Walker, Wason of Ventura, Wasson of Mono, Wattson, and Young—56.

NOES—Mr Maybell—1.

Title approved.

Assembly Bill No. 296—An Act for the relief of W. S. Safford.

Taken up.

On motion of Mr. May the rules were suspended, by a two-thirds vote, and the bill considered in Assembly.

The amendments recommended by the committee adopted, and the bill ordered printed as amended.

Assembly Bill No. 242—An Act to repeal an Act entitled an Act to ratify and confirm the acts of the Mayor and Common Council of the City of San José, approved March fourth, eighteen hundred and seventy-eight.

Passed on file.

Senate Bill No. 108—An Act granting relief to taxpayers whose lands have been sold to the State.

Taken up.

Mr. Tyler, pursuant to notice, moved to reconsider the vote by which the House amended the bill so as to strike out "fifty per cent. penalty."

Carried.

The bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Adams, Anthony, Bass, Braunhart, Brown of Sonoma, Brown of Yuba, Bruner, Brusie, Burns, Carr of Sacramento, Chandler, Coffman, Coleman, Cooper, Cuthbert, Downs, DuBrutz, Durham, Finlayson, Fox, Fraser, Garibaldi, Gaffey, Green, Hershey, Hynes, Leach,

Leadbetter, Maguire, Mathews, May, McCallion, McCarty of Lake, McDade, McIntosh, Merry, Messenger, Mulholland, Nelson, Picket, Spencer, Tyler, Valle Del, Walker, Wason of Ventura, Wattson, York, Young, and Mr. Speaker—49.

NOES—Mr. Lane—1.

Title approved.

Assembly Bill No. 17—An Act for the protection of patients from extortion by dishonest physicians and druggists.

Read third time.

Mr. May moved to recommit the bill with instructions to strike out section five of the bill.

Carried.

REPORT OF STANDING COMMITTEE.

By Mr. May:

MR. SPEAKER: Your Committee on Ways and Means beg leave to return Assembly Bill No. 17—entitled an Act for the protection of patients from extortion by dishonest physicians and druggists—with amendment as ordered by the House, recommending that section five be stricken out.

SACRAMENTO, March 10th, 1880. MAY, Chairman.

Report adopted.

Bill reported above ordered printed as amended.

THIRD READING OF BILLS—RESUMED.

Assembly Bill No. 70—An Act to declare the soliciting of prostitution publicly a misdemeanor.

Taken up.

Bill read third time.

The previous question demanded by Messrs. Cooper, Wason of Ventura, and Finlayson.

The House so ordered.

The roll was called, and the bill was passed by the following vote:

AYES—Messrs. Adams, Anthony, Bass, Brown of Sonoma, Brown of Yuba, Brusie, Carr of Sacramento, Coffman, Coleman, Cooper, Corcoran, Cuthbert, Downs, DuBrutz, Durham, Finlayson, Fox, Fraser, Garibaldi, Gaffey, Green, Hardy, Hershey, Hynes, Josselyn, Leach, Leadbetter, Levee, Maguire, Mathews, May, McCarty of Lake, McCarthy of San Francisco, McDade, McIntosh, Merry, Messenger, Mulholland, Nelson, Spencer, Valle Del, Walker, Ward, Wason of Ventura, Wattson, Young, and Mr. Speaker—57

NOES—Messrs. Braunhart, Lane, Maybell, McCallion, Picket, Sayle, and Tyler—7.

Title amended, and approved as amended.

Assembly Bill No. 139—An Act to enable female citizens to vote upon all matters relating to the public schools of the State of California.

Continued on file.

Assembly Bill No 220—An Act prohibiting public officials from entering into any contract, on the part of the public, covering a longer period of time than their term of office.

Read third time.

The roll was called, and the bill was passed by the following vote:

AYES—Messrs. Adams, Anthony, Bass, Braunhart, Brown of Sonoma, Brown of Yuba, Brusie, Burns, Carr of Sacramento, Coffman, Coleman, Cook, Cooper, Corcoran, Cuthbert, Dimond, Downs, DuBrutz, Finlayson, Garibaldi, Gaffey, Green, Hardy, Hynes, Josselyn, Lane, Levee, Maguire, Mathews, May, Maybell, McCallion, McCarty of Lake, McCarthy of San Francisco, McDade, Merry, Messenger, Mulholland, Picket, Sayle, Spencer, Walker, Wason of Ventura, York, and Mr. Speaker—45.

NOES—Messrs. Fox, Fraser, Hershey, Leach, Leadbetter, McIntosh, Nelson, Stanley, Tyler, Ward, Wattson, and Young—12.

Title amended, and approved as amended.

Assembly Bill No. 25—An Act to provide for the election of fifteen freeholders to frame a charter for cities containing more than one hundred thousand inhabitants, and to provide for the ratification of the same.

Passed on file.

Assembly Bill No. 163—An Act to add a new section to the Penal Code of the State of California, to be known as section three hundred and eight, relative to the sale of intoxicating liquors at retail.

Read third time.

The roll was called, and the bill refused passage by the following vote.

AYES—Messrs. Adams, Bass, Brown of Sonoma, Chamberlain, Chandler, Cook, Cooper, DuBrutz, Durham, Fox, Gaffey, Green, Hardy, Hershey, Josselyn, Levee, Maguire, May, McCarty of Lake, McCarthy of San Francisco, McDade, McIntosh, Mulholland, Sayle, Stanley, Tyler, Valle Del, Walker, Ward, Wason of Ventura, Wattson, and York—42

NOES—Messrs Anthony, Braunhart, Brown of Yuba, Brusie, Burns, Carr of Sacramento, Coffman, Coleman, Corcoran, Cuthbert, Dimond, Downs, Finlayson, Fraser, Garibaldi, Hynes, Lane, Leach, Leadbetter, Mathews, Maybell, McCallion, Merry, Messenger, Nelson, Picket, Spencer, and Young—28.

Mr. Tyler gave notice that he would move to reconsider the vote by which the bill was refused passage.

Mr. Braunhart moved that the Sergeant-at-Arms be directed to distribute to the members Assembly Bill No. 25.

Lost

Mr Fox gave notice of a motion to reconsider the vote by which the House refused passage to Assembly Bill No. 163—An Act to add a new section to the Penal Code of the State of California, to be known as section three hundred and eight, relative to the sale of intoxicating liquors at retail.

Assembly Bill No. 252—An Act abolishing the collection of tolls over roads and bridges.

Taken up.

Mr. Maybell moved a call of the House.

Lost.

The bill read third time, and withdrawn.

Assembly Bill No 162—An Act to amend section three hundred and thirty-eight of the Penal Code, relative to pawnbrokers.

Read third time.

The roll was called, and the bill refused passage by the following vote:

AYES—Messrs Anthony, Brusie, Carr of Sacramento, Chamberlain, Chandler, Coffman, Coleman, Cooper, Corcoran, Dimond, Downs, Durham, Fox, Gaffey, Green, Hardy, Hershey, Levee, May, McCarty of Lake, McCarthy of San Francisco, McIntosh, Merry, Mulholland, Stanley, Tyler, Walker, Ward, Wason of Ventura, Wattson, York, Young, and Mr. Speaker—33

NOES—Messrs Adams, Bass Braunhart, Brown of Sonoma, Cook, Cuthbert, DuBrutz, Finlayson, Fraser, Garibaldi, Hynes, Josselyn, Leach, Maguire, Mathews, Maybell, McCallion, Messenger, Picket, Sayle, Spencer, Sweetland, and Valle Del—23.

Mr Tyler gave notice of a motion to reconsider the vote by which the bill was refused passage.

ADJOURNMENT.

At nine o'clock and ten minutes P. M. Mr. Mulholland moved that we do now adjourn.

Carried.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Thursday, March 11th, 1880.

House met pursuant to adjournment.
Speaker Cowdery in the chair.
Roll called, and a quorum present.
Prayer by the Chaplain.

READING AND APPROVAL OF THE JOURNAL.

Mr Hershey moved that the further reading of the Journal be dispensed with.
So ordered.
The Journal of yesterday approved.

REPORTS OF STANDING COMMITTEES.

By Mr. Chamberlain:

ASSEMBLY CHAMBER, SACRAMENTO, March 10th, 1880.

MR SPEAKER: The Committee on Agriculture, to whom was referred Assembly Bill No. 367—An Act to prevent the running at large of sheep, goats or hogs in the State of California—have had the same under consideration, and report the same back to the Assembly with one amendment, and recommend its passage as amended.

CHAMBERLAIN, Chairman

By Mr. Sherburne:

ASSEMBLY CHAMBER, March 11th, 1880.

MR SPEAKER: Your Committee on Engrossment have examined, and find properly engrossed, Assembly Bill No 273—An Act to amend sections one thousand two hundred and seventy-three, one thousand two hundred and seventy-eight, one thousand two hundred and eighty, one thousand two hundred and eighty-seven, one thousand two hundred and eighty-eight one thousand three hundred and five, one thousand three hundred and six, and one thousand three hundred and seven, of the Penal Code, relative to miscellaneous proceedings

Also, Assembly Bill No. 249—An Act amendatory of an Act entitled an Act for the better protection of the stockholders in corporations formed under the laws of the State of California for the purpose of carrying on and conducting the business of mining, approved March thirtieth, eighteen hundred and seventy-four

Also, Assembly Bill No. 187—An Act to prevent discrimination by gas companies in the State of California.

Also Assembly Bill No 271—An Act to provide for the refunding of the funded debt of the City of Los Angeles, created by an Act of Legislature approved February first, eighteen hundred and sixty-eight, and entitled "An Act to authorize the Mayor and Common Council of the City of Los Angeles to take and subscribe seventy-five thousand dollars to the capital stock of the 'Los Angeles and San Pedro Railroad Company,' in the County of Los Angeles, and to provide for the payment of the same, and other matters relating thereto"

Also, Assembly Bill No 47—An Act to amend sections one thousand one hundred and eighteen, one thousand one hundred and nineteen, one thousand one hundred and twenty-six, and one thousand one hundred and twenty-seven of an Act entitled "An Act to establish a Code of Civil Procedure," approved March eleventh, eighteen hundred and seventy-two, relating to contesting elections

Also, Assembly Bill No 177—An Act to amend section fifty-four of the Penal Code, relative to crimes against the elective franchise

Also, Assembly Bill No 214—An Act to amend an Act entitled "An Act to prescribe the duties and provide the salary of certain officers of San Mateo County, to authorize the issue of bonds for road purposes, and other matters relating thereto," approved March eighteenth, eighteen hundred and seventy-four.

Also, Assembly Bill No 226—An Act to amend section three thousand and fifty-two of the Civil Code, relating to liens on personal property

SHERBURNE, Chairman.

By Mr. Corcoran:

ASSEMBLY CHAMBER, SACRAMENTO, March 10th, 1880.

MR SPEAKER The Committee on Irrigation, to whom was referred Assembly Bill No 432—An Act to provide for the appointment of Water Commissioners in districts to be formed by the Boards of Supervisors of the several counties of this State, on rivers or watercourses, when ten or more canals, ditches, or other outlets, receive water therefrom of the capacity of twenty cubic feet or more of water per second, for irrigation purposes—have had the same under consideration, and report the same back to the Assembly, with a substitute, and recommend its passage.

CORCORAN, Chairman.

By Mr. Green:

ASSEMBLY CHAMBER, SACRAMENTO, March 10th, 1880.

MR. SPEAKER: The Committee on Labor and Capital, to whom was referred Assembly Bill No 110—An Act to establish and enforce eight hours as a legal day's work—have had the same under consideration, and report the same back to the Assembly with three amendments, and recommend its passage as amended.

GREEN, Chairman.

By Mr. Gorley:

ASSEMBLY CHAMBER, March 10th, 1880.

MR SPEAKER The Committees on Military Affairs of the Senate and Assembly, acting as a joint committee, and directed by a resolution of both Houses to proceed to San Francisco to examine the armories of the National Guard there and inspect the general condition of the various commands, beg leave to report that they have performed the duty assigned them.

The joint committee visited San Francisco on the twenty-third of February and made a complete and thorough inspection of Light Battery "A," the First Cavalry Battalion (Companies "A," "B," and "C"), the Gatling Battery (Company "A"), and the various companies of the First, Second, and Third Regiments of Infantry, all of the Second Brigade, N. G. C., Brigadier-General John McComb, commanding.

Your committee take pleasure in reporting that they found the various armories, and the military stores therein, in good order and condition. The companies are moderately well recruited, and the reports of the officers show a fair average attendance at drills, parades, etc. The committee noted, with pleasure, in all the commands, an evident pride in their organizations, and a cordial interest of the rank and file in all their belongings

With respect to armories, the committee have one recommendation to make, and that is, that at the earliest day practicable the various regiments, batteries, and companies of the Second Brigade should be concentrated in one armory At present the various companies are quartered about the city in scattered and insecure buildings, and in the event of a local disturbance, or other occurrence calling for the use of the militia, this inconvenience is one that might be disastrously felt The necessity for such a concentration has already been seen, for even since the visit of your committee the Commander-in-Chief has deemed it advisable to remove the arms of several companies to a centralized place of safety Such a course, though wise, and undoubtedly in furtherance of a sound policy, has yet been grievously felt by both officers and men

The committee would add, in conclusion, its urgent recommendation that the required appropriation for the maintenance of the National Guard, at its present standard of efficiency, may be passed by both Houses without a dissenting vote

The different companies, and other organizations, are spending large sums every year from their private means to defray such expenses as the State does not recognize, and, in view of this liberality, the State allowance provided by law and custom should be granted without a murmur: and further, your committee are of opinion, and recommend, that the State should make an appropriation for the purchase of uniforms, to replace those bought by private subscription and now mostly worn out, also, that provision should be made by the State for an annual encampment of the entire National Guard, it being the only effective way of securing uniform discipline and action among troops.

GORLEY, Chairman.

By Mr. Brusie:

MR. SPEAKER: Your Committee on State Hospital, to whom was referred Senate Bill No 296—entitled an Act to appropriate money for the support of orphans, half orphans, and abandoned children—have had the same under consideration, and report the same back with amendments, and recommend its passage as amended.

BRUSIE, Chairman.

Mr. McIntosh moved to make Assembly Bill No 255—An Act to regulate the price of water for domestic use in this State—the special order for to-morrow, at two o'clock P. M.

Carried.

Two days' leave of absence granted to Mr. Estey on account of sickness.

INTRODUCTION OF BILLS.

The following bills were introduced, and ordered printed:

By Mr. Del Valle—An Act relinquishing the right, title, or claim, of cities to lands.

By Mr. McCarthy—An Act to amend section four of an Act entitled an Act authorizing the appointment of certain permanent employés of the State Capitol, and fixing their compensation, approved March thirtieth, eighteen hundred and seventy-four, relative to salaries.

By Mr. Brooks—An Act to provide for a thorough investigation of the drainage and debris problems.

By Mr Lane—An Act to amend section one thousand one hundred and twenty-one of the Penal Code.

Assembly Bill No. 153—An Act to regulate the sale of opium and other narcotic poisons.

Withdrawn.

FIRST READING AND REFERENCE OF BILLS.

Assembly Bill No. 483—An Act to amend section seven of an Act entitled an Act to amend and revise an Act entitled "An Act to incorporate the Town of Redwood City," approved March twenty-seventh, A. D. eighteen hundred and sixty-eight, and the several sections amendatory thereof and supplementary thereto, and for other purposes, approved March thirtieth, A. D. eighteen hundred and seventy-four.

Read first time, and referred to Committee on County Governments and Municipal Corporations.

Assembly Bill No. 484—An Act to create an additional Police Court in consolidated city and county governments of more than one hundred thousand population.

Read first time, and referred to the San Francisco delegation.

Assembly Bill No. 486—An Act to repeal an Act to provide for the building of a bridge across the mouth of the Bay of San Leandro, in the Town of Alameda, and to authorize the Supervisors of the County of Alameda to levy a special tax for that purpose, approved March twenty-third, eighteen hundred and seventy-four.

Read first time, and referred to the Alameda delegation.

Assembly Bill No. 485—Act to pay the claims of the Board of Reclamation Fund Commissioners, C. F. Reed, E. N. Strout, and A. S. Bender; and of G. G. W. Morgan, Secretary; J. T. Morgan, Assistant Secretary; and Hiram Clock, Porter of said Board.

Read first time, and referred to the Committee on Claims.

Assembly Bill No. 487—An Act to amend section four thousand three hundred and thirty of the Political Code, relative to fixing the salaries of District Attorneys.

Read first time, and referred to the Committee on County Governments and Municipal Corporations.

Assembly Concurrent Resolution No 17—Relative to, and asking the aid of our Senators and Representatives to secure, the establishment of a lighthouse and steam fog signal station at Point St. George, on the northern coast of California.

Read and passed.

Assembly Bill No 490—An Act to authorize the Board of Supervisors of Mendocino County to issue and sell bonds of the county to the amount of seventeen thousand dollars, for the purpose of paying the outstanding bonds of the county issued under the Funding Act, approved April nineteenth, eighteen hundred and sixty-two.

Read first time, and ordered on file.

Assembly Bill No 491—An Act requiring physicians to report cases of infectious and contagious diseases.

Read first time, and referred to the Committee on State Hospital.

Assembly Bill No. 492—An Act to pay the claim of James W. Marshall.

Read first time, and referred to the Committee on Claims.

Assembly Bill No. 494—An Act to amend section five thousand three hundred and fifty-six of the Civil Code.

Read first time, and referred to the Committee on Corporations.

Assembly Bill No. 497—An Act to establish a State Detective Force for the better enforcement of the laws.

Read first time, and referred to the Committee on State Prison.

Assembly Bill No. 489—An Act to amend sections one thousand nine hundred and seventeen, one thousand nine hundred and thirty-four, one thousand nine hundred and thirty-nine, one thousand nine hundred and forty-one, one thousand nine hundred and fifty-five, one thousand nine hundred and sixty, one thousand nine hundred and seventy-three, one thousand nine hundred and seventy-four, one thousand nine hundred and seventy-five, one thousand nine hundred and eighty-two, one thousand nine hundred and eighty-six, one thousand nine hundred and ninety, one thousand nine hundred and ninety-two, two thousand and twenty-two, two thousand and twenty-eight, two thousand and thirty-nine, two thousand and fifty-nine, two thousand and ninety-five, two thousand and ninety-nine, two thousand and seventy-seven, one thousand nine hundred and forty-two, one thousand nine hundred and twenty, one thousand nine hundred and sixty-two, one thousand nine hundred and sixty-five, two thousand and ninety-four, and two thousand one hundred and fourteen, of the Political Code of California, to repeal section one thousand nine hundred and seventy-five of said Code, approved March thirtieth, eighteen hundred and seventy-eight, and section one thousand nine hundred and ninety-one of said Code, and to add a new section to said Code, to be known and numbered as section one thousand nine hundred and seventy-seven, relating to the State militia.

Read first time, and referred to the Committee on Military Affairs.

Assembly Bill No. 495—An Act to provide for the payment of the expense incurred in the capture of ex-convicts accused of the commission of felony.

Read first time, and referred to the Judiciary Committee.

Assembly Bill No. 496—An Act to impose a tax on Chinese in this State.

Taken up.

Mr. Bruner moved that the bill be rejected.

Upon which Messrs. Bruner, Stanley, and Tyler demanded the previous question, and the House so ordered.

Upon the motion to reject the bill, the ayes and noes were demanded by Messrs. Camron, Bruner, and Downs.

The roll was called, and the motion prevailed by the following vote:

AYES—Messrs. Adams, Anthony, Bass, Bennett, Brown of Sonoma, Brown of Yuba, Bruner, Brusie, Camion, Carr of Sacramento, Chamberlain, Chandler, Coffman, Coleman, Cook, Cooper, Corcoran, Cuthbert, Downs, DuBrutz, Durham, Felton, Finlayson, Fraser, Garibaldi, Gaffey, Gotley, Green, Hardy, Harris, Hartson, Hershey, Hynes, Leach, Leadbetter, Levee, Maguire, Mathews, May, McCarty of Lake, McCarthy of San Francisco, McDade, McIntosh, Merry, Messenger, Morse, Mulholland, Nelson, Pickett, Royle, Sherburne, Spencer, Stanley, Stoddard, Streeter, Sweetland, Tyler, Valle Del, Walker, Ward, Wason of Ventura, Wasson of Mono, Wattson, York, Young, and Mr Speaker—66

NOES—Messrs Braunhart, Josselyn, Lane, Maybell, and McCallion—5.

Assembly Bill No. 488—An Act to amend section eight hundred and fifty-one of the Code of Civil Procedure, relative to form of pleadings in Justices' Courts.

Read first time, and referred to the Committee on Indian Affairs.

Assembly Bill No. 498—An Act to empower consolidated cities and counties of over one hundred thousand inhabitants to pay out of the General Fund demands for rent of Court-rooms and chambers for the Superior Courts, and of police stations, and for salaries of janitors.

Read first time, and referred to the Committee on County Governments and Municipal Corporations.

Assembly Bill No. 499—An Act to empower consolidated cities and counties of over one hundred thousand inhabitants to make alterations to county prisons and county jails for sanitary purposes.

Read first time, and referred to the Committee on County Governments and Municipal Corporations.

Assembly Bill No. 470—An Act to protect county jails, and to prevent communication with persons confined therein.

Read first time, and referred to the Committee on County Governments and Municipal Corporations.

Assembly Bill No. 471—An Act to prohibit the landing within this State, under certain circumstances, of any vagrant, pauper, mendicant, person afflicted with any contagious disease, or any person or class of persons declared to be dangerous to the health, well-being, or peace of this State, and to provide the means for carrying the same into effect.

Read first time, and referred to the Committee on State Hospital.

Assembly Bill No. 474—An Act for the relief of H. Connolly.

Read first time, and referred to the Committee on Claims.

Assembly Bill No. 475—An Act for the protection of sheep and goats by placing out poison for the destruction of dogs and wild animals.

Read first time, and referred to the Committee on Agriculture.

Assembly Bill No. 476—An Act to add a new section to the Code of Civil Procedure, relating to pleadings.

Read first time, and referred to the Committee on Judiciary.

Assembly Bill No. 477—An Act to add two sections to the Code of Civil Procedure, to be known and designated as sections one thousand and sixty and one thousand and sixty-one.

Read first time, and referred to the Committee on Judiciary.

Assembly Bill No. 479—An Act to amend section twelve hundred and sixty-five of the Civil Code, in relation to homesteads.

Read first time, and referred to the Committee on Judiciary.

Assembly Bill No. 480—An Act to amend sections fourteen hun-

dred and sixty-five, fourteen hundred and sixty-eight, fourteen hundred and seventy-four, and fourteen hundred and seventy-five, of the Code of Civil Procedure, in relation to homesteads.

Read first time, and referred to the Committee on Judiciary.

Assembly Bill No. 481—An Act for the relief of Thos. W. Lathrop, ex-Sheriff of the County of San Mateo.

Read first time, and referred to the Committee on Judiciary.

Assembly Bill No. 482—An Act for the relief of John C. Edgar, ex-Sheriff of the County of San Mateo.

Read first time, and referred to the Committee on Claims.

SENATE MESSAGES.

The following Senate messages were read:

SENATE CHAMBER, SACRAMENTO, March 10th, 1880.

MR. SPEAKER: I am directed to inform your honorable body that the Senate, on this day, passed Senate Bill No. 92—An Act to amend sections two thousand two hundred and ninety-two and two thousand two hundred and ninety-four of the Political Code, relating to the State Library.

J. A. ORR, Assistant Secretary.

SENATE CHAMBER, SACRAMENTO, March 6th, 1880.

MR SPEAKER: I am directed to inform your honorable body that the Senate, on March 6th, passed Senate Bill No 211—An Act to amend section one thousand four hundred and twenty-two of the Civil Code, relating to water rights and riparian proprietors.

J. A ORR, Assistant Secretary.

SENATE CHAMBER, SACRAMENTO, March 6th, 1880.

MR. SPEAKER: I am directed to inform your honorable body that the Senate, on March fifth, eighteen hundred and eighty, passed Senate Bill No. 232—An Act to amend sections one hundred and ninety-five and one hundred and ninety-six of the Penal Code, relating to escapes and attempts to escape from State Prison

Also, Senate Bill No. 234—An Act to add a new section to the Penal Code, to be known as section one hundred and eleven, relating to costs in certain criminal actions.

Also, Senate Bill No. 311—An Act to appropriate money to the California Artificial Stone Paving Company, to pay the balance due the company for laying down the stone walks and avenues about the Capitol grounds.

Also, Senate Bill No. 253—An Act to repeal an Act entitled an Act to encourage the destruction of squirrels and gophers in the County of San Joaquin, and to provide for a bounty for the same, approved March thirtieth, eighteen hundred and seventy-eight

Also, Senate Bill No. 321—An Act making an appropriation for the improvement of L Street, between Tenth and Fifteenth Streets, in the City and County of Sacramento, State of California.

Passed Senate Bill No. 426—An Act to continue in operation the public schools of this State.

Also, Assembly Bill No 81—An Act to repeal section five hundred and ninety-nine of the Penal Code, relating to the protection of seals and sea lions near the Cliff House, in the City and County of San Francisco.

M. D. BORUCK, Secretary.

CONSIDERATION OF SENATE MESSAGES.

Senate Bill No. 92—An Act to amend sections two thousand two hundred and ninety-two and two thousand two hundred and ninety-four of the Political Code, relating to the State Library.

Read first time, and referred to the Committee on State Library.

Senate Bill No. 211—An Act to amend section one thousand four hundred and twenty-two of the Civil Code, relating to water rights and riparian proprietors.

Read first time, and referred to the Committee on Irrigation.

Senate Bill No. 232—An Act to amend sections one hundred and five and one hundred and six of the Penal Code, relating to escapes and attempts to escape from State Prison.

Read first time, and referred to the Committee on State Prison.

Senate Bill No. 234—An Act to add a new section to the Penal Code, to be known as section one hundred and eleven, relating to costs in certain criminal actions.

Read first time, and referred to the Judiciary Committee.

Senate Bill No 311—An Act to appropriate money to the California Artificial Stone Paving Company, to pay the balance due the company for laying down the stone walks and avenues about the Capitol grounds.

Read first time, and referred to the Committee on Claims.

Senate Bill No. 253—An Act to repeal an Act entitled an Act to encourage the destruction of squirrels and gophers in the County of San Joaquin, and to provide for a bounty for the same, approved March thirtieth, eighteen hundred and seventy-eight.

Read first time, and referred to the San Joaquin delegation.

Senate Bill No. 321—An Act making an appropriation for the improvement of L Street, between Tenth and Fifteenth Streets, in the City of Sacramento, County of Sacramento, State of California.

Read first time, and referred to the Committee on Public Buildings and Grounds.

Consideration of the report of the Committee of Conference.

The report of the Committee of Conference on Senate Bill No. 56—An Act to amend section seven hundred and fifty-one of the Political Code, relative to Deputy Clerks of the Supreme Court, and to make an appropriation for their salaries—taken up, read, and adopted.

Mr. Braunhart called up the motion to reconsider, notice of which was given by Mr. Tyler yesterday, the vote by which the House refused to pass Assembly Bill No. 163—An Act to add a new section to the Penal Code of the State of California, to be known as section three hundred and eight, relative to the sale of intoxicating liquors at retail.

Mr. Tyler raised the point of order that Mr. Braunhart, not having given the notice for reconsideration, could not make the motion.

The point of order ruled not well taken.

Mr Tyler, seconded by Mr. McIntosh, appealing from the decision of the Chair, the House sustained the ruling of the Speaker.

The question being on the motion to reconsider the vote by which the House refused passage to the bill, the ayes and noes were demanded by the requisite number.

The previous question was moved by Messrs. Leach, McIntosh, and Levee, and the House so ordered.

The roll was then called, and the motion to reconsider carried by the following vote:

AYES—Messrs. Adams, Anthony, Bass, Bennett, Brown of Sonoma, Bruner, Brusie, Camron, Carr of Sacramento, Carr of Yuba, Chamberlain, Chandler, Cook, Cooper, DuBrutz, Durham, Finlayson, Fox, Garibaldi, Gaffey, Gorley, Green, Hardy, Harris, Hartson, Hershey, Hynes, Leach, Leadbetter, Levee, Maguire, May, Maybell, McCarty of Lake, McCarthy of San Francisco, McComas, McDade, McIntosh, Morse, Mulholland, Nelson, Sayle, Sherburne, Stanley, Stoddard, Strecter, Sweetland, Tyler, Valle Del, Walker, Wason of Ventura, Wasson of Mono, Wattson, and York—54

NOES—Messrs. Braunhart, Brooks, Brown of Yuba, Burns, Corcoran, Cuthbert, Dimond, Downs, Fraser, Frink, Josselyn, Lane, Mathews, McCallion, Merry, Messenger, Picket, Sinon, Spencer, Ward, and Young—21.

Mr. McIntosh moved that the bill be put on its final passage, and

on that motion, with Messrs. Tyler and DuBrutz, demanded the previous question.

The House ordered the main question, and adopted the motion to put the bill on its final passage.

The bill was read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Adams, Anthony, Bass, Bennett, Brown of Sonoma, Bruner, Brusie, Cameron, Carr of Sacramento, Carr of Yuba, Chamberlain, Chandler, Cook, Cooper, DuBrutz, Durham, Felton, Fox, Garibaldi, Gaffey, Green, Hartson, Hershey, Leach, Leadbetter, Levee, Maguire, May, Maybell, McCarty of Lake, McComas, McDade, McIntosh, Morse, Mulholland, Sayle, Sherburne, Stanley, Stoddard, Streeter, Sweetland, Tyler, Valle Del, Walker, Wason of Ventura, Wasson of Mono, Wattson, and York—48.

NOES—Messrs. Braunhart, Brooks, Brown of Yuba, Burns, Coffman, Coleman, Cuthbert, Dimond, Downs, Finlayson, Fraser, Frink, Hynes, Josselyn, Lane, Mathews, McCallion, Merry, Messenger, Nelson, Picket, Simon, Spencer, Ward, and Young—25.

Mr. McCarthy and Mr. Corcoran paired. Mr. McCarthy would have voted aye, and Mr. Corcoran no.

Title approved.

Mr. Cooper moved to take up, out of order, Assembly Bill No. 393—An Act to provide for the auditing and payment of the county portion of the salary of Superior Judges.

So ordered

The bill then taken up, read second time, and ordered to third reading, at the head of third reading file.

Mr Tyler, pursuant to notice, moved to reconsider the vote by which the House refused to pass Assembly Bill No. 162—An Act to amend section three hundred and thirty-eight of the Penal Code, relative to pawnbrokers.

Carried.

Mr. Tyler moved that the bill be placed on its final passage.

So ordered.

The bill taken up, and read third time.

The roll was called, and the bill was passed by the following vote:

AYES—Messrs Adams, Anthony, Bennett Brown of Yuba, Brusie, Cameron, Carr of Sacramento, Carr of Yuba, Chamberlain, Chandler, Coffman, Cooper, Dimond, Durham, Fox, Frink, Gorley, Green, Hartson, Hershey, Josselyn, Leach, Leadbetter, May, McCarty of Lake, McCarthy of San Francisco, McComas, McDade, McIntosh, Merry, Morse, Mulholland, Nelson, Sayle, Sherburne, Stanley, Stoddard, Streeter, Tyler, Walker, Ward, Wason of Ventura, Wasson of Mono, Wattson, York, Young, and Mr. Speaker—47.

NOES—Messrs Bass, Braunhart, Brooks, Brown of Sonoma, Burns, Cook, Downs, DuBrutz, Finlayson, Fraser, Hardy, Harris, Hynes, Lane, Maguire, Mathews, Maybell, McCallion, Messenger, Picket, Spencer, and Valle Del—22.

Title approved.

RECESS.

At twelve o'clock and fifty-five minutes P. M. the House took a recess until two o'clock P. M.

RE-ASSEMBLED.

House re-assembled at two o'clock P. M.

Speaker Cowdery in the chair.

Quorum present.

SPECIAL ORDER FOR TWO O'CLOCK P. M., SENATE MESSAGE RELATING TO ASSEMBLY BILL NUMBER FOUR HUNDRED AND FOUR.

Assembly Bill No. 404—An Act to amend sections three thousand six hundred and seven, three thousand six hundred and seventeen, three thousand six hundred and twenty-seven, three thousand six hundred and twenty-eight, three thousand six hundred and twenty-nine, three thousand six hundred and thirty, three thousand six hundred and thirty-four, three thousand six hundred and forty, three thousand six hundred and forty-three, three thousand six hundred and fifty, three thousand six hundred and fifty-one, three thousand six hundred and fifty-two, three thousand six hundred and sixty-three, three thousand six hundred and seventy-three, three thousand six hundred and seventy-eight, three thousand six hundred and seventy-nine, three thousand seven hundred and seventeen, three thousand seven hundred and thirty, three thousand seven hundred and fifty-two, three thousand seven hundred and fifty-six, three thousand eight hundred and thirty-nine, and three thousand eight hundred and sixty-one, and to repeal sections three thousand six hundred and eighty and three thousand six hundred and eighty-seven, of an Act entitled "An Act to establish a Political Code," approved March twelfth, eighteen hundred and seventy-two, relating to revenue, and to add two new sections, numbered three thousand six hundred and sixty-four and three thousand six hundred and sixty-five.

Taken up and read.

SENATE CHAMBER, SACRAMENTO, March 10th, 1880.

MR. SPEAKER: I am directed to inform your honorable body that the Senate, on March ninth, eighteen hundred and eighty, passed Assembly Bill No. 404—An Act to amend sections three thousand six hundred and seven, three thousand six hundred and seventeen, three thousand six hundred and twenty-seven, three thousand six hundred and twenty-eight, three thousand six hundred and twenty-nine, three thousand six hundred and thirty, three thousand six hundred and thirty-four, three thousand six hundred and forty, three thousand six hundred and forty-three, three thousand six hundred and fifty, three thousand six hundred and fifty-one, three thousand six hundred and fifty-two, three thousand six hundred and sixty-three, three thousand six hundred and seventy-three, three thousand six hundred and seventy-eight, three thousand six hundred and seventy-nine, three thousand seven hundred and seventeen, three thousand seven hundred and thirty, three thousand seven hundred and fifty-two, three thousand seven hundred and fifty-six, three thousand eight hundred and thirty-nine, and three thousand eight hundred and sixty-one, and to repeal sections three thousand six hundred and eighty and three thousand six hundred and eighty-seven, of an Act entitled an Act to establish a Political Code, approved March twelfth, eighteen hundred and seventy-two, relating to revenue, and to add two new sections, numbered three thousand six hundred and sixty-four and three thousand six hundred and sixty-five—with amendments, and ask the concurrence of the Assembly in the amendments.

M. D. BORUCK, Secretary.

CONSIDERATION OF SENATE MESSAGE.

Assembly Bill No. 404—An Act to amend sections three thousand six hundred and seven, three thousand six hundred and seventeen, three thousand six hundred and twenty-seven, three thousand six hundred and twenty-eight, three thousand six hundred and twenty-nine, three thousand six hundred and thirty, three thousand six hundred and thirty-four, three thousand six hundred and forty, three thousand six hundred and forty-three, three thousand six hundred and fifty, three thousand six hundred and fifty-one, three thousand six hundred and fifty-two, three thousand six hundred and sixty-three, three thousand six hundred and seventy-three, three

thousand six hundred and seventy-eight, three thousand six hundred and seventy-nine, three thousand seven hundred and seventeen, three thousand seven hundred and thirty, three thousand seven hundred and fifty-two, three thousand seven hundred and fifty-six, three thousand eight hundred and thirty-nine, and three thousand eight hundred and sixty-one, and to repeal sections three thousand six hundred and eighty and three thousand six hundred and eighty-seven, of an Act entitled "An Act to establish a Political Code," approved March twelfth, eighteen hundred and seventy-two, relating to revenue, and to add two new sections, numbered three thousand six hundred and sixty-four and three thousand six hundred and sixty-five.

Upon concurring in Senate amendment number one, to section six of the bill, the ayes and noes were demanded by the requisite number.

The roll was called, and the House concurred in Senate amendment number one by the following vote:

AYES—Messrs. Adams, Anthony, Bass, Bennett, Braunhart, Brooks, Brown of Sonoma, Brown of Yuba, Bruse, Carr of Sacramento, Chandler, Coffman, Coleman, Cook, Cooper, Corcoran, Cuthbert, Durham, Finlayson, Fraser, Frink, Garibaldi, Gorley, Green, Hardy, Hartson, Hershey, Josselyn, Leach, Leadbetter, Levee, Mathews, May, McCarty of Lake, McCarthy of San Francisco, McComas, McDade, Merry, Morse, Sayle, Spencer, Stanley, Stoddard, Streeter, Valle Del, Walker, Ward, Wason of Ventura, Wasson of Mono, Wattson, York, Young, and Mr. Speaker—53.

NOES—Messrs. Burns, Camron, Carr of Yuba, Dimond, Fox, Gaffey, Harris, Lane, Maguire, Maybell, McCallion, McIntosh, Nelson, Picket, Sinon, Sherburne, and Tyler—17.

The question was upon concurring in Senate amendments numbers one, two, three, and four to section eight of the bill.

Pending the consideration of the above, the bill was made the special order for ten o'clock A. M. to-morrow.

Mr. Sinon moved to reconsider the vote by which the House refused to pass Assembly Bill No. 125—An Act to prevent the accumulation of large landed estates.

Upon which the ayes and noes were demanded by the requisite number.

The motion ruled out of order by the Speaker, as the notice of reconsideration was given before the roll-call was completed, and the bill refused passage.

Mr. Corcoran appealed from the decision of the Chair.

The question being, "Shall the decision of the Speaker stand as the judgment of the House?" the appeal was withdrawn.

Mr. Braunhart moved that the vote by which the Journal of yesterday was approved be reconsidered.

Carried.

Upon the question by the Speaker, "Shall the Journal of yesterday be changed so as to show that Mr. Sinon gave notice of a motion to reconsider the vote by which Assembly Bill No. 125—An Act to prevent the accumulation of large landed estates—was refused passage, after the passage of said bill?" the House decided in the affirmative.

The roll was then called on the motion to reconsider Assembly Bill No. 125—An Act to prevent the accumulation of large landed estates—and the motion was lost by the following vote:

AYES—Messrs. Anthony, Bass, Bennett, Braunhart, Carr of Yuba, Cook, Corcoran, Cuthbert, DuBrutz, Durham, Garibaldi, Gaffey, Hardy, Josselyn, Lane, Levee, Maguire, May, Maybell, McCallion, McCarthy of San Francisco, McDade, Picket, Sinon, Sweetland, York, and Young—27.

NOES—Messrs. Adams, Bruner, Brusie, Camron, Carr of Sacramento. Chamberlain, Chandler, Coffman, Coleman, Downs, Felton, Finlayson, Fox, Fraser, Frink, Green, Hershey, Leach, Leadbetter, Mathews, McCarty of Lake, McComas, McIntosh, Merry, Messenger, Morse, Mulholland, Nelson, Sayle, Sheiburne, Spencer, Stanley, Stoddard, Streeter, Tyler, Valle Del, Walker, and Wason of Ventura—38.

The Committee on County Governments and Municipal Corporations had leave to have a bill on County Governments printed.

Mr. York moved that Assembly Bill No. 261—An Act to amend section sixty of the Civil Code of California, relating to the intermarriage of whites with negroes and persons of other races—be taken from the table.

Lost.

Assembly Bill No. 325—An Act to prevent persons from passing through inclosures and leaving them open by tearing down fences or otherwise, and to prevent hunting upon inclosed lands in the State of California.

Taken up on motion of Mr. Fox.

The substitute recommended by the committee adopted.

The bill read second time.

Mr. Hardy moved to amend by striking out the words "hunting or who discharges firearms, or lights," from section one, and inserting instead, the words "of lighting."

Mr. Tyler moved that the bill occupy the same position before the House that it now has, at nine o'clock and forty-five minutes A. M. to-morrow.

So ordered.

ADJOURNMENT

At four o'clock and fifty-five minutes P. M. Mr. Frink moved to adjourn.

Carried.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Friday, March 12th, 1880.

House met pursuant to adjournment.

Speaker Cowdery in the chair.

Roll called, and a quorum present.

Prayer by the Chaplain.

READING AND APPROVAL OF THE JOURNAL.

Mr. Frink moved that the further reading of the Journal be dispensed with.

So ordered.

REPORTS OF STANDING COMMITTEES.

By Mr. Merry:

ASSEMBLY CHAMBER, SACRAMENTO, March 11th, 1880.

MR SPEAKER: The Committee on Claims, to whom was referred Senate Bill No 311—An Act to appropriate money to the California Artificial Stone Paving Company, to pay the balance due the Company for laying down the stone walks and avenues about the Capitol grounds

—have had the same under consideration, and report the same back to the Assembly without amendment, and recommend its passage.

The committee have also considered Assembly Bill No 246—An Act to appropriate money to the California Artificial Stone Company, to pay the balance due the Company for laying down the stone walks and avenues about the Capitol grounds—and report the same back, and recommend that the author of the bill be permitted to withdraw the same, the Senate bill herein reported being for the same purpose.

MERRY, Chairman.

Assembly Bill No. 246—An Act to appropriate money to the California Artificial Stone Company to pay the balance due the Company for laying down the stone walks and avenues about the Capitol grounds—withdrawn.

By Mr. Sherburne:

ASSEMBLY CHAMBER, March 12th, 1880.

MR SPEAKER. The Committee on Engrossment have examined and report that they find properly engrossed Assembly Bill No 219—An Act regulating the receiving, transportation, and delivery of grain by railroad corporations, and defining the duties of such corporations with respect thereto.

Assembly Bill No. 377—An Act to empower the Directors of Levee District Number One, of Sutter County, to issue bonds for the payment or funding of the unfunded indebtedness of said levee district, and to provide for the redemption of such bonds by taxing the property in the district

Assembly Bill No. 382—An Act to redeem and refund the bonds issued by the County of San Mateo under and by virtue of "An Act to provide funds for the construction and improvement of highways in the County of San Mateo," approved April fourth, eighteen hundred and seventy.

Assembly Joint Resolution No. 15—Relative to extending the thanks of the State to J W. Mackey.

Assembly Bill No 384—An Act to amend an Act entitled "An Act to provide for the building of a school house in Modesto School District, in the County of Stanislaus, in the State of California" approved January ninth, eighteen hundred and seventy-four

Assembly Bill No 392—An Act to authorize Boards of Supervisors to employ a deputy in certain cases

Assembly Bill No. 337—An Act to encourage the planting of jute.

Assembly Bill No. 320—An Act for the better protection of fruit trees and vines.

Assembly Bill No 100—An Act to amend "An Act to provide for the incorporation of mutual insurance companies for the insurance of life and health, and against accidents," approved April second, eighteen hundred and sixty-six.

Assembly Bill No 70—An Act to declare the soliciting of prostitution publicly a misdemeanor.

Assembly Bill No. 220—An Act prohibiting public officials from entering into any contract, on the part of the public, covering a longer period of time than their term of office.

Assembly Bill No 163—An Act to amend section three hundred and thirty-six of the Penal Code, in relation to games of chance at places where liquor is sold.

Assembly Bill No. 162—An Act to amend section three hundred and thirty-eight of the Penal Code, relative to pawnbrokers.

SHERBURNE, Chairman

By Mr. Brooks:

MR SPEAKER: Your Committee on Enrollment respectfully report that Assembly Bill No. 81—An Act to repeal section five hundred and ninety-nine of the Penal Code, relating to the protection of seals and sea lions near the City and County of San Francisco—has been correctly enrolled, and the same was, at five o'clock P. M. this day, March eleventh, eighteen hundred and eighty, presented to the Governor for his approval.

BROOKS, Chairman.

By Mr. Morse:

ASSEMBLY CHAMBER, SACRAMENTO, March 12th, 1880.

MR. SPEAKER Your Committee on Judiciary, to whom was referred Assembly Bill No 425—An Act to amend sections seven hundred, seven hundred and one, seven hundred and two, seven hundred and three, seven hundred and four, and seven hundred and five, of an Act entitled "An Act to establish a Code of Civil Procedure," approved March eleventh, eighteen hundred and seventy-two, so as to provide for the redemption of real estate sold under the power contained in trust deeds—have had the same under consideration, and report it back with amendments, with the recommendation that it pass as amended.

MORSE, Chairman.

By Mr. Corcoran:

ASSEMBLY CHAMBER, SACRAMENTO, March 12th, 1880.

MR. SPEAKER: The Committee on Irrigation, to whom was referred Senate Bill No. 211—An Act to amend section one thousand four hundred and twenty-two of the Civil Code, relating to

water rights and riparian proprietors—have had the same under consideration, and report the same back to the Assembly without amendment, and recommend its passage

CORCORAN, Chairman

By Mr. Gorley:

ASSEMBLY CHAMBER, SACRAMENTO, March 12th, 1880.

MR. SPEAKER: The Committee on Military Affairs, to whom was referred Assembly Bill No. 489—An Act relating to the State militia—have had the same under consideration, and report the same back to the Assembly with amendments, and recommend its passage as amended.

GORLEY, Chairman.

By Mr. Downs:

ASSEMBLY CHAMBER, SACRAMENTO, March 12th, 1880.

MR SPEAKER: The Committees on Water Rights and Drainage and on Agriculture, to whom was referred Assembly Bill No 452—An Act to prevent the flow of mining debris in certain rivers of this State—have had the same under consideration, and report the same back to the Assembly with certain amendments, and without recommendation.

Also, Assembly Bill No. 334—An Act to promote drainage—and Assembly Bill No. 450—An Act to dispose of mining debris and protect the rivers and low lands of California from damages thereby—which they have had under consideration, and report the same back to the Assembly without recommendation

DOWNS, Chairman Committee on Water Rights and Drainage.
CHAMBERLAIN, Chairman Committee on Agriculture.

REPORT OF SPECIAL COMMITTEE.

By Mr. McCarthy:

STATE CAPITOL, March 12th, 1880.

MR SPEAKER. The San Francisco delegation, to whom was referred Senate Bill No. 335—An Act providing for the appointment of an additional Notary Public for the City and County of San Francisco, for the accommodation of the residents of said city and county residing at the Presidio—have had the same under consideration, and herewith report it back, recommending its passage. Twelve members present and voting—ten ayes, two noes.

McCARTHY, Chairman.

INTRODUCTION OF BILLS.

The following bills were introduced, and ordered printed:

By Mr Del Valle—An Act to protect the people of the State from the importation of infectious and contagious diseases.

By Mr Cameron—An Act to amend section two thousand six hundred and twenty-nine of the Political Code, relative to assessments of property.

FIRST READING AND REFERENCE OF BILLS.

Assembly Joint Resolution No 18—Relative to the Act of Congress enabling honorably discharged soldiers and sailors, their widows and orphan children, to acquire homesteads on the public lands of the United States.

Read first time, and ordered on file.

Assembly Bill No 500—An Act to amend sections twelve and fourteen of an Act entitled an Act creating a Board of Bank Commissioners, approved March thirtieth, eighteen hundred and seventy-eight, relative to salaries of Commissioners and Clerk.

Read first time, and referred to the Committee on Retrenchment and Reform.

SPECIAL ORDERS FOR NINE O'CLOCK AND FORTY-FIVE MINUTES A. M.

Assembly Bill No. 325—An Act to prevent persons from passing through inclosures and leaving them open by tearing down fences or

otherwise, and to prevent hunting upon inclosed lands in the State of California.

Taken up

The amendment under consideration at the time of adjournment yesterday lost.

Mr. Mathews moved to amend section one by adding and inserting at the close thereof the words, "*provided*, that the owner or owners of such land shall have previously posted notices on said land prohibiting such trespass."

Adopted.

Mr. Sinon moved to amend by adding to section one the words, "*provided*, this Act shall not be construed to prohibit hunting upon uncultivated land.

Pending discussion, the hour of ten o'clock A. M having arrived, the special order for this hour, viz, the consideration of Senate message, relative to Assembly Bill No. 404—An Act to amend sections three thousand six hundred and seven, three thousand six hundred and seventeen, three thousand six hundred and twenty-seven, three thousand six hundred and twenty-eight, three thousand six hundred and twenty-nine, three thousand six hundred and thirty, three thousand six hundred and thirty-four, three thousand six hundred and forty, three thousand six hundred and forty-three, three thousand six hundred and fifty, three thousand six hundred and fifty-one, three thousand six hundred and fifty-two, three thousand six hundred and sixty-three, three thousand six hundred and seventy-three, three thousand six hundred and seventy-eight, three thousand six hundred and seventy-nine, three thousand seven hundred and seventeen, three thousand seven hundred and thirty, three thousand seven hundred and fifty-two, three thousand seven hundred and fifty-six, three thousand eight hundred and thirty-nine, and three thousand eight hundred and sixty-one, and to repeal sections three thousand six hundred and eighty and three thousand six hundred and eighty-seven, of an Act entitled "An Act to establish a Political Code," approved March twelfth, eighteen hundred and seventy-two, relating to revenue, and to add two new sections, numbered three thousand six hundred and sixty-four and three thousand six hundred and sixty-five—was taken up and read.

The question being upon concurring in Senate amendments numbers one, two, three, and four, to section eight of the bill, the Chair ruled that Senate amendments numbers one, two, three, and four, to section eight, being a substitute for section eight of the bill, should be concurred in or non-concurred in as a whole, and that the roll should be only once called thereon, and then upon concurrence or non-concurrence in the section as a whole.

Mr. Fox, seconded by Messrs. Tyler and Camron, appealed from the decision of the Chair.

The question being "Shall the decision of the Chair stand as the judgment of the House?" the ayes and noes were demanded by the requisite number.

The roll was called, and the Chair sustained by the following vote:

AYES—Messrs. Adams, Anthony, Bass, Bennett, Braunhart, Brooks, Brown of Sonoma, Brown of Yuba, Brunet, Bruse, Burns, Carr of Sacramento, Carr of Yuba, Chamberlain, Chandler, Coffman, Coleman Cook, Cooper, Corcoran, Cuthbert, Dimond, Downs, DuBrutz, Durham, Estey, Finlayson, Fraser, Frink, Garibaldi, Gaffey, Gorley, Green, Hardy, Hartson, Hershey, Hynes, Josselyn, Lane, Leach, Leadbetter, Levee, Maguire, Mathews, May, Maybell, McCarty

of Lake, McCarthy of San Francisco, McComas, McDade, Merry, Morse, Mulholland, Nelson, Picket, Sayle, Simon, Sherburne, Spencer, Stanley, Stoddard, Streeter, Sweetland, Walker, Ward, Wason of Ventura, Wasson of Mono, Wattson, and York—69.

NOES—Messrs. Camron, Fox, Tyler, and Young—4.

The question being upon concurring in Senate amendment to section eight of the bill, the roll was called, and the House concurred in Senate amendment by the following vote:

AYES—Messrs Adams, Anthony, Bass, Bennett, Braunhart, Brooks, Brown of Sonoma, Brown of Yuba, Bruner, Brusie, Burns, Carr of Sacramento, Carr of Yuba, Chamberlain, Chandler, Coffman, Coleman, Cook, Cooper, Corcoran, Cuthbert, Dimond, Downs, Durham, Estey, Finlayson, Fraser, Frink, Garibaldi Gaffey, Green, Hardy, Hartson, Hershey, Hynes, Josselyn, Leach, Leadbetter, Maguire, Mathews, May, Maybell, McCarthy of San Francisco, McComas, McDade, McIntosh, Morse, Mulholland, Picket, Sayle, Sherburne, Spencer, Stanley, Stoddard, Streeter, Sweetland, Valle Del, Walker, Ward, Wason of Ventura, Wasson of Mono, Wattson, York, and Mr. Speaker—64.

NOES—Messrs Camron, DuBrutz, Fox, Harris, Lane, Levee, McCallion, McCarty of Lake, Merry, Messenger, Nelson, Simon, Tyler, and Young—14.

Upon concurring in Senate amendment to section ten, the roll was called, and the House concurred in the amendment by the following vote:

AYES—Messrs. Adams, Anthony, Bass, Bennett, Braunhart, Brooks, Brown of Sonoma, Brown of Yuba, Bruner, Brusie, Burns, Camron, Carr of Sacramento, Chamberlain, Chandler, Coffman, Coleman, Cook, Cooper, Corcoran, Cuthbert, Dimond, Downs, DuBrutz, Durham, Estey, Finlayson, Fox, Fraser, Frink, Garibaldi, Green, Hardy, Hartson, Hershey, Hynes, Josselyn, Lane, Leach, Leadbetter, Levee, Maguire, Mathews, May, Maybell, McCallion, McCarty of Lake, McCarthy of San Francisco, McComas, McDade, McIntosh, Merry, Morse, Mulholland, Picket, Sayle, Sherburne, Spencer, Stanley, Stoddard, Sweetland, Valle Del, Walker, Ward, Wason of Ventura, Wasson of Mono, Wattson, York, Young, and Mr Speaker—69.

NOES—Mr. Tyler—1.

Upon concurring in Senate amendment to section ten, line fifty-nine, by inserting the word "market" before the word "value," the roll was called, and the House concurred in the amendment by the following vote:

AYES—Messrs. Adams, Anthony, Bass, Bennett, Braunhart, Brooks, Brown of Sonoma, Brown of Yuba, Bruner, Brusie, Burns, Camron, Carr of Sacramento, Carr of Yuba, Chamberlain, Chandler, Coffman, Coleman, Cook, Cooper, Corcoran, Cuthbert, Dimond, Downs, DuBrutz, Durham, Estey, Finlayson, Fox, Fraser, Frink, Garibaldi, Green, Hardy, Hartson, Hershey, Hynes, Josselyn, Lane, Leach, Leadbetter, Maguire, Mathews, May, Maybell, McCallion, McCarty of Lake, McDade, McIntosh, Merry, Morse, Mulholland, Picket, Sayle, Sherburne, Spencer, Stanley, Stoddard, Tyler, Valle Del, Walker, Ward, Wasson of Mono, York, Young and Mr Speaker—66

NOES—None.

Upon concurring in the first Senate amendment to section eleven of the bill, the roll was called, and the House concurred in the amendment by the following vote:

AYES—Messrs. Adams, Anthony, Bass, Bennett, Braunhart, Brooks, Brown of Sonoma, Brown of Yuba, Brusie, Burns, Camron, Carr of Sacramento, Carr of Yuba, Chamberlain, Chandler, Coffman, Coleman, Cook, Corcoran, Dimond, Downs, Durham, Estey, Fox, Fraser, Frink, Garibaldi, Gaffey, Gorley, Green, Hardy, Hartson, Hershey, Hynes, Josselyn, Leach, Leadbetter, Maguire, Mathews, May, Maybell, McCallion, McCarty of Lake, McCarthy of San Francisco, McComas, McDade, McIntosh, Merry, Morse, Mulholland, Picket, Sayle, Sherburne, Spencer, Stanley, Stoddard, Streeter, Tyler, Walker, Ward, Wason of Ventura, Wasson of Mono, York, Young, and Mr Speaker—64.

NOES—None

Upon concurring in the second Senate amendment to section eleven, the roll was called, and the House concurred in the amendment by the following vote:

AYES—Messrs Adams, Anthony, Bass, Bennett, Braunhart, Brooks, Brown of Yuba, Brusie, Burns, Carr of Yuba, Chamberlain, Chandler, Coffman, Coleman, Cook, Corcoran, Downs, DuBrutz, Durham, Estey, Fox, Fraser, Frink, Garibaldi, Gaffey, Gorley, Green, Hershey, Hynes, Josselyn, Lane, Leach, Leadbetter, Maguire, Mathews, May, Maybell, McCallion, McCarty of Lake, McCarthy of San Francisco, McComas, McDade, Merry, Morse, Mulholland, Picket, Simon, Sherburne, Spencer, Stoddard, Streeter, Tyler, Valle Del, Walker, Ward, Wason of Ventura, Wasson of Mono, Wattson, York, Young, and Mr. Speaker—61.
NOES—None.

Upon concurring in Senate amendment to section thirteen of the bill, the roll was called, and the House concurred in the amendment by the following vote:

AYES—Messrs Adams, Anthony, Bennett, Brown of Yuba, Camron, Chamberlain, Chandler, Coffman, Coleman, Cook, Corcoran, Downs, Durham, Fraser, Frink, Garibaldi, Gaffey, Gorley, Green, Hartson, Hershey, Hynes, Leach, Leadbetter, Levee, Maguire, May, Maybell, McCallion, McCarty of Lake, McCarthy of San Francisco, McComas, McDade, McIntosh, Merry, Messenger, Morse, Mulholland, Picket, Sayle, Sherburne, Spencer Stoddard, Streeter, Sweetland, Valle Del, Walker, Ward, Wason of Ventura, Wasson of Mono, Wattson, York, Young, and Mr Speaker—54
NOES—None.

Upon concurring in Senate amendments first and second, to section fourteen of the bill, the roll was called, and the House concurred in the amendments by the following vote:

AYES—Messrs Adams, Anthony, Bennett, Braunhart, Brooks, Brown of Sonoma, Brown of Yuba, Camron, Carr of Yuba, Chamberlain, Chandler, Coffman, Coleman, Cook, Corcoran, DuBrutz, Durham, Estey, Fraser, Frink, Garibaldi, Gaffey, Gorley, Green, Hardy, Hartson, Hershey Hynes, Josselyn, Lane, Leach, Leadbetter, Levee, Maguire, Mathews, Maybell, McCallion, McCarthy of San Francisco, McComas, McDade, McIntosh, Morse, Mulholland, Picket, Sayle Sherburne, Spencer, Stoddard, Streeter, Tyler, Valle Del, Walker, Wason of Ventura, Wasson of Mono, Wattson, York, Young, and Mr Speaker—58.
NOES—None.

Upon concurring in Senate amendments third and fourth, to section fourteen of the bill, the roll was called, and the House concurred in the amendments by the following vote:

AYES—Messrs. Anthony, Bass, Bennett, Braunhart, Brown of Sonoma, Brusie, Camron, Carr of Yuba, Chamberlain, Chandler, Coleman, Cook, Corcoran, DuBrutz, Durham, Estey, Frink, Garibaldi, Gorley, Green, Hardy, Hartson, Hershey, Hynes, Josselyn, Lane, Leach, Levee, Maguire, Mathews, May, Maybell, McCallion, McCarty of Lake, McCarthy of San Francisco, McComas, McDade, McIntosh, Morse, Mulholland, Picket, Sayle, Sherburne, Spencer, Stanley, Stoddard, Streeter, Sweetland, Tyler, Valle Del, Walker, Wason of Ventura, Wasson of Mono, Wattson, York, Young, and Mr Speaker—57.
NOES—None

Upon concurring in Senate amendments to section fifteen of the bill, the roll was called, and the House concurred in the amendments by the following vote:

AYES—Messrs Adams, Anthony, Bass, Bennett, Brown of Yuba, Brusie, Camron, Carr of Sacramento, Carr of Yuba, Chamberlain, Chandler, Coleman, Cook, Corcoran, Downs, DuBrutz, Durham, Estey, Fraser, Frink, Garibaldi, Gaffey, Gorley, Green, Hartson, Hershey, Hynes, Josselyn, Lane, Leach, Levee, Mathews, May, Maybell, McCallion, McCarty of Lake, McCarthy of San Francisco, McComas, McDade, McIntosh, Morse, Mulholland, Picket, Sherburne, Spencer, Stanley, Stoddard, Streeter, Sweetland, Tyler, Valle Del, Walker, Wason of Ventura, Wasson of Mono, Wattson, York, Young, and Mr. Speaker—58.
NOES—None.

Upon concurring in Senate amendment to section seventeen of the bill, the roll was called, and the House concurred in the amendment by the following vote:

AYES—Messrs. Adams, Anthony, Brown of Sonoma, Brown of Yuba, Brusie, Burns, Camron, Carr of Sacramento, Carr of Yuba, Chamberlain, Chandler, Coleman, Cooper, Corcoran, Cuthbert, Durham, Estey, Finlayson, Fox, Fraser, Fink, Garibaldi, Gaffey, Gorley, Green, Hardy, Hartson, Hershey, Hynes, Josselyn, Lane, Levee, Maguire, Mathews, May, Maybell, McCallion, McCarty of Lake, McCarthy of San Francisco, McComas, McDade, Merry, Morse, Mulholland, Nelson, Picket, Sayle, Sherburne, Spencer, Stoddard, Streeter, Tyler, Valle Del, Walker, Wason of Ventura, Wattson, York, Young, and Mr. Speaker—59.
NOES—Mr. McIntosh—1.

Upon concurring in Senate amendment to the bill of a new section, to be known as section nineteen, and to read as follows:

SECTION 19. Section three thousand seven hundred and fourteen is hereby amended so as to read as follows

3714. The Board of Supervisors of each county must, on the first Monday of October, fix the rate of county taxes, designating the number of cents on each hundred dollars of property levied for each fund, and must levy the State and county taxes upon the taxable property of the county, *provided*, that it shall not be lawful for any Board of Supervisors of any county in the State to levy, nor shall any tax greater than fifty cents on each one hundred dollars of property be levied or collected in any one year, to pay the bonded indebtedness or judgment arising therefrom, of this State, or of any county or municipality in this State.

The roll was called, and the House concurred in the amendment by the following vote:

AYES—Messrs. Adams, Anthony, Bass, Bennett, Brown of Sonoma, Brown of Yuba, Brusie, Camron, Carr of Sacramento, Carr of Yuba, Chamberlain, Chandler, Coleman, Cook, Corcoran, Downs, DuBrutz, Durham, Estey, Finlayson, Fraser, Fink, Garibaldi, Gorley, Green, Hardy, Hartson, Hershey, Hynes, Josselyn, Lane, Leach, Levee, Maguire, Mathews, May, Maybell, McCallion, McCarty of Lake, McCarthy of San Francisco, McComas, McDade, Merry, Messenger, Morse, Mulholland, Picket, Sayle, Sherburne, Spencer, Stanley, Streeter, Tyler, Valle Del, Walker, Wason of Ventura, York, Young, and Mr. Speaker—59.
NOES—Messrs Fox and McIntosh—2.

The Committee on Water Rights and Drainage had leave of absence until Monday next.

Upon motion of Mr. Fox, Senate Bill No 32—An Act to amend sections seven hundred and twelve, seven hundred and twenty-eight, seven hundred and thirty-two, seven hundred and sixty, seven hundred and seventy-one, seven hundred and seventy-two, eight hundred and eighteen, eight hundred and twenty, eight hundred and fifty, eight hundred and ninety, nine hundred and thirty-five, one thousand one hundred and ninety-seven, one thousand three hundred and thirty, one thousand four hundred and sixty-six, one thousand four hundred and sixty-eight, one thousand four hundred and sixty-nine, one thousand five hundred and fifteen, one thousand five hundred and sixteen, and one thousand five hundred and fifty-six, of the Penal Code, providing for certain proceedings before the Superior Courts, or the Judges thereof—was taken up.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Anthony, Bass, Bennett, Brooks, Brunner, Brusie, Burns, Camron, Carr of Sacramento, Carr of Yuba, Chamberlain, Chandler, Coffman, Coleman, Cooper, Corcoran, Cuthbert, Dimond, Durham, Estey, Finlayson, Fox, Fraser, Garibaldi, Gorley, Green, Hardy, Harris, Hartson, Hershey, Hynes, Josselyn, Lane, Leach, Leadbetter, Maguire, Mathews, May, Maybell, McCallion, McCarthy of San Francisco, McComas, McDade, McIntosh, Merry, Morse, Mulholland, Nelson, Picket, Sayle, Simon, Sherburne, Stanley, Stoddard, Tyler, Valle Del, Walker, Ward, Wason of Ventura, Wattson, Young, and Mr. Speaker—62.
NOES—None.

Title approved.

The Committee on Agriculture had leave of absence until Monday next.

The consideration of Assembly Bill No. 325—An Act to prevent persons from passing through inclosures and leaving them open by tearing down fences or otherwise, and to prevent hunting upon inclosed lands in the State of California—resumed.

The previous question was demanded by Messrs. Tyler, Finlayson, and Fox, and the House so ordered.

The amendment proposed by Mr. Sinon was lost.

The bill ordered printed as amended, and placed at the head of third reading file.

SENATE MESSAGE.

The following Senate message was received:

SENATE CHAMBER, SACRAMENTO, March 11th, 1880.

MR. SPEAKER: I am directed to inform your honorable body that the Senate, on this day, passed Senate Bill No 354—An Act to add a new section to the Political Code, to be known as section one thousand six hundred and eighteen, relating to salaries of school teachers in cities having one hundred thousand inhabitants or more.

M. D. BORUCK, Secretary.

CONSIDERATION OF SENATE MESSAGE.

Senate Bill No 354—An Act to add a new section to the Political Code, to be known as section one thousand six hundred and eighteen, relating to salaries of school teachers in cities having one hundred thousand inhabitants or more.

The bill read first time.

Mr. McIntosh moved that the bill be rejected.

Upon which the ayes and noes were demanded by the requisite number.

The roll was called, and the bill was ordered to second reading by the following vote:

AYES—Messrs. Adams, Anthony, Burns, Cook, Corcoran, Dimond, DuBrutz, Durham, Fox, Fraser, Funk, Hynes, Lane, Leadbetter, McCarty of Lake, McComas, McIntosh, Mulholland, Nelson, Sherburne, Spencer, Tyler, Wattson, York and Mr Speaker—25.

NOES—Messrs. Bass, Bennett, Brooks, Brusie, Cannon, Carr of Sacramento, Carr of Yuba, Chamberlain, Coffman, Coleman, Cuthbert, Downs, Estey, Felton, Finlayson, Garibaldi, Gaffey, Gorley, Green, Hardy, Harris, Hartson, Hershey, Josselyn, Leach, Maguire, Mathews, May, Maybell, McCallion, McCarthy of San Francisco, McDade, Merry, Messenger, Morse, Picket, Sayle, Simon, Stanley, Stoddard, Streeter, Swetland, Valle Del, Walker, Ward, Wason of Ventura, and Young—47.

The Speaker ordered the bill referred to the Committee on County Governments and Municipal Corporations.

Mr. Finlayson moved its reference to the Committee on Education.

RECESS.

Pending the motion of Mr. Finlayson, the hour of one o'clock P. M. having arrived, the House took a recess for one hour.

RE-ASSEMBLED.

House re-assembled at two o'clock P M.

Speaker Cowdery in the chair.

Roll called, and a quorum present.

The question coming on the motion to refer to the Committee on

Education Senate Bill No. 354—An Act to add a new section to the Political Code, to be known as section one thousand six hundred and eighteen, relating to salaries of school teachers in cities having one hundred thousand inhabitants or more—it was so referred.

Mr. Finlayson and Mr. May, rising to questions of privilege, stated that, becoming unduly heated during debate, they had used language disrespectful to the Speaker during the hour of recess, and now apologized therefor to the House.

SPECIAL ORDER.

The special order for this hour, Assembly Bill No. 255—An Act to regulate the price of water for domestic use in this State—taken up.

Read second time.

Mr. Corcoran moved to amend by adding at the end of section two the words, "*provided*, that in the year eighteen hundred and eighty such appraisement may be made at any time prior to the first day of June."

Adopted.

Mr. Adams moved to amend by striking out the words "the inhabitants of," from lines four and five, section one, and inserting instead, after the word "town," the words "or to the inhabitants thereof."

Lost.

Mr Cooper moved to amend, in line four, section five, by inserting after the word "Act," the words "they shall be removed from office."

Adopted.

Mr Cooper moved to amend, in line five, section five, by inserting after the word "proceedings," the words "before any Court of competent jurisdiction."

Adopted

Mr. Young moved to amend section one, at the end thereof, by inserting the words, "*provided further*, that this Act shall not refer to any city or town that now furnishes its own water."

Mr. Tyler moved to lay the amendment on the table.

Lost.

The question recurring on the amendment offered by Mr. Young, it was lost.

Mr. Young gave notice that he would move to reconsider the vote by which the House rejected the amendment.

Mr Merry moved to amend section one, at the end thereof, by inserting the words "*provided*, that any person, company, association, or corporation, supplying water to the inhabitants of such city and county, city, or town, shall not be allowed to charge for water furnished to such city and county, city, or town, for the extinguishment of fires, flushing of sewers, irrigation of public grounds, and in cases of great necessity."

Adopted

Mr. Anthony moved to amend by striking out the words from lines one and two, down to and including the word "Supervisors," in section two, and inserting instead the words, "the Board of Supervisors, the Town Council, the Board of Aldermen, or other legislative body of any city and county, or city and town."

Adopted.

Mr. Braunhart moved to strike out section two of the bill.

Lost.

Mr. Stanley moved to amend, in line two, section three, by inserting after the word "county," the words "city or town."

Adopted.

Mr. Corcoran moved to amend section three, by adding at the close thereof the words, "*provided*, that in any city and county containing more than one hundred thousand inhabitants, the rate shall be so fixed as to yield an annual revenue of not more than seven per cent. gross upon the property appraised as herein provided."

Lost.

Mr. Corcoran moved to amend section three, at the end thereof, by inserting the words, "*provided*, that in cities and counties, cities or towns, containing more than one hundred thousand inhabitants, the rate shall be so fixed as to yield an annual revenue of not more than seven per cent. upon the value of the property, appraised as herein provided, and in cities and counties, cities or towns. containing a population of less than one hundred thousand, the rates shall be so fixed as to yield an annual revenue of not more than ten per cent. upon the value of the property, appraised as herein provided."

Mr. Camron moved to amend the amendment by substituting therefor the following "*provided*, that in cities and counties, cities and towns, in this State, the rates shall be so fixed as to yield an annual revenue of not more than seven per cent. upon the value of the property appraised as herein provided.".

Lost.

The question recurred upon the amendment offered by Mr. Corcoran.

Upon which the ayes and noes were demanded by Messrs. Braunhart, Leach, and Sinon.

The roll was called, and the amendment was lost by the following vote:

AYES—Messrs Bass, Braunhart, Brooks, Burns, Carr of Yuba, Cooper, Corcoran, Garibaldi, Gaffey, Hardy, Josselyn, Lane, Maguire, Maybell, McCarthy of San Francisco, McDade, Messenger, Picket, and Sinon—19.

NOES—Messrs Adams, Anthony, Brown of Yuba, Brunet, Camron, Coffman, Coleman Cook, Cuthbert, Dumond, DuBrutz, Durham, Felton, Fox, Frink, Gorley, Green, Harris, Hartson, Hershey, Hynes, Leach, Leadbetter Levee, Mathews, May, McCarty of Lake, McComas, McIntosh, Merry, Morse, Nelson, Sayle, Sherburne, Spencer, Stanley, Stoddard, Strecter, Valle Del, Walker, Wason of Ventura, Wasson of Mono, Young, and Mr. Speaker—44.

Mr. McCarthy moved to amend by striking out the words "or the inhabitants thereof," from line three, section four, and inserting instead the words, in line two, after the word "to," "the inhabitants of."

The previous question being demanded by the requisite number, the House so ordered.

The amendment of Mr. McCarthy was then adopted.

The question then recurring upon the adoption of the substitute, the ayes and noes were demanded by Messrs. Corcoran, McCarthy, and Sinon.

The roll was called, and the substitute was adopted by the following vote:

AYES—Messrs Anthony, Braunhart, Brooks, Burns, Camron, Carr of Yuba, Coffman, Cooper, Corcoran, Cuthbert, Dumond, DuBrutz, Durham, Estey, Frink, Garibaldi Gaffey, Green, Hardy, Harris, Hartson, Hershey, Hynes, Josselyn Lane, Leach, Leadbetter, Levee, Maguire, Mathews, Maybell, McCarty of Lake, McCarthy of San Francisco, McComas, McDade, McIntosh, Merry, Messenger, Morse, Mulholland, Picket, Sayle, Sinon, Spencer, Stanley, Stod-

dard, Streeter, Valle Del, Ward, Wason of Ventura, Wasson of Mono, Wattson, York, Young, and Mr. Speaker—54.

Noes—Messrs Adams, Brown of Yuba, Bruner, Brusie, Fox, Gorley, May, Nelson, Sherburne, and Walker—10.

The bill ordered to third reading.

Mr. Carr of Yuba moved that Assembly Bill No. 450—An Act to dispose of mining debris, and to protect the rivers and low lands of California from damage thereby—be made the special order for Wednesday next, at two o'clock P. M.

Lost

Mr. Braunhart then moved to make it the special order for next Thursday, at two o'clock P. M.

Lost.

Mr. Merry moved that when this House adjourns to-night it be to meet Monday next, at ten o'clock A. M.

Lost.

INTRODUCTION OF BILLS.

The following bill was introduced, and ordered printed:

Mr. Felton (by permission)—Assembly Bill No. 519—An Act to amend certain sections of the Political Code contained in chapters one, two, three, four, and five, part four, title two, and to add other sections thereto, and to establish a system of county governments.

RECESS.

Mr. Lane moved to take a recess until seven o'clock P. M.

Carried.

RE-ASSEMBLED.

House re-assembled at seven o'clock P. M.

Speaker Cowdery in the chair

Roll called, and a quorum present

Mr. May moved that Assembly Bill No 181—An Act to amend sections three hundred and fifty-two, three thousand six hundred and ninety-two, and three thousand seven hundred and two, of an Act entitled "An Act to establish a Political Code," approved March twelfth, eighteen hundred and seventy-two, and to add sections three thousand six hundred and ninety-five and three thousand seven hundred to said Code, relating to the State Board of Equalization—be now taken up.

Carried.

The bill taken up and read second time.

The amendments recommended by the committee to section two of the bill, one, two, three, four, and five, adopted.

Mr. Fox moved to amend by striking out the word "assess," from line twenty, section two, and inserting instead the words "equalize the assessment of."

Adopted.

Mr. May moved to amend, in subdivision nine, section two, after the word "session," by inserting the words "from day to day (Sundays excepted)."

Adopted.

Mr. May moved to amend by adopting a substitute for subdivision ten of section two.

Adopted.

Mr. May moved to amend subdivision eleven, of section two, in the first line thereof, by inserting the words "whenever deemed necessary."

Adopted.

Mr. May moved to amend by adding a new section, to be known as section three of the bill.

Adopted.

Mr. Morse moved to amend by striking out the word "each," from line twenty-two, section two, and inserting instead the word "the" before "assessment," and the word "thereof" after "assessment."

Adopted.

Mr. Fox moved to amend line seven, section two, by inserting after the word "regulations," the words "not in conflict with the Constitution and laws of the State."

Adopted.

The committee recommended an amendment to section three.

Mr. Fox moved to amend the amendment by striking out the word "conclusive," and inserting instead the words "prima facie."

Adopted.

The committee amendment to section three was then adopted as amended.

Mr. Burns moved to amend the amendment recommended by the committee to section four, by striking out the words "three thousand six hundred dollars," and inserting instead the words "three thousand dollars."

Upon which the ayes and noes were demanded by Messrs. Merry, Anthony, and McCarthy.

The roll was called, and the amendment to the amendment was adopted by the following vote:

AYES—Messrs. Anthony, Bass, Brooks, Brown of Sonoma, Burns, Carr of Yuba, Coleman, Cook, Corcoran, Cuthbert, Durham, Fox, Garibaldi, Gaffey, Green, Hardy, Harris, Hershey, Hynes, Josselyn, Leach, Leadbetter, Levee, Maguire, Maybell, McCarty of Lake, McCarthy of San Francisco, McComas, McDade, McIntosh, Merry, Messenger, Mulholland, Picket, Simon, Sherburne, Stanley, Stoddard, Streeter, Ward, Wason of Ventura, Wasson of Mono, Wattson, York, and Mr. Speaker—45.

NOES—Messrs. Adams, Braunhart, Brown of Yuba, Bruner, Coffman, Cooper, DuBrutz, Felton, Finlayson, Gorley, Lane, Mathews, May, Morse, Nelson, Sayle, Spencer, Valle Del, Walker, and Young—20.

The amendment of the committee, relative to the salary of the members of the Board of Equalization, was then adopted as amended above.

The question recurring upon Mr Burns' amendment to the amendment to strike out "one thousand eight hundred dollars," and inserting "two thousand four hundred dollars," the ayes and noes were demanded by Messrs. McDade, Braunhart, and Maybell, the roll was called, and the amendment was lost by the following vote:

AYES—Messrs. Adams, Braunhart, Brown of Yuba, Bruner, Carr of Yuba, Cooper, Corcoran, Finlayson, Fox, Frink, Garibaldi, Gaffey, Lane, Maguire, Mathews, Maybell, McCarthy of San Francisco, McDade, Nelson, Sayle, Simon, Spencer, Streeter, Valle Del, and Walker—25.

NOES—Messrs. Anthony, Bass, Brown of Sonoma, Burns, Coffman, Coleman, Cook, Cuthbert, DuBrutz, Gorley, Green, Hardy, Hartson, Hershey, Hynes, Josselyn, Leach, Leadbetter, Levee, May, McCarty of Lake, McComas, McIntosh, Merry, Messenger, Morse, Mulholland, Picket, Sherburne, Stanley, Stoddard, Ward, Wason of Ventura, Wasson of Mono, Wattson, York, Young, and Mr Speaker—38.

Mr. Finlayson moved to amend the amendment by striking out "one thousand eight hundred dollars" and inserting "two thousand dollars."

Lost.

The question now recurring upon the amendment to strike out "two thousand five hundred dollars" and insert "one thousand eight hundred dollars," it was carried.

Mr Leach moved to amend by striking out the word "amount," line four, section four, and strike out "three thousand dollars" and insert "shall be ten dollars per day for each day's service performed as members of the Board, *provided*, they shall not draw pay for a longer term, in any one year, than three hundred days."

Mr. Felton moved to amend the amendment by striking out "three hundred days" and insert "one hundred and fifty days."

Lost.

The question recurring upon Mr. Leach's amendment, it was lost.

Mr Fox moved to amend section five, by adding at the close thereof the words, "and each of said officers shall devote his entire time to the service of the State in performing the duties and services required by this Act."

Upon which the ayes and noes were demanded by Messrs Fox, Leach, and Felton.

The roll was called, and the amendment was adopted by the following vote:

AYES—Messrs Anthony, Brooks, Brown of Yuba, Brunet, Burns, Carr of Yuba, Coleman' Cook, Cooper, Coroman, Cuthbert, DuBrutz, Durham, Felton, Finlayson, Fox, Frink, Garibaldi, Gaffey, Gorley, Green, Hardy, Hershey, Josselyn Lane, Leach, Levee, Magune, May, Maybell, McCarthy of San Francisco, McIntosh, Merry, Nelson, Picket, Simon, Stanley, Stoddard, Valle Del, Ward, Wason of Ventura, and Wattson—42

NOES—Messrs Adams, Bass, Braunhart, Brown of Sonoma, Coffman, Harris, Hynes, Mathews, McComas, Messenger, Morse, Sayle, Sherburne, Spencer, Streeter, Walker, York, Young, and Mr. Speaker—19.

Mr May moved the adoption of a substitute for section six of the bill, which was carried.

Mr. May moved the adoption of a new section, to be known as section seven of the bill.

Adopted.

The bill read second time, and ordered printed with amendments

Mr. Gaffey moved that Assembly Bill No. 255—An Act to regulate the price of water for domestic use in this State—be made the special order for Thursday next, at two o'clock P. M.

Lost.

Mr. Braunhart moved that Assembly Bill No. 103—An Act to limit and fix the wages and hours of labor of conductors, drivers, and employés—be made the special order for to-morrow, at two o'clock P. M.

Lost.

Mr. Mathews moved that Senate Bill No. 296—An Act to appropriate money for the support of orphans, half orphans, and abandoned children—be taken up.

So ordered.

Mr. Merry moved that when we adjourn it be until Monday, at two o'clock P. M.

Lost.

The above bill was then taken up and read second time.

Mr. Spencer in the chair.

The bill amended as recommended by the committee, except as to the amendment to section three.

The amendment recommended by the committee to section three was amended by striking out "the place of residence in the East;" also "religious classification," and adopted.

Mr. Fox moved to amend, in line four, section one, after the words "abandoned children" by inserting the words, "and to each and every county, city and county, city, or town, maintaining such orphans, half orphans, or abandoned children."

Adopted.

Mr. Anthony moved to amend by striking out subdivision one of section seven.

Lost.

A new section recommended by the committee, to be known as section eight, was adopted

The bill ordered printed as amended.

Mr. Fox gave notice of motion to reconsider the vote by which the House amended the bill, so as to require that no aid shall be granted to an orphan unless it has been in the institution one year.

Mr. Anthony gave notice that he would move to reconsider the vote by which the House refused to strike out subdivision one of section seven.

ADJOURNMENT.

At ten o'clock and forty minutes P. M. Mr. Bruner moved to adjourn.

Carried.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Saturday, March 13th, 1880.

House met pursuant to adjournment.

Speaker Cowdery in the chair.

Roll called, and a quorum present.

Prayer by the Chaplain.

One day's leave of absence granted to Mr Sherburne.

READING AND APPROVAL OF THE JOURNAL.

Mr. Finlayson moved that the further reading of the Journal be dispensed with.

So ordered.

The Journal of Thursday approved.

Mr. Braunhart moved that the passage file should be placed ahead of the third reading file on the general file.

Carried.

PETITIONS.

By Mr. Fox—A petition from citizens of the State, asking such legislation as will prevent the sale of liquors on Sunday, and will secure the closing of liquor saloons on that day.

Referred to the Committee on Public Morals.

By Mr. Morse—Three petitions from citizens and taxpayers of the State, asking for such legislation as will secure to them all benefits included in and to be derived from article eleven, section eleven, of our Constitution.

Referred to the Committee on County Governments and Municipal Corporations.

REPORTS OF SPECIAL COMMITTEES.

By Mr. McIntosh:

ASSEMBLY CHAMBER, SACRAMENTO, March —, 1880.

MR. PRESIDENT: Your committee, to whom was referred Senate Bill No. 253—An Act to repeal an Act entitled an Act to encourage the destruction of squirrels and gophers in the County of San Joaquin, and to provide for a bounty for the same, approved March thirtieth, eighteen hundred and seventy-eight—with the recommendation that it do pass.

E. J. McINTOSH,
W. R. LEADBETTER,
Majority of delegation.

MESSAGE FROM THE GOVERNOR.

The following message from the Governor was read:

STATE OF CALIFORNIA, EXECUTIVE DEPARTMENT,
SACRAMENTO, March 12th, 1880.

To the Assembly of the State of California:

I have to inform your honorable body that I have approved Assembly Bill No. 81—An Act to repeal section five hundred and ninety-nine of the Penal Code, relating to the protection of seals and sea lions near the Cliff House, in the City and County of San Francisco.

GEORGE C PERKINS, Governor.

INTRODUCTION OF BILLS.

The following bills were introduced, and ordered printed:

By Mr. McComas—An Act to repeal section four thousand and eighty of the Penal Code, in relation to planting of trees.

By Mr. Streeter—An Act to provide for the continuation of the irrigation investigation.

By Mr. Burns—An Act regulating County Boards of Health.

FIRST READING AND REFERENCE OF BILLS.

Assembly Bill No. 501—An Act to amend sections three hundred and eighty-four, three hundred and eighty-five, three hundred and eighty-six, four hundred and seventeen, four hundred and eighteen, four hundred and nineteen, four hundred and twenty, four hundred and twenty-two, four hundred and thirty-eight, four hundred and thirty-nine, four hundred and forty, four hundred and forty-one, four hundred and fifty-five, four hundred and fifty-six, four hundred and seventy-one, four hundred and seventy-two, four hundred and eighty-four, four hundred and eighty-five, four hundred and eighty-six, five hundred, five hundred and fourteen, five hundred and sixteen, two thousand one hundred and thirteen, two thousand one hundred and fourteen, two hundred and sixty-seven, three hundred and ninety-six, three hundred and ninety-seven, four hundred and fifty-seven, two thousand three hundred and two, two thousand three hundred

and three, six hundred and twenty-eight, six hundred and twenty-nine, seven hundred and fifty-five, and seven hundred and fifty-six, and to repeal sections four hundred and ninety-nine, six hundred and eighty-five, and four hundred and twenty-one, of the Political Code, relative to the salaries of State officers, Deputies, and Clerks.

Read first time.

Mr. Gorley moved its reference to the Committee on Ways and Means.

Mr Stanley moved to amend by substituting the Committee of Retrenchment for the Committee on Ways and Means.

Lost

The bill was then referred to the Committee on Ways and Means.

Assembly Bill No. 502—An Act to amend an Act to provide a Code of Civil Procedure.

Read first time, and referred to the Judiciary Committee.

Assembly Bill No. 503—An Act to amend section ten of the Code of Civil Procedure, relative to legal holidays.

Read first time, and referred to the Committee on Judiciary.

Assembly Bill No. 504—An Act to provide for the levying and collection of a tax upon incomes.

Read first time, and referred to the Committee on Ways and Means.

Assembly Bill No 505—An Act to grant to certain parties therein named the right of way for a railroad from the Town of Truckee to the Town of Quincy.

Read first time, and referred to the Committee on Judiciary.

Assembly Bill No. 506—An Act to disincorporate the City of San Luis Obispo, and provide for the payment of its debts.

Read first time, and referred to the Committee on County Governments and Municipal Corporations.

Mr. McIntosh gave notice of a motion to reconsider the vote by which the House referred Assembly Bill No. 501 to the Committee on Ways and Means.

Assembly Bill No. 507—An Act to amend the Political Code concerning the collection of license taxes.

Read first time, and referred to the Committee on Ways and Means.

Assembly Bill No. 508—An Act to amend section two hundred and sixty-eight of the Political Code.

Read first time, and referred to the Committee on Retrenchment.

Assembly Bill No. 509—An Act supplementary to subdivision nine of section four thousand and forty-six of the Political Code, approved March twelfth, eighteen hundred and seventy-two, relative to county buildings.

Read first time, and referred to the Committee on County Governments and Municipal Corporations.

Assembly Bill No. 510—An Act to amend section two thousand four hundred and sixty-four of the Political Code, relating to pilots and pilot regulations.

Read first time, and referred to the Committee on Commerce and Navigation.

Assembly Bill No. 511—An Act supplemental to and amendatory of an Act entitled "An Act supplemental to and amendatory of an Act entitled an Act to regulate the practice of medicine in the State of California, approved April third, eighteen hundred and seventy-six," passed April first, eighteen hundred and seventy-eight.

Read first time, and referred to the Committee on State Hospital.

Assembly Bill No. 512—An Act to amend section eleven of an Act entitled an Act to incorporate the City of Eureka, approved February tenth, eighteen hundred and seventy.

Read first time, and referred to the Committee on County Governments and Municipal Corporations.

Assembly Bill No. 513—An Act relinquishing the right, title, or claim of cities to lands.

Read first time, and referred to the Committee on Judiciary.

Assembly Bill No. 514—An Act to amend section four of an Act entitled an Act authorizing the appointment of certain permanent employés of the State Capitol, and fixing their compensation, approved March thirtieth, eighteen hundred and seventy-seven, relative to salaries

Read first time, and referred to the Committee on Ways and Means.

Assembly Bill No. 515—An Act to provide for a thorough investigation of the drainage and debris problems.

Read first time, and referred to the Committees on Water Rights and Drainage, and Agriculture.

Assembly Bill No 516—An Act to amend section eleven hundred and twenty-one of the Penal Code.

Read first time, and referred to the Committee on Judiciary.

SENATE MESSAGE.

The following message was received from the Senate:

SENATE CHAMBER, SACRAMENTO, March 12th, 1880.

MR. SPEAKER I am directed to inform your honorable body that the Senate, on March tenth, eighteen hundred and eighty, considered the amendments by the Assembly to Senate Bill No 118—An Act to amend part one of the Code of Civil Procedure, and each and every title, chapter, article, and section of said part one, and substituting a new part one to take the place thereof in said Code, relating to Courts of justice, and various officers connected therewith—and the Senate concurred in the Assembly amendments to said bill, numbered as follows: Three, four, six, seven, eight, nine, twelve, thirteen, eighteen, nineteen, twenty, twenty-one, twenty-two, twenty-eight, twenty-nine, thirty, thirty-one, thirty-two, thirty-three, thirty four, thirty-six, forty, forty-three, forty-six, forty-seven, forty-eight, forty-nine, fifty and fifty-three, and the Senate refused to concur in Assembly amendments to said bill, numbered as follows: One, two, five, ten, eleven, fourteen, fifteen, sixteen, seventeen, twenty-three twenty-four, twenty-five, twenty-six, twenty-seven, thirty-five, thirty-seven, thirty-eight, thirty-nine, forty-one, forty-two, forty-four, forty-five, fifty-one, fifty-two, and fifty-four. The Senate asks that a Committee of Conference be appointed, and, on March eleventh, the Senate appointed Senators Johnson, Hittell, and Wendell, as such Conference Committee, on the part of the Senate.

JOHN R. BRIERLY, Assistant Secretary.

CONSIDERATION OF SENATE MESSAGE.

Mr. Fox moved that the Senate be requested to send Senate Bill No 118—An Act to amend part one of the Code of Civil Procedure, and each and every title, chapter, article, and section of said part one, and substituting a new part one to take the place thereof in said Code, relating to Courts of justice, and various officers connected therewith—into the Assembly, that the House may consider Senate amendment thereto.

So ordered.

One day's leave of absence was granted to Mr. Tyler.

Senate Bill No. 192—An Act to provide for the publication of the

debates and proceedings of the Constitutional Convention of the State of California.

Taken up for second reading.

Pending its reading the Committee on Engrossment, by Mr. Hershey, reported as follows:

ASSEMBLY CHAMBER, March 13th, 1880

MR. SPEAKER: The Committee on Engrossment have examined, and report that they find properly engrossed, *Assembly Bill No. 404—An Act to amend sections three thousand six hundred and seven, three thousand six hundred and seventeen, three thousand six hundred and twenty-seven, three thousand six hundred and twenty-eight, three thousand six hundred and twenty-nine, three thousand six hundred and thirty, three thousand six hundred and thirty-four, three thousand six hundred and forty, three thousand six hundred and forty-three, three thousand six hundred and fifty, three thousand six hundred and fifty-one, three thousand six hundred and fifty-two, three thousand six hundred and sixty-three, three thousand six hundred and seventy-three, three thousand six hundred and seventy-eight, three thousand six hundred and seventy-nine, three thousand seven hundred and seventeen, three thousand seven hundred and thirty, three thousand seven hundred and fifty-two, three thousand seven hundred and fifty-six, three thousand eight hundred and thirty-nine, three thousand eight hundred and sixty-one and to repeal sections three thousand six hundred and eighty and three thousand six hundred and eighty-seven, of an Act entitled "An Act to establish a Political Code," approved March twelfth, eighteen hundred and seventy-two, relating to revenue, and to add two new sections, numbered three thousand six hundred and sixty-four and three thousand six hundred and sixty-five*

Assembly Bill No. 136—An Act to amend section two thousand one hundred and sixty-eight of the Civil Code of California, defining common carriers.

HERSHEY, for Committee.

The reading of Senate Bill No. 192—An Act to provide for the publication of the debates and proceedings of the Constitutional Convention of the State of California—resumed.

The amendments recommended by the committee adopted.

The question being, "Shall the bill be read a third time?" the previous question was demanded by Messrs. Morse, Mathews, and Wason, and the House so ordered.

The ayes and noes were demanded by Messrs. McCarty, Frink, and Levee.

The roll was called, and the bill was ordered to third reading by the following vote:

AYES—Messrs. Adams, Anthony, Braunhart, Brooks, Brown of Sonoma, Brown of Yuba, Brunet, Bruse, Burns, Camron, Carr of Yuba, Cooper, Corcoran, Cuthbert, Dimond, DuBrutz, Durham, Finlayson, Fox, Frink, Garibaldi, Gaffey, Green, Hershey, Hynes, Josselyn, Lane, Leach, Maguire, Mathews, May, Maybell, McCarthy of San Francisco, McDade, Morse, Nelson, Picket, Simon, Spencer, Stanley, Stoddard, Streeter, Valle Del, Wason of Ventura, Wasson of Mono, Wattson, York, Young, and Mr. Speaker—49.

NOES—Messrs. Bass, Coleman, Cook, Estey, Hardy, Leadbetter, Levee, McCarty of Lake, McComas, McIntosh, Merry, Messenger, Mulholland, and Ward—14.

Mr. Braunhart moved to take up Senate Bill No. 17—An Act for the protection of patients from extortion by dishonest physicians and druggists.

Lost.

Mr. Fox withdrew his notice of motion of reconsideration, given yesterday, in connection with Senate Bill No. 296.

Assembly Bill No. 245—An Act to amend section eight hundred and forty-nine of the Code of Civil Procedure.

Withdrawn.

Assembly Bill No. 256—An Act investing widows with the ownership of the family estates on the decease of their husbands.

Withdrawn.

SECOND READING OF BILLS.

Assembly Bill No. 44—An Act to amend sections three hundred and twelve, three hundred and fifteen, three hundred and twenty-two, three hundred and twenty-three, three hundred and twenty-six, three hundred and fifty-nine, and four hundred and fifteen, and to add a new section, to be known as section four hundred and four, of an Act entitled "An Act to establish a Civil Code," approved March twenty-first, eighteen hundred and seventy-two, relating to corporations.

Taken up.

Sections two, four, and six amended as recommended by the committee, and the bill ordered to third reading.

Assembly Bill No. 145—An Act to amend sections seventeen, nineteen, and twenty-one, of an Act entitled "An Act to provide for the future management of the Napa State Asylum for the Insane," approved March sixth, eighteen hundred and seventy-six.

Taken up.

The amendments recommended by the committee adopted, and the bill ordered to third reading.

Assembly Bill No 257—An Act to add a new section to the Penal Code, to be known as section one thousand three hundred and eight, relative to the forfeiture of the undertaking of bail or of the deposit of money.

Taken up, and ordered to third reading.

Assembly Bill No. 374—An Act for the promotion of the viticultural industries of the State.

Taken up

Read second time

Mr Lane moved to amend by striking out all after the word "compensation," in section five.

Lost.

Mr. Mulholland moved to amend by striking out section nine of the bill.

RECESS.

Pending discussion, the hour of one o'clock P. M. having arrived, the House took a recess until two o'clock P. M.

RE-ASSEMBLED.

House re-assembled at two o'clock P. M.

Speaker Cowdery in the chair.

Quorum present.

Mr. Anthony, pursuant to notice, moved to reconsider the vote by which the House refused to strike out subdivision one of section seven of Senate Bill No. 296—An Act to appropriate money for the support of orphans, half orphans, and abandoned children.

Lost

The consideration of Assembly Bill No. 374—An Act for the promotion of the viticultural industries of the State—resumed.

Mr. Fox in the chair.

The previous question was demanded on the amendment by Messrs Adams, Brown of Sonoma, and Messenger.

House so ordered.

The question recurring upon the motion to strike out section nine, the ayes and noes were demanded by the requisite number.

The roll was called, and the motion lost by the following vote:

AYES—Messrs. Anthony, Brooks, Brusie, Burns, Coleman, Corcoran, Dimond, Durham, Hershey, Josselyn, Lane, Maguire, McCarty of Lake Mulholland, Stoddard, and York—16

NOES—Messrs. Adams, Bass, Braunhart, Brown of Sonoma, Brown of Yuba, Bruner, Camron, Carr of Yuba, Coffman, Cook, Cooper, DuBrutz, Estey Finlayson, Fox, Frink, Garibaldi, Gaffey, Hardy, Hynes, Leach, Leadbetter, Levee, Mathews, May, Maybell, McCarthy of San Francisco, McConnas, McDade, McIntosh, Merry, Messenger, Morse, Nelson, Picket, Sayle, Simon, Spencer, Stanley, Streeter, Valle Del, Walker, Ward, Wason of Ventura, Wasson of Mono, Wattson, Young, and Mr. Speaker—48.

Mr. Adams moved to amend by substituting a new section for section ten of the bill.

Pending discussion, Mr. Lane moved a call of the House.

So ordered.

Roll called, and no quorum present.

At three o'clock and ten minutes P. M. Mr. Mulholland moved to adjourn.

Upon which the ayes and noes were demanded by the requisite number.

The roll was called, and the motion lost by the following vote:

AYES—Messrs. Hershey, Lane, Levee, McCarty of Lake, Mulholland, Picket, Stoddard, and Walker—8.

NOES—Messrs Adams, Anthony, Bass, Braunhart, Brooks, Brown of Sonoma, Brown of Yuba, Bruner, Brusie, Burns, Camron, Carr of Yuba, Coffman, Coleman, Cook, Cooper, Corcoran, Cuthbert, Dimond, DuBrutz, Durham, Estey, Finlayson, Fox, Frink, Garibaldi, Gaffey, Green, Hardy, Hynes, Josselyn, Leach, Leadbetter, Maguire, Mathews, May, Maybell, McCarthy of San Francisco, McConnas, McDade, McIntosh, Merry, Messenger, Morse, Nelson, Sayle, Simon, Spencer, Stanley, Streeter, Valle Del, Ward, Wason of Ventura, Wasson of Mono, Wattson, York, Young, and Mr. Speaker—58.

The previous question was demanded by Messrs. Morse, Finlayson, and Streeter, and the House so ordered.

The question recurring upon the adoption of a substitute for section ten, it was adopted.

The bill read second time.

The question being, "Shall the bill be read third time?" the ayes and noes were demanded by Messrs. Lane, Mulholland, and Levee.

The roll was called, and the bill ordered to a third reading by the following vote:

AYES—Messrs. Adams, Bass, Braunhart, Brooks, Brown of Sonoma, Brown of Yuba, Bruner, Brusie, Burns, Camron, Carr of Yuba, Coffman, Coleman, Cooper, Corcoran, Cuthbert, Dimond, DuBrutz, Durham, Estey, Finlayson, Fox, Frasier, Garibaldi, Green, Hardy, Hynes, Josselyn, Leach, Leadbetter, Levee, Maguire, Mathews, May, Maybell, McCarthy of San Francisco, McDade, McIntosh, Merry, Messenger, Morse, Nelson, Picket, Sayle, Simon, Spencer, Stanley, Stoddard, Streeter, Valle Del, Ward, Wason of Ventura, Wasson of Mono, Wattson, and Young—55

NOES—Messrs Anthony, Hershey, Lane, McCarty of Lake, Mulholland, Walker, and York—7.

ADJOURNMENT.

At four o'clock and thirty minutes P. M. Mr. Camron moved we do now adjourn.

Carried.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Monday, March 15th, 1880.

House met pursuant to adjournment.
Speaker Cowdery in the chair.
Roll called, and a quorum present.
Prayer by the Chaplain.

READING AND APPROVAL OF THE JOURNAL.

Mr. Frink moved that the further reading of the Journal be dispensed with.
So ordered.
The Journal of Friday approved.
One day's leave of absence granted to Mr. Hartson.

PETITIONS.

By Mr. Mathews—Two petitions from citizens of Tehama County, asking such legislation as will secure to the citizens of that part of Tehama County west of the Sacramento River the benefits of the Act concerning trespassing of animals upon private land in certain counties of this State, approved March seventh, eighteen hundred and seventy-eight.
Both petitions referred to the Committee on Agriculture.
By the Speaker—A petition from the united bar of San Francisco, asking for the passage of Assembly Bill No. 484—An Act to create an additional Police Court in consolidated city and county governments of more than one hundred thousand inhabitants—introduced into the Assembly by Mr. McCarthy.
Referred to the San Francisco delegation.

REPORTS OF STANDING COMMITTEES.

By Mr. Fox:

ASSEMBLY CHAMBER, SACRAMENTO, March 15th, 1880.

MR. SPEAKER: Your Judiciary Committee, to whom was referred substitute for Senate Bill No. 234—An Act to add a new section to the Penal Code, to be known as section one hundred and eleven, relating to costs in certain criminal actions.

Also, Assembly Bill No. 479—An Act to amend section one thousand two hundred and sixty-five of the Civil Code, in relation to homesteads.

Also, Assembly Bill No 480—An Act to amend sections one thousand four hundred and sixty-five, one thousand four hundred and sixty-eight, one thousand four hundred and seventy-four, and one thousand four hundred and seventy-five, of the Code of Civil Procedure, in relation to homesteads.

Also, Assembly Bill No 510—An Act to amend section two thousand four hundred and sixty-four of the Political Code, relating to pilots and pilot regulations.

Also, Assembly Bill No 503—An Act to amend section ten of the Code of Civil Procedure, relative to legal holidays.

Have had them under consideration, and now report the same back, with recommendation that they severally be passed.

The vote on the passage of Assembly Bill No. 503 was not unanimous, eight members present, six assenting, two dissenting.

We have also had under consideration Assembly Bill No. 427—An Act to amend sections one thousand one hundred and sixty-three, one thousand one hundred and sixty-six, one thousand one hundred and seventy-one, and one thousand one hundred and seventy-eight, of the Code of Civil Procedure of the State of California, relative to actions of forcible entry and detainer—and now report the same back, with recommendation that its author be allowed to withdraw

the same, as the provisions contained therein are embraced in Senate Bill No. 159, which has already passed this House

We have also had under consideration Assembly Bill No. 516—An Act to amend section one thousand one hundred and twenty-one of the Penal Code—and now report the same back, with recommendation that it do not pass.

We have also had under consideration Assembly Bill No 464—An Act to repeal section one thousand four hundred and one of the Civil Code, and to amend section one thousand four hundred and two of the Civil Code.

Also, Assembly Bill No. 476—An Act to add a new section to the Code of Civil Procedure, relating to pleadings.

Also, Assembly Bill No 477—An Act to add two new sections to the Code of Civil Procedure, to be known and designated as sections one thousand and sixty and one thousand and sixty-one.

Also, Assembly Bill No. 481—An Act for the relief of Thomas W. Lathrop, ex-Sheriff of the County of San Mateo.

Also, Assembly Bill No. 488—An Act to amend section eight hundred and fifty-one of the Code of Civil Procedure, relative to form of pleadings in Justices' Courts.

Also, Assembly Bill No 495—An Act to provide for the payment of the expense incurred in the capture of ex-convicts accused of the commission of felony.

Also, Assembly Bill No 502—An Act to amend an Act to provide a Code of Civil Procedure.

And now report them back with recommendation that they severally be indefinitely postponed.

FOX, Chairman.

INTRODUCTION OF BILLS.

The following bills were introduced, and ordered printed.

By Mr. Leach—An Act to amend sections six hundred and twenty-six and six hundred and twenty-seven of the Penal Code, relating to violations of the laws for the preservation of fish and game.

Also, an Act to amend section six hundred and thirty-five of the Penal Code, relating to the taking of trout from waters owned by persons or corporations.

SECOND READING OF BILLS.

Assembly Bill No. 327—An Act to allow unincorporated towns and villages to equip and maintain a fire department, and to assess and collect taxes from time to time for such purpose, and to create a Board of Fire Commissioners.

Taken up.

Mr. Brooks moved to amend, in line nine, section three, by inserting after the word "conduits," the words, "or cisterns." Also, to strike out all after the word "department," line twelve, in subdivision two.

Both amendments adopted.

Mr. Streeter moved to amend by adding at the close of section five the words, "provided that after the first year the amount so raised shall not exceed one-half of one per cent."

Adopted.

The committee amendment to section nine adopted.

Mr. Brooks moved to amend by striking out the words, "for County Assessor," from line two, section nine, and inserting instead the words, "by law."

Adopted.

The amendment proposed by Mr. Brooks, to the close of section twenty-six, was adopted

Mr. Brooks moved to amend by striking out all after the word "misdemeanor," from line two, section twenty-seven.

Adopted.

The committee amendment to section twenty-nine adopted.

The bill read second time, and ordered printed as amended.

INTRODUCTION OF A BILL.

By Mr Sayle (by permission)—An Act to add a new section to the Civil Code, in title eight, relative to water rights.

The above bill was ordered printed.

Mr. McIntosh, pursuant to notice, moved to reconsider the vote by which Assembly Bill No. 501 was referred to the Committee on Ways and Means.

Upon which the ayes and noes were demanded by Messrs. May, Stanley, and Mulholland.

The roll was called, and the motion was carried by the following vote:

AYES—Messrs. Anthony, Bennett, Brown of Sonoma, Burns, Carr of Yuba, Chamberlain, Coffman, Coleman, Cook, Estey, Fraser, Frink, Gaffey, Green, Hynes, Josselyn, Leach, Leadbetter, Levee, Maguire, Mathews, Maybell, McCallion, McCarty of Lake, McCarthy of San Francisco, McConnis, McIntosh, Merry, Messenger, Mulholland, Picket Sayle, Sherburne, Stanley, Stoddard, Walker, Ward, Wason of Ventura, Wasson of Mono, Wattson, and York—41.

NOES—Messrs. Bass, Braunhart, Brooks, Brown of Yuba, Bruner, Brusie, Chandler, Cooper, Cuthbert, Dimond, DuBrutz, Durham, Finlayson, Fox, Hershey, Lane, May, Morse, Nelson, Spencer, and Young—21.

The bill was then referred by the Speaker to the Committee on Retrenchment.

Mr. Young moved its reference to the Committee on Ways and Means.

Lost.

Mr. Bruner moved its reference to the Committee of the Whole House.

Lost.

SECOND READING OF BILLS—CONTINUED.

Assembly Bill No. 323—An Act to amend sections one thousand and forty-one, one thousand and fifty-three, one thousand and fifty-five, one thousand and eighty-three, one thousand and eighty-four, one thousand and ninety-seven, one thousand one hundred and six, one thousand one hundred and eight, one thousand one hundred and nine, one thousand one hundred and thirteen, one thousand one hundred and thirty, one thousand one hundred and forty-seven, one thousand two hundred and twenty-eight, one thousand two hundred and thirty, one thousand two hundred and thirty-two, one thousand two hundred and thirty-five, one thousand two hundred and thirty-six, one thousand two hundred and thirty-seven, one thousand two hundred and eighty-four, one thousand two hundred and eighty-eight, one thousand three hundred and ten, one thousand three hundred and eleven, and one thousand three hundred and forty-three, of the Political Code, relating to elections, and to repeal section one thousand and forty-two of said Code.

Taken up.

The committee amendments to sections one and two adopted.

The bill was then re-referred to the Committee on Elections for correction in amendments.

Mr. Sayle moved to make Assembly Bill No. 139—An Act to enable female citizens to vote upon all matters relating to the public schools of the State of California—the special order for Saturday next, at seven o'clock P. M.

Lost.

Mr. Lane moved to make the bill the special order for Friday night, at seven o'clock.

Carried.

The committee amendment to section eleven of Assembly Bill No. 327, by unanimous consent, was adopted.

Assembly Bill No. 306—An Act to pay the claim of Mary M. Springer, widow and heir of Thomas A. Springer, late State Printer, deceased

Passed on file.

Assembly Bill No. 354—An Act to provide for the protection of lands from overflow, other than lands recognized as swamp lands.

Read second time, and ordered to third reading.

SENATE MESSAGE.

The following message from the Senate was read:

SENATE CHAMBER, SACRAMENTO, March 15th, 1880.

MR SPEAKER I am directed to inform your honorable body that the Senate, on March ninth, passed Senate Bill No. 131—An Act for the relief of insolvent debtors, for the protection of creditors, and for the punishment of fraudulent debtors

Also, on March tenth, passed Senate Bill No. 188—An Act to regulate fire, marine, and inland insurance companies transacting business in this State.

Also, on March tenth, considered Assembly amendments to Senate Bill No 118—An Act to amend part one of the Code of Civil Procedure, and each and every title, chapter, article, and section of said part one, and substituting a new part one, to take the place thereof in said Code, relating to Courts of justice, and various officers connected therewith.

The Senate concurred in Assembly amendments to said bill numbered as follows· Three, four, six, seven, eight, nine, twelve, thirteen, eighteen, nineteen, twenty, twenty-one, twenty-two, twenty-eight, twenty-nine, thirty, thirty-one, thirty-two, thirty-three, thirty-four, thirty-six, forty, forty-three, forty-six, forty-seven, forty-eight, forty-nine, fifty, and fifty-three.

The Senate refused to concur in Assembly amendments to said bill numbered as follows One, two, five, ten, eleven, fourteen, fifteen, sixteen, seventeen, twenty-three, twenty-four, twenty-five twenty-six, twenty-seven, thirty-five, thirty-seven, thirty-eight, thirty-nine, forty-one, forty-two, forty-four, forty-five, fifty-one, fifty-two, and fifty-four.

And the Senate asks that the Assembly recede from said amendments last named.

JOHN R. BRIERLY, Assistant Secretary.

INTRODUCTION OF BILLS.

The following bills were introduced by permission, and ordered printed.

By Mr. Maybell—An Act to compel railroad companies in certain cases to provide for wagon roads passing under their tracks.

By Mr. Leach—An Act to amend section three thousand six hundred and sixty-three of the Political Code, relating to revenue.

Read first time, and ordered to head of second reading file.

CONSIDERATION OF SENATE MESSAGE.

Senate Bill No. 131—An Act for the relief of insolvent debtors, for the protection of creditors, and for the punishment of fraudulent debtors.

Read first time, and referred to the Judiciary Committee.

Senate Bill No. 188—An Act to regulate fire, marine, and inland insurance companies transacting business in this State.

Read first time, and referred to the Committee on Corporations.

SECOND READING OF BILLS—RESUMED.

Assembly Bill No. 353—An Act to provide a system of drainage for agricultural lands.

Read second time.

Mr. Anthony moved to amend, in line six, section five, by inserting after the word "final," the words, "providing Chinese labor shall not be considered, or Chinese labor employed on said work."

Mr. Fraser, Speaker pro tem., in the chair.

Mr. Braunhart moved to amend the amendment by substituting the following for the amendment: "*Provided*, that Chinese labor shall not be employed directly in the construction of said ditches to said lands."

INTRODUCTION OF A BILL.

The following bill was introduced, and ordered printed:

By Mr. Mathews (by permission)—An Act to amend an Act entitled an Act concerning trespassing of animals upon private lands in certain counties in the State of California, approved March seventh, eighteen hundred and seventy-eight.

Mr. Fox moved that the rule for holding an evening session on Wednesday evening be suspended.

Carried.

Mr. Fox moved then that the House have an evening session on Thursday evening.

So ordered.

RECESS.

Pending discussion of Assembly Bill No. 353, the hour of one o'clock P. M. having arrived, the House took a recess until two o'clock P. M.

RE-ASSEMBLED.

The House re-assembled at two o'clock P. M.

Speaker Cowdery in the chair.

Quorum present.

The consideration of Assembly Bill No. 353—An Act to provide a system of drainage for agricultural lands—resumed.

Pending discussion Mr. Chandler moved the bill be referred to the Judiciary Committee for amendment.

Carried.

Mr. Lane was permitted to introduce a protest.

The protest was referred to the Committee on Public Morals.

MOTION.

By Mr. Fox, by permission:

MR. SPEAKER: I move that in making up the file for to-morrow, the following bills be placed at the head of the second reading file, in the order here named, and kept there until acted upon by the House that such of them as pass to a third reading be then placed at the head of the third reading file, and kept there until finally disposed of.

1. The bill amending the revenue law, this day introduced by Mr. Leach, 2. Senate Bill No. 39, 3. Senate Bill No. 117, 4. Senate Bill No. 145, 5. Senate Bill No. 148, 6. Senate Bill No. 149, 7. Senate Bill No. 150, 8. Senate Bill No. 151, 9. Senate Bill No. 161, 10. Senate Bill No. 163, 11. Senate Bill No. 165, 12. Senate Bill No. 162, 13. Senate Bill No. 164, 14. Assembly Bill No. 363, 15. Assembly Bill No. 82, 16. Assembly Bill No. 253; 17. Senate Bill No. 223, 18. Senate Bill No. 285; 19. Assembly Bill No. 455; 20. Senate Bill

No. 89; 21. Assembly Bill No. 412; 22. Assembly Bill No. 419, 23. Senate Bill No. 152; 24. Senate Bill No. 153; 25. Senate Bill No. 252, 26. Senate Bill No. 261, 27. Senate Bill No. 177; 28. Senate Bill No. 182; 29. Senate Bill No. 248, 30. Assembly Bill No. 336, 31. Assembly Bill No. 236, 32. Assembly Bill No. 282, 33. Assembly Bill No. 292, 34. Assembly Bill No. 300; 35. Assembly Bill No. 309, 36. Assembly Bill No. 324, 37. Assembly Bill No. 343; 38. Senate Bill No. 296, 39. Assembly Bill No. 401, 40. Assembly Bill No. 340, 41. Assembly Bill No. 298, 42. Assembly Bill No. 390.

Mr. McDade moved to add Assembly Bill No. 401; also Assembly Bill No. 340, and Assembly Bills Nos. 291 and 391.

So ordered.

Mr. Sayle moved to lay the motion on the table until to-morrow morning.

Carried.

INTRODUCTION OF A BILL.

By Mr. McCallion (by permission)—An Act to prevent the naturalization of Chinese or Mongolians in the State of California.

The above bill ordered printed.

Assembly Bill No. 306—An Act to pay the claim of Mary M. Springer, widow and heir of Thomas A. Springer, late State Printer, deceased.

Taken up.

Mr. Gorley moved to make the bill the special order for Wednesday next, at two o'clock P.M.

Lost.

The bill read second time.

Mr. Mulholland moved to strike out the enacting clause of the bill.

Pending discussion, the Committee on Enrollment had permission to report as follows:

By Mr. Brooks:

MR. SPEAKER: Your Committee on Enrollment respectfully report that Assembly Bill No. 404—An Act to amend sections three thousand six hundred and seven, three thousand six hundred and seventeen, three thousand six hundred and twenty-seven, three thousand six hundred and twenty-eight, three thousand six hundred and twenty-nine, three thousand six hundred and thirty, three thousand six hundred and thirty-four, three thousand six hundred and forty, three thousand six hundred and forty-three, three thousand six hundred and fifty, three thousand six hundred and fifty-one, three thousand six hundred and fifty-two, three thousand six hundred and sixty-three, three thousand six hundred and seventy-three, three thousand six hundred and seventy-eight, three thousand six hundred and seventy-nine, three thousand seven hundred and seventeen, three thousand seven hundred and thirty, three thousand seven hundred and fifty-two, three thousand seven hundred and fifty-six, three thousand eight hundred and thirty-nine, and three thousand eight hundred and sixty-one, and to repeal sections three thousand six hundred and eighty, and three thousand eight hundred and eighty-seven, of an Act entitled "An Act to establish a Political Code," approved March twelfth, eighteen hundred and seventy-two, relating to revenue, and to add two new sections, numbered three thousand six hundred and sixty-four and three thousand six hundred and sixty-five—has been correctly enrolled, and the same was this day, March the fifteenth, eighteen hundred and eighty, at three o'clock P. M., presented to the Governor for his approval.

BROOKS, Chairman.

The consideration of Assembly Bill No. 306—An Act to pay the claim of Mary M. Springer, widow and heir of Thomas A. Springer, late State Printer, deceased—resumed.

Mr. Tyler moved that the bill be made the special order for to-morrow, at ten o'clock A. M.

The question recurred upon the motion to strike out the enacting clause of the bill.

Upon which the ayes and noes were demanded by Messrs. Anthony, DuBrutz, and Brooks.

The roll was called, and the motion was carried by the following vote

AYES—Messrs Adams, Anthony, Bass, Bennett, Brooks, Burns, Camron, Carr of Yuba, Cook, Corcoran, Cuthbert, Dimond, Downs, DuBrutz, Durham, Estey, Felton, Finlayson, Fraser, Garibaldi, Gorley, Green, Harris, Hartson, Josselyn, Lane, Leach, Leadbetter, Levee, May, Maybell, McComas, Merry, Morse, Mulholland, Sinon, Sherburne, Spencer, Stanley, Stoddard, Ward, Wason of Ventura, and Mr. Speaker—43

NOES—Messrs Brannhart, Brown of Yuba, Bruner, Brusie, Carr of Sacramento, Chamberlain, Chandler, Coffman, Coleman, Fox, Frink, Gaffey, Hardy, Hershey, Hynes, Maguire, Mathews, McCallion, McCarty of Lake, McCarthy of San Francisco, McDade, McIntosh, Messenger, Nelson, Picket, Sayle, Sweetland, Tyler, Valle Del, Walker, Wasson of Mono, Wattson, York, and Young—34.

Mr. Gorley gave notice that he would, on to-morrow, move to reconsider the vote by which the enacting clause of the bill was ordered stricken out.

ADJOURNMENT.

At five o'clock P. M. Mr. McCarty moved that we do now adjourn. Carried.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Tuesday, March 16th, 1880.

House met pursuant to adjournment.
Speaker Cowdery in the chair.
Roll called, and a quorum present.
Prayer by the Chaplain.

READING AND APPROVAL OF THE JOURNAL.

Mr. Chandler moved that the further reading of the Journal be dispensed with.
So ordered.
The Journal of Saturday approved.

REPORTS OF STANDING COMMITTEES.

By Mr. Chamberlain:

ASSEMBLY CHAMBER, SACRAMENTO, March 16th, 1880.

MR. SPEAKER: The Committee on Agriculture, to whom was referred Assembly Bill No 379—An Act prohibiting the keeping or sale of animals afflicted with the glanders—have had the same under consideration, and report the same back to the Assembly with one amendment, and recommend its passage as amended.

Also, we have had Assembly Bill No. 475—An Act for the protection of sheep and goats, by placing out poisons for the destruction of dogs and wild animals—under consideration, and report the same back to the Assembly without amendment or recommendation.

CHAMBERLAIN, Chairman.

By Mr. Camron:

MR. SPEAKER: Your Committee on Elections, to whom was referred Assembly Bill No. 323, have carefully considered the same, and recommend its passage as amended.

CAMRON, Chairman.

By Mr. Fox:

ASSEMBLY CHAMBER, SACRAMENTO, March 16th, 1880.

MR SPEAKER: Your Judiciary Committee, to whom was referred Senate Bill No. 131—An Act for the relief of insolvent debtors, for the protection of creditors, and for the punishment of fraudulent debtors—have had the same under consideration, and now report it back with amendments, recommending its passage as amended Nine members present and voting; Six ayes, and three noes.

We have also had under consideration Assembly Bill No 423—An Act to procure and preserve monthly statements of the business and operations of corporations, organized or incorporated for the purpose of mining, milling, reducing or working ores, metals, or minerals—and now report it back, with a recommendation that it do pass Eight members voting—five ayes, and three noes

We have also had under consideration Assembly Bill No 513—An Act relinquishing the right, title, or claim of cities to lands—and now report the same back, with recommendation that it be indefinitely postponed

FOX, Chairman.

Assembly Bill No. 513. above reported, withdrawn.

By Mr. McComas:

ASSEMBLY CHAMBER, SACRAMENTO, March 16th, 1880.

MR. SPEAKER: The Committee on Public Lands, to whom was referred Assembly Bill No. 204—An Act to provide for the selection of lands as indemnity for certain sixteenth and thirty-sixth sections, reserved as mineral lands—have had the same under consideration, and report the same back to the Assembly, and recommend that it be indefinitely postponed

McCOMAS, Chairman.

By Mr. Brusie:

MR. SPEAKER Your Committee on State Hospital, to whom was referred Assembly Bill No. 491—An Act entitled "An Act requiring physicians to report cases of infectious and contagious diseases"—have had the same under consideration, and report it back with the recommendation that it do pass, together with the amendments thereto

BRUSIE, Chairman.

Also:

MR. SPEAKER: Your Committee on State Hospital, to whom was referred Assembly Bill No. 511—An Act entitled an Act supplemental to and amendatory of an Act entitled an Act supplemental to and amendatory of an Act entitled an Act to regulate the practice of medicine in the State of California, approved April third, eighteen hundred and seventy-six, passed April first, eighteen hundred and seventy-eight—have had the same under consideration, and report it back with the recommendation that it do pass, with the amendment thereto

BRUSIE, Chairman.

Also:

MR. SPEAKER Your Committee on State Hospital, to whom was referred Assembly Bill No. 471—entitled an Act to prohibit the landing within this State, under certain circumstances, of any vagrant, pauper, mendicant, person afflicted with any contagious disease, or any person or class of persons declared to be dangerous to the health, well-being, or peace of this State, and to provide the means for carrying the same into effect—have had the same under consideration, and report it back, with the recommendation that it do not pass.

BRUSIE, Chairman

INTRODUCTION OF BILLS.

By Mr Josselyn—An Act to provide for the branding and banishment of Mongolian convicts.

Read first time.

Mr Tyler moved that the bill be rejected.

Upon which the previous question was demanded by Messrs. Bruner, York, and Tyler, and the House so ordered.

The ayes and noes were demanded by Messrs Maybell, Sinon, and McCallion

The roll was called, and the bill was rejected by the following vote:

AYES—Messrs. Anthony, Bennett, Brooks, Brown of Yuba, Bruner, Brusie, Chamberlain, Chandler, Coffman, Coleman, Cooper, Dimond, Downs, DuBrutz, Durham, Estey, Finlayson,

Fox, Fraser, Frink, Gorley, Green, Hardy, Hartson, Hershey, Leach, Leadbetter, Levee, McCallion, McCarty of Lake, McComas, McIntosh, Morse, Mulholland, Nelson, Spencer, Stanley, Stoddard, Streeter, Sweetland, Tyler, Valle Del, Walker, Ward, Wason of Ventura, York, Young, and Mr. Speaker—48

Noes—Messrs. Bass, Burns, Cannon, Carr of Sacramento, Cook, Cuthbert, Garibaldi, Gaffey, Hynes, Josselyn, Lane, May, Maybell, McCarthy of San Francisco, Merry, Messenger, Picket, Sayle, and Simon—19.

The following bills were introduced and ordered printed:

By Mr. Merry—An Act to amend section one thousand eight hundred and sixty of the Civil Code, relative to the liability of innkeepers.

Also, an Act to add a new section to the Code of Civil Procedure, relative to the publication of notices, to be known as section one thousand and sixty.

By Mr. Fox—An Act to amend the Political Code of the State of California, by adding a new section thereto.

Also, an Act to amend section two hundred and eighty-five of the Civil Code, in relation to corporations.

By Mr. Young—An Act to amend section four hundred and twenty-seven of the Code of Civil Procedure.

Also, an Act to amend section sixty of the Civil Code of California, relative to the intermarriage of whites with negroes and persons of other races.

Mr. Gorley, pursuant to notice, moved to reconsider the vote by which the enacting clause of Assembly Bill No. 306—An Act to pay the claim of Mary M. Springer, widow and heir of Thomas A. Springer, late State Printer, deceased—was ordered stricken out.

Mr. Carr of Yuba moved to lay the motion on the table.

Lost.

The previous question was demanded by Messrs. Mulholland, Messenger, and Sweetland, and the House so ordered.

The ayes and noes were demanded by the requisite number

The roll was called, and the motion to reconsider was lost by the following vote:

Ayes—Messrs. Bass, Brooks, Brown of Yuba, Brunet, Brusie, Carr of Sacramento, Chamberlain, Chandler, Coffman, Coleman, Cooper, Fox, Fraser, Frink, Gaffey, Gorley, Hardy, Hynes, Leadbetter, Maguire, Mathews, McCallion, McCarty of Lake, McCarthy of San Francisco, McIntosh, Messenger, Morse, Nelson, Sayle, Tyler, Valle Del, Walker, York, and Young—34.

Noes—Messrs. Adams, Anthony, Bennett, Brown of Sonoma, Burns, Cannon, Carr of Yuba, Cook, Cuthbert, Dimond, Downs, DuBrutz, Durham, Estey, Felton, Finlayson, Garibaldi, Green, Hartson, Hershey, Josselyn, Lane, Leach, Levee, May, Maybell, McComas, Merry, Mulholland, Simon, Sherburne, Spencer, Stanley, Stoddard, Sweetland, Ward, Wason of Ventura, and Mr Speaker—38

FIRST READING AND REFERENCE OF BILLS.

Assembly Bill No. 517—An Act to protect the people of the State from the importation of infectious and contagious diseases.

Read first time, and referred to the Committee on Judiciary.

Assembly Bill No. 518—An Act to amend section two thousand six hundred and twenty-nine of the Political Code, relative to assessment of property.

Read first time, and ordered on file.

Mr. Mathews moved that Senate Bill No. 296—An Act to appropriate money for the support of orphans, half-orphans, and abandoned children—be taken up for consideration.

Carried.

Mr. Leach moved that the rules be suspended, and the bill be considered in the House instead of Committee of the Whole.

Carried by a two-thirds vote.

Mr. Carr of Yuba moved to amend by striking out the proviso contained in section one of the bill.

Adopted.

Mr McIntosh moved to amend by striking out the word "twenty" from line three, section seven, and inserting instead the word "fifteen."

Upon which the ayes and noes were demanded by Messrs Anthony, Levee, and Coffman.

The roll was called, and the amendment was rejected by the following vote:

AYES—Messrs. Anthony, Chandler, Coffman, Coleman, Cooper, Corcoran, Dimond, Fraser, Green, Hardy, Harris, Hartson, Hynes, Josselyn, Leadbetter, Levee, McCarty of Lake, McCarthy of San Francisco, McComas, McIntosh, Messenger, Morse, Mulholland, Sayle, Sherburne, Spencer, Stanley, Stoddard, and Tyler—29.

NOES—Messrs Adams, Bass, Bennett, Braunhart, Brown of Sonoma, Bruner, Brusie, Burns, Carr of Sacramento, Carr of Yuba, Chamberlain, Cook, Cuthbert, Downs, DuBrutz, Durham, Estey, Felton, Fox, Fink, Gaffey, Hershey, Lane, Leach, Maguire, Mathews, May, Maybell, McCallion, McDade, Merry, Nelson, Picket, Simon, Streeter, Valle Del, Walker, Ward, Wason of Ventura, Wasson of Mono, Young, and Mr. Speaker—42.

Mr. Leach gave notice of a motion to reconsider the vote by which the House struck out the proviso of section one of the bill, and now moved the reconsideration of said vote.

Upon which the ayes and noes were demanded by the requisite number.

The roll was called, and the motion was carried by the following vote:

AYES—Messrs. Adams, Anthony, Bass, Bennett, Brooks, Brown of Sonoma, Brown of Yuba, Bruner, Brusie, Camron, Carr of Sacramento, Chamberlain, Chandler, Coffman, Cook, Dimond, Downs, DuBrutz, Durham, Estey, Felton, Fox, Gorley, Harris, Hartson, Hershey, Josselyn, Leach, Mathews, May, Merry, Morse, Mulholland, Ward, Wason of Ventura, York, Young, and Mr. Speaker—38

NOES—Messrs Braunhart, Burns, Carr of Yuba, Coleman, Corcoran, Cuthbert, Fraser, Fink, Garibaldi, Gaffey, Green, Hardy, Hynes, Lane, Leadbetter, Levee, Maguire, Maybell, McCallion, McCarty of Lake, McCarthy of San Francisco, McComas, McDade, McIntosh, Messenger, Nelson, Picket, Sayle, Simon, Sherburne, Spencer, Stoddard, Sweetland, Tyler, Valle Del, and Walker—36.

Some confusion arising during the calling of the roll, the roll was again ordered called, with the following result:

AYES—Messrs. Adams, Anthony, Bass, Bennett, Brooks, Brown of Sonoma, Bruner, Brusie, Camron, Carr of Sacramento, Chamberlain, Chandler, Coffman, Cook, Dimond, Downs, DuBrutz, Durham, Estey, Felton, Finlayson, Fox, Fink, Harris, Hartson, Hershey, Leach, Mathews, May, McComas, Merry, Morse, Mulholland, Stanley, Streeter, Tyler, Ward, Wason of Ventura, Wattson, York, and Mr Speaker—41

NOES—Messrs Braunhart, Brown of Yuba, Burns, Carr of Yuba, Coleman, Cooper, Corcoran, Cuthbert, Fraser, Garibaldi, Gaffey, Green, Hardy, Hynes, Josselyn, Lane, Leadbetter, Levee, Maguire, Maybell, McCallion, McCarty of Lake, McCarthy of San Francisco, McDade, McIntosh, Messenger, Nelson, Picket, Sayle, Simon, Sherburne, Spencer, Stoddard, Sweetland, Valle Del, Walker, and Young—37.

The question being then taken on the motion to strike out the proviso it was lost.

The question recurred upon the passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs Adams, Anthony, Bass, Bennett, Braunhart, Brooks, Brown of Sonoma, Brown of Yuba, Bruner, Brusie, Burns, Camron, Carr of Sacramento, Carr of Yuba, Chamberlain, Chandler, Coffman, Cook, Cooper, Corcoran, Cuthbert, Dimond, Downs, DuBrutz, Durham, Estey, Felton, Finlayson, Fox, Fraser, Garibaldi, Gaffey, Green, Hardy, Harris, Hartson, Hershey, Hynes, Josselyn, Lane, Leach, Leadbetter, Maguire, Mathews, May, Maybell, McCalhon, McCarty of Lake, McCarthy of San Francisco, McComas, McDade, Merry, Messenger, Morse, Mulholland, Nelson, Picket, Savle, Simon, Sherburne, Spencer, Stanley, Stoddard, Streeter, Sweetland, Tyler, Valle Del, Walker, Ward, Wason of Ventura, Wattson, York, Young, and Mr. Speaker—73.

NOES—Mr. McIntosh—1

Title approved.

REPORT OF COMMITTEE ON COUNTY GOVERNMENTS AND MUNICIPAL CORPORATIONS.

By Mr. Streeter, by permission:

ASSEMBLY CHAMBER, SACRAMENTO, March 15th, 1880.

MR. SPEAKER The Committee on County Governments and Municipal Corporations, to whom was referred Assembly Bill No 440—An Act to provide for the improvement of streets within cities of less than one hundred thousand inhabitants, organized and existing for municipal purposes—have had the same under consideration, and report the same back to the Assembly with amendments, and recommend its passage as amended.

STREETER, Chairman.

CONSIDERATION OF SENATE MESSAGE READ YESTERDAY.

Senate Bill No. 118—An Act to amend part one of the Code of Civil Procedure, and each and every title, chapter, article, and section of said part one, and substituting a new part one to take the place thereof in said Code, relating to Courts of justice, and various officers connected therewith.

Mr. Fox moved that the Assembly recede from Assembly amendment number one.

Carried.

Mr. Fox moved that the House refuse to recede from amendment number two.

Carried.

Mr. Fox moved that the House do not recede from amendment number five.

Carried.

Mr. Merry moved that the Assembly do not recede from amendment number ten.

Carried.

Mr. Fox moved that the House recede from its amendment number eleven.

Lost.

Mr. Tyler moved that the House do not recede from amendment number fourteen.

Carried.

Mr. Fox moved that the House do not recede from amendment number fifteen.

Carried.

Mr. Fox moved that the House refuse to recede from amendment number sixteen.

Carried.

Mr. Tyler moved that the House refuse to recede from amendments numbers seventeen, twenty-three, twenty-four, twenty-five, twenty-six, twenty-seven, thirty-five, thirty-seven, thirty-eight, thirty-nine, forty-one, forty-two, forty-four, forty-five, fifty-one, fifty-two, and fifty-four.

Carried.

Mr. Young moved to reconsider the vote by which the House refused to recede from amendment number sixteen.

Lost.

Mr. Fox moved that a committee of three on conference be appointed by the Chair.

Carried.

The Speaker appointed as such committee Messrs. Fox, Merry, and Tyler.

SENATE MESSAGE.

The following Senate message was read:

SENATE CHAMBER, SACRAMENTO, March 15th, 1880.

MR. SPEAKER: I am directed to inform your honorable body that the Senate, on this day, passed Senate Bill No. 174—An Act to amend sections one thousand two hundred and ninety-five, one thousand two hundred and ninety-eight, one thousand three hundred and three, one thousand three hundred and five, one thousand three hundred and thirteen, one thousand three hundred and seventeen, one thousand three hundred and twenty-two, one thousand three hundred and thirty-eight, one thousand three hundred and forty, one thousand three hundred and forty-five, one thousand three hundred and sixty, one thousand three hundred and sixty-one, one thousand three hundred and sixty-two, one thousand three hundred and seventy-two, one thousand three hundred and seventy-three, one thousand three hundred and eighty-three, one thousand three hundred and eighty-eight, one thousand three hundred and eighty-nine, one thousand three hundred and ninety-one, one thousand three hundred and ninety-three, one thousand three hundred and ninety-four, one thousand three hundred and ninety-seven, one thousand three hundred and ninety-eight, one thousand four hundred and two, one thousand four hundred and three, one thousand four hundred and six, one thousand four hundred and eleven, one thousand four hundred and twelve, one thousand four hundred and thirteen, one thousand four hundred and fourteen, one thousand four hundred and fifteen, one thousand four hundred and twenty-six, one thousand four hundred and twenty-seven, one thousand four hundred and thirty, one thousand four hundred and thirty-one, one thousand four hundred and thirty-two, one thousand four hundred and thirty-three, one thousand four hundred and thirty-six, one thousand four hundred and forty-three, one thousand four hundred and forty-four, one thousand four hundred and fifty-two, one thousand four hundred and fifty-three, one thousand four hundred and fifty-nine, one thousand four hundred and sixty, one thousand four hundred and sixty-one, one thousand four hundred and sixty-four, one thousand four hundred and sixty-five, one thousand four hundred and sixty-six, one thousand four hundred and sixty-nine, one thousand four hundred and seventy, one thousand four hundred and seventy-four, one thousand four hundred and seventy-five, one thousand four hundred and eighty-five, one thousand four hundred and ninety-three, one thousand four hundred and ninety-four, one thousand four hundred and ninety-five, one thousand four hundred and ninety-six, one thousand four hundred and ninety-seven, one thousand four hundred and ninety-eight, one thousand four hundred and ninety-nine, one thousand five hundred and three, one thousand five hundred and four, one thousand five hundred and seven, one thousand five hundred and ten, one thousand five hundred and twelve, one thousand five hundred and seventeen, one thousand five hundred and nineteen, one thousand five hundred and twenty-three, one thousand five hundred and twenty-six, one thousand five hundred and twenty-nine, one thousand five hundred and thirty, one thousand five hundred and thirty-one, one thousand five hundred and thirty-two, one thousand five hundred and thirty-six, one thousand five hundred and thirty-seven, one thousand five hundred and forty, one thousand five hundred and forty-one, one thousand five hundred and forty-nine, one thousand five hundred and fifty-two, one thousand five hundred and fifty-five, one thousand five hundred and sixty-one, one thousand five hundred and sixty-four, one thousand five hundred and sixty-six, one thousand five hundred and sixty-nine, one thousand five hundred and seventy, one thousand five hundred and seventy-five, one thousand five hundred and eighty-five, one thousand five hundred and eighty-eight, one thousand five hundred and ninety, one thousand five hundred and ninety-one, one thousand five hundred and ninety-seven, one thousand five hundred and ninety-eight, one thousand six hundred and two, one thousand six hundred and three, one thousand six hundred and four, one thousand six hundred and sixteen, one thousand six hundred and eighteen, one thousand six hundred and twenty-two, one thousand six hundred and twenty-three, one thousand six hundred and twenty-four, one thousand six hundred and twenty-five,

one thousand six hundred and twenty-nine, one thousand six hundred and thirty-two, one thousand six hundred and thirty-three, one thousand six hundred and forty, one thousand six hundred and forty-nine, one thousand six hundred and sixty-one, one thousand six hundred and sixty-seven, one thousand six hundred and sixty-nine, one thousand six hundred and seventy-five, one thousand six hundred and seventy-six, one thousand six hundred and seventy-seven, one thousand six hundred and eighty, one thousand six hundred and eighty-four, one thousand six hundred and eighty-five, one thousand six hundred and eighty-six, one thousand six hundred and ninety-two, one thousand six hundred and ninety-three, one thousand six hundred and ninety-four, one thousand six hundred and ninety-six, one thousand seven hundred and four, one thousand seven hundred and five, one thousand seven hundred and six one thousand seven hundred and sixteen, one thousand seven hundred and eighteen, one thousand seven hundred and twenty, one thousand seven hundred and twenty-one, one thousand seven hundred and twenty-two, one thousand seven hundred and twenty-six, one thousand seven hundred and twenty-nine, one thousand seven hundred and thirty, one thousand seven hundred and thirty-three, one thousand seven hundred and thirty-four, one thousand seven hundred and thirty-five, one thousand seven hundred and thirty-six, one thousand seven hundred and thirty-seven, and one thousand seven hundred and forty, of the Code of Civil Procedure, relating to the settlement of estates of deceased persons

Also, refused to concur in Assembly amendments to Senate Bill No 175.

Also, refused to concur in Assembly amendments to Senate Bill No 112.

Also, refused to concur in Assembly amendments to Senate Bill No. 141.

And refused to concur in Assembly amendments to Senate Bill No. 158.

JAS. A. ORR, Assistant Secretary.

CONSIDERATION OF SENATE MESSAGE

Senate Bill No 175—An Act to amend sections one thousand seven hundred and forty-seven, one thousand seven hundred and forty-eight, one thousand seven hundred and forty-nine, one thousand seven hundred and fifty, one thousand seven hundred and fifty-four, one thousand seven hundred and fifty-five, one thousand seven hundred and fifty-six, one thousand seven hundred and fifty-seven, one thousand seven hundred and fifty-eight, one thousand seven hundred and sixty-three, one thousand seven hundred and sixty-four, one thousand seven hundred and sixty-six, one thousand seven hundred and sixty-nine, one thousand seven hundred and seventy-three, one thousand seven hundred and seventy-four, one thousand seven hundred and seventy-five, one thousand seven hundred and eighty, one thousand seven hundred and eighty-one, one thousand seven hundred and eighty-two, one thousand seven hundred and eighty-three, one thousand seven hundred and eighty-four, one thousand seven hundred and eighty-five, one thousand seven hundred and eighty-eight, one thousand seven hundred and ninety-one, one thousand seven hundred and ninety-two, one thousand seven hundred and ninety-three, one thousand seven hundred and ninety-six, one thousand seven hundred and ninety-seven, one thousand seven hundred and ninety-eight, one thousand seven hundred and ninety-nine, one thousand eight hundred, one thousand eight hundred and one, one thousand eight hundred and two, one thousand eight hundred and three, one thousand eight hundred and four, and one thousand eight hundred and eight, of the Code of Civil Procedure, relating to guardians and wards.

Taken up.

Mr. Tyler moved that the House refuse to recede from its amendments to the bill.

Carried.

Mr. Fox moved that a committee of three on conference be appointed by the Chair.

Carried.

Messrs. Fox, Merry, and Tyler were appointed as such committee.

Senate Bill No 112—An Act to amend sections four hundred and seven and four hundred and twelve of the Code of Civil Procedure, relating to the manner of commencing civil actions.

Taken up.

The House refused to recede from its amendments to the bill.

Carried.

Mr. Fox moved the appointment of a Committee of Conference on said bill.

Carried.

Messrs. Fox, Merry, and Tyler were appointed as such committee.

Senate Bill No. 158—An Act to amend sections eight hundred and thirty-eight, eight hundred and forty-three, eight hundred and forty-four, eight hundred and forty five, eight hundred and ninety-seven, eight hundred and ninety-eight, eight hundred and ninety-nine, nine hundred and twelve, nine hundred and eighteen, and nine hundred and twenty-one, of the Code of Civil Procedure, relating to proceedings in Justices' Courts.

Taken up.

Mr. Fox moved the House adhere to its amendments, and the appointment of a Committee of Conference thereon.

Carried.

Messrs. Fox, Merry, and Tyler were appointed as a Committee of Conference on above bill.

Senate Bill No. 141—An Act to amend chapter two, of title thirteen, of part two, of the Code of Civil Procedure, and each and every section of said chapter two, and to substitute a new chapter two to take the place thereof in said Code, relating to appeals in civil actions.

Taken up.

Mr. Fox moved that the House adhere to its amendments to the bill, and the appointment of a Committee of Conference thereon.

Carried.

Messrs. Fox, Merry, and Tyler were appointed as such committee.

SENATE MESSAGE.

The following Senate message was read:

SENATE CHAMBER, SACRAMENTO, March 16th, 1880.

MR. SPEAKER: I am directed to inform your honorable body that the Senate, on March eleventh, passed Senate Bill No. 84—An Act to organize and define the powers of the Board of Railroad Commissioners.

J. A ORR, Assistant Secretary.

CONSIDERATION OF SENATE MESSAGE.

Senate Bill No. 84—An Act to organize and define the powers of the Board of Railroad Commissioners.

Taken up.

Read first time, and referred to the Committee on Corporations.

Senate Bill No. 174—An Act to amend sections one thousand two hundred and ninety-five, one thousand two hundred and ninety-eight, one thousand three hundred and three, one thousand three hundred and five, one thousand three hundred and thirteen, one thousand three hundred and seventeen, one thousand three hundred and twenty-two, one thousand three hundred and thirty-eight,

one thousand three hundred and forty, one thousand three hundred and forty-five, one thousand three hundred and sixty, one thousand three hundred and sixty-one, one thousand three hundred and sixty-two, one thousand three hundred and seventy-two, one thousand three hundred and seventy-three, one thousand three hundred and eighty-three, one thousand three hundred and eighty-eight, one thousand three hundred and eighty-nine, one thousand three hundred and ninety-one, one thousand three hundred and ninety-three, one thousand three hundred and ninety-four, one thousand three hundred and ninety-seven, one thousand three hundred and ninety-eight, one thousand four hundred and two, one thousand four hundred and three, one thousand four hundred and six, one thousand four hundred and eleven, one thousand four hundred and twelve, one thousand four hundred and thirteen, one thousand four hundred and fourteen, one thousand four hundred and fifteen, one thousand four hundred and twenty-six, one thousand four hundred and twenty-seven, one thousand four hundred and thirty, one thousand four hundred and thirty-one, one thousand four hundred and thirty-two, one thousand four hundred and thirty-three, one thousand four hundred and thirty-six, one thousand four hundred and forty-three, one thousand four hundred and forty-four, one thousand four hundred and fifty-two, one thousand four hundred and fifty-three, one thousand four hundred and fifty-nine, one thousand four hundred and sixty, one thousand four hundred and sixty-one, one thousand four hundred and sixty-four, one thousand four hundred and sixty-five, one thousand four hundred and sixty-six, one thousand four hundred and sixty-nine, one thousand four hundred and seventy, one thousand four hundred and seventy-four, one thousand four hundred and seventy-five, one thousand four hundred and eighty-five, one thousand four hundred and ninety-three, one thousand four hundred and ninety-four, one thousand four hundred and ninety-five, one thousand four hundred and ninety-six, one thousand four hundred and ninety-seven, one thousand four hundred and ninety-eight, one thousand four hundred and ninety-nine, one thousand five hundred and three, one thousand five hundred and four, one thousand five hundred and seven, one thousand five hundred and ten, one thousand five hundred and twelve, one thousand five hundred and seventeen, one thousand five hundred and nineteen, one thousand five hundred and twenty-three, one thousand five hundred and twenty-six, one thousand five hundred and twenty-nine, one thousand five hundred and thirty, one thousand five hundred and thirty-one, one thousand five hundred and thirty-two, one thousand five hundred and thirty-six, one thousand five hundred and thirty-seven, one thousand five hundred and forty, one thousand five hundred and forty-one, one thousand five hundred and forty-nine, one thousand five hundred and fifty-two, one thousand five hundred and fifty-five, one thousand five hundred and sixty-one, one thousand five hundred and sixty-four, one thousand five hundred and sixty-six, one thousand five hundred and sixty-nine, one thousand five hundred and seventy, one thousand five hundred and seventy-five, one thousand five hundred and eighty-five, one thousand five hundred and eighty-eight, one thousand five hundred and ninety, one thousand five hundred and ninety-one, one thousand five hundred and ninety-seven, one thousand five hundred and ninety-eight, one thousand six hundred and

two, one thousand six hundred and three, one thousand six hundred and four, one thousand six hundred and sixteen, one thousand six hundred and eighteen, one thousand six hundred and twenty-two, one thousand six hundred and twenty-three, one thousand six hundred and twenty-four, one thousand six hundred and twenty-five, one thousand six hundred and twenty-nine, one thousand six hundred and thirty-two, one thousand six hundred and thirty-three, one thousand six hundred and forty, one thousand six hundred and forty-nine, one thousand six hundred and sixty-one, one thousand six hundred and sixty-seven, one thousand six hundred and sixty-nine, one thousand six hundred and seventy-five, one thousand six hundred and seventy-six, one thousand six hundred and seventy-seven, one thousand six hundred and eighty, one thousand six hundred and eighty-four, one thousand six hundred and eighty-five, one thousand six hundred and eighty-six, one thousand six hundred and ninety-two, one thousand six hundred and ninety-three, one thousand six hundred and ninety-four, one thousand six hundred and ninety-six, one thousand seven hundred and four, one thousand seven hundred and five, one thousand seven hundred and six, one thousand seven hundred and sixteen, one thousand seven hundred and eighteen, one thousand seven hundred and twenty, one thousand seven hundred and twenty-one, one thousand seven hundred and twenty-two, one thousand seven hundred and twenty-six, one thousand seven hundred and twenty-nine, one thousand seven hundred and thirty, one thousand seven hundred and thirty-three, one thousand seven hundred and thirty-four, one thousand seven hundred and thirty-five, one thousand seven hundred and thirty-six, one thousand seven hundred and thirty-seven, and one thousand seven hundred and forty, of the Code of Civil Procedure, relating to the settlement of estates of deceased persons.

Read first time, and referred to the Committee on Judiciary

SECOND READING OF BILLS.

Assembly Bill No. 527—An Act to amend section three thousand six hundred and sixty-three of the Political Code, relating to revenue.

Read the second time, and made the special order on third reading for to-morrow, at ten o'clock A. M., on motion of Mr. Leach.

Assembly Bill No. 323—An Act to amend sections one thousand and forty-one, one thousand and fifty-three, one thousand and fifty-five, one thousand and eighty-three, one thousand and eighty-four, one thousand and ninety-seven, one thousand one hundred and six, one thousand one hundred and eight, one thousand one hundred and nine, one thousand one hundred and thirteen, one thousand one hundred and thirty, one thousand one hundred and forty-seven, one thousand two hundred and twenty-eight, one thousand two hundred and thirty, one thousand two hundred and thirty-two, one thousand two hundred and thirty-five, one thousand two hundred and thirty-six, one thousand two hundred and thirty-seven, one thousand two hundred and eighty-four, one thousand two hundred and eighty-eight, one thousand three hundred and ten, one thousand three hundred and eleven, and one thousand three hundred and forty-three, of the Political Code, relating to elections, and to repeal section ten hundred and forty-two of said Code.

Taken up.

The committee amendment to section four was adopted.

Mr. Leach moved to amend by striking out the words "in their discretion," from line four, section four.

Adopted.

The bill read second time, and ordered printed as amended.

Senate Bill No. 233—An Act to add a new section to the Penal Code, to be known as section one hundred and eleven, relating to costs in certain criminal actions.

On motion of Mr. Estey taken up.

Read second time, and ordered to third reading.

Assembly Bill No 402—An Act to repeal an Act entitled "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," approved February thirteenth, eighteen hundred and seventy-two.

Read second time, and ordered to third reading.

Senate Bill No. 94—An Act to amend sections two hundred and sixty-five and two hundred and sixty-six of the Code of Civil Procedure, relating to ministerial officers of the Supreme Court

Read second time, and ordered to third reading.

Mr. Fox moved to take from the table his motion relative to arranging the third reading file.

Lost

Mr. Valle Del moved the adoption of a new rule, as follows: "The third reading of bills is hereby made the special order for every day at three o'clock P. M."

Referred to the Committee on Rules.

Senate Bill No 191—An Act to repeal an Act entitled "An Act to create and organize Reclamation District Number Two Hundred and Five, and to define its boundaries and provide for its government," approved April first, eighteen hundred and seventy-eight.

Read second time, and ordered to third reading.

Assembly Bill No. 357—An Act to amend an Act entitled "An Act concerning lodging houses and sleeping apartments within the limits of incorporated cities," approved April third, eighteen hundred and seventy-six.

Read second time, and ordered to third reading.

Senate Bill No. 218—An Act to prohibit the issuance of licenses to aliens not eligible to become electors of the State of California.

Read second time, and ordered to third reading.

Assembly Bill No. 368—An Act to declare the Klamath River navigable.

Read second time, and ordered to third reading.

NOTICE.

By Mr. Tyler:

Mr. Speaker: I give notice that I will, on to-morrow, ask the adoption of the following resolution

Resolved, That hereafter, no member shall be allowed to speak more than five minutes on any one proposition, except that the author of a bill shall have ten minutes before the final vote is taken which shall dispose of the same, in all cases, in which to explain the provisions of the bill.

INTRODUCTION OF A BILL.

By Mr. Tyler (by permission)—An Act in relation to crimes against the public peace.

Read first time.

Mr. McCallion moved that the bill be rejected.

Pending discussion, the hour of one o'clock P. M. having arrived, the House took a recess for one hour.

RE-ASSEMBLED.

House re-assembled at two o'clock P. M.

Speaker Cowdery in the chair.

Quorum present.

The consideration of the bill introduced by Mr. Tyler, entitled an Act in relation to crimes against the public peace, resumed.

The question being on the motion to reject the bill, the previous question was demanded by Messrs. Morse, Frink, and Fraser, and the House so ordered.

The ayes and noes were demanded by the requisite number.

The roll was called, and the bill was rejected by the following vote:

AYES—Messrs. Anthony, Bass, Braunhart, Brown of Sonoma, Burns, Carr of Yuba, Cook, Cooper, Corcoran, Cuthbert, Dimond, DuBrutz, Estey, Garibaldi, Gaffey, Gorley, Green, Harris, Hershey, Hynes, Josselyn, Lane, Levee, Maguire, Mathews, May, Maybell, McCallion, McCarty of Lake, McCarthy of San Francisco, McDade, Merry, Messenger, Picket, Sayle, Sinon, Sherburne, Spencer, Stoddard, Streeter, Sweetland, Valle Del, Walker, Wattson and Young—45.

NOES—Messrs. Bennett, Brown of Yuba, Bruner, Brusie, Cannon, Carr of Sacramento, Chamberlain, Chandler, Coleman, Downs, Durham, Felton, Finlayson, Fox, Fraser, Frink, Hardy, Hartson, Leach, McComas, McIntosh, Morse, Mutholland, Nelson, Stanley, Tyler, Ward, Wason of Ventura, York, and Mr Speaker—30.

INTRODUCTION OF A RESOLUTION.

The following joint resolution was introduced and ordered printed:

By Mr. Tyler—Assembly Joint Resolution, relative to and protesting against the passage of a certain bill, introduced into Congress by Honorable H. F. Page, confirming the patents to certain lands to the Western Pacific Railroad Company.

CONSIDERATION OF SECOND READING FILE—CONTINUED.

Assembly Bill No. 260—An Act to amend an Act entitled "An Act to organize Levee District Number One, of Sacramento County, and to provide for its government," approved March thirtieth, eighteen hundred and seventy-eight.

Taken up.

Read second time.

Assembly Bill No. 348—An Act to add two new sections to the Code of Civil Procedure, relative to attachments, to be known as sections five hundred and sixty and five hundred and sixty-one.

Read second time.

The amendments recommended by the committee adopted.

Mr. Young moved to strike out the first section of the bill.

Carried.

Mr. Sinon moved to strike out the enacting clause of the bill.

Upon which the ayes and noes were demanded by Messrs. Maybell, Sinon, and Cook.

The roll was called, and the motion was carried by the following vote:

AYES—Messrs. Adams, Anthony, Bass, Bennett, Brooks, Burns, Carr of Sacramento, Chamberlain, Coffman, Coleman, Cook, Cooper, Corcoran, Cuthbert, DuBrutz, Estey, Finlayson, Fraser, Gaffey, Green, Hershey, Hynes, Josselyn, Lane, Leach, Leadbetter, Levee, Maguire, May, Maybell, McCarty of Lake, McCarthy of San Francisco, McDade, Merry, Messenger, Simon, Sherburne, Spencer, Streeter, Wattson, and Young—41.

NOES—Messrs. Brown of Yuba, Busse, Fox, Frink, Garibaldi, Mathews, McIntosh, Morse, Mulholland, Nelson, Picket, Sayle, Stanley, Stoddard, Sweetland, Tyler, Valle Del, Ward, Wason of Ventura, York, and Mr. Speaker—21.

Mr. Young moved that Assembly Bill No. 452—An Act to prevent the flow of mining debris in certain rivers of this State—and Assembly Bill No. 334—An Act to promote drainage—and Assembly Bill No. 450—An Act to dispose of mining debris, and protect the rivers and low lands of California from damages thereby—be made the special order for Thursday next.

Carried.

Assembly Bill No. 356—An Act giving a lien to persons performing labor in connection with a threshing machine, upon the grain threshed by such machine.

Passed on file.

Assembly Joint Resolution No. 11—Asking Congressional aid in behalf of a large number of settlers upon government land in what is known as the "Mussel Slough District," in Tulare County, California.

Taken up.

The amendment recommended by the committee adopted.

Mr. Braunhart moved to amend by striking out the word "Perkins," and insert the words, "His Excellency, the Governor."

Carried.

The resolution then read second time, and ordered to third reading.

ADJOURNMENT.

At five o'clock Mr. Cooper moved we do now adjourn.

Carried.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Wednesday, March 17th, 1880.

House met pursuant to adjournment.

Speaker Cowdery in the chair.

Roll called, and quorum present

Prayer by the Chaplain.

READING AND APPROVAL OF THE JOURNAL.

Mr. Fraser moved that the further reading of the Journal be dispensed with.

So ordered.

The Journal of Monday approved.

PETITIONS.

By Mr. Chamberlain—A petition from citizens of Placer County, asking for such legislation as will prevent the manufacture and sale of intoxicating liquors.

Referred to the Committee on County Governments and Municipal Corporations.

REPORTS OF STANDING COMMITTEES.

The Committee on Claims had leave to have printed a tabulated statement of the daily attendance of the members of the Constitutional Convention at said Convention.

By Mr Streeter:

ASSEMBLY CHAMBER, SACRAMENTO, March 16th, 1880

MR. SPEAKER: Your Committee on County Governments, to whom was referred Assembly Bill No 498—An Act to empower consolidated cities of over one hundred thousand inhabitants to pay out of the General Fund demands for rent of Court-rooms and chambers for the Superior Courts, and of police stations, and for salaries of Janitors—have had the same under consideration, and report it back, with the recommendation that it be referred to the San Francisco delegation.

STREETER, Chairman.

The bill above reported referred to the San Francisco delegation.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 16th, 1880.

MR. SPEAKER: Your Committee on County Governments, to whom was referred Assembly Bill No. 483—An Act to amend section seven of an Act entitled "An Act to amend and revise an Act entitled an Act to incorporate the Town of Redwood City"—have had the same under consideration, and report it back, with the recommendation that it be referred to the Judiciary Committee.

STREETER, Chairman

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 16th, 1880.

MR. SPEAKER: Your Committee on County Governments, to whom was referred Assembly Bill No. 500—An Act to disincorporate the City of San Luis Obispo, and providing for the payment of its debts—have had the same under consideration, and report it back, with the recommendation that it be referred to the Judiciary Committee.

STREETER, Chairman.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 16th, 1880.

MR. SPEAKER: Your Committee on County Governments, to whom was referred Assembly Bill No. 499—An Act to empower consolidated cities and counties of over one hundred thousand inhabitants to make alterations to county prisons and county jails for sanitary purposes—have had the same under consideration, and report it back, with the recommendation that it be referred to the San Francisco delegation.

STREETER, Chairman.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 16th, 1880.

MR. SPEAKER: Your Committee on County Governments, to whom was referred Assembly Bill No 470—An Act to protect county jails, and to prevent communication with persons confined therein—have had the same under consideration, and report it back, with the recommendation that it be referred to the Judiciary Committee.

STREETER, Chairman.

By Mr. Wason of Ventura:

ASSEMBLY CHAMBER, March 17th, 1880.

MR. SPEAKER: Your Committee on Education, to whom was referred Senate Bill No. 354—An Act entitled an Act to add a new section to the Political Code, to be known as section one thousand six hundred and eighteen, relating to salaries of school teachers in cities having one hundred thousand inhabitants or more—have given the same a careful consideration, and herewith report it back with two amendments, and recommend its passage as amended.

WASON, Chairman.

Also:

ASSEMBLY CHAMBER, March 17th, 1880.

MR. SPEAKER. Your Committee on Education, to whom was referred Assembly Bills Nos. 428, 437, 458, 463, 467, and 469, all of which relate to the establishment of Branch Normal Schools, and the erection of Normal School buildings in different localities in this State, have given the subject a careful and candid consideration, and herewith report back these several bills with a substitute, and recommend the passage of the substitute.

WASON, Chairman.

By Mr. Bruner:

MR SPEAKER Your Committee on Public Buildings and Grounds, to whom was referred Senate Bill No 321—An Act entitled an Act making an appropriation for the improvement of L Street, between Tenth and Fifteenth Streets, in the City of Sacramento, County of Sacramento, State of California—have had the same under consideration, and now report it back without amendment, and recommend its passage.

BRUNER, Chairman.

By Mr. Carr of Sacramento:

ASSEMBLY CHAMBER, March 17th, 1880.

MR SPEAKER Your State Library Committee, to whom was referred Senate Bill No 92—An Act to amend sections two thousand two hundred and ninety-two and two thousand two hundred and ninety-four of the Political Code, relating to the State Library—have had the same under consideration, and report the same back to the Assembly, and recommend its passage.

CARR, Chairman.

By Mr. DuBrutz:

To the Speaker and Gentlemen of the Assembly

I, representing the minority of your Committee on State Library, to which said committee was referred Senate Bill No 92, respectfully beg leave to make the following minority report:

The said bill proposes to amend sections two thousand two hundred and ninety-two and two thousand two hundred and ninety-four of the Political Code. Upon examination of those sections *in connection with this bill, I find that the said sections, as they now stand, are substantially* the same as those proposed in the bill, except that the bill provides for a new election of Library Trustees within ten days from its passage, for an election in February, eighteen hundred and eighty-three, and in the month of February every four years thereafter, and except, further, the said Trustees must, within one month after their election, proceed to choose a Librarian I find no necessary conflict between the present law and the requirements of the Constitution. I find an acting, legally elected, and duly qualified Board of Trustees I also find a Librarian who has been duly elected by a duly authorized Board of Trustees, and whose rightful term of office does not yet expire.

Upon examination into the affairs of the Library, I find everything in perfect condition The books are all well and neatly arranged and preserved. The accounts are accurately kept, showing all expense and disbursements—the title of books, their cost, when and where purchased, and whether paid for in currency or gold, and, when in the former, the difference properly credited. In short, I find perfect management, and consequently no interest of the Library suffering

Then, I am led to ask, "What is the object of Bill No 92?" I cannot see that it is asked or demanded by public welfare, or in any way intended for the public good. I am convinced, from a fair and candid investigation of the whole matter, that it is personal legislation, that it is merely an attempt to create offices in order to fill them, that it is wrong in principle, unjust in practice, and in results subversive of the very objects of this legislative body, that it tends to distract the attention of the members and to create animosities: and, in short, that it is an attempt to use the great legislative power of the Commonwealth of California for personal motives and against the dignity of the high offices which we fill as the representatives, not of a party or faction, but of the whole people of a sovereign State.

Therefore, for the foregoing reasons, and for many others that can be adduced against said Senate Bill No. 92, I most earnestly recommend that said bill do not pass.

Respectfully,

A. B. DuBRUTZ, Minority of Library Committee.

By Mr. Downs:

ASSEMBLY CHAMBER, SACRAMENTO, March 17th, 1880.

MR. SPEAKER The Committee on Water Rights and Drainage, and Agriculture, to whom was referred Assembly Bill No 515—An Act to provide for a thorough investigation of the drainage and debris problems—have had the same under consideration, and report the same back to the Assembly without amendment, and recommend its passage.

DOWNS, Chairman.

REPORTS OF SPECIAL COMMITTEES.

By Mr. McCarthy of San Francisco:

STATE CAPITOL, March 17th, 1880.

