CALIFORNIA LEGISLATURE—ASSEMBLY.

THIRTIETH SESSION.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Monday, January 2, 1893.

Pursuant to the Constitution, at the hour of twelve o'clock M. the Assembly of the thirtieth session of the Legislature of the State of California was called to order by H. A. Mason, the Chief Clerk of the Assembly.

PRAYER.

Prayer was offered by Rev. P. R. Adams.

RESOLUTION.

Mr. Shanahan offered the following resolution, which was adopted:

Resolved, That each member take his seat and oath of office on the roll call, as presented by the Secretary of State.

ROLL CALL.

The credentials of members were then presented to the Chief Clerk. The roll was called, and the following members-elect presented themselves, and were duly qualified by taking the following oath of office, administered by the Hon. Matt. F. Johnson, Judge of the Superior Court of Sacramento County:

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 the office of Assemblyman to the best of my ability.

First District—Del Norte and Siskiyou: Thomas Duffy.
Second District—Humboldt: A. J. Bledsoe.
Third District—Humboldt: D. J. Johnson.
Fourth District—Tehama and Trinity: W. P. Mathews.
Fifth District—Shasta and Modoc: T. W. H. Shanahan.
Sixth District—Lassen, Plumas, and Sierra: Geo. Standart.
Seventh District—Butte: E. B. Price.
Eighth District—Yuba and Sutter: D. P. Durst.
Ninth District—Mendocino: C. W. Tindall.
Tenth District—Colusa, Glenn, and Lake: W. A. Vann.
Eleventh District—Yolo: I. W. Jacobs.
Twelfth District—Nevada: R. I. Thomas.
Thirteenth District—Placer: G. W. Hamilton.
Fourteenth District—El Dorado: R. S. Raw.
Fifteenth District—Amador: J. L. Sargent.
Sixteenth District—Sonoma: E. E. Drees.
Seventeenth District—Sonoma: J. C. Sims.
Eighteenth District—Napa: Owen Wade.
Nineteenth District—Solano: C. D. McCauley.
Twentieth District—Sacramento: W. A. Anderson.

Twenty-first District—Sacramento: H C. Chipman.
Twenty-second District—Sacramento: Eben B. Owen.
Twenty-third District—Marin. J. I. Taylor.
Twenty-fourth District—Contra Costa: H F. Emeric.
Twenty-fifth District—San Joaquin: J. M. LaRue.
Twenty-sixth District—San Joaquin: J. L. Hutson.
Twenty-seventh District—Calaveras: D J. B. Schroebel.
Twenty-eighth District—San Francisco. T. P. Cusick.
Twenty-ninth District—San Francisco W T Boyce
Thirtieth District—San Francisco: B. Conway
Thirty-first District—San Francisco: J J. Kennedy
Thirty-second District—San Francisco: John E Buckley.
Thirty-third District—San Francisco: M J. Hurley.
Thirty-fourth District—San Francisco: R J. Luttringer.
Thirty-fifth District—San Francisco J. G Gallagher.
Thirty-sixth District—San Francisco: J. Brownlie.
Thirty-seventh District—San Francisco. T W. Burke
Thirty-eighth District—San Francisco: B Schlesinger
Thirty-ninth District—San Francisco: Julius Kahn
Fortieth District—San Francisco: Ed. Godchaux
Forty-first District—San Francisco: J. M. Curtis
Forty-second District—San Francisco W Hendrickson.
Forty-third District—San Francisco: J. M Marks
Forty-fourth District—San Francisco: James McGowan.
Forty-fifth District—San Francisco: W. H Gately.
Forty-sixth District—Alameda H J. O'Neill
Forty-seventh District—Alameda A. Bretz
Forty-eighth District—Alameda J J. McElroy
Forty-ninth District—Alameda: H B. M Miller
Fiftieth District—Alameda G. J. Taggart
Fifty-first District—Alameda: C G. Dodge.
Fifty-second District—San Mateo. J. T. O'Keefe
Fifty-third District—Santa Cruz: P. R Adams.
Fifty-fourth District—Santa Clara H H Johnson
Fifty-fifth District—Santa Clara: A. G. Bennett
Fifty-sixth District—Santa Clara: Massey Thomas
Fifty-seventh District—Stanislaus and Merced: F H. Gould.
Fifty-eighth District—Tuolumne and Mariposa. B O Marston.
Fifty-ninth District—San Benito: J. H. Matthews.
Sixtieth District—Alpine, Inyo, and Mono: P H. Mack.
Sixty-first District—Monterey: S J. Duckworth.
Sixty-second District—Fresno: G W Mordecai.
Sixty-third District—Fresno H. J. T Jacobsen.
Sixty-fourth District—Tulare: F. A. Blakeley.
Sixty-fifth District—Tulare. W. H. Alford.
Sixty-sixth District—Kern. E A. Pueschel
Sixty-seventh District—San Luis Obispo. C. A Barlow.
Sixty-eighth District—Santa Barbara: W. L Talbott.
Sixty-ninth District—Ventura D. T Perkins.
Seventieth District—Los Angeles: C M. Simpson
Seventy-first District—Los Angeles. S. N. Androus.
Seventy-second District—Los Angeles: T. J. Kerns.
Seventy-third District—Los Angeles: F. G Finlayson
Seventy-fourth District—Los Angeles: C W. Pendleton.
Seventy-fifth District—Los Angeles R N. Bulla.
Seventy-sixth District—Orange. C. F Bennett
Seventy-seventh District—San Bernardino C O. Barker.
Seventy-eighth District—San Bernardino. J. C. Lynch.
Seventy-ninth District—San Diego: W H Carlson
Eightieth District—San Diego. W M Casterline.

CLERKS.

Chief Clerk H. A. Mason, Minute Clerk W. J. Randall, Sergeant-at-Arms H. J. McKusick, and Assistant Sergeant-at-Arms George E. Shinn were present in accordance with the terms of the law.

APPOINTMENTS.

The Chief Clerk announced that in accordance with the usual custom he had appointed the following attachés, not included in the list of

statutory officers, which were necessary to transact the business of temporary organization:

First Assistant Clerks ..... F. W. Whitmore and E. P Beaton.
Assistant Minute Clerk ..... W. T. Hamilton.
Journal Clerk ..... A. F Chapman.
Clerk to Sergeant-at-Arms ..... F. X. Hernandez.
Gatekeepers ..... M. J. Bucknam and G. B Johnson.
Watchmen ..... B. F. Currier and W. F. Fitzgerald.
Porters ..... I. N. Terrill and E L Slat.
Pages ..... Clarence Marchant, W. Howard, T. Cowen, and Eugene Farmer.

RESOLUTION.

By Mr. Mathews of Tehama:

Resolved, That the standing rules of the twenty-eighth session, as the same were first adopted, and without the subsequent amendments thereto, be and they are hereby adopted as the rules of this House, until otherwise ordered, with the following changes, to wit The figures "1893" shall be inserted in the place of the figures "1889," in the second line of the first rule, and the words "majority vote of the House" shall be inserted instead of the words "vote of the House," at the end of said rule one.

ADJOURNMENT.

At one o'clock P. M., Mr. Schlesinger moved to adjourn until eleven o'clock A. M. to-morrow.

Carried.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Tuesday, January 3, 1893.

The Assembly met pursuant to adjournment, and was called to order by Chief Clerk H. A. Mason.

ROLL CALL.

The roll was called, and the following members answered to their names:

Messrs Adams, Alford, Anderson, Androus, Barker, Barlow, Bennett of Santa Clara, Bennett of Orange, Blakeley, Bledsoe, Boyce, Bretz, Brownlie, Buckley, Bulla, Burke, Carlson, Casterline, Chipman, Conway, Curtis, Cusick, Dodge, Drees, Duckworth, Duffy, Durst, Emeric, Finlayson, Gallagher, Gately, Godchaux, Gould, Hamilton, Hendrickson, Hurley, Hutson, Jacobs, Jacobsen, Johnson of Humboldt, Johnson of Santa Clara, Kennedy, Kahn, Kerns, LaRue, Luttringer, Lynch, McCauley, McElroy, McGowan, Mack, Marks, Marston, Mathews of Tehama, Matthews of San Benito, Miller, Mordecai, O'Keefe, O'Neill, Owen, Pendleton, Perkins, Price, Pueschel, Raw, Sargent, Schlesinger, Schroebel, Shanahan, Simpson, Sims, Standart, Taggart, Talbott, Taylor, Thomas of Nevada, Thomas of Santa Clara, Tindall, Vann, and Wade.

Quorum present.

READING OF THE MINUTES.

Pending reading of the Journal, on motion of Mr. Shanahan, further reading was dispensed with.

Correction and approval of the Journal was deferred.

ELECTION OF SPEAKER.

The Chief Clerk announced that nominations for Speaker were in order.

Mr. Marks nominated Mr. F. H. Gould, of Merced.

Mr. Thomas, of Santa Clara, nominated Mr. A. Bretz, of Alameda.

The nomination of Mr. Gould was seconded by Messrs. Schlesinger and Alford.

Mr. Dodge nominated Mr. A. J. Bledsoe, of Humboldt.

The nomination of Mr. Bledsoe was seconded by Messrs. Kahn and O'Keefe.

MOTION.

Mr. Marks moved that nominations for Speaker be closed.

Carried.

The roll was called, with the following result:

For Gould—Messrs. Alford, Boyce, Brownlie, Buckley, Burke, Carlson, Conway, Curtis, Cusick, Drees, Duffy, Emeric, Finlayson, Gallagher, Gately, Godchaux, Hamilton, Hendrickson, Hurley, Hutson, Jacobs, Johnson of Santa Clara, Kennedy, LaRue, Luttringer, McCauley, McElroy, Mack, Marks, Marston, Mathews of Tehama, Matthews of San Benito, Mordecai, O'Neill, Price, Pueschel, Sargent, Schlesinger, Schroebel, Shanahan, Sims, and Tindall.

For Bledsoe—Messrs Anderson, Androus, Barker, Bennett of Santa Clara, Blakeley, Bulla, Casterline, Chipman, Dodge, Duckworth, Durst, Johnson of Humboldt, Kahn, Lynch, McGowan, Miller, O'Keefe, Owen, Pendleton, Perkins, Raw, Simpson, Standart, Talbott, Taylor, Thomas of Nevada, and Wade

For Bretz—Messrs Adams, Barlow, Bennett of Orange, Jacobsen, Kerns, Thomas of Santa Clara, and Vann

For Carlson—Mr. Bretz

Whole number of votes cast	77
Necessary to a choice	39
Mr. Gould received	42
Mr. Bledsoe received	27
Mr Bretz received	7
Mr Carlson received	1

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

MOTION.

Mr. Shanahan moved that a committee of three be appointed to escort Mr. Gould to the chair.

Carried.

APPOINTMENT OF COMMITTEE.

The Chief Clerk appointed as such committee, Messrs. Shanahan, Bledsoe, and Bretz.

OATH OF OFFICE.

Mr. Gould was escorted to the desk by Messrs. Shanahan, Bledsoe, and Bretz, and took the following oath of office:

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 Speaker of the Assembly of the thirtieth session of the California Legislature to the best of my ability.

Speaker Gould in the chair.

REMARKS BY SPEAKER GOULD.

GENTLEMEN AND MEMBERS OF THE ASSEMBLY OF THE THIRTIETH SESSION: To you, for the honor you have conferred upon me in electing me to this honorable position of Speaker of the Assembly of California at this session, I desire to extend my sincere and heartfelt thanks

It is a position, indeed, of honor, but with the honor thus conferred come also grave responsibilities Responsibilities to you—that every member of this Assembly in each of those things falling within the province prescribed by the duties of the Speaker toward the members of this Assembly shall receive just treatment These I shall at all times seek to discharge with impartiality and with courtesy

There are also other responsibilities of even greater importance resting on the Speaker of this body to the people of this State

These, fortunately for me, are not borne alone by your Speaker, but rest alike upon the shoulders of every one of the members of this body, and cannot be evaded It is by the faithful discharge of these obligations alone that we may expect to receive the commendation of our constituency and the State

This Assembly has been selected and convened under the Constitution of the State, composed of representatives of the people, not to register in the form of statutes our own ideas, but to put into effect, in the form of law, the will of the people of this State, and it is to that will we must continually look as the guide of our actions here.

It is no unimportant concern with which we have been intrusted, but one of vast and vital importance to the future welfare of this State, and it is to be hoped that each member of this Assembly is imbued with a sincere desire to faithfully effect whatever of good can be accomplished by us for this great and wealthy commonwealth.

The presence here as members elect of this body of the chosen representatives of four political organizations, even were we not familiar with the political history of this State during the last year, would be sufficient to convince us that this Legislature was elected under unusual and extraordinary circumstances Such was the case A sentiment and demand for reform in legislative matters has been abroad, and from this Legislature, selected under such circumstances, a patriotism and purity are expected that have not perhaps characterized some of the Legislatures of this State in the past

Whether these expectations will be realized or not, depends upon the action of each member of this body, and when the hands of the clock shall point to the hour of twelve on the night of its adjournment, our records will be made up finally, and we will return to our various homes, either with the respect and confidence of our constituents and the people, or in disgrace, meriting and receiving their contempt

It is for us to choose, but for my part let me cherish the hope that when this session shall have finally closed, when its records are finally made up, and we have returned to those who sent us here, that we may be, by our course here, entitled to receive that commendation justly pronounced on duties well performed, "Well done, good and faithful servants."