MR. SPEAKER: The San Francisco delegation, to whom was referred Assembly Bill No. 213—An Act to regulate the quality and standard illuminating power, and to limit the price of gas in all cities and cities and counties of the State of California containing one hundred thousand population and over—have had the same under consideration, and herewith report it back with amendments, recommending its passage as amended.

Also, Assembly Bill No 461—An Act concerning the grading and other improvement of streets in cities or cities and counties of one hundred thousand or more inhabitants—report the same back without recommendation.

McCARTHY, Chairman.

By Mr. Fox:

ASSEMBLY CHAMBER, March 17th, 1880

MR. SPEAKER: The Alameda delegation, to whom was referred Assembly Bill No 329, have had the same under consideration, and now report the same back with an amendment, and recommend the passage of the bill as amended.

FOX, Chairman.

PETITION.

By Mr. Fraser—A petition from citizens of El Dorado County, asking that Assembly Bill No. 492—An Act to pay the claim of James W. Marshall, the sum of one thousand two hundred dollars, payable in monthly installments of fifty dollars each—be passed.

Referred to the Committee on Claims.

SPECIAL ORDER.

The special order for this hour, Assembly Bill No. 527—An Act to amend section three thousand six hundred and sixty-three of the Political Code, relating to revenue—was taken up.

The bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Anthony, Bass, Bennett, Braunhart, Brown of Yuba, Bruner, Brusie, Burns, Carr of Sacramento, Carr of Yuba, Chamberlain, Chandler, Cook, Cuthbert, Dimond, Downs, DuBrutz, Durham, Estey, Finlayson, Fox, Fraser, Garibaldi, Gafley, Green, Hardy, Harlson, Hershey, Hynes, Josselyn, Lane, Leach, Leadbetter, Levee, Maguire, May, Maybell, McCallion, McCarty of Lake, McCarthy of San Francisco, McComas, McIntosh, Merry, Messenger, Morse, Mulholland, Nelson, Picket, Sayle, Sherburne, Spencer, Stanley, Stoddard, Streeter, Sweetland, Tyler, Valle Del, Walker, Ward, Wason of Ventura, Wasson of Mono, Wattson, York, Young, and Mr. Speaker—65.

NOES—None.

INTRODUCTION OF BILLS.

The following bills were introduced, and ordered printed:

By Mr. McCarty—An Act to provide a State Hospital and Sanitarium for the aged, indigent sick, and those suffering from consumption and chronic diseases.

By Mr. Leach—An Act to amend section three thousand five hundred and twenty of the Political Code, to enable the Governor and the Surveyor-General to adjust all differences between the State and United States concerning the various land grants made to the State by Acts of Congress.

By Mr. McDade—An Act in relation to contracts made by State, county, city, town, or village authorities, respecting the execution of work, performance of services, or furnishing of material and supplies.

By Mr. Wason of Ventura—An Act to provide for the construction and furnishing of Normal School buildings in the State of California.

By Mr. Corcoran—An Act to add a new section to the Civil Code, to be known as section four hundred and twenty-one, relative to corporations.

By Mr. Tyler—An Act to define, regulate, and govern the State Prison of California.

REPORTS OF STANDING COMMITTEES—CONTINUED.

By Mr. Tyler:

MR. SPEAKER: Your Committee on State Prison, in joint session with the Senate Committee on State Prison, have had under consideration Assembly Bill No. 9—entitled an Act to define, regulate, and govern the State Prisons of California, and to amend and supplement an Act to govern the California State Prison, approved April third, eighteen hundred and seventy-six—and Assembly Bill No. 14—entitled an Act to amend an Act entitled an Act to regulate and govern the California State Prison, approved April third, eighteen hundred and seventy-six. Also, Senate Bill No. 11—entitled an Act providing for the appointment of a Board of Prison Directors, to define their duties, and to provide for the management of the State Prison—and Senate Bill No. 207—entitled an Act to provide for the maintenance, government, and discipline of the State Prison and its branches of the State of California—and report the same back with a substitute, and recommend the passage of the substitute, and that the authors have leave to withdraw the other bills

TYLER, Chairman.

Assembly Bill No. 9, and Assembly Bill No. 14, reported above, withdrawn.

By Mr. Felton:

MR. SPEAKER: Your Committee on Swamp and Overflowed Lands, to whom was referred Assembly Bill No. 128—An Act to fund the indebtedness, now outstanding, of swamp land districts of this State, represented by State Controller's warrants, drawn on the State treasury—beg leave to report that they have had the same under consideration, and recommend that it do not pass.

FELTON, Chairman.

Assembly Bill No. 297—An Act to amend the Political Code of the State of California—and Assembly Bill No. 314—An Act to amend section eighty-five of the Penal Code, and to add two new sections to the same, in relation to giving or offering bribes to members of the Legislature, to be numbered respectively sections ninety and ninety-one—withdrawn.

FIRST READING AND REFERENCE OF BILLS.

Assembly Bill No. 520—An Act to repeal section four thousand and eighty of the Political Code, in relation to the planting of trees.

Read first time, and referred to the Judiciary Committee.

Assembly Bill No 521—An Act to provide for the continuation of the irrigation investigation.

Read first time, and referred to the Committee on Irrigation.

Assembly Bill No. 522—An Act regulating County Boards of Health.

Read first time, and referred to the Committee on Indian Affairs.

Assembly Bill No. 523—An Act to amend sections six hundred and twenty-six and six hundred and twenty-seven of the Penal Code, relating to violations of the laws for the preservation of fish and game.

Read first time, and referred to the Committee on Fish and Game.

Assembly Bill No. 524—An Act to amend section six hundred and thirty-five of the Penal Code, relating to the taking of trout from waters owned by persons or corporations.

Read first time, and referred to the Committee on Fish and Game.

Assembly Bill No 525—An Act to add a new section to the Civil Code, in title eight, relative to water rights.

Read first time, and referred to the Committee on Agriculture.

Assembly Bill No. 526—An Act to compel railroad companies, in certain cases, to provide for wagon roads passing under their tracks.

Read first time, and referred to the Committee on Indian Affairs.

Assembly Bill No. 528—An Act to amend an Act entitled "An Act concerning trespassing of animals upon private lands in certain counties in the State of California," approved March seventh, eighteen hundred and seventy-eight.

Read first time, and referred to the Committee on Agriculture

Assembly Bill No. 529—An Act to prevent the naturalization of Chinese or Mongolians in the State of California.

Read first time, and referred to the Committee on Indian Affairs.

Assembly Bill No. 473—An Act relating to corporations employing aliens ineligible to citizenship.

Read first time, and referred to the Committee on Chinese Immigration and Emigration.

The Speaker presented a communication from the State Engineer, relative to the condition of the rivers of the State that are connected with the debris question.

Referred to the Committee on Water Rights and Drainage, and ordered printed in the appendix to the Assembly Journal.

The bill introduced by Mr Wason of Ventura, this day—entitled an Act to provide for the construction and furnishing of Normal School buildings in the State of California—taken up, read first time, and ordered on file.

SECOND READING OF BILLS

Mr. Gorley moved to take up Assembly Bill No. 472.

Upon which motion the ayes and noes were demanded by Messrs. Braunhart, Sinon, and Carr of Yuba.

The roll was called, and the motion lost by the following vote:

AYES—Messrs. Anthony, Braunhart, Burns, Carr of Yuba, Cooper, Corcoran, Gafley, Gorley, Josselyn, Lane, Levee, Magune, Maybell, McCallion, McCarthy of San Francisco, McDade, Picket, Sinon, Stanley, and Valle Del—20.

NOES—Messrs. Adams, Bass, Bennett, Brown of Sonoma, Brusie, Camron, Carr of Sacramento, Chamberlain, Chandler, Coleman, Cook, Downs, DuBrutz, Durham, Felton, Finlayson, Fox, Fraser, Frink, Green, Hershey, Hynes, Leach, Mathews, May, McCarty of Lake, McComas, McIntosh, Merry, Messenger, Morse, Mulholland, Nelson, Savle, Sherburne, Spencer, Stoddard, Streeter, Tyler, Walker, Ward, Wasson of Mono, York, Young, and Mr Speaker—44.

Assembly Bill No. 356—An Act giving a lien to persons performing labor in connection with a threshing machine, upon the grain threshed by such machine.

Taken up.

Mr Spencer moved to amend by striking out the word "threshed," from line six, section one, and inserting instead the words, "provided the amount of such claims shall not exceed the cost of such threshing."

Adopted.

Mr. Spencer moved to add a new section to the bill, to be known as section nine.

Mr. Tyler moved to amend the amendment.

Lost.

The question recurring upon Mr. Spencer's amendment it was lost.

Mr. Tyler then offered a substitute for the bill which was rejected.

Mr. Hershey moved to amend by striking out all after the word "threshing," from line three, section two, and inserting instead the words "shall have a lien on said threshing machine."

Lost.

The question being, "Shall this bill be read a third time?" the ayes and noes were demanded by the requisite number.

The roll was called, and the bill was refused a third reading by the following vote:

AYES—Messrs. Braunhart, Carr of Yuba, Coffman, Coleman, Cooper, Dimond, DuBrutz, Fraser, Garibaldi, Gaffey, Hardy, Hynes, Josselyn, Lane, Levee, Maguire, Mathews, Maybell, McCallion, McCarty of Lake, McCarthy of San Francisco, McDade, McIntosh, Merry, Messenger, Picket, Sayle, Simon, Sweetland, and Wason of Ventura—30.

NOES—Messrs. Adams, Anthony, Bass, Bennett, Brooks, Brown of Sonoma, Brown of Yuba, Brunet, Bunsie, Camron, Carr of Sacramento, Chandler, Cook, Cororan, Durham, Estey, Felton, Findayson, Fox, Fink, Gorley, Green, Hershey, Leach, May, McComas, Morse, Nelson, Sherburne, Spencer, Stanley, Stoddard, Streeter, Tyler, Valle Del, Walker, Ward, Wattson, York, Young, and Mr. Speaker—41.

Assembly Joint Resolution No. 12—Relative to government lands in the State of California.

Read, amended, and adopted as amended.

Assembly Bill No. 342—An Act to add a new section to the Political Code, to be known as section three thousand three hundred and eighty-nine, in relation to the licensing of persons ineligible to citizenship under the laws of the United States engaged in the business of raising and selling agricultural and other products of the soil.

Read second time, and ordered to third reading.

Assembly Bill No. 311—An Act concerning passengers in vessels coming to any city or port in the State of California.

Taken up.

The substitute recommended by the committee adopted.

Read second time, and ordered to third reading.

Assembly Bill No. 352—An Act prohibiting any company or corporation whose business is to supply illuminating gas, or water, for public use, from charging their consumers for pipes communicating with such company or corporation supply pipes, or street mains, and the line of the street, or sidewalk curb fronting the premises to be supplied, and there making connection with the pipe of the consumer.

Read second time.

Mr. Fox moved to amend by striking out the word "aforesaid," from line one, section three, and inserting instead the word "person."

Adopted.

Mr. Maybell moved to amend, in section two, by inserting after the word "any" the word "person."

Adopted.

The bill then ordered to third reading.

Assembly Bill No. 370—An Act prohibiting any company or corporation, whose business is to supply water, or illuminating gas, for public use, charging their consumers for meters.

Read second time, and ordered to third reading.

Senate Bill No. 213—An Act to amend section three hundred and fifty-eight of the Civil Code, concerning corporations.

Read second time.

Mr. Tyler moved to amend by striking out the words "five hundred," from line twenty-one, section one, and inserting instead the words "one thousand."

Adopted.

Mr Tyler moved to amend, in line eighteen, section one, by inserting the words "by a verified statement."

Adopted.

RECESS.

Pending discussion of the bill, the hour of one o'clock P. M. having arrived, the House took a recess for one hour.

RE-ASSEMBLED.

The House re-assembled at two o'clock P. M.

Speaker Cowdery in the chair.

Quorum present.

The consideration of Senate Bill No. 213—An Act to amend section three hundred and fifty-eight of the Civil Code, concerning corporations—resumed.

The bill ordered to a third reading.

Assembly Bill No. 237—An Act to provide for the incorporation of mutual fire insurance companies, and defining their powers and duties.

Taken up.

The amendments recommended by the committee adopted.

Mr. Merry moved to amend section sixteen by inserting at the end of subdivision two the words, "twenty dollars."

Adopted.

The bill read second time.

Mr. Fox moved that the further consideration of the bill be indefinitely postponed.

The previous question being demanded by Messrs. Felton, Finlayson, and Lane, the House refused to order it.

Pending further discussion of the bill, the previous question was demanded by Messrs. Sayle, Braunhart, and Green, and the House so ordered.

The ayes and noes were demanded by Messrs. Merry, Braunhart, and Young.

The roll was called, and the motion to indefinitely postpone the bill was lost by the following vote:

AYES—Messrs. Adams, Bennett, Brusie, Carr of Sacramento, Downs, Felton, Finlayson, Fox, Fraser, Frink, Gorley, Green, Leach, May, Morse, Mulholland, Nelson, Sherburne, Wason of Ventura, Wasson of Mono, Wattson, and York—22.

NOES—Messrs. Anthony, Bass, Braunhart, Brooks, Brown of Sonoma, Brown of Yuba, Bruner, Burns, Cannon, Carr of Yuba, Chamberlain, Chandler, Coleman, Cook, Cooper, Coroman, Cuthbert, Dimond, DuBrutz, Durham, Estey, Garibaldi, Gaffey, Lardy, Hershey, Hynes, Josselyn, Lane, Leadbetter, Levee, Maguire, Mathews, Maybell, McCallion, McCarty of Lake, McCarthy of San Francisco, McComas, McDade, McIntosh, Merry, Messenger, Pickel, Sayle, Simon, Spencer, Stanley, Stoddard, Sweetland, Tyler, Valle Bel, Walker, Ward, and Young—53.

Mr. McIntosh moved to amend by inserting before the word "any," line one, section seventeen, the words "The Board of Directors of," and striking out all after the word "agents," in line two of said section.

Adopted.

Mr. DuBrutz moved to amend by striking out section eighteen.

Lost.

Mr. Tyler moved to strike out section seventeen.

Lost.

The bill ordered to third reading.

Assembly Bill No. 251—An Act to amend sections three hundred and thirty and three hundred and thirty-three of the Penal Code, and to add a new section thereto, to be known as section three hundred and thirty-seven, in relation to gaming.

Taken up.

The committee's amendment number one adopted.

Mr. McCallion moved to strike out the enacting clause of the bill.

Lost.

Upon the committee's amendment number two the ayes and noes were demanded by Messrs. Lane, Camron, and Braunhart.

The roll was called, and the amendment was carried by the following vote:

AYES—Messrs. Adams, Bass, Bennett, Brown of Sonoma, Brown of Yuba, Brusie, Burns, Camron, Cook, Corcoran, Durham, Fox, Fraser, Frink, Gaffey, Gorley, Green, Hardy, Lane, Leach, Leadbetter, Maguire, May, Maybell, McCarty of Lake, McCarthy of San Francisco, McComas, McIntosh, Merry, Morse, Mulholland, Nelson, Simon, Spencer, Stanley, Streeter, Tyler, Valle Del, Ward, Wason of Ventura, Wattson, and York—42

NOES—Messrs Anthony, Braunhart, Carr of Sacramento, Chamberlain, Chandler, Cooper, Cuthbert, Dimond, DuBrutz, Estey, Hershey, Josselyn, Levee, Mathews, McCallion, Messenger, Picket, Sayle, Sherburne, Stoddard, and Walker—21.

Mr. Lane moved to amend by striking out all after the word "game," line five, section one, down to the word "tan."

Lost.

The question being on striking out the word "banking," in line eleven (line six of printed bill), of section one, the ayes and noes were demanded by Messrs Cooper, Estey, and McCarthy.

The roll was called, and the motion was carried by the following vote:

AYES—Messrs. Anthony, Bennett, Brusie, Camron, Carr of Yuba, Chamberlain, Chandler, Cook, Cooper, Cuthbert, Dimond, Downs, Durham, Estey, Finlayson, Fox, Fraser, Garibaldi, Green, Hardy, Hartson, Hershey, Josselyn, Leadbetter, Maguire, May, Maybell, McCarty of Lake, McCarthy of San Francisco, McIntosh, Morse, Mulholland, Sherburne, Stanley, Valle Del, Ward, Wattson, York, and Young—39.

NOES—Messrs. Bass, Braunhart, Brooks, Brown of Sonoma, Brown of Yuba, Carr of Sacramento, Coleman, Corcoran, DuBrutz, Frink, Gaffey, Lane, Leach, Mathews, McCallion, McComas, Messenger, Nelson, Picket, Sayle, Spencer, Stoddard, Streeter, Sweetland, Tyler, Walker, Wason of Ventura, and Mr. Speaker—28.

The committee amendment to insert the words "or who bets upon, or plays at any such game," after the word "value," adopted.

The previous question was demanded by Messrs. May, Mulholland, and Estey, and the House so ordered.

The bill read second time, and the amendments recommended by the committee adopted.

The question being, "Shall the bill have a third reading?" the ayes and noes were demanded by Messrs. Braunhart, Lane, and May.

The roll was called.

Mr. Tyler moving to adjourn, the Speaker refused to entertain the motion, on the ground that the Speaker was on his feet announcing the result of the vote when the motion was made.

Mr. Tyler appealed from the decision of the Chair.

The decision of the Speaker was sustained by the House.

The Speaker then announced the vote as follows, and that the bill was ordered to a third reading thereby:

AYES—Messrs. Anthony, Bass, Bennett, Brooks, Bruner, Brusie, Burns, Camron, Carr of Yuba, Chamberlain, Chandler, Cook, Cooper, Cuthbert, Dimond, Downs, Durham, Estey, Finlayson, Fox, Fraser, Frink, Garibaldi, Gaffey, Green, Hardy, Hartson, Hershey, Josselyn, Leach, Leadbetter, Levee, May, McCarty of Lake, McCarthy of San Francisco, McComas, McDade, McIntosh, Morse, Mulholland, Sherburne, Spencer, Stanley, Stoddard, Streeter, Ward, Wason of Ventura, Wattson, York, and Young—51.

NOES—Messrs. Braunhart, Brown of Sonoma, Brown of Yuba, Carr of Sacramento, DuBrutz, Lane, Mathews, McCallion, Merry, Messenger, Nelson, Picket, Sayle, Sweetland, Tyler, and Walker—16.

ADJOURNMENT.

At five o'clock P. M. Mr. Camron moved we do now adjourn. Carried.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Thursday, March 18th, 1880.

House met pursuant to adjournment.
Speaker Cowdery in the chair.
Roll called, and a quorum present.
One day's leave of absence granted to Mr. Harris on account of sickness.
Prayer by the Chaplain.

READING AND APPROVAL OF THE JOURNAL.

Mr. Carr of Sacramento moved that the further reading of the Journal be dispensed with.
So ordered.
The Journal of Tuesday approved.

REPORTS OF STANDING COMMITTEES.

By Mr. Chamberlain:

ASSEMBLY CHAMBER, SACRAMENTO, March 17th, 1880.

MR. SPEAKER: The Committee on Agriculture, to whom was referred Assembly Bill No. 528—An Act to amend an Act entitled "An Act concerning trespassing of animals upon private lands in certain counties in the State of California," approved March seventh, eighteen hundred and seventy-eight—have had the same under consideration, and report the same back to the Assembly with one amendment, and recommend its passage as amended.

CHAMBERLAIN, Chairman.

By Mr. Sherburne:

ASSEMBLY CHAMBER, March 18th, 1880.

MR. SPEAKER: Your Committee on Engrossment have examined, and report that they find properly engrossed, Assembly Bill No. 527, being an Act to amend section three thousand six hundred and sixty-three of the Political Code, relating to revenue.

Also, Assembly Joint Resolution No. 12—Relative to government lands in the State of California.

SHERBURNE, Chairman.

By Mr. Corcoran:

ASSEMBLY CHAMBER, SACRAMENTO, March 18th, 1880.

MR. SPEAKER: The Committee on Irrigation, to whom was referred Assembly Bill No. 525—An Act to add a new section to the Civil Code in title eight, relative to water rights—have had the same under consideration, and report the same back to the Assembly, and recommend its passage.

CORCORAN, Chairman.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 18th, 1880.

MR. SPEAKER: The Committee on Irrigation, to whom was referred Assembly Bill No. 521—An Act to provide for the continuation of the irrigation investigation—have had the same under consideration, and report the same back to the Assembly, and recommend its passage.

CORCORAN, Chairman.

By Mr. Estey:

MR. SPEAKER: Your Committee on Mileage have examined the report of the Chairman of the Committee on Agriculture below, find the same correct, and recommend the adoption of the resolution below.

ESTEY, Chairman.

Resolved, That the Controller be directed to draw his warrant on the State Treasurer in favor of T. L. Chamberlain, for the sum of one hundred and two dollars, being the amount due to the Committee on Agriculture for mileage.

MILEAGE REPORT.

Committee on Agriculture—Messrs. Chamberlain, Bennett, Carr, Chandler, and Fraser

	Miles.
March 12th—From Sacramento to Marysville	52
March 13th—From Marysville to a point on Yuba River, and return	24
March 13th—From Marysville to Smartsville	20
March 14th—From Smartsville to Mooney's Flat, and return	14
March 14th—From Smartsville to Nevada City	18
March 14th—From Nevada City to Colfax	22
March 14th—From Colfax to Sacramento	54
Total	204

Also:

MR. SPEAKER: Your Committee on Mileage have examined the report of the Committee on Water Rights and Drainage, find the same correct, and recommend the adoption of the resolution below.

ESTEY, Chairman.

Resolved, That the Controller be directed to draw his warrant on the State Treasurer in favor of R. C. Downs, for the sum of eighty-one dollars and sixty cents, for mileage due the Committee on Water Rights and Drainage.

MILEAGE REPORT.

Committee on Water Rights and Drainage—Messrs. Downs, McCallion, and Sweetland, W. D. Haley, Clerk

	Miles.
March 12th—From Sacramento to Marysville	52
March 13th—From Marysville to point on Yuba River and return	24
March 13th—From Marysville to Smartsville	20
March 13th—From Smartsville to Mooney's Flat and return	14
March 14th—From Smartsville to Nevada City	18
March 14th—From Nevada City to Colfax	22
March 15th—From Colfax to Sacramento	54
Total	204

By Mr. Brusie:

MR. SPEAKER: Your Committee on State Hospitals, to whom was re-referred Assembly Bill No. 350—An Act entitled "An Act to regulate the practice of pharmacy"—have had the same under consideration, and report it back amended, with the recommendation that it do pass with the amendments thereto.

BRUSIE, Chairman.

By Mr. May:

ASSEMBLY CHAMBER, SACRAMENTO, March 18th, 1880.

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred Assembly Bill No. 504—An Act to provide for the levying and collection of a tax upon incomes.

And Assembly Bill No. 507—An Act to amend the Political Code, concerning the collection of license taxes.

And Senate Bill No 5—An Act to provide for the improvement of Normal School Square, in the City of San José

Have had the same under consideration, and report the same back to the Assembly, and recommend that they do not pass.

Also, report Assembly Bill No. 400—An Act to amend section three thousand seven hundred and forty-six of the Political Code—without recommendation.

Also, report Assembly Bill No 328—An Act to amend section three thousand seven hundred and eighty of the Political Code, relative to time for redemption of property sold for taxes—without amendment, and recommend its passage.

MAY, Chairman.

INTRODUCTION OF A BILL.

The following bill was introduced and ordered printed:

By Mr. Sherburne—An Act to repeal an Act entitled an Act to incorporate the town of Martinez, in the County of Contra Costa, and to provide for the government thereof, approved April first, eighteen hundred and seventy-six.

FIRST READING AND REFERENCE OF BILLS.

Assembly Joint Resolution No. 19—Relative to certain lands in San Joaquin County, claimed by Andreas Pico.

Read first time, and referred to the Committee on Corporations.

Assembly Bill No. 531—An Act to amend section one thousand eight hundred and sixty of the Civil Code, relative to the liability of innkeepers.

Read first time, and referred to the Committee on Judiciary.

Assembly Bill No. 532—An Act to add a new section to the Code of Civil Procedure, relative to the publication of notices, to be known as section one thousand and sixty.

Read first time, and referred to the Judiciary Committee.

Assembly Bill No. 519—An Act to amend certain sections of the Political Code contained in chapters one, two, three, four, and five, part four, title two, and to add other sections thereto, and to establish a system of county governments.

Read first time, and ordered on file.

SPECIAL ORDER.

Mr. Brown of Yuba moved to take up Assembly Bill No. 334—An Act to promote drainage, being the special order for this day.

So ordered.

REPORTS OF STANDING COMMITTEES.

By Mr. Downs (by permission):

MR SPEAKER: Your Committee on Water Rights, Drainage, and Agriculture, together with a similar committee from the Senate, to whom leave of absence was granted for the purpose of viewing the damage to that portion of the northern part of the State that has been injured by the debris from hydraulic mines, have returned, and beg leave to report the result of their observations. The rivers and streams, into which the debris is deposited, together with thousands of acres of agricultural lands, have been injured to an alarming extent, and if some means are not devised to protect the rivers and the lands adjacent thereto, but a few years must elapse before the beds of the streams will be so filled that protection against overflow and the disasters and destruction consequent thereon will be almost impossible. Dams at different points in the rivers have been suggested as a means to remedy the evil, and the committee made a thorough examination of those points of the river at which the dams are proposed to be constructed, and after due inquiry into the practicability of the project are prepared to indorse some such means of protection

Your committee recognize the vast importance to the State of the mining industry in the mountains from whence flows the debris that is the source of so much injury to the streams

and lands of the valleys. The vast wealth annually derived therefrom, together with the many thousands of men employed therein, is an industry that if stopped would subtract from the wealth of the State many millions of dollars.

Your committee are aware of the difficulties to be encountered in legislating on a subject wherein the farmer and the miner are in direct conflict as to the best method of remedying existing evils. But fully recognizing the magnitude of the interests involved they believe that immediate legislation is not only necessary, but that the interests of the State demand it be such that the parties in conflict should each be so protected by a law that while it would benefit the one it would be a source of no injury to the other.

Your committee having carefully surveyed the field in company with the State Engineer, who explained and pointed out the points where dams are to be constructed, are satisfied that the plan is a feasible one, and would afford the desired protection to both interests We were more fully confirmed in this belief after having seen several similar dams constructed wholly of brush, built across the canyons where large volumes of water flow in winter freshets, which have raised the bed of the stream to a height of over twenty feet, and which have withstood the floods of a dozen winters without any damage whatever, and similar dams are formed in most of the mining counties

Believing that structures of heavy rock, as proposed by the State Engineer, would be infinitely stronger and more lasting, we have no hesitation in recommending the adoption of the plan of dams proposed by him, and believe that they would prove a success in every particular.

DOWNS, Chairman.
CHAMBERLAIN, Chairman.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 18th, 1880.

MR. SPEAKER. The Committee on Water Rights and Drainage, to whom was referred the communication from the State Engineer, written by G H. Mendell, the Consulting Engineer, and addressed to the Speaker of the Assembly—have had the same under consideration, and report the same back to the Assembly, and recommend that the said communication be read in the Assembly immediately, or before the Assembly act upon Assembly Bills Nos. 334, 450, and 452, and that the said communication be then ordered to be printed.

DOWNS, Chairman.

The communication of the State Engineer, alluded to in above report, read, and one thousand copies thereof ordered printed.

PROTEST.

By Mr. McCallion:

MR SPEAKER: I hereby enter my protest against the action of the House in not permitting my name being placed on record on the vote on striking out the enacting clause of Assembly Bill No 348 my vote should have been recorded aye on the roll-call.

J. J. McCALLION.

The consideration of Assembly Bill No. 334—An Act to promote drainage—resumed.

Mr. Sweetland moved to strike out all after the enacting clause of the bill, and insert in lieu thereof a substitute.

Mr. McIntosh moved to strike out the enacting clause of the bill.

Motion withdrawn by permission.

The question being, "Shall the original bill be read before the substitute offered by Mr Sweetland?" the House so ordered.

The bill was then read second time.

Mr. Tyler moved that the substitute be printed, and that the further consideration thereof, and of Assembly Bill No. 452—An Act to prevent the flow of mining debris in certain rivers of this State—of Assembly Bill No 334—An Act to promote drainage—and of Assembly Bill No. 450—An Act to dispose of mining debris, and protect the rivers and low lands of California from damages thereby—be made the special order for Wednesday next, at seven o'clock P. M.

Lost.

The substitute of Mr. Sweetland was ordered read.

Mr. Young moved to amend the amendment of Mr. Sweetland.

RECESS.

Pending discussion on the amendment to the amendment, the hour of one o'clock P. M. having arrived, the House took a recess for one hour.

RE-ASSEMBLED.

The House re-assembled at two o'clock P. M.

Speaker Cowdery in the chair.

Quorum present.

Mr. Streeter moved that one thousand copies of Assembly Bill No. 519 be ordered printed and equally distributed among the members of both houses.

So ordered.

The consideration of Assembly Bill No. 334—An Act to promote drainage—resumed.

The question being on the amendment to the amendment, offered by Mr. Young, the ayes and noes were demanded by Messrs. Young, Brooks, and Mathews.

In the course of the debate, Mr. Tyler using language with reference to Mr. Young that Mr. Maybell thought disrespectful to the House, Mr. Maybell moved that the language of the gentleman from Alameda be taken down by the Clerk.

The question being submitted, the House refused to order the remarks taken down.

The previous question was demanded on the amendment to the amendment, by Messrs. Lane, Green, and Sayle, and the House so ordered.

The roll was called, and the amendment to the amendment was lost by the following vote:

AYES—Messrs. Bennett, Brooks, Bruner, Carr of Yuba, Chamberlain, Chandler, Coleman, Downs, Durham, Finlayson, Fraser, Hershey, Mathews, Messenger, and Young—15.

NOES—Messrs Adams, Anthony, Bass, Braunhart, Brown of Sonoma, Brown of Yuba, Brusie, Burns, Camron, Carr of Sacramento, Coffman, Cook, Cooper, Corcoran, Cuthbert, Dimond, DuBrutz, Estey, Felton, Fox, Frink, Garibaldi, Gaffey, Gorley, Green, Hardy, Harris, Hartson, Hynes, Josselyn, Lane, Leach, Leadbetter, Levee, Maguire, May, Maybell, McCallion, McCarty of Lake, McCarthy of San Francisco, McComas, McDade, McIntosh, Merry, Morse, Mulholland, Nelson, Sayle, Sinon, Sherburne, Spencer, Stanley, Stoddard, Streeter, Sweetland, Tyler, Valle Del, Walker, Ward, Wason of Ventura, Wasson of Mono, Wattson, and York—63.

Mr. Corcoran moved an amendment to the amendment.

Adopted.

Mr. McCallion moved the adoption of an amendment to the amendment.

Adopted.

Mr. Mathews moved to amend section fourteen of the bill, for which Mr. Brooks offered a substitute that was accepted.

The previous question was demanded on the amendment by Messrs. Maybell, Sinon, and Chandler, and the House so ordered.

The ayes and noes were demanded by the requisite number.

The roll was called, and the amendment to the amendment was adopted by the following vote:

AYES—Messrs. Anthony, Bennett, Brooks, Bruner, Camron, Carr of Sacramento, Carr of Yuba, Chamberlain, Chandler, Coleman, Cook, Cooper, Cuthbert, Downs, DuBrutz, Durham, Estey, Finlayson, Fox, Fraser, Gaffey, Hardy, Harris, Hartson, Hershey, Hynes, Leach, Leadbetter, Levee, Maguire, Mathews, Maybell, McCarthy of San Francisco, McComas, McDade,

McIntosh, Merry, Morse, Simon, Sherburne, Stanley, Stoddard, Strecter, Valle Del, Wason of Ventura, and Young—46.

NOES—Messrs. Adams, Bass, Braunhart, Brown of Sonoma, Brown of Yuba, Brusie, Burns, Coffman, Corcoran, Dimond, Fink, Garibaldi, Gorley, Green, Josselyn, Lane, May, McCallion, McCarty of Lake, Messenger, Nelson, Sayle, Spencer, Sweetland, Tyler, Walker, Ward, Wasson of Mono, Wattson, and York—30.

Mr. Cooper gave notice of a motion to reconsider the vote by which the amendment was adopted.

Mr Corcoran moved to adopt the substitute, and that the bill be made the special order for to-morrow.

Carried.

RECESS.

The House then took a recess until seven o'clock P. M.

RE-ASSEMBLED.

The House re-assembled at seven o'clock P. M.

Speaker Cowdery in the chair.

Quorum present.

Assembly Bill No 181—An Act to amend sections three hundred and fifty-two, three thousand six hundred and ninety-two, and three thousand seven hundred and two, of an Act entitled "An Act to establish a Political Code," approved March twelfth, eighteen hundred and seventy-two, and to add sections three thousand six hundred and ninety-five and three thousand seven hundred to said Code, relating to the State Board of Equalization.

Taken up, and ordered corrected by the Clerk, and printed as corrected.

Assembly Bill No. 452—An Act to prevent the flow of mining debris in certain rivers of this State.

Taken up.

The amendments recommended by the committee adopted.

Mr. McCallion moved to amend so as to prevent Chinese labor being employed in any labor done under this bill.

Adopted.

Mr Corcoran moved the bill be referred to the Committee on Water Rights and Drainage.

Lost

Mr Fraser moved to amend by striking out the words "six hundred thousand dollars," and inserting instead the words "five hundred thousand dollars."

Adopted.

Mr. Young moved to amend by striking out the words "six hundred thousand dollars," from line eight, section one, and inserting instead the words "five hundred thousand dollars."

Adopted.

The bill read second time

Upon the question, "Shall this bill be read third time?" the ayes and noes were demanded by Messrs. Carr of Sacramento, Bruner, and Carr of Yuba.

The roll was called, and the bill was refused a third reading by the following vote:

AYES—Messrs Bennett, Brooks, Carr of Sacramento, Carr of Yuba, Chamberlain, Chandler, Coleman, Downs, Durham, Fraser, Hershey, Levee, Mathews, Messenger, Sweetland, Walker, Wasson of Mono, Wattson, and Young—19.

NOES—Messrs. Adams, Anthony, Bass, Braunhart, Brown of Sonoma, Brown of Yuba, Bruner, Brusie, Burns, Coffman, Cook, Cooper, Corcoran, Cuthbert, Estey, Felton, Finlayson, Fox, Frink, Garibaldi, Gorley, Green, Hardy, Hartson, Hynes, Josselyn, Lane, Leach, Leadbetter, Maguire, May, Maybell, McCallion, McCarty of Lake, McCarthy of San Francisco, McComas, McDade, McIntosh, Merry, Morse, Nelson, Picket, Sayle, Simon, Sherburne, Stanley, Stoddard, Streeter, Tyler, Valle Del, Ward, Wason of Ventura, and York—53.

Mr. Bruner gave notice that he would, to-morrow, move to reconsider the vote by which the House refused a third reading to the bill.

At nine o'clock P. M. Mr. Chandler moved to adjourn.

Lost.

Assembly Bill No. 450—An Act to dispose of mining debris, and protect the rivers and low lands of California from damage thereby.

Taken up.

Mr. Carr of Yuba offered a substitute for the bill, and moved its adoption.

Adopted.

The question being, "Shall the bill be read third time?" the ayes and noes were demanded by Messrs. Young, Braunhart, and Tyler.

Mr. McDade moved to amend the substitute.

Mr. McIntosh moved to strike out the enacting clause of the bill.

Mr. Sweetland moved the bill be committed to the Committees on Water Rights and Drainage and Agriculture.

Mr. Fox moved to amend the motion by substituting the Committee on Ways and Means.

Lost.

The question recurring upon Mr. Sweetland's motion to refer, it was lost.

Mr. Bennett moved its reference to the Committee on Irrigation.

Lost.

Mr. Young moved the bill be printed and laid on the desks of the members.

Lost.

At nine o'clock and fifteen minutes P. M. Mr. Sweetland moved we do now adjourn.

Lost.

The previous question was demanded by Messrs. McIntosh, Braunhart, and Morse, and the House so ordered

The question recurring upon the motion to strike out the enacting clause, the ayes and noes were demanded by Messrs. Frink, Tyler, and Braunhart.

The roll was called, and the motion carried by the following vote:

AYES—Messrs. Adams, Anthony, Bass, Braunhart, Brown of Sonoma, Brown of Yuba, Carr of Yuba, Coffman, Cook, Cooper, Corcoran, DuBrutz, Estey, Felton, Fox, Frink, Garibaldi, Gorley, Green, Hardy, Hartson, Hynes, Josselyn, Lane, Leadbetter, May, McCarty of Lake, McComas, McIntosh, Morse, Nelson, Sayle, Sherburne, Stoddard, Sweetland, Tyler, Valle Del, Ward, Wattson, and York—40.

NOES—Messrs. Bennett, Brooks, Bruner, Brusie, Burns, Carr of Sacramento, Chamberlain, Chandler, Coleman, Cuthbert, Downs, Durham, Fraser, Gaffey, Hershey, Leach, Levee, Maguire, Mathews, Maybell, McCallion, McCarthy of San Francisco, McDade, Merry, Messenger, Picket, Simon, Stanley, Streeter, Walker, Wason of Ventura, Wasson of Mono, Young, and Mr. Speaker—34.

Mr. Carr of Yuba gave notice that he would, to-morrow, move to reconsider the vote by which the House struck out the enacting clause of the above bill.

ADJOURNMENT.

At nine o'clock and thirty minutes P. M. Mr. McCarty moved to adjourn.
Carried.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Friday, March 19th, 1880.

House met pursuant to adjournment.
Speaker Cowdery in the chair.
Roll called, and quorum present.
Prayer by the Chaplain.

READING AND APPROVAL OF THE JOURNAL.

Mr. Tyler moved that the further reading of the Journal be dispensed with.
So ordered.
The Journal of Wednesday approved.

PETITIONS.

By Mr. Brooks—Two petitions from citizens of Butte County, remonstrating against the passage of the so-called Parks' debris bill, unless the people be allowed to decide the question at the ballot-box.
Read at the desk.
By Mr. Chandler—A petition from citizens of Levee District of Sutter County, protesting against the passage of the so-called Brown drainage bill.
Read at the desk.
Also, a petition from citizens of Placer County, to the same tenor and effect.
Read at the desk.
By Mr. Lane—A memorial from the Grand Army of the Republic, asking that the thirtieth day of May may be set apart as a legal holiday.
Read, and referred to the Committee on Judiciary.
By Mr. York—A petition from citizens of San Joaquin County, asking such legislation as will permit woman suffrage at all elections for school officers.
Referred to the Committee on Judiciary.
Also, a petition from citizens of San Joaquin County, asking such legislation as will give the widow, upon the death of the husband, the same control of the community property as the widower now has upon the death of the wife.
Referred to the Judiciary Committee.

REPORTS OF STANDING COMMITTEES.

By Mr. Brown of Yuba:

ASSEMBLY CHAMBER, SACRAMENTO, March 19th, 1880.

MR. SPEAKER: The Committee on Corporations, to whom was referred Assembly Joint Resolution No. 19, have had the same under consideration, and report the same back to the Assembly without amendment, and recommend its passage.

BROWN, Chairman.

By Mr. Young:

MR. SPEAKER: We recommend the adoption of the resolution below.

March 16th, 1880. YOUNG, Chairman Committee on Rules.

Resolved, That the third reading of bills is hereby made the special order for every day, at three o'clock P. M.

REPORTS OF COMMITTEE ON CONFERENCE.

By Mr. Fox:

ASSEMBLY CHAMBER, March 18th, 1880.

MR. SPEAKER: The Committee on Conference, to whom was referred Senate Bill No. 118—An Act to amend part one of the Code of Civil Procedure, and each and every title, chapter, article, and section of said part one, and substituting a new part one, to take the place thereof in said Code, relating to Courts of justice, and the various officers connected therewith—beg leave to report, and recommend that the Senate concur in Assembly amendments numbers two, five, eleven, fourteen, twenty-five, twenty-six, thirty-five, thirty-six, thirty-seven, thirty-eight, thirty-nine, and forty-four, and that the Assembly recede from their amendments numbers ten, fifteen, seventeen, twenty-four, twenty-seven, forty-one, forty-two, forty-five, fifty-one, fifty-two, and fifty-four.

In regard to Assembly amendments numbers sixteen and twenty-three, the committee was not able to agree upon any recommendation.

CHAS. N. FOX,
T. H. MERRY,
GEO. W. TYLER,
Assembly Committee.

J. F. WENDELL,
GROVE L. JOHNSON,
THEODORE H. HITTELL,
Senate Committee.

Also:

ASSEMBLY CHAMBER, March 18th, 1880

MR. SPEAKER: The Committee on Conference, to whom was referred Senate Bill No. 112—An Act to amend sections four hundred and seven and four hundred and twelve of the Code of Civil Procedure, relating to the manner of commencing civil actions—beg leave to report, and recommend that the Senate concur in the Assembly amendments to said bill.

Also, Senate Bill No. 141—An Act to amend chapters two and three, of title thirteen, of part two, of the Code of Civil Procedure, and each and every section of said chapters two and three, and to substitute new chapters two and three, to take the place thereof in said Code, relating to appeals in civil actions—and recommend that the Assembly recede from their amendments to said bill.

Also, Senate Bill No. 158—An Act to amend sections eight hundred and thirty-eight, eight hundred and forty-three, eight hundred and forty-four, eight hundred and forty-five, eight hundred and ninety-seven, eight hundred and ninety-eight, eight hundred and ninety-nine, nine hundred, and twelve, nine hundred and eighteen, and nine hundred and twenty-one, of the Code of Civil Procedure, relating to proceedings in Justices' Courts—and recommend that the Senate concur in Assembly amendment number one, and that the Assembly recede from amendment number two

CHAS. N. FOX,
T. H. MERRY,
GEO. W. TYLER,
Assembly Committee.

THEODORE H. HITTELL,
J. F. WENDELL,
GROVE L. JOHNSON,
Senate Committee.

The resolution proposing to amend the standing rules of the House, reported above by the Committee on Rules, taken up for consideration.

The resolution amended so as to provide that business on hand at the time such special order should be taken up, should not go into unfinished business thereby.

The rule then adopted as amended.

Mr. Camron moved that Assembly Bill No. 518—An Act to amend section two thousand six hundred and twenty-nine of the Political Code, relative to assessment of property—be made the special order for Wednesday next.

Carried.

Mr. Braunhart moved that Assembly Bill No. 472—An Act to encourage the mining industry and to suppress stock gambling—be made the special order for Thursday, the twenty-fifth day of March.

Carried.

INTRODUCTION OF BILLS.

The following bills were introduced, and ordered printed:

By Mr. Fox—An Act to amend section three thousand three hundred and thirty-six of the Civil Code of California, approved March twenty-first, eighteen hundred and seventy-two, and to add a new section to said Code, to be known and numbered as section three thousand three hundred and sixty-one, relative to the measure of damages.

By Mr. Maybell—An Act to amend section one thousand and twenty-five of the Code of Civil Procedure.

FIRST READING AND REFERENCE OF BILLS.

Assembly Concurrent Resolution No. 19—Relative to certain lands in San Joaquin County, claimed by Andreas Pico.

Read.

Mr. Bruner moved its reference to the Committee on Public Lands.

Lost.

The resolution was then passed.

Assembly Bill No 533—An Act to amend the Political Code of the State of California, by adding a new section thereto.

Read first time, and referred to the Judiciary Committee.

Assembly Bill No. 534—An Act to amend section two hundred and eighty-five of the Civil Code, in relation to corporations

Read first time, and referred to the Committee on Judiciary.

Assembly Bill No. 535—An Act to amend section four hundred and twenty-seven of the Code of Civil Procedure.

Assembly Bill No. 536—An Act to amend section sixty of the Civil Code of California, relative to the intermarriage of whites with negroes and persons of other races.

Each of the last two bills read first time, and referred to the Committee on Judiciary.

Mr. Corcoran moved that the consideration of the bill, special order for this hour, be postponed until two o'clock P. M. this day.

So ordered.

Assembly Bill No. 542—An Act to add a new section to the Civil Code, to be known as section four hundred and twenty-one, relative to corporations.

Read first time, and referred to the Committee on Corporations.

SENATE MESSAGE.

The following message was read:

SENATE CHAMBER, SACRAMENTO, March 18th, 1880.

MR. SPEAKER: I am directed to inform your honorable body that the Senate, on March sixteenth, indefinitely postponed Assembly Bill No. 75—An Act entitled an Act to limit and regulate the sale of mining and other stocks.

On March seventeenth, passed Senate Bill No. 263—An Act to add two new sections to the Penal Code, to be numbered four hundred and four hundred and one, relative to the keeping or sale of animals afflicted with glanders, or other contagious or infectious diseases.

Also, Senate Bill No. 307—An Act to amend section three hundred and thirty-two of the Penal Code, in relation to swindling by cards or other means.

Also, Senate Bill No. 274—An Act to reimburse the Support Fund of the Deaf, Dumb and Blind Asylum.

Also, Senate Bill No. 268—An Act providing for appeals from orders forming reclamation or swamp land districts, setting off lands from such districts, or consolidating districts.

Also, Senate Bill No. 313—An Act to provide for the management and control of the State Agricultural Society by the State.

JAMES A. ORR, Assistant Secretary.

CONSIDERATION OF SENATE MESSAGE.

Senate Bill No. 263—An Act prohibiting the keeping or sale of animals afflicted with glanders or other contagious or infectious diseases.

Read first time, and referred to the Committee on Military Affairs.

Pending the further consideration of the above Senate message, Assembly Bill No. 539—An Act to amend section three thousand five hundred and twenty of the Political Code, to enable the Governor and the Surveyor-General to adjust all differences between the State and United States concerning the various land grants made to the State by Acts of Congress—was taken up.

Read first time, and referred to the Committee on Public Lands.

Consideration of Senate message resumed.

Senate Bill No. 307—An Act to amend section three hundred and thirty-two of the Penal Code, in relation to swindling by cards or other means.

Read first time, and referred to the Committee on Judiciary.

Senate Bill No. 274—An Act to reimburse the Support Fund of the Deaf and Dumb and Blind Asylum.

Read first time, and referred to the Committee on Public Lands.

Senate Bill No. 268—An Act providing for appeals from orders forming reclamation or swamp land districts, setting off lands from such districts, or consolidating districts.

Read first time, and referred to the Committee on Swamp and Overflowed Lands.

Senate Bill No. 313—An Act to provide for the management and control of the State Agricultural Society by the State.

Read first time, and referred to the Committee on Agriculture.

SECOND READING OF BILLS.

Mr. Bruner moved to take up Assembly Bill No. 227—An Act making appropriation for deficiency in the appropriation for the permanent improvement of the State Capitol grounds lying east of the State Capitol building.

So ordered.

The bill taken up, read second time, and ordered to third reading.

On motion of Mr. Merry, Assembly Bill No. 391—An Act prescribing the form of complaint in actions to recover delinquent taxes, and to authorize the bringing of suits therefor—was taken up, read second time, and ordered to third reading.

On motion of Mr. Fox, Senate Bill No. 39—An Act to amend sections six hundred and eighty-two, seven hundred and eighty-four, seven hundred and eighty-seven, seven hundred and eighty-eight, seven hundred and eighty-nine, seven hundred and ninety, seven hundred and ninety-two, eight hundred, eight hundred and one, eight hundred and two, eight hundred and six, eight hundred and eighty-eight, nine hundred and forty-nine, nine hundred and fifty, nine hundred and fifty-one, nine hundred and fifty-three, nine hundred and fifty-four, nine hundred and fifty-five, nine hundred and fifty-seven, nine hundred and fifty-eight, nine hundred and fifty-nine, nine hundred and sixty, nine hundred and sixty-one, nine hundred and sixty-four, nine hundred and sixty-five, nine hundred and sixty-six, nine hundred and sixty-seven, nine hundred and sixty-eight, nine hundred and sixty-nine, nine hundred and seventy, nine hundred and seventy-one, nine hundred and seventy-two, nine hundred and seventy-six, nine hundred and seventy-seven, nine hundred and eighty-one, nine hundred and eighty-two, nine hundred and eighty-five, nine hundred and eighty-eight, nine hundred and eighty-nine, nine hundred and ninety, nine hundred and ninety-five, nine hundred and ninety-six, nine hundred and ninety-seven, nine hundred and ninety-eight, nine hundred and ninety-nine, one thousand and four, one thousand and five, one thousand and eight, one thousand and nine, one thousand and twelve, one thousand and sixteen, one thousand and seventeen, one thousand and eighteen, one thousand and nineteen, one thousand and twenty-one, one thousand and twenty-two, one thousand and twenty-three, one thousand and twenty-four, one thousand and twenty-five, one thousand and thirty-three, one thousand and forty-three, one thousand and forty-seven, one thousand and forty-eight, one thousand and fifty-two, one thousand and sixty-five, one thousand and seventy-four, one thousand and ninety-three, one thousand and ninety-five, one thousand and ninety-eight, one thousand and ninety-nine, one thousand one hundred, one thousand one hundred and three, one thousand one hundred and four, one thousand one hundred and thirteen, one thousand one hundred and fourteen, one thousand one hundred and fifteen, one thousand one hundred and seventeen, one thousand one hundred and twenty-one, one thousand one hundred and twenty-five, one thousand one hundred and twenty-six, one thousand one hundred and thirty-one, one thousand one hundred and forty-one, one thousand one hundred and forty-eight, one thousand one hundred and fifty, one thousand one hundred and fifty-one, one thousand one hundred and fifty-five, one thousand one hundred and fifty-eight, one thousand one hundred and fifty-nine, one thousand one hundred and sixty, one thousand one hundred and sixty-five, one thousand one hundred and seventy, one thousand one hundred and eighty-one, one thousand one hundred and eighty-five, one thousand one hundred and eighty-seven, one thousand eight hundred and eighty-eight, one thousand two hundred, one thousand two hundred and seven, one thousand two hundred and thirty-eight, one thousand two hundred and seventy-three, one thousand two hundred and eighty-four, one thousand two

hundred and eighty-five, one thousand two hundred and eighty-seven, one thousand two hundred and eighty-nine, one thousand three hundred and ten, one thousand three hundred and twenty-six, one thousand three hundred and thirty-five, one thousand three hundred and forty-six, one thousand three hundred and forty-nine, one thousand three hundred and fifty-four, one thousand three hundred and fifty-eight, one thousand three hundred and sixty-eight, one thousand three hundred and seventy, one thousand three hundred and seventy-three, one thousand three hundred and eighty-two, one thousand three hundred and eighty-three, one thousand three hundred and ninety-five, one thousand three hundred and ninety-six, one thousand four hundred and one, and one thousand four hundred and twenty-nine, of the Penal Code, and to add a new section thereto, to be known as section eight hundred and nine, to provide for prosecutions by information, and to adapt the provisions of said Code thereto—was taken up.

Amended as recommended by the committee

Read second time, and ordered to third reading.

Assembly Bill No. 301—An Act to prohibit managers of theaters in the cities and towns of this State from imposing upon the public by placarding seats "taken" when the same have not been sold, and for other purposes.

Read second time.

Amended as recommended by the committee, and ordered to third reading.

Assembly Bill No 332—An Act to amend section one hundred and ninety of the Penal Code, relative to the punishment of the crime of murder.

Read second time.

Amended as recommended by the committee, and ordered to third reading.

SENATE MESSAGE.

The following message from the Senate was read:

SENATE CHAMBER, SACRAMENTO, March 19th, 1880.

MR. SPEAKER: I am directed to inform your honorable body that the Senate adopted the report of the Conference Committee on Senate Bill No 141—An Act to amend chapters two and three, of title thirteen, of part two, of the Code of Civil Procedure, and each and every section of said chapters two and three, and to substitute new chapters two and three, to take the place thereof in said Code, relating to appeals in civil actions.

Also, adopted the report of the Conference Committee on Senate Bill No. 112—An Act to amend sections four hundred and seven and four hundred and twelve of the Code of Civil Procedure, relating to the manner of commencing civil actions.

Also, adopted the report of Conference Committee on Senate Bill No. 158—An Act to amend sections eight hundred and thirty-eight, eight hundred and forty-three, eight hundred and forty-four, eight hundred and forty-five, eight hundred and ninety-seven, eight hundred and ninety-eight, eight hundred and ninety-nine, nine hundred and twelve, nine hundred and eighteen, and nine hundred and twenty-one, of the Code of Civil Procedure, relating to proceedings in Justices' Courts.

J. A. ORR, Assistant Secretary.

CONSIDERATION OF SENATE MESSAGE.

Senate Bill No. 141—An Act to amend chapters two and three, of title thirteen, of part two, of the Code of Civil Procedure, and each and every section of said chapters two and three, to substitute new chapters two and three, to take the place thereof in said Code, relating to appeals in civil actions.

Taken up.

The report of the Committee on Conference thereon adopted, and the House receded from its amendments to the bill.

Senate Bill No. 112—An Act to amend sections four hundred and seven and four hundred and twelve of the Code of Civil Procedure, relating to the manner of commencing civil actions.

Taken up.

The report of the Committee on Conference adopted on the above bill.

Senate Bill No. 158—An Act to amend sections eight hundred and thirty-eight, eight hundred and forty-three, eight hundred and forty-four, eight hundred and forty-five, eight hundred and ninety-seven, eight hundred and ninety-eight, eight hundred and ninety-nine, nine hundred and twelve, nine hundred and eighteen, and nine hundred and twenty-one, of the Code of Civil Procedure, relating to proceedings in Justices' Courts.

Taken up.

The report of the Committee on Conference on above bill adopted.

Assembly Bill No 335—An Act to amend sections seven hundred and seventy-eight, seven hundred and seventy-nine, seven hundred and eighty, seven hundred and eighty-one, and seven hundred and eighty-two, of the Code of Civil Procedure, relating to the publication and sale of the reports of the Supreme Court.

Read second time.

Amended as recommended by the committee, and ordered to third reading.

Mr. Fox moved that the Secretary of State be requested to furnish the Assembly with a copy of any contract he may have in relation to the printing or binding of Supreme Court Reports.

So ordered.

Assembly Bill No. 336—An Act to amend section five hundred and thirty-eight of the Code of Civil Procedure, relating to the issuance of writs of attachment.

Read second time, amended as recommended by the committee, and ordered to third reading.

Assembly Bill No. 340—An Act to provide for and enforce liens of mechanics, material men, artisans, and laborers.

Taken up.

The blank therein filled with the words "three dollars."

The amendments recommended by the committee adopted.

Mr. Tyler moved an amendment by changing the words "six months" to "sixty days."

Adopted.

Also to strike out the words "such debts become due," line ten, section one, and insert the words "the completion of the work."

Adopted.

Mr. Maybell moved to amend section one, by striking out the words "three dollars," and inserting the words "twenty-five cents."

Adopted.

Mr. Morse moved to amend by adding a new section, to be known as section eight of the bill.

Adopted.

The bill again amended by adding a new section, to wit:

SECTION 9. This Act shall take effect immediately.

The bill then read second time, and ordered to third reading.

Assembly Bill No. 236—An Act to add a new section, to be known as section eight hundred and twenty-eight, to the Code of Civil Procedure.

Read second time, and ordered to third reading.

Assembly Bill No. 282—An Act to amend section one thousand and twenty-seven of the Political Code.

Read second time, and ordered to third reading.

Assembly Bill No. 292—An Act to amend section fourteen of the Civil Code, defining certain terms used in said Code.

Read second time, and ordered to third reading.

Assembly Bill No. 300—An Act to amend section one thousand seven hundred and twenty-six of an Act entitled "An Act to establish a Code of Civil Procedure," approved March eleventh, eighteen hundred and seventy-two, relating to the duties of Public Administrator, and defining what estates to be administered by them.

Read second time, and ordered to third reading.

Assembly Bill No. 302—An Act to amend sections four hundred and eight and five hundred and twenty-eight of the Political Code, and to repeal section four hundred and fifteen of said Code, relative to printing the laws in Spanish.

Read second time.

Mr. Fox moved to amend by striking out subdivision ten of section one.

Adopted.

Pending second reading, the bill was ordered recommitted to the Judiciary Committee for amendment.

Assembly Bill No. 309—An Act to amend section five hundred and fifty-five of the Penal Code, relative to false weights and measures.

Read second time, and ordered to third reading.

Assembly Bill No. 324—An Act to amend section four thousand and twenty-six of the Political Code.

Read second time.

Mr. Merry moved to amend so that the Act would not refer to cities and towns of one hundred thousand inhabitants.

Adopted.

The title amended.

Mr. Tyler moved to amend by inserting the word "of," in line five, of section one.

Adopted.

Mr. Tyler moved to strike out the words "in which the vacancy occurs," and insert instead the words "to fill such vacancy."

Adopted.

The bill ordered to third reading.

Assembly Bill No. 331—An Act to amend section seven hundred and ninety-two of the Political Code, relative to qualifications for Notaries Public.

Read second time, and ordered to third reading.

Assembly Bill No. 343—An Act to repeal sections three hundred and fifteen and three hundred and sixteen of the Code of Civil Procedure, relating to the time of commencing actions for the recovery of real property.

Read second time, and ordered to third reading.

Assembly Bill No. 349—An Act to amend an Act entitled "An Act

for the protection of miners," approved March thirteenth, eighteen hundred and seventy-two.

Read second time.

Mr Mulholland moved to amend by striking out the word "quartz" wherever it occurs in the bill.

Adopted.

Mr. Tyler moved to amend by inserting in line ten, section one, the words "unknown to such miner or employé."

Adopted.

The bill then ordered to third reading.

Assembly Bill No. 272—An Act to amend section three hundred and ninety-four of the Code of Civil Procedure.

On motion of Mr. May the bill was rejected.

Assembly Bill No. 365—An Act to amend sections two hundred and fifty-eight and two hundred and fifty-nine of the Code of Civil Procedure.

Withdrawn.

Assembly Bill No. 235—An Act to prevent the sale of diseased or adulterated milk.

Read second time.

Amended by adding a new section.

Consideration temporarily suspended.

Assembly Bill No 247—An Act to amend sections three thousand seven hundred and seventy-three, three thousand seven hundred and eighty-five, three thousand eight hundred and thirteen, three thousand eight hundred and fifteen, three thousand eight hundred and sixteen, and three thousand eight hundred and ninety-seven, of the Political Code, relating to sale of property for taxes.

Withdrawn.

Assembly Bill No. 294—An Act to establish Courts of conciliation in each of the counties of this State, and defining the duties thereof.

Withdrawn.

Assembly Bill No. 154—An Act for the regulation of convict labor, and for the abolition of the contract system of public works.

Withdrawn.

Assembly Bill No. 488—An Act to amend section eight hundred and fifty-one of the Code of Civil Procedure, relative to form of pleadings in Justices' Courts.

Withdrawn.

The consideration of Assembly Bill No. 235—An Act to prevent the sale of diseased or adulterated milk—resumed.

The question being upon Mr. Maybell's amendment, Mr. Tyler raised the point of order that the amendment was not germane.

Overruled by the Speaker.

Mr. Tyler appealed from the decision of the Chair.

RECESS.

Pending discussion thereof, the House took a recess until two o'clock P. M.

RE-ASSEMBLED.

House re-assembled at two o'clock P. M.

Speaker Cowdery in the chair.

Quorum present.

The consideration of Mr. Tyler's appeal from the decision of the Chair resumed.

The decision of the Chair was sustained by the House.

The consideration of Assembly Bill No 235—An Act to prevent the sale of diseased or adulterated milk—resumed.

The question being on Mr. Maybell's amendment, Mr. Braunhart moved that the bill be passed on file.

Lost.

Mr. Maybell moved that the bill be made the special order for Monday, at two o'clock P. M.

Lost.

Mr. Braunhart moved that the bill be made the special order for Friday, at two o'clock P. M.

Lost.

The question being upon the amendment of Mr. Maybell, the ayes and noes were demanded by Messrs. Maybell, Carr of Yuba, and Brooks.

The roll was called, and the amendment was adopted by the following vote:

AYES—Messrs. Adams, Bass, Bennett, Braunhart, Brooks, Brown of Yuba, Bruner, Brusie, Burns, Chamberlain, Chandler, Coffman, Cook, Corcoran, Cuthbert, Downs, DuBrutz, Durham, Estey, Fraser, Garibaldi, Gaffey, Gorley, Hardy, Harris, Hartson, Hershey, Hynes, Josselyn, Lane, Leach, Levee, Maguire, Mathews, Maybell, McCallion, McCarthy of San Francisco, McDade, Merry, Messenger, Picket, Simon, Stanley, Stoddard, Sweetland, Wattson, York, and Young—48

NOES—Messrs Anthony, Camron, Carr of Sacramento, Felton, Finlayson, Fox, Frink, Green, May, McCarty of Lake, McComas, McIntosh, Morse, Mulholland, Nelson, Sayle, Sherburne, Tyler, Ward, Wason of Ventura, Wasson of Mono, and Mr. Speaker—22

Mr. Maybell moved to dispense with the special order for this hour until the bill under discussion be disposed of.

Carried.

Mr. Tyler renewed his motion to strike out the enacting clause of the bill.

Mr. Maybell interrupting, and replying to an assertion made by Mr. May, used language that Mr. Camron demanded should be taken down.

The question being submitted, the House refused to have the language taken down.

The previous question was demanded by Messrs. York, Adams, and Felton, and the House so ordered.

The ayes and noes were demanded by Messrs. Fraser, Walker, and McCallion.

The roll was called, and the motion to strike out the enacting clause of the bill was lost by the following vote:

AYES—Messrs Adams, Anthony, Bennett, Brusie, Camron, Coleman, Cook, Cooper, Corcoran, DuBrutz, Felton, Finlayson, Fox, Fraser, Frink, Gorley, Green, Leach, Leadbetter, May, McCarty of Lake, McComas, McIntosh, Morse, Mulholland, Nelson, Sayle, Sherburne, Streeter, Tyler, Valle Del, Ward, Wason of Ventura, Wasson of Mono, York, and Mr. Speaker—36

NOES—Messrs. Bass, Braunhart, Brooks, Brown of Sonoma, Brown of Yuba, Bruner, Burns, Carr of Sacramento, Carr of Yuba, Chamberlain, Chandler, Coffman, Cuthbert, Downs, Durham, Estey, Garibaldi, Gaffey, Hardy, Hartson, Hershey, Hynes, Josselyn, Lane, Levee, Maguire, Mathews, Maybell, McCallion, McCarthy of San Francisco, McDade, Merry, Messenger, Picket, Simon, Stanley, Stoddard, Sweetland, Walker, and Young—40.

The question being, "Shall the bill be read third time?" the ayes and noes were demanded by Messrs. Tyler, McCarty, and Camron.

The roll was called, and the bill was refused third reading by the following vote:

AYES—Messrs. Bass, Braunhart, Brooks, Brown of Yuba, Bruner, Burns, Carr of Sacramento, Carr of Yuba, Chamberlain, Chandler, Coffman, Cook, Cuthbert, Downs, Durham, Estey, Garibaldi, Gaffey, Hardy, Hartson, Hershey, Josselyn, Lane, Levee, Maguire, Mathews, Maybell, McCallion, McCarthy of San Francisco, McDade, Merry, Messenger, Picket, Simon, Stanley, Stoddard, Sweetland, Walker, and Young—39.

NOES—Messrs. Adams, Anthony, Bennett, Brown of Sonoma, Brusie, Camron, Coleman, Cooper, Corcoran, Dimond, DuBrutz, Felton, Finlayson, Fox, Fraser, Fink, Gorley, Green, Hynes, Leach, Leadbetter, May, McCarty of Lake, McComas, McIntosh, Morse, Mulholland, Nelson, Sayle, Sherburne, Streeter, Tyler, Valle Del, Ward, Wason of Ventura, Wasson of Mono, Wattson, York, and Mr. Speaker—39.

The special order for two o'clock and thirty minutes P. M. of this day, viz.: Assembly Bill No. 334—An Act to promote drainage—was now taken up.

The question being, "Shall the bill be read third time?" Messrs. Cooper, Braunhart, and Walker demanded the previous question.

Upon which the ayes and noes were demanded by Messrs. Brooks, Carr of Yuba, and Bennett

The roll was called, and the House refused to order the main question by the following vote:

AYES—Messrs Adams, Bass, Braunhart, Brown of Sonoma, Brown of Yuba, Coffman, Cooper, Corcoran, Felton, Fox, Garibaldi, Gorley, Josselyn, Lane, May, McCallion, Morse, Nelson, Picket, Sayle, Sherburne, Stanley, Sweetland, Valle Del, Walker, Ward, and Wasson of Mono—27.

NOES—Messrs. Anthony, Bennett, Brooks, Bruner, Brusie, Burns, Camron, Carr of Sacramento, Carr of Yuba, Chamberlain, Chandler, Coleman, Cook, Cuthbert, Downs, DuBrutz, Durham, Estey, Finlayson, Fraser, Fink, Gaffey, Green, Hardy, Harris, Hartson, Hershey, Hynes, Leach, Levee, Maguire, Mathews, Maybell, McCarty of Lake, McCarthy of San Francisco, McComas, McDade, Messenger, Mulholland, Simon, Spencer, Stoddard, Streeter, Tyler, Wason of Ventura, Wattson, Young, and Mr. Speaker—48.

On motion of Mr. Brooks the bill was read again by sections.

Mr Brooks moved to amend by striking out the words, "and fifty," from line three, section five.

Adopted.

Mr. Brooks moved to amend by striking out the words, "two hundred and fifty dollars per month," from lines two and three, section six, and inserting instead the words, "one thousand dollars per annum."

Adopted.

Mr. Young moved to amend, in line four, section nine, by inserting the words, "one in the City of Sacramento."

Mr. Mathews moved to amend the amendment to section nine, by inserting the words, "one at Red Bluff and Colusa."

Adopted.

The question recurring upon the amendment offered by Mr. Young, it was adopted as amended.

The bill was further amended so as to include the Cities of Marysville and Oroville among the places where publication should be made.

Mr. Camron moved to amend by striking out the word "three," from line three, section nine, and inserting instead the word "six."

Lost

Mr. Mulholland moved to amend by striking out the word "three," from line three, section nine.

Lost.

Mr. Camron moved to amend by striking out the word "three," and inserting instead the word "seven."

Adopted.

Mr. Carr of Sacramento moved to amend by striking out the words "or condemn," from line four, section eleven.

Upon which the ayes and noes were demanded by Messrs. Sweetland, Tyler, and Brooks.

The roll was called, and the amendment was adopted by the following vote:

AYES—Messrs. Anthony, Bass, Bennett, Brooks, Bruner, Brusie, Carr of Sacramento, Carr of Yuba, Chamberlain, Chandler, Coleman, Cook, Corcoran, Downs, DuBrutz, Durham, Estey, Fraser, Gaffey, Green, Harris, Hartson, Hershey, Hynes, Leach, Leadbetter, Levee, Maguire, Mathews, Maybell, McCarty of Lake, McCarthy of San Francisco, McComas, McDade, McIntosh, Morse, Sinon, Sherburne, Streeter, Walker, Wason of Ventura, Wattson, and Young—43.

NOES—Messrs. Adams, Braunhart, Brown of Sonoma, Brown of Yuba, Burns, Coffman, Cooper, Cuthbert, Finlayson, Fox, Frink, Garibaldi, Gorley, Josselyn, Lane, May, McCallion, Messenger, Mulholland, Nelson, Picket, Sayle, Spencer, Stanley, Stoddard, Sweetland, Tyler, Valle Del, Ward, and York—30.

Mr. Corcoran gave notice of a motion to reconsider the vote by which the House adopted the amendment

Mr. Carr of Yuba moved to lay the motion on the table.

Carried.

Mr. Carr of Sacramento moved to amend by striking out the word "condemn," from line nine, section eleven

Upon which the ayes and noes were demanded by Messrs. Corcoran, Tyler, and Braunhart

Mr. Chandler moved to amend the amendment by striking out all after the word "district," in line nine, section eleven, down to and including the word "work."

The amendment to the amendment was accepted.

Upon the adoption of the amendment as amended the ayes and noes were demanded by Messrs. Carr of Sacramento, Carr of Yuba, and Braunhart.

The roll was called, and the amendment was adopted by the following vote:

AYES—Messrs. Anthony, Bass, Bennett, Brooks, Bruner, Brusie, Carr of Sacramento, Carr of Yuba, Chamberlain, Chandler, Coleman, Cook, Cooper, Downs, DuBrutz, Durham, Estey, Fraser, Gaffey, Green, Harris, Hartson, Hershey, Hynes, Leach, Leadbetter, Levee, Maguire, Mathews, Maybell, McCarty of Lake, McCarthy of San Francisco, McComas, McDade, McIntosh, Morse, Sinon, Sherburne, Stoddard, Streeter, Valle Del, Wason of Ventura, Wattson, and Young—44.

NOES—Messrs Adams, Braunhart, Brown of Sonoma, Brown of Yuba, Burns, Coffman, Corcoran, Cuthbert, Dimond, Finlayson, Fox, Frink, Garibaldi, Gorley, Josselyn, Lane, May, McCallion, Messenger, Mulholland, Nelson, Picket, Sayle, Spencer, Stanley, Sweetland, Tyler, Walker, and York—29.

Mr. Cooper gave notice of a motion to reconsider the vote by which the House adopted the amendment.

Mr. Carr of Yuba moved the indefinite postponement of the motion to reconsider.

Carried.

Mr. Morse moved to amend, in line four, section eleven, by inserting after the word "constructed," the words "provided there shall be no claim for compensation made by the owner of such works for such joining or connecting, or for such works."

Mr. Fox moved that the further consideration of this bill be postponed until to-morrow.

Upon which the ayes and noes were demanded by Messrs. Corcoran, Lane, and Gaffey.

The roll was called, and the motion carried by the following vote:

AYES—Messrs. Adams, Braunhart, Brown of Yuba, Brusie, Burns, Coffman, Cooper, Corcoran, Cuthbert, Dimond, Finlayson, Fox, Garibaldi, Gorley, Hardy, Harris, Hartson, Josselyn, Lane, Leach, Levee, Maguire, May, McCallion, McCarty of Lake, McCarthy of San Francisco, Messenger, Mulholland, Nelson, Picket, Sayle, Spencer, Stanley, Stoddard, Sweetland, Tyler, Valle Del, Walker, Wattson, and York—39

NOES—Messrs. Anthony, Bass, Bennett, Brooks, Brown of Sonoma, Bruner, Carr of Sacramento, Carr of Yuba, Chamberlain, Chandler, Coleman, Cook, Downs, DuBrutz, Durham, Estey, Fraser, Frink, Gaffey, Green, Hershey, Hynes, Leadbetter, Mathews, Maybell, McComas, McDade, McIntosh, Morse, Simon, Sherburne, Streeter, Wason of Ventura, and Young—34.

RECESS.

At four o'clock and fifty minutes P. M. Mr. Sweetland moved to take a recess until seven o'clock this evening.

Carried.

RE-ASSEMBLED.

The House re-assembled at seven o'clock P. M.

Speaker Cowdery in the chair.

Quorum present.

Mr. Carr of Yuba moved to reconsider the vote by which the House struck out the enacting clause of Assembly Bill No. 450—An Act to dispose of mining debris, and protect the rivers and low lands of California from damages thereby—and moved that the motion to reconsider said vote be made the order of the day for Tuesday next.

Carried by a two-thirds vote.

One day's leave of absence was granted to Mr. Young on account of sickness.

SPECIAL ORDER.

The special order for this hour, Assembly Bill No. 139—An Act to enable female citizens to vote upon all matters relating to the public schools of the State of California—taken up, and read third time.

Mr. Tyler in the chair.

Pending discussion, Mr. Anthony moved this bill be made the special order for Wednesday next, at seven o'clock P. M.

Carried.

ADJOURNMENT.

At ten o'clock and forty minutes P. M. Mr. Mulholland moved we do now adjourn.

Carried.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Saturday, March 20th, 1880.

House met pursuant to adjournment.

Speaker Cowdery in the chair.

The roll was called, and a quorum present.

Mr. Hershey moved that the further reading of the Journal be dispensed with.

So ordered.

The Journal of Thursday approved.

One day's leave of absence granted to Mr. Felton, and two days' leave of absence granted to Mr. Merry.

The Committee on Mining and Mechanic Arts College was granted two days' leave of absence,

On motion of Mr. May, Assembly Bill No. 181—An Act to amend sections three hundred and fifty-two, three thousand six hundred and ninety-two, and three thousand seven hundred and two, of an Act entitled "An Act to establish a Political Code," approved March twelfth, eighteen hundred and seventy-two, and to add sections three thousand six hundred and ninety-five and three thousand seven hundred to said Code, relating to the State Board of Equalization—was taken up.

Pending discussion of the above bill, Mr. Corcoran moved that the order of the day, Assembly Bill No. 334—An Act to promote drainage—be made the special order for Tuesday next.

Upon which the ayes and noes were demanded by Messrs. Carr of Sacramento, Chamberlain, and Sweetland.

The roll was called, and the motion was carried by the following vote:

AYES—Messrs. Adams, Bass, Braunhart, Brown of Sonoma, Brown of Yuba, Bruner, Brusie, Burns, Camron, Coffman, Cooper, Corcoran, Cuthbert, Dimond, Downs, DuBrutz, Estey, Finlayson, Fox, Fink, Garibaldi, Gaffey, Gorley, Hardy, Harris, Josselyn, Lane, Leach, Leadbetter, Levee, May, McCallion, McCarty of Lake, McCarthy of San Francisco, Messenger, Mulholland, Nelson, Picket, Sayle, Simon, Stanley, Stoddard, Streeter, Sweetland, Tyler, Valle Del, Walker, Ward, Wason of Ventura, Wasson of Mono, and Young—51.

NOES—Messrs Anthony, Bennett, Brooks, Carr of Sacramento, Chamberlain, Chandler, Coleman, Cook, Durham, Fraser, Green, Hartson, Hershey, Mathews, Maybell, McComas, McIntosh, Morse, Sherburne, and Wattson—20.

The consideration of Assembly Bill No. 181—An Act to amend sections three hundred and fifty-two, three thousand six hundred and ninety-two, and three thousand seven hundred and two, of an Act entitled "An Act to establish a Political Code," approved March twelfth, eighteen hundred and seventy-two, and to add sections three thousand six hundred and ninety-five and three thousand seven hundred to said Code, relating to the State Board of Equalization—resumed.

Mr. Leach moved to amend by striking out all after the word "thereof," in lines thirty-seven and thirty-eight, section two, down to and including the word "therein," in line thirty-nine.

Adopted.

Mr. May moved that the bill be referred to the Committee on Judiciary.

Upon which the ayes and noes were demanded by Messrs. Carr of Yuba, Burns, and Braunhart.

The roll was called, and the motion was lost by the following vote:

AYES—Messrs. Brown of Sonoma, Coleman, Cooper, Finlayson, Fraser, Gorley, Green, Hardy, Hartson, Lane, Leadbetter, Levee, Mathews, May, McCallion, McCarthy of San Francisco, McIntosh, Messenger, Mulholland, Walker, Ward, Wason of Ventura, Wasson of Mono, Young, and Mr. Speaker—25.

NOES—Messrs. Anthony, Bass, Bennett, Braunhart, Brooks, Brusie, Burns, Camron, Carr of Sacramento, Carr of Yuba, Chamberlain, Chandler, Coffman, Cook, Dimond, Downs, DuBrutz, Durham, Estey, Fox, Frink, Garibaldi, Gaffey, Leach, Maybell, McCarty of Lake, McComas, Morse, Nelson, Picket, Sherburne, Stanley, Stoddard, Streeter, Tyler, Valle Del, Wattson, and York—38.

Mr. Young moved to amend by striking out the words "part thereof," from line thirty-seven, section nine, and inserting instead the words "assessment contained therein."

Adopted.

Pending third reading, the bill was ordered printed as amended.

On motion of Mr. Walker, Assembly Bill No. 489—An Act to amend sections one thousand nine hundred and seventeen, one thousand nine hundred and thirty-four, one thousand nine hundred and thirty-nine, one thousand nine hundred and forty-one, one thousand nine hundred and fifty-five, one thousand nine hundred and sixty, one thousand nine hundred and seventy-three, one thousand nine hundred and seventy-four, one thousand nine hundred and seventy-five, one thousand nine hundred and eighty-two, one thousand nine hundred and eighty-six, one thousand nine hundred and ninety, one thousand nine hundred and ninety-two, two thousand and twenty-two, two thousand and twenty-eight, two thousand and thirty-nine, two thousand and fifty-nine, two thousand and ninety-five, two thousand and ninety-nine, two thousand and seventy-seven, one thousand nine hundred and forty-two, one thousand nine hundred and seventy, one thousand nine hundred and sixty-two, one thousand nine hundred and sixty-five, two thousand and ninety-four, and two thousand one hundred and fourteen, of the Political Code of California, to repeal section one thousand nine hundred and seventy-five of said Code, approved March thirtieth, eighteen hundred and seventy-eight, and section one thousand nine hundred and ninety-one of said Code, and to add a new section to said Code, to be known and numbered as section one thousand nine hundred and seventy-seven, relating to the State militia—was made the order of the day for Monday next.

PETITION.

By Mr. Brooks—A petition from citizens of Biggs and Hamilton Townships, of Butte County, protesting against the passage of the Parks-Brown drainage bill, or any bill that will burden their county or any other county of this State with a bonded debt.

Read at the desk.

One day's leave of absence was granted to Mr. McDade on account of sickness.

FIRST READING AND REFERENCE OF BILLS.

Assembly Bill No. 540—An Act in relation to contracts made by State, county, city, town, or village authorities respecting the execution of work, performance of services, or furnishing of material and supplies.

Read first time, and referred to the Committee on Judiciary.

Two days' leave of absence was granted to Mr. May.

Assembly Bill No. 538—An Act to provide a State Hospital and Sanitarium for the aged, indigent sick, and those suffering from consumption and chronic diseases.

Read first time, and referred to the Committee on State Hospital.

INTRODUCTION OF BILLS.

The following bills were introduced, and ordered printed:

By Mr. Finlayson—An Act authorizing County Clerks to collect a fee for copies of declaration of intention and naturalization from aliens.

Also, an Act to provide for the deficiency in the appropriation for repairs to State Capitol building and furniture during the thirty-first fiscal year.

REPORT OF STANDING COMMITTEE.

By Mr. Estey:

MR. SPEAKER: Your Committee on Mileage have considered the report of the Chairman of the Committee on State Hospital, find it correct, and recommend the adoption of the following resolution.

ESTEY, Chairman.

Resolved, That the Controller be and he is hereby authorized to draw his warrant in favor of James S. Reamey for the sum of one hundred and seventeen and sixty-five one-hundredths dollars, payable out of the Contingent Fund of the Assembly.

Resolved, That James S. Reamey, Clerk of the Committee on State Hospital, be allowed mileage, at the rate of ten cents per mile, to be paid out of the fund set apart for the contingent expenses of the Assembly, for the total number of miles traveled by him under the instructions of said committee, in visiting and returning from the Asylums, as shown by the within schedule.

BRUSIE, Chairman of State Hospital Committee.

From Sacramento to Los Angeles Asylum	478	miles.
From Los Angeles to Santa Barbara	129½	miles.
From Santa Barbara to Pajaro Valley Asylum *via* San Francisco and San Jose	390	miles.
From Pajaro Valley Asylum to Sacramento	179	miles.
Total	1,176½	miles.

Resolution adopted.

Mr. Tyler, pursuant to notice, moved to amend the standing rules of the House by the adoption of the following resolution:

Resolved, That hereafter no member shall be allowed to speak more than five minutes on any one proposition, except that the author of a bill shall have ten minutes before the final vote is taken which shall dispose of the same, in all cases, in which to explain the provisions of the bill.

Mr. Maybell moved to indefinitely postpone the resolution.

The previous question was demanded by the requisite number, and the House so ordered.

The ayes and noes were demanded by Messrs. Tyler, Fraser, and Coleman.

The roll was called, and the motion was lost by the following vote:

AYES—Messrs. Braunhart, Burns, Camron, Carr of Yuba, Chandler, Cuthbert, Gaffey, Harris, Hershey, Josselyn, Lane, Maguire, Maybell, McCallion, McCarthy of San Francisco, McDade, and Simon—17.

NOES—Messrs. Adams, Bass, Bennett, Brown of Yuba, Bruner, Brusie, Carr of Sacramento, Chamberlain, Coffman, Coleman, Cook, Corcoran, Downs, Fox, Fraser, Gorley, Green, Hardy, Hartson, Leach, Leadbetter, Levee, Mathews, McCarty of Lake, McComas, McIntosh, Messenger, Morse, Mulholland, Nelson, Picket, Sayle, Sherburne, Stanley, Stoddard, Streeter, Tyler, Valle Del, Walker, Ward, Wason of Ventura, Wasson of Mono, Wattson, York, Young, and Mr. Speaker—46.

The ayes and noes were demanded by Messrs. Fraser, Coleman, and Tyler.

The House permitted an amendment to be introduced by Mr. McCarthy to strike out the word "five," and insert the word "ten," and to give the author of any bill or motion "twenty minutes" instead of "ten minutes."

The previous question was demanded by Messrs. Fraser, Stanley, and Tyler, and the House so ordered.

The roll was called, and the amendment was lost by the following vote:

AYES—Messrs Bass, Burns, Camron, Carr of Sacramento, Carr of Yuba, Coffman, Corcoran, Cuthbert, Dimond, Downs, Durham, Gaffey, Harris, Josselyn, Lane, Leach, Maguire, Mathews, Maybell, McCallion, McCarty of Lake, McCarthy of San Francisco, McDade, Picket, Simon, Sweetland, Valle Del, and Mr. Speaker—28.

NOES—Messrs Adams, Bennett, Braunhart, Brown of Sonoma, Brown of Yuba, Bruner, Brusie, Chamberlain, Coleman, Cook, Estey, Fox, Fraser, Green, Hartson, Hershey, Leadbetter, McComas, McIntosh, Messenger, Morse, Mulholland, Nelson, Sayle, Sherburne, Stanley, Stoddard, Streeter, Tyler, Ward, Wason of Ventura, Wasson of Mono, Wattson, York, and Young—35.

Mr. Braunhart gave notice of a motion to reconsider the vote by which the amendment was lost.

The question recurring upon the original resolution, the roll was called, and the resolution was adopted by the following vote:

AYES—Messrs. Adams, Bennett, Brown of Sonoma, Brown of Yuba, Bruner, Brusie, Camron, Carr of Sacramento, Chamberlain, Chandler, Coffman, Coleman, Cook, Corcoran, Dimond, Downs, Estey, Fox, Fraser, Gorley, Green, Hartson, Hershey, Leach, Leadbetter, Levee, McCarty of Lake, McComas, McIntosh, Messenger, Morse, Mulholland, Nelson, Sayle, Sherburne, Stanley, Stoddard, Streeter, Tyler, Valle Del, Walker, Ward, Wason of Ventura, Wasson of Mono, Wattson, York, Young, and Mr. Speaker—48.

NOES—Messrs Bass, Braunhart, Burns, Carr of Yuba, Cuthbert, Durham, Gaffey, Josselyn, Lane, Maguire, Mathews, Maybell, McCallion, McCarthy of San Francisco, McDade, Picket, Simon, and Sweetland—18.

RESOLUTION.

By Mr. McIntosh:

Resolved, That the Clerks to all the Standing Committees of this House, except the Clerk to the Judiciary Committee, be and they are hereby discharged from and after this date.

Mr. McCallion moved the indefinite postponement of the resolution.

Upon which the ayes and noes were demanded by Messrs. Braunhart, McIntosh, and McCallion.

Mr. Fraser moved the reference of the resolution to the Committee on Attachés and Employés.

Carried.

At twelve o'clock and seventeen minutes P. M Mr. Fox moved we do now adjourn.

Lost.

A communication from the Secretary of State was presented by the Speaker, as follows:

STATE OF CALIFORNIA, DEPARTMENT OF STATE,
SACRAMENTO, March 20th, 1880.

MR. SPEAKER: I have the honor herewith to transmit to your honorable body a statement of the amount of postage stamps delivered to each Assemblyman upon requisitions, pursuant to a resolution passed by your body on January twenty-ninth, A D eighteen hundred and eighty.

D. M. BURNS, Secretary of State.

STAMP ACCOUNT—MEMBERS OF THE ASSEMBLY.

Date.	Name.	Amount.
March 20th, 1880	Adams	$12 00
March 20th, 1880	Anthony	10 00
March 20th, 1880	Bass	5 00
March 20th, 1880	Bennett	6 50
March 20th, 1880	Braunhart	3 50
March 20th, 1880	Brooks	12 00
March 20th, 1880	Bruner	5 00
March 20th, 1880	Burns	5 00
March 20th, 1880	Carr of Sacramento	3 00
March 20th, 1880	Carr of Yuba	7 00
March 20th, 1880	Chamberlain	11 50
March 20th, 1880	Coffman	7 25
March 20th, 1880	Coleman	9 00
March 20th, 1880	Cooper	3 00
March 20th, 1880	Corcoran	5 00
March 20th, 1880	Cuthbert	6 00
March 20th, 1880	Cowdery	11 00
March 20th, 1880	Del Valle	5 00
March 20th, 1880	Dimond	8 55
March 20th, 1880	DuBrutz	4 00
March 20th, 1880	Estey	5 00
March 20th, 1880	Felton	10 00
March 20th, 1880	Finlayson	6 00
March 20th, 1880	Fox	8 50
March 20th, 1880	Fraser	10 20
March 20th, 1880	Frink	4 56
March 20th, 1880	Garibaldi	2 50
March 20th, 1880	Gaffey	11 00
March 20th, 1880	Green	4 50
March 20th, 1880	Hershey	6 00
March 20th, 1880	Josselyn	6 50
March 20th, 1880	Lane	3 50
March 20th, 1880	Leach	9 20
March 20th, 1880	Mathews	4 00
March 20th, 1880	May	24 00
March 20th, 1880	Maybell	5 00
March 20th, 1880	McCallion	5 00
March 20th, 1880	McCarty of Lake	3 50
March 20th, 1880	McCarthy of San Francisco	6 00
March 20th, 1880	McDade	3 00
March 20th, 1880	McIntosh	4 00
March 20th, 1880	Merry	7 50
March 20th, 1880	Messenger	11 00
March 20th, 1880	Morse	6 24
March 20th, 1880	Mulholland	16 00
March 20th, 1880	Simon	3 00
March 20th, 1880	Spencer	5 00
March 20th, 1880	Stanley	7 50
March 20th, 1880	Streeter	9 00
March 20th, 1880	Tyler	4 00
March 20th, 1880	Walker	10 50
March 20th, 1880	Ward	8 50
March 20th, 1880	Wason of Ventura	6 00
March 20th, 1880	Wasson of Mono	9 50
March 20th, 1880	Watson	6 00
March 20th, 1880	Young	9 00
	Total	$400 00

Also:

STATE OF CALIFORNIA, DEPARTMENT OF STATE,
SACRAMENTO, March 20th, 1880.

MR. SPEAKER: In compliance with a motion made by your honorable body on March nineteenth, eighteen hundred and eighty, I have the honor to transmit herewith a certified copy of

a contract between the State of California and A. L. Bancroft & Company, and Sumner Whitney & Company.

D. M. BURNS, Secretary of State.

The copy above mentioned referred to the Committee on Judiciary.

INTRODUCTION OF A BILL.

By Mr. Carr of Sacramento—An Act to amend section three hundred and eighty-two of the Code of Civil Procedure, relating to parties to actions.

The bill above was introduced and ordered printed.

SECOND READING OF BILLS.

Assembly Bill No. 307—An Act to amend section three thousand and fifty-one of the Civil Code, in reference to liens for services.

Withdrawn.

Assembly Bill No. 308—An Act to amend section one thousand eight hundred and eighty of the Code of Civil Procedure, relating to persons who cannot testify.

Passed on file.

Assembly Bill No. 317—An Act to amend section four hundred and eighty-seven of the Penal Code.

Read second time, and ordered to third reading.

Assembly Bill No. 345—An Act to amend sections eight hundred and forty-nine of the Code of Civil Procedure.

Passed on file.

Assembly Bill No. 293—An Act to invest the widow with the ownership and management of the family estate on the decease of the husband.

Withdrawn.

Assembly Bill No. 351—An Act to amend sections four hundred and five, four hundred and seven, four hundred and nine, four hundred and ten, four hundred and twelve, four hundred and sixteen, four hundred and thirty-two, four hundred and thirty-seven, four hundred and forty-six, four hundred and sixty-five, four hundred and seventy-two, five hundred and ninety-three, one thousand and twenty-one, one thousand and twenty-two, one thousand three hundred and eighty-nine, and one thousand eight hundred and eighty, and to repeal sections four hundred and six, four hundred and eight, and four hundred and forty-two, of the Code of Civil Procedure.

Withdrawn.

Senate Bill No. 117—An Act to repeal sections six hundred and sixty-three of the Code of Civil Procedure.

Read second time, and ordered to third reading.

Senate Bill No. 145—An Act to amend section one thousand of the Code of Civil Procedure, relating to inspection of writings.

Read second time, and ordered to third reading.

Senate Bill No. 148—An Act to amend section one thousand and fifty-five of the Code of Civil Procedure, relating to actions against Sheriffs.

Read second time, and ordered to third reading.

Senate Bill No. 149—An Act to repeal section one thousand and fifty-six of the Code of Civil Procedure.

Read second time, and ordered to third reading.

Senate Bill No. 150—An Act to amend section one thousand and fifty-eight of the Code of Civil Procedure, relating to civil actions wherein the State or an officer thereof, or a county, or city, or town, is a party.

Read second time, and ordered to third reading.

Senate Bill No. 151—An Act to amend section one thousand one hundred and eight of the Code of Civil Procedure, relating to writs of review, mandate, or prohibition.

Read second time, and ordered to third reading

Senate Bill No. 161—An Act to amend sections one thousand two hundred and twenty-seven, one thousand two hundred and thirty, and one thousand two hundred and thirty-three, of the Code of Civil Procedure, relating to the voluntary dissolution of corporations.

Read second time, and ordered to third reading.

Senate Bill No. 163—An Act to amend sections one thousand two hundred and sixty-nine and one thousand two hundred and seventy-two of the Code of Civil Procedure, relating to escheated estates.

Read second time, and ordered to third reading.

FIRST READING AND REFERENCE OF BILLS.

On motion of Mr. Tyler, Assembly Bill No. 543—An Act to define, regulate, and govern the State Prisons of California—read first time, and ordered to the head of second reading file.

SENATE MESSAGE.

The following message from the Senate was read:

SENATE CHAMBER, SACRAMENTO, March 20th, 1880.

MR. SPEAKER I am directed to inform your honorable body that the Senate, on this day, passed Senate Bill No. 399—An Act to amend sections one thousand five hundred and seventeen, one thousand five hundred and twenty-one, one thousand five hundred and thirty-two, one thousand five hundred and forty-three, one thousand five hundred and forty-five, one thousand five hundred and forty-six, one thousand five hundred and forty-eight, one thousand five hundred and fifty, one thousand five hundred and fifty-one, one thousand five hundred and sixty-four, one thousand five hundred and seventy-seven, one thousand five hundred and ninety-three, one thousand five hundred and ninety-seven, one thousand five hundred and ninety-eight, one thousand six hundred, one thousand six hundred and eleven, one thousand six hundred and sixteen, one thousand six hundred and seventeen, one thousand six hundred and nineteen, one thousand six hundred and twenty, one thousand six hundred and twenty-one, one thousand six hundred and twenty-two, one thousand six hundred and twenty-four, one thousand six hundred and sixty-two, one thousand six hundred and sixty-three, one thousand six hundred and sixty-five, one thousand six hundred and sixty-six, one thousand six hundred and ninety-six, one thousand seven hundred and one, one thousand seven hundred and twelve, one thousand seven hundred and fifteen, one thousand seven hundred and sixty-eight, one thousand seven hundred and sixty-nine, one thousand seven hundred and seventy, one thousand seven hundred and seventy-one one thousand seven hundred and seventy-two, one thousand seven hundred and seventy-four, one thousand seven hundred and seventy-five, one thousand seven hundred and eighty-seven, one thousand seven hundred and eighty-eight, one thousand seven hundred and ninety, one thousand seven hundred and ninety-one, one thousand eight hundred and seventeen, one thousand eight hundred and eighteen, one thousand eight hundred and thirty-four, one thousand eight hundred and thirty-five, one thousand eight hundred and thirty-six, one thousand eight hundred and thirty-seven, one thousand eight hundred and fifty-seven, one thousand eight hundred and fifty-eight, one thousand eight hundred and fifty-nine, one thousand eight hundred and sixty-one, one thousand eight hundred and sixty-nine, one thousand eight hundred and seventy-one, and one thousand eight hundred and seventy-four, and to repeal sections one thousand five hundred and fifty-one, one thousand six hundred and fifty-two, one thousand six hundred and sixty-nine, one thousand six hundred and seventy, one thousand six hundred and seventy-one, one thousand seven hundred and forty-one, one thousand seven hundred and forty-two, one

thousand seven hundred and forty-three, one thousand seven hundred and forty-four, one thousand seven hundred and forty-five, one thousand seven hundred and forty-six, one thousand seven hundred and forty-seven, one thousand seven hundred and forty-eight, one thousand seven hundred and forty-nine, one thousand seven hundred and fifty, one thousand seven hundred and fifty-one, one thousand seven hundred and fifty-two, one thousand seven hundred and fifty-three, one thousand seven hundred and fifty-four, one thousand seven hundred and fifty-five, one thousand seven hundred and fifty-seven, one thousand seven hundred and fifty-eight, one thousand seven hundred and seventy-seven, one thousand seven hundred and ninety-three, one thousand eight hundred and thirty-eight, one thousand eight hundred and forty, one thousand eight hundred and forty-one, one thousand eight hundred and forty-two, one thousand eight hundred and forty-three, one thousand eight hundred and forty-four, one thousand eight hundred and forty-five, one thousand eight hundred and forty-six, one thousand eight hundred and forty-seven, one thousand eight hundred and forty-eight, one thousand eight hundred and forty-nine, one thousand eight hundred and fifty, one thousand eight hundred and fifty-one, one thousand eight hundred and fifty-two, and one thousand eight hundred and seventy-two, of the Political Code, and to add five new sections thereto, to be known as sections one thousand five hundred and sixty-five, one thousand five hundred and eighty-three, one thousand seven hundred and three, one thousand seven hundred and four, and one thousand eight hundred and seventy-nine, relating to public schools.

JAMES A. ORR, Assistant Secretary.

CONSIDERATION OF SENATE MESSAGE.

Senate Bill No. 399—An Act to amend sections one thousand five hundred and seventeen, one thousand five hundred and twenty-one, one thousand five hundred and thirty-two, one thousand five hundred and forty-three, one thousand five hundred and forty-five, one thousand five hundred and forty-six, one thousand five hundred and forty-eight, one thousand five hundred and fifty, one thousand five hundred and fifty-one, one thousand five hundred and sixty-four, one thousand five hundred and seventy-seven, one thousand five hundred and ninety-three, one thousand five hundred and ninety-seven, one thousand five hundred and ninety-eight, one thousand six hundred, one thousand six hundred and eleven, one thousand six hundred and sixteen, one thousand six hundred and seventeen, one thousand six hundred and nineteen, one thousand six hundred and twenty, one thousand six hundred and twenty-one, one thousand six hundred and twenty-two, one thousand six hundred and twenty-four, one thousand six hundred and sixty-two, one thousand six hundred and sixty-three, one thousand six hundred and sixty-five, one thousand six hundred and sixty-six, one thousand six hundred and ninety-six, one thousand seven hundred and one, one thousand seven hundred and twelve, one thousand seven hundred and fifteen, one thousand seven hundred and sixty-eight, one thousand seven hundred and sixty-nine, one thousand seven hundred and seventy, one thousand seven hundred and seventy-one, one thousand seven hundred and seventy-two, one thousand seven hundred and seventy-four, one thousand seven hundred and seventy-five, one thousand seven hundred and eighty-seven, one thousand seven hundred and eighty-eight, one thousand seven hundred and ninety, one thousand seven hundred and ninety-one, one thousand eight hundred and seventeen, one thousand eight hundred and eighteen, one thousand eight hundred and thirty-four, one thousand eight hundred and thirty-five, one thousand eight hundred and thirty-six, one thousand eight hundred and thirty-seven, one thousand eight hundred and fifty-seven, one thousand eight hundred and fifty-eight, one thousand eight hundred and fifty-nine, one thousand eight hundred and sixty-one, one thousand eight hundred and sixty-nine, one thousand eight hundred and seventy-one, and one thousand eight hundred and seventy-four, and to repeal sections one thousand five hundred

and fifty-one, one thousand six hundred and fifty-two, one thousand six hundred and sixty-nine, one thousand six hundred and seventy, one thousand six hundred and seventy-one, one thousand seven hundred and forty-one, one thousand seven hundred and forty-two, one thousand seven hundred and forty-three, one thousand seven hundred and forty-four, one thousand seven hundred and forty-five, one thousand seven hundred and forty-six, one thousand seven hundred and forty-seven, one thousand seven hundred and forty-eight, one thousand seven hundred and forty-nine, one thousand seven hundred and fifty, one thousand seven hundred and fifty-one, one thousand seven hundred and fifty-two, one thousand seven hundred and fifty-three, one thousand seven hundred and fifty-four, one thousand seven hundred and fifty-five, one thousand seven hundred and fifty-seven, one thousand seven hundred and fifty-eight, one thousand seven hundred and seventy-seven, one thousand seven hundred and ninety-three, one thousand eight hundred and thirty-eight, one thousand eight hundred and forty, one thousand eight hundred and forty-one, one thousand eight hundred and forty-two, one thousand eight hundred and forty-three, one thousand eight hundred and forty-four, one thousand eight hundred and forty-five, one thousand eight hundred and forty-six, one thousand eight hundred and forty-seven, one thousand eight hundred and forty-eight, one thousand eight hundred and forty-nine, one thousand eight hundred and fifty, one thousand eight hundred and fifty-one, one thousand eight hundred and fifty-two, and one thousand eight hundred and seventy-two, of the Political Code, and to add five new sections thereto, to be known as sections one thousand five hundred and sixty-five, one thousand five hundred and eighty-three, one thousand seven hundred and three, one thousand seven hundred and four, and one thousand eight hundred and seventy-nine, relating to public schools.

Read first time, and referred to the Committee on Education.

ADJOURNMENT.

At twelve o'clock and fifty-five minutes P. M Mr. Coleman moved to adjourn.

Upon which motion the ayes and noes were demanded by Messrs. Messenger, Leach, and Carr of Yuba.

The roll was called, and the motion was carried by the following vote:

AYES—Messrs. Brown of Yuba, Bruner, Brusie, Camron, Carr of Sacramento, Carr of Yuba, Chamberlain, Chandler, Coffman, Coleman, Corcoran, Dimond, Downs, DuBrutz, Fox, Garibaldi, Gaffey, Harris, Josselyn, Lane, McCarthy of San Francisco, McDade, Morse, Mulholland, Nelson, Picket, Sayle, Stanley, Stoddard, Sweetland, Tyler, Walker, Wasson of Mono, Wattson, York, and Young—36.

NOES—Messrs. Adams, Bass, Bennett, Brown of Sonoma, Cook, Fraser, Green, Hartson, Hershey, Leach, Leadbetter, Maguire, Mathews, Mayhell, McCallion, McComas, McIntosh, Messenger, Simon, Sherburne, Streeter, Ward, Wason of Ventura, and Mr. Speaker—24.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Monday, March 22d, 1880.

House met pursuant to adjournment.
Speaker Cowdery in the chair.
Roll called, and a quorum present.
Prayer by the Chaplain.

READING AND APPROVAL OF THE JOURNAL.

Mr. Fraser moved that the further reading of the Journal be dispensed with.
So ordered.
The Journal of Friday approved.

REPORTS OF STANDING COMMITTEES.

By Mr. Coleman:

ASSEMBLY CHAMBER, March 22d, 1880.

MR. SPEAKER. Your Committee on Retrenchment, to whom was referred Assembly Bill No. 500—An Act entitled an Act to amend sections twelve and fourteen of an Act entitled an Act creating a Board of Bank Commissioners, approved March thirtieth, eighteen hundred and seventy-eight, relating to salaries of Commissioners and Clerks—have had the same under consideration, and herewith report it back with an amendment, and recommend its passage as amended.

Also, Assembly Bill No. 339—An Act entitled an Act to limit the compensation for clerical service in the Executive Department of the State government—and report the same back, and recommend that the author have leave to withdraw it.

COLEMAN, Chairman

By Mr. Camron:

MR. SPEAKER Your Committee on Attachés and Employés, to whom was referred the resolution below, have considered the same, and report it back without recommendation.

CAMRON, Chairman.

Resolved, That the Clerks to all the standing committees of this House, except the Clerks to the Judiciary Committee, be and they are hereby discharged from and after this date, March twentieth, eighteen hundred and eighty.

The consideration of the above resolution was postponed one day.

RESOLUTION.

By Mr. McComas:

Resolved, That the Committee on Public Lands be and they are hereby authorized to send for persons and papers when in their judgment deemed necessary

Adopted.

INTRODUCTION OF A BILL.

The following bill was introduced, and ordered printed:
By Mr. Lane—An Act to secure the wages of persons employed as laborers on threshing machines.

SPECIAL ORDER.

The consideration of Assembly Bill No. 489, the special order of the day, was postponed until two o'clock P. M.

SECOND READING OF BILLS.

Assembly Bill No. 345—An Act to amend section eight hundred and forty-nine of the Code of Civil Procedure.

Passed on file.

Senate Bill No. 165—An Act to amend section one thousand two hundred and eighty-three of the Code of Civil Procedure, relating to arbitrations.

Read second time, and ordered to third reading.

Senate Bill No. 162—An Act to amend sections one thousand two hundred and forty-three, one thousand two hundred and forty-four, and one thousand two hundred and fifty-four, of the Code of Civil Procedure, relating to eminent domain.

Taken up.

The amendments recommended by the committee adopted.

The bill read second time, and ordered to third reading.

Senate Bill No. 164—An Act to amend sections one thousand two hundred and seventy-five, one thousand two hundred and seventy-six, one thousand two hundred and seventy-eight, and one thousand two hundred and seventy-nine, of the Code of Civil Procedure, relating to change of names.

Taken up.

The amendments recommended by the committee adopted.

Amendment to section two, proposed by Mr. Fox, adopted.

Bill read second time, and ordered to third reading.

Assembly Bill No. 363—An Act to amend section one hundred and thirty-seven of the Civil Code, in reference to divorce.

Taken up.

The amendments recommended by the committee adopted.

The bill read second time, and ordered to third reading.

Assembly Bill No. 425—An Act to amend sections seven hundred, seven hundred and one, seven hundred and two, seven hundred and three, seven hundred and four, and seven hundred and five, of an Act entitled "An Act to establish a Code of Civil Procedure," approved March twelfth, eighteen hundred and seventy-two, so as to provide for the redemption of real estate sold under the power contained in trust deeds.

Taken up, and referred to the Committee on Judiciary.

Assembly Bill No. 308—An Act to amend section one thousand eight hundred and eighty of the Code of Civil Procedure, relating to persons who cannot testify.

Taken up, and read second time.

The question being, "Shall this bill be read a third time?" the ayes and noes were demanded by Messrs. Cooper, McCallion, and Maybell.

The roll was called, and the bill was ordered to third reading by the following vote:

AYES—Messrs. Burns, Carr of Yuba, Coffman, Cook, Cooper, Corcoran, DuBrutz, Estey, Fraser, Garibaldi, Gaffey, Gorley, Hershey, Josselyn, Lane, Levee, Maguire, Maybell, McCallion, McCarthy of San Francisco, McDade, Messenger, Morse, Sayle, Simon, Spencer, Sweetland, and Walker—28.

NOES—Messrs. Adams, Bennett, Bruner, Brusie, Coleman, Downs, Felton, Fox, Hartson, Leach, Leadbetter, Mathews, McCarty of Lake, McComas, Nelson, Stanley, Stoddard, Streeter, Valle Del, Ward, Wason of Ventura, Wattson, Young, and Mr. Speaker—24.

Senate Bill No. 178—An Act to add a new section to the Penal Code, to be known as section seven hundred and ninety-six, relating to the place of trial of indictments or informations for publications in newspapers.

Rejected.

One day's leave of absence granted to Mr. Picket.

Senate Bill No. 184—An Act to amend section one thousand four hundred and sixty-eight of the Code of Civil Procedure, relating to personal property set apart for the use of the family.

Rejected.

Assembly Bill No. 265—An Act to amend section one thousand four hundred and sixty-eight of the Code of Civil Procedure, relating to the provision for the support of the family and of the homestead.

Passed on file.

Senate Bill No. 93—An Act to amend section one hundred and thirty of the Code of Civil Procedure, relating to rules of Courts.

Indefinitely postponed.

Mr. Mathews moved that hereafter when bills are passed on file, they shall be placed at the foot of the file.

Adopted.

Senate Bill No. 139—An Act to repeal chapters four and five, of title thirteen, of part two, of the Code of Civil Procedure, and each and every section of said chapters four and five, relating to appeals in civil actions.

Read second time, and ordered to third reading.

Assembly Bill No. 254—An Act to amend section one thousand two hundred and seventy-six of the Code of Civil Procedure.

Withdrawn.

Assembly Bill No. 355—An Act to add section eight hundred and eighty-eight to the Code of Civil Procedure.

Passed on file.

Assembly Bill No. 395—An Act for the protection of life and property in localities contiguous to railroads.

Passed on file.

Assembly Bill No. 386—An Act to repeal section number one thousand one hundred and twenty-five of the Code of Civil Procedure.

Withdrawn.

Senate Bill No. 270—An Act to amend section two thousand nine hundred and forty-one of the Civil Code.

Read second time, and ordered to third reading.

INTRODUCTION OF A BILL.

The following bill was introduced, and ordered printed:

By Mr. Hartson—An Act to amend section three thousand six hundred and forty of an Act to establish a Political Code, approved March twelfth, eighteen hundred and sixty-two, relating to revenue.

Read first time, and referred to the Committee on Ways and Means.

SECOND READING OF BILLS—RESUMED.

Assembly Bill No. 398—An Act to amend section two thousand nine hundred and fifty-five of the Civil Code of California, relating to mortgages of personal property.

Read second time, and ordered to third reading.

Senate Bill No. 281—An Act to amend section two thousand two hundred and seventeen of the Political Code, relating to committal of insane persons.

Rejected.

Assembly Bill No. 396—An Act to amend section three thousand seven hundred and eighty-nine of the Political Code, relative to tax deeds.

Withdrawn.

INTRODUCTION OF A JOINT RESOLUTION.

By Mr. Morse—Assembly Joint Resolution, relative to asking that all the aids and benefits now enjoyed by the most favored ex-soldiers be secured, by Act of Congress, to the Mexican war veterans of the United States.

MOTIONS.

Mr. DuBrutz moved that five hundred copies of Assembly Bill No. 404 be printed for distribution to the County Assessors.

Mr. Leach moved to make the number one thousand.

So ordered, and the motion adopted as amended.

Mr. Felton moved that one thousand more copies of the same bill be ordered printed.

Adopted.

SECOND READING OF BILLS—RESUMED.

Assembly Bill No. 399—An Act to amend section one thousand two hundred and seven of the Civil Code, relating to records of instruments affecting real property.

Refused third reading.

Assembly Bill No. 244—An Act to prevent the commencement of suits to quiet the title to, or for the possession of, real estate in certain cases without depositing certain moneys with the Treasurer.

Passed on file.

Assembly Bill No. 276—An Act to provide for the repair and completion of the Governor's mansion.

Ordered to the foot of the file.

Assembly Bill No. 321—An Act to provide for the planting of native trees and shrubs in the State Capitol grounds.

Read second time, and ordered to third reading.

Assembly Bill No. 216—An Act to establish county and township governments, name the officers to be elected therein, and fix their salaries, and the fees to be charged and collected by them.

Withdrawn.

Senate Bill No. 179—An Act to amend section five hundred and fourteen of the Civil Code, concerning wagon road corporations.

Read second time.

The previous question was demanded by Messrs. Levee, Coffman, and Estey, and the House so ordered.

The amendments recommended by the committee lost.

The question being, "Shall the bill be read third time?" the ayes and noes were demanded by Messrs Gorley, Cooper, and Estey.

The roll was called, and the bill refused a third reading by the following vote:

AYES—Messrs Braunhart, Coleman, Corcoran, Gorley, McCarthy of San Francisco, Messenger, Wason of Ventura, Wasson of Mono, and Mr Speaker—9.

NOES—Messrs. Adams, Bennett, Brown of Yuba, Brunet, Brusie, Burns, Cannon, Carr of Yuba, Coffman, Cook, Cooper, Cuthbert, Dimond, Downs, DuBrutz, Estey, Felton, Fox, Fraser, Garibaldi, Gaffey, Green, Hartson, Hershey, Josselyn, Lane, Leach, Leadbetter, Levee, Maguire, Mathews, Maybell, McCallion, McCarty of Lake, McComas, McDade Morse, Nelson, Sayle, Sherburne, Spencer, Stanley, Stoddard, Streeter, Sweetland, Valle Del, Walker, Ward, Wattson, and Young—50.

INTRODUCTION OF A BILL.

The following bill was introduced, and ordered printed:

By Mr. Del Valle—An Act confirming titles of pueblo or other lands granted in cities.

SECOND READING OF BILLS—RESUMED.

Assembly Bill No. 447—An Act to amend section one thousand two hundred and seventy-six of the Code of Civil Procedure, relative to change of names of persons and corporations.

Withdrawn

Assembly Bill No. 82—An Act to amend section four thousand two hundred and four of the Political Code.

Taken up.

The amendments recommended by the committee, numbers one, two, three, four, five, six, seven, eight, and nine, adopted.

Section fifteen amended on motion of Mr. Fox.

The committee amendments, numbers ten, eleven, twelve, thirteen, and fourteen, were adopted.

Mr. Fox's amendment to subdivision five, of section one, adopted.

The bill read second time, and ordered to third reading.

Assembly Bill No. 253—An Act to amend sections one thousand five hundred and ninety-nine, one thousand six hundred and three, one thousand six hundred and five, one thousand six hundred and eight, and one thousand six hundred and ten, of an Act entitled "An Act to establish a Penal Code," approved February fourteenth, eighteen hundred and seventy-two, relating to county jails

Taken up.

The amendments recommended by the committee adopted.

The bill read second time, and ordered to third reading.

Mr. Del Valle moved that Assembly Bill No. 541—An Act to provide for the construction and furnishing Normal School buildings in the State of California—be now taken up.

Lost

Assembly Bill No. 150—An Act to appropriate moneys to pay deficiencies in the expenses of the late Constitutional Convention.

Passed on file.

Assembly Bill No. 375—An Act to appropriate moneys for the payment of I. S. Belcher, Thomas P. Stoney, and A. C. Freeman, for services in preparing bills adapting the Codes to the Constitution.

Passed on file.

Assembly Bill No 385—An Act in relation to the public roads and highways in the several counties of this State.

Taken up.

The amendments recommended by the committee, numbers one and two, were adopted.

The committee amendments numbers three and four lost.

The committee amendment number five adopted.

Mr Maybell moved the bill be re-referred to the committee, with instructions to strike out all in regard to road poll taxes.

Lost.

The committee amendments, numbers six, seven, eight, nine, ten, eleven, twelve, and thirteen, adopted.

Mr. Fraser moved that the vote by which committee amendment number five was rejected be reconsidered.

So ordered.

The committee amendment then adopted.

Mr. Braunhart moved that Assembly Bill No. 150—An Act to appropriate moneys to pay deficiencies in the expenses of the late Constitutional Convention—be made the special order.

Lost.

Second reading of Assembly Bill No 385—An Act in relation to the public roads and highways in the several counties of this State—was then completed, and the bill was ordered to third reading.

Assembly Bill No. 375—An Act to appropriate moneys for the payment of I. S. Belcher, Thomas P. Stoney, and A. C. Freeman, for services in preparing bills adapting the Codes to the Constitution

Taken up.

Read second time.

Mr. Maybell moved to strike out the enacting clause of the bill.

RECESS.

Pending discussion of the motion, the House took a recess of one hour until two o'clock P. M.

RE-ASSEMBLED.

House re-assembled at two o'clock P. M.

Speaker Cowdery in the chair.

Quorum present.

The consideration of Assembly Bill No. 375—An Act to appropriate moneys for the payment of I. S Belcher, Thomas P. Stoney, and A. C. Freeman, for services in preparing bills adapting the Codes to the Constitution—resumed

The question being upon striking out the enacting clause of the bill, the ayes and noes were demanded by Messrs. Maybell, McDade, and Gaffey.

The roll was called, and the motion to strike out the enacting clause was lost by the following vote.

AYES—Messrs. Burns, Carr of Yuba, Chamberlain, Coffman, Cook, Cooper, Corcoran, Dimond, Garibaldi, Gaffey, Hershey, Josselyn, Lane, Levee, Maguire, Maybell, McCallion, McCarty of Lake, McCarthy of San Francisco, McDade, Merry, Sayle, and Simon—23.

NOES—Messrs Adams, Bennett, Braunhart, Brooks, Brown of Yuba, Bruner Bruse, Chandler, Coleman, Cuthbert, Downs, Durham, Estey, Felton, Fox, Fraser, Gorley, Green, Hartson, Leach, Leadbetter, Mathews, May, McConnas, Messenger, Morse, Nelson, Sherburne, Spencer, Stanley, Stoddard, Streeter, Sweetland, Tyler, Valle Del, Walker, Ward, Wason of Ventura, Young, and Mr. Speaker—40.

The bill was then ordered to third reading.

RESOLUTION.

By Mr. Maybell (by permission):

Resolved, That the Assembly Chamber be cleared of all persons, except Senators, State officers, Governors and ex-Governors of States, members and ex-members of Congress, Judges and ex-Judges of the Supreme or Superior Courts, members of the press, and ladies.

Mr. Tyler moved to lay the resolution on the table.

Upon which the ayes and noes were demanded by Messrs. Maybell, Braunhart, and McCallion.

The roll was called, and the motion was carried by the following vote:

AYES—Messrs. Adams, Bennett, Brown of Yuba, Bruner, Brusie, Cannon, Chamberlain, Chandler, Coffman, Coleman, Cook, Cooper, Cuthbert, Dimond, Downs, DuBrutz, Durham, Estey, Felton, Fox, Fraser, Gorley, Green, Harlson, Hershey, Leach, Leadbetter, Mathews, May, McCarty of Lake, McCarthy of San Francisco, McComas, McIntosh, Merry, Messenger, Morse, Nelson, Sherburne, Spencer, Stanley, Stoddard, Streeter, Tyler, Valle Del, Walker, Ward, Wason of Ventura, Wattson, Young, and Mr. Speaker—50.

NOES—Messrs. Braunhart, Burns, Carr of Yuba, Corcoran, Garibaldi, Gaffey, Josselyn, Lane, Levee, Maguire, Maybell, McCallion, McDade, Sayle, and Simon—15.

MESSAGE FROM THE GOVERNOR.

The following message from the Governor was taken up:

STATE OF CALIFORNIA, EXECUTIVE DEPARTMENT,
SACRAMENTO, March 22d, 1880.

To the Assembly of the State of California:

I have the honor to inform your honorable body that I have approved Assembly Bill No. 404—An Act to amend sections three thousand six hundred and seven, three thousand six hundred and seventeen, three thousand six hundred and twenty-seven, three thousand six hundred and twenty-eight, three thousand six hundred and twenty-nine, three thousand six hundred and thirty, three thousand six hundred and thirty-four, three thousand six hundred and forty, three thousand six hundred and forty-three, three thousand six hundred and fifty, three thousand six hundred and fifty-one, three thousand six hundred and fifty-two, three thousand six hundred and sixty-three, three thousand six hundred and seventy-three, three thousand six hundred and seventy-eight, six hundred and seventy-nine, three thousand seven hundred and seventeen, three thousand seven hundred and thirty, three thousand seven hundred and fifty-two, three thousand seven hundred and fifty-six, three thousand eight hundred and thirty-nine, and three thousand eight hundred and sixty-one, and to repeal sections three thousand six hundred and eighty and three thousand eight hundred and eighty-seven, of an Act entitled "An Act to establish a Political Code," approved March twelfth, eighteen hundred and seventy-two, relating to revenue, and to add two new sections, numbered three thousand six hundred and sixty-four and three thousand six hundred and sixty-five.

Notwithstanding my approval of the above entitled bill, one of its provisions is so manifestly inequitable and unjust that I would be derelict in my duty if I did not call the attention of the Legislature thereto, in the confident hope that a remedy will be provided in supplemental legislation.

The conflicting views disclosed by the debates which preceded the passage of the bill, and the pronounced majorities recorded in its favor by the immediate representatives of the people who declare they are but giving force to the expression of those who have given us a new fundamental law, do not afford reasonable ground of hope that these sharp differences of opinion can be so far harmonized as to result in the enactment of any improved measure within the limited time of the session remaining.

Failing to find in it any constitutional inhibition to justify the interposition of an executive veto, and not deeming myself at liberty to disagree with the Legislature on a question of merely public policy as involved in a revenue bill, especially when the sentiment of the people appears to favor the measure (for I heartily subscribe to that which has been so pertinently said by another that the Executive should have no policy or plan to enforce against the expressed will of the people), I have therefore reluctantly given the bill my official signature.

It is indisputable that taxation as it has for years existed in this State produced well founded dissatisfaction among those upon whom the burdens of State support fell so inequitably, that

the citizens of moderate means whose all was invested in a homestead, paid his forced contribution *under protest because his neighbor, having cash assets, was not named on the assessment* roll at all. Herein we find a demand for a change in the fundamental law, and the controlling motive for the public approval of the present Constitution.

The former Constitution was construed by the Courts to prohibit the taxation of mortgages and solvent debts, thus withdrawing from assessment large volumes of wealth, and unnecessarily increasing the rates to be borne by tangible properties. The present Constitution renders it possible, and makes it our duty, to correct the unjust system heretofore existing. It ought to be, and doubtless is, a pleasure for every one clothed with the authority to aid in equalizing the burdens of government.

My objections to the present bill (and I sincerely hope the objection will be obviated by supplemental legislation), is based upon those provisions which more directly relate to savings banks, and the deposits in those institutions.

The report of the Board of Bank Commissioners, to the present Legislature, contains the statement that there are upwards of eighty thousand depositors in the savings banks of this State, with an average of six hundred and seventy-two dollars and fifty-three cents to the credit of *each, aggregating more than fifty millions of money. Nearly all of this large sum is loaned* upon real estate security. These securities will be taxed in the name of the several banks holding them. The banks have issued to each depositor a pass-book showing the amount to his credit, and *this will be taxed in the name of the holder of the pass-book.*

No refining of language can deduce any other interpretation from the provisions of Bill No. *404, and while it may be upheld by the Courts as constitutionally permissible, it is inexcusably* inequitable and unjust. It imposes upon the industrious and economical classes—the many of small means—more than their just proportion of the public charges. It exacts tribute from their savings which are secured by mortgages held by the banks, who are acting, as it were, but as the agent of the depositor, as is evidenced by the simple pass-book issued to him. To whom *do the mortgages belong except to the depositors? To whom will the taxes on the mortgages be* charged except to the depositors? What Savings Bank Director or Board of Trustees will contribute one mill toward the liquidation of this legal exaction? The bank is but the mere agent of the depositor. It is not, upon any equitable principle, the owner of the securities it takes. Indeed, it would not have any mortgages but for the money placed in its trusteeship by the depositors.

It very often occurs that a "run" on savings banks exhausts their ready money. Then the depositor's course has been to register with the bank his demand for the balance shown to be due by his pass-book. This done, he must await collections made by his agent—the bank—of the mortgages in which his deposits were invested.

The depositors cannot enforce payment any faster than the agent can collect. It was with this understanding that he selected a savings bank to invest his money for him, at a low rate of interest, but where it would be perfectly secure.

Why tax the principal and his agent also? More especially why apply this harsh rule to that large number of economical poor, who, sensible of their lack of financial skill, prefer to intrust their honest gains to the management of experienced business men whom they had elected managers of the bank for that purpose?

If the party had loaned his money on mortgage in his own name, instead of that of the banks, even under this bill, the mortgage *only* would be assessed. The average deposit, as we have seen, is six hundred and seventy-two dollars and fifty-three cents, a sum so small that great difficulty would be experienced in finding for it a safe and secure investment. But several combine their means, and thus both borrowers and lenders are accommodated. Should, then, a penalty be attached to established and favorite modes of doing business?

Any enactment that inflicts such an apparent wrong will be evaded when evasion is possible. Fraudulent escapes from an unjust law will be devised, and a lack of respect for all law naturally follows. It becomes us rather to encourage industry and thrift, and a strong love and respect for constituted authority.

It is the part of wise statesmanship to favor rather than to discriminate against those who practice self-denial, and who prudently preserve their earnings.

In the endeavor to compel all property, of whatever name or nature, to contribute its proportion to governmental maintenance, the most diligent care should be exercised that we do not commit any injustice—any inequity.

I therefore commend the Legislature to take prompt measures to remedy any wrong against the most deserving classes of our people, and to which I have felt impelled to call your attention. Respectfully,

GEO. C. PERKINS, Governor.

Mr. Maybell moved that the further reading of the message be dispensed with.

Lost.

The reading of the message was then completed, and the message referred to the Committee on Ways and Means.

SPECIAL ORDER.

The special order for two o'clock P. M. this day, Assembly Bill No. 489—An Act to amend sections one thousand nine hundred and seventeen, one thousand nine hundred and thirty-four, one thousand nine hundred and thirty-nine, one thousand nine hundred and forty-one, one thousand nine hundred and fifty-five, one thousand nine hundred and sixty, one thousand nine hundred and seventy-three, one thousand nine hundred and seventy-four, one thousand nine hundred and seventy-five, one thousand nine hundred and eighty-two, one thousand nine hundred and eighty-six, one thousand nine hundred and ninety, one thousand nine hundred and ninety-two, two thousand and twenty-two, two thousand and twenty-eight, two thousand and thirty-nine, two thousand and fifty-nine, two thousand and ninety-five, two thousand and ninety-nine, two thousand and seventy-seven, one thousand nine hundred and forty-two, one thousand nine hundred and seventy, one thousand nine hundred and sixty-two, one thousand nine hundred and sixty-five, two thousand and ninety-four, and two thousand one hundred and fourteen, of the Political Code of California, to repeal section one thousand nine hundred and seventy-five of said Code, approved March thirtieth, eighteen hundred and seventy-eight, and section one thousand nine hundred and ninety-one of said Code, and to add a new section to said Code, to be known and numbered as section one thousand nine hundred and seventy-seven, relating to the State militia—was taken up for consideration.

Mr. Lane moved to amend by striking out the words "in person or by proxy entitled to vote."

Adopted.

The special order for this hour, three o'clock P. M., viz., the third reading file, temporarily postponed.

The committee amendment to Assembly Bill No. 489 adopted.

Mr. Tyler moved to amend by striking out the word "five," from line three of the committee's amendment to section fourteen, and inserting instead the word "six."

Adopted.

Mr. Walker moved to amend by striking out section fifteen of the bill.

Adopted.

Mr. Mathews moved to amend by striking out section sixteen of the bill.

Adopted.

Mr. Braunhart moved to reconsider the vote by which the House struck out sections fifteen and sixteen.

Lost.

Section eighteen amended as recommended by the committee.

Mr. McCarthy moved to amend by striking out the word "fifty-seven," from line five, section nineteen, and inserting instead the word "sixty."

Adopted.

Mr. McCarthy moved to amend, in line eight, section nineteen, by inserting the word "itemized."

Adopted.

Mr. Tyler moved to amend by striking out the word "May," from line ten, section nineteen, and inserting instead the word "June."

Adopted.

Mr. May moved to amend, in line twelve, section nineteen, by inserting the words "have been expended."

Adopted.

Mr. Leach moved to amend by striking out the word "May," from line four, section twenty-four, and inserting instead the word "June."

Adopted.

Mr. Tyler moved to amend by striking out all after the word "two," in line twenty, section twenty-six.

Adopted.

Mr. Tyler moved to amend by striking out the word "June," from line four, section twenty-four, and inserting instead the word "July."

Adopted.

The committee amendment to section twenty-eight adopted.

Mr. Leach moved to amend, in line six, section twenty-eight, by inserting the words "upon the warrant of the State Controller."

Adopted.

Mr. Braunhart moved to amend by striking out section twenty-nine of the bill.

Adopted.

Mr. Maybell moved the adoption of a substitute for section thirty-one.

Mr. Braunhart moved to strike out the enacting clause of the bill.

The previous question was demanded by Messrs. Leach, Braunhart, and Finlayson, and the House so ordered.

The ayes and noes were demanded by Messrs. McCallion, Walker, and Fraser.

The roll was called, and the motion to strike out the enacting clause was lost by the following vote:

AYES—Messrs. Braunhart, Carr of Yuba, Corcoran, DuBrutz, Gaffey, Josselyn, Maybell, McCallion, McCarty of Lake, and Sherburne—10.

NOES—Messrs. Adams, Bennett, Brown of Yuba, Bruner, Brusie, Camron, Carr of Sacramento, Chandler, Cooper, Cuthbert, Dimond, Downs, Durham, Estey, Felton, Finlayson, Fraser, Gorley, Green, Hartson, Hershey, Lane, Leach, Leadbetter, Levee, Maguire, Mathews, May, McCarthy of San Francisco, McComas, McIntosh, Merry, Messenger, Morse, Nelson, Sayle, Simon, Stoddard, Streeter, Sweetland, Tyler, Valle Del, Walker, Ward, Wason of Ventura, Wattson, and Young—47.

The question recurring upon the amendment, the ayes and noes were demanded by Messrs. Corcoran, Maybell, and Gaffey.

The roll was called, and the amendment was rejected by the following vote:

AYES—Messrs. Burns, Carr of Yuba, Cook, Gaffey, Josselyn, Levee, Maguire, Maybell, McCarthy of San Francisco, and Simon—10.

NOES—Messrs. Adams, Bennett, Braunhart, Brooks, Brown of Yuba, Bruner, Brusie, Camron, Carr of Sacramento, Chandler, Cooper, Corcoran, Dimond, Downs, Estey, Felton, Finlayson, Fraser, Garibaldi, Gorley, Green, Hartson, Hershey, Lane, Leach, Leadbetter, Mathews, May, McCallion, McCarty of Lake, McIntosh, Merry, Messenger, Morse, Nelson, Sayle, Sherburne, Stanley, Stoddard, Streeter, Sweetland, Tyler, Valle Del, Walker, Ward, Wason of Ventura, Wattson, Young, and Mr. Speaker—49.

The bill was then ordered to third reading.

THIRD READING OF BILLS.

Assembly Bill No. 393—An Act to provide for the auditing and payment of the county portion of the salary of Superior Judges.

Read third time.

The roll was called, and the bill was passed by the following vote:

AYES—Messrs Adams, Bennett, Braunhart, Brooks, Brown of Yuba, Bruner, Brusie, Burns, Camron, Carr of Sacramento, Chandler, Coffman, Cook, Cooper, Corcoran, Dimond, Downs, DuBrutz, Durham, Estey, Felton, Finlayson, Gaffey, Gorley, Green, Hartson, Hershey, Josselyn, Lane, Leach, Leadbetter, Levee, Mathews, May, McCallion, McCarty of Lake, McCarthy of San Francisco, McIntosh, Merry, Messenger, Morse, Nelson, Sayle, Sherburne, Stanley, Stoddard, Sweetland, Valle Del, Walker, Ward, Wason of Ventura, Wattson, Young, and Mr. Speaker—54

NOES—Mr. Maybell—1.

Title approved.

SECOND READING OF BILLS—RESUMED.

Assembly Bill No. 369—An Act to amend section one thousand five hundred and ninety of the Penal Code, in relation to persons imprisoned in the State Prison.

Passed on file.

Assembly Bill No. 378—An Act concerning the Medical Department of the University of California.

Taken up.

Read second time, and ordered to third reading.

Assembly Bill No. 364—An Act to amend section two thousand nine hundred and fourteen of an Act entitled an Act to establish a Political Code, approved March twelfth, eighteen hundred and seventy-two

Taken up.

Read second time.

The amendment recommended by the committee adopted.

The bill ordered to third reading.

Assembly Bill No. 298—An Act to amend section eight hundred and thirty-two of the Civil Code, concerning lateral and subjacent support of land.

Taken up.

Read second time.

Amended as recommended by the committee, and the bill ordered to third reading.

At four o'clock and fifty minutes P. M Mr. Cooper moved to adjourn.

Lost.

Assembly Bill No. 315—An Act to establish road districts, regulate the elections and duties of Road Overseers, and the duties of County Supervisors in relation to highways in counties of the third and fourth classes.

Withdrawn.

Mr. Braunhart moved to take up Assembly Bill No. 25—An Act to provide for the election of fifteen freeholders to frame a charter for cities containing more than one hundred thousand inhabitants, and to provide for the ratification of the same.

Lost.

Assembly Bill No. 529 withdrawn from the Committee on Indian Affairs, and referred to the Committee on Chinese Immigration and Emigration.

ADJOURNMENT.

At four o'clock and fifty-five minutes P. M. Mr. Sweetland moved to adjourn.
Carried.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Tuesday, March 23d, 1880.

House met pursuant to adjournment.
Speaker Cowdery in the chair.
Roll called, and a quorum present.
Prayer by the Chaplain.

READING AND APPROVAL OF THE JOURNAL.

Mr. Tyler moved that the further reading of the Journal be dispensed with.
So ordered.
The Journal of Saturday approved.

PETITIONS.

By Mr. Corcoran—A petition from citizens of San Joaquin County, asking such legislation as will permit women to vote.
Referred to the Committee on Judiciary.
By Mr. Sweetland—A petition from citizens of Nevada County, asking for the establishment and maintenance of a State Normal School in Nevada County
Referred to the Committee on Education.
By Mr. Chandler—A petition from citizens of Marysville, protesting against the passage of the Parks or Brown bill.
Read and laid on the table.
By Mr. Hartson—A petition from citizens of Napa County, asking such legislation as will prevent the destruction of deer and elk.
Referred to the Committee on Fish and Game.
By Mr. Durham—Two petitions from citizens of Butte County, protesting against the passage of the Parks, Brown, or Young drainage bills.
Both petitions ordered to lie on the table.

REPORTS OF STANDING COMMITTEES.

By Mr. Coleman:

ASSEMBLY CHAMBER, March 23d, 1880.

MR SPEAKER: Your Committee on Retrenchment, to whom was referred Assembly Bill No. 501—An Act entitled an Act to amend sections three hundred and eighty-four, three hundred and eighty-five, three hundred and eighty-six, four hundred and seventeen, four hundred and eighteen, four hundred and nineteen, four hundred and twenty, four hundred and twenty-two, four hundred and thirty-eight, four hundred and thirty-nine, four hundred and forty, four hundred and forty-one, four hundred and fifty-eight, four hundred and fifty-six, four hundred and seventy-one, four hundred and seventy-two, four hundred and eighty-four, four hundred and eighty-five, four hundred and eighty-six, five hundred, five hundred and fourteen, five

hundred and sixteen, two thousand one hundred and thirteen, two thousand one hundred and fourteen, two hundred and sixty-seven, three hundred and ninety-six, three hundred and ninety-seven, four hundred and fifty-seven, two thousand three hundred and two, two thousand three hundred and three, six hundred and twenty-eight, six hundred and twenty nine, seven hundred and fifty-five, seven hundred and fifty-six, and to repeal sections four hundred and ninety-nine, six hundred and eighty-five, and four hundred and twenty-one, of the Political Code, relative to the salaries of State officers, Deputies, and Clerks—have had the same under consideration, and report it back with a substitute, and recommend the passage of the substitute.

COLEMAN, Chairman.

The substitute above reported ordered printed.

By Mr. Morse:

ASSEMBLY CHAMBER, SACRAMENTO, March 23d, 1880.

MR SPEAKER. Your Judiciary Committee, to whom was referred substitute for Senate Bill No. 307—An Act to amend section three hundred and thirty-two of the Penal Code, in relation to swindling by cards or other means.

And, also, Assembly Bill No. 534—An Act to amend section two hundred and eighty-five of the Civil Code, in relation to corporations.

Have had the same under consideration, and now report them back, with the recommendation that they severally do pass.

We have also had under consideration Assembly Bill No. 531—An Act to amend section one thousand eight hundred and sixty of the Civil Code, relative to the liability of inn-keepers—and now report it back, with recommendation that it be indefinitely postponed.

We have also had under consideration Assembly Bill No. 520—An Act to repeal section four thousand and eighty of the Political Code, in relation to the planting of trees—and now report the same back, with recommendation that it be referred to the Committee on Agriculture.

We have also had under consideration Assembly Bill No. 532—An Act to add a new section to the Code of Civil Procedure, relative to the publication of notices, to be known as section one thousand and sixty

Also Assembly Bill No. 505—An Act to grant to certain parties therein named the right of way for a railroad from the Town of Truckee to the Town of Quincy.

And now report them back with amendments, and with recommendation that they severally do pass as amended.

We have also had under consideration Assembly Bill No. 302—An Act to amend sections four hundred and eight and five hundred and twenty-eight of the Political Code, and to repeal section four hundred and fifteen of said Code, relative to printing the laws in Spanish, the same having been re-referred to us—and now report the same back as amended by the House, with recommendation that it pass as amended.

MORSE, for Committee

Assembly Bill No. 520, reported above, referred to the Committee on Agriculture.

By Mr. Sherburne:

IN ASSEMBLY CHAMBER, March 23d, 1880.

MR SPEAKER Your Committee on Engrossment have examined, and find correctly engrossed, Assembly Bill No. 393—An Act to provide for the auditing and payment of the county portion of the salary of Superior Judges

SHERBURNE, Chairman.

By Mr. Streeter:

ASSEMBLY CHAMBER, SACRAMENTO, March 23d, 1880.

MR SPEAKER Your Committee on County Government, to whom was referred Assembly Bill No 493—An Act to amend certain sections of the Political Code, relating to roads and highways—have had the same under consideration, and report it back, with the recommendation that it be referred to the Committee on Roads and Highways.

STREETER, Chairman.

The bill, reported above, ordered referred to the Committee on Roads and Highways.

By Mr Bennett:

ASSEMBLY CHAMBER, March 22d, 1880.

MR. SPEAKER: Your Committee on Public Morals, to whom was referred Assembly Bill No. 424—An Act entitled "An Act to amend section three hundred and thirty-six of the Penal Code, relative to gaming by minors in saloons or other drinking places—have had the same under consideration, and report it back, with the recommendation that the author be allowed to withdraw it, for the reason that it is already provided for by another bill which has passed the Assembly.

BENNETT, Chairman.

Also:

ASSEMBLY CHAMBER, March 22d, 1880.

MR. SPEAKER: Your Committee on Public Morals, to whom was referred Assembly Bill No. 98—An Act to provide for the licensing of, and against the evils arising from, the sale of intoxicating liquors—have had the same under consideration, and herewith report the same back with amendments, and recommend its passage as amended.

BENNETT, Chairman.

The resolution below, reported by the Committee on Attachés and Employés yesterday:

Resolved, That the Clerks to all the standing committees of this House, except the Clerks to the Judiciary Committee, be and they are hereby discharged from and after this date, March twentieth, eighteen hundred and eighty.

Taken up, and, on motion of Mr. Felton, laid on the table.

Mr. Morse moved that Assembly Bill No. 181—An Act to amend sections three hundred and fifty-two, thirty-six hundred and ninety-two, and thirty-seven hundred and two, of an Act entitled "An Act to establish a Political Code," approved March twelfth, eighteen hundred and seventy-two, and to add sections thirty-six hundred and ninety-five and thirty-seven hundred to said Code, relating to the State Board of Equalization—be now taken up.

So ordered.

The bill taken up.

Read third time

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Anthony, Bass, Bennett, Braunhart, Brooks, Brown of Sonoma, Brown of Yuba, Brunet, Brusie, Burns, Cameron, Carr of Sacramento, Carr of Yuba, Chamberlain, Chandler, Coffman, Coleman, Cook, Corcoran, Dimond, Downs, Durham, Estey, Finlayson, Fraser, Funk, Gaffey, Gorley, Green, Hardy, Harris, Hartson, Hershey, Hynes, Josselyn, Lane, Leach, Leadbetter, Levee, Magune, Mathews, May, McCallion, McCarty of Lake, McComas, McIntosh, Merry, Messenger, Morse, Mulholland, Nelson, Pickett, Sayle, Simon, Sherburne, Stanley, Stoddard, Streeter, Tyler, Valle Del, Walker, Ward, Wason of Ventura, Wasson of Mono, York, Young, and Mr Speaker—67.

NOES—None.

The title amended, and approved as amended.

INTRODUCTION OF BILLS.

The following bills were introduced, and ordered printed:

By Mr. Fraser—An Act to provide for the payment of the salary of the Surveyor-General.

Also, an Act to amend sections three thousand seven hundred and forty-six, and three thousand seven hundred and forty-seven, and to repeal section three thousand seven hundred and forty-eight of the Political Code, relative to the collection of taxes.

By Mr. Maybell—An Act to provide for the election of county, and city and county officers, and fix their terms of offices.

The Speaker referred the bill to the Committee on County Governments and Municipal Corporations.

Mr. Maybell moved that the bill be ordered on file.

Lost.

FIRST READING AND REFERENCE OF BILLS.

Assembly Bill No. 544—An Act to repeal an Act entitled an Act to incorporate the Town of Martinez, in the County of Contra Costa,

and to provide for the government thereof, approved April first, eighteen hundred and seventy-six.

Read first time, and ordered on file.

Assembly Bill No. 545—An Act to amend section three thousand three hundred and thirty-six of the Civil Code of California, approved March twenty-first, eighteen hundred and seventy-two, and to add a new section to said Code, to be known and numbered as section three thousand three hundred and sixty-one, relative to the measures of damages.

Read first time, and referred to the Committee on Judiciary.

Assembly Bill No. 546—An Act to amend section one thousand and twenty-five of the Code of Civil Procedure.

Read first time, and referred to the Judiciary Committee.

Assembly Bill No. 547—An Act authorizing County Clerks to collect a fee for copies of declaration of intention and naturalization from aliens.

Read first time, and referred to the Committee on Judiciary.

Assembly Bill No. 548—An Act to provide for the deficiency in the appropriation "for repairs to State Capitol building and furniture," during the thirty-first fiscal year.

Read first time, and referred to the Committee on Ways and Means.

Assembly Bill No. 549—An Act to amend section three hundred and eighty-two of the Code of Civil Procedure, relating to parties to actions.

Read first time, and referred to the Judiciary Committee.

Mr. Finlayson moved that Senate Bill No. 354—An Act to add a new section to the Political Code, to be known as section one thousand six hundred and eighteen, relating to salaries of school teachers in cities having one hundred thousand inhabitants or more—be ordered to the head of second reading file for to-morrow.

Carried by a two-thirds vote.

Mr. Carr of Yuba moved that Senate Bill No. 336—An Act to provide for the erection of a building for the use of the Normal School—and Assembly Bill No. 541—An Act to provide for the construction and furnishing Normal School buildings in the State of California—be made the special order for Friday evening next.

Mr. Lane called for a division of the question.

The question was then taken separately on making each of the above bills the special order for Friday evening next, and both motions lost.

SPECIAL ORDER.

Assembly Bill No. 334—An Act to promote drainage.

Taken up.

Mr. Young moved to amend by striking out all after the enacting clause, and adopting a substitute for the language stricken out

The proposed substitute was ordered printed, and the bill ordered to take its proper place on the file.

SENATE MESSAGE.

The following Senate message was read:

SENATE CHAMBER, SACRAMENTO, March 22d, 1880.

MR. SPEAKER: I am directed to inform your honorable body that the Senate, on this day,

passed Senate Concurrent Resolution No. 27—Relative to printing extra copies of the revenue law in statute form.

JOHN R. BRIERLY, Assistant Secretary.

The House refused to concur in Senate Concurrent Resolution No. 27, above mentioned, as two thousand copies of the Act proposed to be printed by such resolution had already been ordered printed by the House.

SECOND READING OF BILLS.

Assembly Bill No. 543—An Act to define, regulate, and govern the State Prisons of California.

Mr. Tyler moved to amend by inserting, in line four, section seventeen, after the word "hundred," the words "and fifty."

Upon which the ayes and noes were demanded by Messrs. Burns, Braunhart, and Maybell.

The roll was called, and the amendment was rejected by the following vote:

AYES—Messrs. Braunhart, Brooks, Chamberlain, Durham, Estey, Finlayson, Fraser, Gorley, Leadbetter, Mathews, May, McCallion, McCarty of Lake, McComas, McIntosh, Messenger, Nelson, Stanley, Tyler, Valle Del, Ward, York, and Young—23.

NOES—Messrs. Adams, Anthony, Bass, Bennett, Bruner, Brusie, Burns, Cairron, Carr of Sacramento, Chandler, Coleman, Cook, Corcoran, Cuthbert, Green, Hardy, Harris, Hartson, Hershey, Hynes, Josselyn, Lane, Leach, Levee, Maguire, Maybell, McCarthy of San Francisco, Merry, Picket, Sherburne, Stoddard, Streeter, Wason of Ventura, and Wasson of Mono—34.

Mr. Tyler moved to amend by striking out the word "fifteen," from line five, section seventeen, and inserting instead the word "twelve."

Adopted.

Mr. Burns moved to amend by striking out the words "three thousand dollars," from line four, section seventeen, and inserting instead the words "two thousand four hundred dollars."

The previous question was demanded by Messrs. Fraser, Morse, and Levee, and the House so ordered.

The ayes and noes were demanded by Messrs. Lane, Braunhart, and Sinon.

The roll was called, and the amendment was adopted by the following vote:

AYES—Messrs. Adams, Anthony, Bass, Bennett, Braunhart, Brown of Sonoma, Bruner, Brusie, Burns, Carr of Sacramento, Coleman, Cook, Corcoran, Cuthbert, Downs, Durham, Fraser, Frink, Garibaldi, Green, Hardy, Harris, Hartson, Hershey, Hynes, Josselyn, Lane, Leadbetter, Levee, Maguire, Maybell, McCallion, McCarty of Lake, McCarthy of San Francisco, Merry, Messenger, Morse, Picket, Sayle, Sinon, Sherburne, Stoddard, Sweetland, Valle Del, Walker, Wason of Ventura, Wasson of Mono, and York—48.

NOES—Messrs. Estey, Finlayson, Gorley, Leach, Mathews, May, McComas, Nelson, Streeter, and Tyler—10.

The vote by which the previous question was ordered on the bill was reconsidered.

Mr. Tyler moved to amend by inserting, in line seven, after the word "case," section seventeen, the words "not exceeding the amount now allowed by law."

Mr. Burns moved the bill be recommitted to the Committee on State Prison.

Lost.

The question being on the amendment of Mr. Tyler to section seventeen.

Speaker pro tem. Fraser in the chair.

The previous question on the amendment was demanded by the requisite number, and the House so ordered.

The question recurring upon the amendment it was adopted.

Mr. Tyler moved to amend by striking out all the words in line seven, after the word "case," of section seventeen, and all in lines eight and nine.

Pending discussion of the amendment, Mr. Sweetland offered a resolution, as follows:

Resolved, That the special committee, consisting of the following named members of the Assembly, be granted leave of absence for two days, to allow them to visit the sections of the State overflowed by debris Messrs. Simon, McDade, Maguire, Gaffey, Picket, McCarthy, Corcoran, Stoddard, Leadbetter, Maybell, Cuthbert, Sweetland, and Bruste.

Mr. Anthony moved the resolution be laid on the table.

Upon which the ayes and noes were demanded by Messrs. Wason of Ventura, May, and Burns.

The roll was called, and the motion to lay on the table was carried by the following vote:

AYES—Messrs. Adams, Anthony, Bass, Bennett, Braunhart, Brown of Sonoma, Burns, Carr of Sacramento, Chamberlain, Coleman, Cook, Estey, Felton, Fox, Frink, Green, Hardy, Harris, Hartson, Hynes, Leach, Levee, Magune, May, McCarty of Lake, McComas, Merry, Messenger, Morse, Mulholland, Sayle, Simon, Sherburne, Stanley, Streeter, Tyler, Valle Del, Ward, Wason of Ventura, Wattson, and York—41.

NOES—Messrs. Brooks, Brown of Yuba, Bruner, Bruste, Carr of Yuba, Chandler, Coffman, Cooper, Corcoran, Cuthbert, Dimond, Downs, Durham, Finlayson, Fraser, Garibaldi, Gaffey, Hershey, Josselyn, Lane, Leadbetter, Mathews, Maybell, McCallion, McCarthy of San Francisco, McDade, McIntosh, Nelson, Picket, Stoddard, Sweetland, Walker, and Young—33.

REPORT OF COMMITTEE ON ENGROSSMENT.

By Mr. Sherburne:

ASSEMBLY CHAMBER, March 23d, 1880.

MR. SPEAKER Your Committee on Engrossment have examined, and find properly engrossed, Assembly Bill No 181—An Act to amend sections three hundred and fifty-two, three thousand six hundred and ninety-two, and three thousand seven hundred and two, of the Political Code of California, and to add new sections thereto to be numbered sections three thousand six hundred and ninety-three, three thousand six hundred and ninety-five, and three thousand seven hundred, all relating to the State Board of Equalization.

SHERBURNE, Chairman.

The discussion of Mr. Tyler's amendment to section seventeen of Assembly Bill No. 543 resumed, and the amendment adopted.

RECESS.

The House then took a recess of one hour, until two o'clock P. M.

RE-ASSEMBLED.

House re-assembled at two o'clock P. M.
Speaker Cowdery in the chair.
Quorum present.

SECOND READING OF BILLS—RESUMED.

The consideration of Assembly Bill No. 543—An Act to define, regulate, and govern the State Prisons of California—resumed.

Mr. Wason of Ventura moved to reconsider the vote by which the

House refused to adopt the amendment to the bill that proposed to raise the monthly salary of the State Prison Directors from one hundred dollars to one hundred and fifty dollars per month.

Upon which the ayes and noes were demanded by Messrs. Lane, Braunhart, and Garibaldi.

The roll was called, and the motion was carried by the following vote:

AYES—Messrs. Brown of Yuba, Brusie, Carr of Yuba, Chamberlain, Chandler, Dimond, Durham, Estey, Finlayson, Fox, Fraser, Gorley, Green, Mathews, May, McCallion, McComas, McIntosh, Mulholland, Nelson, Picket, Streeter, Tyler, Walker, Ward, Wason of Ventura, Wasson of Mono, Wattson, and York—29

NOES—Messrs. Anthony, Bass, Braunhart, Brown of Sonoma, Bruner, Burns, Carr of Sacramento, Coleman, Cooper, Corcoran, Cuthbert, Felton, Garibaldi, Hynes, Josselyn, Lane, Leach, Maguire, Maybell, McCarty of Lake, McCarthy of San Francisco, Morse, Sayle, Simon, Sherburne, and Stoddard—26.

The amendment was then lost.

Mr. Fox moved to amend the amendment last adopted by striking out the word "for" in section seventeen.

Also, in line three, section seventeen, by inserting after the word "duties" the words "not exceeding," and after the word "hundred" the words "and fifty;" and after the word "month," in line four, the words "to be audited and allowed by the State Board of Examiners."

Mr. Levee moved to amend the amendment by striking out the word "fifty."

Lost.

Mr. Fraser moved to amend the amendment by striking out the word "fifty," and inserting the word "twenty-five."

Lost.

Mr. Braunhart moved to strike out the words "not exceeding one hundred and fifty" from the amendment.

Carried.

The question recurring upon Mr. Fox's amendment it was adopted.

Mr. Lane moved to strike out section twenty-one of the bill.

Lost.

Mr. Tyler moved to amend by striking out, in line nineteen, section twenty-two, the words "with a suit of citizen's clothes."

Adopted.

Mr. Felton moved that the consideration of the third reading file be temporarily postponed until this bill be read through.

So ordered.

Mr. McCallion moved a substitute for section twenty-five of the bill.

The previous question was demanded on the amendment by the requisite number, and the House so ordered.

The ayes and noes were demanded by Messrs. McCallion, Braunhart, and Burns.

The roll was called, and the amendment was rejected by the following vote:

AYES—Messrs. Braunhart, Burns, Gaffey, Josselyn, Maguire, Maybell, McCallion, McCarthy of San Francisco, McDade, Picket, Simon, and Sherburne—12.

NOES—Messrs. Anthony, Bass, Bennett, Brooks, Brown of Sonoma, Brown of Yuba, Brusie, Carr of Sacramento, Chandler, Coleman, Cook, Corcoran, Dimond, Downs, DuBrutz, Estey, Fox, Fraser, Frink, Gorley, Hartson, Hershey, Hynes, Lane, Leach, Leadbetter, Levee, Mathews, May, McCarty of Lake, McComas, McIntosh, Merry, Messenger, Morse, Mulholland, Nelson, Spencer, Stanley, Stoddard, Streeter, Tyler, Valle Del, Walker, Wason of Ventura, Wasson of Mono, York, and Young—48.

Mr. May moved to amend by striking out the word "twenty-five," at the end of section twenty-eight, and inserting instead the word "twenty-seven"

Adopted.

The second reading of the bill completed, and the bill ordered to third reading.

INTRODUCTION OF A BILL.

By Mr. Braunhart—An Act to create a Board of Public Works in cities and counties containing more than one hundred thousand inhabitants, and to define their duties.

The above bill was introduced, and ordered printed.

SENATE MESSAGE.

The following Senate message was received:

SENATE CHAMBER, SACRAMENTO, March 23d, 1880.

MR. SPEAKER. I am directed to inform your honorable body that the Senate, on this day, adopted the Conference Committee report on Senate Bill No. 118.

M. D. BORUCK, Secretary.

CONSIDERATION OF SENATE MESSAGE.

The House adopted the report of the Committee of Conference made on the bill mentioned in Senate message above, on the nineteenth day of March, eighteen hundred and eighty.

THIRD READING OF BILLS.

Third reading file, the special order for three o'clock P. M., taken up.

Assembly Bill No. 17—An Act for the protection of patients from extortion by dishonest physicians and druggists.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Adams, Anthony, Bass, Bennett, Braunhart, Brooks, Brown of Sonoma, Bruner, Carr of Sacramento, Chandler, Cook, Cooper, Corcoran, Dimond, Downs, DuBrutz, Estey, Felton, Fox, Fraser, Fink, Gaffey, Gorley, Green, Hardy, Harris, Hartson, Josselyn, Lane, Leach, Leadbetter, Levee, Magune, Mathews, May, Maybell, McCallion, McCarty of Lake, McCarthy of San Francisco, McComas, McDade, McIntosh, Merry, Messenger, Morse, Mulholland, Nelson, Picket, Simon, Sherburne, Spencer, Stanley, Stoddard, Streeter, Sweetland, Valle Del, Walker, Ward, Wason of Ventura, Wasson of Mono, York, and Young—62.

NOES—None.

Title approved.

PETITION.

By Mr. Mathews—A petition from citizens of Tehama County, in relation to a certain school district in Tehama and Colusa Counties.

Referred to the Committee on Education.

SENATE MESSAGE.

On motion of Mr. Spencer, Senate message was taken up, and read as follows:

SENATE CHAMBER, SACRAMENTO, March 23d, 1880

MR. SPEAKER. I am directed to inform your honorable body that the Senate, on March seventeenth, amended, and on this day passed, Assembly Bill No 227—An Act authorizing the Boards of Supervisors of the counties in which water is sold for the purpose of irrigation, to fix the rates at which such water shall be sold.

Also, Senate Bill No 424—An Act to add eight new sections to the Political Code, to be known as sections one thousand eight hundred and eighty, one thousand eight hundred and eighty-one, one thousand eight hundred and eighty-two, one thousand eight hundred and eighty-three, one thousand eight hundred and eighty-four, one thousand eight hundred and eighty-five, one thousand eight hundred and eighty-six, and one thousand eight hundred and eighty-seven, relating to the issuance of bonds by the Trustees of School Districts to raise money for building purposes, and to provide for the payment of the same.

Also, Assembly Bill No 475—An Act to provide for the management of the Yosemite Valley and the Mariposa Big Tree Grove.

JOHN R. BRIERLY, Assistant Secretary.

CONSIDERATION OF SENATE MESSAGE.

Senate Bill No. 475—An Act to provide for the management of the Yosemite Valley and the Mariposa Big Tree Grove.

Read first time, and referred to the Committee on Public Buildings and Grounds, by the Speaker.

Mr. Merry moved to refer to the Committee on Judiciary.

Lost.

THIRD READING OF BILLS—CONTINUED.

Assembly Bill No. 25—An Act to provide for the election of fifteen freeholders to frame a charter for cities containing more than one hundred thousand inhabitants, and to provide for the ratification of the same.

The previous question was demanded by Messrs. Braunhart, Lane, and McCarthy, and the House so ordered.

The bill was read third time, the roll was called, and the bill was passed by the following vote:

AYES—Messrs. Adams, Anthony, Bennett, Braunhart, Brooks, Brown of Yuba, Bruner, Brusie, Carr of Sacramento, Chamberlain, Chandler, Coleman, Dimond, Downs, Estey, Felton, Finlayson, Fox, Fraser, Frink, Gorley, Green, Hardy, Hartson, Leach, Leadbetter, May, McComas, McIntosh, Merry, Morse, Mulholland, Nelson, Sherburne, Stanley, Stoddard, Streeter, Tyler, Ward, Wason of Ventura, Wasson of Mono, Wattson, York, Young, and Mr. Speaker—45.

NOES—Messrs. Bass, Brown of Sonoma, Burns, Carr of Yuba, Cook, Cooper, Corcoran, Cuthbert, DuBrutz, Gaffey, Hershey, Hynes, Josselyn, Lane, Maguire, Mathews, Maybell, McCallion, McCarty of Lake, McCarthy of San Francisco, McDade, Messenger Picket, Sayle, Simon, Spencer, Sweetland, Valle Del, and Walker—29.

Mr. Braunhart gave notice that he would, to-morrow, move to reconsider the vote by which the bill was passed.

The title approved.

Assembly Bill No. 134—An Act to regulate the hours for closing barber shops, bath houses, and hair-dressing saloons on Sunday.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Adams, Anthony, Bass, Bennett, Braunhart, Brooks, Brown of Sonoma, Brown of Yuba, Bruner, Brusie, Burns, Carr of Sacramento, Carr of Yuba, Chamberlain, Chandler, Coleman, Cook, Cooper, Corcoran, Cuthbert, Downs, DuBrutz, Estey, Finlayson, Fox, Frink, Gaffey, Gorley, Green, Hardy, Hartson, Hershey, Hynes, Josselyn, Lane, Leadbetter, Levee, Maguire, Mathews, May, Maybell, McCallion, McCarty of Lake, McCarthy of San Francisco, McComas, McDade, McIntosh, Messenger, Morse, Mulholland, Nelson, Picket, Sayle, Simon, Sherburne, Stanley, Stoddard, Streeter, Sweetland, Tyler, Walker, Ward, Wason of Ventura, Wasson of Mono, Wattson, Young, and Mr. Speaker—67.

NOES—None.

Title approved.

Assembly Bill No. 259—An Act to amend section nine hundred and eighty-seven of the Penal Code, relative to pleadings and proceedings after indictment, and before the commencement of the trial.

Withdrawn.

Assembly Bill No. 325—An Act to prevent persons from passing through inclosures and leaving them open by tearing down fences or otherwise, and to prevent hunting upon inclosed lands in the State of California.

Read third time.

The roll was called, and the bill was passed by the following vote:

AYES—Messrs. Adams, Bennett, Braunhart, Brown of Sonoma, Bruner, Carr of Sacramento, Chamberlain, Chandler, Coleman, Corcoran, Dimond, Estey, Felton, Finlayson, Fox, Fraser, Frink, Gorley, Hartson, Hershey, Hynes, Leach, Leadbetter, Mathews, May, McCarty of Lake, McComas, McIntosh, Merry, Messenger, Morse, Mulholland, Nelson, Sayle, Sherburne, Stanley, Stoddard, Streeter, Tyler, Walker, Ward, Wason of Ventura, Wasson of Mono, Wattson, York, Young, and Mr. Speaker—47.

NOES—Messrs. Anthony, Bass, Brooks, Brown of Yuba, Brusie, Burns, Carr of Yuba, Coffman, Cook, Cuthbert, Downs, DuBrutz, Garibaldi, Hardy, Josselyn, Lane, Levee, Maguire, Maybell, McCallion, McCarthy of San Francisco, McDade, Picket, Simon, Sweetland, and Valle Del—26.

Title approved.

Mr. Carr of Yuba now moved to reconsider the vote by which the House refused to pass Assembly Bill No. 450—An Act to dispose of mining debris, and protect the rivers and low lands of California from damages thereby—to a third reading.

Upon which the ayes and noes were demanded by Messrs. Tyler, Merry, and Walker.

The roll was called, and the motion to reconsider was carried by the following vote:

AYES—Messrs. Anthony, Bass, Bennett, Braunhart, Brooks, Brown of Sonoma, Brown of Yuba, Bruner, Brusie, Burns, Carr of Sacramento, Carr of Yuba, Chamberlain, Chandler, Coleman, Cook, Cooper, Corcoran, Cuthbert, Dimond, Downs, Estey, Felton, Finlayson, Fox, Fraser, Frink, Garibaldi, Hardy, Leach, Levee, Maguire, Mathews, May, Maybell, McCallion, McCarthy of San Francisco, McDade, Messenger, Mulholland, Nelson, Picket, Sayle, Simon, Spencer, Sweetland, Ward, Wason of Ventura, Wasson of Mono, York, and Young—51.

NOES—Messrs Gaffey, Green, Hartson, Hershey, Hynes, Lane, Leadbetter, McCarty of Lake, McComas, McIntosh, Morse, Sherburne, Stanley, Stoddard, Tyler, Walker, and Wattson—17.

The bill ordered to take its place on the second reading file with the other bills on the same subject.

Assembly Bill No. 103—An Act to limit and fix the wages and hours of labor of conductors, drivers, and employés.

Mr. Fox moved to amend by striking out section one of the bill.

Carried.

The bill then ordered to the head of third reading file for to-morrow.

Assembly Bill No. 296—An Act for the relief of W. S. Safford.

The rules were suspended by a two-thirds vote.

The bill was considered in the Assembly.

Mr. Bruner moved to make the bill the special order for to-morrow.

Carried.

Mr. Del Valle moved to take a recess until seven o'clock and thirty minutes P. M.

Upon which the ayes and noes were demanded by Messrs. Leach, Del Valle, and Gaffey.

ADJOURNMENT.

At four o'clock and fifty-five minutes P. M. Mr. Tyler moved we do now adjourn.
Carried.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Wednesday, March 24th, 1880.

House met pursuant to adjournment.
Speaker Cowdery in the chair.
Roll called, and quorum present.
Prayer by the Chaplain.

READING AND APPROVAL OF THE JOURNAL.

Mr. York moved that the further reading of the Journal be dispensed with.
So ordered.
The Journal of Monday approved.

PETITIONS.

By Mr. Fraser—Three petitions from citizens of El Dorado County, asking that the State continue the appropriation of fifty dollars per month to the pioneer gold discoverer, Mr. Marshall.
Laid on the table.
By Mr. Chamberlain—A petition from citizens of Placer County, asking that no legislation be made compelling unpaid firemen to pay a poll tax.
Referred to the Committee on County Governments and Municipal Corporations.

REPORTS OF STANDING COMMITTEES.

By Mr. Merry

ASSEMBLY CHAMBER, SACRAMENTO, March 24th, 1880.

MR. SPEAKER The Committee on Claims, to whom was referred Assembly Bill No. 408—An Act making appropriation to pay R. P. Maynard, late Secretary to Commissioners of Transportation, the balance of salary due to him for the twenty-ninth and thirtieth fiscal years—have had the same under consideration, and report the same back to the Assembly without amendment, and recommend its passage.

Your committee have also considered Assembly Bill No 492—An Act to pay the claim of James W. Marshall—and report the same back to the Assembly without amendment, and recommend its passage.

MERRY, Chairman

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 24th, 1880.

MR. SPEAKER The Committee on Claims, to whom was referred Senate Bill No. 78—An Act to pay the claim of Hiram Clock for services rendered as Porter to the Senate of the Twenty-second Session—have had the same under consideration, and report the same back to the Assembly without amendment, and recommend that it do not pass.

Your committee have also considered Senate Bill No. 79—An Act to pay the claim of James Saultry for services rendered as Head Porter of the Senate of the Twenty-second Session—and report the same back to the Assembly, and recommend that it do not pass.

Your committee is unanimous in the above recommendations.

MERRY, Chairman.

By Mr. Brown of Yuba:

ASSEMBLY CHAMBER, SACRAMENTO, March 24th, 1880

MR. SPEAKER: The Committee on Corporations, to whom was referred Assembly Bill No 494—An Act to amend section five thousand three hundred and fifty-six of the Civil Code—have had the same under consideration, and report the same back to the Assembly without amendment, and recommend that it do not pass.

Also, Assembly Bill No. 465, without amendment, and recommend that it do pass.

Also, Assembly Bill No. 466, without amendment, and recommend that it be indefinitely postponed, for the reason that the same subject is embodied in Assembly Bill No. 370 now before this House

BROWN of Yuba, Chairman.

By Mr. Streeter:

ASSEMBLY CHAMBER, SACRAMENTO, March 23d, 1880.

MR SPEAKER The Committee on County Governments, to whom was referred Assembly Bill No. 468—An Act concerning roads and highways in this State—have had the same under consideration, and report the same back to the Assembly, with the following amendments, and recommend its passage as amended.

STREETER, Chairman.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 23d, 1880.

MR. SPEAKER. Your Committee on County Governments, to whom was referred Assembly Bill No. 478—An Act concerning roads and highways in this State—have had the same under consideration, and report it back to the Assembly, with the recommendation that the author have leave to withdraw it.

STREETER, Chairman.

By Mr. Wason of Ventura:

ASSEMBLY CHAMBER, March 24th, 1880

MR. SPEAKER: Your Committee on Education, to whom was referred Senate Bill No. 399—An Act entitled an Act to amend certain sections of the Political Code, to repeal certain other sections, and to add certain new sections thereto, relating to public schools—have had the same under consideration, and herewith report it back with amendments, and recommend its passage as amended.

WASON of Ventura, Chairman.

The bill above reported made the order of the day for Thursday, March twenty-fifth, eighteen hundred and eighty.

By Mr. Sherburne:

ASSEMBLY CHAMBER March 24th, 1880

MR SPEAKER: Your Committee on Engrossment have examined, and find correctly engrossed, Assembly Bill No. 17—An Act for the protection of patients from extortion by dishonest physicians and druggists.

Also, Assembly Bill No. 154—An Act to regulate the hours for closing barber shops, bath houses, and hair-dressing saloons on Sundays.

Also, Assembly Bill No. 325—An Act to add a section to the Penal Code, to be known as section five hundred and ninety-nine, relative to malicious mischief.

SHERBURNE, Chairman.

By Mr. Fox:

ASSEMBLY CHAMBER, SACRAMENTO, March 24th, 1880.

MR. SPEAKER Your Judiciary Committee, to whom was referred Senate Bill No 174—An Act to amend sections of the Code of Civil Procedure, relating to settlement of estates of deceased persons—have had the same under consideration, and now report it back with amendments, recommending its passage as amended.

We have also had under consideration, Assembly Bills Nos. 101, 108, 132, 152, 174, 186, 194, 225, 239, 240, 241, 264, 266, 267, 268, 283, and 303, and as provisions of said bills are all embraced in Senate Bill No. 174, we report them back with the recommendation that they do not pass

FOX, Chairman.

By Mr. Bruner:

MR. SPEAKER Your Committee on Public Buildings and Grounds, to whom was referred Senate Bill No. 274—An Act entitled an Act to reimburse the Support Fund of the Deaf and Dumb and Blind Asylum—have had the same under consideration, and herewith report it back to the Assembly with the recommendation that it do pass

Also, Senate Bill No 475—An Act to provide for the management of the Yosemite Valley and the Mariposa Big Tree Grove—have had the same under consideration, and report it back to the Assembly, with the recommendation that it do pass.

BRUNER, Chairman.

By Mr. York—A report incorporating a resolution, authorizing the payment of the mileage bills of the members of the Committee on Mining and Mechanic Arts College.

Referred to the Committee on Mileage.

By Mr. Tyler—A report containing a resolution, authorizing the payment of the bill for services rendered by John P. Cosgrove to the Committee on State Prison; also authorizing the payment to G. W. Tyler seven hundred and forty-six dollars and seventy cents for witness fees and mileage for witnesses called before the State Prison Committee, in the matter of the investigation into the affairs of the Branch Prison at Folsom.

Referred to the Committee on Claims.

By Mr. Tyler:

ASSEMBLY CHAMBER, March 24th, 1880.

MR SPEAKER: Your Committee on State Prison, to whom was referred Assembly Bill No 497—An Act to establish a State detective force for the better enforcement of the laws.

Also, a substitute for Senate Bill No. 232—An Act to amend sections one hundred and five and one hundred and six of the Penal Code, relating to escapes and attempts to escape from State Prison

Have had the same under consideration, and report the same back with the recommendation that they do pass.

Also, Assembly Bill No. 188—An Act prohibiting the employment of prisoners by contract—and report the same back, with the recommendation that it be indefinitely postponed.

TYLER, *Chairman.*

By Mr. Braunhart:

MR. SPEAKER: Your Committee on Chinese Immigration and Emigration, to whom was referred Assembly Bill No 529—An Act to prevent the naturalization of Chinese or Mongolians, etc—have had the same under consideration, and report the same back with amendment, and recommend its passage with the amendment.

BRAUNHART, Chairman.

By Mr. McCarthy:

STATE CAPITOL, March 24th, 1880.

MR. SPEAKER: The San Francisco delegation, to whom was referred Assembly Bill No. 409—An Act to repeal an Act entitled an Act to regulate the practice of pharmacy in the City and County of San Francisco, approved March twenty-eighth, eighteen hundred and seventy-two: also, an Act entitled an Act to amend an Act entitled an Act to regulate the practice of pharmacy in the City and County of San Francisco, approved March thirty-first, eighteen hundred and seventy-six—have had the same under consideration, and herewith report it back, recommending that the author be permitted to withdraw it Ten members present and voting aye.

Also, Assembly Bill No 326—An Act for the maintenance and government of the police force in consolidated city and county governments of the State of California—report the same back with amendments, with the recommendation that it do pass as amended. Nine members present and voting—seven ayes, two noes.

Also, Assembly Bill No 484—An Act to create an additional Police Court in consolidated city and county governments of more than one hundred thousand population—report the same back with amendments, and recommend its passage as amended. Twelve members present and voting—nine ayes, three noes.

Also, Assembly Bill No. 498—An Act to empower consolidated cities of over one hundred thousand inhabitants to pay out of the General Fund demands for rent of Court-rooms and chambers for the Superior Courts and of police stations, and for salaries of Janitors—report the same back without recommendation. Ten members present and voting—nine ayes, one no.

Also, Assembly Bill No 499—An Act to empower consolidated cities and counties of over one hundred thousand inhabitants to make alterations to county prisons and county jails for sanitary purposes—report the same back with the recommendation that it do pass Seven ayes, one no

McCARTHY, Chairman.

Mr. Tyler moved that the resolution reported by himself this morning, and referred by the Speaker to the Committee on Claims, be referred to the Committee on Public Expenditures and Accounts.

Lost.

INTRODUCTION OF BILLS

The following bills were introduced, and ordered printed.

By Mr. Wasson of Mono—An Act to provide an additional Judge of the Superior Court for the County of Mono, accompanied by a petition of citizens of the county asking for the passage of the bill.

The bill was read first time, and, with the petition, referred to the Committee on Judiciary.

By Mr. Tyler—An Act to add a section to the Political Code concerning the recovery of money paid to public officers, and to be known as section number three thousand eight hundred and seventeen.

Also, Assembly Concurrent Resolution, relative to and protesting against the passage of the bill before Congress, introduced by the Land Commission.

By Mr. Merry—An Act to repeal an Act entitled an Act in relation to the assessment and collection of taxes upon personal property in the City and County of San Francisco, approved March eighteenth, eighteen hundred and seventy-four.

Read first time, and referred to the San Francisco delegation.

THE ORDER OF THE DAY.

The order of the day, Assembly Bill No. 518—An Act to amend section three thousand six hundred and twenty-nine of the Political Code, relative to assessment of property—was taken up.

Mr. Leach moved that the five minute rule be suspended during the discussion of the bill.

Lost.

Mr. Finlayson moved that the House go into Committee of the Whole on the bill.

Lost.

Mr. Sayle moved to strike out the enacting clause of the bill.

Speaker pro tem. Fraser in the chair.

Upon which the ayes and noes were demanded by Messrs. Camron, Carr of Sacramento, and Felton.

The roll was called, and the motion was carried by the following vote:

AYES—Messrs. Anthony, Bass, Bennett, Braunhart, Brown of Sonoma, Brusie, Burns, Camron, Carr of Sacramento, Carr of Yuba, Chamberlain, Cook, Cooper, Corcoran, Cuthbert, Dimond, DuBrutz, Durham, Estey, Fraser, Frink, Garibaldi, Gaffey, Hardy, Harris, Hartson, Hershey, Hynes, Josselyn, Lane, Leach, Levee, Maguire, Mathews, Maybell, McCallion, McCarty of Lake, McCarthy of San Francisco, McComas, McDade, McIntosh, Merry, Morse, Picket, Sayle, Simon, Shelburne, Spencer, Stoddard, Streeter, Valle Del, Walker, Wason of Ventura, and Wattson—54

NOES—Messrs. Adams, Brooks, Brown of Yuba, Bruner, Coleman, Downs, Felton, Finlayson, Fox, Gorley, Green, Leadbetter, May, Messenger, Nelson, Stanley, Sweetland, Tyler, York, Young, and Mr Speaker—21.

Mr. Camron gave notice that he would, to-morrow, move to reconsider the vote by which the enacting clause of the bill was stricken out.

Assembly Bill No. 296—An Act for the relief of W. S. Safford.

Read third time.

The roll was called, and the bill passed by the following vote.

AYES—Messrs. Anthony, Bass, Bennett, Brooks, Brown of Yuba, Bruner, Brusie, Camron, Carr of Sacramento, Carr of Yuba, Chamberlain, Chandler, Coleman, Cuthbert, Downs, Durham, Estey, Felton, Finlayson, Fox, Fraser, Frink, Gaffey, Green, Hardy, Leach, Levee, Mathews, May, McCarthy of San Francisco, McComas, McIntosh, Merry, Messenger, Morse, Nelson, Sherburne, Stanley, Streeter, Tyler, Valle Del, Ward, Wason of Ventura, Wattson, Young, and Mr. Speaker—46.

NOES—Messrs Adams, Braunhart, Brown of Sonoma, Burns, Cook, Cooper, Corcoran, Dimond, DuBrutz, Garibaldi, Hartson, Hershey, Hynes, Josselyn, Lane, Maguire, Maybell, McCallion, McCarty of Lake, McDade, Picket, Sayle, Simon, Spencer, Stoddard, Sweetland, Walker, and York—28.

Title approved.

SENATE MESSAGE.

The following Senate message was read:

SENATE CHAMBER, SACRAMENTO, March 23d, 1880.

MR. SPEAKER I am directed to inform your honorable body that the Senate on this day passed Senate Bill No 368—An Act to add a new section to the Political Code, to be numbered three thousand four hundred and ninety-one, relative to the election of Trustees of reclamation districts, and their terms of office.

Also, Assembly Bill No 405—An Act to promote emigration from the State of California.

J. A. ORR, Assistant Secretary.

CONSIDERATION OF SENATE MESSAGE.

Senate Bill No. 424—An Act to add eight new sections to the Political Code, to be known as sections one thousand eight hundred and eighty, one thousand eight hundred and eighty-one, one thousand eight hundred and eighty-two, one thousand eight hundred and eighty-three, one thousand eight hundred and eighty-four, one thousand eight hundred and eighty-five, one thousand eight hundred and eighty-six, and one thousand eight hundred and eighty-seven, relating to the issuance of bonds by the Trustees of school districts to raise money for building purposes, and to provide for the payment of the same.

Read first time, and referred to the Judiciary Committee.

Senate Bill No. 368—An Act to add a new section to the Political Code, to be numbered three thousand four hundred and ninety-one, relative to the election of Trustees of reclamation districts, and their terms of office.

Read first time, and referred to the Committee on Swamp and Overflowed Lands.

Assembly Bill No. 227—An Act authorizing the Boards of Supervisors of the counties in which water is sold for the purpose of irrigation to fix the rates at which such water shall be sold—reported in Senate message of March twenty-third, eighteen hundred and eighty, taken up.

The question being upon concurring in the Senate amendments thereto, the roll was called, and the amendments were concurred in by the following vote:

AYES—Messrs. Adams, Anthony, Bass, Brown of Sonoma, Brown of Yuba, Bruner, Brusie, Burns, Carr of Sacramento, Chandler, Coleman, Corcoran, DuBrutz, Estey, Finlayson, Fox, Fraser, Frink, Garibaldi, Gorley, Green, Hardy, Hynes, Josselyn, Lane, Leach, Leadbetter, Maguire, Mathews, May, Maybell, McCallion, McCarthy of San Francisco, McComas, McDade, McIntosh, Merry, Morse, Nelson, Picket, Sherburne, Spencer, Stanley, Stoddard, Streeter, Tyler, Valle Del, Walker, Ward, Wason of Ventura, Wasson of Mono, Wattson, York, and Young—54.

NOES—None.

SECOND READING OF BILLS.

Senate Bill No. 354—An Act to add a new section to the Political Code, to be known as section one thousand six hundred and eighteen, relating to salaries of school teachers in cities having one hundred thousand inhabitants or more.

Taken up.

The amendments recommended by the committee adopted.

Mr. Tyler moved to amend the amendment of the committee by striking out the word "hundred," from line five, section one.

RECESS.

Pending discussion of the above amendment, the House took a recess for one hour.

RE-ASSEMBLED.

House re-assembled at two o'clock P. M.

Speaker Cowdery in the chair.

Quorum present.

The consideration of Senate Bill No. 354—An Act to add a new section to the Political Code, to be known as section one thousand six hundred and eighteen, relating to salaries of school teachers in cities having one hundred thousand inhabitants or more—resumed.

Mr. Braunhart moved an amendment to the amendment, to wit, a substitute for the whole bill.

Mr. McCarty moved to strike out the enacting clause of the bill.

Mr. Adams moved that the bill be referred to the San Francisco delegation.

Lost.

The previous question was demanded by Messrs. McIntosh, Cook, and Fraser, and the House so ordered.

The question recurring upon the motion to strike out the enacting clause of the bill, the ayes and noes were demanded by Messrs. Anthony, McIntosh, and McCarty.

The roll was called, and the motion to strike out the enacting clause was rejected by the following vote.

AYES—Messrs. Anthony, Bass, Carr of Yuba, Chamberlain, Cook, Fraser, Frink, Levee, McCarty of Lake, McIntosh, Mulholland, Nelson, Sherburne, Spencer, Stanley, Stoddard, Tyler, Wattson, and Mr. Speaker—19.

NOES—Messrs. Adams, Bennett, Braunhart, Brooks, Brown of Sonoma, Brown of Yuba, Bruner, Busse, Camron, Carr of Sacramento, Chandler, Coffman, Coleman, Cooper, Corcoran, Cuthbert, Dimond, Downs, DuBrutz, Durham, Estey, Felton, Finlayson, Fox, Garibaldi, Gaffey, Gorley, Green, Hardy, Hartson, Hynes, Josselyn, Lane, Leach, Leadbetter, Maguire, Mathews, May, Maybell, McCallion, McCarthy of San Francisco, McComas, McDade, Merry, Messenger, Morse, Picket, Sayle, Simon, Streeter, Sweetland, Valle Del, Walker, Ward, Wason of Ventura, Wasson of Mono, York, and Young—58.

Mr. Braunhart's substitute was withdrawn.

The question recurring upon Mr. Tyler's amendment it was rejected.

The Chair ruled that the previous question being demanded generally, on the bill under discussion, a motion to refer is out of order.

Mr. Tyler appealed from the decision of the Chair.

The question being, "Shall the decision of the Chair stand as the judgment of the House," the ayes and noes were demanded by Messrs. Tyler, McCarty, and Carr of Yuba.

The roll was called, and the Speaker's decision was sustained by the following vote:

AYES—Messrs. Anthony, Bass, Bennett, Braunhart, Brooks, Brown of Sonoma, Brown of Yuba, Bruner, Brusie, Carr of Sacramento, Chamberlain, Chandler, Coffman, Coleman, Cooper, Corcoran, Cuthbert, Dimond, Downs, DuBrutz, Durham, Estey, Felton, Finlayson, Fox, Fraser, Garibaldi, Gaffey, Gorley, Hartson, Hynes, Josselyn, Lane, Leach, Leadbetter, Maguire, Mathews, May, Maybell, McCarthy of San Francisco, McComas, McDade, Merry, Messenger, Morse, Mulholland, Picket, Simon, Sherburne, Spencer, Stanley, Stoddard, Streeter, Sweetland, Valle Del, Walker, Ward, Wason of Ventura, Wattson, and York—60

NOES—Messrs. Carr of Yuba, Cook, Levee, McCallion, McCarty of Lake, McIntosh, Nelson, Sayle, Tyler, and Young—10.

The bill read second time, and ordered to the head of third reading file for to-morrow.

THE ORDER OF THE DAY—THE THIRD READING FILE.

Mr. Young moved to take up Assembly Bill No. 334

Lost.

Assembly Bill No. 103—An Act to limit and fix the wages and hours of labor of conductors, drivers, and employés.

Read third time.

REPORT OF COMMITTEE ON ENGROSSMENT.

By Mr. Sherburne:

ASSEMBLY CHAMBER, March 24th, 1880.

MR SPEAKER Your Committee on Engrossment have examined, and find properly engrossed, Assembly Bill No 227—An Act authorizing the Boards of Supervisors of the counties in which water is sold for the purpose of irrigation to fix the rates at which such water shall be sold.

SHERBURNE, Chairman

The roll was called on the passage of Assembly Bill No. 103—An Act to limit and fix the wages and hours of labor of conductors, drivers, and employés—and the bill was passed by the following vote.

AYES—Messrs. Anthony, Bass, Braunhart, Brooks, Bruner, Burns, Carr of Yuba, Coffman, Cooper, Corcoran, Dimond, Finlayson, Garibaldi, Gaffey, Gorley, Green, Hardy, Harris, Hartson, Hynes, Josselyn, Lane, Maguire, Mathews, May, Maybell, McCallion, McCarty of Lake, McCarthy of San Francisco, McDade, Merry, Messenger, Morse, Picket, Sayle, Simon, Spencer, Stanley, Stoddard, Streeter, Sweetland, Valle Del, Walker, Ward, and Wason of Ventura—45.

NOES—Messrs. Bennett, Brusie, Carr of Sacramento, Chamberlain, Coleman, Cook, Downs, DuBrutz, Durham, Felton, Fox, Fraser, Frink, Hershey, Leach, Leadbetter, McComas, McIntosh, Mulholland, Nelson, Sherburne, Tyler, York, and Young—24.

Title amended, and approved as amended.

Assembly Bill No. 340—An Act to provide for and enforce liens of mechanics, material men, artisans, and laborers.

Taken up.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Anthony, Bass, Bennett, Brooks, Bruner, Brusie, Burns, Carr of Sacramento, Coffman, Cook, Corcoran, Cuthbert, Dimond, Downs, DuBrutz, Durham, Estey, Felton, Finlayson, Fox, Frink, Gaffey, Gorley, Green, Harris, Hartson, Hershey, Hynes, Josselyn, Lane, Leadbetter, Maguire, Mathews, May, Maybell, McCallion, McCarthy of San Francisco, McDade, McIntosh, Merry, Messenger, Morse, Mulholland, Nelson, Picket, Sayle, Simon, Sherburne, Spencer, Stanley, Streeter, Sweetland, Tyler, Valle Del, Walker, Ward, Wason of Ventura, York, and Young—59.

NOES—None.

Title approved.

INTRODUCTION OF A BILL.

The following bill was introduced, and ordered printed:

By Mr. Maybell (by permission)—An Act to amend sections one hundred and seventy-eight and one hundred and seventy-nine of the Penal Code, in relation to the employment of persons by corporations in the State of California.

THIRD READING OF BILLS—RESUMED.

Assembly Bill No. 242—An Act to repeal an Act entitled an Act to ratify and confirm the acts of the Mayor and Common Council of the City of San José, approved March fourth, eighteen hundred and seventy-eight.

Ordered to the foot of the file under the rule.

Assembly Bill No. 436—An Act to amend section two thousand five hundred and thirty-six of the Political Code.

Read third time.

The roll was called, and the bill was refused passage by the following vote:

AYES—Messrs. Braunhart, Burns, Carr of Yuba, Coffman, Cooper, Corcoran, Cuthbert, Estey, Finlayson, Fraser, Garibaldi, Gaffey, Gorley, Green, Josselyn, Lane, Levee, Maguire, Mathews, May, Maybell, McCallion, McCarthy of San Francisco, McDade, Messenger, Picket, Simon, Spencer, Sweetland, and Walker—30.

NOES—Messrs. Anthony, Brooks, Brown of Sonoma, Brown of Yuba, Brusie, Camron, Carr of Sacramento, Chamberlain, Chandler, Coleman, Cook, Downs, DuBrutz, Durham, Felton, Fox, Fink, Hardy, Hartson, Hershey, Leach, Leadbetter, McCarty of Lake, McComas, McIntosh, Merry, Morse, Mulholland, Nelson, Sayle, Sherburne, Stoddard, Tyler, Ward, Wason of Ventura, York, and Young—37.

Assembly Bill No. 110—An Act to establish and enforce eight hours as a legal day's work.

Taken up.

The amendments recommended by the committee adopted.

Mr. Braunhart moved to reconsider the vote by which sections two, three, and four of the bill were ordered stricken out.

Lost.

Mr. Tyler moved to strike out the enacting clause of the bill.

Mr. Braunhart moved to recommit the bill with special instructions.

Upon which the ayes and noes were demanded by Messrs. Braunhart, Lane, and Burns.

The roll was called, and the motion was carried by the following vote:

AYES—Messrs. Anthony, Braunhart, Bruner, Burns, Carr of Yuba, Coffman, Cook, Cooper, Corcoran, DuBrutz, Estey, Felton, Garibaldi, Gaffey, Gorley, Hardy, Harris, Hynes, Josselyn, Lane, Levee, Maguire, Maybell, McCallion, McCarty of Lake, McCarthy of San Francisco, McDade, Messenger, Picket, Sayle, Simon, Spencer, Sweetland, Valle Del, Walker, Wattson, York, and Mr. Speaker—38.

NOES—Messrs. Bennett, Brown of Yuba, Brusie, Camron, Carr of Sacramento, Chamberlain, Chandler, Coleman, Dimond, Downs, Durham, Fox, Fraser, Fink, Green, Hartson, Hershey, Leach, Leadbetter, May, McComas, McIntosh, Merry, Morse, Mulholland, Nelson, Sherburne, Stoddard, Tyler, Ward, and Wason of Ventura—32.

The bill was recommitted.

RECESS.

The House then took a recess until seven o'clock P. M.

RE-ASSEMBLED.

House re-assembled at seven o'clock P. M.
Speaker Cowdery in the chair
Roll called, and quorum present.

SPECIAL ORDER.

The special order for this hour, Assembly Bill No. 139—An Act to enable female citizens to vote upon all matters relating to the public schools of the State of California—was taken up.

Read third time.

Leave of absence granted to Mr. Downs until nine o'clock A. M. to-morrow.

Mr. Mathews moved the suspension of the five minute rule during the discussion of this bill.

Upon which the ayes and noes were demanded by Messrs. Sweetland, Leach, and Walker.

The roll was called, and the motion was lost by the following vote:

AYES—Messrs. Anthony, Bennett, Brown of Yuba, Carr of Sacramento, Chamberlain, Cuthbert, Dimond, DuBrutz, Felton, Fox, Frink, Gaffey, Gorley, Green, Harris, Hartson, Hershey, Josselyn, Lane, Leadbetter, Maguire, Mathews, May, Maybell, McCarthy of San Francisco, McComas, McIntosh, Morse, Mulholland, Nelson, Sayle, Simon, Stanley, Stoddard, Streeter, Tyler, Valle Del, Walker, Wason of Ventura, Wasson of Mono, Wattson, York, Young, and Mr. Speaker—44

NOES—Messrs. Adams, Bass, Braunhart, Brooks, Bruner, Brusie, Burns, Camron, Carr of Yuba, Coleman, Cook, Cooper, Durham, Finlayson, Fraser, Garibaldi, Leach, Levee, McCallion, McCarty of Lake, Merry, Messenger, Sherburne, Spencer, Sweetland, and Ward—26.

Mr. Del Valle moved to recommit the bill with instructions.

Lost.

The question being on the passage of the bill, the roll was called, and the bill was passed by the following vote:

AYES—Messrs. Adams, Anthony, Bass, Bennett, Braunhart, Brown of Sonoma, Brown of Yuba, Brusie, Camron, Carr of Sacramento, Chandler, Coffman, Cook, Corcoran, Dimond, DuBrutz, Durham, Frink, Gorley, Green, Hartson, Hershey, Leadbetter, Mathews, May, Maybell, McComas, McIntosh, Nelson, Picket, Sayle, Sherburne, Stanley, Stoddard, Streeter, Tyler, Walker, Wason of Ventura, Wattson, York, Young, and Mr. Speaker—42.

NOES—Messrs. Brooks, Bruner, Burns, Carr of Yuba, Chamberlain, Coleman, Cooper, Cuthbert, Downs, Estey, Felton, Fox, Fraser, Garibaldi, Gaffey, Hardy, Harris, Hynes, Josselyn, Lane, Leach, Levee, Maguire, McCallion, McCarty of Lake, McCarthy of San Francisco, McDade, Merry, Messenger, Morse, Mulholland, Simon, Spencer, Sweetland, Valle Del, Ward, and Wasson of Mono—37.

Title approved.

Mr Adams gave notice that he would, to-morrow, move to reconsider the vote by which the bill passed.

ADJOURNMENT.

At nine o'clock and fifty minutes P. M. Mr. Camron moved that we do now adjourn.

Carried.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Thursday, March 25th, 1880.

House met pursuant to adjournment.
Speaker Cowdery in the chair.
Roll called, and quorum present.
Prayer by the Chaplain.

READING AND APPROVAL OF THE JOURNAL.

Mr. Estey moved that the further reading of the Journal be dispensed with.
So ordered.
The Journal of Tuesday approved.

REPORTS OF STANDING COMMITTEES.

By Mr. Sherburne:

ASSEMBLY CHAMBER, March 25th, 1880.

MR. SPEAKER: Your Committee on Engrossment have examined, and find correctly engrossed, Assembly Bill No. 103—An Act to add five new sections to the Political Code of the State of California, to be numbered sections three thousand two hundred and forty-six, three thousand two hundred and forty-seven, three thousand two hundred and forty-eight, three thousand two hundred and forty-nine, and three thousand two hundred and fifty, relative to fixing the hours of labor of drivers, conductors, and employés of street cars

Also, Assembly Bill No. 296—An Act for the relief of W. S. Safford.

Also, Assembly Bill No. 340—An Act to provide for and enforce liens of mechanics, material men, artisans, and laborers.

SHERBURNE, Chairman.

By Mr. Estey:

MR. SPEAKER: Your Committee on Mileage have considered the report of the Committee on Agriculture, Mining, and Mechanic Arts College—find the same correct, and recommend the adoption of the accompanying resolution.

ESTEY, Chairman.

WHEREAS, The Committee on Agriculture, Mining, and Mechanic Arts College, consisting of Messrs. York, Anthony, Frink, Brown of Sonoma, Bass, and Mulholland, and G. O. Green, Clerk, pursuant to authority given them by the House, on March twentieth, eighteen hundred and eighty, visited the State University at Berkeley, and are entitled to a mileage of ten cents per mile for each, therefore, be it

Resolved, That the Controller of the State be and he is hereby directed to draw his warrants on the State Treasurer in favor of the following persons, for the amounts set opposite their respective names, and the State Treasurer is directed to pay the same out of the Contingent Fund of the Assembly, to wit

Mr. York, one hundred and ninety-two miles	$19 20
Mr. Anthony, one hundred and ninety-two miles	19 20
Mr. Frink, one hundred and ninety-two miles	19 20
Mr. Brown of Sonoma, one hundred and ninety-two miles	19 20
Mr. Bass, one hundred and ninety-two miles	19 20
Mr. Mulholland, one hundred and ninety-two miles	19 20
G. O. Green, one hundred and ninety-two miles	19 20

Resolution adopted.

INTRODUCTION OF BILLS.

The following bills were introduced, and ordered printed.
By Mr. Fox—An Act to provide for the formation and classifica-

tion of corporations for municipal purposes, and to define their powers and duties.

By Mr. Sayle—An Act to amend sections three thousand four hundred and fourteen, three thousand four hundred and fifteen, and three thousand four hundred and seventeen, of the Political Code, in title eight, relating to public lands.

By Mr. Hardy—An Act to amend sections three thousand four hundred and forty-three, three thousand four hundred and ninety-five, and three thousand five hundred, of the Political Code of this State, relating to the purchase of State lands.

Mr. Streeter moved to reconsider the vote by which the House passed Assembly Bill No. 139—An Act to enable female citizens to vote upon all matters relating to the public schools of the State of California.

The previous question was demanded by Messrs. Streeter, May, and Leach, and the House so ordered.

Mr. Merry moved a call of the House.

So ordered.

Roll called, and seven members absent.

Mr. Corcoran moved to dispense with further proceedings under the call of the House.

Upon which the ayes and noes were demanded by Messrs. Corcoran, Gorley, and Streeter.

The roll was called, and the motion lost by the following vote:

AYES—Messrs. Anthony, Bass, Bennett, Camron, Cook, Corcoran, Durham, Finlayson, Fox, Gorley, Green, Leach, Maguire, May, Maybell, McComas, Sayle, Simon, Sherburne, Stanley, Streeter, Tyler, Walker, Wason of Ventura, Wattson, York, Young, and Mr Speaker—28.

NOES—Messrs. Braunhart, Brooks, Brown of Sonoma, Brown of Yuba, Brusie, Burns, Carr of Sacramento, Carr of Yuba, Coleman, Cooper, Cuthbert, Dimond, DuBrutz, Estey, Fraser, Frink, Garibaldi, Gaffey, Hardy, Harris, Hershey, Hynes, Josselyn, Lane, Leadbetter, Levee, Mathews, McCallion, McCarty of Lake, McCarthy of San Francisco, McIntosh, Merry, Messenger, Morse, Mulholland, Nelson, Picket, Spencer, Stoddard, Sweetland, Valle Del, and Ward—42

Mr. McIntosh in the chair.

Mr. Fox moved to adjourn.

Lost.

Speaker Cowdery in the chair.

Mr. Fox moved to dispense with further proceedings under the call of the House.

Upon which the ayes and noes were demanded by Messrs Finlayson, Maybell, and Fox.

The roll was called, and the motion was carried by the following vote:

AYES—Messrs Anthony, Bass, Bennett, Brooks, Brown of Sonoma, Brown of Yuba, Brusie, Camron, Carr of Sacramento, Carr of Yuba, Chandler, Coffman, Corcoran, Cuthbert, Durham, Finlayson, Fox, Gorley, Green, Harris, Hartson, Hershey, Josselyn, Leach, Maguire, May, Maybell, McCarthy of San Francisco, McComas, Picket, Sayle, Simon, Sherburne, Stanley, Stoddard, Streeter, Walker, Wason of Ventura, Young, and Mr. Speaker—40.

NOES—Messrs. Braunhart, Burns, Coleman, Cooper, Dimond, DuBrutz, Estey, Fraser, Frink, Garibaldi, Gaffey, Hardy, Hynes, Lane, Leadbetter, Levee, Mathews, McCallion, McCarty of Lake, McIntosh, Merry, Messenger, Morse, Mulholland, Nelson, Spencer, Sweetland, Tyler, Valle Del, Ward, Wattson, and York—32.

The question recurred on the motion to reconsider the vote by which the House passed Assembly Bill No. 139—An Act to enable female citizens to vote upon all matters relating to public schools of the State of California.

The roll was called, and the motion was carried by the following vote:

AYES—Messrs. Adams, Braunhart, Brown of Sonoma, Brown of Yuba, Bruner, Burns, Carr of Yuba, Coleman, Cooper, Corcoran, Cuthbert, Downs, Estey, Felton, Fox, Fraser, Frink, Garibaldi, Gaffey, Hardy, Harris, Hershey, Hynes, Josselyn, Leach, Levee, Maguire, Mathews, McCallion, McCarty of Lake, McCarthy of San Francisco, Merry, Messenger, Morse, Mulholland, Picket, Simon, Spencer, Sweetland, Valle Del, and Ward—41

NOES—Messrs. Anthony, Bass, Bennett, Brooks, Brusie, Camron, Carr of Sacramento, Chamberlain, Chandler, Coffman, Cook, Dimond, DuBrutz, Durham, Finlayson, Gorley, Green, Lane, Leadbetter, May, Maybell, McComas, McIntosh, Nelson, Sayle, Sherburne, Stanley, Stoddard, Streeter, Tyler, Walker, Wason of Ventura, Wasson of Mono, Wattson, York, Young, and Mr. Speaker—38.

Mr. Fox moved that further consideration of the question be indefinitely postponed.

Upon which the previous question was demanded by Messrs. Fox, Merry, and Leach, and the House so ordered.

The ayes and noes were demanded by the requisite number.

The roll was called, and the motion was carried by the following vote:

AYES—Messrs. Adams, Braunhart, Brooks, Brown of Sonoma, Brown of Yuba, Bruner, Burns, Carr of Yuba, Chamberlain, Coleman, Cooper, Cuthbert, Downs, Estey, Fox, Fraser, Frink, Garibaldi, Hardy, Harris, Hershey, Hynes, Josselyn, Leach, Levee, Mathews, McCallion, McCarty of Lake, McDade, Merry, Messenger, Morse, Mulholland, Picket, Simon, Spencer, Sweetland, Valle Del, Ward, and Wasson of Mono—41.

NOES—Messrs. Anthony, Bass, Bennett, Brusie, Camron, Carr of Sacramento, Chandler, Coffman, Cook, Corcoran, Dimond, DuBrutz, Durham, Felton, Finlayson, Gorley, Green, Hartson, Lane, Leadbetter, Maguire, May, Maybell, McCarthy of San Francisco, McComas, McIntosh, Nelson, Sayle, Sherburne, Stanley, Stoddard, Streeter, Tyler, Walker, Wason of Ventura, Wattson, York, Young, and Mr. Speaker—39.

Mr. McComas moved that Senate Bill No. 336—An Act to provide for the erection of a building for the use of the Normal School—be made the special order of the day for to-morrow.

Upon which the ayes and noes were demanded by Messrs McCarty, Corcoran, and Sweetland.

The roll was called, and the motion was carried by the following vote:

AYES—Messrs. Anthony, Bennett, Brown of Yuba, Bruner, Brusie, Camron, Carr of Sacramento, Chamberlain, Chandler, Coffman, Coleman, Cuthbert, Dimond, DuBrutz, Felton, Finlayson, Fox, Fraser, Frink, Garibaldi, Gaffey, Harris, Hartson, Hershey, Josselyn, Lane, Leach, Leadbetter, Maguire, May, Maybell, McCallion, McCarthy of San Francisco, McComas, McDade, McIntosh, Messenger, Nelson, Picket, Sayle, Simon, Sherburne, Spencer, Stanley, Tyler, Wasson of Mono, York, Young, and Mr. Speaker—49.

NOES—Messrs. Adams, Bass, Braunhart, Brown of Sonoma, Burns, Carr of Yuba, Cook, Cooper, Corcoran, Downs, Durham, Estey, Green, Hardy, Hynes, Levee, Mathews, McCarty of Lake, Merry, Morse, Mulholland, Streeter, Sweetland, Walker, Ward, Wason of Ventura, and Wattson—27.

Mr. Del Valle moved that Assembly Bill No. 541—An Act to provide for the construction and furnishing Normal School buildings in the State of California—be made the order of the day for to-morrow.

Carried.

Mr. Camron moved to reconsider the vote by which the House struck out the enacting clause of Assembly Bill No. 519.

Upon which, the ayes and noes were demanded by Messrs. Camron, Fox, and Felton.

The previous question was demanded by Messrs. Camron, Merry, and Estey, and the House so ordered.

The roll was called, and the motion to reconsider was lost by the following vote:

AYES—Messrs. Adams, Braunhart, Brown of Yuba, Bruner, Camron, Coffman, Coleman, Cuthbert, Downs, Felton, Finlayson, Fox, Green, Leadbetter, May, Messenger, Mulholland, Nelson, Stanley, Tyler, Ward, York, Young, and Mr Speaker—24.

NOES—Messrs. Anthony, Bass, Bennett, Brown of Sonoma, Brusie, Burns, Carr of Sacramento, Carr of Yuba, Chamberlain, Chandler, Cook, Cooper, Corcoran, Dimond, DuBrutz, Durham, Estey, Fraser, Frink, Garibaldi, Gaffey, Hardy, Harris, Hartson, Hershey, Hynes, Josselyn, Lane, Leach, Levee, Maguire, Mathews, Maybell, McCallion, McCarty of Lake, McComas, McDade, McIntosh, Merry, Morse, Picket, Sayle, Simon, Sherburne, Spencer, Streeter, Valle Del, Walker, Wason of Ventura, and Wasson of Mono—50

SECOND READING OF BILLS.

Mr. Young moved to take up the second reading file.

Carried by a two-thirds vote.

Assembly Bill No. 334—An Act to promote drainage.

Taken up.

The substitute adopted.

The question being, "Shall the bill be read for information?" it was lost.

The question then recurred upon the question, "Shall the bill be read a third time?"

Mr. Leach moved the bill be made the order of the day for Monday.

Lost.

The previous question was demanded by Messrs. Frink, Camron, and Sweetland, and the House so ordered.

The question recurred upon the question, "Shall the bill be read a third time?"

The ayes and noes were demanded by the requisite number.

The roll was called, and the bill was ordered to a third reading by the following vote:

AYES—Messrs Adams, Bass, Brown of Sonoma, Brown of Yuba, Brusie, Burns, Camron, Coffman, Cook, Cooper, Corcoran, Cuthbert, Dimond, Downs, DuBrutz, Felton, Finlayson, Fox, Fraser, Frink, Garibaldi, Gaffey, Gorley, Hardy, Harris, Hynes, Josselyn, Lane, Leach, Leadbetter, Levee, May, McCallion, McCarty of Lake, McComas, McIntosh, Messenger, Mulholland, Nelson, Picket, Sayle, Spencer, Stanley, Stoddard, Streeter, Sweetland, Tyler, Valle Del, Walker, Ward, Wasson of Mono, Wattson, York, and Young—54.

NOES—Messrs. Anthony, Bennett, Brooks, Carr of Sacramento, Chandler, Coleman, Durham, Estey, Green, Hartson, Hershey, Maguire, Mathews, Maybell, McCarthy of San Francisco, McDade, Merry, Morse, Simon, Sherburne, and Wason of Ventura—21.

Mr. Sweetland moved the third reading of the bill be made the order of the day for Monday next.

So ordered.

REPORT OF THE COMMITTEE ON ENROLLMENT.

By Mr. Brooks:

MR. SPEAKER: Your Committee on Enrollment respectfully report that Assembly Bill No. 405—An Act to promote emigration from the State of California.

And Assembly Bill No. 227—An Act authorizing the Boards of Supervisors of the counties in which water is sold for the purpose of irrigation to fix the rates at which such water shall be sold.

Have been correctly enrolled, and were this day, March twenty-fifth, eighteen hundred and eighty, presented to the Governor for his approval.

BROOKS, Chairman.

SECOND READING OF BILLS—RESUMED.

Mr. Coffman moved that Senate Bill No. 475—An Act to provide for the management of the "Yosemite Valley and the Mariposa Big Tree Grove"—be taken up.

The bill was taken up.

Mr. Tyler moved to amend by striking out the words "shall be a resident of Mariposa County and," from line five, section four.

The previous question was demanded by Messrs. Morse, Stanley, and Spencer, and the House so ordered.

The question recurred on Mr. Tyler's amendment.

Upon which the ayes and noes were demanded by Messrs. Tyler, Cook, and Nelson.

The roll was called, and the amendment was lost by the following vote:

AYES—Messrs. Bass, Brooks, Brown of Yuba, Cook, Cuthbert, Dimond, Durham, Fox, Frink, Nelson, Sherburne, Stoddard, and York—13.

NOES—Messrs. Adams, Anthony, Braunhart, Brown of Sonoma, Brusie, Burns, Chamberlain, Coffman, Cooper, Corcoran, Downs, DuBrutz, Estey, Finlayson, Fraser, Garibaldi, Gorley, Green, Hartson, Hershey, Hynes, Josselyn, Lane, Leach, Leadbetter, Levee, Maguire, Mathews, May, Maybell, McCallion, McCarty of Lake, McCarthy of San Francisco, McDade, Merry, Messenger, Morse, Picket, Sayle, Simon, Spencer, Stanley, Tyler, Valle Del, Ward, Wasson of Mono, Young, and Mr. Speaker—48.

Mr. Tyler gave notice that he would move to reconsider the vote by which the House rejected the amendment.

Mr. Mathews moved to lay the motion on the table.

Carried.

The bill ordered to third reading.

Mr. Cooper moved that the bill be made the order of the day for to-morrow.

Upon which the ayes and noes were demanded by Messrs. Tyler, Carr of Yuba, and McDade.

The roll was called, and the motion was lost by the following vote:

AYES—Messrs. Anthony, Burns, Carr of Yuba, Coffman, Cooper, Corcoran, Estey, Finlayson, Gaffey, Gorley, Green, Hardy, Hershey, Josselyn, Lane, Leadbetter, May, Maybell, McCallion, McCarthy of San Francisco, McDade, Messenger, Morse, Picket, Valle Del, and Wasson of Mono—27.

NOES—Messrs. Adams, Bennett, Braunhart, Brown of Yuba, Brusie, Carr of Sacramento, Chamberlain, Cook, Cuthbert, Dimond, Downs, DuBrutz, Durham, Felton, Fox, Fraser, Frink, Harris, Hartson, Hynes, Leach, Levee, Maguire, Mathews, McCarty of Lake, McComas, McIntosh, Merry, Nelson, Sayle, Simon, Sherburne, Spencer, Stoddard, Streeter, Tyler, Ward, Wason of Ventura, York, and Young—40.

REPORT OF STANDING COMMITTEE.

The Committee on Retrenchment had leave to report.

By Mr. Coleman:

ASSEMBLY CHAMBER, March 25th, 1880.

MR. SPEAKER: Your Committee on Retrenchment, to whom was referred Assembly Bill No. 508—An Act entitled an Act to amend section two hundred and sixty-eight of the Political Code—have had the same under consideration, and report it back with amendments, and recommend its passage as amended.

Also, Assembly Bill No. 514—An Act entitled an Act to amend section four of an Act entitled an Act authorizing the appointment of certain permanent employés of the State Capitol, and fixing their compensation—and report the same back, and recommend its passage.

COLEMAN, Chairman.

INTRODUCTION OF A BILL.

By Mr. Hartson—An Act to amend section two hundred and ninety of the Civil Code, relating to corporations.

The above bill was introduced, and ordered printed.

ORDER OF THE DAY.

The order of the day, Assembly Bill No. 472—An Act to encourage the mining industry and to suppress stock gambling—was taken up.

Mr. Finlayson moved to amend by striking out all contained in line eight, of section one.

Lost.

RECESS.

Pending the reading of the bill, the House took a recess for one hour, until two o'clock P. M.

RE-ASSEMBLED.

House re-assembled at two o'clock P. M.

Speaker Cowdery in the chair.

Quorum present.

The consideration of Assembly Bill No. 472—An Act to encourage the mining industry and to suppress stock gambling—resumed.

Mr. Braunhart moved to amend by striking out the word "county" from line seven, section five, and inserting instead the word "superior."

Adopted.

Mr. Fox moved to amend by striking out the words "signed by an officer of," from line six, section five, and inserting instead the words "executed by."

Adopted.

Mr. Fox moved to amend by striking out the words "weekly" and "every Saturday," from line fourteen, section six, and inserting instead of the word "weekly" the word "monthly," and instead of the words "every Saturday" insert the words "on the last day of every month."

Lost.

Mr. Fox moved to amend, in line nine, section six, by inserting after the word "settlement" the word "statute."

Adopted.

Mr. Fox moved to amend by striking out subdivision two, of section six.

Pending discussion of above amendment, Mr. Tyler moved that the vote by which the House rejected his amendment to section six of the bill be reconsidered.

The previous question was demanded by Messrs. Maybell, Streeter, and Felton, and the House refused to order it.

Upon the motion to reconsider, the ayes and noes were demanded by Messrs. Tyler, Coleman, and Nelson.

The roll was called, and the motion was carried by the following vote:

AYES—Messrs. Adams, Bass, Bennett, Brooks, Brown of Sonoma, Brown of Yuba, Bruner, Brusie, Camron, Coleman, Cook, Dimond, Downs, Durham, Felton, Finlayson, Fox, Fraser,

Frink, Green, Hartson, Hynes, Leach, Leadbetter, Levee, May, McCarty of Lake, McComas, McIntosh, Merry, Messenger, Morse, Nelson, Sherburne, Streeter, Tyler, Ward, Wason of Ventura, York, Young, and Mr. Speaker—41.

NOES—Messrs. Anthony, Braunhart, Burns, Carr of Sacramento, Carr of Yuba, Chandler, Coffman, Cooper, Corcoran, Cuthbert, DuBrutz, Estey, Garibaldi, Gaffey, Gorley, Hershey, Josselyn, Lane, Maguire, Mathews, Maybell, McCarthy of San Francisco, McDade, Picket, Sayle, Sinon, Spencer, Stoddard, Valle Del, and Walker—30.

Mr. Tyler moved to amend section six, line fourteen, by striking out the word "every," and inserting "first;" and insert after word "Saturday," words "in each month;" and strike out words "week" and "weekly," wherever they occur in section six, and insert words "month" and "monthly;" and strike out all of lines fifteen and sixteen. Amend section six to correspond.

The question being upon Mr. Tyler's amendment to section six, Mr. Braunhart moved to amend the amendment by inserting the word "semi" before the word "monthly" wherever it occurs in the amendment.

Lost.

The question then recurring upon Mr. Tyler's amendment it was adopted.

Speaker pro tem. Fraser in the chair.

Mr. Fox moved to amend by striking out all contained in lines from one to seven inclusive, of section seven.

Upon which the ayes and noes were demanded by Messrs. Braunhart, Gaffey, and McCallion.

The roll was called, and the amendment was lost by the following vote:

AYES—Messrs. Bennett, Brooks, Brown of Yuba, Bruner, Brusie, Camron, Chamberlain, Coleman, Downs, Durham, Felton, Finlayson, Fox, Fraser, Frink, Leach, Leadbetter, McIntosh, Nelson, Sherburne, Streeter, Tyler, Ward, Wason of Ventura, Wattson, York, Young, and Mr. Speaker—28.

NOES—Messrs. Anthony, Braunhart, Burns, Carr of Sacramento, Carr of Yuba, Cooper, Corcoran, Cuthbert, Dimond, DuBrutz, Estey, Garibaldi, Gaffey, Gorley, Hartson, Hershey, Hynes, Josselyn, Lane, Levee, Maguire, Mathews, May, Maybell, McCallion, McCarty of Lake, McCarthy of San Francisco, McComas, McDade, Morse, Picket, Sayle, Sinon, Spencer, Stoddard, Valle Del, and Walker—37.

The bill ordered to the head of the special order file for to-morrow.

Mr. Carr of Yuba moved that Senate Bill No. 399—An Act to amend sections one thousand five hundred and seventeen, one thousand five hundred and twenty-one, one thousand five hundred and thirty-two, one thousand five hundred and forty-three, one thousand five hundred and forty-five, one thousand five hundred and forty-six, one thousand five hundred and forty-eight, one thousand five hundred and fifty, one thousand five hundred and fifty-one, one thousand five hundred and sixty-four, one thousand five hundred and seventy-seven, one thousand five hundred and ninety-three, one thousand five hundred and ninety-seven, one thousand five hundred and ninety-eight, one thousand six hundred, one thousand six hundred and eleven, one thousand six hundred and sixteen, one thousand six hundred and seventeen, one thousand six hundred and nineteen, one thousand six hundred and twenty, one thousand six hundred and twenty-one, one thousand six hundred and twenty-two, one thousand six hundred and twenty-four, one thousand six hundred and sixty-two, one thousand six hundred and sixty-three, one thousand six hundred and sixty-five, one thousand six hundred and sixty-six, one thousand six hundred and ninety-six, one thousand seven hun-

dred and one, one thousand seven hundred and twelve, one thousand seven hundred and fifteen, one thousand seven hundred and sixty-eight, one thousand seven hundred and sixty-nine, one thousand seven hundred and seventy, one thousand seven hundred and seventy-one, one thousand seven hundred and seventy-two, one thousand seven hundred and seventy-four, one thousand seven hundred and seventy-five, one thousand seven hundred and eighty-seven, one thousand seven hundred and eighty-eight, one thousand seven hundred and ninety, one thousand seven hundred and ninety-one, one thousand eight hundred and seventeen, one thousand eight hundred and eighteen, one thousand eight hundred and thirty-four, one thousand eight hundred and thirty-five, one thousand eight hundred and thirty-six, one thousand eight hundred and thirty-seven, one thousand eight hundred and fifty-seven, one thousand eight hundred and fifty-eight, one thousand eight hundred and fifty-nine, one thousand eight hundred and sixty-one, one thousand eight hundred and sixty-nine, one thousand eight hundred and seventy-one, and one thousand eight hundred and seventy-four, and to repeal sections one thousand five hundred and fifty-one (b), one thousand six hundred and fifty-two, one thousand six hundred and sixty-nine, one thousand six hundred and seventy, one thousand six hundred and seventy-one, one thousand seven hundred and forty-one, one thousand seven hundred and forty-two, one thousand seven hundred and forty-three, one thousand seven hundred and forty-four, one thousand seven hundred and forty-five, one thousand seven hundred and forty-six, one thousand seven hundred and forty-seven, one thousand seven hundred and forty-eight, one thousand seven hundred and forty-nine, one thousand seven hundred and fifty, one thousand seven hundred and fifty-one, one thousand seven hundred and fifty-two, one thousand seven hundred and fifty-three, one thousand seven hundred and fifty-four, one thousand seven hundred and fifty-five, one thousand seven hundred and fifty-seven, one thousand seven hundred and fifty-eight, one thousand seven hundred and seventy-seven, one thousand seven hundred and ninety-three, one thousand eight hundred and thirty-eight, one thousand eight hundred and forty, one thousand eight hundred and forty-one, one thousand eight hundred and forty-two, one thousand eight hundred and forty-three, one thousand eight hundred and forty-four, one thousand eight hundred and forty-five, one thousand eight hundred and forty-six, one thousand eight hundred and forty-seven, one thousand eight hundred and forty-eight, one thousand eight hundred and forty-nine, one thousand eight hundred and fifty, one thousand eight hundred and fifty-one, one thousand eight hundred and fifty-two, and one thousand eight hundred and seventy-two, of the Political Code, and to add five new sections thereto, to be known as sections one thousand five hundred and sixty-five, one thousand five hundred and eighty-three, one thousand seven hundred and three, one thousand seven hundred and four, and one thousand eight hundred and seventy-nine—be made the order of the day for to-morrow.

Carried.

INTRODUCTION OF BILLS.

The following bills were introduced, and ordered printed:

By Mr. Hardy (by permission)—An Act to amend sections two hundred and eighty-four, two hundred and eighty-six, and two hun-

dred and ninety, of the Civil Code, and to add a new section thereto, to be known as section three hundred, in relation to corporations.

By Mr. Bruner—An Act to amend section one thousand six hundred and thirteen of the Penal Code.

SPECIAL ORDER—THIRD READING FILE.

The special order for this hour, third reading file, taken up.

Senate Bill No. 354—An Act to add a new section to the Political Code, to be known as section one thousand six hundred and eighteen, relating to salaries of school teachers in cities having one hundred thousand inhabitants or more.

Mr. Braunhart moved the adoption of a substitute for the bill.

The motion to lay the substitute on the table was lost.

The previous question was demanded by Messrs. Finlayson, Walker, and Bruner, and the House so ordered.

The question being upon the adoption of Mr. Braunhart's substitute it was rejected.

The question recurred upon the passage of the bill.

The roll was called, and the bill was passed by the following vote:

AYES—Messrs. Adams, Bennett, Brooks, Brown of Sonoma, Brown of Yuba, Bruner, Brusie, Camron, Carr of Sacramento, Chamberlain, Chandler, Coffman, Coleman, Cooper, Cuthbert, Dimond, Downs, Durham, Estey, Felton, Finlayson, Fox, Garibaldi, Gaffey, Gorley, Green, Hardy, Hartson, Josselyn, Lane, Leach, Maguire, Mathews, May, Maybell, McCarty of Lake, McCarthy of San Francisco, McComas, McDade, Merry, Messenger, Morse, Nelson, Picket, Sayle, Simon, Streeter, Sweetland, Valle Del, Walker, Ward, Wason of Ventura, Wattson, York, and Young—55.

NOES—Messrs. Anthony, Braunhart, Burns, Carr of Yuba, Cook, Corcoran, DuBrutz, Fraser, Frink, Hynes, Levee, McIntosh, Sherburne, Spencer, Stanley, Stoddard, Tyler, and Mr. Speaker—18.

Title approved.

Assembly Bill No. 255—An Act to regulate the price of water for domestic use in this State.

Read third time.

Speaker Cowdery in the chair.

Mr. Del Valle moved the adoption of a substitute for the bill.

Carried.

The bill then ordered printed as amended.

Senate Bill No. 192—An Act to provide for the publication of the debates and proceedings of the Constitutional Convention of the State of California.

Read third time.

The rules suspended by a two-thirds vote, and the bill considered in the Assembly.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Adams, Anthony, Braunhart, Brooks, Brown of Sonoma, Brown of Yuba, Bruner, Brusie, Burns, Camron, Carr of Sacramento, Carr of Yuba, Chamberlain, Chandler, Cooper, Corcoran, Cuthbert, Dimond, Downs, DuBrutz, Felton, Finlayson, Fox, Fraser, Frink, Garibaldi, Gaffey, Gorley, Green, Hartson, Hershey, Hynes, Josselyn, Lane, Leach, Maguire, Mathews, May, Maybell, McCallion, McCarthy of San Francisco, McDade, Messenger, Morse, Nelson, Picket, Sayle, Simon, Spencer, Streeter, Sweetland, Tyler, Valle Del, Walker, Ward, Wasson of Mono, Wattson, York, and Young—59

NOES—Messrs. Bass, Coleman, Cook, Estey, Harris, Leadbetter, Levee, McCarty of Lake, McComas, McIntosh, Merry, Sherburne, Stanley, Stoddard, and Wason of Ventura—15.

Title approved.

Assembly Bill No. 44—An Act to amend sections three hundred

and twelve, three hundred and fifteen, three hundred and twenty-two, three hundred and twenty-three, three hundred and twenty-six, three hundred and fifty-nine, and four hundred and fifteen, and to add a new section, to be known as section four hundred and four, of an Act entitled "An Act to establish a Civil Code," approved March twenty-first, eighteen hundred and seventy-two, relating to corporations.

Read third time, the roll was called, and the bill passed by the following vote:

AYES—Messrs. Adams, Bass, Bennett, Bruner, Brusie, Burns, Camron, Chamberlain, Chandler, Coleman, Cook, Downs, DuBrutz, Durham, Estey, Finlayson, Fox, Frink, Gorley, Green, Harris, Hartson, Hershey, Josselyn, Lane, Leach, Levee, Maguire, May, McCallion, McCarty of Lake, McComas, McIntosh, Merry, Messenger, Morse, Nelson, Picket, Sayle, Sherburne, Spencer, Stanley, Streeter, Tyler, Valle Del, Walker, Wason of Ventura, Wasson of Mono, York, and Young—50.

NOES—Mr. Maybell—1.

Title approved.

Assembly Bill No. 145—An Act to amend sections seventeen, nineteen, and twenty-one, of an Act entitled "An Act to provide for the future management of the Napa State Asylum for the Insane," approved March sixth, eighteen hundred and seventy-six.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Adams, Anthony, Bass, Bennett, Brown of Sonoma, Bruner, Brusie, Camron, Carr of Sacramento, Carr of Yuba, Chamberlain, Chandler, Coleman, Cook, Downs, DuBrutz, Durham, Estey, Finlayson, Fox, Fraser, Gorley, Green, Harris, Hershey, Hynes, Josselyn, Lane, Leach, Maguire, Mathews, May, Maybell, McCallion, McCarty of Lake, McCarthy of San Francisco, McComas, McDade, Merry, Messenger, Morse, Mulholland, Nelson, Sayle, Simon, Sherburne, Spencer, Stanley, Stoddard, Streeter, Tyler, Valle Del, Walker, Wason of Ventura, Wasson of Mono, York, Young, and Mr Speaker—58.

NOES—Messrs. Frink, McIntosh, and Picket—3.

Title approved.

Assembly Bill No. 257—An Act to add a new section to the Penal Code, to be known as section one thousand three hundred and eight, relative to the forfeiture of the undertaking of bail or of the deposit of money.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs Adams, Bass, Bennett, Brown of Sonoma, Brown of Yuba, Bruner, Brusie, Camron, Carr of Yuba, Chamberlain, Chandler, Coleman, Cook, Cooper, Cuthbert, Downs, Durham, Estey, Finlayson, Fox, Fraser, Frink, Gorley, Harris, Hershey, Josselyn, Leach, Leadbetter, May, McCallion, McComas, McIntosh, Merry, Messenger, Morse, Mulholland, Nelson, Sayle, Simon, Sherburne, Spencer, Stanley, Stoddard, Streeter, Tyler, Valle Del, Walker, Wason of Ventura, Wasson of Mono, York, and Mr Speaker—51.

NOES—Messrs. Anthony, Braunhart, Carr of Sacramento, Gaffey, Hynes, Lane, Maguire, Mathews, Maybell, McCarty of Lake, McDade, Picket, and Young—13.

Title approved.

Assembly Bill No. 374—An Act for the promotion of the viticultural industries of the State.

The previous question was demanded by Messrs. Leach, McIntosh, and May, and the House so ordered.

The rules were suspended by a two-thirds vote, and the bill considered in the House.

Pending the third reading of the bill, some words were passed between the Chief Clerk and Assemblyman Mulholland.

Mr. Gorley moved that Mr. Mulholland's language be taken down.
Mr. Tyler moved the indefinite postponement of the matter.
The consideration of the above motion was temporarily postponed.
The third reading of the bill was completed.
The roll was called, and the bill passed by the following vote:

AYES—Messrs. Adams, Bass, Braunhart, Brown of Sonoma, Brown of Yuba, Bruner, Brusie, Camron, Carr of Yuba, Coffman, Cooper, Corcoran, Cuthbert, Dimond, Downs, DuBrutz, Estey, Felton, Finlayson, Fox, Frink, Gaffey, Gorley, Green, Hartson, Hynes, Josselyn, Leach, Leadbetter, Mathews, May, Maybell, McCallion, McCarty of Lake, McCarthy of San Francisco, McComas, McDade, McIntosh, Merry, Messenger, Morse, Nelson, Sayle, Simon, Spencer, Stanley, Streeter, Sweetland, Valle Del, Ward, Wason of Ventura, Wasson of Mono, Wattson, and Young—54.

NOES—Messrs. Anthony, Bennett, Brooks, Burns, Carr of Sacramento, Chamberlain, Chandler, Coleman, Cook, Durham, Hardy, Harris, Hershey, Lane, Levee, Maguire, Mulholland, Picket, Sherburne, Stoddard, Tyler, Walker, and York—23.

Title approved.
Mr. McCarty gave notice that he would move to reconsider the vote by which the House passed the bill.
At five o'clock Mr. Braunhart moved we do now adjourn.
Lost.
The question of indefinitely postponing the whole matter between Mr. Mulholland and the Chief Clerk, made by Mr. Tyler, was then taken up.
Upon which the ayes and noes were demanded by Messrs. Estey, McCallion, and McDade.
The roll was called, and the motion lost by the following vote:

AYES—Messrs. Anthony, Bennett, Braunhart, Brown of Yuba, Bruner, Chamberlain, Chandler, Coleman, Cook, Cuthbert, Dimond, Fraser, Green, Hardy, Harris, Hartson, Hynes, Josselyn, Leach, Levee, Mathews, May, McCarty of Lake, McComas, Merry, Messenger, Sherburne, Spencer, Stoddard, Sweetland, Tyler, Walker, Ward, Wasson of Mono, Wattson, York, and Young—37.

NOES—Messrs. Adams, Bass, Brooks, Brown of Sonoma, Brusie, Burns, Camron, Carr of Sacramento, Carr of Yuba, Coffman, Cooper, Corcoran, Downs, DuBrutz, Durham, Estey, Felton, Finlayson, Fox, Frink, Gaffey, Gorley, Lane, Leadbetter, Maguire, Maybell, McCallion, McCarthy of San Francisco, McDade, McIntosh, Morse, Nelson, Picket, Sayle, Simon, Stanley, Streeter, Valle Del, Wason of Ventura, and Mr. Speaker—40.

At five o'clock and fifteen minutes P. M. Mr. Bruner moved to adjourn.
Lost.

RESOLUTION.

By Mr. Camron:

Resolved, That the Speaker is hereby directed to appoint a committee of three to investigate into Assemblymen Braunhart's and Mulholland's conduct, on the Assembly floor, toward their fellow Assemblymen; said committee shall have a right to summons and examine witnesses, and report their findings to the Assembly.

Mr. Sweetland moved that the resolution be laid on the table.
Carried.

ADJOURNMENT.

At five o'clock and twenty minutes P. M. Mr. Tyler moved that we do now adjourn.
Carried.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Friday, March 26th, 1880.

House met pursuant to adjournment
Speaker Cowdery in the chair.
Roll called, and quorum present.
Prayer by the Chaplain.

READING AND APPROVAL OF THE JOURNAL.

Mr. Sinon moved that the further reading of the Journal be dispensed with.
So ordered.
The Journal of Wednesday approved.

PETITIONS.

By Mr. Brusie—A petition from citizens of San Francisco, members of the Scandinavian Ladies' Benevolent and Relief Society, asking for an appropriation of three thousand dollars in support of said Society.
Referred to the Committee on Ways and Means.

REPORTS OF STANDING COMMITTEES.

By Mr. Fox:

ASSEMBLY CHAMBER, SACRAMENTO, March 26th, 1880.

MR. SPEAKER: Your Judiciary Committee, to whom was referred Assembly Bill No. 545—An Act to amend section three thousand three hundred and thirty-six of the Civil Code of California, approved March twenty-first, eighteen hundred and seventy-two, and to add a new section to said Code, to be known and numbered as section three thousand three hundred and sixty-one, relative to the measure of damages.

Also, Assembly Bill No. 547—An Act authorizing County Clerks to collect a fee for copies of declaration of intention and naturalization from aliens.

Have had the same under consideration, and now report them back, with recommendation that they do severally pass.

We have also had under consideration substitute for Senate Bill No. 424—An Act to add eight new sections to the Political Code, to be known as sections one thousand eight hundred and eighty, one thousand eight hundred and eighty-one, one thousand eight hundred and eighty-two, one thousand eight hundred and eighty-three, one thousand eight hundred and eighty-four, one thousand eight hundred and eighty-five, one thousand eight hundred and eighty-six, and one thousand eight hundred and eighty-seven, relating to the issuance of bonds by the Trustees of School Districts, to raise money for building purposes, and to provide for the payment of the same—and now report the same back, with a recommendation that it be indefinitely postponed.

FOX, Chairman.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 26th, 1880.

MR. SPEAKER: Your Committee on Judiciary, to whom was referred Assembly Bill No. 438—An Act to prohibit the letting of contracts for labor on public works by any public officers—have had the same under consideration, and report it back, with recommendation that it be indefinitely postponed.

FOX, Chairman

By Mr. Leach:

ASSEMBLY CHAMBER, SACRAMENTO, March 25th, 1880.

MR. SPEAKER: Your Committee on Fish and Game, to whom was referred Assembly Bill No. 523, relative to the violation of the laws for the preservation of fish and game, have had the same under consideration, and herewith report it back with amendments, and recommend its passage as amended.

LEACH, Chairman.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 25th, 1880.

MR. SPEAKER: Your Committee on Fish and Game, to whom was referred Assembly Bill No. 524, relative to taking of trout from waters owned by persons or corporations, have had the same under consideration, and herewith report the same back with amendments, and recommend its passage as amended.

LEACH, Chairman.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 25th, 1880.

MR. SPEAKER: Your Committee on Fish and Game, to whom was referred Assembly Bill No. 442, amending certain sections of the Penal Code, relative to the protection of salmon, have had the same under consideration, and report the same back, with the recommendation that it do not pass.

LEACH, Chairman.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 25th, 1880.

MR. SPEAKER: Your Committee on Fish and Game, to whom was referred Assembly Bill No. 182—An Act to amend certain sections of the Penal Code relative to fish and game—have had the same under consideration, and report the same back, with the recommendation that the author have leave to withdraw the same.

LEACH, Chairman.

The bill reported above was withdrawn.

By Mr. Brusie:

MR. SPEAKER: Your Committee on State Hospitals, to whom was referred Assembly Bill No. 538—An Act entitled "An Act to provide a State Hospital and Sanitarium for the aged, indigent sick, and those suffering from consumption and chronic diseases"—have had the same under consideration, and report it back without recommendation.

BRUSIE, Chairman.

By Mr. May:

ASSEMBLY CHAMBER, SACRAMENTO, March 25th, 1880.

MR. SPEAKER: The Committee on Ways and Means, to whom was referred Assembly Bill No 551—An Act to amend section three thousand six hundred and forty of an Act entitled "An Act to establish a Political Code," approved March twelfth, eighteen hundred and sixty-two, relative to revenue—have had the same under consideration, and report the same back to the Assembly, with a majority recommendation that it do pass, six members of the committee voting aye and four voting no.

MAY, Chairman.

By Mr. McCarthy:

STATE CAPITOL, March 26th, 1880.

MR SPEAKER: The San Francisco delegation, to whom was referred Assembly Bill No. 559—An Act to repeal an Act entitled "An Act in relation to the assessment and collection of taxes upon personal property in the City and County of San Francisco," approved March eighteenth, eighteen hundred and seventy-four—have had the same under consideration, and herewith report it back, with the recommendation that it do pass.

McCARTHY, Chairman.

By Mr. Sherburne:

ASSEMBLY CHAMBER, March 26th, 1880.

MR. SPEAKER: Your Committee on Engrossment have examined, and find correctly engrossed, Assembly Bill No 25—An Act to provide for the election of fifteen freeholders to frame a charter for cities containing more than one hundred thousand inhabitants, and to provide for the ratification of the same.

Also, Assembly Bill No 44—An Act to amend sections three hundred and twelve, three hundred and fifteen, three hundred and twenty-two, three hundred and twenty-three, three hundred and twenty-six, three hundred and fifty-nine, and four hundred and fifteen, and to add a new section, to be known as section four hundred and four of an Act entitled "An Act to establish a Civil Code," approved March twenty-first, eighteen hundred and seventy-two, relating to corporations.

Also, Assembly Bill No. 145—An Act to amend sections seventeen, nineteen, and twenty-one of an Act entitled "An Act to provide for the future management of the Napa State Asylum for the Insane," approved March sixth, eighteen hundred and seventy-six.

Also, Assembly Bill No 257—An Act to add a new section to the Penal Code, to be known as section one thousand three hundred and eight, relative to the forfeiture of the undertaking of bail, or of the deposit of money.

SHERBURNE, Chairman.

By Mr. Fox:

ASSEMBLY CHAMBER, SACRAMENTO, March 26th, 1880.

MR SPEAKER: Your Committee on Judiciary, to whom was referred Assembly Bill No. 557—An Act to provide an additional Judge of the Superior Court for the County of Mono—have had the same under consideration, and report it back with amendments, recommending its passage as amended.

FOX, Chairman.

INTRODUCTION OF A BILL.

By Mr. Finlayson—An Act to amend section two hundred and ninety of the Civil Code, in regard to articles of incorporation.

FIRST READING OF BILLS.

Assembly Concurrent Resolution No. 20—Relative to the pre-emption laws of the United States.

Read first time, and referred to the Committee on Public Lands.

Assembly Joint Resolution No. 19—Relative to asking Congress to place veterans of the Mexican war upon the same footing with veterans of other American wars.

Read first time, and referred to the Committee on Federal Relations.

Assembly Bill No. 557—An Act to provide an additional Judge of the Superior Court for the County of Mono.

Read second time, and ordered to third reading.

Assembly Bill No. 553—An Act to provide for deficiency in the salary of the Surveyor-General.

Read first time, and referred to the Committee on Public Expenditures and Accounts.

Assembly Bill No. 554—An Act to amend sections three thousand seven hundred and forty-six and three thousand seven hundred and forty-seven, and to repeal section three thousand seven hundred and forty-eight of the Political Code, relative to the collection of taxes

Read first time, and referred to the Committee on Ways and Means.

Assembly Bill No. 552—An Act confirming titles of pueblo or other lands granted in cities.

Read first time, and referred to the Committee on Judiciary.

Assembly Bill No. 558—An Act to add a section to the Political Code, concerning the recovery of money paid to public officers, and to be known as section number three thousand eight hundred and seventeen.

Read first time, and referred to the Judiciary Committee.

Assembly Bill No. 560—An Act to amend sections one hundred and seventy-eight and one hundred and seventy-nine of the Penal Code, in relation to the employment of persons by corporations in the State of California.

Read first time, and referred to the Committee on Corporations.

Assembly Bill No. 556—An Act to create a Board of Public Works in cities and counties containing more than one hundred thousand inhabitants, and to define their duties.

Read first time, and referred to the San Francisco delegation.

The following twenty-nine bills were each withdrawn by permission of the House:

Assembly Bill No. 478—An Act concerning roads and highways.

Assembly Bill No. 397—An Act to provide for the equal taxation of assessable lands, and to define their boundaries.

Assembly Bill No. 85—An Act to establish and regulate common schools in the State of California.

Assembly Bill No. 319—An Act to amend section one thousand eight hundred and fifty-eight of the Political Code, relating to the apportionment of State and county school moneys.

Assembly Bill No. 355—An Act to add section eight hundred and eighty-eight to the Code of Civil Procedure.

Assembly Bill No. 409—An Act to repeal an Act entitled "An Act to regulate the practice of pharmacy in the City and County of San Francisco," approved March twenty-eighth, eighteen hundred and seventy-two; also an Act entitled an Act to amend an Act entitled "An Act to regulate the practice of pharmacy in the City and County of San Francisco," approved March thirty-first, eighteen hundred and seventy-six.

Assembly Bill No. 101—An Act to amend section one thousand two hundred and ninety-five of the Code of Civil Procedure.

Assembly Bill No. 108—An Act to amend sections one thousand two hundred and ninety-eight and one thousand three hundred and three of the Code of Civil Procedure.

Assembly Bill No. 152—An Act to amend sections one thousand three hundred and twenty-two and one thousand three hundred and thirty-eight of the Code of Civil Procedure, in relation to probate of wills.

Assembly Bill No. 174—An Act to amend sections one thousand three hundred and forty and one thousand three hundred and forty-five of the Code of Civil Procedure, in relation to probate of wills.

Assembly Bill No. 460—An Act to amend sections one thousand five hundred and seventeen, one thousand five hundred and twenty-one, one thousand five hundred and thirty-two, one thousand five hundred and forty-three, one thousand five hundred and forty-five, one thousand five hundred and forty-eight, one thousand five hundred and fifty, one thousand five hundred and fifty-one (*a*), one thousand five hundred and seventy-seven, one thousand five hundred and ninety-three, one thousand five hundred and ninety-seven, one thousand five hundred and ninety-eight, one thousand six hundred, one thousand six hundred and eleven, one thousand six hundred and sixteen, one thousand six hundred and seventeen, one thousand six hundred and nineteen, one thousand six hundred and twenty, one thousand six hundred and twenty-one, one thousand six hundred and twenty-two, one thousand six hundred and twenty-four, one thousand six hundred and sixty-two, one thousand six hundred and sixty-three, one thousand six hundred and sixty-five, one thousand six hundred and sixty-six, one thousand six hundred and ninety-six, one thousand seven hundred and one, one thousand seven hundred and twelve, one thousand seven hundred and fifteen, one thousand seven hundred and sixty-eight, one thousand seven hundred and sixty-nine, one thousand seven hundred and seventy, one thousand seven hundred and seventy-one, one thousand seven hundred and seventy-two, one thousand seven hundred and seventy-four, one thousand seven hundred and seventy-five, one thousand seven hundred and eighty-seven, one thousand seven hundred and eighty-eight, one thousand seven hundred and ninety, one thousand seven hundred and ninety-one, one thousand eight hundred and seventeen, one

thousand eight hundred and eighteen, one thousand eight hundred and thirty-four, one thousand eight hundred and thirty-five, one thousand eight hundred and thirty-six, one thousand eight hundred and thirty-seven, one thousand eight hundred and fifty-seven, one thousand eight hundred and fifty-eight, one thousand eight hundred and fifty-nine, one thousand eight hundred and sixty-one, one thousand eight hundred and sixty-nine, one thousand eight hundred and seventy-one, and one thousand eight hundred and seventy-four, to add new sections one thousand five hundred and sixty-five, one thousand five hundred and eighty-three, one thousand seven hundred and three, one thousand seven hundred and four, and one thousand eight hundred and seventy-nine, and to repeal sections one thousand five hundred and fifty-one (*b*), one thousand six hundred and fifty-two, one thousand six hundred and sixty-nine, one thousand six hundred and seventy, one thousand seven hundred and forty-one, one thousand seven hundred and forty-two, one thousand seven hundred and forty-three, one thousand seven hundred and forty-four, one thousand seven hundred and forty-five, one thousand seven hundred and forty-six, one thousand seven hundred and forty-seven, one thousand seven hundred and forty-eight, one thousand seven hundred and forty-nine, one thousand seven hundred and fifty, one thousand seven hundred and fifty-one, one thousand seven hundred and fifty-two, one thousand seven hundred and fifty-three, one thousand seven hundred and fifty-four, one thousand seven hundred and fifty-five, one thousand seven hundred and fifty-seven, one thousand seven hundred and fifty-eight, one thousand seven hundred and seventy-seven, one thousand seven hundred and ninety-three, one thousand seven hundred and ninety-four, one thousand eight hundred and thirty-eight, one thousand eight hundred and forty, one thousand eight hundred and forty-one, one thousand eight hundred and forty-two, one thousand eight hundred and forty-three, one thousand eight hundred and forty-four, one thousand eight hundred and forty-five, one thousand eight hundred and forty-six, one thousand eight hundred and forty-seven, one thousand eight hundred and forty-eight, one thousand eight hundred and forty-nine, one thousand eight hundred and fifty, one thousand eight hundred and fifty-one, one thousand eight hundred and fifty-two, and one thousand eight hundred and seventy-two, of an Act entitled an Act to establish a Political Code, approved March twelfth, A. D. eighteen hundred and seventy-two, relating to public schools.

Assembly Bill No. 466—An Act to add a new section to the Civil Code, in relation to gas corporations.

Assembly Bill No. 344—An Act to ascertain the number of minor orphans, half orphans, abandoned children, and aged persons in indigent circumstances, in institutions of this State, for the support and maintenance of which are entitled to State aid.

Assembly Bill No. 502—An Act to amend an Act to provide a Code of Civil Procedure.

Assembly Bill No. 435—An Act to prevent the burying of human remains within three miles of the limits of any city containing over one hundred thousand inhabitants.

Assembly Bill No. 417—An Act to repeal section two thousand five hundred and thirty-six of the Political Code, relating to proposals and contracts for construction of new sea-wall, and to substitute a new section in lieu thereof, relating to same matter.

Assembly Bill No. 531—An Act to amend section one thousand eight hundred and sixty of the Civil Code, relative to the liability of inn-keepers.

Assembly Bill No. 338—An Act to authorize the Boards of Supervisors of the several counties of this State to transfer a certain fund.

Assembly Bill No. 376—An Act to amend section two thousand four hundred and sixty-four of the Political Code, relating to pilots and pilot regulations.

Assembly Bill No. 371—An Act to restrict and regulate the use of intoxicating liquors.

Assembly Bill No. 416—An Act to supply to the public schools of this State the map of the geological survey of California and Nevada, made and compiled by the late Geologist of this State.

Assembly Bill No. 160—An Act to provide lists of uncanceled mortgages and unsatisfied deeds of trust.

Assembly Bill No. 132—An Act to amend sections one thousand three hundred and five, one thousand three hundred and thirteen, and one thousand three hundred and seventeen, of the Code of Civil Procedure.

Assembly Bill No. 186—An Act to amend sections one thousand three hundred and sixty, one thousand three hundred and sixty-one, and one thousand three hundred and sixty-two, of the Code of Civil Procedure, in relation to letters testamentary and of administration with the will annexed, of the estates of deceased persons.

Assembly Bill No. 194—An Act to amend sections one thousand three hundred and eighty-three, one thousand three hundred and eighty-eight, and one thousand three hundred and eighty-nine, of the Code of Civil Procedure, in relation to letters of administration upon estates of deceased persons.

Assembly Bill No. 264—An Act to amend sections one thousand three hundred and ninety-eight and one thousand four hundred and two of the Code of Civil Procedure, in relation to bonds and sufficiency of sureties of administrators of estates of deceased persons.

Assembly Bill No. 266—An Act to amend sections one thousand five hundred and thirty-six, one thousand five hundred and thirty-seven, and one thousand five hundred and forty, of the Code of Civil Procedure, relating to the sale of real estate of decedents.

Assembly Bill No. 267—An Act to amend sections one thousand four hundred and eleven, one thousand four hundred and twelve, one thousand four hundred and thirteen, one thousand four hundred and fourteen, and one thousand four hundred and fifteen, of the Code of Civil Procedure, relating to special administrators.

Assembly Bill No. 406—An Act to amend sections two thousand four hundred and thirty, two thousand four hundred and fifty-seven, two thousand four hundred and fifty-eight, two thousand four hundred and sixty-four, two thousand four hundred and sixty-six, two thousand four hundred and sixty-seven, and two thousand four hundred and sixty-eight, of the Political Code, in relation to pilots and pilot regulations.

Mr. Sayle moved that Assembly Bill No. 251—An Act to amend sections three hundred and thirty and three hundred and thirty-three of the Penal Code, and to add a new section thereto, to be known as section three hundred and thirty-seven, in relation to gaming—on the third reading file, be withdrawn.

Lost.

ORDER OF THE DAY.

The special order of the day, Assembly Bill No. 472—An Act to encourage the mining industry and to suppress stock gambling—taken up.

Mr. Fox moved to amend by striking out all of the first line of section seven except the last word thereof, and inserting instead the words "every corporation."

Upon which the ayes and noes were demanded by Messrs. Nelson, Maybell, and McIntosh.

The roll was called, and the amendment was lost by the following vote:

AYES—Messrs. Brown of Yuba, Bruner, Brusie, Coleman, Cook, Downs, Felton, Fox, Fraser, Frink, Leadbetter, May, McIntosh, Messenger, Mulholland, Nelson, Wasson of Mono, Young, and Mr. Speaker—19.

NOES—Messrs. Adams, Anthony, Braunhart, Burns, Carr of Sacramento, Carr of Yuba, Chamberlain, Cooper, Corcoran, Cuthbert, Dimond, Estey, Finlayson, Garibaldi, Gaffey, Gorley, Green, Hardy, Hartson, Hynes, Josselyn, Leach, Levee, Maguire, Mathews, Maybell, McCallion, McCarty of Lake, McCarthy of San Francisco, McComas, McDade, Merry, Morse, Picket, Sayle, Simon, Sherburne, Spencer, Stanley, Stoddard, Streeter, Tyler, Valle Del, Walker, Ward, Wason of Ventura, Wattson, and York—48.

Mr. Levee moved to amend by striking out the word "twenty" from line four, section seven, and inserting instead the word "five."

Mr. Gorley moved to amend the amendment so as to make the sum "one thousand dollars."

Lost.

The question recurring upon Mr. Levee's amendment, it was adopted.

One day's leave of absence was granted to Mr. Lane on account of sickness.

Mr. Tyler moved to amend by striking out the words "each and every trustee and director" from line one, section seven, and inserting instead, the words "the officers and directors," and insert before the word "bond," in line three, the words "joint and several."

Lost.

Mr. Braunhart moved to amend by striking out the word "two," before the word "hundred," from line ——, section seven, and inserting instead the word "three."

Adopted.

Mr. Gaffey moved to amend by striking out the words "ten days" from line three, section seven, and inserting instead the words "thirty days;" also, to strike out the words "a demand therefor," and insert the words "his election or appointment."

Adopted.

Mr. Tyler moved to amend by striking out the word "twenty" from line twelve, section seven, and inserting instead the word "five."

Adopted.

Mr. Tyler moved to amend by adding at the close of section seven, "and all sums collected under the provisions of this section, after deducting the expenses of collection, shall be paid into the State School Fund."

Adopted.

Mr. Felton moved to amend by striking out all the sections of this bill except seven, twelve, thirteen, fourteen, fifteen, and twenty-nine.

Mr Tyler moved to refer the bill to the Committee on Mines and Mining Interests.

Upon which the ayes and noes were demanded by Messrs. Braunhart, Felton, and Levee.

The roll was called, and the motion was lost by the following vote:

AYES—Messrs Bennett, Brooks, Brown of Yuba, Bruner, Brusie, Chamberlain, Coleman, Downs, Felton, Finlayson, Fox, Fraser, Frink, Leadbetter, May, McIntosh, Merry, Messenger, Mulholland, Nelson, Tyler, Ward, Wason of Ventura, Wasson of Mono, and Young—25.

NOES—Messrs Anthony, Braunhart, Brown of Sonoma, Burns, Carr of Sacramento, Carr of Yuba, Coffman, Corcoran, Cuthbert, Dimond, Estey, Garibaldi, Gaffey, Gorley, Hartson, Hershey, Hynes, Josselyn, Levee, Maguire, Maybell, McCallion, McCarty of Lake, McCarthy of San Francisco, McComas, McDade, Morse, Picket, Sayle, Simon, Sherburne, Spencer, Stoddard, Sweetland, Valle Del, Walker, Wattson, and York—38.

The question recurring upon Mr. Felton's amendment it was ——.

Mr Fox moved the bill be referred to the Committee on Corporations.

Lost.

Mr. Tyler moved it be referred to a special committee, consisting of Messrs. Hartson, Braunhart, and Fox.

Upon which the ayes and noes were demanded by Messrs. Corcoran, Braunhart, and McDade.

The roll was called, and the motion was carried by the following vote:

AYES—Messrs. Adams, Bass, Bennett, Brooks, Brown of Sonoma, Brown of Yuba, Bruner, Brusie, Carr of Sacramento, Chamberlain, Coleman, Cook, Dimond, Downs, Durham, Felton, Finlayson, Fox, Fraser, Frink, Leadbetter, May, McIntosh, Merry, Messenger, Mulholland, Nelson, Sherburne, Stanley, Tyler, Walker, Ward, Wason of Ventura, Wasson of Mono, York, Young, and Mr. Speaker—37.

NOES—Messrs Anthony, Braunhart, Burns, Carr of Yuba, Coffman, Cooper, Corcoran, Cuthbert, DuBrutz, Estey, Garibaldi, Gaffey, Gorley, Hardy, Harris, Hartson, Hershey, Hynes, Josselyn, Levee, Maguire, Maybell, McCallion, McCarty of Lake, McCarthy of San Francisco, McComas, McDade, Morse, Picket, Sayle, Simon, Spencer, Stoddard, Sweetland, Valle Del, and Wattson—36.

SPECIAL ORDER OF THE DAY.

Senate Bill No. 399—An Act to amend sections one thousand five hundred and seventeen, one thousand five hundred and twenty-one, one thousand five hundred and thirty-two, one thousand five hundred and forty-three, one thousand five hundred and forty-five, one thousand five hundred and forty-six, one thousand five hundred and forty-eight, one thousand five hundred and fifty, one thousand five hundred and fifty-one, one thousand five hundred and sixty-four, one thousand five hundred and seventy-seven, one thousand five hundred and ninety-three, one thousand five hundred and ninety-seven, one thousand five hundred and ninety-eight, one thousand six hundred, one thousand six hundred and eleven, one thousand six hundred and sixteen, one thousand six hundred and seventeen, one thousand six hundred and nineteen, one thousand six hundred and twenty, one thousand six hundred and twenty-one, one thousand six hundred and twenty-two, one thousand six hundred and twenty-four, one thousand six hundred and sixty-two, one thousand six hundred and sixty-three, one thousand six hundred and sixty-five, one thousand six hundred and sixty-six, one thousand six hundred and ninety-six, one thousand seven hundred and one, one thousand seven hundred and twelve, one thousand seven hundred and fifteen, one thousand seven hundred and sixty-eight, one thousand seven hundred and sixty-nine, one thousand seven hundred and seventy, one thousand seven hundred and seventy-one, one thousand seven hun-

dred and seventy-two, one thousand seven hundred and seventy-four, one thousand seven hundred and seventy-five, one thousand seven hundred and eighty-seven, one thousand seven hundred and eighty-eight, one thousand seven hundred and ninety, one thousand seven hundred and ninety-one, one thousand eight hundred and seventeen, one thousand eight hundred and eighteen, one thousand eight hundred and thirty-four, one thousand eight hundred and thirty-five, one thousand eight hundred and thirty-six, one thousand eight hundred and thirty-seven, one thousand eight hundred and fifty-seven, one thousand eight hundred and fifty-eight, one thousand eight hundred and fifty-nine, one thousand eight hundred and sixty-one, one thousand eight hundred and sixty-nine, one thousand eight hundred and seventy-one, and one thousand eight hundred and seventy-four, and to repeal sections one thousand five hundred and fifty-one (*b*), one thousand six hundred and fifty-two, one thousand six hundred and sixty-nine, one thousand six hundred and seventy, one thousand six hundred and seventy-one, one thousand seven hundred and forty-one, one thousand seven hundred and forty-two, one thousand seven hundred and forty-three, one thousand seven hundred and forty-four, one thousand seven hundred and forty-five, one thousand seven hundred and forty-six, one thousand seven hundred and forty-seven, one thousand seven hundred and forty-eight, one thousand seven hundred and forty-nine, one thousand seven hundred and fifty, one thousand seven hundred and fifty-one, one thousand seven hundred and fifty-two, one thousand seven hundred and fifty-three, one thousand seven hundred and fifty-four, one thousand seven hundred and fifty-five, one thousand seven hundred and fifty-seven, one thousand seven hundred and fifty-eight, one thousand seven hundred and seventy-seven, one thousand seven hundred and ninety-three, one thousand eight hundred and thirty-eight, one thousand eight hundred and forty, one thousand eight hundred and forty-one, one thousand eight hundred and forty-two, one thousand eight hundred and forty-three, one thousand eight hundred and forty-four, one thousand eight hundred and forty-five, one thousand eight hundred and forty-six, one thousand eight hundred and forty-seven, one thousand eight hundred and forty-eight, one thousand eight hundred and forty-nine, one thousand eight hundred and fifty, one thousand eight hundred and fifty-one, one thousand eight hundred and fifty-two, and one thousand eight hundred and seventy-two, of the Political Code, and to add five new sections thereto, to be known as sections one thousand five hundred and sixty-five, one thousand five hundred and eighty-three, one thousand seven hundred and three, one thousand seven hundred and four, and one thousand eight hundred and seventy-nine

Mr. Fox moved a call of the House.

So ordered.

Mr. Chandler had one day's leave of absence on account of sickness.

Roll called, and quorum present.

Mr. Fox moved that further proceedings under the call of the House be dispensed with.

So ordered.

Mr. Braunhart moved that the special committee have leave of absence for the purpose of considering Assembly Bill No. 472—An Act to encourage the mining industry and suppress stock gambling.

Lost.

The consideration of Senate Bill No. 399—An Act to amend sections one thousand five hundred and seventeen, one thousand five hundred and twenty-one, one thousand five hundred and thirty-two, one thousand five hundred and forty-three, one thousand five hundred and forty-five, one thousand five hundred and forty-six, one thousand five hundred and forty-eight, one thousand five hundred and fifty, one thousand five hundred and fifty-one, one thousand five hundred and sixty-four, one thousand five hundred and seventy-seven, one thousand five hundred and ninety-three, one thousand five hundred and ninety-seven, one thousand five hundred and ninety-eight, one thousand six hundred, one thousand six hundred and eleven, one thousand six hundred and sixteen, one thousand six hundred and seventeen, one thousand six hundred and nineteen, one thousand six hundred and twenty, one thousand six hundred and twenty-one, one thousand six hundred and twenty-two, one thousand six hundred and twenty-four, one thousand six hundred and sixty-two, one thousand six hundred and sixty-three, one thousand six hundred and sixty-five, one thousand six hundred and sixty-six, one thousand six hundred and ninety-six, one thousand seven hundred and one, one thousand seven hundred and twelve, one thousand seven hundred and fifteen, one thousand seven hundred and sixty-eight, one thousand seven hundred and sixty-nine, one thousand seven hundred and seventy, one thousand seven hundred and seventy-one, one thousand seven hundred and seventy-two, one thousand seven hundred and seventy-four, one thousand seven hundred and seventy-five, one thousand seven hundred and eighty-seven, one thousand seven hundred and eighty-eight, one thousand seven hundred and ninety, one thousand seven hundred and ninety-one, one thousand eight hundred and seventeen, one thousand eight hundred and eighteen, one thousand eight hundred and thirty-four, one thousand eight hundred and thirty-five, one thousand eight hundred and thirty-six, one thousand eight hundred and thirty-seven, one thousand eight hundred and fifty-seven, one thousand eight hundred and fifty-eight, one thousand eight hundred and fifty-nine, one thousand eight hundred and sixty-one, one thousand eight hundred and sixty-nine, one thousand eight hundred and seventy-one, and one thousand eight hundred and seventy-four, and to repeal sections one thousand five hundred and fifty-one (*b*), one thousand six hundred and fifty-two, one thousand six hundred and sixty-nine, one thousand six hundred and seventy, one thousand six hundred and seventy-one, one thousand seven hundred and forty-one, one thousand seven hundred and forty-two, one thousand seven hundred and forty-three, one thousand seven hundred and forty-four, one thousand seven hundred and forty-five, one thousand seven hundred and forty-six, one thousand seven hundred and forty-seven, one thousand seven hundred and forty-eight, one thousand seven hundred and forty-nine, one thousand seven hundred and fifty, one thousand seven hundred and fifty-one, one thousand seven hundred and fifty-two, one thousand seven hundred and fifty-three, one thousand seven hundred and fifty-four, one thousand seven hundred and fifty-five, one thousand seven hundred and fifty-seven, one thousand seven hundred and fifty-eight, one thousand seven hundred and seventy-seven, one thousand seven hundred and ninety-three, one thousand

eight hundred and thirty-eight, one thousand eight hundred and forty, one thousand eight hundred and forty-one, one thousand eight hundred and forty-two, one thousand eight hundred and forty-three, one thousand eight hundred and forty-four, one thousand eight hundred and forty-five, one thousand eight hundred and forty-six, one thousand eight hundred and forty-seven, one thousand eight hundred and forty-eight, one thousand eight hundred and forty-nine, one thousand eight hundred and fifty, one thousand eight hundred and fifty-one, one thousand eight hundred and fifty-two, and one thousand eight hundred and seventy-two, of the Political Code, and to add five new sections thereto, to be known as sections one thousand five hundred and sixty-five, one thousand five hundred and eighty-three, one thousand seven hundred and three, one thousand seven hundred and four, and one thousand eight hundred and seventy-nine—resumed.

Mr. McCarty moved to amend by striking out the words "Principal of State Normal School," from line ——, section one, and inserting instead the words "Superintendent of Schools of San Francisco, Alameda, Sacramento, Los Angeles, Santa Clara, Sonoma, and Mendocino Counties."

Lost.

The committee amendment to section two adopted.

Mr. McIntosh moved to amend by striking out all the words contained in subdivison four, of section two.

Adopted.

Mr. Hardy moved to insert in place of subdivision four, stricken out, the following: "To recommend a list of books for district school libraries."

Adopted.

Mr. McCarty moved a substitute for subdivison five, section two.

Lost.

Mr. Carr of Yuba moved to amend line twenty-five, section two, by inserting the words "or county."

Adopted.

RECESS.

Pending discussion of the bill, the House took a recess of one hour, until two o'clock P. M.

RE-ASSEMBLED.

House re-assembled at two o'clock P. M.

Speaker Cowdery in the chair.

Quorum present.

The consideration of Senate Bill No. 399—An Act to amend sections one thousand five hundred and seventeen, one thousand five hundred and twenty-one, one thousand five hundred and thirty-two, one thousand five hundred and forty-three, one thousand five hundred and forty-five, one thousand five hundred and forty-six, one thousand five hundred and forty-eight, one thousand five hundred and fifty, one thousand five hundred and fifty-one, one thousand five hundred and sixty-four, one thousand five hundred and seventy-seven, one thousand five hundred and ninety-three, one thousand five hundred and ninety-seven, one thousand five hundred and ninety-eight, one thousand six hundred, one thousand six hundred

and eleven, one thousand six hundred and sixteen, one thousand six hundred and seventeen, one thousand six hundred and nineteen, one thousand six hundred and twenty, one thousand six hundred and twenty-one, one thousand six hundred and twenty-two, one thousand six hundred and twenty-four, one thousand six hundred and sixty-two, one thousand six hundred and sixty-three, one thousand six hundred and sixty-five, one thousand six hundred and sixty-six, one thousand six hundred and ninety-six, one thousand seven hundred and one, one thousand seven hundred and twelve, one thousand seven hundred and fifteen, one thousand seven hundred and sixty-eight, one thousand seven hundred and sixty-nine, one thousand seven hundred and seventy, one thousand seven hundred and seventy-one, one thousand seven hundred and seventy-two, one thousand seven hundred and seventy-four, one thousand seven hundred and seventy-five, one thousand seven hundred and eighty-seven, one thousand seven hundred and eighty-eight, one thousand seven hundred and ninety, one thousand seven hundred and ninety-one, one thousand eight hundred and seventeen, one thousand eight hundred and eighteen, one thousand eight hundred and thirty-four, one thousand eight hundred and thirty-five, one thousand eight hundred and thirty-six, one thousand eight hundred and thirty-seven, one thousand eight hundred and fifty-seven, one thousand eight hundred and fifty-eight, one thousand eight hundred and fifty-nine, one thousand eight hundred and sixty-one, one thousand eight hundred and sixty-nine, one thousand eight hundred and seventy-one, and one thousand eight hundred and seventy-four, and to repeal sections one thousand five hundred and fifty-one (b), one thousand six hundred and fifty-two, one thousand six hundred and sixty-nine, one thousand six hundred and seventy, one thousand six hundred and seventy-one, one thousand seven hundred and forty-one, one thousand seven hundred and forty-two, one thousand seven hundred and forty-three, one thousand seven hundred and forty-four, one thousand seven hundred and forty-five, one thousand seven hundred and forty-six, one thousand seven hundred and forty-seven, one thousand seven hundred and forty-eight, one thousand seven hundred and forty-nine, one thousand seven hundred and fifty, one thousand seven hundred and fifty-one, one thousand seven hundred and fifty-two, one thousand seven hundred and fifty-three, one thousand seven hundred and fifty-four, one thousand seven hundred and fifty-five, one thousand seven hundred and fifty-seven, one thousand seven hundred and fifty-eight, one thousand seven hundred and seventy-seven, one thousand seven hundred and ninety-three, one thousand eight hundred and thirty-eight, one thousand eight hundred and forty, one thousand eight hundred and forty-one, one thousand eight hundred and forty-two, one thousand eight hundred and forty-three, one thousand eight hundred and forty-four, one thousand eight hundred and forty-five, one thousand eight hundred and forty-six, one thousand eight hundred and forty-seven, one thousand eight hundred and forty-eight, one thousand eight hundred and forty-nine, one thousand eight hundred and fifty, one thousand eight hundred and fifty-one, one thousand eight hundred and fifty-two, and one thousand eight hundred and seventy-two, of the Political Code, and to add five new sections thereto, to be known as sections one thousand five hundred and sixty-five, one thousand five hundred and eighty-three, one thousand seven hundred and three, one thousand seven

hundred and four, and one thousand eight hundred and seventy-nine—resumed

Mr. Gaffey moved to amend by adding a new subdivision, to be known as subdivision thirteen.

Lost.

Mr. Mulholland moved to amend by adding at the end of subdivision seven the words "of matter connected with business of said Board."

Lost

Mr. Maybell moved to amend by inserting the words "for fares" after the words "traveling expenses."

Mr. Bennett moved to amend the amendment by striking out all the words contained in line fifty-seven, after the word "called."

Lost.

Mr. Leach moved to amend the amendment by inserting after the word "Convention" the words "not to exceed ten cents per mile."

Lost.

The question recurring upon Mr. Maybell's amendment it was lost.

Mr. McIntosh moved to strike out subdivision fourteen.

Upon which the ayes and noes were demanded by Messrs. McCallion, Corcoran, and McCarty.

The roll was called, and the motion lost by the following vote:

Ayes—Messrs. Bennett, Burns, Coleman, Corcoran, Gaffey, Levee, Maybell, McCallion, McCarty of Lake, McDade, McIntosh, Messenger, Picket, Sherburne, Stanley, Stoddard, and Walker—17.

Noes—Messrs. Adams, Anthony, Bass, Brown of Sonoma, Brown of Yuba, Bruner, Brusie, Carr of Sacramento, Carr of Yuba, Chamberlain, Chandler, Cook, Cooper, Cuthbert, Downs, DuBrutz, Durham, Estey, Felton, Finlayson, Fox, Gorley, Green, Hardy, Harris, Hershey, Hynes, Josselyn, Leach, Leadbetter, Maguire, Mathews, May, McCarthy of San Francisco, McConnas, Merry, Morse, Mulholland, Nelson, Savle, Simon, Spencer, Streeter, Sweetland, Tyler, Valle Del, Ward, Wason of Ventura, Wasson of Mono, Wattson, York, and Mr. Speaker—52.

The amendment recommended by the committee to section four adopted.

Mr. Anthony moved to amend by striking out the word "year," from line thirty-two, section four, and inserting instead the words "every three months."

Mr Young moved to amend the amendment by striking out the word "once," and inserting the words "twice each year."

The amendment accepted, and the amendment as amended then adopted.

Mr. Del Valle moved to make the bill the special order for this evening.

So ordered.

Mr. Felton moved to take up Senate messages.

Lost.

Mr. Carr of Yuba moved that Senate Bill No. 336—An Act to provide for the erection of a building for the use of the Normal School—and Assembly Bill No. 541—An Act to provide for the construction and furnishing Normal School buildings in the State of California—be made the order of the day for to-morrow, after Senate Bill No. 399.

So ordered.

SPECIAL ORDER.

The special order for this hour, the third reading file, taken up.

Assembly Bill No. 255—An Act to regulate the price of water for domestic use in this State.

Read third time.

Mr. Braunhart moved to recommit the bill with instructions so that San Francisco will not have to pay for water.

Lost.

Mr. Hardy moved to recommit with instructions that San Francisco should not pay for water after June first, eighteen hundred and eighty.

The previous question was demanded by the requisite number, and the House so ordered

Mr. Hardy's motion to recommit was lost.

The question recurred on the passage of the bill.

The roll was called, and the bill was lost by the following vote:

AYES—Messrs. Adams, Anthony, Brooks, Brown of Sonoma, Brown of Yuba, Brusie, Chamberlain, Coleman, Downs, DuBrutz, Durham, Felton, Fox Fraser, Frink, Green, Hartson, Leach, Leadbetter, Levee, May, McCarty of Lake, McComas, McIntosh, Mulholland, Nelson, Sherburne, Stoddard, Streeter, Sweetland, Tyler, Valle Del, Walker, Ward, Wason of Ventura, Wasson of Mono, Wattson, and York—38.

NOES—Messrs Bass, Braunhart, Brunet, Burns Carr of Sacramento, Carr of Yuba, Chandler, Cook, Cooper Cuthbert, Dimond, Estey, Finlayson, Garibaldi, Gaffey, Gorley, Hardy, Hershey, Hynes, Josselyn, Lane, Magune, Mathews, Maybell, McCallion, McCarthy of San Francisco, McDade, Messenger, Morse, Picket, Sayle, Simon, Spencer, Stanley, and Young—35.

Mr May and Mr. Young each gave notice that he would, to-morrow, move to reconsider the vote by which the House refused to pass the bill

Mr. McCallion moved that the House take a recess until seven o'clock P. M.

Lost.

Assembly Bill No. 327—An Act to allow unincorporated towns and villages to equip and maintain a fire department, and to assess and collect taxes from time to time for such purpose, and to create a Board of Fire Commissioners.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Adams, Anthony, Bass, Braunhart, Brooks, Brown of Sonoma, Brown of Yuba, Brunet, Brusie, Carr of Sacramento, Carr of Yuba, Chamberlain, Chandler, Coffman, Coleman, Cook, Cuthbert, Dimond, Downs, Durham, Estey, Finlayson, Fox, Fraser, Frink, Garibaldi, Gaffey, Gorley, Green, Harris, Hartson, Hershey, Hynes, Josselyn, Lane Leach, Levee, Magune, May, Maybell, McCallion, McCarty of Lake, McComas, McDade, McIntosh, Messenger, Morse, Nelson Picket, Sayle Simon, Sherburne, Spencer, Stanley, Stoddard, Streeter, Sweetland, Tyler, Valle Del, Walker, Ward, Wason of Ventura, Wasson of Mono, Wattson, York, Young, and Mr. Speaker—67.

NOES—None.

Title approved.

RECESS.

The hour of five o'clock P. M. having arrived, the House took a recess until seven o'clock P. M.

RE-ASSEMBLED.

House re-assembled at seven o'clock P. M.

Speaker Cowdery in the chair.

Roll called, and quorum present.

REPORT OF JUDICIARY COMMITTEE.

By Mr. Fox:

ASSEMBLY CHAMBER, SACRAMENTO, March 26th, 1880.

MR. SPEAKER: Your Committee on Judiciary, to whom was referred Assembly Bill No. 552—An Act confirming titles of pueblo or other lands granted in cities—have had the same under consideration, and report it back with recommendation that it do pass.

FOX, Chairman.

ORDER OF THE DAY—RESUMED.

The consideration of Senate Bill No. 399—An Act to amend sections one thousand five hundred and seventeen, one thousand five hundred and twenty-one, one thousand five hundred and thirty-two, one thousand five hundred and forty-three, one thousand five hundred and forty-five, one thousand five hundred and forty-six, one thousand five hundred and forty-eight, one thousand five hundred and fifty, one thousand five hundred and fifty-one, one thousand five hundred and sixty-four, one thousand five hundred and seventy-seven, one thousand five hundred and ninety-three, one thousand five hundred and ninety-seven, one thousand five hundred and ninety-eight, one thousand six hundred, one thousand six hundred and eleven, one thousand six hundred and sixteen, one thousand six hundred and seventeen, one thousand six hundred and nineteen, one thousand six hundred and twenty, one thousand six hundred and twenty-one, one thousand six hundred and twenty-two, one thousand six hundred and twenty-four, one thousand six hundred and sixty-two, one thousand six hundred and sixty-three, one thousand six hundred and sixty-five, one thousand six hundred and sixty-six, one thousand six hundred and ninety-six, one thousand seven hundred and one, one thousand seven hundred and twelve, one thousand seven hundred and fifteen, one thousand seven hundred and sixty-eight, one thousand seven hundred and sixty-nine, one thousand seven hundred and seventy, one thousand seven hundred and seventy-one, one thousand seven hundred and seventy-two, one thousand seven hundred and seventy-four, one thousand seven hundred and seventy-five, one thousand seven hundred and eighty-seven, one thousand seven hundred and eighty-eight, one thousand seven hundred and ninety, one thousand seven hundred and ninety-one, one thousand eight hundred and seventeen, one thousand eight hundred and eighteen, one thousand eight hundred and thirty-four, one thousand eight hundred and thirty-five, one thousand eight hundred and thirty-six, one thousand eight hundred and thirty-seven, one thousand eight hundred and fifty-seven, one thousand eight hundred and fifty-eight, one thousand eight hundred and fifty-nine, one thousand eight hundred and sixty-one, one thousand eight hundred and sixty-nine, one thousand eight hundred and seventy-one, and one thousand eight hundred and seventy-four, and to repeal sections one thousand five hundred and fifty-one (*b*), one thousand six hundred and fifty-two, one thousand six hundred and sixty-nine, one thousand six hundred and seventy, one thousand six hundred and seventy-one, one thousand seven hundred and forty-one, one thousand seven hundred and forty-two, one thousand seven hundred and forty-three, one thousand seven hundred and forty-four, one thousand seven hundred and forty-five, one thousand seven hundred and forty-six, one thousand seven hundred and forty-seven, one thousand seven hundred and forty-eight, one thousand seven hundred and forty-nine,

one thousand seven hundred and fifty, one thousand seven hundred and fifty-one, one thousand seven hundred and fifty-two, one thousand seven hundred and fifty-three, one thousand seven hundred and fifty-four, one thousand seven hundred and fifty-five, one thousand seven hundred and fifty-seven, one thousand seven hundred and fifty-eight, one thousand seven hundred and seventy-seven, one thousand seven hundred and ninety-three, one thousand eight hundred and thirty-eight, one thousand eight hundred and forty, one thousand eight hundred and forty-one, one thousand eight hundred and forty-two, one thousand eight hundred and forty-three, one thousand eight hundred and forty-four, one thousand eight hundred and forty-five, one thousand eight hundred and forty-six, one thousand eight hundred and forty-seven, one thousand eight hundred and forty-eight, one thousand eight hundred and forty-nine, one thousand eight hundred and fifty, one thousand eight hundred and fifty-one, one thousand eight hundred and fifty-two, and one thousand eight hundred and seventy-two, of the Political Code, and to add five new sections thereto, to be known as sections one thousand five hundred and sixty-five, one thousand five hundred and eighty-three, one thousand seven hundred and three, one thousand seven hundred and four, and one thousand eight hundred and seventy-nine—resumed.

Mr. Carr moved to amend, in line thirty-two, section four, by inserting the words "visit and examine," and in line thirty-three, insert the word "so."

Adopted.

Mr. McIntosh moved to amend section ten so as to read "section one thousand five hundred and sixty-four is hereby repealed."

Lost.

Section eleven, in line three, was amended by inserting the words "so as to read as follows."

Mr. Braunhart moved to amend section twenty, subdivision thirteen, so as to read as follows, in lines thirty-two and thirty-three, "to furnish text-books free for all children of primary grades attending the public schools."

Upon which the ayes and noes were demanded by Messrs Anthony, Braunhart, and Carr of Yuba.

The roll was called, and the amendment was lost by the following vote:

AYES—Messrs. Anthony, Braunhart, Burns, Carr of Yuba, Chamberlain, Coffman, Cook, Corcoran, Fink, Garibaldi, Gaffey, Green, Hynes, Josselyn, Lane, Leadbetter, Levee, Maguire, Maybell, McCarthy of San Francisco, McComas, McDade, McIntosh, Messenger, Picket, Simon, Sherburne, Sweetland, and Tyler—28.

NOES—Messrs. Adams, Bass, Bennett, Brown of Sonoma, Brown of Yuba, Bruner, Brusie, Carr of Sacramento, Chandler, Coleman Dunond, Downs, DuBrutz, Durham, Estey, Felton, Finlayson, Fox, Fraser, Gorley, Hartson, Hershey, Leach, Mathews, May, McCallion, McCarty of Lake, Merry, Morse, Mulholland, Nelson, Sayle, Spencer, Stanley, Stoddard, Streeter, Valle Del, Walker, Ward, Wason of Ventura, Wattson, York, Young, and Mr. Speaker—44.

Mr. McCallion gave notice that he would move to reconsider the vote by which the amendment was lost.

Mr. May moved the indefinite postponement of the notice.

Carried.

Mr. McCarthy moved to amend section —— by striking out the word "city" before the words "Boards of Education" in line five.

Adopted.

Mr. Wason of Ventura moved to reconsider the vote by which the above amendment was adopted.

Carried.

Mr. DuBrutz moved to amend, in line six, section twenty-five, by inserting between the words "liable and to" the words, "should be personally liable."

Adopted.

Mr. Fox moved to amend, in line nine, section twenty-five, by inserting after the word "district," the words "or city."

Adopted.

Mr. DuBrutz moved to reconsider the vote by which the House refused to amend, in line six, section twenty-five, by inserting the word "city" before the word "Board."

Carried.

The amendment was then adopted.

The committee amendments to section twenty-eight carried.

Mr. Maybell moved to amend by striking out all of the words comprised in line six.

Lost

Mr. Young moved to amend section twenty-eight by adding the following: "Natural history, natural philosophy, algebra, chemistry, mensuration, and geometry."

Lost.

Mr. DuBrutz moved to amend by striking out all the words, commencing with the words "but," in line seven, down to and including the word "education," in line eight.

Adopted.

The amendment to section thirty-seven recommended by the committee adopted.

Mr. DuBrutz moved to amend, in line seven, section thirty-eight, by inserting the words "to examine applicants and."

Adopted.

Mr. Fox moved to amend, in line five, section forty-one, by inserting the words "State University diplomas."

Mr. Bruner moved to amend the amendment by adding, "any College diploma."

Lost

Mr. Fox's amendment adopted.

The committee amendment to section forty-three.

ADJOURNMENT.

Pending discussion of the committee amendment above, at ten o'clock Mr. Finlayson moved we do now adjourn.

Carried.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Saturday, March 27th, 1880.

House met pursuant to adjournment.

Speaker Cowdery in the chair.

Roll called, and quorum present.

Prayer by the Chaplain.

READING AND APPROVAL OF THE JOURNAL.

Mr. Levee moved that the further reading of the Journal be dispensed with.

So ordered.

The Journal of Thursday approved.

One day's leave of absence was granted to Messrs. Fraser and Bruner.

Mr. Mulholland, Chairman of the Committee on Federal Relations, stated that an error was made in reporting Assembly Joint Resolution No. 14—Relative to the financial policy of the General Government—instead of Assembly Joint Resolution No 4—Relative to the construction of a canal across the Isthmus of Darien—and now asked the return of Assembly Joint Resolution No. 14 and the substitution of Assembly Joint Resolution No. 4 on the file therefor.

So ordered.

REPORTS OF STANDING COMMITTEES.

By Mr. Sherburne:

ASSEMBLY CHAMBER, March 27th, 1880.

MR. SPEAKER: Your Committee on Engrossment have examined, and find correctly engrossed, Assembly Bill No 374—An Act for the promotion of the viticultural industries of the State.

Also, Assembly Bill No. 327—An Act to allow unincorporated towns and villages to equip and maintain a fire department, and to assess and collect taxes from time to time for such purpose, and to create a Board of Fire Commissioners.

SHERBURNE, Chairman.

By Mr. Green:

MR SPEAKER Your Committee on Labor and Capital, to whom was referred Assembly Bill No 110—An Act to establish and enforce eight hours as a legal day's work—with instructions to insert three new sections, to be known as numbers two, three, and four, report the same back with the additional sections as directed.

GREEN, Chairman.

By Mr. Mathews:

ASSEMBLY CHAMBER, SACRAMENTO, March 27th, 1880.

MR SPEAKER: The Committee on Swamp and Overflowed Lands, to whom was referred Senate Bill No. 365—An Act to add a new section to the Political Code, to be numbered three thousand four hundred and ninety-one, relative to the election of Trustees of reclamation districts, and their term of office—have had the same under consideration, and report the same back to the Assembly, and recommend its passage.

FELTON, Chairman.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 27th, 1880.

MR. SPEAKER The Committee on Swamp and Overflowed Lands, to whom was referred Senate Bill No. 268—An Act providing for appeals from orders forming reclamation or swamp land districts, setting off lands from such districts, or consolidating districts—have had the same under consideration, and report the same back to the Assembly, and recommend its passage.

FELTON, Chairman.

By Mr. Corcoran:

MR. SPEAKER: The undersigned, member of the Committee on Swamp and Overflowed Lands, to whom was referred Senate Bill No 368, begs leave to present a minority report against the passage of said bill, for the reason that it takes the control of swamp land districts out of the hands of the majority and puts it in the hands of the minority. That it proposes to do away with the present law allowing votes by acreage, and substitutes the principle of voting according to the value of the land, so that "A," whose land is worth one hundred dollars per acre, gets ten times as many votes as "B," whose lands are worth only ten dollars. It allows those owning land advantageously situated on the edges of the reclamation district, in many cases ten times as valuable as the land situated in the interior of the district, to control the elections of the district, and impose a tax on others which they entirely escape. Believing

this wrong in principle, and feeling confident that if carried into practice, as intended by this bill, it will have a tendency to put an end or at least seriously impede the work of reclamation, and also believing that it will leave the owners of poor lands at the mercy of those possessing lands more valuable, and that it will have a tendency to "freeze out" the holders of small tracts of swamp lands, I differ from the majority of the committee in recommending the passage of the bill.

HUGH J. CORCORAN.

By Mr. May:

ASSEMBLY CHAMBER, SACRAMENTO, March 27th, 1880.

MR SPEAKER: The Committee on Ways and Means, to whom was referred Assembly Bill No. 548—An Act to provide for the deficiency in the appropriation for repairs to State Capitol building and furniture, during the thirty-first fiscal year—have had the same under consideration, and report the same back to the Assembly without amendment, and recommend its passage.

MAY, Chairman.

MESSAGE FROM THE GOVERNOR.

The following message was received from the Governor:

STATE OF CALIFORNIA, EXECUTIVE DEPARTMENT,
SACRAMENTO, March 26th, 1880.

To the Assembly of the State of California

I have to inform your honorable body that I have approved Assembly Bill No 227—An Act authorizing the Boards of Supervisors of the counties in which water is sold for the purpose of irrigation to fix the rates at which water shall be sold.

Also, Assembly Bill No. 405—An Act to promote emigration from the State of California.

GEO. C. PERKINS, Governor.

INTRODUCTION OF A BILL.

The following bill was introduced, and ordered printed:

By Mr. Hynes—An Act to amend section four hundred and eighty-five of the Civil Code, relating to owning and operating railroads through private lands.

RESOLUTION.

By Mr. Anthony (by permission):

Commencing March twenty-ninth, eighteen hundred and eighty, this House will hold evening sessions from seven o'clock until ten o'clock P. M., and that any business pending at the hour of adjournment shall not go into unfinished business, but shall take its proper place on the file of the succeeding day.

Referred to the Committee on Rules.

FIRST READING AND REFERENCE OF BILLS.

Assembly Bill No. 563—An Act to amend sections three thousand four hundred and forty-three, three thousand four hundred and ninety-five, and three thousand five hundred, of the Political Code of this State, relating to the purchase of State lands.

Read first time, and referred to the Committee on Swamp and Overflowed Lands.

Assembly Bill No. 550—An Act to secure the wages of persons employed as laborers on threshing machines.

Read first time, and referred to the Committee on Judiciary.

Assembly Bill No. 566—An Act to amend section one thousand six hundred and thirteen of the Penal Code.

Read first time, and referred to the Committee on County Governments and Municipal Corporations

Assembly Bill No. 562—An Act to amend sections three thousand four hundred and fourteen, three thousand four hundred and fifteen, and three thousand four hundred and seventeen, of the Political Code, in title eight, relating to public lands.

Read first time, and referred to the Committee on Public Lands.

Assembly Bill No. 564—An Act to amend section two hundred and ninety of the Civil Code, relating to corporations.

Read first time, and referred to the Committee on Corporations.

Assembly Bill No. 565—An Act to amend sections two hundred and eighty-four, two hundred and eighty-six, and two hundred and ninety, of the Civil Code, and to add a new section thereto, to be known as section three hundred, in relation to corporations.

Read first time, and referred to the Committee on Corporations.

FIRST READING OF BILLS.

The order of the day, Senate Bill No. 399—An Act to amend sections one thousand five hundred and seventeen, one thousand five hundred and twenty-one, one thousand five hundred and thirty-two, one thousand five hundred and forty-three, one thousand five hundred and forty-five, one thousand five hundred and forty-six, one thousand five hundred and forty-eight, one thousand five hundred and fifty, one thousand five hundred and fifty-one, one thousand five hundred and sixty-four, one thousand five hundred and seventy-seven, one thousand five hundred and ninety-three, one thousand five hundred and ninety-seven, one thousand five hundred and ninety-eight, one thousand six hundred, one thousand six hundred and eleven, one thousand six hundred and sixteen, one thousand six hundred and seventeen, one thousand six hundred and nineteen, one thousand six hundred and twenty, one thousand six hundred and twenty-one, one thousand six hundred and twenty-two, one thousand six hundred and twenty-four, one thousand six hundred and sixty-two, one thousand six hundred and sixty-three, one thousand six hundred and sixty-five, one thousand six hundred and sixty-six, one thousand six hundred and ninety-six, one thousand seven hundred and one, one thousand seven hundred and twelve, one thousand seven hundred and fifteen, one thousand seven hundred and sixty-eight, one thousand seven hundred and sixty-nine, one thousand seven hundred and seventy, one thousand seven hundred and seventy-one, one thousand seven hundred and seventy-two, one thousand seven hundred and seventy-four, one thousand seven hundred and seventy-five, one thousand seven hundred and eighty-seven, one thousand seven hundred and eighty-eight, one thousand seven hundred and ninety, one thousand seven hundred and ninety-one, one thousand eight hundred and seventeen, one thousand eight hundred and eighteen, one thousand eight hundred and thirty-four, one thousand eight hundred and thirty-five, one thousand eight hundred and thirty-six, one thousand eight hundred and thirty-seven, one thousand eight hundred and fifty-seven, one thousand eight hundred and fifty-eight, one thousand eight hundred and fifty-nine, one thousand eight hundred and sixty-one, one thousand eight hundred and sixty-nine, one thousand eight hundred and seventy-one, and one thousand eight hundred and seventy-four, and to repeal

sections one thousand five hundred and fifty-one (*b*), one thousand six hundred and fifty-two, one thousand six hundred and sixty-nine, one thousand six hundred and seventy, one thousand six hundred and seventy-one, one thousand seven hundred and forty-one, one thousand seven hundred and forty-two, one thousand seven hundred and forty-three, one thousand seven hundred and forty-four, one thousand seven hundred and forty-five, one thousand seven hundred and forty-six, one thousand seven hundred and forty-seven, one thousand seven hundred and forty-eight, one thousand seven hundred and forty-nine, one thousand seven hundred and fifty, one thousand seven hundred and fifty-one, one thousand seven hundred and fifty-two, one thousand seven hundred and fifty-three, one thousand seven hundred and fifty-four, one thousand seven hundred and fifty-five, one thousand seven hundred and fifty-seven, one thousand seven hundred and fifty-eight, one thousand seven hundred and seventy-seven, one thousand seven hundred and ninety-three, one thousand eight hundred and thirty-eight, one thousand eight hundred and forty, one thousand eight hundred and forty-one, one thousand eight hundred and forty-two, one thousand eight hundred and forty-three, one thousand eight hundred and forty-four, one thousand eight hundred and forty-five, one thousand eight hundred and forty-six, one thousand eight hundred and forty-seven, one thousand eight hundred and forty-eight, one thousand eight hundred and forty-nine, one thousand eight hundred and fifty, one thousand eight hundred and fifty-one, one thousand eight hundred and fifty-two, and one thousand eight hundred and seventy-two, of the Political Code, and to add five new sections thereto, to be known as sections one thousand five hundred and sixty-five, one thousand five hundred and eighty-three, one thousand seven hundred and three, one thousand seven hundred and four, and one thousand eight hundred and seventy-nine—was taken up.

Mr. Wason of Ventura moved to amend by striking out all after the word "and," in line four, section forty-three, and inserting instead the words "four members, at least two of whom shall be experienced teachers residents of such city."

Adopted.

The committee amendment to section forty-four adopted.

The committee amendment to section forty-five adopted.

Mr. Tyler moved to amend by adding a new section, to be known as section forty-eight of the bill.

Adopted.

The committee amendment to section forty-eight adopted.

The question being upon adopting the committee amendment to section fifty-three, the ayes and noes were demanded by Messrs Sherburne, Gorley, and Levee.

The roll was called, and the amendment was lost by the following vote:

AYES—Messrs. Adams, Anthony, Braunhart, Brown of Sonoma, Brown of Yuba, Coffman, Cuthbert, DuBrutz, Felton, Finlayson, Fox, Gorley, Harris, Hartson, Levee, Maguire, Mathews, May, McComas, Merry, Morse, Nelson, Spencer, Streeter, Sweetland, Tyler, Wason of Ventura, York, and Young—29

NOES—Messrs Bass, Brusie, Burns, Carr of Sacramento, Carr of Yuba, Chamberlain, Chandler, Coleman, Cook, Cooper, Corcoran, Downs, Durham, Estey, Fink, Garibaldi, Gafley, Green, Hardy, Hynes, Josselyn, Lane, Leach, Leadbetter, Maybell, McCallion, McCarty of Lake, McCarthy of San Francisco, McIntosh, Picket, Sherburne, Stanley, Stoddard, and Wattson—34.

Mr. Chandler moved to amend by striking out the words "having not less than thirty census children," from line twenty-four, section fifty-four.

Lost.

The question recurring upon Mr. Levee's amendment it was lost.

Mr. Levee moved to amend by striking out the word "thirty," from line twenty-four, section fifty-four, and inserting instead the word "twenty."

Mr. DuBrutz moved to amend, in line twenty-four, section fifty-four, by inserting between the words "not" and "having," the words "an average daily attendance of."

Lost.

The committee amendment number ten to section fifty-eight adopted.

The committee amendment number eleven to section fifty-eight.

Upon which the ayes and noes were demanded by Messrs. Morse, Wason of Ventura, and Ward.

The roll was called, and the motion was lost by the following vote:

AYES—Messrs. Adams, Brooks, Brown of Yuba, Brusie, Carr of Sacramento, Chandler, Coffman, Corcoran, Downs, DuBrutz, Estey, Felton, Finlayson, Gorley, Green, Leadbetter, Mathews, May, McCarty of Lake, Merry, Morse, Mulholland, Nelson, Sherburne, Spencer, Streeter, Sweetland, Tyler, Walker, Ward, Wason of Ventura, Wasson of Mono, York, Young, and Mr. Speaker—35.

NOES—Messrs. Anthony, Bass, Braunhart, Brown of Sonoma, Burns, Carr of Yuba, Chamberlain, Coleman, Cook, Cooper, Dimond, Durham, Fox, Frink, Garibaldi, Gatley, Harris, Hartson, Hynes, Josselyn, Lane, Leach, Levee, Magune, Maybell, McCallion, McCarthy of San Francisco, McComas, McDade, McIntosh, Messenger, Picket, Sayle, Simon, Stanley, Stoddard, Valle Del, and Wattson—38.

Mr. Carr of Yuba moved to amend line thirty-three, section fifty-eight, by inserting the words "wholesale and," and inserting in line thirty-four the words "within the county, or at San Francisco."

Adopted.

Mr. Spencer moved to reconsider the vote by which Mr. Carr's amendment was adopted.

Lost.

Mr. Nelson moved to amend section fifty-eight by adopting a substitute for section fifth of said section.

Lost.

Mr. Tyler moved to amend line thirty-four, section fifty-eight, by inserting after the word "which," the words "at which the publisher agrees to furnish," and by striking out the words "shall be sold."

Adopted.

The committee amendment to section sixty adopted.

The title of the bill amended as recommended by the committee.

The bill read second time, and ordered to third reading.

Mr. Fox moved that Senate Bill No. 336—An Act to provide for the erection of a building for the use of the Normal School—and Assembly Bill No. 541—An Act to provide for the construction and furnishing Normal School buildings in the State of California—be made the order of the day for Tuesday next.

ADJOURNMENT.

At twelve o'clock and fifteen minutes P. M. Mr. Sweetland moved we do now adjourn.

Carried.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Monday, March 29th, 1880.

House met pursuant to adjournment.
Speaker Cowdery in the chair.
Roll called, and quorum present.
One day's leave of absence granted to Messrs. Morse and Adams.
Prayer by the Chaplain.

READING AND APPROVAL OF THE JOURNAL.

Mr. Frink moved that the further reading of the Journal be dispensed with.
So ordered.
The Journal of Friday and Saturday approved.

REPORTS OF SELECT COMMITTEES.

By Mr. Hartson:

MR. SPEAKER: Your special committee to whom was referred Assembly Bill No. 472, have had the same under consideration, beg leave to report the same back with amendments, and recommend its passage with the amendments.

HARTSON, Chairman.

The bill above reported ordered to head of second reading file for to-morrow.

REPORT OF STANDING COMMITTEE.

By Mr. McComas:

SACRAMENTO, March 29th, 1880.

MR. SPEAKER: Your Committee on Public Lands, to whom was referred Assembly Concurrent Resolution No. 20—Relative to the preemption laws of the United States—have had the same under consideration, and report the same back to the Assembly, and recommend that it do pass

McCOMAS, Chairman.

INTRODUCTION OF BILLS.

The following bills were introduced, and ordered printed:
By Mr. Fox—An Act to amend sections one thousand two hundred and thirty-eight and one thousand two hundred and forty of the Code of Civil Procedure, in relation to taking private property for public use.
Also, an Act to amend section three thousand five hundred and seventy-one of the Political Code, in relation to the sale of land.
Also, an Act to amend section one thousand two hundred and seventy-five of the Civil Code, in relation to wills.
By Mr. Braunhart—An Act to provide for fixing rates of compensation for the use of water supplied to cities and counties, cities, and towns, and the inhabitants thereof.

FIRST READING AND REFERENCE OF BILLS.

Assembly Bill No. 561—An Act to provide for the formation and

classification of corporations for municipal purposes, and to define their powers and duties.

Read first time, and referred to the Committee on County Governments and Municipal Corporations.

Assembly Bill No. 567—An Act to amend section two hundred and ninety of the Civil Code, in regard to articles of incorporation.

Read first time, and referred to the Committee on Public Lands.

THE CONSIDERATION OF THE ORDER OF THE DAY.

Assembly Bill No. 334—An Act to promote drainage—on motion of Mr. Stanley, was postponed until two o'clock P. M.

SENATE MESSAGE.

The following Senate message was read:

SENATE CHAMBER, SACRAMENTO, March 24th, 1880.

MR. SPEAKER: I am directed to inform your honorable body that the Senate, on this day, passed Senate Bill No. 60—An Act to amend title eleven, of part four, of the Civil Code, and each and every section thereof, and to substitute a new title eleven, of part four, to take the place thereof in said Code, relating to mining corporations.

Also, Senate Bill No. 439—An Act to form agricultural districts, and to provide for the organization of agricultural associations therein, and for the management and control of the same by the State.

Also, on March nineteenth amended, and on March twenty-fourth passed, Assembly Bill No. 109—An Act permitting and authorizing railway and other corporations organized under the laws of any State or Territory of the United States of America, or any Act of Congress of the United States of America, to do business in this State on the same terms as railway corporations organized under the laws of this State.

Also, amended, February twenty-eighth, and on March twenty-fourth passed, Assembly Bill No. 95—An Act to repeal an Act entitled an Act relative to executions from Courts of Justices of the Peace of the several townships of the County of Alameda.

Also, passed Assembly Bill No. 57—An Act to repeal an Act entitled an Act to compel the County Clerk of the City and County of San Francisco to keep open his office upon all election days, approved March seventh, eighteen hundred and seventy-six.

J. A. ORR, Assistant Secretary.

CONSIDERATION OF SENATE MESSAGE.

Substitute for Senate Bill No. 60—An Act to amend title eleven, of part four, of the Civil Code, and each and every section thereof, and to substitute a new title eleven, of part four, to take the place thereof in said Code, relating to mining corporations.

Read first time, and referred to the Committee on Corporations.

Senate Bill No. 439—An Act to form agricultural districts, to provide for the organization of agricultural associations therein, and for the management and control of the same by the State.

Read first time, and referred to the Committee on Agriculture.

Assembly Bill No. 109—An Act permitting and authorizing railway and other corporations organized under the laws of this State, or of any State or Territory of the United States of America, or any Act of Congress of the United States of America, to do business in this State on equal terms.

The amendment to the title concurred in.

The question being upon concurring in the Senate amendments to section two of the bill, the roll was called, and the House refused to concur in the amendment by the following vote:

AYES—Messrs. Bass, Braunhart, Brooks, Brown of Sonoma, Brown of Yuba, Bruner, Burns, Coffman, Coleman, Cook, Cooper, Corcoran, Dimond, Downs, Durham, Felton, Finlayson, Fox, Garibaldi, Gorley, Harrson, Hynes, Josselyn, Lane, Mathews, May, McCarty of Lake, Messenger, Nelson, Picket, Savle, Tyler, Walker, Wasson of Mono, York, Young, and Mr. Speaker—37.

NOES—Messrs Anthony, Bennett, Carr of Sacramento, Chamberlain, Chandler, DuBrutz, Estey, Frink, Gaffey, Green, Hardy, Hershey, Leach, Leadbetter, Maguire, Maybell, McCarthy of San Francisco, McComas, McIntosh, Merry, Sherburne, Spencer, Stanley, Stoddard, Wason of Ventura, and Wattson—26.

Mr. Tyler gave notice that he would move, to-morrow, to reconsider the vote by which the House refused to concur in Senate amendment to the above bill.

Assembly Bill No. 95—An Act entitled an Act to repeal an Act entitled "An Act relative to executions from Courts of Justices of the Peace of the several townships of the County of Alameda," approved February twenty-fifth, eighteen hundred and seventy-eight.

Taken up.

Senate amendment to the title concurred in.

The Senate amendment to the bill concurred in.

SENATE MESSAGE.

The following Senate message was read:

SENATE CHAMBER, SACRAMENTO, March 26th, 1880.

MR. SPEAKER I am directed to inform your honorable body that the Senate, on March twenty-fifth, passed Senate Bill No. 144—An Act to amend section three hundred and fifty-nine of the Civil Code, providing for the increase of the capital stock of corporations

Also, Senate Bill No 209—An Act entitled an Act to empower Justices of the Peace to hold inquests concerning fires

Also, Senate Bill No. 251—An Act to add five new sections to the Political Code, providing for funding and refunding county indebtedness.

Also, Senate Bill No. 340—An Act to amend section one thousand eight hundred and sixty-eight of the Political Code, relating to the protection of public schools

Also, Senate Bill No. 271—An Act to amend section four hundred and forty-nine of the Code of Civil Procedure, concerning verifications of pleadings.

Also, Senate Bill No. 287—An Act to amend section one thousand four hundred and ninety-one of the Code of Civil Procedure, relating to claims against the estates of deceased persons.

Also, Assembly Bill No. 62—An Act to declare valid writs, process, and certificates issued by the Superior Courts of this State, or the Clerks thereof, before such Courts shall have been legally provided with seals.

Also, March twenty-sixth, passed Senate Bill No. 528—An Act to amend section three thousand seven hundred and fourteen of an Act entitled "An Act to establish a Political Code," approved March twelfth, eighteen hundred and seventy-two, relating to revenue.

J. A. ORR, Assistant Secretary.

CONSIDERATION OF SENATE MESSAGE.

Senate Bill No. 528—An Act to amend section three thousand seven hundred and fourteen of an Act entitled an Act to establish a Political Code, approved March twelfth, eighteen hundred and seventy-two, relating to revenue.

Read first time, and ordered to the head of second reading file for to-morrow.

Senate Bill No. 144—An Act to amend section three hundred and fifty-nine of the Civil Code, providing for the increase of the capital stock of corporations.

Read first time, and referred to the Committee on Corporations.

Senate Bill No. 251—An Act to add five new sections to the Political Code, providing for funding and refunding county indebtedness.

Read first time, and referred to the Committee on County Governments and Municipal Corporations.

Senate Bill No. 209—An Act entitled an Act to empower Justices of the Peace to hold inquests concerning fires.

Read first time, and referred to the Judiciary Committee.

Senate Bill No. 340—An Act to amend section one thousand eight hundred and sixty-eight of the Political Code, relating to the protection of public schools.

Read first time, and referred to the Committee on Judiciary.

Senate Bill No. 271—An Act to amend section four hundred and forty-nine of the Code of Civil Procedure, concerning verifications of pleadings.

Read first time, and referred to the Committee on Judiciary.

Senate Bill No. 287—An Act to amend section one thousand four hundred and ninety-one of the Code of Civil Procedure, relating to claims against the estates of deceased persons.

Read first time, and referred to the Committee on Judiciary.

SECOND READING OF BILLS.

Mr Tyler in the chair.

Senate Bill No. 174—An Act to amend sections one thousand two hundred and ninety-five, one thousand two hundred and ninety-eight, one thousand three hundred and three, one thousand three hundred and five, one thousand three hundred and thirteen, one thousand three hundred and seventeen, one thousand three hundred and twenty-two, one thousand three hundred and thirty-eight, one thousand three hundred and forty, one thousand three hundred and forty-five, one thousand three hundred and sixty, one thousand three hundred and sixty-one, one thousand three hundred and sixty-two, one thousand three hundred and seventy-two, one thousand three hundred and seventy-three, one thousand three hundred and eighty-three, one thousand three hundred and eighty-eight, one thousand three hundred and eighty-nine, one thousand three hundred and ninety-one, one thousand three hundred and ninety-three, one thousand three hundred and ninety-four, one thousand three hundred and ninety-seven, one thousand three hundred and ninety-eight, one thousand four hundred and two, one thousand four hundred and three, one thousand four hundred and six, one thousand four hundred and eleven, one thousand four hundred and twelve, one thousand four hundred and thirteen, one thousand four hundred and fourteen, one thousand four hundred and fifteen, one thousand four hundred and twenty-six, one thousand four hundred and twenty-seven, one thousand four hundred and thirty, one thousand four hundred and thirty-one, one thousand four hundred and thirty-two, one thousand four hundred and thirty-three, one thousand four hundred and thirty-six, one thousand four hundred and forty-three, one thousand four hundred and forty-four, one thousand four hundred and fifty-two, one thousand four hundred and fifty-three, one thousand four hundred and fifty-nine, one thousand four hundred and sixty, one thousand four hundred and sixty-one, one thousand four hundred and sixty-four, one thousand four hundred and sixty-five, one thousand four hundred and sixty-six, one thousand four hundred and sixty-eight, one thousand four hundred and sixty-nine, one thousand four hundred and seventy, one thousand four hundred and seventy-four, one thousand four hundred and seventy-five, one

thousand four hundred and eighty-five, one thousand four hundred and ninety-three, one thousand four hundred and ninety-four, one thousand four hundred and ninety-five, one thousand four hundred and ninety-six, one thousand four hundred and ninety-seven, one thousand four hundred and ninety-eight, one thousand four hundred and ninety-nine, one thousand five hundred and three, one thousand five hundred and four, one thousand five hundred and seven, one thousand five hundred and ten, one thousand five hundred and twelve, one thousand five hundred and seventeen, one thousand five hundred and nineteen, one thousand five hundred and twenty-three, one thousand five hundred and twenty-six, one thousand five hundred and twenty-nine, one thousand five hundred and thirty, one thousand five hundred and thirty-one, one thousand five hundred and thirty-two, one thousand five hundred and thirty-six, one thousand five hundred and thirty-seven, one thousand five hundred and forty, one thousand five hundred and forty-one, one thousand five hundred and forty-nine, one thousand five hundred and fifty-two, one thousand five hundred and fifty-five, one thousand five hundred and sixty-one, one thousand five hundred and sixty-four, one thousand five hundred and sixty-six, one thousand five hundred and sixty-nine, one thousand five hundred and seventy, one thousand five hundred and seventy-five, one thousand five hundred and eighty-five, one thousand five hundred and eighty-eight, one thousand five hundred and ninety, one thousand five hundred and ninety-one, one thousand five hundred and ninety-seven, one thousand five hundred and ninety-eight, one thousand six hundred and two, one thousand six hundred and three, one thousand six hundred and four, one thousand six hundred and sixteen, one thousand six hundred and eighteen, one thousand six hundred and twenty-two, one thousand six hundred and twenty-three, one thousand six hundred and twenty-four, one thousand six hundred and twenty-five, one thousand six hundred and twenty-nine, one thousand six hundred and thirty-two, one thousand six hundred and thirty-three, one thousand six hundred and forty, one thousand six hundred and forty-nine, one thousand six hundred and sixty-one, one thousand six hundred and sixty-seven, one thousand six hundred and sixty-nine, one thousand six hundred and seventy-five, one thousand six hundred and seventy-six, one thousand six hundred and seventy-seven, one thousand six hundred and eighty, one thousand six hundred and eighty-four, one thousand six hundred and eighty-five, one thousand six hundred and eighty-six, one thousand six hundred and ninety-two, one thousand six hundred and ninety-three, one thousand six hundred and ninety-four, one thousand six hundred and ninety-six, one thousand seven hundred and four, one thousand seven hundred and five, one thousand seven hundred and six, one thousand seven hundred and sixteen, one thousand seven hundred and eighteen, one thousand seven hundred and twenty, one thousand seven hundred and twenty-one, one thousand seven hundred and twenty-two, one thousand seven hundred and twenty-six, one thousand seven hundred and twenty-nine, one thousand seven hundred and thirty, one thousand seven hundred and thirty-three, one thousand seven hundred and thirty-four, one thousand seven hundred and thirty-five, one thousand seven hundred and thirty-six, one thousand seven hundred and thirty-seven, and one thousand seven hun-

dred and forty, of the Code of Civil Procedure, relating to the settlement of estates of deceased persons.

Taken up.

The amendment to section three recommended by the committee adopted.

The error in section thirty-four whereby "Section 1430" was omitted, was ordered corrected by the Clerk by inserting "Section 1430."

The amendment to section forty-one recommended by the committee adopted.

The substitute for section forty-seven recommended by the committee adopted.

The substitute for section fifty-one recommended by the committee adopted.

The substitute for section fifty-two recommended by the committee adopted.

The amendment to section fifty-four recommended by the committee adopted.

The House returned to section forty-nine, and adopted the amendment thereto recommended by the committee.

The amendment recommended by the committee to section sixty-four adopted.

The amendment recommended by the committee to section seventy-eight adopted.

Mr. Fox moved to amend by inserting the word "of" after the word "offer," in line eighteen, section seventy-nine, printed bill.

Adopted.

The committee amendment to section one hundred and three adopted

The bill read second time, and ordered to the head of the third reading file.

The title amended.

Assembly Bill No. 567—An Act to amend section two hundred and ninety of the Civil Code, in regard to articles of incorporation—was, on motion of Mr. Fox, recalled from the Committee on Public Lands, and referred to the Committee on Corporations.

Mr. McComas moved that Senate Bill No. 336—An Act to provide for the erection of a building for the use of the Normal School—and Assembly Bill No. 541—An Act to provide for the construction and furnishing Normal School buildings in the State of California—be made the order of the day for Thursday next.

Carried

Mr. Fox moved that Senate Bill No. 131—An Act for the relief of insolvent debtors, for the protection of creditors, and for the punishment of fraudulent debtors—be placed number three on the third reading file.

Lost.

Assembly Bill No. 450—An Act to dispose of mining debris, and protect the rivers and low lands of California from damages thereby.

Ordered to the foot of the file, under the rule.

Mr Hartson moved that Assembly Bill No. 551—An Act to amend section three thousand six hundred and forty of an Act entitled "An Act to establish a Political Code," approved March twelfth, eighteen hundred and sixty-two, relating to revenue—be taken up.

So ordered.

The bill read second time, and ordered to third reading.

Senate Bill No. 311—An Act to appropriate money to the California Artificial Stone Paving Company, to pay the balance due the company for laying down the stone walks and avenues about the Capitol grounds.

Taken up on motion of Mr. Maybell.

Read second time, and ordered to third reading.

Assembly Bill No. 345—An Act to amend section eight hundred and forty-nine of the Code of Civil Procedure.

Read second time, and refused a third reading.

Assembly Bill No. 265—An Act to amend section one thousand four hundred and sixty-eight of the Code of Civil Procedure, relating to the provision for the support of the family and of the homestead.

Read second time, and ordered to third reading

Assembly Bill No. 395—An Act for the protection of life and property in localities contiguous to railroads.

Taken up.

Mr. Hynes moved to strike out the enacting clause, and to adopt a substitute for the matter stricken out.

Adopted.

The bill read second time, and ordered to third reading.

Assembly Bill No. 244—An Act to prevent the commencement of suits to quiet the title to, or for the possession of, real estate in certain cases without depositing certain moneys with the Treasurer.

Read second time.

Amended as recommended by the committee.

Mr. Fox's amendment to section one adopted, and the bill ordered to third reading.

Assembly Bill No. 369—An Act to amend section one thousand five hundred and ninety of the Penal Code, in relation to persons imprisoned in the State Prison.

Ordered to the foot of the file, under the rule.

Assembly Bill No. 313—An Act to authorize the Sheriff or other officer of any county jail or city prison to cut the hair of prisoners to within one inch of the scalp.

Read second time.

Amendment number one, recommended by the committee, adopted.

Amendment number two, recommended by the committee, rejected.

The bill ordered to third reading.

Assembly Bill No. 401—An Act to repeal sections three hundred and thirty-one, three hundred and thirty-two, three hundred and thirty-three, three hundred and thirty-four, three hundred and thirty-five, three hundred and thirty-six, three hundred and thirty-seven, three hundred and thirty-eight, three hundred and thirty-nine, three hundred and forty, three hundred and forty-one, three hundred and forty-two, three hundred and forty-five, three hundred and forty-six, three hundred and forty-seven, three hundred and forty-eight, and three hundred and forty-nine, of the Civil Code of the State of California, concerning corporations.

Read second time.

The bill refused a third reading.

RECESS.

The hour of one o'clock P. M. having arrived, the House took a recess until two o'clock P. M.

RE-ASSEMBLED.

House re-assembled at two o'clock P. M.

Speaker Cowdery in the chair:

Quorum present.

The consideration of Assembly Bill No. 334—An Act to promote drainage—the order of the day, taken up.

Mr. Cook moved to amend by striking out the word "drainage," from lines two and three, section one.

Lost.

Mr Brooks moved to amend by striking out the words "State Engineer," from line one, section one, and inserting instead the words "Secretary of State."

Lost.

Mr. Bennett offered a substitute for the bill, and moved its adoption

The question being, "Shall the substitute be read now?" the ayes and noes were demanded by Messrs. Sweetland, Tyler, and Frink.

The roll was called, and the substitute was ordered read by the following vote:

AYES—Messrs. Anthony, Bass, Bennett, Brooks, Brown of Sonoma, Bruner, Brusie, Burns, Carr of Sacramento, Carr of Yuba, Chamberlain, Chandler, Coleman, Cook, DuBrutz, Durham, Estey, Felton, Frink, Gaffey, Green, Hardy, Harris, Hartson, Hershey, Hynes, Josselyn, Leach, Leadbetter, Mathews, Maybell, McCarthy of San Francisco, McComas, McDade, McIntosh, Merry, Sherburne, Stanley, Stoddard, Streeter, Wason of Ventura, Wattson, and Mr. Speaker—43.

NOES—Messrs Braunhart, Brown of Yuba, Camron, Coffman, Cooper, Corcoran, Cuthbert, Dimond, Downs, Finlayson, Fox, Fraser, Garibaldi, Gorley, Lane, May, McCallion, McCarty of Lake, Messenger, Mulholland, Nelson, Picket, Sayle, Spencer, Sweetland, Tyler, Walker, Ward, Wasson of Mono, York, and Young—31.

Mr Bennett moved that the substitute be printed, and the further consideration of the bill and substitute be made the order of the day for to-morrow.

Upon which the ayes and noes were demanded by Messrs. McDade, Braunhart, and Brooks.

A division of the question being demanded, the question came on the printing of the substitute.

The ayes and noes were demanded by the requisite number.

The roll was called, and the motion to print the substitute was carried by the following vote:

AYES—Messrs Anthony, Bass, Bennett, Brooks, Bruner, Brusie, Burns, Camron, Carr of Sacramento, Carr of Yuba, Chamberlain, Chandler, Coleman, Cook, Durham, Estey, Felton, Frink, Gaffey, Green, Hardy, Harris, Hartson, Hershey, Hynes, Josselyn, Leach, Leadbetter, Mathews, Maybell, McCarthy of San Francisco, McComas, McDade, McIntosh, Simon, Sherburne, Stanley, Stoddard, Streeter, Tyler Wason of Ventura, and Wattson—42.

NOES—Messrs Braunhart, Brown of Sonoma, Brown of Yuba, Coffman, Cooper, Corcoran, Cuthbert, Dimond Downs DuBrutz, Finlayson, Fox, Fraser, Garibaldi, Gorley, Lane, May, McCallion, McCarty of Lake, Messenger, Mulholland, Nelson, Picket, Sayle, Spencer, Sweetland, Walker, Ward, Wasson of Mono, York, and Young—31.

The question recurred on making the bill and substitute the order of the day for to-morrow

Upon which the ayes and noes were demanded by Messrs. Corcoran, McDade, and Burns.

The motion was withdrawn.

Mr. Bennett moved that the consideration of the bill and substitute be postponed until Wednesday.

Upon which the ayes and noes were demanded by Messrs. Braunhart, McDade, and Maybell.

The roll was called, and the motion was lost by the following vote:

AYES—Messrs. Anthony, Bass, Bennett, Brooks, Bruner, Brusie, Carr of Sacramento, Chamberlain, Chandler, Coleman, Cook, Durham, Estey, Green, Hartson, Hershey, Leach, Mathews, Maybell, McCarthy of San Francisco, McDade, Merry, Simon, Sherburne, Stanley, Stoddard, Streeter, and Wason of Ventura—28.

NOES—Messrs. Braunhart, Brown of Sonoma, Brown of Yuba, Camron, Carr of Yuba, Coffman, Cooper, Corcoran, Cuthbert, Dimond, Downs, DuBrutz, Felton, Finlayson, Fox, Fraser, Frink, Garibaldi, Gaffey, Gorley, Hardy, Harris, Hynes, Josselyn, Lane, Leadbetter, May, McCallion, McCarty of Lake, McComas, McIntosh, Messenger, Mulholland, Nelson, Picket, Sayle, Spencer, Sweetland, Tyler, Walker, Ward, Wasson of Mono, York, Young, and Mr. Speaker—45

Mr. Hartson moved to amend by striking out the words, "proceed to consider the same, and may adopt, amend, or reject said report," from lines three and four, section three, and inserting instead the words, "shall submit the question of the establishment of such district to a vote of the qualified electors thereof"

Upon which the ayes and noes were demanded by Messrs. Braunhart, Stanley, and Bennett.

The roll was called, and the amendment was lost by the following vote:

AYES—Messrs. Anthony, Bass, Bennett, Brooks, Bruner, Brusie, Camron, Carr of Sacramento, Carr of Yuba, Chandler, Coleman, Cook, Cuthbert, Durham, Estey, Green, Hardy, Hartson, Hershey, Josselyn, Leach, Maguire, Mathews, Maybell, McCarthy of San Francisco, McDade, Mulholland, Simon, Sherburne, Stanley, Stoddard, Streeter, Wason of Ventura, and Wattson—34.

NOES—Messrs. Braunhart, Brown of Yuba, Chamberlain, Coffman, Cooper, Corcoran, Dimond, Downs, DuBrutz, Felton, Finlayson, Fox, Fraser, Frink, Garibaldi, Gaffey, Gorley, Harris, Hynes, Lane, Leadbetter, Levee, May, McCallion, McCarty of Lake, McComas, McIntosh, Messenger, Nelson, Picket, Sayle, Spencer, Sweetland, Tyler, Walker, Ward, Wasson of Mono, York, Young, and Mr. Speaker—40.

Mr. Carr of Sacramento moved to amend by adding at the end of section three the words "*provided*, that no land shall be included in a drainage district but swamp and overflowed land."

Mr. McCallion moved to amend the amendment by adding at the close thereof the words "and all lands upon which Chinese labor is employed."

RECESS.

Pending discussion of the above, Mr. Corcoran moved to take a recess until seven o'clock and thirty minutes P. M.

Upon which the ayes and noes were demanded by Messrs. May, Braunhart, and Simon.

The roll was called, and the motion was carried by the following vote:

AYES—Messrs. Bass, Bennett, Braunhart, Brown of Sonoma, Brown of Yuba, Brusie, Chamberlain, Coffman, Cook, Cooper, Corcoran, Dimond, Downs, Durham, Estey, Felton, Finlayson, Fox, Fraser, Frink, Garibaldi, Gaffey, Gorley, Green, Hardy, Hartson, Hershey, Lane, Leach, Leadbetter, Levee, Maguire, Mathews, McCarty of Lake, McComas, Messenger, Mulholland, Nelson, Sayle, Simon, Spencer, Streeter, Sweetland, Tyler, Valle Del, Walker, Wason of Ventura, Wasson of Mono, Wattson, York, Young, and Mr. Speaker—52.

NOES—Messrs. Anthony, Brooks, Bruner, Carr of Sacramento, Coleman, Cuthbert, DuBrutz, Hynes, Josselyn, May, Maybell, McCallion, McCarthy of San Francisco, McDade, McIntosh, Picket, Sherburne, Stanley, Stoddard, and Ward—20.

RE-ASSEMBLED.

House re-assembled at seven o'clock and thirty minutes P. M.

Speaker Cowdery in the chair.

Quorum present

Mr Spencer was granted leave of absence for the evening

The discussion of Assembly Bill No. 334—An Act to promote drainage—resumed.

The question being taken upon the amendment of Mr. McCallion to the amendment it was lost.

The question recurred upon the amendment of Mr Carr of Sacramento.

Upon which the ayes and noes were demanded by Messrs. Leach, Carr of Sacramento, and Mathews.

The roll was called, and the motion was lost by the following vote:

AYES—Messrs. Anthony, Bass, Bennett, Bruner, Carr of Sacramento, Coleman, Cook, Estey, Hartson, Hershey, Leach, Leadbetter, Mathews, Maybell, McDade, McIntosh, Simon, Sherburne, Stanley, Stoddard, Streeter, Wason of Ventura, and Wattson—23.

NOES—Messrs. Braunhart, Brown of Yuba, Brusie, Camron, Carr of Yuba Chamberlain, Chandler, Coffman, Cooper, Corcoran, Cuthbert, Downs, DuBrutz, Felton, Finlayson, Fox, Fraser, Frink, Garibaldi, Gaffey, Gorley, Green, Hynes, Lane, Levee, May, McCallion, McCarty of Lake, McCarthy of San Francisco, McComas, Messenger, Mulholland, Nelson, Picket, Sayle, Sweetland, Tyler, Walker, Ward, York, Young, and Mr. Speaker—42.

Mr. Chandler moved to amend by striking out the words "for four years," and also, "appointed," from line four, section four, and inserting instead of the word "appointed," the words "elected at the next general election."

Upon which the ayes and noes were demanded by Messrs. Simon, Maybell, and Leach.

Speaker pro tem. Fraser in the chair.

The roll was called, and the amendment was adopted by the following vote:

AYES—Messrs Anthony, Bass, Bennett, Bruner, Carr of Sacramento, Carr of Yuba, Chamberlain, Chandler, Coleman, Cook, DuBrutz, Durham, Estey, Gaffey, Green, Hartson, Hershey, Hynes, Josselyn, Leach, Leadbetter, Maguire, Mathews, Maybell, McCallion, McCarty of Lake, McCarthy of San Francisco, McComas, McDade, McIntosh, Messenger, Mulholland, Sayle, Simon, Sherburne, Stanley, Stoddard, Streeter, Sweetland, Wattson, and Young—41.

NOES—Messrs. Brown of Yuba, Brusie, Camron, Coffman, Cooper, Corcoran, Cuthbert, Downs, Finlayson, Fox, Fraser, Garibaldi, Gorley, Lane, Levee, May, Nelson, Picket, Tyler, Walker, Ward, Wason of Ventura, York, and Mr. Speaker—24.

Mr. Young moved that the vote by which the House adopted the amendment be reconsidered.

Upon which the ayes and noes were demanded by Messrs. Walker, Braunhart, and Young.

The roll was called, and the motion to reconsider was carried by the following vote:

AYES—Messrs. Braunhart, Brown of Sonoma, Brown of Yuba, Brusie, Camron, Carr of Yuba, Coffman, Cooper, Corcoran, Cuthbert, Downs, Felton, Finlayson, Fox, Fraser, Frink, Garibaldi, Gaffey, Gorley, Hynes, Josselyn, Lane, Leadbetter, Levee, May, McCallion, McCarty of Lake, McComas, McIntosh, Messenger, Mulholland, Nelson, Picket, Sayle, Sweetland, Tyler, Walker, Ward, York, Young, and Mr Speaker—41.

NOES—Messrs Anthony, Bass, Bennett, Bruner, Carr of Sacramento, Chamberlain, Chandler, Coleman, Cook, DuBrutz, Durham, Estey, Green, Hartson, Hershey, Leach, Mathews, Maybell, McCarthy of San Francisco, McDade, Simon, Sherburne, Stanley, Stoddard, Streeter, Wason of Ventura, and Wattson—27.

Mr. Bennett moved to amend section four, in line four, by inserting as a substitute for such amendment, after the words "four years," the words "unless sooner removed for cause by the Governor."

Mr. Maybell moved that the enacting clause of the bill be stricken out.

Upon which the ayes and noes were demanded by Messrs. Walker, Anthony, and Maybell.

The roll was called, and the motion was lost by the following vote:

AYES—Messrs. Anthony, Bass, Camron, Coleman, Estey, Green, Hartson, Hershey, Lane, Leach, Leadbetter, Maybell, McCarthy of San Francisco, McDade, McIntosh, Sherburne, Stanley, Stoddard, Streeter, Tyler, and Wason of Ventura—21.

NOES—Messrs. Bennett, Braunhart, Brown of Sonoma, Brown of Yuba, Bruner, Brusie, Carr of Sacramento, Carr of Yuba, Chamberlain, Chandler, Coffman, Cook, Cooper, Corcoran, Cuthbert, Downs, DuBrutz, Durham, Felton, Finlayson, Fraser, Frink, Garibaldi, Gaffey, Gorley, Harris, Hynes, Levee, Magune, Mathews, May, McCallion, McCarty of Lake, McComas, Messenger, Mulholland, Nelson, Picket, Sayle, Simon, Sweetland, Walker, Ward, Wattson, York, Young, and Mr. Speaker—47.

The amendment of Mr. Bennett to section four was then adopted.

The previous question was demanded by the requisite number, upon which the ayes and noes were demanded by Messrs. McDade, Carr of Yuba, and Maybell.

The roll was called, and the House refused to order the main question by the following vote:

AYES—Messrs. Braunhart, Brown of Yuba, Brusie, Camron, Coffman, Cooper, Corcoran, Cuthbert, Downs, Finlayson, Fox, Garibaldi, Gorley, Lane, May, McComas, Messenger, Nelson, Picket, Sayle, Streeter, Sweetland, Tyler, Walker, Ward, Wason of Ventura, York, Young, and Mr. Speaker—29.

NOES—Messrs. Anthony, Bass, Bennett, Brown of Sonoma, Bruner, Carr of Sacramento, Carr of Yuba, Chamberlain, Chandler, Coleman, Cook, DuBrutz, Durham, Estey, Felton, Fraser, Frink, Gaffey, Green, Harris, Hartson, Hershey, Hynes, Leach, Leadbetter, Levee, Magune, Mathews, Maybell, McCallion, McCarty of Lake, McCarthy of San Francisco, McDade, McIntosh, Mulholland, Simon, Sherburne, Stanley, Stoddard, and Wattson—40.

Mr. Young moved that when we adjourn the bill be made the special order for to-morrow.

Lost.

The bill was then made the order of the day for to-morrow.

Mr. Mulholland, at nine o'clock and thirty-five minutes P. M., moved to adjourn.

Lost.

Mr Levee moved to amend section four, at the close, by adding: "*Provided*, none of said Directors shall be interested in swamp lands or hydraulic mines."

Lost.

At nine o'clock and forty-five minutes P. M. Mr. Corcoran moved to adjourn.

Lost

Mr. Merry moved to amend section eleven, by adding at the end thereof: "*Provided*, that they shall not have the right or power to purchase or condemn any levee or levees."

Adopted.

Mr Chandler moved to amend section twelve, line three, by inserting the words "for the storage of debris."

Adopted.

Mr Maybell moved to amend section twelve, line four, by striking out the words "or procure lands."

Lost.

At ten o'clock P. M. Mr. Chamberlain moved to adjourn.

Lost.

Mr. Young moved to amend section fifteen, in line three, by striking out the word "of" after the word "part," and inserting instead the word "in."

Adopted.

At ten o'clock and five minutes P. M. Mr. Coleman moved to adjourn.

Upon which the ayes and noes were demanded by Messrs. Wason, Camron, and Coleman.

The roll was called, and the motion was lost by the following vote:

AYES—Messrs Anthony, Bennett, Bruner, Camron, Carr of Sacramento, Carr of Yuba, Coleman Cook, Estey, Fraser, Green, Harris, Magune, Mathews, Maybell, McCalhon, McCarthy of San Francisco, McIntosh, Stanley, Stoddard, Streeter, Wason of Ventura, and Mr Speaker—23.

NOES—Messrs Braunhart, Brown of Yuba, Brusie, Chamberlain, Chandler, Coffman, Cooper, Corcoran, Cuthbert, Downs, DuBrutz, Felton, Fox, Frink, Garibaldi, Gaffey, Gorley, Hershey, Hynes, Lane, Leadbetter, May, McCarty of Lake, McComas, Messenger, Mulholland, Nelson, Picket, Style, Simon, Sherburne, Sweetland, Tyler, Walker, Ward, Wattson, York, and Young—38.

Mr. McDade moved a call of the House.

Lost.

Mr. Anthony moved to amend section sixteen by striking out the words "not to exceed."

Lost.

Mr. Young moved to amend section nineteen, in line one, by striking out the words "one of the," and inserting the words "the owner or," and by striking out the word "such," in line four of the same section.

Adopted.

Also, to insert the word "run," in line five, after the word "therefrom."

Adopted.

Also, moved to amend, in line eighteen, of section nineteen, as follows: "Inches of water (of twenty-four hours run), used by each of such mines during such year within."

Adopted.

Also, moved to amend section twenty by striking out the first five lines and adopting a substitute therefor

Adopted.

Mr. McCarty moved to reconsider the vote by which the House adopted the amendment.

At ten o'clock and fifty-five minutes P. M. Mr. Felton moved to adjourn.

Lost.

RESOLUTION.

By Mr. Fox (by permission):

Resolved, That Hon John E Benton be and he is hereby appointed Assistant Clerk and Reader at the desk for the remainder of the session, at a salary of eight dollars per day, payable out of the Contingent Fund of the Assembly.

Referred to the Committee on Attachés and Employés.

ADJOURNMENT.

At eleven o'clock P. M Mr. Frink moved to adjourn.