ELECTION OF SPEAKER PRO TEM.

Nominations for Speaker pro tem. were declared in order.

Mr. Mordecai placed in nomination W P. Mathews, of Tehama.

Mr. Price seconded the nomination of Mr. Mathews.

Mr. Barlow nominated C. F. Bennett, of Orange.

Mr. Barker nominated J. C. Lynch, of San Bernardino.

Mr. Bretz seconded the nomination of C. F. Bennett.

Mr. Pendleton seconded the nomination of J. C. Lynch.

The roll was called, with the following result:

For Mathews—Messrs Alford, Boyce, Brownlie, Buckley, Burke, Carlson, Conway, Curtis, Cusick, Drees, Duffy, Emeric, Finlayson, Gallagher, Gately, Godchaux, Hamilton, Hendrickson, Hurley, Hutson, Jacobs, Johnson of Santa Clara, Kennedy, LaRue, Luttringer, McCauley, McElroy, Mack, Marks, Marston, Matthews of San Benito, Mordecai, O'Neill, Price, Pueschel, Sargent, Schlesinger, Schroebel, Shanahan, Sims, Tindall, and Mr. Speaker

For Lynch—Messrs. Anderson, Androus, Barker, Bennett of Santa Clara, Blakeley, Bledsoe, Bulla, Castelhne, Chipman, Dodge, Duckworth, Durst, Johnson of Humboldt, Kahn, McGowan, Miller, O'Keefe, Owen, Pendleton, Perkins, Raw, Simpson, Standart, Talbott, Taylor, Thomas of Nevada, and Wade

For Bennett—Messrs Adams, Barlow, Bretz, Jacobsen, Kerns, Lynch, Thomas of Santa Clara, and Vann.

For Barlow—Mr Bennett of Orange.

Whole number of votes cast	78
Necessary to a choice	40
Mr Mathews received	42
Mr Lynch received	27
Mr Bennett received	8
Mr Barlow received	1

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

The oath of office was administered by Speaker Gould, as follows:

You do solemnly swear that you will support the Constitution of the United States and the Constitution of the State of California, and will faithfully discharge the duties of Speaker pro tem of the Assembly of the thirtieth session of the California Legislature to the best of your ability

ELECTION OF CHIEF CLERK.

Nominations for Chief Clerk were declared in order.

Mr. Johnson, of Santa Clara, placed in nomination Geo. W. Peckham, of San José.

Mr. Anderson nominated Thos. H. Berkey, of Sacramento.

Mr. Matthews, of San Benito, seconded the nomination of Geo. W. Peckham.

Mr. Bretz nominated H. A. Mason, of San José.

The roll was called, with the following result:

For Peckham—Messrs Alford, Boyce, Brownlie, Buckley, Burke, Carlson, Conway, Curtis, Cusick, Drees, Duffy, Emeric, Finlayson, Gallagher, Gately, Godchaux, Hamilton, Hendrickson, Hurley, Hutson, Jacobs, Johnson of Santa Clara, Kennedy, LaRue, Luttringer, McCauley, McElroy, Mack, Marks, Marston, Mathews of Tehama, Matthews of San Benito, Mordecai, O'Neill, Price, Pueschel, Sargent, Schlesinger, Schroebel, Shanahan, Sims, Tindall, and Mr. Speaker.

For Berkey—Messrs Anderson, Androus, Barker, Bennett of Santa Clara, Blakeley, Bledsoe, Bulla, Casterline, Chipman, Dodge, Duckworth, Durst, Johnson of Humboldt, Kahn, Lynch, McGowan, Miller, O'Keefe, Owen, Pendleton, Perkins, Raw, Simpson, Standart, Talbott, Taylor, Thomas of Nevada, and Wade.

For Mason—Messrs. Adams, Barlow, Bennett of Orange, Bretz, Jacobsen, Kerns, Thomas of Santa Clara, and Vann.

Whole number of votes cast	79
Necessary to a choice	40
Mr Peckham received	43
Mr. Berkey received	28
Mr. Mason received	8

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

ELECTION OF TWO ASSISTANT CLERKS.

Nominations for two Assistant Clerks were declared in order.

Mr. Mathews, of Tehama, nominated Myron Yager, of Tehama.

Mr. Schlesinger nominated E. J. Pringle, Jr., of Alameda.

Mr. Chipman nominated F. W. Whitmore, of Sacramento.

Mr. Owen nominated E. J. Smith, of San Francisco.

Mr. Barlow nominated S. M. Findley, of San Luis Obispo.

Mr. Bennett, of Orange, nominated E. D. Cook, of Orange.

The nominations were declared closed.

The roll was called, with the following result:

For Smith and Whitmore—Messrs. Anderson, Androus, Barker, Bennett of Santa Clara, Blakeley, Bledsoe, Bulla, Casterline, Chipman, Dodge, Duckworth, Durst, Johnson of Humboldt, Kahn, Lynch, McGowan, Miller, O'Keefe, Owen, Pendleton, Perkins, Raw, Simpson, Standart, Talbott, Taylor, Thomas of Nevada, and Wade

For Cook and Findley—Messrs. Adams, Barlow, Bennett of Orange, Bretz, Jacobsen, Kerns, Thomas of Santa Cruz, and Vann

For Pringle and Yager—Messrs Alford, Boyce, Brownlie, Buckley, Burke, Carlson, Conway, Curtis, Cusick, Drees, Duffy, Emeric, Finlayson, Gallagher, Gately, Godchaux, Hamilton, Hendrickson, Hurley, Hutson, Jacobs, Johnson of Santa Clara, Kennedy, LaRue, Luttringer, McCauley, McElroy, Mack, Marks, Marston, Mathews of Tehama, Matthews

of San Benito, Mordecai, O'Neil, Price, Pueschel, Sargent, Schlesinger, Schroebel, Shanahan, Sims, Tindall, and Mr Speaker

Whole number of votes cast	78
Necessary to a choice	40
Mr. Yager received	43
Mr Pringle received	43
Mr. Smith received	27
Mr. Whitmore received	27
Mr. Cook received	8
Mr Findley received	8

Messrs. Yager and Pringle having received a majority of all the votes cast, were declared elected Assistant Clerks of the Assembly.

ELECTION OF SERGEANT-AT-ARMS.

Nominations for Sergeant-at-Arms were declared in order.

Mr. Kennedy nominated Mr. Thomas E. Healy, of San Francisco.

Mr. Thomas, of Santa Clara, nominated George B. Johnson, of San José.

Mr. Bledsoe nominated Mr. McKusick, of Alameda

The nominations were declared closed.

The roll was called, with the following result.

For Healy—Messrs Alford, Boyce, Brownlie, Buckley, Burke, Carlson, Conway, Curtis, Cusick, Drees, Duffy, Emeric, Finlayson, Gallagher, Gately, Godchaux, Hamilton, Hendrickson, Hurley, Hutson, Jacobs, Johnson of Santa Clara, Kennedy, LaRue, Luttringer, McCauley, McElroy, Mack, Marks, Marston, Mathews of Tehama, Matthews of San Benito, Mordecai, O'Neill, Price, Pueschel, Sargent, Schlesinger, Schroebel, Shanahan, Sims, Tindall, and Mr Speaker

For McKusick—Messrs Anderson, Androus, Barker, Bennett of Santa Clara, Blakeley, Bledsoe, Bulla, Casterline, Chipman, Dodge, Duckworth, Durst, Johnson of Humboldt, Kahn, Lynch, McGowan, Miller, O'Keefe, Owen, Pendleton, Perkins, Raw, Simpson, Standart, Talbott, Taylor, Thomas of Nevada, and Wade.

For Johnson—Messrs. Adams, Barlow, Bennett of Orange, Bretz, Jacobsen, Kerns, Thomas of Santa Clara, and Vann

Whole number of votes cast	79
Necessary to a choice	40
Mr. Healy received	43
Mr. McKusick received	28
Mr. Johnson received	8

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

ELECTION OF MINUTE CLERK.

Nominations for Minute Clerk were declared in order.

Mr. Pueschel nominated Isidor Alexander, of Sacramento.

Mr. Vann nominated L. M. Landsborough, of Sacramento.

Mr. Anderson nominated W. J. Randall, of San Francisco.

The nominations were declared closed.

The roll was called, with the following result:

For Alexander—Messrs Alford, Boyce, Brownlie, Buckley, Burke, Carlson, Conway, Curtis, Cusick, Drees, Duffy, Emeric, Finlayson, Gallagher, Gateley, Godchaux, Hamilton, Hendrickson, Hurley, Hutson, Jacobs, Johnson of Santa Clara, Kennedy, LaRue, Luttringer, McCauley, McElroy, Mack, Marks, Marston, Mathews of Tehama, Matthews of San Benito, Mordecai, O'Neill, Price, Pueschel, Sargent, Schlesinger, Schroebel, Shanahan, Sims, Tindall, and Mr Speaker

For Randall—Messrs. Anderson, Androus, Barker, Bennett of Santa Clara, Blakeley, Bledsoe, Bulla, Casterline, Chipman, Dodge, Duckworth, Durst, Johnson of Humboldt, Kahn, Miller, O'Keefe, Owen, Pendleton, Perkins, Raw, Simpson, Standart, Talbott, Taylor, Thomas of Nevada, and Wade.

For Landsborough—Messrs Adams, Barlow, Bennett of Orange, Bretz, Jacobsen, Kerns, Thomas of Santa Clara, and Vann

Whole number of votes cast	77
Necessary to a choice	39
Mr. Alexander received	43
Mr. Randall received	26
Mr Landsborough received	8

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

RECESS.

At twelve o'clock and thirty minutes P. M. the Assembly took a recess until two o'clock P. M.

REASSEMBLED.

At two o'clock P. M. the Assembly reassembled.

Speaker Gould in the chair.

The roll was called and the following members answered to their names:

Messrs. Adams, Alford, Anderson, Androus, Barker, Barlow, Bennett of Santa Clara, Bennett of Orange, Bledsoe, Boyce, Bretz, Brownlie, Buckley, Bulla, Carlson, Casterline, Chipman, Conway, Curtis, Cusick, Dodge, Duckworth, Duffy, Emeric, Finlayson, Gately, Godchaux, Hamilton, Hendrickson, Hurley, Hutson, Jacobsen, Johnson of Santa Clara, Kennedy, Kahn, Kerns, LaRue, Luttringer, Lynch, McCauley, McElhoy, Mack, Marks, Mathews of Tehama, Matthews of San Benito, Miller, Mordecai, O'Keefe, O'Neill, Owen, Pendleton, Perkins, Pueschel, Raw, Sargent, Schlesinger, Schroebel, Simpson, Sims, Standart, Talbott, Taylor, Thomas of Nevada, Thomas of Santa Clara, Tindall, Wade, and Mr Speaker

Quorum present.

APPROVAL OF THE MINUTES.

Corrections in the Journal of yesterday were made as follows:

On page one, change "Prayer was offered by Rev. W. P. Adams," to "Prayer was offered by Rev. P. R. Adams"

On page two, before "Appointments," insert "Clerks. Chief Clerk H A Mason, Minute Clerk W. J. Randall, Sergeant-at-Arms H. J. McKusick, and George E Shinn, Assistant Sergeant-at-Arms, were present in accordance with the terms of the law."

On page three, line three, change "Ernest Farmer" to "Eugene Farmer." Also change "Resolution by Mr Matthews of San Benito," to "Resolution by Mr Mathews of Tehama."

Also, in line four of resolution, change the figures "1881" to "1889"

Also, on page two, Sixty-third District, change "H J L. Jacobsen" to "H J T Jacobsen." Eighteenth District, change "W. W Casterline" to "W. M Casterline"

On page one, Sixth District, change "Placer" to "Plumas" Also, Tenth District, after "Colusa" insert "Glenn."

On page two, Twenty-second District, after "Eben" insert "B." Also, Thirty-sixth District, change "J. M Brownlie" to read "J. Brownlie." Also, Seventy-third District, change "T G. Finlayson" to read "F. G Finlayson"

The Journal as corrected was approved.

LEAVE OF ABSENCE.

Mr. Wade was granted leave of absence for one day.

ELECTION OF ENGROSSING CLERK.

Nominations for Engrossing Clerk were declared in order.

Mr. Boyce nominated James Neil, of San Francisco.

Mr. Androus nominated John McDonald, of Pasadena.
Mr. Adams nominated A. E. Redstone, of San Francisco.
The roll was called, with the following result:

For Neil—Messrs Alford, Boyce, Brownlie, Buckley, Burke, Carlson, Conway, Curtis, Cusick, Duffy, Emeric, Finlayson, Gately, Godchaux, Hamilton, Hendrickson, Hurley, Hutson, Jacobs, Johnson of Santa Clara, Kennedy, LaRue, Luttringer, McCauley, McElroy, Mack, Marks, Marston, Mathews of Tehama, Matthews of San Benito, Mordecai, O'Neill, Price, Pueschel, Sargent, Schlesinger, Schroebel, Shanahan, Sims, Tindall, and Mr Speaker.

For McDonald—Messrs Anderson, Androus, Barker, Bennett of Santa Clara, Bledsoe, Bulla, Casterline, Chipman, Dodge, Duckworth, Kahn, Lynch, McGowan, Miller, O'Keefe, Owen, Pendleton, Perkins, Raw, Simpson, Standart, Talbott, Taylor, Thomas of Nevada, and Wade

For Redstone—Messrs Adams, Barlow, Bennett of Orange, Bretz, Jacobsen, Kerns, Thomas of Santa Clara, and Vann.

Whole number of votes cast	73
Necessary to a choice	37
Mr. Neil received	40
Mr. McDonald received	25
Mr Redstone received	8

Mr. James Neil having received a majority of all the votes cast, was declared elected Engrossing Clerk of the Assembly.

ELECTION OF JOURNAL CLERK.

Nominations for Journal Clerk were declared in order.
Mr. Marks nominated Frank Anaya, of Stanislaus.
Mr. Wade nominated A. F. Chapman, of San Francisco.
Mr. Vann nominated H. D. Barber, of Glenn.
The roll was called, with the following result:

For Anaya—Messrs Alford, Boyce, Brownlie, Buckley, Burke, Carlson, Conway, Curtis, Cusick, Drees, Duffy, Emeric, Finlayson, Gallagher, Gately, Godchaux, Hamilton, Hendrickson, Hurley, Hutson, Jacobs, Johnson of Santa Clara, Kennedy, LaRue, Luttringer, McCauley, McElroy, Mack, Marks, Marston, Mathews of Tehama, Matthews of San Benito, Mordecai, O'Neill, Price, Pueschel, Sargent, Schlesinger, Schroebel, Shanahan, Sims, Tindall, and Mr Speaker

For Chapman—Messrs Anderson, Androus, Barker, Bennett of Santa Clara, Bledsoe, Bulla, Casterline, Chipman, Dodge, Duckworth, Kahn, Lynch, McGowan, Miller, O'Keefe, Owen, Pendleton, Perkins, Raw, Simpson, Standart, Talbott, Taylor, Thomas of Nevada, and Wade

For Barber—Messrs. Adams, Barlow, Bennett of Orange, Bretz, Jacobsen, Kerns, Thomas of Santa Clara, and Vann.

Whole number of votes cast	76
Necessary to a choice	39
Mr Anaya received	43
Mr Chapman received	25
Mr Barber received	8

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

ELECTION OF ENROLLING CLERK.

Nominations for Enrolling Clerk were declared in order.
Mr. Shanahan nominated Felix Mulgrew, of Sonoma.
Mr. Kerns nominated A. B. Sanborn, of Sacramento.
Mr. Bledsoe nominated Dennis E. O'Keefe, of San Mateo.
The roll was called, with the following result:

For Mulgrew—Messrs. Alford, Boyce, Brownlie, Buckley, Burke, Carlson, Conway, Curtis, Cusick, Drees, Duffy, Emeric, Finlayson, Gallagher, Gately, Godchaux, Hamil-

ton, Hendrickson, Hurley, Hutson, Jacobs, Johnson of Santa Clara, Kennedy, LaRue, Luttringer, McCauley, McElroy, Mack, Marks, Marston, Mathews of Tehama, Matthews of San Benito, Mordecai, O'Neill, Price, Pueschel, Sargent, Schlesinger, Schroebel, Shanahan, Sims, Tindall, and Mr. Speaker.

For O'Keefe—Messrs Anderson, Androus, Barker, Bennett of Santa Clara, Bledsoe, Bulla, Casterline, Dodge, Duckworth, Kahn, McGowan, Miller, O'Keefe, Owen, Pendleton, Perkins, Raw, Simpson, Standart, Taggart, Talbott, Taylor, and Thomas of Nevada

For Sanborn—Messrs Adams, Barlow, Bennett of Orange, Bretz, Durst, Jacobsen, Kerns, Thomas of Santa Clara, and Vann

Whole number of votes cast	75
Necessary to a choice	38
Mr. Mulgrew received	43
Mr. O'Keefe received	23
Mr. Sanborn received	9

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

ELECTION OF POSTMISTRESS.

Nominations for Postmistress were declared in order.

Mr. Godchaux nominated Mrs. R. Elliott, of Sacramento.

Mr. Anderson moved that the nominations close.

Carried.

The roll was called, with the following result:

For Elliott—Messrs Alford, Anderson, Androus, Barker, Barlow, Bennett of Santa Clara, Bennett of Orange, Bledsoe, Boyce, Brownlie, Buckley, Bulla, Burke, Carlson, Casterline, Chipman, Conway, Curtis, Cusick, Dodge, Drees, Duckworth, Duffy, Durst, Emeric, Finlayson, Gallagher, Gately, Godchaux, Hamilton, Hendrickson, Hurley, Hutson, Jacobs, Jacobsen, Johnson of Humboldt, Johnson of Santa Clara, Kennedy, Kerns, LaRue, Luttringer, Lynch, McCauley, McElroy, McGowan, Mack, Marks, Marston, Mathews of Tehama, Matthews of San Benito, Miller, Mordecai, O'Keefe, O'Neill, Owen, Pendleton, Perkins, Price, Pueschel, Raw, Sargent, Schlesinger, Schroebel, Shanahan, Simpson, Sims, Standart, Taggart, Talbott, Taylor, Thomas of Nevada, Thomas of Santa Clara, Tindall, Vann, and Mr Speaker

Whole number of votes cast	75
Necessary to a choice	38
Mrs Elliott received	75

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

ELECTION OF ASSISTANT POSTMISTRESS.

Nominations for Assistant Postmistress were declared in order.

Mr. Schlesinger nominated Miss Lottie Rothschild, of San Francisco.

Mr. Lynch moved that the nominations for Assistant Postmistress be now closed.

Carried.

The roll was called, with the following result:

For Rothschild—Messrs Adams, Alford, Anderson, Androus, Barker, Barlow, Bennett of Santa Clara, Bennett of Orange, Bledsoe, Boyce, Bretz, Brownlie, Buckley, Bulla, Burke, Carlson, Casterline, Chipman, Conway, Curtis, Cusick, Dodge, Drees, Duckworth, Duffy, Durst, Emeric, Finlayson, Gallagher, Gately, Godchaux, Hamilton, Hendrickson, Hurley, Hutson, Jacobs, Jacobsen, Johnson of Humboldt, Johnson of Santa Clara, Kennedy, Kerns, LaRue, Luttringer, Lynch, McCauley, McElroy, McGowan, Mack, Marks, Mathews of Tehama, Matthews of San Benito, Miller, Mordecai, O'Keefe, O'Neill, Owen, Pendleton, Perkins, Price, Pueschel, Raw, Sargent, Schlesinger, Schroebel, Shanahan, Simpson, Sims, Standart, Taggart, Talbott, Taylor, Thomas of Nevada, Thomas of Santa Clara, Tindall, Vann, and Mr. Speaker

Whole number of votes cast	76
Necessary to a choice	39
Miss Lottie Rothschild received	76

Miss Rothschild having received a majority of all votes cast, was declared elected Assistant Postmistress of the Assembly.

RESOLUTION.

By Mr. Mathews of Tehama:

Resolved, That each of the elected officers of the Assembly, as now appears upon the records, be and they are hereby requested to appear before the bar of the Assembly and take the oath of office.

Adopted.

OATH OF OFFICE.

The officers-elect now came forward and took the following oath of office:

We do solemnly swear that we will support the Constitution of the United States and the Constitution of the State of California, and that we will faithfully discharge the duties of our respective offices to the best of our ability

RESOLUTIONS.

By Mr. Mathews of Tehama:

Resolved, That the Clerk be instructed to notify the Senate that the Assembly is organized by the election of the following officers:

F. H. Gould	Speaker.
W. P. Mathews	Speaker pro tem.
Geo. W Peckham	Chief Clerk.
Thos E Healy	Sergeant-at-Arms.
Myron Yager	Assistant Clerk.
E J. Pringle, Jr.	Assistant Clerk.
Isidor Alexander	Minute Clerk.
F. Anaya	Journal Clerk.
F. B. Mulgrew	Enrolling Clerk.
James Neal	Engrossing Clerk
Mrs R. Elliott	Postmistress.
Miss Lottie Rothschild	Assistant Postmistress.

And awaits its pleasure in legislative business.

Adopted.

By Mr. Kennedy:

Resolved, That H W. Conry be and he is hereby appointed Chaplain of the Assembly, and his per diem is hereby fixed at five dollars, payable out of the Contingent Fund of the Assembly

Referred to Committee on Attachés and Employés, when appointed.

By Mr. Finlayson:

Resolved, That a committee of three be appointed by the Speaker to notify his Excellency the Governor, that the Assembly is organized and awaits any communication he may have to make

Adopted.

APPOINTMENT.

The Speaker appointed as such committee to wait upon the Governor, Messrs. Finlayson, Bledsoe, and Bretz.

MOTIONS.

Mr. Bledsoe moved that the Speaker do now appoint a special committee of five members, with power to send for persons and papers, whose duty it shall be to inquire by what right or authority the legal custodian of the State Capitol building allows a saloon and restaurant to be maintained in the basement thereof, said committee to report the result of their investigation to this House.

Mr. Mathews moved that Mr. Bledsoe's motion in regard to the saloon in the Capitol basement be referred to the Committee on Public Morals, when appointed.

PREVIOUS QUESTION.

The previous question was demanded by Mr. Bledsoe, seconded by Messrs. Shanahan and O'Keefe.

The question being, "Shall the main question be now put?"

The ayes and noes were demanded by Messrs. Barlow, Vann, and Dodge.

The roll was called, and the previous question ordered by the following vote:

AYES—Messrs. Alford, Barlow, Boyce, Brownlie, Buckley, Burke, Carlson, Conway, Curtis, Cusick, Emeric, Finlayson, Gallagher, Gately, Godchaux, Hamilton, Hendrickson, Hurley, Hutson, Jacobs, Kennedy, LaRue, Luttringer, Lynch, McCauley, McElroy Mack, Marks, Marston, Mathews of Tehama, Mordecai, O'Neil, Pendleton, Price, Pueschel, Sargent, Schlesinger, Schroebel, Sims, Thomas of Santa Clara, Tindall, and Mr. Speaker—43.

NOES—Messrs. Adams, Anderson, Androus, Barker, Bennett of Santa Clara, Bennett of Orange, Bledsoe, Bretz, Bulla, Casterline, Chipman, Dodge, Drees, Duckworth, Duffy, Durst, Jacobsen, Johnson of Humboldt, Kahn, Kerns, McGowan, Matthews of San Benito, Miller, O'Keefe, Owen, Perkins, Shanahan, Simpson, Standart, Taggart, Talbott Taylor, Thomas of Nevada, and Vann—33

The question being upon Mr. Mathews' motion to refer to the Committee on Public Morals, the ayes and noes were demanded by Messrs. Barlow, Vann, and Bledsoe.

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

AYES—Messrs. Alford, Boyce, Brownlie, Buckley, Carlson, Conway, Curtis, Cusick Drees, Emeric, Finlayson, Gallagher, Gately, Godchaux, Hamilton, Hendrickson, Hurley, Hutson, Jacobs, Johnson of Santa Clara, Kennedy, LaRue, Luttringer, Lynch, McCauley, McElroy, Mack, Marks, Marston, Mathews of Tehama, Miller, O'Neill, Pendleton, Price, Pueschel, Sargent, Schlesinger, Schroebel, Sims, and Tindall—40

NOES—Messrs. Adams, Anderson, Androus, Barlow, Bennett of Santa Clara, Bennett of Orange, Blakeley, Bledsoe, Bretz, Bulla, Casterline, Chipman, Dodge, Duckworth, Duffy, Durst, Jacobsen, Johnson of Humboldt, Kahn, Kerns, Matthews of San Benito, Mordecai, O'Keefe, Owen, Perkins, Shanahan, Simpson, Standart, Taggart, Talbott, Taylor, Thomas of Nevada, Thomas of Santa Clara, Vann, and Mr Speaker—35.

RESOLUTION.

By Mr. Schlesinger:

Resolved, That a special committee of three be appointed by the Speaker to ascertain and report the amount due as mileage and per diem to the temporary officers and attachés of this session of the Assembly, and the per diem due the temporary officers for services rendered in the organization of the present House

Adopted.

APPOINTMENT OF COMMITTEE.

The Speaker appointed as special committee to report on mileage and per diem of the temporary officers, Messrs. Schlesinger, Lynch, and Price.

MESSAGE FROM THE SENATE.

SENATE CHAMBER, SACRAMENTO, January 3, 1893.