Carried.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Tuesday, March 30th, 1880.

House met pursuant to adjournment.
Speaker Cowdery in the chair.
Roll called, and quorum present.
One day's leave of absence granted to Mr. Merry on account of sickness.
Prayer by the Chaplain.

READING AND APPROVAL OF THE JOURNAL.

Mr. Finlayson moved that the further reading of the Journal be dispensed with.
So ordered.
The Journal of yesterday approved.

PETITION.

By Mr. Green—A petition from citizens of Los Angeles, asking such legislation as will protect grape culture from the ravages of bees.
Referred to the Committee on the Culture and Improvement of the Grape.

REPORTS OF STANDING COMMITTEES.

By Mr. Chamberlain:

ASSEMBLY CHAMBER, SACRAMENTO, March 29th, 1880.

MR. SPEAKER: The Committee on Agriculture, to whom was referred Senate Bill No. 313—*An Act to provide for the management and control of the State Agricultural Society by the State.*

Also, Senate Bill No 439—An Act to form agricultural districts, to provide for the organization of agricultural associations therein, and for the management and control of the same by the State.

Have had the same under consideration, and report the same back to the Assembly without amendment, and recommend their passage.

CHAMBERLAIN, Chairman.

By Mr. Sherburne:

IN ASSEMBLY CHAMBER, March 30th, 1880.

MR. SPEAKER Your Committee on Engrossment have examined, and find correctly engrossed, Assembly Bill No. 95—An Act to repeal an Act entitled "An Act, relating to executions from Courts of Justices of the Peace of the several townships of the County of Alameda"

SHERBURNE, Chairman.

By Mr. Young:

MR SPEAKER Your Committee on Rules, to whom was referred the resolution to hold evening sessions of this House, report the same back, with the recommendation that the same be adopted to the extent of holding sessions each evening except Saturday evening.

YOUNG, Chairman.

The question being on the adoption of the report. Mr. Braunhart moved to amend so as to except Monday, Tuesday, and Saturday evenings.
Mr. Felton moved to lay the report on the table until Friday.
Carried.

By Mr. Fox:

ASSEMBLY CHAMBER, SACRAMENTO, March 30th, 1880.

MR SPEAKER: Your Judiciary Committee, to whom was re-referred Assembly Bill No 425—An Act to amend sections seven hundred, seven hundred and one, seven hundred and two, seven hundred and three, seven hundred and four, and seven hundred and five, of an Act entitled an Act to establish a Code of Civil Procedure, approved March eleventh, eighteen hundred and seventy-two, so as to provide for the redemption of real estate sold under the power contained in trust deeds—have had the same under consideration, and now report it back without recommendation, the committee being equally divided as to the merits of said bill.

FOX, Chairman.

Mr. Brooks moved that Assembly Bill No. 425 be placed at the head of the file.

Lost.

Mr. Tyler, pursuant to notice, moved to reconsider the vote by which the House refused to concur in Senate amendment to Assembly Bill No. 109—An Act permitting and authorizing railway and other corporations, organized under the laws of this State, or of any State or Territory of the United States of America, or any Act of Congress of the United States of America, to do business in this State on equal terms.

The previous question was demanded by Messrs. Tyler, Camron, and Finlayson, and the House so ordered.

The question recurred upon the motion to reconsider.

The ayes and noes were demanded by Messrs. Levee, Hardy, and Fraser.

The roll was called, and the motion was carried by the following vote:

AYES—Messrs Anthony, Bennett, Braunhart, Brooks, Brown of Sonoma, Brown of Yuba, Bruner, Brusie, Camron, Carr of Sacramento, Coffman, Coleman, Cooper, Corcoran, Cuthbert, Dimond, Downs, Felton, Finlayson, Fox, Fraser, Funk, Garibaldi, Gorley, Hartson, Josselyn, Lane, Leach May, McCallion, McCarty of Lake, Messenger, Mulholland, Nelson, Picket, Sherburne, Tyler, Walker, Ward, Wasson of Mono, York, Young, and Mr. Speaker—43.

NOES—Messrs. Bass, Carr of Yuba, Chandler, Cook, DuBrutz, Durham, Gaffey, Green, Hardy, Harris, Hershey, Hynes, Leadbetter, Levee, Maguire, Mathews, Maybell, McCarthy of San Francisco, McComas, McDade, McIntosh, Morse, Sayle, Simon, Spencer, Stanley, Stoddard, Streeter, Wason of Ventura, and Wattson—30.

The question recurred upon the motion to concur in Senate amendment to the bill.

The roll was called, and the amendment was concurred in by the following vote.

AYES—Messrs. Bennett, Braunhart, Brooks, Brown of Sonoma, Brown of Yuba, Bruner, Brusie, Camron, Carr of Sacramento, Chamberlain, Coffman, Coleman, Cooper, Corcoran, Cuthbert, Dimond, Downs, Felton, Finlayson, Fox, Fraser, Funk, Garibaldi, Gorley, Hartson, Josselyn, Lane, Leach, May, McCallion, Messenger, Mulholland, Nelson, Picket, Sherburne, Tyler, Walker, Ward, Wasson of Mono, York, Young, and Mr Speaker—42

NOES—Messrs Anthony Bass, Carr of Yuba, Chandler, Cook, DuBrutz, Durham, Gaffey, Green, Hardy, Harris, Hershey, Hynes, Leadbetter, Levee, Maguire, Mathews, Maybell, McCarty of Lake, McCarthy of San Francisco, McComas, McDade, McIntosh, Morse, Sayle, Simon, Spencer, Stanley, Stoddard, Streeter, Wason of Ventura, and Wattson—32.

By Mr. McComas:

ASSEMBLY CHAMBER, March 30th, 1880.

MR SPEAKER: Your Committee on Public Lands, to whom was referred Assembly Bill No. 562, herewith report the same back with amendments, and recommend its passage as amended.

McCOMAS, Chairman.

By Mr. Felton—Assembly Joint Resolution relative to mining debris.

Mr. McCallion moved to refer the resolution to the Committee on Federal Relations.

Lost.

Mr. Nelson moved its indefinite postponement.

Lost.

The question recurred upon the adoption of the resolution.

The ayes and noes were demanded by Messrs. Nelson, McDade, and Frink.

Mr. Fox moved an amendment, by adding at the close thereof the words "unless the owner or owners of such mine shall prevent the debris therefrom from running into the rivers or streams of this State."

Adopted.

Mr Hardy moved the resolution be printed.

Lost

Mr. Fraser moved the resolution be laid on the table.

Upon which the ayes and noes were demanded by Messrs. Wason of Ventura, McDade, and Maybell.

The roll was called, and the motion was lost by the following vote:

AYES—Messrs. Bass, Braunhart, Brown of Sonoma, Brown of Yuba, Carr of Yuba, Coffman, Coleman, Cooper, Corcoran, Cuthbert, Dimond, Downs, Finlayson, Fox, Fraser, Frink, Hardy, Harris, Hynes, Levee, May, McComas, Messenger, Mulholland, Nelson, Picket, Sayle, Spencer, Sweetland, Walker, Ward, Wasson of Mono, York, Young, and Mr. Speaker—35

NOES—Messrs Anthony, Bennett, Brooks, Bruner, Brusie, Camron, Carr of Sacramento, Chamberlain, Chandler, DuBrutz, Durham, Estey, Felton, Garibaldi, Gaffey, Gorley, Green, Josselyn, Lane, Leach, Leadbetter, Maguire, Mathews, Maybell, McCallion, McCarty of Lake, McCarthy of San Francisco, McDade, McIntosh, Morse, Simon, Sherburne, Stanley, Stoddard, Streeter, Tyler, and Wason of Ventura—38.

Mr. Finlayson moved to refer the resolution to the Committee on Mines and Mining.

Lost.

Mr. Coleman moved its reference to the Committee on Federal Relations.

Lost.

The previous question was demanded by the requisite number, and the House so ordered.

The question recurred upon the adoption of the resolution.

The roll was called, and the resolution was lost by the following vote:

AYES—Messrs Anthony, Bennett, Brooks, Bruner, Brusie, Camron, Carr of Sacramento, Chamberlain, Chandler, Durham, Estey, Felton, Fox, Gaffey, Green, Hardy, Hershey, Josselyn, Lane, Leach, Leadbetter, Maguire, Mathews, Maybell, McCallion, McCarthy of San Francisco, McDade, McIntosh, Morse, Picket, Simon, Sherburne, Stanley, Stoddard, Streeter, and Wason of Ventura—36.

NOES—Messrs. Bass, Braunhart, Brown of Sonoma, Brown of Yuba, Carr of Yuba, Coffman, Coleman, Cooper, Corcoran, Cuthbert, Dimond, Downs, DuBrutz, Finlayson, Fraser, Frink, Garibaldi, Gorley, Harris, Hynes, Levee, May, McCarty of Lake, McComas, Messenger, Mulholland, Nelson, Sayle, Spencer, Sweetland, Walker, Ward, Wasson of Mono, York, and Young—35.

RESOLUTION.

By Mr. Camron—Assembly Concurrent Resolution, relative to the adjournment, *sine die*, of the Twenty-third Session of the Legislature of California.

The previous question was demanded by Messrs. Maybell, McDade, and McCarthy, and the House so ordered.

The question recurred on the adoption of the resolution.

The ayes and noes were demanded by Messrs. Braunhart, Maybell, and Camron.

The roll was called, and the resolution was adopted by the following vote:

AYES—Messrs. Anthony, Braunhart, Brown of Sonoma, Brown of Yuba, Brusie, Camron, Carr of Yuba, Coffman, Coleman, Cook, Cooper, Cuthbert, Dimond, DuBrutz, Durham, Estey, Fox, Fink, Gambaldi, Gafley, Gorley, Green, Harris, Hershey, Haines, Josselyn, Lane, Leadbetter, Levee, Mathews, May, Maybell, McCallion, McCarty of Lake, McCarthy of San Francisco, McIntosh, Morse, Picket Sayle, Simon, Spencer, Stanley, Streeter, Sweetland, Tyler, Ward, and York—47

NOES—Messrs Adams, Bass, Bennett, Brunet, Carr of Sacramento, Chamberlain, Chandler, Corcoran, Downs, Felton, Finlayson, Fraser, Hardy, Leach, Maguire, McComas, Messenger, Mulholland, Nelson, Sherburne, Stoddard, Walker, Wason of Ventura, Wasson of Mono, Young, and Mr Speaker—26.

Messrs. Sweetland and Tyler each gave notice that he would move to reconsider the vote by which the resolution was adopted.

INTRODUCTION OF BILLS.

The following bills were introduced, and ordered printed:

By Mr. May—An Act establishing departments of public health, and providing for their government, in cities and consolidated cities and counties containing a population of one hundred thousand or more, and to repeal laws in conflict therewith.

Also, an Act making appropriations for the support of the government of the State of California for the thirty-second fiscal year.

By Mr. Messenger—Assembly Joint Resolution, relative to the public lands occupied by Indians.

Read first time, and referred to the Committee on Indian Affairs.

RESOLUTION.

By Mr. McCallion:

Resolved, That hereafter the session of this House will commence at ten o'clock A. M.

Referred to the Committee on Rules.

On motion of Mr. Merry, Assembly Bill No. 334—An Act to promote drainage—the order of the day, was taken up.

The question was taken upon the motion to reconsider the vote by which Mr. Young's amendment to section twenty was adopted, and it was lost.

Mr. Chandler moved to amend by striking out the word "one-third," from line four, section twenty.

Mr Brooks moved to amend the amendment by substituting the word "one-half" for the word "one-third."

The previous question was demanded by Messrs. Corcoran, Sherburne, and Ward, and the House so ordered.

The question being on the amendment to the amendment, the ayes and noes were demanded by Messrs. Sweetland, Walker, and Coleman.

The roll was called, and the amendment to the amendment was adopted by the following vote:

AYES—Messrs. Braunhart, Brooks, Brown of Sonoma, Brown of Yuba, Bruner, Brusie, Burns, Camron, Carr of Yuba, Chamberlain, Coffman, Cooper, Corcoran, Dimond, Downs, DuBrutz, Felton, Finlayson, Fox, Garibaldi, Gaffey, Gorley, Hardy, Harris, Lane, Levee Magune, May, McCallion, McCarty of Lake, McCarthy of San Francisco, McComas, Messenger, Mulholland, Nelson, Picket, Sayle, Sweetland, Tyler, Walker, Ward, Wasson of Mono, Wattson, York, and Young—45

NOES—Messrs. Adams, Anthony, Bass, Bennett, Carr of Sacramento, Chandler, Coleman, Cook, Estey, Fraser, Frink, Green, Hartson, Hershey, Hynes, Josselyn, Leach, Leadbetter, Mathews, Maybell, McDade, McIntosh, Moise, Simon, Sherburne, Spencer, Stanley, Stoddard, Streeter, and Wason of Ventura—30.

The question recurred upon the amendment as amended.

Upon which the ayes and noes were demanded by Messrs. Coleman, Nelson, and Brooks.

The roll was called, and the amendment, as amended, was adopted by the following vote:

AYES—Messrs Adams, Anthony, Bennett, Brooks, Brown of Yuba, Bruner, Brusie, Camron, Carr of Sacramento, Chandler, Coleman, Cook, Cooper, Corcoran, Dimond, Estey, Felton, Finlayson, Fox, Gaffey, Gorley, Green, Hardy, Hershey, Hynes, Lane, Leach, Leadbetter, Magune, Maybell, McCallion, McCarthy of San Francisco, McComas, McDade, McIntosh, Sayle Simon, Sherburne, Stanley, Stoddard, Tyler, Ward, Wason of Ventura, Wattson, York, and Young—46.

NOES—Messrs Bass, Braunhart, Brown of Sonoma, Burns, Chamberlain, Coffman, Downs, DuBrutz, Fraser, Frink, Garibaldi, Josselyn, Levee, Mathews, May, Messenger, Mulholland, Nelson, Picket, Spencer, Streeter, Sweetland, Walker, and Wasson of Mono—24.

Mr. Mathews moved to strike out section twenty of the bill.

RECESS.

Pending discussion of the above, the hour of one o'clock P. M. having arrived, the House took a recess until two o'clock P. M.

RE-ASSEMBLED.

House re-assembled at two o'clock P. M.
Speaker Cowdery in the chair.
Quorum present.

REPORT OF COMMITTEE ON ENROLLMENT.

By Mr. Brooks:

MR SPEAKER. Your Committee on Enrollment respectfully report that the following Assembly bills have been correctly enrolled: No. 62—An Act to declare valid writs, process, and certificates issued by the Superior Courts of this State, or the Clerks thereof, before such Courts shall have been legally provided with seals.

No 57—*An Act to repeal an Act entitled "An Act to compel the County Clerk of the City* and County of San Francisco to keep open his office upon all election days," approved March seventh, eighteen hundred and seventy-six.

And the same were, at eleven o'clock A M, this day, March thirtieth, eighteen hundred and eighty, presented to the Governor for his approval.

BROOKS, Chairman.

By Mr. Fox:

ASSEMBLY CHAMBER, SACRAMENTO, March 30th, 1880.

MR SPEAKER: Your Judiciary Committee, to whom was referred Assembly Bill No. 353—An Act to provide a system of drainage for agricultural lands—have had the same under consideration, and now report the same back with a substitute, and recommend the passage of the substitute

FOX, Chairman.

The substitute ordered printed.

The consideration of Assembly Bill No. 334—An Act to promote drainage—resumed.

The amendment of Mr Mathews lost.

Mr. Young moved to amend section twenty-one, line two, before the word "land," by inserting the words "unreclaimed swamp or overflowed."

Adopted.

Also, moved to amend section twenty-one, line three, by striking out the words "which is subject to overflow," and inserting instead the words "rendered unfit for cultivation by reason of being swamp or overflowed and not reclaimed."

Adopted

Also, moved to amend by striking out the word "and" at the end of line ten, and all of line eleven, section twenty-one.

Adopted.

Mr. Carr of Sacramento moved to amend by striking out the words "or benefited" wherever they occur in section twenty-two.

Lost.

Mr. Mathews moved to strike out section twenty-three.

Lost.

Mr. Young moved to amend, in line four, section twenty-three, by inserting the word "equal" before the word "annual"

Adopted.

Mr. Chandler moved to amend, in line four, section twenty-three, by inserting the words, "*provided further*, that the owner or owners of a forty-acre tract, or any legal subdivision, may, at any time before the expiration of the final payment, pay its three dollars per acre, and shall be released from any further payment of acreage on that land.

Mr. Young moved a substitute for the amendment.

Carried.

The amendment, as amended, was adopted.

Mr. Leach moved to amend section twenty-four by inserting at the close thereof, "The tax herein provided for shall be levied in and for one year, and not thereafter."

Upon which the ayes and noes were demanded by Messrs. Young, Carr of Yuba, and Wason of Ventura.

Mr. Maybell moved to amend the amendment by striking out all of section four down to and including the word "over," in line seven.

The previous question on the amendment was demanded by Messrs. Hardy, York, and Tyler, and the House so ordered.

The question being on the amendment to the amendment, the ayes and noes were demanded by Messrs. Maybell, Sinon, and McDade.

The roll was called, and the amendment to the amendment was lost by the following vote.

AYES—Messrs Anthony, Maguire, Maybell, McDade, Sinon, and Wason of Ventura—6.

NOES—Messrs Bass, Bennett, Braunhart, Brooks, Brown of Yuba, Bruner, Brusie, Burns, Camron, Carr of Sacramento, Carr of Yuba, Chamberlain, Chandler, Coffman, Coleman, Cook, Cooper, Corcoran, Cuthbert, Dimond, Downs, DuBrutz, Durham, Estey, Felton, Finlayson, Fox, Fraser, Frink, Garibaldi, Gaffey, Gorley, Hardy, Hartson, Hershey, Hynes, Josselyn, Lane, Leach, Leadbetter, Levee, Mathews, May, McCallion, McCarty of Lake, McCarthy of San Francisco, McComas, McIntosh, Merry, Messenger, Morse, Mulholland, Nelson Sayle, Sherburne, Spencer, Stanley, Stoddard, Strecter, Sweetland, Tyler, Walker, Ward, Wasson of Mono, Wattson, York, Young, and Mr. Speaker—68.

The question recurred on the amendment.

The roll was called, and the amendment was lost by the following vote.

AYES—Messrs. Anthony, Bass, Camron, Coleman, Cook, Estey, Green, Hartson, Hershey, Josselyn, Leach, Leadbetter, Mathews, Maybell, McDade, McIntosh, Morse, Simon, Stanley, Streeter, and Wason of Ventura—21.

NOES—Messrs. Bennett, Braunhart, Brooks, Brown of Yuba, Bruner, Brusie, Burns, Carr of Sacramento, Carr of Yuba, Chamberlain, Chandler, Coffman, Cooper, Corcoran, Cuthbert, Dimond, Downs, DuBrutz, Felton, Finlayson, Fox, Fraser, Frink, Garibaldi, Gaffey, Gorley, Hardy, Harris, Hynes, Lane, Levee, Maguire, May, McCallion, McCarty of Lake, McCarthy of San Francisco, McComas, Merry, Messenger, Mulholland, Nelson, Picket, Sayle, Sherburne, Spencer, Stoddard, Sweetland, Tyler, Walker, Ward, Wasson of Mono, Wattson, York, Young, and Mr. Speaker—55.

Mr. McCarty moved to amend by striking out the word "one-twentieth," from line three, section twenty-four, and inserting instead the word "one-fortieth."

The previous question on the amendment was demanded by Messrs Tyler, York, and Messenger, and the House so ordered.

The ayes and noes were demanded by Messrs. Wason, Hartson, and Simon, on the amendment.

The roll was called, and the amendment lost by the following vote:

AYES—Messrs Anthony, Camron, Estey, Felton, Gaffey, Green, Hartson, Leach, Mathews, Maybell, McCarty of Lake, McCarthy of San Francisco, McDade, Morse, Simon, Sherburne, Spencer, Stanley, Stoddard, Streeter, and Wason of Ventura—21

NOES—Messrs Bass, Bennett, Braunhart, Brooks, Brown of Yuba, Bruner, Brusie, Burns, Carr of Sacramento, Carr of Yuba, Chamberlain, Chandler, Coffman, Coleman, Cook, Cooper, Corcoran, Cuthbert, Dimond, Downs, DuBrutz, Finlayson, Fox, Fraser, Frink, Garibaldi, Gorley, Hardy, Hershey, Hynes, Lane, Leadbetter, Levee, May, McCallion, McComas, McIntosh, Messenger, Mulholland, Nelson, Picket, Sayle, Sweetland, Tyler, Walker, Ward, Wasson of Mono, York, Young, and Mr. Speaker—50

Mr Hartson moved to amend by striking out the word "one-twentieth," from line three, section twenty-four, and inserting instead the word "one-thirtieth."

Upon which the ayes and noes were demanded by Messrs. Hartson, McCarty of Lake, and Wason of Ventura.

The roll was called, and the amendment was lost by the following vote:

AYES—Messrs. Adams, Anthony, Bass, Bennett, Camron, DuBrutz, Estey, Felton, Frink, Gaffey, Green, Hartson, Josselyn, Leach, Leadbetter, Maguire, Mathews, Maybell, McCarty of Lake, McCarthy of San Francisco, McIntosh, Morse, Simon, Sherburne, Stanley, Stoddard, Streeter, Tyler, Wason of Ventura, and Wattson—30.

NOES—Messrs. Braunhart, Brooks, Brown of Yuba, Bruner, Brusie, Burns, Carr of Sacramento, Carr of Yuba, Chamberlain, Chandler, Coffman, Coleman, Cook, Cooper, Corcoran, Cuthbert, Dimond, Downs, Finlayson, Fox, Fraser, Garibaldi, Gorley, Hardy, Hershey, Lane, Levee, May, McCallion, McComas, Messenger, Mulholland, Nelson, Picket, Sayle, Sweetland, Walker, Ward, Wasson of Mono, York, Young, and Mr. Speaker—42.

Mr. Maybell moved to amend by striking out all after the word "fund," in line four, section twenty-five.

Lost.

Mr. Cook moved to insert in place of the matter stricken out the words, "*provided*, that twenty-five thousand dollars shall be appropriated out of the State Drainage Fund, to be used in Scott Valley for drainage and leveeing on Scott River, Siskiyou County."

Lost.

Mr Young moved to amend, in line seven, section twenty-five, by inserting the words "but not exceeding in the aggregate the amount or the balance of the amount to be paid into the State Drainage Construction Fund under this Act for the current year, upon an estimate based upon the assessed value of all the taxable property in the State for the preceding year."

Adopted.

The previous question was demanded by Messrs. Tyler, Nelson, and Ward.

Upon which the ayes and noes were demanded by Messrs. May, Garibaldi, and Carr of Yuba.

The roll was called, and the House refused to order the main question by the following vote:

AYES—Messrs. Braunhart, Brown of Yuba, Brusie, Camron, Coffman, Cooper, Corcoran, Cuthbert, Dimond, Downs, Finlayson, Fox, Fraser, Frink, Garibaldi, Gorley, Hardy, May, McCallion, McCarty of Lake, McComas, Mulholland, Nelson, Picket, Sayle, Sweetland, Tyler, Walker, Ward, Wasson of Mono, Wattson, York, and Young—33.

NOES—Messrs Adams, Anthony, Bass, Bennett, Brooks, Brown of Sonoma, Bruner, Burns, Carr of Sacramento, Carr of Yuba, Chamberlain, Chandler, Coleman, Cook, DuBrutz, Estey, Green, Harris, Hartson, Hershey, Hynes, Josselyn, Leach, Leadbetter, Levee, Maguire, Mathews, Maybell, McCarthy of San Francisco, McDade, McIntosh, Merry, Messenger, Morse, Sinon, Sherburne, Spencer, Stanley, Stoddard, Streeter, and Wason of Ventura—41.

Mr Chandler moved an amendment to section twenty-five, to read as follows: "And provided further, that no indebtedness shall be created against either of said funds for any one year in excess of the amount provided to be raised by the tax levy for said year for said funds, said levy to be estimated upon the assessment roll for the previous year."

Adopted.

Mr. Carr of Sacramento moved to amend section twenty-seven by adding thereto the words: "Nor shall any levees be condemned or purchased under the provisions of this Act, but may be taken possession of with the consent of the owner or owners thereof"

Mr. Fox moved to amend the amendment by striking out all after the word "Act."

The previous question was demanded by Messrs. Braunhart, Adams, and Finlayson.

Upon which the ayes and noes were demanded by Messrs. Leach, Braunhart, and Carr of Yuba.

The roll was called, and the main question was ordered by the following vote:

AYES—Messrs Adams, Braunhart, Brooks, Brown of Sonoma, Brown of Yuba, Brusie, Burns, Chamberlain, Coffman, Cook, Cooper, Corcoran, Cuthbert, Dimond, Downs, DuBrutz, Finlayson, Fox, Fraser, Garibaldi, Gaffey, Gorley, Hardy, Harris, Lane, May, McCallion, McCarty of Lake, McComas, Messenger, Mulholland, Nelson, Picket, Sayle, Sweetland, Tyler, Walker, Ward, Wasson of Mono, Wattson, York, Young, and Mr Speaker—43.

NOES—Messrs Anthony, Bass, Bennett, Bruner, Carr of Sacramento, Carr of Yuba, Chandler, Coleman, Estey, Felton, Frink, Green, Hartson, Hershey, Hynes, Leach, Leadbetter, Levee, Maguire, Mathews, Maybell, McCarthy of San Francisco, McDade, McIntosh, Merry, Morse, Sinon, Sherburne, Spencer, Stanley, Stoddard, Streeter, and Wason of Ventura—33.

The question recurred on the amendment to the amendment of Mr. Carr of Sacramento.

Adopted.

The question being on the amendment, as amended, the ayes and noes were demanded by Messrs. Carr of Sacramento, McDade, and Sinon.

The roll was called, and the amendment, as amended, was adopted by the following vote:

AYES—Messrs. Adams, Anthony, Bass, Bennett, Brooks, Brown of Sonoma, Bruner, Brusie, Camron, Carr of Sacramento, Carr of Yuba, Chamberlain, Chandler, Cook, Corcoran, Dimond,

Downs, Estey, Felton, Finlayson, Fox, Fraser, Frink, Garibaldi, Gaffey, Gorley, Green, Hardy, Harris, Hartson, Lane, Leach, Leadbetter, Levee, Maguire, Mathews, May, Maybell, McCarty of Lake, McCarthy of San Francisco, McComas, McIntosh, Merry, Morse, Mulholland, Nelson, Picket, Sayle, Sherburne, Spencer, Stanley, Stoddard, Streeter, Sweetland, Tyler, Ward, Wason of Ventura, York, Young, and Mr Speaker—60.

NOES—Messrs. Braunhart, Brown of Yuba, Burns, Coffman, Cooper, DuBrutz, Hershey, Hynes, McCallion, and Walker—10.

Mr Young moved that the House take a recess until seven o'clock and thirty minutes P. M.

Upon which the ayes and noes were demanded by Messrs. Lane, Young, and May.

The roll was called, and the motion was lost by the following vote:

AYES—Messrs. Adams, Bennett, Braunhart, Brown of Yuba, Brusie, Chamberlain, Downs, Fox, Frink, Garibaldi, Hardy, Hartson, Hershey, Lane, Leach, Maguire, May, McCallion, McComas, McIntosh, Merry, Messenger, Morse, Nelson, Sayle, Simon, Tyler, Ward, Wasson of Mono, York, Young, and Mr Speaker—32.

NOES—Messrs. Anthony, Bass, Brown of Sonoma, Brunet, Camron, Carr of Sacramento, Carr of Yuba, Chandler, Coffman, Coleman, Cook, Cooper, Corcoran, Cuthbert, Dimond, Estey, Felton, Finlayson, Fraser, Gaffey, Gorley, Green, Harris, Hynes, Josselyn, Leadbetter, Levee, Mathews, Maybell, McCarty of Lake, McCarthy of San Francisco, McDade, Mulholland, Picket, Sherburne, Spencer, Stanley, Stoddard, Streeter, Sweetland, Walker, Wason of Ventura, and Wattson—43.

Mr. Fox moved to make the bill the order of the day for to-morrow, at five o'clock and ten minutes P. M.

Mr McIntosh moved to adjourn.

Upon which the ayes and noes were demanded by Messrs. McIntosh, Wason, and Camron.

The roll was called, and the motion was lost by the following vote:

AYES—Messrs. Anthony, Brusie, Camron, Carr of Sacramento, Coleman, Cook, Estey, Green, Hartson, Hershey, Hynes, Leach, Leadbetter, Maybell, McIntosh, Morse, Simon, Sherburne, Stanley, Stoddard, Streeter, and Wason of Ventura—23.

NOES—Messrs Adams, Bass, Bennett, Braunhart, Brooks, Brown of Sonoma, Brown of Yuba, Brunet, Burns, Carr of Yuba, Chamberlain, Chandler, Coffman, Cooper, Corcoran, Cuthbert, Dimond, Downs, DuBrutz, Felton, Finlayson, Fox, Fraser, Frink, Garibaldi, Gaffey, Gorley, Hardy, Harris, Josselyn, Lane, Levee, Maguire, Mathews, May, McCallion, McCarty of Lake, McCarthy of San Francisco, McComas, Merry, Messenger, Mulholland, Nelson, Picket, Sayle, Spencer, Sweetland, Tyler, Ward, Wasson of Mono, Wattson, Young, and Mr Speaker—53.

The question recurred on the motion to make the bill the order of the day for to-morrow, at five o'clock and twenty minutes P. M.

ADJOURNMENT.

Mr Braunhart moved to adjourn.

Carried.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Wednesday, March 31st, 1880.

House met pursuant to adjournment.

Speaker Cowdery in the chair.

Roll called, and quorum present.

One week's leave of absence granted to Mr. Del Valle.

Prayer by the Chaplain.

READING AND APPROVAL OF THE JOURNAL.

Mr. Hershey moved that the further reading of the Journal be dispensed with.

So ordered.

The Journal of yesterday approved.

PETITIONS.

By Mr. Fox—A petition from citizens of the State, asking such legislation as will close liquor saloons on Sunday.

Referred to the Committee on Public Morals.

By Mr. McComas—A petition from citizens, asking aid for the State Institute for the Deaf, and Dumb, and Blind.

Referred to the Committee on State Hospital.

REPORTS OF STANDING COMMITTEES.

By Mr. Merry:

MR SPEAKER Your Committee on Claims, to whom was referred the several bills and claims presented by the Committee on State Prison for fees, mileage, per diem of witnesses, and for the subpœnaing the same, and also the per diem and amount due J P. Cosgrove for phonographic reports of the testimony taken before the Joint Committee on State Prison of the Senate and Assembly, in the matter of the investigation by that committee of the affairs of the Branch State Prison at Folsom, beg leave to report as follows That this investigation was conducted by the joint committee of the Senate and Assembly by authority duly conferred upon them, that the expenses of said investigation is justly a charge upon the Contingent Fund of both Houses, and therefore, your committee is of the opinion that the expenses of the said investigation should be jointly defrayed—one-half by the Senate and one-half by the Assembly.

Your committee, therefore, recommend the adoption of the accompanying resolutions, each of the amounts named therein being one-half of the amounts respectively claimed, with the exception of that in favor of R. W Parker, which is the full amount claimed. All of which is respectfully submitted.

MERRY, Chairman.

Mr. Braunhart moved that the resolutions be ordered printed.

Lost.

Resolved, That the Controller of State be and he is hereby authorized and directed to draw his warrant on the State Treasurer in favor of R W. Parker, for one hundred and eighty-six dollars ($186), payable out of the Contingent Fund of the Assembly, the same being for the mileage and fees due said R. W Parker for subpœnaing witnesses to appear before the Joint Committee on State Prison.

Adopted.

Resolved, That the Controller of State be and he is hereby authorized and directed to draw his warrant on the State Treasurer for three hundred and seventy-three dollars and thirty-five cents ($373 35), in favor of G. W. Tyler, Chairman, for witness fees and mileage of witnesses called before the State Prison Committee, in the matter of the investigation into the affairs of the Branch State Prison at Folsom, payable out of the Contingent Fund of the Assembly, the same being the Assembly's portion of the fees and mileage of witnesses subpœnaed before the Joint Committee on State Prison in the above investigation.

Adopted.

Resolved, That the State Controller be and he is hereby authorized to draw his warrant on the State Treasurer in favor of John P. Cosgrove, for two hundred and eighty-one dollars and eighty cents ($281 80), being the portion due by the Assembly for per diem and transcript of testimony taken before the Joint Committee on State Prison, in the matter of the investigation into the affairs of the Branch State Prison at Folsom, the same to be paid out of the Contingent Fund of the Assembly

Adopted.

By Mr. Camron:

MR SPEAKER: Your Committee on Attachés and Employés, to whom was referred the resolution below, have carefully considered the same, report it back, and recommend its adoption.

March 30th, 1880. CAMRON, Chairman.

Resolved, That Hon. John E. Benton be and he is hereby appointed Assistant Clerk and reader at the desk for the remainder of the session, at a salary of eight dollars per day, payable out of the Contingent Fund of the Assembly.

The words "and reader" ordered stricken out.
The resolution adopted as amended.
By Mr. Brown of Yuba:

ASSEMBLY CHAMBER, SACRAMENTO, March 31st, 1880.

MR SPEAKER The Committee on Corporations, to whom was referred Assembly Bill No. 560—An Act to amend sections one hundred and seventy-eight and one hundred and seventy-nine of the Penal Code, in relation to the employment of persons by corporations in the State of California—have had the same under consideration, and report the same back to the Assembly without amendment, and recommend that it do not pass

Also, Assembly Bill No 565, and report the same back without amendment, and recommend that it do not pass.

Also, Assembly Bill No. 542, and report the same back without amendment, and recommend that it do pass.

Also, Assembly Bill No. 567, and report the same back without amendment, and recommend that it do pass.

Also, Senate Bill No 209, and report the same back without amendment, and recommend that it do pass.

Also, Senate Bill No. 144, and report the same back without amendment, and without recommendation

Also, Senate Bill No. 84, and report the same back without amendment, and recommend that it do pass—two voting in the negative.

Also, Senate Bill No. 188, a majority reporting the same back without amendment, and without recommendation—a minority with amendments, and recommending its passage as amended.

BROWN of Yuba, Chairman.

By Mr. Streeter:

ASSEMBLY CHAMBER, SACRAMENTO, March 30th, 1880.

MR. SPEAKER: The Committee on County Governments, to whom was referred Assembly Bill No. 456—An Act to provide for the laying out and recording of town sites—have had the same under consideration, and report the same back to the Assembly with amendments, and recommend its passage as amended.

STREETER, Chairman.

By Mr. Sherburne:

ASSEMBLY CHAMBER, March 31st, 1880.

MR SPEAKER: Your Committee on Engrossment have examined, and find properly re-engrossed, Assembly Bill No 109—An Act permitting and authorizing railway and other corporations organized under the laws of this or of any State or Territory of the United States of America, or of any Act of Congress of the United States of America, to do business on equal terms.

SHERBURNE, Chairman.

By Mr. Fox:

ASSEMBLY CHAMBER, SACRAMENTO, March 31st, 1880.

MR. SPEAKER: Your Committee on Judiciary, to whom was referred Assembly Bill No. 453—An Act in relation to benevolent societies, organizations, and corporations—have had the same under consideration, and report it back, with recommendation that it be indefinitely postponed.

FOX, Chairman.

The above bill withdrawn.

INTRODUCTION OF BILLS.

The following bills were introduced, and ordered printed:
By Mr. Maybell—An Act to add section one thousand two hundred and eight to the Code of Civil Procedure.

By Mr. Merry—An Act to add a new section to the Penal Code, to be known as section five hundred and thirty-six.

FIRST READING AND REFERENCE OF BILLS.

Assembly Bill No. 568—An Act to amend section four hundred and eighty-five of the Civil Code, relating to owning and operating railroads through private lands.

Read first time, and referred to the Committee on Indian Affairs.

ORDER OF THE DAY.

Assembly Bill No. 334—An Act to promote drainage—the order of the day, taken up.

Mr. Braunhart moved to suspend the rule and allow debate upon the main question.

Upon which the ayes and noes were demanded by Messrs. Wason of Ventura, Bennett, and Carr of Yuba.

The roll was called, and a two-thirds vote being required, the motion was lost by the following vote:

AYES—Messrs. Anthony, Bass, Bennett, Brooks, Bruner, Camron, Carr of Sacramento, Carr of Yuba, Chamberlain, Chandler, Coleman, Cook, Durham, Estey, Felton, Fraser, Gaffey, Hartson, Hershey, Josselyn, Leach, Leadbetter, Levee, Magune, Mathews, Maybell, McCallion, McCarthy of San Francisco, McComas, McDade, McIntosh, Merry, Morse, Picket, Simon, Sherburne, Stanley, Stoddard, Streeter, Tyler, and Wason of Ventura—41.

NOES—Messrs. Adams, Braunhart, Brown of Sonoma, Brown of Yuba, Brusie, Burns, Coffman, Cooper, Corcoran, Cuthbert, Dimond, Downs, DuBrutz, Finlayson, Fox, Frink, Garibaldi, Gorley, Hynes, Lane, May, Messenger, Mulholland, Nelson, Sayle, Spencer, Sweetland, Walker, Ward, Wasson of Mono, York, and Young—32.

Mr. Bennett's substitute taken up and read.

The question being on the adoption of the substitute, the ayes and noes were demanded by Messrs. Coleman, Carr of Sacramento, and Bennett.

The roll was called, and the substitute was rejected by the following vote:

AYES—Messrs. Anthony, Bass, Bennett, Camron, Carr of Sacramento, Carr of Yuba, Chamberlain, Chandler, Coleman, Cook, Durham, Estey, Felton, Fraser, Green, Hartson, Hershey, Josselyn, Leach, Leadbetter, Mathews, Maybell, McCarthy of San Francisco, McDade, McIntosh, Morse, Simon, Sherburne, Stanley, Stoddard, Streeter, Tyler, and Wason of Ventura—33.

NOES—Messrs. Adams, Braunhart, Brooks, Brown of Sonoma, Brown of Yuba, Bruner, Brusie, Burns, Coffman, Cooper, Corcoran, Cuthbert, Dimond, Downs, DuBrutz, Finlayson, Fox, Frink, Garibaldi, Gaffey, Gorley, Hardy, Hynes, Lane, Levee, Magune, May, McCallion, McCarty of Lake, McComas, Messenger, Mulholland, Nelson, Picket, Sayle, Spencer, Sweetland, Walker, Ward, Wasson of Mono, Wattson, York, Young, and Mr. Speaker—44.

Mr. John E. Benton appeared and took the oath of office.

Mr. Carr of Sacramento gave notice of a motion to reconsider the vote by which the House rejected the substitute to the bill.

The bill was read third time

The roll was called, and the bill was passed by the following vote:

AYES—Messrs. Braunhart, Brooks, Brown of Yuba, Bruner, Brusie, Burns, Camron, Carr of Yuba, Chamberlain, Chandler, Coffman, Cooper, Corcoran, Cuthbert, Dimond, Downs, DuBrutz, Durham, Felton, Finlayson, Fox, Garibaldi, Gaffey, Gorley, Hardy, Lane, Levee, May, McCallion, McComas, Messenger, Mulholland, Nelson, Picket, Sayle, Sweetland, Tyler, Walker, Ward, Wasson of Mono, Wattson, York, Young, and Mr. Speaker—44.

NOES—Messrs Adams, Anthony, Bass, Bennett, Brown of Sonoma, Carr of Sacramento, Coleman, Cook, Estey, Fraser, Frink, Green, Harris, Hartson, Hershey, Hynes, Josselyn,

Leach, Leadbetter, Magune, Mathews, Maybell, McCarty of Lake, McCarthy of San Francisco, McDade, McIntosh, Morse, Simon, Sherburne, Spencer, Stanley, Stoddard, Streeter, and Wason of Ventura—35.

Mr. Camron gave notice that he would, to-morrow, move to reconsider the vote by which the bill was passed.

The title of the bill approved.

SENATE MESSAGE.

The following Senate message was read:

SENATE CHAMBER, SACRAMENTO, March 30th, 1880.

MR. SPEAKER: I am directed to inform your honorable body that the Senate, on March twenty-seventh amended, and on March thirtieth passed, Assembly Bill No. 361—An Act in relation to certain deputies, assistants, and copyists of County Clerks.

Also, March twenty-seventh amended, and on March thirtieth passed, Assembly Bill No. 53—An Act to amend section two thousand one hundred and seventy of an Act entitled "An Act to establish a Civil Code," approved March twenty-first, eighteen hundred and seventy-two, relating to common carriers.

J. A. ORR, Assistant Secretary.

CONSIDERATION OF SENATE MESSAGE.

Assembly Bill No. 361—An Act in relation to certain deputies, assistants, and copyists of County Clerks.

Taken up, and the Senate amendments thereto concurred in by the following vote:

AYES—Messrs. Adams, Anthony, Bennett, Braunhart, Brown of Sonoma, Brown of Yuba, Brusie, Burns, Camron, Carr of Sacramento, Chamberlain, Coffman, Coleman, Cuthbert, Downs, DuBrutz, Durham, Felton, Finlayson, Fox, Fraser, Frink, Gaffey, Green, Harris, Hershey, Josselyn, Lane, Leach, Leadbetter, Levee, Magune, Mathews, May, McCallion, McCarty of Lake, McCarthy of San Francisco, McComas, McIntosh, Merry, Messenger, Morse, Mulholland, Nelson, Picket, Sayle, Simon, Sherburne, Spencer, Streeter, Sweetland, Tyler, Walker, Ward, Wason of Ventura, Wasson of Mono, Wattson, York, Young, and Mr. Speaker—60

NOES—Messrs. Carr of Yuba and Maybell—2.

Assembly Bill No. 53—An Act to amend section two thousand one hundred and seventy of an Act entitled "An Act to establish a Civil Code," approved March twenty-first, eighteen hundred and seventy-two, relating to common carriers.

Taken up.

Pending the reading of Senate amendments thereto Mr. Leach moved a call of the House.

So ordered.

The roll called, and seven members absent.

Mr. Braunhart moved that further proceedings under the call be dispensed with.

So ordered.

The question was upon concurring in Senate amendments to the bill.

Mr. Fraser, Speaker pro tem., in the chair.

The roll was called, and the Senate amendments to the bill were concurred in by the following vote:

AYES—Messrs. Adams, Anthony, Bennett, Braunhart, Brown of Sonoma, Bruner, Brusie, Burns, Camron, Carr of Sacramento, Carr of Yuba, Chandler, Coffman, Coleman, Cook, Corcoran, Cuthbert, DuBrutz, Estey, Felton, Finlayson, Fox, Fraser, Frink, Gaffey, Green, Harris, Hershey, Hynes, Josselyn, Leach, Levee, Mathews, May, Maybell, McCallion, McCarty of Lake, McCarthy of San Francisco, McComas, McIntosh, Merry, Mulholland, Nelson, Picket, Sayle,

Sherburne, Spencer, Stoddard, Streeter, Tyler, Walker, Ward, Wason of Ventura, Wasson of Mono, Wattson, and York—56.

NOES—Messrs. Lane, Messenger, Morse, and Stanley—4.

SENATE MESSAGES.

The following Senate messages were read:

SENATE CHAMBER, SACRAMENTO, March 29th, 1880.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on March twenty-sixth, passed Assembly Bill No 22—An Act to provide for the receipt and appropriation of donations to the State, or counties, or cities and counties, or cities, or towns therein

Also, Assembly Bill No. 279—An Act to declare the Mokelumne River navigable

J. A. ORR, Assistant Secretary.

SENATE CHAMBER, SACRAMENTO, March 29th, 1880.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on March twenty-seventh, passed Assembly Bill No. 37—An Act to amend sections four hundred and seventy-four, six hundred and one, seven hundred and ninety-nine, nine hundred and nine, nine hundred and fifty, one thousand and fifteen, one thousand one hundred and eight, one thousand one hundred and nine, one thousand two hundred and eighty-four, one thousand three hundred and ten, two thousand two hundred and forty, two thousand three hundred and ninety-two, two thousand three hundred and ninety-three, two thousand four hundred and seven two thousand four hundred and eight, two thousand four hundred and ten, two thousand four hundred and thirteen, two thousand four hundred and fifteen, two thousand eight hundred, two thousand eight hundred and fifty-two, three thousand two hundred and eighty-five, three thousand four hundred and ninety, four thousand and forty-seven, four thousand and seventy-eight, four thousand one hundred and thirty-four, four thousand one hundred and sixty-five, four thousand one hundred and ninety-two, and four thousand two hundred and twenty-one, of an Act entitled "An Act to establish a Political Code," approved March twelfth, eighteen hundred and seventy-two, conferring upon the Superior Courts, their Judges and officers, the jurisdiction and authority heretofore exercised in certain cases by the Courts abolished by the Constitution, their Judges and officers

Also, Assembly Bill No. 135—An Act to provide for the removal of Chinese, whose presence is dangerous to the well-being of communities, outside the limits of cities and towns in the State of California.

Indefinitely postponed Assembly Bill No. 15—An Act to amend sections thirty-three, thirty-four, thirty-five, thirty-six, forty, forty-three, forty-four, forty-six, forty-seven, forty-eight, forty-nine, fifty, fifty-one, eighty-two, eighty-three, eighty-four, eighty-five, eighty-six, eighty-nine, ninety, one hundred and twelve, one hundred and thirteen, one hundred and fourteen, one hundred and fifteen, one hundred and eighteen, one hundred and thirty, one hundred and thirty-four, one hundred and forty-four, one hundred and fifty-six, one hundred and fifty-seven, one hundred and fifty-eight, one hundred and sixty-one, one hundred and sixty-six, one hundred and seventy-two, one hundred and seventy-three, one hundred and seventy-nine, one hundred and eighty-four, one hundred and eighty-five, two hundred and sixty-five, two hundred and sixty-six, and nine hundred and eighteen, and to repeal sections two hundred and fifty-eight and two hundred and fifty-nine, of an Act entitled "An Act to establish a Code of Civil Procedure," approved March eleventh, eighteen hundred and seventy-two, relating to Courts of justice and judicial officers.

Indefinitely postponed Assembly Bill No. 190—An Act to amend sections two hundred and four, two hundred and six, two hundred and nine, two hundred and eleven, two hundred and fifteen, two hundred and fourteen, two hundred and nineteen, and two hundred and forty-one, and to repeal sections two hundred and sixteen, two hundred and seventeen, and two hundred and eighteen of the Code of Civil Procedure of this State, in relation to the selection and drawing of jurors

Indefinitely postponed Assembly Bill No. 7—An Act to amend sections one hundred and forty-seven, one hundred and forty-eight, and one hundred and forty-nine, of an Act entitled "An Act to establish a Code of Civil Procedure," approved March eleventh, eighteen hundred and seventy-two, relating to the seals of Courts

Indefinitely postponed Assembly Bill No 8—An Act to amend sections two hundred and seventy-five, two hundred and seventy-six, and two hundred and eighty-seven, of an Act entitled "An Act to establish a Code of Civil Procedure," approved March eleventh, eighteen hundred and seventy-two, relating to attorneys and counselors at law

JAMES A. ORR, Assistant Secretary.

SECOND READING OF BILLS.

Senate Bill No. 528—An Act to amend section three thousand seven

hundred and fourteen of an Act entitled an Act to establish a Political Code, approved March twelfth, eighteen hundred and seventy-two, relating to revenue.

Read second time, and ordered to third reading.

Assembly Bill No. 472—An Act to encourage the mining industry and to suppress stock gambling.

Taken up.

The amendments recommended by the committee to sections seven and eight adopted.

Mr. Tyler moved to amend, in line one, section nine, by inserting the words "by the affidavit of any person" after the word "believe."

Adopted.

The committee amendments to sections fourteen and fifteen adopted.

The House returned to section thirteen and adopted the amendment offered by Mr. Tyler.

Mr. Felton moved to strike out section sixteen of the bill.

Lost.

The amendments to section seventeen recommended by the committee adopted.

The committee amendment, number one, to section eighteen, being considered, Mr. Tyler moved to amend the amendment of the committee, to strike out one-tenth and insert one-twentieth.

Adopted.

The amendment as amended then adopted.

The committee amendment, number two, to section eighteen adopted.

The amendment to section twenty-three, recommended by the committee, amended, and adopted as amended.

The amendment to section twenty-six, recommended by the committee, being considered, Mr. Stanley moved to amend the amendment of the committee by striking out the words "two thousand four hundred dollars" and "one thousand eight hundred dollars," and inserting the words "one thousand six hundred dollars" in place of each sum.

Adopted.

Mr. Braunhart moved to reconsider the vote by which the House adopted the amendment to the committee's amendment.

Lost.

The question recurring upon the amendment as amended it was adopted.

Section twenty-seven of the bill was stricken out on the recommendation of the committee.

The amendments to section twenty-eight recommended by the committee adopted.

Mr McComas moved to amend section thirty, line three, by inserting after the words "stock exchange," the words "in this State."

Adopted.

Sections thirty-one, thirty-two, and thirty-three, ordered stricken out on recommendation of the committee.

The bill read second time.

Mr. Braunhart moved to make the bill the order of the day for Friday.

Lost

Mr. Braunhart moved the bill be placed at the head of the third reading file for to-morrow.

Upon which the ayes and noes were demanded by Messrs. Braunhart, Gaffey, and Gorley.

The roll was called, and the motion was lost by the following vote:

AYES—Messrs Adams, Anthony, Bass, Braunhart, Brown of Yuba, Burns, Carr of Yuba, Coffman, Cook, DuBrutz, Fraser, Gaffey, Gorley, Harris, Hartson, Hershey, Lane, Maguire, Maybell, McCallion, McCarty of Lake, McCarthy of San Francisco, McComas, McDade, Morse, Picket, Spencer, and Wattson—28

NOES—Messrs. Bennett, Brooks, Brown of Sonoma, Camron, Carr of Sacramento, Chandler, Coleman, Durham, Estey, Felton, Fox, Frink, Green, Leach, Leadbetter, Mathews, May, McIntosh, Merry, Messenger, Mulholland, Nelson, Sherburne, Stanley, Stoddard, Streeter, Tyler, Ward, Wason of Ventura, Wasson of Mono, York, and Young—32.

The bill ordered to third reading.

INTRODUCTION OF A BILL.

By Mr. May—An Act to amend section three thousand seven hundred and thirteen of the Political Code.

The above bill was introduced.

RECESS.

The hour of one o'clock P. M. having arrived, the House took a recess until two o'clock P. M.

RE-ASSEMBLED.

House re-assembled at two o'clock P. M.

Speaker Cowdery in the chair.

Quorum present.

The bill introduced by Mr. May, before recess, was read first time, and ordered printed, and put on file.

INTRODUCTION OF BILLS.

The following bill was introduced, and ordered printed:

By Mr. May—An Act to provide for the payment of the salaries and traveling expenses of the State Board of Equalization, and the Clerk thereof, and for postage and contingent expenses of said Board for the thirty-first fiscal year ending January thirtieth, eighteen hundred and eighty.

On the motion of Mr. Wason of Ventura Senate Bill No 399—An Act to amend sections one thousand five hundred and seventeen, one thousand five hundred and twenty-one, one thousand five hundred and thirty-two, one thousand five hundred and forty-three, one thousand five hundred and forty-five, one thousand five hundred and forty-six, one thousand five hundred and forty-eight, one thousand five hundred and fifty, one thousand five hundred and fifty-one, one thousand five hundred and sixty-four, one thousand five hundred and seventy-seven, one thousand five hundred and ninety-three, one thousand five hundred and ninety-seven, one thousand five hundred and ninety-eight, one thousand six hundred, one thousand six hundred and eleven, one thousand six hundred and sixteen, one thousand six hundred and seventeen, one thousand six hundred and nineteen, one thousand six hundred and twenty, one thousand

six hundred and twenty-one, one thousand six hundred and twenty-two, one thousand six hundred and twenty-four, one thousand six hundred and sixty-two, one thousand six hundred and sixty-three, one thousand six hundred and sixty-five, one thousand six hundred and sixty-six, one thousand six hundred and ninety-six, one thousand seven hundred and one, one thousand seven hundred and twelve, one thousand seven hundred and fifteen, one thousand seven hundred and sixty-eight, one thousand seven hundred and sixty-nine, one thousand seven hundred and seventy, one thousand seven hundred and seventy-one, one thousand seven hundred and seventy-two, one thousand seven hundred and seventy-four, one thousand seven hundred and seventy-five, one thousand seven hundred and eighty-seven, one thousand seven hundred and eighty-eight, one thousand seven hundred and ninety, one thousand seven hundred and ninety-one, one thousand eight hundred and seventeen, one thousand eight hundred and eighteen, one thousand eight hundred and thirty-four, one thousand eight hundred and thirty-five, one thousand eight hundred and thirty-six, one thousand eight hundred and thirty-seven, one thousand eight hundred and fifty-seven, one thousand eight hundred and fifty-eight, one thousand eight hundred and fifty-nine, one thousand eight hundred and sixty-one, one thousand eight hundred and sixty-nine, one thousand eight hundred and seventy-one, and one thousand eight hundred and seventy-four, and to repeal sections one thousand five hundred and fifty-one (b), one thousand six hundred and fifty-two, one thousand six hundred and sixty-nine, one thousand six hundred and seventy, one thousand six hundred and seventy-one, one thousand seven hundred and forty-one, one thousand seven hundred and forty-two, one thousand seven hundred and forty-three, one thousand seven hundred and forty-four, one thousand seven hundred and forty-five, one thousand seven hundred and forty-six, one thousand seven hundred and forty-seven, one thousand seven hundred and forty-eight, one thousand seven hundred and forty-nine, one thousand seven hundred and fifty, one thousand seven hundred and fifty-one, one thousand seven hundred and fifty-two, one thousand seven hundred and fifty-three, one thousand seven hundred and fifty-four, one thousand seven hundred and fifty-five, one thousand seven hundred and fifty-seven, one thousand seven hundred and fifty-eight, one thousand seven hundred and seventy-seven, one thousand seven hundred and ninety-three, one thousand eight hundred and thirty-eight, one thousand eight hundred and forty, one thousand eight hundred and forty-one, one thousand eight hundred and forty-two, one thousand eight hundred and forty-three, one thousand eight hundred and forty-four, one thousand eight hundred and forty-five, one thousand eight hundred and forty-six, one thousand eight hundred and forty-seven, one thousand eight hundred and forty-eight, one thousand eight hundred and forty-nine, one thousand eight hundred and fifty, one thousand eight hundred and fifty-one, one thousand eight hundred and fifty-two, and one thousand eight hundred and seventy-two, of the Political Code, and to add five new sections thereto, to be known as sections one thousand five hundred and sixty-five, one thousand five hundred and eighty-three, one thousand seven hundred and three, one thousand seven hundred and four, and one thousand eight hundred and seventy-nine—was taken up.

Mr. Hardy in the chair.

The bill was read third time.

The roll was called, and the bill was passed by the following vote:

AYES—Messrs Anthony, Bass, Braunhart, Brooks, Bruner, Brusie, Camron, Carr of Yuba, Chamberlain, Chandler, Coffinan, Coleman, Cook, Cooper, Corcoran, Cuthbert, Downs, DuBrutz, Durham, Estey, Finlayson, Fox, Fink, Garibaldi, Gaffey, Green, Hardy, Harris, Hynes, Josselyn, Lane, Leach, Leadbetter, Levee, Magune, May, Maybell, McCallion, McCarty of Lake, McCarthy of San Francisco, McComas, McIntosh, Merry, Morse, Mulholland, Nelson, Picket, Savle, Sherburne, Spencer, Stanley, Stoddard, Streeter, Sweetland, Tyler, Walker, Ward, Wason of Ventura, Wasson of Mono, Wattson, York, Young, and Mr Speaker—63.

NOES—Messrs Hershey and Mathews—2.

Title approved.

Mr. Tyler moved to postpone the special order for this hour, the third reading file, to take up Assembly Bill No. 543—An Act to define, regulate, and govern the State Prisons of California.

Lost.

The following bill was introduced, and ordered printed:

By Mr. Lane—An Act to provide for the construction and maintenance of a fire boat in the harbor of every city in the State of California containing a population of one hundred thousand or more inhabitants.

THIRD READING FILE.

Senate Bill No 39—An Act to amend sections six hundred and eighty-two, seven hundred and eighty-four, seven hundred and eighty-seven, seven hundred and eighty-eight, seven hundred and eighty-nine, seven hundred and ninety, seven hundred and ninety-two, eight hundred, eight hundred and one, eight hundred and two, eight hundred and six, eight hundred and eighty-eight, nine hundred and forty-nine, nine hundred and fifty, nine hundred and fifty-one, nine hundred and fifty-three, nine hundred and fifty-four, nine hundred and fifty-five, nine hundred and fifty-seven, nine hundred and fifty-eight, nine hundred and fifty-nine, nine hundred and sixty, nine hundred and sixty-one, nine hundred and sixty-four, nine hundred and sixty-five, nine hundred and sixty-six, nine hundred and sixty-seven, nine hundred and sixty-eight, nine hundred and sixty-nine, nine hundred and seventy, nine hundred and seventy-one, nine hundred and seventy-two, nine hundred and seventy-six, nine hundred and seventy-seven, nine hundred and eighty-one, nine hundred and eighty-two, nine hundred and eighty-five, nine hundred and eighty-eight, nine hundred and eighty-nine, nine hundred and ninety, nine hundred and ninety-five, nine hundred and ninety-six, nine hundred and ninety-seven, nine hundred and ninety-eight, nine hundred and ninety-nine, one thousand and four, one thousand and five, one thousand and eight, one thousand and nine, one thousand and twelve, one thousand and sixteen, one thousand and seventeen, one thousand and eighteen, one thousand and nineteen, one thousand and twenty-one, one thousand and twenty-two, one thousand and twenty-three, one thousand and twenty-four, one thousand and twenty-five, one thousand and thirty-three, one thousand and forty-three, one thousand and forty-seven, one thousand and forty-eight, one thousand and fifty-two, one thousand and sixty-five, one thousand and seventy-four, one thousand and ninety-three, one thousand and ninety-five, one thousand and ninety-eight, one thousand and ninety-nine, one thousand one hundred, one thousand one hundred and three, one thousand one hundred and four, one thousand one hundred and thirteen,

one thousand one hundred and fourteen, one thousand one hundred and fifteen, one thousand one hundred and seventeen, one thousand one hundred and twenty-one, one thousand one hundred and twenty-five, one thousand one hundred and twenty-six, one thousand one hundred and thirty-one, one thousand one hundred and forty-one, one thousand one hundred and forty-eight, one thousand one hundred and fifty, one thousand one hundred and fifty-one, one thousand one hundred and fifty-five, one thousand one hundred and fifty-eight, one thousand one hundred and fifty-nine, one thousand one hundred and sixty, one thousand one hundred and sixty-five, one thousand one hundred and seventy, one thousand one hundred and eighty-one, one thousand one hundred and eighty-five, one thousand one hundred and eighty-seven, one thousand eight hundred and eighty-eight, one thousand two hundred, one thousand two hundred and seven, one thousand two hundred and thirty-eight, one thousand two hundred and seventy-three, one thousand two hundred and eighty-four, one thousand two hundred and eighty-five, one thousand two hundred and eighty-seven, one thousand two hundred and eighty-nine, one thousand three hundred and ten, one thousand three hundred and twenty-six, one thousand three hundred and thirty-five, one thousand three hundred and forty-six, one thousand three hundred and forty-nine, one thousand three hundred and fifty-four, one thousand three hundred and fifty-eight, one thousand three hundred and sixty-eight, one thousand three hundred and seventy, one thousand three hundred and seventy-three, one thousand three hundred and eighty-two, one thousand three hundred and eighty-three, one thousand three hundred and ninety-five, one thousand three hundred and ninety-six, one thousand four hundred and one, and one thousand four hundred and twenty-nine, of the Penal Code, and to add a new section thereto, to be known as section eight hundred and nine, to provide for prosecutions by information, and to adapt the provisions of said Code thereto.

Taken up.

Read third time.

The Clerk was directed to number the sections correctly.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Adams, Anthony, Bass, Bennett, Braunhart, Brooks, Brown of Sonoma, Brown of Yuba, Bruner, Brusie, Burns, Cannon, Carr of Sacramento, Chamberlain, Chandler, Coffman, Coleman, Cook, Cooper, Cuthbert, Downs, DuBrutz, Estey, Fox, Fraser, Frink, Gorley, Green, Hardy, Harris, Hershey, Hynes, Lane, Leach, Leadbetter, Levee, Maguire, Mathews, May, Maybell, McCallion, McCarty of Lake, McCarthy of San Francisco, McComas, McDade, McIntosh, Merry, Messenger, Morse, Nelson, Picket, Sayle Sherburne, Spencer, Stanley, Stoddard, Streeter, Tyler, Walker, Ward, Wason of Ventura, York, Young, and Mr. Speaker—64

NOES—None.

Title approved.

REPORT OF THE COMMITTEE ON ENROLLMENT.

By Mr. Brooks:

MR SPEAKER Your Committee on Enrollment respectfully report that Assembly Bill No. 95—An Act to repeal an Act entitled "An Act relating to executions from Courts of Justices of the Peace of the several townships of the County of Alameda," approved February twenty-fifth, eighteen hundred and seventy-eight—has been correctly enrolled, and the same was, at three o'clock P. M. this day, March thirty-first, eighteen hundred and eighty, presented to the Governor for his approval.

BROOKS, Chairman.

So much of Senate message of this date (March thirty-first, eighteen hundred and eighty) as relates to Assembly Bill No. 181—An Act to amend sections three hundred and fifty-two, three thousand six hundred and ninety-two, and three thousand seven hundred and two, of the Political Code of California, and to add new sections thereto to be known as sections three thousand six hundred and ninety-three, three thousand six hundred and ninety-five, and three thousand seven hundred, all relating to the State Board of Equalization—was read.

The question being on concurring in the Senate amendments thereto, the roll was called, and the amendments concurred in by the following vote:

AYES—Messrs. Adams, Anthony, Bass, Bennett, Brooks, Brown of Sonoma, Brown of Yuba, Bruner, Burns, Camron, Chamberlain, Chandler, Coffman, Coleman, Cooper, Cuthbert, Downs, Estey, Finlayson, Fox, Fink, Garibaldi, Gorley, Hardy, Hershey, Hynes, Josselyn, Lane, Leadbetter, Levee, Maguire, Mathews, May, Maybell, McCallion, McCarthy of San Francisco, McComas, McDade, McIntosh, Merry, Messenger, Morse, Nelson, Sayle, Sherburne, Spencer, Stanley, Streeter, Walker, Ward, Wasson of Mono, York, Young, and Mr. Speaker—54.

NOES—None.

The Senate amendment to the title of the bill was concurred in.

Mr. McCarthy moved that the House take a recess until seven o'clock and thirty minutes P. M.

Lost.

Senate Bill No. 174—An Act to amend sections one thousand two hundred and ninety-five, one thousand two hundred and ninety-eight, one thousand three hundred and three, one thousand three hundred and five, one thousand three hundred and thirteen, one thousand three hundred and seventeen, one thousand three hundred and twenty-two, one thousand three hundred and thirty-eight, one thousand three hundred and forty, one thousand three hundred and forty-five, one thousand three hundred and sixty, one thousand three hundred and sixty-one, one thousand three hundred and sixty-two, one thousand three hundred and seventy-two, one thousand three hundred and seventy-three, one thousand three hundred and eighty-three, one thousand three hundred and eighty-eight, one thousand three hundred and eighty-nine, one thousand three hundred and ninety-one, one thousand three hundred and ninety-three, one thousand three hundred and ninety-four, one thousand three hundred and ninety-seven, one thousand three hundred and ninety-eight, one thousand four hundred and two, one thousand four hundred and three, one thousand four hundred and six, one thousand four hundred and eleven, one thousand four hundred and twelve, one thousand four hundred and thirteen, one thousand four hundred and fourteen, one thousand four hundred and fifteen, one thousand four hundred and twenty-six, one thousand four hundred and twenty-seven, one thousand four hundred and thirty, one thousand four hundred and thirty-one, one thousand four hundred and thirty-two, one thousand four hundred and thirty-three, one thousand four hundred and thirty-six, one thousand four hundred and forty-three, one thousand four hundred and forty-four, one thousand four hundred and fifty-two, one thousand four hundred and fifty-three, one thousand four hundred and fifty-nine, one thousand four hundred and sixty, one thousand four hundred and sixty-one, one thousand four

hundred and sixty-four, one thousand four hundred and sixty-five, one thousand four hundred and sixty-six, one thousand four hundred and sixty-eight, one thousand four hundred and sixty-nine, one thousand four hundred and seventy, one thousand four hundred and seventy-four, one thousand four hundred and seventy-five. one thousand four hundred and eighty-five, one thousand four hundred and ninety-three, one thousand four hundred and ninety-four, one thousand four hundred and ninety-five, one thousand four hundred and ninety-six, one thousand four hundred and ninety-seven, one thousand four hundred and ninety-eight, one thousand four hundred and ninety-nine, one thousand five hundred and three, one thousand five hundred and four, one thousand five hundred and seven, one thousand five hundred and ten, one thousand five hundred and twelve, one thousand five hundred and seventeen, one thousand five hundred and nineteen, one thousand five hundred and twenty-three, one thousand five hundred and twenty-six, one thousand five hundred and twenty-nine, one thousand five hundred and thirty, one thousand five hundred and thirty-one, one thousand five hundred and thirty-two, one thousand five hundred and thirty-six, one thousand five hundred and thirty-seven, one thousand five hundred and forty. one thousand five hundred and forty-one, one thousand five hundred and forty-nine, one thousand five hundred and fifty-two, one thousand five hundred and fifty-five, one thousand five hundred and sixty-one, one thousand five hundred and sixty-four, one thousand five hundred and sixty-six, one thousand five hundred and sixty-nine, one thousand five hundred and seventy, one thousand five hundred and seventy-five, one thousand five hundred and eighty-five, one thousand five hundred and eighty-eight, one thousand five hundred and ninety, one thousand five hundred and ninety-one, one thousand five hundred and ninety-seven, one thousand five hundred and ninety-eight, one thousand six hundred and two, one thousand six hundred and three, one thousand six hundred and four, one thousand six hundred and sixteen, one thousand six hundred and eighteen, one thousand six hundred and twenty-two, one thousand six hundred and twenty-three, one thousand six hundred and twenty-four, one thousand six hundred and twenty-five, one thousand six hundred and twenty-nine, one thousand six hundred and thirty-two, one thousand six hundred and thirty-three, one thousand six hundred and forty, one thousand six hundred and forty-nine, one thousand six hundred and sixty-one, one thousand six hundred and sixty-seven, one thousand six hundred and sixty-nine, one thousand six hundred and seventy-five. one thousand six hundred and seventy-six, one thousand six hundred and seventy-seven, one thousand six hundred and eighty, one thousand six hundred and eighty-four, one thousand six hundred and eighty-five, one thousand six hundred and eighty-six, one thousand six hundred and ninety-two, one thousand six hundred and ninety-three, one thousand six hundred and ninety-four, one thousand six hundred and ninety-six, one thousand seven hundred and four, one thousand seven hundred and five, one thousand seven hundred and six, one thousand seven hundred and sixteen, one thousand seven hundred and eighteen, one thousand seven hundred and twenty, one thousand seven hundred and twenty-one, one thousand seven hundred and twenty-two, one thousand seven hundred and twenty-six, one thousand seven hundred and twenty-nine, one thousand seven hundred and thirty,

one thousand seven hundred and thirty-three, one thousand seven hundred and thirty-four, one thousand seven hundred and thirty-five, one thousand seven hundred and thirty-six, one thousand seven hundred and thirty-seven, and one thousand seven hundred and forty, of the Code of Civil Procedure, relating to the settlement of estates of deceased persons.

Taken up

RECESS.

Pending the reading of the above bill, the House took a recess until seven o'clock P. M.

RE-ASSEMBLED.

House re-assembled at seven o'clock P. M.

Speaker Cowdery in the chair.

No quorum present.

At seven o'clock P. M. Mr. Merry moved to adjourn.

Lost.

Quorum present.

One day's leave of absence was granted to Mr. Cooper.

Consideration of Senate Bill No 174—An Act to amend sections one thousand two hundred and ninety-five, one thousand two hundred and ninety-eight, one thousand three hundred and three, one thousand three hundred and five, one thousand three hundred and thirteen, one thousand three hundred and seventeen, one thousand three hundred and twenty-two, one thousand three hundred and thirty-eight, one thousand three hundred and forty, one thousand three hundred and forty-five, one thousand three hundred and sixty, one thousand three hundred and sixty-one, one thousand three hundred and sixty-two, one thousand three hundred and seventy-two, one thousand three hundred and seventy-three, one thousand three hundred and eighty-three, one thousand three hundred and eighty-eight, one thousand three hundred and eighty-nine, one thousand three hundred and ninety-one, one thousand three hundred and ninety-three, one thousand three hundred and ninety-four, one thousand three hundred and ninety-seven, one thousand three hundred and ninety-eight, one thousand four hundred and two, one thousand four hundred and three, one thousand four hundred and six, one thousand four hundred and eleven, one thousand four hundred and twelve, one thousand four hundred and thirteen, one thousand four hundred and fourteen, one thousand four hundred and fifteen, one thousand four hundred and twenty-six, one thousand four hundred and twenty-seven, one thousand four hundred and thirty, one thousand four hundred and thirty-one, one thousand four hundred and thirty-two, one thousand four hundred and thirty-three, one thousand four hundred and thirty-six, one thousand four hundred and forty-three, one thousand four hundred and forty-four, one thousand four hundred and fifty-two, one thousand four hundred and fifty-three, one thousand four hundred and fifty-nine, one thousand four hundred and sixty, one thousand four hundred and sixty-one, one thousand four hundred and sixty-four, one thousand four hundred and sixty-five, one thousand four hundred and sixty-six, one thousand four hundred and sixty-eight, one thousand four hundred and sixty-nine, one thousand four hundred and seventy, one thousand four hundred and seventy-four, one thousand four hundred and seventy-

five, one thousand four hundred and eighty-five, one thousand four hundred and ninety-three, one thousand four hundred and ninety-four, one thousand four hundred and ninety-five, one thousand four hundred and ninety-six, one thousand four hundred and ninety-seven, one thousand four hundred and ninety-eight, one thousand four hundred and ninety-nine, one thousand five hundred and three, one thousand five hundred and four, one thousand five hundred and seven, one thousand five hundred and ten, one thousand five hundred and twelve, one thousand five hundred and seventeen, one thousand five hundred and nineteen, one thousand five hundred and twenty-three, one thousand five hundred and twenty-six, one thousand five hundred and twenty-nine, one thousand five hundred and thirty, one thousand five hundred and thirty-one, one thousand five hundred and thirty-two, one thousand five hundred and thirty-six, one thousand five hundred and thirty-seven, one thousand five hundred and forty, one thousand five hundred and forty-one, one thousand five hundred and forty-nine, one thousand five hundred and fifty-two, one thousand five hundred and fifty-five, one thousand five hundred and sixty-one, one thousand five hundred and sixty-four, one thousand five hundred and sixty-six, one thousand five hundred and sixty-nine, one thousand five hundred and seventy, one thousand five hundred and seventy-five, one thousand five hundred and eighty-five, one thousand five hundred and eighty-eight, one thousand five hundred and ninety, one thousand five hundred and ninety-one, one thousand five hundred and ninety-seven, one thousand five hundred and ninety-eight, one thousand six hundred and two, one thousand six hundred and three, one thousand six hundred and four, one thousand six hundred and sixteen, one thousand six hundred and eighteen, one thousand six hundred and twenty-two, one thousand six hundred and twenty-three, one thousand six hundred and twenty-four, one thousand six hundred and twenty-five, one thousand six hundred and twenty-nine, one thousand six hundred and thirty-two, one thousand six hundred and thirty-three, one thousand six hundred and forty, one thousand six hundred and forty-nine, one thousand six hundred and sixty-one, one thousand six hundred and sixty-seven, one thousand six hundred and sixty-nine, one thousand six hundred and seventy-five, one thousand six hundred and seventy-six, one thousand six hundred and seventy-seven, one thousand six hundred and eighty, one thousand six hundred and eighty-four, one thousand six hundred and eighty-five, one thousand six hundred and eighty-six, one thousand six hundred and ninety-two, one thousand six hundred and ninety-three, one thousand six hundred and ninety-four, one thousand six hundred and ninety-six, one thousand seven hundred and four, one thousand seven hundred and five, one thousand seven hundred and six, one thousand seven hundred and sixteen, one thousand seven hundred and eighteen, one thousand seven hundred and twenty, one thousand seven hundred and twenty-one, one thousand seven hundred and twenty-two, one thousand seven hundred and twenty-six, one thousand seven hundred and twenty-nine, one thousand seven hundred and thirty, one thousand seven hundred and thirty-three, one thousand seven hundred and thirty-four, one thousand seven hundred and thirty-five, one thousand seven hundred and thirty-six, one thousand seven hundred and thirty-seven, and one thousand seven hundred and forty, of the

Code of Civil Procedure, relating to the settlement of estates of deceased persons—resumed.

The bill was read third time.

The roll was called, and the bill was passed by the following vote:

AYES—Messrs. Adams, Anthony, Bass, Braunhart, Brooks, Bruner, Brusie, Burns, Camron, Carr of Sacramento, Chamberlain, Chandler, Coffman, Coleman, Cook, Downs, DuBrutz, Estey, Finlayson, Fox, Fraser, Frink, Garibaldi, Gorley, Green, Hartson, Hershey, Josselyn, Lane, Leach, Leadbetter, Levee, Maguire, Mathews, May, McCallion, McCarty of Lake, McCarthy of San Francisco, McComas, McIntosh, Merry, Messenger, Morse, Nelson, Picket, Sayle, Simon, Sherburne, Spencer, Stanley, Stoddard, Streeter, Tyler, Walker, Ward, Wason of Ventura, Wasson of Mono, York, Young, and Mr. Speaker—59.

NOES—None.

Title approved.

Assembly Bill No. 557—An Act to provide an additional Judge of the Superior Court for the County of Mono.

Taken up.

The amendments recommended by the committee adopted.

Read third time, and ordered printed as amended.

Assembly Bill No. 354—An Act to provide for the protecting of lands from overflow other than lands recognized as swamp lands.

Mr. Lane moved to strike out all of section one, commencing with line eleven.

Lost.

Mr. Maybell moved to amend by striking out, in lines twenty-three and twenty-four, section three, the words "no one shall be permitted to vote at such election unless he is a land owner of the district."

Upon which the ayes and noes were demanded by the requisite number.

The previous question was demanded by Messrs. Walker, Frink, and Fraser, and the House so ordered.

The roll was called, and the amendment rejected by the following vote:

AYES—Messrs. Anthony, Burns, Lane, May, Maybell, McCallion, and Picket—7.

NOES—Messrs Adams, Bennett, Braunhart, Bruner, Brusie, Camron, Carr of Sacramento, Chamberlain, Chandler, Coleman, Cook, Downs, Estey, Felton, Finlayson, Fox, Fraser, Frink, Gaffey, Green, Harris, Hershey, Hynes, Josselyn, Leach, Leadbetter, Maguire, Mathews, McCarty of Lake, McCarthy of San Francisco, McComas, McIntosh, Merry, Messenger, Morse, Nelson, Sayle, Simon, Sherburne, Stanley, Stoddard, Streeter, Tyler, Walker, Ward, Wason of Ventura, York, and Mr. Speaker—48

Mr Lane moved to strike out the enacting clause.

Lost.

The previous question was demanded by Messrs. Braunhart, McCallion, and Walker, and the House refused to order it.

The bill was read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs Adams, Bass, Bennett, Braunhart, Brooks, Bruner, Brusie, Camron, Carr of Yuba, Chamberlain, Chandler, Coffman, Coleman, Cook, Estey, Felton, Finlayson, Fox, Fraser, Frink, Garibaldi, Gaffey, Gorley, Green, Harris, Hartson, Hershey, Leach, Leadbetter, Maguire, Mathews, May, Maybell, McCarty of Lake, McCarthy of San Francisco, McComas, McIntosh, Merry, Messenger, Morse, Nelson, Picket, Sherburne, Stanley, Stoddard, Streeter, Tyler, Ward, Wason of Ventura, York, Young, and Mr. Speaker—52

NOES—Messrs. Anthony, DuBrutz, Hynes, Josselyn, and Lane—5.

Title approved.

Mr. Tyler, pursuant to notice, moved to reconsider the vote by which the House adopted the resolution to adjourn *sine die* on April thirteenth.

Mr. Maybell moved a call of the House.

So ordered.

The roll was called.

Messrs. Durham, Brown of Yuba, and Brown of Sonoma were excused for the evening because of sickness.

Mr. Tyler moved to dispense with further proceedings under the call.

Lost.

At nine o'clock and five minutes P. M. Mr. Fox moved to adjourn.

Lost.

Seven members absent without excuse.

Mr. May moved that further proceedings under the call be dispensed with.

Upon which the ayes and noes were demanded by Messrs. May, Tyler, and Coleman.

The roll was called, and the motion lost by the following vote:

AYES—Messrs. Adams, Bass, Bennett, Brusie, Chamberlain, Chandler, Coleman, Cook, Downs, DuBrutz, Felton, Finlayson, Fox, Fraser, Frink, Green, Hardy, Hartson, Hershey, Leach, Leadbetter, Mathews, May, McComas, Merry, Messenger, Nelson, Sherburne, Stanley, Stoddard, Tyler, Walker, Young, and Mr. Speaker—34.

NOES—Messrs. Anthony, Braunhart, Brooks, Bruner, Burns, Camron, Carr of Sacramento, Carr of Yuba, Coffman, Estey, Garibaldi, Gaffey, Gorley, Harris, Hynes, Josselyn, Lane, Levee, Maguire, Maybell, McCallion, McCarty of Lake, McCarthy of San Francisco, McIntosh, Morse, Mulholland, Picket, Sayle, Simon, Spencer, Streeter, Ward, Wason of Ventura, and York—34.

Mr. Stanley moved we do now adjourn.

Lost

Mr. Mathews moved we take a recess for five minutes.

Lost.

At nine o'clock and fifteen minutes P. M. Mr. Maybell moved to adjourn.

Lost.

Mr. May moved to dispense with further proceedings under the call.

Upon which the ayes and noes were demanded by Messrs. Tyler, Fraser, and Coleman.

The roll was called, and the motion was lost by the following vote:

AYES—Messrs. Adams, Bass, Bruner, Carr of Sacramento, Chamberlain, Chandler, Coleman, Cook, DuBrutz, Fox, Fraser, Frink, Gorley, Green, Hardy, Hartson, Leach, Leadbetter, Mathews, May, Merry, Nelson, Sherburne, Stanley, Stoddard, Tyler, Walker, Wason of Ventura, Young, and Mr. Speaker—30.

NOES—Messrs. Anthony, Braunhart, Brooks, Brusie, Burns, Camron, Carr of Yuba, Coffman, Downs, Estey, Felton, Garibaldi, Gaffey, Harris, Hershey, Hynes, Josselyn, Lane, Levee, Maguire, Maybell, McCallion, McCarty of Lake, McCarthy of San Francisco, McComas, McIntosh, Messenger, Morse, Mulholland, Picket, Sayle, Simon, Spencer, Streeter, Ward, and York—36.

Mr. Fox moved to postpone consideration of the motion to reconsider, and to take up Senate Bill No. 234.

Lost.

Mr. McIntosh in the chair.

Mr Stanley moved to dispense with further proceedings under the call.

Upon which the ayes and noes were demanded by Messrs. Tyler, Stanley, and Frink.

The roll was called, and the motion was carried by the following vote:

AYES—Messrs. Adams, Bass, Bennett, Brooks, Bruner, Brusie, Camron, Carr of Sacramento, Chamberlain, Chandler, Coleman, Cook, DuBrutz, Estey, Felton, Finlayson, Fox, Fraser, Frink, Gorley, Green, Hardy, Harris, Harston, Hershey, Hynes, Leach, Leadbetter, Levee, Maguire, Mathews, May, McCarty of Lake, McCarthy of San Francisco, McComas, McIntosh, Merry, Morse, Mulholland, Nelson, Picket, Simon, Sherburne, Spencer, Stanley, Stoddard, Streeter, Tyler, Walker, Ward, Wason of Ventura, York, Young, and Mr. Speaker—54.

NOES—Messrs Anthony, Braunhart, Burns, Carr of Yuba, Coffman, Downs, Garibaldi, Gaffey, Josselyn, Maybell, McCallion, Messenger, and Sayle—13.

Mr. McCarty, at nine o'clock and forty minutes P. M., moved to adjourn.

Lost.

Mr. Tyler moved to make the motion to reconsider the special order for two o'clock P. M. to-morrow.

Lost.

ADJOURNMENT.

Mr. Camron moved to adjourn.

Upon which the ayes and noes were demanded by Messrs. Camron, Braunhart, and McCallion.

The roll was called, and the motion was carried by the following vote:

AYES—Messrs. Bass, Braunhart, Brusie, Burns, Camron, Carr of Yuba, Coffman, Coleman, DuBrutz, Fraser, Garibaldi, Gorley, Green, Hardy, Harris, Hartson, Hershey, Hynes, Josselyn, Lane, Leadbetter, Maguire, May, Maybell, McCallion, McCarty of Lake, McCarthy of San Francisco, Morse, Picket, Sayle, Simon, Sherburne, Stanley, Stoddard, Streeter, and Mr. Speaker—36.

NOES—Messrs. Adams, Anthony, Bennett, Bruner, Carr of Sacramento, Chamberlain, Chandler, Cook, Downs, Estey, Felton, Finlayson, Fox, Frink, Gaffey, Leach, Levee, Mathews, McComas, McIntosh, Merry, Messenger, Mulholland, Nelson, Spencer, Tyler, Walker, Ward, Wason of Ventura, York, and Young—31.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Thursday, April 1st, 1880.

House met pursuant to adjournment.

Speaker Cowdery in the chair.

Roll called, and quorum present.

Prayer by the Chaplain.

READING AND APPROVAL OF THE JOURNAL.

Mr. Tyler moved that the further reading of the Journal be dispensed with.

Carried.

The Journal of yesterday corrected.

Indefinite leave of absence was granted to Mr. Durham on account of sickness.

Mr. Tyler moved to insert in the Journal of yesterday that Mr.

Tyler's amendment to the committee amendment struck out "one-tenth" and inserted instead "one-twentieth."

So ordered.

PETITION.

By Mr. McIntosh—A petition from citizens of California, asking such legislation as will prohibit the sale of intoxicating liquors on Sunday.

Referred to the Committee on Public Morals.

REPORTS OF STANDING COMMITTEES.

The Committee on Agriculture, Mining, and Mechanic Arts College presented their report, relative to the condition of the State University, and particularly in regard to the departments of agriculture and mechanic arts, and recommending an appropriation of five thousand dollars to the agricultural department.

The reading of the report dispensed with, and the report ordered printed.

By Mr. Adams:

MR SPEAKER: Your Committee on Culture and Improvement of the Grape beg leave to report that P. K. Stockton is entitled to the sum of twenty-eight dollars for services as short-hand reporter for our committee, and we recommend the adoption of the following resolution:

ADAMS, Chairman.

Resolved, That the Controller of State be and he is hereby authorized to draw his warrant on the Treasurer in favor of P K Stockton for the sum of twenty-eight dollars, to be paid out of the Contingent Fund of the Assembly.

The resolution was referred to the Committee on Claims:

By Mr. Streeter:

ASSEMBLY CHAMBER, SACRAMENTO, March 31st, 1880.

MR. SPEAKER Your Committee on County Government, to whom was referred Assembly Bill No. 555—An Act to provide for the election of county, and city and county officers, and fix their terms of office—have had the same under consideration, and report it back with the recommendation that the bill be rejected, as provision is made for the same in another bill.

STREETER, Chairman.

By Mr. Sherburne:

ASSEMBLY CHAMBER, April 1st, 1880.

MR. SPEAKER Your Committee on Engrossment have examined, and find correctly engrossed, Assembly Bill No. 354—An Act to provide for the protecting of lands from overflow other than lands recognized as swamp lands.

Also, Assembly Bill No. 361—An Act in relation to certain deputies, assistants, and copyists of County Clerks.

Also, Assembly Bill No. 53—An Act to amend section two thousand one hundred and seventy of an Act entitled an Act to establish a Civil Code, approved March twenty-first, eighteen hundred and seventy-two, relating to common carriers.

SHERBURNE, Chairman.

By Mr. Hardy:

ASSEMBLY CHAMBER, April 1st, 1880.

MR SPEAKER Your Committee on Indian Affairs, to whom was referred Assembly Bill No. 568—An Act to amend section four hundred and eighty-five of the Civil Code, relating to owning and operating railroads through private lands—have had the same under consideration, and report the same back with an amendment, and recommend its passage as amended.

Also, Assembly Bill No 526—An Act entitled "An Act to compel railroad companies in certain cases to provide for wagon roads passing under their tracks," and report the same back with a substitute, and recommend the passage of the substitute.

HARDY, Chairman.

By Mr. McComas:

ASSEMBLY CHAMBER, April 1st, 1880.

MR. SPEAKER: Your Committee on Public Lands, to whom was referred Assembly Bill No. 539—An Act to amend section three thousand five hundred and twenty of the Political Code, to enable the Governor and Surveyor-General to adjust all differences between the State and United States concerning the various grants made to the State by Acts of Congress—have had the same under consideration, and report the same back with a substitute, and recommend the passage of the substitute.

McCOMAS, Chairman.

The Committee on State Hospital presented their report on the condition of the State Hospitals, by Mr. Brusie, Chairman thereof.

The reading was dispensed with.

By Mr. May:

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred Assembly Bill No 554—entitled an Act to amend sections three thousand seven hundred and forty-six and three thousand seven hundred and forty-seven, and to repeal section three thousand seven hundred and forty-eight of the Political Code, relative to the collection of taxes—having fully considered and amended the same, beg leave to report it back, with recommendation that it do pass as amended.

MAY, Chairman.

March 31st, 1880.

MESSAGE FROM THE GOVERNOR.

The following message from the Governor was read:

STATE OF CALIFORNIA, EXECUTIVE DEPARTMENT,
SACRAMENTO, March 31st, 1880.

To the Assembly of the State of California:

I have to inform your honorable body that I have approved Assembly Bill No. 57—An Act to repeal an Act entitled "An Act to compel the County Clerk of the City and County of San Francisco to keep open his office upon all election days," approved March seventh, eighteen hundred and seventy-six.

Also, Assembly Bill No 62—An Act to declare valid writs, process, and certificates issued by the Superior Courts of this State, or the Clerks thereof, before such Courts shall have been legally provided with seals.

GEO. C. PERKINS, Governor.

Mr. Camron, pursuant to notice, moved to reconsider the vote by which the House, yesterday, passed Assembly Bill No. 334—An Act to promote drainage.

The roll was called, and the motion was lost by the following vote:

AYES—Messrs. Adams, Anthony, Bass, Bennett, Brown of Sonoma, Bruner, Camron, Carr of Sacramento, Carr of Yuba, Coleman, Cook, Estey, Fraser, Frink, Green, Hartson, Hershey, Hynes, Josselyn, Leach, Leadbetter, Maguire, Mathews, Maybell, McCarthy of San Francisco, McDade, McIntosh, Morse, Simon, Sherburne, Stanley, Stoddard, Streeter, and Wason of Ventura—34.

NOES—Messrs Braunhart, Brooks, Brown of Yuba, Brusie, Burns, Chamberlain, Chandler, Coffman, Cooper, Corcoran, Cuthbert, Dimond, Downs, DuBrutz, Felton, Finlayson, Fox, Garibaldi, Gafley, Gorley, Hardy, Lane, Levee, May, McCallion, McCarty of Lake, McComas, Merry, Messenger, Mulholland, Nelson, Picket, Savle, Spencer, Sweetland, Tyler, Walker, Ward, Wasson of Mono, Wattson, York, Young, and Mr. Speaker—43.

INTRODUCTION OF A BILL.

The following bill was introduced:

By Mr. Wason of Ventura—An Act to protect the school districts of this State from injury, during the year eighteen hundred and eighty, by the operation of section twelve, of article thirteen, of the Constitution.

Read first time, ordered printed, and ordered on file.

FIRST READING AND REFERENCE OF A BILL.

Assembly Bill No. 570—An Act to amend section three thousand five hundred and seventy-one of the Penal Code, in relation to the sale of land.

Read first time, and referred to the Judiciary Committee.

INTRODUCTION OF BILLS.

The following bills were introduced, and ordered printed:

By Mr. Fox—An Act to amend sections three hundred and fifty-four, one thousand four hundred and eighty-seven, one thousand four hundred and eighty-nine, one thousand four hundred and ninety-four, one thousand four hundred and ninety-seven, one thousand five hundred and one, one thousand five hundred and two, and one thousand five hundred and four, of the Political Code of California, and to add a new section to said Code, to be known as section one thousand five hundred and eight, relative to establishment and support of State Normal Schools.

Also, an Act to amend section one hundred and three of the Code of Civil Procedure, in relation to Justice Courts and Justices of the Peace.

SENATE MESSAGE.

The following Senate message was read:

SENATE CHAMBER, SACRAMENTO, March 31st, 1880.

MR. SPEAKER: I am directed to inform your honorable body that the Senate, on March twenty-ninth, passed Assembly Bill No. 165—An Act to repeal an Act entitled "An Act to change the orthography of the name of a town in Shasta County."

Also, Assembly Bill No. 102—An Act relating to the appointment of aliens to positions under State, county, city and county, city, or town officials

Also, Assembly Bill No. 43—An Act to amend sections one thousand one hundred and eighty and one thousand one hundred and eighty-one of an Act entitled "An Act to establish a Civil Code," approved March twenty-first, eighteen hundred and seventy-two, relating to the proof and acknowledgment of instruments.

Also, Assembly Bill No. 203—An Act to provide for the taking of appeals from judgment or orders given or made in the Courts existing on and before the first day of January, eighteen hundred and eighty.

Also, Assembly Bill No 42—An Act to confer upon the Superior Court of each county, and Judge thereof, the powers heretofore possessed by the District, County, and Probate Courts of such county, and the Judges thereof.

Also, Assembly Bill No 36—An Act to amend sections sixty-nine, seventy, eighty, one hundred and thirty-seven, two hundred and twenty-six, two hundred and forty-three, two hundred and forty-four, two hundred and forty-nine, two hundred and fifty-three, two hundred and fifty-eight, two hundred and sixty-five, two hundred and seventy-three, five hundred and ninety-three, five hundred and ninety-six, five hundred and ninety-eight, six hundred and two, one thousand two hundred and forty-one, one thousand two hundred and forty-five, one thousand two hundred and forty-seven, one thousand two hundred and sixty-five, one thousand three hundred and sixty-three, one thousand three hundred and sixty-four, two thousand two hundred and eighty-three, two thousand two hundred and eighty-seven, and two thousand two hundred and eighty-nine, of an Act entitled "An Act to establish a Civil Code," approved March twenty-first, eighteen hundred and seventy-two, conferring upon the Superior Courts, their Judges or officers, the jurisdiction and authority heretofore exercised, in certain cases, by the Courts abolished by the Constitution, their Judges or officers.

And March twenty-sixth amended, and March thirtieth passed, Assembly Bill No 48—An Act to amend an Act entitled "An Act relating to mutual, beneficial, and relief associations," approved March twenty-eighth, eighteen hundred and seventy-four.

J. A. ORR, Assistant Secretary.

CONSIDERATION OF SENATE MESSAGE.

Assembly Bill No. 48—An Act to amend an Act entitled an Act

relating to mutual, beneficial, and relief associations, approved March twenty-eighth, eighteen hundred and seventy-four.

The question being on concurring in the Senate amendments thereto, the roll was called, and the amendments concurred in by the following vote:

AYES—Messrs. Anthony, Bass, Bennett, Braunhart, Brown of Sonoma, Brown of Yuba, Brusie, Burns, Cannon, Carr of Sacramento, Chamberlain, Chandler, Coleman, Cook, Cooper, Cuthbert, DuBrutz, Estey, Finlayson, Fox, Fraser, Garibaldi, Gaffey, Gorley, Green, Hardy, Harris, Hartson, Hershey, Hynes, Josselyn, Lane, Magune, Mathews, May, McCallion, McCarty of Lake, McCarthy of San Francisco, McComas, Merry, Morse, Mulholland, Sayle, Shelburne, Spencer, Stanley, Stoddard, Streeter, Tyler, Walker, Ward, Wason of Ventura, Wasson of Mono, York, Young, and Mr. Speaker—56.

NOES—None.

SENATE MESSAGE.

The following Senate message was read:

SENATE CHAMBER, SACRAMENTO, March 31st, 1880.

MR. SPEAKER: I am directed to inform your honorable body that the Senate, on March thirtieth, passed Assembly Joint Resolution No. 6—Relative to procuring a congressional appropriation of one hundred thousand dollars for the purpose of improving Petaluma Creek for the purposes of navigation

Also, March twenty-ninth amended, and March thirtieth passed, Assembly Bill No. 181—An Act to amend sections three hundred and fifty-two, three thousand six hundred and ninety-two, and three thousand seven hundred and two, of the Political Code of California, and to add new sections thereto, to be known as sections three thousand six hundred and ninety-three, three thousand six hundred and ninety-five, and three thousand seven hundred, all relating to the State Board of Equalization.

Also, passed Senate Bill No. 40—An Act to repeal an Act entitled "An Act to prevent changes in the text-books in use in the public schools," approved December thirteenth, eighteen hundred and seventy-five.

Also, passed Senate Bill No 41—An Act to amend section one thousand five hundred and three, and to repeal section one thousand four hundred and ninety-five of the Political Code, relating to the State Normal School

Also, passed Senate Bill No. 220—An Act for the protection of certain kinds of fish

Also, passed Senate Bill No. 330—An Act to amend section seven hundred and thirty-nine of the Code of Civil Procedure, relating to actions to determine conflicting claims to real property.

Also, passed Senate Bill No. 366—An Act to amend section six hundred and seven of the Penal Code, relating to malicious mischief.

Also, passed Senate Bill No. 160—An Act to amend sections one thousand one hundred and eighty-five, one thousand one hundred and eighty-seven, one thousand one hundred and ninety, and one thousand one hundred and ninety five, of the Code of Civil Procedure, and to add a new section to said Code, relating to liens of mechanics and others upon real property

Also, passed Senate Bill No. 167—An Act repealing an Act conferring further powers to the Board of Supervisors of the City and County of San Francisco.

Also, passed Senate Bill No 219—An Act to amend section three of an Act entitled "An Act authorizing the appointment of certain permanent employés of the State Capitol, and fixing their compensation," approved March thirtieth, eighteen hundred and seventy-four

Also, passed Senate Bill No. 233—An Act concerning the payment of the expenses and costs of the trial of convicts for crimes committed in the State Prison, and to pay the costs of the trial of escaped convicts, and to pay for the expenses of Coroner's inquests in said Prison.

Also, passed Senate Bill No 351—An Act to add a new section to the Penal Code, to be known as section three hundred and eighteen, relating to crimes against good morals, and to punish decoys.

Also, passed Senate Concurrent Resolution No 25—Relative to appointment of three members of the State Board of Health to consider the subject of a hospital for consumptives

Also, passed Senate Bill No. 194—An Act to provide for the enlargement of the State Printing Office, and for the repairing and painting of the building.

Also, passed Senate Bill No. 269—An Act to amend section four of an Act entitled "An Act to establish a scale of measurement of logs," approved March twenty-eighth, eighteen hundred and seventy-eight.

Also, passed Senate Bill No 264—An Act prohibiting the admission of minors to houses of prostitution, or to houses or rooms resorted to for the purpose of prostitution.

Also, passed Senate Bill No. 364—An Act to amend section one thousand five hundred and seventy-three of the Code of Civil Procedure, relating to the time within which certain actions may be commenced.

Also, passed Senate Bill No 369—An Act to punish baggage smashers.

Also, passed Senate Bill No. 221—An Act to compel railroad corporations or individuals to operate their roads.

Also, passed Senate Bill No. 309—An Act to amend sections one thousand and thirty-eight, one thousand and ninety-five, one thousand one hundred and thirteen, one thousand one hundred and fifteen, one thousand one hundred and sixteen, one thousand one hundred and eighty-seven, one thousand two hundred and twenty-eight, one thousand two hundred and thirty, one thousand two hundred and thirty-two, and one thousand two hundred and thirty-three, of the Political Code, relating to registration of electors

Also, passed Senate Bill No. 403—An Act to provide for removing obstructions in Pitt River, above the mouth of Hat Creek, so as to enable salmon to reach the spawning ground of the headwaters of said river and its tributaries.

J. A. ORR, Assistant Secretary.

CONSIDERATION OF SENATE MESSAGE.

Senate Bill No. 40—An Act to repeal an Act to prevent changes in the text books in use in the public schools, approved December thirteenth, eighteen hundred and seventy-five.

Read first time, and referred to the Committee on Education.

Senate Bill No. 41—An Act to amend section one thousand five hundred and three, and to repeal section one thousand four hundred and ninety-five, of an Act entitled "An Act to establish a Political Code," approved March twelfth, eighteen hundred and seventy-two, relating to the State Normal School.

Read first time, and referred to the Committee on Education.

Senate Bill No. 220—An Act for the protection of certain kinds of fish.

Read first time, and referred to the Committee on Fish and Game.

Senate Bill No. 330—An Act to amend section seven hundred and thirty-nine of the Code of Civil Procedure, relating to actions to determine conflicting claims to real property.

Read first time, and referred to the Committee on Judiciary.

Senate Bill No. 366—An Act to amend section six hundred and seven of the Penal Code, relating to malicious mischief.

Read first time, and referred to the Committee on Judiciary.

Senate Bill No. 160—An Act to amend sections one thousand one hundred and eighty-five, one thousand one hundred and eighty-seven, one thousand one hundred and ninety, and one thousand one hundred and ninety-five, of the Code of Civil Procedure, and to add a new section to said Code, relating to liens of mechanics and others upon real property.

Read first time, and referred to the Judiciary Committee.

Senate Bill No. 167—An Act repealing an Act conferring further powers to the Board of Supervisors of the City and County of San Francisco.

Read first time, and referred to the San Francisco delegation.

Senate Bill No. 219—An Act to amend section three of an Act entitled an Act authorizing the appointment of certain permanent employés of the State Capitol, and fixing their compensation, approved March thirtieth, eighteen hundred and seventy-four.

Read first time, and referred to the Committee on Public Buildings and Grounds.

Senate Bill No. 233—An Act concerning the payment of the expenses and costs of the trial of convicts for crimes committed in the State Prison, and to pay the costs of the trial of escaped convicts, and to pay for the expenses of Coroner's inquests in said Prison.

Read first time, and referred to the Judiciary Committee.

Senate Bill No. 351—An Act to punish decoys.

Read first time, and referred to the Judiciary Committee.

Senate Concurrent Resolution No 25—Relative to appointment of three members of the State Board of Health to consider the subject of a hospital for consumptives.

Read first time, and referred to the Committee on State Hospitals.

Senate Bill No 194—An Act to provide for the enlargement of the State Printing Office, and for the repairing and painting of the building.

Read first time, and referred to the Committee on Public Buildings and Grounds.

Senate Bill No. 269—An Act to amend section four of an Act entitled "An Act to establish a scale of measurement of logs," approved March twenty-eighth, eighteen hundred and seventy-eight.

Read first time, and referred to the Judiciary Committee.

Senate Bill No. 264—An Act prohibiting the admission of minors to houses of prostitution, or to houses or rooms resorted to for the purpose of prostitution.

Read first time, and referred to the Committee on Public Morals.

Senate Bill No. 364—An Act to amend section one thousand five hundred and seventy-three of the Code of Civil Procedure, relating to the time within which certain actions may be commenced.

Read first time, and referred to the Judiciary Committee.

Senate Bill No. 369—An Act to punish baggage smashers.

Read first time, and referred to the Judiciary Committee.

Senate Bill No. 221—An Act to compel railroad corporations or individuals to operate their roads

Read first time, and referred to the Committee on Corporations.

Senate Bill No. 309—An Act to amend sections one thousand and eighty-three, one thousand and ninety-five, one thousand one hundred and thirteen, one thousand one hundred and fifteen, one thousand one hundred and sixteen, one thousand one hundred and eighty-seven, one thousand two hundred and twenty-eight, one thousand two hundred and thirty, one thousand two hundred and thirty-two, and one thousand two hundred and thirty-three, of the Political Code, relative to registrations and elections

Read first time, and referred to the Committee on Elections.

Senate Bill No. 403—An Act to provide for removing obstructions in Pitt River, above the mouth of Hat Creek, so as to enable salmon to reach the spawning ground of the headwaters of said river and its tributaries.

Read first time, and referred to the Committee on Fish and Game.

RECESS.

The hour of one o'clock P. M. having arrived, the House took a recess until two o'clock P. M.

RE-ASSEMBLED.

House re-assembled at two o'clock P. M.

Speaker Cowdery in the chair.

Quorum present.

REPORT OF COMMITTEE ON CLAIMS.

By Mr. Merry:

ASSEMBLY CHAMBER, SACRAMENTO, April 1st, 1880.

MR. SPEAKER The Committee on Claims, to whom was referred the claim of P. K. Stockton, for twenty-eight dollars, for services rendered in taking and transcribing the testimony of witnesses before the Committee on the Culture and Improvement of the Grapevine, have had the same under consideration, and report the same back to the Assembly, with accompanying resolution, and recommend its adoption.

MERRY, Chairman.

The resolution was adopted.

ORDER OF THE DAY.

Senate Bill No. 336—An Act to provide for the erection of a building for the use of the Normal School.

Taken up.

The rules were suspended by a two-thirds vote, and the bill considered in the Assembly.

Mr. Felton moved to amend by striking out the words "one hundred and fifty thousand dollars," and inserting the words "one hundred thousand dollars"

Mr. Anthony moved to amend the amendment by striking out the words "one hundred" and inserting the word "fifty."

Upon which the ayes and noes were demanded by Messrs Anthony, Merry, and Levee

The roll was called, and the amendment to the amendment was lost by the following vote:

AYES—Messrs. Adams, Anthony, Bass, Bennett, Braunhart, Burns, Camron, Coleman, Cook, DuBrutz, Estey, Hardy, Hershey, Hynes, Josselyn, Leach, Levee, Mathews, McCarty of Lake, Morse, Mulholland, Sherburne, Stanley, Stoddard, Streeter, and Sweetland—26.

NOES—Messrs Brooks, Brown of Sonoma, Brown of Yuba, Bruner, Brusie, Carr of Sacramento, Carr of Yuba, Chamberlain, Chandler, Coffman, Cooper, Corcoran, Cuthbert, Dimond, Downs, Felton, Finlayson, Fox, Fraser, Frink, Garibaldi, Gaffey, Gorley, Green, Harris, Hartson, Lane, Leadbetter, Maguire, May, Maybell, McCallion, McCarthy of San Francisco, McComas, McDade, McIntosh, Merry, Messenger, Nelson, Picket, Sayle, Simon, Spencer, Tyler, Walker, Ward, Wason of Ventura, Wasson of Mono, York, Young, and Mr. Speaker—51.

The question recurred upon the amendment offered by Mr. Felton.

Upon which the ayes and noes were demanded by Messrs. Felton, Camron, and Merry.

The roll was called, and the amendment was adopted by the following vote:

AYES—Messrs Bennett, Braunhart, Brooks, Brown of Sonoma, Brown of Yuba, Bruner, Brusie, Burns, Carr of Sacramento, Carr of Yuba, Chamberlain, Chandler, Coffman, Cooper, Corcoran, Cuthbert, Dimond, Downs, Estey, Felton, Finlayson, Fox, Fraser, Frink, Garibaldi, Gaffey, Gorley, Green, Hardy, Harris, Hartson, Hershey, Lane, Leach, Leadbetter, Maguire, May, Maybell, McCallion, McCarthy of San Francisco, McComas, McDade, McIntosh, Merry, Messenger, Mulholland, Nelson, Picket, Sayle, Simon, Sherburne, Spencer, Stanley, Stoddard, Sweetland, Tyler, Ward, Wason of Ventura, Wasson of Mono, York, Young, and Mr. Speaker—62.

NOES—Messrs. Anthony, Bass, Camron, Coleman, Cook, DuBrutz, Hynes, Josselyn, Levee, Mathews, McCarty of Lake, Morse, Streeter, and Walker—14.

Mr. Sweetland moved to postpone the bill indefinitely.

Upon which the ayes and noes were demanded by Messrs. Sweetland, McCarthy, and Camron.

The motion was withdrawn by permission of the House.

Mr Burns moved that further consideration of the bill be postponed until Assembly Bill No. 541 should be read.

Lost.

Mr. Braunhart moved an amendment to section two by adding at the close thereof, "no buildings shall be erected until a deed in fee simple of at least four acres of land, for said Normal School, be made to the State."

Mr. Maybell moved to lay the amendment on the table.

Lost.

The question recurred upon the amendment.

The ayes and noes were demanded by Messrs. Tyler, Braunhart, and Bruner.

Mr. Fraser, Speaker pro tem., in the chair.

The roll was called, and the amendment was lost by the following vote:

AYES—Messrs. Adams, Anthony, Braunhart, Brooks, Brown of Sonoma, Burns, Camron, Cook, DuBrutz, Estey, Garibaldi, Green, Hardy, Hartson, Hynes, Josselyn, Levee, McCarty of Lake, Mulholland, Sherburne, Stoddard, Streeter, Sweetland, Wason of Ventura, and Wattson—25.

NOES—Messrs Bass, Bennett, Brown of Yuba, Bruner, Brusie, Carr of Sacramento, Chamberlain, Chandler, Coffman, Coleman, Cooper, Corcoran, Cuthbert, Downs, Felton, Finlayson, Fox, Fraser, Funk, Gaffey, Gorley, Harris, Hershey, Lane, Leach, Leadbetter, Maguire, Mathews, May, Maybell, McCallion, McCarthy of San Francisco, McComas, McDade, McIntosh, Merry, Messenger, Morse, Nelson, Picket, Sayle, Simon, Spencer, Stanley, Tyler, Walker, Ward, York, Young, and Mr. Speaker—50.

Mr. Felton moved to amend section two of the bill, by adding at the close, the words "All policies of insurance ever procured upon any building erected under this Act, or upon the furniture therein, shall be made payable to the State Treasurer, for the use of the people of the State of California.

Adopted.

Mr. Tyler moved that the bill be made the order of the day for to-morrow.

Carried.

ADJOURNMENT.

At five o'clock P. M. Mr. Bruner moved we do now adjourn.

Carried.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Friday, April 2d, 1880.

House met pursuant to adjournment.

Speaker Cowdery in the chair.

Roll called, and quorum present.

Prayer by the Chaplain.

READING AND APPROVAL OF THE JOURNAL.

Mr. Tyler moved that the further reading of the Journal be dispensed with.

So ordered.

The Journal of yesterday corrected, and of Wednesday and Thursday approved.

By Mr. Sherburne:

ASSEMBLY CHAMBER, April 2d, 1880.

MR. SPEAKER: Your Committee on Engrossment have examined, and find correctly engrossed, Assembly Bill No 181—An Act to amend sections three hundred and fifty-two, three thousand six hundred and ninety-two, three thousand seven hundred and two, three thousand seven hundred and thirty-one, and three thousand seven hundred and thirty-two, of the Political Code of California, and to add new sections thereto, to be numbered sections three thousand six hundred and ninety-three, three thousand six hundred and ninety-five, and three thousand seven hundred, all relating to the State Board of Equalization.

Also, Assembly Bill No 334—An Act to promote drainage

Also, Assembly Bill No 48—An Act to amend an Act relating to mutual, beneficial, and relief associations, approved March twenty-eighth, eighteen hundred and seventy-four.

SHERBURNE, Chairman.

By Mr. Fox:

ASSEMBLY CHAMBER, SACRAMENTO, April 2d, 1880.

MR SPEAKER Your Judiciary Committee, to whom was referred Assembly Bill No. 470—An Act to protect county jails, and to prevent communication with persons confined therein.

Also, Assembly Bill No. 483—An Act to amend section seven of an Act entitled an Act to amend and revise an Act entitled an Act to incorporate the Town of Redwood City, approved March twenty-seventh, eighteen hundred and sixty-eight, and the several Acts amendatory thereof and supplementary thereto, and for other purposes, approved March thirtieth, eighteen hundred and seventy-four.

Also, Assembly Bill No. 535—An Act to amend section four hundred and twenty-seven of the Code of Civil Procedure.

Also, Senate Bill No 160—An Act to amend sections one thousand one hundred and eighty-five, one thousand one hundred and eighty-seven, one thousand one hundred and ninety, and one thousand one hundred and ninety-five, of the Code of Civil Procedure, and to add a new section to said Code, relating to liens of mechanics and others upon real property.

Also, Senate Bill No. 287—An Act to amend section one thousand four hundred and ninety-one of the Code of Civil Procedure, relating to claims against the estates of deceased persons.

Also, Senate Bill No. 330—An Act to amend section seven hundred and thirty-nine of the Code of Civil Procedure, relating to actions to determine conflicting claims to real property—have had the same under consideration, and now report them back, with the recommendation that they severally do not pass.

We have also had under consideration Assembly Bill No 549—An Act to amend section three hundred and eighty-two of the Code of Civil Procedure, relating to parties to actions.

Also, Senate Bill No 233—An Act concerning the payment of the expenses and costs of the trial of convicts for crimes committed in the State Prison, and to pay the costs of the trial of escaped convicts, and to pay for the expenses of Coroner's inquests in said Prison.

Also, Senate Bill No. 269—An Act to amend section four of an Act entitled "An Act to establish a scale of measurement of logs," approved March twenty-eighth, eighteen hundred and seventy-eight.

Also, Senate Bill No 271—An Act to amend section four hundred and forty-nine of the Code of Civil Procedure, concerning verifications of pleadings.

Also, Senate Bill No. 364—An Act to amend section one thousand five hundred and seventy-three of the Code of Civil Procedure, relating to the time within which certain actions may be commenced.

And now report them back, with the recommendation that they severally do pass

We have also had under consideration Assembly Bill No. 558—An Act to add a section to the Political Code, concerning the recovery of money paid to public officers, and to be known as section number three thousand eight hundred and seventeen—and now report it back, with the recommendation that the author be allowed to withdraw said bill

We have also had under consideration Senate Bill No 340—An Act to amend section one thousand eight hundred and sixty-eight of the Political Code, relating to the protection of public schools—and now report the same back, with the recommendation that it be indefinitely postponed

Senate Bill No. 351—An Act to add a new section to the Penal Code, to be known as section three hundred and eighteen, relating to crimes against good morals, and to punish decoys—has also been under our consideration, and we now report it back, with the recommendation that it be referred to the Committee on Public Morals

We have also had under consideration Assembly Bill No. 570—An Act to amend section three thousand five hundred and seventy-one of the Political Code, in relation to the sale of land.

Also, Senate Bill No 366—An Act to amend section six hundred and seven of the Penal Code, relating to malicious mischief.

And also, Senate Bill No. 369—An Act to punish baggage-smashers

And now report them back with amendments, with the recommendation that they severally pass as amended.

FOX, Chairman.

By Mr. Leach:

ASSEMBLY CHAMBER, April 2d, 1880.

MR. SPEAKER: Your committee to whom was referred Senate Bill No 220, for the protection of certain kinds of fish, and Senate Bill No. 403, to provide for removing of obstructions in Pitt River, above the mouth of Hat Creek, so as to enable salmon to reach the spawning grounds on the upper waters of said river and its tributaries, have had the same under consideration, and report them back, with the recommendation that they do pass.

LEACH, Chairman.

By Mr. Young:

MR. SPEAKER: Your committee to whom was referred the annexed resolution, recommend that it be adopted.

YOUNG, Chairman.

Resolved, That hereafter the sessions of the House will commence at 10 o'clock A. M.

Mr. Young moved to take from the table the report below, proposing to hold evening sessions every evening.

So ordered.

MR SPEAKER Your Committee on Rules, to whom was referred the resolution to hold evening sessions of this House, report the same back with the recommendation that the same be adopted to the extent of holding sessions each evening except Saturday evenings.

YOUNG, Chairman.

The report was adopted by a two-thirds vote.

The House then proceeded to consider the resolution reported by the Committee on Rules this morning.

Mr. Young moved its adoption.

Upon which the ayes and noes were demanded by Messrs. Morse, Merry, and May.

The roll was called, and the resolution was lost by the following vote:

AYES—Messrs. Adams, Bass, Braunhart, Brooks, Brown of Yuba, Brusie, Carr of Sacramento, Coffman, Coleman, Cooper, Corcoran, Dimond, Downs, Estey, Finlayson, Fox, Garibaldi, Gaffey, Green, Hardy, Harris, Hartson, Josselyn, Lane, Levee, Maguire, May, Maybell, McCarthy of San Francisco, Merry, Morse, Mulholland, Picket, Sweetland, Walker, Ward, Wattson, York, Young, and Mr. Speaker—40.

NOES—Messrs Anthony, Bennett, Brown of Sonoma, Bruner, Burns, Carr of Yuba, Chamberlain, Chandler, Cook, DuBrutz, Fraser, Fink, Hershey, Hynes, Leach, Leadbetter, Mathews, McCallion, McCarty of Lake, McComas, McIntosh, Messenger, Nelson, Sayle, Sherburne, Spencer, Stanley, Streeter, Tyler, Wason of Ventura, and Wasson of Mono—31.

Mr. McCallion gave notice that he would, to-morrow, move to reconsider the vote by which the House refused to adopt the resolution.

Mr. Cooper gave notice that he would, to-morrow, move to reconsider the vote by which the House adopted the resolution to hold evening sessions.

By Mr. Bennett:

ASSEMBLY CHAMBER, April 2d, 1880.

MR. SPEAKER Your Committee on Public Morals, to whom was referred Assembly Bill No. 218—An Act entitled an Act to prevent the sale of liquor to minors—have had the same under consideration, and report it back, recommending that the author have leave to withdraw it for the reason that the matter is already provided for in existing statutes.

BENNETT, Chairman.

Also:

ASSEMBLY CHAMBER, April 2d, 1880.

MR SPEAKER Your Committee on Public Morals, to whom was referred substitute for Senate Bill No. 264—An Act entitled an Act to add a new section to the Penal Code, to be known as section three hundred and nine, to prevent the admission of minors to houses of prostitution—have had the same under consideration, and report the same back, and recommend its passage.

BENNETT, Chairman.

By Mr. Brusie:

MR. SPEAKER: Your Committee on State Hospitals, to whom was referred Senate Concurrent Resolution No. 25—Relative to the appointment of three members of the State Board of Health to consider the subject of a State Hospital for consumptives—would respectfully report that they have considered the same, and report the same back, with the recommendation that it be adopted.

BRUSIE, Chairman.

The Senate Concurrent Resolution, reported above, was adopted.

REPORT OF A SELECT COMMITTEE.

By Mr. McCarthy:

STATE CAPITOL, April 1st, 1880.

MR. SPEAKER: The San Francisco delegation, to whom was referred Senate Bill No. 167—An Act to repeal an Act conferring further powers upon the Board of Supervisors of the City and County of San Francisco, approved April first, eighteen hundred and seventy-eight—have had the same under consideration, and herewith report it back, recommending its passage.

McCARTHY, Chairman.

Mr. McCarthy moved that Senate Bill No. 167, reported above, be ordered to take the place of Assembly Bill No. 119 on the second reading file.

Upon which the ayes and noes were demanded by Messrs. Lane, McCallion, and Morse.

The roll was called, and the motion was carried by the following vote:

AYES—Messrs. Adams, Bennett, Brown of Sonoma, Brown of Yuba, Bruner, Brusie, Carr of Sacramento, Carr of Yuba, Chamberlain, Chandler, Coleman, Cooper, Corcoran, Dimond, Downs, DuBrutz, Estey, Felton, Finlayson, Fox, Fraser, Frink, Gaffey, Green, Hardy, Harris, Hartson, Hershey, Hynes, Josselyn, Leach, Leadbetter, Levee, Maguire, Mathews, May, McCallion, McCarty of Lake, McCarthy of San Francisco, McComas, McDade, McIntosh, Merry, Messenger, Nelson, Sayle, Stanley, Streeter, Tyler, Walker, Ward, Wason of Ventura, Wasson of Mono, York, Young, and Mr. Speaker—56.

NOES—Messrs. Anthony, Burns, Lane, Maybell, Morse, Mulholland, Picket, Sherburne, Spencer, Stoddard, and Sweetland—11.

Assembly Bill No. 119 was withdrawn.

REPORT OF A STANDING COMMITTEE.

By Mr. Hardy:

ASSEMBLY CHAMBER, April 2d, 1880.

MR. SPEAKER: Your Committee on Indian Affairs, to whom was referred substitute for Senate Bill No. 263—An Act entitled an Act to add two new sections to the Penal Code, to be numbered four hundred and four hundred and one, relative to the keeping or sale of animals afflicted with glanders, or other contagious or infectious diseases—have had the same under consideration, and report the same back, and recommend its passage.

HARDY, Chairman.

MESSAGE FROM THE GOVERNOR.

The following message from the Governor was read:

STATE OF CALIFORNIA, EXECUTIVE DEPARTMENT,
SACRAMENTO, April 1st, 1880.

To the Assembly of the State of California:

I have to inform your honorable body that I have approved Assembly Bill No. 95—entitled an Act to repeal an Act entitled "An Act relative to execution from Courts of Justices of the Peace in the several townships of the County of Alameda," approved February twenty-fifth, eighteen hundred and seventy-eight.

GEO. C. PERKINS, Governor.

INTRODUCTION OF A BILL.

By Mr. Fraser—An Act to amend section three thousand eight hundred and ninety-four of the Political Code.

Read first time, ordered printed, and put on the file.

FIRST READING OF BILLS.

Assembly Bill No. 569—An Act to amend sections one thousand two hundred and thirty-eight and one thousand two hundred and forty of the Code of Civil Procedure, in relation to taking private property for public use.

Read first time, and referred to the Committee on Judiciary.

Speaker pro tem. Fraser in the chair.

Assembly Bill No. 573—An Act establishing departments of public health and providing for their government in cities, and consolidated cities and counties, containing a population of one hundred thousand or more, and to repeal laws in conflict therewith.

Read first time, and referred to the Committee on State Hospital.

Assembly Bill No. 574—An Act making appropriation for the support of the government of the State of California for the thirty-second fiscal year.

Read first time, and referred to the Committee on Ways and Means.

Assembly Bill No. 575—An Act to add a new section to the Penal Code, to be known as section five hundred and thirty-six.

Read first time, and referred to the Committee on Judiciary.

Assembly Bill No. 579—An Act to add section one thousand two hundred and eight to the Code of Civil Procedure.

Read first time, and referred to the Committee on Judiciary.

ORDERS OF THE DAY.

Senate Bill No. 336—An Act to provide for the erection of a building for the use of the Normal School.

Taken up.

Mr. Brown of Sonoma moved to strike out all after the enacting clause, and insert a substitute.

The substitute was read.

The question being upon the adoption of the substitute, the ayes and noes were demanded by Messrs. Adams, Wason of Ventura, and Levee.

The roll was called, and the amendment was rejected by the following vote:

AYES—Messrs Adams, Bass, Braunhart, Brown of Sonoma, Burns, Camron, Carr of Yuba, Cook, Cuthbert, DuBrutz, Estey, Garibaldi, Green, Hershey, Hynes, Josselyn, Levee, Mathews, May, McCarty of Lake, McCarthy of San Francisco, Morse, Mulholland, Sherburne, Stanley, Stoddard, Streeter, Sweetland, Walker, Wason of Ventura, and Wattson—31.

NOES—Messrs. Anthony, Bennett, Brown of Yuba, Bruner, Brusie, Carr of Sacramento, Chamberlain, Chandler, Coffman, Coleman, Cooper, Dimond, Downs, Felton, Finlayson, Fox, Fraser, Frink, Harris, Hartson, Lane, Leach, Leadbetter, Maguire, Maybell, McCallion, McComas, McIntosh, Merry, Messenger, Nelson, Picket, Sayle, Simon, Spencer, Tyler, Ward, Wasson of Mono, York, and Young—40.

Mr. Adams moved to amend the bill by adding a new section, to be known as section three of the bill, providing an appropriation of five thousand dollars for a Branch Normal School at Santa Rosa.

Upon which the ayes and noes were demanded by Messrs. Downs, Sweetland, and Adams.

The Chair ruled the amendment out of order as not being germane to the bill.

Mr. Adams appealed from the decision of the Chair.

The question being, "Shall the decision of the Chair stand as the judgment of the House?" the ayes and noes were demanded by Messrs. Downs, Merry, and Braunhart.

The roll was called, and the Speaker's decision was not sustained by the following vote:

AYES—Messrs. Anthony, Bennett, Brooks, Brown of Yuba, Bruner, Brusie, Chamberlain, Chandler, Cooper, Dimond, Downs, Frink, Lane, Leadbetter, Maguire, McCallion, McComas, McIntosh, Messenger, Nelson, Picket, Sayle, Simon, Sherburne, Stoddard, Tyler, York, Young, and Mr Speaker—29.

NOES—Messrs Adams, Bass, Braunhart, Brown of Sonoma, Burns, Camron, Carr of Sacramento, Carr of Yuba, Coffman, Coleman, Cook, Corcoran, Cuthbert, DuBrutz, Estey, Felton, Finlayson, Fox, Garibaldi, Green, Hardy, Hartson, Hershey, Hynes, Josselyn, Levee, Mathews, May, Maybell, McCarty of Lake, McCarthy of San Francisco, McDade, Merry, Morse, Mulholland, Spencer, Stanley, Streeter, Sweetland, Walker, Ward, Wason of Ventura, and Wasson of Mono—44.

Mr. Green moved to amend the amendment by adding to section three an appropriation of forty-five thousand dollars for a Branch State Normal School at Los Angeles.

Upon which the ayes and noes were demanded by Messrs. Green, Wason of Ventura, and Levee.

Pending discussion of the above, Senate Bill No. 351—An Act to add a new section to the Penal Code, to be known as section three hundred and eighteen, relating to crimes against good morals, and to punish decoys—was referred to the Committee on Public Morals.

RECESS.

At one o'clock P. M. the House took a recess until two o'clock P. M.

RE-ASSEMBLED.

House re-assembled at two o'clock P. M.

Speaker pro tem. Fraser in the chair.

Quorum present.

The consideration of Senate Bill No. 336—An Act to provide for the erection of a building for the use of the Normal School—resumed, the question being on the amendment to the amendment offered by Mr. Green.

The roll was called, and the amendment to the amendment was carried by the following vote:

AYES—Messrs. Adams, Anthony, Bass, Braunhart, Brown of Sonoma, Burns, Carr of Yuba, Cook, Cuthbert, Downs, DuBrutz, Estey, Finlayson, Garibaldi, Gaffey, Green, Hardy, Hartson, Hershey, Hynes, Josselyn, Levee, Mathews, May, Maybell, McCarty of Lake, McCarthy of San Francisco, McDade, Merry, Morse, Mulholland, Stanley, Streeter, Sweetland, Walker, Ward, Wason of Ventura, Wasson of Mono, and Wattson—39

NOES—Messrs. Bennett, Brown of Yuba, Bruner, Brusie, Carr of Sacramento, Chamberlain, Chandler, Cooper, Corcoran Dimond, Felton, Fox, Fraser, Frink, Gorley, Harris, Lane, Leach, Leadbetter, Maguire, McCallion, McComas, McIntosh, Messenger, Nelson, Picket, Sayle, Simon, Sherburne, Spencer, Stoddard, Tyler, York, Young, and Mr. Speaker—35.

The question recurred upon the amendment as amended. The roll was called, and the amendment as amended was adopted by the following vote:

AYES—Messrs. Adams, Anthony, Bass, Braunhart, Brown of Sonoma, Brown of Yuba, Burns, Carr of Yuba, Cook, Corcoran, Cuthbert, Downs, DuBrutz, Estey, Finlayson, Garibaldi, Green, Hardy, Hartson, Hershey, Hynes, Josselyn, Levee, Mathews, May, Maybell, McCallion, McCarty of Lake, McCarthy of San Francisco, McDade, Merry, Morse, Mulholland, Simon, Sherburne, Stanley, Streeter, Sweetland, Walker, Ward, Wason of Ventura, Wasson of Mono, and Wattson—43.

NOES—Messrs Bennett, Brooks, Bruner, Brusie, Carr of Sacramento, Chamberlain, Chandler, Cooper, Dimond, Felton, Fox, Fraser, Fink, Gaffey, Gorley, Harris, Lane, Leach, Leadbetter, Maguire, McComas, McIntosh, Messenger, Nelson, Picket, Sayle, Spencer, Stoddard, Tyler, York, Young, and Mr Speaker—32.

Mr. Cook moved to amend by including in section three an appropriation of twenty-five thousand dollars for a Branch Normal School at Reading, in Shasta County.

Mr. Sweetland moved to amend the amendment, by inserting an appropriation of twenty-five thousand dollars for a Branch Normal School at Nevada City.

Upon which motion the ayes and noes were demanded by Messrs. Sweetland, Walker, and Levee.

The roll was called, and the amendment to the amendment was lost by the following vote:

AYES—Messrs Adams, Bass, Braunhart, Brooks, Brown of Yuba, Burns, Carr of Sacramento, Carr of Yuba, Chamberlain, Cook, Cuthbert, Downs, Estey, Fink, Garibaldi, Green, Hershey, Josselyn, Levee, Mathews, McCallion, McCarthy of San Francisco, McDade, Messenger, Mulholland, Nelson, Picket, Sayle, Simon, Stanley, Streeter, Sweetland, Tyler, Walker, Wason of Ventura, and Wasson of Mono—36.

NOES—Messrs Anthony, Bennett, Brown of Sonoma, Bruner, Brusie, Chandler, Coffman, Cooper, Corcoran, Dimond, Felton, Finlayson, Fox, Fraser, Gaffey, Gorley, Hardy, Harris, Hartson, Hynes, Lane, Leach, Leadbetter, Maguire, May, Maybell, McCarty of Lake, McComas, McIntosh, Merry, Morse, Sherburne, Spencer, Stoddard, Ward, Wattson, York, Young, and Mr. Speaker—39.

The question recurred upon the amendment of Mr. Cook.

Mr. Sayle moved to amend the amendment, so as to appropriate twenty-five thousand dollars for a Branch Normal School at Fresno.

Upon which the ayes and noes were demanded by Messrs. Sayle, Chamberlain, and Tyler.

The roll was called, and the amendment to the amendment was lost by the following vote:

AYES—Messrs Brooks, Brusie, Burns, Carr of Sacramento, Carr of Yuba, Chamberlain, DuBrutz, Felton, Fink, Garibaldi, Hershey, Josselyn, Mathews, McCallion, McCarthy of San Francisco, McComas, McDade, Messenger, Nelson, Picket, Sayle, Spencer, Sweetland, and Tyler—24

NOES—Messrs. Adams, Anthony, Bass, Bennett, Braunhart, Brown of Sonoma, Brown of Yuba, Bruner, Chandler, Coffman, Coleman, Cook, Cooper, Corcoran, Dimond, Downs, Estey, Finlayson, Fox, Fraser, Gaffey, Gorley, Green, Hardy, Harris, Hartson, Hynes, Lane, Leach, Leadbetter, Levee, Maguire, May, Maybell, McCarty of Lake, McIntosh, Merry, Morse, Mulholland, Simon, Sherburne, Stanley, Stoddard, Streeter, Walker, Ward, Wason of Ventura, Wasson of Mono, Wattson, York, Young, and Mr. Speaker—52.

Mr. McCallion moved to amend the amendment.

The previous question was demanded by Messrs Braunhart, Wason of Ventura, and Ward

Upon which the ayes and noes were demanded by Messrs Lane, Felton, and Wason of Ventura.

The roll was called and the House refused to order the previous question, by the following vote:

AYES—Messrs. Adams, Anthony, Braunhart, Brown of Yuba, Brusie, Estey, Fraser, Green, Hartson, Hynes, Lane, May, Maybell, McCarty of Lake, Morse, Mulholland, Streeter, Walker, Ward, Wason of Ventura, and Wattson—22.

NOES—Messrs Bass, Bennett, Brooks, Brown of Sonoma, Bruner, Burns, Carr of Sacramento, Carr of Yuba, Chamberlain, Chandler, Coffman, Coleman, Cook, Corcoran, Dimond, Downs, DuBrutz, Felton, Frink, Garibaldi, Hardy, Harris, Hershey, Josselyn, Leach, Leadbetter, Levee, Maguire, Mathews, McCallion, McCarthy of San Francisco, McComas, McIntosh, Merry, Messenger, Nelson, Picket, Sayle, Simon, Sherburne, Spencer, Stanley, Stoddard, Sweetland, Tyler, Wasson of Mono, York, and Young—49.

Mr. McCallion's amendment ruled out of order.

Mr. Messenger moved to amend the amendment of Mr. Cook by appropriating twenty-five thousand dollars to build a Branch Normal School at San Andreas.

Lost.

Mr. Bruner moved that the special order, the third reading file, be postponed until the Normal School bill be disposed of.

So ordered.

The question recurred upon the amendment offered by Mr. Cook.

Upon which the ayes and noes were demanded by Messrs. Downs, Felton, and Bass.

The roll was called, and the amendment adopted by the following vote:

AYES—Messrs Adams, Anthony, Bass, Bennett, Braunhart, Brooks, Brown of Sonoma, Bruner, Brusie, Burns, Carr of Sacramento, Chamberlain, Coleman, Cook, Cooper, Downs, DuBrutz, Estey, Felton, Finlayson, Fraser, Frink, Garibaldi, Gaffey, Green, Hartson, Hershey, Hynes, Josselyn, Levee, Mathews, May, Maybell, McCallion, McCarthy of San Francisco, McDade, Messenger, Morse, Mulholland, Nelson, Picket, Sayle, Sherburne, Stanley, Sweetland, Tyler, Walker, Wason of Ventura, and Young—49.

NOES—Messrs. Chandler, Corcoran, Fox, Hardy, Harris, Lane, Leach, Leadbetter, Maguire, McCarty of Lake, McComas, McIntosh, Spencer, Stoddard, Streeter, Ward, Wasson of Mono, Wattson, York, and Mr. Speaker—20.

Mr. Sweetland moved to amend the bill so as to appropriate twenty-five thousand dollars for a Branch Normal School in Nevada County.

Mr. Maybell moved to amend the amendment.

The previous question was demanded by Messrs. Lane, Braunhart, and Felton, and the House so ordered.

The amendment to the amendment was lost.

The question recurring upon the amendment of Mr. Sweetland, the ayes and noes were demanded by Messrs. Sweetland, Tyler, and Carr of Yuba.

The roll was called, and the amendment was adopted by the following vote:

AYES—Messrs Adams, Brown of Sonoma, Brown of Yuba, Bruner, Brusie, Burns, Carr of Sacramento, Carr of Yuba, Chamberlain, Cooper, Cuthbert, Downs, DuBrutz, Estey, Felton, Finlayson, Fraser, Frink, Garibaldi, Green, Hartson, Hynes, Josselyn, Levee, Mathews, Maybell, McCallion, Messenger, Mulholland, Nelson, Picket, Sayle Sweetland, Tyler, Walker, and Wason of Ventura—36

NOES—Messrs Anthony, Chandler, Cook, Corcoran, Fox, Gaffey, Hardy, Harris, Hershey, Lane, Leach, Leadbetter, Maguire, May, McCarty of Lake, McCarthy of San Francisco, McIntosh, Morse, Simon, Sherburne, Spencer, Stoddard, Streeter, Ward, York, Young, and Mr. Speaker—27.

The bill was read second time.

The question being, "Shall this bill have a third reading?" the ayes and noes were demanded by Messrs Anthony, Frink, and Burns.

Pending discussion Mr. Merry introduced the following bill, which was ordered printed, viz.: An Act to amend section sixteen hundred and eighteen of the Code of Civil Procedure, relating to the compensation of executors and administrators.

The House returned to Senate Bill No. 336—An Act to provide for the erection of a building for the use of the Normal School.

The question being, "Shall the bill be read a third time?" the roll was called, and the bill was ordered to third reading by the following vote:

AYES—Messrs. Adams, Bass, Braunhart, Brown of Sonoma, Brown of Yuba, Bruner, Carr of Sacramento, Carr of Yuba, Chamberlain, Chandler, Coffman, Cook, Cooper, Corcoran, Downs, Estey, Finlayson, Fox, Frink, Garibaldi, Gaffey, Green, Hardy, Harris, Hynes, Josselyn, Lane, Leach, Levee, May, Maybell, McCarthy of San Francisco, McComas, McDade, Merry, Morse, Mulholland, Nelson, Picket, Simon, Sweetland, Tyler, Walker, Ward, Wason of Ventura, Wattson, York, and Young—48

NOES—Messrs. Anthony, Bennett, Brusie, Burns, DuBrutz, Fraser, Hartson, Hershey, Leadbetter, Magune, Mathews, McCallion, McCarty of Lake, McIntosh, Messenger, Sayle, Sherburne, Spencer, Stanley, Stoddard, Stracter, Wasson of Mono, and Mr. Speaker—23

Mr. Bruner moved to make the bill the order of the day for to-morrow.

So ordered.

Mr. Walker moved to make Assembly Bill No. 489—An Act to amend sections one thousand nine hundred and seventeen, one thousand nine hundred and thirty-four, one thousand nine hundred and thirty-nine, one thousand nine hundred and forty-one, one thousand nine hundred and fifty-five, one thousand nine hundred and sixty, one thousand nine hundred and seventy-three, one thousand nine hundred and seventy-four, one thousand nine hundred and seventy-five, one thousand nine hundred and eighty-two, one thousand nine hundred and eighty-six, one thousand nine hundred and ninety, one thousand nine hundred and ninety-two, two thousand and twenty-two, two thousand and twenty-eight, two thousand and thirty-nine, two thousand and fifty-nine, two thousand and ninety-five, two thousand and ninety-nine, two thousand and seventy-seven, one thousand nine hundred and forty-two, one thousand nine hundred and seventy, one thousand nine hundred and sixty-two, one thousand nine hundred and sixty-five, two thousand and ninety-four, and two thousand one hundred and fourteen, of the Political Code of California, to repeal section one thousand nine hundred and seventy-five of said Code, approved March thirtieth, eighteen hundred and seventy-eight, and section one thousand nine hundred and ninety-one of said Code, and to add a new section to said Code, to be known and numbered as section one thousand nine hundred and seventy-seven, relating to the State militia—the order of the day for to-morrow.

So ordered.

Mr. Spencer moved to take up Senate Bill No. 475—An Act to provide for the management of the Yosemite Valley and Mariposa Big Tree Grove.

So ordered.

Mr. Coffman moved to amend by adding at the close of section three, after the word "Act," the words, "to be allowed by the Board of Examiners and paid out of the State treasury."

Adopted.

Mr. Spencer moved to amend by striking out the words "City and County of Merced," from lines two and three, section four, and inserting instead the words "State Capital."

Adopted.

Mr. Coffman moved to amend by striking out the words "which

person shall be a resident of said Mariposa County," from line five, section four.

Adopted.

The bill ordered printed, with amendments, and made the special order for next Monday.

Mr. Tyler moved to make Assembly Bill No. 543—An Act to define, regulate, and govern the State Prisons of California—the order of the day for to-morrow.

So ordered.

Mr. Fox moved that Assembly Bill No. 541 be made the order of the day for to-morrow.

So ordered.

Mr. Adams moved that Senate Bill No. 439 be made the order of the day for to-morrow.

Lost.

THIRD READING FILE.

Assembly Bill No. 557—An Act to provide an additional Judge of the Superior Court for the County of Mono.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs Adams, Bass, Bennett, Braunhart, Brooks, Brown of Yuba, Bruner, Brusie, Burns, Carr of Sacramento, Carr of Yuba, Chamberlain, Chandler, Coffman, Corcoran, Dimond, Downs, DuBrutz, Estey, Finlayson, Fox, Fraser, Frink, Gaffey, Green, Hartson, Hershey, Hynes, Josselyn, Lane, Leach, Leadbetter, Magune, Mathews, May, Maybell, McCallion, McCarty of Lake, McCarthy of San Francisco, McComas, McDade, McIntosh, Merry, Messenger, Moise, Mulholland, Nelson, Picket, Sayle, Simon, Sherburne, Spencer, Stanley, Stoddard, Sweetland, Tyler, Walker, Ward, Wason of Ventura, Wasson of Mono, Wattson, Young, and Mr. Speaker—63

NOES—Messrs Anthony and Cuthbert—2.

REPORT FROM THE COMMITTEE ON ENROLLMENT.

By Mr. Brooks:

MR SPEAKER Your Committee on Enrollment respectfully report the following Assembly bills correctly enrolled No. 53—An Act to amend section two thousand one hundred and seventy of an Act entitled an Act to establish a Civil Code, approved March twenty-first, eighteen hundred and seventy-two, relating to common carriers.

No. 361—An Act in relation to certain deputies, assistants, and copyists of County Clerks.

The same were at ten o'clock this day, April second, eighteen hundred and eighty, presented to the Governor for his approval

BROOKS, Chairman.

Mr. Finlayson moved to take up Assembly Bill No. 472—An Act to encourage the mining industry and to suppress stock gambling.

So ordered.

The bill taken up, and read third time.

The Clerk was instructed to correct clerical errors in the bill by changing the word "thirty" to "three," and the word "weekly" to "monthly."

The roll was called, and the bill was passed by the following vote:

AYES—Messrs Adams, Anthony, Braunhart, Brooks, Brown of Sonoma, Burns, Carr of Sacramento, Chandler, Cook, Cooper, Corcoran, Cuthbert, DuBrutz, Estey, Fox, Garibaldi, Gaffey, Green, Hartson, Hershey, Hynes, Josselyn, Lane, Leach, Levee, Magune, Maybell, McCallion, McCarty of Lake, McCarthy of San Francisco, McComas, McDade, Moise, Picket, Sayle, Simon, Sherburne, Spencer, Stanley, Stoddard, Walker, Wason of Ventura, Wattson, and York—44

NOES—Messrs Brown of Yuba, Brusie, Coffman, Downs, Finlayson, Fraser, Frink, May, McIntosh, Merry, Messenger, Mulholland, Nelson, Sweetland, Tyler, Ward, and Young—16

Title approved.

Mr. Fox gave notice that he would, on to-morrow, move to reconsider the vote by which the bill was passed.

Mr Estey moved to take up Senate Bill No 234—An Act to add a new section to the Penal Code, to be known as section one hundred and eleven, relating to costs in certain criminal actions

So ordered.

REPORT OF A STANDING COMMITTEE.

By Mr. Brooks:

MR SPEAKER Your Committee on Enrollment respectfully report that the following Assembly bills have been correctly enrolled No 37—An Act to amend sections four hundred and seventy-four, six hundred and one, seven hundred and ninety-nine, nine hundred and nine, nine hundred and fifty, one thousand and fifteen, one thousand one hundred and eight, one thousand one hundred and nine, one thousand two hundred and eighty-four, one thousand three hundred and ten, two thousand two hundred and forty, two thousand three hundred and ninety-two, two thousand three hundred and ninety-three, two thousand four hundred and seven, two thousand four hundred and eight, two thousand four hundred and ten, two thousand four hundred and thirteen, two thousand four hundred and fifteen, two thousand eight hundred, two thousand eight hundred and fifty-two, three thousand two hundred and eighty-five, three thousand four hundred and ninety, four thousand and forty-seven, four thousand and seventy-eight, four thousand one hundred and thirty-four, four thousand one hundred and sixty-five, four thousand one hundred and ninety-two, and four thousand two hundred and twenty-one of an Act entitled "An Act to establish a Political Code," approved March twelfth, eighteen hundred and seventy-two, conferring upon the Superior Courts, their Judges and officers, the jurisdiction and authority heretofore exercised in certain cases by the Courts abolished by the Constitution, their Judges and officers

No. 22—An Act to provide for the receipt and appropriation of donations to the State, or counties, or cities and counties, or cities, or towns therein.

No. 279—An Act to declare the Mokelumne River navigable.

No. 135—An Act to provide for the removal of Chinese, whose presence is dangerous to the well-being of communities, outside the limits of cities and towns in the State of California

No 109—An Act permitting and authorizing railway and other corporations organized under the laws of this State or of any State or Territory of the United States of America, or of any Act of Congress of the United States of America, to do business in this State on equal terms

And the same were, at four o'clock P M. this day, April second, eighteen hundred and eighty, presented to the Governor for his approval.

BROOKS, Chairman.

Senate Bill No. 234—An Act to add a new section to the Penal Code, to be known as section one hundred and eleven, relating to costs in certain criminal actions—was taken up.

Read third time.

The roll was called, and the bill was passed by the following vote:

AYES—Messrs Anthony, Bass, Bennett, Braunhart, Brooks, Brown of Sonoma, Brown of Yuba, Brunet, Burns, Carr of Sacramento, Chamberlain, Chandler, Coffman, Coleman, Cook, Cooper, Cuthbert, Downs, DuBrutz, Estey, Finlayson, Fox, Fraser, Frink, Garibaldi Gaffey, Green, Hartson, Hershey, Hynes, Josselyn, Lane, Leach, Leadbetter, Levee, Magune, Mathews, May, Maybell, McCarty of Lake, McCarthy of San Francisco, McComas, McIntosh, Merry, Messenger, Morse, Mulholland, Nelson, Picket, Sayle, Simon, Sherburne, Spencer, Stanley, Stoddard, Sweetland, Tyler, Walker, Ward, Wason of Ventura, Wattson, York, and Young—63

NOES—None.

Title approved.

Assembly Bill No. 402—An Act to repeal an Act entitled "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, approved February thirteenth, eighteen hundred and seventy-two.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Anthony, Bennett, Braunhart, Brooks, Brown of Yuba, Bruner, Brusie, Carr of Sacramento, Chamberlain, Chandler, Coffman, Cook, Cooper, Cuthbert, Downs, Estey, Finlayson, Fox, Fraser, Frink, Garibaldi, Gaffey, Green, Hershey, Hynes, Josselyn, Leach, Leadbetter, Maguire, Mathews, May, Mayhell, McCarty of Lake, McCarthy of San Francisco, McComas, McIntosh, Merry, Messenger, Morse, Mulholland, Nelson, Picket, Sayle, Simon, Sherburne, Spencer, Stanley, Stoddard, Tyler, Walker, Ward, Wason of Ventura, York, and Young—54.
NOES—None.

Title approved.

Mr. Morse moved to take a recess until seven o'clock P. M.

Lost.

Senate Bill No. 191—An Act to repeal an Act entitled "An Act to create and organize Reclamation District Number Two Hundred and Five, and to define its boundaries and provide for its government," approved April first, eighteen hundred and seventy-eight.

Read third time.

The roll was called, and the bill was passed by the following vote:

AYES—Messrs. Anthony, Bass, Bennett, Brooks, Brown of Yuba, Bruner, Brusie, Carr of Sacramento, Chamberlain, Chandler, Coffman, Cooper, Cuthbert, Downs, Finlayson, Fox, Fraser, Frink, Garibaldi, Green, Hynes, Leach, Leadbetter, Maguire, Mathews, May, McCarty of Lake, McCarthy of San Francisco, McComas, McIntosh, Merry, Messenger, Mulholland, Nelson, Picket, Sayle, Simon, Sherburne, Spencer, Stanley, Stoddard, Tyler, Walker, Ward, Wason of Ventura, York, and Young—47.
NOES—Mr. Morse—1.

Title approved.

Assembly Bill No. 367—An Act to prevent the running at large of sheep, goats, or hogs in the State of California.

Ordered to the head of second reading file.

RECESS.

The House took a recess until seven o'clock P. M.

RE-ASSEMBLED.

House re-assembled at seven o'clock P. M.

Speaker Cowdery in the chair.

Roll called, and quorum present.

Rules suspended.

SECOND READING FILE TAKEN UP.

Assembly Bill No. 388—An Act to amend sections one thousand five hundred and eighty-two and one thousand eight hundred and fifty-eight of the Political Code, relating to public schools.

Ordered to the foot of the file under the rule.

Assembly Bill No. 410—An Act to add three new sections to the Penal Code, to be known as sections three hundred and twenty-seven, three hundred and twenty-eight, and three hundred and twenty-nine, in relation to stock boards or stock exchanges.

Read second time, and ordered to third reading.

Assembly Bill No. 425—An Act to provide for the establishment and maintenance of a Mining Bureau.

Ordered to the foot of the file under the rule.

Assembly Bill No. 202—An Act to amend section two thousand two hundred and ninety-six of the Political Code, relative to taking books from the State Library.

Read second time, and ordered to third reading.

Assembly Bill No. 415—An Act to provide for the establishment and maintenance of a Mining Bureau.

Mr. Lane moved to amend section three, line six, by striking out the words "three thousand dollars," and inserting the words "two thousand dollars" instead.

Lost.

The bill read second time, and ordered to third reading file.

Mr. Sweetland moved to make the bill the order of the day for to-morrow.

So ordered.

Mr. McIntosh had leave to speak to a question of privilege.

Assembly Bill No. 407—An Act making appropriation to repay to B. F. Tuttle, late Commissioner of Transportation, certain moneys disbursed by him on account of contingent expenses.

Read second time, and ordered to third reading.

Assembly Bill No 87—An Act to amend an Act entitled an Act to amend section three thousand seven hundred and sixty-four of the Political Code of this State.

Read second time.

Amended as recommended by the committee, and ordered to third reading.

Assembly Bill No. 105—An Act to amend section three thousand seven hundred and seventy of the Political Code of this State, relative to the collection of penalties and costs on delinquent taxes.

Read second time.

Amended as recommended by the committee, and ordered to third reading.

Assembly Bill No. 359—An Act creating an annual license tax upon private liveried servants and heraldic devices.

Read second time, and ordered to third reading.

Assembly Bill No. 448—An Act to provide for the payment of the per diem of the officers and attachés of the late Constitutional Convention for fifty-seven days' services rendered in excess of the time allowed by the Act convening said Convention.

Read second time.

Mr. Tyler moved that the bill be rejected.

Mr. Fox in the chair.

The motion to reject was lost.

The bill ordered to third reading.

Assembly Bill No. 449—An Act to provide for the payment of the per diem of the members, officers, and attachés of the late Constitutional Convention for the unpaid residue of the one hundred days allowed by the Act convening said convention.

Read second time, and ordered to third reading.

Senate Concurrent Resolution No. 14—Relative to modification of Burlingame Treaty.

Read and adopted

RESOLUTION.

By Mr. Sweetland:

Resolved, That the Controller of State be and is hereby authorized and instructed to draw his warrant on the State Treasurer in favor of R. W. Parker, Sergeant-at-Arms, for one hundred dollars ($100), payable out of the Contingent Fund of the Assembly, the same being for contingent expenses of his office.

Adopted.

SECOND READING FILE—RESUMED.

Assembly Joint Resolution No. 4—Relative to the construction of a canal across the Isthmus of Darien.

Read, and amended as recommended by the committee.

The rules suspended by two-thirds vote, and the resolution adopted.

Mr Mathews gave notice that he would, to-morrow, move to reconsider the vote by which the House passed the resolution appropriating one hundred dollars to defray the contingent expenses of the office of the Sergeant-at-Arms.

Senate Bill No. 223—An Act to amend section one thousand three hundred and eighty-six of the Civil Code, relating to succession.

The amendments recommended by the committee adopted.

Read second time, and ordered to third reading.

Senate Bill No. 285—An Act to amend sections seven hundred and sixty-three and nine hundred and thirty-nine of the Code of Civil Procedure, relating to proceedings in partition and appeals therefrom.

The amendments numbers one, two, and three, as recommended by the committee, adopted.

Mr. Cooper moved that the enacting clause of the bill be stricken out.

Lost.

Amendment number four, recommended by the committee, adopted.

The bill ordered to a third reading, and ordered to place number six on the third reading file.

Assembly Bill No. 567—An Act to amend section two hundred and ninety of the Civil Code, in regard to articles of incorporation.

Read second time.

Mr. Hartson moved to amend by inserting after the word "increase," in line twenty-one, section one, the words "or decrease," also, by inserting in same subdivision and section, after the word "eleven," in line twenty-two, the words "nor less than five."

Adopted.

The bill ordered to third reading, to take place number seven on the file.

Assembly Bill No 577—An Act to provide for the payment of the salaries and traveling expenses of the State Board of Equalization, and the Clerk thereof, and for postage and contingent expenses of said Board, for the thirty-first fiscal year ending June thirtieth, eighteen hundred and eighty.

Read second time, and ordered to third reading, to take place number eight on the file.

Assembly Bill No. 551—An Act to amend section three thousand six hundred and forty of an Act entitled "An Act to establish a Political Code," approved March twelfth, eighteen hundred and sixty-two, relating to revenue.

Taken up.

Read third time

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Adams, Anthony, Bass, Bennett, Braunhart, Brooks, Brown of Sonoma, Brusie Burns, Carr of Sacramento, Carr of Yuba, Chamberlain, Chandler, Coffman, Cook, Cooper, Corcoran, Estey, Finlayson, Fraser, Frink, Garibaldi, Green, Hardy, Hartson, Hershey, Hynes, Leach, Leadbetter, Levee, Maguire, Mathews, May, Maybell, McCallion, McCarty of

Lake, McCarthy of San Francisco, McComas, McIntosh, Morse, Mulholland, Pickel, Sayle, Simon, Sherburne, Spencer, Stanley, Stoddard, Streeter, Sweetland, Tyler, Walker, Ward, Wason of Ventura, Wasson of Mono, Wattson, and York—58.

NOES—Messrs Bruner, Downs, Fox, Merry, Messenger, Nelson, and Young—7.

Title approved.

Mr. Young moved to take up Assembly Bill No. 277—An Act making appropriation for deficiency in the appropriation for the permanent improvement of the State Capitol grounds lying east of the State Capitol building.

Carried by a two-thirds vote.

Rules suspended, and the bill considered in the Assembly

The bill read third time

The roll was called, and the bill was passed by the following vote:

AYES—Messrs Anthony, Bass, Bennett, Braunhart, Brooks, Brown of Sonoma, Bruner, Brusie, Carr of Sacramento, Chamberlain, Chandler, Cooper, Corcoran, Cuthbert, Downs, Estey, Finlayson, Fox, Fraser, Frink, Garibaldi, Green, Hardy, Hartson, Hershey, Hynes, Josselyn, Leach, Levee, Maguire, Mathews, May, Maybell, McCallion, McCarty of Lake, McCarthy of San Francisco, McComas, McIntosh, Merry, Messenger, Morse, Mulholland, Nelson, Pickel, Sayle, Simon, Sherburne, Spencer, Stanley, Stoddard, Streeter, Tyler, Walker, Ward, Wason of Ventura, Wattson, York, and Young—58.

NOES—None.

Title approved.

On motion of Mr. May the usual number of copies of Assembly Bill No. 499 were ordered printed.

On motion of Mr Fraser Senate Bill No. 313—An Act to provide for the management and control of the State Agricultural Society by the State—was taken up.

Mr Maybell moved to change the word "vinicultural" wherever it occurs in the bill to the word "viticultural."

Mr. Adams moved to amend the amendment by striking out the word "vinicultural" wherever it occurs in the bill.

Lost.

The amendment of Mr. Maybell was then lost.

The bill read second time.

Mr. McIntosh moved to strike out the enacting clause of the bill.

Upon which the ayes and noes were demanded by Messrs. Anthony, McCarty, and Levee.

The roll was called and the motion was carried by the following vote:

AYES—Messrs Anthony, Bass, Bennett, Braunhart, Brown of Yuba, Bruner, Brusie, Burns, Carr of Yuba, Cook, Cooper, Cuthbert, Estey, Frink, Garibaldi, Green, Hardy, Lane, Levee, Maguire, Maybell, McCarty of Lake, McCarthy of San Francisco, McComas, McDade, McIntosh, Merry, Mulholland, Pickel, Simon, Sherburne, Spencer, Stoddard, Tyler, Walker, and York—36.

NOES—Messrs Adams, Brooks, Brown of Sonoma, Carr of Sacramento, Chamberlain, Chandler, Downs, Finlayson, Fox, Fraser, Hershey, Hynes, Leach, Leadbetter, Mathews, May, McCallion, Messenger, Morse, Nelson, Sayle, Stanley, Streeter, Sweetland, Ward, Wason of Ventura, Wasson of Mono, Wattson, and Young—29.

Mr. Bruner gave notice that he would, to-morrow, move to reconsider the vote by which the House struck out the enacting clause of the bill.

ADJOURNMENT.

At ten o'clock and thirty-five minutes P. M. Mr. Mulholland moved that we do now adjourn.

Carried.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Saturday, April 3d, 1880.

House met pursuant to adjournment.
Speaker Cowdery in the chair.
Roll called, and quorum present.
Prayer by the Chaplain.
One day's leave of absence granted to Messrs. Felton and Coleman.

READING AND APPROVAL OF THE JOURNAL.

Mr. Chandler moved that the further reading of the Journal be dispensed with.
Carried.
The House refused to have Mr. McCallion's name recorded as voting "no" on the motion to substitute Senate Bill No. 167 for Assembly Bill No. 119 on the file.

PETITIONS.

By Mr. Chandler—A petition from ex-soldiers, sailors, and citizens of Yuba County, asking that the thirtieth day of May be set aside as a legal holiday.
Referred to the Judiciary Committee.
By Mr. Estey—A petition of the same tenor and effect from ex-soldiers, sailors, and citizens of Marin County.
Also, by Mr. Walker—A petition from the same classes of citizens of Nevada, asking for the same legislation.
Both of which were referred to the Committee on Judiciary.

INTRODUCTION OF BILLS.

The following bills were introduced, and ordered printed:
By Mr. McIntosh—An Act for the protection of hotel, boarding, and lodging-house keepers.
Read first time, and referred to the Judiciary Committee.
By Mr. Sayle—An Act to repeal section twenty 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 time, and referred to the Committee on County Governments and Municipal Corporations.
By Mr. Merry—Assembly Concurrent Resolution, relative to authorizing the Sergeant-at-Arms to furnish the California Immigrant Union for distribution throughout the United States.
Read and adopted.

FIRST READING AND REFERENCE OF BILLS.

Assembly Bill No 582—An Act to amend sections three hundred and fifty-four, one thousand four hundred and eighty-seven, one thousand four hundred and eighty-nine, one thousand four hundred and ninety-four, one thousand four hundred and ninety-seven, one

thousand five hundred and one, one thousand five hundred and two, and one thousand five hundred and four of the Political Code of California, and to add a new section, one thousand five hundred and eight, relative to the establishment and support of State Normal Schools

Read first time, and referred to the Committee on Education.

PETITIONS.

By Mr. Chamberlain—Two petitions from ex-soldiers and sailors and citizens of Placer County, asking that the thirtieth day of May be set aside as a legal holiday.

Both petitions referred to the Committee on Judiciary.

FIRST READING AND REFERENCE OF BILLS—CONTINUED.

Assembly Bill No. 581—An Act to amend section one hundred and three (103) of the Code of Civil Procedure, in relation to Justice Courts and Justices of the Peace.

Read first time, and referred to the Judiciary Committee

Assembly Bill No 578—An Act to provide for the construction and maintenance of a fire-boat in the harbor of every city of the State of California containing a population of one hundred thousand or more inhabitants.

Read first time, and referred to the San Francisco delegation.

Assembly Bill No. 572—An Act to provide for fixing rates or compensation for the use of water supplied to cities and counties, cities and towns, and the inhabitants thereof.

Read first time, and referred to the Committee on Corporations.

REPORTS OF STANDING COMMITTEES.

By Mr. Brown of Yuba:

ASSEMBLY CHAMBER, SACRAMENTO, April 3d, 1880.

MR SPEAKER The Committee on Corporations, to whom was referred Assembly Bill No. 561—An Act to amend section two hundred and ninety of the Civil Code, relating to corporations—have had the same under consideration, and report the same back to the Assembly without amendment, and without recommendation

BROWN of Yuba, Chairman

By Mr Streeter:

ASSEMBLY CHAMBER, SACRAMENTO, April 3d, 1880.

MR. SPEAKER Your Committee on County Government, to whom was referred Senate Bill No 251—An Act to add five new sections to the Political Code, providing for funding and refunding county indebtedness—have had the same under consideration, and report it back to the Assembly, and recommend its passage.

STREETER, Chairman.

By Mr. Sherburne:

ASSEMBLY CHAMBER, April 3d, 1880.

MR SPEAKER Your Committee on Engrossment have examined, and find properly engrossed, Assembly Bill No. 557—An Act to provide an additional Judge of the Superior Court for the County of Mono.

Also, Assembly Bill No. 402—An Act to repeal an Act entitled 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, approved February thirteenth, eighteen hundred and seventy-two.

Also, Assembly Joint Resolution No. 4—Relative to the construction of a canal across the Isthmus of Darien.

SHERBURNE, Chairman.

By Mr. Hardy:

ASSEMBLY CHAMBER, SACRAMENTO, April 3d, 1880.

MR. SPEAKER: The Committee on Indian Affairs, to whom was referred Assembly Joint Resolution No. 22, relative to the occupation of public lands by Indians—have had the same under consideration, and report the same back to the Assembly, and recommend its passage.

HARDY, Chairman.

By Mr. Fox:

ASSEMBLY CHAMBER, SACRAMENTO, April 3d, 1880.

MR. SPEAKER: Your Committee on Judiciary, to whom was referred Assembly Bill No. 553—An Act to amend the Political Code of the State of California by adding a new section thereto—have had the same under consideration, and report it back, and recommend that it be indefinitely postponed.

FOX, Chairman.

The bill reported above was withdrawn.

Mr. Bruner, Chairman of the Committee on Public Buildings and Grounds, made a report for the Committee in regard to the Public Buildings and Grounds, setting forth their condition and recommending improvements thereto.

The report ordered printed in the appendix to the Journal.

By Mr. Bruner:

MR. SPEAKER: Your Committee on Public Buildings and Grounds, to whom was referred Senate Bill No. 219—An Act to amend section three of an Act entitled "An Act authorizing the appointment of certain permanent employés of the State Capitol, and fixing their compensation"—have had the same under consideration, and report the same back, with the recommendation that it do pass.

BRUNER, Chairman.

By Mr. Bennett:

ASSEMBLY CHAMBER, April 3d, 1880.

MR. SPEAKER: Your Committee on Public Morals, to whom was referred Substitute for Senate Bill No. 351—An Act entitled an Act to add a new section to the Penal Code, to be known as section three hundred and eighteen, relating to crimes against good morals, and to punish decoys—have had the same under consideration, and report the same back, and recommend its passage.

BENNETT, Chairman.

By Mr. Brusie:

MR. SPEAKER: Your Committee on State Hospital, to whom was referred Assembly Bill No. 573—An Act establishing departments of public health and providing for their government in cities and consolidated cities and counties containing a population of one hundred thousand or more, and to repeal all laws in conflict therewith—have had the same under consideration, and report the same back, and recommend its passage.

BRUSIE, Chairman.

MESSAGE FROM THE GOVERNOR.

The following message from the Governor was read:

STATE OF CALIFORNIA, EXECUTIVE DEPARTMENT,
SACRAMENTO, April 2d, 1880.

To the Assembly of the State of California:

I have to inform your honorable body that I have approved Assembly Bill No. 53—An Act to amend section twenty-one hundred and seventy of an Act entitled an Act to establish a Civil Code, approved March twenty-first, eighteen hundred and seventy-two, relating to common carriers.

Also, Assembly Bill No. 361—An Act in relation to certain deputies, assistants, and copyists of County Clerks.

GEO. C. PERKINS, Governor.

Assembly Bill No. 461—An Act concerning the grading and other improvement of streets in cities or cities and counties of one hundred thousand or more inhabitants.