MR. SPEAKER: I am directed to inform your honorable body that the Senate, on this day, organized by election of the following officers:

President pro tem.	R. B. Carpenter.
Secretary	F. J. Brandon.
Sergeant-at-Arms	T. Rodgers.
Assistant Secretaries	R. Shaw and W. O. Bowen.
Minute Clerk	Ray G. Falk
Journal Clerk	L. J. Fontenrose
Enrolling Clerk	H. N. Campbell.
Engrossing Clerk	C. N. Ragsdale.
Assistant Sergeant-at-Arms	W. H. Rice.
Postmistress	Mrs. Abbie Atkinson.

F. J. BRANDON, Secretary of Senate.

REPORT OF COMMITTEE.

ASSEMBLY CHAMBER, SACRAMENTO, January 3, 1893.

MR. SPEAKER. Your committee appointed to wait upon the Governor and inform his Excellency that the Assembly is organized and awaits any communication he may have to make, begs leave to report that it has discharged that duty.

FINLAYSON, Chairman.

APPOINTMENT OF COMMITTEES.

The Speaker appointed as Committee on Mileage, Messrs. Drees, La-Rue, and Thomas of Nevada.

As Committee on Rules, Messrs. McElroy, Finlayson, Mathews, Lynch, and Kahn.

MESSAGE FROM THE GOVERNOR.

EXECUTIVE DEPARTMENT,
SACRAMENTO, CAL., January 3, 1893.

To the Assembly of the State of California:

I herewith transmit to your honorable body my first biennial message.

H. H. MARKHAM, Governor.

MOTION.

Mr. Shanahan moved that the reading of the Governor's message be dispensed with and that one thousand copies be ordered printed.

Carried.

ADJOURNMENT.

At four o'clock and thirty minutes P. M., on motion of Mr. Duckworth, the Assembly adjourned.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Wednesday, January 4, 1893.

The Assembly met pursuant to adjournment.

Speaker Gould in the chair.

The roll was called, and the following members answered to their names:

Messrs. Adams, Alford, Anderson, Androus, Barker, Barlow, Bennett of Santa Clara, Bennett of Orange, Blakeley, Bledsoe, Boyce, Bretz, Buckley, Bulla, Burke, Carlson, Casterline, Chipman, Conway, Curtis, Dodge, Drees, Duckworth, Duffy, Durst, Emeric, Finlayson, Gallagher, Godchaux, Hamilton, Hendrickson, Hurley, Hutson, Jacobs, Jacobsen, Johnson of Humboldt, Johnson of Santa Clara, Kennedy, Kahn, Lynch, McCauley, McElroy, McGowan, Mack, Marks, Marston, Mathews of Tehama, Matthews of San Benito, Miller, O'Keefe O'Neill, Owen, Pendleton, Perkins, Price, Pueschel, Raw, Sargent, Schlesinger, Schroebel, Shanahan, Simpson, Sims, Standart, Taggart, Talbott, Taylor, Thomas of Nevada, Thomas of Santa Clara, Tindall, Vann, and Mr Speaker.

Quorum present.

Prayer was offered by Rev. H. W. Conry.

READING OF THE MINUTES.

Pending the reading of the Journal of yesterday, Mr. Vann moved that the further reading be dispensed with.

So ordered.

Journal as corrected approved.

APPOINTMENT OF COMMITTEE.

The Speaker appointed the Committee on Elections and Privileges as follows: Messrs. Tindall, Schroebel, Alford, Brownlie, Kerns, Bulla, and Owen.

MOTION.

Mr. Bledsoe moved that a committee of three be appointed by the Speaker to wait upon the Mayor of the city of Sacramento, and the District Attorney of Sacramento County, relative to the sale of liquors in the State Capitol.

POINT OF ORDER.

Mr. Mathews raised a point of order that the subject-matter had been disposed of yesterday.

The Speaker ruled the point of order well taken.

APPEAL.

From which decision Mr. Bledsoe appealed to the Assembly.

THE CHAIR SUSTAINED.

The question being, "Shall the decision of the Chair stand as the judgment of the Assembly?" it was so ordered.

PETITION.

By Mr. Dodge: From members of the bar of Alameda County, favoring two additional Judges of the Superior Court in and for said county.
Referred to Committee on Judiciary.

ELECTION OF ASSISTANT SERGEANT-AT-ARMS.

Nominations for Assistant Sergeant-at-Arms were declared in order.
Mr. Schlesinger nominated John H. Wise, of San Francisco.
Mr. Bennett nominated F. L. Sexton, of Orange.
Mr. O'Keefe nominated Robert Simmons.
The roll was called, with the following result:

For Wise—Messrs. Alford, Boyce, Brownlie, Buckley, Burke, Carlson, Conway, Curtis, Cusick, Drees, Duffy, Emeric, Finlayson, Gallagher, Gately, Godchaux, Hamilton, Hendrickson, Hurley, Hutson, Jacobs, Johnson of Santa Clara, Kennedy, LaRue, Luttringer, McCauley, McElroy, Mack, Marks, Marston, Mathews of Tehama, Matthews of San Benito, Mordecai, O'Neill, Price, Pueschel, Sargent, Schlesinger, Schroebel, Shanahan, Sims, Tindall, and Mr. Speaker.

For Sexton—Messrs. Adams, Barlow, Bennett of Orange, Bretz, Jacobsen, Kerns, Thomas of Santa Clara, and Vann.

For Simmons—Messrs. Androus, Barker, Bennett of Santa Clara, Bledsoe, Bulla, Casterline, Chipman, Dodge, Duckworth, Durst, Kahn, Lynch, McGowan, Miller, O'Keefe, Owen, Pendleton, Perkins, Raw, Simpson, Standart, Talbott, Taylor, and Thomas of Nevada.

Whole number of votes cast	75
Necessary to a choice	38
J. H. Wise received	43
F. L. Sexton received	8
Robert Simmons received	24

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

RESOLUTIONS.

By Mr. Price:

Resolved, That the following persons be and they are hereby appointed to the positions set opposite their names, at the per diem now fixed by law, said per diem being payable out of the appropriation for the contingent expenses of the Assembly, and to commence from this date, January 4, 1893.

Third Assistant Clerk of Assembly.....John T. Ryan, of Solano.
Assistant Minute Clerks.....E. B. Ward, of Butte, and John Tatum, of San Benito.
Assistant Journal Clerks.....E. L. McAdams, of Calaveras, and J. Floyd Vickers, of Shasta.
Assistant Engrossing Clerks.....John Lynch, of Alameda, and J. L. Jordan, of Sonoma.
Assistant Enrolling Clerks.....M. E. Tannian, of San Francisco, and Charles P. Kearney, of Los Angeles.
Second Assistant Sergeant-at-Arms.....M. J. O'Donnell, of San Joaquin.
First Assistant Clerk to Sergeant-at-Arms.....M. H. Mead, of Sierra.
Second Assistant Clerk to Sergeant-at-Arms.....C. H. McGreevy, of San Francisco.

Adopted.

By Mr. Duffy:

Resolved, That J. D. Ennis be and he is hereby appointed Messenger between the Assembly Clerk's desk and the office of the Superintendent of State Printing, at a per diem of five dollars, said per diem being payable out of the appropriation for the contingent expenses of the Assembly.

Referred to Committee on Attachés and Employés.

By Mr. Sims:

Resolved, That the Secretary of State be authorized to purchase and pay for out of the contingent expenses of the Assembly, eighty-five copies of the latest pocket edition of the Codes of California.

Adopted.

By Mr. Tindall:

Resolved, That the Committee on Elections be and it is hereby authorized and empowered to send for persons, papers, and records as may be necessary to perform business before such committee

Adopted.

Also:

Resolved, That the Speaker of the Assembly be and he is hereby authorized and empowered to employ such persons as he may designate to attend to the gas and lights of the Assembly, at a per diem of three dollars, and the Controller is hereby directed to draw his warrant for the same, payable out of the Contingent Fund of the Assembly

Referred to Committee on Attachés and Employés.

By Mr. Lynch:

Resolved, That the Chief Clerk be and he is hereby authorized to employ an Assistant Clerk, for a time not to exceed one week, and at the same per diem received by the Chief Clerk, to be paid out of the Contingent Fund of the Assembly

Adopted.

By Mr. Godchaux:

Resolved, That the Speaker of the Assembly be and he is hereby directed to instruct the Assistant Sergeant-at-Arms and the Keeper of the Main Gate of the Assembly not to announce a messenger from the Senate while a member of the Assembly has the floor, without the consent of the Speaker or other presiding officer is first had.

Adopted.

By Mr. Marks:

Resolved, That the Secretary of State be and he is hereby authorized and directed to furnish each member of the Assembly and the Chief Clerk thereof, a copy of Desty's pocket edition of the Constitution of the State of California, said copies to be furnished to such members whose credentials are certified to by the Chief Clerk

Adopted.

Also:

Resolved, That each member of the Assembly be and he is hereby allowed twenty-five ($25) dollars for contingent expenses, payable out of the appropriation for the contingent expenses of the Assembly, and that the aggregate amount of the value of stamps and stationery which any member shall draw on requisition from the Secretary of State shall be charged to his account as a part of his allowance hereby made

Adopted.

ADJOURNMENT.

At twelve o'clock and ten minutes P. M., on motion of Mr. Shanahan, the Assembly adjourned.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Thursday, January 5, 1893.

The Assembly met pursuant to adjournment.

Speaker Gould in the chair.

The roll was called, and the following members answered to their names:

Messrs. Adams, Alford, Anderson, Androus, Barker, Barlow, Bennett of Santa Clara, Bennett of Orange, Blakeley, Bledsoe, Boyce, Bretz, Brownlie, Bulla, Burke, Carlson, Casterline, Chipman, Conway, Curtis, Cusick Dodge, Drees, Duckworth, Duffy, Durst, Emeric, Finlayson, Gallagher, Gately, Godchaux, Hamilton, Hendrickson, Hurley, Hutson, Jacobs, Jacobsen, Johnson of Humboldt, Johnson of Santa Clara, Kennedy, Kalm, LaRue, Luttringer, Lynch, McCauley, McElroy, McGowan, Mack, Marks, Marston, Mathews of Tehama, Matthews of San Benito, Miller, Mordecai, O'Keefe, O'Neill, Owen, Pendleton, Perkins, Price, Pueschel, Raw, Sargent, Schlesinger, Schroebel, Shanahan, Simpson, Sims, Standart, Taggart, Talbott, Taylor, Thomas of Nevada, Thomas of Santa Clara, Tindall, Vann, Wade, and Mr. Speaker

Quorum present.

PRAYER.

Prayer was offered by Rev. H. W. Conry.

Mr. Shanahan in the chair.

READING OF THE MINUTES.

Pending the reading of the Journal of yesterday, Mr. Mordecai moved that the further reading be dispensed with.

So ordered.

Journal as corrected approved.

REPORT OF SELECT COMMITTEE.

ASSEMBLY CHAMBER, January 5, 1893

MR. SPEAKER: Your committee appointed to ascertain and report the amount due as mileage and per diem to the temporary officers and attachés of this session of the Assembly for services rendered in the organization of the present house, would respectfully report on the same, and recommend the adoption of the resolution herewith

SCHLESINGER, Chairman
LYNCH
PRICE

Resolved, That the Controller be and he is hereby authorized to draw his warrant, payable out of the fund appropriated for the contingent expenses of the Assembly, in favor of the following-named persons for the amounts, respectively, set opposite their names, the same being the amount due them for services rendered as temporary officers and attachés of the Assembly, to wit.

H. A Mason, Chief Clerk, per diem and mileage	$81 60
H J McKusick, Sergeant-at-Arms, per diem and mileage	74 20
W. J Randall, Minute Clerk, per diem and mileage	72 80
E P Beaton, Assistant Clerk, per diem and mileage	72 80
F. W Whitmore, Assistant Clerk, per diem and mileage	56 20
A F Chapman, Journal Clerk, per diem and mileage	72 80
George H. Shinn, Assistant Sergeant-at-Arms, per diem and mileage	104 20
W T Hamilton, Assistant Minute Clerk, per diem	56 00
Ed J Smith, Assistant Clerk, per diem	56 00
F X. Hernandez, Clerk to Sergeant-at-Arms, per diem	56 00
M J Buckman, Gatekeeper, per diem	28 00
George B. Johnson, Gatekeeper, per diem	28 00

B. F. Curier, Watchman, per diem	$28 00
W. F. Fitzgerald, Watchman, per diem	28 00
I. N. Terrill, Porter, per diem	28 00
E. L. Slat, Porter, per diem	28 00
F. Horstmeyer, Porter, per diem	24 00
A. L. Rossi, Enrolling Clerk, per diem	56 00
C. J. Rankin, Porter, per diem	24 00
William Sampson, Porter, per diem	28 00
J. H. Coffey, Mail Carrier, per diem	28 00
J. McNamara, Doorkeeper, per diem	28 00
Mrs. W. H. Hunter, Postmistress, per diem	35 00
Clarance Marchant, Page, per diem	21 00
W. Howard, Page, per diem	21 00
T. Cowen, Page, per diem	21 00
Eugene Farmer, Page, per diem	21 00
M. C. Ayer, Page, per diem	21 00

Adopted.