Withdrawn.

Assembly Bill No. 507—An Act to amend the Political Code, concerning the collection of license taxes.

Withdrawn.

Assembly Bill No. 204—An Act to provide for the selection of lands as indemnity for certain sixteenth and thirty-sixth sections, reserved as mineral lands.

Withdrawn.

Assembly Bill No. 424—An Act to amend section three hundred and thirty-six of the Penal Code, relative to gaming by minors in saloons or other drinking places.

Withdrawn.

Mr. Mathews, pursuant to notice, moved to reconsider the vote by which the House adopted the resolution, yesterday, authorizing the State Controller to issue his warrant in favor of the Sergeant-at-Arms for one hundred dollars, for the contingent expenses of his office.

Carried.

The resolution referred to the Committee on Public Expenditures and Accounts.

Mr. McCallion, pursuant to notice, moved to reconsider the vote by which the House refused to adopt a resolution changing the hour of meeting from nine o'clock and thirty minutes to ten o'clock A. M.

Lost.

The Journal of yesterday was ordered reprinted.

By vote of the House it was ordered recorded in to-day's Journal that Mr McCallion intended to vote "no" on the motion to substitute Senate Bill No. 167 for Assembly Bill No. 119 on the second reading file.

ORDERS OF THE DAY.

Senate Bill No. 336—An Act to provide for the erection of a building for the use of the Normal School.

Temporarily passed on file.

Assembly Bill No. 541—An Act to provide for the construction and furnishing Normal School buildings in the State of California.

Temporarily passed on file.

Assembly Bill No. 489—An Act to amend sections one thousand nine hundred and seventeen, one thousand nine hundred and thirty-four, one thousand nine hundred and thirty-nine, one thousand nine hundred and forty-one, one thousand nine hundred and fifty-five, one thousand nine hundred and sixty, one thousand nine hundred and seventy-three, one thousand nine hundred and seventy-four, one thousand nine hundred and seventy-five, one thousand nine hundred and eighty-two, one thousand nine hundred and eighty-six, one thousand nine hundred and ninety, one thousand nine hundred and ninety-two, two thousand and twenty-two, two thousand and twenty-eight, two thousand and thirty-nine, two thousand and fifty-nine, two thousand and ninety-five, two thousand and ninety-nine, two thousand and seventy-seven, one thousand nine hundred and forty-two, one thousand nine hundred and seventy, one thousand nine hundred and sixty-two, one thousand nine hundred and sixty-five, two thousand and ninety-four, and two thousand one hundred and fourteen, of the Political Code of California, to repeal section one thousand nine hundred and seventy-five of said Code, approved March thirtieth, eighteen hundred and seventy-eight, and section one thousand nine hundred and ninety-one of said Code, and to add

a new section to said Code, to be known and numbered as section one thousand nine hundred and seventy-seven, relating to the State militia.

Mr. Lane moved to amend by striking out subdivision four, of section eleven.

Lost

Mr. McCarthy moved to amend by striking out all after the word "parade," in line five, of section fourteen of the bill.

Upon which the ayes and noes were demanded by Messrs. McCarthy, Lane, and Braunhart.

The roll was called, and the motion was lost by the following vote:

AYES—Messrs. Anthony, Braunhart, Burns, Coffman, Cook, Cuthbert, DuBrutz, Gaffey, Hardy, Hershey, Josselyn, Lane, Levee, Maguire, McCallion, McCarty of Lake, McCarthy of San Francisco, Picket, Sayle, Simon, and Spencer—21

NOES—Messrs. Adams, Bass, Brooks, Brown of Yuba, Bruner, Brusie, Carr of Sacramento, Chamberlain, Chandler, Cooper, Corcoran, Dimond, Downs, Estey, Finlayson, Fox, Fraser, Garibaldi, Gorley, Hynes, Leach, Leadbetter, Mathews, May, McComas, McIntosh, Merry, Messenger, Morse, Mulholland, Nelson, Sherburne, Stanley, Stoddard, Streeter, Sweetland, Tyler, Walker, Ward, Wason of Ventura, Wasson of Mono, Wattson, York, Young, and Mr. Speaker—45.

Mr. Braunhart moved to amend section sixteen by striking out "two hundred and fifty dollars," and inserting instead "one hundred and fifty dollars."

The previous question was demanded by Messrs. Tyler, Mulholland, and York.

Upon which the ayes and noes were demanded by Messrs. Lane, Braunhart, and Burns.

The roll was called, and the House ordered the main question by the following vote:

AYES—Messrs. Adams, Braunhart, Brooks, Brown of Sonoma, Brown of Yuba, Bruner, Brusie, Carr of Sacramento, Chamberlain, Chandler, Cooper, Corcoran, Dimond, Downs, Fox, Fraser, Frink, Garibaldi, Gorley, Hynes, Leadbetter, May, McComas, McIntosh, Messenger, Morse, Mulholland, Nelson, Sherburne, Streeter, Sweetland, Tyler, Walker, Ward, Wason of Ventura, Wasson of Mono, Wattson, York, Young, and Mr. Speaker—40.

NOES—Messrs. Anthony, Bass, Bennett, Burns, Carr of Yuba, Coffmann, Cook, Cuthbert, DuBrutz, Estey, Gaffey, Hardy, Hershey, Josselyn, Lane, Leach, Levee, Maguire, Mathews, McCallion, McCarty of Lake, McCarthy of San Francisco, McDade, Picket, Sayle, Simon, Spencer, Stanley, and Stoddard—29.

Mr. Braunhart's amendment was rejected.

The roll was called, and the bill was passed by the following vote:

AYES—Messrs. Adams, Bennett, Braunhart, Brooks, Brown of Yuba, Bruner, Brusie, Carr of Sacramento, Carr of Yuba, Chamberlain, Chandler, Cooper, Corcoran, Cuthbert, Dimond, Downs, Estey, Fox, Fraser, Frink, Garibaldi, Gorley, Hardy, Hynes, Leach, Leadbetter, Maguire, Mathews, May, McCarthy of San Francisco, McComas, McDade, McIntosh, Messenger, Morse, Mulholland, Nelson, Simon, Streeter, Sweetland, Tyler, Walker, Ward, Wason of Ventura, Wasson of Mono, Wattson, York, Young, and Mr. Speaker—49

NOES—Messrs. Anthony, Burns, Coffman, Cook, DuBrutz, Gaffey, Hershey, Josselyn, Lane, Levee, McCallion, McCarty of Lake, Picket, Sayle, Sherburne, Spencer, Stanley, and Stoddard—18.

Title approved.

Mr. McCarthy gave notice that he, on Monday, would move to reconsider the vote by which the bill was passed.

Mr. Tyler in the chair.

Mr. Bruner, pursuant to notice, moved to reconsider the vote by which the House struck out the enacting clause of Senate Bill No. 313—An Act to provide for the management and control of the State Agricultural Society by the State.

Mr. Adams moved to make the notice to reconsider the order of the day for Tuesday next.

Upon which the ayes and noes were demanded by Messrs. Estey, Burns, and York.

The roll was called, and the motion was carried by the following vote:

AYES—Messrs. Adams, Braunhart, Brown of Yuba, Bruner, Carr of Sacramento, Carr of Yuba, Chamberlain, Chandler, Downs, DuBrutz, Fox, Fraser, Frink, Gaffey, Hynes, Leach, Leadbetter, Maguire, Mathews, May, McCallion, McComas, McDade, Messenger, Nelson, Sayle, Stanley, Sweetland, Tyler, Walker, Wason of Ventura, Wasson of Mono, Wattson, and Young—34

NOES—Messrs. Anthony, Bennett, Brusie, Burns, Coffman, Cook, Cooper, Corcoran, Cuthbert, Dimond, Estey, Garibaldi, Gorley, Green, Hardy, Hershey, Josselyn, Lane, Levee, McCarty of Lake, McCarthy of San Francisco, McIntosh, Morse, Mulholland, Picket, Simon, Sherburne, Spencer, Stoddard, Streeter, Ward, and York—32.

Mr. Braunhart called up Mr. Fox's motion to reconsider Assembly Bill No. 472—An Act to encourage the mining industry and to suppress stock gambling.

Mr. Fox moved to make the motion to reconsider the order of the day for Tuesday next.

Lost.

The motion to reconsider was lost.

INTRODUCTION OF A BILL.

By Mr. Frink—An Act to provide for the erection of a building for the use of the Normal School

Read first time, and ordered printed.

Mr. Frink moved this matter be declared a matter of urgency.

Lost.

Mr. Frink moved the bill be ordered on file, to place number three thereon.

Lost.

The bill was referred to the Committee on Public Buildings and Grounds.

RESOLUTION.

By Mr. Tyler (by permission)—Assembly Concurrent Resolution, relative to establishing a quarantine depot at Angel Island.

Read and adopted.

PETITION.

By Mr. Adams—A petition from ex-soldiers and sailors and citizens of Sonoma County, asking legislation to make the thirtieth day of May a legal holiday.

Referred to the Judiciary Committee.

Mr. Messenger moved that Assembly Joint Resolution No. 22—Relative to the occupation of public lands by Indians—be taken up.

So ordered.

The resolution was then adopted.

Senate Bill No. 336—An Act to provide for the erection of a building for the use of the Normal School.

Taken up.

Mr. Braunhart moved to amend section one by striking out the words "one hundred thousand dollars" and inserting instead the words "two hundred thousand dollars."

Pending discussion of the above, the bill was referred to Messrs. Fox, Braunhart, and Green, as a Special Committee, with instructions to amend the bill.

Assembly Bill No. 543—An Act to define, regulate, and govern the State Prisons of California.

Taken up.

Mr. Corcoran moved to amend section two.

Lost.

Mr. Braunhart moved to amend by adopting the following substitute for section seventeen, viz.:

SECTION 17. The Directors shall receive no salary or compensation for their services, but shall be paid for their reasonable traveling and other expenses while engaged in the discharge of their duties the sum of one hundred dollars per month, and ten cents per mile for the actual number of miles traveled The Wardens shall receive twenty-four hundred dollars per annum; the Clerks fifteen hundred dollars per annum, and all other officers and employés shall receive such compensation as the Board of Directors may deem just and equitable in each case, and the salaries of all officers and employés shall be paid monthly, out of the treasury of the State, on the warrant of the Controller.

Adopted.

The substitute adopted.

RECESS.

Pending the reading of the bill, the hour of one o'clock having arrived, the House took a recess for one hour.

RE-ASSEMBLED.

House re-assembled at two o'clock P. M.

Mr Tyler in the chair.

Quorum present.

INTRODUCTION OF A BILL.

By Mr. Stoddard—An Act to regulate the weight and size of barrels, kegs, and boxes, in which material and articles to be sold by weight or measure are to be packed.

The above bill was introduced and ordered printed.

Speaker Cowdery and Mr. Maybell were each granted one day's leave of absence.

PETITION.

By Mr. Wason of Ventura—A petition from the ex-soldiers and sailors and citizens of Ventura County, asking that the thirtieth day of May be set aside as a legal holiday.

Referred to the Committee on Judiciary.

The consideration of Assembly Bill No. 543—An Act to define, regulate, and govern the State Prisons of California—resumed.

Mr. Leach moved to amend section twenty-five by inserting, after the word "provided," the following: "That after the passage of this Act no skilled convict labor shall be let or contracted out at a price less than one dollar per day for each convict; *provided further.*"

Adopted.

Mr. Fox moved to reconsider the vote by which the substitute for section seventeen was adopted.

Carried.

Also, moved to amend by striking out the words "one hundred dollars per month," from line two, section seventeen, and inserting instead the words "allowed fifteen cents per mile."

Mr. Sinon moved that the amendment be amended by striking out "fifteen cents," and inserting "ten cents."

Lost.

Mr. Fox's amendment adopted.

Mr. Fox moved to reconsider the vote by which the House refused to amend section two, so as to permit the State Prison Directors to be sued.

Upon which the ayes and noes were demanded by Messrs. Corcoran, Cooper, and Braunhart.

The roll was called, and the motion was lost by the following vote:

AYES—Messrs Adams, Anthony, Bass, Bennett, Braunhart, Brown of Yuba, Brusie, Chamberlain, Cook, Corcoran, Cuthbert, Downs, Estey, Fox, Fraser, Frink, Gorley, Green, Lane, Leach, Leadbetter, May, McDade, McIntosh, Messenger, Nelson, Sherburne, Stoddard, Tyler, Walker, and Ward—31

NOES—Messrs Brooks, Brown of Sonoma, Bruner, Burns, Carr of Sacramento, Carr of Yuba, Chandler, Cooper, Dunond, DuBrutz, Garibaldi, Gaffey, Hershey, Hynes, Josselyn, Levee, Maguire, Mathews, McCallion, McCarty of Lake, McCarthy of San Francisco, McComas, Morse, Picket, Sayle, Simon, Spencer, Stanley, Streeter, Sweetland, Wason of Ventura, Wasson of Mono, Wattson, York, and Young—35.

Mr. Fox moved to amend, in line seventeen, section eight, by inserting after the word "equity" the words "in this department."

Adopted.

Also, moved to amend, in line three, section eighteen, by inserting after the word "Directors" the words "or upon a certified copy of final judgment against said "Director;" also, by inserting in line three, of section eighteen, after the word "account" the word "certificate"

Mr. Young moved to amend the amendment by inserting after the word "Directors," the words "for costs in any action brought by such Directors under this Act, but they shall pay no other judgment."

Carried.

The amendment by Mr. Fox, as amended, was then adopted.

Mr. Tyler moved to amend, in line nineteen, section eight, by inserting after the word "management," the words "in the name of the Board of State Prison Directors."

Adopted.

The Clerk was instructed to correct by changing "appear satisfaction" to "satisfactorily appear."

The bill was read third time, ordered printed, and made the order of the day for Monday.

REPORTS OF STANDING COMMITTEES.

By Mr. Sherburne:

ASSEMBLY CHAMBER, SACRAMENTO, April 3d, 1880.

MR SPEAKER: Your Committee on Engrossment have examined, and find correctly engrossed, Assembly Bill No. 472—An Act to encourage the mining industry and to suppress stock gambling

SHERBURNE, Chairman.

By Mr. Brooks:

MR. SPEAKER: Your Committee on Enrollment respectfully report that the following Assembly bills have been correctly enrolled: No. 181—An Act to amend sections three hundred and fifty-two, three thousand six hundred and ninety-two, three thousand seven hundred and two, three thousand seven hundred and thirty-one, and three thousand seven hundred and thirty-two, of the Political Code of California, and to add new sections thereto, to be numbered sections three thousand six hundred and ninety-three, three thousand six hundred and ninety-five, and three thousand seven hundred; all relating to the State Board of Equalization.

No. 203—An Act to provide for the taking of appeals from judgments or orders given or made in the Courts existing on and before the first day of January, eighteen hundred and eighty.

No. 43—An Act to amend sections one thousand one hundred and eighty and one thousand one hundred and eighty-one of an Act entitled "An Act to establish a Civil Code," approved March twenty-first, eighteen hundred and seventy-two, relating to the acknowledgment and proof of instruments.

No. 102—An Act relating to the appointment of aliens to positions under State, county, city and county, city, or town officials.

No. 165—An Act to repeal an Act entitled an Act to change the orthography of the name of a town in Shasta County.

No. 42—An Act to confer upon the Superior Courts of each county, and the Judge thereof, the powers heretofore possessed by the District, County, and Probate Courts of such county, and the Judges thereof.

Also, Assembly Joint Resolution No. 6—Relative to procuring a congressional appropriation of one hundred thousand dollars for the purpose of improving Petaluma Creek for the purpose of navigation.

And the same were, at eleven o'clock and forty minutes A. M. this day, April third, eighteen hundred and eighty, presented to the Governor for his approval.

BROOKS, Chairman.

REPORT OF A SPECIAL COMMITTEE.

By Mr. Fox:

ASSEMBLY CHAMBER, SACRAMENTO, April 3d, 1880.

MR. SPEAKER: Your special committee to whom was referred Senate Bill No. 336—An Act to provide for the erection of a building for the use of a Normal School—herewith return a printed copy of the amended bill with such alterations and emendations as in their judgment makes it constitutional in form and conform to what we understand to have been the intention of the House in acting upon the several amendments heretofore adopted. This, perhaps, is all that was expected at the hands of this committee; but, on the other hand, we find that it is understood by some of the members that the committee has full power to suggest amendments in substance as well as in form. If such shall be the understanding of the House, then your committee would recommend the adoption of the emendations made in the copy of the bill herewith returned, down to and including line twenty-one of section three, and that the balance of said section be striken out, and changing the amount of the appropriation to one hundred and fifty thousand dollars, the amount named in the bill as it passed the Senate.

FOX, Chairman.

Mr. Braunhart moved to amend the bill by striking out the appropriations of twenty-five thousand dollars each for Normal Schools at Reading and Nevada County.

The special order for this hour, the third reading file, was ordered temporarily postponed.

Mr. Fraser moved to strike out section three of the bill.

Upon which the ayes and noes were demanded by Messrs. Fraser, Braunhart, and Leach.

The roll was called, and the motion was lost by the following vote:

AYES—Messrs. Anthony, Brown of Yuba, Brusie, Carr of Sacramento, Chamberlain, Chandler, Fox, Fraser, Frink, Gorley, Harris, Lane, Leach, Leadbetter, Maguire, McCallion, McIntosh, Messenger, Nelson, Pickel, Sayle, Sherburne, Spencer, Stoddard, Tyler, Wasson of Mono, and Young—27.

NOES—Messrs. Adams, Bass, Braunhart, Brooks, Brown of Sonoma, Burns, Carr of Yuba, Cook, Cooper, Corcoran, Downs, Estey, Garibaldi, Gaffey, Green, Hardy, Heisbey, Hynes, Josselyn, Levee, Mathews, May, McCarty of Lake, McCarthy of San Francisco, McConnas, McDade, Morse, Mulholland, Simon, Stanley, Stiecier, Sweetland, Walker, Ward, Wason of Ventura, Wattson, and York—37.

The question recurred upon Mr. Braunhart's motion to strike out all of section three after line twenty-one.

The motion was withdrawn by permission.

The amendments recommended by the committee were adopted.

Mr. McCallion moved to amend section three so as to prevent the employment of Chinese labor in constructing the buildings.

Adopted.

Mr. Levee moved to amend so as to strike out all the appropriations save that for the Santa Rosa Normal School.

Lost.

Mr. Sinon moved to amend by striking out "two hundred thousand dollars," and insert "one hundred and five thousand dollars."

Lost.

Mr. Mathews moved to amend by striking out "two hundred thousand dollars," and insert "one hundred thousand dollars," in section one, and to strike out the amendments made by the committee thereto, and to substitute for section three the following:

SECTION 3. The Board of Trustees of the State Normal School are hereby directed to select two suitable localities, the one in the northern, the other in the southern portion of this State, and report the result of their conclusions to the Governor, who, upon the assembling of the next Legislature, shall recommend to that body to make an appropriation necessary to construct two Branch Normal Schools at the places selected.

Mr. Braunhart moved to amend the amendment.

Lost.

The previous question was demanded by Messrs. McCallion, Messenger, and Fraser, and the House so ordered.

The question recurred upon Mr. Mathews' amendment.

Upon which the ayes and noes were demanded by Messrs. Levee, Sweetland, and Wason of Ventura.

The roll was called, and the amendment was adopted by the following vote:

AYES—Messrs. Anthony, Braunhart, Brooks, Brown of Yuba, Brusie, Carr of Sacramento, Chamberlain, Chandler, Cooper, Dimond, Fox, Fraser, Fink, Gaffey, Gorley, Hardy, Harris, Hershey, Lane, Leach, Maguire, Mathews, Maybell, McCallion, McComas, McIntosh, Messenger, Nelson, Savle, Simon, Sherburne, Spencer, Stoddard, Streeter, Tyler, Ward, Wasson of Mono, York, and Young—39.

NOES—Messrs. Adams, Bass, Brown of Sonoma, Bruner, Burns, Carr of Yuba, Cook, Corcoran, Downs, DuBrutz, Estey, Garibaldi, Green, Hartson, Hynes, Josselyn, Levee, May, McCarty of Lake, McCarthy of San Francisco, Morse, Mulholland, Picket, Stanley, Sweetland, Walker, Wason of Ventura, and Wattson—28.

Mr. Braunhart moved to indefinitely postpone the bill.

Upon which the previous question was demanded by Messrs. Bruner, Lane, and Ward, and the House refused to order it

The ayes and noes were demanded by Messrs. Burns, Levee, and Fraser

The roll was called, and the motion to indefinitely postpone was lost by the following vote:

AYES—Messrs. Cook, DuBrutz, Garibaldi, Hershey, Josselyn, Levee, Mathews, May, McCarty of Lake, Mulholland, Stanley, Stoddard, and Wason of Ventura—13.

NOES—Messrs. Adams, Bass, Braunhart, Brown of Yuba, Bruner, Brusie, Burns, Carr of Sacramento, Chamberlain, Chandler, Cooper, Corcoran, Cuthbert, Dimond, Downs, Estey, Fox, Fraser, Fink, Gaffey, Gorley, Green, Hardy, Harris, Hartson, Hynes, Lane, Leach, Leadbetter, Maguire, Maybell, McCallion, McCarthy of San Francisco, McComas, McDade, McIntosh, Messenger, Morse, Nelson, Picket, Savle, Simon, Sherburne, Spencer, Streeter, Sweetland, Tyler, Walker, Ward, Wasson of Mono, Wattson, York, and Young—53

Mr. Braunhart moved to reconsider the vote by which the House adopted the amendment offered by Mr. Mathews.

Upon which, the ayes and noes were demanded by Messrs. Braunhart, Fraser, and Wason of Ventura.

The roll was called, and the motion to reconsider was lost by the following vote:

AYES—Messrs. Adams, Bass, Braunhart, Burns, Carr of Yuba, Cook, Corcoran, Downs, Garibaldi, Green, Hartson, Hynes, Josselyn, May, McCarty of Lake, McCarthy of San Francisco, McDade, Morse, Mulholland, Stanley, Streeter, Walker, and Wason of Ventura—23.

NOES—Messrs. Anthony, Brown of Sonoma, Brown of Yuba, Bruner, Brusie, Carr of Sacramento, Chamberlain, Chandler, Cooper, Cuthbert, Dimond, DuBrutz, Fox, Fraser, Frink, Gaffey, Gorley, Hardy, Harris, Hershey, Lane, Leach, Leadbetter, Levee, Maguire, Mathews, Maybell, McCallion, McComas, McIntosh, Messenger, Nelson, Picket, Simon, Sherburne, Spencer, Stoddard, Sweetland, Tyler, Ward, Wasson of Mono, Wattson, York, and Young—44.

The bill read third time, and ordered printed as amended.

On motion of Mr. Lane, Assembly Bill No 415—An Act to provide for the establishment and maintenance of a Mining Bureau—made the order of the day for Tuesday next.

On motion of Mr. Lane, Senate Bill No. 336—An Act to provide for the erection of a building for the use of the Normal School—made the order of the day for Monday next.

Mr. Bruner moved we take a recess until seven o'clock and thirty minutes P. M.

Upon which the ayes and noes were demanded by Messrs. Leach, Bruner, and York.

The roll was called, and the motion was lost by the following vote:

AYES—Messrs. Braunhart, Brown of Yuba, Bruner, Carr of Sacramento, Carr of Yuba, Chamberlain, Chandler, Fox, Fraser, Frink, Hartson, Hershey, Leach, Leadbetter, Mathews, McCarthy of San Francisco, McIntosh, Messenger, Nelson, Simon, Sherburne, Spencer, Stanley, Streeter, Tyler, Walker, Ward, Wasson of Mono, Wattson, and York—30.

NOES—Messrs Adams, Anthony, Bass, Brown of Sonoma, Brusie, Burns, Cook, Cooper, Cuthbert, Dimond, Downs, DuBrutz, Garibaldi, Gaffey, Gorley, Hardy, Harris, Hynes, Josselyn, Lane, Levee, Maguire, May, Maybell, McCallion, McCarty of Lake, McComas, McDade, Morse, Mulholland, Picket, Stoddard, Sweetland, and Young—34.

ADJOURNMENT.

At five o'clock and ten minutes P. M. Mr. Hardy moved to adjourn. Carried.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Monday, April 5th, 1880.

House met pursuant to adjournment.
Speaker Cowdery in the chair.
Roll called, and quorum present.
Prayer by the Chaplain.

READING AND APPROVAL OF THE JOURNAL.

Mr. York moved that the further reading of the Journal be dispensed with.

So ordered.

The Journal of Saturday corrected, and of Friday approved.

PETITIONS.

By Mr. Green—A petition from ex-soldiers, sailors, and citizens of Los Angeles County, asking such legislation as will make the thirtieth day of May a legal holiday.

Referred to the Judiciary Committee.

REPORTS OF STANDING COMMITTEES.

By Mr. Fox:

ASSEMBLY CHAMBER, SACRAMENTO, April 5th, 1880.

MR SPEAKER Your Committee on County Governments and Municipal Corporations, to whom was referred Assembly Bill No. 561—An Act to provide for the formation and classification of corporations for municipal purposes, and to define their powers and duties—have had the same under consideration, and now report the same back with amendments as shown upon the accompanying printed copy of said bill, and recommend the passage of the same as amended.

STREETER, Chairman

The usual number of copies of the bill above reported ordered printed as amended by the committee.

By Mr. Sherburne:

ASSEMBLY CHAMBER, April 5th, 1880.

MR. SPEAKER Your Committee on Engrossment have examined, and found properly engrossed, Assembly Bill No 551—An Act to amend section three thousand six hundred and forty of an Act entitled an Act to establish a Political Code, approved March twelfth, eighteen hundred and sixty-two, relating to revenue.

Also, Assembly Bill No. 277—An Act making appropriation for deficiency in the appropriation for the permanent improvement of the State Capitol grounds lying east of the State Capitol building.

Also, Assembly Concurrent Resolution No. 22—Relative to distribution of certain reports after adjournment of the Legislature.

Also, Assembly Concurrent Resolution No. 23—Relative to the establishment of a quarantine station at Angel Island.

SHERBURNE, Chairman.

By Mr. Stanley:

MR SPEAKER Your Committee on Counties and County Boundaries, to whom was referred Assembly Bill No. 278, to define the western boundary line of Lake County adjoining Mendocino and Sonoma Counties, have had the same under consideration, and now report the same back, with the recommendation that it be indefinitely postponed.

STANLEY, Chairman.

On motion of Mr. Hardy the vote by which Assembly Bill No. 416 was ordered withdrawn was reconsidered, and the bill restored to the file.

By Mr. May:

ASSEMBLY CHAMBER, SACRAMENTO, April 5th, 1880.

MR. SPEAKER The Committee on Ways and Means, to whom was referred Assembly Bill No 424—An Act to amend section three thousand three hundred and eighty-four of the Political Code, relating to peddlers' and hawkers' licenses, exempting disabled Union soldiers and sailors from their payment—have had the same under consideration, and report the same back to the Assembly without recommendation.

Also, report Assembly Bill No 574—An Act making appropriations for the support of the government of the State of California for the thirty-second fiscal year—with amended copy of said bill, and recommend its passage.

MAY, Chairman.

The usual number of copies of the above reported bill ordered printed as amended by the committee.

MESSAGES FROM THE GOVERNOR.

The following messages from the Governor were read:

STATE OF CALIFORNIA, EXECUTIVE DEPARTMENT,
SACRAMENTO, April 3d, 1880.

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 provide for the receipt and appropriation of donations to the State, or counties, or cities and counties, or cities or towns therein

Also, Assembly Bill No. 37—An Act to amend sections four hundred and seventy-four, six hundred and one, seven hundred and ninety-nine, nine hundred and nine, nine hundred and fifty, one thousand and fifteen, one thousand one hundred and eight, one thousand one hundred and nine, one thousand two hundred and eighty-four, one thousand three hundred and ten, two thousand two hundred and forty, two thousand three hundred and ninety-two, two thousand three hundred and ninety-three, two thousand four hundred and seven, two thousand four hundred and eight, two thousand four hundred and ten, two thousand four hundred and thirteen two thousand four hundred and fifteen, two thousand eight hundred, two thousand eight hundred and fifty-two, three thousand two hundred and eighty-five, three thousand four hundred and ninety, four thousand and forty-seven, four thousand and seventy-eight, four thousand one hundred and thirty-four, four thousand one hundred and sixty-five, four thousand one hundred and ninety-two, and four thousand two hundred and twenty-one, of an Act entitled "An Act to establish a Political Code," approved March twelfth, eighteen hundred and seventy-two, conferring upon the Superior Courts, their Judges or officers, the jurisdiction and authority heretofore exercised in certain cases by the Courts abolished by the Constitution, their Judges or officers.

Also, Assembly Bill No. 109—An Act permitting and authorizing railway and other corporations organized under the laws of this State, or of any State or Territory of the United States of America, or any Act of Congress of the United States of America, to do business in this State on equal terms

Also, Assembly Bill No. 135—An Act to provide for the removal of Chinese, whose presence is dangerous to the well-being of communities, outside the limits of cities and towns in the State of California.

Also, Assembly Bill No. 279—An Act to declare the Mokelumne River navigable.

GEO C. PERKINS, Governor

STATE OF CALIFORNIA, EXECUTIVE DEPARTMENT,
SACRAMENTO, April 3d, 1880.

To the Assembly of the State of California

I have to inform your honorable body that I have approved Assembly Bill No 42—An Act to confer upon the Superior Court of each county, and the Judge thereof, the powers heretofore possessed by the District, County, and Probate Courts of such county, and the Judges thereof.

Also, Assembly Bill No. 43—An Act to amend sections eleven hundred and eighty and eleven hundred and eighty-one of an Act entitled "An Act to establish a Civil Code," approved March twenty-first, eighteen hundred and seventy-two, relating to the proof and acknowledgment of instruments

Also, Assembly Bill No. 102—An Act relating to the appointment of aliens to positions under State, county, city and county, city or town officials

Also, Assembly Bill No. 165—An Act to repeal an Act entitled "An Act to change the orthography of the name of a town in Shasta County"

Also, Assembly Bill No. 181—An Act to amend sections three hundred and fifty-two (352), thirty-six hundred and ninety-two (3692), thirty-seven hundred and two (3702), thirty-seven hundred and thirty-one (3731), and thirty-seven hundred and thirty-two (3732), of the Political Code of California, and to add new sections thereto, to be numbered sections thirty-six hundred and ninety-three (3693), thirty-six hundred and ninety-five (3695), and thirty-seven hundred (3700), all relating to the State Board of Equalization

Also, Assembly Bill No 203—An Act to provide for the taking of appeals from judgments or orders given or made in the Courts existing on and before the first day of January, eighteen hundred and eighty.

GEO. C. PERKINS, Governor.

Mr. Del Valle moved that Senate messages be taken up.
So ordered.

SENATE MESSAGE.

The following message from the Senate was read:

SENATE CHAMBER, SACRAMENTO, April 1st, 1880.

MR. SPEAKER: I am directed to inform your honorable body that the Senate, on March

thirtieth, passed Senate Bill No. 362—An Act to provide for the organization, incorporation, and government of merged and consolidated cities and counties of more than one hundred thousand population, pursuant to the provisions of section seven, article eleven, of the Constitution of this State.

And, on March thirty-first, passed Senate Bill No. 319—An Act to provide for the establishment of salmon hatching works on some tributary of the San Joaquin River, and to make an appropriation therefor.

Also, Senate Bill No 408—An Act to amend section ten of the Political Code, defining legal holidays

Also, Senate Bill No. 409—An Act to amend section seven of the Civil Code, defining legal holidays

Also, Senate Bill No. 410—An Act to amend section ten of the Code of Civil Procedure, defining legal holidays.

Also, Senate Bill No. 317—An Act to amend section one thousand seven hundred and twenty-six of the Code of Civil Procedure, relating to the duties of Public Administrators.

Also, Senate Bill No. 395—An Act to provide for the payment of the Judges of the Superior Courts in this State

Also, Senate Bill No. 421—An Act to amend section three hundred and thirty-two of the Penal Code, relating to cheating under pretension of playing at games of chance

Also, Senate Bill No. 157—An Act to punish willful misrepresentation by life insurance companies and their agents.

Also, Senate Bill No. 298—An Act to authorize the Boards of Supervisors of the several counties of this State to transfer certain funds.

Also, Senate Bill No. 367—An Act to repeal an Act entitled "An Act to create a drainage district to be called the Sacramento River Drainage District, to establish a Board of Commissioners therefor, and to define their powers and duties," approved April first, eighteen hundred and seventy-eight

Also, Senate Bill No. 339—An Act to abolish the payment of bounties for the destruction of gophers in Merced County.

Also, Senate Bill No. 473—An Act to empower and direct the Trustees of Levee District Number One of Sacramento County to pay certain indebtedness outstanding against the late Swamp Land District Number Two Hundred and Eighty-seven, contracted for repairs upon levee.

Also, Senate Bill No 391—An Act to amend section one thousand one hundred and sixty-one of the Code of Civil Procedure, relating to summary proceedings for obtaining possession of real property.

Also, Senate Bill No 423—An Act to provide for the payment of Coroner's inquests held at the State Prisons of the State.

Also, Senate Bill No 444—An Act to amend section three hundred and seventy of the Code of Civil Procedure, relating to parties to actions.

Also, Senate Bill No 458—An Act to provide for the deficiency in the appropriation for repairs to State Capitol building and furniture during the thirtieth fiscal year.

Also, Senate Bill No. 459—An Act to provide for the deficiency in the appropriation for traveling expenses of the State Board of Education during the thirtieth fiscal year.

Also, Senate Bill No 460—An Act to provide for the deficiency in the appropriation for the contingent expenses of the Supreme Court during the thirtieth fiscal year

Also, Senate Bill No 461—An Act to provide for the deficiency in the appropriation for arresting criminals without the limits of the State during the thirtieth fiscal year.

Also, Senate Bill No 462—An Act to provide for the deficiency in the appropriation for payment of rewards offered by the Governor during the thirtieth fiscal year.

Also, Senate Bill No. 463—An Act to appropriate money for the payment of the deficiency in the appropriation for the support of the State Normal School for the twenty-ninth and thirtieth fiscal years.

Also, Senate Bill No 464—An Act to appropriate money for the payment of the deficiency in the appropriation for the payment of rewards for the arrest and conviction of highway robbers for the twenty-ninth fiscal year.

Also, Senate Bill No. 465—An Act to appropriate money for the payment of the deficiency in the appropriation for the transportation of prisoners for the twenty-ninth fiscal year

Also, Senate Bill No. 466—An Act to appropriate money for the payment of the deficiency in the appropriation for stationery, fuel, and lights for the twenty-ninth fiscal year.

J. A. ORR, Assistant Secretary.

CONSIDERATION OF SENATE MESSAGE.

Senate Bill No. 362—An Act to provide for the organization, incorporation, and government of merged and consolidated cities and counties of more than one hundred thousand population, pursuant to the provisions of section seven, article eleven, of the Constitution of this State.

Taken up.

Speaker pro tem. Fraser in the chair.
Speaker Cowdery in the chair.

RECESS.

At twelve o'clock and fifty minutes P. M. Mr. Mathews moved the House take a recess until two o'clock P. M.
Carried.

RE-ASSEMBLED.

House re-assembled at two o'clock P. M.
Speaker Cowdery in the chair.
Roll called, and quorum present.
The reading of Senate Bill No. 362—An Act to provide for the organization, incorporation, and government of merged and consolidated cities and counties of more than one hundred thousand population, pursuant to the provisions of section seven, article two, of the Constitution of this State—resumed.
The bill read first time.
The bill referred by the Speaker to the Committee on County Governments and Municipal Corporations.
Mr. McCarty of Lake moved its reference to the San Francisco delegation.
Upon which the ayes and noes were demanded by Messrs. McCarthy, Braunhart, and McCallion.
The roll was called, and the motion was lost by the following vote:

AYES—Messrs Anthony, Bass, Braunhart, Brown of Sonoma, Burns, Carr of Yuba, Coffman, Cook, Cooper, Corcoran, DuBrutz, Frink, Gaffey, Harris, Hartson, Hershey, Hynes, Josselyn, Lane, Levee, Maguire, Mathews, Maybell, McCallion, McCarty of Lake, McCarthy of San Francisco, McDade, Picket, Sayle, Simon, Spencer, Stoddard, Valle Del, and York—34.
NOES—Messrs. Adams, Bennett, Brown of Yuba, Brusie, Camron, Carr of Sacramento, Chandler, Coleman, Downs, Estey, Felton, Finlayson, Fox, Fraser, Garibaldi, Gorley, Hardy, Leach, Leadbetter, May, McCoinas, McIntosh, Merry, Morse, Mulholland, Nelson, Sherburne, Stanley, Streeter, Sweetland, Tyler, Walker, Ward, Wason of Ventura, Young, and Mr. Speaker—37.

By Mr. Carr of Yuba:

MR SPEAKER We, a majority of your Committee on County Governments and Municipal Corporations, recommend that Assembly Bill No. 561—An Act to provide for the formation and classification of corporations for municipal purposes, and to define their powers and duties—do not pass

First—Because it contains the essential features of several water Acts that have already been defeated by the Assembly.

Second—It contains provisions in conflict with the general educational bill which has already passed both Houses of the Legislature, in regard to the adoption of text-books for city schools.

Third—That it provides for the election of a Municipal Council, or City Trustees, on a general ticket, in all cities under the first class, instead of by wards or other subdivisions as is now the general practice and wish of such cities.

And for many other reasons, which will be shown in due time.

W. W. CAMRON,
GEO. B WARD,
T. H. CARR,
J J. McDADE,
O. L. STODDARD.

SENATE MESSAGES.

Pending consideration of Senate messages, Mr. Young moved to discontinue further consideration of Senate messages at this hour.
Lost.

Senate Bill No. 319—An Act to provide for the establishment of salmon hatching works on some tributary of the San Joaquin River, and to make an appropriation therefor.

Read first time, and referred to the Committee on Fish and Game.

Senate Bill No. 408—An Act to amend section ten of the Political Code, defining legal holidays.

Read first time, and referred to the Committee on Judiciary.

Senate Bill No. 409—An Act to amend section seven of the Civil Code, defining legal holidays.

Read first time, and referred to the Committee on Judiciary.

Senate Bill No. 410—An Act to amend section ten of the Code of Civil Procedure, defining legal holidays.

Read first time, and referred to the Committee on Judiciary.

Senate Bill No. 317—An Act to amend section one thousand seven hundred and twenty-six of the Code of Civil Procedure, relating to the duties of Public Administrators.

Read first time, and referred to the Committee on Judiciary.

Senate Bill No. 395—An Act to provide for the payment of the Judges of the Superior Courts in this State.

Read first time, and referred to the Committee on Judiciary.

Senate Bill No. 421—An Act to amend section three hundred and thirty-two of the Penal Code, relating to cheating under pretension of playing at games of chance.

Read first time, and referred to the Committee on Indian Affairs.

Senate Bill No. 157—An Act to punish willful misrepresentation by life insurance companies and their agents.

Read first time, and referred to the Committee on Corporations.

Senate Bill No. 298—An Act to authorize the Board of Supervisors of the several counties of this State to transfer certain funds.

Read first time, and referred to the Committee on County Governments and Municipal Corporations.

Senate Bill No. 367—An Act to repeal an Act entitled "An Act to create a drainage district to be called the Sacramento River Drainage District, to establish a Board of Commissioners therefor, and to define their powers and duties," approved April first, eighteen hundred and seventy-eight.

Read first time, and referred to the Committee on Water Rights and Drainage.

Senate Bill No. 339—An Act to abolish the payment of bounties for the destruction of gophers in Merced County.

Read first time, and referred to the Committee on Agriculture.

Senate Bill No. 473—An Act to empower and direct the Trustees of Levee District Number One of Sacramento County to pay certain indebtedness outstanding against the late Swamp Land District Number Two Hundred and Eighty-seven contracted for repairs upon levee.

Read first time, and referred to the Committee on Claims.

Senate Bill No. 391—An Act to amend section one thousand one hundred and sixty-one of the Code of Civil Procedure, relating to summary proceedings for obtaining possession of real property.

Read first time, and referred to the Committee on Judiciary.

Senate Bill No. 423—An Act to provide for the payment of Coroner's inquests held at the State Prisons of the State.

Read first time, and referred to the Committee on Judiciary.

Senate Bill No. 444—An Act to amend section three hundred and seventy of the Code of Civil Procedure, relating to parties to actions.

Read first time, and referred to the Committee on Judiciary.

Senate Bill No. 458—An Act to provide for the deficiency in the appropriation for repairs to State Capitol building and furniture during the thirtieth fiscal year.

Read first time, and referred to the Committee on Ways and Means.

Senate Bill No. 459—An Act to provide for the deficiency in the appropriation for traveling expenses of the State Board of Education during the thirtieth fiscal year.

Read first time, and referred to the Committee on Ways and Means.

Senate Bill No. 460—An Act to provide for the deficiency in the appropriation for the contingent expenses of the Supreme Court during the thirtieth fiscal year.

Read first time, and referred to the Committee on Ways and Means

Senate Bill No. 461—An Act to provide for the deficiency in the appropriation for arresting criminals without the limits of the State during the thirtieth fiscal year.

Read first time, and referred to the Committee on Ways and Means.

Senate Bill No. 462—An Act to provide for the deficiency in the appropriation for payment of rewards offered by the Governor during the thirtieth fiscal year.

Read first time, and referred to the Committee on Ways and Means

Senate Bill No. 463—An Act to appropriate money for the payment of the deficiency in the appropriation for the support of the State Normal School for the twenty-ninth and thirtieth fiscal years.

Read first time, and referred to the Committee on Ways and Means.

Senate Bill No. 464—An Act to appropriate money for the payment of the deficiency in the appropriation for the payment of rewards for the arrest and conviction of highway robbers for the twenty-ninth fiscal year.

Read first time, and referred to the Committee on Ways and Means.

Senate Bill No. 465—An Act to appropriate money for the payment of the deficiency in the appropriation for the transportation of prisoners for the twenty-ninth fiscal year.

Read first time, and referred to the Committee on Ways and Means.

Senate Bill No. 466—An Act to appropriate money for the payment of the deficiency in the appropriation for stationery, fuel, and lights for the twenty-ninth fiscal year.

Read first time, and referred to the Committee on Ways and Means.

The following message from the Senate was read:

SENATE CHAMBER, SACRAMENTO, April 2d, 1880.

MR. SPEAKER I am directed to inform your honorable body that the Senate, on April first, passed Senate Bill No 329—An Act to provide for the compensation of the officers and persons performing duties and incurring expense under "An Act to create a drainage district to be called the Sacramento River Drainage District, and to establish a Board of Commissioners

therefor, and to define their powers and duties," approved April first, eighteen hundred and seventy-eight

Also, Senate Bill No. 210—An Act to regulate the charges upon telegraph lines, and to prevent extortion by owners of telegraph lines

Also, Senate Bill No 63—An Act to provide for the speedy completion of the Branch State Prison at Folsom.

Also, Senate Bill No 242—An Act to amend section six hundred and twenty-six of the Penal Code, relating to the violation of laws for the preservation of fish and game.

Also, on March twenty-sixth, refused to pass Assembly Bill No. 94—An Act to legalize and validate the assessment and assessment roll for State, county, and consolidated city and county taxes of the various counties of the State for the fiscal year eighteen hundred and seventy-nine and eighteen hundred and eighty

Also, refused to pass Assembly Bill No 120—An Act to amend section seven hundred and two of an Act entitled "An Act to establish a Code of Civil Procedure," approved March eleventh, eighteen hundred and seventy-two, in relation to redemption of property sold under execution.

J. A. ORR, Assistant Secretary.

Consideration of Senate message above.

Senate Bill No. 329—An Act to provide for the compensation of the officers and persons performing duties and incurring expense under an Act to create a drainage district to be called the Sacramento River Drainage District, and to establish a Board of Commissioners therefor, and to define their powers and duties, approved April first, eighteen hundred and seventy-eight.

Read first time, and referred to the Committee on Claims.

Senate Bill No. 210—An Act to regulate the charges upon telegraph lines, and to prevent extortion by owners of telegraph lines.

Read first time, and referred to the Committee on Corporations

Senate Bill No. 63—An Act to provide for the speedy completion of the State Prison at Folsom.

Read first time, and referred to the Committee on Ways and Means.

Senate Bill No. 242—An Act to amend section six hundred and twenty-six of the Penal Code, relating to the violation of laws for the preservation of fish and game.

Read first time, and referred to the Committee on Fish and Game.

Mr. Lane moved that all bills that were the order of the day for this day be made the order of the day for to-morrow.

Carried.

The following message from the Senate was read:

SENATE CHAMBER, SACRAMENTO, April 2d, 1880

MR. SPEAKER: I am directed to inform your honorable body that the Senate, on April second, concurred in Assembly amendments to Senate Bill No. 399—An Act to amend sections one thousand five hundred and seventeen, one thousand five hundred and twenty-one, one thousand five hundred and thirty-two, one thousand five hundred and forty-three, one thousand five hundred and forty-five, one thousand five hundred and forty-eight, one thousand five hundred and fifty, one thousand five hundred and fifty-one, one thousand five hundred and seventy-seven, one thousand five hundred and ninety-three, one thousand five hundred and ninety-seven, one thousand five hundred and ninety-eight, one thousand six hundred, one thousand six hundred and eleven, one thousand six hundred and sixteen, one thousand six hundred and seventeen, one thousand six hundred and nineteen, one thousand six hundred and twenty, one thousand six hundred and twenty-one, one thousand six hundred and twenty-two, one thousand six hundred and twenty-four, one thousand six hundred and sixty-two, one thousand six hundred and sixty-three, one thousand six hundred and sixty-five, one thousand six hundred and sixty-six, one thousand six hundred and ninety-six, one thousand seven hundred and one, one thousand seven hundred and twelve, one thousand seven hundred and fifteen, one thousand seven hundred and sixty-eight, one thousand seven hundred and sixty-nine, one thousand seven hundred and seventy, one thousand seven hundred and seventy-one, one thousand seven hundred and seventy-two, one thousand seven hundred and seventy-four one thousand seven hundred and seventy-five, one thousand seven hundred and eighty-seven, one thousand seven hundred and eighty-eight, one thousand seven hundred and ninety, one thousand seven hundred and ninety-one, one thousand eight hundred and seventeen, one thousand eight hundred and eighteen, one thousand eight hundred and thirty-four, one thousand eight

hundred and thirty-five, one thousand eight hundred and thirty-six, one thousand eight hundred and thirty-seven, one thousand eight hundred and fifty-seven, one thousand eight hundred and fifty-eight, one thousand eight hundred and fifty-nine, one thousand eight hundred and sixty-one, one thousand eight hundred and sixty-nine, one thousand eight hundred and seventy-one, one thousand eight hundred and seventy-four, and to repeal sections one thousand six hundred and fifty-two, one thousand six hundred and sixty-nine, one thousand six hundred and seventy, one thousand seven hundred and forty-one, one thousand seven hundred and forty-two, one thousand seven hundred and forty-three, one thousand seven hundred and forty-four, one thousand seven hundred and forty-five, one thousand seven hundred and forty-six, one thousand seven hundred and forty-seven, one thousand seven hundred and forty-eight, one thousand seven hundred and forty-nine, one thousand seven hundred and fifty, one thousand seven hundred and fifty-one, one thousand seven hundred and fifty-two, one thousand seven hundred and fifty-three, one thousand seven hundred and fifty-four, one thousand seven hundred and fifty-five, one thousand seven hundred and fifty-seven, one thousand seven hundred and fifty-eight, one thousand seven hundred and seventy-seven, one thousand seven hundred and ninety-three, one thousand eight hundred and thirty-eight, one thousand eight hundred and forty, one thousand eight hundred and forty-one, one thousand eight hundred and forty-two, one thousand eight hundred and forty-three, one thousand eight hundred and forty-four, one thousand eight hundred and forty-five, one thousand eight hundred and forty-six, one thousand eight hundred and forty-seven, one thousand eight hundred and forty-eight, one thousand eight hundred and forty-nine, one thousand eight hundred and fifty, one thousand eight hundred and fifty-one one thousand eight hundred and fifty-two and one thousand eight hundred and seventy-two, of the Political Code, and to add five new sections thereto, to be known as sections one thousand five hundred and sixty-five, one thousand five hundred and eighty-three, one thousand seven hundred and three, one thousand seven hundred and four, and one thousand eight hundred and seventy-nine.

And on March twenty-ninth, passed Senate Bill No. 246—An Act to provide for the election of Trustees in swamp or reclamation districts, in cases where there is no acting Board, and to provide for future elections or appointments of Trustees in such districts.

Also, passed Assembly Bill No. 97—An Act to prohibit the sale of intoxicating liquors in the State Capitol Building.

Also, passed on April first, Senate Concurrent Resolution No 15—Relative to railroad companies and land patents

Also, on April first, indefinitely postponed Assembly Bill No. 23—An Act to amend section one thousand four hundred and fifty-two of the Code of Civil Procedure, in relation to limitations of actions brought by heirs and devisees

Also, on April second, passed Senate Bill No 550—An Act to provide a contingent fund for the use of the Senate.

Also, Senate Bill No. 55—An Act entitled an Act fixing the compensation of members, officers, and employes of the Legislature

Also, Senate Bill No. 418—An Act to regulate the sale of certain poisonous substances.

Also, passed Senate Bill No. 469—An Act to provide for the deficiency in the appropriation for repairs to State Capitol building and furniture during the thirty-first fiscal year.

Also, on March twenty-ninth, amended, and on April second passed, Assembly Bill No. 392—An Act to authorize Boards of Supervisors to employ a deputy in certain cases.

Also, Senate Bill No. 289—An Act to amend section five hundred and thirty-nine of the Code of Civil Procedure, relating to writs of attachment.

Also, Senate Bill No 275—An Act to provide for the erection of buildings and improvements for the Deaf and Dumb and Blind Asylum.

Also, Senate Bill No. 286—An Act to confirm power upon Boards of Supervisors of cities containing more than one hundred thousand inhabitants, to extend and complete all main intercepting sewers heretofore partially constructed.

Also, Senate Bill No 396—An Act to amend section five hundred and forty-two of the Code of Civil Procedure, relating to the levy of attachments.

And passed Assembly Bill No. 55—An Act to amend sections two hundred and thirty-five and two hundred and sixty-six of an Act entitled "An Act to establish a Political Code," approved March twelfth, eighteen hundred and seventy-two, relating to the meeting of the Legislature, and the compensation of its members

Also, on March twenty-ninth, amended, and on April second passed, Assembly Bill No 144—An Act to amend an Act entitled "An Act regulating the sale of mineral lands belonging to the State," approved March twenty-eighth, eighteen hundred and seventy-four.

Also, on March twenty-ninth, amended, and on April second passed, Assembly Bill No. 146—An Act to amend an Act entitled "An Act concerning the selection and sale of University lands," approved March thirteenth, eighteen hundred and seventy-four.

Also, passed Assembly Bill No 228—An Act to repeal an Act entitled an Act in relation to the office of Court Commissioner of San Joaquin County, approved March twelfth, eighteen hundred and seventy.

Also, Assembly Bill No. 224—An Act to amend sections one thousand two hundred and forty-six, one thousand two hundred and forty-eight, and one thousand two hundred and fifty-two, of the Penal Code, relative to appeals to the Supreme Court.

Also, passed Senate Bill No. 430—An Act releasing to Wm. Scholle and his assigns certain lands in San Francisco, and authorizing the Governor to make conveyance thereof.

JAMES A. ORR, Assistant Secretary.

Consideration of Senate message above.

Senate Bill No. 246—An Act to provide for the election of Trustees in swamp or reclamation districts in cases where there is no acting Board, and to provide for future elections or appointment of Trustees in such districts.

Read first time, and referred to the Committee on Swamp and Overflowed Lands.

Senate Concurrent Resolution No. 15—Relative to railroad companies and land patents.

Read first time, and referred to the Committee on Corporations.

Senate Bill No. 550—An Act to provide a Contingent Fund for the use of the Senate.

Read first time, and referred to the Committee on Ways and Means.

Senate Bill No. 55—An Act entitled an Act fixing the compensation of members, officers, and employés of the Legislature.

Read first time, and referred to the Committee on Retrenchment.

Senate Bill No. 418—An Act to regulate the sale of certain poisonous substances.

Read first time, and referred to the Committee on State Hospitals

Senate Bill No. 469—An Act to provide for the deficiency in the appropriation for repairs to State Capitol building and furniture during the thirtieth fiscal year.

Read first time, and referred to the Committee on Ways and Means.

Senate Bill No. 289—An Act to amend section five hundred and thirty-nine of the Code of Civil Procedure, relating to writs of attachment

Read first time, and referred to the Committee on Judiciary.

Senate Bill No. 286—An Act to confer power upon Boards of Supervisors of cities containing more than one hundred thousand inhabitants, to extend and complete all main intercepting sewers heretofore partially constructed.

Read first time, and referred to the Committee on County Governments and Municipal Corporations.

Senate Bill No. 396—An Act to amend section five hundred and forty-two of the Code of Civil Procedure, relating to the levy of attachments.

Read first time, and referred to the Committee on Judiciary.

Senate Bill No. 275—An Act to provide for the erection of buildings and improvements for the Deaf and Dumb and Blind Asylum.

Read first time, and referred to the Committee on Public Buildings and Grounds.

Senate Bill No. 430—An Act releasing to William Scholle and his assigns certain lands in San Francisco, and authorizing the Governor to make conveyance thereof.

Read first time, and referred to Committee on Judiciary.

The following message from the Senate was read:

SENATE CHAMBER, SACRAMENTO, April 3d, 1880.

MR. SPEAKER I am directed to inform your honorable body that the Senate, on April 2d, passed Senate Bill No. 315—An Act to regulate the issuance of certificates of stock to corporations incorporated under the laws of this State

Also, passed Senate Bill No. 383—An Act to establish a Branch State Normal School.

J. A. ORR, Assistant Secretary.

Consideration of Senate message above.

Senate Bill No. 315—An Act to regulate the issuance of certificates of stock of stock companies incorporated under the laws of this State.

Read first time, and referred to the Committee on Corporations.

Senate Bill No. 383—An Act to establish a Branch State Normal School.

Read first time.

Mr. Del Valle moved that the bill go to the file.

So ordered.

The following message from the Senate was read:

SENATE CHAMBER, SACRAMENTO, April 5th, 1880.

MR SPEAKER I am directed to inform your honorable body that the Senate, on April second, amended, and on this day passed, Assembly Bill No. 210—An Act to amend sections eight hundred and twenty-five and eight hundred and sixty-nine of the Penal Code, relating to proceedings in criminal actions prosecuted by indictment.

Also, that the Senate concurred in all Assembly amendments to Senate Bill No. 39.

J. A ORR, Assistant Secretary.

Consideration of Senate message above.

Assembly Bill No. 144—An Act to amend an Act entitled an Act regulating the sale of mineral lands belonging to the State, approved March twenty-eighth, eighteen hundred and seventy-four.

Taken up.

Senate amendments were read.

The roll was called, and the Senate amendments thereto concurred in by the following vote:

AYES—Messrs. Adams, Brooks, Brown of Yuba, Brusie, Carr of Sacramento, Chamberlain, Coffman, Coleman, Corcoran, Downs, Felton, Finlayson, Fox, Fraser, Green, Hardy, Harris, Hershey, Lane, Leach, Leadbetter, Levee, Maguire, Mathews, May, McCarty of Lake, McComas, Merry, Messenger, Morse, Nelson, Picket, Sherburne, Spencer, Stanley, Stoddard, Streeter, Tyler, Walker, Ward, Wason of Ventura, Wattson, Young, and Mr. Speaker—44.

NOES—Messrs. Anthony, Burns, DuBrutz, Gaffey, Hynes, Josselyn, Maybell, McCallion, Mulholland, and Sayle—10.

Assembly Bill No. 210—An Act to amend sections eight hundred and twenty-five and eight hundred and sixty-nine of the Penal Code, relating to proceedings in criminal actions prosecuted by indictment.

Taken up.

Senate amendments were read.

The roll was called, and the Senate amendments to the bill were concurred in by the following vote:

AYES—Messrs. Adams, Anthony, Bass, Bennett, Braunhart, Brooks, Brown of Yuba, Bruner, Brusie, Camron, Carr of Sacramento, Chamberlain, Chandler, Coffman, Coleman, Cook, Cooper, Corcoran, Downs, Felton, Fox, Fraser, Green, Hardy, Hershey, Hynes, Josselyn, Leach, Maguire, Mathews, May, McCallion, McCarty of Lake, McComas, Merry, Messenger, Morse, Mulholland, Picket, Sayle, Sherburne, Spencer, Stanley, Streeter, Tyler, Walker, Ward, Wason of Ventura, Young, and Mr. Speaker—50.

NOES—None.

Assembly Bill No. 146—An Act to amend an Act entitled an Act concerning the selection and sale of University lands, approved March thirteenth, eighteen hundred and seventy-four.

Taken up.

Senate amendments to the title read, and concurred in.

Senate amendments to the bill were read, and concurred in by the following vote:

AYES—Messrs. Adams, Anthony, Bass, Bennett, Brooks, Brown of Sonoma, Brown of Yuba Bruner, Brusie, Carr of Sacramento, Chandler, Coffman, Coleman, Cook, Cooper, Corcoran,

Downs, Finlayson, Fox, Fraser, Hartson, Hershey, Hynes, Josselyn, Leach, Leadbetter, Maguire, Mathews, May, McCallion, McCarty of Lake, McComas, Merry, Morse, Mulholland, Picket, Sayle, Simon, Sherburne, Spencer, Stanley, Stoddard, Streeter, Tyler, Walker, Ward, Wason of Ventura, Young, and Mr. Speaker—49

NOES—Mr. DuBrutz—1

Assembly Bill No. 392—An Act to authorize Boards of Supervisors to employ a deputy in certain cases.

Taken up.

Senate amendments to the title were read and concurred in.

Senate amendments to the bill were read

The roll was called, and the Senate amendments to the bill were concurred in by the following vote:

AYES—Messrs. Adams, Anthony, Bass, Bennett, Brooks, Brown of Sonoma, Brown of Yuba, Bruner, Brusie, Carr of Sacramento, Chamberlain, Chandler, Coffman, Coleman, Cooper, Corcoran, Downs, DuBrutz, Estey, Fox, Fraser, Frink, Green, Hardy, Hershey, Hynes, Lane, Leach, Leadbetter, Levee, Maguire, Mathews, May, McCallion, McCarty of Lake, McCarthy of San Francisco, McComas, Merry, Messenger, Mulholland, Nelson, Picket, Sayle, Simon, Sherburne, Spencer, Stanley, Stoddard, Tyler, Valle Del, Walker, Ward, Wason of Ventura, Wattson, York, Young, and Mr. Speaker—57.

NOES—None.

The following Senate message was read.

SENATE CHAMBER, SACRAMENTO, April 5th, 1880.

MR SPEAKER I am directed to inform your honorable body that the Senate, on this day, concurred in all Assembly amendments to Senate Bill No. 174, except numbers two and ten, and respectfully ask Assembly to recede from those two.

J. A ORR, Assistant Secretary.

The bill above mentioned was taken up.

Assembly amendment number two was read, and the House receded therefrom by the following vote:

AYES—Messrs. Adams, Anthony, Bass, Bennett, Brooks, Brown of Yuba, Bruner, Carr of Sacramento, Chamberlain, Chandler, Coleman, Cook, Cooper, Downs, Estey, Finlayson, Fox, Fraser, Frink, Garibaldi, Hardy, Harris, Hartson, Hershey, Leach, Leadbetter, Maguire, Mathews, May, McCarthy of San Francisco, McComas, Merry, Mulholland, Nelson, Picket, Sherburne, Stanley, Stoddard, Tyler, Valle Del, Walker, Ward, York, Young, and Mr Speaker—45.

NOES—Messrs. Brown of Sonoma, DuBrutz, Green, Hynes, McCarty of Lake, Messenger, Morse, Sayle, and Spencer—9.

Assembly amendment number ten was read, and the House refused to recede therefrom.

The Speaker appointed on the part of the House, as members of a Committee on Free Conference on the above bill, Messrs Del Valle, Fox, and Hardy.

Mr. McCarthy of San Francisco presented a protest.

The protest was read, and ruled out of order by the Speaker.

Mr. Braunhart, seconded by Mr. McCallion, appealed from the decision of the Chair.

The question being, "Shall the decision of the Chair stand as the judgment of the House?" the roll was called, and the Speaker's decision was sustained by the following vote:

AYES—Messrs Adams, Anthony, Bennett, Brooks, Brown of Yuba, Bruner, Cannon, Carr of Sacramento, Chamberlain, Chandler, Coffman, Coleman, Cook, Cooper, Corcoran, Dimond, Downs, Estey, Felton, Finlayson, Fox, Fraser, Frink, Garibaldi, Hardy, Hershey, Hynes, Josselyn, Leach, Leadbetter, Levee, Maguire, Mathews, May, McCarty of Lake, McComas, McIntosh, Merry, Messenger, Morse, Mulholland, Nelson, Sayle, Sherburne, Stanley, Stoddard, Sweetland, Tyler, Valle Del, Walker, Ward, Wattson, York, and Young—55.

NOES—Messrs. Braunhart, Burns, Gaffey, Maybell, McCallion, McCarthy of San Francisco, McDade, Picket, Simon, and Spencer—10

RECESS.

The House then took a recess until seven o'clock P. M.

RE-ASSEMBLED.

The House re-assembled at seven o'clock P. M.
Speaker Cowdery in the chair.
Roll called, and quorum present.

FIRST READING AND REFERENCE OF BILLS.

Assembly Bill No. 571—An Act to amend section one thousand two hundred and seventy-five of the Civil Code, in relation to wills.

Read first time, and referred to the Committee on Judiciary.

Assembly Bill No. 584—An Act to amend section one thousand six hundred and eighteen of the Code of Civil Procedure, relating to the compensation of executors and administrators.

Read first time, and referred to Committee on Judiciary.

Mr Hartson moved that Senate Bill No. 251—An Act to add five new sections to the Political Code, providing for funding and refunding county indebtedness—be taken up.

Carried.

The bill read second time, and ordered to third reading.

Mr. McIntosh moved that Senate Bill No. 366—An Act to amend section six hundred and seven of the Penal Code, relating to malicious mischief—be taken up.

Carried.

The bill read second time.

Amendments recommended by the committee adopted, and the bill ordered to third reading.

Mr. Wason of Ventura moved that Assembly Bill No. 580—An Act to protect the school districts of the State from injury during the year eighteen hundred and eighty by the operation of section twelve of article thirteen of the Constitution—be taken up.

Carried.

Mr. Mathews moved that when the above bill is disposed of the House take up the third reading file and consider the bills therein in order

Carried.

Assembly Bill No. 580—An Act to protect the school districts of the State from injury during the year eighteen hundred and eighty by the operation of section twelve of article thirteen of the Constitution.

Read second time, and ordered to third reading, to be placed at the head of third reading file.

Mr McCarthy had permission to withdraw his notice of notice to reconsider the vote by which the House passed Assembly Bill No. 489 on Saturday last.

THIRD READING OF BILLS.

Assembly Bill No. 323—An Act to amend sections one thousand and forty-one, one thousand and fifty-three, one thousand and fifty-five, one thousand and eighty-three, one thousand and eighty-four,

one thousand and ninety-seven, one thousand one hundred and six, one thousand one hundred and eight, one thousand one hundred and nine, one thousand one hundred and thirteen, one thousand one hundred and thirty, one thousand one hundred and forty-seven, one thousand two hundred and twenty-eight, one thousand two hundred and thirty, one thousand two hundred and thirty-two, one thousand two hundred and thirty-five, one thousand two hundred and thirty-six, one thousand two hundred and thirty-seven, one thousand two hundred and eighty-four, one thousand two hundred and eighty-eight, one thousand three hundred and ten, one thousand three hundred and eleven, and one thousand three hundred and forty-three, of the Political Code, relating to elections, and to repeal section one thousand and forty-two of said Code.

Taken up.

Mr. McCarthy moved to amend section seven, subdivision three, by striking out the words "and Court."

Upon which the ayes and noes were demanded by Messrs. Lane, Maybell, and Sinon.

The roll was called, and the amendment was lost by the following vote:

AYES—Messrs. Anthony, Brown of Sonoma, Burns, Carr of Yuba, Coffman, Cooper, Cuthbert, Dimond, DuBrutz, Gaffey, Harris, Hershey, Hynes, Josselyn, Lane, Magune, Mathews, Maybell, McCallion, McCarty of Lake, McCarthy of San Francisco, McDade, Picket, Sayle, Sinon, Sherburne, Spencer, and Sweetland—28.

NOES—Messrs. Adams, Bass, Bennett, Brooks, Brown of Yuba, Bruner, Brusie, Cannon, Carr of Sacramento, Chamberlain, Chandler, Coleman, Cook, Downs, Estey, Felton, Finlayson, Fox, Fraser, Frink, Garibaldi, Green, Hardy, Hartson, Leach, Leadbetter, May, McComas, McIntosh, Merry, Messenger, Morse, Mulholland, Nelson, Stanley, Stoddard, Streeter, Tyler, Valle Del, Walker, Ward, Wason of Ventura, Wasson of Mono, Wattson, York, Young, and Mr. Speaker—47.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Adams, Anthony, Bass, Bennett, Brooks, Brown of Sonoma, Brown of Yuba, Bruner, Brusie, Cannon, Carr of Sacramento, Chamberlain, Chandler, Coleman, Cook, Cuthbert, Dimond, Downs, Estey, Felton, Finlayson, Fox, Fraser, Frink, Garibaldi, Green, Hardy, Hartson, Leach, Leadbetter, May, McCarty of Lake, McComas, McIntosh, Merry, Messenger, Morse, Mulholland, Nelson, Sherburne, Stanley, Stoddard, Streeter, Tyler, Valle Del, Walker, Ward, Wason of Ventura, Wattson, York, Young, and Mr. Speaker—53.

NOES—Messrs. Burns, Cooper, DuBrutz, Gaffey, Harris, Hershey, Hynes, Josselyn, Lane, Magune, Mathews, Maybell, McCallion, McCarthy of San Francisco, McDade, Picket, Sayle, Sinon, Spencer, and Sweetland—20.

Title amended, and approved as amended.

REPORT OF A STANDING COMMITTEE.

By Mr. Brooks:

MR. SPEAKER: Your Committee on Enrollment respectfully report that the following Assembly bills have been correctly enrolled: No. 36—An Act to amend sections sixty-nine, seventy, eighty, one hundred and thirty-seven, two hundred and twenty-six, two hundred and forty-three, two hundred and forty-four, two hundred and forty-nine, two hundred and fifty-three, two hundred and fifty-eight, two hundred and sixty-five, two hundred and seventy-three, five hundred and ninety-three, five hundred and ninety-six, five hundred and ninety-eight, six hundred and two, one thousand two hundred and forty-one, one thousand two hundred and forty-five, one thousand two hundred and forty-seven, one thousand two hundred and sixty-five, one thousand three hundred and sixty-three, one thousand three hundred and sixty-four, two thousand two hundred and eighty-three, two thousand two hundred and eighty-seven, and two thousand two hundred and eighty-nine, of an Act entitled "An Act to establish a

Civil Code," approved March twenty-first, eighteen hundred and seventy-two, conferring upon the Superior Courts, their Judges or officers the jurisdiction and authority heretofore exercised in certain cases by the Courts abolished by the Constitution, their Judges or officers

No 48—An Act to amend an Act entitled "An Act relating to mutual, beneficial, and relief associations," approved March twenty-eighth, eighteen hundred and seventy-four

And the same were, at ten o'clock A. M. this day, April fifth, eighteen hundred and eighty, presented to the Governor for his approval.

BROOKS, Chairman

THIRD READING OF BILLS—RESUMED.

Senate Bill No. 94—An Act to amend sections two hundred and sixty-five and two hundred and sixty-six of the Code of Civil Procedure, relating to ministerial officers of the Supreme Court.

Taken up, and, on motion of Mr. Fox, indefinitely postponed.

Senate Bill No. 218—An Act to prohibit the issuance of licenses to aliens not eligible to become electors of the State of California.

Read third time

The roll was called, and the bill was passed by the following vote:

AYES—Messrs. Adams, Anthony, Bass, Braunhart, Brown of Sonoma, Burns, Carr of Sacramento, Carr of Yuba, Chamberlain, Coleman, Cook, Cooper, Corcoran, Cuthbert, Dimond, Downs, DuBrutz, Estey, Finlayson, Fraser, Frink, Garibaldi, Gaffey, Green, Hardy, Harris, Hartson, Hershey, Hynes, Josselyn, Lane, Leadbetter, Maguire, Maybell, McCallion, McCarty of Lake, McCarthy of San Francisco, McComas, Merry, Messenger, Mulholland, Picket, Savle, Simon, Sherburne, Spencer, Stanley, Stoddard, Streeter, Sweetland, Valle Del, Walker, Wason of Ventura, and Young—54.

NOES—Messrs Bennett, Brooks, Brown of Yuba, Bruner, Brusie, Chandler, Fox, Leach, McIntosh, Nelson, Tyler, Wattson, and York—13

Title approved.

REPORT OF THE COMMITTEE ON ENGROSSMENT.

By Mr. Sherburne.

ASSEMBLY CHAMBER, April 5th, 1880

MR SPEAKER Your Committee on Engrossment have examined, and find correctly re-engrossed, Assembly Bill No 144—An Act to amend an Act entitled an Act regulating the sale of mineral lands belonging to the State, approved March twenty-eighth, eighteen hundred and seventy-four

SHERBURNE, Chairman.

THIRD READING OF BILLS—RESUMED.

Assembly Bill No 260—An Act to amend an Act entitled "An Act to organize Levee District Number One of Sacramento County, and to provide for its government,' approved March thirtieth, eighteen hundred and seventy-eight.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs Adams, Bass, Bennett, Brooks, Brown of Sonoma, Brown of Yuba, Bruner, Brusie, Cannon, Carr of Sacramento, Carr of Yuba, Chamberlain, Chandler, Coffman, Coleman, Cooper, Cuthbert, Dimond, Downs, Estey, Felton, Finlayson, Fraser, Frink, Garibaldi, Green, Hardy, Hartson, Leach, Leadbetter Mathews, May, McCarty of Lake, McCarthy of San Francisco, McComas, McDade, McIntosh, Merry, Messenger, Morse, Mulholland, Nelson, Savle, Simon, Sherburne, Spencer, Stanley, Stoddard, Sweetland, Valle Del, Walker, Ward, Wason of Ventura, Wattson, York, Young, and Mr. Speaker—58.

NOES—Messrs. Anthony, Burns, Corcoran, DuBrutz, Fox, Harris, Josselyn, Lane, Maguire, Maybell, McCallion, and Tyler—12.

Title approved.

Mr. May moved that Assembly Bill No. 499 be again ordered printed.

So ordered.

Assembly Joint Resolution No 11—Asking Congressional aid in behalf of a large number of settlers upon government land in what is known as the "Mussel Slough District," in Tulare County, California.

Read third time, and passed.

Assembly Bill No. 577—An Act to provide for the payment of the salaries and traveling expenses of the State Board of Equalization, and the Clerk thereof, and for postage and contingent expenses of said Board for the thirty-first fiscal year ending June thirtieth, eighteen hundred and eighty.

Taken up.

Rules suspended.

The bill considered in the Assembly.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs Adams, Anthony, Bass Bennett, Brooks, Brown of Sonoma, Brusie, Burns, Carr of Sacramento, Carr of Yuba, Chamberlain, Chandler, Cook, Cooper, Corcoran, Cuthbert, DuBrutz, Estey, Fox, Fraser, Funk, Garibaldi, Gaffey, Green, Hardy, Harris, Hartson, Hershey, Hynes, Josselyn, Lane, Leach, Leadbetter, Maguire, Mathews May, Maybell, McCallion, McCarty of Lake, McCarthy of San Francisco, McComas, McIntosh, Merry, Messenger, Morse, Mulholland, Picket, Sayle, Simon, Sherburne, Spencer, Stanley, Stoddard, Streeter, Tyler, Valle Del, Walker, Ward, Wason of Ventura, Wattson, Young, and Mr. Speaker—62.

NOES—None.

Title approved.

Assembly Bill No. 357—An Act to amend an Act entitled "An Act concerning lodging houses and sleeping apartments within the limits of incorporated cities," approved April third, eighteen hundred and seventy-six.

Read third time.

The roll was called, and the bill passed by the following vote.

AYES—Messrs Anthony, Braunhart, Brown of Sonoma, Burns, Carr of Sacramento, Carr of Yuba, Coffman, Cook, Cooper, Corcoran, Cuthbert, DuBrutz, Estey, Felton, Finlayson, Fraser, Garibaldi, Gaffey, Green, Harris, Hartson, Hynes, Josselyn, Lane, Leadbetter, Maguire, May, Maybell, McCallion, McCarty of Lake, Merry, Morse, Picket, Simon, Stoddard, Sweetland, Valle Del, Walker, Ward, Wason of Ventura, and Young—41

NOES—Messrs Adams, Bass, Bennett, Brooks, Brusie, Chamberlain, Chandler, Downs, Hershey, Leach, Mathews, McIntosh, Sayle, Sherburne, Spencer, Stanley, Streeter, Tyler, and York—18.

Title approved.

Assembly Bill No. 368—An Act to declare the Klamath River navigable.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs Adams, Anthony, Bass, Bennett, Braunhart, Brown of Sonoma, Bruner, Burns, Carr of Sacramento, Carr of Yuba, Chamberlain, Chandler, Coffman, Cook, Cooper, Corcoran, Downs, DuBrutz, Estey, Felton, Finlayson, Fox, Fraser, Garibaldi, Gaffey, Green, Harris, Hynes, Josselyn, Lane, Leach, Leadbetter, Maguire, Mathews, May, Maybell, McCallion, McCarty of Lake, McCarthy of San Francisco, McComas, Merry, Messenger, Morse, Mulholland, Nelson, Picket, Sayle, Simon, Sherburne, Spencer, Stanley, Stoddard, Streeter, Sweetland, Tyler, Walker, Ward, Wason of Ventura, York, and Young—60.

NOES—None.

Title approved.

Assembly Bill No. 342—An Act to add a new section to the Political Code, to be known as section three thousand three hundred and eighty-nine, in relation to the licensing of persons ineligible to citizenship under the laws of the United States, engaged in the business of raising and selling agricultural and other products of the soil.

Withdrawn.

Assembly Bill No. 311—An Act concerning passengers in vessels coming to any city or port in the State of California.

Read third time.

Roll called, and the bill passed by the following vote:

AYES—Messrs. Adams, Anthony, Bass, Braunhart, Brown of Sonoma, Bruner, Burns, Chamberlain, Chandler, Coffman, Cororan, Cuthbert, Downs, DuBrutz, Estey, Felton, Fraser, Frink, Garibaldi, Gaffey, Harris, Hershey, Hynes, Josselyn, Lane, Leadbetter, Maguire, Mathews, May, Maybell, McCallion, McCarty of Lake, McCarthy of San Francisco, McIntosh, Messenger, Picket, Simon, Sherburne, Spencer, Stanley, Stoddard, Streeter, Sweetland, Tyler, Valle Del, Walker, Ward, Wason of Ventura, Wason of Mono, York, and Young—51

NOES—Messrs Bennett, Brusie, Carr of Sacramento, Leach, Morse, and Nelson—6.

Title approved.

Mr. Tyler gave notice of a motion to reconsider the vote by which the House passed the above bill.

Assembly Bill No 352—An Act prohibiting any company or corporation whose business is to supply illuminating gas, or water, for public use, from charging their consumers for pipes communicating with such company or corporation supply pipes, or street mains, and the line of the street, or sidewalk curb fronting the premises to be supplied, and there making connection with the pipe of the consumer.

Read third time.

Pending the calling of the roll, Mr. Braunhart moved a call of the House.

Lost.

The roll was called, and the bill was refused passage by the following vote:

AYES—Messrs Anthony, Bennett, Braunhart, Brooks, Brown of Sonoma, Burns, Carr of Yuba, Coffman, Cororan, Cuthbert, DuBrutz, Estey, Gaffey, Green, Harris, Harrison, Hershey, Hynes, Josselyn, Lane, Leadbetter, Maguire, Maybell, McCallion, McCarty of Lake, McCarthy of San Francisco, McDade, McIntosh, Merry, Messenger, Mulholland, Picket, Simon, Sherburne, Spencer, Stanley, Stoddard, Sweetland, and Valle Del—39

NOES—Messrs. Bass, Brown of Yuba, Bruner, Brusie, Carr of Sacramento, Coleman, Downs, Felton, Finlayson, Fox, Fraser, Frink, Garibaldi, Mathews, McComas, Morse, Nelson, Tyler, Walker, and Young—20.

Mr. Braunhart gave notice that he would, to-morrow, move to reconsider the vote by which the bill was refused passage.

ADJOURNMENT.

At ten o'clock and ten minutes P. M. Mr. Mathews moved to adjourn.

Carried.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Tuesday, April 6th, 1880.

House met pursuant to adjournment.
Speaker Cowdery in the chair.
Roll called, and quorum present.
Prayer by the Chaplain.

READING AND APPROVAL OF THE JOURNAL.

Mr. Frink moved that the further reading of the Journal be dispensed with
So ordered.
Journal of Saturday approved.

PETITIONS.

By Mr. Coleman—A petition from ex-soldiers, sailors, and citizens of Alpine County, asking that the thirtieth day of May be set aside as a legal holiday.
Referred to the Judiciary Committee.
By Mr. Mathews—A petition from citizens of Tehama County, protesting against any change in the stock law of said county.
Referred to the Judiciary Committee
Speaker pro tem. Fraser in the chair.
Mr McCallion had leave to speak to a question of privilege.
Speaker Cowdery in the chair.

REPORTS OF STANDING COMMITTEES.

By Mr. Brown of Yuba:

ASSEMBLY CHAMBER, SACRAMENTO, April 6th, 1880.

MR. SPEAKER The Committee on Corporations, to whom was referred Senate Bill No 60—An Act to provide for removing officers of mining corporations by the shareholders holding a majority of the shares of stock thereof, and electing other officers—have had the same under consideration, and report the same back to the Assembly without amendment, and recommend that it do not pass, for the reason that the subject is more fully treated in Assembly Bill No 248, which has already passed this House, and is now on its passage in the Senate.
Also, Senate Bill No 221—An Act to compel railroad corporations or individuals owning railroads, to operate their roads—and report the same back with amendment, and recommend its passage as amended.

BROWN of Yuba, Chairman.

By Mr. Streeter:

ASSEMBLY CHAMBER, SACRAMENTO, April 6th, 1880.

MR SPEAKER Your Committee on County Governments, to whom was referred Senate Bill No 286—An Act to confer power upon Supervisors of cities and counties containing more than one hundred thousand inhabitants, to extend and complete all main intercepting sewers heretofore partially constructed—have had the same under consideration, and report it back to the Assembly, and recommend its passage.

STREETER, Chairman.

By Mr. Fox:

ASSEMBLY CHAMBER, SACRAMENTO, April 6th, 1880

MR. SPEAKER: Your Judiciary Committee, to whom was referred Senate Bill No. 408—An Act to amend section ten of the Political Code.
Also, Senate Bill No 409—An Act to amend section seven of the Civil Code
Also, Senate Bill No 410—An Act to amend section ten of the Code of Civil Procedure.

All defining legal holidays, have had the same under consideration, and now report the same back, with divers petitions relating to the same subject, and recommend that said bills severally do pass.

FOX, Chairman.

By Mr. Bruner:

MR SPEAKER Your Committee on Public Buildings and Grounds, to whom was referred Senate Bill No. 194—An Act to provide for the enlargement of the State Printing Office, and for the repairing and painting of the building—respectfully report that they have considered the same, and recommend its passage.

Also, Assembly Bill No 557—An Act to provide for the erection of a building for the use of Normal School—and report it back, with the recommendation that it do pass

Also, Senate Bill No. 275—An Act to provide for the erection of buildings and improvements for the Deaf and Dumb and Blind Asylum—and report it back, with the recommendation that it do pass.

BRUNER, Chairman.

By Mr. May:

MR SPEAKER Your Committee on Ways and Means, to whom was referred Senate Bill No. 63—entitled an Act to provide for the speedy completion of the Branch State Prison at Folsom.

Also, Senate Bill No. 550—entitled an Act to provide a Contingent Fund for the use of the Senate

Have considered the same, and now report them back, with the recommendation that they do pass.

MAY, Chairman.

April 6th, 1880.

By Mr. Wason of Ventura:

ASSEMBLY CHAMBER, April 6th, 1880.

MR. SPEAKER Your Committee on Education, to whom was referred Senate Bill No. 40—An Act entitled an Act to repeal an Act entitled "An Act to prevent changes in the text-books in use in the public schools," approved December thirteenth, eighteen hundred and seventy-five—have had the same under consideration, and report it back, recommending its passage.

WASON, Chairman.

By Mr. Tyler—A report from the Committee on State Prison, setting forth the condition of the Prisons of the State—recommending various changes and improvements in relation to the State Prison, also an appropriation of forty thousand dollars to complete the Branch Prison at Folsom.

The report ordered printed in the Appendix to the Journal.

Mr. Spencer moved to take up the bill relating to the Deaf and Dumb and Blind Asylum.

So ordered.

The bill below taken up.

Senate Bill No. 275—An Act to provide for the erection of building and improvements for the Deaf and Dumb and Blind Asylum.

Read second time, and ordered to third reading.

Senate Bill No. 550—An Act to provide a Contingent Fund for the use of the Senate.

Read second time.

The bill amended as recommended by the committee, and ordered to third reading.

Senate Bill No. 40—An Act to repeal an Act entitled "An Act to prevent changes in the text-books in use in the public schools," approved December thirteenth, eighteen hundred and seventy-five.

Read second time, and ordered to third reading.

Each of the above bills made the order of the day for to-morrow.

Senate Bill No. 221—An Act to compel railroad corporations or individuals owning railroads to operate their roads.

Taken up.

Read second time.

The committee amendments thereto adopted and ordered to third reading, and made the order of the day for to-morrow.

Assembly Bill No. 559—An Act to repeal an Act entitled "An Act in relation to the assessment and collection of taxes upon personal property in the City and County of San Francisco," approved March eighteenth, eighteen hundred and seventy-four.

Taken up.

Read second time, and made the order of the day for third reading to-morrow.

Mr. Tyler, pursuant to notice, moved to reconsider the vote by which the House passed Assembly Bill No. 311—An Act concerning passengers in vessels coming to any city or port in the State of California.

The roll was called, and the motion to reconsider was carried by the following vote:

AYES—Messrs Bass, Bennett, Brooks, Brown of Yuba, Brusie, Camron, Chamberlain, Chandler, Coleman, Dimond, Downs, DuBrutz, Estey, Felton, Finlayson, Fox, Frink, Garibaldi, Gorley, Hardy, Hartson, Hynes, Leach, Leadbetter, Mathews, May, McCarty of Lake, McComas, McIntosh, Merry, Morse, Mulholland, Nelson, Sherburne, Spencer, Tyler, Ward, Wason of Ventura, Wasson of Mono, Wattson, York, Young, and Mr. Speaker—43.

NOES—Messrs Adams, Anthony, Braunhart, Brunet, Carr of Sacramento, Carr of Yuba, Coffman, Cook, Cuthbert, Gaffey, Green, Hershey, Josselyn, Lane, Levee, Maguire, Mayhell, McCallion, McCarthy of San Francisco, McDade, Messenger, Picket, Simon, Stoddard, Sweetland, Valle Del, and Walker—26.

Mr. McCallion moved the bill be referred to the Committee on Chinese Immigration and Emigration with instructions.

Carried.

On motion of Mr. Estey, Senate Bill No. 233—An Act concerning the payment of the expenses and costs of the trial of convicts for crimes committed in the State Prison, and to pay the costs of the trial of escaped convicts, and to pay for the expenses of Coroner inquests in said Prison—was taken up, read second time, and ordered to third reading.

Speaker pro tem. Fraser in the chair.

The bill made the order of the day for to-morrow.

REPORT OF A STANDING COMMITTEE.

By Mr. Sherburne:

ASSEMBLY CHAMBER, April 6th, 1880

MR SPEAKER Your Committee on Engrossment have examined, and found correctly engrossed, Assembly Bill No. 489—An Act to amend sections one thousand nine hundred and seventeen, one thousand nine hundred and thirty-four, one thousand nine hundred and thirty-nine, one thousand nine hundred and forty-one, one thousand nine hundred and fifty-five, one thousand nine hundred and sixty, one thousand nine hundred and seventy-three, one thousand nine hundred and seventy-four, one thousand nine hundred and seventy-five, one thousand nine hundred and eighty-two, one thousand nine hundred and eighty-six, one thousand nine hundred and ninety, one thousand nine hundred and ninety-two, two thousand and twenty-two, two thousand and twenty-eight, two thousand and thirty-nine, two thousand and fifty-nine, two thousand and ninety-five, two thousand and ninety-nine, two thousand and seventy-seven, one thousand nine hundred and forty-two, one thousand nine hundred and seventy, one thousand nine hundred and sixty-two, one thousand nine hundred and sixty-five, two thousand and ninety-four, and two thousand one hundred and fourteen, of the Political Code of California, to repeal section one thousand nine hundred and seventy-five of said Code, approved March thirtieth, eighteen hundred and seventy-eight, and section one thousand nine hundred and ninety-one of said Code, and to add a new section to said Code, to be known and numbered as section one thousand nine hundred and seventy-seven, relating to the State militia

Also, Assembly Bill No 323—An Act to amend sections one thousand and forty-one, one thousand and fifty-three, one thousand and fifty-five, one thousand and eighty-three, one thou-

sand and eighty-four, one thousand and ninety-seven, one thousand one hundred and six, one thousand one hundred and eight, one thousand one hundred and nine, one thousand one hundred and thirteen, one thousand one hundred and thirty, one thousand one hundred and forty-seven, one thousand two hundred and twenty-eight, one thousand two hundred and thirty, one thousand two hundred and thirty-two, one thousand two hundred and thirty-three, one thousand two hundred and thirty-five, one thousand two hundred and thirty-six, one thousand two hundred and thirty-seven, one thousand two hundred and eighty-four, one thousand two hundred and eighty-five, one thousand two hundred and eighty-eight, one thousand two hundred and ninety, one thousand three hundred and ten, one thousand three hundred and eleven, and one thousand three hundred and forty-three, of the Political Code, relating to elections, and to repeal section one thousand and forty-two of said Code.

Also, Assembly Bill No. 260—An Act to amend an Act entitled an Act to organize Levee District Number One of Sacramento County, and to provide for its government, approved March thirtieth, eighteen hundred and seventy-eight.

Also, Assembly Joint Resolution No. 11—Asking congressional aid in behalf of a large number of settlers upon government land in what is known as the Mussel Slough District, in Tulare County, California.

Also, Assembly Bill No. 577—An Act to provide for the payment of the salaries and traveling expenses of the State Board of Equalization and the Clerk thereof, and for postage and contingent expenses of said Board for the thirty-first fiscal year, ending thirtieth June, eighteen hundred and eighty.

Also, Assembly Bill No. 392—An Act to enable Boards of Supervisors to authorize the employment of a deputy in certain cases.

SHERBURNE, Chairman.

Mr. Del Valle moved to make Senate Bill No. 84—An Act to organize and define the powers of the Board of Railroad Commissioners—the order of the day for to-morrow.

Carried.

Mr. Camron moved that Senate Bill No. 439—An Act to form Agricultural Districts, to provide for the organization of Agricultural Associations therein, and for the management and control of the same by the State—be taken up.

Upon which the ayes and noes were demanded by Messrs. Burns, McCarthy, and Tyler.

The roll was called, and the motion was lost by the following vote:

AYES—Messrs. Adams, Brooks, Brown of Yuba, Bruner, Brusie, Camron, Carr of Sacramento, Chamberlain, Chandler, Coffman, Coleman, Cuthbert, Downs, DuBrutz, Felton, Finlayson, Fox, Fraser, Garibaldi, Gaffey, Green, Hartson, Hershey, Hynes, Leach, Leadbetter, Magune, Mathews, May, McCarty of Lake, McDade, Morse, Mulholland, Spencer, Stanley, Sweetland, Valle Del, Walker, Ward, Wattson, York, and Young—42.

NOES—Messrs. Anthony, Bass, Bennett, Braunhart, Burns, Carr of Yuba, Cook, Cooper, Corcoran, Dimond, Estey, Hardy, Josselyn, Lane, Maybell, McCallion, McCarty of San Francisco, McComas, McIntosh, Merry, Messenger, Nelson, Picket, Simon, Sherburne, Stoddard, Tyler, and Wason of Ventura—28.

Mr. Maybell, pursuant to notice, called up Mr. Braunhart's notice to reconsider the vote by which Assembly Bill No. 352—An Act prohibiting any company or corporation whose business is to supply illuminating gas, or water, for public use, from charging their consumers for pipes communicating with such company or corporation supply pipes, or street mains, and the line of the street or sidewalk curb fronting the premises to be supplied, and there making connection with the pipe of the consumer—was refused passage.

The roll was called, and the motion to reconsider was carried by the following vote:

AYES—Messrs. Anthony, Braunhart, Brooks, Brown of Sonoma, Burns, Carr of Yuba, Cook, Corcoran, Cuthbert, DuBrutz, Estey, Gaffey, Green, Hardy, Hartson, Hershey, Hynes, Josselyn, Lane, Leadbetter, Magune, Maybell, McCallion, McCarty of Lake, McCarthy of San Francisco, McDade, McIntosh, Messenger, Mulholland, Picket, Simon, Sherburne, Stanley, Stoddard, Sweetland, and Valle Del—36.

NOES—Messrs. Bass, Bennett, Brown of Yuba, Bruner, Brusie, Carr of Sacramento, Chamberlain, Chandler, Coleman, Downs, Felton, Finlayson, Fox, Fraser, Frink, Garibaldi, Leach,

Mathews, May, McComas, Merry, Morse, Nelson, Spencer, Tyler, Walker, Ward, York, and Young—29.

Mr. Braunhart moved the bill be made the order of the day for Thursday next.

Lost.

Mr. Felton moved a call of the House.

Lost.

The question recurring on the passage of the bill, the roll was called, and the bill was passed by the following vote:

AYES—Messrs. Anthony, Braunhart, Brooks, Brown of Sonoma, Burns, Carr of Yuba, Coffman, Cook, Corcoran, Cuthbert, Dimond, DuBrutz, Estey, Fox, Gaffey, Green, Hardy, Harris, Hartson, Hershey, Hynes, Josselyn, Lane, Leadbetter, Maguire, Mayhell, McCallhon McCarty of Lake, McCarthy of San Francisco, McDade, McIntosh, Messenger, Morse, Mulholland, Picket, Simon, Sherburne, Spencer, Stanley, Stoddard, Sweetland, Valle Del, Wason of Ventura, and York—44.

NOES—Messrs. Adams, Bass, Bennett, Brown of Yuba, Bruner, Brusie, Carr of Sacramento, Chamberlain, Chandler, Coleman, Cooper, Downs, Felton, Finlayson, Fraser, Frink, Garibaldi, Leach, Mathews, May, McComas, Merry, Nelson, Tyler, Walker, Ward, and Mr. Young—27

Mr. Fox gave notice that he would, to-morrow, move to reconsider the vote by which the bill was passed.

Title approved.

REPORT OF A STANDING COMMITTEE.

By Mr. Brooks:

MR SPEAKER: Your Committee on Enrollment respectfully report that the following Assembly bill has been correctly enrolled: No. 144—*An Act to amend an Act entitled an Act regulating the sale of mineral lands belonging to the State*, approved March twenty-eighth, eighteen hundred and seventy-four—and the same was, at ten o'clock A. M. this day, April sixth, eighteen hundred and eighty, presented to the Governor for his approval.

BROOKS, Chairman

ORDERS OF THE DAY.

Senate Bill No. 475—An Act to provide for the management of the Yosemite Valley and Mariposa Big Tree Grove.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Adams, Anthony, Bass, Braunhart, Brown of Sonoma, Brown of Yuba, Bruner, Brusie, Burns, Camron, Carr of Sacramento, Chamberlain, Chandler, Coffman, Coleman, Cook, Cooper, Corcoran, Cuthbert, Dimond, Downs, DuBrutz, Estey, Fraser, Frink, Garibaldi, Green, Hardy, Harris, Hartson, Hershey, Hynes, Josselyn, Lane, Leach, Leadbetter, Maguire, Mathews, May, Mayhell, McCallhon, McCarty of Lake, McComas, McDade, McIntosh, Merry, Messenger, Morse, Mulholland, Nelson, Picket, Sherburne, Spencer, Stanley, Stoddard, Tyler, Walker, Ward, Wason of Ventura, Wasson of Mono, York, Young, and Mr. Speaker—63

NOES—None.

Title approved.

Assembly Bill No. 543—An Act to define, regulate, and govern the State Prisons of California.

Read third time.

The roll was called, and the bill was passed by the following vote:

AYES—Messrs. Adams, Anthony, Bass, Bennett, Brooks, Brown of Yuba, Bruner, Brusie, Camron, Carr of Sacramento, Carr of Yuba, Chamberlain, Chandler, Coleman, Cook, Cooper, Corcoran, Cuthbert, Dimond, Downs, Estey, Finlayson, Fox, Fraser, Frink, Garibaldi,

Gaffey, Green, Hardy, Hartson, Lane, Leach, Maguire, Mathews, May, McCarty of Lake, McCarthy of San Francisco, McComas, McIntosh, Merry, Messenger, Morse, Mulholland, Picket, Simon, Sherburne, Spencer, Stanley, Stoddard, Sweetland, Tyler, Ward, Wason of Ventura, Wasson of Mono, Wattson, York, Young, and Mr Speaker—58.

NOES—Messrs. Braunhart, DuBrutz, Hynes, Josselyn, and McCallion—5.

Title approved.

Senate Bill No. 336—An Act to provide for the erection of a building for the use of the Normal School.

Read third time

Mr. Del Valle moved the bill be referred to the Committee on Education, with instructions to strike out section three of the bill, and report the bill back this afternoon.

Upon which the ayes and noes were demanded by Messrs. McCarty of Lake, Del Valle, and Wason of Ventura.

The roll was called, and the motion was carried by the following vote:

AYES—Messrs. Adams, Anthony, Bennett, Braunhart, Brown of Sonoma, Brusie, Burns, Camron, Coffman, Coleman, Cooper, Cuthbert, DuBrutz, Estey, Felton, Finlayson, Fox, Fraser, Frink, Gaffey, Green, Hynes, Josselyn, Leach, Leadbetter, Maguire, May, Maybell, McCarty of Lake, McCarthy of San Francisco, McDade, Simon, Stanley, Stoddard, Valle Del, Ward, Wason of Ventura, Wattson, and Young—39

NOES—Messrs Bass, Brown of Yuba, Bruner, Carr of Sacramento, Chamberlain, Cook, Corcoran, Downs, Garibaldi, Hardy, Harris, Hershey, Lane, Mathews, McCallion, McComas, McIntosh, Merry, Messenger, Morse, Mulholland, Picket, Sherburne, Spencer, Sweetland, Tyler, Wasson of Mono, York, and Mr Speaker—29.

Mr. McCarty moved to amend the instructions so as to strike out from the first section, the words "one hundred thousand dollars," and insert the words "sixty thousand dollars"

The Speaker ruling the above motion to be in order, Mr. Tyler appealed from the decision of the Chair.

The question being, "Shall the decision of the Chair stand as the judgment of the House?" the ayes and noes were demanded by Messrs McCarty of Lake, Coleman, and Lane.

The roll was called, and the Chair was sustained by the following vote.

AYES—Messrs. Adams, Anthony, Bass, Bennett, Braunhart, Brooks, Brown of Sonoma, Brown of Yuba, Brusie, Burns, Carr of Sacramento, Chamberlain, Coleman, Cook, Downs, DuBrutz, Felton, Finlayson, Fox, Green, Hardy, Hershey, Hynes, Josselyn, Leach, Leadbetter, Mathews, May, McCarty of Lake, McCarthy of San Francisco, McDade, Merry, Messenger, Morse, Mulholland, Simon, Sherburne, Stanley, Stoddard, Wason of Ventura, Wasson of Mono, Wattson, and Mr. Speaker—43

NOES—Messrs Chandler, Cuthbert, Harris, Lane, Maybell, McCallion, McComas, McIntosh, Picket, Spencer, Sweetland, Tyler, and York—13.

The question recurred on Mr. McCarty's motion to amend the instructions to the committee

Upon which the ayes and noes were demanded by Messrs. Adams, McCarty, and Coleman.

The roll was called, and the motion was lost by the following vote:

AYES—Messrs. Adams, Anthony, Bass, Bennett, Brooks, Brown of Sonoma, Brusie, Camron, Coleman Cook, Downs, DuBrutz, Fraser, Green, Hardy, Hershey, Hynes, Josselyn, Mathews, McCarty of Lake, Morse, Mulholland, Sherburne, Stanley, Stoddard, and Sweetland—26.

NOES—Messrs. Braunhart, Brown of Yuba, Bruner, Burns, Carr of Sacramento, Carr of Yuba, Chamberlain, Chandler, Coffman, Cooper, Cuthbert, Estey, Finlayson, Fox, Frink, Gaffey, Harris, Lane, Leach, Leadbetter, Maguire, Maybell, McCallion, McCarthy of San Francisco, McComas, McDade, McIntosh, Merry, Messenger, Picket, Simon, Spencer, Tyler, Ward, Wason of Ventura, Wasson of Mono, Wattson, York, Young, and Mr Speaker—40.

Mr Hardy moved to further instruct the committee to strike out the words "one hundred thousand dollars," and insert the words "seventy-five thousand dollars."

Upon which, the ayes and noes were demanded by Messrs. Adams, McCarty, and Braunhart

The roll was called, and the motion was lost by the following vote:

AYES—Messrs. Adams, Anthony, Bass, Brooks, Brown of Sonoma, Camron, Carr of Yuba, Coleman, Cook, Downs DuBrutz, Fraser, Hardy, Hershey, Hynes, Josselyn, Mathews, McCarty of Lake, Mulholland, Sherburne, Stanley, Stoddard, Sweetland, and Ward—24

NOES—Messrs Bennett, Braunhart, Brown of Yuba, Bruner, Busse, Burns, Carr of Sacramento, Chamberlain, Chandler Cooper, Cuthbert, Felton, Finlayson, Fox Frank, Gaffey, Green, Harris, Lane, Leach, Leadbetter, Maguire, May, Maybell, McCallion, McCarthy of San Francisco, McComas, McDade, McIntosh, Merry, Messenger, Morse, Picket, Simon, Spencer, Tyler, Valle Del, Wason of Ventura, Wasson of Mono, Watson, York, Young, and Mr. Speaker—43.

RECESS.

The House took a recess until two o'clock P. M.

RE-ASSEMBLED.

House re-assembled at two o'clock P. M.

Speaker pro tem. Fraser in the chair.

Roll called, and quorum present

One day's leave of absence was granted to Messrs. Streeter and Levee on account of sickness.

REPORT OF A STANDING COMMITTEE.

By Mr Wason:

ASSEMBLY CHAMBER, SACRAMENTO, April 6th, 1880

MR SPEAKER Your Committee on Education, to whom was recommitted Senate Bill No. 336 with instructions, report the same back with the instructions complied with

WASON, Chairman

The bill, reported above, ordered printed as amended.

By Mr. Braunhart:

MR. SPEAKER Your Committee on Chinese Immigration and Emigration, to whom was re-referred Substitute for Assembly Bill No 311, beg leave to report the same back with amendments, and recommend the passage of the substitute with the amendments.

BRAUNHART, Chairman.

The above bill ordered printed as amended, and placed on passage file.

Assembly Bill No 541—An Act to provide for the construction and furnishing Normal School buildings in the State of California.

Taken up, and ordered to be considered with Senate Bill No. 336.

ORDER OF THE DAY.

Senate Bill No 313—An Act to provide for the management and control of the State Agricultural Society by the State.

Mr. Bruner now moved to reconsider the vote by which the House struck out the enacting clause of the bill.

Upon which the ayes and noes were demanded by Messrs Burns, Camron, and Downs.

The roll was called, and the motion was carried by the following vote:

AYES—Messrs Adams, Braunhart, Brooks, Brown of Yuba, Bruner, Brusie, Camron, Carr of Sacramento Chamberlain, Chandler, Cuthbert, Downs, DuBrutz, Finlayson, Fox, Fraser, Frink, Garibaldi, Hershey, Hynes, Lane, Leadbetter, Maguire, Mathews, May, McCallion, McCarthy of San Francisco, McComas, Merry, Morse, Nelson, Simon, Tyler, Valle Del, Walker, Wason of Ventura, Wasson of Mono, York, Young, and Mr. Speaker—40

NOES—Messrs. Anthony, Bass, Bennett, Brown of Sonoma, Burns, Carr of Yuba, Coffman, Cook Cooper, Corcoran Dimond, Estey, Gaffey, Green Hardy, Harris, Josselyn, Maybell, McIntosh, Messenger, Mulholland, Picket, Sherburne, Spencer, Stoddard, and Wattson—26.

The special order was temporarily postponed until the order of the day was disposed of.

The bill then taken up.

Read second time.

Mr. Bruner moved to amend by striking out the word "ten" from line two, section two, and inserting instead the word "twelve."

Adopted.

Also, moved to amend by striking out the word "five," from line two, section four, and inserting instead the word "four."

Adopted.

Also, moved to amend by striking out the word "five," from line two, section four, and inserting instead the word "four."

Adopted.

Mr Brusie moved to amend by striking out the word "two," from line four, section two, and inserting instead the word "three."

Adopted.

Also, moved to amend by striking out all between the word "class" and the word "at," from line five, section four.

Adopted.

Mr. Bruner moved to amend by striking out the word "five," from line six, section four, and inserting instead the word "four."

Adopted.

The bill ordered to third reading.

Assembly Bill No. 415—An Act to provide for the establishment and maintenance of a Mining Bureau.

Read second time.

Speaker Cowdery in the chair

The roll was called, and the bill was passed by the following vote:

AYES—Messrs. Adams, Bass, Brown of Yuba, Bruner, Brusie, Camron, Chamberlain, Coffman, Coleman, Cook, Cooper, Downs, DuBrutz, Felton, Fox, Fraser, Frink, Green, Hardy, Harison, Hershey, Hynes, Leach, Leadbetter, Mathews, May, McCarty of Lake, McCarthy of San Francisco, McComas, McIntosh, Messenger, Morse, Mulholland, Nelson, Spencer, Sweetland, Tyler, Valle Del, Walker, Wason of Ventura, Wasson of Mono, Wattson, York, and Young—44.

NOES—Messrs. Anthony, Bennett, Braunhart, Brooks, Brown of Sonoma, Burns, Carr of Sacramento, Corcoran, Cuthbert, Estey, Gaffey, Harris, Lane, Maguire, Maybell, McCallion, Merry, Picket, Simon, Sherburne, Stoddard, and Ward—22.

Title approved.

Mr May gave notice that he would, to-morrow, move to reconsider the vote by which the House passed the bill.

Senate Bill No 336—An Act to provide for the erection of a building for the use of the Normal School.

Taken up.

Read third time

The roll was called, and the bill passed by the following vote:

AYES—Messrs Anthony, Bennett, Braunhart, Brooks, Brown of Yuba, Bruner, Brusie, Burns, Carr of Sacramento, Chamberlain, Chandler, Coffman, Cooper, Corcoran, Cuthbert, Downs, Estey, Felton, Finlayson, Fox, Fraser, Frink, Gaffey, Green, Hardy, Harris, Hartson, Josselyn, Lane, Leach, Leadbetter, Maguire, May, Maybell, McCallion, McCarthy of San Francisco, McComas, McIntosh, Merry, Messenger, Morse, Mulholland, Nelson, Picket, Simon, Sherburne, Spencer, Stoddard, Sweetland, Tyler, Valle Del, Walker, Ward, Wason of Ventura, Wattson, York, Young, and Mr. Speaker—58.

NOES—Messrs Adams, Bass, Brown of Sonoma, Cameron, Cook, DuBrutz, Hershey, Hynes, Mathews, and McCarty of Lake—10.

Title approved.

Assembly Bill No. 541—An Act to provide for the construction and furnishing Normal School buildings in the State of California.

Pending second reading Mr. Fraser moved that the further consideration of the bill be indefinitely postponed.

Upon which the ayes and noes were demanded by Messrs. Mathews, Tyler, and Fraser

The roll was called, and the motion was carried by the following vote:

AYES—Messrs. Anthony, Bennett, Brown of Yuba, Brusie, Chamberlain, Chandler, Coffman, Coleman, Corcoran, Cuthbert, Downs, DuBrutz, Felton, Finlayson Fraser Garibaldi, Harris, Hartson Hershey, Lane, Leach Leadbetter, Maguire, Maybell, McCallion, McComas McIntosh, Merry, Messenger, Nelson, Sherburne, Spencer, Stoddard, Tyler, Valle Del and Mr Speaker—36.

NOES—Messrs Adams, Bass, Braunhart, Brooks, Brown of Sonoma, Bruner, Burns, Cameron, Carr of Sacramento, Carr of Yuba, Cook, Cooper, Estey, Fox, Frink, Gaffey, Green, Hynes, Josselyn, Mathews, May, McCarty of Lake, McCarthy of San Francisco, McDade Morse, Mulholland, Sweetland, Walker, Ward, Wason of Ventura, Wattson, York, and Young—33.

Mr. Del Valle gave notice that he would, on to-morrow, move to reconsider the vote by which the motion to indefinitely postpone the consideration of the bill was carried.

Mr. Cook moved to take up the second reading file.

Lost.

SENATE MESSAGE.

The following Senate message was read:

SENATE CHAMBER, SACRAMENTO, April 6th, 1880.

MR SPEAKER I am directed to inform your honorable body that the Senate, on April 6th, passed Senate Bill No 538—An Act to amend section four hundred and fifty-six of the Civil Code, relating to the debts of railroad corporations, and securities therefor, and sales of the property of said corporations.

Also, passed Assembly Bill No 384—An Act to amend an Act entitled "An Act to provide for the building of a school house in Modesto School District, in the County of Stanislaus, in the State of California," approved January ninth, eighteen hundred and seventy-four.

Also, passed Assembly Bill No. 337—An Act to encourage the planting of jute.

J. A. ORR, Assistant Secretary.

CONSIDERATION OF SENATE MESSAGE.

Senate Bill No. 538—An Act to amend section four hundred and fifty-six of the Civil Code, relative to the debts of railroad corporations, and securities therefor, and sales of the property of said corporations.

Read first time, and referred to the Committee on Corporations.

SENATE MESSAGE.

SENATE CHAMBER, SACRAMENTO, April 6th, 1880.

MR SPEAKER I am directed to inform your honorable body that the Senate, on April sixth, passed Assembly Bill No. 143—An Act to amend an Act entitled "An Act relating to apprentices and masters," approved April third, eighteen hundred and seventy-six.

Also, passed Assembly Bill No. 377—An Act to empower the Directors of Levee District Number One, of Sutter County, to issue bonds for the payment or funding of the unfunded indebtedness of said levee district, and to provide for the redemption of such bonds by taxing the property in the district.

Also, passed Senate Bill No. 276—An Act to amend section three thousand six hundred and forty-four of the Political Code, relating to the assessment of vessels.

Also, passed Senate Bill No. 374—An Act to provide for the further extension of the water front line of the City and County of San Francisco, and the construction of the sea-wall.

JAMES A. ORR, Assistant Secretary.

CONSIDERATION OF MESSAGE.

Senate Bill No. 374—An Act to provide for the further extension of the water front line of the City and County of San Francisco, and the construction of the sea-wall.

Read first time, and referred to the Committee on Commerce and Navigation.

Senate Bill No. 276—An Act to amend section three thousand six hundred and forty-four of the Political Code, relating to the assessment of vessels.

Read first time, and referred to the Committee on Ways and Means.

REPORT OF A STANDING COMMITTEE.

By Mr. Fox:

ASSEMBLY CHAMBER, SACRAMENTO, April 6th, 1880.

MR. SPEAKER: Your Judiciary Committee, to whom was referred Assembly Bill No. 584—An Act to amend section one thousand six hundred and eighteen of the Code of Civil Procedure, relating to the compensation of executors and administrators—have had the same under consideration, and now report the same back with an amendment, and recommend the passage of the same as amended.

FOX, Chairman.

THIRD READING FILE.

Assembly Bill No. 580—An Act to protect the school districts of this State from injury during the year eighteen hundred and eighty by the operation of section twelve of article thirteen of the Constitution.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Adams, Anthony, Bass, Bennett, Brooks, Brown of Sonoma, Brown of Yuba, Bruner, Brusie, Cannon, Carr of Sacramento, Carr of Yuba, Chamberlain, Chandler, Coffman, Coleman, Cook, Cuthbert, Downs, DuBrutz, Finlayson, Fraser, Frink, Gaffey, Green, Harris, Hershey, Hynes, Leach, Leadbetter, Maguire, Mathews, May, Maybell, McCallion, McCarthy of San Francisco, McDade, McIntosh, Merry, Messenger, Morse, Mulholland, Nelson, Picket, Sherburne, Spencer, Stoddard, Sweetland, Tyler, Valle Del, Walker, Wason of Ventura, Young, and Mr. Speaker—55.

NOES—None.

Title approved.

Senate Bill No. 285—An Act to amend sections seven hundred and sixty-three and nine hundred and thirty-nine of the Code of Civil Procedure, relating to proceedings in partition and appeals therefrom.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Adams, Anthony, Bass, Bennett, Brown of Sonoma, Brown of Yuba, Bruner, Brusie, Burns, Carr of Yuba, Chamberlain, Chandler, Coleman, Cuthbert, Downs, Finlayson, Fox, Fraser, Frink, Gaffey, Hardy, Harris, Hershey, Hynes, Joselyn, Leach, Leadbetter, Maguire, May, Maybell, McCallion, McCarthy of San Francisco, McComas, McDade, McIntosh,

Morse, Mulholland, Nelson, Picket, Simon, Sherburne, Spencer, Stoddard, Tyler, Walker, Ward, Wasson of Mono, Watson, York and Young—50.

Noes—Messrs. Cooper, Estey, McCarty of Lake, Messenger, Sweetland, and Mr. Speaker—6.

Title approved.

Mr. Brooks moved to take a recess.

Lost.

Assembly Bill No. 567—An Act to amend section two hundred and ninety of the Civil Code, in regard to articles of incorporation.

Read third time.

The roll was called, and the bill passed by the following vote:

Ayes—Messrs. Adams, Anthony, Bass, Brooks, Brown of Yuba, Bruner, Brusie, Carr of Sacramento, Chamberlain, Chandler, Coleman, Cook, Cooper, Cuthbert, Downs, Estey, Finlayson, Fox, Fraser, Frink, Hartson, Hershey, Hynes, Lane, Leach, Leadbetter, Maguire, May, Maybell, McCallion, McDade, McIntosh, Merry, Messenger, Nelson, Picket, Simon, Sherburne, Spencer, Stoddard, Tyler, Valle Del, Walker, Ward, Wason of Ventura, Watson, York, Young, and Mr. Speaker—49.

Noes—Mr. Morse—1.

Title approved.

RECESS.

At five o'clock P. M. the House took a recess until seven o'clock P. M.

RE-ASSEMBLED.

House re-assembled at seven o'clock P. M.

Speaker Cowdery in the chair.

Roll called, and quorum present.

On motion second reading file was taken up.

SECOND READING FILE.

Assembly Bill No. 367—An Act to prevent the running at large of sheep, goats, or hogs in the State of California.

Read second time.

Amended as recommended by the committee, and ordered to third reading.

Assembly Bill No. 362—An Act to add a new section to the Penal Code, relative to advertisements to procure abortion.

Read second time.

Amended as recommended by the committee, and ordered to third reading.

Senate Bill No. 306—An Act relating to the intoxication of officers.

Read second time, and ordered to third reading.

Assembly Bill No. 360—An Act to amend section one thousand four hundred and eleven of the Civil Code, relating to appropriation of water rights.

Read second time.

Amended as recommended by the committee, and ordered to third reading.

Assembly Bill No. 366—An Act to preserve the navigation of the San Joaquin and Sacramento Rivers, and to appropriate money for that purpose.

Ordered to the foot of the file.

Senate Bill No. 167—An Act repealing an Act conferring further

powers to the Board of Supervisors of the City and County of San Francisco.

Read second time, and ordered to third reading.

Senate Bill No. 304—An Act to provide for increasing the law library of the corporation known as the San Francisco Law Library, and to secure the use of the same to the Courts held at San Francisco, the bar, the city and county government, and the people of the City and County of San Francisco, approved March ninth, eighteen hundred and seventy.

Read second time, and ordered to third reading, and made the order of the day for Thursday.

Senate Bill No. 283—An Act to confer power upon incorporated cities and towns to remove Chinese without the limits of such cities and towns, or to provide for their location within prescribed portions of those limits.

Taken up, and indefinitely postponed.

Assembly Bill No. 373—An Act to prevent the sale (or keeping for sale) of goods, wares, or merchandise in whole or in part under false signs, labels, cards, or placards.

Read second time, and ordered to third reading.

Assembly Bill No. 420—An Act to prohibit the maintenance of laundries and wash houses within the fire limits of incorporated cities of this State.

Read second time.

Amended as recommended by the committee.

Mr. Tyler moved to amend by striking out all after the word "misdemeanor," in section one.

Adopted.

Assembly Concurrent Resolution No. 16—To appoint a joint committee to ascertain the names of corporations now employing Chinese, and to report to the Attorney-General within thirty days after their appointment, instructing the Attorney-General to prosecute such corporations.

Read third time, and passed.

Assembly Bill No. 389—An Act to establish Boards of Health.

Taken up, and rejected.

Assembly Concurrent Resolution No. 10—Relative to amending section seven, of article nine, of the Constitution.

Withdrawn.

Assembly Bill No. 173—An Act to provide for the establishment of a uniform series of text-books, for use in public schools of the State.

Taken up.

Amended by striking out sections four, five, six, seven, eight, nine, ten, and eleven, and bill ordered to third reading.

Assembly Bill No. 222—An Act to adopt a spelling-book for use in the public schools of this State.

Withdrawn

Assembly Bill No. 416—An Act to supply to the public schools of this State the map of the geological survey of California and Nevada, made and compiled by the late Geologist of this State.

Indefinitely postponed.

Assembly Joint Resolution No. 16—Relative to and asking Congress to make increased appropriations to the Postal Department so that mail services may not be diminished on "Star" routes.

Withdrawn.

Senate Bill No. 245—An Act to amend section three thousand four hundred and eighty-one of the Political Code.

Read second time, and ordered to third reading.

Assembly Bill No. 229—An Act to repeal an Act entitled "An Act to regulate the assessment of migratory herds or bands of live stock, and to provide for an equitable distribution of the taxes derived therefrom," approved March sixteenth, eighteen hundred and seventy-four.

Withdrawn.

Assembly Bill No. 381—An Act for the relief of Kern County.

Ordered to foot of file.

Assembly Bill No. 299—An Act to encourage and improve stock breeding in the State.

Indefinitely postponed.

Assembly Bill No. 433—An Act to amend section four hundred and eleven of the Code of Civil Procedure.

Indefinitely postponed.

Mr. Tyler moved to reconsider the vote by which the above bill was indefinitely postponed.

Carried.

Mr. Braunhart moved to strike out the enacting clause of the bill.

Carried.

Assembly Bill No. 439—An Act to amend section fifty-nine of the Civil Code, relative to validity of marriage.

Read second time.

Mr. Adams moved to strike out the enacting clause.

Lost.

Bill ordered to third reading.

Assembly Bill No. 455—An Act to amend section four thousand one hundred and twenty-one of the Political Code, relative to Sheriffs, Clerks, and Constables.

Read second time.

Mr. Lane moved to strike out the enacting clause.

Lost.

Bill ordered to third reading.

Assembly Bill No. 414—An Act providing for the organization of irrigation districts, and defining the duties of certain officers in relation thereto.

Withdrawn.

Assembly Bill No. 454—An Act to regulate fees in certain cases.

Read second time, and ordered to third reading.

Assembly Bill No. 459—An Act to regulate and provide for a day of rest in certain cases.

Read second time, and ordered to third reading.

Senate Bill No. 89—An Act to amend section four hundred and twenty-four of the Penal Code, relating to embezzlements and falsification of accounts by public officers.

Read second time, and ordered to third reading.

Assembly Bill No. 412—An Act to prevent fraudulent banking.

Read second time, and ordered to third reading.

Assembly Bill No. 419—An Act in relation to certified copies of the records or papers filed officially in the office of the State Surveyor-General and Register of the State Land Office.

Read second time, and ordered to third reading.

Assembly Bill No. 443—An Act to prohibit civic and political societies and organizations from carrying fire-arms through the public streets of any city or town within the State.

Taken up.

Bill read second time.

Mr. McCallion moved to strike out the enacting clause of the bill.

Upon which the ayes and noes were demanded by Messrs. McCallion, Maybell, and Lane.

Speaker pro tem. Fraser in the chair.

The previous question was demanded by Messrs. Camron, Estey, and Morse, and the House so ordered.

The roll was called, and the motion was lost by the following vote:

AYES—Messrs. Anthony, Bass, Braunhart, Brown of Sonoma, Burns, Carr of Yuba, Coffman, Cook, Cooper, Corcoran, Cuthbert, DuBrutz, Gaffey, Hershey, Hynes, Josselyn, Lane, Maguire, Mathews, Maybell, McCallion, McCarthy of San Francisco, McComas, McDade, Messenger, Picket, Simon, Sherburne, Spencer, Valle Del, and Wason of Ventura—31.

NOES—Messrs. Adams, Bennett, Brooks, Brown of Yuba, Bruner, Brusie, Camron, Carr of Sacramento, Coleman, Downs, Estey, Felton, Finlayson, Fox, Fraser, Frink, Garibaldi, Green, Hardy, Leach, Leadbetter, May, McIntosh, Merry, Morse, Mulholland, Nelson, Sayle, Stanley, Stoddard, Streeter, Tyler, Walker, Ward, York, and Mr. Speaker—36.

Mr. Tyler moved the bill be re-referred to the committee.

Carried.

Mr. Fox moved to take up the third reading file.

So ordered

At nine o'clock and twenty minutes P. M. Mr. Mathews moved to adjourn.

Lost.

THIRD READING FILE.

Assembly Bill No. 370—An Act prohibiting any company or corporation, whose business is to supply water or illuminating gas for public use, charging their consumers for meters.

Read third time.

The roll was called, and the bill was passed by the following vote:

AYES—Messrs. Adams, Anthony, Bass, Bennett, Braunhart, Brooks, Brown of Sonoma, Bruner, Brusie, Burns, Camron, Coffman, Coleman, Cook, Corcoran, Cuthbert, Downs, DuBrutz, Estey, Felton, Finlayson, Fox, Fraser, Frink, Gaffey, Green, Hardy, Hynes, Lane, Leach, Leadbetter, Maguire, Maybell, McCallion, McCarty of Lake, McCarthy of San Francisco, McComas, McIntosh, Merry, Messenger, Morse, Mulholland, Picket, Simon, Sherburne, Spencer, Stanley, Stoddard, Streeter, Sweetland, Valle Del, Walker, Ward, Wason of Ventura, York, and Young—56.

NOES—Messrs Cooper, Hershey, May, Nelson, Sayle, and Tyler—6.

Title approved.

Senate Bill No. 213—An Act to amend section three hundred and fifty-eight of the Civil Code, concerning corporations.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Adams, Anthony, Bass, Bennett, Braunhart, Brooks, Brown of Sonoma, Bruner, Brusie, Burns, Carr of Sacramento, Coleman, Cook, Cooper, Corcoran, Cuthbert, Downs, DuBrutz, Estey, Finlayson, Fox, Fraser, Gaffey, Green, Hardy, Hershey, Hynes, Leadbetter, Maguire, May, Maybell, McCallion, McCarty of Lake, McComas, McIntosh, Merry, Messenger, Morse, Mulholland, Picket, Sherburne, Spencer, Stanley, Stoddard, Streeter, Sweetland, Valle Del, Ward, and Wason of Ventura—49.

NOES—Messrs. Nelson, Tyler, and Young—3.

Title approved.

Assembly Bill No. 237—An Act to provide for the incorporation of mutual fire insurance companies, and defining their powers and duties.

Passed on file.

Assembly Bill No. 251—An Act to amend sections three hundred and thirty and three hundred and thirty-three of the Penal Code, and to add a new section thereto, to be known as section three hundred and thirty-seven, in relation to gaming.

Ordered taken up.

Read third time

The roll was called, and the bill was refused passage by the following vote:

AYES—Messrs. Adams, Anthony, Bass, Bennett, Bruner, Brusie, Camron, Carr of Sacramento, Coffman, Cook, Cooper, Cuthbert, Estey, Finlayson, Fox, Garibaldi, Gaffey, Green, Hardy, Hershey, Josselyn, Leach, Leadbetter, Maguire, May, McCarty of Lake, McIntosh, Merry, Morse, Mulholland, Sherburne, Spencer, Stanley, Stoddard, Streeter, Valle Del, Walker, Ward, Wason of Ventura, and York—40.

NOES—Messrs. Brooks, Brown of Yuba, Burns, Corcoran, Downs, Fraser, Frink, Hynes, Lane, Mathews, Maybell, McCallion, McComas, Messenger, Nelson, Picket, Sayle, Simon, Sweetland, and Tyler—20.

Mr. Stanley gave notice that he would, to-morrow, move to reconsider the vote by which the bill was refused passage.

At nine o'clock and fifty minutes P. M. Mr. McCallion moved to adjourn.

Lost.

Assembly Bill No. 391—An Act prescribing the form of complaint in actions to recover delinquent taxes, and to authorize the bringing of suits therefor.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Adams, Anthony, Bass, Bennett, Braunhart, Brooks, Brown of Yuba, Bruner, Brusie, Camron, Carr of Sacramento, Coffman, Cook, Cooper, Cuthbert, Downs, Estey, Finlayson, Fox, Fraser, Garibaldi, Gaffey, Green, Hershey, Leach, Mathews, May, Maybell, McCallion, McCarty of Lake, McCarthy of San Francisco, McIntosh, Merry, Messenger, Mulholland, Nelson, Sayle, Simon, Sherburne, Spencer, Stanley, Stoddard, Streeter, Sweetland, Tyler, Valle Del, Walker, Ward, Wason of Ventura, and York—50.

NOES—Messrs. Hardy, Hynes, Josselyn, and Lane—4.

Title approved.

ADJOURNMENT.

At nine o'clock and fifty-five minutes P. M. Mr. Maybell moved to adjourn.

Carried.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Wednesday, April 7th, 1880.

House met pursuant to adjournment.

Speaker Cowdery in the chair.

Roll called, and quorum present.

Prayer by the Chaplain.

READING AND APPROVAL OF THE JOURNAL.

Mr. Coleman moved that the further reading of the Journal be dispensed with.

So ordered.

Journal of Monday approved.

INTRODUCTION OF A BILL.

Mr. Bruner had permission, by a two-thirds vote, to introduce the following bill: An Act to provide for the erection of a building for the insane at the State Insane Asylum at Stockton.

Read first time, and ordered printed.

By Mr. Fraser—A substitute for Assembly Bill No. 385 was introduced, and ordered printed.

Mr. Tyler moved that Senate Bill No. 264—An Act to add a new section to the Penal Code, to be known as section three hundred and nine, to prevent the admission of minors to houses of prostitution, be taken up.

So ordered.

The bill read second time, and ordered to the head of third reading file for to-morrow.

REPORTS OF STANDING COMMITTEES.

By Mr. Chamberlain:

ASSEMBLY CHAMBER, SACRAMENTO, April 7th, 1880.

MR. SPEAKER: The Committee on Agriculture, to whom was referred Senate Bill No 339—An Act to repeal an Act entitled "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," approved February thirteenth, eighteen hundred and seventy-two—have had the same under consideration, and report the same back to the Assembly without amendment, and recommend its passage.

CHAMBERLAIN, Chairman.

By Mr. Finlayson:

ASSEMBLY CHAMBER, SACRAMENTO, April 7th, 1880.

MR. SPEAKER. Your Committee on Commerce and Navigation, to whom was referred Senate Bill No. 374—An Act to provide for the further extension of the water-front line of the City and County of San Francisco, and the construction of the sea-wall—have had the same under consideration, and report it back with a recommendation of passage.

FINLAYSON, Chairman.

By Mr. Brown of Yuba:

ASSEMBLY CHAMBER, SACRAMENTO, April 7th, 1880.

MR. SPEAKER: The Committee on Corporations, to whom was referred Senate Bill No. 538—An Act to amend section four hundred and fifty-six of the Civil Code—have had the same under consideration, and report the same back to the Assembly without amendment, and recommend its passage.

BROWN of Yuba, Chairman.

By Mr. Wason of Ventura:

ASSEMBLY CHAMBER, April 7th, 1880.

MR. SPEAKER Your Committee on Education, to whom was referred Senate Bill No 41—An Act entitled an Act to amend section one thousand five hundred and three, and to repeal section one thousand four hundred and ninety-five of an Act entitled "An Act to establish a Political Code," approved March twelfth, eighteen hundred and seventy-two, relating to the State Normal School—have had the same under consideration, and report the same back, with the recommendation that it be indefinitely postponed.

WASON of Ventura, Chairman.

By Mr. Streeter:

ASSEMBLY CHAMBER, SACRAMENTO, April 6th, 1880.

MR. SPEAKER: Your Committee on County Governments, to whom was referred Senate Bill

No 298—An Act to authorize the Boards of Supervisors of the several counties of this State to transfer certain funds—have had the same under consideration, and report it back to the Assembly, and recommend its passage

STREETER, Chairman.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 6th, 1880.

MR. SPEAKER The Committee on County Governments, to whom was referred Senate Bill No. 362—An Act to provide for the organization, incorporation, and government of merged and consolidated cities and counties of more than one hundred thousand population—have had the same under consideration, and report the same back to the Assembly with amendments, and recommend its passage as amended.

STREETER, Chairman.

Mr. May moved that Senate Bill No. 362—An Act to provide for the organization, incorporation, and government of merged and consolidated cities and counties of more than one hundred thousand population, pursuant to the provisions of section twelve, of article eleven, of the Constitution of this State—be made the order of the day.

Upon which the ayes and noes were demanded by Messrs. Lane, Sinon, and Carr of Yuba.

The roll was called, and the motion lost by the following vote.

AYES—Messrs. Bennett, Brooks, Brown of Yuba, Bruner, Brusie, Camron, Chandler, Downs, Felton, Finlayson, Fox, Frink, Garibaldi, Hardy, Leach, May, Merry, Nelson, Streeter, Tyler, Ward, Wason of Ventura, Wasson of Mono, and Mr. Speaker—24

NOES—Messrs. Anthony, Bass, Braunhart, Brown of Sonoma, Burns, Carr of Sacramento, Carr of Yuba, Coffman, Coleman, Cook, Cooper, Corcoran, Cuthbert, Dimond, DuBrutz, Fraser, Green, Harris, Hartson, Hershey, Hynes, Josselyn, Lane, Leadbetter, Maguire, Mathews, Maybell, McCallion, McCarty of Lake, McCarthy of San Francisco, McComas, McIntosh, Messenger, Morse, Mulholland, Picket, Simon, Sherburne, Spencer, Stanley, Stoddard, Sweetland, Valle Del, Walker, Wattson, and York—46.

By Mr. Camron:

ASSEMBLY CHAMBER, April 6th, 1880.

MR. SPEAKER Your Committee on Elections have carefully considered the Assembly Bill No. 98, and report the same back to the Assembly, and recommend that it do not pass

CAMRON, Chairman.

By Mr. Sherburne:

ASSEMBLY CHAMBER, April 6th, 1880.

MR SPEAKER: Your Committee on Engrossment have examined, and find properly reengrossed, Assembly Bill No. 146—An Act to amend an Act entitled an Act concerning the selection and sale of University lands, approved March thirteenth, eighteen hundred and seventy four

Also, Assembly Bill No 210—An Act to amend sections eight hundred and twenty-five and eight hundred and sixty-nine of the Penal Code, relating to proceedings in criminal actions prosecuted by indictment.

Also, properly engrossed, Assembly Bill No 567—An Act to amend section two hundred and ninety of the Civil Code, in regard to articles of incorporation.

Also, Assembly Bill No. 357—An Act to amend an Act entitled an Act concerning lodging houses and sleeping apartments within the limits of incorporated cities, approved April third, eighteen hundred and seventy-six.

Also, Assembly Bill No. 580—An Act to protect the school districts of this State from injury during the year eighteen hundred and eighty by the operation of section twelve of article thirteen of the Constitution.

Also, Assembly Bill No. 368—An Act to declare the Klamath River navigable.

Also, Assembly Bill No. 543—An Act to define, regulate, and govern the State Prisons of California

SHERBURNE, Chairman.

By Mr. Leach:

ASSEMBLY CHAMBER, April 7th, 1880.

MR SPEAKER Your Committee on Fish and Game, to whom was referred Senate Bill No. 242, relating to the violations of the laws for the preservation of fish and game; and Senate Bill No. 319, to provide for the establishment of salmon hatching works on the San Joaquin

River or its tributaries, have had the same under consideration, and now report the same back with the recommendation that they do pass. One member dissenting from the passage of the last bill.

LEACH, Chairman.

By Mr. Coleman:

ASSEMBLY CHAMBER, April 7th, 1880.

MR SPEAKER Your Committee on Retrenchment, to whom was referred Substitute for Senate Bill No 55—An Act entitled an Act to amend sections two hundred and forty-five, two hundred and forty-six, two hundred and forty-eight, two hundred and forty-nine, two hundred and sixty-six, two hundred and sixty-seven, and two hundred and sixty-eight, of the Political Code, relating to members, officers, and employés of the Legislature, and their compensation—have had the same under consideration, and report it back with amendments, and recommend its passage as amended.

COLEMAN, Chairman.

By Mr. Brusie:

MR. SPEAKER Your Committee on State Hospital, to whom was referred Senate Bill No. 418—An Act to regulate the sale of poisonous substances—beg leave to report that they have had the same under consideration, and report the same back with amendment, and recommend its passage as amended.

BRUSIE, Chairman.

The bill above reported ordered to head of second reading file.

By Mr. Downs:

ASSEMBLY CHAMBER, SACRAMENTO, April 7th, 1880.

MR. SPEAKER The Committee on Water Rights and Drainage, to whom was referred Senate Bill No. 367—An Act to repeal an Act entitled an Act to create a drainage district, to be called the Sacramento River Drainage District, to establish a Board of Commissioners therefor, and to define their powers and duties, approved April first, eighteen hundred and seventy-eight, have had the same under consideration, and report the same back to the Assembly without amendment, and recommend its passage.

DOWNS, Chairman.

By Mr. May:

ASSEMBLY CHAMBER, SACRAMENTO, April 7th, 1880.

MR. SPEAKER: The Committee on Ways and Means, to whom were referred Senate Bill No. 458—An Act to provide for the deficiency in the appropriation for repairs to State Capitol building and furniture during the thirtieth fiscal year.

Senate Bill No. 459—An Act to provide for the deficiency in the appropriation for traveling expenses of the State Board of Education during the thirtieth fiscal year.

Senate Bill No 460—An Act to provide for the deficiency in the appropriation for the contingent expenses of the Supreme Court during the thirtieth fiscal year.

Senate Bill No 461—An Act to provide for the deficiency in the appropriation for arresting criminals without the limits of the State during the thirtieth fiscal year.

Senate Bill No 462—An Act to provide for the deficiency in the appropriation for payment of rewards offered by the Governor during the thirtieth fiscal year.

Senate Bill No 463—An Act to appropriate money for the payment of the deficiency in the appropriation for the support of the State Normal School for the twenty-ninth and thirtieth fiscal years.

Senate Bill No 464—An Act to appropriate money for the payment of the deficiency in the appropriation for the payment of rewards for the arrest and conviction of highway robbers for the twenty-ninth fiscal year

Senate Bill No. 465—An Act to appropriate money for the payment of the deficiency in the appropriation for the transportation of prisoners for the twenty-ninth fiscal year

Senate Bill No. 466—An Act to appropriate money for the payment of the deficiency in the appropriation for stationery, fuel, and lights for the twenty-ninth fiscal year.

And Senate Bill No 469—An Act to provide for the deficiency in the appropriation for repairs to State Capitol building and furniture, and grounds, during the thirty-first fiscal year

Have had all of said bills under consideration, and report them back to the Assembly, with the recommendation that they do severally pass.

MAY, Chairman

Mr. DuBrutz moved that Senate Bill No. 211—An Act to amend section one thousand four hundred and twenty-two of the Civil Code, relating to water rights and riparian proprietors—be taken up.

So ordered.

The bill read second time, and ordered to third reading.

Assembly Bill No. 499—An Act to empower consolidated cities and counties of over one hundred thousand inhabitants to make alterations to county prisons and county jails for sanitary purposes.

Taken up, read second time, and ordered to third reading

Senate Bill No. 63—An Act to provide for the speedy completion of the Branch State Prison at Folsom.

Read second time, and ordered to third reading.

Mr. Young moved to take up Assembly Bill No. 440—An Act to provide for the improvement of streets within cities of less than one hundred thousand inhabitants, organized and existing for municipal purposes.

Lost.

Mr. Young then moved to make the bill the order of the day for to-morrow.

Lost.

ORDERS OF THE DAY.

The rules were suspended, and all the orders of the day were ordered considered in the Assembly.

Senate Bill No 275—An Act to provide for the erection of buildings and improvements for the Deaf and Dumb and Blind Asylum.

Read third time.

Mr. Leach moved to amend the bill by striking out the five thousand dollars for water supply.

Lost.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Adams, Anthony, Bass, Bennett, Braunhart, Brooks, Brown of Sonoma, Bruner, Brusie, Camron, Carr of Sacramento, Carr of Yuba, Chamberlain, Chandler, Coffman, Coleman, Cook, Corcoran, Dimond, Downs, DuBrutz, Estey, Finlayson, Fox, Fraser, Frink, Gaffey, Green, Hardy, Hartson, Hershey, Hynes, Josselyn, Leach, Leadbetter, Magune, May, Maybell, McCallion, McCarthy of San Francisco, McComas, McIntosh, Messenger, Morse, Mulholland, Nelson, Picket, Simon, Sherburne, Spencer, Stanley, Stoddard, Sweetland, Tyler, Valle Del, Walker, Ward, Wason of Ventura, Wasson of Mono, Wattson, York, Young, and Mr. Speaker—62

NOES—Mr. Merry—1.

Title approved.

Senate Bill No. 550—An Act to provide a Contingent Fund for the use of the State.

Temporarily passed on file.

Senate Bill No. 40—An Act to repeal an Act entitled "An Act to prevent changes in the text-books in use in the public schools," approved December thirteenth, eighteen hundred and seventy-five.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Adams, Anthony, Bass, Braunhart, Brown of Sonoma, Brown of Yuba, Bruner, Brusie, Camron, Carr of Sacramento, Carr of Yuba, Chamberlain, Chandler, Coffman, Coleman, Cook, Corcoran, Downs, DuBrutz, Estey, Finlayson, Fox, Fraser, Gaffey, Green, Hardy, Hartson, Hershey, Hynes, Josselyn, Leach, Leadbetter, Magune, Mathews, McCallion, McCarty of Lake, McCarthy of San Francisco, McIntosh, Morse, Mulholland, Nelson, Picket, Simon, Sherburne, Spencer, Stanley, Stoddard, Walker, Ward, Wason of Ventura, Wasson of Mono, York, Young, and Mr. Speaker—54.

NOES—Mr. Lane—1.

Title approved.

Mr. Young gave notice of a motion to reconsider the vote by which the bill was passed.

Assembly Bill No. 559—An Act to repeal an Act entitled "An Act

in relation to the assessment and collection of taxes upon personal property in the City and County of San Francisco," approved March eighteenth, eighteen hundred and seventy-four.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Anthony, Bennett, Braunhart, Brown of Sonoma, Bruner, Brusie, Camron, Carr of Sacramento, Chamberlain, Chandler, Coffman, Coleman, Cook, Downs, DuBrutz, Estey, Finlayson, Fraser, Frink, Green, Hardy, Hershey, Hynes, Josselyn, Lane, Leach, Leadbetter, Maguire, Mathews, McCallion, McCarty of Lake, McComas, McIntosh, Messenger, Morse, Mulholland, Nelson, Picket, Sherburne, Stanley, Walker, Ward, Wason of Ventura, Wasson of Mono, Wattson, York, Young, and Mr. Speaker—48.

NOES—None.

Title approved.

Senate Bill No. 233—An Act concerning the payment of the expenses and costs of the trial of convicts for crimes committed in the State Prison, and to pay the costs of the trial of escaped convicts, and to pay for the expenses of Coroner inquests in said Prison.

Read third time.

The roll was called, and the bill was passed by the following vote:

AYES—Messrs. Adams, Anthony, Bennett, Brown of Sonoma, Brown of Yuba, Bruner, Brusie, Burns, Camron, Carr of Sacramento, Carr of Yuba, Chamberlain, Coffman, Coleman, Cooper, Cuthbert, DuBrutz, Estey, Finlayson, Fox, Frink, Garibaldi, Gaffey, Green, Hardy, Harris, Hershey, Hynes, Josselyn, Leach, Leadbetter, Maguire, Mathews, McCallion, McCarty of Lake, McCarthy of San Francisco, McComas, McIntosh, Merry, Messenger, Morse, Nelson, Simon, Sherburne, Stanley, Stoddard, Sweetland, Tyler, Valle Del, Walker, Ward, Wason of Ventura, Wasson of Mono, Wattson, York, and Mr. Speaker—56.

NOES—Messrs. Bass, Cook, Lane, Picket, and Young—5.

Title approved.

Mr. Carr of Sacramento gave notice that he would, to-morrow, move to reconsider the vote whereby the bill was passed.

Senate Bill No. 84—An Act to organize and define the powers of the Board of Railroad Commissioners.

Read second time, and ordered to the head of the third reading file for to-morrow.

Mr Del Valle gave notice that he would, on to-morrow, move to reconsider the vote by which the bill went to third reading.

Senate Bill No. 221—An Act to compel railroad corporations or individuals owning railroads to operate their roads.

Read third time.

The roll was called, and the bill was passed by the following vote:

AYES—Messrs. Adams, Anthony, Bass, Bennett, Braunhart, Brown of Sonoma, Brown of Yuba, Bruner, Burns, Camron, Carr of Sacramento, Carr of Yuba, Chamberlain, Coffman, Cook, Cooper, Corcoran, Cuthbert, Downs, Estey, Finlayson, Fox, Fraser, Gaffey, Green, Harris, Hartson, Hynes, Josselyn, Leach, Maguire, Mathews, May, Maybell, McCallion, McCarty of Lake, McCarthy of San Francisco, McComas, McIntosh, Merry, Morse, Mulholland, Nelson, Picket, Sherburne, Spencer, Stanley, Stoddard, Sweetland, Valle Del, Walker, Ward, Wason of Ventura, Wattson, York, Young, and Mr. Speaker—58.

NOES—Messrs. Felton, Hershey, Lane, and Messenger—4.

Title approved.

Senate Bill No. 528—An Act to amend section three thousand seven hundred and fourteen of an Act entitled "An Act to establish a Political Code," approved March twelfth, eighteen hundred and seventy-two, relating to revenue.

Taken up.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs Adams, Anthony, Bass, Bennett, Braunhart, Brown of Yuba, Brusie, Camron, Carr of Yuba, Chamberlain, Chandler, Coleman, Corcoran, Cuthbert, Downs, DuBrutz, Finlayson, Fox, Gaffey, Green, Harris, Hartson, Hershey, Hynes, Lane, Leach, Maguire, Mathews, May, Maybell, McCallion, McCarty of Lake, McCarthy of San Francisco, McComas, McIntosh, Merry, Messenger, Morse, Mulholland, Nelson, Picket, Sherburne, Spencer, Stanley, Stoddard, Streeter, Sweetland, Tyler, Valle Del, Walker, Ward, Wason of Ventura, Wattson, York, Young, and Mr. Speaker—56.
NOES—None.

Title approved.
Mr. Fox moved that the House take up second reading file.
So ordered.

SENATE MESSAGE.

The following message from the Senate was read:

SENATE CHAMBER, SACRAMENTO, April 6th, 1880.

MR. SPEAKER I am directed to inform your honorable body that the Senate, on April first, passed Senate Bill No 43—An Act to amend sections one thousand one hundred and eighty-three of an Act entitled "An Act to establish a Code of Civil Procedure," approved March eleventh, eighteen hundred and seventy-two, relating to liens of mechanics and others upon real property.
Also, on April fifth amended, and on April sixth passed, Assembly Bill No. 320—An Act for the better protection of fruit trees and vines.

JAMES A. ORR, Assistant Secretary.

CONSIDERATION OF SENATE MESSAGE.

Assembly Bill No. 320—An Act for the better protection of fruit trees and vines.
The Senate amendment thereto was read.
The roll was called, and the Senate amendment concurred in by the following vote:

AYES—Messrs. Adams, Anthony, Bass, Bennett, Braunhart, Brown of Yuba, Bruner, Brusie, Camron, Carr of Yuba, Chamberlain, Chandler, Coleman, Cooper, Corcoran, Cuthbert, Downs, Estey, Finlayson, Fox, Fraser, Frink, Green, Harris, Hershey, Hynes, Josselyn, Lane, Leach, Maguire, Maybell, McCallion, McCarty of Lake, McCarthy of San Francisco, Merry, Morse, Mulholland, Nelson, Picket, Sherburne, Stanley, Stoddard, Streeter, Sweetland, Valle Del, Walker, Ward, Wason of Ventura, Wattson, Young, and Mr. Speaker—51.
NOES—None.

Senate Bill No. 43—An Act to amend section one thousand one hundred and eighty-three of an Act entitled an Act to establish a Code of Civil Procedure, approved March eleventh, eighteen hundred and seventy-two, relating to liens of mechanics and others upon real property.
Read first time, and referred to the Judiciary Committee.

MINORITY REPORT.

By Mr. McDade:

MR. SPEAKER We, a minority of the Committee on County Governments and Municipal Corporations, to whom was referred Senate Bill No. 362—An Act to provide for the organization, incorporation, and government of merged and consolidated cities and counties of more than one hundred thousand population, pursuant to the provisions of section seven, of article eleven, of the Constitution of this State—have considered the same, and recommend that the same be indefinitely postponed, for the following reasons
First—That section five of the bill is in direct conflict with section seven, of article eleven, of

the Constitution, in this respect, viz.: Said section five of the bill provides for the *appointment* of a House of Delegates, whereas said section seven, of article eleven, of the Constitution, distinctly provides that such House of Delegates *shall be elected by general ticket.*

Second—That section eight, of article eleven, provides that cities containing more than a population of one hundred thousand may frame a charter for its own government.

Third—That the bill is in violation of the provisions of the Constitution, empowering such cities to frame its own charter.

Fourth—That said proposed bill is against the will of the people who do not desire it.

Fifth—That said bill increases the number of officials of such city, and thereby causes a large additional expense.

Sixth—That it deprives the people of the right to elect their own officers, and places the appointing power in the hands of non-residents of such cities.

Seventh—*That it is not for the interest of the people of such cities, but it is, as avowed by its* supporters and authors, for the retention of political power for partisan purposes

Eighth—That the people of the City of San Francisco, for which this bill is prepared, have elected fifteen freeholders under article eleven, section eight, to frame a charter for said city.

Ninth—That section two hundred and eighty-one of the bill is in direct conflict with section eighteen, of article six, of the Constitution, in this respect, viz.: Said section two hundred and eighty-one of the bill provides for the appointment of certain officials by the Judges of the Superior Courts, whereas section eighteen, article eleven, of the Constitution, provides that such Judges shall be *ineligible* to any office or public employment, other than a judicial office or employment, during the term for which they shall have been elected.

Tenth—That this bill is designed to defraud the people of said city of their constitutional right to frame a charter for that city.

JOHN J. McDADE,
T. H. CARR.

Mr. Fox moved that the Senate Bills, on second reading file, be taken up in their order.

Lost.

SECOND READING OF BILLS.

Assembly Bill No. 429—An Act to amend section six hundred and eighty-eight of the Code of Civil Procedure, relating to property liable to be seized in execution.

Withdrawn.

Assembly Bill No. 430—An Act to amend section four thousand two hundred and twenty-one of the Political Code, relative to counting money in the county treasury, and making a statement thereof.

Withdrawn.

Assembly Bill No 413—An Act to amend section four hundred and twenty-four of the Penal Code, relating to embezzlements and falsification of accounts by public officers, and prescribing the punishment therefor

Ordered to foot of file.

Assembly Bill No. 434—An Act to add section one hundred and thirty-nine to the Penal Code.

Ordered to foot of file.

Assembly Bill No. 316—An Act to amend an Act entitled "An Act creating a Board of Bank Commissioners, and prescribing their duties and powers," approved March thirtieth, eighteen hundred and seventy-eight.

Withdrawn.

Assembly Bill No. 431—An Act to amend sections one thousand and forty-four and two thousand nine hundred and forty-seven of the Civil Code, and to add two new sections thereto, to be numbered one thousand and ninety-six and one thousand one hundred and sixteen, relating to transferring and mortgaging property.

Withdrawn.

Assembly Bill No. 426—An Act to exempt insurance companies from all responsibility for risks on property where aliens ineligible to become electors are employed or reside.

Read second time, and ordered to third reading.

Assembly Bill No. 446—An Act creating a Board of Wharfage and Storage Commissioners, and prescribing their duties and powers.

Taken up.

Mr Finlayson moved that the bill be indefinitely postponed.

Upon which the ayes and noes were demanded by Messrs Harris, Lane, and Maybell.

The roll was called, and the motion was carried by the following vote:

AYES—Messrs. Bennett, Brown of Sonoma, Brown of Yuba, Bruner, Brusie, Cannon, Carr of Sacramento, Coleman, Downs, Felton, Finlayson, Fox, Frink, Garibaldi, Green, Leadbetter, May, McIntosh, Mulholland, Nelson, Sherburne, Spencer, Streeter, Tyler, Ward, Wason of Ventura, Wattson, York, and Young—29

NOES—Messrs Adams, Anthony, Bass, Braunhart, Burns, Cooper, Corcoran, Cuthbert, Harris, Hershey, Hynes, Josselyn, Lane, Leach, Maguire, Mathews, McCarty of Lake, McCarthy of San Francisco, Merry, Messenger, Morse, Picket, Simon, Stanley, and Stoddard—25.

Senate Bill No. 96—An Act to amend sections one and two of an Act entitled "An Act giving a lien to loggers and laborers employed in logging camps upon the logs cut and hauled by the persons who employ them," approved March thirtieth, eighteen hundred and seventy-eight.

Read second time, and ordered to third reading.

On motion of Mr. Stoddard the bill made the order of the day for to-morrow.

Senate Bill No. 152—An Act to amend sections one thousand one hundred and sixteen, one thousand one hundred and eighteen, one thousand one hundred and nineteen, one thousand one hundred and twenty, one thousand one hundred and twenty-four, one thousand one hundred and twenty-five, one thousand one hundred and twenty-six, and one thousand one hundred and thirty-seven, of the Code of Civil Procedure, and to repeal section one thousand one hundred and twenty-four of the Code of Civil Procedure, relating to contesting certain elections.

Read second time, and ordered to third reading

Senate Bill No. 153—An Act to amend section one thousand one hundred and forty-four of the Code of Civil Procedure, relating to discharge of persons imprisoned on civil process.

Read second time, and ordered to third reading.

Senate Bill No. 226—An Act to amend section one thousand five hundred and eighty-six of the Penal Code, relating to the transportation of convicts to the State Prisons.

Read second time, and ordered to third reading, at the head of orders of the day for to-morrow.

Senate Bill No. 227—An Act to amend section two thousand two hundred and twenty-one of the Political Code, relating to transportation of insane persons to Asylums.

Read second time, and ordered to head of orders of the day to-morrow for third reading.

Senate Bill No. 240—An Act to repeal an Act entitled an Act relating to advances, bona fide made to agents intrusted with goods, and for the better protection of such advances, approved March thirtieth, eighteen hundred and seventy-eight.

Read second time, and ordered to third reading.

Senate Bill No. 252—An Act to amend section one thousand eight

hundred and eighty of the Code of Civil Procedure, relating to witnesses.

Read second time, and ordered to third reading.

Senate Bill No. 261—An Act to amend section one thousand three hundred and seventy-nine of the Code of Civil Procedure, relating to granting of letters of administration.

Read second time, and ordered to third reading.

Senate Bill No. 282—An Act to enforce the provisions of section three of article eleven of the Constitution.

Read second time, and ordered to third reading, and made order of the day for to-morrow.

Senate Bill No. 177—An Act to amend sections one thousand nine hundred and ninety-four, one thousand nine hundred and ninety-five, two thousand and twenty-four, two thousand and thirty-six, two thousand and thirty-seven, two thousand and seventy, and two thousand and eighty-four, of the Code of Civil Procedure, relating to evidence.

Read second time.

Committee amendments rejected, and the bill ordered to third reading.

Senate Bill No. 182—An Act to amend the Political Code by adding a new section thereto, to be known as section four thousand one hundred and twenty-five, relating to the duties of the grand jury.

Read second time.

Committee amendments rejected, and the bill ordered to third reading.

Senate Bill No. 248—An Act to amend sections eight hundred and seventy-one and nine hundred of the Code of Civil Procedure, relating to proceedings in Justices' Courts.

Read second time.

Committee amendments rejected, and the bill ordered to third reading.

Assembly Bill No. 140—An Act to provide for the safety of lives of residents of the State of California.

Read second time, and ordered to third reading.

Assembly Bill No. 383—An Act to authorize the appointment of four interpreters and translators of foreign languages of the Criminal Courts of the City and County of San Francisco.

Read second time.

Amendments recommended by the committee adopted.

The bill ordered printed as amended.

Assembly Bill No 418—An Act to discourage and prohibit corporations and individuals from holding large tracts of land.

Read second time.

Mr. Fox moved to amend by striking out the words "one year" and inserting the words "six years."

Adopted.

Assembly Bill No. 432—An Act to provide for the appointment of Water Commissioners in the districts to be formed by the Boards of Supervisors of the several counties of this State, on rivers or watercourses where ten or more canal ditches or other outlets receive water therefrom of the capacity of twenty cubic feet or more of water per second.

Ordered to foot of file.

Assembly Bill No. 490—An Act to authorize the Board of Supervisors of Mendocino County to issue and sell bonds of the county to the amount of seventeen thousand dollars, for the purpose of paying the outstanding bonds of the county issued under the Funding Act, approved April nineteenth, eighteen hundred and sixty-two.

Read second time, and ordered to third reading.

Assembly Bill No. 425—An Act to amend sections seven hundred, seven hundred and one, seven hundred and two, seven hundred and three, seven hundred and four, and seven hundred and five, of an Act entitled "An Act to establish a Code of Civil Procedure," approved March twelfth, eighteen hundred and seventy-two, so as to provide for the redemption of real estate sold under the power contained in trust deeds.

Read second time.

Amended as recommended by the committee, ordered to third reading, and made the order of the day for to-morrow.

Mr. Braunhart moved to reconsider the vote by which the House, yesterday, passed Assembly Bill No. 352.

Lost

Senate Bill No. 550—An Act to provide a Contingent Fund for the use of the Senate.

Read third time.

The roll was called, and the bill was passed by the following vote:

Ayes—Messrs. Adams, Anthony, Bass, Braunhart, Brooks, Brown of Sonoma, Bruner, Brusie, Carr of Sacramento, Chamberlain, Coffman, Coleman, Cooper, Corcoran, Cuthbert, Dimond, Downs, DuBrutz, Estey, Finlayson, Fox, Fraser, Frink, Garibaldi, Gaffey, Green, Hardy, Hartson, Hershey, Hynes, Lane, Leach, Leadbetter, Maguire, Mathews, May, Maybell, McCarty of Lake, McCarthy of San Francisco, McComas, McIntosh, Morse, Mulholland, Picket, Sinon, Shelburne, Spencer, Stanley, Stoddard, Streeter, Tyler, Walker, Ward, Wason of Ventura, Wattson, York, Young, and Mr. Speaker—56.

Title approved.

REPORT OF A STANDING COMMITTEE.

By Mr. Brooks:

Mr Speaker: Your Committee on Enrollment respectfully report that the following Assembly bills have been correctly enrolled: No 55—An Act to amend sections two hundred and thirty-five and two hundred and sixty-six of an Act entitled "An Act to establish a Political Code," approved March twelfth, eighteen hundred and seventy-two, relating to the meeting of the Legislature, and the compensation of its members.

No 392—An Act to enable Boards of Supervisors to authorize the employment of a deputy in certain cases.

No. 97—An Act to prohibit the sale of intoxicating liquors in the State Capitol building.

No 228—An Act to repeal an Act entitled an Act in relation to the office of Court Commissioner of San Joaquin County, approved March twelfth, eighteen hundred and seventy.

No. 337—An Act to encourage the planting of jute.

No 224—An Act to amend sections one thousand two hundred and forty-six, one thousand two hundred and forty-eight, and one thousand two hundred and fifty-two, of the Penal Code, relative to appeals to the Supreme Court

And the same were, at twelve o'clock M., this day, April seventh, eighteen hundred and eighty, presented to the Governor for his approval.

BROOKS, Chairman.

SECOND READING FILE—RESUMED.

Senate Bill No. 335—An Act providing for the appointment of an additional Notary Public for the City and County of San Francisco, for the accommodation of the inhabitants of said city and county residing at the Presidio.

Read second time, and ordered to third reading.

Senate Bill No. 253—An Act to repeal an Act entitled "An Act to encourage the destruction of squirrels and gophers in the County of San Joaquin, and to provide a bounty for the same," approved March thirtieth, eighteen hundred and seventy-eight.

Read second time, and ordered to third reading.

Assembly Bill No. 479—An Act to amend section one thousand two hundred and sixty-five of the Civil Code, in relation to homesteads.

Read second time, and ordered to third reading, and made the order of the day for to-morrow.

Assembly Bill No. 480—An Act to amend sections one thousand four hundred and sixty-five, one thousand four hundred and sixty-eight, one thousand four hundred and seventy-four, and one thousand four hundred and seventy-five, of the Code of Civil Procedure, in relation to homesteads.

Withdrawn.

Assembly Bill No. 510—An Act to amend section two thousand four hundred and sixty-four of the Political Code, relating to pilots and pilot regulations.

Read second time, and ordered to third reading.

Assembly Bill No. 503—An Act to amend section ten of the Code of Civil Procedure, relative to legal holidays.

Withdrawn.

Senate Bill No. 408—An Act to amend section ten of the Political Code, defining legal holidays.

Read second time, and ordered to third reading.

Senate Bill No. 409—An Act to amend section seven of the Civil Code, defining legal holidays.

Read second time, and ordered to third reading.

Senate Bill No. 410—An Act to amend section ten of the Code of Civil Procedure, defining legal holidays.

Read second time, and ordered to third reading.

The above three bills made the order of the day for to-morrow.

Assembly Bill No. 427—An Act to amend sections one thousand one hundred and sixty-three, one thousand one hundred and sixty-six, one thousand one hundred and seventy-one, and one thousand one hundred and seventy-eight, of the Code of Civil Procedure of the State of California, relative to actions of forcible entry and detainer.

Withdrawn.

Assembly Bill No. 516—An Act to amend section one thousand one hundred and twenty-one of the Penal Code.

Withdrawn.

Assembly Bill No. 464—An Act to repeal section one thousand four hundred and one of the Civil Code, and to amend section one thousand four hundred and two of the Civil Code.

Withdrawn.

Assembly Bill No. 476—An Act to add a new section to the Code of Civil Procedure, relating to pleadings.

Withdrawn.

Assembly Bill No. 477—An Act to add two sections to the Code of Civil Procedure, to be known and designated as sections one thousand and sixty and one thousand and sixty-one.

Withdrawn.

Assembly Bill No. 481—An Act for the relief of Thomas W. Lathrop, ex-Sheriff of the County of San Mateo.

Withdrawn.

Assembly Bill No. 495—An Act to provide for the payment of the expense incurred in the capture of ex-convicts accused of the commission of felony.

Withdrawn.

Assembly Bill No. 379—An Act prohibiting the keeping or sale of animals afflicted with glanders.

Read second time.

Committee amendments lost.

Bill ordered to third reading.

Assembly Bill No. 475—An Act for the protection of sheep and goats, by placing out poisons for the destruction of dogs and wild animals.

Read second time, and ordered to third reading.

Senate Bill No. 131—An Act for the relief of insolvent debtors, for the protection of creditors, and for the punishment of fraudulent debtors.

Taken up.

The committee amendments numbers one, two, three, four, five, and six adopted.

Mr Cooper moved to amend section eight by inserting after the word "creditors," line two, the words "two of whom shall be residents of the county where the debtor resides or carries on business."

Lost.

Mr. Del Valle gave notice that he would move to reconsider the vote by which the amendment was rejected.

Mr. Finlayson moved to indefinitely postpone the motion to reconsider.

RECESS.

Pending discussion the House took a recess for one hour.

RE-ASSEMBLED.

The House re-assembled at two o'clock P. M.

Speaker Cowdery in the chair.

Quorum present.

SECOND READING OF BILLS—CONTINUED.

The consideration of Senate Bill No. 131—An Act for the relief of insolvent debtors, for the protection of creditors, and for the punishment of fraudulent debtors—resumed.

The question recurred on the motion of Mr. Finlayson to postpone indefinitely Mr. Del Valle's motion to reconsider the vote by which Mr. Cooper's amendment to the bill was rejected.

Lost.

The House reconsidered the vote by which the amendment was rejected.

The question recurred upon the amendment.

Upon which the ayes and noes were demanded by Messrs. Tyler, Finlayson, and Fox.

The roll was called, and the amendment was lost by the following vote:

AYES—Messrs Anthony, Bass, Brown of Sonoma, Burns, Carr of Yuba, Coffman, Cook, Cooper, Corcoran, DuBrutz, Estey, Garibaldi, Gaffey, Harris, Hershey, Hynes, Josselyn, Lane, Mathews, Maybell, McCallion, McCarty of Lake, Morse, Simon, Spencer, Stoddard, Sweetland, Valle Del, and Walker—29.

NOES—Messrs. Bennett, Braunhart, Brown of Yuba, Bruner, Brusie, Carr of Sacramento, Coleman, Downs, Finlayson, Fox, Fraser, Fink, Green, Hardy, Hartson, Leach, Leadbetter, Maguire, McCarthy of San Francisco, McComas, McDade, McIntosh, Merry, Messenger, Nelson, Picket, Sherburne, Tyler, Ward, Wason of Ventura, Wasson of Mono, Wattson, York, Young, and Mr. Speaker—35.

The committee amendments numbers seven, eight, and nine, adopted.

The word "to," in line five, of section sixteen, ordered stricken out, and the word "his" substituted for the word "their."

Mr. Tyler moved to amend by striking out the words "in his own name," in line six, section eighteen.

Carried.

Mr. Young moved to amend by inserting the words "in his own name, or as originally entitled."

Lost.

Mr. Cooper moved to amend by inserting in line two, section eighteen, the words "conveyed to him."

Lost.

Mr. Young gave notice of a motion to reconsider the vote by which the amendment was lost.

The committee amendment to section twenty-one adopted.

At two o'clock and fifty-five minutes P. M. Mr. Finlayson moved that the consideration of this bill be continued until the bill be disposed of.

Carried.

The committee amendment to section thirty-two, to strike out the proviso, adopted.

The committee amendments to section forty-five adopted.

The committee amendments to section fifty-three adopted.

The committee amendments to section sixty-five adopted.

The committee amendment to section sixty-seven adopted.

Mr. Fox moved to amend section sixty-eight by adding, at the close thereof, "nor the cases of any person insolvent at the time this Act is passed or takes effect."

Adopted.

The bill read second time, and ordered to third reading, and made the order of the day for Friday next.

REPORT OF THE COMMITTEE ON ENGROSSMENT.

By Mr. Sherburne:

ASSEMBLY CHAMBER, April 7th, 1880.

MR. SPEAKER Your Committee on Engrossment have examined, and find correctly engrossed, Assembly Bill No. 559—An Act to repeal an Act entitled "An Act in relation to the assessment and collection of taxes upon personal property in the City and County of San Francisco," approved March eighteenth, eighteen hundred and seventy-one.

Also, Assembly Bill No 391—An Act prescribing the form of complaint in actions to recover delinquent taxes, and to authorize the bringing of suits therefor

Also, Assembly Concurrent Resolution No. 16—To appoint a Joint Committee to ascertain the names of corporations now employing Chinese, and to report to the Attorney-General within thirty days after their appointment, instructing the Attorney-General to prosecute such corporations

Also, Assembly Bill No. 370—An Act prohibiting any person, company, or corporation, whose business is to supply water or illuminating gas for public use from charging their consumers for meters.

Also, Assembly Bill No. 352—An Act prohibiting any person, company, or corporation, whose business is to supply illuminating gas or water for public use, from charging their consumers for pipes communicating with such person, company, or corporations supplying pipes or street mains on the line of the street or sidewalk curb fronting the premises to be supplied, and there making connection with the pipe of the consumer.

SHERBURNE, Chairman.

Mr. Bruner moved that Assembly Bill No. 589—An Act to provide for the erection of a building for the insane at the State Insane Asylum at Stockton—be taken up, declared a case of urgency, read, and put on its final passage.

The roll was called, and the motion was carried by the following two-thirds vote:

AYES—Messrs. Adams, Bass, Braunhart, Brown of Sonoma, Bruner, Brusie, Burns, Camron, Carr of Sacramento, Chamberlain, Chandler, Coffman, Coleman, Cook, Cooper, Corcoran, Downs, DuBrutz, Estey, Finlayson, Fraser, Garibaldi, Gaffey, Gorley, Green, Harris, Hershey, Hynes, Leadbetter, Maguire, Mathews, Maybell, McCallion, McCarthy of San Francisco, McComas, McDade, McIntosh, Merry, Messenger, Morse, Picket, Simon, Sherburne, Spencer, Stoddard, Sweetland, Tyler, Valle Del, Walker, Ward, Wason of Ventura, Wasson of Mono, Wattson, York, and Young—56.

NOES—Messrs. Anthony, Bennett, Cuthbert, Felton, Fox, Hardy, Hartson, Josselyn, Lane, Leach, May, and McCarty of Lake—12.

The rules suspended, and the bill considered in the Assembly.

The bill read third time.

The roll was called and the bill passed by the following vote:

AYES—Messrs Adams, Bass, Bennett, Brown of Sonoma, Bruner, Burns, Camron, Carr of Sacramento, Chamberlain, Chandler, Coffman, Coleman, Cook, Cooper, Corcoran, Downs, DuBrutz, Estey, Fox, Fraser, Garibaldi, Gaffey, Green, Harris, Hartson, Hershey, Hynes, Josselyn, Lane, Leach, Leadbetter, Maguire, Mathews, May, McCallion, McCarty of Lake, McCarthy of San Francisco, McComas, McIntosh, Merry, Messenger, Picket, Simon, Sherburne, Spencer, Sweetland, Tyler, Valle Del, Walker, Ward, Wason of Ventura, Wattson, York, Young, and Mr. Speaker—55.

NOES—Messrs. Anthony, Hardy, and Morse—3.

Title approved.

Mr. York moved to take up Senate Bill No. 439—An Act to form Agricultural Districts, to provide for the organization of Agricultural Associations therein, and for the management and control of the same by the State.

So ordered.

Mr. Tyler moved to amend the bill by striking out section twelve.

Upon which the ayes and noes were demanded by Messrs. Estey, Cooper, and York.

The roll was called, and the amendment was lost by the following vote:

AYES—Messrs. Anthony, Bennett, Brown of Sonoma, Chandler, Cook, Cooper, Estey, Hardy, Hershey, Hynes, Josselyn, Maguire, McCarthy of San Francisco, McComas, McIntosh, Merry, Morse, Mulholland, Nelson, Picket, Sherburne, Stoddard, Ward, Wason of Ventura, and Wasson of Mono—25

NOES—Messrs. Adams, Bass, Braunhart, Brooks, Brown of Yuba, Bruner, Brusie, Camron, Carr of Sacramento, Chamberlain, Coffman, Coleman, Cuthbert, Dimond, Downs, DuBrutz, Finlayson, Fox, Fraser, Green, Hartson, Lane, Leach, Leadbetter, Mathews, McCallion, McCarty of Lake, Messenger, Simon, Spencer, Stanley, Tyler, Valle Del, Walker, Wattson, York, and Young—37

Mr. Tyler moved to reconsider the vote by which the House refused to strike out section twelve of the bill.

Mr. Fraser moved to lay the motion on the table.

Carried.

Mr. Fox moved to amend by inserting in line four, section twelve, after the word "district" the words "and for that purpose shall incorporate under the general laws of this State."

Adopted.

Also moved to amend in the same line by inserting after the words "so formed," the words "and incorporated."

Adopted.

Mr. Tyler moved to amend by striking out the words "and by such name and style shall have perpetual succession," from lines five and six, section twelve.

Upon which the ayes and noes were demanded by Messrs. Tyler, Hardy, and Mulholland.

The roll was called, and the amendment was lost by the following vote:

AYES—Messrs. Anthony, Bass, Bennett, Carr of Yuba, Chandler, Cook, Cooper, Cuthbert, Dimond, Downs, Estey, Hardy, Hershey, Hynes, McCarty of Lake, McComas, McIntosh, Mulholland, Sherburne, Tyler, Walker, and Wason of Ventura—22.

NOES—Messrs Adams, Brooks, Brown of Sonoma, Brown of Yuba, Bruner, Brusie, Camron, Carr of Sacramento, Chamberlain, Coffman, Coleman, DuBrutz, Finlayson, Fox, Fraser, Green, Harris, Leach, Leadbetter, Mathews, May, McCallion, McCarthy of San Francisco, Messenger, Morse, Sinon, Spencer, Stanley, Streeter, Valle Del, Ward, Wattson, York, and Young—34.

Mr. Tyler moved to amend by striking out all of section twelve, commencing in line six, section twelve, with the word "and" down to and including the word "pleasure," in line ten of said section.

Mr. Cook moved to strike out the enacting clause of the bill.

The previous question on the whole bill was demanded by Messrs. Camron, Adams, and Downs, and the House so ordered.

The motion to strike out the enacting clause of the bill was lost.

The question recurred upon Mr. Tyler's amendment.

Upon which the ayes and noes were demanded by Messrs. Tyler, Mulholland, and Mathews.

The roll was called, and the amendment was lost by the following vote.

AYES—Messrs. Anthony, Bass, Bennett, Brusie, Cooper, Downs, Estey, Finlayson, Gorley, Hardy, Hynes, Josselyn, McCallion, McComas, McIntosh, Merry, Mulholland, Sherburne, Stoddard, Streeter, Tyler, and Wason of Ventura—22.

NOES—Messrs. Adams, Braunhart, Brown of Sonoma, Brown of Yuba, Bruner, Camron, Carr of Sacramento, Carr of Yuba, Chamberlain, Chandler, Coffman, Coleman, Cook, Dimond, DuBrutz, Fox, Fraser, Frink, Gaffey, Green, Hershey, Leach, Leadbetter, Mathews, McCarty of Lake, McCarthy of San Francisco, Messenger, Nelson, Picket, Sinon, Spencer, Stanley, Valle Del, Walker, Ward, Wasson of Mono, Wattson, York, and Young—39.

The bill read second time, and ordered to third reading.

Mr. York gave notice that he would move to reconsider the vote by which Mr. Fox's amendment to section twelve was adopted.

At five o'clock P. M. Mr. Estey moved we do now adjourn.

Upon which the ayes and noes were demanded by Messrs. DuBrutz, Braunhart, and Sinon.

The roll was called, and the motion was lost by the following vote:

AYES—Messrs. Brooks, Brown of Sonoma, Brown of Yuba, Burns, Camron, Chamberlain, Chandler, Coffman, Coleman, Cooper, Cuthbert, Dimond, Estey, Fox, Frink, Garibaldi, Gaffey, Gorley, Green, Hardy, Harris, Hynes, Lane, May, Maybell, McCallion, McCarty of Lake, McCarthy of San Francisco, McDade, McIntosh, Merry, Messenger, Morse, Mulholland, Picket, Stanley, Stoddard, Sweetland, Tyler, Walker, Ward, Wason of Ventura, Wasson of Mono, Wattson, York, and Young—46.

NOES—Messrs. Anthony, Bass, Braunhart, Carr of Sacramento, Carr of Yuba, Cook, Downs, DuBrutz, Felton, Finlayson, Fraser, Hershey, Josselyn, Leach, Leadbetter, Maguire, Mathews, McComas, Nelson, Simon, Sherburne, Spencer, Streeter, Valle Del, and Mr. Speaker—25.

Mr. Mathews moved to take a recess until seven o'clock P. M.
Lost.
Mr. Del Valle, pursuant to notice, moved to reconsider the vote by which the House indefinitely postponed Assembly Bill No. 541.
Lost.

ADJOURNMENT.

Mr. Del Valle, at five o'clock and six minutes P. M., moved to adjourn.
Upon which the ayes and noes were demanded by Messrs. May, McCarthy, and York.
The roll was called, and the motion was carried by the following vote:

AYES—Messrs. Adams, Bass, Brooks, Brown of Sonoma, Brown of Yuba, Bruner, Brusie, Burns, Cameron, Chamberlain, Chandler, Coffman, Coleman, Cook, Cooper, Cuthbert, Dimond, Downs, Estey, Fox, Frink, Garibaldi, Gaffey, Gorley, Green, Hardy, Harris, Hershey, Hynes, Lane, Leadbetter, May, Maybell, McCarty of Lake, McCarthy of San Francisco, Merry, Messenger, Morse, Mulholland, Nelson, Picket, Stoddard, Sweetland, Tyler, Valle Del, Walker, Ward, Wason of Ventura, Wasson of Mono, Wattson, York, and Young—52.
NOES—Messrs. Anthony, Bennett, Braunhart, Carr of Sacramento, Carr of Yuba, DuBrutz, Felton, Finlayson, Fraser, Josselyn, Leach, Mathews, McCallion, McComas, McIntosh, Sherburne, Spencer, Stanley, Streeter, and Mr Speaker—20.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Thursday, April 8th, 1880.

House met pursuant to adjournment.
Speaker Cowdery in the chair.
Roll called, and quorum present.
Prayer by the Chaplain.

READING AND APPROVAL OF THE JOURNAL.

Mr. Tyler moved that the further reading of the Journal be dispensed with.
So ordered.
The Journal of Tuesday and Wednesday approved.

REPORTS OF STANDING COMMITTEES.

By Mr. Merry:

ASSEMBLY CHAMBER, SACRAMENTO, April 8th, 1880.

MR. SPEAKER: Your Committee on Claims, to whom was referred Senate Bill No. 473—An Act to empower and direct the Trustees of Levee District Number One of Sacramento County to pay certain indebtedness outstanding against the late Swamp Land District Number Two Hundred and Eighty-seven, and due C. G. Hidden, Charles V. Brockway, Moses Sprague, A. Monton, R. J. Merkley, Philip Herzog, George Peters, Samuel Poorman, Daniel Flint, and Howell Clark, for money and labor expended on repairs of levee—have had the same under consideration, and report it back without amendment, and recommend that it do pass.

MERRY, Chairman.

Mr. Young moved that the bill reported above be placed at the head of second reading file.

Lost.

ASSEMBLY CHAMBER, SACRAMENTO, April 8th, 1880.

MR SPEAKER: The Committee on Corporations, to whom was referred Senate Bill No 157—An Act to punish willful misrepresentions by life insurance companies and their agents—have had the same under consideration, and report the same back to the Assembly without amendment, and recommend its passage.

Also, Assembly Bill No. 572, and report the same back without amendment, and without recommendation

BROWN of Yuba, Chairman.

By Mr. Sherburne:

ASSEMBLY CHAMBER, April 8th, 1880.

MR. SPEAKER: Your Committee on Engrossment have examined, and find correctly reengrossed, Assembly Bill No. 320—An Act for the better protection of fruit trees and vines.

Also, properly engrossed Assembly Bill No. 415—An Act to provide for the establishment and maintenance of a Mining Bureau.

SHERBURNE, Chairman.

By Mr. Fox:

ASSEMBLY CHAMBER, SACRAMENTO, April 7th, 1880.

MR SPEAKER: Your Committee on Judiciary, to whom was referred Senate Bill No 43—An Act to amend section eleven hundred and eighty-three of an Act entitled "An Act to establish a Code of Civil Procedure," approved March eleventh, eighteen hundred and seventy-two, relating to liens of mechanics and others upon real property—have had the same under consideration, and report it back with amendments, recommending passage as amended.

FOX, Chairman.

Mr Fox moved the bill reported above be placed at the head of second reading file.

Carried.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 8th, 1880.

MR. SPEAKER: Your Committee on Judiciary, to whom was referred Assembly Bill No 443—An Act to prohibit civic and political societies and organizations from carrying fire-arms through the public streets of any city or town within the State—have had the same under consideration, and report it back with amendments, and recommend its passage as amended.

FOX, Chairman.

By Mr. Wattson:

MR. SPEAKER: Your committee, to whom was referred the resolution below, report it back, and recommend its adoption.

WATTSON, Chairman.

Resolved, That the Controller of State be and he is hereby authorized and instructed to draw his warrant on the State Treasurer in favor of R. W. Parker, Sergeant-at-Arms, for one hundred dollars ($100), payable out of the Contingent Fund of the Assembly, the same being for contingent expenses of his office.

Resolution adopted.

By Mr. McComas:

ASSEMBLY CHAMBER, April 7th, 1880.

MR SPEAKER Your Committee on Public Lands, to whom was referred Assembly Joint Resolution No. 18, herewith report the same back with amendments, and recommend its passage as amended.

McCOMAS, Chairman.

Mr. Coleman moved that Assembly Bill No. 324—An Act to amend section four thousand and twenty-six of the Political Code—be taken up.

Carried.

The bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Anthony, Bass, Bennett, Brown of Sonoma, Brown of Yuba, Bruner, Brusie, Cannon, Carr of Sacramento, Carr of Yuba, Chamberlain, Chandler, Coleman, Cook, Cooper, Corcoran, Dimond, Downs, DuBrutz, Estey, Finlayson, Fraser, Frink, Garibaldi, Gaffey, Green, Hartson, Hershey, Hynes, Josselyn, Lane, Leach, Levee, Maguire, Mathews, May, McCallion, McCarty of Lake, McCarthy of San Francisco, McComas, McIntosh, Merry, Messenger, Morse, Mulholland, Nelson, Pickel, Simon, Sherburne, Stanley, Stoddard, Streeter, Sweetland, Tyler, Valle Del, Walker, Ward, Wattson, York, Young, and Mr. Speaker—61.

NOES—Mr. Burns—1.

Title amended, and approved as amended.

Mr. McComas moved that Assembly Bill No. 242—An Act to repeal an Act entitled an Act to ratify and confirm the acts of the Mayor and Common Council of the City of San José, approved March fourth, eighteen hundred and seventy-eight—be taken up.

Carried.

Mr. May moved that Senate Bill No 362—An Act to provide for the organization, incorporation, and government of merged and consolidated cities and counties of more than one hundred thousand population, pursuant to the provisions of section seven, of article eleven, of the Constitution of this State—be made the order of the day for to-morrow.

Upon which the ayes and noes were demanded by Messrs. DuBrutz, Simon, and Burns.

The roll was called, and the motion was carried by the following vote:

AYES—Messrs Bennett, Brooks, Brown of Yuba, Bruner, Brusie, Cannon, Carr of Sacramento, Chamberlain, Chandler, Dimond, Downs, Estey Felton, Finlayson, Fox, Frink, Garibaldi, Gorley, Green, Hartson, Hershey, Leach, Leadbetter, May, McComas, Merry, Morse, Mulholland, Nelson, Stanley, Streeter, Tyler, Walker, Ward, York, Young, and Mr Speaker—37.

NOES—Messrs Anthony, Bass, Brown of Sonoma, Burns, Carr of Yuba, Coffman, Coleman, Cook, Cooper, Corcoran, Cuthbert, DuBrutz, Fraser, Gaffey, Harris, Hynes, Josselyn, Lane, Levee, Maguire, Mathews, Maybell, McCallion, McCarty of Lake, McIntosh, Messenger, Pickel, Sayle Simon, Sherburne, Spencer, Stoddard, Sweetland, Valle Del, Wason of Ventura, and Wattson—36.

Mr DuBrutz moved that Senate Bill No. 211—An Act to amend section one thousand four hundred and twenty-two of the Civil Code, relating to water rights and riparian proprietors—be made the order of the day for to-morrow.

Assembly Bill No. 242—An Act to repeal an Act entitled an Act to ratify and confirm the acts of the Mayor and Common Council of the City of San José, approved March fourth, eighteen hundred and seventy-eight.

Taken up

The amendments recommended by the committee to sections one, two, three, four, and eleven, adopted.

Mr. Mulholland moved to amend section nine of the bill by striking out the words "or by the United States."

Adopted.

The committee amendments to sections twelve, nineteen, and twenty, adopted.

Mr. Morse moved to amend by striking out all after the word "Act," in line eight.

Adopted.

The committee amendments to section twenty-three adopted.

The committee amendments striking out sections twenty-four and thirty-one, and by striking out a portion of section thirty-six, and all of thirty-seven, adopted.

Mr. McComas moved to amend by adding a new section to the bill. Adopted.

Mr. Fox moved to amend by striking out section twenty-three, and the adoption of a substitute therefor.

The substitute for section twenty-three, offered by Mr. Fox, lost.

Mr. Anthony moved to strike out the enacting clause of the bill. Lost.

The bill read second time, and ordered to third reading, and made the order of the day for to-morrow, with Assembly Bill No 385.

Mr. Young moved that the following bills be made the order of the day for Saturday next:

Senate Bill No. 458—An Act to provide for the deficiency in the appropriation "for repairs to State Capitol building and furniture," during the thirtieth fiscal year.

Senate Bill No. 459—An Act to provide for the deficiency in the appropriation "for traveling expenses of the State Board of Education," during the thirtieth fiscal year.

Senate Bill No. 460—An Act to provide for the deficiency in the appropriation "for the contingent expenses of the Supreme Court" during the thirtieth fiscal year.

Senate Bill No. 461—An Act to provide for the deficiency in the appropriation "for arresting criminals without the limits of the State" during the thirtieth fiscal year.

Senate Bill No 462—An Act to provide for the deficiency in the appropriation "for payment of rewards offered by the Governor" during the thirtieth fiscal year.

Senate Bill No. 463—An Act to appropriate money for the payment of the deficiency in the appropriation for the support of the State Normal School for the twenty-ninth and thirtieth fiscal years.

Senate Bill No. 464—An Act to appropriate money for the payment of the deficiency in the appropriation for the payment of rewards for the arrest and conviction of highway robbers for the twenty-ninth fiscal year.

Senate Bill No. 465—An Act to appropriate money for the payment of the deficiency in the appropriation for the transportation of prisoners for the twenty-ninth fiscal year.

Senate Bill No. 466—An Act to appropriate money for the payment of the deficiency in the appropriation for stationery, fuel, and lights, for the twenty-ninth fiscal year.

Senate Bill No. 469—An Act to provide for the deficiency in the appropriation "for repairs to State Capitol building, and furniture, and grounds," during the twenty-ninth and thirtieth fiscal years.

So ordered.

ORDERS OF THE DAY.

Senate Bill No. 226—An Act to amend section one thousand five hundred and eighty-six of the Penal Code, relating to the transportation of convicts to the State Prisons.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Adams, Anthony, Bass, Bennett, Braunhart, Brown of Yuba, Bruner, Brusie, Carr of Sacramento, Carr of Yuba, Chamberlain, Chandler, Coleman, Cook, Cooper, Cuthbert, Dimond, DuBrutz, Estey, Finlayson, Fox, Fraser, Funk, Garibaldi, Gaffey, Gorley, Green, Hardy, Hartson, Hershey, Hynes, Josselyn, Lane, Leach, Leadbetter, Levee, Mathews, May, Maybell, McCallion, McCarty of Lake, McIntosh, Merry, Messenger, Morse, Mulholland,

Nelson, Sayle, Simon, Sherburne, Stoddard, Streeter, Valle Del, Walker, Wason of Ventura, Wattson, Young, and Mr. Speaker—56.
NOES—None.

Title approved.

Senate Bill No. 227—An Act to amend section two thousand two hundred and twenty-one of the Political Code, relating to transportation of insane persons to Asylums.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Adams, Anthony, Bass, Bennett, Brown of Sonoma, Brown of Yuba, Bruner, Brusie, Burns, Carr of Sacramento, Carr of Yuba, Chamberlain, Chandler, Cook, Cooper, Dimond, DuBrutz, Estey, Finlayson, Fox, Fraser, Frink, Garibaldi, Gaffey, Green, Hardy, Hartson, Hynes, Josselyn, Lane, Leach, Leadbetter, Mathews, May, Maybell, McCallion, McCarty of Lake, McIntosh, Merry, Messenger, Morse, Mulholland, Nelson, Picket, Simon, Sherburne, Spencer, Stoddard, Streeter, Walker, Wason of Ventura, Wattson, York, Young, and Mr. Speaker—55.
NOES—None.

Title approved.

Senate Bill No. 311—An Act to appropriate money to the California Artificial Stone Paving Compay, to pay the balance due the company for laying down the stone walks and avenues about the Capitol grounds.

Read third time.

Rules suspended.

The bill considered in the Assembly.

The roll was called, and the bill passed by the following vote:

AYES—Messrs Adams, Anthony, Bass, Bennett, Braunhart, Brown of Sonoma, Brown of Yuba, Bruner, Brusie, Burns, Carr of Sacramento, Carr of Yuba, Chandler, Cook, Cuthbert, Dimond, Estey, Finlayson, Frink, Garibaldi, Gaffey, Gorley, Green, Hardy, Hartson, Josselyn, Lane, Leach, Leadbetter, Levee, Maguire, Mathews, May, Maybell, McCallion, McCarty of Lake, McCarthy of San Francisco, McComas, McIntosh, Merry, Messenger, Morse, Mulholland, Nelson, Picket, Sherburne, Spencer, Stanley, Stoddard, Streeter, Valle Del, Walker, Ward, Wason of Ventura, Wattson, York, Young, and Mr Speaker—58.
NOES—Mr. Cooper—1.

Title approved.

Senate Bill No. 304—An Act to provide for increasing the law library of the corporation known as the San Francisco Law Library, and to secure the use of the same to the Courts held at San Francisco, the bar, the city and county government, and the people of the City and County of San Francisco, approved March ninth, eighteen hundred and seventy.

Read third time.

The roll was called, and the bill was passed by the following vote:

AYES—Messrs Adams, Anthony, Bass, Bennett, Brown of Sonoma, Brown of Yuba, Bruner Cameron, Carr of Sacramento, Carr of Yuba, Cook, Cooper, Corcoran, Cuthbert, Estey, Felton Finlayson, Fraser, Garibaldi, Gaffey, Green, Harris, Hartson, Hershey, Hynes, Josselyn, Lane Leach, Leadbetter, Maguire, Mathews, May, McCallion, McCarty of Lake, McCarthy of San Francisco, McComas, McIntosh, Merry, Morse, Mulholland, Nelson, Picket, Sayle, Sherburne, Spencer, Stoddard, Streeter, Sweetland, Valle Del, Ward, Wason of Ventura, Wattson, York, Young and Mr. Speaker—56
NOES—Messrs Braunhart, DuBrutz, Frink, Messenger, and Stanley—5.

Title approved.

REPORT OF THE COMMITTEE ON ENGROSSMENT.

By Mr. Sherburne:

ASSEMBLY CHAMBER, April 8th, 1880.

MR. SPEAKER: Your Committee on Engrossment have examined, and find correctly engrossed, Assembly Bill No. 320—An Act to amend section four thousand and twenty-six of the Political Code, relative to filling vacancies in Boards of Supervisors

SHERBURNE, Chairman.

ORDERS OF THE DAY—RESUMED.

Assembly Bill No. 499—An Act to empower consolidated cities and counties of over one hundred thousand inhabitants to make alterations to county prisons and county jails for sanitary purposes.

The bill read third time.

The roll was called, and the bill was passed by the following vote:

AYES—Messrs. Bass, Bennett, Brown of Sonoma, Brown of Yuba, Bruner, Brusie, Burns, Camron, Carr of Sacramento, Chandler, Coffman, Cook, Cooper, Corcoran, Cuthbert, Estey, Finlayson, Fox, Fraser, Frink, Garibaldi, Gorley, Green, Harris, Hartson, Hershey, Josselyn, Lane, Leach, Leadbetter, Maguire, Mathews, May, McCallion, McCarthy of San Francisco, McComas, McIntosh, Messenger, Morse, Mulholland, Nelson, Picket, Simon, Sherburne, Spencer, Stoddard, Sweetland, Ward, Wason of Ventura, Wattson, Young, and Mr. Speaker—52.

NOES—Messrs. Anthony, Braunhart, DuBrutz, Hynes, McCarty of Lake, and Sayle—6.

Title approved.

Senate Bill No. 96—An Act to amend sections one and two of an Act entitled "An Act giving a lien to loggers and laborers employed in logging camps upon the logs cut and hauled by the persons who employ them," approved March thirtieth, eighteen hundred and seventy-eight.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Adams, Anthony, Bass, Bennett, Braunhart, Brooks, Brown of Sonoma, Brown of Yuba, Brusie, Burns, Camron, Carr of Sacramento, Chandler, Coffman, Cook, Cooper, Corcoran, Estey, Finlayson, Fox, Frink, Garibaldi, Gaffey, Gorley, Green, Hardy, Harris, Hartson, Hershey, Hynes, Josselyn, Lane, Leach, Leadbetter, Maguire, Mathews, May, Maybell, McCallion, McCarty of Lake, McCarthy of San Francisco, McComas, McDade, McIntosh, Merry, Messenger, Morse, Mulholland, Nelson, Sherburne, Spencer, Stanley, Stoddard, Streeter, Sweetland, Valle Del, Ward, Wason of Ventura, York, Young, and Mr. Speaker—61.

NOES—Messrs. Fraser and Tyler—2.

Title approved.

Senate Bill No. 282—An Act to enforce the provisions of section three, of article eleven, of the Constitution.

Read third time.

The roll called, and the bill was passed by the following vote:

AYES—Messrs. Adams, Anthony, Bass, Bennett, Braunhart, Brown of Sonoma, Brown of Yuba, Bruner, Brusie, Burns, Carr of Sacramento, Carr of Yuba, Chamberlain, Chandler, Coffman, Cook, Cooper, Corcoran, Dimond, DuBrutz, Estey, Finlayson, Garibaldi, Gaffey, Gorley, Green, Hardy, Harris, Hartson, Hershey, Hynes, Josselyn, Lane, Leach, Leadbetter, Levee, Maguire, Mathews, May, Maybell, McCallion, McCarthy of San Francisco, McDade, McIntosh, Merry, Morse, Picket, Sayle, Sherburne, Spencer, Stanley, Stoddard, Streeter, Tyler, Valle Del, Ward, Wason of Ventura, and Young—58.

NOES—Messrs. Camron, Felton, Fox, Fraser, McCarty of Lake, Messenger, Mulholland, Nelson, and York—9.

Title approved.

Mr. Tyler gave notice that he would, to-morrow, move to reconsider the vote by which the bill was passed.

Assembly Bill No. 479—An Act to amend section one thousand two hundred and sixty-five of the Civil Code, in relation to homesteads.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs Adams, Anthony, Bass, Bennett, Braunhart, Brown of Sonoma, Brown of Yuba, Bruner, Brusie, Burns, Carr of Sacramento, Carr of Yuba, Chamberlain, Coffman, Coleman, Cooper, Dimond, DuBrutz, Estey, Finlayson, Fox, Fraser, Frink, Gaffey, Gorley, Green, Hardy, Harris, Hartson, Hershey, Hynes, Josselyn, Leach, Leadbetter, Maguire, Mathews, May, Maybell, McCallion, McCarty of Lake, McCarthy of San Francisco, McComas, McIntosh, Merry, Messenger, Morse, Mulholland, Nelson, Sayle, Sherburne, Spencer, Stanley, Stoddard, Streeter, Tyler, Walker, Ward, Wason of Ventura, Wattson, York, Young, and Mr. Speaker—62.
NOES—None.

Title approved.

Senate Bill No. 408—An Act to amend section ten of the Political Code, defining legal holidays.

Read third time.

The roll was called, and the bill was passed by the following vote:

AYES—Messrs Adams, Anthony, Bass, Bennett, Braunhart, Brooks, Brown of Yuba, Bruner, Brusie, Burns, Cameron, Carr of Sacramento, Carr of Yuba, Chamberlain, Coffman, Coleman, Cooper, Dimond, Estey, Finlayson, Fox, Fraser, Frink, Gaffey, Gorley, Green, Hardy, Harris, Hartson, Hershey, Hynes, Josselyn, Lane, Leach, Leadbetter, Levee, Maguire, Mathews, May, Maybell, McCallion, McCarty of Lake, McCarthy of San Francisco, McComas, McIntosh, Merry, Messenger, Morse, Mulholland, Nelson, Picket, Sayle, Sherburne, Spencer, Stanley, Streeter, Tyler, Valle Del, Ward, Wason of Ventura, York, Young, and Mr. Speaker—64.
NOES—None.

Title approved.

Senate Bill No. 409—An Act to amend section seven of the Civil Code, defining legal holidays.

Read third time.

The roll was called, and the bill passed by the following vote.

AYES—Messrs Adams, Anthony, Bass, Bennett, Braunhart, Brooks, Brown of Yuba, Bruner, Brusie, Burns, Cameron, Carr of Sacramento, Carr of Yuba, Chamberlain, Chandler, Coffman, Coleman, Cooper, Dimond, DuBrutz, Estey, Finlayson, Fox, Fraser, Gaffey, Gorley, Green, Hardy, Harris, Hartson, Hershey, Hynes, Josselyn, Lane, Leach, Leadbetter, Levee, Maguire, Mathews, May, McCallion, McCarty of Lake, McCarthy of San Francisco, McComas, McIntosh, Merry, Messenger, Morse, Mulholland, Nelson, Picket, Sayle, Spencer, Stanley, Streeter, Tyler, Valle Del, Ward, Wason of Ventura, Wattson, York, Young, and Mr. Speaker—63.
NOES—Messrs. Frink, Sherburne, and Stoddard—3.

Title approved.

Senate Bill No. 410—An Act to amend section ten of the Code of Civil Procedure, defining legal holidays.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs Adams, Anthony, Bass, Bennett, Brooks, Brown of Yuba, Bruner, Brusie, Cameron, Carr of Sacramento, Carr of Yuba, Chamberlain, Chandler, Coffman, Cook, Cooper, Dimond, DuBrutz, Estey, Finlayson, Fraser, Frink, Gaffey, Gorley, Green, Hardy, Harris, Hartson, Hershey, Hynes, Josselyn, Lane, Leach, Leadbetter, Levee, Maguire, May, McCallion, McCarty of Lake, McCarthy of San Francisco, McComas, McDade, McIntosh, Merry, Messenger, Morse, Nelson, Picket, Sayle, Stanley, Streeter, Tyler, Valle Del, Ward, Wason of Ventura, Wattson, Young, and Mr. Speaker—58
NOES—Messrs. Sherburne and Stoddard—2.

Title approved.

RECESS.

At one o'clock and five minutes P. M. the House took a recess until two o'clock P. M.

RE-ASSEMBLED.

House re-assembled at two o'clock P. M.
Speaker Cowdery in the chair.
Quorum present.

REPORTS OF STANDING COMMITTEES.

By Mr. Brooks:

MR SPEAKER Your Committee on Enrollment respectfully report that the following Assembly bills have been correctly enrolled. No 377—An Act to empower the Directors of Levee District Number One, of Sutter County, to issue bonds for the payment or funding of the unfunded indebtedness of said levee district, and to provide for the redemption of such bonds by taxing the property in the district.

No. 143—An Act to amend an Act entitled "An Act relating to apprentices and masters," approved April third, eighteen hundred and seventy-six.

No. 384—An Act to amend an Act entitled "An Act to provide for the building of a school house in Modesto School District in the County of Stanislaus, in the State of California," approved January ninth, eighteen hundred and seventy-four.

And the same were, at eleven o'clock A. M this eighth day of April, eighteen hundred and eighty, presented to the Governor for his approval.

BROOKS, Chairman.

By Mr. Streeter:

ASSEMBLY CHAMBER, SACRAMENTO, April 8th, 1880.

MR SPEAKER: The Committee on County Governments, to whom was referred Assembly Bill No. 519—An Act to amend certain sections of the Political Code contained in chapters one, two, three, four, and five, part four, title two, and to add other sections thereto, and to establish a system of county governments—have had the same under consideration, and report the same back to the Assembly with amendments, and recommend its passage as amended

STREETER, Chairman.

The bill reported above ordered printed as amended.
By Mr. Fox:

ASSEMBLY CHAMBER, SACRAMENTO, April 8th, 1880.

MR SPEAKER: Your Committee on Judiciary, to whom was referred Senate Bill No. 430—An Act releasing to William Scholle and his assigns certain lands in San Francisco, and authorizing the Governor to make conveyance thereof—have had the same under consideration, and report it back, with recommendation that it do pass

FOX, Chairman.

MESSAGE FROM THE GOVERNOR.

The following message from the Governor was read:

STATE OF CALIFORNIA, EXECUTIVE DEPARTMENT,
SACRAMENTO, April 6th, 1880.

To the Assembly of the State of California:

I have the honor to inform your honorable body that I have approved Assembly Bill No. 48—An Act to amend an Act entitled "An Act relating to mutual, beneficial, and relief associations," approved March twenty-eighth, eighteen hundred and seventy-four.

Also, Assembly Bill No. 36—An Act to amend sections sixty-nine, seventy, eighty, one hundred and thirty-seven, two hundred and twenty-six, two hundred and forty-three, two hundred and forty-four, two hundred and forty-nine, two hundred and fifty-three, two hundred and fifty-eight, two hundred and sixty-five, two hundred and seventy-three, five hundred and ninety-three five hundred and ninety-six, five hundred and ninety-eight, six hundred and two, twelve hundred and forty one, twelve hundred and forty-five, twelve hundred and forty-seven, twelve hundred and sixty-five, thirteen hundred and sixty-three, thirteen hundred and sixty-four, twenty-two hundred and eighty-three, twenty-two hundred and eighty-seven, and twenty-two hundred and eighty-nine of an Act entitled "An Act to establish a Civil Code," approved March twenty-first, eighteen hundred and seventy-two, conferring upon the Superior Courts, their Judges or officers, the jurisdiction and authority heretofore exercised in certain cases by the Courts abolished by the Constitution, their Judges or officers.

Also, Assembly Bill No. 144—An Act to amend an Act entitled an Act regulating the sale of mineral lands belonging to the State, approved March twenty-eighth, eighteen hundred and seventy-four.

GEORGE C. PERKINS, Governor.

SENATE MESSAGE.

The following Senate message was read:

SENATE CHAMBER, SACRAMENTO, April 7th, 1880.

MR SPEAKER: I am directed to inform your honorable body that the Senate, on April seventh, passed Senate Bill No. 244—An Act to amend section three thousand four hundred and sixty-six of the Political Code, in relation to the collection of delinquent charges and assessments in swamp land and reclamation districts made for reclamation purposes

Also, passed Senate Bill No 401—An Act to add to part two, division two, of the Civil Code, a new title, to be known as title five, containing eighteen sections, to be numbered eight hundred and seventy-eight, eight hundred and seventy-nine, eight hundred and eighty, eight hundred and eighty-one, eight hundred and eighty-two, eight hundred and eighty-three, eight hundred and eighty-four, eight hundred and eighty-five, eight hundred and eighty-six, eight hundred and eighty-seven, eight hundred and eighty-eight, eight hundred and eighty-nine, eight hundred and ninety, eight hundred and ninety-one, eight hundred and ninety-two, eight hundred and ninety-three, eight hundred and ninety-four, and eight hundred and ninety-five, relating to mining

Also, passed Senate Bill No. 332—An Act to provide for the construction, maintenance, and regulation of fish-ways in streams naturally frequented by salmon, shad, or other migratory fish.

Also, passed Senate Bill No. 394—An Act to amend section eight hundred and eleven of the Penal Code, concerning the jurisdiction of Magistrates.

Also, passed Senate Bill No. 416—An Act to amend section number one thousand three hundred and thirteen of the Civil Code, concerning devises to charitable uses.

Also, passed Senate Bill No. 183—An Act to amend sections three thousand seven hundred and thirty-two, three thousand seven hundred and thirty-four, three thousand seven hundred and thirty-six, three thousand seven hundred and forty-six, three thousand seven hundred and fifty-eight, three thousand seven hundred and eighty-nine, three thousand seven hundred and ninety-seven, three thousand seven hundred and ninety-nine, three thousand eight hundred and twelve, three thousand eight hundred and eighty-one, of the Political Code, and to repeal sections three thousand seven hundred and thirty-three, three thousand seven hundred and thirty-eight, three thousand eight hundred and ninety-three, and three thousand eight hundred and ninety-six, of said Code, providing for a duplicate assessment book

Also, passed Senate Bill No. 87—An Act designating the places in which polls shall be located.

Also, passed Senate Bill No 555—An Act making an appropriation for the State Printing Office for the fiscal year ending June thirtieth, eighteen hundred and eighty.

Also, passed Assembly Joint Resolution No 10—Relative to the enforcement of the United States statute making eight hours the length of a day's labor on public works.

Also, passed Assembly Joint Resolution No. 7—Relative to the procuring of a quarantine depot

Also, passed Assembly Concurrent Resolution No 17—Relative to the establishment of first order light and a steam fog signal station at Point St. George, on the northern coast of California.

Also, passed Senate Bill No. 343—An Act to provide for the permanent improvement of the State Capitol Park.

Also, passed Senate Bill No 433—An Act relating to fishing in the waters of this State.

Also, passed Assembly Joint Resolution No 15—Relative to extending the thanks of the State to J. W. Mackey.

Also, passed Senate Bill No. 404—An Act to add a new section to the Political Code, to be known as section two thousand seven hundred and fifteen, relating to public highways.

Also, passed Senate Bill No. 384—An Act to establish free public libraries and reading-rooms.

JAS. A. ORR, Assistant Secretary.

CONSIDERATION OF SENATE MESSAGE.

Senate Bill No. 244—An Act to amend section three thousand four hundred and sixty-six of the Political Code, in relation to the collection of delinquent charges and assessments in swamp land and reclamation districts made for reclamation purposes.

Read first time, and referred to the Committee on Swamp and Overflowed Lands

Senate Bill No. 401—An Act to add to part two, division two, of the Civil Code, a new title, to be known as title five, containing eighteen sections, to be numbered eight hundred and seventy-eight, eight hundred and seventy-nine, eight hundred and eighty, eight hundred and eighty-one, eight hundred and eighty-two, eight hun-

dred and eighty-three, eight hundred and eighty-four, eight hundred and eighty-five, eight hundred and eighty-six, eight hundred and eighty-seven, eight hundred and eighty-eight, eight hundred and eighty-nine, eight hundred and ninety, eight hundred and ninety-one, eight hundred and ninety-two, eight hundred and ninety-three, eight hundred and ninety-four, and eight hundred and ninety-five, relating to mining.

Read first time, and referred to the Committee on Judiciary.

Senate Bill No. 332—An Act to provide for the construction, maintenance, and regulation of fish-ways, in streams naturally frequented by salmon, shad, or other migratory fish.

Read first time, and referred to the Committee on Fish and Game.

Senate Bill No. 394—An Act to amend section eight hundred and eleven of the Penal Code, concerning the jurisdiction of Magistrates.

Read first time, and referred to the Committee on Judiciary.

Senate Bill No. 416—An Act to amend section number one thousand three hundred and thirteen of the Civil Code, concerning devises to charitable uses.

Read first time, and referred to the Committee on Judiciary.

Senate Bill No. 183—An Act to amend sections three thousand seven hundred and thirty-two, three thousand seven hundred and thirty-four, three thousand seven hundred and thirty-six, three thousand seven hundred and forty-six, three thousand seven hundred and fifty-eight, three thousand seven hundred and eighty-nine, three thousand seven hundred and ninety-seven, three thousand seven hundred and ninety-nine, three thousand eight hundred and twelve, three thousand eight hundred and eighty-one, of the Political Code, and to repeal sections three thousand seven hundred and thirty-three, three thousand seven hundred and thirty-eight, three thousand eight hundred and ninety-three, and three thousand eight hundred and ninety-six, of said Code, providing for a duplicate assessment book.

Read first time, and referred to the Committee on Ways and Means.

Senate Bill No. 87—An Act designating the places in which polls shall be located.

Read first time, and referred to the Committee on Elections.

Senate Bill No 555—An Act making an appropriation for the State Printing Office for the fiscal year ending June thirtieth, eighteen hundred and eighty.

Read first time, and referred to the Committee on Ways and Means.

Senate Bill No 343—An Act to provide for the permanent improvement of the State Capitol Park.

Read first time, and referred to the Committee on Ways and Means.

Senate Bill No 433—An Act relating to fishing in the waters of this State

Read first time, and referred to the Committee on Fish and Game.

Senate Bill No. 404—An Act to add a new section to the Political Code, to be known as section two thousand seven hundred and fifteen, relating to public highways.

Read first time, and referred to the Committee on County Governments and Municipal Corporations.

Senate Bill No 384—An Act to establish free public libraries and reading-rooms.

Read first time, and referred to the Committee on County Governments and Mnnicipal Corporations.

SECOND READING FILE.

Senate Bill No. 418—An Act to regulate the sale of certain poisonous substances.

Read second time.

The committee amendments adopted.

Mr. Fox moved to amend by striking out all of line two after the word "substances," and inserting instead the words "poisonous, and by reason thereof dangerous to human life."

Adopted

Schedules "A" and "B," and all reference thereto, stricken out.

Bill read second time, and ordered to third reading.

Assembly Bill No. 423—An Act to procure and preserve monthly statements of the business and operations of corporations organized or incorporated for the purpose of mining, milling, reducing, or working ores, metals, or minerals.

Read second time, and ordered to third reading.

Assembly Bill No. 491—An Act requiring physicians to report cases of infectious and contagious disease.

Read second time

The committee amendments adopted.

The bill ordered printed as amended.

Assembly Bill No 511—An Act supplemental to and amendatory of an Act entitled "An Act supplemental to and amendatory of an Act entitled an Act to regulate the practice of medicine in the State of California, approved April third, eighteen hundred and seventy-six," passed April first, eighteen hundred and seventy-eight.

Read second time.

Amended as recommended by the committee, and ordered printed, as amended, and read third time.

Assembly Bill No. 471—An Act to prohibit the landing within this State, under certain circumstances, of any vagrant, pauper, mendicant, person afflicted with any contagious disease, or any person or class of persons declared to be dangerous to the health, well-being, or peace of this State, and to provide the means for carrying the same into effect.

Rejected.

Assembly Bill No 440—An Act to provide for the improvement of streets within cities of less than one hundred thousand inhabitants, organized and existing for municipal purposes.

The committee amendment to section three and four adopted.

The committee amendments to section five adopted.

At three o'clock P. M. Mr Anthony moved that the House continue its consideration of the above bill until disposed of.

So ordered.

The committee amendment number three to section five, and the committee amendment to section six, adopted.

Speaker pro tem. Fraser in the chair.

The committee amendment to sections seven, eight, nine, and ten, adopted.

Section eleven was stricken out.

The committee amendment to section eleven, and all committee amendments to sections thirteen and fourteen, adopted.

Five new sections recommended by the committee were added to

the bill, to be known as sections fourteen, fifteen, sixteen, seventeen, and eighteen.

The committee amendments to sections fifteen, eighteen, twenty-four, thirty, and thirty-three, of the original bill, adopted.

The bill read second time, and ordered printed, as amended, and made the order of the day for Saturday next.

Mr Nelson moved that Senate Bill No. 366—An Act to amend section six hundred and seven of the Penal Code, relating to malicious mischief—be taken up.

Carried.

The bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Adams, Anthony, Bennett, Braunhart, Brown of Sonoma, Brown of Yuba, Bruner, Brusie, Burns, Camron, Carr of Sacramento, Chamberlain, Cook, Cooper, Corcoran, Dimond, Estey, Felton, Finlayson, Fox, Fraser, Frink, Garibaldi, Gaffey, Gorley, Green, Hardy, Harris, Hershey, Hynes, Josselyn, Lane, Leach, Leadbetter, Maguire, Mathews, May, McCalhon, McCarthy of San Francisco, McComas, McIntosh, Merry, Messenger, Nelson, Sherburne, Spencer, Stanley, Stoddard, Streeter, Tyler, Ward, Wason of Ventura, Wattson, York, and Young—54

NOES—Messrs. Carr of Yuba, Cuthbert, DuBrutz, Levee, Maybell, McCarty of Lake, Morse, Picket, and Sayle—9.

Title approved.

Mr. Sherburne moved that Assembly Bill No. 364—An Act to amend section two thousand nine hundred and fourteen of an Act entitled an Act to establish a Political Code, approved March twelfth, eighteen hundred and seventy-two—be taken up.

So ordered.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Adams, Anthony, Bass, Bennett, Brooks, Brown of Sonoma, Brown of Yuba, Bruner, Brusie, Burns, Camron, Carr of Sacramento, Carr of Yuba, Chamberlain, Cook, Corcoran, Cuthbert, DuBrutz, Finlayson, Fox, Fraser, Frink, Gaffey, Gorley, Green, Hardy, Hershey, Josselyn, Leach, Leadbetter, Maguire, Mathews, May, Maybell, McCalhon, McComas, McIntosh, Merry, Morse, Nelson, Picket, Sayle, Sherburne, Spencer, Stanley, Stoddard, Streeter, Tyler, Valle Del, Ward, Wason of Ventura, York, Young, and Mr. Speaker—53.

NOES—Messrs. Dimond and Harris—2.

Title amended, and approved as amended.

Senate bill No. 313—An Act to provide for the management and control of the State Agricultural Society by the State—and Senate Bill No. 439—An Act to form Agricultural Districts, to provide for the organization of Agricultural Associations therein, and for the management and control of the same by the State—made the order of the day for Saturday next.

Mr. Spencer moved to take up Assembly Bill No. 378—An Act concerning the Medical Department of the University of California.

Lost.

THIRD READING OF BILLS.

Speaker Cowdery in the chair.

Assembly Bill No. 311—An Act concerning passengers in vessels coming to any city or port in the State of California.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs Adams, Anthony, Bass, Braunhart, Burns, Carr of Sacramento, Carr of Yuba, Chamberlain, Coffman, Cook, Cooper, Corcoran, Cuthbert, Dimond, Finlayson, Fraser, Gari-

baldi, Gaffey, Gorley, Green, Hardy, Harris, Hershey, Hynes, Josselyn, Lane, Levee, Maguire, Mathews, May, Maybell, McCallion, McCarthy of San Francisco, Merry, Messenger, Picket, Sayle, Simon, Sherburne, Stoddard, Sweetland, Valle Del, Walker, Wason of Ventura, Wattson, and Young—46.

NOES—Messrs. Bennett, Brooks, Brown of Yuba, Bruner, Brusie, Coleman, Downs, Estey, Felton, Fox, Frink, Hartson, Leach, Leadbetter, McCarty of Lake, McComas, McIntosh, Morse, Nelson, Stanley, Tyler, and York—22.

Title approved.

Senate Bill No. 84—An Act to organize and define the powers of the Board of Railroad Commissioners.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs Adams, Anthony, Bass, Bennett, Brown of Sonoma, Bruner, Brusie, Burns, Carr of Sacramento, Carr of Yuba, Coleman, Cook, Cooper, Corcoran, Cuthbert, Dimond, Downs, DuBrutz, Estey, Felton, Finlayson, Frink, Garibaldi, Gaffey, Gorley, Green, Hershey, Hynes, Josselyn, Lane, Leach, Leadbetter, Levee, Maguire, May, McCallion, McCarthy of San Francisco, McIntosh, Merry, Messenger, Morse, Mulholland, Nelson, Picket, Sayle, Sherburne, Spencer, Stanley, Stoddard, Streeter, Tyler, Valle Del, Ward, Wason of Ventura, Wattson, York, Young, and Mr. Speaker—58.

NOES—None.

Title approved.

Senate Bill No. 264—An Act to add a new section to the Penal Code, to be known as section three hundred and nine, to prevent the admission of minors to houses of prostitution.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Adams, Anthony, Bass, Bennett, Brooks, Brown of Sonoma, Brown of Yuba, Bruner, Brusie, Burns, Camron, Carr of Sacramento, Carr of Yuba, Coffman, Coleman, Cook, Cooper, Corcoran, Cuthbert, DuBrutz, Estey, Finlayson, Frink, Garibaldi, Gaffey, Gorley, Green, Hardy, Hershey, Hynes, Josselyn, Leach, Leadbetter, Mathews, May, McCallion, McCarty of Lake, McCarthy of San Francisco, McComas, McIntosh, Merry, Messenger, Morse, Mulholland, Nelson, Picket, Sayle, Sherburne, Spencer, Stanley, Stoddard, Streeter, Tyler, Valle Del, Ward, Wason of Ventura, Wattson, York, Young, and Mr. Speaker—60.

NOES—None.

Title approved

Assembly Bill No. 237—An Act to provide for the incorporation of mutual fire insurance companies, and defining their powers and duties.

Read third time

The roll was called, and the bill was refused passage by the following vote:

AYES—Messrs. Anthony, Bass, Brooks, Brown of Yuba, Bruner, Burns, Cook, Cooper, Cuthbert, Dimond, Estey, Hershey, Hynes, Josselyn, Leach, Leadbetter, Levee, Maguire, Mathews, McCallion, McComas, McIntosh, Merry, Simon, Stanley, Stoddard, Streeter, Ward, Wason of Ventura, and Young—30.

NOES—Messrs. Bennett, Brown of Sonoma, Brusie, Carr of Sacramento, Carr of Yuba, Coleman, Downs, DuBrutz, Felton, Finlayson, Fox, Fraser, Frink, Garibaldi, Gorley, McCarty of Lake, McCarthy of San Francisco, Messenger, Morse, Mulholland, Nelson, Picket, Sayle, Sherburne, Spencer, Tyler, York, and Mr. Speaker—28

Mr. Burns gave notice that he would, on to-morrow, move to reconsider the vote by which the House refused to pass the bill.

RECESS.

The House took a recess until seven o'clock P. M.

RE-ASSEMBLED.

House re-assembled at seven o'clock P. M.

Speaker Cowdery in the chair.

Roll called, and quorum present.

Senate Bill No. 368—An Act to add a new section to the Political Code, to be numbered three thousand four hundred and ninety-one, relative to the election of Trustees of reclamation districts and their term of office.

Read second time, and ordered to third reading.

Mr. Cooper moved to take up the second reading file.

So ordered.

SECOND READING OF BILLS.

Assembly Bill No. 329—An Act to amend section two of an Act entitled "An Act to amend an Act entitled an Act to incorporate the City of Oakland, passed March twenty-fifth, eighteen hundred and fifty-four, and repealing certain other Acts in relation to said city," approved April twenty-fourth, eighteen hundred and sixty-two.

Read second time, amended as recommended by the committee, and ordered to third reading.

Mr Tyler moved to take up Assembly Concurrent Resolution No. 20, relative to the preemption laws of the United States.

Lost.

Mr. Sweetland moved to take up Assembly Bill No. 505—An Act to grant to certain parties therein named, the right of way for a railroad from the Town of Truckee to the Town of Quincy.

So ordered.

The bill read third time, amended as recommended by the committee, and ordered to third reading.

Assembly Bill No. 428—An Act to establish a Branch Normal School.

Withdrawn.

Senate Bill No. 383—An Act to establish a Branch State Normal School.

Taken up instead of Assembly Bill No. 428.

Read second time.

Mr. Brown moved to amend section one.

Mr. Tyler moved to strike out the enacting clause of the bill.

Upon which the ayes and noes were demanded by Messrs. Tyler, Sweetland, and Chamberlain.

The roll was called, and the motion was lost by the following vote:

AYES—Messrs. Bennett, Brooks, Brown of Yuba, Brusie, Chamberlain, Chandler, Coleman, Cuthbert, Dimond, Fraser, Hardy, Leach, Maybell, McIntosh, Messenger, Mulholland, Nelson, Shelburne, Stoddard, and Tyler—20.

NOES—Messrs Anthony, Bass, Braunhart, Brown of Sonoma, Brunet, Burns, Carr of Yuba, Coffman, Cook, Cooper, Corcoran, Downs, DuBrutz, Estey, Frink, Gaffey, Gorley, Green, Hartson, Hershey, Hynes, Josselyn, Lane, Maguire, Mathews, May, McCallion, McCarty of Lake, McCarthy of San Francisco, McDade, Merry, Morse, Pickel, Sayle, Simon, Spencer, Streeter, Sweetland, Valle Del, Walker, Ward, Wason of Ventura, Wattson, York, and Young—45.

Mr. Brown moved to refer the bill, with amendments proposed, to the Committee on Education, with instructions to report the bill back to-morrow, amended by incorporating the amendments referred with the bill.

Upon which the ayes and noes were demanded by Messrs. Del Valle, Lane, and Carr of Yuba.

The roll was called, and the motion was carried by the following vote:

AYES—Messrs Bass, Bennett, Brooks, Brown of Sonoma, Brown of Yuba, Bruner, Brusie, Camron, Carr of Sacramento, Chamberlain, Chandler, Coleman, Cook, Corcoran, Cuthbert, Dimond, Downs, Finlayson, Fox, Fraser, Garibaldi, Gorley, Hardy, Hartson, Hynes, Josselyn, Leach, McCarty of Lake, McIntosh, Merry, Messenger, Morse, Mulholland, Nelson, Sayle, Sherburne, Stoddard, Sweetland, Tyler, Valle Del, and Walker—40.

NOES—Messrs. Anthony, Braunhart, Burns, Carr of Yuba, Coffman, Cooper, Gaffey, Hershey, Lane, Maguire, May, Maybell, McCallion, McCarthy of San Francisco, McComas, McDade, Picket, Spencer, Streeter, Ward, Wason of Ventura, Wattson, Young, and Mr. Speaker—24.

Mr. Del Valle moved to reconsider the vote by which the bill was recommitted.

Lost.

Assembly Bill No. 437—An Act to provide for the erection of three Normal School buildings.

Rejected.

Assembly Bill No. 458—An Act to establish a Branch Normal School.

Withdrawn.

Assembly Bill No. 463—An Act to establish a Branch Normal School in the Town of Reading, Shasta County, California.

Withdrawn.

Assembly Bill No. 467—An Act to provide for the location and maintenance of a Branch Normal School at the City of Santa Rosa, Sonoma County.

Withdrawn.

Assembly Bill No. 469—An Act to provide for the erection of buildings for the use of the Normal Schools of the State.

Withdrawn.

Senate Bill No. 321—An Act making appropriation for the improvement of L Street, between Tenth and Fifteenth Streets, in the City of Sacramento, County of Sacramento, State of California.

Read second time.

Mr. Braunhart moved to strike out the enacting clause.

Lost.

The bill ordered to third reading.

Senate Bill No. 92—An Act to amend sections two thousand two hundred and ninety-two and two thousand two hundred and ninety-four of the Political Code, relating to the State Library.

Read second time.

Mr. Del Valle moved to strike out the enacting clause.

Upon which the ayes and noes were demanded by Messrs DuBrutz, Bruner, and Gaffey.

The previous question was demanded by Messrs. Adams, Lane, and Mathews, and the House so ordered.

The roll was called, and the motion was carried by the following vote:

AYES—Messrs. Adams, Anthony, Bass, Braunhart, Brown of Sonoma, Bruner, Burns, Carr of Yuba, Chamberlain, Coffman, Cook, Cooper, Corcoran, Cuthbert, DuBrutz, Felton, Frink, Gaffey, Harris, Hershey, Hynes, Josselyn, Lane, Maguire, Mathews, Maybell, McCallion, McCarty of Lake, McCarthy of San Francisco, McComas, McDade, Messenger, Picket, Sayle, Simon, Sherburne, Spencer, Stoddard, Valle Del, Walker, Wason of Ventura, and York—42.

NOES—Messrs Bennett, Brooks, Brown of Yuba, Brusie, Camron, Carr of Sacramento, Chandler, Coleman, Downs, Estey, Fox, Fraser, Gorley, Green, Hardy, Hartson, Leach, Leadbetter, May, McIntosh, Merry, Morse, Mulholland, Nelson, Stanley, Streeter, Tyler, Ward, Wasson of Mono, Wattson, Young, and Mr. Speaker—32.

Mr. Bruner gave notice that he would, to-morrow, move to reconsider the vote by which the motion was carried.

Assembly Bill No. 515—An Act to provide for a thorough investigation of the drainage and debris problems.

Mr. Tyler moved to strike out the enacting clause of the bill.

Upon which the ayes and noes were demanded by Messrs. Leach, Tyler, and McIntosh.

The roll was called, and the motion was lost by the following vote:

AYES—Messrs Adams, Anthony, Bennett, Brown of Sonoma, Camron, Carr of Sacramento, Chamberlain, Coleman, Estey, Fraser, Hardy, Hynes, Leach, Leadbetter, McComas, McIntosh, Merry, Morse, Sherburne, Stanley, Stoddard, Tyler, Wason of Ventura, Wattson, and York—25.

NOES—Messrs. Bass, Braunhart, Brooks, Brown of Yuba, Bruner, Brusie, Burns, Carr of Yuba, Chandler, Coffman, Cook, Cooper, Corcoran, Cuthbert, Downs, DuBrutz, Felton, Fox, Garibaldi, Gorley, Green, Harris, Hartson, Hershey, Josselyn, Lane, Maguire, May, Maybell, McCallion, McCarty of Lake, McCarthy of San Francisco, Messenger, Nelson, Picket, Sayle, Spencer, Streeter, Sweetland, Valle Del, Walker, Young, and Mr. Speaker—43.

The bill read second time.

Mr. Brooks moved to amend section three, line three, by striking out the words "thirty thousand dollars" and inserting the words "four thousand dollars."

Carried.

The bill ordered to third reading.

Assembly Bill No. 213—An Act to regulate the quality and standard illuminating power and to limit the price of gas in all cities and cities and counties of the State of California containing one hundred thousand population and over.

Withdrawn.

Assembly Bill No. 128—An Act to fund the indebtedness now outstanding of swamp land districts of this State represented by State Controller's warrants drawn on the State treasury.

Substitute read, and referred to the Committee on Swamp and Overflowed Lands.

Mr. Bruner moved to reconsider the vote referring the bill above.

Lost.

Assembly Bill No. 528—An Act to amend an Act entitled "An Act concerning trespassing of animals upon private lands in certain counties in the State of California," approved March seventh, eighteen hundred and seventy-eight.

Read second time, and ordered to third reading.

Mr. Leach moved to take up third reading file.

Lost.

Assembly Bill No. 525—An Act to add a new section to the Civil Code, in title eight, relative to water rights.

Read second time, and indefinitely postponed.

Assembly Bill No. 521—An Act to provide for the continuation of the irrigation investigation.

Mr Streeter moved to strike out section four of the bill.

Mr. Tyler moved to strike out the enacting clause.

Lost.

Bill read second time.

Section four stricken out.

Mr. Tyler moved to indefinitely postpone the bill.

Lost.

Mr. Anthony moved to amend by changing the word "valley" to the word "valleys."

Adopted.

Mr. Fox moved to amend by striking out the word "such," in line nine; also, by striking out the word "as" and inserting the word "where."

Adopted.

Bill ordered to third reading.

Assembly Bill No. 350—An Act to regulate the practice of pharmacy.

Withdrawn

Assembly Bill No. 504—An Act to provide for the levying and collection of a tax upon incomes.

Mr. Stanley moved the bill be rejected.

Upon which the ayes and noes were demanded by Messrs. Maybell, Braunhart, and Maguire.

The roll was called, and the motion was carried by the following vote:

AYES—Messrs. Bennett, Brooks, Brown of Yuba, Bruner, Carr of Sacramento, Chamberlain, Chandler, Coleman, Cooper, Downs, Finlayson, Fox, Fraser, Frink, Garibaldi, Gorley, Hartson, Hershey, Josselyn, Leadbetter, May, McCarty of Lake, McComas, McIntosh, Morse, Nelson, Sayle, Sherburne, Stanley, Tyler, Ward, Wattson, York, Young, and Mr. Speaker—35

NOES—Messrs Anthony, Bass, Braunhart, Brown of Sonoma, Brusie, Burns, Carr of Yuba, Coffman, Cook, Gaffey, Green, Leach, Maguire, Mathews, Maybell, McCarthy of San Francisco, Merry, Messenger, Picket, Simon, Spencer, Streeter, Sweetland, Valle Del, Walker, and Wason of Ventura—25.

Senate Bill No. 5—An Act to provide for the improvement of Normal School Square, in the City of San Jose.

Indefinitely postponed.

Assembly Bill No. 400—An Act to amend section three thousand seven hundred and forty-six of the Political Code.

Withdrawn.

Assembly Bill No. 328—An Act to amend section three thousand seven hundred and eighty of the Political Code, relative to time for redemption of property sold for taxes.

Read second time, and ordered to third reading.

Assembly Bill No. 500—An Act to amend sections twelve and fourteen of an Act entitled "An Act creating a Board of Bank Commissioners," approved March thirtieth, eighteen hundred and seventy-eight, relative to salaries of Commissioners and Clerk.

Read second time.

Amendment recommended by the committee adopted, and bill ordered to third reading.

Assembly Bill No. 470—An Act to protect county jails, and to prevent communication with persons confined therein.

Withdrawn.

Assembly Bill No. 276—An Act to provide for the repair and completion of the Governor's Mansion.

Ordered to foot of file.

Assembly Bill No. 501—An Act to amend sections three hundred and eighty-four, three hundred and eighty-five, three hundred and eighty-six, four hundred and seventeen, four hundred and eighteen, four hundred and nineteen, four hundred and twenty, four hundred and twenty-two, four hundred and thirty-eight, four hundred and thirty-nine, four hundred and forty, four hundred and forty-one, four hundred and fifty-five, four hundred and fifty-six, four hundred and seventy-one, four hundred and seventy-two, four hundred and eighty-four, four hundred and eighty-five, four hundred and eighty-

six, five hundred, five hundred and fourteen, five hundred and sixteen, two thousand one hundred and thirteen, two thousand one hundred and fourteen, two hundred and sixty-seven, three hundred and ninety-six, three hundred and ninety-seven, four hundred and fifty-seven, two thousand three hundred and two, two thousand three hundred and three, six hundred and twenty-eight, six hundred and twenty-nine, seven hundred and fifty-five, seven hundred and fifty-six, and to repeal sections four hundred and ninety-nine, six hundred and eighty-five, and four hundred and twenty-one of the Political Code, relative to the salaries of State officers, deputies, and clerks.

Substitute read and adopted.

Mr. Brooks moved to amend by striking out the words "one thousand six hundred dollars" and inserting the words "two thousand four hundred dollars."

Lost.

Mr. Mathews moved to amend section seventeen by striking out the words "two thousand four hundred dollars," and inserting instead the words "one thousand six hundred dollars."

Lost.

Mr. Leach moved to amend section twenty-eight, so as to make the salary of the Insurance Commissioners "three thousand dollars," instead of "two thousand four hundred dollars."

Lost.

Mr. Leach moved to reconsider above vote.

Lost.

Mr. Tyler moved that the passage of this bill be declared a case of urgency, and that the bill be put upon its final passage.

The roll was called, and the motion was lost by the following vote:

AYES—Messrs. Adams, Anthony, Bass, Bennett, Brown of Yuba, Brusie, Burns, Carr of Sacramento, Chamberlain, Chandler, Coffman, Coleman, Cook, Corcoran, Downs, DuBrutz, Estey, Fraser, Frink, Garibaldi, Green, Hardy, Hershey, Leadbetter, Maguire, Mathews, Maybell, McCarty of Lake, McCarthy of San Francisco, McComas, McIntosh, Merry, Messenger, Morse, Mulholland, Nelson, Sherburne, Spencer, Stanley, Stoddard, Streeter, Tyler, Walker, Wason of Ventura, Wattson, York, Young, and Mr. Speaker—48.

NOES—Messrs Braunhart, Brooks, Brown of Sonoma, Carr of Yuba, Felton, Finlayson, Fox, Gaffey, Hynes, Leach, May, McCallion, McDade, Picket, and Sweetland—15.

Mr. Coleman moved that the bill be placed at the head of the third reading file for to-morrow.

So ordered.

ADJOURNMENT.

Mr. Felton, at ten o'clock and twenty minutes P. M., moved to adjourn.

Carried.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Friday, April 9th, 1880.

House met pursuant to adjournment.

Speaker Cowdery in the chair.

Roll called, and quorum present.

Prayer by the Chaplain.

READING AND APPROVAL OF THE JOURNAL.

Mr. Coleman moved that the further reading of the Journal be dispensed with.

So ordered.

REPORTS OF STANDING COMMITTEES.

By Mr. Sherburne:

ASSEMBLY CHAMBER, April 9th, 1880.

MR. SPEAKER: Your Committee on Engrossment have examined, and find correctly engrossed, Assembly Bill No. 479—An Act to amend section one thousand two hundred and sixty-five of the Civil Code, in relation to homesteads.

Also, Assembly Bill No. 499—An Act to empower consolidated cities and counties of over one hundred thousand inhabitants to make alterations to county prisons and to county jails for sanitary purposes.

Also, Assembly Bill No. 311—An Act to add a new section to the Political Code, to be known as section two thousand nine hundred and fifty-three, relative to police power in the State of California.

Also, Assembly Bill No. 364—An Act to amend section two thousand nine hundred and fourteen of an Act entitled an Act to establish a Political Code, approved March twelfth, eighteen hundred and seventy-two, relating to wharves.

SHERBURNE, Chairman.

By Mr. Fox:

ASSEMBLY CHAMBER, SACRAMENTO, April 9th, 1880.

MR. SPEAKER. Your Committee on Judiciary, to whom was referred Assembly Bill No. 581—An Act to amend section one hundred and three of the Code of Civil Procedure, in relation to Justices' Courts and Justices of the Peace—have had the same under consideration, and report it back with recommendation of passage.

FOX, Chairman.

Mr. McComas made a report returning the testimony taken by the committee relative to Assembly Joint Resolution No. 18, referred to them.

The testimony above reported ordered printed in the Appendix.

By Mr. Camron:

MR. SPEAKER Your Committee on Elections have considered Senate Bill No. 309, and report the same back to the Assembly with the following amendments Strike out sections one, three, six, seven, and eight—and recommend its passage as amended.

CAMRON, Chairman.

RESOLUTION.

By Mr. Young:

WHEREAS, Wm. Hynes, John Boop, R. A. Hall, and H. O. Johnson, Porters of this House, served as such from the fifth to the seventh of January, eighteen hundred and eighty, at which latter time their appointment was formally announced; and, whereas, they each have only received pay from said seventh, leaving two days, of four dollars per day, due each of said parties, therefore, be it

Resolved, That the sum of eight dollars be paid to each of said parties out of the Contingent Fund of the Assembly.

Resolution referred to the Committee on Attachés and Employés.

Mr. Coleman moved that Assembly Bill No. 501—An Act to amend sections three hundred and eighty-four, three hundred and eighty-five, three hundred and eighty-six, four hundred and seventeen, four hundred and eighteen, four hundred and nineteen, four hundred and twenty, four hundred and twenty-two, four hundred and thirty-eight, four hundred and thirty-nine, four hundred and forty, four hundred and forty-one, four hundred and fifty-five, four hundred and fifty-six, four hundred and seventy-one, four hundred and seventy-two, four hundred and eighty-four, four hundred and eighty-five, four hun-

dred and eighty-six, five hundred, five hundred and fourteen, five hundred and sixteen, two thousand one hundred and thirteen, two thousand one hundred and fourteen, two hundred and sixty-seven, three hundred and ninety-six, three hundred and ninety-seven, four hundred and fifty-seven, two thousand three hundred and two, two thousand three hundred and three, six hundred and twenty-eight, six hundred and twenty-nine, seven hundred and fifty-five, seven hundred and fifty-six, and to repeal sections four hundred and ninety-nine, six hundred and eighty-five, and four hundred and twenty-one, of the Political Code, relative to the salaries of State officers, deputies, and clerks—be taken up, read third time, and put upon its passage.

So ordered.

The bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs Adams, Anthony, Bass, Braunhart, Brown of Sonoma, Brown of Yuba, Bruner, Brusie, Burns, Camron, Carr of Sacramento, Carr of Yuba, Chandler, Coffman, Coleman, Cook, Corcoran, Cuthbert, Dimond, Downs, Estey, Finlayson, Fraser, Garibaldi, Gaffey, Green, Hardy, Harris, Hartson, Hershey, Josselyn, Leach, Leadbetter, Maguire, Mathews, Mayhell, McCallion, McCarty of Lake, McCarthy of San Francisco, McComas, McIntosh, Merry, Messenger, Morse, Mulholland, Nelson, Picket, Sayle, Simon, Sherburne, Stanley, Stoddard, Sweetland, Tyler, Walker, Ward, Wason of Ventura, Wasson of Mono, Wattson, York, Young, and Mr. Speaker—62.

NOES—Messrs. Cooper, DuBrutz, Felton, Hynes, and May—5.

Title approved.

Senate Bill No. 538—An Act to amend section four hundred and fifty-six of the Civil Code, relative to the debts of railroad corporations and securities therefor, and sales of the property of said corporations.

Taken up.

Read second time, and ordered to third reading, and made the order of the day for Monday.

Assembly Bill No. 498—An Act to empower consolidated cities and counties of over one hundred thousand inhabitants to pay out of the General Fund demands for rent of Court-rooms and chambers for the Superior Courts, and of police stations, and for salaries of Janitors.

Taken up.

Read second time, and ordered to head of third reading file.

Senate Bill No. 188—An Act to regulate fire, marine, and inland insurance companies transacting business in this State—made the order of the day for Saturday.

Senate Bill No. 219—An Act to amend section three of an Act entitled "An Act authorizing the appointment of certain permanent employés of the State Capitol, and fixing their compensation," approved March thirtieth, eighteen hundred and seventy-four.

Taken up.

Read second time, and ordered to third reading.

Assembly Bill No. 367—An Act to prevent the running at large of sheep, goats, or hogs in the State of California.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs Braunhart, Brown of Sonoma, Brown of Yuba, Bruner, Brusie, Burns, Camron, Chandler, Corcoran, Dimond, DuBrutz, Finlayson, Frink, Gaffey, Harris, Hartson, Hershey, Lane, Leadbetter, Maguire, Mathews, May, McCallion, McCarty of Lake, McCarthy of San

Francisco, McComas, McIntosh, Messenger, Nelson, Sayle, Sherburne, Spencer, Stoddard, Streeter, Tyler, Valle Del, Walker, Wasson of Mono, Wattson, Young, and Mr Speaker—41.

NOES—Messrs. Anthony, Bass, Bennett, Brooks, Carr of Sacramento, Carr of Yuba, Coffman, Cook, Cooper, Cuthbert, Downs, Felton, Fox, Fraser, Josselyn, Levee, Morse, Mulholland, Picket, Stanley, Sweetland, and Wason of Ventura—22.

Title approved.

Senate Bill No. 43—An Act to amend section one thousand one hundred and eighty-three of an Act entitled "An Act to establish a Code of Civil Procedure," approved March eleventh, eighteen hundred and seventy-two, relating to the liens of mechanics and others upon real property.

Read second time.

The question being upon the adoption of the committee amendment, the ayes and noes were demanded by the requisite number.

The roll was called, and the amendment was lost by the following vote:

AYES—Messrs. Bennett, Brown of Yuba, Brusie, Felton, Finlayson, Fox, Hershey, Tyler, and Mr. Speaker—9.

NOES—Messrs. Anthony, Bass, Braunhart, Brooks, Bruner, Burns, Camron, Carr of Sacramento, Carr of Yuba, Chandler, Coffman, Cook, Cooper, Corcoran, Downs, DuBrutz, Estey, Fraser, Garibaldi, Gaffey, Green, Hardy, Hynes, Josselyn, Lane, Leach, Leadbetter, Levee, Maguire, May, Maybell, McCalhon, McCarthy of San Francisco, McComas, McDade, McIntosh, Merry, Messenger, Morse, Mulholland, Picket, Sayle, Simon, Sherburne, Spencer, Stoddard, Streeter, Sweetland, Valle Del, Walker, Ward, Wason of Ventura, York, and Young—54.

The bill read second time, and made the order of the day for to-morrow.

Senate Bill No. 424—An Act to add eight new sections to the Political Code, to be known as sections one thousand eight hundred and eighty, one thousand eight hundred and eighty-one, one thousand eight hundred and eighty-two, one thousand eight hundred and eighty-three, one thousand eight hundred and eighty-four, one thousand eight hundred and eighty-five, one thousand eight hundred and eighty-six, and one thousand eight hundred and eighty-seven, relating to the issuance of bonds by the Trustees of school districts to raise money for building purposes, and to provide for the payment of the same.

Taken up.

Mr. Fox offered a substitute for sections four, five, six, seven, and eight, at the request of the author, and moved their adoption.

Carried.

The bill read second time, and ordered to third reading.

Senate Bill No. 286—An Act to confer power upon Supervisors of cities and counties containing more than one hundred thousand inhabitants, to extend and complete all main intercepting sewers heretofore partially constructed.

Read second time, and made the order of the day for to-morrow.

Assembly Bill No. 459—An Act to regulate and provide for a day of rest in certain cases.

Taken up.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Adams, Anthony, Bennett, Brown of Yuba, Brusie, Burns, Carr of Yuba, Chamberlain, Chandler, Coleman, Cook, Cooper, Corcoran, Cuthbert, Dimond, Estey, Finlayson, Fox, Fraser, Gaffey, Gorley, Green, Hardy, Harris, Hartson, Hershey, Hynes, Lane, Leadbetter, Levee, Maguire, Mathews, May, Maybell, McCarthy of San Francisco, McDade, McIn-

tosh, Merry, Messenger, Morse, Mulholland, Stoddard, Valle Del, Ward, Wason of Ventura, Wattson, Young, and Mr. Speaker—48

NOES—Messrs. Bass, Brooks, Brown of Sonoma, Downs, DuBrutz, Frink, Garibaldi, McCarty of Lake, Nelson, Sayle, Sherburne, Sweetland, Tyler, and York—14.

REPORT OF THE COMMITTEE ON EDUCATION.

By Mr. Wason of Ventura:

ASSEMBLY CHAMBER, April 9th, 1880.

MR. SPEAKER: Your Committee on Education, to whom was referred Senate Bill No. 383—An Act entitled an Act to establish a Branch State Normal School—have had the same under consideration, and report it back with amendments, as instructed by the House.

WASON, Chairman.

The bill above reported made the special order for to-morrow.

Assembly Bill No. 329—An Act to amend section two of an Act entitled "An Act to amend an Act entitled an Act to incorporate the City of Oakland, passed March twenty-fifth, eighteen hundred and fifty-four, and repealing certain other Acts in relation to said city," approved April twenty-fourth, eighteen hundred and sixty-two.

Taken up.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Adams, Anthony, Bass, Bennett, Brooks, Brown of Sonoma, Brusie, Burns, Camron, Carr of Sacramento, Carr of Yuba, Chamberlain, Chandler, Coleman, Cook, Cooper, Corcoran, Cuthbert, Dimon, Downs, DuBrutz, Estey, Felton, Finlayson, Fox, Fraser, Frink, Garibaldi, Gaffey, Gorley, Green, Harris, Hartson, Hershey, Josselyn, Lane, Leach, Leadbetter, Levee, Maguire, May, McCarthy of San Francisco, McIntosh, Morse, Mulholland, Nelson, Picket, Sayle, Sherburne, Spencer, Stanley, Streeter, Valle Del, Walker, Ward, Wason of Ventura, York, Young, and Mr. Speaker—59.

NOES—Mr. Messenger—1.

Title approved.

ORDERS OF THE DAY.

Senate Bill No. 63—An Act to provide for the speedy completion of the Branch State Prison at Folsom.

Read third time.

The previous question was demanded by Messrs. Felton, May, and Finlayson, and the House so ordered.

Rules suspended, and the bill considered in the Assembly.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Adams, Bass, Bennett, Brooks, Brown of Yuba, Brusie, Burns, Camron, Carr of Sacramento, Chamberlain, Chandler, Coleman, Cuthbert, Downs, DuBrutz, Felton, Finlayson, Fox, Fraser, Garibaldi, Gaffey, Green, Hartson, Hynes, Josselyn, Leach, Leadbetter, Levee, Maguire, Mathews, May, Maybell, McCarty of Lake, McComas, Messenger, Picket, Stanley, Stoddard, Streeter, Valle Del, Ward, Wason of Ventura, Young, and Mr. Speaker—44.

NOES—Messrs. Anthony, Carr of Yuba, Cooper, Corcoran, Dimond, Estey, Frink, Harris, McCarthy of San Francisco, Merry, Mulholland, Nelson, Sayle, Spencer, Sweetland, Tyler, Wattson, and York—18.

Title approved.

Assembly Bill No. 425—An Act to amend sections seven hundred, seven hundred and one, seven hundred and two, seven hundred and three, seven hundred and four, and seven hundred and five, of an Act entitled "An Act to establish a Code of Civil Procedure," approved March twelfth, eighteen hundred and seventy-two, so as to provide for the redemption of real estate sold under the power contained in trust deeds.

Read third time.

The roll was called, and the bill was passed by the following vote:

AYES—Messrs. Anthony, Bass, Bennett, Braunhart, Brooks, Brown of Sonoma, Brown of Yuba, Bruner, Brusie, Burns, Carr of Sacramento, Carr of Yuba, Chamberlain, Chandler, Coffman, Coleman, Cook, Cooper, Corcoran, Downs, DuBrutz, Estey, Finlayson, Fraser, Garibaldi, Gaffey, Green, Hartson, Hershey, Hynes, Josselyn, Leach, Leadbetter, Levee, Maguire, Mathews, Maybell, McCallion, McCarty of Lake, McCarthy of San Francisco, McComas, McIntosh, Merry, Messenger, Morse, Mulholland, Nelson, Picket, Sayle, Simon, Sherburne, Spencer, Stanley, Streeter, Sweetland, Tyler, Valle Del, Walker, Ward, Wason of Ventura, Wattson, York, and Young—63

NOES—Messrs Fox and May—2.

Title approved.

Mr. Tyler gave notice that he would, to-morrow, move to reconsider the vote by which the bill was passed.

Mr. Young moved the rule requiring one day's notice of a motion to reconsider be suspended.

Carried by a two-thirds vote.

Mr. Young moved that the vote by which the above bill passed be reconsidered.

Lost.

Senate Bill No. 131—An Act for the relief of insolvent debtors, for the protection of creditors, and for the punishment of fraudulent debtors.

Temporarily passed on file.

Senate Bill No. 362—An Act to provide for the organization, incorporation, and government of merged and consolidated cities and counties of more than one hundred thousand population, pursuant to the provisions of section seven, article eleven, of the Constitution of this State.

Taken up.

Mr. Maybell moved to indefinitely postpone the bill.

Pending the consideration of the above bill the following Senate message was read:

SENATE CHAMBER, SACRAMENTO, April 9th, 1880.

MR SPEAKER: I am directed to inform your honorable body that the Senate, on April eighth, amended, and on April ninth adopted, as amended, Assembly Concurrent Resolution No. 21—Relative to the adjournment *sine die* of the Twenty-third Session of the Legislature of California.

J. A. ORR, Assistant Secretary.

The resolution above mentioned was taken up.

The roll was called, and the House concurred in the Senate amendment thereto by the following vote:

AYES—Messrs Adams, Bennett, Brown of Sonoma, Brown of Yuba, Bruner, Brusie, Carr of Sacramento, Chamberlain, Chandler, Coleman, Corcoran, Downs, DuBrutz, Estey, Felton, Finlayson, Fox, Gorley, Green, Hardy, Hartson, Hershey, Leach, Leadbetter, May, McComas, Merry, Nelson, Sherburne, Stoddard, Streeter, Tyler, Walker, Ward, Wason of Ventura, Wasson of Mono, Wattson, York, Young, and Mr. Speaker—40.

NOES—Messrs Anthony, Bass, Braunhart, Brooks, Burns, Cameron, Carr of Yuba, Coffman, Cook, Cooper, Cuthbert, Dimond, Fraser, Frink, Garibaldi, Gaffey, Harris, Hynes, Josselyn, Lane, Levee, Maguire, Mathews, Maybell, McCallion, McCarty of Lake, McCarthy of San Francisco, McDade, McIntosh, Messenger, Morse, Mulholland, Picket, Sayle, Simon, Spencer, Stanley, Sweetland, and Valle Del—39.

Mr. Del Valle raised the point of order that it required forty-one votes to concur in the amendment to the resolution.

The Speaker ruling the point not well taken Mr. Maybell appealed from the decision of the Chair.

The question being, "Shall the decision of the Speaker stand as the judgment of the House?" the ayes and noes were demanded by Messrs. McCarty, Maybell, and Gaffey.

The roll was called, and the Speaker's decision was sustained by the following vote:

AYES—Messrs. Adams, Bass, Bennett, Braunhart, Brooks, Brown of Yuba, Bruner, Burns, Camron, Carr of Sacramento, Chamberlain, Chandler, Coffman, Coleman, Cook, Cuthbert, Downs, Estey, Felton, Finlayson, Fox, Fraser, Garibaldi, Gorley, Green, Hardy, Hartson, Hershey, Hynes, Josselyn, Leach, Leadbetter, Maguire, Mathews, May, McComas, McIntosh, Merry, Morse, Mulholland, Nelson, Sayle, Simon, Sherburne, Stoddard, Streeter, Sweetland, Tyler, Valle Del, Walker, Ward, Wason of Ventura, Wasson of Mono, Wattson, and York—55.

NOES—Messrs. Anthony, Brown of Sonoma, Carr of Yuba, Cooper, Corcoran, Dimond, DuBrutz, Gaffey, Lane, Maybell, McCallion, McCarty of Lake, McCarthy of San Francisco, McDade, Messenger, Picket, Spencer, and Young—18.

Mr. Brown of Sonoma gave notice that he would move, to-morrow, to reconsider the vote by which the Senate amendment was concurred in.

Mr. DuBrutz also gave notice that he would, to-morrow, move to reconsider the vote by which the Senate amendment was concurred in.

Mr. Cooper moved that the motion to reconsider be considered now.

So ordered.

The roll was called, and the motion to reconsider was carried by the following vote:

AYES—Messrs. Anthony, Bass, Braunhart, Brooks, Brown of Sonoma, Burns, Camron, Carr of Yuba, Coffman, Coleman, Cook, Cooper, Cuthbert, Dimond, DuBrutz, Estey, Gaffey, Harris, Hershey, Hynes, Josselyn, Lane, Levee, Maguire, Mathews, Maybell, McCallion, McCarty of Lake, McCarthy of San Francisco, McDade, McIntosh, Messenger, Morse, Mulholland, Picket, Sayle, Simon, Spencer, Stanley, Stoddard, and Valle Del—41.

NOES—Messrs. Adams, Bennett, Brown of Yuba, Bruner, Carr of Sacramento, Chamberlain, Chandler, Corcoran, Downs, Felton, Finlayson, Fox, Fraser, Frink, Garibaldi, Gorley, Green, Hardy, Hartson, Leach, Leadbetter, May, McComas, Merry, Nelson, Sherburne, Streeter, Sweetland, Tyler, Walker, Ward, Wason of Ventura, Wasson of Mono, Wattson, York, Young, and Mr. Speaker—37.

The question recurred upon concurring in Senate amendment to the resolution.

Mr. Tyler moved that the consideration of the resolution be postponed until Monday next.

Lost.

The roll was called, and the House refused to concur in the Senate amendment to the resolution by the following vote:

AYES—Messrs. Adams, Bennett, Brown of Yuba, Bruner, Carr of Sacramento, Chamberlain, Chandler, Corcoran, Downs, Felton, Finlayson, Fox, Fraser, Garibaldi, Gorley, Green, Hardy, Hartson, Hershey, Leach, Leadbetter, May, McComas, Merry, Nelson, Sayle, Sherburne, Stoddard, Streeter, Sweetland, Tyler, Walker, Ward, Wason of Ventura, Wasson of Mono, York, Young, and Mr. Speaker—38.

NOES—Messrs. Anthony, Bass, Braunhart, Brooks, Brown of Sonoma, Burns, Camron, Carr of Yuba, Coffman, Coleman, Cook, Cooper, Cuthbert, Dimond, DuBrutz, Estey, Frink, Gaffey, Harris, Hynes, Josselyn, Lane, Levee, Maguire, Mathews, Maybell, McCallion, McCarty of Lake, McCarthy of San Francisco, McDade, McIntosh, Messenger, Morse, Mulholland, Picket, Simon, Spencer, Stanley, Valle Del, and Wattson—40.

RECESS.

At one o'clock P. M. the House took a recess until two o'clock P. M.

RE-ASSEMBLED.

House re-assembled at two o'clock P. M.

Speaker Cowdery in the chair.

Quorum present.

The consideration of Senate Bill No. 362—An Act to provide for the organization, incorporation, and government of merged and consolidated cities and counties of more than one hundred thousand population, pursuant to the provisions of section seven, of article eleven, of the Constitution of this State—resumed.

Pending discussion Mr. Tyler made some remarks to which exceptions were taken.

Mr. Sinon moved the language be taken down.

So ordered.

Mr. Tyler then repeated as follows: "I charge and state that Mr. Samuel Braunhart, on yesterday, made the statement that he would vote for any measure, however corrupt, in order to obtain a single vote to defeat the charter," which, on being read by the Clerk, was admitted to be in effect what he said.

Mr. Braunhart moved to amend, in line seven, section four, by inserting after the word "Judge," the words "and Chief of Police."

Upon which the ayes and noes were demanded by Messrs. Maybell, Braunhart, and Sinon.

The roll was called, and the amendment was lost by the following vote:

AYES—Messrs Anthony, Bass, Braunhart, Brown of Sonoma, Burns, Carr of Yuba, Coffman, Cook, Cooper, Corcoran, DuBrutz, Gaffey, Hershey, Hynes, Lane, Levee, Maguire, Mathews, Maybell, McCallion, McCarty of Lake, McCarthy of San Francisco, McDade, Picket, Sayle, Simon, Spencer, Stoddard, Sweetland, Valle Del, and Wattson—30.

NOES—Messrs. Adams, Bennett, Brown of Yuba, Bruner, Chamberlain, Chandler, Coleman, Cuthbert, Downs, Estey, Felton, Finlayson, Fox, Fraser, Frink, Garibaldi, Gorley, Hardy, Hartson, Leach, Leadbetter, May, McComas, McIntosh, Merry, Messenger, Morse, Mulholland, Nelson, Stanley, Streeter, Tyler, Walker, Ward, Wason of Ventura, Wasson of Mono, York, and Mr. Speaker—40.

Mr. Lane moved to amend in line seven, section four, by inserting after the word "Judge," the words "five Fire Commissioners."

Lost.

Mr. Gaffey moved to amend, in line five, section four, by inserting after the word "Recorder" the words "Election Commission."

Upon which the ayes and noes were demanded by Messrs. Maybell, Sinon, and McCarthy.

The roll was called, and the amendment was lost by the following vote:

AYES—Messrs. Anthony, Bass, Braunhart, Brown of Sonoma, Burns, Carr of Yuba, Coffman, Cook, Cooper, Corcoran, Cuthbert, DuBrutz, Estey, Gaffey, Harris, Hershey, Hynes, Lane, Levee, Maguire, Mathews, Maybell, McCallion, McCarty of Lake, McCarthy of San Francisco, McDade, Mulholland, Picket, Sayle, Simon, Spencer, and Valle Del—32

NOES—Messrs Adams, Bennett, Brown of Yuba, Bruner, Camron, Chamberlain, Chandler, Coleman, Downs, Felton, Finlayson, Fox, Fraser, Frink, Garibaldi, Gorley, Green, Hardy, Hartson, Leach, Leadbetter, May, McComas, McIntosh, Merry, Messenger, Morse, Nelson, Stanley, Streeter, Tyler, Walker, Ward, Wason of Ventura, Wasson of Mono, Wattson, York, Young, and Mr. Speaker—39.

Mr. McDade moved that further consideration of this bill be postponed until Monday next.

Lost.

Mr. McCarty moved to amend, in line five, section four, by inserting after the word "Auditor" the word "Assessor."

Lost.

The committee amendments numbers one and two to section five pending

Mr. Gaffey moved to amend by striking out all after the word "Act," from line four, down to and including the word "divided," on line nine, section five, and inserting instead the words "within thirty days after the passage of this Act the Mayor of such city and county shall appoint twelve delegates, one from each of the wards into which such city and county is now divided."

The Chair ruling that this bill having been made the order of the day, took precedence of the third reading of bills, Mr. Del Valle, seconded by Mr. DuBrutz, appealed from the decision of the Chair.

The question was, "Shall the decision of the Chair stand as the judgment of the House?"

Mr. Braunhart, interrupting Mr. May, said: "That the gentleman having stated a falsehood, I don't propose to stand it."

The words were ordered taken down by the Clerk.

The previous question was demanded by Messrs. Felton, Garibaldi, and Finlayson, and the House so ordered.

The ayes and noes were demanded by Messrs. Braunhart, Maybell, and Mathews.

The roll was called, and the Speaker's decision sustained by the following vote:

AYES—Messrs. Adams, Bennett, Brooks, Brown of Yuba, Bruner, Brusie, Camron, Carr of Sacramento, Chamberlain, Chandler, Cook, Cooper, Corcoran, Dimond, Downs, Estey, Felton, Finlayson, Fox, Frink, Garibaldi, Gorley, Green, Hardy, Hartson, Hershey, Leach, Leadbetter, May, McComas, McIntosh, Merry, Morse, Mulholland, Nelson, Sherburne, Stanley, Tyler, Walker, Ward, Wason of Ventura, Wasson of Mono, Wattson, York, and Young—45.

NOES—Messrs. Anthony, Braunhart, Burns, Coffman, Cuthbert, DuBrutz, Gaffey, Harris, Hynes, Lane, Mathews, Maybell, McCallion, McCarty of Lake, McCarthy of San Francisco, McDade, Messenger, Picket, Simon, Spencer, Sweetland, and Valle Del—22.

Mr. Cooper moved to make Senate Bill No. 131—An Act for the relief of insolvent debtors, for the protection of creditors, and for the punishment of fraudulent debtors—the order of the day for Tuesday.

Lost.

Mr. Finlayson moved that Senate Bill No. 131 and Senate Bill No. 211 be made the order of the day for to-morrow.

Carried.

REPORT OF THE COMMITTEE ON ENGROSSMENT.

By Mr. Sherburne:

ASSEMBLY CHAMBER, April 9th, 1880.

MR SPEAKER: Your Committee on Engrossment have examined, and find correctly engrossed, Assembly Bill No. 367—An Act to prevent the running at large of sheep, goats, or hogs in the State of California.

Also, Assembly Bill No. 501—An Act to amend sections three hundred and eighty-four, three hundred and eighty-five, three hundred and eighty-six, four hundred and seventeen, four hundred and eighteen, four hundred and nineteen, four hundred and twenty, four hundred and twenty-two, four hundred and thirty-eight, four hundred and thirty-nine, four hundred and forty, four hundred and forty-one, four hundred and fifty-five, four hundred and fifty-six, four hundred and seventy-one, four hundred and seventy-two, four hundred and eighty-four, four hundred and eighty-five, four hundred and eighty-six, five hundred, five hundred and fourteen, five hundred and sixteen, two thousand one hundred and thirteen, three thousand one hundred and fourteen, two hundred and sixty-seven, three hundred and ninety-six, three hundred and ninety-seven, four hundred and fifty-seven, two thousand three hundred and two, two thousand

three hundred and three, six hundred and twenty-eight, six hundred and twenty-nine, seven hundred and fifty-five, and seven hundred and fifty-six, and to repeal sections four hundred and ninety-nine, six hundred and eighty-five, and four hundred and twenty-one, of the Political Code, relative to the salaries of State officers, deputies, and clerks.

Also, Assembly Bill No. 425—An Act to amend sections seven hundred, seven hundred and one, seven hundred and two, seven hundred and three, seven hundred and four, and seven hundred and five of an Act entitled an Act to establish a Code of Civil Procedure, approved March eleventh, eighteen hundred and seventy-two, so as to provide for the redemption of real estate sold under the power contained in trust deeds.

Also, Assembly Bill No. 329—An Act to amend section two of an Act entitled an Act to amend an Act entitled an Act to incorporate the City of Oakland, passed March twenty-fifth, eighteen hundred and fifty-four, and repealing certain other Acts in relation to said city, approved April twenty-fourth, eighteen hundred and sixty-two.

Also, Assembly Bill No. 459—An Act to regulate and provide for a day of rest in certain cases.

SHERBURNE, Chairman.

The consideration of Senate Bill No. 362—An Act to provide for the organization, incorporation, and government of merged and consolidated cities and counties of more than one hundred thousand population, pursuant to the provisions of section seven, of article eleven, of the Constitution of this State—resumed.

The question being upon Mr. Gaffey's amendment, the ayes and noes were demanded by Messrs. Gaffey, Maybell, and Sinon.

The roll was called, and the amendment was rejected by the following vote:

AYES—Messrs. Anthony, Braunhart, Burns, Coffman, Cook, Cooper, Corcoran, Cuthbert, Dimond, Estey, Gaffey, Harris, Hershey, Hynes, Josselyn, Lane, Levee, Maguire, Mathews, Maybell, McCallion, McCarty of Lake, McCarthy of San Francisco, McDade, Messenger, Mulholland, Picket, Simon, Spencer, Sweetland, and Valle Del—31

NOES—Messrs. Adams, Bass, Bennett, Brown of Yuba, Bruner, Brusie, Carr of Sacramento, Chamberlain, Chandler, Downs, Felton, Finlayson, Fox, Fraser, Frink, Garibaldi, Gorley, Green, Hardy, Hartson, Leach, Leadbetter, May, McComas, McIntosh, Merry, Morse, Nelson, Sherburne, Stanley, Streeter, Tyler, Walker, Ward, Wason of Ventura, Wasson of Mono, Wattson, York, Young, and Mr. Speaker—40.

The question being on the committee amendment to section five, Mr. Braunhart moved to amend the amendment by striking out the words "eighteen hundred and eighty," and inserting instead the words "eighteen hundred and eighty-one."

Upon which the ayes and noes were demanded by Messrs. McCallion, Braunhart, and Sinon.

The roll was called, and the amendment to the amendment rejected by the following vote:

AYES—Messrs. Anthony, Braunhart, Burns, Coffman, Cook, Cooper, Corcoran, Cuthbert, Gaffey, Hershey, Hynes, Lane, Levee, Maguire, Maybell, McCallion, McCarty of Lake, McCarthy of San Francisco, Picket, Simon, Spencer, Sweetland, and Valle Del—23.

NOES—Messrs. Adams, Bennett, Brooks, Bruner, Brusie, Cannon, Carr of Sacramento, Chamberlain, Chandler, Coleman, Dimond, Downs, Estey, Felton, Finlayson, Fox, Fraser, Frink, Garibaldi, Gorley, Hardy, Josselyn, Leach, Leadbetter, May, McComas, McIntosh, Merry, Morse, Mulholland, Nelson, Sherburne, Stanley, Streeter, Tyler, Walker, Ward, Wason of Ventura, York, Young, and Mr. Speaker—41.

The committee amendments were then adopted.

Mr. McDade moved to amend, in line six, section five, by inserting after the word "wards," the words "the boundary of said wards shall be the same as at present in such city and county."

Adopted.

Mr. Braunhart moved to amend by inserting at the close of the section the following: "*And provided further*, that for the purpose of electing said delegates at the next general election, the lines and boundaries of said wards shall remain as at present."

Upon which the ayes and noes were demanded by Messrs. Braunhart, McCallion, and Lane.

The roll was called, and the amendment was lost by the following vote:

AYES—Messrs. Anthony, Bass, Braunhart, Burns, Coffman, Cook, Cuthbert, DuBrutz, Gaffey, Hershey, Josselyn, Lane, Maguire, Maybell, McCallion, McCarty of Lake, McCarthy of San Francisco, McDade, Picket, Sinon, Spencer, and Valle Del—22.

NOES—Messrs. Adams, Bennett, Brooks, Brown of Yuba, Bruce, Cameron, Carr of Sacramento, Chamberlain, Chandler, Coleman, Cooper, Corcoran, Downs, Felton, Finlayson, Fox, Fraser, Frink, Garibaldi, Gorley, Leach, Leadbetter, May, McComas, McIntosh, Merry, Morse, Mulholland, Nelson, Stanley, Streeter, Tyler, Walker, Ward, Wason of Ventura, York, Young, and Mr. Speaker—38.

Mr. Fox in the chair.

Mr. Lane moved to amend section five by striking out all after the word "Act," in line sixteen.

The previous question was demanded by the requisite number, and the House so ordered.

Mr. Lane's amendment was lost.

Mr. Young moved to amend by striking out the words "one year," from line four, section seventeen, and inserting instead the words "ninety days."

Lost.

Mr. McDade moved to amend by striking out the word "all," in line nineteen, and by striking out all of subdivision four, after the word "purposes."

Adopted.

RECESS.

The hour of five o'clock P. M. having arrived, the House took a recess until seven o'clock P. M.

RE-ASSEMBLED.

The House re-assembled at seven o'clock P. M.

Speaker Cowdery in the chair.

Quorum present.

Mr. Stanley moved that Assembly Bill No. 519—An Act to amend sections of the Political Code contained in chapters one, two, three, four, and five, part four, title two, and to add other sections thereto, and to establish a system of county governments—be made the special order for ten o'clock A. M. to-morrow.

Carried by a two-thirds vote.

Mr. Fox in the chair.

The consideration of Senate Bill No. 362—An Act to provide for the organization, incorporation, and government of merged and consolidated cities and counties of more than one hundred thousand population, pursuant to the provisions of section seven, article eleven, of the Constitution of this State—resumed.

The committee amendment to section thirty-four adopted.

Mr. Sinon moved to amend subdivision forty-six, of section thirty-four, line three hundred and thirty-eight, after the word "therefor," by inserting the words "provided that any person now holding office by election or appointment shall not be removed from such position until the next general election, excepting for neglect of duty or incompetency."

Upon which the ayes and noes were demanded by the requisite number.

The roll was called, and amendment was lost by the following vote:

AYES—Messrs. Anthony, Bass, Braunhart, Brooks, Brown of Sonoma, Burns, Carr of Yuba, Cook, DuBrutz, Gaffey, Harris, Hershey, Hynes, Josselyn, Lane, Levee, Maguire, Mathews, Maybell, McCallion, McCarty of Lake, McDade, Pickett, Sinon, Spencer, Sweetland, and Valle Del—27

NOES—Messrs. Adams, Bennett, Brown of Yuba, Bruner, Brusie, Camron, Carr of Sacramento, Chamberlain, Chandler, Dimond, Downs, Estey, Felton, Finlayson, Fox, Fraser, Frink, Garibaldi, Gorley, Hardy, Leach, Leadbetter, May, McComas, McIntosh, Merry, Messenger, Morse, Mulholland, Nelson, Sherburne, Stanley, Stoddard, Streeter, Tyler, Walker, Ward, Wason of Ventura, Wattson, Young, and Mr. Speaker—42.

Mr. McDade moved to amend section thirty-four, in line three hundred and thirty-nine, after the word "compensation," by inserting the words "not to exceed one hundred and fifty dollars per month."

Upon which the ayes and noes were demanded by Messrs. Maybell, Sinon, and Gaffey.

The roll was called, and the amendment was lost by the following vote:

AYES—Messrs. Adams, Anthony, Bass, Brooks, Brown of Sonoma, Burns, Camron, Carr of Yuba, Chandler, Cook, Cooper, Gaffey, Hardy, Harris, Hershey, Hynes, Josselyn, Lane, Leach, Levee, Maguire, Maybell, McCarty of Lake, McCarthy of San Francisco, McDade, Messenger, Morse, Sinon, Spencer, Stanley, Sweetland, and Valle Del—32.

NOES—Messrs Braunhart, Brown of Yuba, Bruner, Brusie, Carr of Sacramento, Chamberlain, Dimond, Downs, Estey, Felton, Finlayson, Fox, Fraser, Frink, Garibaldi, Gorley, Leadbetter, May, McCallion, McComas, McIntosh, Merry, Mulholland, Nelson, Picket, Sherburne, Tyler, Ward, Wason of Ventura, Wattson, York, Young, and Mr. Speaker—33.

Mr. Merry moved to amend by striking out, after the word "prescribe," in line eight, section fifty, all contained in the rest of line eight, also in lines nine and ten.

Adopted.

The committee amendment to section fifty-five lost.

SENATE MESSAGE.

Pending discussion of the bill, the following Senate message was read:

SENATE CHAMBER, SACRAMENTO, April 9th, 1880.

MR. SPEAKER I am directed to inform your honorable body that the Senate, on April ninth, refused to recede from amendments to Assembly Concurrent Resolution No. 21—Relative to the adjournment *sine die* of the twenty-third session of the Legislature of California, and request a Conference Committee be appointed, and have appointed Messrs. Davis, Traylor, and Satterwhite, as such committee on part of the Senate.

JAMES A. ORR, Assistant Secretary.

CONSIDERATION OF SENATE MESSAGE.

Mr. Camron moved the appointment of three members to act on the Committee on Conference on above reported resolution.

So ordered.

The Speaker appointed Messrs. Camron, Finlayson, and Spencer, as such committee.

Mr. Felton moved a call of the House.

Lost.

Mr. Braunhart moved to amend the above bill by striking out the

words, "Board of Aldermen," from line one, section fifty-eight, and inserting instead the words "Municipal Council."

Lost.

Mr. McCarthy moved to amend by striking out the words, "Board of Aldermen, within ten days after its organization as such Board," from line five, section fifty-eight, and inserting instead the words, "Justices of the Peace."

The previous question was demanded by Messrs. Morse, Felton, and York.

Upon which the ayes and noes were demanded by the requisite number.

The roll was called, and the main question was ordered by the following vote:

AYES—Messrs. Bennett, Brooks, Brown of Yuba, Bruner, Brusie, Camron, Carr of Sacramento, Chamberlain, Chandler, Cooper, Dimond, Downs, Estey, Felton, Finlayson, Fox, Fraser, Frink, Garibaldi, Gorley, Hardy, Hartson, Leach, Leadbetter, May, McComas, McIntosh, Merry, Messenger, Morse, Mulholland, Nelson, Sherburne, Stanley, Stoddard, Streeter, Tyler, Walker, Ward, Wason of Ventura, Wasson of Mono, Wattson, York, Young, and Mr. Speaker—45.

NOES—Messrs. Adams, Anthony, Bass, Braunhart, Burns, Carr of Yuba, Coffman, Cook, Cuthbert, DuBrutz, Gaffey, Harris, Hershey, Hynes, Lane, Maguire, Mathews, Maybell, McCallion, McCarty of Lake, McCarthy of San Francisco, McDade, Picket, Sinon, Spencer, and Valle Del—26.

The question recurred on Mr. McCarthy's amendment.

At eight o'clock and forty minutes P. M. Mr. Braunhart moved to adjourn.

Upon which the ayes and noes were demanded by the requisite number.

The roll was called, and the motion was lost by the following vote:

AYES—Messrs. Braunhart, Burns, Carr of Yuba, Gaffey, Josselyn, Lane, Maguire, Maybell, McCarthy of San Francisco, Picket, Sinon, and Valle Del—12.

NOES—Messrs. Adams, Anthony, Bass, Bennett, Brown of Yuba, Bruner, Brusie, Camron, Carr of Sacramento, Chamberlain, Chandler, Coleman, Cooper, Dimond, Downs, Estey, Felton, Finlayson, Fox, Fraser, Frink, Garibaldi, Green, Hardy, Hershey, Leach, Leadbetter, McComas, McIntosh, Merry, Messenger, Morse, Mulholland, Nelson, Spencer, Stanley, Streeter, Tyler, Wason of Ventura, Wattson, York, Young, and Mr. Speaker—43.

Mr. McCarthy's amendment was lost.

Mr. Gaffey moved a call of the House.

Lost.

The committee amendments to section seventy-seven, to subdivision ten of section eighty-four, to sections eighty-seven, eighty-eight, ninety, one hundred and twenty-three, one hundred and sixty-nine, one hundred and seventy-five, two hundred and eight, two hundred and fourteen, two hundred and twenty, two hundred and thirty-six, two hundred and fifty-four, two hundred and fifty-nine, two hundred and sixty, two hundred and sixty-one, and two hundred and sixty-five.

Adopted.

The question being on the committee amendments to section two hundred and seventy-three, the ayes and noes were demanded by Messrs. DuBrutz, Carr of Yuba, and Sinon.

The roll was called, and the amendment adopted by the following vote:

AYES—Messrs. Adams, Bennett, Brooks, Brown of Yuba, Bruner, Brusie, Camron, Carr of Sacramento, Chamberlain, Chandler, Coleman, Dimond, Downs, Estey, Felton, Finlayson, Fox,

Fraser, Frink, Garibaldi, Green, Hardy, Hartson, Hershey, Leach, Leadbetter, Levee, May, McComas, McIntosh, Merry, Messenger, Morse, Nelson, Sherburne, Stanley, Streeter, Tyler, Walker, Ward, Wason of Ventura, Wasson of Mono, York, Young, and Mr. Speaker—47.

NOES—Messrs. Braunhart, Burns, Carr of Yuba, Cook, Cuthbert, DuBrutz, Gaffey, Hynes, Josselyn, Maguire, Mathews, McCarty of Lake, McCarthy of San Francisco, Picket, Sayle, Spencer, and Valle Del—16.

Mr. Burns moved a call of the House.

Lost.

The committee amendments to sections two hundred and seventy-six and two hundred and eighty-four adopted.

The bill read second time.

The question being, "Shall the bill be read a third time?" the ayes and noes were demanded by Messrs. Braunhart, DuBrutz, and Adams.

The roll was called, and the bill ordered to third reading by the following vote:

AYES—Messrs. Adams, Bennett, Brooks, Brown of Sonoma, Brown of Yuba, Brunet, Busse, Camron, Carr of Sacramento, Chamberlain, Chandler, Coleman, Cooper, Dimond, Downs, Estey, Felton, Finlayson, Fox, Fraser, Frink, Garibaldi, Green, Hardy, Hartson, Hershey, Leach, Leadbetter, May, McComas, McIntosh, Merry, Messenger, Morse, Mulholland, Nelson, Sherburne, Stanley, Streeter, Tyler, Walker, Ward, Wason of Ventura, Wasson of Mono, Wattson, York, Young, and Mr. Speaker—48.

NOES—Messrs. Anthony, Bass, Braunhart, Burns, Carr of Yuba, Corcoran, Cuthbert, DuBrutz, Gaffey, Harris, Hynes, Lane, Levee, Maguire, Mathews, Maybell, McCallion, McCarty of Lake, McCarthy of San Francisco, McDade, Picket, Sayle, Simon, Spencer, Sweetland, and Valle Del—26.

The bill made the order of the day for Monday next.

ADJOURNMENT.

At eleven o'clock P. M. Mr. McCarty moved that we do now adjourn.

Carried.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Saturday, April 10th, 1880.

House met pursuant to adjournment.

Speaker Cowdery in the chair.

Roll called, and quorum present.

Prayer by the Chaplain.

READING AND APPROVAL OF THE JOURNAL.

Mr. Braunhart moved that the further reading of the Journal be dispensed with.

So ordered.

The Journal of Thursday approved.

By Mr. Streeter:

ASSEMBLY CHAMBER, SACRAMENTO, April 9th, 1880.

MR. SPEAKER: Your Committee on County Governments, to whom was referred Senate Bill No. 404—An Act to add a new section to the Political Code, to be known as section two thousand seven hundred and fifteen, relating to public highways—have had the same under consideration, and report it back to the Assembly, and recommend its passage.

STREETER, Chairman.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 9th, 1880.

MR. SPEAKER: Your Committee on County Governments, to whom was referred Senate Bill No. 384—An Act to establish free public libraries and reading-rooms—have had the same under consideration, and report it back to the Assembly, and recommend its passage.

STREETER, Chairman.

In the matter of the charge of the Hon. Mr. Tyler against the Hon. Mr. Braunhart, made yesterday, the Speaker appointed as a committee of investigation Messrs. McComas, Coffman, and Maguire.

Mr. Merry moved that Senate Bill No. 384—An Act to establish free public libraries and reading-rooms—be made the order of the day for Monday next.

Lost.

By Mr. Brooks:

MR SPEAKER Your Committee on Enrollment respectfully report that the following Assembly bills have been correctly enrolled No 146—An Act to amend an Act entitled an Act concerning the selection and sale of University lands, approved March thirteenth, eighteen hundred and seventy-four.

No. 210—An Act to amend sections eight hundred and twenty-five and eight hundred and sixty-nine of the Penal Code, relating to proceedings in criminal actions prosecuted by indictment.

No. 320—An Act for the better protection of fruit trees and vines.

And the same were, at two o'clock P. M., this day, April ninth, eighteen hundred and eighty, presented to the Governor for his approval.

BROOKS, Chairman.

By Mr. Leach:

ASSEMBLY CHAMBER, April 10th, 1880.

MR SPEAKER: Your Committee on Fish and Game, to whom was referred Senate Bill No. 332, to provide for the construction, maintenance, and regulation of fishways in streams naturally frequented by salmon, etc, and Senate Bill No. 433, in relation to fishing in the waters of this State, hereby beg leave to report the same back, with the recommendation that they do pass. One member dissenting.

LEACH, Chairman.

By Mr. Hardy:

ASSEMBLY CHAMBER, April 9th, 1880.

MR. SPEAKER: Your Committee on Indian Affairs, to whom was referred Senate Bill No. 421—An Act entitled "An Act to amend section three hundred and thirty-two of the Penal Code, relating to cheating, under pretense of playing at games of chance," have had the same under consideration, and report it back, recommending its passage.

HARDY, Chairman.

By Mr. Del Valle:

ASSEMBLY CHAMBER, SACRAMENTO, April 8th, 1880.

MR. SPEAKER Your Conference Committee appointed to confer with a like Committee appointed by the Senate on points of difference relating to amendments to Senate Bill No. 174, respectfully recommend that the Assembly recede from its amendment number ten.

R. F. DEL VALLE,
L. J. HARDY, JR.,
CHAS. N. FOX,
Assembly Committee.

THEODORE H. HITTELL,
GROVE L JOHNSON,
STEPH. G. NYE,
Senate Committee.

The report of the committee adopted, and the House declared to recede from its amendment to Senate Bill No. 174.

By Mr. May:

MR SPEAKER Your Committee on Ways and Means, to whom was referred Senate Bill No. 555—entitled an Act making an appropriation for the State Printing Office for the fiscal year ending June thirtieth, eighteen hundred and eighty—have considered the same, and beg leave to report back, with our recommendation for its passage.

MAY, Chairman.

April 10th, 1880.

Mr. May moved that Senate Bill No. 555—An Act making an appropriation for the State Printing Office for the fiscal year ending June thirtieth, eighteen hundred and eighty—be declared a matter of urgency, and that the bill be taken up, read, and put upon its final passage.

The roll was called, and the motion was carried by the following two-thirds vote:

AYES—Messrs. Adams, Anthony, Bass, Brooks, Brown of Yuba, Bruner, Brusie, Camron, Carr of Sacramento, Chamberlain, Chandler, Coleman, Cook, Cooper, Corcoran, Cuthbert, Dimond, Downs, Finlayson, Fox, Fraser, Frink, Gorley, Green, Hartson, Josselyn, Lane, Leadbetter, Maguire, Mathews, May, McCallion, McCarty of Lake, McCarthy of San Francisco, McComas, McIntosh, Merry, Morse, Mulholland, Nelson, Sherburne, Spencer, Stanley, Stoddard, Streeter, Sweetland, Tyler, Valle Del, Walker, Ward, Wason of Ventura, Wattson, York, Young, and Mr Speaker—54

NOES—Messrs Bennett, Burns, Carr of Yuba, DuBrutz, Estey, Leach, Levee, Maybell, Picket, and Simon—10.

The rules suspended.

The bill considered in Assembly.

Read, the roll called, and the bill passed by the following vote:

AYES—Messrs. Adams, Anthony, Bass, Bennett, Brooks, Brown of Yuba, Bruner, Camron, Carr of Sacramento, Chamberlain, Coleman, Cooper, Cuthbert, Dimond, Downs, Estey, Finlayson, Fox, Fraser, Frink, Garibaldi, Gorley, Green, Harris, Josselyn, Leach, Leadbetter, Mathews, May, McCallion, McCarty of Lake, McCarthy of San Francisco, McComas, McIntosh, Merry, Morse, Mulholland, Nelson, Sherburne, Spencer, Stanley, Stoddard, Streeter, Sweetland, Valle Del, Walker, Ward, Wason of Ventura, Wattson, York, Young, and Mr Speaker—52.

NOES—Messrs. Burns, DuBrutz, Levee, Maguire, Maybell, and Picket—6

Title approved.

REPORT OF COMMITTEE ON CONFERENCE.

By Mr. Fox:

ASSEMBLY CHAMBER, SACRAMENTO, April 5th, 1880.

MR SPEAKER: The Committee on Conference, to whom was referred Senate Bill No. 175—An Act to amend sections one thousand seven hundred and forty-seven, one thousand seven hundred and forty-eight, one thousand seven hundred and forty-nine, one thousand seven hundred and fifty, one thousand seven hundred and fifty-four, one thousand seven hundred and fifty-five, one thousand seven hundred and fifty-six, one thousand seven hundred and fifty-seven, one thousand seven hundred and fifty-eight, one thousand seven hundred and sixty-three, one thousand seven hundred and sixty-four, one thousand seven hundred and sixty-six, one thousand seven hundred and sixty-nine, one thousand seven hundred and seventy-three, one thousand seven hundred and seventy-four, one thousand seven hundred and seventy-five, one thousand seven hundred and eighty, one thousand seven hundred and eighty-one, one thousand seven hundred and eighty-two, one thousand seven hundred and eighty-three, one thousand seven hundred and eighty-four, one thousand seven hundred and eighty-five, one thousand seven hundred and eighty-eight, one thousand seven hundred and ninety-one, one thousand seven hundred and ninety-two, one thousand seven hundred and ninety-three, one thousand seven hundred and ninety-six, one thousand seven hundred and ninety-seven, one thousand seven hundred and ninety-eight, one thousand seven hundred and ninety-nine, one thousand eight hundred, one thousand eight hundred and one, one thousand eight hundred and two, one thousand eight hundred and three, one thousand eight hundred and four, and one thousand

eight hundred and eight, of the Code of Civil Procedure, relating to guardians and wards—beg leave to report and recommend that the Senate concur in Assembly amendments numbers one, two, three, four, five, six, eight, nine, ten, eleven, twelve, thirteen, fourteen, sixteen, eighteen, nineteen, twenty-one, twenty-two, twenty-three, twenty-four, twenty-five, twenty-six, twenty-eight, twenty-nine, thirty, and thirty-one, and that the Assembly recede from its amendments numbers seven, fifteen, seventeen, twenty, and twenty-seven.

CHAS. N. FOX,
GEO. W. TYLER,
T. H. MERRY,
Committee of Assembly.

THEODORE H HITTELL,
GROVE L JOHNSON,
Committee of Senate.

The report adopted, and the House declared to recede from its amendments to the bill above reported.

Mr. Sweetland moved that Assembly Bill No. 505—An Act to grant to certain parties therein named the right of way for a railroad from the Town of Truckee to the Town of Quincy—be taken up.

Carried by two-thirds vote.

The bill read third time.

The roll was called, and the bill was passed by the following vote:

AYES—Messrs. Adams, Anthony, Bass, Bennett, Brown of Yuba, Bruner, Brusie, Carr of Sacramento, Carr of Yuba, Chamberlain, Chandler, Coleman, Cook, Corcoran, Cuthbert, Downs, DuBrutz, Finlayson, Fraser, Frink, Gorley, Green, Harris, Hartson, Hershey, Lane, Leadbetter, Levee, Maguire, Mathews, May, Maybell, McCarty of Lake, McCarthy of San Francisco, McComas, McIntosh, Merry, Messenger, Mulholland, Nelson, Sherburne, Spencer, Stanley, Stoddard, Sweetland, Tyler, Valle Del, Walker, Ward, Wason of Ventura, York, and Young—52.

NOES—Messrs Braunhart, Burns, Cooper, Dimond, Fox, Garibaldi, Josselyn, Leach, McCallion, Morse, Picket, and Streeter—12.

Title approved.

One day's leave of absence granted to Mr. Sayle.

SPECIAL ORDER FOR TEN O'CLOCK A. M.

Assembly Bill No. 519—An Act to amend sections of the Political Code, contained in chapters one, two, three, four, and five, part four, title two, and to add other sections thereto, and to establish a system of county governments—was taken up.

Mr. Fraser moved to amend by striking out the word "twenty," from line nine, section three, and inserting instead the word "thirty."

Lost.

Mr. Fox moved to amend Mr. Frink's amendment by exempting the Road Fund from the operation of subdivision one, of section three.

Adopted.

Mr. Carr of Yuba moved to amend the amendment by exempting the School Fund from the operation of subdivision one, of section three.

Adopted.

The committee amendment to section five adopted.

Pending discussion Mr. May, by permission, made the following report:

MR. SPEAKER Your Committee on Ways and Means, to whom was referred Senate Bill No. 276—entitled an Act to amend section three thousand six hundred and forty-four of the Political Code, relating to the assessment of vessels—have considered the same, and recommend that it do not pass.

Also, Senate Bill No. 343—entitled an Act to provide for the permanent improvement of the State Capitol Park.

Also, Senate Bill No 183—entitled an Act to amend section three thousand seven hundred and thirty-two, three thousand seven hundred and thirty-four, three thousand seven hundred and thirty-six, three thousand seven hundred and forty-six, three thousand seven hundred and fifty-eight, three thousand seven hundred and eighty-nine, three thousand seven hundred and ninety-seven, three thousand seven hundred and ninety-nine, three thousand eight hundred and twelve, and three thousand eight hundred and eighty-one, of the Political Code, and to add new sections to said Code, to be known as sections three thousand seven hundred and thirty-three, three thousand seven hundred and thirty-eight, three thousand eight hundred and ninety-three, and three thousand eight hundred and ninety-six, of said Code, providing for a duplicate assessment book, and recommend that they do pass.

MAY, Chairman

April 10th, 1880.

The consideration of Assembly Bill No. 519—An Act to amend sections of the Political Code, contained in chapters one, two, three, four, and five, part four, title two, and to add other sections thereto, and to establish a system of county governments—resumed.

Mr. Morse moved to amend by adding to section six the words "and shall be elected by such district, and not at large."

Adopted.

The committee amendment to section seven pending, Mr. Sherburne offered a substitute for section seven, and moved its adoption.

Upon which the ayes and noes were demanded by Messrs. Sweetland, Frink, and Adams.

The roll was called, and the amendment was adopted by the following vote:

AYES—Messrs. Adams, Anthony, Bennett, Braunhart, Brown of Sonoma, Bruner, Brusie, Burns, Cannon, Carr of Sacramento, Chandler, Coleman, Cook, Dimond, DuBrutz, Estey, Finlayson, Fraser, Gaffey, Gorley, Hardy, Harris, Hartson, Hershey, Hynes, Josselyn, Leach, Leadbetter, Levee, McCallion, McCarty of Lake, McCarthy of San Francisco, McComas, McIntosh, Morse, Nelson, Sherburne, Stanley, Stoddard, Sweetland, Walker, Wason of Ventura, Wasson of Mono, Wattson, and York—46.

NOES—Messrs Bass, Brooks, Carr of Yuba, Coffman, Corcoran, Cuthbert, Downs, Fox, Frink, Garibaldi, Green, Lane, Magune, Mathews, May, Maybell, Merry, Messenger, Mulholland, Picket, Streeter, Tyler, Valle Del, Ward, and Mr. Young—24.

Mr. Fox moved to amend section seven, as amended, by striking out all after the words "four years," and inserting the words "therefrom; from the odd numbered districts shall go out of office in two years, and their successors be elected at the general election in eighteen hundred and eighty-two."

Adopted.

The committee amendment to section eight lost.

Mr. Felton moved to amend section nine by striking out the words "from any cause" and inserting instead the words "by reason of repeal of special laws."

Adopted.

Mr. Coleman moved to amend by striking out the word "Governor," from line four, section nine, and inserting instead the words "Superior Judge or Judges."

Mr. Young moved to amend the amendment.

Lost.

The question recurring upon Mr. Coleman's amendment Mr. Messenger moved to amend the amendment.

Lost.

The question again recurred upon Mr. Coleman's amendment.

Mr. Morse moved an amendment to the amendment.

Lost.

The question once more recurred upon Mr. Coleman's amendment.

Upon which the ayes and noes were demanded by Messrs. Spencer, Sweetland, and Coleman.

The roll was called, and the amendment was adopted by the following vote:

AYES—Messrs. Anthony, Brooks, Brown of Sonoma, Burns, Carr of Yuba, Coffman, Coleman, Cooper, Corcoran, Dimond, DuBrutz, Fraser, Gaffey, Hardy, Hartson, Hershey, Hynes, Josselyn, Lane, Levee, Mathews, Maybell, McCallion, McCarty of Lake, McCarthy of San Francisco, Messenger, Morse, Mulholland, Picket, Simon, Sherburne, Spencer, Stanley, Stoddard, Sweetland, Valle Del, Walker, Wasson of Mono, and Wattson—39.

NOES—Messrs. Adams, Bass, Bennett, Braunhart, Brown of Yuba, Bruner, Brusie, Camron, Carr of Sacramento, Chamberlain, Chandler, Cook, Cuthbert, Downs, Estey, Felton, Finlayson, Fox, Fink, Garibaldi, Green, Leach, Leadbetter, Maguire, May, McComas, McIntosh, Merry, Nelson, Streeter, Tyler, Wason of Ventura, York, Young, and Mr. Speaker—35.

Pending discussion, Mr. Camron made a report from the Committee on Conference, as follows:

ASSEMBLY CHAMBER, April 10th, 1880.

MR. SPEAKER: The Committee on Conference, to whom was referred Assembly Concurrent Resolution No 21—Relative to the adjournment *sine die* of the Twenty-third Session of the California Legislature—beg leave to report that the committee could not agree, and recommend that a Committee on Free Conference be appointed.

W. W. CAMRON,
J. D. SPENCER,
JAMES R. FINLAYSON,
Assembly Committee.

E. A. DAVIS,
W. W. TRAYLOR,
JOHN W. SATTERWHITE,
Senate Committee.

Report adopted.

The Speaker appointed Messrs. Camron, Spencer, and Finlayson as such Committee on Free Conference.

The consideration of Assembly Bill No 519—An Act to amend sections of the Political Code contained in chapters one, two, three, four, and five, part four, title two, and to add other sections thereto, and to establish a system of county governments—resumed.

The committee amendment striking out section ten of the original bill adopted.

The committee amendments to section thirteen adopted.

The blank in line sixty-seven, page nine of the printed bill, ordered filled with the words "two dollars and fifty."

Mr Coleman moved to amend, in line eighty-two, of section twelve, by striking out the word "seven," and inserting instead the word "six."

Lost.

Mr Young moved to insert, in line seventeen, of section twelve, before the words "at par," the words "not exceeding."

Adopted.

Mr Young moved to amend, in line seventy-one, section twelve, by inserting after the word "warrants," the words "at not exceeding the par value of such warrants."

Adopted.

Pending discussion, the Committee on Free Conference made a report by Mr. Camron, as follows:

ASSEMBLY CHAMBER, April 10th, 1880.

MR SPEAKER: The Committee on Free Conference, to whom was referred Assembly Concurrent Resolution No. 21—Relative to the adjournment *sine die* of the Twenty-third Session of the Legislature of California—beg leave to report that the committee has agreed upon a substitute for said resolution, to read as follows:

Resolved by the Assembly, the Senate concurring, That the Twenty-third Session of the California Legislature do adjourn *sine die* on the sixteenth day of April, eighteen hundred and eighty, at twelve o'clock meridian—and recommend that the Assembly adopt said substitute.

W. W. CAMRON,
J. D. SPENCER,
JAMES R. FINLAYSON,
Assembly Committee.

E. A. DAVIS,
W. W. TRAYLOR,
JOHN W. SATTERWHITE,
Senate Committee.

RECESS.

Pending discussion of the adoption of the report the House took a recess for one hour.

RE-ASSEMBLED.

House re-assembled at two o'clock P. M.

Speaker Cowdery in the chair.

Quorum present.

The consideration of the report of the Committee on Free Conference resumed.

Speaker pro tem. Fraser in the chair.

Mr. Adams moved to lay the resolution on the table.

Lost.

The previous question was demanded by Messrs. Mulholland, McCarty, and McIntosh, and the House refused to order it

The previous question was again demanded by Messrs. McIntosh, Stanley, and Mulholland, and the House so ordered.

The question recurred on the adoption of the report of the Committee on Free Conference.

The roll was called, and the report was adopted by the following vote:

AYES—Messrs. Adams, Bennett, Brooks, Brown of Yuba, Bruner, Brusie, Camron, Carr of Sacramento, Chandler, Cook, Corcoran, Downs, DuBrutz, Estey, Finlayson, Green, Hardy, Harris, Hartson, Hershey, Hynes, Josselyn, Leach, Leadbetter, Levee, Maguire, May, McCarty of Lake, McComas, McIntosh, Merry, Messenger, Morse, Sherburne, Spencer, Stanley, Stoddard, Streeter, Sweetland, Walker, Ward, Wason of Ventura, Wattson, Young, and Mr. Speaker—45.

NOES—Messrs. Anthony, Braunhart, Brown of Sonoma, Burns, Carr of Yuba, Chamberlain, Coffman, Coleman, Cooper, Cuthbert, Dimond, Felton, Fox, Fraser, Frink, Garibaldi, Gaffey, Gorley, Lane, Mathews, Maybell, McCallion, McCarthy of San Francisco, McDade, Mulholland, Nelson, Picket, Simon, Tyler, Valle Del, and York—31.

Mr. Finlayson gave notice that he would, on Monday, move to reconsider the vote by which the report was adopted.

Mr Cooper moved to reconsider the vote now by which the report was adopted.

Mr. Fox moved to lay the motion to reconsider on the table until Tuesday next, at twelve o'clock.

Upon which the ayes and noes were demanded by Messrs. Estey, Lane, and Camron.

The roll was called, and the motion was lost by the following vote:

AYES—Messrs Adams, Braunhart, Brown of Yuba, Bruner, Coleman, Finlayson, Fox, Fraser, Hartson, May, McComas, Messenger, Nelson, Sweetland, Tyler, Walker, Wason of Ventura, Wasson of Mono, Wattson, and York—20

NOES—Messrs. Anthony, Bass, Bennett, Brooks, Brown of Sonoma, Brusie, Burns, Camron, Carr of Sacramento, Carr of Yuba, Chamberlain, Chandler, Coffman, Cook, Cooper, Corcoran, Cuthbert, Dimond, Downs, DuBrutz, Estey, Felton, Frink, Garibaldi, Gaffey, Gorley, Green, Hardy, Harris, Hershey, Hynes, Josselyn, Lane, Leach, Leadbetter, Levee, Maguire, Mathews,

Maybell, McCallion, McCarty of Lake, McCarthy of San Francisco, McDade, McIntosh, Merry, Morse, Mulholland, Picket, Simon, Sherburne, Spencer, Stanley, Stoddard, Streeter, Valle Del, Ward, Young, and Mr. Speaker—58.

The question recurred upon the motion to reconsider.

Upon which the ayes and noes were demanded by Messrs. Estey, McDade, and Cooper.

The roll was called, and the motion was lost by the following vote:

AYES—Messrs. Braunhart, Coleman, Felton, Finlayson, Fox, Fraser, Frink, Garibaldi, McCallion, Nelson, Sweetland, Tyler, and Wasson of Mono—14.

NOES—Messrs. Adams, Anthony, Bass, Brooks, Brusie, Burns, Camron, Carr of Sacramento, Carr of Yuba, Chamberlain, Chandler, Coffinan, Cook, Cooper, Corcoran, Cuthbert, Dimond, Downs, DuBrutz, Estey, Gaffey, Gorley, Green, Hardy, Harris, Hartson, Hershey, Hynes, Josselyn, Lane, Leach, Leadbetter, Levee, Maguire, Mathews, Maybell, McCarty of Lake, McCarthy of San Francisco, McComas, McDade, McIntosh, Merry, Messenger, Morse, Mulholland, Picket, Simon, Sherburne, Spencer, Stanley, Streeter, Valle Del, Walker, Ward, and Young—55.

The consideration of Assembly Bill No. 519—An Act to amend sections of the Political Code, contained in chapters one, two, three, four, and five, part four, title two, and to add other sections thereto, and to establish a system of county governments—resumed.

Mr Fox moved to amend subdivision thirteen of section thirteen, by adding a proviso.

Adopted.

Mr. Del Valle moved to amend by inserting the words "and refund" between the words "fund" and "the," in line sixty-nine, and in line seventy-one inserting the words "and bonds" between words "warrants" and "or."

Adopted.

Mr. Tyler moved to amend by striking out the word "one," in line eighty-four, and inserting instead the word "five."

Lost.

Mr. Young moved to strike out the words "for a," in line eighty-four, and insert the word "in," and also insert the letter "s," at the end of the word "sum," and add the word "each" at the end of the line.

Mr. Hartson moved to amend the amendment by striking out all after the word "issued," and insert the words "for less than fifty nor more than one thousand dollars."

Lost.

The question recurred upon Mr. Young's amendment.

Adopted.

REPORT OF THE COMMITTEE ON ENGROSSMENT.

By Mr. Sherburne:

ASSEMBLY CHAMBER, April 10th, 1880.

MR SPEAKER Your Committee on Engrossment have examined, and found correctly engrossed, Assembly Bill No. 505—An Act to grant to certain parties therein named the right of way for a railroad from the Town of Truckee to the Town of Quincy.

SHERBURNE, Chairman.

The consideration of Assembly Bill No. 519—An Act to amend sections of the Political Code, contained in chapters one, two, three, four, and five, part four, title two, and to add other sections thereto, and to establish a system of county governments—resumed.

The committee amendment to subdivision twenty-four, of section twelve, pending.

Mr. Estey moved to amend the amendment by inserting in line one hundred and twenty-three, section twelve, the words "or elsewhere."

Lost.

The committee amendment was adopted.

Mr. Fox moved to insert, in line one hundred and twenty-three, after the word "circulation," also after the word "county," the words "if there be any such."

Adopted.

Mr. Hartson offered a substitute for subdivision twenty-one of section twelve, and moved its adoption.

Adopted.

Mr. Anthony moved to reconsider the vote by which the above amendment was adopted.

Lost.

Mr. Coleman moved to amend subdivision twenty-one of section twelve, by adding the following: "By establishing a Salary Fund for that purpose, and also to establish such other county funds as they may deem necessary for the proper transaction of the business of the county."

Adopted.

Mr. Fox offered a substitute for subdivision twenty-five, and moved its adoption.

Adopted.

The committee amendments to subdivision twenty-eight pending, Mr. Corcoran moved to amend the amendment.

Adopted.

The committee amendments as amended adopted.

Mr. Nelson moved to insert the word "pecuniarily," in line one hundred and forty-six, before the word "interested."

Adopted.

Mr. Sweetland moved to strike out subdivision thirty of section twelve.

The previous question on subdivision thirty of section twelve was demanded by Messrs. Finlayson, Braunhart, and Maybell, and the House refused to order it

Mr. Young moved that the orders and special orders of the day be postponed until Monday.

Carried.

Mr. Fox moved that at five o'clock P. M. the House take a recess until seven o'clock P. M.

Upon which the ayes and noes were demanded by Messrs. Braunhart, Burns, and Lane.

The roll was called, and the motion carried by the following vote:

AYES—Messrs. Adams, Anthony, Bass, Bennett, Brown of Sonoma, Brown of Yuba, Bruner, Brusie, Cannon, Carr of Sacramento, Chamberlain, Chandler, Coffman, Coleman, Cook, Downs, Estey, Finlayson, Fox, Fraser, Frink, Garibaldi, Gorley, Green, Hardy, Hartson, Hershey, Leach, Leadbetter, Maguire, May, McComas, McIntosh, Merry, Messenger, Morse, Nelson, Sherburne, Spencer, Stanley, Stoddard, Streeter, Sweetland, Tyler, Valle Del, Walker, Ward, Wason of Ventura, Wattson, York, and Young—51.

NOES—Messrs. Braunhart, Brooks, Burns, Carr of Yuba, Cooper, Corcoran, Cuthbert, Dimond, Gaffey, Harris, Hynes, Josselyn, Lane, Mathews, Maybell, McCallion, McCarty of Lake, McCarthy of San Francisco, McDade, Mulholland, Picket, and Simon—22.

REPORT OF THE COMMITTEE ON ENROLLMENT.

By Mr. Brooks:

MR. SPEAKER: Your Committee on Enrollment respectfully report that the following Assembly Joint Resolutions have been correctly enrolled:

No. 10—Relative to the enforcement of the United States statute, making eight hours the length of a day's labor on public works.

No. 7—Relative to the procuring of a quarantine depot.

No. 15—Relative to extending the thanks of the State to J. W. Mackey.

Also, Assembly Concurrent Resolution No. 17—Relative to the establishment of a first order light and a steam fog signal station at Point St. George, on the northern coast of California.

And the same were, at ten o'clock and forty minutes A. M. this day, April tenth, eighteen hundred and eighty, presented to the Governor for his approval.

BROOKS, Chairman.

Mr. Bruner moved that the Committee on Investigation in the matter of the charge against the Hon. S. Braunhart be discharged from further duty.

Carried.

Mr. Young moved that Assembly Bill No. 440—An Act to provide for the improvement of streets within cities of less than one hundred thousand inhabitants, organized and existing for municipal purposes, be included in the order of the day for Monday next.

Lost.

RECESS.

At five o'clock P. M. the House took a recess until seven o'clock P. M.

RE-ASSEMBLED.

House re-assembled at seven o'clock P. M.

Speaker Cowdery in the chair.

Quorum present.

The consideration of Assembly Bill No. 519—An Act to amend sections of the Political Code, contained in chapters one, two, three, four, and five, part four, title two, and to add other sections thereto, and to establish a system of county governments—resumed.

The question being upon the committee amendment to subdivision thirty, of title twelve, the previous question was demanded by Messrs. Merry, Adams, and Fraser, and the House refused to order it.

The previous question was again demanded by Messrs. Adams, Leach, and Streeter, and the House refused to order it.

Mr. Tyler moved to recommit the bill with instructions.

Lost.

The roll was called, and the committee amendment was rejected by the following vote:

AYES—Messrs. Bass, Bennett, Brooks, Brusie, Carr of Sacramento, Chamberlain, Chandler, Cook, DuBrutz, Fox, Green, Hershey, Leadbetter, McCarty of Lake, McIntosh, Mulholland, Shelburne, Stoddard, Streeter, and York—20.

NOES—Messrs. Adams, Anthony, Braunhart, Brown of Yuba, Bruner, Burns, Coffman, Coleman, Cooper, Corcoran, Cuthbert, Downs, Estey, Felton, Finlayson, Fraser, Fink, Gaffey, Gorley, Hardy, Hynes, Lane, Leach, Levee, Magune, Mathews, May, Maybell, McCallion, McCarthy of San Francisco, McComas, McDade, Merry, Messenger, Morse, Nelson, Picket, Simon, Spencer, Stanley, Sweetland, Tyler, Valle Del, Walker, Ward, Wason of Ventura, and York—49.

Mr. Walker gave notice of a motion to reconsider the above vote.

Mr. Sweetland moved to indefinitely postpone the motion to reconsider.

Carried.

Subdivisions thirty, thirty-one, and thirty-two, were stricken out.

Mr. Mathews moved to amend section fifteen by striking out the words "Public Administrator."

Adopted.

Mr. McComas moved to amend section fifteen by inserting, in line seven, the words "who shall be ex officio Tax Collector."

Lost

Mr. Fraser moved to amend section fifteen by adding the following: "*provided*, that the Board of Supervisors may by proper ordinance consolidate or unite the duties of two or more offices in one."

Adopted.

Mr. Fox moved to amend section sixteen by striking out, in line eight, the word "each," and all of line nine.

Adopted.

Mr. Young moved to amend section sixteen by changing the word "Justice" to "Justices," and the word "Constable" to "Constables."

Adopted.

Mr. Fox moved to amend by repealing sections four thousand and five and four thousand and six of said Code.

Adopted.

The committee amendment striking out certain sections adopted.

The committee amendment pending, Mr. Anthony moved to amend section sixteen by striking out from line four the word "two," after the word "eighty."

Upon which the ayes and noes were demanded by Messrs. Coffman, Braunhart, and Anthony.

The roll was called, and the amendment adopted by the following vote:

AYES—Messrs. Anthony, Bass, Bennett, Braunhart, Brown of Yuba, Brusie, Burns, Carr of Sacramento, Chamberlain, Chandler, Cook, Cooper, Corcoran, Cuthbert, Estey, Finlayson, Gaffey, Gorley, Hardy, Harris, Hartson, Hershey, Hynes, Josselyn, Lane, Leach, Leadbetter, Levee, Maguire, May, Maybell, McCallion, McCarty of Lake, McCarthy of San Francisco, McDade, McIntosh, Merry, Morse, Picket, Sherburne, Spencer, Stanley, Stoddard, Sweetland, Valle Del, Young, and Mr. Speaker—46.

NOES—Messrs Bruner, Camron, Carr of Yuba, Coffman, Downs, Fox, Fraser, Frink, Garibaldi, Green, Mathews, McComas, Messenger, Mulholland, Nelson, Streeter, Tyler, Walker, Ward, Wason of Ventura, and York—20.

Mr. Anthony moved to amend by striking out the words "four years" and inserting the words "two years" instead, in line five of section seventeen of amended bill.

Upon which the ayes and noes were demanded by the requisite number.

The roll was called, and the amendment was rejected by the following vote:

AYES—Messrs. Anthony, Bennett, Braunhart, Burns, Chandler, Cooper, Cuthbert, Downs, Finlayson, Gaffey, Gorley, Hershey, Josselyn, Lane, Leach, Levee, Maguire, Maybell, McCallion, McCarthy of San Francisco, McDade, Merry, Picket, Sweetland, Walker, Wason of Ventura, Wattson, Young, and Mr. Speaker—29.

NOES—Messrs. Bass, Brown of Yuba, Bruner, Brusie, Camron, Carr of Sacramento, Carr of Yuba, Chamberlain, Coffman, Coleman, Cook, Corcoran, DuBrutz, Estey, Fox, Fraser, Frink, Garibaldi, Green, Hardy, Harris, Hartson, Hynes, Leadbetter, Mathews, May, McCarty of Lake, McComas, McIntosh, Messenger, Morse, Mulholland, Nelson, Sherburne, Spencer, Stanley, Stoddard, Streeter, Tyler, Valle Del, Ward, and York—41.

The committee amendment pending, Mr. Fraser offered a substitute and moved its adoption.

Mr. Tyler moved to amend Mr. Fraser's substitute by substituting "March" for "January," in line twenty-three of the substitute.

Adopted.

Mr. Fraser's substitute then adopted.

Mr Braunhart moved to amend by inserting before the words "the county" the following, "city and county officers."

Upon which the ayes and noes were demanded by Messrs. Braunhart, Burns, and McCallion.

The roll was called, and the amendment was lost by the following vote:

AYES—Messrs. Anthony, Braunhart, Burns, Carr of Yuba, Cuthbert, Gaffey, Lane, Maguire, Mathews, Maybell, McCallion, McCarthy of San Francisco, McDade, and Picket—14.

AYES—Messrs Bass, Bennett, Brooks, Brown of Yuba, Bruner, Brusie, Cannon, Carr of Sacramento, Chamberlain, Chandler, Coleman, Cooper, Downs, DuBrutz, Estey, Finlayson, Fox, Fraser, Fink, Garibaldi, Gorley, Green, Hardy, Leach, Leadbetter, May, McCarty of Lake, McComas, McIntosh, Merry, Morse, Mulholland, Nelson, Sherburne, Stanley, Streeter, Sweetland, Tyler, Valle Del, Walker, Ward, York, Young, and Mr. Speaker—45.

The question recurred upon the committee amendment as amended by Mr. Fraser's substitute.

Adopted.

At ten o'clock and ten minutes P. M. Mr. McDade moved to adjourn.

Lost.

Mr. Young moved to amend section seventeen of the amended bill by adding thereto, "township officers shall be elected on the day of the general election held in eighteen hundred and eighty, and also in eighteen hundred and eighty-two, and every four years thereafter."

The previous question was demanded by Messrs. Maybell, Braunhart, and McDade, and the House refused to order it.

At ten o'clock and sixteen minutes P. M. Mr. Maybell moved to adjourn.

Lost.

Mr. Tyler moved to amend Mr. Young's amendment by striking out the word "four" and inserting the word "two."

Adopted.

Mr. Carr of Yuba moved to amend section seventeen by inserting after the word "officers," in line three, the words "School Superintendent."

Adopted.

Mr. Young moved to amend his amendment by striking out the words "and also in eighteen hundred and eighty-two."

Adopted.

The section as amended adopted.

Mr. Fox moved to amend section twenty by striking out, in line seven, the words "reside at the county seat and."

Adopted.

The words "Superior Judge" were stricken out of section twenty-one.

Mr. Del Valle moved to amend section twenty-three by inserting in line four, after the word "Auditor," the words "District Attorney."

Adopted.

Mr. Del Valle moved to amend section twenty-six, in line three, by inserting the words "District Attorney."

Adopted.

Mr. Fraser moved to amend section twenty-six, in line four, by striking out the word "month" and inserting the word "quarterly."

Lost.

RESOLUTION.

By Mr. Carr of Yuba:

Resolved, That two hundred and forty copies of the testimony taken before the Committee on Public Lands, touching Assembly Joint Resolution No. 18, be printed for the use of the members of this body.

Adopted.

Consideration of the bill resumed.

The committee amendment to section twenty-seven adopted.

Mr. Fox moved to amend the bill by striking out section twenty-eight.

Adopted.

Mr. Wason of Ventura moved to amend by striking out, in lines seven and eight, of section thirty-two, the words "and except the salary of School Superintendent, which shall be paid from the County School Fund."

Adopted.

Mr. Coleman moved to amend by striking out, in line four, of section thirty-two, the word "general," and inserting instead the word "salary."

Adopted.

The committee amendment to strike out the four sections following adopted.

Mr. Del Valle moved to amend section thirty-four by striking out the words "Public Administrator."

Adopted.

Mr. Fox moved that sections thirty-four and thirty-five be transposed, section thirty-five becoming section thirty-four, and section thirty-four becoming section thirty-five.

Adopted.

Mr. Fox moved to reconsider the vote by which section ten was ordered stricken out.

Carried.

Mr. Young moved to amend section thirty-four by adding thereto the words, "*provided*, that the per diem and mileage shall not exceed in the aggregate the sum of eight hundred dollars per annum for any one of such Supervisors."

Adopted.

At eleven o'clock and five minutes P. M. Mr. Felton moved to adjourn.

Lost.

The Counties of Tulare, San Bernardino, Kern, and Fresno, were put into subdivision five of section five.

The Counties of El Dorado, Calaveras, Tuolumne, Amador, Sutter, and Placer, were put in class six.

Humboldt was put into the fifth class.

At eleven o'clock and twenty minutes P. M. Mr. Maybell moved to adjourn.

Lost.

The County of Mono was put into the tenth class.

Mr. Leach moved to strike out the word "seven" and insert the word "five," in subdivision two of section six.

Adopted.

Mr. Mathews moved to strike out the word "three," in subdivision six of section six, and insert instead the word "five."

Lost.

The Counties of Tehama and Siskiyou were put into class five.

Mr. Harris moved to strike out the word "five," and insert the word "three," in line eleven of section six.

Adopted.

Mr. DuBrutz moved to amend subdivision five of section six.

Lost

The County of Merced was put into class six.

The Counties of San Diego and Santa Cruz were put into class five.

Mr. Cooper moved a call of the House.

Lost.

Shasta County was put into class six.

Mr. Leach offered a substitute for section sixteen, and moved its adoption.

Adopted.

Mr. Spencer moved that the bill be placed at the head of the orders of the day for Monday.

Carried.

The bill read second time, and ordered to third reading.

Title amended.

ADJOURNMENT.

At eleven o'clock and forty minutes P. M. Mr. Chandler moved to adjourn.

Carried.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Monday, April 12th, 1880.

House met pursuant to adjournment.

Speaker Cowdery in the chair.

Roll called, and quorum present.

Prayer by the Chaplain.

Mr. McDade arose to a question of privilege, and appearing to censure the Speaker, was interrupted, and then disclaimed that the objectionable remarks were directed against the Speaker.

READING AND APPROVAL OF THE JOURNAL.

Mr. Tyler moved that the further reading of the Journal be dispensed with.

So ordered.

The Journal of Friday approved.

REPORTS OF STANDING COMMITTEES.

By Mr. Hardy:

ASSEMBLY CHAMBER, SACRAMENTO, April 10th, 1880.

MR. SPEAKER: The Committee on Indian Affairs, to whom was referred Assembly Bill No. 522—An Act regulating County Boards of Health—have had the same under consideration, and report the same back to the Assembly without recommendation.

HARDY, Chairman.

By Mr. Fox:

ASSEMBLY CHAMBER, SACRAMENTO, April 12th, 1880.

MR. SPEAKER: Your Judiciary Committee, to whom was referred Senate Bill No. 394—An Act to amend section eight hundred and eleven of the Penal Code, concerning the jurisdiction of Magistrates

Also, Senate Bill No. 423—An Act to provide for the payment of the costs of Coroners' inquests held at the State Prisons of the State.

Also, Senate Bill No. 444—An Act to amend section three hundred and seventy of the Code of Civil Procedure, relating to parties to actions.

Also, Assembly Bill No. 569—An Act to amend sections one thousand two hundred and thirty-eight and one thousand two hundred and forty of the Code of Civil Procedure, in relation to taking private property for public use.

Have had the same under consideration, and now report them back, with recommendation that they severally do pass.

FOX, Chairman.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 12th, 1880.

MR. SPEAKER: Your Committee on Judiciary, to whom was referred Assembly Bill No. 571—An Act to amend section one thousand two hundred and seventy-five of the Civil Code, in relation to wills—have had the same under consideration, and report it back, with recommendation that the author be allowed to withdraw it.

FOX, Chairman.

The bill reported above withdrawn.

By Mr. Brusie—The Committee on State Hospital submitted a report in regard to the condition of the State Hospitals.

The report was ordered printed in the Appendix.

By Mr. Downs:

ASSEMBLY CHAMBER, SACRAMENTO, April 12th, 1880.

MR. SPEAKER: The Committee on Water Rights and Drainage, to whom was referred Assembly Bill No 287—An Act to authorize County Boards of Supervisors to establish and regulate the price of water supplied to placer and hydraulic miners—have had the same under consideration, and report the same back to the Assembly without amendment, and recommend that the author have leave to withdraw the bill.

DOWNS, Chairman.

MESSAGES FROM THE GOVERNOR.

The following messages from the Governor were read:

STATE OF CALIFORNIA, EXECUTIVE DEPARTMENT,
SACRAMENTO, April 9th, 1880.

To the Assembly of the State of California

I have to inform your honorable body that I have approved Assembly Bill No. 392—An Act to enable Boards of Supervisors to authorize the employment of a deputy in certain cases.

GEO. C PERKINS, Governor.

STATE OF CALIFORNIA, EXECUTIVE DEPARTMENT,
SACRAMENTO, April 9th, 1880.

To the Assembly of the State of California:

I have to inform your honorable body that I have approved Assembly Bill No. 55—An Act to amend sections two hundred and thirty-five and two hundred and sixty-six of an Act entitled "An Act to establish a Political Code," approved March twelfth, eighteen hundred and seventy-two, relating to the meeting of the Legislature and the compensation of its members.

Also, Assembly Bill No. 143—An Act to amend an Act entitled "An Act relating to apprentices and masters," approved April third, eighteen hundred and seventy-six

Also, Assembly Bill No 224—An Act to amend sections one thousand two hundred and forty-six, one thousand two hundred and forty-eight, and one thousand two hundred and fifty-two, of the Penal Code, relative to appeals to the Supreme Court

Also, Assembly Bill No. 228—An Act to repeal an Act entitled "An Act in relation to the office of Court Commissioner of San Joaquin County," approved March twelfth, eighteen hundred and seventy.

Also, Assembly Bill No. 337—An Act to encourage the planting of jute.

Also, Assembly Bill No 377—An Act to empower the Directors of Levee District Number One, of Sutter County, to issue bonds for the payment or funding of the unfunded indebtedness of said levee district, and to provide for the redemption of such bonds by taxing the property in the district

Also, Assembly Bill No. 384—An Act to amend an Act entitled "An Act to provide for the building of a school house in Modesto School District, in the County of Stanislaus, in the State of California," approved January ninth, eighteen hundred and seventy-four.

Also, Assembly Bill No. 146—An Act to amend an Act concerning the selection and sale of University lands, approved March thirteenth, eighteen hundred and seventy-four.

Also, Assembly Bill No 210—An Act to amend sections eight hundred and twenty-five and eight hundred and sixty-nine of the Penal Code, relating to proceedings in criminal actions prosecuted by indictment

Also, Assembly Bill No. 320—An Act for the better protection of fruit trees and vines.

GEO. C. PERKINS, Governor.

One day's leave of absence was granted to Mr. Sayle.

Mr. Fraser moved that Assembly Bill No. 468—An Act concerning roads and highways in this State—be taken up.

So ordered.

The bill taken up, and, pending its reading, Assembly Bill No. 534—An Act to amend section two hundred and eighty-five of the Civil Code, in relation to corporations—was withdrawn.

The reading of Assembly Bill No. 468—An Act concerning roads and highways in this State—resumed.

The bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Bass, Braunhart, Brown of Yuba, Bruner, Brusie, Carr of Sacramento, Carr of Yuba, Chamberlain, Chandler, Coleman, Cooper, Corcoran, Dimond, Downs, DuBrutz, Fraser, Frink, Garibaldi, Gorley, Hardy, Hartson, Hershey, Lane, Leadbetter, Levee, Maguire, Mathews, May, Maybell, McCallion, McCarty of Lake, McComas, McDade, McIntosh, Merry, Messenger, Morse, Mulholland, Picket, Sherburne, Spencer, Stanley, Tyler, Walker, Ward, Wason of Ventura, Wattson, York, Young, and Mr. Speaker—60.

NOES—Messrs. Anthony, Bennett, Burns, Camron, Green, Harris, Josselyn, and Valle Del—8.

Title amended and approved.

The bill considered engrossed, and ordered sent to the Senate immediately.

Assembly Bill No. 385—An Act in relation to the public roads and highways in the several counties of this State.

Taken up.

Substitute adopted.

The bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Adams, Anthony, Bass, Bennett, Braunhart, Brown of Yuba, Bruner, Brusie, Burns, Camron, Carr of Sacramento, Carr of Yuba, Chamberlain, Chandler, Coffman, Coleman, Cook, Cooper, Corcoran, Cuthbert, Dimond, Estey, Fraser, Frink, Gaffey, Gorley, Green, Hartson, Hershey, Hynes, Josselyn, Leach, Leadbetter, Levee, Maguire, May, McCarty of Lake, McCarthy of San Francisco, McComas, McDade, McIntosh, Merry, Messenger, Morse, Mulholland, Nelson, Picket, Simon, Sherburne, Spencer, Stanley, Stoddard, Streeter, Tyler, Valle Del, Walker, Wason of Ventura, Wasson of Mono, Wattson, York, Young, and Mr. Speaker—62.

NOES—Messrs. DuBrutz and Harris—2.

Title amended, and approved as amended.

Mr. Leach had permission, by unanimous consent, to introduce the following bill and have it printed—An Act to amend section three thousand seven hundred and forty-six of the Political Code.

The bill ordered printed.

Mr. Young moved to take up Senate messages.

Assembly Bill No. 519—An Act to amend sections of the Political Code, contained in chapters one, two, three, four, and five, part four, title two, and to add other sections thereto, and to establish a system of county governments.

Passed on file.

Senate Bill No. 538—An Act to amend section four hundred and fifty-six of the Civil Code, relative to the debts of railroad corporations and securities therefor, and sales of the property of said corporations.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Adams, Anthony, Bass, Bennett, Braunhart, Brown of Yuba, Bruner, Brusie, Burns, Camron, Carr of Sacramento, Chamberlain, Chandler, Coffman, Cook, Dimond, Estey, Felton, Fox, Frink, Gorley, Hartson, Hynes, Josselyn, Lane, Leach, Leadbetter, Magune, Mathews, May, Maybell, McCarty of Lake, McCarthy of San Francisco, McComas, McDade, McIntosh, Merry, Messenger, Morse, Mulholland, Nelson, Pickett, Sherburne, Spencer, Stanley, Stoddard, Streeter, Tyler, Walker, Wasson of Mono, York, Young, and Mr. Speaker—53.

NOES—Messrs. Cooper, Corcoran, Harris, Hershey, Levee, and Simon—6.

Title approved.

Assembly Bill No. 519—An Act to amend sections of the Political Code, contained in chapters one, two, three, four, and five, part four, title two, and to add other sections thereto, and to establish a system of county governments.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Adams, Bass, Bennett, Braunhart, Brown of Yuba, Brusie, Carr of Sacramento, Carr of Yuba, Chamberlain, Chandler, Coleman, Cook, Cooper, Corcoran, Dimond, Downs, DuBrutz, Estey, Finlayson, Fox, Fraser, Frink, Garibaldi, Gorley, Hardy, Hartson, Hynes, Josselyn, Lane, Leach, Leadbetter, Levee, May, McCallion, McCarty of Lake, McCarthy of San Francisco, McComas, McIntosh, Merry, Morse, Mulholland, Nelson, Sherburne, Spencer, Stanley, Stoddard, Streeter, Valle Del, Walker, Ward, Wason of Ventura, Wasson of Mono, Wattson, York, and Mr. Speaker—55.

NOES—Messrs. Anthony, Brooks, Burns, Camron, Coffman, Cuthbert, Gaffey, Mathews, Sweetland, Tyler, and Young—11.

Title amended, and approved as amended.

The rules suspended, the bill considered engrossed, and ordered transmitted forthwith to the Senate.

Mr. Carr of Yuba moved to take up Senate messages.

Upon which the ayes and noes were demanded by Messrs. Maybell, Carr of Yuba, and Walker.

The roll was called, and the motion was lost by the following vote:

AYES—Messrs. Braunhart, Brooks, Brown of Yuba, Bruner, Burns, Carr of Yuba, Chamberlain, Chandler, Coffman, Cooper, Corcoran, Dimond, Downs, Estey, Fox, Gaffey, Josselyn, Lane, Mathews, Maybell, McCallion, McCarty of Lake, McCarthy of San Francisco, McComas, Messenger, Mulholland, Nelson, Pickett, Simon, Spencer, Sweetland, Walker, York, and Young—34.

NOES—Messrs. Adams, Anthony, Bass, Bennett, Brusie, Camron, Carr of Sacramento, Coleman, Cook, Cuthbert, DuBrutz, Felton, Finlayson, Fraser, Frink, Garibaldi, Gorley, Green, Hardy, Harris, Hartson, Hershey, Hynes, Leadbetter, Levee, May, McIntosh, Merry, Morse, Sherburne, Stanley, Stoddard, Streeter, Tyler, Valle Del, Ward, Wason of Ventura, Wasson of Mono, Wattson, and Mr. Speaker—40.

Senate Bill No. 362—An Act to provide for the organization, incorporation, and government of merged and consolidated cities and

counties of more than one hundred thousand population, pursuant to the provisions of section seven, of article eleven, of the Constitution of this State.

Mr. Braunhart moved to amend.

The previous question was demanded by Messrs. Felton, Ward, and Finlayson.

Upon which the ayes and noes were demanded by Messrs. Sinon, Burns, and Wason of Ventura.

The roll was call, and the main question was ordered by the following vote:

AYES—Messrs. Adams, Bennett, Brooks, Brown of Yuba, Brunet, Brusie, Carr of Sacramento, Chamberlain, Coleman, Dimond, Downs, Estey, Felton, Finlayson, Fox, Fraser, Funk, Garibaldi, Gorley, Hardy, Hartson, Leach, Leadbetter, May, McComas, McIntosh, Merry, Messenger, Mullholland, Nelson, Stanley, Stoddard, Streeter, Tyler, Walker, Ward, Wason of Ventura, Wasson of Mono, Wattson, York, Young, and Mr. Speaker—42.

NOES—Messrs Anthony, Bass, Braunhart, Burns, Camron, Chandler, Coffman, Corcoran, Cuthbert, DuBrutz, Gaffey, Harris, Hershey, Hynes, Josselyn, Lane, Maguire, Mathews, Mayhell, McCallion, McCarty of Lake, McCarthy of San Francisco, McDade, Morse, Picket, Simon, Spencer, and Valle Del—28.

Pending further reading of the bill, the Committee on Engrossment, by Mr. Sherburne, made the following report:

ASSEMBLY CHAMBER, April 12th, 1880.

MR SPEAKER: Your Committee on Engrossment have examined, and found correctly engrossed, Substitute for Assembly Bill No. 385—An Act to amend sections two thousand six hundred and forty-five, two thousand six hundred and forty-six, two thousand six hundred and forty-seven two thousand six hundred and forty-nine, two thousand six hundred and fifty, two thousand six hundred and fifty-three, two thousand six hundred and fifty-seven, two thousand six hundred and fifty-nine, two thousand six hundred and sixty, two thousand six hundred and sixty-one, two thousand six hundred and sixty-two, two thousand six hundred and sixty-three, two thousand six hundred and sixty-four, two thousand six hundred and eighty-one, two thousand six hundred and eighty-five, two thousand six hundred and eighty-seven, two thousand six hundred and eighty-eight, two thousand six hundred and ninety-eight, two thousand seven hundred and three, two thousand seven hundred and six, two thousand seven hundred and seven, two thousand seven hundred and eight, two thousand seven hundred and ten, two thousand seven hundred and eleven, two thousand seven hundred and fourteen, two thousand seven hundred and twenty-four, two thousand seven hundred and twenty-five, two thousand seven hundred and twenty-six, two thousand seven hundred and twenty-nine, two thousand seven hundred and thirty-one, two thousand seven hundred and thirty-two, two thousand seven hundred and forty-three, two thousand seven hundred and forty-six, two thousand seven hundred and forty-seven, two thousand seven hundred and fifty-four, two thousand seven hundred and fifty-five, two thousand seven hundred and fifty-six, two thousand six hundred and forty-eight, two thousand six hundred and fifty-one, two thousand six hundred and fifty-two, two thousand six hundred and fifty-four, two thousand six hundred and fifty-eight, two thousand six hundred and eighty-six, two thousand seven hundred and four, two thousand seven hundred and fifty-seven, of the Political Code.

SHERBURNE, Chairman.