RESOLUTIONS.

By Mr. LaRue:

Resolved, That D. C. Shepherd be appointed to act as Assistant Enrolling Clerk of the Assembly, at the rate per diem that is paid to said Enrolling Clerk, the per diem to be paid from the Contingent Fund of the Assembly.

Referred to Committee on Attachés and Employés.

By Mr. Kennedy:

Resolved, That the Sergeant-at-Arms be and he is hereby authorized and empowered to rent a Post Office box for the use of the Assembly.

Adopted.

ASSEMBLY CONCURRENT RESOLUTION.

By Mr. Bledsoe: Assembly Concurrent Resolution No. 1—Relative to the Nicaragua Canal.

Referred to Committee on Commerce and Navigation.

RESOLUTIONS.

By Mr. Price:

Resolved, That the following-named persons be and they are hereby appointed to the positions set opposite their names, to receive the per diem as fixed by law, said per diem being made payable out of the appropriation for the contingent expenses of the Assembly:

Filing Clerk to Sergeant-at-Arms	John Cramer, of San Francisco
Assistant Filing Clerk	Miss Crawford, of Lake County.
Bill Clerk	Wm. T. Bell, of San Francisco
Assistant Bill Clerk	Chas. A. Flynn, of San Francisco.

Adopted.

By Mr. Schlesinger:

Resolved, That Miss Laura Little be and she is hereby appointed Mailing Clerk, and be required to perform also the duties of Folding Clerk of the Assembly, at the per diem of five dollars, payable out of the Contingent Fund of the Assembly

Referred to Committee on Attachés and Employés.

ASSEMBLY JOINT RESOLUTION.

By Mr. Carlson: Assembly Joint Resolution No. 1—Relative to the construction and operation of the Nicaragua Canal by the United States Government.

Referred to Committee on Commerce and Navigation.

MOTION.

Mr. Alford moved that no bill, concurrent or joint resolution be introduced prior to the adoption of the Standing Rules of the Assembly.

So ordered.

RESOLUTIONS.

By Mr. Tindall:

Resolved, That the Sergeant-at-Arms of the Assembly be and he is hereby authorized to receipt to the Controller for all warrants for payments to members, officers, and attachés of the Assembly.

Adopted.

By Mr. Chipman:

Resolved, That the Sergeant-at-Arms be and he is hereby instructed and directed to furnish each newspaper representative assigned seats on the floor of the Assembly, two (2) copies of any bill, resolution, or other document distributed by the Pages of the Assembly.

Adopted.

By Mr. Tindall:

Resolved, That Miss Nellie Taylor be and she is hereby appointed File Clerk to the Sergeant-at-Arms, at a per diem of five ($5) dollars, the same to be paid out of the appropriation for the contingent expenses of the Assembly.

Referred to Committee on Attachés and Employés.

Also:

Resolved, That each of the standing committees of the Assembly be allowed supplies to the amount of ten dollars, and no more, and the Secretary of State is hereby instructed to recognize no requisition for supplies unless signed by the committee for whose use the requisition is made.

MOTION.

Mr. Duckworth moved to lay the resolution on the table.

Upon which motion, the ayes and noes were demanded by Messrs. Bledsoe, O'Keefe, and Duckworth.

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

AYES—Messrs Adams, Alford, Androus, Barker, Barlow, Bennett of Santa Clara, Bennett of Orange, Blakeley, Bledsoe, Bretz, Bulla, Burke, Carlson, Casterline, Chipman, Conway, Cusick, Dodge, Drees, Duckworth, Dufly, Finlayson, Gallagher, Godchaux, Hamilton, Hendrickson, Jacobs, Jacobsen, Johnson of Humboldt, Johnson of Santa Clara, Kennedy, Kahn, Kerns, Luttringer, Lynch, McCauley, McElroy, McGowan, Marks, Marston, Matthews of San Benito, Miller, Mordecai, O'Keefe, O'Neill, Owen, Pendleton, Perkins, Price, Pueschel, Raw, Schlesinger, Schroebel, Shanahan, Simpson, Sims, Standart, Taggart, Talbott, Taylor, Thomas of Nevada, Thomas of Santa Clara, Vann, and Wade—64

NOES—Messrs Boyce, Brownlie, Buckley, Curtis, Durst, Gately, Hurley, Hutson, LaRue, Sargent, and Tindall—11.

RESOLUTIONS.

By Mr. Shroebel:

Resolved, That the Postmistress be and she is hereby authorized to instruct a Page each day to deliver at the desks of members all newspapers left with her for that purpose.

Adopted.

By Mr. McCauley:

Resolved, That the compensation of the Assistant Clerk at the desk, appointed by resolution adopted yesterday, be fixed at the same amount allowed the Assistant Clerks provided for by statute, payable out of the appropriation for the contingent expenses of the Assembly

Adopted.

By Mr. Schlesinger:

Resolved, That the Post Office be kept open from nine o'clock A. M. to SIX o'clock P M. every day, except Sunday, and at all times when the House is in session.

Adopted.

RECESS.

At twelve o'clock M., on motion of Mr. O'Keefe, the Assembly took a recess until two o'clock P. M.

REASSEMBLED.

At two o'clock P. M. the Assembly reassembled.

Speaker Gould in the chair.

The roll was called, and the following members answered to their names:

Messrs Adams, Alford, Anderson, Androus, Barker, Barlow, Bennett of Santa Clara, Bennett of Orange, Blakeley, Bledsoe, Boyce, Bretz, Brownlie, Buckley, Bulla, Burke, Carlson, Casterline, Chipman, Conway, Cusick, Dodge, Drees, Duckworth, Duffy, Durst, Emeric, Finlayson, Gallagher, Gately, Godchaux, Hamilton, Hendrickson, Hurley, Hutson, Jacobs, Jacobsen, Johnson of Humboldt, Johnson of Santa Clara, Kennedy, Kahn, Kerns, LaRue, Luttringer, Lynch, McCauley, McElroy, McGowan, Mack, Marks, Marston, Mathews of Tehama, Matthews of San Benito, Mordecai, O'Keefe, O'Neill, Owen, Pendleton, Perkins, Price, Raw, Sargent, Schlesinger, Schroebel, Shanahan, Simpson, Sims, Standart, Taggart, Talbott, Taylor, Thomas of Nevada, Thomas of Santa Clara, Tindall, Vann, Wade, and Mr Speaker

Quorum present.

LEAVE OF ABSENCE.

Mr. Curtis was granted leave of absence for the afternoon.

RESOLUTION.

By Mr. Mordecai:

Resolved, That when this House adjourns it adjourn to Monday, at eleven o'clock and thirty minutes A. M

MOTION.

Mr. Bledsoe moved to lay the resolution on the table.

The ayes and noes were demanded by Messrs. Bledsoe, Dodge, and O'Keefe.

The roll was called, and the motion lost by the following vote.

AYES—Messrs Adams, Androus, Barker, Barlow, Bennett of Santa Clara, Bennett of Orange, Bledsoe, Bretz, Bulla, Casterline, Dodge, Duckworth, Jacobsen, Johnson of Humboldt, Kerns, Matthews of San Benito, Miller, O'Keefe, Owen, Pendleton, Perkins, Simpson, Taggart, Taylor, Thomas of Nevada, Thomas of Santa Clara, Vann, and Wade—28

NOES—Messrs. Alford, Anderson, Blakeley, Boyce, Brownlie, Buckley, Carlson, Chipman, Conway, Cusick, Drees, Duffy, Durst, Emeric, Finlayson, Gallagher, Gately, Godchaux, Hamilton, Hendrickson, Hurley, Hutson, Jacobs, Johnson of Santa Clara, Kennedy, Kahn, LaRue, Luttringer, Lynch, McCauley, McElroy, McGowan, Mack, Marks, Marston, Mathews of Tehama, Mordecai O'Neill, Price, Pueschel, Raw, Sargent, Schlesinger, Schroebel, Shanahan, Sims, Standart, Talbott, Tindall, and Mr Speaker—50

Upon the adoption of the resolution, the ayes and noes were demanded by Messrs. Bledsoe, Duckworth, and Dodge.

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

AYES—Messrs. Alford, Anderson, Barker, Bennett of Santa Clara, Blakeley, Boyce, Bretz, Brownlie, Buckley, Burke, Carlson, Casterline, Chipman, Conway, Cusick, Drees, Duffy, Durst, Emeric, Finlayson, Gallagher, Gately, Godchaux, Hamilton, Hendrickson, Hurley, Hutson, Jacobs, Johnson of Santa Clara, Kerns, LaRue, Luttringer, Lynch, McCauley, McElroy, Mack, Marks, Marston, Mathews of Tehama, Miller, Mordecai, O'Neill, Price, Pueschel, Sargent, Schlesinger, Schroebel, Shanahan, Sims, Standart, Tindall, and Mr. Speaker—52

NOES—Messrs. Adams, Androus, Barlow, Bennett of Orange, Bledsoe, Bulla, Dodge, Duckworth, Jacobsen, Johnson of Humboldt, Kennedy, Kahn, McGowan, Matthews of San Benito, O'Keefe, Owen, Pendleton, Perkins, Simpson, Taggart, Talbott, Taylor, Thomas of Nevada, Thomas of Santa Clara, Vann, and Wade—26.

RESOLUTION.

By Mr. Mathews of Tehama:

Resolved, That the Speaker be and he is hereby authorized to appoint eight Pages, at a per diem of three dollars; one Doorkeeper, three Gatekeepers, one Mail Carrier, and two Clerks to Sergeant-at-Arms, at a per diem of five dollars, one Rear Porter, seven Porters, four Watchmen, four Committee Room Porters, one Gallery Porter, one Porter to Sergeant-at-Arms, one Messenger to State Printer, and one Janitress to Ladies' Waiting Room, at a per diem of four dollars

Mr. Vann moved that the resolution be referred to the Committee on Attachés and Employés.

Mr. Bledsoe moved, as an amendment, that the resolution be referred to the Committee on Retrenchment, when appointed.

Both motions lost.

The question recurring on the adoption of the resolution, it was adopted.

REPORTS OF COMMITTEES.

ON MILEAGE

ASSEMBLY CHAMBER, SACRAMENTO, January 5, 1893.

MR SPEAKER Your Committee on Mileage beg leave to report that the following amounts are due members of the Assembly for mileage to and from their residences to the Capitol at Sacramento, for the thirtieth session of the California Legislature. We have taken distances as established by part two, title three, of the Political Code as amended as a basis, and have calculated the mileage and amounts in accordance with the provisions of the statutes We recommend the adoption of the following resolution, viz.:

Resolved, That the State Controller be and he is hereby directed and ordered to draw his warrants upon the proper fund in favor of the following-named members of the Assembly, for the amount set opposite each of their names, and the State Treasurer is hereby ordered and directed to pay the same.

E. E DREES, Chairman
R I. THOMAS.
J. M. LARUE

District and Name.	County.	P O. Address	No of Miles from County Seat	County Seat—Mileage	Total Mileage
1 Thomas Duffy	Del Norte, Siskiyou	Smith River	24	728	$75 20
2. A J. Bledsoe	Humboldt	Eureka		624	62 40
3. D. J. Johnson	Humboldt	Petrolia	100	724	82 40
4. W P Mathews	Tehama and Trinity	Tehama		270	27 00
5. T. W. H. Shanahan	Shasta and Modoc	Anderson		320	32 00
6 George Standart	Lassen, Plumas, Sierra	Greenville	48	272	32 20
7. E B. Price	Butte	Oroville		208	20 80
8. D. P. Durst	Yuba and Sutter	Wheatland	80	184	26 40
9. C. W. Tindall	Mendocino	Point Arena	120	410	53 00
10. W A. Vann	Colusa and Lake	Sycamore	12	160	17 20
11. I W. Jacobs	Yolo	Grafton	24	40	6 40
12. R. J Thomas	Nevada	Nevada City	32	142	17 40
13. G. W Hamilton	Placer	Auburn		74	7 40
14. R. S. Raw	El Dorado	Placerville		166	16 60
15 J. L. Sargent	Amador	Jackson		154	15 40
16. E E. Drees	Sonoma	Petaluma	32	282	31 40
17. J C. Sims	Sonoma	Santa Rosa		282	28 20
18. Owen Wade	Napa	St Helena	36	122	15 80
19. C D. McCauley	Solano	Vallejo	46	80	12 60
20. W. A. Anderson	Sacramento	Sacramento		2	20
21. H. C. Chipman	Sacramento	Sacramento		2	20
22. Eben Owen	Sacramento	Elk Grove	40	2	4 20
23. J I. Taylor	Marin	Olema	30	192	22 20
24. H. F Emeric	Contra Costa	San Pablo	28	172	20 00
25 J. M. LaRue	San Joaquin	Stockton		96	9 60
26. J. L. Hutson	San Joaquin	Woodbridge	24	96	12 00
27. D. J. B. Schroebel	Calaveras	Milton	50	146	19 60
28 T. B Cusick	San Francisco	San Francisco		168	16 80
29. W. J. Boyce	San Francisco	San Francisco		168	16 80
30. B. Conway	San Francisco	San Francisco		168	16 80
31 J. J. Kennedy	San Francisco	San Francisco		168	16 80
32. J E. Buckley	San Francisco	San Francisco		168	16 80
33 M. J. Hurley	San Francisco	San Francisco		168	16 80
34. R. J. Luttringer	San Francisco	San Francisco		168	16 80
35. J. G. Gallagher	San Francisco	San Francisco		168	16 80
36 John Brownlie	San Francisco	San Francisco		168	16 80
37. T. W. Burke	San Francisco	San Francisco		168	16 80
38. R Schlesinger	San Francisco	San Francisco		168	16 80
39. Julius Kahn	San Francisco	San Francisco		168	16 80
40. Ed. Godchaux	San Francisco	San Francisco		168	16 80
41. J. M. Curtis	San Francisco	San Francisco		168	16 80
42 W Hendrickson, Jr	San Francisco	San Francisco		168	16 80
43. J M. Marks	San Francisco	San Francisco		168	16 80
44. James McGowan	San Francisco	San Francisco		168	16 80
45. W. H. Gately	San Francisco	San Francisco		168	16 80
46. H. J. O'Neill	Alameda	Haywards	10	192	19 20
47. A. Bretz	Alameda	Alameda	10	192	19 20
48 J J McElroy	Alameda	Oakland		182	18 20
49 H. B M Miller	Alameda	Golden Gate	12	194	19 40
50 G I. Taggart	Alameda	Oakland		182	18 20
51. C. G. Dodge	Alameda	Oakland		182	18 20
52 J. T. O'Keefe	San Mateo	Menlo Park		210	21 00
53 P R Adams	Santa Cruz	Bonny Doon	56	466	46 60
54. H. H. Johnson	Santa Clara	San José	4	256	26 00
55. A. G Bennett	Santa Clara	San José		256	25 60
56. Massey Thomas	Santa Clara	Gilroy	60	316	37 60
57. F H Gould	Stanislaus, Merced	Merced		230	23 00
58. B. O. Marston	Tuolumne, Mariposa	Mariposa	300	312	61 20
59. J. H. Matthews	San Benito	Emmet	54	346	40 00
60. P H Mack	Alpine, Inyo, Mono	Independence	8	*1,140	114 80
61. S. J. Duckworth	Monterey	Monterey	40	392	43 20
62. G. W. Mordecai	Fresno	Madera		380	38 00
63. H J T Jacobsen	Fresno	Fresno		338	33 80
64. F. A. Blakeley	Tulare	Hanford	44	422	46 60
65. W H. Alford	Tulare	Visalia		422	42 20
66 E A. Pueschel	Kern	Bakersfield		556	55 60
67. C. A. Barlow	San Luis Obispo	S. Luis Obispo		698	69 80
68. W. S Talbott	Santa Barbara	Lompoc	136	738	87 40
69. D T Perkins	Ventura	Hueneme	26	784	81 00
70 C M Simpson	Los Angeles	Pasadena	20	956	97 60

District and Name	County	P O Address	No of Miles from County Seat	County Seat—Mileage	Total Mileage
71. S. N. Androus	Los Angeles	Pomona	70	956	$102 60
72. T. J Kerns	Los Angeles	Downey	24	956	98 00
73. F G. Finlayson	Los Angeles	Los Angeles		956	95 60
74. C. W. Pendleton	Los Angeles	Los Angeles		956	95 60
75. R. N. Bulla	Los Angeles	Los Angeles		956	95 60
76 C F. Bennett	Orange	Tustin	8	†1,010	101 80
77 C. O. Barker	San Bernardino	Riverside	60	1,176	123 60
78. J C. Lynch	San Bernardino	Cucamonga		1,224	122 40
79. W. H Carlson	San Diego	San Diego		1,234	123 40
80 W. M. Casterline	San Diego	San Jacinto	220	1,234	145 40

*By way of Nevada † From Los Angeles county seat

Adopted.

ON RULES AND REGULATIONS

ASSEMBLY CHAMBER, SACRAMENTO, January 5, 1893

MR SPEAKER: Your Committee on Rules and Regulations beg leave to report the following rules, and recommend that they be adopted:

I —HOURS OF MEETING

The sessions of this House shall be daily (Sundays excepted), beginning at eleven o'clock A. M., until February 1, 1893, and thereafter at ten A M. Recess shall be taken at twelve o'clock and thirty minutes P M to two o'clock P M., unless otherwise ordered by a vote of the House

II.—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 Messages from the Senate.
9. Introduction and Reference of Bills.
10. Motions and Resolutions
11. Special Orders of the Day.
12. Unfinished Business of the preceding day
13. Business on Special File.
14. Business on the General File and Third Reading of Bills

III.—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

IV —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

V —PETITIONS 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 lie on the table or be referred, as this House shall determine

VI —INTRODUCTION AND READING OF BILLS.

Any member desiring to introduce a bill shall rise in his place and address the Speaker, and upon being recognized, shall present the same, and the title shall be announced from the Clerk's desk, when it shall be referred to a standing committee, and be printed, and a copy be placed on each member's desk. 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 ayes and noes, dispense with this provision The Speaker shall give notice at each reading whether it be the first, second, or third, and no bill shall be read at either reading until the House has so determined by a vote All bills to appropriate money for contingent purposes shall be presented by the Committee on Ways and

Means The Chairman or Clerk of each committee of the Assembly shall notify the author of any bill or proceeding pending before such committee of the hour and place of hearing or acting upon such bill or proceeding.

VII.—PROCEEDINGS TOUCHING APPROPRIATIONS OF MONEY TO BE CONSIDERED IN COMMITTEE OF THE WHOLE

All bills making 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.

VIII.—REFERENCE OF BILLS

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

IX.—REFERRING WITH SPECIAL INSTRUCTIONS

A bill or resolution may be committed, with special instructions, at any time after the third reading has been ordered.

DUTIES OF SPEAKER

X.—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, and shall immediately call the House to order.

XI.—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 member, on which appeal no member shall speak more than once, unless by leave of the House

XII.—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

XIII.—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.

XIV.—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 THE SERGEANT-AT-ARMS.

XV.—TO ATTEND SITTINGS OF HOUSE, SERVE PROCESSES

The Sergeant-at-Arms shall attend the House during its sittings, to execute the commands of the Speaker 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

XVI.—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

XVII.—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

XVIII.—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 Apportionment and Election Laws, 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 five members.
5. A Committee on Claims, to consist of seven members
6. A Committee on Constitutional Amendments, to consist of seven members.
7. A Committee on Commerce and Navigation, to consist of nine members.
8. A Committee on Corporations, to consist of nine members
9. A Committee on Counties and County Boundaries, to consist of seven members
10. A Committee on County and Township Governments, to consist of nine members
11. A Committee on Viniculture, Viticulture, and Horticulture, to consist of nine members.
12. A Committee on Education, to consist of seven members.
13. A Committee on Elections and Privileges, to consist of seven members.
14. A Committee on Engrossment, to consist of five members.
15. A Committee on Enrollment, to consist of five members
16. A Committee on Fish and Game, to consist of seven members
17. A Committee on Federal Relations, to consist of five members.
18. A Committee on Yosemite Valley and Mariposa Grove of Big Trees, to consist of five members.
19. A Committee on Homestead and Land Monopoly, to consist of seven members.
20. A Committee on Internal Improvements, to consist of five members.
21. A Committee on Irrigation, to consist of nine members
22. A Committee on Judiciary, to consist of nineteen members
23. A Committee on Labor and Capital, to consist of nine members.
24. A Committee on Mileage, to consist of three members
25. A Committee on Military Affairs, to consist of seven members
26. A Committee on Mines and Mining Interests, to consist of nine members
27. A Committee on Municipal Corporations, to consist of eleven members.
28. A Committee on Public Buildings and Grounds, to consist of nine members
29. A Committee on Public Expenditures and Accounts, to consist of five members
30. A Committee on Public Lands, to consist of nine members
31. A Committee on Public Morals, to consist of five members.
32. A Committee on Public Printing, to consist of seven members.
33. A Committee on Retrenchment, to consist of five members.
34. A Committee on Roads and Highways, to consist of seven members.
35. A Committee on Rules and Regulations, to consist of five members, together with the Speaker, who shall be ex officio a member.
36. A Committee on State Hospitals, to consist of seven members
37. A Committee on State Library, to consist of five members
38. A Committee on State Prisons and Reformatory Institutions, to consist of nine members
39. A Committee on Swamp and Overflowed Lands, to consist of nine members.
40. A Committee on Ways and Means, to consist of nine members.
41. A Committee on Water Rights and Drainage, to consist of nine members.
42. A Committee on Crimes and Penalties, to consist of five members
43. A Committee on Forestry, to consist of five members.

XIX.—COMMITTEES TO BE APPOINTED BY SPEAKER

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

DUTIES OF COMMITTEES.

XX.—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

XXI.—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. All bills for the appropriation of money, which were not at first referred to the Committee on Ways and Means, shall be reported to the House by the committees having them under consideration, and shall thereupon, without motion, be referred to the Committee on Ways and Means, and said committee shall consider them and report

thereon in consideration of the proper amount of expenditure to be named by the Legislature. The Committee on Ways and Means shall, from time to time, at least once in two weeks, report to the House the exact condition of legislation involving appropriations, and the aggregate amount of all the proposed appropriations pending.

XXII.—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 into question and be referred to them by the House, and to report their opinion thereon.

XXIII.—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.

XXIV.—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.

XXV.—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 officers, and to report from time to time the character and amount of the various appropriations made by the Legislature.

XXVI.—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 thereon; and also to report from time to time such measures as may contribute to economy and accountability in said establishment.

XXVII.—ON INTERNAL IMPROVEMENTS.

It shall be the duty of the Committee on Internal Improvements to take into consideration all such petitions and matters or 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 report thereon.

XXVIII.—ON PUBLIC BUILDINGS AND GROUNDS.

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

XXIX.—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.

XXX.—ON VINICULTURE, VITICULTURE, AND HORTICULTURE.

It shall be the duty of the Committee on Viniculture, Viticulture, and Horticulture to consider all matters relating to those industries, and report their opinion thereon.

XXXI.—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, and said committee shall see that all engrossed bills are reported back in the order in which they were ordered engrossed.

XXXII.—ON EDUCATION.

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

XXXIII —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, that may be referred to them by the House

XXXIV —ON APPORTIONMENT AND ELECTION LAWS

It shall be the duty of the Committee on Apportionment and Election Laws to take into consideration all matters relating to a reapportionment of the State, and to the election laws, which may be referred to them, and report their opinion thereon

XXXV —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, nor shall any committee be permitted to incur any expense by visiting any part of the State on official or other business, without first obtaining leave of the House

XXXVI.—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.

XXXVII.—COMMITTEE OF THE WHOLE HOUSE

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

XXXVIII.—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

XXXIX —MOTION TO RISE DECIDED WITHOUT DEBATE

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

XL —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

XLI.—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.

XLII —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, of whatever nature, on the same day and at the same stage of proceedings, without leave being granted; except the author of a bill or resolution, or mover of a question, who shall be allowed to speak twice upon all questions, for not more than ten minutes in all, except, by vote, he be granted a longer time

XLIII —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

XLIV.—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

XLV.—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.

XLVI.—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, also the hour at which the motion was made

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

XLVIII.—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

XLIX.—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

L.—PREVIOUS QUESTION DEMANDED.

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

LI.—QUESTION INDEFINITELY POSTPONED

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

LII.—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 a motion to add to nor a motion to strike out and insert

LIII.

A substitute shall be deemed and held to be an amendment, and be treated in all respects as such, except it may be amended after its adoption.

LIV.—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.

LV.—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 consent of the House.

LVI.—PRINTING OF BILLS.

Three hundred and sixty 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

LVII.—PRINTING OF MAPS

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

LVIII —FILLING BLANKS

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

LIX —PRIORITY OF BUSINESS

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

LX —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

LXI —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 reconsideration shall have precedence over every other motion, except a motion to adjourn No notice of reconsideration shall be in order on the day preceding the last day of the session

LXII —ELECTIONS BY HOUSE

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

LXIII —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

LXIV —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

LXV —VOTING ON QUESTION WHEN INTERESTED

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

LXVI —DIVISION AND COUNT OF HOUSE

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

LXVII —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

LXVIII.—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

LXIX —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 of order may be suspended temporarily by a vote of two thirds of the members present, except that portion of Rule 6 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

LXX.—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

LXXI.—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 session of the House, but a majority may have the floor of the House within the bar cleared of any or all such persons The Speaker is charged with the enforcing of this rule

LXXII.—SMOKING IN HALL.

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

LXXIII.—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

LXXIV.—USE OF HALL.