Speaker pro tem Fraser in the chair.

RECESS

Pending further reading of the bill, the hour of one o'clock P. M. having arrived, the House took a recess for one hour.

RE-ASSEMBLED.

House re-assembled at two o'clock P. M.

Speaker Cowdery in the chair.

Roll called, and quorum present.

The consideration of Senate Bill No. 362—An Act to provide for the organization, incorporation, and government of merged and con-

solidated cities and counties of more than one hundred thousand population, pursuant to the provisions of section seven, of article eleven, of the Constitution of this State—resumed.

Speaker pro tem. Fraser in the chair.

Speaker Cowdery in the chair.

The bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Adams, Bennett, Brooks, Brown of Yuba, Brunet, Brusie, Camron, Carr of Sacramento, Chamberlain, Chandler, Coleman, Cooper, Dimond, Downs, Estey, Felton, Finlayson, Fox, Fraser, Frink, Garibaldi, Gorley, Hardy, Hartson, Leach, Leadbetter, Mathews, May, McComas, McIntosh, Merry, Messenger, Morse, Mulholland, Nelson, Sherburne, Stanley, Stoddard, Streeter, Tyler, Walker, Ward, Wason of Ventura, Wasson of Mono, Wattson, York, Young, and Mr. Speaker—48.

NOES—Messrs. Anthony, Braunhart, Burns, Carr of Yuba, Coffman, Cook, Corcoran, Cuthbert, DuBrutz, Gaffey, Harris, Hershey, Hynes, Josselyn, Lane, Levee, Maguire, Maybell, McCallion, McCarty of Lake, McCarthy of San Francisco, McDade, Picket, Simon, Spencer, and Valle Del—26.

Mr. Braunhart moved a call of the House.

Lost.

Title approved.

Mr. Mathews gave notice that he would, on to-morrow, move to reconsider the vote by which the bill passed.

Senate Bill No. 131—An Act for the relief of insolvent debtors, for the protection of creditors, and for the punishment of fraudulent debtors.

Taken up.

Motion by Mr. Cooper:

I move to return Senate Bill No. 131—An Act for the relief of insolvent debtors, for the protection of creditors, and for the punishment of fraudulent debtors—to the Senate, for the reason that it appears from a comparison of the engrossed bill with the printed bill that the said bill has never been printed as the same passed the Senate, as is required by the Constitution of the State.

Upon which the ayes and noes were demanded by Messrs. Cooper, Corcoran, and McCallion.

The roll was called, and the motion was lost by the following vote:

AYES—Messrs. Adams, Anthony, Carr of Yuba, Cook, Cooper, Corcoran, Dimond, Estey, Gaffey, Harris, Hershey, Lane, Mathews, Maybell, McCallion, Picket, Simon, Spencer, Stanley, Valle Del, and Walker—21.

NOES—Messrs. Bennett, Braunhart, Brooks, Brown of Yuba, Brunet, Brusie, Burns, Camron, Carr of Sacramento, Chamberlain, Chandler, Coleman, Cuthbert, Downs, DuBrutz, Felton, Finlayson, Fox, Fraser, Gorley, Hartson, Hynes, Leach, Leadbetter, Levee, Maguire, May, McCarty of Lake, McCarthy of San Francisco, McComas, McDade, McIntosh, Merry, Messenger, Morse, Mulholland, Nelson, Sherburne, Stoddard, Streeter, Tyler, Ward, Wason of Ventura, Wattson, York, and Young—46.

The bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Adams, Bennett, Braunhart, Brooks, Brown of Yuba, Brunet, Brusie, Camron, Carr of Sacramento, Chamberlain, Chandler, Coleman, Cook, Cooper, Cuthbert, Downs, Felton, Finlayson, Fox, Fraser, Frink, Gorley, Hardy, Hartson, Leach, Leadbetter, Maguire, May, McCarty of Lake, McCarthy of San Francisco, McComas, McIntosh, Merry, Messenger, Morse, Mulholland, Stoddard, Streeter, Tyler, Ward, Wason of Ventura, York, Young, and Mr. Speaker—44.

NOES—Messrs. Anthony, Burns, Carr of Yuba, Coffman, Corcoran, Dimond, DuBrutz, Estey, Gaffey, Green, Harris, Hershey, Hynes, Josselyn, Lane, Levee, Mathews, Maybell, McCallion, McDade, Picket, Sayle, Simon, Sherburne, Spencer, Stanley, Sweetland, Valle Del, and Walker—29.

Title approved.

Mr. Cooper gave notice that he would, to-morrow, move to reconsider the vote whereby the bill passed.

Senate Bill No 211—An Act to amend section one thousand four hundred and twenty-two of the Civil Code, relating to water rights and riparian proprietors.

Taken up.

Mr. Young moved to strike out the enacting clause of the bill.

RECESS.

Pending discussion, the House took a recess until seven o'clock P. M.

RE-ASSEMBLED.

The House re-assembled at seven o'clock P. M.

Speaker Cowdery in the chair.

Quorum present

The consideration of Senate Bill No. 211—An Act to amend section one thousand four hundred and twenty-two of the Civil Code, relating to water rights and riparian proprietors—resumed

The question being upon the passage of the bill, the roll was called, and the bill refused passage by the following vote:

AYES—Messrs. Adams, Anthony, Brooks, Brown of Yuba, Burns, Carr of Yuba, Chandler, Cooper, Corcoran, Cuthbert, DuBrutz, Garibaldi, Gaffey, Gorley, Green, Harris, Josselyn, Lane, Magune, May, McCallion, McCarthy of San Francisco, McDade, Nelson, Picket, Sayle, Spencer, Streeter, Sweetland, Valle Del, Wason of Ventura, and Wattson—32

NOES—Messrs. Bass, Bennett, Braunhart, Brown of Sonoma, Bruner, Brusie, Cannon, Carr of Sacramento, Chamberlain, Coffinan, Coleman, Cook, Dimond, Downs, Felton, Finlayson, Fraser, Frink, Hardy, Hartson, Hershey, Hynes, Leach, Leadbetter, Levee, Mathews, Maybell, McCarty of Lake, McComas, McIntosh, Merry, Messenger, Morse, Mulholland, Sherburne, Stanley Stoddard, Tyler, Ward, York, and Young—41.

Mr. Braunhart gave notice that he would move to reconsider the vote by which the bill was refused passage.

Senate Bill No. 458—An Act to provide for the deficiency in the appropriation "for repairs to State Capitol building and furniture," during the thirtieth fiscal year.

Read second time, and ordered to third reading.

The rules were suspended by a two-thirds vote, and all the bills appropriating money, made the order of the day for this day, were ordered considered in the Assembly.

Senate Bill No. 459—An Act to provide for the deficiency in the appropriation "for traveling expenses of the State Board of Education," during the thirtieth fiscal year.

Read second time, and ordered to third reading.

Senate Bill No. 460—An Act to provide for the deficiency in the appropriation "for the contingent expenses of the Supreme Court," during the thirtieth fiscal year.

Read second time, and ordered to third reading.

Senate Bill No. 461—An Act to provide for the deficiency in the appropriation "for arresting criminals without the limits of the State" during the thirtieth fiscal year.

Read second time, and ordered to third reading.

Senate Bill No. 462—An Act to provide for the deficiency in the appropriation "for payment of rewards offered by the Governor" during the thirtieth fiscal year.

Read second time, and ordered to third reading.

Senate Bill No 463—An Act to appropriate money for the payment of the deficiency in the appropriation for the support of the State Normal School, for the twenty-ninth and thirtieth fiscal years.

Read second time, and ordered to third reading.

Senate Bill No 464—An Act to appropriate money for the payment of the deficiency in the appropriation for the payment of rewards for the arrest and conviction of highway robbers, for the twenty-ninth fiscal year.

Read second time, and ordered to third reading.

Senate Bill No 465—An Act to appropriate money for the payment of the deficiency in the appropriation for the transportation of prisoners for the twenty-ninth fiscal year.

Read second time, and ordered to third reading.

Senate Bill No. 466—An Act to appropriate money for the payment of the deficiency in the appropriation for stationery, fuel, and lights, for the twenty-ninth fiscal year.

Read second time, and ordered to third reading.

Senate Bill No. 469—An Act to provide for the deficiency in the appropriation "for repairs to State Capitol building, and furniture, and grounds," during the twenty-ninth and thirtieth fiscal years.

Read second time.

Mr. Merry moved to amend line four, section one, by inserting the words "and grounds," and also in line five by inserting the words "twenty-ninth, thirtieth, and."

Adopted.

Title amended, and the bill ordered to third reading.

Mr Young moved that all of the above ten bills be made the order of the day for Wednesday next.

Carried.

Senate Bill No. 439—An Act to form agricultural districts, to provide for the organization of agricultural associations therein, and for the management and control of the same by the State.

Taken up and read third time.

Mr. Camron moved to amend by striking out the words "and for that purpose shall incorporate under the general laws of this State," from line four, and from line five the words "and incorporated."

Mr. Cook moved to strike out the enacting clause of the bill.

Upon which the ayes and noes were demanded by Messrs. Lane, Levee, and Streeter.

The roll was called, and the motion was lost by the following vote:

AYES—Messrs Anthony, Bass, Bennett, Brusie, Burns, Cook, Cooper, Corcoran, Downs, Estey, Gorley, Hardy, Harris, Hynes, Josselyn, Levee, Maybell, McCallion, McIntosh, Merry, Nelson, Savle, Sherburne, Spencer, Stoddard, Streeter, Tyler, Wason of Ventura, and Wattson—29

NOES—Messrs. Adams, Brannhart, Brooks, Brown of Yuba, Bruner, Cannon, Carr of Sacramento, Chamberlain, Chandler, Coffman, Coleman, Cuthbert, DuBrutz, Felton, Finlayson, Fraser, Funk, Garibaldi, Gaffey, Green, Hartson, Hershey, Lane, Leach, Leadbetter, Magune, Mathews, May, McCarty of Lake, McCarthy of San Francisco, McComas, McDade, Messenger, Morse, Mulholland, Simon, Sweetland, Valle Del, Ward, York, and Young—41.

The question recurred upon the amendment of Mr Camron.

Upon which the ayes and noes were demanded by Messrs. Mulholland, Hynes, and McCarty of Lake.

The roll was called, and the amendment was carried by the following vote:

AYES—Messrs. Adams, Anthony, Bass, Braunhart, Brooks, Bruner, Camron, Carr of Sacramento, Carr of Yuba, Chamberlain, Coffman, Coleman, Cuthbert, DuBrutz, Felton, Finlayson, Fraser, Garibaldi, Gorley, Hartson, Hershey, Leach, Leadbetter, Maguire, Mathews, May, McCarthy of San Francisco, McDade, Messenger, Morse, Mulholland, Picket, Sayle, Simon, Stoddard, Sweetland, Valle Del, Ward, York, Young, and Mr. Speaker—41.

NOES—Messrs. Bennett, Brown of Yuba, Brusie, Burns, Chandler, Cook, Cooper, Corcoran, Dimond, Downs, Estey, Frink, Gaffey, Green, Hardy, Hynes, Josselyn, Lane, Levee, Maybell, McCallion, McCarty of Lake, McComas, McIntosh, Merry, Nelson, Sherburne, Spencer, Streeter, Tyler, and Wason of Ventura—31.

Mr. Camron moved to amend by striking out all the words of section twelve after the word "same."

Adopted.

Mr. Wason of Ventura moved that the floor of the Assembly Chamber be cleared from all persons save ladies and the members.

Lost.

The previous question was demanded by the requisite number, Messrs. Carr of Sacramento, McCarty, and Bennett, and the House so ordered.

The roll was called, and the bill was passed by the following vote:

AYES—Messrs Adams, Braunhart, Brooks, Brown of Yuba, Bruner, Camron, Carr of Sacramento, Carr of Yuba, Chamberlain, Coffman, Coleman, Cuthbert, Dimond, DuBrutz, Estey, Felton, Finlayson, Fox, Fraser, Frink, Garibaldi, Gaffey, Gorley, Green, Hartson, Hershey, Leach, Leadbetter, Mathews, May, McCarthy of San Francisco, McComas, McDade, Messenger, Morse, Mulholland, Sayle, Simon, Valle Del, Walker, Ward, York, Young, and Mr Speaker—44.

NOES—Messrs Anthony, Bass, Bennett, Brusie, Burns, Chandler, Cook, Cooper, Corcoran, Downs, Hardy, Harris, Hynes, Josselyn, Lane, Levee, Maguire, Maybell, McCallion, McCarty of Lake, McIntosh, Merry, Nelson, Picket, Sherburne, Spencer, Stoddard, Streeter, Tyler, Wason of Ventura, and Wattson—31.

Title approved.

Mr Estey gave notice of a motion to reconsider the vote by which the bill passed.

Senate Bill No. 313—An Act to provide for the management and control of the State Agricultural Society by the State.

Read third time.

The roll was called, and bill passed by the following vote:

AYES—Messrs. Adams, Braunhart, Brown of Yuba, Bruner, Brusie, Camron, Carr of Sacramento, Carr of Yuba, Chamberlain, Chandler, Coleman, Cuthbert, Dimond, Downs, DuBrutz, Finlayson, Fox, Fraser, Frink, Garibaldi, Gaffey, Gorley, Harris, Hershey, Josselyn, Leach, Leadbetter, Mathews, May, Maybell, McCallion, McComas, Merry, Messenger, Morse, Mulholland, Nelson, Sayle, Simon, Sweetland, Tyler, Valle Del, Walker, Wattson, York, and Young—46.

NOES—Messrs Anthony, Bass, Bennett, Brooks, Burns, Coffman, Cook, Cooper, Corcoran, Estey, Green, Hynes, Lane, Levee, Maguire, McCarty of Lake, McCarthy of San Francisco, McIntosh, Picket, Sherburne, Spencer, Stoddard, Streeter, and Wason of Ventura—24.

Title approved.

Mr. Del Valle moved that the special orders of the day be made the special orders for to-morrow in their present order.

Carried.

Mr. Cook moved to add Senate Bill No 424—An Act to add eight new sections to the Political Code, to be known as sections one thousand eight hundred and eighty, one thousand eight hundred and eighty-one, one thousand eight hundred and eighty-two, one thousand eight hundred and eighty-three, one thousand eight hundred and eighty-four, one thousand eight hundred and eighty-five, one thousand eight hundred and eighty-six, and one thousand eight hundred and eighty-seven, relating to the issuance of bonds by the Trustees of school districts to raise money for building purposes, and to provide for the payment of the same.

So ordered.

ADJOURNMENT.

At nine o'clock and fifty-two minutes P. M. Mr. Lane moved that we do now adjourn.

Carried.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Tuesday, April 13th, 1880.

The House met pursuant to adjournment.

Speaker Cowdery in the chair.

Roll called, and quorum present.

Prayer by the Chaplain.

READING AND APPROVAL OF THE JOURNAL.

Mr. Messenger moved that the further reading of the Journal be dispensed with.

So ordered.

The Journals of Saturday and Monday approved.

Mr. May moved to reconsider the vote by which the House, yesterday, passed Senate Bill No. 362—An Act to provide for the organization, incorporation, and government of merged and consolidated cities and counties of more than one hundred thousand population, pursuant to the provisions of section seven, of article eleven, of the Constitution of this State.

Upon which the ayes and noes were demanded by Messrs. McCallion, Lane, and Braunhart.

The roll was called, and the motion to reconsider lost by the following vote:

AYES—Messrs Anthony, Bass, Braunhart, Brown of Sonoma, Burns, Carr of Yuba, Coffman, Cook, Corcoran, Cuthbert, DuBrutz, Gaffey, Harris, Hershey, Hynes, Josselyn, Lane, Levee, Maguire, Mathews, Maybell, McCallion, McCarty of Lake, McCarthy of San Francisco, McDade, Pickett, Sayle, Simon, Spencer, and Valle Del—30.

NOES—Messrs. Adams, Bennett, Brooks, Brown of Yuba, Bruner, Brusie, Cannon, Carr of Sacramento, Chamberlain, Chandler, Coleman, Cooper, Dimond, Downs, Estey, Felton, Finlayson, Fox, Fraser, Frink, Garibaldi, Gorley, Hardy, Hartson, Leach, May, McComas, McIntosh, Merry, Morse, Mulholland, Nelson, Sherburne, Stanley, Streeter, Tyler, Walker, Ward, Wason of Ventura, Wasson of Mono, Wattson, York, Young, and Mr. Speaker—44.

Mr. Lane moved to take up Senate messages.

So ordered.

SENATE MESSAGES.

The following Senate messages were read:

SENATE CHAMBER, SACRAMENTO, April 8th, 1880.

MR SPEAKER: I am directed to inform your honorable body that the Senate, on April seventh, concurred in Assembly amendments to Senate Bill No. 336—An Act to provide for the erection of a building for the use of a Normal School.

Also, concurred in Assembly amendments to Senate Bill No 475—An Act to provide for the management of the Yosemite Valley and the Mariposa Big Tree Grove

Also, April eighth, concurred in Assembly amendments to Senate Bill No. 550—An Act to provide a Contingent Fund for the use of the Senate.

Also, concurred in Assembly amendments to Senate Bill No. 285—An Act to amend sections seven hundred and sixty-three and nine hundred and thirty-nine of the Code of Civil Procedure, relating to proceedings in partition and appeals therefrom.

Also, passed Senate Bill No. 378—An Act to amend section four hundred and fifty, and to repeal sections four hundred and fifty-one and four hundred and fifty-two, of the Civil Code of California, relating to life insurance.

Passed Senate Bill No. 97—An Act to amend section four thousand two hundred and twenty-one of the Political Code, relating to the counting of money in the county treasury.

Passed Senate Bill No. 497—An Act to amend section four thousand and seventy-two of the Political Code, relating to the presentation of claims against counties.

Passed Senate Bill No. 266—An Act to amend section six hundred and eleven of the Civil Code, relating to cemetery corporations.

Passed Senate Bill No. 427—An Act to authorize Boards of Supervisors to pay the expenses of posse comitatus in criminal cases.

Passed Senate Bill No. 445—An Act to add a new section to the Political Code, to be known as section three thousand four hundred and ninety-one, relating to individual reclamation of swamp lands in certain cases.

Passed Senate Bill No. 472—An Act to amend section three thousand four hundred and forty-six of the Political Code.

Passed Senate Bill No. 493—An Act to amend section four thousand and seventy of the Political Code, forbidding Supervisors to allow claims or contract debts in certain cases.

JAMES A. ORR, Assistant Secretary.

Senate Bill No. 378—An Act to amend section four hundred and fifty, and to repeal sections four hundred and fifty-one and four hundred and fifty-two, of the Civil Code of California, relating to life insurance.

Read first time, and ordered on file.

Senate Bill No. 97—An Act to amend section four thousand two hundred and twenty-one of the Political Code, relating to the counting of money in the county treasury.

Read first time, and ordered on file.

Senate Bill No. 497—An Act to amend section four thousand and seventy-two of the Political Code, relating to the presentation of claims against counties.

Read first time, and ordered on file.

Senate Bill No. 266—An Act to amend section six hundred and eleven of the Civil Code, relating to cemetery corporations.

Read first time, and ordered on file.

Senate Bill No. 427—An Act to authorize Boards of Supervisors to pay the expenses of posse comitatus in criminal cases.

Read first time, and ordered on file.

Senate Bill No. 445—An Act to add a new section to the Political Code, to be known as section three thousand four hundred and ninety-one, relating to individual reclamation of swamp lands in certain cases.

Read first time, and ordered on file.

Senate Bill No. 472—An Act to amend section three thousand four hundred and forty-six of the Political Code.

Read first time, and ordered on file.

Senate Bill No. 493—An Act to amend section four thousand and seventy of the Political Code, forbidding Supervisors to allow claims or contract debts in certain cases.

Read first time, and ordered on file.

SENATE CHAMBER, SACRAMENTO, April 9th, 1880.

MR. SPEAKER: I am directed to inform your honorable body that the Senate, on April seventh, passed Senate Bill No. 377—An Act to amend section six hundred and sixteen of the Political Code, in relation to foreign insurance corporations.

On April eighth, passed Senate Concurrent Resolution No. 21—Relative to United States money, etc.

Also passed Senate Joint Resolution No 5—Relative to procuring the removal by Congress of the duty on printing paper, and on materials used in the manufacture of the same

Also, Senate Concurrent Resolution No 26—Relative to Mexican veterans

Also, Senate Joint Resolution No 6—Memorializing and asking Congress to pay certain money to the State of California

Also, concurred in Assembly amendments to Senate Bill No. 366—An Act to amend section six hundred and seven of the Penal Code, relating to malicious mischief

And, on April ninth, adopted the report of Conference Committee on Senate Bill No 174

J. A. ORR, Assistant Secretary.

Senate Bill No. 377—An Act to amend section six hundred and sixteen of the Political Code, in relation to foreign insurance corporations.

Read first time, and ordered on file.

SENATE CHAMBER, SACRAMENTO, April 10th, 1880.

MR SPEAKER I am directed to inform your honorable body that the Senate on April eighth, amended, and on April tenth, passed, Assembly Bill No 354—An Act to provide for the protection of lands from overflow other than lands recognized as swamp lands.

Also, April tenth, adopted the report of the Committee on Free Conference upon Assembly Concurrent Resolution No. 21—Relative to the adjournment *sine die* of the Twenty-third Session of the Legislature of California.

J. A. ORR, Assistant Secretary.

Assembly Bill No. 354—An Act to provide for the protection of lands from overflow other than lands recognized as swamp lands.

Taken up.

Senate amendments to the bill were read.

The roll was called, and the House concurred in the Senate amendments by the following vote:

AYES—Messrs Bass, Bennett, Braunhart, Brooks, Brown of Yuba, Bruner, Brusie, Burns, Camron, Carr of Yuba, Chamberlain, Chandler, Coffman, Coleman, Cook, Cooper, Corcoran, Dimond, Downs, DuBrutz, Estey, Finlayson, Fox, Frink, Garibaldi, Harris, Harrison, Hershey, Josselyn, Leach, Levee, May, Maybell, McCallion, McCarty of Lake, McComas, McIntosh, Merry, Messenger, Picket, Sayle, Sherburne, Spencer, Stanley, Streeter, Sweetland, Walker, Wason of Ventura, Wattson, York, Young, and Mr. Speaker—52

NOES—None.

SENATE CHAMBER, SACRAMENTO, April 12th, 1880

MR. SPEAKER I am directed to inform your honorable body that the Senate, on April twelfth, passed Assembly Bill No. 577—An Act to provide for the payment of the salaries and traveling expenses of the State Board of Equalization, and the Clerk thereof, and for postage and contingent expenses of said Board for the thirtieth fiscal year ending June thirtieth, eighteen hundred and eighty.

Also, passed Assembly Bill No. 230—An Act for the further protection of stockholders in mining companies.

Assembly Bill No. 64—An Act to amend sections three thousand four hundred and forty and three thousand four hundred and ninety-four of the Political Code, relating to interest on deferred payments on State land.

Also, on April fifth amended and on April twelfth passed, Assembly Bill No 45—An Act to amend sections three thousand four hundred and fifteen, three thousand four hundred and sixty-six, three thousand four hundred and ninety-five, three thousand five hundred, and three thousand five hundred and forty-eight, of an Act entitled an Act to establish a Political Code, approved March twelfth, eighteen hundred and seventy-two, relating to the public lands of this State

Senate Bill No 407—An Act to empower the Board of State Harbor Commissioners to adjust, audit, and pay the claim of W H. Martin & Company.

Senate Bill No 284—An Act to amend an Act entitled an Act to protect public health from infection caused by exhumation and removal of the remains of deceased persons

Senate Bill No. 123—An Act to amend section one thousand two hundred and eighty-one of the Political Code.

Senate Bill No. 297—An Act to amend sections three thousand four hundred and fifty-two, three thousand four hundred and fifty-three, three thousand four hundred and fifty-four, three thousand four hundred and fifty-five, three thousand four hundred and fifty-six, three thousand four hundred and fifty-nine, three thousand four hundred and sixty-one, three thousand four

hundred and sixty-two, three thousand four hundred and sixty-six, three thousand four hundred and seventy-one, and three thousand four hundred and eighty-one, of the Political Code.

Senate Concurrent Resolution No 19—Relative to establishing closer commercial intercourse, by treaties, with Mexico, Guatemala, Costa Rica, San Salvador, Honduras, and Nicaragua.

J. A. ORR, Assistant Secretary.

Assembly Bill No. 45—An Act to amend sections three thousand four hundred and fifteen, three thousand four hundred and sixty-six, three thousand four hundred and ninety-five, three thousand five hundred, and three thousand five hundred and forty-eight, of an Act entitled "An Act to establish a Political Code," approved March twelfth, eighteen hundred and seventy-two, relating to the public lands of this State.

The Senate amendments thereto were read.

The roll was called, and the Senate amendments concurred in by the following vote:

AYES—Messrs Adams, Anthony, Bass, Bennett, Brooks, Brown of Sonoma, Brown of Yuba, Bruner, Brusie, Camron, Carr of Sacramento, Carr of Yuba, Chamberlain, Chandler, Coffman, Coleman, Cook, Cooper, Corcoran, Dimond, Downs, DuBrutz, Estey, Fox, Fraser, Frink, Gorley, Hartson, Hershey, Josselyn, Lane, Levee, May, Maybell, McCallion, McCarty of Lake, McCarthy of San Francisco, McComas, McIntosh, Merry, Messenger, Nelson, Picket, Sherburne, Spencer, Stoddard, Streeter, Walker, Wason of Ventura, Wattson, York, Young, and Mr. Speaker—53

NOES—Mr Sayle—1.

Senate Bill No. 407—An Act to empower the Board of State Harbor Commissioners to adjust, audit, and pay the claim of W. H. Martin & Company.

Read first time, and ordered on file.

Senate Bill No. 284—An Act to amend an Act entitled an Act to protect public health from infection caused by exhumation and removal of the remains of deceased persons.

Read first time, and ordered on file.

Senate Bill No. 123—An Act to amend section one thousand two hundred and eighty-one of the Political Code.

Read first time, and ordered on file.

SENATE CHAMBER, SACRAMENTO, April 10th, 1880.

MR. SPEAKER I am directed to inform your honorable body that the Senate, on April sixth, seventh, and eighth amended, and on April tenth passed, Assembly Bill No 334—An Act to promote drainage.

M. D. BORUCK, Secretary

Assembly Bill No. 334—An Act to promote drainage.

Taken up.

Mr Camron moved the bill be made the order of the day for Friday next.

Lost.

Senate amendment number one to the bill read.

The roll was called, and the amendment was concurred in by the following vote:

AYES—Messrs. Braunhart, Brooks, Brown of Yuba, Bruner, Brusie, Burns, Carr of Sacramento, Carr of Yuba, Chamberlain, Chandler, Coffman, Cook, Cooper, Corcoran, Cuthbert, Dimond, Downs, DuBrutz, Felton, Finlayson, Fox, Fraser, Garibaldi, Gaffey, Gorley, Hartson, Hershey, Josselyn, Lane, Leach, Levee, May, McCallion, McCarty of Lake, McComas, Merry, Messenger, Mulholland, Nelson, Picket, Sayle, Spencer, Streeter, Sweetland, Tyler, Walker, Wasson of Mono, Wattson, York, Young, and Mr Speaker—51.

NOES—Messrs. Adams, Anthony, Bass, Bennett, Brown of Sonoma, Camron, Coleman, Estey, Frink, Hynes, Maguire, Mathews, Maybell, McDade, McIntosh, Morse, Simon, Sherburne, Stanley, Stoddard, Valle Del, and Wason of Ventura—22.

Senate amendment number two was read.

The roll was called, and the amendment was concurred in by the following vote:

AYES—Messrs. Bennett, Braunhart, Brown of Sonoma, Brown of Yuba, Bruner, Brusie, Burns, Camron, Carr of Sacramento, Carr of Yuba, Chamberlain, Chandler, Coffman, Cooper, Corcoran, Cuthbert, Dimond, Downs, DuBrutz, Estey, Felton, Finlayson, Fox, Fraser, Frink, Garibaldi, Gorley, Josselyn, Lane, Leach, Levee, Maguire, May, Maybell, McCallion, McCarty of Lake, McComas, McIntosh, Merry, Messenger, Mulholland, Nelson, Picket, Sayle, Sherburne, Spencer, Stanley, Stoddard, Streeter, Sweetland, Walker, Ward, Wasson of Mono, Wattson, York, Young, and Mr. Speaker—58

NOES—Messrs Adams, Anthony, Bass, Cook, Hynes, Mathews, McDade, Morse, Valle Del, and Wason of Ventura—10

Senate amendments numbers three and four were read.

The roll was called, and the amendments were concurred in by the following vote:

AYES—Messrs Braunhart, Brooks, Brown of Sonoma, Brown of Yuba, Burns, Carr of Yuba, Chamberlain, Chandler, Coffman, Cooper, Corcoran, Cuthbert, Dimond, Downs, DuBrutz, Felton, Finlayson, Fox, Fraser, Frink, Garibaldi, Gaffey, Gorley, Green, Harris, Hartson, Lane, Levee, May, Maybell, McCallion, McCarty of Lake, McComas, McDade, Merry, Messenger, Mulholland, Nelson, Picket, Sayle, Spencer, Sweetland, Tyler, Walker, Ward, Wason of Ventura, Wasson of Mono, Wattson, Young, and Mr Speaker—50

NOES—Messrs. Adams, Anthony, Bass, Bennett, Bruner, Brusie, Camron, Carr of Sacramento, Coleman, Cook, Estey, Hershey, Hynes, Josselyn, Leach, Leadbetter, Mathews, McIntosh, Morse, Simon, Sherburne, Stanley, Stoddard, Streeter, and Valle Del—25.

Senate amendments to sections twenty-two, twenty-three, and twenty-four were read.

The roll was called, and the amendments were concurred in by the following vote:

AYES—Messrs Braunhart, Brooks, Brown of Yuba, Bruner, Brusie, Burns, Camron, Carr of Sacramento, Carr of Yuba, Chamberlain, Chandler, Coffman, Cooper, Corcoran, Cuthbert, Dimond, Downs, DuBrutz, Felton, Finlayson, Fox, Fraser, Garibaldi, Gaffey, Gorley, Harris, Lane, Levee, May, McCallion, McComas, Merry, Messenger, Mulholland, Nelson, Picket, Sayle, Spencer, Sweetland, Tyler, Walker, Ward, Wasson of Mono, Wattson York, Young, and Mr Speaker—47.

NOES—Messrs. Adams, Anthony, Bass, Bennett, Brown of Sonoma, Coleman, Cook, Estey, Green, Hartson, Hershey, Hynes, Leach, Leadbetter, Mathews, Maybell, McCarty of Lake, McDade, McIntosh, Morse, Simon, Sherburne, Stanley, Stoddard, Streeter, Valle Del, and Wason of Ventura—27

Senate Bill No. 429—An Act to amend sections seven hundred and fifty-seven and seven hundred and fifty-eight of the Code of Civil Procedure, relating to proceedings in partition.

Read first time, and ordered on file.

Senate Bill No. 297—An Act to amend sections three thousand four hundred and fifty-two, three thousand four hundred and fifty-three, three thousand four hundred and fifty-four, three thousand four hundred and fifty-five, three thousand four hundred and fifty-six, three thousand four hundred and fifty-nine, three thousand four hundred and sixty-one, three thousand four hundred and sixty-two, three thousand four hundred and sixty-six, three thousand four hundred and seventy-one, and three thousand four hundred and eighty-one, of the Political Code.

Read first time, and ordered on file.

SENATE CHAMBER, SACRAMENTO, April 10th, 1880.

MR SPEAKER I am directed to inform your honorable body that the Senate, on April ninth, concurred in Assembly amendments to Senate Bill No 109—An Act to amend sections three hundred and sixty-seven, three hundred and seventy-two, and three hundred and seventy-three, of the Code of Civil Procedure, relating to parties to civil actions.

Also, concurred in Assembly amendments to Senate Bill No 32—An Act amending sections of the Penal Code, providing for certain proceedings before the Superior Courts, or the Judges thereof

Also, to Assembly amendments to Senate Bill No 34—An Act to amend sections eight hundred and seventy-two and eight hundred and seventy-five, and to repeal section eight hundred and seventy-four of the Penal Code, relating to commitments of persons charged with crime

Also, passed, on April tenth, Senate Bill No. 526—An Act to pay the Society of California Pioneers rent for rooms for the Hastings College of the Law.

J. A. ORR, Assistant Secretary.

Senate Bill No. 526—An Act to pay the Society of California Pioneers rent for rooms for the Hastings College of the Law.

Read first time, and ordered on file.

SENATE CHAMBER, SACRAMENTO, April 10th, 1880.

MR SPEAKER. I am directed to inform your honorable body that the Senate, on this day, passed Assembly Bill No 489—An Act to amend sections one thousand nine hundred and seventeen, one thousand nine hundred and thirty-four, one thousand nine hundred and thirty-nine, one thousand nine hundred and forty-one, one thousand nine hundred and fifty-five, one thousand nine hundred and sixty, one thousand nine hundred and seventy-three, one thousand nine hundred and seventy-four, one thousand nine hundred and seventy-five, one thousand nine hundred and eighty-two, one thousand nine hundred and eighty-six, one thousand nine hundred and ninety, one thousand nine hundred and ninety-two, two thousand and twenty-two, two thousand and twenty-eight, two thousand and thirty-nine, two thousand and fifty-nine, two thousand and ninety-five, two thousand and ninety-nine, two thousand and seventy-seven, one thousand nine hundred and forty-two, one thousand nine hundred and seventy, one thousand nine hundred and sixty-two, one thousand nine hundred and sixty-five, two thousand and ninety-four, and two thousand one hundred and fourteen, of the Political Code of California, to repeal section one thousand nine hundred and seventy-five of said Code, approved March thirtieth, eighteen hundred and seventy-eight, and section one thousand nine hundred and ninety-one of said Code, and to add a new section to said Code, to be known and numbered as section one thousand nine hundred and seventy-seven, relating to the State militia.

JOHN R. BRIERLY, Assistant Secretary.

SENATE CHAMBER, SACRAMENTO, April 13th, 1880.

MR. SPEAKER I am directed to inform your honorable body that the Senate, on April twelfth, eighteen hundred and eighty, passed Senate Bill No 387—An Act to amend section three hundred and ninety-seven of the Penal Code, relating to the sale of intoxicating liquors to drunkards or Indians, and to repeal an Act entitled "An Act to prevent the sale of intoxicating liquors to minors," approved March fourth, eighteen hundred and seventy-two.

Also, Senate Bill No. 500—An Act to provide for the future management of the Insane Asylums of the State, and to amend sections two thousand one hundred and thirty-six, two thousand one hundred and thirty-seven, two thousand one hundred and thirty-eight, two thousand one hundred and thirty-nine, two thousand one hundred and forty, two thousand one hundred and fifty, two thousand one hundred and fifty-two, two thousand one hundred and fifty-four, two thousand one hundred and sixty-eight, two thousand one hundred and sixty-nine, two thousand one hundred and eighty-three, two thousand one hundred and ninety-three, two thousand one hundred and ninety-seven, two thousand one hundred and ninety-eight, two thousand one hundred and ninety-nine, two thousand two hundred, and two thousand two hundred and twenty, of the Political Code, relating to the Insane Asylums of the State, and to add a new section thereto to be known as section two thousand one hundred and fifty-six

Also, Senate Bill No 482—An Act for the better preservation of fish, by providing and maintaining fish screens at the heads of mining and irrigating ditches.

Also, Senate Bill No. 483—An Act to amend section six hundred and twenty-eight of the Penal Code, relative to the destruction of deer, antelope, elk, and other animals

Also Senate Bill No. 185—An Act to amend sections four thousand two hundred and fifteen and four thousand two hundred and sixteen of the Political Code, relating to the duties of Auditors.

Also, Senate Bill No 376—An Act to add a new section to the Political Code, to be known as section four thousand and forty-eight, providing for the redemption of county bonds in certain cases.

Also, on April fifth amended, and on April thirteenth, passed as amended, Assembly Bill No. 163—An Act to amend section three hundred and thirty-six of the Penal Code, in relation to games of chance at places where liquor is sold.

JNO R. BRIERLY, Assistant Secretary.

Assembly Bill No. 163—An Act to amend section three hundred and thirty-six of the Penal Code, in relation to games of chance at places where liquor is sold.

Senate amendments thereto were read.

The roll was called, and the House refused to concur in Senate amendments to the bill by the following vote:

AYES—Messrs. Bennett, Braunhart, Brooks, Bruner, Cannon, Carr of Sacramento, Chandler, Coffman, Coleman, Cook, Cuthbert, Estey, Finlayson, Fraser, Gaffey, Gorley, Green, Harris, Hershey, Lane, Leach, Leadbetter, Maguire, Mathews, May, Maybell, McCallion, McCarthy of San Francisco, Merry, Nelson, Picket, Sayle, Simon, Spencer, Streeter, Ward, and Wason of Ventura—37.

NOES—Messrs. Adams, Anthony, Bass, Brown of Sonoma, Carr of Yuba, Corcoran, Downs, Josselyn, McCarty of Lake, McComas, McIntosh, Morse, Mulholland, Sherburne, Stanley, Stoddard, Tyler, Valle Del, Walker, Wasson of Mono, Wattson, York, and Young—23.

Senate Bill No. 387—An Act to amend section three hundred and ninety-seven of the Penal Code, relating to the sale of intoxicating liquors to drunkards or Indians, and to repeal an Act entitled "An Act to prevent the sale of intoxicating liquors to minors," approved March fourth, eighteen hundred and seventy-two.

Read first time, and ordered on file.

Senate Bill No. 500—An Act to provide for the future management of the Insane Asylums of the State.

Read first time, and ordered on file.

Senate Bill No. 482—An Act for the better preservation of fish, by providing and maintaining fish screens at the heads of mining and irrigating ditches.

Read first time, and ordered on file.

Senate Bill No. 483—An Act to amend section six hundred and twenty-eight of the Penal Code, relative to the destruction of deer, antelope, elk, and other animals.

Read first time, and ordered on file.

Senate Bill No. 185—An Act to amend sections four thousand two hundred and fifteen and four thousand two hundred and sixteen of the Political Code, relating to the duties of Auditors.

Read first time, and ordered on file.

Senate Bill No. 376—An Act to add a new section to the Political Code, to be known as section four thousand and forty-eight, providing for the redemption of county bonds in certain cases.

Read first time and ordered on file.

Mr. Leach moved that Assembly Bill No. 590—An Act to amend section three thousand seven hundred and forty-six of the Political Code—be taken up.

So ordered.

Mr. Mathews moved that this be declared a case of urgency.

The bill read first, second, and third time, and put upon its final passage.

The roll was called, and the motion was carried by the following two-thirds vote.

AYES—Messrs. Adams, Anthony, Bass, Bennett, Brooks, Brown of Sonoma, Brown of Yuba, Bruner, Brusie, Burns, Cannon, Carr of Sacramento, Carr of Yuba, Chamberlain, Chandler, Coffman, Coleman, Cook, Corcoran, Cuthbert, DuBrutz, Estey, Felton, Finlayson, Fraser, Funk, Green, Harris, Hartson, Hershey, Josselyn, Lane, Leadbetter, Maguire, Mathews, May, McCallion, McCarty of Lake, McCarthy of San Francisco, McComas, McIntosh, Merry, Messenger, Morse, Mulholland, Nelson, Picket, Sayle, Sherburne, Spencer, Stanley, Stoddard, Streeter, Sweetland, Tyler, Valle Del, Ward, Wason of Ventura, Wattson, York, Young and Mr. Speaker—63.

NOES—Mr. Garibaldi—1.

The bill was read.

The roll called, and the bill was passed by the following vote:

AYES—Messrs. Adams, Anthony, Bass, Bennett, Brooks, Brown of Yuba, Brunet, Brusie, Camron, Carr of Sacramento, Chamberlain, Chandler, Coffman, Coleman, Cook, Corcoran, Cuthbert, DuBrutz, Estey, Finlayson, Fox, Fraser, Garibaldi, Gorley, Green, Harris, Hershey, Hynes, Josselyn, Lane, Leach, Leadbetter, Maguire, Mathews, May, McCallion, McCarty of Lake, McCarthy of San Francisco, McComas, Merry, Messenger, Morse, Nelson, Picket, Sayle, Sherburne, Stanley, Stoddard, Streeter, Sweetland, Tyler, Valle Del, Ward, Wason of Ventura, Wattson, York, Young, and Mr. Speaker—58.
NOES—None.

Title approved.

Mr. Finlayson moved to reconsider the vote by which Senate Bill No. 131—An Act for the relief of insolvent debtors, for the protection of creditors, and for the punishment of fraudulent debtors—was passed.

Lost.

Mr Hartson moved to take up Senate Bill No. 251—An Act to add five new sections to the Political Code, providing for funding and refunding county indebtedness.

Carried.

The bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs Adams, Anthony, Bass, Bennett, Braunhart, Brooks, Brown of Sonoma, Brown of Yuba, Brusie, Camron, Carr of Sacramento, Chamberlain, Coffman, Coleman, Cook, Cooper, Corcoran, Estey, Finlayson, Fraser, Frink, Garibaldi, Gaffey, Gorley, Green, Harris, Hartson, Hershey, Hynes, Josselyn, Lane, Leach, Leadbetter, Maguire, Mathews, May, McCallion, McCarty of Lake, McCarthy of San Francisco, McComas, McIntosh, Messenger, Morse, Mulholland, Nelson, Picket, Sayle, Sherburne, Stanley, Stoddard, Streeter, Valle Del, Ward, Wason of Ventura, York, Young, and Mr Speaker—57.
NOES—Messrs Fox and Tyler—2.

Title approved.

Mr. Lane moved to take up Senate Bill No. 374—An Act to provide for the further extension of the water front line of the City and County of San Francisco, and the construction of the sea-wall.

So ordered.

Read second time, and ordered to third reading.

RECESS.

The hour of one o'clock P. M. having arrived, the House took a recess until two o'clock P. M.

RE-ASSEMBLED.

House re-assembled at two o'clock P. M.

Speaker Cowdery in the chair.

Quorum present.

ORDERS OF THE DAY.

Senate Bill No. 188—An Act to regulate fire, marine, and inland insurance companies transacting business in this State.

Read second time.

The committee amendments pending.

Mr. McIntosh moved to strike out the enacting clause of the bill.

The previous question on the above motion was demanded by Messrs. Camron, Stanley, and Maybell, and the House so ordered.

The ayes and noes were demanded by Messrs. Estey, Maybell, and Fraser.

The roll was called, and the motion was carried by the following vote:

AYES—Messrs. Anthony, Bass, Brooks, Camron, Chamberlain, Chandler, Coleman, Cook, Downs, DuBrutz, Estey, Fox, Fraser, Funk, Hardy, Harris, Hartson, Hershey, Josselyn, Leadbetter, Levee, Maguire, May, Maybell, McCarty of Lake, McCarthy of San Francisco, McComas, McIntosh, Merry, Messenger, Mulholland, Nelson, Simon, Sherburne, Stanley, Stoddard, Streeter, Tyler, Valle Del, Wasson of Mono, Wattson, York, and Young—43.

NOES—Messrs. Adams, Bennett, Braunhart, Brown of Sonoma, Brown of Yuba, Brunet, Brusie, Carr of Sacramento, Coffman, Cooper, Corcoran, Dimond, Felton, Finlayson, Garibaldi, Gorley, Green, Hynes, Lane, Leach, Mathews, McCallion, Morse, Picket, Spencer, Sweetland, Walker, Ward, and Wason of Ventura—29.

Mr. May gave notice that he would, to-morrow, move to reconsider the vote by which the bill was refused passage.

Senate Bill No. 43—An Act to amend section one thousand one hundred and eighty-three of an Act entitled "An Act to establish a Code of Civil Procedure," approved March eleventh, eighteen hundred and seventy-two, relating to the liens of mechanics and others upon real property.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Adams, Anthony, Bass, Bennett, Brooks, Brown of Sonoma, Brunet, Brusie, Camron, Carr of Sacramento, Chamberlain, Chandler, Coffman, Coleman, Cook, Cooper, Corcoran, Dimond, Downs, DuBrutz, Estey, Fox, Fraser, Gorley, Green, Hardy, Harris, Hartson, Hershey, Hynes, Josselyn, Lane, Leach, Leadbetter, Levee, Maguire, Mathews, May, Maybell, McCallion, McCarty of Lake, McCarthy of San Francisco, Messenger, Morse, Mulholland, Nelson, Picket, Simon, Sherburne, Spencer, Stanley, Stoddard, Streeter, Valle Del, Walker, Ward, Wason of Ventura, York, Young, and Mr. Speaker—60.

NOES—Messrs. Tyler and Wattson—2.

Title approved.

Senate Bill No. 286—An Act to confer power upon Supervisors of cities and counties containing more than one hundred thousand inhabitants, to extend and complete all main intercepting sewers heretofore partially constructed.

Read third time.

Mr. McCallion moved to amend by striking out, from the fifth line of section one, the words "or partially constructed."

Lost.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Adams, Bass, Bennett, Braunhart, Brooks, Brown of Sonoma, Brusie, Burns, Carr of Sacramento, Chamberlain, Chandler, Coffman, Coleman, Cook, Cooper, Corcoran, Cuthbert, Dimond, Downs, DuBrutz, Estey, Felton, Fox, Fraser, Garibaldi, Gaffey, Green, Harris, Hershey, Hynes, Lane, Leach, Leadbetter, Levee, Maguire, Mathews, May, Maybell, McCarty of Lake, McCarthy of San Francisco, McComas, Merry, Messenger, Morse, Mulholland, Nelson, Picket, Simon, Sherburne, Stoddard, Streeter, Sweetland, Tyler, Valle Del, Walker, Ward, Wattson, York, Young, and Mr. Speaker—60.

NOES—Mr. McCallion—1.

Title approved.

Mr. Estey withdrew notice of his motion to reconsider the vote by which Senate Bill No. 439—An Act to form agricultural districts, to provide for the organization of agricultural associations therein, and for the management and control of the same by the State—was passed.

Mr. DuBrutz moved to reconsider the vote by which Senate Bill No. 211—An Act to amend section one thousand four hundred and

twenty-two of the Civil Code, relating to water rights and riparian proprietors—was refused passage.

The ayes and noes were demanded by Messrs. Braunhart, McCallion, and Maybell

The roll was called, and the motion to reconsider was lost by the following vote.

AYES—Messrs Anthony, Braunhart, Carr of Yuba, Chandler, Cooper, Corcoran, DuBrutz, Estey, Finlayson, Gafley, Green, Harris, Hershey, Josselyn, Lane, Levee, Magune, McCallion, McCarthy of San Francisco, McDade, Nelson, Picket, Simon, Spencer, Stoddard, Streeter, Valle Del, and Wason of Ventura—28.

NOES—Messrs. Bass, Bennett, Brown of Sonoma, Bruner, Brusie, Carr of Sacramento, Chamberlain, Coffman, Coleman, Cook, Downs, Felton, Fraser, Frink, Garibaldi, Hardy, Hartson, Leach, Leadbetter, Mathews, May, Maybell, McCarty of Lake, McComas, McIntosh, Merry, Messenger, Morse, Mulholland, Sherburne, Stanley, Tyler, York, Young, and Mr. Speaker—35.

Mr. May moved that the House now take up the appropriation bills.

So ordered by a two-thirds vote.

Assembly Bill No. 574—An Act making appropriations for the support of the government of the State of California for the thirty-second fiscal year.

Taken up.

Mr. Coleman moved to amend by striking out the words "two thousand four hundred dollars," from line eighteen, section one, and inserting instead the words "one thousand six hundred dollars."

Upon which the ayes and noes were demanded by Messrs. May, Finlayson, and Bruner.

Mr. Leach moved to amend the amendment by striking out the words "one thousand six hundred dollars," and inserting instead the words "two thousand dollars."

Adopted.

The question recurred on the amendment as amended.

The roll was called, and the amendment, as amended, was adopted by the following vote:

AYES—Messrs Adams, Bass Bennett, Brooks, Brown of Sonoma, Brown of Yuba, Bruner, Chandler, Cook, Corcoran, Cuthbert, Downs, Felton, Finlayson, Garibaldi, Gafley, Gorley, Green, Hartson, Hynes, Josselyn, Leach, Magune, Mathews, May, Maybell, McCallion, McCarty of Lake, McCarthy of San Francisco, Morse, Mulholland, Nelson, Picket, Simon, Sherburne, Stoddard, Streeter, Sweetland, Walker, Wason of Ventura, and York—45.

NOES—Messrs Anthony, Carr of Sacramento, Estey, Fox, Fraser, Frink, Hershey, Lane, Levee, McIntosh, Messenger, Stanley, Tyler, Young, and Mr. Speaker—15.

Mr. Anthony moved to amend by striking out the words "two thousand dollars," from line eighteen, section one, and inserting instead the words "one thousand eight hundred dollars."

Upon which the ayes and noes were demanded by Messrs Anthony, Levee, and Coleman.

The roll was called, and the amendment lost by the following vote:

AYES—Messrs Adams, Anthony, Brown of Sonoma, Carr of Sacramento, Coleman, Estey, Fraser, Harris, Levee, Mathews, McCarty of Lake, Sherburne, Stoddard, and Wason of Ventura—14

NOES—Messrs. Bass, Bennett, Brooks, Brown of Yuba, Bruner, Brusie, Burns, Chandler, Cook, Corcoran, Cuthbert, Downs Finlayson, Fox, Frink, Garibaldi, Gafley, Gorley, Hershey, Hynes, Josselyn, Lane, Leach, Magune, May, Maybell, McCallion, McCarthy of San Francisco, McComas, McIntosh, Messenger, Morse, Mulholland, Nelson, Picket, Spencer, Streeter, Sweetland, Tyler, Valle Del, Walker, York, Young, and Mr. Speaker—44.

Mr. Coleman moved to amend by striking out the words "two thousand four hundred dollars," from lines twenty-seven and twenty-eight, section one, and inserting instead the words "one thousand six hundred dollars."

Mr. Cooper moved to amend the amendment by striking out the words "one thousand six hundred dollars," and inserting instead the words "two thousand dollars."

Lost.

The question recurred upon Mr. Coleman's amendment.

Upon which the ayes and noes were demanded by Messrs. Sinon, Levee, and Coleman.

The roll was called, and the amendment was adopted by the following vote:

AYES—Messrs Adams, Anthony, Bass, Bennett, Braunhart, Brown of Sonoma, Carr of Sacramento, Carr of Yuba, Coleman, Cook, Cuthbert, DuBrutz, Estey, Fraser, Frink, Hardy, Harris, Hynes, Leadbetter, Levee, Magune, Mathews, McCarty of Lake, McComas, McIntosh, Morse, Mulholland, Sinon, Sherburne, Stanley, Stoddard, Tyler, Ward, Wason of Ventura, York, and Mr. Speaker—36.

NOES—Messrs. Brooks, Brown of Yuba, Bruner, Bruse, Burns, Camron, Chamberlain, Chandler, Coffman, Cooper, Corcoran, Dimond, Downs, Felton, Finlayson, Fox, Garibaldi, Gafley, Gorley, Hershey, Lane, Leach, May, McCallion, McCarthy of San Francisco, Merry, Messenger, Picket, Spencer, Streeter, Valle Del, Walker, and Young—33.

Mr. Braunhart moved to amend by striking out the words "two thousand four hundred dollars," from lines twenty-five and twenty-six, section one, and inserting instead the words "one thousand six hundred dollars."

Lost.

Mr. Braunhart moved to reconsider the vote by which the House struck out the words "two thousand four hundred dollars" and inserted the words "two thousand dollars."

Lost.

Mr. Coleman moved to amend by striking out the words "five thousand dollars" from lines twenty-nine and thirty, section one, and inserting instead the words "four thousand two hundred dollars."

Lost

Mr. Lane moved to amend by striking out the words "three hundred dollars," from line thirty-one, section one, and inserting instead the words "four hundred dollars."

Lost.

Mr. Coleman moved to amend by striking out the words "two thousand four hundred dollars," from lines forty-one and forty-two, section one, and inserting instead the words "one thousand six hundred dollars."

Speaker pro tem. Fraser in the chair.

The amendment was adopted.

Mr. Mathews moved to amend by striking out the words "eight thousand dollars," from line forty-three, section one, and inserting instead the words "four thousand eight hundred dollars."

Adopted.

Mr. Brooks moved to amend by striking out the words "one hundred and fifty dollars," from line sixty, section one, and inserting instead the words "two hundred and fifty dollars."

Adopted.

Mr. Coleman moved to amend by striking out the words "four

thousand eight hundred dollars," from line seventy, section one, and inserting instead the words "three thousand two hundred dollars."

Adopted.

Mr. Carr of Yuba moved to amend by striking out the words "one thousand eight hundred dollars," from lines eighty-two and eighty-three, section one, and inserting instead the words "two thousand four hundred dollars."

Lost.

Mr. Coleman moved to amend by striking out the words "three thousand dollars," from line ninety-eight, section one, and inserting instead the words "two thousand four hundred dollars."

The ayes and noes were demanded by Messrs. Mulholland, McIntosh, and Coleman.

The roll was called, and the amendment was lost by the following vote:

AYES—Messrs. Anthony, Bennett, Carr of Sacramento, Chandler, Coleman, Fraser, Green, Josselyn, Leadbetter, Levee, McComas, McIntosh, Morse, Mulholland, Sherburne, Stanley, Stoddard, Ward, Wason of Ventura, and Wattson—20.

NOES—Messrs. Bass, Braunhart, Brooks, Brown of Sonoma, Brown of Yuba, Bruner, Brusie, Camron, Carr of Yuba, Chamberlain, Coffman, Cook, Cooper, Corcoran, Dimond, DuBrutz, Finlayson, Fox, Frink, Garibaldi, Gaffey, Harris, Hershey, Hynes, Lane, Leach, Maguire, Mathews, Maybell, McCarty of Lake, McCarthy of San Francisco, Nelson, Picket, Spencer, Sweetland, Valle Del, Walker, York, and Young—39.

RECESS.

Pending discussion of the bill the House took a recess, at five o'clock P. M., until seven o'clock P. M.

RE-ASSEMBLED.

House re-assembled at seven o'clock P. M.

Speaker Cowdery in the chair.

Quorum present.

The consideration of Assembly Bill No. 574—An Act making appropriations for the support of the government of the State of California for the thirty-second fiscal year—resumed.

Mr. Coleman moved to amend by striking out the words "three thousand six hundred dollars," from line ninety-nine, section one, and inserting instead the words "three thousand two hundred dollars."

Upon which the ayes and noes were demanded by Messrs. Mulholland, Hardy, and Coleman.

The roll was called, and the amendment was lost by the following vote:

AYES—Messrs Anthony, Coleman, Estey, Fox, Fraser, Hardy, Leadbetter, Levee, McComas, Merry, Morse, Mulholland, Sherburne, Stanley, Stoddard, Tyler, Wason of Ventura, and Mr. Speaker—18

NOES—Messrs Bass, Braunhart, Brown of Sonoma, Brown of Yuba, Burns, Carr of Sacramento, Carr of Yuba, Chamberlain, Chandler, Coffman, Cook, Cooper, Corcoran, Cuthbert, DuBrutz, Finlayson, Frink, Garibaldi, Gaffey, Gorley, Harris, Hershey, Hynes, Josselyn, Lane, Maguire, Mathews, May, Maybell, McCallion, McCarty of Lake, McCarthy of San Francisco, McDade, McIntosh, Nelson, Picket, Spencer, Streeter, Sweetland, Valle Del, York, and Young—42.

Mr. McIntosh moved to reconsider the vote by which the amendment was lost.

Mr. Braunhart moved to indefinitely postpone the motion.

Carried.

Pending discussion, the following report from the Committee on Engrossment was made by Mr. Sherburne:

ASSEMBLY CHAMBER, April 13th, 1880.

MR. SPEAKER: Your Committee on Engrossment have examined, and found correctly engrossed, Assembly Bill No. 334—An Act to promote drainage.

Also, Assembly Bill No. 354—An Act to provide for the protecting of lands from overflow other than lands recognized as swamp lands.

Also, Assembly Bill No. 45—An Act to amend sections three thousand four hundred and fifteen, three thousand four hundred and sixty-six, three thousand four hundred and ninety-five, three thousand five hundred, and three thousand five hundred and forty-eight, of an Act entitled an Act to establish a Political Code, approved March twelfth, eighteen hundred and seventy-two, relating to the public lands of this State.

Also, Assembly Concurrent Resolution No. 21—Relative to the adjournment *sine die* of the Twenty-third Session of the Legislature of California.

SHERBURNE, Chairman.

The consideration of the bill resumed.

Mr. Coleman moved to amend by striking out the words "one thousand eight hundred dollars" from lines one hundred and three and one hundred and four, section one, and inserting instead the words "one thousand six hundred dollars."

Lost.

Mr. May moved to amend by striking out lines one hundred and eight and one hundred and nine, section one, and inserting instead the words, "For care of State Armory, cleaning and transportation of arms, traveling and contingent expenses of Adjutant-General, seven hundred and fifty dollars."

Adopted.

Mr. Gorley moved to amend by adding a new section as follows: "For a cabinet to inclose the battle flags of the California troops, three hundred dollars."

Adopted.

Mr. Coleman moved to amend by striking out the words "four thousand dollars," from line one hundred and fourteen, section one, and inserting instead the words "three thousand dollars."

Upon which the ayes and noes were demanded by Messrs. Coleman, Levee, and Carr of Sacramento.

The roll was called, and the amendment was lost by the following vote:

AYES—Messrs. Bennett, Carr of Sacramento, Carr of Yuba, Chamberlain, Chandler, Coleman, Estey, Fraser, Frink, Hardy, Hartson, Hershey, Josselyn, Leadbetter, Levee, McComas, McIntosh, Merry, Messenger, Morse, Mulholland, Sherburne, Stanley, Stoddard, Streeter, Wason of Ventura, York, and Mr. Speaker—28.

NOES—Messrs. Bass, Braunhart, Brooks, Brown of Sonoma, Brown of Yuba, Brusie, Burns, Coffman, Cook, Cooper, Corcoran, Cuthbert, DuBrutz, Finlayson, Fox, Garibaldi, Gaffey, Hynes, Lane, Mathews, May, Maybell, McCallion, McCarty of Lake, McCarthy of San Francisco, McDade, Nelson, Picket, Spencer, Sweetland, Tyler, Valle Del, and Young—33.

Mr. Coleman moved to amend by striking out the words "seven thousand two hundred dollars," from lines one hundred and fifteen and one hundred and sixteen, section one, and inserting instead the words "six thousand four hundred dollars."

Upon which the ayes and noes were demanded by Messrs. McCallion, Coffman, and Lane.

The roll was called, and the amendment lost by the following vote:

AYES—Messrs. Anthony, Bennett, Bruner, Carr of Sacramento, Carr of Yuba, Chamberlain, Chandler, Coleman, Cook, Estey, Fraser, Frink, Hardy, Harris, Leadbetter, Levee, Mathews,

McComas, McIntosh, Merry, Morse, Mulholland, Sherburne, Spencer, Stanley, Stoddard, Streeter, Wason of Ventura, Wattson, York, and Mr. Speaker—31.

NOES—Messrs Bass, Braunhart, Brooks, Brown of Sonoma, Brown of Yuba, Brusie, Burns, Coffman, Cooper, Corcoran, Cuthbert, Dimond, DuBrutz, Felton, Finlayson, Fox, Gorley, Green, Hershey, Hynes, Josselyn, Lane, Magune, May, McCallion, McCarty of Lake, McCarthy of San Francisco, Nelson, Picket, Sweetland, Tyler, Valle Del, Walker, Ward, and Young—35.

Mr. McCarthy moved to amend by striking out the word "Secretary," between the words "to" and "of," from line one hundred and twenty, section one, and inserting instead the word "Secretaries," and by striking out the words "three thousand dollars," and inserting instead the words "three thousand six hundred dollars."

Adopted

Mr. Fox moved to amend by striking out the words "one thousand two hundred dollars," from lines one hundred and twenty-two and one hundred and twenty-three, section one, and inserting instead the words "two thousand four hundred dollars," and change the word "Bailiff" to "Bailiffs."

Adopted.

Mr. Coleman moved to amend by striking out the words "three thousand dollars" from line one hundred and thirty-two, section one, and inserting instead the words "two thousand four hundred dollars."

Lost.

Mr. May moved to amend by striking out, lines one hundred and thirty-three and one hundred and thirty-four, section one, and inserting instead the words "for salary of Deputy Insurance Commissioner, one thousand eight hundred dollars."

Upon which the ayes and noes were demanded by Messrs. May, Lane, and Gorley.

The roll was called, and the amendment was adopted by the following vote:

AYES—Messrs Braunhart, Brooks, Brown of Yuba, Bruner, Brusie, Burns, Carr of Yuba, Chandler, Coffman, Cooper, Corcoran, Dimond, Downs, Finlayson, Fox, Garibaldi, Gaffey, Green, Hynes, Lane, Leach, May, Maybell, McCallion, McCarty of Lake, McCarthy of San Francisco, Merry, Morse, Nelson, Picket, Simon, Spencer, Sweetland, Tyler, Valle Del, Walker, Ward, York, and Mr. Speaker—39.

NOES—Messrs. Anthony, Bennett, Carr of Sacramento, Chamberlain, Coleman, Cook, Estey, Fraser, Frink, Hardy, Harris, Hershey, Leadbetter, Levee, Magune, Mathews, McComas, McIntosh, Sherburne, Stanley, Wason of Ventura, and Wattson—22.

Mr. Mathews moved to amend by striking out the word "seventy," from line one hundred and forty-nine, section one, and inserting instead the word "ninety."

Adopted.

Mr. Bruner moved to amend, in line one hundred and fifty, section one, by inserting the words "for graveling yards and walks at the State Insane Asylum at Stockton, five thousand dollars."

Mr. Mathews moved to amend the amendment, by adding to it the following: "For furniture or bedding, and other necessary articles for fitting up the building when completed, fifteen thousand dollars."

Speaker pro tem. Fraser in the chair.

The amendment as amended was adopted.

Mr. Mathews moved to amend by striking out the words "one hundred and twenty thousand dollars," from line one hundred and fifty-one, section one, and inserting instead the words "one hundred and thirty thousand dollars."

Adopted.

Mr. Bruner moved to amend by inserting the words "for the purpose of purchasing four hundred and two acres belonging to Wm. Coombs, for the Branch Insane Asylum at Napa, twelve thousand dollars," in line one hundred and fifty-two, of section one.

Adopted.

Also, moved to amend by inserting the words "for improvement of buildings for the use of the Insane Asylum at Napa, twenty thousand dollars," in line one hundred and fifty-two, of section one.

Adopted.

Mr. Leach moved to amend by striking out the words "twenty-two thousand five hundred dollars," from lines one hundred and fifty-three and one hundred and fifty-four, section one, and inserting instead the words "fifteen thousand dollars."

Adopted.

Mr. Bruner moved to amend by striking out the words "at San Quentin," from line one hundred and fifty-five, section one, and changing the word "Prison" to "Prisons."

Adopted.

Mr Tyler moved to amend by inserting, in line one hundred and fifty-five, the words "deficiency for the current fiscal year, and for."

Adopted.

Mr. Del Valle moved that all the orders of the day not disposed of to-night be made the order of the day for to-morrow.

Carried.

Mr. Leach moved to amend by striking out the words "twenty-two thousand five hundred dollars," from line one hundred and fifty-seven, section one, and inserting instead the words "one thousand five hundred dollars."

Adopted.

Mr. Tyler moved to amend by striking out the words "one thousand two hundred and fifty dollars," from line one hundred and fifty-nine, section one, and inserting instead the words "two thousand four hundred dollars."

Adopted.

Mr. Leach moved to amend by changing lines one hundred and fifty-five and one hundred and fifty-six so as to read as follows: "For support of State Prisons, two hundred and ninety-one thousand dollars; for deficiency in the appropriation for the support of State Prison, for the thirty-first fiscal year, fifty-one thousand dollars."

Adopted.

Mr. May moved to amend by striking out the words "Clerk of," from line one hundred and sixty-two, section one, and inserting instead the words "Secretary of Board."

Adopted.

Also, moved to amend by striking out the words "nine hundred dollars," from line one hundred and sixty-four, section one, and inserting instead the words "one thousand two hundred dollars."

Adopted.

Also, moved to make amendments respectively in lines one hundred and sixty-five, one hundred and sixty-six, one hundred and sixty-seven, and one hundred and sixty-eight.

Adopted.

Mr. Coleman moved to amend by striking out all the words contained in line one hundred and eighty-one.

Lost.

Also, moved to amend by striking out the words "thirty-six thousand dollars" from line one hundred and eighty-three, section one, and inserting instead the words "ten thousand dollars."

Lost.

Mr. Tyler moved to amend by striking out the words "thirty-six thousand dollars" from line one hundred and eighty-three, section one, and inserting instead the words "twenty thousand dollars."

Lost.

Mr. Stanley moved to amend by striking out the words "drainage and," from line one hundred and eighty-three, section one.

Lost.

Mr. Coleman moved to amend by striking out the words "salary of Secretary and."

Lost.

Mr. Bruner moved to amend, in line one hundred and eighty-seven, section one, by inserting the words "for the improvement of the ventilation of the State Capitol building, to be expended under the direction of the Board of State Capitol Commissioners, one thousand five hundred dollars."

Adopted.

Mr. Mathews moved to amend by striking out the words "fifteen thousand dollars," from line two hundred and seven, section one, and inserting instead the words "twelve thousand dollars."

Adopted

Mr. May moved to amend by inserting, after line two hundred and sixteen, the words "an appropriation of seven thousand dollars to carry out the objects of the viticultural bill."

Adopted.

Mr. York moved to amend by striking out the words "fifteen thousand dollars," from line two hundred and sixteen, section one, and inserting instead the words "twenty thousand dollars."

Adopted

Mr. Coleman moved to amend by striking out the words "ten thousand dollars," from lines two hundred and seventeen and two hundred and eighteen, and inserting instead the words "five thousand dollars."

Lost.

Mr. May moved to amend by striking out the words "five thousand dollars," from line two hundred and twenty-four, section one, and inserting instead the words "ten thousand dollars;" also, to amend by making appropriations for the different district agricultural societies of the State.

At ten o'clock and fifty-five minutes P. M. Mr. Tyler moved we do now adjourn.

Upon which the ayes and noes were demanded by Messrs. Burns, Tyler, and Mulholland.

The roll was called, and the motion was lost by the following vote:

AYES—Messrs Bennett, Brooks, Brown of Yuba, Burns, Cook, Corcoran, Estey, Felton, Fink, Gafley, Hardy, Harris, Magune, Maybell, McCallion, McCarty of Lake, McComas, McIntosh, Merry, Mulholland, Nelson, Picket, Simon, Stoddard, Sweetland, Tyler, Wason of Ventura, and York—28.

NOES—Messrs Bass, Braunhart, Bruner, Camron, Carr of Sacramento, Carr of Yuba, Chamberlain, Chandler, Coleman, DuBrutz, Finlayson, Fox, Fraser, Garibaldi, Hershey, Leach, Leadbetter, Mathews May, McCarthy of San Francisco, Messenger, Morse, Sherburne, Spencer, Stanley, Valle Del, Ward, and Young—29.

Mr. Braunhart moved a call of the House.

Upon which the ayes and noes were demanded by Messrs. Burns, Tyler, and Estey.

The roll was called, and the motion was lost by the following vote:

AYES—Messrs Braunhart, Burns, Carr of Yuba, Garibaldi, Gaffey, Josselyn, McCallion, McCarty of Lake, McCarthy of San Francisco, Mulholland, and Picket—11.

NOES—Messrs. Bass, Bennett, Brown of Yuba, Bruner, Camron, Carr of Sacramento, Chamberlain, Chandler, Coffman, Coleman, Cook, Corcoran, Felton, Fox, Fraser, Frink, Harris, Hershey, Leach, Leadbetter, Magune, Mathews, May, Maybell, McComas, McDade, McIntosh, Merry, Messenger, Morse, Nelson, Simon, Sherburne, Stanley, Stoddard, Sweetland, Tyler, Valle Del, Ward, Wason of Ventura, York, and Mr. Young—42.

ADJOURNMENT.

Mr. Tyler, at eleven o'clock and five minutes P. M., moved to adjourn.

Upon which the ayes and noes were demanded by Messrs. Tyler, Frink, and Maybell.

The roll was called, and the motion was carried by the following vote:

AYES—Messrs. Bass, Bennett, Brooks, Brown of Yuba, Burns, Camron, Carr of Sacramento, Chamberlain, Coffman, Cook, Corcoran, Estey, Felton, Fox, Frink, Garibaldi, Gaffey, Hershey, Leadbetter, Maybell, McCarty of Lake, McComas, McDade, McIntosh, Nelson, Simon, Sherburne, Spencer, Stanley, Stoddard, Sweetland, Tyler, Wason of Ventura, and Young—34.

NOES—Messrs Braunhart, Bruner, Carr of Yuba, Chandler, Coleman, DuBrutz, Finlayson, Fraser, Leach, Mathews, May, McCallion, Merry, Messenger, Morse, Mulholland, Picket, Valle Del, and Ward—18.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Wednesday, April 14th, 1880.

House met pursuant to adjournment.

Speaker Cowdery in the chair.

Roll called, and quorum present.

Prayer by the Chaplain.

READING AND APPROVAL OF THE JOURNAL.

Mr. Stanley moved that the further reading of the Journal be dispensed with.

So ordered.

The Journal of yesterday approved.

Mr. May moved that the consideration of Assembly Bill No. 574—An Act making appropriations for the support of the government of the State of California for the thirty-second fiscal year—be resumed.

Carried.

The bill again taken up.

The question being on Mr. May's amendment, making appropriations for the District State Agricultural Societies, and changing the amount appropriated to the State Agricultural Society from five thousand dollars to ten thousand dollars.

Mr Fraser moved to amend the amendment by striking it all out, and inserting instead so as to read: "State Agricultural Society, five thousand dollars; for Agricultural District Number One, two thousand five hundred dollars, and for Agricultural Districts Numbers Two, Three, Four, Five, Six, Seven, and Eight, one thousand five hundred dollars each, and for Agricultural Districts Numbers Nine, Ten, and Eleven, one thousand dollars each."

The previous question was demanded on the amendments pending by Messrs. Finlayson, May, and Stanley, and the House so ordered.

The ayes and noes were demanded by Messrs. Cooper, Estey, and Tyler.

The roll was called on the motion to strike out "five thousand dollars," and insert "ten thousand dollars" for the State Agricultural Society, and lost by the following vote:

AYES—Messrs. Brooks, Cook, Garibaldi, Maybell, McCallion, Mulholland, Nelson, and Walker—8

NOES—Messrs. Adams, Bass, Bennett, Bruner, Burns, Camron, Carr of Sacramento, Carr of Yuba, Chandler, Coffman, Coleman, Cooper, Corcoran, Cuthbert, Downs, DuBrutz, Estey, Finlayson, Fox, Fraser, Frink, Gaffey, Gorley, Green, Hardy, Hartson, Hershey, Hynes, Josselyn, Lane, Leach, Levee, Maguire, Mathews, May, McCarty of Lake, McCarthy of San Francisco, Morse, Picket, Stanley, Stoddard, Streeter, Tyler, Valle Del, Ward, Wason of Ventura, York, and Mr. Speaker—49.

Mr. Fraser's amendment pending, and Mr. Tyler saying in debate: "Any man that would attempt to deprive me of my rights in rising to a point of order on this floor is a dirty dog," Mr. Braunhart moved that the language be taken down by the Clerk.

So ordered.

The question being, "Is the language above used by the Hon. Mr. Tyler disorderly?" the ayes and noes were demanded by Messrs. Burns, McCallion, and Lane.

The roll was called, and the language decided not to be disorderly by the following vote:

AYES—Messrs. Bass, Braunhart, Burns, Camron, Carr of Yuba, Coffman, Cook, Cooper, Corcoran, Dimond, DuBrutz, Estey, Gaffey, Hardy, Hynes, Josselyn, Lane, Maguire, Mathews, Maybell, McCallion, McCarty of Lake, McCarthy of San Francisco, Messenger, Morse, Picket, Spencer, Streeter, and Valle Del—29.

NOES—Messrs Adams, Bennett, Brooks, Brown of Sonoma, Bruner, Carr of Sacramento, Chamberlain, Chandler, Coleman, Cuthbert, Downs, Finlayson, Fox, Fraser, Frink, Garibaldi, Gorley, Green, Hershey, Leach, Leadbetter, Levee, May, McComas, McIntosh, Merry, Mulholland, Nelson, Sherburne, Stanley, Sweetland, Walker, Ward, Wason of Ventura, Wattson, and York—36.

The question recurred upon Mr. Fraser's amendment appropriating aid to the District State Agricultural Societies.

The roll was called, and the amendment was rejected by the following vote:

AYES—Messrs. Adams, Bass, Brown of Sonoma, Bruner, Camron, Carr of Sacramento, Carr of Yuba, Chamberlain, Coffman, Coleman, Cook, DuBrutz, Finlayson, Fox, Fraser, Green, Hartson, Hynes, Leach, Leadbetter, May, Messenger, Mulholland, Sherburne, Stanley, York, and Young—27.

NOES—Messrs. Bennett, Brooks, Brown of Yuba, Burns, Chandler, Cooper, Corcoran, Cuthbert, Dimond, Downs, Estey, Frink, Garibaldi, Gaffey, Hershey, Josselyn, Lane, Levee, Maguire, Maybell, McCarty of Lake, McCarthy of San Francisco, McDade, McIntosh, Morse, Nelson, Picket, Spencer, Stoddard, Streeter, Sweetland, Tyler, Valle Del, Walker, Wason of Ventura, Wattson, and Mr. Speaker—37.

The question recurred upon Mr. May's amendment as originally proposed.

The roll was called, and the amendment was lost by the following vote.

AYES—Messrs. Adams, Bruner, Cannon, Carr of Sacramento, Chamberlain, Coffman, Coleman, Cook, Fraser, Garibaldi, Green, Hynes, Leadbetter, May, McCarty of Lake, McComas, Messenger, Valle Del, York, and Young—21.

NOES—Messrs. Bass, Bennett, Brooks, Brown of Sonoma, Brown of Yuba, Burns, Carr of Yuba, Chandler, Cooper, Corcoran, Cuthbert, Dimond, Downs, DuBrutz, Estey, Finlayson, Fox, Funk, Gaffey, Hardy, Hartson, Hershey, Josselyn, Lane, Leach, Levee, Maguire, Mathews, McCarthy of San Francisco, McIntosh, Merry, Morse, Mulholland, Nelson, Picket, Sherburne, Spencer, Stanley, Stoddard, Streeter, Sweetland, Tyler, Walker, Ward, Wason of Ventura, Wattson, and Mr. Speaker—47.

Mr. McIntosh moved to reconsider the vote by which the amendment was lost.

Mr. May moved to lay the motion on the table.

Carried.

Mr. Cooper moved to amend by striking out all contained in line two hundred and twenty-four of section one.

The previous question on the amendment was demanded by Messrs. Stanley, Green, and Cook, and the House so ordered.

The ayes and noes were demanded by Messrs. Carr of Sacramento, Levee, and Coffman.

The roll was called, and the amendment was adopted by the following vote:

AYES—Messrs Adams, Bass, Bennett, Braunhart, Brown of Sonoma, Bruner, Burns, Cannon, Coffman, Coleman, Cook, Cooper, Corcoran, Cuthbert, Dimond, Estey, Finlayson, Fox, Fraser, Funk, Garibaldi, Green, Hardy, Hartson, Josselyn, Lane, Leach, Levee, Maguire, Maybell, McCarty of Lake, McCarthy of San Francisco, McIntosh Morse, Mulholland, Picket, Simon, Sherburne, Stoddard, Streeter, Wason of Ventura, and York—42.

NOES—Messrs Brown of Yuba, Brusie, Carr of Sacramento, Carr of Yuba, Chamberlain, Chandler, Downs, DuBrutz, Gaffey, Gorley, Hershey, Leadbetter, Mathews, May, McCalhon, McComas, Messenger, Nelson, Spencer, Sweetland, Tyler, Valle Del, Walker, Ward, Young, and Mr. Speaker—26.

Mr. Brown moved to reconsider the vote by which the amendment was adopted.

Mr. Lane moved to lay the motion on the table.

Upon which the ayes and noes were demanded by Messrs. Bruner, Young, and Carr of Sacramento.

The roll was called, and the motion to lay on the table prevailed by the following vote:

AYES—Messrs. Adams, Bennett, Brooks, Burns, Coffman, Coleman, Cook, Cooper, Corcoran, Dimond, DuBrutz, Estey, Fraser, Garibaldi Gaffey, Green, Hardy, Josselyn, Lane, Levee, Maguire, Maybell, McCallion, McCarty of Lake, McCarthy of San Francisco, McIntosh, Mulholland, Picket, Simon, Stanley, Stoddard, Streeter, Wason of Ventura, and York—34.

NOES—Messrs. Bass, Brown of Yuba, Bruner, Brusie, Cannon, Carr of Sacramento, Carr of Yuba, Chamberlain, Chandler, Cuthbert, Downs, Gorley, Hartson, Hershey, Leach, Leadbetter, Mathews, May, McComas, Merry, Morse, Nelson, Spencer, Sweetland, Tyler, Valle Del, Walker, Ward, and Young—29.

Mr. McIntosh moved to insert, in line two hundred and twenty-four, the words "an appropriation of seven thousand five hundred dollars for the State Agricultural Society."

Mr. Tyler moved to amend the amendment by making the appropriation five thousand five hundred dollars.

Mr. Mulholland moved to lay the amendment on the table.

Lost.

Mr. Adams moved to amend the amendment.

The previous question was demanded by Messrs. Lane, Levee, and Wason of Ventura, and the House so ordered.

The question recurred on Mr. Tyler's amendment to the amendment.

Lost.

The question recurred upon Mr. Adams' amendment to the amendment.

Upon which the ayes and noes were demanded by Messrs. Estey, Lane, and Corcoran.

The roll was called, and the question being divided, the amendment to the amendment, changing "seven thousand five hundred dollars" to "four thousand five hundred dollars," for the State Agricultural Society, was adopted by the following vote:

AYES—Messrs. Adams, Bass, Brown of Sonoma, Brown of Yuba, Bruner, Brusie, Camron, Carr of Sacramento, Carr of Yuba, Chamberlain, Chandler, Coffman, Downs, Finlayson, Fox, Fraser, Green, Harris, Hartson, Hershey, Leach, Leadbetter, Mathews, May, McCarty of Lake, Messenger, Morse, Spencer, Tyler, Valle Del, Ward, Wason of Ventura, York, Young, and Mr. Speaker—35

NOES—Messrs. Bennett, Brooks, Burns, Cook, Cooper, Corcoran, Dimond, Estey, Frink, Garibaldi, Gaffey, Josselyn, Lane, Levee, Maguire, Maybell, McCallion, McCarthy of San Francisco, McIntosh, Mulholland, Nelson, Picket, Simon, Sherburne, Stanley, Stoddard, Streeter, and Sweetland—28.

The question being then upon the sum of four thousand five hundred dollars for the State Agricultural Society, the ayes and noes were demanded by Messrs. McCarty, Adams, and Young.

The roll was called, and the amendment was carried by the following vote:

AYES—Messrs. Adams, Braunhart, Brown of Sonoma, Brown of Yuba, Bruner, Brusie, Camron, Carr of Sacramento, Carr of Yuba, Chamberlain, Chandler, Cook, Cuthbert, Downs, DuBrutz, Finlayson, Fox, Fraser, Frink, Gaffey, Gorley, Hartson, Hershey, Leach, Leadbetter, Mathews, May, McCarty of Lake, McDade, McIntosh, Merry, Messenger, Mulholland, Nelson, Spencer, Sweetland, Tyler, Valle Del, Walker, York, and Young—41.

NOES—Messrs Bass, Bennett, Brooks, Burns, Coffman, Cooper, Corcoran, Dimond, Estey, Garibaldi, Green, Hynes, Josselyn, Lane, Levee, Maguire, Maybell, McCallion, McCarthy of San Francisco, Morse, Picket, Sherburne, Stanley, Stoddard, Streeter, Wason of Ventura, and Mr. Speaker—27.

Mr. Cook gave notice of a motion to reconsider.

The question recurred upon Mr. Adams' amendment to the amendment making appropriations for the District State Agricultural Societies.

Upon which the ayes and noes were demanded by Messrs. Adams, Coffman, and York.

The roll was called, and the amendment was adopted by the following vote:

AYES—Messrs Adams, Bass, Brown of Sonoma, Brown of Yuba, Bruner, Brusie, Camron, Carr of Sacramento, Carr of Yuba, Chamberlain, Coffman, Coleman, DuBrutz, Finlayson, Fraser, Frink, Gorley, Green, Hartson, Leadbetter, Mathews, May, McCarty of Lake, McDade, McIntosh, Merry, Messenger, Morse, Mulholland, Nelson, Sherburne, Spencer, Valle Del, Walker, York and Young—36.

NOES—Messrs Bennett, Brooks, Burns, Chandler, Cook, Cooper, Corcoran, Cuthbert, Dimond, Downs, Estey, Garibaldi, Harris, Hershey, Hynes, Josselyn, Lane, Leach, Levee, Maguire, Maybell, McCallion, McCarthy of San Francisco, Picket, Stoddard, Streeter, Sweetland, Tyler, Wason of Ventura, and Mr. Speaker—30.

The question recurred upon Mr. McIntosh's amendment as amended.

Upon which the ayes and noes were demanded by Messrs. Coleman, Fraser, and Adams.

The roll was called, and the amendment, as amended, was adopted by the following vote:

AYES—Messrs. Adams, Bass, Braunhart, Brown of Sonoma, Brown of Yuba, Bruner, Cairron, Carr of Sacramento, Carr of Yuba, Chamberlain, Coffman, Coleman, DuBrutz, Finlayson, Fraser, Frink, Gorley, Green, Hartson, Leadbetter, Mathews May, McCarty of Lake, McComas, McDade, McIntosh, Merry, Messenger, Morse, Mulholland, Nelson, Picket, Sherburne, Spencer, Valle Del, Walker, Watson, York, and Young—39.

NOES—Messrs. Bennett, Brooks, Brusie, Burns, Chandler, Cook, Cooper, Corcoran, Downs, Estey, Fox, Garibaldi, Hershey, Hynes, Josselyn, Lane, Leach, Maguire, Maybell, McCallion, McCarthy of San Francisco, Stoddard, Streeter, Sweetland, Tyler, Wason of Ventura, and Mr. Speaker—27.

The bill read second time, and ordered to third reading.

Mr. May moved that Assembly Bill No. 576—An Act to amend section three thousand seven hundred and thirteen of the Political Code—be taken up.

So ordered.

The bill taken up.

Mr. May moved to amend by striking out the words "one million dollars," from line seven, section one, and inserting instead the words "one million seven hundred and fifty thousand dollars."

Adopted.

Mr. May moved to amend by striking out the words "one million dollars," from line eight, section one, and inserting instead the words "one million three hundred thousand dollars."

Mr. Mathews moved to amend the amendment so as to make the appropriation "one million four hundred thousand dollars."

Adopted.

The amendment, as amended, adopted.

Mr. Brooks moved that Senate messages be taken up.

Carried.

SENATE MESSAGES.

The following Senate messages were read:

SENATE CHAMBER, SACRAMENTO, April 13th, 1880.

MR. SPEAKER: I am directed to inform your honorable body that the Senate, on April thirteenth, concurred in Assembly amendments to Senate Bill No. 362.

J. A. ORR, Assistant Secretary.

SENATE CHAMBER, SACRAMENTO, April 13th, 1880

MR. SPEAKER: I am directed to inform your honorable body that the Senate, on this day, passed Assembly Concurrent Resolution No. 23—Relative to the establishment of a quarantine station on Angel Island.

Senate Bill No. 563—An Act to provide for the payment of the salaries and expenses of the Board of Railroad Commissioners for the thirty-first fiscal year, ending June thirtieth, eighteen hundred and eighty.

Also, Assembly Bill No. 277—An Act making appropriation for deficiency in the appropriation for the permanent improvement of the State Capitol grounds lying east of the State Capitol building.

Also, Assembly Bill No. 589—An Act to provide for the erection of a building for the insane at the State Insane Asylum at Stockton.

Also, Assembly Bill No. 260—An Act to amend an Act entitled "An Act to organize Levee District Number One, of Sacramento County, and to provide for its government," approved March thirtieth, eighteen hundred and seventy-eight.

Also, Assembly Bill No. 324—An Act to amend section four thousand and twenty-six of the Political Code.

Also, Assembly Bill No. 274—An Act to authorize and empower the Boards of Supervisors of the several counties of this State to allow certain outstanding road claims and provide for their payment.

J. A. ORR, Assistant Secretary.

Senate Bill No. 563—An Act to provide for the payment of the salaries and expenses of the Board of Railroad Commissioners for the thirty-first fiscal year, ending June thirtieth, eighteen hundred and eighty.

Read first time.

Mr Harris moved the rules be suspended, and this bill declared a matter of urgency.

Read third time, and put upon its final passage.

The roll was called, and the motion prevailed by the following vote:

AYES—Messrs Bass, Bennett, Braunhart, Brown of Sonoma, Brown of Yuba, Bruner, Brusie, Burns, Carr of Yuba, Chamberlain, Chandler, Coffman, Cook, Corcoran, Downs, DuBrutz, Estey, Finlayson, Fox, Fraser, Frink, Gorley, Green, Harris, Hershey, Hynes, Josselyn, Lane, Leadbetter, Maguire, Mathews, May, Maybell, McCallion, McCarty of Lake, McCarthy of San Francisco, McComas, McDade, McIntosh, Merry, Morse, Mulholland, Nelson, Simon, Sherburne, Spencer, Stoddard, Streeter, Sweetland, Valle Del, Walker, Ward, Wason of Ventura, Wattson, Young, and Mr. Speaker—56

NOES—None.

The rules suspended, and the bill considered in the House.

The roll called, and the bill passed by the following vote:

AYES—Messrs. Adams, Bass, Bennett, Braunhart, Brooks, Brown of Sonoma, Brown of Yuba, Bruner, Brusie, Burns, Carr of Sacramento, Chamberlain, Chandler, Coffman, Corcoran, Cuthbert, DuBrutz, Estey, Finlayson, Frink, Gaffey, Green, Harris, Hershey, Hynes, Josselyn, Leach, Leadbetter, Maguire, Mathews, May, McCallion, McCarty of Lake, McCarthy of San Francisco, McComas, McDade, McIntosh, Merry, Morse, Mulholland, Nelson, Picket, Simon, Sherburne, Spencer, Stanley, Stoddard, Streeter, Sweetland, Tyler, Valle Del, Walker, Wason of Ventura, Wasson of Mono, Wattson, York, Young, and Mr Speaker—58

NOES—None.

Title approved.

Assembly Bill No. 130—An Act to amend section seven hundred and ninety-one of the Political Code, relating to Notaries Public.

Taken up.

Senate amendments read.

The roll was called, and the amendments concurred in by the following vote:

AYES—Messrs. Adams, Bass, Bennett, Brown of Sonoma, Brown of Yuba, Bruner, Brusie, Carr of Sacramento, Carr of Yuba, Chandler, Cook, Corcoran, Cuthbert, DuBrutz, Estey, Finlayson, Fox, Frink, Garibaldi, Green, Harris, Hynes, Josselyn, Leach, Leadbetter, Maguire, Mathews, May, Maybell, McCallion, McCarty of Lake, McCarthy of San Francisco, McComas, McIntosh, Merry, Morse, Mulholland, Nelson, Picket, Simon, Sherburne, Spencer, Stanley, Stoddard, Streeter, Tyler, Valle Del, Walker, Wason of Ventura, Wattson, Young, and Mr. Speaker—52.

NOES—None.

SENATE CHAMBER, SACRAMENTO, April 13th, 1880.

MR SPEAKER I am directed to inform your honorable body that the Senate, on April thirteenth, indefinitely postponed Assembly Bill No 111—An Act to amend section six hundred and eighty-five of the Code of Civil Procedure of California, in relation to the enforcement of judgments

Also, Assembly Bill No 200—An Act to amend sections one thousand six hundred and thirteen and one thousand six hundred and fourteen of the Penal Code, and to add a new section thereto, to be known as section one thousand six hundred and fifteen, relative to working prisoners in the county jails.

Also, Assembly Bill No 25—An Act to provide for the election of fifteen freeholders to frame a charter for cities containing more than one hundred thousand inhabitants, and to provide for the ratification of the same.

And on April twelfth amended, and on April thirteenth passed, Assembly Bill No. 130—An Act to amend section seven hundred and ninety-one of the Political Code, approved March eighteenth, eighteen hundred and seventy-eight, relating to Notaries Public.

Also, passed Assembly Bill No 142—An Act to amend the Penal Code, by adding a new section thereto, to be known as section five hundred and thirty-six, relative to cheats.

Also, Assembly Bill No 118—An Act to amend section one thousand three hundred and eighteen of an Act entitled "An Act to establish a Code of Civil Procedure," approved March eleventh, eighteen hundred and seventy-two, relative to the contesting of the probate of wills.

Also, passed the following bills Assembly Bill No 170—An Act to amend section five hundred and twenty-nine of the Code of Civil Procedure, in relation to injunctions.

Assembly Bill No 185—An Act to amend section six hundred and ninety of the Penal Code, relative to disclosing the contents of a telegraphic message.

Senate Bill No 442—An Act to provide for the payment of the amount of interest due to Hastings College of the Law.

Senate Bill No 474—An Act to amend section one thousand three hundred and sixty-nine of the Code of Civil Procedure, relating to Administrators.

Senate Bill No 490—An Act to amend section seven hundred and ninety-three of the Civil Code, relating to actions for possession of real property in certain cases.

Senate Bill No 491—An Act to amend section seventy-eight of the Civil Code, relating to actions to determine and declare the validity of marriages in certain cases

Senate Bill No 492—An Act to amend section two thousand two hundred and eighty-two of the Civil Code, relating to the manner in which a Trustee may be discharged from his trust.

Senate Bill No. 502—An Act to amend sections three thousand four hundred and sixty-seven and three thousand four hundred and sixty-nine of the Civil Code, relating to assignments for the benefit of creditors.

Senate Bill No 504—An Act to add a new section to the Code of Civil Procedure, to be known as section six hundred and sixty-three, relating to proceedings for new trials

Senate Bill No 181—An Act to amend sections three hundred and twenty-nine, three hundred and ninety-three, three hundred and ninety-four, three hundred and ninety-five, three hundred and ninety-six, three hundred and ninety-seven, and three hundred and ninety-eight, of the Code of Civil Procedure, relating to the venue in civil actions.

JAS. A. ORR, Assistant Secretary.

SENATE CHAMBER, SACRAMENTO, April 14th, 1880.

MR. SPEAKER I am directed to inform your honorable body that the Senate, on April thirteenth, passed Senate Bill No. 476—An Act to add a new chapter, to be known as chapter six, consisting of five new sections, to be known as sections four thousand four hundred and forty-five, four thousand four hundred and forty-six, four thousand four hundred and forty-seven, four thousand four hundred and forty-eight, and four thousand four hundred and forty-nine, to title three, of part four, of the Political Code, relating to and providing for the funding and refunding of city indebtedness.

Also, passed Assembly Bill No. 134—An Act to amend section three hundred and one of the Penal Code, in relation to keeping open places of business on Sunday.

Also, Assembly Bill No 28—An Act to amend an Act entitled an Act to amend section two hundred and ninety-nine of the Civil Code of California, approved March twenty-second, eighteen hundred and seventy-eight.

On April tenth amended, and on April thirteenth passed, Assembly Bill No. 557—An Act to provide an additional Judge of the Superior Court for the County of Mono.

Also, Assembly Bill No. 415—An Act to provide for the establishment and maintenance of a Mining Bureau.

Also, passed Assembly Bill No. 580—An Act to protect the school districts of this State from injury during the year eighteen hundred and eighty by the operation of section twelve of article thirteen of the Constitution.

J. A. ORR, Assistant Secretary.

Senate Bill No. 442—An Act to provide for the payment of the amount of interest due to Hastings College of the Law.

Read first time, and ordered on file.

Assembly Bill No. 557—An Act to provide an additional Judge of the Superior Court for the County of Mono.

Taken up.

The Senate amendments to the bill read.

The roll was called, and the amendments concurred in by the following vote:

AYES—Messrs. Adams, Bass, Bennett, Brown of Sonoma, Brown of Yuba, Bruner, Brusie, Burns, Carr of Sacramento, Carr of Yuba, Chamberlain, Chandler, Coffman, Cook, Cooper, Corcoran, Dimond, Downs, DuBrutz, Estey, Finlayson, Fox, Green, Harris, Hynes, Josselyn, Leach, Mathews, May, Maybell, McCallion, McCarty of Lake, McCarthy of San Francisco, McComas, McDade, McIntosh, Merry, Messenger, Morse, Mulholland, Nelson, Simon, Sherburne, Spencer, Stanley, Stoddard, Streeter, Tyler, Valle Del, Walker, Wason of Ventura, Wasson of Mono, Wattson, and Young—54.

NOES—Mr. Maguire—1.

SENATE CHAMBER, SACRAMENTO, April 13th, 1880.

MR. SPEAKER: I am directed to inform your honorable body that the Senate, on April tenth amended, and on April thirteenth passed, Assembly Bill No. 543—An Act to define, regulate, and govern the State Prisons of California.

Also, passed Assembly Bill No. 374—An Act for the promotion of the viticultural industries of this State.

JAMES A. ORR, Assistant Secretary.

Assembly Bill No. 543—An Act to define, regulate, and govern the State Prisons of California.

Taken up.

The Senate amendments read.

The roll was called, and the House concurred in the amendments by the following vote:

AYES—Messrs. Bass, Bennett, Brown of Sonoma, Brown of Yuba, Bruner, Brusie, Carr of Sacramento, Carr of Yuba, Chamberlain, Chandler, Coffman, Cook, Cooper, Corcoran, Cuthbert, Downs, DuBrutz, Estey, Finlayson, Fox, Fraser, Frink, Green, Harris, Hynes, Josselyn, Leach, Maguire, Mathews, May, Maybell, McCallion, McCarty of Lake, McCarthy of San Francisco, McComas, McIntosh, Merry, Mulholland, Nelson, Sherburne, Spencer, Stanley, Stoddard, Streeter, Sweetland, Tyler, Valle Del, Walker, Ward, Wason of Ventura, Wattson, York, Young, and Mr. Speaker—54.

NOES—Mr. Morse—1.

RECESS.

The House took a recess of one hour, until two o'clock. P. M.

RE-ASSEMBLED.

House re-assembled at two o'clock P. M.

Speaker Cowdery in the chair.

Quorum present.

CONSIDERATION OF SENATE MESSAGES—CONTINUED.

Senate Bill No. 474—An Act to amend section one thousand three hundred and sixty-nine of the Code of Civil Procedure, relating to Administrators.

Read first time, and ordered on file.

Senate Bill No. 490—An Act to amend section seven hundred and ninety-three of the Civil Code, relating to actions for possession of real property in certain cases.

Read first time, and ordered on file.

Senate Bill No. 491—An Act to amend section seventy-eight of the Civil Code, relating to actions to determine and declare the validity of marriages in certain cases

Read first time, and ordered on file.

Senate Bill No. 492—An Act to amend section two thousand two hundred and eighty-two of the Civil Code, relating to the manner in which a Trustee may be discharged from his trust.

Read first time, and ordered on file.

Senate Bill No. 502—An Act to amend sections three thousand four hundred and sixty-seven and three thousand four hundred and sixty-nine of the Civil Code, relating to assignments for the benefit of creditors.

Read first time, and ordered on file.

Senate Bill No. 504—An Act to add a new section to the Code of Civil Procedure, to be known as section six hundred and sixty-three, relating to proceedings for new trials.

Read first time, and ordered on file.

Senate Bill No. 181—An Act to amend sections three hundred and twenty-nine, three hundred and ninety-three, three hundred and ninety-four, three hundred and ninety-five, three hundred and ninety-six, three hundred and ninety-seven, and three hundred and ninety-eight, of the Code of Civil Procedure, relating to the venue in civil actions.

Read first time, and ordered on file.

Senate Bill No. 476—An Act to add a new chapter, to be known as chapter six, consisting of five new sections, to be known as sections four thousand four hundred and forty-five, four thousand four hundred and forty-six, four thousand four hundred and forty-seven, four thousand four hundred and forty-eight, and four thousand four hundred and forty-nine, to title three, of part four, of the Political Code, relating to and providing for the funding and refunding of city indebtedness.

Read first time.

Mr. Del Valle moved to make the bill the order of the day for to-morrow.

Carried.

Mr. Morse moved that Senate Bill No. 427—An Act to authorize Boards of Supervisors to pay the expenses of posse comitatus in criminal cases—be taken up.

So ordered.

The bill read second time, and ordered to third reading.

Mr Finlayson moved that Assembly Bill No. 548—An Act to provide for the deficiency in the appropriation for repairs to State Capitol building and furniture during the thirty-first fiscal year—be taken up.

Carried.

The bill read.

The roll was called, the rules suspended, and the bill declared a case of emergency, and put upon its final passage by the following vote:

AYES—Messrs. Bass, Bennett, Braunhart, Brooks, Brown of Sonoma, Brown of Yuba, Bruner, Brusie, Carr of Sacramento, Carr of Yuba, Chamberlain, Chandler, Coffman, Cooper, Corcoran, Cuthbert, Dimond, DuBrutz, Estey, Finlayson, Fox, Fraser, Frink, Garibaldi, Gaffey, Green, Hardy, Hershey, Hynes, Josselyn, Lane, Levee, Mathews, May, Maybell, McCallion, McCarty of Lake, McCarthy of San Francisco, McComas, McIntosh, Merry, Messenger, Morse, Mulholland, Nelson, Picket, Sherburne, Spencer, Stoddard, Streeter, Sweetland, Tyler, Valle Del, Walker, Wason of Ventura, York, Young, and Mr. Speaker—58.

NOES—None.

The roll was called on the passage of the bill, and the bill passed by the following vote:

AYES—Messrs. Bass, Bennett, Brooks, Bruner, Brusie, Camron, Carr of Sacramento, Chamberlain, Chandler, Coffman, Coleman, Cook, Cooper, Corcoran, Cuthbert, Dimond, DuBrutz, Estey, Finlayson, Fox, Fraser, Frink, Gorley, Green, Harris, Hershey, Hynes, Josselyn, Lane, Leach, Leadbetter, Maguire, Mathews, May, Maybell, McCallion, McCarty of Lake, McCarthy of San Francisco, McComas, McDade, Morse, Mulholland, Nelson, Simon, Sherburne, Spencer, Stoddard, Streeter, Sweetland, Tyler, Valle Del, Walker, Wason of Ventura, York, Young, and Mr. Speaker—56.

NOES—None.

Title approved.

Mr. Mathews moved that Assembly Bill No. 368—An Act to add a new section to the Political Code, to be numbered three thousand

four hundred and ninety-one, relative to the election of Trustees of reclamation districts, and their term of office—be taken up.

Upon which the ayes and noes were demanded by Messrs. May, York, and Walker.

The roll was called, and the motion was carried by the following vote:

AYES—Messrs. Adams, Bass, Bennett, Brown of Sonoma, Bruner, Brusie, Burns, Camron, Carr of Sacramento, Carr of Yuba, Chamberlain, Chandler, Coleman, Cook, DuBrutz, Fraser, Gaffey, Goiley, Green, Harris, Hershey, Hynes, Josselyn, Lane, Leach, Leadbetter, Levee, Maguire, Matthews, Maybell, McCallion, McCarty of Lake, McCarthy of San Francisco, McComas, McDade, McIntosh, Merry, Morse, Picket, Simon, Sherburne, Spencer, Stanley, Stoddard, Streeter, Tyler, Valle Del, Walker, Wason of Ventura, and Young—50.

NOES—Messrs Brown of Yuba, Coffman, Cooper, Corcoran, Cuthbert, Dimond, Estey, Finlayson, Fox, Garibaldi, May, Messenger, Mulholland, Nelson, Sweetland, Ward, and York—17.

Pending the reading of the bill the Senate message below was read and considered.

SENATE CHAMBER, SACRAMENTO, April 14th, 1880.

MR SPEAKER: I am directed to inform your honorable body that the Senate, on this day, concurred in Assembly amendments numbers five, six, seven, eight, nine, ten, twelve, thirteen, fourteen, fifteen, and seventeen, and refused to concur in Assembly amendments numbers one, two, three, four, eleven, eighteen, nineteen, and twenty, to Senate Bill No. 131, and respectfully ask the Assembly to recede.

Also, indefinitely postponed Assembly Bill No. 463—An Act concerning roads and highways in counties of the first class, as classified for road purposes in this State.

J. A. ORR, Assistant Secretary.

Senate Bill No. 131—An Act for the relief of insolvent debtors, for the protection of creditors, and for the punishment of fraudulent debtors.

Taken up.

The Senate refusing to concur in Assembly amendments numbers one, two, three, four, eleven, eighteen, nineteen, and twenty, they were read.

The House receded from its amendments numbers one, two, three, four, eleven, eighteen, nineteen, and twenty.

The consideration of Senate Bill No. 368—An Act to add a new section to the Political Code, to be numbered three thousand four hundred and ninety-one, relative to the election of Trustees of reclamation districts, and their term of office—resumed.

Read third time

Mr. Corcoran moved to amend by striking out all after the word "dollars," in line nine, down to and including the word "County," in line eleven, section one, and inserting instead the words "assessment paid by him in payment of the last district assessment levied on the district."

Lost.

Mr. Corcoran moved to amend by striking out the words "worth of real estate owned," from line fifteen, section one, and inserting instead the words "assessment paid as above provided."

Lost.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Adams, Bass, Bennett, Brown of Sonoma, Bruner, Brusie, Burns, Camron, Carr of Sacramento, Carr of Yuba, Chamberlain, Chandler, Coleman, Cook, Corcoran, Cuthbert, Downs, DuBrutz, Estey, Finlayson, Fraser, Fink, Goiley, Green, Hardy, Harris, Harison, Hershey Hynes, Josselyn, Lane, Leach, Leadbetter, Levee, Maguire, Mathews, Maybell, McCallion, McCarty of Lake, McCarthy of San Francisco, McComas, McDade, McIntosh, Merry, Morse, Mulholland, Picket, Simon, Spencer, Stanley, Stoddard, Valle Del, Walker, Ward, Wason of Ventura, and York—55.

NOES—Messrs. Brown of Yuba, Cooper, Nelson, Sweetland, and Tyler—5.

Title approved.

Mr. Corcoran moved to reconsider the vote by which the House struck out the enacting clause of Senate Bill No. 188—An Act to regulate fire, marine, and inland insurance companies transacting business in this State.

Mr. Tyler moved to indefinitely postpone the motion to reconsider.

Upon which the ayes and noes were demanded by Messrs. Tyler, Maybell, and Merry.

The previous question was demanded by Messrs. McIntosh, Tyler, and Frink, and the House so ordered.

The roll was called, and the motion to indefinitely postpone was carried by the following vote:

AYES—Messrs. Adams, Bass, Bennett, Brooks, Brown of Yuba, Camron, Carr of Sacramento, Carr of Yuba, Chamberlain, Chandler, Coleman, Cook, Downs, DuBrutz, Estey, Finlayson, Fox, Frink, Hardy, Hershey, Leadbetter, Levee, Maguire, Maybell, McCarty of Lake, McCarthy of San Francisco, McComas, McDade, McIntosh, Merry, Mulholland, Nelson, Simon, Sherburne, Stanley, Stoddard, Tyler, Valle Del, Wason of Ventura, York, and Young—41.

NOES—Messrs. Braunhart, Brown of Sonoma, Bruner, Brusie, Burns, Coffman, Cooper, Corcoran, Cuthbert, Dimond, Felton, Fraser, Garibaldi, Gorley, Green, Harris, Hartson, Hynes, Josselyn, Lane, Leach, Mathews, May, McCallion, Messenger, Morse, Picket, Spencer, Strecter, Sweetland, Walker, Ward, and Wattson—33.

REPORTS OF STANDING COMMITTEES.

By Mr. Felton:

ASSEMBLY CHAMBER, SACRAMENTO, April 13th, 1880.

MR. SPEAKER: The Committee on Swamp and Overflowed Lands, to whom was referred Assembly Bill No. 563—An Act to amend sections three thousand four hundred and forty-three, three thousand four hundred and ninety-five, and three thousand five hundred, of the Political Code—report the same back to the Assembly without recommendation, having no time to consider the same.

FELTON, Chairman.

The bill above reported ordered on file.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 13th, 1880.

MR. SPEAKER: The Committee on Swamp and Overflowed Lands, to whom was referred Senate Bill No. 216—An Act to provide for the election of Trustees in swamp or reclamation districts—report the same back to the Assembly without recommendation, having no time to consider the same.

FELTON, Chairman.

The bill above reported ordered on file.

Mr Bruner moved to take up Senate bills on second reading file.

Lost.

ORDERS OF THE DAY.

Mr. McCallion moved that no member outside the bar of the House when his name was called be allowed to vote.

Carried.

Senate Bill No. 458—An Act to provide for the deficiency in the appropriation "for repairs to State Capitol building and furniture" during the thirtieth fiscal year.

Read third time, rules suspended, the bill considered in the House, roll called, and the bill passed by the following vote:

AYES—Messrs. Adams, Bass, Bennett, Brooks, Brown of Yuba, Bruner, Brusie, Burns, Camron, Carr of Sacramento, Carr of Yuba, Chamberlain, Coffman, Coleman, Cook, Cuthbert, Dimond, Downs, Estey, Felton, Finlayson, Fraser, Frink, Green, Hardy, Harris, Hartson, Hershey,

Hynes, Lane, Leach, Leadbetter, Maguire, May, Maybell, McCallion, McCarty of Lake, McCarthy of San Francisco, McComas, McIntosh, Merry, Messenger, Morse, Mulholland, Nelson, Picket, Simon, Sherburne, Spencer, Stanley, Stoddard, Streeter, Sweetland, Tyler, Valle Del, Walker, Ward, Wason of Ventura, Wattson, York, and Mr Speaker—61.
NOES—None.

Title approved.
Senate Bill No. 459—An Act to provide for the deficiency in the appropriation "for traveling expenses of the State Board of Education" during the thirtieth fiscal year.
Read third time.
Rules suspended.
The bill considered in the House.
The roll was called, and the bill was passed by the following vote:

AYES—Messrs. Adams, Bass, Brown of Sonoma, Brown of Yuba, Bruner, Brusie, Camron, Carr of Sacramento, Carr of Yuba, Chandler, Cook, Dimond, Downs, DuBrutz, Estey, Felton, Fraser, Frink, Green, Hardy, Harris, Hershey, Hynes, Lane, Leach, Leadbetter, Maguire, May, McCallion, McCarty of Lake, McCarthy of San Francisco, McComas, McIntosh, Morse, Nelson, Simon, Sherburne, Spencer, Stanley, Stoddard, Streeter, Tyler, Ward, Wason of Ventura, Wattson, York, Young, and Mr. Speaker—48.
NOES—None.

Title approved.
Senate Bill No. 460—An Act to provide for the deficiency in the appropriation "for the contingent expenses of the Supreme Court" during the thirtieth fiscal year.
Read third time.
Rules suspended.
The bill considered in the Assembly.
The roll called, and the bill passed by the following vote:

AYES—Messrs. Adams, Bass, Braunhart, Brown of Sonoma, Brown of Yuba, Bruner, Brusie, Burns, Camron, Carr of Sacramento, Chandler, Coffman, Dimond, Downs, Estey, Felton, Fraser, Gaffey, Green, Hardy, Harris, Hershey, Lane, Leach, Leadbetter, Maguire, May, McCallion, McCarty of Lake, McCarthy of San Francisco, McComas, McIntosh, Morse, Mulholland, Nelson, Simon, Sherburne, Spencer, Stanley, Stoddard, Streeter, Walker, Wason of Ventura, York, Young, and Mr. Speaker—46.
NOES—None

Title approved.
Senate Bill No. 461—An Act to provide for the deficiency in the appropriation "for arresting criminals without the limits of the State" during the thirtieth fiscal year.
Read third time.
Rules suspended.
The bill considered in the Assembly.
The roll was called, and the bill passed by the following vote:

AYES—Messrs. Adams, Bass, Bennett, Brown of Sonoma, Brown of Yuba, Bruner, Brusie, Burns, Camron, Carr of Sacramento, Chamberlain, Chandler, Coffman, Dimond, Downs, Estey, Felton, Finlayson, Fox, Frink, Green, Hardy, Hershey, Lane, Leach, Leadbetter, Maguire, May, McCallion, McCarty of Lake, McCarthy of San Francisco, McComas, McIntosh, Merry, Morse, Mulholland, Nelson, Sherburne, Spencer, Stoddard, Streeter, Tyler, Walker, Ward, Wason of Ventura, York, Young, and Mr. Speaker—48.
NOES—None.

Title approved.
Senate Bill No. 462—An Act to provide for the deficiency in the appropriation "for payment of rewards offered by the Governor" during the thirtieth fiscal year.
Read third time.

Rules suspended.
The bill considered in the House.
The roll was called, and the bill passed by the following vote:

AYES—Messrs. Adams, Bass, Bennett, Brown of Sonoma, Brown of Yuba, Bruner, Brusie, Burns, Carr of Sacramento, Chandler, Coffman, Cook, Dimond, Downs, Estey, Felton, Fox, Frink, Green, Hardy, Hershey, Lane, Leach, Leadbetter, Magune, May, McCarty of Lake, McCarthy of San Francisco, McIntosh, Morse, Mulholland, Nelson, Sherburne, Spencer, Stoddard, Streeter, Tyler, Valle Del, Walker, Ward, Wason of Ventura, Wattson, York, Young, and Mr. Speaker—45.
NOES—None.

Title approved.
Senate Bill No. 463—An Act to appropriate money for the payment of the deficiency in the appropriation for the support of the State Normal School, for the twenty-ninth and thirtieth fiscal years.
Read third time.
Rules suspended.
The bill considered in the Assembly.
The roll was called, and the bill was passed by the following vote:

AYES—Messrs. Adams, Bennett, Braunhart, Brown of Sonoma, Brown of Yuba, Bruner, Brusie, Burns, Chandler, Coffman, Cook, Downs, Estey, Felton, Frink, Green, Hardy, Harris, Hartson, Hershey, Lane, Leadbetter, Magune, May, McCallion, McCarty of Lake, McCarthy of San Francisco, McIntosh, Morse, Mulholland, Nelson, Picket, Simon, Sherburne, Spencer, Stanley, Stoddard, Streeter, Tyler, Valle Del, Walker, Ward, Wason of Ventura, York, Young, and Mr. Speaker—46.
NOES—None.

Title approved.
Senate Bill No. 464—An Act to appropriate money for the payment of the deficiency in the appropriation for the payment of rewards for the arrest and conviction of highway robbers, for the twenty-ninth fiscal year.
Read third time
Rules suspended, and the bill considered in the Assembly.
The roll called, and the bill passed by the following vote:

AYES—Messrs. Adams, Bass, Bennett, Braunhart, Brooks, Brown of Yuba, Bruner, Brusie, Burns, Carr of Sacramento, Chandler, Coffman, Cook, Corcoran, Downs, Estey, Felton, Fraser, Frink, Green, Hershey, Lane, Leach, Leadbetter, Magune, May, McCallion, McCarty of Lake, McCarthy of San Francisco, McIntosh, Merry, Morse, Mulholland, Nelson, Picket, Sherburne, Spencer, Stoddard, Streeter, Tyler, Valle Del, Walker, Ward, Wason of Ventura, Wattson, York, Young, and Mr. Speaker—47.
NOES—None.

Title approved.
Senate Bill No. 465—An Act to appropriate money for the payment of the deficiency in the appropriation for the transportation of prisoners for the twenty-ninth fiscal year.
Read third time.
Rules suspended.
The bill considered in the Assembly.
The roll was called, and the bill passed by the following vote:

AYES—Messrs. Adams, Bass, Bennett, Braunhart, Brown of Sonoma, Brown of Yuba, Bruner, Brusie, Burns, Cameron, Carr of Sacramento, Chandler, Coffman, Cooper, Downs, Estey, Felton, Finlayson, Frink, Green, Harris, Hartson, Hershey, Lane, Leach, Leadbetter, Levee, Magune, May, McCallion, McCarty of Lake, McComas, McIntosh, Merry, Messenger, Morse, Mulholland, Nelson, Picket, Simon, Sherburne, Spencer, Stoddard, Streeter, Sweetland, Walker, Ward, Wason of Ventura, Wattson, York, and Mr. Speaker—51.
NOES—None.

Title approved.

Senate Bill No. 466—An Act to appropriate money for the payment of the deficiency in the appropriation for stationery, fuel, and lights, for the twenty-ninth fiscal year.

Read third time.

Rules suspended.

The bill considered in the Assembly.

The roll was called, and the bill passed by the following vote:

AYES—Messrs Adams, Bass, Bennett, Braunhart, Brown of Sonoma, Brown of Yuba, Bruner, Brusie, Burns, Camron, Carr of Sacramento, Chandler, Coffman, Downs, Estey, Felton, Finlayson, Frink, Green, Harris, Hartson, Lane, Leach, Levee, Maguire, May, McCallion, McCarty of Lake, McComas, McIntosh, Merry, Morse, Mulholland, Nelson, Picket, Sherburne, Spencer, Stoddard, Streeter, Tyler, Valle Del, Walker, Ward, Wason of Ventura, York, and Mr. Speaker—46.

NOES—None.

Title approved.

Senate Bill No. 469—An Act to provide for the deficiency in the appropriation "for repairs to State Capitol building, and furniture, and grounds," during the twenty-ninth and thirtieth fiscal years.

Read third time.

Rules suspended.

The bill considered in the Assembly.

The roll was called, and the bill was passed by the following vote:

AYES—Messrs. Adams, Bass, Bennett, Brown of Sonoma, Brown of Yuba, Bruner, Brusie, Burns Camron, Carr of Sacramento, Carr of Yuba, Chamberlain, Chandler, Coffman, Cook, Downs, Estey, Finlayson, Fox, Frink, Harris, Hartson, Hershey, Josselyn, Lane, Leach, Leadbetter, Levee Maguire, Mathews, May, McCallion, McCarty of Lake, McComas, McIntosh, Merry, Morse, Mulholland, Nelson, Picket, Simon, Sherburne, Spencer, Stoddard, Streeter, Tyler, Valle Del, Walker, Ward, Wason of Ventura, Wasson of Mono, Wattson, and Mr. Speaker—53.

NOES—None.

Title approved.

Senate Bill No. 383—An Act to establish a Branch State Normal School.

Taken up.

The previous question was demanded by Messrs. Streeter, Finlayson, and McCarty, and the House so ordered.

The bill read third time.

Pending the calling of the roll, Mr. Braunhart moved a call of the House.

Lost.

The roll was called, and the bill refused passage by the following vote:

AYES—Messrs Adams, Braunhart, Brown of Sonoma, Bruner, Camron, Carr of Yuba, Cook, DuBrutz, Estey, Finlayson, Fox, Gorley, Green, Hershey, Josselyn, Mathews, May, McCallion, McCarty of Lake, McCarthy of San Francisco, McDade, Merry Morse, Simon, Stanley, Streeter, Sweetland, Valle Del, Walker, Ward, Wason of Ventura, Wasson of Mono, Wattson, York, and Young—35.

NOES—Messrs. Bass, Bennett, Brooks, Brown of Yuba, Brusie, Burns, Carr of Sacramento, Chamberlain, Chandler, Cuthbert, Downs, Felton, Frink, Garibaldi, Lane, Leach, Levee, Maguire, McComas, McIntosh, Messenger, Mulholland, Nelson, Picket, Sherburne, Spencer, Stoddard, Tyler, and Mr. Speaker—29.

Mr. Del Valle gave notice that he would move to reconsider the vote by which the bill was refused passage.

Senate Bill No. 374—An Act to provide for the further extension

of the water front line of the City and County of San Francisco, and the construction of the sea-wall.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs Adams, Bennett, Brooks, Brown of Sonoma, Brown of Yuba, Bruner, Brusie, Burns, Camron, Carr of Sacramento, Chamberlain, Chandler, Cuthbert, Downs, DuBrutz, Estey, Felton, Finlayson, Fox, Garibaldi, Green, Josselyn, Lane, Leach, Mathews, May, Maybell, McCallion, McCarty of Lake, McCarthy of San Francisco, McDade, McIntosh, Merry, Messenger, Morse, Mulholland, Picket, Simon, Sherburne, Spencer, Stanley, Stoddard, Streeter, Sweetland, Tyler, Valle Del, Walker, Ward, Wason of Ventura, Young, and Mr. Speaker—51

NOES—None.

Title approved.

Senate Bill No. 424—An Act to add eight new sections to the Political Code, to be known as sections one thousand eight hundred and eighty, one thousand eight hundred and eighty-one, one thousand eight hundred and eighty-two, one thousand eight hundred and eighty-three, one thousand eight hundred and eighty-four, one thousand eight hundred and eighty-five, one thousand eight hundred and eighty-six, and one thousand eight hundred and eighty-seven, relating to the issuance of bonds by the Trustees of school districts to raise money for building purposes, and to provide for the payment of the same.

Read third time.

The roll was called, and the bill was refused passage by the following vote:

AYES—Messrs. Bass, Braunhart, Brown of Sonoma, Bruner, Brusie, Burns, Camron, Carr of Sacramento, Carr of Yuba, Cook, Downs, Finlayson, Frink, Green, Hardy, Harris, Hynes, Josselyn, Levee, May, McCarthy of San Francisco, McIntosh, Merry, Messenger, Sherburne, Spencer, Stanley, Sweetland, Valle Del, Ward, and Young—31.

NOES—Messrs Bennett, Brown of Yuba, Chamberlain, Chandler, Cuthbert, DuBrutz, Estey, Felton, Fox, Hartson, Hershey, Leach, McCarty of Lake, McComas, Morse, Mulholland, Nelson, Picket, Simon, Stoddard, Tyler, Wason of Ventura, and York—23.

Mr. May moved that Assembly Bill No. 408—An Act making appropriation to pay R. P. Maynard, late Secretary to Commissioners of Transportation, the balance of salary due to him for the twenty-ninth and thirtieth fiscal years—be taken up.

Carried.

Mr. May moved that the bill be declared a case of urgency, read third time, and put upon its final passage.

The roll was called, and the motion was carried by the following vote:

AYES—Messrs Adams, Bass, Bennett, Braunhart, Brown of Sonoma, Bruner, Brusie, Camron, Carr of Sacramento, Chamberlain, Chandler, Coffman, Cooper, Cuthbert, Downs, DuBrutz, Estey, Felton, Finlayson, Fox, Frink, Garibaldi, Gorley, Green, Hardy, Hershey, Hynes, Josselyn, Lane, Leadbetter, Magune, Mathews, May, McCarty of Lake, McCarthy of San Francisco, McComas, McIntosh, Messenger, Morse, Mulholland, Nelson, Spencer, Stoddard, Streeter, Sweetland, Tyler, Valle Del, Walker, Ward, Wason of Ventura, Wattson, York, Young, and Mr Speaker—54.

NOES—Messrs. Burns, Carr of Yuba, Coleman, Picket, and Sherburne—5.

The bill was read.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Adams, Bass, Brooks, Brown of Sonoma, Brown of Yuba, Bruner, Burns, Camron, Carr of Sacramento, Chamberlain, Coffman, Cook, Cooper, Downs, DuBrutz, Estey, Finlayson, Frink, Garibaldi, Green, Hartson, Hynes, Josselyn, Lane, Leach, Leadbetter, Levee,

Mathews, May, McCallion, McCarty of Lake, McCarthy of San Francisco, McComas, McIntosh, Messenger, Morse, Mulholland, Nelson, Simon, Sherburne, Spencer, Stoddard, Streeter, Sweetland, Valle Del, Ward, Wason of Ventura, Wattson, York, and Mr. Speaker—50.

NOES—Messrs. Maybell and Picket—2.

Title approved.

Mr. Cook gave notice that he would move to reconsider the vote by which Senate Bill No. 424 was refused passage.

Mr. Tyler moved that Senate Bill No. 364—An Act to amend section one thousand five hundred and seventy-three of the Code of Civil Procedure, relating to the time within which certain actions may be commenced—be taken up.

Carried.

REPORT OF A STANDING COMMITTEE.

By Mr. Brooks:

MR. SPEAKER: Your Committee on Enrollment respectfully report that the following Assembly bills have been correctly enrolled: No. 334—An Act to promote drainage.

No. 374—An Act for the promotion of the viticultural industries of this State.

No. 489—An Act to amend sections one thousand nine hundred and seventeen, one thousand nine hundred and thirty-four, one thousand nine hundred and thirty-nine, one thousand nine hundred and forty-one, one thousand nine hundred and fifty-five, one thousand nine hundred and sixty, one thousand nine hundred and seventy-three, one thousand nine hundred and seventy-four, one thousand nine hundred and seventy-five, one thousand nine hundred and eighty-two, one thousand nine hundred and eighty-six, one thousand nine hundred and ninety, one thousand nine hundred and ninety-two, two thousand and twenty-two, two thousand and twenty-eight, two thousand and thirty-nine, two thousand and fifty-nine, two thousand and ninety-five, two thousand and ninety-nine, two thousand and seventy-seven, one thousand nine hundred and forty-two, one thousand nine hundred and seventy, one thousand nine hundred and sixty-two, one thousand nine hundred and sixty-five, two thousand and ninety-four, and two thousand one hundred and fourteen, of the Political Code of California; to repeal section one thousand nine hundred and seventy-five of said Code, approved March thirtieth, eighteen hundred and seventy-eight, and section one thousand nine hundred and ninety-one of said Code, and to add a new section to said Code, to be known and numbered as section one thousand nine hundred and seventy-seven, relating to the State militia.

No. 142—An Act to amend the Penal Code by adding a new section thereto, to be known as section five hundred and thirty-six, relative to cheats.

No. 185—An Act to amend section six hundred and nineteen of the Penal Code, relative to disclosing the contents of a telegraphic message.

No. 118—An Act to amend section one thousand three hundred and eighteen of an Act entitled "An Act to establish a Code of Civil Procedure," approved March eleventh, eighteen hundred and seventy-two, relative to the contesting of the probate of wills.

No. 170—An Act to amend section five hundred and twenty-nine of the Code of Civil Procedure, in relation to injunctions.

No. 577—An Act to provide for the payment of the salaries and traveling expenses of the State Board of Equalization, and the Clerk thereof, and for postage and contingent expenses of said Board, for the thirty-first fiscal year, ending June thirtieth, eighteen hundred and eighty.

No. 230—An Act for the further protection of stockholders in mining companies.

No. 64—An Act to amend sections three thousand four hundred and forty and three thousand four hundred and ninety-four of the Political Code, relative to interest on deferred payments for State land.

And the same were, at one o'clock P. M. this day, April fourteenth, eighteen hundred and eighty, presented to the Governor for his approval.

BROOKS, Chairman.

Senate Bill No. 364—An Act to amend section one thousand five hundred and seventy-three of the Code of Civil Procedure, relating to the time within which certain actions may be commenced.

Taken up.

Read second time, and made the order of the day for to-morrow.

Senate Bill No. 266—An Act to amend section six hundred and eleven of the Civil Code, relating to cemetery corporations.

Taken up.

Read second time, and made the order of the day for to-morrow.

Assembly Bill No. 584—An Act to amend section one thousand six hundred and eighteen of the Code of Civil Procedure, relating to the compensation of executors and administrators.

Taken up.

Read second time, and made the order of the day for to-morrow.

Senate Bill No. 97—An Act to amend section four thousand two hundred and twenty-one of the Political Code, relating to the counting of money in the county treasury.

Read second time, and made the order of the day for to-morrow.

The House ordered the third reading file to be taken up after recess, for the purpose of acting on all Senate bills thereon.

RECESS.

The House took a recess until seven o'clock P. M.

RE-ASSEMBLED.

House re-assembled at seven o'clock P. M.

Speaker Cowdery in the chair.

Quorum present.

THIRD READING OF BILLS.

Senate Bill No. 117—An Act to repeal section six hundred and sixty-three of the Code of Civil Procedure.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Bass, Braunhart, Brown of Sonoma, Brown of Yuba, Bruner, Brusie, Carr of Sacramento, Carr of Yuba, Chandler, Coleman, Cook, Cooper, Estey, Finlayson, Frink, Hershey, Hynes, Josselyn, Lane, Leach, Levee, Maguire, Mathews, May, Maybell, McCallion, McCarty of Lake, McCarthy of San Francisco, McComas, McDade, McIntosh, Merry, Messenger, Morse, Nelson, Picket, Sherburne, Spencer, Stanley, Streeter, Tyler, Valle Del, Walker, Ward, Wattson, York, Young, and Mr Speaker—47.

NOES—Messrs. DuBrutz and Sweetland—2.

Title approved.

RESOLUTION.

By Mr. Braunhart:

Resolved, That the Secretary of State be requested to furnish to the Assembly the amount of stationery drawn by each member, and every committee of this House, with the date of the same.

Adopted.

REPORT OF THE COMMITTEE ON ENGROSSMENT.

By Mr. Sherburne:

ASSEMBLY CHAMBER, SACRAMENTO, April 14th, 1880.

MR SPEAKER: Your Committee on Engrossment have examined, and found correctly re-engrossed, Assembly Bill No 130—An Act to amend section seven hundred and ninety-one of the Political Code, relating to Notaries Public.

Also, Assembly Bill No 557—An Act to provide an additional Judge of the Superior Court for the County of Mono.

SHERBURNE, Chairman.

Senate Bill No. 145—An Act to amend section one thousand of the Code of Civil Procedure, relating to inspection of writings.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Adams, Bass, Brown of Yuba, Bruner, Brusie, Burns, Carr of Sacramento, Chamberlain, Chandler, Coffman, Coleman, Cook, Cuthbert, Estey, Finlayson, Fraser, Frink, Garibaldi, Gaffey, Josselyn, Lane, Leach, Leadbetter, Levee, Magune, May, Maybell, McCallion, McCarty of Lake, McCarthy of San Francisco, McComas, McDade, McIntosh, Merry, Messenger, Morse, Nelson, Picket, Sherburne, Spencer, Stanley, Stoddard, Streeter, Sweetland, Tyler, Walker, Ward, Wattson, York, Young, and Mr. Speaker—51.

NOES—Mr. DuBrutz—1.

Title approved.

Senate Bill No. 148—An Act to amend section one thousand and fifty-five of the Code of Civil Procedure, relating to actions against Sheriffs.

Read third time.

The roll was called, and the bill was passed by the following vote:

AYES—Messrs. Adams, Bass, Braunhart, Brown of Sonoma, Brown of Yuba, Brusie, Burns, Carr of Sacramento, Carr of Yuba, Chamberlain, Chandler, Coffman, Coleman, Cook, Cuthbert, Estey, Finlayson, Fox, Fraser, Frink, Garibaldi, Gaffey, Heirshey, Hynes, Josselyn, Lane, Leach, Leadbetter, Magune, Mathews, May, Maybell, McCallion, McCarty of Lake, McCarthy of San Francisco, McComas, McIntosh, Merry, Messenger, Morse, Nelson, Sherburne, Spencer, Stanley, Stoddard, Streeter, Sweetland, Tyler, Walker, Ward, Wattson, York, Young, and Mr. Speaker—54.

NOES—None

Title approved.

Senate Bill No 149—An Act to repeal section one thousand and fifty-six of the Code of Civil Procedure.

Read third time.

Roll called, and the bill passed by the following vote:

AYES—Messrs. Adams, Bass, Brown of Yuba, Brusie, Carr of Sacramento, Carr of Yuba, Chamberlain, Chandler, Coffman, Coleman, Cuthbert, Estey, Finlayson, Fox, Fraser, Frink, Garibaldi, Gaffey, Harris, Heirshey, Hynes, Josselyn, Lane, Leach, Leadbetter, Levee, Mathews, May, Maybell, McCallion, McCarty of Lake, McCarthy of San Francisco, McComas, McIntosh, Merry, Messenger, Morse, Mulholland, Picket, Sherburne, Spencer, Stanley, Stoddard, Streeter, Sweetland, Tyler, Valle Del, Ward, Wason of Ventura, Wattson, York, Young, and Mr. Speaker—53.

NOES—None.

Title approved.

Senate Bill No. 150—An Act to amend section one thousand and fifty-eight of the Code of Civil Procedure, relating to civil actions wherein the State or an officer thereof, or a county, or city, or town, is a party.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Adams, Bass, Bennett, Braunhart, Brown of Yuba, Brusie, Carr of Sacramento, Chamberlain, Chandler, Coffman, Coleman, Downs, Estey, Finlayson, Fox, Fraser, Frink, Garibaldi, Gaffey, Heirshey, Hynes, Josselyn, Lane, Leach, Leadbetter, Mathews, May, Maybell, McCallion, McCarty of Lake, McCarthy of San Francisco, McComas, McIntosh, Merry, Messenger, Morse, Nelson, Picket, Sherburne, Spencer, Stanley, Stoddard, Sweetland, Tyler, Ward, Wason of Ventura, Wattson, York, Young, and Mr. Speaker—50.

NOES—None.

Title approved.

Senate Bill No. 151—An Act to amend section one thousand one hundred and eight of the Code of Civil Procedure, relating to writs of review, mandate, or prohibition.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs Adams, Bass, Bennett, Brown of Yuba, Brusie, Carr of Sacramento, Chamberlain, Chandler, Coffman, Coleman, Cook, Cuthbert, Downs, Estey, Finlayson, Fox, Fraser, Frink, Garibaldi, Gaffey, Hershey, Hynes, Josselyn, Lane, Leach, Leadbetter, May, Maybell, McCallion, McCarty of Lake, McCarthy of San Francisco, McComas, McIntosh, Merry, Messenger, Morse, Mulholland, Nelson, Picket, Sherburne, Stanley, Stoddard, Sweetland, Tyler, Valle Del, Walker, Ward, Wason of Ventura, Wattson, York, Young, and Mr. Speaker—52.
NOES—None.

Title approved.

Senate Bill No. 161—An Act to amend sections one thousand two hundred and twenty-seven, one thousand two hundred and thirty, and one thousand two hundred and thirty-three, of the Code of Civil Procedure, relating to the voluntary dissolution of corporations.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Adams, Bass, Bennett, Brusie, Carr of Sacramento, Chamberlain, Coffman, Coleman, Cook, Cuthbert, Downs, Estey, Finlayson, Fox, Fraser, Frink, Garibaldi, Gaffey, Hershey, Hynes, Josselyn, Lane, Leach, Leadbetter, Mathews, May, McCallion, McCarty of Lake, McComas, McIntosh, Merry, Messenger, Morse, Mulholland, Nelson, Picket, Sherburne, Spencer, Stoddard, Sweetland, Tyler, Valle Del, Walker, Ward, Wason of Ventura, Wattson, York, Young, and Mr. Speaker—60.
NOES—Mr. Burns—1.

Title approved.

Senate Bill No. 163—An Act to amend sections one thousand two hundred and sixty-nine and one thousand two hundred and seventy-two of the Code of Civil Procedure, relating to escheated estates.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Adams, Bass, Bennett, Braunhart, Brown of Yuba, Bruner, Brusie, Burns, Carr of Sacramento, Chamberlain, Chandler, Coffman, Coleman, Cook, Cooper, Cuthbert, Downs, Estey, Finlayson, Fox, Fraser, Frink, Garibaldi, Gaffey, Gorley, Green, Hardy, Hershey, Josselyn, Leach, Leadbetter, Maguire, Mathews, May, Maybell, McCallion, McCarthy of San Francisco, McComas, McIntosh, Merry, Morse, Mulholland, Picket, Simon, Sherburne, Spencer, Stanley, Sweetland, Tyler, Valle Del, Walker, Ward, Wason of Ventura, Wattson, York, Young, and Mr Speaker—57.
NOES—None.

Title approved.

Senate Bill No. 165—An Act to amend section one thousand two hundred and eighty-three of the Code of Civil Procedure, relating to arbitrations.

Read third time.

The roll was called, and the bill was passed by the following vote:

AYES—Messrs. Adams, Bass, Bennett, Braunhart, Brown of Yuba, Brusie, Burns, Chamberlain, Chandler, Coffman, Coleman, Cook, Cooper, Corcoran, Cuthbert, Estey, Finlayson, Fox, Frink, Garibaldi, Gaffey, Green, Hershey, Hynes, Josselyn, Lane, Leach, Maguire, Mathews, May, Maybell, McCallion, McCarty of Lake, McComas, McDade, McIntosh, Merry, Morse, Mulholland, Nelson, Picket, Simon, Sherburne, Spencer, Stanley, Stoddard, Streeter, Sweetland, Tyler, Valle Del, Walker, Ward, York, Young, and Mr. Speaker—55.
NOES—None.

Title approved.

Senate Bill No. 162—An Act to amend sections one thousand two hundred and forty-three, one thousand two hundred and forty-four, and one thousand two hundred and fifty-four, of the Code of Civil Procedure, relating to eminent domain.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Adams, Bass, Bennett, Braunhart, Brown of Yuba, Bruner, Brusie, Chamberlain, Chandler, Coffman, Cook, Cooper, Corcoran, Cuthbert, Dimond, Estey, Fox, Frink, Garibaldi, Gaffey, Green, Hardy, Harris, Hartson, Hershey, Josselyn, Leach, Leadbetter, Mathews, May, Maybell, McCallion, McCarty of Lake, McIntosh, Merry, Messenger, Morse, Mulholland, Nelson, Picket, Sherburne, Stanley, Stoddard, Streeter, Sweetland, Tyler, Valle Del, Walker, Ward, Wason of Ventura, York, Young, and Mr. Speaker—53.
NOES—None.

Title approved.

Senate Bill No 164—An Act to amend sections one thousand two hundred and seventy-five, one thousand two hundred and seventy-six, one thousand two hundred and seventy-eight, and one thousand two hundred and seventy-nine, of the Code of Civil Procedure, relating to change of names.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs Adams, Brooks, Brown of Sonoma, Brown of Yuba, Bruner, Brusie, Carr of Sacramento, Chamberlain, Coleman, Cook, Cooper, Corcoran, Cuthbert, Estey, Fox, Fraser, Frink, Garibaldi, Gaffey, Green, Harris, Hartson, Hershey, Hynes, Josselyn, Leach, Mathews, May, McCallion, McCarty of Lake, McCarthy of San Francisco, McIntosh, Merry, Morse, Mulholland, Picket, Sherburne, Stanley, Stoddard, Streeter, Sweetland, Valle Del, Ward, Wason of Ventura, and Mr. Speaker—45.
NOES—None.

Title approved.

Senate Bill No. 139—An Act to repeal chapters four and five, of title thirteen, of part two, of the Code of Civil Procedure, and each and every section of said chapters four and five, relating to appeals in civil actions.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs Adams, Brooks, Brown of Sonoma, Brown of Yuba, Bruner, Brusie, Burns, Carr of Sacramento, Chamberlain, Chandler, Coffman, Cook, Cooper, Cuthbert, Dimond, Estey, Finlayson, Fox, Fraser, Frink, Garibaldi, Gaffey, Green, Harris, Hartson, Hershey, Hynes, Josselyn, Leach, Leadbetter, Magune, Mathews, May, Maybell, McCallion, McCarthy of San Francisco, McIntosh, Merry, Morse, Mulholland, Nelson, Picket, Sherburne, Spencer, Stoddard, Streeter, Sweetland, Tyler, Valle Del, Ward, Wason of Ventura, Wattson, Young, and Mr. Speaker—54.
NOES—None.

Title approved.

Senate Bill No. 270—An Act to amend section two thousand nine hundred and forty-one of the Civil Code.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Adams, Bennett, Braunhart, Brown of Sonoma, Brown of Yuba, Bruner, Brusie, Burns, Carr of Sacramento, Chamberlain, Chandler, Coffman, Cooper, Corcoran, Cuthbert, Dimond, Downs, Estey, Finlayson, Frink, Garibaldi, Gaffey, Green, Hershey, Hynes, Josselyn, Leach, Leadbetter, Magune, Mathews, May, Maybell, McCallion, McCarty of Lake, McCarthy of San Francisco, McComas, McIntosh, Merry, Messenger, Morse, Mulholland, Nelson, Picket, Simon, Sherburne, Spencer, Stanley, Stoddard, Streeter, Sweetland, Tyler, Walker, Ward, Wason of Ventura, York, Young, and Mr. Speaker—57.
NOES—None.

Title approved.

Senate Bill No. 223—An Act to amend section one thousand three hundred and eighty-six of the Civil Code, relating to succession.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Adams, Bass, Braunhart, Brown of Sonoma, Brown of Yuba, Bruner, Carr of Sacramento, Chamberlain, Chandler, Coleman, Corcoran, Cuthbert, Dimond, Downs, Estey, Finlayson, Fox, Frink, Garibaldi, Gaffey, Green, Hardy, Harris, Hartson, Hershey, Josselyn, Leach, Leadbetter, Levee, Maguire, May, Maybell, McCallion, McCarty of Lake, McComas, McIntosh, Merry, Messenger, Morse, Mulholland, Nelson, Picket, Simon, Sherburne, Stanley, Stoddard, Streeter, Sweetland, Tyler, Valle Del, Walker, Ward, Wason of Ventura, Wattson, York, Young, and Mr. Speaker—58.
NOES—None.

Title approved.
Senate Bill No. 306—An Act relating to the intoxication of officers.
Read third time.
The roll was called, and the bill passed by the following vote:

AYES—Messrs. Adams, Bass, Bennett, Braunhart, Brown of Sonoma, Brown of Yuba, Bruner, Brusie, Burns, Camron, Carr of Sacramento, Chandler, Coffman, Coleman, Cook, Corcoran, Cuthbert, Dimond, DuBrutz, Estey, Finlayson, Fox, Frink, Garibaldi, Gaffey, Green, Hardy, Hartson, Hershey, Hynes, Josselyn, Leach, Leadbetter, Levee, Mathews, May, Maybell, McCallion, McCarty of Lake, McCarthy of San Francisco, McComas, McIntosh, Morse, Mulholland, Nelson, Picket, Simon, Sherburne, Stanley, Stoddard, Streeter, Tyler, Valle Del, Walker, Ward, Wattson, York, Young, and Mr. Speaker—59.
NOES—None.

Title approved.
Senate Bill No. 167—An Act repealing an Act conferring further powers to the Board of Supervisors of the City and County of San Francisco.
Read third time.
The roll was called, and the bill passed by the following vote:

AYES—Messrs. Adams, Bennett, Braunhart, Brown of Yuba, Bruner, Brusie, Burns, Carr of Sacramento, Chamberlain, Chandler, Coffman, Coleman, Corcoran, Cuthbert, Dimond, Downs, Estey, Finlayson, Fox, Frink, Garibaldi, Gaffey, Green, Hardy, Harris, Hartson, Hershey, Hynes, Josselyn, Leach, Leadbetter, Levee, Maguire, Mathews, May, Maybell, McCarty of Lake, McCarthy of San Francisco, McComas, McIntosh, Morse, Mulholland, Nelson, Simon, Sherburne, Stanley, Stoddard, Streeter, Sweetland, Valle Del, Walker, Ward, Wason of Ventura, Wattson, York, and Mr. Speaker—57.
NOES—Messrs. DuBrutz, McCallion, Messenger, and Picket—4.

Title approved.
Senate Bill No. 545—An Act to amend section three thousand four hundred and eighty-one of the Political Code.
Read third time
The roll was called, and the bill passed by the following vote:

AYES—Messrs. Adams, Bennett, Braunhart, Brown of Sonoma, Bruner, Brusie, Carr of Sacramento, Chamberlain, Chandler, Coffman, Cook, Cooper, Corcoran, Cuthbert, Downs, Estey, Finlayson, Fox, Frink, Garibaldi, Gaffey, Green, Hartson, Hershey, Hynes, Josselyn, Lane, Leach, Levee, Maguire, Mathews, May, Maybell, McCallion, McCarty of Lake, McCarthy of San Francisco, McComas, McDade, Merry, Messenger, Morse, Mulholland, Nelson, Simon, Sherburne, Stanley, Stoddard, Streeter, Tyler, Valle Del, Ward, Wason of Ventura, Wattson, York, and Mr. Speaker—55.
NOES—None.

Title approved.
Senate Bill No. 89—An Act to amend section four hundred and twenty-four of the Penal Code, relating te embezzlements and falsification of accounts by public officers.
Read third time.
The roll was called, and the bill passed by the following vote:

AYES—Messrs. Adams, Bass, Bennett, Braunhart, Brooks, Brown of Sonoma, Bruner, Brusie, Camron, Carr of Sacramento, Chamberlain, Chandler, Coffman, Coleman, Cook, Cooper, Corcoran, Cuthbert, Dimond, Downs, DuBrutz, Estey, Felton, Fox, Frink, Gaffey, Green, Hardy, Harris, Hartson, Hershey, Hynes, Josselyn, Lane, Leach, Leadbetter, Levee, Maguire, Mathews, May, Maybell, McCallion, McCarty of Lake, McCarthy of San Francisco, McComas, McIntosh, Messenger, Morse, Mulholland, Picket, Simon, Sherburne, Stanley, Stoddard, Sweetland, Tyler, Walker, Ward, Wason of Ventura, Wattson, York, Young, and Mr. Speaker—62.
NOES—None.

Title approved.

Senate Bill No. 152—An Act to amend sections one thousand one hundred and sixteen, one thousand one hundred and eighteen, one thousand one hundred and nineteen, one thousand one hundred and twenty, one thousand one hundred and twenty-four, one thousand one hundred and twenty-five, one thousand one hundred and twenty-six, and one thousand one hundred and twenty-seven, of the Code of Civil Procedure, and to repeal section one thousand one hundred and twenty-four of the Code of Civil Procedure, relating to contesting certain elections.

Read third time.

The roll was called, and the bill was passed by the following vote:

AYES—Messrs. Adams, Bass, Brown of Sonoma, Brusie, Camron, Carr of Sacramento, Carr of Yuba, Chamberlain, Chandler, Coffman, Coleman, Cook, Cooper, Corcoran, Cuthbert, Downs, DuBrutz, Estey, Felton, Fox, Frink, Green, Hardy, Harris, Hartson, Hershey, Hynes, Josselyn, Leach, Leadbetter, Levee, Maguire, Mathews, May, McCallion, McCarty of Lake, McCarthy of San Francisco, McComas, McIntosh, Messenger, Morse, Mulholland, Simon, Sherburne, Stanley, Streeter, Sweetland, Tyler, Ward, Wason of Ventura, Wattson, Young, and Mr. Speaker—52.
NOES—Messrs. Braunhart and Lane—2.

Title approved.

Senate Bill No. 153—An Act to amend section one thousand one hundred and forty-four of the Code of Civil Procedure, relating to discharge of persons imprisoned on civil process.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Adams, Bass, Bennett, Braunhart, Bruner, Brusie, Camron, Carr of Sacramento, Carr of Yuba, Chamberlain, Chandler, Coffman, Coleman, Cook, Cooper, Corcoran, Cuthbert, Downs, DuBrutz, Estey, Felton, Fox, Frink, Green, Hardy, Harris, Hershey, Josselyn, Lane, Leach, Levee, Maguire, Mathews, May, McCallion, McCarty of Lake, McCarthy of San Francisco, McComas, Morse, Mulholland, Picket, Simon, Sherburne, Stanley, Sweetland, Tyler, Valle Del, Walker, Wason of Ventura, Wattson, Young, and Mr. Speaker—52.
NOES—None.

Title approved.

Senate Bill No. 240—An Act to repeal an Act entitled an Act relating to advances, bona fide made to agents instrusted with goods, and for the better protection of such advances, approved March thirtieth, eighteen hundred and seventy-eight.

Read third time.

The roll was called, and the bill was passed by the following vote:

AYES—Messrs. Adams, Bass, Bennett, Brown of Sonoma, Bruner, Brusie, Camron, Carr of Sacramento, Carr of Yuba, Chamberlain, Chandler, Coffman, Coleman, Cook, Cooper, Corcoran, Cuthbert, Downs, DuBrutz, Estey, Fox, Green, Hershey, Hynes, Josselyn, Leach, Leadbetter, Levee, May, Maybell, McCallion, McCarty of Lake, McCarthy of San Francisco, McComas, McDade, McIntosh, Merry, Morse, Picket, Simon, Sherburne, Stanley, Stoddard, Sweetland, Tyler, Valle Del, Walker, Wason of Ventura, Wattson, York, and Mr Speaker—51.
NOES—Mr. Young—1.

Title approved.

Senate Bill No. 252—An Act to amend section one thousand eight hundred and eighty of the Code of Civil Procedure, relating to witnesses.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Adams, Bass, Bennett, Brooks, Brown of Sonoma, Bruner, Brusie, Camron, Carr of Sacramento, Carr of Yuba, Chamberlain, Chandler, Coffman, Coleman, Cook, Corcoran, Cuthbert, Downs, DuBrutz, Estey, Felton, Finlayson, Frink, Green, Hardy, Hershey, Hynes, Josselyn, Leach, Maguire, May, Maybell, McCallion, McCarthy of San Francisco, McComas, McDade, McIntosh, Merry, Messenger, Morse, Mulholland, Nelson, Picket, Sherburne, Stanley, Stoddard, Sweetland, Tyler, Valle Del, Walker, Wason of Ventura, Young, and Mr. Speaker—53.

NOES—None.

Title approved.

Senate Bill No. 261—An Act to amend section one thousand three hundred and seventy-nine of the Code of Civil Procedure, relating to granting of letters of administration.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Adams, Bass, Bennett, Braunhart, Brooks, Brown of Sonoma, Brown of Yuba, Brusie, Burns, Camron, Carr of Sacramento, Carr of Yuba, Chamberlain, Chandler, Coleman, Cook, Cuthbert, Downs, DuBrutz, Estey, Felton, Finlayson, Fox, Frink, Green, Hardy, Hershey, Hynes, Josselyn, Lane, Levee, Maguire, May, McCallion, McCarty of Lake, McComas, McDade, McIntosh, Merry, Morse, Mulholland, Nelson, Picket, Sherburne, Stanley, Stoddard, Sweetland, Tyler, Valle Del, Wason of Ventura, York, Young, and Mr. Speaker—53.

NOES—None.

Title approved.

Senate Bill No. 177—An Act to amend sections one thousand nine hundred and ninety-four, one thousand nine hundred and ninety-five, two thousand and twenty-four, two thousand and thirty-six, two thousand and thirty-seven, two thousand and seventy, and two thousand and eighty-four, of the Code of Civil Procedure, relating to evidence.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Adams, Bass, Bennett, Braunhart, Brooks, Brown of Yuba, Bruner, Brusie, Burns, Camron, Carr of Yuba, Chamberlain, Chandler, Coleman, Cuthbert, Downs, DuBrutz, Estey, Fox, Fraser, Frink, Garibaldi, Green, Harris, Hartson, Hershey, Hynes, Josselyn, Lane, Levee, Mathews, May, Maybell, McCallion, McCarthy of San Francisco, Merry, Morse, Mulholland, Picket, Sherburne, Stanley, Stoddard, Sweetland, Valle Del, Walker, Ward, Wason of Ventura, York, Young, and Mr. Speaker—50.

NOES—None.

Title approved.

Senate Bill No. 182—An Act to amend the Penal Code by adding a new section thereto, to be known as section nine hundred and twenty-eight, relating to the duties of the grand jury.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Adams, Bass, Bennett, Braunhart, Brown of Yuba, Bruner, Brusie, Burns, Camron, Carr of Sacramento, Carr of Yuba, Chamberlain, Chandler, Coleman, Cuthbert, Downs, DuBrutz, Estey, Fox, Fraser, Frink, Garibaldi, Green, Harris, Hartson, Hershey, Hynes, Leach, Leadbetter, Levee, Maguire, Mathews, May, Maybell, McCallion, McCarty of Lake, McCarthy of San Francisco, McComas, McIntosh, Merry, Morse, Mulholland, Nelson, Picket, Sherburne, Spencer, Stanley, Sweetland, Valle Del, Walker, Ward, Wason of Ventura, York, and Mr. Speaker—54.

NOES—None.

Title approved.

Senate Bill No. 248—An Act to amend sections eight hundred and seventy-one and nine hundred of the Code of Civil Procedure, relating to proceedings in Justices' Courts.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Adams, Bass, Bennett, Braunhart, Brown of Yuba, Brusie, Burns, Camron, Carr of Sacramento, Carr of Yuba, Chamberlain, Chandler, Coffman, Coleman, Cook, Cuthbert, Downs, DuBrutz, Estey, Felton, Finlayson, Fraser, Frink, Garibaldi, Hardy, Harris, Hartson, Hershey, Hynes, Josselyn, Leach, Leadbetter, Levee, Maguire, Mathews, May, Maybell, McCallion, McCarty of Lake, McCarthy of San Francisco, McComas, McDade, McIntosh, Merry, Morse, Mulholland, Nelson, Picket, Sherburne, Spencer, Stanley, Stoddard, Sweetland, Valle Del, Walker, Ward, Wason of Ventura, York, Young, and Mr. Speaker—60.

NOES—Mr. Tyler—1.

Title approved.

Senate Bill No. 335—An Act providing for the appointment of an additional Notary Public for the City and County of San Francisco, for the accommodation of the inhabitants of said city and county residing at the Presidio.

Mr. Tyler moved to indefinitely postpone the bill.

Lost.

The bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs Bennett, Braunhart, Brooks, Brown of Sonoma, Brown of Yuba, Bruner, Brusie, Burns, Camron, Carr of Sacramento, Chamberlain, Chandler, Coffman, Cooper, Corcoran, Cuthbert, Downs, DuBrutz, Estey, Fox, Fraser, Frink, Garibaldi, Green, Hardy, Harris, Hershey, Lane, Leach, Leadbetter, Levee, Maguire, Mathews, May, Maybell, McCarty of Lake, McCarthy of San Francisco, McComas, McIntosh, Merry, Morse, Mulholland, Nelson, Sherburne, Stanley, Stoddard, Sweetland, Valle Del, Ward, Wason of Ventura, York, Young, and Mr Speaker—52.

NOES—Messrs. Adams, Finlayson, McCallion, Picket, and Tyler—5.

Title approved.

Senate Bill No. 253—An Act to repeal an Act entitled "An Act to encourage the destruction of squirrels and gophers in the County of San Joaquin, and to provide a bounty for the same," approved March thirtieth, eighteen hundred and seventy-eight.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Adams, Bennett, Braunhart, Brown of Yuba, Brusie, Burns, Camron, Carr of Sacramento, Carr of Yuba, Chamberlain, Chandler, Coffman, Cook, Cooper, Cuthbert, Downs, DuBrutz, Estey, Finlayson, Fox, Fraser, Frink, Green, Harris, Hershey, Josselyn, Lane, Leach, Leadbetter, Levee, Maguire, Mathews, May, Maybell, McCallion, McCarty of Lake, McComas, McIntosh, Merry, Morse, Mulholland, Nelson, Picket, Simon, Sherburne, Spencer, Stanley, Stoddard, Streeter, Sweetland, Tyler, Valle Del, Ward, Wason of Ventura, Wattson, York, Young, and Mr. Speaker—59.

NOES—Messrs Corcoran and McCarthy of San Francisco—2.

Title approved.

Senate Bill No. 418—An Act to regulate the sale of certain poisonous substances.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs Adams, Bass, Bennett, Brown of Yuba, Bruner, Brusie, Burns, Camron, Carr of Sacramento, Carr of Yuba, Chamberlain, Chandler, Coffman, Coleman, Cuthbert, Downs, DuBrutz, Estey, Felton, Fraser, Frink, Garibaldi, Green, Harris, Hershey, Josselyn, Lane, Leach, Leadbetter, Levee, Mathews, May, Maybell, McCallion, McCarty of Lake, McCarthy

of San Francisco, McComas, Merry, Messenger, Morse, Mulholland, Nelson, Simon, Sherburne, Spencer, Stanley, Stoddard, Streeter, Sweetland, Tyler, Ward, Wason of Ventura, Wattson, York, Young, and Mr. Speaker—56

NOES—Messrs. Braunhart, Cook, Cooper, Corcoran, Maguire, McIntosh, and Valle Del—7

Title approved.

Senate Bill No. 321—An Act making an appropriation for the improvement of L Street, between Tenth and Fifteenth Streets, in the City of Sacramento, County of Sacramento, State of California.

Read third time.

The rules suspended.

The bill considered in the Assembly.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Bass, Bennett, Brown of Sonoma, Brown of Yuba, Bruner, Brusie, Camron, Carr of Sacramento, Carr of Yuba, Chamberlain, Chandler, Coffman, Cooper, Dimond, Downs, Estey, Fraser, Frink, Garibaldi, Green, Hardy, Josselyn, Lane, Leach, Leadbetter, Maguire, Mathews, May, Maybell, McCarty of Lake, McCarthy of San Francisco, McComas, McIntosh, Mulholland, Nelson, Picket, Simon, Sherburne, Spencer, Stanley, Stoddard, Streeter, Sweetland, Tyler, Valle Del, Ward, Wason of Ventura, Wattson, York, Young, and Mr. Speaker—51

NOES—Messrs. Corcoran, Cuthbert, DuBrutz, Gaffey, Harris, Hershey, McCallion, Merry, and Morse—9.

Title approved.

Senate Bill No. 219—An Act to amend section three of an Act entitled "An Act authorizing the appointment of certain permanent employés of the State Capitol, and fixing their compensation," approved March thirtieth, eighteen hundred and seventy-four.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Bass, Bennett, Braunhart, Brooks, Brown of Yuba, Bruner, Brusie, Burns, Camron, Carr of Sacramento, Chamberlain, Coffman, Cooper, Dimond, Downs, Estey, Fraser, Frink, Green, Hardy, Harris, Hershey, Josselyn, Lane, Leach, Leadbetter, Levee, Maguire, Mathews, May, Maybell, McCallion, McCarty of Lake, McComas, McDade, McIntosh, Messenger, Morse, Mulholland, Nelson, Picket, Simon, Sherburne, Spencer, Stoddard, Streeter, Sweetland, Tyler, Valle Del, Walker, Ward, Wason of Ventura, Wattson, York, Young, and Mr. Speaker—57.

NOES—Messrs. Cuthbert and McCarthy of San Francisco—2.

Title approved.

Mr. May moved that Assembly Bill No. 574—An Act making appropriations for the support of the government of the State of California, for the thirty-second fiscal year—be taken up, and that the rules be suspended, the bill declared a case of urgency, read third time, and put upon its final passage.

The roll was called, and the House so ordered by the following vote:

AYES—Messrs. Bass, Brooks, Brown of Sonoma, Brown of Yuba, Bruner, Brusie, Camron, Carr of Sacramento, Carr of Yuba, Chamberlain, Chandler, Coffman, Coleman, Cook, Cooper, Cuthbert, Downs, DuBrutz, Estey, Felton, Finlayson, Fraser, Frink, Gaffey, Green, Harison, Hershey, Hynes, Josselyn, Lane, Leadbetter, Levee, Mathews, May, Maybell, McCarty of Lake, McCarthy of San Francisco, McComas, McDade, McIntosh, Merry, Morse, Mulholland, Nelson, Picket, Sherburne, Spencer, Stoddard, Streeter, Tyler, Valle Del, Walker, Ward, Wason of Ventura, Wattson, York, Young, and Mr. Speaker—58.

NOES—Messrs. Braunhart, Burns, McCallion, and Sweetland—4.

The bill read third time.

The roll was called, and the bill was passed by the following vote:

AYES—Messrs Adams, Bass, Bennett, Brooks, Brown of Sonoma, Brown of Yuba, Bruner, Brusie, Camron, Carr of Sacramento, Carr of Yuba, Chamberlain, Chandler, Coffman, Coleman,

Cuthbert, Estey, Fraser, Frink, Garibaldi, Gaffey, Green, Hartson, Hershey, Hynes, Josselyn, Lane, Leach, Leadbetter, Maguire, Mathews, May, McCallion, McCarthy of San Francisco, McComas, McIntosh, Merry, Morse, Mulholland, Nelson, Sherburne, Stanley, Stoddard, Streeter, Sweetland, Tyler, Valle Del, Walker, Ward, Wason of Ventura, Wattson, York, Young, and Mr. Speaker—54

NOES—Messrs. Braunhart, Burns, Cook, Cooper, DuBrutz, Hardy, Harris, Levee, Maybell, McCarty of Lake, and Simon—11.

Title approved.

Mr. May moved that Assembly Bill No. 576—An Act to amend section three thousand seven hundred and thirteen of the Political Code—be taken up, and that the rules be suspended, the bill declared a case of urgency, read third time, and put upon its final passage.

The roll was called, and the House so ordered by the following vote:

AYES—Messrs. Adams, Bass, Bennett, Braunhart, Brooks, Brown of Sonoma, Brown of Yuba, Bruner, Brusie, Camron, Chamberlain, Chandler, Coffman, Coleman, Cook, Cuthbert, Downs, DuBrutz, Estey, Fraser, Frink, Garibaldi, Green, Hardy, Hartson, Hershey, Hynes, Josselyn, Leadbetter, Levee, Mathews, May, Maybell, McCallion, McCarty of Lake, McCarthy of San Francisco, McComas, McIntosh, Merry, Messenger, Morse, Mulholland, Nelson, Picket, Sherburne, Stanley, Stoddard, Streeter, Sweetland, Tyler, Valle Del, Walker, Ward, Wason of Ventura, Wattson, York, Young, and Mr. Speaker—58.

NOES—Messrs. Burns, Carr of Sacramento, Carr of Yuba, Cooper, and Gaffey—5.

The bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Adams, Bass, Bennett, Brooks, Brown of Yuba, Bruner, Brusie, Carr of Sacramento, Carr of Yuba, Chamberlain, Chandler, Coffman, Coleman, Cook, Cuthbert, Downs, Estey, Fraser, Frink, Garibaldi, Green, Hardy, Hartson, Hershey, Josselyn, Leach, Leadbetter, Levee, Mathews, May, Maybell, McCarty of Lake, McCarthy of San Francisco, McComas, McIntosh, Merry, Morse, Mulholland, Nelson, Picket, Sherburne, Stanley, Stoddard, Streeter, Sweetland, Tyler, Valle Del, Walker, Ward, Wattson, York, Young, and Mr Speaker—53.

NOES—Messrs Cooper, DuBrutz, Gaffey, Hynes, Maguire, and McCallion—6.

Mr. May moved that Assembly Bill No. 574 and Assembly Bill No. 576 be considered engrossed, and sent to the Senate forthwith.

Carried.

SENATE MESSAGES.

The following Senate messages were read:

SENATE CHAMBER, SACRAMENTO, April 14th, 1880.

MR. SPEAKER I am directed to inform your honorable body that the Senate, on this day, passed Assembly Bill No. 329—An Act to amend section two of an Act entitled "An Act to amend an Act entitled an Act to incorporate the City of Oakland, passed March twenty-fifth, eighteen hundred and fifty-four, and repealing certain other Acts in relation to said city," approved April twenty-fourth, eighteen hundred and sixty-two.

Also, Assembly Bill No 149—An Act to amend an Act entitled "An Act concerning actions for libel and slander," approved March twenty-third, eighteen hundred and seventy-two.

Refused to pass Assembly Bill No. 261—An Act to amend section sixty of the Civil Code of California, relative to the intermarriage of whites with negroes and persons of other races

Refused to pass Assembly Bill No. 472—An Act to encourage the mining industry and suppress stock gambling.

And passed Assembly Bill No. 527—An Act to amend section three thousand six hundred and sixty-three of the Political Code, relating to revenue.