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

LXXV.—FEES FOR 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 No mileage shall be paid except where the witness has actually traveled for the purpose of giving testimony.

LXXVI.—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.

LXXVII.—ORDER OF MAKING FILE.

Upon the introduction of bills, they shall be referred to a standing committee of the House. When reported back, they shall be placed upon the General File, to be kept by the Clerk, as follows: *All bills, when reported to the House by such committee, shall be* placed at the foot of the First Reading File, in the order in which the reports are made After the first reading they shall be placed at the foot of the Second Reading File, in the order in which they are read, and after the second reading they shall be placed at the foot of the Third Reading File, in the order of reading, and precedence shall be given in the consideration of bills, in the following order: Third Reading File, Second Reading File, and First Reading File, unless otherwise ordered by a two-thirds vote of the House. The Clerk shall, for the above purposes, place upon the file, under distinct heads, third-reading bills, second-reading bills, and first-reading bills, in the order above named 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.

LXXVIII.—ORDER MAKING SPECIAL FILE.

The Clerk shall, from time to time, make up a file, to be known as the Special File, on which he shall place bills relating to appropriations for the support of the State Government and State institutions, revenue and constitutional amendments, in the order named, and in the order in which the same may be reported to the Assembly, and he shall place no other bills thereon

LXXIX.—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

LXXX.—EXTRA PAY.

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

LXXXI.—ENGROSSING AND ENROLLING BILLS.

The Engrossing Clerk and Copying Clerks shall engross, enroll, or copy the bill 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.

LXXXII.—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 to report to the House, when the Assembly shall proceed to vote upon the passage of the resolution which has been referred and reported.

LXXXIII.—BILLS TO BE REPORTED BACK WITHIN TEN DAYS.

All bills referred to any committee shall be by such committee reported back to the House, with its action thereon, within ten days after such reference, unless the House by request of such committee, shall otherwise order.

LXXXIV.—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.

LXXXV.

Prior to the first reading of bills only five minutes shall be allowed any member for discussion, and that simply to explain the nature of the bill.

J. J. McELROY, Chairman.

MOTION.

Mr. Shanahan moved that the report of the committee be inserted in the Journal, and that the consideration of the same lay over until Monday.

So ordered.

RESOLUTIONS.

By Mr. Marks:

Resolved, That the resolution authorizing the purchase of Desty's pocket edition of the Constitution for each member of the Assembly and the Chief Clerk shall be paid out of the Contingent Fund of the Assembly.

Lost.

Also:

Resolved, That the State Printer deliver to the Secretary of State (at the Janitor's office) one hundred chapters of laws passed, as they are issued.

Adopted.

Also:

Resolved, That the Sergeant-at-Arms deliver to the Secretary of State (at the Janitor's office) ten copies of all bills introduced.

Adopted.

By Mr. Finlayson:

Resolved, That I. Norton be and he is hereby appointed History Clerk of the Assembly, at the same per diem as is paid to the clerks at the desk.

Referred to Committee on Attachés and Employés.

OATH OF OFFICE.

The Assistants to the Sergeant-at-Arms now came forward and took the following oath of office:

We do solemnly swear that we will support the Constitution of the United States and the Constitution of the State of California, and that we will faithfully discharge the duties of our respective offices to the best of our ability

APPOINTMENTS.

The Speaker announced the following appointments:

Watchmen.....W R. Dibble, J. H Lawrence, A C. Cuneo, and G. Lewis
Committee-Room Porters..A Coffee, Jos. Van Prague, Jos Cochrane, and M J. Buckman
Gallery Porter.....John Lea, of Sacramento.
Porter to Sergeant-at-Arms.....W. C. Beale.
Messenger to State Printer.....James P. Kane
Janitress to Ladies' Waiting-Room.....Mrs. Cynthia Hopson
Pages.....J Mervyn Leake, Willie Saunders, Loy Walthal,
Wm. Lynch, Howard Thomas, Louis Loeb, Samuel Calderwood, and B D Martin.
Doorkeeper.....A Becktell
Gatekeepers.....George Dunn, John Barker, and Chalk Roberts
Mail Carrier.....Frank J. Hunters.
Clerks to Sergeant-at-Arms.....Ben S Wood, Jr., and J A Banks.
Rear Porter.....W M. Oyster
Porters.....
..E. A. Clark, George Parker, Martin Stemmitz, John Koford, and John Lee, of Solano

CONTESTED ELECTION.

The Speaker announced that he was in receipt of the papers and testimony in the contested election case of Leonhardt vs. Miller, for member of the Assembly from the Forty-ninth District.

MOTION.

Mr. Shanahan moved that the papers and testimony be referred to the Committee on Elections and Privileges.

So ordered.

Mr. Bledsoe in the chair.

RESOLUTION.

By Mr. Mathews of Tehama:

Resolved, That the Controller be and he is hereby directed to draw a warrant upon the appropriation for the contingent expenses of the Assembly for thirty-five dollars, for the purpose of carpeting the Assembly lobby, in order to deaden the noise of tramping

Adopted.

PREAMBLE AND RESOLUTION.

Speaker Gould offered the following preamble and resolution, which were, upon the motion of Mr. Marston, unanimously adopted by a rising vote:

WHEREAS, General J W Bost, once Surveyor-General of California, and twice a member of the Legislature of the State, died on January 5th; and whereas, the deceased was a man of high character, scrupulous integrity, and conspicuous ability; therefore, be it

Resolved, That in recognition of the distinguished services he has rendered this State, and as an evidence of their appreciation by the people, that when the Assembly adjourns it will do so out of respect to his memory

ADJOURNMENT.

At three o'clock and twenty-five minutes P. M., on motion of Mr. Schlesinger, the Assembly adjourned.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Monday, January 9, 1893.

The Assembly met pursuant to adjournment.

Speaker Gould in the chair.

The roll was called, and the following members answered to their names:

Messrs. Adams, Alford, Anderson, Androus, Barker, Barlow, Bennett of Santa Clara, Bennett of Orange, Blakeley, Boyce, Bretz, Brownlie, Buckley, Bulla, Burke, Carlson, Casterline, Chipman, Conway, Curtis, Cusick, Dodge, Drees, Duckworth, Dufty, Emeric, Finlayson, Gallagher, Gately, Godchaux, Hamilton, Hendrickson, Hurley, Hutson, Jacobs, Jacobsen, Johnson of Humboldt, Johnson of Santa Clara, Kennedy, Kahn, Kerns, LaRue, Luttringer, Lynch, McCauley, McElroy, McGowan, Mack, Marks, Marston, Mathews of Tehama, Matthews of San Benito, Miller, Mordecai, O'Keefe, O'Neill, Owen, Pendleton, Perkins, Price, Pueschel, Raw, Sargent, Schlesinger, Schroebel, Shanahan, Simpson, Sims, Standart, Taggart, Talbott, Taylor, Thomas of Nevada, Thomas of Santa Clara, Tindall, Vann, Wade, and Mr. Speaker

Quorum present.

PRAYER.

Prayer was offered by Rev. H. W. Conry.

READING OF THE MINUTES.

Pending the reading of the Journal of Saturday, Mr. Price moved that the further reading be dispensed with

So ordered.

MOTION

Mr. Drees offered the following motion.

MR. SPEAKER I move, as Chairman of the Mileage Committee, that the Journal of Thursday be amended as follows

Amend the printed copy of the report of the Mileage Committee by making the mileage due Mr. Standart $32 instead of $32 20

Making Mr O'Neill's mileage $20 20 instead of $19 20

Making Mr. Bretz's mileage $20 20 instead of $19 20

Making Mr. Miller's mileage $20 60 instead of $19 40.

Making Mr. Massey Thomas' mileage $31 60 instead of $37 60

Also, by substituting opposite to the name of said Mr. Thomas in place of the figures 316, the figures 256

Making Mr Mordecai's mileage $38 instead of $38 80

Making Mr Bennett, of Orange, mileage $101 80 instead of $108

Making Mr Adams' mileage $52 20 instead of $46 60

So ordered.

Journal approved.

PETITIONS.

By Mr. Wade: Memorial from the Chamber of Commerce of San Francisco, the Traffic Association of California, the Board of Trade of San Francisco, the Board of Trade of Oakland, the State Board of Trade, the Geographical Society of the Pacific, the San Francisco Produce Exchange, the California League of Progress, and the Manufacturers' Association—relative to the Nicaragua Canal.

Referred to Committee on Commerce and Navigation.

By Mr. Bennett: From members of the bar of Santa Clara County, asking for another Judge of the Superior Court in and for said county.

Referred to Committee on County and Township Governments.

ASSEMBLY JOINT RESOLUTION.

By Mr. Price: Assembly Joint Resolution No. 2—Relative to the mining and river interests of the State.

MOTION.

Mr. Schlesinger moved to amend the resolution by striking out the words "each of."

So ordered.

RECESS EXTENDED.

Mr. Mathews of Tehama moved that the hour of recess be extended one half hour.

So ordered.

PREVIOUS QUESTION.

Mr. O'Keefe moved the previous question, seconded by Messrs. Matthews of San Benito and O'Neill.

The question being, "Shall the main question be now put?" it was so ordered.

ADOPTION OF ASSEMBLY JOINT RESOLUTION NO. 2

The roll was called, and Assembly Joint Resolution No. 2, as amended, was adopted by the following vote:

AYES—Messrs Adams, Alford, Anderson, Androus, Barker, Bennett of Santa Clara, Bennett of Orange, Blakeley, Boyce, Bretz, Brownlie, Buckley, Bulla, Burke, Carlson, Casterline, Chipman, Conway, Curtis, Cusick, Dodge, Drees, Duckworth, Dufty, Emeric, Finlayson, Gallagher, Gately, Godchaux, Hamilton, Hendrickson, Hurley, Hutson, Jacobsen, Johnson of Humboldt, Johnson of Santa Clara, Kennedy, Kahn, Kerns, LaRue, Luttringer, Lynch, McCauley, McElroy, McGowan, Mack, Marks, Marston, Mathews of Tehama, Matthews of San Benito, Miller, Mordecai, O'Keefe, O'Neill, Owen, Pendleton, Perkins, Price, Pueschel, Sargent, Schlesinger, Schroebel, Shanahan, Simpson, Sims, Standart, Taggart, Talbott, Taylor, Thomas of Nevada, Tindall, Wade, and Mr Speaker—73

NOES—Messrs. Barlow, Durst, Jacobs, Thomas of Santa Clara, and Vann—5

Mr. Shanahan moved that Assembly Joint Resolution No. 2 be considered printed, and that it be immediately transmitted to the Senate.

So ordered.

MOTION.

Mr. Mathews of Tehama moved that the report of the Committee on Rules and Regulations be now considered.

So ordered.

RULE AMENDED.

Mr. Mathews of Tehama moved that Rule 18 of the report be amended by striking out the figure "7" and inserting the figure "9," so as to read.

26 A Committee on Mines and Mining Interests, to consist of nine members

Adopted.

Also: That Rule 18 be amended by striking out the word "apportionment" and inserting the words "crimes and penalties," so as to read·

42. A Committee of Crimes and Penalties, to consist of nine members.

Adopted.

MOTION.

Mr. Kahn offered as a substitute for Rule 18, as follows:

STANDING COMMITTEES

1 A Committee on Agriculture and Forestry, to consist of nine members
2 A Committee on Apportionment and Election Laws, to consist of thirteen members
3. A Committee on Attachés and Employés, to consist of seven members
4 A Committee on Chinese Immigration and Emigration and Labor and Capital, 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 nine 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 and Township Governments, to consist of eleven members
10 A Committee on Viniculture, Viticulture, and Horticulture, to consist of nine members.
11. A Committee on Education, to consist of nine members.
12. A Committee on Elections and Privileges, to consist of nine 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 nine members.
16. A Committee on Irrigation, to consist of thirteen members.
17 A Committee on Judiciary, to consist of fifteen members
18. A Committee on Mileage, to consist of five members.
19. A Committee on Military Affairs, to consist of nine members.
20 A Committee on Mines and Mining Interests, to consist of nine members.
21. A Committee on Municipal Corporations, to consist of eleven members
22 A Committee on Public Buildings and Grounds, to consist of nine members
23 A Committee on Swamp and Overflowed and Public Lands, to consist of nine members
24. A Committee on Public Morals, to consist of seven members
25 A Committee on Public Printing, to consist of seven members
26 A Committee on Roads and Highways, to consist of nine members
27 A Committee on Rules and Regulations, to consist of seven members, including the Speaker, who shall be ex officio a member
28 A Committee on State Library, to consist of seven members
29. A Committee on State Charitable and Reformatory Institutions, to consist of seven members
30 A Committee on State Prisons, to consist of nine members
31 A Committee on Ways and Means and Appropriations, to consist of thirteen members

RECESS.

The hour of recess having arrived, the Speaker declared recess until two o'clock P. M.

REASSEMBLED.

The Assembly reassembled at two o'clock P. M.

Speaker Gould in the chair.