M. D. BORUCK, Secretary.

Assembly Bill No. 149—An Act to amend an Act entitled "An Act concerning actions for libel and slander," approved March twenty-third, eighteen hundred and seventy-two.

Taken up, Senate amendments thereto read, the roll called, and the amendments concurred in by the following vote:

AYES—Messrs. Adams, Bass, Bennett, Braunhart, Brooks, Brown of Sonoma, Brown of Yuba, Bruner, Brusie, Camron, Carr of Sacramento, Carr of Yuba, Chandler, Coffman, Downs, Estey, Felton, Frink, Green, Hardy, Harris, Hershey, Josselyn, Lane, Leach, Leadbetter, Maguire, May, Maybell, McCallion, McCarty of Lake, McCarthy of San Francisco, McComas, McIntosh, Merry, Morse, Mulholland, Nelson, Sherburne, Spencer, Stanley, Stoddard, Streeter, Sweetland, Tyler, Valle Del, Ward, Wason of Ventura, Wattson, York, Young, and Mr. Speaker—52.
NOES—Messrs. Burns, Garibaldi, Gaffey, and Messenger—4.

SENATE CHAMBER, SACRAMENTO, April 14th, 1880.

MR. SPEAKER. I am directed to inform your honorable body that the Senate, on this day, refused to recede from Senate amendments to Assembly Bill No. 163—An Act to amend section three hundred and thirty-six of the Penal Code, in relation to games of chance at places where liquor is sold.

J. A. ORR, Assistant Secretary.

Assembly Bill No. 163—An Act to amend section three hundred and thirty-six of the Penal Code, in relation to games of chance at places where liquor is sold.

Taken up.

The House adhered to its refusal to concur in Senate amendments to the bill.

The House asked for a Committee on Conference.

The Speaker appointed Messrs. Tyler, Hartson, and Fox, as members of a Committee on Conference on the above bill on the part of the Assembly.

Mr. Young moved to take up Assembly Bill No. 440—An Act to provide for the improvement of streets within cities of less than one hundred thousand inhabitants, organized and existing for municipal purposes.

Upon which the ayes and noes were demanded by Messrs. Young, Downs, and Wason of Ventura.

The roll was called, and the motion was carried by the following vote:

AYES—Messrs. Adams, Bass, Brown of Yuba, Bruner, Camron, Carr of Sacramento, Carr of Yuba, Chamberlain, Chandler, Coffman, Cook, Downs, DuBrutz, Green, Hardy, Hartson, Hershey, Leadbetter, Mathews, May, Maybell, McCarty of Lake, McIntosh, Morse, Mulholland, Nelson, Simon, Stanley, Sweetland, Valle Del, Ward, Wason of Ventura, Wattson, York, and Young—34.
NOES—Messrs. Bennett, Braunhart, Brooks, Brusie, Burns, Coffman, Coleman, Cooper, Estey, Garibaldi, Gaffey, Josselyn, McCallion, Messenger, Picket, Sherburne, Spencer, Stoddard, Tyler, and Mr. Speaker—20

At ten o'clock and twenty minutes P. M. Mr. Cooper moved to adjourn.

Lost.

The Speaker deciding that Assembly Bill No. 440, being No. 89 on third reading file, could not be taken up without a two-thirds vote, Mr. Young appealed from the decision of the Chair.

The Speaker's decision was sustained.

Mr. Camron moved that all Senate bills on second reading file be taken up in their order.

Carried.

Senate Bill No. 307—An Act to amend section three hundred and thirty-two of the Penal Code, in relation to swindling by cards or other means.

Mr. Lane moved to indefinitely postpone the bill.

Lost.

The bill read second time, and ordered to third reading.

Senate Bill No. 78—An Act to pay the claim of Hiram Clock for services rendered as Porter to the Senate of the Twenty-second Session.

Read second time, and indefinitely postponed.

Senate Bill No. 79—An Act to pay the claim of James Saultry for services rendered as Head Porter of the Senate of the Twenty-second Session.

Indefinitely postponed.

Mr. McCallion moved to reconsider the vote by which the above bills were indefinitely postponed.

Mr. Bruner moved to lay the motion to postpone on the table.

Carried.

Senate Bill No. 274—An Act to reimburse the Support Fund of the Deaf and Dumb and Blind Asylum.

Read second time, and ordered to third reading.

Senate Bill No. 232—An Act to amend sections one hundred and five and one hundred and six of the Penal Code, relating to escapes and attempts to escape from State Prison.

Read second time, and ordered to third reading.

Senate Bill No. 268—An Act providing for appeals from orders forming reclamation or swamp land districts, setting off lands from such districts, or consolidating districts.

Read second time, and ordered to third reading.

Senate Bill No. 209—An Act entitled an Act to empower Justices of the Peace to hold inquests concerning fires.

Read second time, and ordered to third reading.

Senate Bill No. 144—An Act to amend section three hundred and fifty-nine of the Civil Code, providing for the increase of the capital stock of corporations.

Read second time, and ordered to third reading.

Mr. Tyler moved that Senate Bill No. 160—An Act to amend sections one thousand one hundred and eighty-five, one thousand one hundred and eighty-seven, one thousand one hundred and ninety, and one thousand one hundred and ninety-five, of the Code of Civil Procedure, and to add a new section to said Code, relating to liens of mechanics and others upon real property; Senate Bill No. 287—An Act to amend section one thousand four hundred and ninety-one of the Code of Civil Procedure, relating to claims against the estates of deceased persons; and Senate Bill No. 330—An Act to amend section seven hundred and thirty-nine of the Code of Civil Procedure, relating to actions to determine conflicting claims to real property—be indefinitely postponed.

Carried.

Senate Bill No. 269—An Act to amend section four of an Act entitled "An Act to establish a scale for the measurement of logs," approved March twenty-eighth, eighteen hundred and seventy-eight.

Read second time, and ordered to third reading.

Senate Bill No. 369—An Act to punish baggage-smashers.

Read second time, and ordered to third reading.

Senate Bill No. 220—An Act for the protection of certain kinds of fish.

Read second time, and ordered to third reading.

Senate Bill No. 403—An Act to provide for removing obstructions in Pitt River, above the mouth of Hat Creek, so as to enable salmon to reach the spawning grounds on the upper waters of said river and its tributaries.

Read second time, and ordered to third reading.

Senate Bill No. 271—An Act to amend section four hundred and forty-nine of the Code of Civil Procedure, concerning verifications of pleadings.

Read second time, and ordered to third reading.

Senate Bill No. 340—An Act to amend section one thousand eight hundred and sixty-eight of the Political Code, relating to the protection of public schools.

Indefinitely postponed.

Mr. May, at ten o'clock and fifty minutes P. M. moved to adjourn.

Lost.

Senate Bill No. 263—An Act to add two new sections to the Penal Code, to be numbered four hundred and four hundred and one, relative to the keeping or sale of animals afflicted with glanders or other contagious or infectious diseases.

Read second time, and ordered to third reading.

At ten o'clock and fifty-two minutes P. M. Mr. May moved to adjourn.

Lost.

Senate Bill No. 351—An Act to add a new section to the Penal Code, to be known as section three hundred and eighteen, relating to crimes against good morals, and to punish decoys.

Read second time, and ordered to third reading.

Senate Bill No. 60—An Act to amend title eleven, of part four, of the Civil Code, and each and every section thereof, and to substitute a new title eleven, of part four, to take the place thereof in said Code, relating to mining corporations.

Indefinitely postponed.

Senate Bill No. 194—An Act to provide for the enlargement of the State Printing Office, and for the repairing and painting of the building.

Read second time, and ordered to third reading.

Senate Bill No. 339—An Act to abolish the payment of bounties for the destruction of gophers in Merced County.

Read second time, and ordered to third reading.

Senate Bill No. 41—An Act to amend section one thousand five hundred and three, and to repeal section one thousand four hundred and ninety-five of an Act entitled "An Act to establish a Political Code," approved March twelfth, eighteen hundred and seventy-two, relating to the State Normal School.

Indefinitely postponed.

Senate Bill No. 298—An Act to authorize the Boards of Supervisors of the several counties of this State to transfer certain funds.

At eleven o'clock P. M. Mr. Burns moved to adjourn.

The ayes and noes were demanded by Messrs. Tyler, Chamberlain, and Merry.

The roll was called, and the motion was lost by the following vote:

AYES—Messrs. Burns, Coffman, Cook, Garibaldi, Gaffey, May, McCarty of Lake, Merry, Mulholland, Picket, Spencer, and Sweetland—12.

NOES—Messrs. Adams, Bass, Bennett, Braunhart, Brooks, Brown of Sonoma, Brown of Yuba, Bruner, Cannon, Carr of Sacramento, Carr of Yuba, Chamberlain, Chandler, Coleman, Finlayson, Fox, Green, Hardy, Hershey, Lane, Maguire, Maybell, McCallion, McCarthy of San Francisco, McComas, McIntosh, Messenger, Nelson, Sherburne, Stanley, Stoddard, Streeter, Tyler, Valle Del, Ward, Wason of Ventura, Wattson, Young, and Mr. Speaker—38.

The bill read second time, and ordered to third reading.

Mr. Estey, at eleven o'clock and five minutes P. M., moved to adjourn.

Lost.

Senate Bill No. 242—An Act to amend sections six hundred and twenty-six and six hundred and thirty-one of the Penal Code, relating to violations of the laws for the preservation of fish and game.

Read second time, and ordered to third reading.

At eleven o'clock and eight minutes P. M. Mr. Adams moved to adjourn.

Mr. Tyler in the chair.

The ayes and noes were demanded by Messrs. May, Maybell, and Burns.

The roll was called, and the motion was lost by the following vote:

AYES—Messrs. Adams, Bass, Brown of Sonoma, Coffman, Cook, Estey, Fraser, Gaffey, Green, Hershey, Maguire, Maybell, McCarty of Lake, Merry, Picket, Spencer, Stoddard, Sweetland, Ward, and York—20.

NOES—Messrs. Bennett, Brooks, Brown of Yuba, Bruner, Burns, Camron, Carr of Sacramento, Carr of Yuba, Chamberlain, Chandler, Coleman, Downs, Finlayson, Fox, Garibaldi, Hardy, Leadbetter, Mathews, McCallion, McCarthy of San Francisco, McComas, McIntosh, Messenger, Mulholland, Nelson, Stanley, Streeter, Tyler, Valle Del, Wattson, and Young—31.

Mr. McCallion moved a call of the House.

The Chair ruling that the motion is not debatable, Mr. Braunhart appealed from the decision of the Chair.

The Speaker's decision was sustained.

The motion for a call of the House was lost.

Mr. Fox moved to take up Senate Bill No. 430—An Act releasing to William Scholle and his assigns certain lands in San Francisco, and authorizing the Governor to make conveyance thereof.

At eleven o'clock and twenty minutes P. M. Mr. McCarty moved to adjourn.

Upon which the ayes and noes were demanded by Messrs. Braunhart, Burns, and Carr of Yuba.

The roll was called, and the motion was lost by the following vote:

AYES—Messrs. Bass, Braunhart, Brown of Sonoma, Burns, Carr of Yuba, Coffman, Coleman, Cook, Frink, Garibaldi, Green, Hartson, Hershey, Lane, Maguire, Mathews, May, Maybell, McCallion, McCarty of Lake, McCarthy of San Francisco, Picket, Simon, Spencer, Stoddard, Sweetland, Valle Del, and Ward—28.

NOES—Messrs. Adams, Bennett, Brooks, Brown of Yuba, Bruner, Camron, Carr of Sacramento, Chamberlain, Chandler, Downs, Estey, Finlayson, Fox, Hardy, Leadbetter, McComas, McDade, McIntosh, Merry, Messenger, Mulholland, Nelson, Sherburne, Stanley, Streeter, Tyler, Wason of Ventura, Wattson, York, Young, and Mr. Speaker—30.

Mr. Braunhart refusing to come to order at the command of the Chair, the Speaker (Mr. Tyler) ordered him under arrest.

Mr. Braunhart was brought to the bar of the House.

Mr. Adams moved he be discharged from arrest.

Carried.

At eleven o'clock and thirty-five minutes P. M. Mr. Adams moved to adjourn.

Mr. Lane making a motion that the Speaker ruled out of order, Mr. Lane appealed.

The appeal was sustained.

At eleven o'clock and forty minutes P. M. Mr. Adams moved to adjourn.

Lost.

Speaker Cowdery in the chair.

Mr. Lane moved that Hon. Mr Tyler be called to the bar of the House for ordering Mr. Braunhart under arrest.

The question being put, "Has the Hon. Mr. Tyler committed any offense," the House decided that he had.

Mr. Tyler explained.

ADJOURNMENT.

At eleven o'clock and fifty minutes P. M. Mr. McCarty moved to adjourn.

Upon which motion the ayes and noes were demanded by Messrs. McCarty, May, and McCallion.

The roll was called, and the motion to adjourn was carried by the following vote:

AYES—Messrs. Adams, Bass, Bennett, Burns, Camron, Carr of Yuba, Coffman, Coleman, Estey, Frink, Garibaldi, Gaffey, Green, Hardy, Hartson, Hershey, Lane, Leadbetter, Magune, Mathews, May, Maybell, McCallion, McCarty of Lake, McCarthy of San Francisco, Merry, Messenger, Picket, Sherburne, Spencer, Stanley, Stoddard, Sweetland, Valle Del, Ward, Wason of Ventura, Wattson, York, and Mr. Speaker—39.

NOES—Messrs Brown of Yuba, Bruner, Chandler, Downs, Finlayson, Fox, McIntosh, Nelson, Tyler, and Young—10.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Thursday, April 15th, 1880.

House met pursuant to adjournment.
Speaker Cowdery in the chair.
Roll called, and quorum present.
Prayer by the Chaplain.

RESOLUTION.

By Mr. Streeter:

MR SPEAKER: Your Committee on County Governments and Municipal Corporations, beg leave to report that there is due to P K. Stockton the sum of ten dollars, for short-hand work, for our committee, and recommend the adoption of the following resolution.

STREETER, Chairman.

Resolved, That the Controller of State be and he is hereby authorized to draw his warrant, and the Treasurer is authorized to pay the same, in favor of P. K Stockton, for short-hand work, the same to be paid out of the Contingent Fund of the Assembly.

Rules suspended, and the resolution adopted.

REPORT OF A STANDING COMMITTEE.

By Mr. Sherburne:

ASSEMBLY CHAMBER, April 15th, 1880.

MR. SPEAKER Your Committee on Engrossment have examined, and found correctly engrossed, Assembly Bill No. 149—An Act to amend an Act entitled an Act concerning actions for libel and slander, approved March twenty-third, eighteen hundred and seventy-two.

SHERBURNE, Chairman.

Senate Bill No. 364—An Act to amend section one thousand five hundred and seventy-three of the Code of Civil Procedure, relating to the time within which certain actions may be commenced.

Taken up.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Anthony, Bass, Bruner, Brusie, Camron, Carr of Sacramento, Carr of Yuba, Chamberlain, Chandler, Coleman, Cook, Cooper, Cuthbert, Dimond, DuBrutz, Estey, Finlayson, Fraser, Garibaldi, Green, Hershey, Josselyn, Leach, Leadbetter, Levee, Maguire, Mathews, May, McCarty of Lake, McCarthy of San Francisco, McComas, McIntosh, Merry, Messenger, Morse, Mulholland, Nelson, Picket, Sherburne, Spencer, Stanley, Stoddard, Streeter, Tyler, Valle Del, Walker, Ward, Wason of Ventura, Wasson of Mono, York, Young, and Mr Speaker—53.

NOES—None.

Title approved.

Senate Bill No. 266—An Act to amend section six hundred and eleven of the Civil Code, relating to cemetery corporations.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Anthony, Bass, Bruner, Brusie, Camron, Carr of Sacramento, Carr of Yuba, Chamberlain, Chandler, Coleman, Cook, Cooper, Cuthbert, Dimond, DuBrutz, Estey, Finlayson, Fraser, Garibaldi, Gaffey, Green, Hartson, Hershey, Hynes, Josselyn, Leach, Leadbetter, Levee, Mathews, May, McCarty of Lake, McCarthy of San Francisco, McComas, McIntosh, Merry, Messenger, Morse, Mulholland, Nelson, Simon, Sherburne, Stanley, Stoddard, Sweetland, Tyler, Valle Del, Ward, Wason of Ventura, York, and Young—50.

NOES—Messrs. Burns, Lane, McCallion, and Picket—4.

Title approved.

The bill considered engrossed.

Assembly Bill No. 584—An Act to amend section one thousand six hundred and eighteen of the Code of Civil Procedure, relating to the compensation of executors and administrators.

Taken up.

Mr. Cooper moved that the bill be indefinitely postponed.

Lost.

The bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs Anthony, Bass, Bennett, Brooks, Brown of Yuba, Bruner, Brusie, Burns Camron, Carr of Sacramento, Carr of Yuba, Chamberlain, Chandler, Coleman, Cook, Downs, DuBrutz, Finlayson, Frink, Green, Hardy, Hartson, Hershey, Hynes, Maguire, Mathews, May, McCallion, McCarty of Lake, McCarthy of San Francisco, McComas, McIntosh, Merry, Morse, Mulholland, Nelson, Sherburne, Stanley, Stoddard, Sweetland, Tyler, Walker, Ward, Wason of Ventura, Wasson of Mono, York, and Young—47.

NOES—Messrs. Brown of Sonoma, Cooper, Fraser, Garibaldi, Josselyn, Levee, and Picket—7.

Title approved.

The bill considered engrossed, and ordered sent to the Senate forthwith.

REPORTS OF THE COMMITTEE ON ENROLLMENT.

By Mr. Brooks:

MR. SPEAKER: Your Committee on Enrollment respectfully report that the following Assembly bills have been correctly enrolled No. 454—An Act to provide for the protecting of lands from overflow other than lands recognized as swamp lands.

No. 45—An Act to amend sections three thousand four hundred and fifteen, three thousand four hundred and sixty six, three thousand four hundred and ninety-five, three thousand five hundred, and three thousand five hundred and forty-eight, of an Act entitled "An Act to

establish a Political Code," approved March twelfth, eighteen hundred and seventy-two, relating to the public lands of this State.

No. 589—An Act to provide for the erection of a building for the insane at the State Insane Asylum at Stockton.

No. 277—An Act making appropriation for deficiency in the appropriation for the permanent improvement of the State Capitol grounds lying east of the State Capitol building

Also, the following Assembly Concurrent Resolutions No. 23—Relative to the establishment of a quarantine station on Angel Island.

No. 21—Relative to the adjournment *sine die* of the Twenty-third Session of the Legislature of California

And the same were, at four o'clock and twenty minutes P. M. this day, April fourteenth, eighteen hundred and eighty, presented to the Governor for his approval.

BROOKS, Chairman,

Also:

MR SPEAKER Your Committee on Enrollment respectfully report that the following Assembly bills have been correctly enrolled: No. 580—An Act to protect the school districts of this State from injury during the year eighteen hundred and eighty, by the operation of section twelve, of article thirteen, of the Constitution.

No. 274—An Act to authorize and empower the Board of Supervisors of the several counties of this State to allow certain outstanding road claims, and provide for their payment.

And the same were, at seven o'clock and thirty minutes P. M this day, April fourteenth, eighteen hundred and eighty, presented to the Governor for his approval

BROOKS, Chairman.

Senate Bill No. 97—An Act to amend section four thousand two hundred and twenty-one of the Political Code, relating to the counting of money in the county treasury.

The bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Anthony, Bass, Bennett, Braunhart, Brown of Sonoma, Brown of Yuba, Brusie, Burns, Camron, Carr of Sacramento, Chamberlain, Chandler, Coffman, Coleman, Downs, DuBrutz, Finlayson, Fraser, Frink, Garibaldi, Green, Hardy, Hartson, Josselyn, Lane, Leach, Leadletter, Levee, Maguire, Mathews, May, Maybell, McCarty of Lake, McCarthy of San Francisco, McComas, McIntosh, Merry, Morse, Mulholland, Nelson, Picket, Sherburne, Spencer, Stanly, Stoddard, Sweetland, Tyler, Valle Del, Walker, Ward, Wason of Ventura, Wasson of Mono, York, Young, and Mr. Speaker—55.

NOES—None.

Title approved.

Mr. Del Valle moved that Senate Bill No. 476—An Act to provide for funding the indebtedness of cities having a population exceeding seven thousand inhabitants, and not exceeding one hundred thousand—be taken up, the rules suspended, the bill declared a case of urgency, read, and put upon its final passage.

The roll was called, and the House so ordered by the following vote:

AYES—Messrs. Adams, Anthony, Bass, Bennett, Braunhart, Brown of Sonoma, Brusie, Camron, Carr of Sacramento, Carr of Yuba, Chamberlain, Chandler, Coleman, Cook, Downs, DuBrutz, Estey, Felton, Frink, Garibaldi, Green, Hardy, Harris, Hartson, Hynes, Josselyn, Lane, Leadletter, Levee, Maguire, Mathews, May, Maybell, McCallion, McCarty of Lake, McCarthy of San Francisco, McComas, McIntosh, Merry, Messenger, Morse, Mulholland, Nelson, Picket, Sherburne, Spencer, Stanley, Stoddard, Sweetland, Tyler, Valle Del, Walker, Ward, Wason of Ventura, Wasson of Mono, York, Young, and Mr. Speaker—59.

NOES—None.

The bill was then read, the roll was called, and the bill passed by the following vote:

AYES—Messrs. Adams, Anthony, Bass, Bennett, Brown of Sonoma, Brusie, Camron, Carr of Sacramento, Chamberlain, Chandler, Coffman, Cook, Downs, DuBrutz, Estey, Felton, Frink, Garibaldi, Green, Hardy, Harris, Hershey, Hynes, Josselyn, Lane, Leach, Leadletter, Levee, Maguire, Mathews, May, McCarty of Lake, McCarthy of San Francisco, McDade, McIntosh,

Merry, Morse, Mulholland, Nelson, Picket, Sherburne, Spencer, Stanley, Stoddard, Streeter, Tyler, Valle Del, Walker, Ward, Wason of Ventura, Wasson of Mono, York, Young, and Mr. Speaker—54.

NOES—None.

Title approved.

RESOLUTION.

By Mr. Wason of Ventura:

Resolved, That the Controller be and he is hereby authorized to draw his warrant upon the Treasurer in favor of C. E. Wetmore, Clerk of the Committees on Education, Public Morals, Indian Affairs, and Retrenchment, for the sum of forty-five dollars, payable out of the fund for the contingent expenses of the Assembly, the same being for services rendered from January thirteenth to January twenty-second, nine days, for which he has received no compensation.

Referred to the Committee on Attachés and Employés.

Mr. Morse moved that the House now proceed to consider Senate bills on the third reading file.

Carried.

Mr. Del Valle, pursuant to notice, moved to reconsider the vote by which the House, yesterday, refused to pass Senate Bill No. 383—An Act to establish a Branch State Normal School.

The roll was called, and the motion to reconsider was carried by the following vote:

AYES—Messrs. Adams, Braunhart, Brown of Sonoma, Bruner, Burns, Camron, Carr of Yuba, Chamberlain, Coffman, Cooper, Corcoran, DuBrutz, Estey, Garibaldi, Gaffey, Green, Hersey, Hynes, Josselyn, Lane, Maguire, Mathews, May, McCallion, McCarty of Lake, McCarthy of San Francisco, McDade, Merry, Morse, Picket, Simon, Stanley, Streeter, Sweetland, Valle Del, Walker, Ward, Wason of Ventura, Wasson of Mono, Wattson, York, and Young—42.

NOES—Messrs. Anthony, Bass, Bennett, Brusie, Chandler, Coleman, Cook, Cuthbert, Downs, Felton, Frink, Hardy, Leach, Leadbetter, Levee, Maybell, McIntosh, Mulholland, Nelson, Sherburne, Spencer, Stoddard, Tyler, and Mr. Speaker—24.

Mr. Bass moved to amend so as to insert the words "twenty-five thousand dollars for a Branch Normal School at Reading."

Upon which, the ayes and noes were demanded by Messrs. Bass, Tyler, and Mulholland.

The roll was called, and the amendment lost by the following vote:

AYES—Messrs. Anthony, Bass, Bruner, Burns, Camron, Chandler, Coleman, Cook, Cuthber, Dimond, Downs, Hardy, Hershey, Leach, Levee, Mathews, Maybell, McComas, McIntosh, Mulholland, Nelson, Sherburne, Tyler, Wason of Ventura, Wasson of Mono, and York—26.

NOES—Messrs. Adams, Bennett, Braunhart, Brooks, Brown of Sonoma, Brusie, Chamberlain, Coffman, Cooper, Corcoran, DuBrutz, Estey, Felton, Garibaldi, Gaffey, Green, Hynes, Josselyn, Lane, Leadbetter, Maguire, May, McCallion, McCarty of Lake, McCarthy of San Francisc, McDade, Merry, Messenger, Morse, Picket, Simon, Stanley, Stoddard, Streeter, Sweetland, Vale Del, Ward, Wattson, and Mr. Speaker—39.

The previous question was demanded by Messrs. McCarty, Adam, and Hynes, and the House so ordered.

The question recurred upon the passage of the bill.

The roll was called, and the bill was refused passage by the following vote:

AYES—Messrs. Adams, Braunhart, Brown of Sonoma, Bruner, Burns, Camron, Carr of Yuba, Coffman, Cooper, DuBrutz, Estey, Finlayson, Garibaldi, Gaffey, Green, Hynes, Josselyn, Lane, Mathews, May, McCallion, McCarty of Lake, McCarthy of San Francisco, McDade, Merry, Morse, Picket, Simon, Stanley, Sweetland, Valle Del, Walker, Ward, Wason of Ventura, Wason of Mono, Wattson, and Young—38.

NOES—Messrs Anthony, Bass, Bennett, Brooks, Brusie, Carr of Sacramento, Chamberlain, Chandler, Coleman, Cook, Corcoran, Cuthbert, Dimond, Downs, Felton, Fraser Frink, Hardy, Hershey, Leach, Leadbetter, Levee, Maguire, McComas, McIntosh, Messenger, Mulholland, Nelson, Sherburne, Stoddard, Tyler, York, and Mr. Speaker—32.

SENATE MESSAGES.

The following Senate messages were read:

SENATE CHAMBER, SACRAMENTO, April 14th, 1880.

MR. SPEAKER I am directed to inform your honorable body that the Senate, on this day, adopted the following

Resolved, That the Assembly be requested to return Assembly Bill No. 329 to the Senate.

JOHN R. BRIERLY, Assistant Secretary.

SENATE CHAMBER, SACRAMENTO, April 15th, 1880.

MR. SPEAKER: I am directed to inform your honorable body that the Senate, on April 14th, passed Assembly Bill No. 100—An Act to amend an Act to provide for the incorporation of mutual insurance companies for the insurance of life and health and against accidents, approved April second, eighteen hundred and sixty-six.

Also, Assembly Bill No. 459—An Act to regulate and provide for a day of rest in certain cases.

Also, Assembly Bill No. 158—An Act making appropriation for deficiency for the thirtieth and thirty-first fiscal years for payment of armory rents, purchase of arms, and other expenses of the National Guard of California.

Also, Assembly Bill No 112—An Act to repeal sections two, three, and six, and to amend section four of an Act entitled an Act to provide for the payment of certain bonds of the County of Lake, in relation to an Assessor and Collector.

Also, concurred in Assembly amendments to Senate Bill No. 418, numbers one, two, three; and refused to concur in number four, and respectfully ask the Assembly to recede from the same.

J. A. ORR, Assistant Secretary.

CONSIDERATION OF SENATE MESSAGE.

Senate Bill No. 418—An Act to regulate the sale of certain poisonous substances.

Taken up.

The House receded from its amendment number four to the bill.

Senate Bill No. 427—An Act to authorize Boards of Supervisors to pay the expenses of posse comitatus in criminal cases.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Anthony, Bass, Bennett, Braunhart, Brown of Sonoma, Bruner, Burns, Camron, Carr of Sacramento, Chandler, Coffman, Cooper, Cuthbert, Dimond, Downs, DuBrutz, Estey, Finlayson, Frink, Gaffey, Green, Hardy, Hershey, Hynes, Lane, Maguire, Mathews, May, McCallion, McCarty of Lake, McComas, McIntosh, Messenger, Morse, Mulholland, Nelson, Picket, Sherburne, Stanley, Stoddard, Streeter, Sweetland, Tyler, Ward, Wason of Ventura, Wattson, Young, and Mr. Speaker—48.

NOES—Mr. Felton—1.

Title approved.

Senate Bill No. 307—An Act to amend section three hundred and thirty-two of the Penal Code, in relation to swindling by cards or other means.

The bill read third time, and the roll called, and the bill passed by the following vote:

AYES—Messrs. Adams, Anthony, Bass, Braunhart, Brooks, Brown of Yuba, Bruner, Camron, Carr of Sacramento, Chamberlain, Coffman, Cooper, Cuthbert, Dimond, Downs, DuBrutz, Estey, Finlayson, Fraser, Frink, Gaffey, Hartson, Hershey, Leadbetter, Levee, Maguire, May, Maybell,

McCallion, McCarty of Lake, McComas, McIntosh, Mulholland, Nelson, Picket, Stanley, Stoddard, Sweetland, Ward, Wason of Ventura, Wasson of Mono, Wattson, York, Young, and Mr. Speaker—45.
NOES—Mr. Lane—1.

Title approved.
Senate Bill No. 274—An Act to reimburse the Support Fund of the Deaf and Dumb and Blind Asylum.
The rules suspended.
The bill considered in Assembly.
The bill read third time.
The roll called, and the bill passed by the following vote:

AYES—Messrs. Anthony, Bass, Braunhart, Brooks, Brown of Yuba, Brusie, Burns, Camron, Carr of Sacramento, Chandler, Coffman, Cooper, Cuthbert, Dimond, Downs, DuBrutz, Estey, Finlayson, Fraser, Garibaldi, Gaffey, Hardy, Hershey, Lane, Leach, Leadbetter, Levee, Maguire, Mathews, May, Maybell, McCallion, McCarthy of San Francisco, McComas, McIntosh, Mulholland, Nelson, Picket, Stanley, Sweetland, Tyler, Walker, Ward, Wason of Ventura, Wasson of Mono, Wattson, York, Young, and Mr. Speaker—50.
NOES—None.

Title approved.
Senate Bill No. 232—An Act to amend sections one hundred and five and one hundred and six of the Penal Code, relating to escapes and attempts to escape from State Prison.
The bill read third time.
The roll was called, and the bill passed by the following vote:

AYES—Messrs. Adams, Anthony, Bass, Bennett, Brooks, Brown of Yuba, Bruner, Brusie, Burns, Carr of Sacramento, Chamberlain, Coffman, Cook, Dimond, Downs, DuBrutz, Estey, Fraser, Frink, Harris, Hershey, Leach, Leadbetter, Levee, Mathews, May, Maybell, McCallion, McCarty of Lake, McComas, McIntosh, Merry, Morse, Mulholland, Nelson, Spencer, Stanley, Stoddard, Sweetland, Tyler, Walker, Ward, Wason of Ventura, Wattson, York, Young, and Mr. Speaker—47.
NOES—Mr. Lane—1.

Title approved.
Senate Bill No. 268—An Act providing for appeals from orders forming reclamation or swamp land districts, setting off lands from such districts, or consolidating districts.
Read third time.
The roll was called, and the bill passed by the following vote:

AYES—Messrs. Adams, Anthony, Bass, Bennett, Brown of Sonoma, Brown of Yuba, Brusie, Burns, Carr of Sacramento, Chamberlain, Chandler, Coffman, Cook, Dimond, Downs, DuBrutz, Fraser, Frink, Hardy, Harris, Hershey, Josselyn, Lane, Leadbetter, Mathews, Maybell, McCallion, McCarty of Lake, McCarthy of San Francisco, McComas, McIntosh, Morse, Mulholland, Nelson, Picket, Sherburne, Spencer, Stanley, Stoddard, Sweetland, Tyler, Walker, Wason of Ventura, Wasson of Mono, Wattson, York, and Mr Speaker—47.
NOES—None.

Title approved.
Senate Bill No. 209—An Act entitled an Act to empower Justices of the Peace to hold inquests concerning fires.
Read third time, and refused passage by the following vote:

AYES—Messrs. Messenger, Morse, Picket, and Spencer—4.
NOES—Messrs. Anthony, Bass, Bennett, Brown of Sonoma, Brown of Yuba, Brusie, Carr of Sacramento, Chamberlain, Chandler, Cook, Downs, DuBrutz, Fraser, Frink, Hardy, Harris, Hershey, Hynes, Josselyn, Lane, Leadbetter, May, McCarty of Lake, McCarthy of San Francisco, McComas, McIntosh, Mulholland, Nelson, Sherburne, Stanley, Stoddard, Tyler, Walker, Wason of Ventura, Wasson of Mono, Wattson, and Mr. Speaker—37.

Senate Bill No. 144—An Act to amend section three hundred and fifty-nine of the Civil Code, providing for the increase of the capital stock of corporations.

Read third time.

The roll was called, and the bill refused passage by the following vote:

AYES—Messrs. Brown of Yuba, Bruner, Carr of Sacramento, Chamberlain, Cuthbert, Felton, Finlayson, Fox, Fraser, Frink, Garibaldi, Hartson, Josselyn, Leach, Leadbetter, Mathews, May, Maybell, McCarty of Lake, McCarthy of San Francisco, McComas, McIntosh, Messenger, Picket, Sherburne, Streeter, Tyler, Ward, and Mr. Speaker—29

NOES—Messrs Anthony, Bass, Bennett, Braunhart, Brooks, Brusie, Burns, Chandler, Coffman, Cook, Corcoran, Downs, DuBrutz, Estey, Gaffey, Hardy, Hynes, Lane, McCallion, Morse, Mulholland, Simon, Spencer, Stanley, and Stoddard—25.

Senate Bill No. 269—An Act to amend section four of an Act entitled "An Act to establish a scale for the measurement of logs," approved March twenty-eighth, eighteen hundred and seventy-eight.

Read third time.

The roll was called, and the bill was passed by the following vote:

AYES—Messrs. Bass, Bennett, Brown of Yuba, Bruner, Burns, Camron, Carr of Yuba, Coffman, Cooper, Estey, Fox, Frink, Gaffey, Green, Hartson, Hershey, Hynes, Josselyn, Lane, Leach, Leadbetter, Maguire, Mathews, May, Maybell, McCarty of Lake, McCarthy of San Francisco, McComas, McDade, McIntosh, Merry, Messenger, Morse, Picket, Stoddard, Streeter, Walker, Ward, Wason of Ventura, York, and Mr. Speaker—41.

NOES—Messrs. Anthony, Braunhart, Brooks, Brown of Sonoma, Brusie, Carr of Sacramento, Chamberlain, Chandler, Coleman, Cook, Corcoran, Cuthbert, Downs, Fraser, Garibaldi, Hardy, McCallion, Mulholland, Sherburne, Tyler, Wattson, and Young—21.

Title approved.

Senate Bill No. 271—An Act to amend section four hundred and forty-nine of the Code of Civil Procedure, concerning verifications of pleadings.

Read third time.

The roll was called, and the bill was passed by the following vote:

AYES—Messrs. Anthony, Bass, Bennett, Braunhart, Brooks, Brown of Yuba, Brusie, Burns, Camron, Carr of Sacramento, Carr of Yuba, Chamberlain, Chandler, Coffman, Cook, Corcoran, Cuthbert, Downs, Estey, Frink, Garibaldi, Gaffey, Green, Hardy, Hartson, Hershey, Hynes, Josselyn, Lane, Leach, Mathews, May, Maybell, McCallion, McCarthy of San Francisco, McComas, McIntosh, Merry, Morse, Picket, Sherburne, Stanley, Stoddard, Walker, Ward, Wason of Ventura, Wattson, and Mr. Speaker—47.

NOES—None.

Title approved.

Senate Bill No. 369—An Act to punish baggage-smashers.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs Anthony, Bass, Brooks, Brown of Yuba, Bruner, Brusie, Carr of Sacramento, Carr of Yuba, Chamberlain, Chandler, Coffman, Cook, Cooper, Corcoran, Dimond, Downs, Estey, Frink, Garibaldi, Gaffey, Green, Hardy, Hartson, Hershey, Josselyn, Leach, Maguire, Mathews, May, Maybell, McCarty of Lake, McCarthy of San Francisco, McDade, McIntosh, Merry, Messenger, Morse, Mulholland, Sherburne, Spencer, Stanley, Stoddard, Tyler, Ward, Wason of Ventura, Wattson, York, and Mr. Speaker—47.

NOES—Messrs Burns, Lane, McCallion, and Picket—4.

Title approved.

Senate Bill No. 220—An Act for the protection of certain kinds of fish.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs Anthony, Bass, Bennett, Braunhart, Bruner, Burns, Carr of Sacramento, Carr of Yuba, Chamberlain, Chandler, Coffman, Cook, Cooper, Corcoran, Estey, Fox, Garibaldi, Gaffey, Green, Hardy, Hartson, Hershey, Josselyn, Lane, Leach, Levee, Maguire, Mathews, May, Maybell, McCallion, McCarty of Lake, McCarthy of San Francisco, McDade, McIntosh, Merry, Messenger, Morse, Mulholland, Nelson, Picket, Sherburne, Spencer, Stanley, Stoddard, Streeter, Tyler, Ward, Wason of Ventura, Wattson, and Mr. Speaker—51.
NOES—None.

Title approved.
Senate Bill No. 403—An Act to provide for removing obstructions in Pitt River, above the mouth of Hat Creek, so as to enable salmon to reach the spawning grounds on the upper waters of said river and its tributaries.
Read third time.
The rules suspended.
The bill considered in the Assembly.
The roll was called, and the bill passed by the following vote:

AYES—Messrs. Anthony, Bass, Bennett, Braunhart, Brown of Sonoma, Bruner, Brusie, Burns, Camron, Carr of Sacramento, Carr of Yuba, Chamberlain, Chandler, Coffman, Cook, Cooper, Corcoran, Downs, Estey, Finlayson, Fox, Fraser, Frink, Garibaldi, Gaffey, Green, Hardy, Hershey, Hynes, Josselyn, Leach, Levee, Maguire, Mathews, May, Maybell, McCallion, McCarty of Lake, McCarthy of San Francisco, McComas, McIntosh, Merry, Messenger, Morse, Mulholland, Nelson, Picket, Sherburne, Spencer, Stanley, Stoddard, Streeter, Tyler, Walker, Ward, York, and Mr. Speaker—57.
NOES—None.

Title approved.
Senate Bill No. 263—An Act to add two new sections to the Penal Code, to be numbered four hundred and four hundred and one, relative to the keeping or sale of animals afflicted with glanders or other contagious or infectious diseases.
Read third time.
The roll was called, and the bill passed by the following vote:

AYES—Messrs. Anthony, Braunhart, Brown of Sonoma, Brown of Yuba, Bruner, Brusie, Burns, Camron, Carr of Sacramento, Carr of Yuba, Chandler, Coffman, Coleman, Cook, Cooper, Corcoran, Dimond, Downs, Estey, Finlayson, Fox, Frink, Garibaldi, Gaffey, Green, Hardy, Hershey, Hynes, Josselyn, Lane, Levee, Mathews, May, Maybell, McCallion, McCarthy of San Francisco, McComas, McDade, Morse, Mulholland, Nelson, Picket, Simon, Sherburne, Spencer, Stanley, Stoddard, Streeter, Tyler, Valle Del, Walker, Ward, Wason of Ventura, Wattson, York, Young, and Mr. Speaker—57.
NOES—Messrs. Adams, McCarty of Lake, Messenger, and Sweetland—4.

Title approved.
Senate Bill No. 351—An Act to add a new section to the Penal Code, to be known as section three hundred and eighteen, relating to crimes against good morals, and to punish decoys.
Read third time.
The roll was called, and the bill passed by the following vote:

AYES—Messrs. Adams, Anthony, Bass, Bennett, Braunhart, Brown of Yuba, Bruner, Brusie, Burns, Carr of Sacramento, Carr of Yuba, Chandler, Coffman, Coleman, Cooper, Corcoran, Dimond, Downs, Estey, Frink, Garibaldi, Gaffey, Green, Josselyn, Leach, Leadbetter, Maguire, Mathews, May, McCarty of Lake, McCarthy of San Francisco, McComas, McIntosh, Merry, Messenger, Morse, Mulholland, Nelson, Simon, Sherburne, Spencer, Stanley, Stoddard, Sweetland, Tyler, Valle Del, Walker, Wason of Ventura, Wattson, York, Young, and Mr. Speaker—53.
NOES—Messrs. Lane, Levee, Maybell, and McCallion—4.

Title approved.
Senate Bill No. 194—An Act to provide for the enlargement of the State Printing Office, and for the repairing and painting of the building.

Read third time.

Rules suspended, and the bill considered in the Assembly.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Bass, Bennett, Braunhart, Brown of Yuba, Bruner, Brusie, Carr of Sacramento, Carr of Yuba, Chandler, Coffman, Cooper, Corcoran, Dimond, Downs, Estey, Fox, Garibaldi, Green, Hardy, Hartson, Hershey, Josselyn, Lane, Leadbetter, Maguire, Mathews, May, Maybell, McCallion, McCarty of Lake, McCarthy of San Francisco, McDade, McIntosh, Mulholland, Nelson, Sherburne, Spencer, Tyler, Valle Del, Walker, Ward, Wason of Ventura, York, Young, and Mr. Speaker—45.

NOES—Messrs. Adams, Anthony, Brooks, Brown of Sonoma, Burns, Coleman, Cook, Gaffey, Hynes, Levee, McComas, Merry, Messenger, Morse, and Sweetland—15.

Title approved.

Senate Bill No. 339—An Act to repeal an Act entitled "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," approved February thirteenth, eighteen hundred and seventy-two.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Adams, Anthony, Bass, Bennett, Braunhart, Brusie, Burns, Carr of Sacramento, Carr of Yuba, Chamberlain, Chandler, Coleman, Cooper, Corcoran, Dimond, Downs, DuBrutz, Finlayson, Gaffey, Hershey, Josselyn, Leach, Leadbetter, Maguire, Mathews, May, Maybell, McCallion, McCarty of Lake, McIntosh, Merry, Messenger, Morse, Mulholland, Nelson, Sherburne, Sweetland, Tyler, Walker, Wason of Ventura, Wattson, Young, and Mr. Speaker—43.

NOES—Messrs. Brooks and Cannon—2.

Title approved.

Senate Bill No 298—An Act to authorize the Boards of Supervisors of the several counties of this State to transfer certain funds.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs Anthony, Braunhart, Brown of Sonoma, Bruner, Cannon, Carr of Sacramento, Carr of Yuba, Chamberlain, Chandler, Coffman, Cooper, Corcoran, Dimond, DuBrutz, Fox, Gaffey, Hartson, Hershey, Hynes, Josselyn, Lane, Leadbetter, Mathews, May, Maybell, McCallion, McCarty of Lake, McCarthy of San Francisco, McDade, Messenger, Mulholland, Nelson, Picket, Simon, Spencer, Stoddard, Sweetland, Walker, Ward, Wasson of Mono, York, Young, and Mr. Speaker—43.

NOES—Messrs. Adams, Bennett, Brusie, Coleman, Cook, Downs, Felton, Finlayson, Fraser, Frink, Garibaldi, Hardy, Leach, Maguire, McComas, McIntosh, Merry, Morse, Sherburne, Tyler, and Wason of Ventura—21.

Title approved.

Senate Bill No. 242—An Act to amend sections six hundred and twenty-six and six hundred and thirty-one of the Penal Code, relating to violations of the laws for the preservation of fish and game.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Bennett, Brooks, Brown of Sonoma, Brusie, Burns, Cannon, Carr of Sacramento, Carr of Yuba, Coleman, Cooper, Downs, Estey, Felton, Finlayson, Fox, Fraser, Frink, Hardy, Hartson, Leach, Leadbetter, Maguire, Mathews, May, Maybell, McCallion, McComas, McDade, McIntosh, Merry, Mulholland, Sherburne, Spencer, Streeter, Ward, Wason of Ventura, Wasson of Mono, York, Young, and Mr Speaker—40.

NOES—Messrs. Anthony, Bass, Chamberlain, Chandler, Coffman, Cook, Corcoran, Dimond, DuBrutz, Hershey, Hynes, McCarty of Lake, McCarthy of San Francisco, Morse, Nelson, Stoddard, Tyler, and Walker—18.

Title approved.

Mr. Carr of Yuba moved to take up Assembly Joint Resolution No. 18—Relative to the Act of Congress enabling honorably discharged soldiers and sailors, their widows and orphan children, to acquire homesteads on the public lands of the United States.

Pending consideration of the above, Mr. Cook moved to reconsider the vote by which the House refused to pass Senate Bill No. 424—An Act to add eight new sections to the Political Code, to be known as sections one thousand eight hundred and eighty, one thousand eight hundred and eighty-one, one thousand eight hundred and eighty-two, one thousand eight hundred and eighty-three, one thousand eight hundred and eighty four, one thousand eight hundred and eighty-five, one thousand eight hundred and eighty-six, and one thousand eight hundred and eighty-seven, relating to the issuance of bonds by the Trustees of school districts to raise money for building purposes, and to provide for the payment of the same—yesterday.

Mr. Tyler moved to lay the motion on the table.

Carried.

The House returned to the consideration of Assembly Joint Resolution No. 18—Relative to the Act of Congress enabling honorably discharged soldiers and sailors, their widows and orphan children, to acquire homesteads on the public lands of the United States.

The resolution amended, and passed as amended.

RECESS.

The hour of one o'clock P. M. having arrived, the House took a recess for one hour.

RE-ASSEMBLED.

The House re-assembled at two o'clock P. M.

Speaker Cowdery in the chair.

Quorum present.

RESOLUTION.

By Mr. Finlayson—A resolution relative to and asking our Senators and Representatives in Congress to use their efforts to prevent the discontinuance to the letter service of Wells, Fargo & Company.

Adopted.

SENATE MESSAGE.

The following Senate message was read:

SENATE CHAMBER, SACRAMENTO, April 15th, 1880.

MR. SPEAKER. I am directed to inform your honorable body that the Senate, this day, passed Assembly Bill No 385—An Act to amend sections two thousand six hundred and forty-five, two thousand six hundred and forty-six, two thousand six hundred and forty-seven, two thousand six hundred and forty-nine, two thousand six hundred and fifty, two thousand six hundred and fifty-three, two thousand six hundred and fifty-seven, two thousand six hundred and fifty-nine, two thousand six hundred and sixty, two thousand six hundred and sixty-one, two thousand six hundred and sixty-two, two thousand six hundred and sixty-three, two thousand six hundred and sixty-four, two thousand six hundred and eighty-one, two thousand six hundred and eighty-five, two thousand six hundred and eighty-seven, two thousand six hundred and eighty-eight, two thousand six hundred and ninety-eight, two thousand seven hundred and three, two thousand seven hundred and six, two thousand seven hundred and seven, two thousand seven hundred and eight, two thousand seven hundred and ten, two thousand seven hundred and eleven, two thousand seven hundred and fourteen, two thousand seven hundred and twenty-four, two thousand seven hundred and twenty-five, two thousand seven hun-

dred and twenty-six, two thousand seven hundred and twenty-nine, two thousand seven hundred and thirty-one, two thousand seven hundred and thirty-two, two thousand seven hundred and forty-three, two thousand seven hundred and forty-six, two thousand seven hundred and forty-seven, two thousand seven hundred and fifty-four, two thousand seven hundred and fifty-five, two thousand seven hundred and fifty-six, two thousand six hundred and forty-eight, two thousand six hundred and fifty-one, two thousand six hundred and fifty-two, two thousand six hundred and fifty-four, two thousand six hundred and fifty-eight, two thousand six hundred and eighty-six, two thousand seven hundred and four, and two thousand seven hundred and fifty-seven, of the Political Code, relating to roads and highways.

Also, Assembly Bill No. 505—An Act to grant to certain parties therein named the right of way for a railroad from the Town of Truckee, Nevada County, to the Town of Quincy, Plumas County.

JOHN R. BRIERLY, Assistant Secretary.

By Mr. Del Valle—Assembly Concurrent Resolution asking that a commission of three members be appointed by the Governor, to take into consideration the advisability and necessity of a division of the State of California, and that said Commissioners report their conclusions to the next Legislature.

Referred to the Los Angeles delegation.

By Mr. Felton—Assembly Concurrent Resolution relative to and asking that the Governor cause to be prepared a statement of the unpaid indebtedness of the several swamp land districts, their available assets, and the Governor's recommendation in regard thereto.

Adopted.

By Mr. Estey:

Resolved, That the Clerk of the Sergeant-at-Arms be paid at the close of the session the same amount (fifty dollars) as the Clerks at the desk receive for arranging papers, closing and balancing the books of accounts in his charge, and that the Controller of State is authorized and hereby directed to draw his warrant on the State Treasurer for that amount, payable from the Contingent Fund of the Assembly.

Referred to the Committee on Attachés and Employés.

Assembly Bill No. 498—An Act to empower consolidated cities and counties of over one hundred thousand inhabitants to pay out of the General Fund demands for rent of Court-rooms and chambers for the Superior Courts, and of police stations, and for salaries of Janitors.

Taken up.

Read third time.

The roll called, and the bill passed by the following vote:

AYES—Messrs. Anthony, Bass, Bennett, Braunhart, Brooks, Brown of Sonoma, Brown of Yuba, Bruner, Brusie, Cameron, Carr of Sacramento, Chamberlain, Coffman, Coleman, Cook, Cooper, Corcoran, Estey, Felton, Fox, Fraser, Frink, Hardy, Harris, Hershey, Josselyn, Lane, Leach, Leadbetter, Levee, Maguire, Mathews, May, Maybell, McCarthy of San Francisco, McComas, McIntosh, Merry, Messenger, Morse, Mulholland, Simon, Streeter, Valle Del, Ward, Wattson, York, Young, and Mr. Speaker—49.

NOES—Messrs. McCallion, Sherburne, and Spencer—3.

Title approved.

The rules suspended, the bill considered engrossed, and ordered sent to the Senate forthwith.

Senate Bill No. 473—An Act to empower and direct the Trustees of Levee District Number One, of Sacramento County, to pay certain indebtedness outstanding against the late Swamp Land District Number Two Hundred and Eighty-seven, and due C. G. Hidden, Charles V. Brockway, Moses Sprague, A. Mouton, R. J. Merkley, Philip Herzog, George Peters, Samuel Poorman, Daniel Flint, and Howell Clark, for money and labor expended on repairs on levee.

Taken up.

Mr. Carr of Sacramento moved that the bill be considered a case of urgency, the bill read, and put upon its final passage.

The roll was called, and the House so ordered by the following vote:

AYES—Messrs. Bass, Bennett, Braunhart, Brown of Sonoma, Brown of Yuba, Bruner, Brusie, Carr of Sacramento, Chamberlain, Coleman, Cook, Cooper, Corcoran, Dimond, Downs, DuBrutz, Estey, Felton, Finlayson, Fox, Fraser, Fink, Garibaldi, Hardy, Harris, Hershey, Hynes, Josselyn, Lane, Leadbetter, Mathews, May, Maybell, McCarty of Lake, McCarthy of San Francisco, McComas, McIntosh, Merry, Messenger, Morse, Mulholland, Nelson, Simon, Sherburne, Stanley, Stoddard, Sweetland, Tyler, Valle Del, Walker, Ward, Wason of Ventura, Wattson, York, Young, and Mr. Speaker—56.

NOES—Messrs. Burns, Gaffey, and McCallion—3.

The bill read.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Anthony, Bass, Braunhart, Brown of Sonoma, Brown of Yuba, Bruner, Brusie, Camion, Carr of Sacramento, Chamberlain, Chandler, Coffman, Coleman, Cook, Cooper, Corcoran, Dimond, Downs, DuBrutz, Estey, Felton, Finlayson, Fox, Fraser, Fink, Garibaldi, Gaffey, Hardy, Harris, Hershey, Hynes, Josselyn, Lane, Leach, Leadbetter, Levee, Maguire, Mathews, May, Maybell, McCallion, McCarty of Lake, McCarthy of San Francisco, McComas, McIntosh, Merry, Messenger, Morse, Mulholland, Nelson, Sherburne, Spencer, Stanley, Stoddard, Streeter, Sweetland, Tyler, Valle Del, Walker, Ward, Wason of Ventura, Wattson, York, Young, and Mr. Speaker—65.

NOES—None.

Title approved.

Mr. York moved to take up Assembly Bill No. 331—An Act to amend section seven hundred and ninety-two of the Political Code, relative to qualifications for Notaries Public.

Carried.

The bill read third time.

The roll called, and the bill passed by the following vote:

AYES—Messrs. Anthony, Bennett, Brown of Yuba, Bruner, Brusie, Camion, Carr of Sacramento, Carr of Yuba Chamberlain, Chandler, Coffman, Coleman, Cook, Dimond, Downs, Estey, Finlayson, Fox, Fraser, Fink, Hardy, Harris, Hershey, Hynes, Lane, Leach, Leadbetter, Levee, Mathews, May, Maybell, McCallion, McCarty of Lake, McCarthy of San Francisco, McComas, McIntosh, Merry, Morse, Mulholland, Simon, Sherburne, Stoddard, Streeter, Sweetland, Tyler, Walker, Ward, Wason of Ventura, Wasson of Mono, York, Young, and Mr. Speaker—52.

NOES—Mr. Nelson—1.

Title approved.

The rules suspended, the bill considered engrossed, and the bill ordered sent to the Senate forthwith.

REPORT OF THE COMMITTEE ON ENGROSSMENT.

By Mr. Sherburne:

ASSEMBLY CHAMBER, April 15th, 1880.

MR. SPEAKER: Your Committee on Engrossment have examined, and find correctly engrossed, Assembly Concurrent Resolution No. 18—Relative to the Act of Congress enabling honorably discharged soldiers and sailors, their widows and orphan children, to acquire homesteads on the public lands of the United States.

CARR, for Committee.

SENATE MESSAGE.

The following Senate message was read:

SENATE CHAMBER, SACRAMENTO, April 15th, 1880.

MR. SPEAKER: I am directed to inform your honorable body that the Senate, on this day, appointed as Committee of Conference, for the Senate, on Assembly Bill No. 163, Senators Hill, Johnson, and Dickinson.

Also, on April fourteenth, passed Assembly Bill No. 364—An Act to amend section two thousand nine hundred and fourteen of an Act entitled an Act to establish a Political Code, approved March twelfth, eighteen hundred and seventy-two, relating to wharves.

Also, April tenth and fourteenth, amended, and on April fifteenth, passed Assembly Bill No. 99—An Act to amend sections five hundred and ninety-six and six hundred and thirty-three of the Political Code, and to amend section four hundred and fifty, and to repeal sections four hundred and fifty-one and four hundred and fifty-two of the Civil Code, relating to life insurance.

J. A. ORR, Assistant Secretary.

CONSIDERATION OF SENATE MESSAGE.

Assembly Bill No. 99—An Act to amend sections five hundred and ninety-six and six hundred and thirty-three of the Political Code, and to amend section four hundred and fifty, and to repeal sections four hundred and fifty-one and four hundred and fifty-two of the Civil Code, relating to life insurance.

The Senate amendments were read.

The roll was called, and the House concurred in the Senate amendments by the following vote:

AYES—Messrs. Adams, Anthony, Bennett, Brown of Yuba, Bruner, Brusie, Camron, Carr of Sacramento, Chamberlain, Chandler, Coleman, Corcoran, Dimond, Downs, Felton, Finlayson, Fox, Fraser, Frink, Garibaldi, Hardy, Harris, Hartson, Hershey, Leach, Leadbetter, May, McCarty of Lake, McComas, McIntosh, Messenger, Mulholland, Nelson, Sherburne, Spencer, Stanley, Stoddard, Tyler, Walker, Ward, Wason of Ventura, Wasson of Mono, Wattson, York, Young, and Mr. Speaker—46.

NOES—Messrs. Braunhart, Brown of Sonoma, Burns, Cook, Cooper, DuBrutz, Estey, Gaffey, Green, Hynes, Josselyn, Lane, Levee, Maguire, Maybell, McCallion, McCarthy of San Francisco, Merry, and Morse—19.

Senate amendments to the title concurred in.

Mr. Fox in the chair.

Mr. Tyler moved to take up Senate Bill No. 526—An Act to pay the Society of California Pioneers rent for rooms for the Hastings College of the Law.

Carried.

The rules suspended.

The bill considered in the Assembly.

The bill read second time, and ordered to third reading.

Mr. Tyler moved that the bill be considered a matter of urgency, and the bill be put on its final passage.

The roll was called, and the motion was lost by the following vote:

AYES—Messrs. Adams, Bass, Bennett, Braunhart, Brown of Sonoma, Brown of Yuba, Bruner, Brusie, Camron, Carr of Sacramento, Chamberlain, Chandler, Corcoran, Dimond, Downs, Felton, Finlayson, Fox, Fraser, Frink, Garibaldi, Gaffey, Hardy, Hartson, Hershey, Hynes, Lane, Leadbetter, Mathews, May, McCallion, McCarty of Lake, McCarthy of San Francisco, McComas, Morse, Mulholland, Nelson, Sherburne, Spencer, Stoddard, Streeter, Tyler, Valle Del, Walker, Ward, Wason of Ventura, Wasson of Mono, Wattson, York, and Young—50.

NOES—Messrs. Anthony, Burns, Carr of Yuba, Cooper, DuBrutz, Estey, Green, Josselyn, Levee, Maguire, Maybell, and Merry—12.

Mr. Finlayson moved to take up Senate Bill No. 430.

Lost.

REPORTS OF STANDING COMMITTEES.

By Mr. Chamberlain:

ASSEMBLY CHAMBER, SACRAMENTO, April 15th, 1880.

MR SPEAKER: The Committee on Agriculture, to whom was referred Assembly Bill No. 520—An Act to repeal section four thousand and eighty of the Political Code, in relation to the planting of trees—have had the same under consideration, and report the same back to the Assembly without amendment, and without recommendation.

CHAMBERLAIN, Chairman.

By Mr. Merry:

MR. SPEAKER: Your Committee on Claims, to whom was referred Assembly Bill No. 191—An Act to appropriate money out of the General Fund in the State treasury to pay the Clerk of the State Board of Equalization for services rendered as such Clerk.

Also, Assembly Bill No. 482—An Act for the relief of John C. Edgar, ex-Sheriff of the County of San Mateo.

Also, Assembly Bill No. 474—An Act for the relief of H. Connolly.

Have had the several bills under consideration, and report them back to the Assembly, with the recommendation that they do not pass.

MERRY, Chairman.

Also:

MR. SPEAKER: Your Committee on Claims, to whom was referred Assembly Bill No. 485—An Act to pay the claims of the Board of Reclamation Fund Commissioners, C. F. Reed, E. N. Strout, and A. S. Bender, and of G. W. Morgan, Secretary; John T. Morgan, Assistant Secretary, and Hiram Clock, Porter of said Board.

Also, Senate Bill No. 329—An Act to provide for the compensation of the officers and persons performing duties and incurring expense under "An Act to create a drainage district, to be called the Sacramento River Drainage District, and to establish a Board of Commissioners therefor, and to define their powers and duties," approved April first, eighteen hundred and seventy-eight.

Have had the same under consideration, and report them back to the Assembly, with the recommendation that they do not pass.

MERRY, Chairman.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 16th, 1880.

MR. SPEAKER Your Committee on Claims, to whom was referred the bill of John Spencer for fifty dollars, "for repairing and tending of clocks for the session"—have had the same under consideration, and beg leave to report as follows That while the said bill is small in amount, it is nevertheless extravagant and outrageous for the services rendered. Your committee wish to stamp the seal of their disapproval upon all such raids on the State treasury, and report the accompanying resolution, the amount therein named being a liberal compensation for the services rendered.

MERRY, Chairman.

Resolved, That the State Controller is hereby directed to draw his warrant on the State Treasurer in favor of John Spencer for fifteen dollars, payable out of the appropriation for the Contingent Fund of the Assembly, for tending clocks in Assembly Chamber.

Resolution adopted.
Also:

Resolved, That the Controller of State be and he is hereby required to draw his warrant in favor of the following persons, viz. A. Flohr, for sixty-four dollars and twenty-five cents ($64 25), for repairs on locks, doors, and desks of the Assembly: Sacramento Ice Company, for forty dollars and thirty-four cents ($40 34), for ice furnished to the Assembly; and B. W. Parker, for nine dollars and forty cents ($9 40), for repairs to filters and subpœnaing witnesses, and the State Treasurer is directed to pay the same out of the appropriation for contingent expenses of the Assembly.

MERRY, Chairman.

Resolution adopted.
By Mr. Streeter:

ASSEMBLY CHAMBER, SACRAMENTO, February 26th, 1880.

MR. SPEAKER Your Committee on County Governments and Municipal Corporations, to whom was referred Assembly Bill No 372—An Act to prevent paupers from coming from other States into this State, or from one county of this State into another for relief, have had the same under consideration, and report it back, with recommendation that it do not pass.

STREETER, Chairman.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 14th, 1880.

MR. SPEAKER: Your Committee on County Governments, to whom was referred Assembly Bill No. 451—An Act to authorize the Boards of Supervisors of the several counties, or the corporate authorities of cities or towns or cities and counties to pass all local police, sanitary, and other regulations—and several other bills, have had the same under consideration, and report it back to the Assembly without recommendation.

STREETER, Chairman.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 14th, 1880.

MR. SPEAKER: Your Committee on County Governments, to whom was referred Assembly Bill No. 512—An Act to amend section eleven of an Act entitled "An Act to incorporate the City of Eureka," approved February tenth, eighteen hundred and seventy—have had the same under consideration, and report it back to the Assembly without recommendation.

STREETER, Chairman.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 14th, 1880.

MR. SPEAKER: Your Committee on County Governments, to whom was referred Assembly Bill No. 445—An Act to amend section two thousand seven hundred and thirty of the Political Code, relating to highways—have had the same under consideration, and report it back to the Assembly without recommendation.

STREETER, Chairman.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 14th, 1880.

MR. SPEAKER: Your Committee on County Governments, to whom was referred Assembly Bill No. 322—An Act to authorize the formation of water-works companies in towns and villages containing less than five thousand population—have had the same under consideration, and report it back to the Assembly without recommendation.

STREETER, Chairman.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 14th, 1880.

MR SPEAKER: Your Committee on County Governments, to whom was referred Assembly Bill No. 509—An Act supplementary to subdivision nine, of section four thousand and forty-six, of the Political Code, approved March twelfth, eighteen hundred and seventy-two, relative to county buildings—have had the same under consideration, and report it back to the Assembly without recommendation.

STREETER, Chairman.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 14th, 1880.

MR. SPEAKER: Your Committee on County Governments, to whom was referred Assembly Bill No. 487—An Act to amend section four thousand three hundred and thirty of the Political Code, relative to fixing the salaries of District Attorneys—have had the same under consideration, and report it back to the Assembly without recommendation.

STREETER, Chairman.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 14th, 1880.

MR SPEAKER: Your Committee on County Governments, to whom was referred Assembly Bill No. 180—An Act to amend section four thousand one hundred and nine of the Political Code of the State of California—have had the same under consideration, and report it back to the Assembly without recommendation.

STREETER, Chairman.

By Mr. Fox:

ASSEMBLY CHAMBER, SACRAMENTO, April 15th, 1880.

MR SPEAKER: Your Judiciary Committee, to whom was referred Assembly Bill No. 59—An Act entitled an Act to amend sections one, three, eight, ten, twelve, twenty, twenty-nine, and thirty-six, of an Act entitled an Act for the relief of insolvent debtors and protection of creditors, approved May fourth, eighteen hundred and fifty-two—have had the same under consideration, and now report it back, with the recommendation that the author be allowed to withdraw it.

FOX, Chairman.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 15th, 1880.

MR. SPEAKER: Your Judiciary Committee, to whom was referred Senate Bill No. 176—An Act to amend sections one thousand eight hundred and eleven and one thousand eight hundred

and twelve of the Code of Civil Procedure, relating to sole traders—have had the same under consideration, and did propose to offer a substitute revising the entire chapter of which these sections form a part, but press of business and the near close of the session prevents this course. The amendments proposed in this bill are proper to be made, but do not go so far as we would suggest, if time permitted. We recommend the bill be passed.

FOX, Chairman.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 15th, 1880.

MR. SPEAKER: Your Judiciary Committee, to whom was referred Assembly Bill No. 304—An Act to incorporate religious societies.

Also, Assembly Bill No. 506—An Act to disincorporate the City of San Luis Obispo, and providing for the payment of its debts.

Also, Assembly Bill No. 536—An Act to amend section sixty of the Civil Code of California, relative to the intermarriage of whites with negroes and persons of other races.

Also, Assembly Bill No. 540—An Act in relation to contracts made by State, county, city, town, or village authorities, respecting the execution of work, performance of services, or furnishing of material and supplies.

And also, Assembly Bill No. 550—An Act to secure the wages of persons employed as laborers on threshing machines.

Have had the same under consideration, and now report them back with the recommendation that they severally do not pass.

We have also had under consideration Assembly Bill No. 394—An Act creating a head tax upon male foreigners who have not declared their intentions.

Also, Assembly Bill No. 411—An Act to improve publications in the press.

Also, Assembly Bill No. 422—An Act to make it a penal offense for any officer of this State, or of any subdivision thereof, to take any property within this State, either under a writ of attachment or writ of execution, which said property is clearly exempt from forced sale under the laws of this State, and to provide a remedy for persons whose property is so taken.

Also, Assembly Bill No. 546—An Act to amend section one thousand and twenty-five of the Code of Civil Procedure.

And also, Assembly Bill No. 457—An Act for the better protection of depositors of banks in liquidation.

And now report them back, with the recommendation that they severally be indefinitely postponed.

FOX, Chairman.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 15th, 1880.

MR. SPEAKER: Your Judiciary Committee, to whom was referred Senate Bill No. 416—An Act to amend section one thousand three hundred and thirteen of the Civil Code concerning devises to charitable uses.

Also, Senate Bill No. 401, to add to part second, division second, of the Civil Code, a new title, to be known as title five, etc., relating to mining laws.

Have had the same under consideration, and report that for two reasons—first, that both of said bills are of at least doubtful utility, and second, that there are material variances between the engrossed and printed bills of a character that can hardly be corrected at this stage of the session—the committee recommend that the further consideration of said bills be indefinitely postponed.

FOX, Chairman.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 15th, 1880.

MR. SPEAKER: Your Judiciary Committee, to whom was referred Assembly Bill No. 517—An Act to protect the people of the State from the importation of infectious and contagious diseases.

Also, Assembly Bill No. 575—An Act to add a new section to the Penal Code, to be known as section five hundred and thirty-six.

Also, Assembly Bill No. 579—An Act to add section one thousand two hundred and eight to the Code of Civil Procedure.

Also, Senate Bill No. 289—An Act to amend section five hundred and thirty-nine of the Code of Civil Procedure, relating to writs of attachment.

Also, Senate Bill No. 317—An Act to amend section one thousand seven hundred and twenty-six of the Code of Civil Procedure, relating to the duties of Public Administrators.

Also, Senate Bill No. 391—An Act to amend section one thousand one hundred and sixty-one of the Code of Civil Procedure, relating to summary proceedings for obtaining possession of real estate.

Also, Senate Bill No. 395—An Act to provide for the payment of the Judges of the Superior Courts in this State.

And also, Senate Bill No. 396—An Act to amend section five hundred and forty-two of the Code of Civil Procedure, relating to the levy of attachments.

Have considered the same, and recommend they do not pass.

FOX, Chairman.

By Mr. Wason of Ventura:

ASSEMBLY CHAMBER, April 15th, 1880.

MR SPEAKER Your Committee on Education, to whom was referred Assembly Bill No. 582—An Act entitled an Act to amend sections three hundred and fifty-four, one thousand four hundred and eighty-nine, one thousand four hundred and ninety-four, one thousand four hundred and ninety-seven, one thousand five hundred and one, one thousand five hundred and two, and one thousand five hundred and four, of the Political Code of California, and to add a new section, to be known as section one thousand five hundred and eight, relative to the establishment and support of State Normal Schools—have had the same under consideration, and report it back without recommendation.

WASON, Chairman.

By Mr. Wattson:

MR SPEAKER Your Committee on Public Expenditures and Accounts have had under consideration Assembly Bill No. 553, and report it back without recommendation

WATTSON, Chairman.

By Mr. Bennett:

ASSEMBLY CHAMBER, April 13th, 1880.

MR SPEAKER Your Committee on Public Morals, to whom was referred Senate Bill No. 279—An Act entitled an Act to add a new section to the Penal Code, to be known as section three hundred and seven, relating to the use of opium, have had the same under consideration, and report it back, recommending its passage.

BENNETT, Chairman.

Mr. Hartson moved to take up Senate Bill No. 442—An Act to provide for the payment of the amount of interest due to Hastings College of the Law.

Carried

The bill read second time.

Mr. Hartson moved the bill be declared a case of urgency, and the bill be placed upon its final passage.

The roll was called, and the House so ordered by the following vote:

AYES—Messrs. Adams, Bennett, Brown of Sonoma, Brown of Yuba, Bruner, Brusie, Camron, Carr of Sacramento, Carr of Yuba, Chamberlain, Chandler, Coffman, Downs, Estey, Felton, Finlayson, Fox, Fraser, Frink, Garibaldi, Green, Hardy, Hartson, Hershey, Hynes, Josselyn, Leadbetter, Levee, Mathews, May, Mayhell, McCallion, McCarty of Lake, McCarthy of San Francisco, McComas, McDade, McIntosh, Merry, Messenger, Morse, Mulholland, Nelson, Picket, Sherburne, Spencer, Stoddard, Tyler, Valle Del, Walker, Ward, Wason of Ventura, Wasson of Mono, Wattson, York, and Young—55.

NOES—Messrs. Anthony, Burns, and DuBrutz—3.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Adams, Bass, Bennett, Brooks, Brown of Sonoma, Bruner, Brusie, Camron, Carr of Sacramento, Carr of Yuba, Chamberlain, Chandler, Coffman, Cook, Downs, Estey, Felton, Finlayson, Fox, Frink, Green, Hardy, Hartson, Hershey, Josselyn, Lane, Leach, Leadbetter, Maguire, Mathews, May, Mayhell, McCallion, McCarty of Lake, McCarthy of San Francisco, McComas, McDade, McIntosh, Merry, Messenger, Morse, Mulholland, Nelson, Simon, Sherburne, Spencer, Stoddard, Tyler, Valle Del, Walker, Ward, Wason of Ventura, Wasson of Mono, Wattson, York, and Young—55

NOES—Mr. Burns—1.

Title approved.

Mr. Tyler moved to take up Assembly Concurrent Resolution No. 20—Relative to the pre-emption laws of the United States.

Carried.

Mr. Spencer moved to take up Senate Bill No. 332—An Act to provide for the construction, maintenance, and regulation of fish-ways in streams naturally frequented by salmon, shad, or other migratory fish—immediately after the consideration of Assembly Concurrent Resolution No. 20 above.

Carried.

Assembly Concurrent Resolution No. 20—Relative to the pre-emption laws of the United States.

Read, and adopted.

Senate Bill No. 332—An Act to provide for the construction, maintenance, and regulation of fish-ways in streams naturally frequented by salmon, shad, or other migratory fish.

Read second time.

Mr. McIntosh moved that this bill be declared a case of urgency, and put upon its final passage.

Mr. Morse moved to strike out the enacting clause of the bill.

Lost.

The question recurred upon Mr. McIntosh's motion.

The roll was called, and the motion lost by the following vote:

AYES—Messrs. Adams, Bass, Brown of Sonoma, Brown of Yuba, Bruner, Burns, Carr of Sacramento, Carr of Yuba, Chamberlain, Coffman, Cook, Corcoran, Downs, DuBrutz, Fox, Frink, Hardy, Hartson, Hershey, Hynes, Lane, Mathews, May, McCallion, McCarty of Lake, McCarthy of San Francisco, McComas, McDade, McIntosh, Messenger, Mulholland, Nelson, Simon, Spencer, Stoddard, Sweetland, Tyler, Walker, Ward, Wasson of Mono, Wattson, York, Young, and Mr. Speaker—44.

NOES—Messrs. Anthony, Bennett, Brooks, Brusie, Camron, Chandler, Coleman, Felton, Garibaldi, Green, Josselyn, Leach, Levee, Morse, Sherburne, Streeter, Valle Del, and Wason of Ventura—18.

REPORTS OF A STANDING COMMITTEE.

By Mr. Camron:

MR. SPEAKER. Your Committee on Attachés and Employés, to whom was referred the resolution below, have considered the same, and report the same back with the recommendation that it be not adopted.

CAMRON, Chairman.

Resolved, That the Clerk of the Sergeant-at-Arms be paid at the close of the session the same amount (fifty dollars) as the Clerks at the desk receive, for arranging papers, closing and balancing the books of account in his charge, and that the Controller of State is authorized and hereby directed to draw his warrant on the State Treasurer for that amount, payable from the Contingent Fund of the Assembly.

Resolution lost.

Also:

MR. SPEAKER: Your Committee on Attachés and Employés, to whom was referred the resolution below, report the same back, and recommend that it be not adopted.

CAMRON, Chairman.

WHEREAS, Wm. Hynes, John Boak, R. A Hall, and H. O. Johnson, Porters of this House, served as such Porters from the fifth to the seventh of January, eighteen hundred and eighty, at which latter time their appointment was formally announced; and, whereas, they each have only received pay from said seventh day, leaving two days of four dollars per day due each of said Porters, therefore, be it

Resolved, That the sum of eight dollars be paid to each of said Porters out of the Contingent Fund of the Assembly.

The resolution adopted.

Also:

MR. SPEAKER: Your Committee on Attachés and Employés, to whom was referred the resolution below, report the same back to the Assembly, and recommend that it be not adopted.

CAMRON, Chairman.

Resolved, That the Controller be and he is hereby authorized to draw his warrant upon the Treasurer in favor of C. E. Wetmore, Clerk of the Committees on Education, Public Morals, Indian Affairs, and Retrenchment, for the sum of forty-five dollars, payable out of the fund for the contingent expenses of the Assembly, the same being for services rendered from January thirteenth to January twenty-second (nine days), for which he has received no compensation.

Resolution adopted.

Mr. Adams moved that Senate Bill No. 433—An Act relating to fishing in the waters of this State—be taken up.

Carried.

The bill read second time.

Mr. Maybell moved the bill be declared a case of urgency, and placed upon its final passage.

The roll was called, and the motion was lost by the following vote:

AYES—Messrs. Adams, Braunhart, Brown of Yuba, Bruner, Burns, Camron, Carr of Sacramento, Carr of Yuba, Chamberlain, Coffman, Cook, Cooper, Corcoran, Cuthbert, Downs, Estey, Finlayson, Garibaldi, Gaffey, Green, Hardy, Josselyn, Lane, Leadbetter, Maguire, Mathews, May, Maybell, McCallion, McCarty of Lake, McCarthy of San Francisco, McComas, McIntosh, Merry, Messenger, Morse, Mulholland, Nelson, Spencer, Tyler, Walker, Ward, Wason of Ventura, Wasson of Mono, Wattson, York, and Mr. Speaker—47.

NOES—Messrs. Anthony, Bass, Bennett, Brusie, Fox, Leach, Levee, Sherburne, Stanley, and Streeter—10.

Mr. May moved to take up Senate Bill No. 384—An Act to establish free public libraries and reading-rooms.

Carried.

The bill read second time.

Mr. May moved that the bill be declared a case of urgency, and put upon its final passage.

Mr. Adams moved to strike out the enacting clause of the bill.

The ayes and noes were demanded by Messrs. Downs, Estey, and York.

The roll was called, and the motion lost by the following vote:

AYES—Messrs. Adams, Bennett, Camron, Cuthbert, Downs, Estey, Hershey, Lane, and McCarty of Lake—9.

NOES—Messrs. Anthony, Bass, Braunhart, Brown of Sonoma, Brown of Yuba, Bruner, Burns, Carr of Sacramento, Carr of Yuba, Chamberlain, Corcoran, Dimond, Fox, Frink, Gaffey, Green, Hardy, Hartson, May, Maybell, McCallion, McCarthy of San Francisco, McComas, McIntosh, Merry, Messenger, Morse, Mulholland, Nelson, Sherburne, Stanley, Streeter, Tyler, Walker, Ward, Wason of Ventura, Wasson of Mono, York, and Young—39.

The question recurred upon Mr. May's motion, which was withdrawn.

Mr. Braunhart moved the bill be made the special order for ten A. M. to-morrow.

Carried.

RESOLUTION.

By Mr. Camron:

Resolved, That J. H. Culver, Clerk of the Sergeant-at-Arms, be allowed twenty-four dollars for services rendered before his appointment, and to be performed after the adjournment of the Legislature, and that the Controller be authorized to draw his warrant on the State Treasurer for said sum of twenty-four dollars, payable out of the Contingent Fund of the Assembly.

Adopted.

Also:

Resolved, That the Controller be and he is hereby directed to draw his warrant on the Treasurer for the sum of fifty dollars, in favor of Wm. Eason, for services as Clerk of the Committee on Swamp and Overflowed Land, during the latter session, payable out of the Contingent Fund of the Assembly.

Adopted.

Mr. Lane moved that Senate Bill No. 343—An Act to provide for the permanent improvement of the State Capitol Park—be taken up.

Carried.
The bill read second time, and refused a third reading.

RECESS.

At the hour of five o'clock P. M. the House took a recess until seven o'clock P. M.

RE-ASSEMBLED.

House re-assembled at seven o'clock P. M.
Speaker Cowdery in the chair.
Quorum present.

RESOLUTIONS.

By Mr. Leach:

Resolved, That the Speaker of the Assembly be and he is hereby authorized to correct and approve the Journal of this House, so far as the same may remain uncorrected and unapproved at the time of the adjournment *sine die* of this session of the Legislature.

Adopted.
Also:

Resolved, That the Journal Clerks of the Assembly be authorized and directed to remain after the close of the session, to finish and complete the writing and comparing of the Assembly Journal, for which services they are hereby allowed the sum of fifty dollars, payable out of the Contingent Fund of the Assembly.

Adopted.
Mr. Fox in the chair.

REPORT OF A STANDING COMMITTEE.

By Mr. Sherburne:

ASSEMBLY CHAMBER, April 15th, 1880.

MR. SPEAKER: Your Committee on Engrossment have examined, and found correctly engrossed, Assembly Bill No. 99—An Act to amend section five hundred and ninety-six and six hundred and thirty-three of the Political Code, and to amend sections four hundred and fifty, and to repeal sections one hundred and fifty-one and four hundred and fifty-two of the Civil Code, relating to life insurance.

SHERBURNE, Chairman.

RESOLUTION.

By Mr. Tyler:

Resolved, That the Controller of State be and he is hereby directed to draw his warrant on the Treasurer for the sum of one hundred and fifty-two dollars, payable out of the Contingent Fund of the Assembly, to George W. Tyler, Chairman of Joint State Prison Committee, in trust for parties entitled thereto.

Adopted.

MESSAGE FROM THE SENATE.

The following Senate message was read:

SENATE CHAMBER, SACRAMENTO, April 14th, 1880.

MR. SPEAKER: I am directed to inform your honorable body that the Senate, on April thirteenth, passed Assembly Bill No. 324—An Act to amend section four thousand and twenty-six of the Political Code, relative to filling vacancies in Boards of Supervisors.

JOHN R. BRIERLY, Assistant Secretary.

WHEREAS, O. F. Freese, Porter for the Sergeant-at-Arms, served as such Porter from the sixth day of January to the eighth day of January inclusive, at which time his appointment was formally announced; and, whereas, he has only received pay from said eighth day of January leaving three days at three dollars per day unpaid, therefore, be it

Resolved, That the sum of nine dollars be paid him out of the Contingent Fund of the Assembly.

Adopted.

Mr Bruner moved a reconsideration of the vote by which an allowance of fifteen dollars was made for regulating the clocks of the Assembly Chamber.

Lost.

REPORT OF THE COMMITTEE ON CONFERENCE.

By Mr. Tyler:

MR SPEAKER Your Committee of Free Conference upon Assembly Bill No. 163, respectfully report that we have met and considered the matters submitted to us, and your committee unanimously recommend that the Senate recede from all its amendments, and that the bill become a law as passed by the Assembly.

GEO. W. TYLER, Chairman,
CHAS M. FOX,
C. HARTSON.
House Committee.

W J. HILL, Chairman,
JNO. H. DICKINSON,
GROVE L. JOHNSON,
Senate Committee.

Report adopted

SENATE MESSAGE.

The following message from the Senate was read:

SENATE CHAMBER, SACRAMENTO, April 15th, 1880.

MR SPEAKER: I am directed to inform your honorable body that the Senate, on this day, passed Senate Bill No 519—An Act appropriating one hundred dollars per month for the purpose of procuring suitable rooms for Hastings College of the Law

JOHN R. BRIERLY, Assistant Secretary.

The bill above mentioned read.

Mr. Braunhart moved that the bill be considered a case of urgency, and put upon its final passage.

The roll was called, and the motion was lost by the following vote

AYES—Messrs. Adams, Bass, Bennett, Braunhart, Brooks, Brown of Yuba, Bruner, Burns, Camron, Carr of Sacramento, Carr of Yuba, Chamberlain, Chandler, Cook, Dimond, Estey, Fox, Fink, Green, Hardy, Harris, Hartson, Hershey, Josselyn, Leadbetter, Magune, Mathews, May, McCallion, McCarty of Lake, McCarthy of San Francisco, McComas, McDade, McIntosh, Merry, Morse, Mulholland, Nelson, Sinon, Sherburne, Spencer, Stoddard, Streeter, Tyler, Ward, Wason of Ventura, Wattson, York, Young, and Mr. Speaker—42.

NOES—Messrs. Anthony, Brusie, Coffman, Corcoran, Downs, DuBrutz, Fraser, Garibaldi, Gafley, Levee, Stanley, and Sweetland—12.

The bill ordered to second reading.

Mr. Young moved to reconsider the vote by which the enacting clause of Senate Bill No. 343—An Act to provide for the permanent improvement of the State Capitol Park—was ordered stricken out.

Mr. York moved the rules be suspended, and the motion to reconsider be now considered.

Upon which the ayes and noes were demanded by Messrs. Carr of Sacramento, Adams, and Chamberlain.

The roll was called, and the motion was lost by the following vote:

AYES—Messrs Braunhart, Brown of Sonoma, Brown of Yuba, Bruner, Brusie, Carr of Sacramento, Carr of Yuba, Chamberlain, Chandler, Downs, Hartson, Hershey, Lane, Leadbetter, Magune, Mathews, May, McCallion, McCarty of Lake, McCarthy of San Francisco, McDade, McIntosh, Mulholland, Nelson, Sinon, Sweetland, Tyler, Valle Del, Walker, York, and Young—31.

NOES—Messrs. Adams, Anthony, Bass, Bennett, Burns, Camion, Coleman, Cook, Cooper, Corcoran, Cuthbert, DuBrutz, Estey, Felton, Fox, Fraser, Frink, Garibaldi, Gaffey, Green, Hardy, Josselyn, Leach, Levee, Maybell, McComas, Merry, Messenger, Morse, Sherburne, Spencer, Stanley, Stoddard, Streeter, Ward, Wason of Ventura, and Wattson—35.

REPORT OF THE COMMITTEE ON ENROLLMENT.

By Mr. Brooks:

MR. SPEAKER: Your Committee on Enrollment respectfully report that the following Assembly bills have been correctly enrolled: No. 260—An Act to amend an Act entitled "An Act to organize Levee District Number One of Sacramento County, and to provide for its government," approved March thirtieth, eighteen hundred and seventy-eight.

No. 415—An Act to provide for the establishment and maintenance of a Mining Bureau.

No. 543—An Act to define, regulate, and govern the State Prisons of California.

No. 329—An Act to amend section two of an Act entitled "An Act to amend an Act to incorporate the City of Oakland," passed March twenty-fifth, eighteen hundred and fifty-four, and repealing certain other Acts in relation to said city, approved April twenty-fourth, eighteen hundred and sixty-two.

No. 527—An Act to amend section three thousand six hundred and sixty-three of the Political Code, relating to revenue.

No. 134—An Act to amend section three hundred and one of the Penal Code, in relation to keeping open places of business on Sunday.

No. 28—An Act to amend an Act entitled an Act to amend section two hundred and ninety-nine of the Civil Code of California, as approved March twenty-second, eighteen hundred and seventy-eight.

No. 130—An Act to amend section seven hundred and ninety-one, of the Political Code, relating to Notaries Public.

No. 557—An Act to provide an additional Judge of the Superior Court for the County of Mono.

No. 149—An Act to amend an Act entitled an Act concerning actions for libel and slander, approved March twenty-third, eighteen hundred and seventy-two.

No. 324—An Act to amend section four thousand and twenty-six of the Political Code, relative to filling vacancies in Boards of Supervisors.

No. 100—An Act to amend an Act to provide for the incorporation of mutual insurance companies, for the insurance of life and health, and against accidents, approved April second, eighteen hundred and sixty-six.

No. 158—An Act making appropriation for deficiency for the thirtieth and thirty-first fiscal years, for payment of armory rents, purchase of arms, and other expenses of the National Guard of California—and the same were this day, April fifteenth, eighteen hundred and eighty, presented to the Governor for his approval.

BROOKS, Chairman.

The House took up the report of the Committee on Conference on Assembly Bill No. 163, and the question being upon the adoption thereof, the ayes and noes were demanded by Messrs. Braunhart, Sinon, and Levee.

The roll was called, and the report of the committee was adopted by the following vote:

AYES—Messrs Adams, Anthony, Bass, Bennett, Brown of Sonoma, Brown of Yuba, Bruner, Brusie, Camion, Carr of Yuba, Chamberlain, Chandler, Cook, Cooper, Dimond, Estey, Fox, Fraser, Frink, Green, Hardy, Hartson, Hershey, Leach, Leadbetter, Levee, Maguire, May, McCarty of Lake, McCarthy of San Francisco, McComas, McIntosh, Merry, Messenger, Morse, Mulholland, Sherburne, Stanley, Stoddard, Streeter, Sweetland, Tyler, Valle Del, Walker, Ward, Wattson, Young, and York—48.

NOES—Messrs. Braunhart, Burns, Carr of Sacramento, Coffman, Coleman, Corcoran, Cuthbert, Downs, Garibaldi, Gaffey, Josselyn, Lane, Mathews, Maybell, McCallion, Nelson, Sinon, and Wason of Ventura—18.

Speaker Cowdery in the chair.
Mr. Lane in the chair.

RECESS.

The House took a recess for ten minutes.

RE-ASSEMBLED.

The House re-assembled.
Mr. Lane in the chair.
Quorum present.

SENATE MESSAGE.

The following Senate message was read:

SENATE CHAMBER, SACRAMENTO, April 15th, 1880.

MR. SPEAKER: I am directed to inform your honorable body that the Senate, on this day, passed Assembly Bill No. 567—An Act to amend section two hundred and ninety of the Civil Code, in regard to articles of incorporation.

Also, Assembly Bill No. 590—An Act to amend section three thousand seven hundred and forty-six of the Political Code.

J. A. ORR, Assistant Secretary.

REPORT OF A STANDING COMMITTEE.

By Mr. Brooks:

MR. SPEAKER. Your Committee on Enrollment respectfully report that the following Assembly bills have been correctly enrolled. No. 505—An Act to grant to certain parties therein named the right of way for a railroad from the Town of Truckee, Nevada County, to the Town of Quincy, Plumas County.

No. 112—An Act to repeal sections two, three, and six, and to amend section four, of an Act to provide for the payment of certain bonds of the County of Lake, approved March twenty-eighth, eighteen hundred and seventy-four, in relation to an Assessor and Collector.

No. 459—An Act to regulate and provide for a day of rest in certain cases.

And the same were, at ten o'clock P. M. this day, April fifteenth, eighteen hundred and eighty, presented to the Governor for his approval.

BROOKS, Chairman.

Speaker Cowdery in the chair.

SENATE MESSAGES.

The following Senate message was read:

SENATE CHAMBER, SACRAMENTO, April 15th, 1880.

MR. SPEAKER: I am directed to inform your honorable body that the Senate, on April fifteenth, amended and passed Assembly Bill No. 574—An Act making appropriations for the support of the government of the State of California for the thirty-second fiscal year.

JAMES A. ORR, Assistant Secretary.

Senate amendments numbers one, two, three, four, five, six, seven, and eight, were read.

The roll was called, and the amendments were concurred in by the following vote:

AYES—Messrs. Bass, Bennett, Braunhart, Brown of Sonoma, Brown of Yuba, Bruner, Burns, Carr of Sacramento, Chamberlain, Chandler, Coffman, Coleman, Corcoran, Cuthbert, Downs, DuBrutz, Fox, Garibaldi, Gaffey, Green, Hartson, Hershey, Lane, May, McCallion, McCarty of Lake, McCarthy of San Francisco, McComas, McIntosh, Merry, Morse, Nelson, Sherburne, Spencer, Stanley, Stoddard, Streeter, Sweetland, Tyler, Valle Del, Walker, Ward, Wason of Ventura, York, Young, and Mr. Speaker—47.

NOES—Messrs. Anthony, Carr of Yuba, Estey, Levee, Maguire, and Maybell—6.

Senate amendment number nine, proposing to strike out all contained in line one hundred and fifty-four, viz.: "For pay of Attorney to the Board of Railroad Commissioners, five thousand dollars," was read, and the House refused to concur therein.

Senate amendments numbers ten, eleven, twelve, thirteen, fourteen, and fifteen, were read.

The roll was called, and the amendments concurred in by the following vote:

AYES—Messrs. Anthony, Bass, Bennett, Brannhart, Brown of Sonoma, Brown of Yuba, Bruner, Carr of Sacramento, Chamberlain, Chandler, Coleman, Cuthbert, Downs, Estey, Felton, Fox, Fraser, Frink, Garibaldi, Gaffey, Green, Hardy, Hershey, Lane, Leach, Leadbetter, Levee, Mathews, May, McCallion, McCarty of Lake, McCarthy of San Francisco, McComas, McDade, McIntosh, Merry, Morse, Nelson, Sherburne, Spencer, Stanley, Stoddard, Streeter, Sweetland, Tyler, Valle Del, Walker, Ward, Wason of Ventura, York, Young, and Mr. Speaker—52.

NOES—Messrs. Burns, Carr of Yuba, and DuBrutz—3.

The following Senate message was then read:

SENATE CHAMBER, SACRAMENTO, April 15th, 1880.

MR. SPEAKER. I am directed to inform your honorable body that the Senate, on this day, passed Assembly Bill No. 576—An Act to amend section three thousand seven hundred and thirteen of the Political Code.

JOHN R. BRIERLY, Assistant Secretary.

RECESS.

The House took a recess for one-half hour.

RE-ASSEMBLED.

Speaker Cowdery in the chair.
Quorum present.

RECESS.

At twelve o'clock and twenty minutes A. M. Mr. Felton moved to take a recess until nine o'clock and thirty minutes A. M. this day; to wit, April sixteenth, eighteen hundred and eighty.
Carried.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Friday, April 16th, 1880.

House re-assembled at nine o'clock and thirty minutes A. M.
Speaker Cowdery in the chair.
Roll called, and quorum present.
Prayer by the Chaplain.

REPORTS OF STANDING COMMITTEES.

By Mr. Brown of Yuba:

MR. SPEAKER: The Committee on Corporations, to whom was referred Senate Bill No 210 and Senate Bill No 315, have had the same under consideration, and report the same back to the Assembly without amendment, and without recommendation.

BROWN of Yuba, Chairman.

THIRD READING OF BILLS.

Senate Bill No. 433—An Act relating to fishing in the waters of this State.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Adams, Anthony, Brown of Sonoma, Brusie, Burns, Camron, Carr of Sacramento, Carr of Yuba, Chamberlain, Cook, Cooper, Cuthbert, Dimond, Downs, Estey, Fraser, Frink, Gaffey, Green, Josselyn, Lane, Leadbetter, Levee, Maguire, May, McCarty of Lake, McCarthy of San Francisco, McComas, McIntosh, Merry, Morse, Mulholland, Sayle, Sherburne, Spencer, Stanley, Stoddard, Sweetland, Valle Del, Walker, Ward, Wason of Ventura, Wasson of Mono, Wattson, York, and Young—46.

NOES—Messrs. Bass, Brown of Yuba, Bruner, Chandler, Hartson, Hershey, Messenger, and Nelson—8.

Title approved.

Senate Bill No 332—An Act to provide for the construction, maintenance, and regulation of fish-ways in streams naturally frequented by salmon, shad, or other migratory fish.

Read third time

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Adams, Anthony, Bass, Brown of Yuba, Bruner, Brusie, Carr of Sacramento, Carr of Yuba, Chamberlain, Chandler, Cook, Cooper, Cuthbert, Dimond, Estey, Fraser, Frink, Hartson, Josselyn, Leadbetter, Levee, Mathews, May, McCallion, McCarty of Lake, McCarthy of San Francisco, McComas, McIntosh, Merry, Messenger, Mulholland, Nelson, Sayle, Simon, Sherburne, Spencer, Stoddard, Sweetland, Tyler, Walker, Ward, Wason of Ventura, Wasson of Mono, Watson, York, and Young—47

NOES—Messrs. Bennett, Camron, Felton, Leach, and Mr. Speaker—5.

Title approved.

Senate Bill No. 526—An Act to pay the Society of California Pioneers rent for rooms for the Hastings College of the Law.

Taken up, rules suspended, and bill considered in the Assembly.

Read third time.

The roll called and the bill passed by the following vote:

AYES—Messrs Adams, Anthony, Bass, Bennett, Braunhart, Brown of Sonoma, Brown of Yuba, Brusie, Burns, Camron, Carr of Sacramento, Chamberlain, Cook, Dimond, Downs, DuBrutz, Estey, Frink, Hartson, Hershey, Josselyn, Lane, Leach, Leadbetter, Mathews, May, McCallion, McCarty of Lake, McCarthy of San Francisco, McIntosh, Merry, Morse, Mulholland, Nelson, Sayle, Simon, Sherburne, Spencer, Sweetland, Tyler, Walker, Ward, Wason of Ventura, Wasson of Mono, Wattson, York, Young, and Mr. Speaker—48.

NOES—None.

Title approved.

Senate Bill No. 384—An Act to establish free public libraries and reading rooms.

Taken up.

SENATE MESSAGE.

Pending the reading of above bill, the following Senate message was read:

SENATE CHAMBER, SACRAMENTO, April 16th, 1880.

MR. SPEAKER I am directed to inform your honorable body that the Senate, on April fifteenth, eighteen hundred and eighty, considered Assembly message with reference to Senate amendment number nine to Assembly Bill No. 574, and the Senate refused to recede from said amendment number nine.

Also, on April fifteenth, passed Assembly Bill No. 499—An Act to empower consolidated

cities and counties of over one hundred thousand inhabitants to make alterations to county prisons and county jails for sanitary purposes.

JOHN R. BRIERLY, Assistant Secretary.

Consideration of Senate message above.

The House adhered to its refusal to concur in Senate amendment number nine to Assembly Bill No. 574, and asked for a Committee on Conference.

The Speaker appointed Messrs. Del Valle, Braunhart, and Tyler as such committee on the part of the Assembly.

THIRD READING OF BILLS—RESUMED.

The consideration of Senate Bill No. 384—An Act to establish free public libraries and reading rooms—resumed.

The bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs Anthony, Bass, Bennett, Braunhart, Brown of Yuba, Brusie, Carr of Sacramento, Carr of Yuba, Chamberlain, Dimond, DuBrutz, Estey, Felton, Finlayson, Fox, Fink, Garibaldi, Gorley, Hartson, Hershey, Josselyn, Leach, Leadbetter, Maguire, May, McCallion, McCarty of Lake, McCarthy of San Francisco, McComas, McIntosh, Merry, Morse, Mulholland, Nelson, Sayle, Sherburne, Spencer, Stoddard, Streeter, Sweetland, Tyler, Walker, Ward, Wason of Ventura, Wattson, York, Young, and Mr. Speaker—48.

NOES—Messrs. Adams, Brown of Sonoma, Camron, Cook, and Downs—5.

Title approved.

REPORT OF SPECIAL COMMITTEE.

By Mr. McCarthy:

SACRAMENTO, April 16th, 1880.

MR. SPEAKER: The San Francisco delegation, to whom was referred Assembly Bill No. 281—An Act to amend the Political Code, respecting the health and quarantine regulations of the City and County of San Francisco, approved March ninth, eighteen hundred and seventy-eight.

Also, Assembly Bill No. 358—An Act to amend the Political Code, respecting the Board of Health of San Francisco.

Also, Assembly Bill No. 462—An Act concerning the burials of decedents within the limits of incorporated cities, or consolidated cities and counties, of one hundred thousand or more inhabitants.

Also, Assembly Bill No. 578—An Act to provide for the construction and maintenance of a fire boat in the harbor of every city in the State of California containing a population of one hundred thousand.

Have had the same under consideration, and return the same to the Assembly without recommendation.

McCARTHY, Chairman.

RESOLUTION.

By Mr. Nelson:

WHEREAS, Robt. Ferral, Mail Carrier, has incurred and paid for expressage in matter for the Assembly, a sum of five dollars, and whereas, he has not received the above amount; therefore, be it

Resolved, That the Controller draw his warrant in his favor on the Treasurer, payable from the Contingent Fund of the Assembly, for said sum of five dollars.

Adopted.

RECESS.

The House took a recess for one half hour.

RE-ASSEMBLED.

House re-assembled at ten o'clock and forty minutes A. M.

Speaker Cowdery in the chair.
Quorum present.

RESOLUTION.

By Mr. Fox:

Resolved, By the Assembly, the Senate concurring, that the hour of adjournment of the Twenty-third Session of the Legislature of California be and the same is hereby extended until twelve o'clock midnight of April sixteenth, eighteen hundred and eighty.

Upon which the ayes and noes were demanded by Messrs. Mathews, Gaffey, and May.

The roll was called, and the resolution was adopted by the following vote:

AYES—Messrs. Adams, Bass, Bennett, Braunhart, Brooks, Brown of Sonoma, Brown of Yuba, Bruner, Brusie, Camron, Carr of Sacramento, Chamberlain, Chandler, Coleman, Cook, Corcoran, Cuthbert, Downs, Estey, Felton, Finlayson, Fox, Fraser, Frink, Garibaldi, Green, Hardy, Hartson, Hershey, Lane, Leach, Leadbetter, May, McCarthy of San Francisco, McComas, McIntosh, Merry, Morse, Mulholland, Nelson, Sherburne, Stanley, Stoddard, Streeter, Sweetland, Tyler, Valle Del, Walker, Ward, Wason of Ventura, Wasson of Mono, Wattson, York, Young, and Mr. Speaker—55.

NOES—Messrs. Anthony, Burns, Carr of Yuba, Cooper, Dimond, DuBrutz, Gaffey, Levee, Maguire, Mathews, McCallion, Messenger, Sayle, and Spencer—13.

Mr. Del Valle moved to reconsider the vote by which the resolution was adopted.

The previous question was demanded.

Upon which the ayes and noes were demanded by the requisite number.

The roll was called, and the main question was ordered by the following vote:

AYES—Messrs. Adams, Bennett, Braunhart, Brown of Yuba, Bruner, Brusie, Carr of Sacramento, Chamberlain, Chandler, Coleman, Cook, Downs, Felton, Finlayson, Fox, Fraser, Frink, Garibaldi, Green, Hardy, Hartson, Leach, Leadbetter, Levee, May, McComas, McIntosh, Merry, Morse, Mulholland, Nelson, Sherburne, Stanley, Stoddard, Streeter, Sweetland, Tyler, Walker, Ward, Wason of Ventura, Wasson of Mono, Wattson, York, Young, and Mr. Speaker—45.

NOES—Messrs. Bass, Brooks, Burns, Camron, Carr of Yuba, Cooper, Corcoran, Dimond, DuBrutz, Estey, Gaffey, Hershey, Lane, Maguire, Mathews, Maybell, McCallion, McCarthy of San Francisco, Messenger, Sayle, Simon, Spencer, and Del Valle—23.

Mr. Del Valle moved a call of the House.

Upon which the ayes and noes were demanded by Messrs. Carr of Yuba, Cooper, and Braunhart.

The roll was called, and the motion lost by the following vote:

AYES—Messrs. Bass, Braunhart, Burns, Carr of Yuba, Cooper, DuBrutz, Gaffey, Levee, Maguire, Mathews, McCallion, McCarthy of San Francisco, Messenger, Sayle, Del Valle, and Ward—15.

NOES—Messrs. Adams, Bennett, Brooks, Brown of Yuba, Bruner, Brusie, Camron, Carr of Sacramento, Chamberlain, Chandler, Coleman, Dimond, Downs, Felton, Finlayson, Fox, Fraser, Green, Hardy, Hershey, Lane, Leach, Leadbetter, May, Maybell, McComas, McIntosh, Morse, Mulholland, Nelson, Sherburne, Spencer, Stanley, Streeter, Sweetland, Tyler, Walker, Wason of Ventura, Wasson of Mono, Wattson, York, Young, and Mr. Speaker—46.

The question recurred upon the motion to reconsider the vote by which the House adopted the concurrent resolution, extending the hour of adjournment *sine die*, until twelve o'clock midnight.

The roll was called, and the motion was lost by the following vote:

AYES—Messrs. Anthony, Bass, Braunhart, Burns, Carr of Yuba, Cook, Corcoran, Dimond, DuBrutz, Gaffey, Hershey, Lane, Levee, Maguire, Mathews, Maybell, McCallion, McCarty of

Lake, McCarthy of San Francisco, Messenger, Sayle, Simon, Spencer, Sweetland, and Valle Del —25.

Noes—Messrs. Adams, Bennett, Brooks, Brown of Sonoma, Brown of Yuba, Bunnel, Busse, Camron, Carr of Sacramento, Chamberlain, Chandler, Coleman, Cooper, Downs, Estey, Felton, Finlayson, Fox, Fraser, Frink, Green, Hardy, Hartson, Leach, Leadbetter, May, McConnas, McIntosh, Merry, Morse, Mulholland, Nelson, Sherburne, Stanley, Stoddard, Streeter, Tyler, Walker, Ward, Wason of Ventura, Wasson of Mono, Wattson, York, Young, and Mr. Speaker —46.

SENATE MESSAGE.

The following Senate message was read:

SENATE CHAMBER, SACRAMENTO, April 16th, 1880.

MR. SPEAKER: I am directed to inform your honorable body that the Senate, on this day, passed Assembly Bill No. 519—An Act to amend sections of the Political Code, contained in chapters one, two, three, four, and five, part four, title two, and to add other sections thereto, and to establish a system of county governments.

J. A. ORR, Assistant Secretary.

REPORT OF THE COMMITTEE ON ENROLLMENT.

By Mr. Brooks:

MR. SPEAKER: Your Committee on Enrollment respectfully report that the following Assembly Bills have been correctly enrolled: No. 567—An Act to amend section two hundred and ninety of the Civil Code, in regard to articles of incorporation.

No. 590—An Act to amend section three thousand seven hundred and forty-six of the Political Code.

No. 364—An Act to amend section two thousand nine hundred and fourteen of an Act entitled an Act to establish a Political Code, approved March twelfth, eighteen hundred and seventy-two, relating to wharves.

No. 99—An Act to amend sections five hundred and ninety-six and six hundred and thirty-three of the Political Code, and to amend sections four hundred and fifty, and to repeal sections four hundred and fifty-one and four hundred and fifty-two of the Civil Code, relating to life insurance.

No. 385—An Act to amend sections two thousand six hundred and forty-five, two thousand six hundred and forty-six, two thousand six hundred and forty-seven, two thousand six hundred and forty-nine, two thousand six hundred and fifty, two thousand six hundred and fifty-three, two thousand six hundred and fifty-seven, two thousand six hundred and fifty-nine, two thousand six hundred and sixty, two thousand six hundred and sixty-one, two thousand six hundred and sixty-two, two thousand six hundred and sixty-three, two thousand six hundred and sixty-four, two thousand six hundred and eighty-one, two thousand six hundred and eighty-five, two thousand six hundred and eighty-seven, two thousand six hundred and eighty-eight, two thousand six hundred and ninety-eight, two thousand seven hundred and three, two thousand seven hundred and six, two thousand seven hundred and seven, two thousand seven hundred and eight, two thousand seven hundred and ten, two thousand seven hundred and eleven, two thousand seven hundred and fourteen, two thousand seven hundred and twenty-four, two thousand seven hundred and twenty-five, two thousand seven hundred and twenty-six, two thousand seven hundred and twenty-nine, two thousand seven hundred and thirty-one, two thousand seven hundred and thirty-two, two thousand seven hundred and forty-three, two thousand seven hundred and forty-six, two thousand seven hundred and forty-seven, two thousand seven hundred and fifty-four, two thousand seven hundred and fifty-five, two thousand seven hundred and fifty-six, two thousand six hundred and forty-eight, two thousand six hundred and fifty-seven, two thousand six hundred and fifty-two, two thousand six hundred and fifty-four, two thousand six hundred and fifty-eight, two thousand six hundred and eighty-six, two thousand seven hundred and four, and two thousand seven hundred and fifty-seven, of the Political Code.

Also, Assembly Resolution, relative to the discontinuance of the letter service of Wells, Fargo & Co.

And the same were, this day, April sixteenth, eighteen hundred and eighty, presented to the Governor for his approval.

BROOKS, Chairman.

The question being, shall Mr. Tyler have leave to introduce a bill, the ayes and noes were demanded by Messrs. Tyler, York, and May.

SENATE MESSAGE.

The following Senate message was read:

SENATE CHAMBER, SACRAMENTO, April 16th, 1880.

MR SPEAKER I am directed to inform your honorable body that the Senate, on this day, passed Assembly Bill No 206—An Act for the relief of W. S Safford.

Also, on April thirteenth, amended, and April sixteenth, passed as amended, Assembly Bill No 211—An Act to amend sections nine hundred and ninety-five, one thousand and sixteen, one thousand and seventeen, one thousand and twenty, one thousand and twenty-three, and one thousand and forty-one of the Penal Code, relative to pleadings and proceedings after indictment and before the commencement of the trial.

JOHN R. BRIERLY, Assistant Secretary.

CONSIDERATION OF SENATE MESSAGE.

The Senate amendment to Assembly Bill No. 211—An Act to amend sections nine hundred and ninety-five, one thousand and sixteen, one thousand and seventeen, one thousand and twenty, one thousand and twenty-three, and one thousand and forty-one of the Penal Code, relative to pleadings and proceedings after indictment and before the commencement of the trial.

Read, the roll was called, and the Senate amendment to the bill was concurred in by the following vote:

AYES—Messrs. Adams, Anthony, Bass, Bennett, Brown of Yuba, Bruner, Brusie, Carr of Sacramento, Carr of Yuba, Chamberlain, Chandler, Cook, Cuthbert, Dimond, DuBrutz, Estey, Fox, Garibaldi, Gaffey, Green, Hardy, Harris, Hershey, Lane, Leadbetter, Levee, Maguire, Mathews, May, Maybell, McCallion, McCarty of Lake, McComas, Messenger, Morse, Mulholland, Simon, Sherburne, Streeter, Sweetland, Tyler, Walker, Ward, Wason of Ventura, Wattson, York, Young, and Mr. Speaker—48.

NOES—None.

The question recurred upon Mr. Tyler's request for leave to introduce a bill.

The roll was called, and the request was granted by the following vote:

AYES—Messrs Adams, Anthony, Bass, Bennett, Brown of Sonoma, Brown of Yuba, Bruner, Brusie, Carr of Sacramento, Carr of Yuba, Chamberlain, Chandler, Cook, Corcoran, Dimond, Downs, DuBrutz, Estey, Felton, Fox, Garibaldi, Gaffey, Green, Hardy, Harris, Hartson, Hershey, Leadbetter, Maguire, Mathews, May, Maybell, McCarty of Lake, McCarthy of San Francisco, McComas, McDade, McIntosh, Messenger, Morse, Mulholland, Nelson, Sayle, Simon, Sherburne, Spencer, Stoddard, Streeter, Sweetland, Tyler, Walker, Ward, Wason of Ventura, Wasson of Mono, Wattson, York, Young, and Mr. Speaker—57.

NOES—Messrs. Burns, Lane, Levee, and McCallion—4

INTRODUCTION OF A BILL.

By Mr. Tyler—An Act to appropriate one thousand dollars as a fund for the contingent expenses of the Assembly.

The bill read first time, and ordered printed.

SENATE MESSAGE.

SENATE CHAMBER, SACRAMENTO, April 16th, 1880.

MR. SPEAKER: I am directed to inform your honorable body that the Senate, on April 15th, amended and passed Assembly Bill No 212—An Act to amend sections one thousand and seventy-six, one thousand one hundred and twenty-five, one thousand one hundred and thirty, one thousand one hundred and fifty-one, one thousand one hundred and fifty-five, one thou-

sand one hundred and seventy-three, and one thousand one hundred and eighty-one, of the Penal Code, relative to proceedings after the commencement of the trial and before judgment.

Also, appointed as Committee on Conference for the Senate Messrs Moreland, Dickinson, and Neumann, on Assembly Bill No. 574, Senate amendment number nine.

J. A. ORR, Assistant Secretary.

REPORT OF COMMITTEE ON CONFERENCE.

By Mr. Del Valle:

MR. SPEAKER: Your Committee on Conference appointed to consider the disagreement between the Senate and Assembly on Senate amendment number nine to Assembly Bill No. 574, have had the same under consideration, and recommend that the Senate recede from said amendment.

R. F. DEL VALLE,
SAM L BRAUNHART,
GEO. W. TYLER,
Committee on Conference of Assembly.

W. W. MORELAND,
Committee on Conference of Senate.

The consideration of Senate message continued.

Assembly Bill No. 212 taken up, Senate amendments thereto read.

The roll was called, and the Senate amendments were concurred in by the following vote:

AYES—Messrs. Adams, Anthony, Bass, Bennett, Brown of Sonoma, Brown of Yuba, Bruner, Brusie, Burns, Camron, Carr of Yuba, Chandler, Coffman, Coleman, Cook, Corcoran, Downs, Estey, Fox, Fraser, Garibaldi, Gaffey, Green, Hardy, Harris, Hershey, Lane, Leach, Maguire, May, McCallion, McCarty of Lake, McCarthy of San Francisco, McComas, Merry, Morse, Mulholland, Nelson, Sherburne, Spencer, Stanley, Stoddard, Streeter, Tyler, Walker, Ward, Wasson of Mono, Wattson, Young, and Mr. Speaker—50.

NOES—None

SENATE MESSAGE.

The following Senate message was read:

SENATE CHAMBER, SACRAMENTO, April 16th, 1880.

MR. SPEAKER: I am directed to inform your honorable body that the Senate, on this day, concurred in Assembly Concurrent Resolution No 26—Relative to extending the time of adjournment *sine die* of the Twenty-third Session of the Legislature of California, till twelve o'clock midnight, April sixteenth, eighteen hundred and eighty.

JOHN R BRIERLY, *Assistant Secretary.*

Mr. Fox in the chair

Mr Spencer moved that Senate Bill No. 319—An Act to provide for the establishment of salmon hatching works on the San Joaquin River, or some tributary thereof, and to make an appropriation therefor—be taken up.

Carried.

Rules suspended.

The bill considered in the Assembly.

The bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Adams, Anthony, Bass, Braunhart, Brown of Sonoma, Brown of Yuba, Bruner, Brusie, Burns, Carr of Sacramento, Coffman, Cook, Corcoran, Downs, DuBrutz, Finlayson, Fink, Garibaldi, Gaffey, Green, Hardy, Hartson, Hershey, Leadbetter, Maguire, Mathews, May, McCallion, McCarty of Lake, McCarthy of San Francisco, McComas, McDade McIntosh, Merry, Morse, Mulholland, Nelson, Sayle, Simon, Sherburne, Spencer, Sweetland, Walker, Ward, Wason of Ventura, York, and Young—47.

NOES—Messrs. Bennett, Camron, Estey, Fox, Leach, and Streeter—6.

Title approved.

It appearing that Senate Bill No. 319, considered above, had not

been read second time, the above reading was declared to be its second reading.

Mr Spencer moved that Senate Bill No. 319—An Act to provide for the establishment of salmon hatching works on the San Joaquin River, or some tributary thereof, and to make an appropriation therefor—be considered a case of urgency, read, and put upon its final passage.

The roll was called, and the motion was lost by the following vote:

AYES—Messrs. Adams, Bass, Bennett, Braunhart, Brown of Sonoma, Brown of Yuba, Brusie, Burns Camron, Carr of Yuba, Chamberlain, Cook, Cooper, Corcoran, Dimond, Downs, DuBrutz, Fox, Frink, Gaffey, Green, Hartson, Lane, Levee, Mathews, May, McCallion, McCarty of Lake, McCarthy of San Francisco, McComas, McDade, McIntosh, Merry, Morse, Mulholland, Nelson, Sayle, Simon, Sherburne, Spencer, Stoddard, Sweetland, Walker, Ward, Wason of Ventura, Wasson of Mono, Wattson, York, and Young—49.

NOES—Messrs Anthony, Estey, Fraser, and Valle Del—4.

Mr. Corcoran moved to reconsider the vote by which the motion was lost.

Carried.

SENATE MESSAGE.

The following Senate message was read:

SENATE CHAMBER, SACRAMENTO. April 16th, 1880.

MR SPEAKER: I am directed to inform your honorable body that the Senate, on this day, adopted the report of the Conference Committee on Assembly Bill No 574—An Act making appropriation for the support of the Government of the State of California for the thirty-second fiscal year

Also, refused to adopt the Conference Committee's report on Assembly Bill No. 163.

Also, concurred in Assembly amendments to Senate Bill No 225—An Act to amend section one thousand three hundred and eighty-six of the Civil Code, relating to succession.

J. A ORR, Assistant Secretary.

The question recurred upon declaring Senate Bill No. 319 a case of urgency, and putting the bill upon its final passage.

The roll was called, and the motion was lost by the following vote:

AYES—Messrs Adams, Bass, Braunhart, Brown of Sonoma, Brown of Yuba, Burns, Carr of Sacramento, Carr of Yuba, Chamberlain, Cook, Corcoran, Cuthbert, Dimond, Downs, DuBrutz, Fox, Fraser, Frink, Garibaldi, Gaffey Hartson, Hershey, Mathews, Maybell, McCallion, McCarty of Lake, McCarthy of San Francisco, McComas, McDade, McIntosh, Mulholland, Nelson, Sayle, Simon, Sherburne, Spencer, Stoddard, Streeter, Sweetland, Tyler, Valle Del, Walker, Ward, Wason of Ventura, Wasson of Mono, Wattson, York, and Young—49.

NOES—Messrs. Anthony, Bennett, Brooks, Camron, Chandler, Finlayson, Leach, Levee, May, and Morse—10.

REPORT OF THE COMMITTEE ON ENROLLMENT.

By Mr. Brooks:

MR SPEAKER Your Committee on Enrollment respectfully report that the following Assembly bills have been correctly enrolled No. 519—An Act to amend sections four thousand, four thousand and three, four thousand and four, four thousand and six, four thousand and twenty-two, four thousand and twenty-three, four thousand and twenty-four, four thousand and twenty-five, four thousand and twenty-six four thousand and twenty eight, four thousand and twenty-nine, four thousand and forty-six, four thousand and eighty-seven, four thousand one hundred and three, four thousand one hundred and four, four thousand one hundred and nine, four thousand one hundred and fifteen, four thousand one hundred and sixteen, four thousand one hundred and nineteen, four thousand one hundred and sixty-five, four thousand one hundred and ninety-two, four thousand two hundred and four, four thousand two hundred and twenty-one, four thousand two hundred and fifty-six, four thousand three hundred and fourteen, four thousand three hundred and twenty-eight, four thousand three hundred and

twenty-nine, four thousand three hundred and forty-four, and to add two new sections, to be known as sections four thousand two hundred and two and four thousand three hundred and forty-eight, and to repeal sections four thousand and five, four thousand and six, four thousand one hundred and five, four thousand one hundred and six, four thousand one hundred and twenty-seven, four thousand and eighty, four thousand one hundred and ten, four thousand one hundred and eleven, four thousand one hundred and thirty-four, and four thousand three hundred and four of the Political Code, to establish a system of county government.

No. 296—An Act for the relief of W. S. Safford.

No. 576—An Act to amend section three thousand seven hundred and thirteen of the Political Code.

No. 499—An Act to empower consolidated cities and counties of over one hundred thousand inhabitants to make alterations to County Prisons and County Jails for sanitary purposes.

And the same were this day, April sixteenth, eighteen hundred and eighty, presented to the Governor for his approval.

BROOKS, Chairman.

RECESS.

Mr. Morse moved that the House take a recess until two o'clock P. M. Carried.

RE-ASSEMBLED.

House re-assembled at two o'clock P. M.
Speaker Cowdery in the chair.
Quorum present.
Mr. Tyler in the chair.

MESSAGE FROM THE GOVERNOR.

The following message from the Governor was read.

STATE OF CALIFORNIA, EXECUTIVE DEPARTMENT,
SACRAMENTO, April 16th, 1880.

To the Assembly of the State of California:

I have to inform your honorable body that I have approved Assembly Bill No. 577—An Act to provide for the payment of the salaries and traveling expenses of the State Board of Equalization, and the Clerk thereof, and for postage and contingent expenses of said Board, for the thirty-first fiscal year, ending June thirtieth, eighteen hundred and eighty.

Also, Assembly Bill No. 374—An Act for the promotion of the viticultural industries of the State.

Also, Assembly Bill No. 354—An Act entitled an Act to provide for the protection of lands from overflow other than lands recognized as swamp lands.

Also, Assembly Bill No. 277—An Act making appropriation for deficiency in the appropriation for the permanent improvement of the State Capitol grounds lying east of the State Capitol building.

Also, Assembly Bill No. 589—An Act to provide for the erection of a building for the insane at the State Insane Asylum at Stockton.

Also, Assembly Bill No. 118—An Act to amend section one thousand three hundred and eighteen of an Act entitled "An Act to establish a Code of Civil Procedure," approved March eleventh, eighteen hundred and seventy-two, relative to the contesting of the probate of wills.

Also, Assembly Bill No. 489—An Act to amend sections one thousand nine hundred and seventeen, one thousand nine hundred and thirty-four, one thousand nine hundred and thirty-nine, one thousand nine hundred and forty-one, one thousand nine hundred and fifty-five, one thousand nine hundred and sixty, one thousand nine hundred and seventy-three, one thousand nine hundred and seventy-four, one thousand nine hundred and seventy-five, one thousand nine hundred and eighty-two, one thousand nine hundred and eighty-six, one thousand nine hundred and ninety, one thousand nine hundred and ninety-two, two thousand and twenty-two, two thousand and twenty-eight, two thousand and thirty-nine, two thousand and fifty-nine, two thousand and ninety-five, two thousand and ninety-nine, two thousand and seventy-seven, one thousand nine hundred and forty, one thousand nine hundred and seventy, one thousand nine hundred and sixty-two, one thousand nine hundred and sixty-five, two thousand and ninety-four, and two thousand one hundred and fourteen, of the Political Code of California, to repeal section one thousand nine hundred and seventy-five of said Code, approved March thirtieth, eighteen hundred and seventy-eight, and section one thousand nine hundred and ninety-one of said Code, and to add a new section to said Code, to be known and numbered as section one thousand nine hundred and seventy-seven, relating to the State militia.

Also, Assembly Bill No. 170—An Act to amend section five hundred and twenty-nine of the Code of Civil Procedure, in relation to injunctions.

Also, Assembly Bill No. 142—An Act to amend the Penal Code, by adding a new section thereto, to be known as section five hundred and thirty-six, relative to cheats

Also, Assembly Bill No. 185—An Act to amend section six hundred and nineteen of the Penal Code, relative to disclosing the contents of a telegraphic message.

Also, Assembly Bill No 64—An Act to amend sections three thousand four hundred and forty, and three thousand four hundred and ninety-four of the Political Code, relative to interest on deferred payments for State land

Also, Assembly Bill No. 543—An Act to define, regulate, and govern the State Prisons of California.

Also, Assembly Bill No. 134—An Act to amend section three hundred and one of the Penal Code, in relation to keeping open places of business on Sunday.

Also, Assembly Bill No 260—An Act to amend an Act entitled an Act to organize Levee District Number One, of Sacramento County, and to provide for its government, approved March thirtieth, eighteen hundred and seventy-eight

Also, Assembly Bill No. 527—An Act to amend section three thousand six hundred and sixty-three of the Political Code, relating to revenue.

Also, Assembly Bill No. 130—An Act to amend section seven hundred and ninety-one of the Political Code, approved March eighteenth, eighteen hundred and seventy-eight, relating to Notaries Public.

Also, Assembly Bill No 158—An Act making appropriation for deficiency for the thirtieth and thirty-first fiscal years, for payment of armory rents, purchase of arms, and other expenses of the National Guard of California.

Also, Assembly Bill No 580—An Act to protect the school districts of this State from injury during the year eighteen hundred and eighty, by the operation of section twelve, of article thirteen, of the Constitution

Also, Assembly Bill No 97—An Act to amend section four thousand two hundred and twenty-one of the Political Code, relating to the counting of money in the county treasury

Also, Assembly Bill No 112—An Act to repeal sections two, three, and six, and to amend section four of "An Act to provide for the payment of certain bonds of the County of Lake," approved March twenty-eighth, eighteen hundred and seventy-four, in relation to an Assessor and Collector

Also, Assembly Bill No 149—An Act to amend an Act entitled "An Act concerning actions for libel and slander," approved March twenty-third, eighteen hundred and seventy two.

Also, Assembly Bill No. 459—An Act to regulate and provide for a day of rest in certain cases.

GEO. C. PERKINS, Governor.

MESSAGES FROM THE SENATE.

The following Senate messages were read:

SENATE CHAMBER, SACRAMENTO, April 16th, 1880.

MR. SPEAKER I am directed to inform your honorable body that the Senate, on this day, passed Assembly Bill No 548—An Act to provide for the deficiency in the appropriation for repairs to State Capitol building and furniture during the thirty-first fiscal year.

Also, Assembly Bill No. 498—An Act to empower consolidated cities and counties of over one hundred thousand inhabitants to pay out of the General Fund demands for rent of Court-rooms and chambers for the Superior Courts, and of police stations, and for salaries of Janitors.

Also, adopted Assembly Concurrent Resolution No. 25, relative to swamp land districts.

J. A. ORR, Assistant Secretary.

SENATE CHAMBER, SACRAMENTO, April 16th, 1880.

MR. SPEAKER: I am directed to inform your honorable body that the Senate, on April twelfth and thirteenth amended, on April sixteenth passed, Assembly Bill No. 501—An Act to amend sections three hundred and thirty-two, three hundred and forty-three, three hundred and eighty-four, three hundred and eighty-five, three hundred and eighty-six, four hundred and eight, four hundred and seventeen, four hundred and nineteen, four hundred and twenty, four hundred and twenty-two, four hundred and thirty-eight, four hundred and forty, four hundred and forty-one, four hundred and fifty-five, four hundred and fifty-six, four hundred and seventy-one, four hundred and seventy-two, four hundred and eighty-four, four hundred and eighty-six, five hundred, five hundred and sixteen, two hundred and sixty-seven, three hundred and ninety-six, three hundred and ninety-seven, six hundred and twenty-eight, six hundred and twenty-nine, seven hundred and fifty-five, seven hundred and thirty-seven, seven *hundred and thirty-eight, seven hundred and thirty-nine, to add a new section, to be known as* section five hundred and fifteen, and to repeal sections four hundred and ninety-nine, six hundred and eighty-five, and four hundred and twenty-one of the Political Code, relating to salaries of State officers, deputies, and clerks.

JAMES A. ORR, Assistant Secretary.

Assembly Bill No. 501—An Act to amend sections three hundred and thirty-two, three hundred and forty-three, three hundred and eighty-four, three hundred and eighty-five, three hundred and eighty-six, four hundred and eight, four hundred and seventeen, four hundred and nineteen, four hundred and twenty, four hundred and twenty-two, four hundred and thirty-eight, four hundred and forty, four hundred and forty-one, four hundred and fifty-five, four hundred and fifty-six, four hundred and seventy-one, four hundred and seventy-two, four hundred and eighty-four, four hundred and eighty-six, five hundred, five hundred and sixteen, two hundred and sixty-seven, three hundred and ninety-six, three hundred and ninety-seven, six hundred and twenty-eight, six hundred and twenty-nine, seven hundred and fifty-five, seven hundred and thirty-seven, seven hundred and thirty-eight, seven hundred and thirty-nine, to add a new section, to be known as section five hundred and fifteen, and to repeal sections four hundred and ninety-nine, six hundred and eighty-five, and four hundred and twenty-one of the Political Code, relating to salaries of State officers, deputies, and clerks—taken up.

Senate amendments to sections one, four, five, and ten, and the Senate amendment adding a new section, to be known as section twenty-one, of the bill, and Senate amendments to sections twenty, twenty-one, twenty-three, twenty-four, twenty-five, twenty-six, twenty-seven, twenty-eight, thirty-one, thirty-four, and thirty-six, were read.

The roll was called, and the Senate amendments as above noted were concurred in by the following vote:

AYES—Messrs. Anthony, Bass, Bennett, Brooks, Brown of Yuba, Bruner, Brusie, Burns, Carr of Sacramento, Carr of Yuba, Chamberlain, Chandler, Coleman, Cuthbert, Downs, Finlayson, Fox, Fraser, Frink, Garibaldi, Gaffey, Hartson, Hershey, Leach, Mathews, May, McCallion, McCarthy of San Francisco, McComas, McDade, McIntosh, Merry, Mulholland, Nelson, Sherburne, Stoddard, Streeter, Sweetland, Tyler, Valle Del, Walker, Ward, Wason of Ventura, Wattson, York, Young, and Mr. Speaker—47.

NOES—Messrs. Adams, Cook, Harris, Maybell, McCarty of Lake, Morse, Spencer, and Stanley—8.

Mr. Fox moved that Assembly Bill No. 591—An Act to appropriate one thousand dollars to the fund for the contingent expenses of the Assembly for the twenty-third session—be taken up, declared a matter of urgency, read and put upon its final passage.

The roll was called, and the motion was carried by the following vote.

AYES—Messrs. Adams, Anthony, Bass, Bennett, Braunhart, Brooks, Brown of Sonoma, Brown of Yuba, Bruner, Brusie, Carr of Sacramento, Carr of Yuba, Chamberlain, Chandler, Coleman, Cook, Cuthbert, Downs, DuBrutz, Estey, Felton, Finlayson, Fox, Fraser, Frink, Garibaldi, Gaffey, Hartson, Hershey, Lane, Mathews, Maybell, McCallion, McCarty of Lake, McCarthy of San Francisco, McComas, McDade, McIntosh, Merry, Morse, Mulholland, Nelson, Sherburne, Spencer, Stanley, Stoddard, Streeter, Sweetland, Tyler, Valle Del, Walker, Ward, Wason of Ventura, Wasson of Mono, Wattson, York, and Young—57.

NOES—None.

The bill was read, the roll was called, and the bill passed by the following vote:

AYES—Messrs. Adams, Anthony, Bass, Bennett, Braunhart, Brooks, Brown of Yuba, Bruner, Brusie, Carr of Sacramento, Chamberlain, Chandler, Coleman, Cook, Cuthbert, Downs, DuBrutz, Felton, Finlayson, Fox, Fraser, Frink, Garibaldi, Gaffey, Hartson, Hershey, Leach, Maybell,

McCallion, McCarty of Lake, McCarthy of San Francisco, McDade, McIntosh, Morse, Mulholland, Nelson, Sherburne, Spencer, Stanley, Stoddard, Streeter, Sweetland, Tyler, Walker, Ward, Wason of Ventura, Wasson of Mono, Wattson, York, and Young—50.

Noes—Mr. Burns—1.

Title approved.

The rules suspended, the bill considered engrossed, and ordered transmitted to the Senate forthwith.

SENATE MESSAGES.

The following Senate messages were read:

SENATE CHAMBER, SACRAMENTO, April 16th, 1880.

MR. SPEAKER I am directed to inform your honorable body that the Senate, on this day, passed Assembly Bill No. 249—An Act amendatory of an Act entitled "An Act for the better protection of the stockholders in corporations formed under the laws of the State of California for the purpose of carrying on and conducting the business of mining," approved March thirtieth, eighteen hundred and seventy-four.

M. D. BORUCK, Secretary.

SENATE CHAMBER, SACRAMENTO, April 16th, 1880.

MR SPEAKER I am directed to inform your honorable body that the Senate, on April fourteenth, amended, and April sixteenth, passed Assembly Bill No 323—An Act to amend sections one thousand and forty-one, one thousand and fifty-three, one thousand and fifty-five, one thousand and eighty-three, one thousand and eighty-four, one thousand and ninety-seven, one thousand one hundred and six, one thousand one hundred and eight, one thousand one hundred and nine, one thousand one hundred and thirteen, one thousand one hundred and thirty, one thousand one hundred and forty-seven, one thousand two hundred and twenty-eight, one thousand two hundred and thirty, one thousand two hundred and thirty-two, one thousand two hundred and thirty-five, one thousand two hundred and thirty-six, one thousand two hundred and thirty-seven, one thousand two hundred and eighty-four, one thousand two hundred and eighty-eight, one thousand three hundred and ten, one thousand three hundred and eleven, and one thousand three hundred and forty-three, of the Political Code, relating to elections, and to repeal section one thousand and forty-two of said Code.

JAMES A. ORR, Assistant Secretary.

CONSIDERATION OF SENATE MESSAGE.

Assembly Bill No. 323—An Act to amend sections one thousand and forty-one, one thousand and fifty-three, one thousand and fifty-five, one thousand and eighty-three, one thousand and eighty-four, one thousand and ninety-seven, one thousand one hundred and six, one thousand one hundred and eight, one thousand one hundred and nine, one thousand one hundred and thirteen, one thousand one hundred and thirty, one thousand one hundred and forty-seven, one thousand two hundred and twenty-eight, one thousand two hundred and thirty, one thousand two hundred and thirty-two, one thousand two hundred and thirty-five, one thousand two hundred and thirty-six, one thousand two hundred and thirty-seven, one thousand two hundred and eighty-four, one thousand two hundred and eighty-eight, one thousand three hundred and ten, one thousand three hundred and eleven, and one thousand three hundred and forty-three, of the Political Code, relating to elections, and to repeal section one thousand and forty-two of said Code—taken up.

The Senate amendments to sections four and nineteen read.

The roll was called and the Senate amendments were concurred in by the following vote:

AYES—Messrs Adams, Anthony, Bass, Bennett, Braunhart, Brooks, Brown of Sonoma, Bruner, Brusie, Carr of Sacramento, Chamberlain, Chandler, Coleman, Cook, Downs, Estey, Felton, Fin-

lavson, Fox, Fraser, Frink, Garibaldi, Hartson, Leach, May, Maybell, McComas, McIntosh, Merry, Morse, Nelson, Sherburne, Stanley, Stoddard, Streeter, Sweetland, Tyler, Valle Del, Walker, Ward, Wason of Ventura, Wasson of Mono, Wattson, York, Young, and Mr. Speaker—46

NOES—Messrs. Burns, DuBrutz, Gaffey, Hershey, Lane, Maguire, Mathews, McCallion, McCarthy of San Francisco, and Spencer—10.

REPORT OF THE COMMITTEE ON ENROLLMENT.

By Mr. Brooks:

MR SPEAKER Your Committee on Enrollment respectfully report that the following Assembly Bills have been correctly enrolled No. 574—An Act making appropriations for the support of the government of the State of California for the thirty-second fiscal year.

No. 548—An Act to provide for the deficiency in the appropriation "for repairs to State Capitol building and furniture," during the thirty-first fiscal year

And the same were this day, April sixteenth, eighteen hundred and eighty, presented to the Governor for his approval.

BROOKS, Chairman.

Mr. Braunhart moved to reconsider the vote by which the Senate amendments were concurred in.

Upon which the ayes and noes were demanded by Messrs. Braunhart, Maybell, and Lane.

The roll was called, and the motion to reconsider was lost by the following vote:

AYES—Messrs. Anthony, Braunhart, Burns, Carr of Yuba, Cuthbert, DuBrutz, Gaffey, Harris, Hershey, Lane, Maguire, Mathews, Maybell, McCarthy of San Francisco, Sweetland, Valle Del, and Walker—17.

NOES—Messrs. Adams, Bennett, Brown of Yuba, Bruner, Brusie, Carr of Sacramento, Chamberlain, Chandler, Coleman, Dimond, Downs, Estey, Felton, Fox, Fraser, Frink, Garibaldi, Hartson, Leach, May, McComas, McIntosh, Morse, Nelson, Sherburne, Stanley, Stoddard, Streeter, Tyler, Ward, Wason of Ventura, Wasson of Mono, Wattson, York, Young, and Mr. Speaker—36.

RECESS.

Mr. Finlayson moved that the House take a recess until seven o'clock and thirty minutes P. M.

Carried.

RE-ASSEMBLED.

House re-assembled at seven o'clock and thirty minutes P. M.

Speaker Cowdery in the chair.

Quorum present.

Mr Coleman moved that Assembly Bill No. 501—An Act to amend sections three hundred and thirty-two, three hundred and forty-three, three hundred and eighty-four, three hundred and eighty-five, three hundred and eighty-six, four hundred and eight, four hundred and seventeen, four hundred and nineteen, four hundred and twenty, four hundred and twenty-two, four hundred and thirty-eight, four hundred and forty, four hundred and forty-one, four hundred and fifty-five, four hundred and fifty-six, four hundred and seventy-one, four hundred and seventy-two, four hundred and eighty-four, four hundred and eighty-six, five hundred, five hundred and sixteen, two hundred and sixty-seven, three hundred and ninety-six, three hundred and ninety-seven, six hundred and twenty-eight, six hundred and twenty-nine, seven hundred and fifty-five, seven hundred and thirty-seven, seven hundred and thirty-eight, seven hundred and thirty-nine, to add a new section, to be known as section five hundred and fifteen, and to repeal sections four hundred and ninety-nine, six hundred and eighty-five, and four hundred and twenty-one

of the Political Code, relating to salaries of State officers, deputies, and clerks—be taken up.

Carried.

The question being on concurring in Senate amendment number six to the bill, the roll was called, and the amendment was concurred in by the following vote:

AYES—Messrs Anthony, Bass, Braunhart, Bruner, Brusie, Burns, Carr of Sacramento, Carr of Yuba, Chamberlain, Chandler, Coleman, Downs, Estey, Finlayson, Fox, Fraser, Gafley, Hershey, Lane, Leach, Magune, Mathews, May, McCallion, McCarty of Lake, McIntosh, Merry, Moise, Mulholland, Nelson, Sherburne, Spencer, Stanley, Stoddard, Streeter, Sweetland, Tyler, Valle Del, Walker, Wason of Ventura, Wattson, York, Young, and Mr. Speaker—43.

NOES—None.

REPORT OF THE COMMITTEE ON CLAIMS.

By Mr. Merry:

ASSEMBLY CHAMBER, SACRAMENTO, April —, 1880.

MR. SPEAKER Your Committee on Claims, on yesterday, in reporting back several bills referred to them, inadvertently reported back, with a recommendation that it do not pass, Assembly Bill No. 485—An Act to pay the claims of the Board of Reclamation Fund Commissioners, C F Reed, E. N. Stout, and A S. Bender, and of G W Morgan, Secretary, John T. Morgan, Assistant Secretary, and Hiram Clock, porter of said Board.

Your committee deem it but justice to the parties above named to report that they had only heard a part of the evidence in behalf of said claim, and had not sufficient evidence before them to decide upon the merits of said claim, your committee, owing to the near close of the session, and the impossibility of obtaining further evidence at this time, feel constrained to report the said bill back to the House without recommendation

MERRY, Chairman.

MESSAGE FROM THE SENATE.

The following message was read:

SENATE CHAMBER, SACRAMENTO, April 16th, 1880.

MR SPEAKER I am directed to inform your honorable body that the Senate, on April 16th, passed Assembly Bill No. 591—An Act to appropriate one thousand dollars to the fund for the contingent expenses of the Assembly, for the twenty-third session.

JAMES A. ORR, Secretary.

MESSAGE FROM THE GOVERNOR.

The following message from the Governor was read:

STATE OF CALIFORNIA, EXECUTIVE DEPARTMENT,
SACRAMENTO, April 16th, 1880

To the Assembly of the State of California:

I have the honor to inform your honorable body that I have approved Assembly Bill No. 574—An Act entitled an Act making appropriations for the support of the government of the State of California, for the thirty-second fiscal year, with the exceptions of three items, from which I withhold my approval.

I have appended to said bill, at the time of signing it, a statement of the items to which I object, and the reasons therefor, a copy of which statement I herewith transmit to your body.

GEO. C PERKINS, Governor.

STATE OF CALIFORNIA, EXECUTIVE DEPARTMENT.

I approve this bill, with the exception of the following items, to wit

For the purpose of purchasing four hundred and two acres of land belonging to William Coombs, for the Branch Asylum at Napa, twelve thousand dollars

For deficiency in the appropriation for the support of State Prison for the thirty-first fiscal year, fifty-one thousand dollars.

For deficiency in the appropriation for the construction of the Branch State Prison at Folsom, nine thousand dollars.

I withhold my approval from said items for the reason that they are not germane to the subject matter of the Act, as expressed in the title, and therefore prohibited by the Constitution. The Constitution, section twenty-four, article four, provides that "every Act shall embrace but one subject, which subject shall be expressed in its title."

It is apparent from the title of this bill that the subject of this bill must be "appropriations for the support of the government for the thirty-second fiscal year," and none other. Two of the items to which I object are such as belong to the support of the government for the thirty-first fiscal year, and the other and first does not seem to be based on any law authorizing the purchase of the land, nor does such purchase seem to come within the definition of "support of the government," and are therefore inhibited by the Constitution.

GEO. C. PERKINS, Governor.

The question being, "Shall the appropriation of twelve thousand dollars for the purchase of four hundred and two acres of land belonging to William Coombs for the Branch Asylum at Napa become a law, notwithstanding the objections of the Governor?" the roll was called, the Governor's veto sustained, and the appropriation rejected by the following vote:

AYES—Messrs. Adams, and Brown of Sonoma—2.

NOES—Messrs. Anthony, Bass, Bennett, Braunhart, Brooks, Brown of Yuba, Bruner, Brusie, Burns, Cannon, Carr of Sacramento, Chamberlain, Chandler, Coleman, Cuthbert, Dimond, Downs, DuBrutz, Estey, Felton, Finlayson, Fox, Frink, Garibaldi, Gaffey, Hershey, Lane, Leach, May, Maybell, McCallion, McCarty of Lake, McCarthy of San Francisco, McComas, McDade, McIntosh, Merry, Morse, Mulholland, Nelson, Sayle, Simon, Sherburne, Spencer, Stanley, Stoddard, Streeter, Sweetland, Tyler, Valle Del, Walker, Ward, Wason of Ventura, Wasson of Mono, Wattson, York, Young, and Mr. Speaker—58.

The question being, "Shall the appropriation for the support of State Prison for the thirty-first fiscal year—fifty-one thousand dollars—become a law, notwithstanding the objections of the Governor?" the roll was called, and the Governor's veto was sustained, and the appropriation was rejected by the following vote:

AYES—Messrs. Bass, Bruner, Lane, McCarthy of San Francisco, and Young—5.

NOES—Messrs. Adams, Anthony, Bennett, Braunhart, Brooks, Brown of Sonoma, Brown of Yuba, Brusie, Burns, Cannon, Carr of Sacramento, Carr of Yuba, Chamberlain, Chandler, Cuthbert, Dimond, Downs, DuBrutz, Estey, Felton, Fox, Fraser, Frink, Garibaldi, Gaffey, Hershey, Maguire, May, Maybell, McCallion, McCarty of Lake, McComas, McDade, McIntosh, Merry, Messenger, Morse, Mulholland, Nelson, Sayle, Simon, Sherburne, Spencer, Stanley, Stoddard, Streeter, Sweetland, Tyler, Valle Del, Walker, Ward, Wason of Ventura, Wasson of Mono, Wattson, York, and Mr. Speaker—56.

The question being, "Shall the appropriation for the deficiency in the appropriation for the construction of the Branch State Prison at Folsom, of nine thousand dollars, become a law, notwithstanding the objections of the Governor?" the roll was called and the Governor's veto was sustained, and the appropriation was rejected by the following vote.

AYES—Messrs. Bass, Bruner, Burns, Lane, Maguire, Messenger, Tyler, and Young—8.

NOES—Messrs. Adams, Anthony, Bennett, Braunhart, Brown of Yuba, Brusie, Cannon, Carr of Sacramento, Chamberlain, Chandler, Coleman, Cuthbert, Dimond, Downs, DuBrutz, Estey, Felton, Fox, Fraser, Frink, Harris, Hershey, Leach, May, Maybell, McCallion, McCarty of Lake, McCarthy of San Francisco, McComas, McDade, McIntosh, Merry, Morse, Mulholland, Nelson, Sayle, Simon, Sherburne, Spencer, Stanley, Stoddard, Streeter, Sweetland, Valle Del, Walker, Ward, Wason of Ventura, Wasson of Mono, Wattson, York, and Mr. Speaker—51.

MESSAGE FROM THE GOVERNOR.

The following message from the Governor was read:

STATE OF CALIFORNIA, EXECUTIVE DEPARTMENT,
SACRAMENTO, April 16th, 1880.

To the Assembly of the State of California:

I have to inform your honorable body that I have approved Assembly Bill No. 557—An Act to provide an additional Judge of the Superior Court for the County of Mono.

Also, Assembly Bill No. 296—An Act for the relief of W. S. Safford.

Also, Assembly Bill No. 499—An Act to empower consolidated cities and counties of over one hundred thousand inhabitants, to make alterations to County Prisons and County Jails, for sanitary purposes.

Also, Assembly Bill No. 576—An Act to amend section three thousand seven hundred and thirteen of the Political Code.

Also, Assembly Bill No. 590—An Act to amend section three thousand seven hundred and forty-six of the Political Code.

Also, Assembly Bill No. 567—An Act to amend section two hundred and ninety of the Civil Code, in regard to articles of incorporation.

GEO. C. PERKINS, Governor.

Mr. Fox in the chair.

MESSAGE FROM THE SENATE.

Speaker Cowdery in the chair.
The following message was read:

SENATE CHAMBER, SACRAMENTO, April 16th, 1880.

MR. SPEAKER: I am directed to inform your honorable body that the Senate, on this day, refused to pass Assembly Bill No. 83—An Act to create a Bureau of Labor and Statistics of Land and Labor in the State of California.

Also, concurred in Assembly Concurrent Resolution No. 18, relative to the Act of Congress enabling honorably discharged soldiers and sailors, their widows and orphan children, to acquire homesteads on the public lands of the United States.

J. A. ORR, Assistant Secretary.

RESOLUTIONS.

By Mr. Carr of Yuba:

Resolved, That the engrossed copy of Assembly Concurrent Resolution No. 18 shall be treated in all respects as an enrolled copy, and the Committee on Enrollment are hereby authorized to present the said engrossed copy to the Speaker of the Assembly, President of the Senate, and the Governor, for their signatures.

Adopted.
By Mr. Leach:

Resolved, That the thanks of this Assembly be and they are hereby tendered to the Hon. Max Brooks, Chairman of the Committee on Enrollment, for the promptness with which he has secured and reported the enrollment of bills during the closing hours of the session.

Resolution adopted.
By Mr. Felton:

Resolved, That the thanks of this Assembly is hereby extended to Captain J. D. Young, State Superintendent of Printing, for the uniform attention he has at all times given to the wants of this body, and for his universal spirit of accommodation and courtesy extended to the individual members of this House.

Adopted.
Mr. Adams moved that Assembly Bill No. 332—An Act to amend section one hundred and ninety of the Penal Code, relative to the punishment of the crime of murder—be taken up.
Lost.

On motion of Mr. Merry, the vote was reconsidered and the bill ordered taken up.

SENATE MESSAGES.

The following Senate messages were read:

SENATE CHAMBER, SACRAMENTO, April 16th, 1880.

MR. SPEAKER: I am directed to inform your honorable body that the Senate, on April sixteenth, passed Assembly Joint Resolution No. 11—Asking congressional aid in behalf of a large number of settlers upon government land in what is known as the "Mussel Slough District," in Tulare County, California.

J. A. ORR, Assistant Secretary.

SENATE CHAMBER, SACRAMENTO, April 16th, 1880.

MR. SPEAKER: I am directed to inform your honorable body that the Senate, on April sixteenth, passed Assembly Bill No. 391—An Act prescribing the form of complaint in actions to recover delinquent taxes, and to authorize the bringing of suits therefor.

Also, Assembly Bill No. 368—An Act to declare the Klamath River navigable.

J. A. ORR, Assistant Secretary.

The consideration of Assembly Bill No. 332—An Act to amend section one hundred and ninety of the Penal Code—relative to the punishment of the crime of murder—resumed.

The bill read third time, amended and ordered printed.

At nine o'clock and fifteen minutes, Mr. Sweetland moved the House take a recess.

Lost.

The Speaker appointed Messrs. Young, Maguire, and Spencer, a committee to wait upon the Governor, and inform him that the Assembly would adjourn *sine die* at twelve o'clock midnight, and ascertain if he had any further communications to make to this body.

Messrs. Young, Maguire, and Spencer returned, and reported that the Governor would communicate with the Assembly by message in a few moments.

MESSAGE FROM THE GOVERNOR.

The following message was read:

STATE OF CALIFORNIA, EXECUTIVE DEPARTMENT,
SACRAMENTO, April 16th, 1880.

To the Assembly of the State of California:

I have to inform your honorable body that I have approved Assembly Bill No. 385—An Act to amend sections twenty-six hundred and forty-five (2645), twenty-six hundred and forty-six (2646), twenty-six hundred and forty-seven (2647), twenty-six hundred and forty-nine (2649), twenty-six hundred and fifty (2650), twenty-six hundred and fifty-three (2653), twenty-six hundred and fifty-seven (2657), twenty-six hundred and fifty-nine (2659), twenty-six hundred and sixty (2660), twenty-six hundred and sixty-one (2661), twenty-six hundred and sixty-two (2662), twenty-six hundred and sixty-three (2663), twenty-six hundred and sixty-four (2664), twenty-six hundred and eighty-one (2681), twenty-six hundred and eighty-five (2685), twenty-six hundred and eighty-seven (2687), twenty-six hundred and eighty-eight (2688), twenty-six hundred and ninety-eight (2698), twenty-seven hundred and three (2703), twenty-seven hundred and six (2706), twenty-seven hundred and seven (2707), twenty-seven hundred and eight (2708), twenty-seven hundred and ten (2710), twenty-seven hundred and eleven (2711), twenty-seven hundred and fourteen (2714), twenty-seven hundred and twenty-four (2724), twenty-seven hundred and twenty-five (2725), twenty-seven hundred and twenty-six (2726), twenty-seven hundred and twenty-nine (2729), twenty-seven hundred and thirty-one (2731), twenty-seven hundred and thirty-two (2732), twenty-seven hundred and forty-three (2743), twenty-seven hundred and forty-six (2746), twenty-seven hundred and forty-seven (2747), twenty-seven hundred and fifty-four (2754), twenty-seven hundred and fifty-five (2755) twenty-seven hundred and fifty-six (2756), and to repeal sections twenty-six hundred and forty-eight (2648), twenty-six hundred and fifty-one (2651), twenty-six hundred and fifty-two (2652), twenty-six hundred and fifty-four (2654), twenty-six hundred and fifty-eight (2658), twenty-six hundred and eighty-

six (2686), twenty-seven hundred and four (2704), and twenty-seven hundred and fifty-seven (2757), of the Political Code.

Also, Assembly Bill No. 498—An Act to empower consolidated cities and counties of over one hundred thousand inhabitants to pay out of the General Fund demands for rent of Court-rooms and Chambers for the Superior Courts, and of Police stations, and for salaries of Janitors.

Also, Assembly Bill No 364—An Act to amend section two thousand nine hundred and fourteen of an Act entitled an Act to establish a Political Code, approved March twelfth, eighteen hundred and seventy-two, relating to wharves.

Also, Assembly Bill No 415—An Act to provide for the establishment and maintenance of a Mining Bureau

Also, Assembly Bill No. 591—An Act to appropriate one thousand dollars to the fund for the contingent expenses of the Assembly for the twenty-third session.

Also, Assembly Bill No 323—An Act to amend sections one thousand and forty-one, one thousand and fifty-three, one thousand and fifty-five, one thousand and eighty-three, one thousand and eighty-four, one thousand and ninety-seven, one thousand one hundred and six, one thousand one hundred and eight, one thousand one hundred and nine, one thousand one hundred and thirteen, one thousand one hundred and thirty, one thousand one hundred and forty-seven, one thousand two hundred and twenty-eight, one thousand two hundred and thirty, one thousand two hundred and thirty-two, one thousand two hundred and thirty-three, one thousand two hundred and thirty-five, one thousand two hundred and thirty-seven, one thousand two hundred and eighty-four, one thousand two hundred and eighty-five, one thousand two hundred and eighty-eight, one thousand two hundred and ninety, one thousand three hundred and ten, one thousand three hundred and eleven, and one thousand three hundred and forty-three of the Political Code, relating to elections, and to repeal section one thousand and forty-two (1042) of said Code.

GEO. C PERKINS, Governor.

REPORT OF COMMITTEE ON ENROLLMENT.

By Mr. Brooks:

MR. SPEAKER Your Committee on Enrollment respectfully report that the following Assembly bills have been correctly enrolled No. 498—An Act to empower consolidated cities of over one hundred thousand inhabitants to pay out of the General Fund demands for rent of Court-rooms and Chambers for the Superior Courts and of Police Stations, and for salaries of Janitors.

No. 212—An Act to amend sections one thousand and seventy-six, one thousand one hundred and twenty-five, one thousand one hundred and fifty-one, one thousand one hundred and fifty-five, and one thousand one hundred and eighty-one of the Penal Code, relative to proceedings after the commencement of the trial and before judgment

No. 211—An Act to amend sections nine hundred and ninety-five, one thousand and sixteen, one thousand and seventeen, one thousand and twenty, one thousand and twenty-three, and one thousand and forty-one of the Penal Code, relative to pleadings and proceedings after indictment and before the commencement of the trial.

No. 591—An Act to appropriate one thousand dollars to the fund for the contingent expenses of the Assembly for the twenty-third session

No. 323—An Act to amend sections one thousand and forty-one, one thousand and fifty-three, one thousand and fifty-five, one thousand and eighty-three, one thousand and eighty-four, one thousand and ninety-seven, one thousand one hundred and six, one thousand one hundred and eight one thousand one hundred and nine, one thousand one hundred and thirteen, one thousand one hundred and thirty, one thousand one hundred and forty-seven, one thousand two hundred and twenty-eight, one thousand two hundred and thirty, one thousand two hundred and thirty-two, one thousand two hundred and thirty-three, one thousand two hundred and thirty-five, one thousand two hundred and thirty-seven, one thousand two hundred and eighty-four, one thousand two hundred and eighty-five, one thousand two hundred and eighty eight, one thousand two hundred and ninety, one thousand three hundred and ten, one thousand three hundred and eleven, and one thousand three hundred and forty-three of the Political Code, relating to elections, and to repeal section one thousand and forty-two of said Code.

Assembly Concurrent Resolution No 18—Relative to the Act of Congress enabling honorably discharged soldiers and sailors, their widows and orphan children, to acquire homesteads on the public lands of the United States

Assembly Concurrent Resolution No 26—Relative to extending the time of adjournment *sine die* of the Twenty-third Session of the Legislature of California till twelve o'clock midnight, April sixteenth, eighteen hundred and eighty.

Assembly Concurrent Resolution No 25—Relative to swamp land districts

Assembly Bill No. 249—An Act amendatory of an Act entitled an Act for the better protection of the stockholders in corporations formed under the laws of the State of California for the purpose of carrying on and conducting the business of mining, approved March thirtieth, eighteen hundred and seventy-four

No. 501—An Act to amend sections three hundred and eighty-four, three hundred and eighty-five, three hundred and eighty-six, four hundred and seventeen four hundred and eighteen, four hundred and nineteen, four hundred and twenty, four hundred and twenty-two,

four hundred and thirty-eight, four hundred and thirty-nine, four hundred and forty, four hundred and forty-one, four hundred and fifty-five, four hundred and fifty-six, four hundred and seventy-one, four hundred and seventy two, four hundred and eighty-four, four hundred and eighty-five, four hundred and eighty-six, five hundred, five hundred and fourteen, five hundred and sixteen, two thousand one hundred and thirteen, two thousand one hundred and fourteen, two hundred and sixty-seven, three hundred and ninety-six, three hundred and ninety-seven, four hundred and fifty-seven, two thousand three hundred and two, two thousand three hundred and three, six hundred and twenty-eight, six hundred and twenty-nine, seven hundred and fifty-five, seven hundred and fifty-six, and to repeal sections four hundred and ninety-nine, six hundred and fifty-five, and four hundred and twenty-one, of the Political Code, relating to the salaries of State officers, deputies, and clerks.

And the same were, this day, April sixteenth, eighteen hundred and eighty, presented to the Governor for his approval.

BROOKS, Chairman.

RESOLUTION.

By Mr. Mathews:

Resolved, That the representative of the Sacramento Daily Bee has throughout the session been awarded a seat upon the floor of this Assembly. That the said paper has by unintelligent and indiscriminate abuse of the members of this body forfeited our respect, and has, in the opinion of this body, violated the hospitality extended to its representative.

Mr. Merry moved the resolution be adopted.

Mr. Tyler moved to lay the resolution on the table.

Upon which the ayes and noes were demanded by Messrs. Sweetland, Tyler, and McCallion.

The roll was called, and the motion was carried by the following vote:

AYES—Messrs. Adams, Anthony, Bennett, Braunhart, Brooks, Brown of Sonoma, Brown of Yuba, Brunet, Burns, Cameron, Carr of Sacramento, Carr of Yuba, Chamberlain, Chandler, Cook, Cuthbert, Dimond, DuBrutz, Estey, Finlayson, Fox, Frink, Gaffey, Lane, Maguire, May, Maybell, McCallion, McCarthy of San Francisco, McComas, McDade, McIntosh, Morse, Mulholland, Nelson, Sayle, Sherburne, Spencer, Stoddard, Sweetland, Tyler, Valle Del, Walker, Wattson, York, and Young—45

NOES—Messrs. Bass, Downs, Mathews, Merry, Streeter, and Wason of Ventura—6.

STATE OF CALIFORNIA, DEPARTMENT OF STATE,
SACRAMENTO, April 16th, 1880.

MR. SPEAKER: In compliance with a resolution passed by your honorable body on April fourteenth, eighteen hundred and eighty, I have the honor to submit herewith the accompanying statement of stationery furnished to members and committees of the Assembly.

D. M. BURNS, Secretary of State.

The statement above referred to read, and ordered printed in the Appendix to the Assembly Journal

The Secretary of the Senate appeared at the bar of the House, and announced that the Senate had concluded its business, and desired to know whether the Assembly had any further communication to make to the Senate.

Mr. Tyler moved that the Senate be informed that the Assembly has concluded its business, and has no further communication to make to the Senate.

Carried.

MESSAGE FROM THE SENATE.

The following Senate message was received:

SENATE CHAMBER, SACRAMENTO, April 16th, 1880.

MR. SPEAKER: I am directed to inform your honorable body that the Senate adopted the following resolution.

Resolved by the Senate, the Assembly concurring. That this Legislature adjourn *sine die* at eleven o'clock P. M. April sixteenth, eighteen hundred and eighty.

J. A. ORR, Assistant Secretary.

CONSIDERATION OF SENATE MESSAGE.

The above Senate Concurrent Resolution relative to adjourning *sine die* at eleven o'clock P. M., adopted.

REPORT OF COMMITTEE ON ENROLLMENT.

By Mr. Brooks:

MR. SPEAKER: Your Committee on Enrollment respectfully report that the following Assembly bills have been correctly enrolled: No. 368—An Act to declare the Klamath River navigable.

No. 391—An Act prescribing the form of complaint in actions to recover delinquent taxes, and to authorize the bringing of suits therefor.

Also, Assembly Joint Resolution No. 11.

And the same were this day, April sixteenth, eighteen hundred and eighty, presented to the Governor for his approval.

BROOKS, Chairman.

CLOSING REMARKS BY THE SPEAKER.

At eleven o'clock this Assembly will adjourn *sine die*. The work of its members—our work is done. If it be good, our constituents will say, "Well done." If not good then disapproval will follow us throughout our political future. If we have failed, it is consoling to know that the Constitution is not altogether blameless.

The Legislature was commanded to do in one hundred days what experience has shown could not be well done in that time. We were commanded to pass all necessary laws in one hundred days, or, if we chose to remain in session, to serve the State longer without compensation. As the State is powerful and rich, it was not expected that we remain in session over one hundred days, but we have each given her three days time, and hope our donation will be kindly received. This gift of valuable time should disarm criticism, as it would be ungenerous for the recipients of our bounty to "look a gift horse in the mouth." I have no word of *apology to offer for what has or has not been done. We have worked every day early and late,* even without the customary adjournment, and it affords me the greatest pleasure to put on record, in the Journals, this truth: no Legislature of this State ever met whose members worked more laboriously, in session and committee, to secure favorable, and, I may say, grateful remembrance by the people, than the members of this body. We have brought all the general laws of the State into harmony with the Constitution; I cannot now recall a thing we were positively commanded to do which remains to be done. No department of the government will remain inactive for the want of the machinery to impel it. Much valuable time has been lost in the enforced reading of bills three times at length. The time expended in the first reading is wasted. Nothing could be devised better calculated to bring the forms of law into contempt than the first reading of a bill. The Clerk reads, but no man listens whose time is of any value, as all know that a bill with its amendments must be printed for the use of its members, and read at length upon its final passage. No Court can compel a member to listen to page after page of description by metes and bounds of a Sacramento or San Joaquin swamp land district. The gray matter of the brain becomes paralyzed under such punishment, inflicted, as it is, hour after hour. Yet early in the session our Supreme Court decided that all such and other bills must be read three times at length, notwithstanding the Constitution says that they *must be read at length upon their final passage. It is to be regretted that the opinion of the* Supreme Court was ever asked. Legislative bodies, like men, have their moments of weakness.

It was said that this body was opposed to the Constitution, and that a majority was elected to mystify its provisions. Let the work of the majority be its judge.

The people spoke with a voice nearly unanimous against Chinese immigration and in favor of their emigration. To carry out the wishes of the people we have exhausted the power of the State in that direction, so the matter now rests with the Courts.

The revenue system has been perfected, the Courts set to work, and the conflict between the miners and farmers adjusted by a wise and generous system of State aid, to be expended exclusively in deepening the channels of our rivers, and preventing them from refilling.

We have perfected a law for the government of counties, cities, and towns, under which taxation will be greatly reduced.

The Railroad Commission and State Board of Equalization have been fully organized, and the government of our State Prisons placed in new hands.

As is usually the case with the presiding officer of the Assembly, my position has been very

trying and laborious. The record shows that my decisions as Speaker have been almost daily contested and appealed from, but they have always been sustained by a large majority. This indicates that through all the bitter struggles of party and faction I have had the confidence of my fellow members, a reward more highly valued than gifts of gold or silver ornaments

The officers and attachés have been faithful and attentive, and especially have the Clerks at the desk been true to their trust.

And now, as we are about to part, let us bid each other a kindly farewell, then returning to our homes forget all that has been out of the usual course, only remembering that which is good. With bright hopes for the future of our State, and abundance of good will toward all, I now declare this Assembly adjourned *sine die*.

At eleven o'clock P. M. the Speaker's gavel fell, and the Assembly of the twenty-third session adjourned *sine die*.