The roll was called, and the following members answered to their names:

Messrs Adams, Anderson, Androus, Barker, Bennett of Santa Clara, Boyce, Bretz, Brownlie, Buckley, Bulla, Burke, Carlson, Casterline, Conway, Curtis, Cusick, Dodge, Drees, Duffy, Durst, Emeric, Finlayson, Gallagher, Gately, Godchaux, Hamilton, Hendrickson, Hurley, Jacobs, Johnson of Santa Clara, Kennedy, Kahn, Kerns, LaRue, Luttringer, Lynch, McCauley, McElroy, Mack, Marks, Marston, Mathews of Tehama, Matthews of San Benito, O'Keefe, O'Neill, Owen, Pendleton, Perkins, Pueschel, Sargent, Schlesinger, Schroebel, Simpson, Sims, Taggart, Talbott, Taylor, Thomas of Nevada, Thomas of Santa Clara, Tindall, Vann, Wade, and Mr. Speaker

Quorum present

LEAVE OF ABSENCE.

Mr. Bledsoe was granted leave of absence for the remainder of the day

PREVIOUS QUESTION.

The question being on the adoption of the substitute offered by Mr. Kahn.

Mr. Androus moved the previous question, seconded by Messrs. Dodge and Simpson.

The question being, "Shall the main question be now put?" it was so ordered.

SUBSTITUTE LOST

The ayes and noes were demanded by Messrs. Dodge, Simpson, and Anderson.

The roll was called, and the substitute refused adoption by the following vote:

AYES—Messrs Adams, Anderson, Androus, Barker, Barlow, Bennett of Santa Clara, Bennett of Orange, Blakeley, Bretz, Bulla, Casterline, Chipman, Dodge, Duckworth, Durst, Jacobsen, Johnson of Humboldt, Kahn, Kerns, Lynch, Miller, O'Keefe, Owen, Pendleton, Perkins, Raw, Simpson, Standart, Taggart, Talbott, Thomas of Nevada, Thomas of Santa Clara, Vann, and Wade—34.

NOES—Messrs Alford, Boyce, Brownlie, Buckley, Burke, Carlson, Conway, Curtis, Cusick, Drees, Duffy, Emeric, Finlayson, Gallagher, Gately, Godchaux, Hamilton, Hendrickson, Hurley, Hutson, Jacobs, Johnson of Santa Clara, Kennedy, LaRue, Luttringer, McCauley, McElroy, Mack, Marks, Marston, Mathews of Tehama, Matthews of San Benito, Mordecai, O'Neill, Price, Pueschel, Sargent, Schlesinger, Schroebel, Shanahan, Sims, Taylor, Tindall, and Mr. Speaker—44

RESOLUTION ADOPTED.

The question recurring on the adoption of Rule 18 as reported and amended, the same was adopted.

APPOINTMENT OF COMMITTEES.

Speaker Gould announced the appointment of the standing committees of the Assembly, as follows:

Agriculture—Messrs. J M LaRue, San Joaquin, Chairman; Jacobs, O'Neill, Vann, Owen, Perkins, Duffy

Apportionment and Election Laws—Messrs. F G Finlayson, Los Angeles, Chairman, Hendrickson, Sims, Price, Simpson, Thomas of Santa Clara, Blakeley

Attachés and Employés—Messrs M. J Hurley, San Francisco, Chairman, Marston, Hamilton, Kahn, Bennett of Orange.

Chinese Immigration and Emigration—Messrs W. T Boyce, San Francisco, Chairman, Cusick, Drees, Bretz, Pendleton

Claims—Messrs. T. W Burke, San Francisco, Chairman, Matthews of San Benito, Tindall, Godchaux, Adams, Bennett of Santa Clara, Duckworth

Constitutional Amendments—Messrs Bert Schlesinger, San Francisco, Chairman, Hamilton, Matthews of San Benito, Sargent, Thomas of Nevada, Bretz, Taggart

Commerce and Navigation—Messrs Edmond Godchaux, San Francisco, Chairman, Carlson, Buckley, Boyce, Pueschel, Burke, O'Keefe, McGowan, Dodge

Corporations—Messrs. W. H Alford, Tulare, Chairman, Emeric Mathews of Tehama, Godchaux, Schroebel, Mordecai, Bledsoe, Kerns, Lynch

Counties and County Boundaries—Messrs. E. B Price, Butte, Chairman; Emeric, Pueschel, Luttringer, Vann, Taylor, Bennett of Santa Clara

County and Township Governments—Messrs. D T. B Schroebel, Calaveras, Chairman, Alford, Mordecai, Emeric, Johnson of Santa Clara, Barlow, Talbott, Duckworth, Thomas of Santa Clara.

Education—Messrs. J L Sargent, Amador, Chairman, Hendrickson, Sims, McElroy, Bennett of Orange, Miller, Simpson.

Engrossment—Messrs J J Kennedy, San Francisco, Chairman, Duffy, Conway, Wade, Johnson of Humboldt.

Enrollment—Messrs H J O'Neill, Alameda, Chairman, McCauley, Gallagher, Bledsoe, Perkins

Fish and Game—Messrs. H F Emeric, Contra Costa, Chairman; Tindall, Schroebel, Alford, Chipman, Thomas, Androus.

Federal Relations—Messrs. J C Sims, Sonoma, Chairman, Brownlie, Gately, Raw, McGowan

Homestead and Land Monopoly—Messrs W H Gately, San Francisco, Chairman, Marks, Hutson, Kerns, Androus, Taylor, Talbott

Internal Improvements—Messrs. J. G. Gallagher, San Francisco, Chairman, Gately, Duffy, McGowan, Raw

Irrigation—Messrs. W H. Carlson, San Diego, Chairman; Mordecai, Hamilton, Finlayson, Curtis, Lynch, Standart, Pendleton, Casterline

Judiciary—Messrs. T W. H Shanahan, Shasta, Modoc, Chairman; Hamilton, Sims, Kennedy, Schlesinger, Hendrickson, Mack, Finlayson, Alford, Bledsoe, Anderson, Thomas of Nevada, Miller, Dodge, O'Keefe, Simpson, Pendleton, Marston, Bulla, Duckworth

Labor and Capital—Messrs. B Conway, San Francisco, Chairman, Hurley, Boyce, Marks, Johnson of Santa Clara, Jacobsen, Bennett of Santa Clara, Barlow, Standart.

Military Affairs—Messrs C D. McCauley, Solano, Chairman; Shanahan, McElroy, Carlson, Jacobsen, Bennett of Santa Clara, Taylor

Mines and Mining Interests—Messrs G W. Hamilton, Placer Chairman; Price, Mack, Sargent, Shanahan, Raw, Standart, Thomas of Nevada, Carlson

Municipal Corporations—Messrs J. E. Buckley, San Francisco, Chairman, McCauley, Burke Curtis, Conway, O'Neill, Bulla, Kahn, Anderson, Wade, Androus

Public Buildings and Grounds—Messrs J M Curtis, San Francisco, Chairman, Gallagher, Sargent, Mack, LaRue, Taggart, Casterline, Duckworth, Bennett of Santa Clara

Public Expenditures and Accounts—Messrs. J H Matthews, San Benito, Chairman, Marston, Hutson, Johnson of Humboldt, Jacobsen.

Public Lands—Messrs P H Mack, Inyo, Mono, Chairman, Kennedy, Schlesinger, Cusick, LaRue, Jacobsen, Thomas of Santa Clara, Owen, Wade.

Public Morals—Messrs A J. Bledsoe, Humboldt, Chairman, Luttringer, McElroy, Adams, Casterline

Public Printing—Messrs W Hendrickson, San Francisco, Chairman, Cusick, Pueschel, Durst, Price, Barker, Talbott.

Retrenchment—Messrs J. M Marks, San Francisco, Chairman, Hurley, Owen, Luttringer, Barker.

Crimes and Penalties—Messrs R J Luttringer, San Francisco, Chairman, O'Neill, Simpson, Bennett of Orange, Durst.

Roads and Highways—Messrs Thos. Duffy, Siskiyou, Del Norte, Chairman, Marston, Barlow, Barker, Drees, Bennett of Orange, Johnson of Humboldt.

State Prisons and Reformatory Institutions—Messrs. H. H Johnson, Santa Clara, Chairman; Buckley, Schroebel, McCauley, Alford, Gately, Androus, Taylor, Perkins

Swamp and Overflowed Lands—Messrs E A. Pueschel, Kern, Chairman; Mack, Jacobs, Sims, Cusick, McGowan, Owen, Durst, Casterline

State Hospitals—Messrs. G W Mordecai, Fresno, Chairman, Tindall, Mathews of Tehama, Brownlie, Marks, Chipman, Dodge.

State Library—Messrs J W Jacobs, Yolo, Chairman, Pueschel, Finlayson, Anderson, Vann

Ways and Means—Messrs W P. Mathews, Tehama, Chairman, Mordecai, LaRue, Mack, Tindall, Kerns, Barker, Lynch, Kahn.

Water Rights and Drainage—Messrs T P Cusick, San Francisco, Chairman, Shanahan, Conway, Hurley, Brownlie, Miller, Bretz, O'Keefe, Dodge.

Viniculture and Viticulture—Messrs. J. L Hutson, San Joaquin, Chairman, Drees, Jacobs, Adams, Matthews of San Benito, Taggart, Blakeley, Durst, Chipman.

Yosemite Valley and Mariposa Grove of Big Trees—Messrs B. O Marston, Tuolumne, Mariposa, Chairman; LaRue, Johnson of Santa Clara, Blakeley, Duckworth.

Forestry—Messrs. J Brownlie, San Francisco, Chairman; Burke, Conway, Miller, Wade

RESOLUTION.

By Mr. Mathews of Tehama:

Resolved, That the Chairman of each standing committee of the Assembly, except the Committees of Judiciary and Ways and Means and Appropriations, be and he is hereby granted permission to appoint a clerk for his committee at the per diem as now fixed by law.

That the Chairman of the San Francisco delegation be and he is hereby granted permission to appoint a clerk for said delegation at the same per diem as is now allowed by law to the clerks of the standing committees of the Assembly.

That the Chairman of the Committees of Judiciary and Ways and Means and Appropriations of the Assembly be and he is hereby granted permission to appoint two clerks for each of said committees at the per diem as now fixed by law

That the per diem provided for by this resolution shall be made payable out of the appropriation for the contingent expenses of the Assembly

Mr. Owen offered the following substitute:

Resolved, That only the following-named standing committees shall be allowed clerks during this thirtieth session of the House

1. Committee on Claims.
2. Committee on Corporations
3. Committee on County and Township Governments
4. Committee on Education.
5. Committee on Elections and Privileges
6. Committee on Judiciary.
7. Committee on Municipal Corporations
8. Committee on Ways and Means

Lost.

MOTION.

Mr. Owen moved that the resolution be referred to the Committee on Attachés and Employés.

The ayes and noes were demanded by Messrs. Duckworth, Owen, and Pendleton.

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

AYES—Messrs Adams, Anderson, Androus, Barker, Barlow, Bennett of Santa Clara, Bennett of Orange, Blakeley, Bretz, Burke, Casterline, Chipman, Dodge, Duckworth, Durst, Finlayson, Jacobsen, Johnson of Humboldt, Kahn, Lynch, McGowan, Matthews of San Benito, Miller, O'Keefe, Owen, Pendleton, Perkins, Standart, Taggart, Talbott, Taylor, Thomas of Nevada, Thomas of Santa Clara, Vann, and Wade—35.

NOES—Messrs. Alford, Boyce, Brownlie, Buckley, Bulla, Carlson, Conway, Curtis, Cusick, Drees, Duffy, Emeric, Gallagher, Gately, Godchaux, Hamilton, Hendrickson, Hurley, Hutson, Jacobs, Johnson of Santa Clara, Kennedy, LaRue, Luttringer, McCauley, McElroy, Mack, Marks, Marston, Mathews of Tehama, Mordecai, O'Neill, Price, Pueschel, Sargent, Schlesinger, Schroebel, Shanahan, Simpson, Sims, Tindall, and Mr Speaker—42

RESOLUTION ADOPTED.

The question recurring on the adoption of the resolution, the ayes and noes were demanded by Messrs. Kahn, Owen, and Taylor.

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

AYES—Messrs Alford, Boyce, Brownlie, Buckley, Burke, Carlson, Conway, Curtis, Cusick, Drees, Duffy, Emeric, Finlayson, Gallagher, Gately, Godchaux, Hamilton, Hendrickson, Hurley, Hutson, Johnson of Santa Clara, Kennedy, LaRue, Luttringer, McCauley, McElroy, Mack, Marks, Marston, Mathews of Tehama, Mordecai, O'Neill, Price, Pueschel, Sargent, Schlesinger, Schroebel, Shanahan, Sims, Tindall, and Mr. Speaker—41.

NOES—Messrs. Adams, Anderson, Androus, Barker, Barlow, Bennett of Santa Clara, Bennett of Orange, Blakeley, Bretz, Bulla, Casterline, Chipman, Dodge, Duckworth, Durst,

Jacobs, Jacobsen, Johnson of Humboldt, Kahn, Kerns, Lynch, McGowan, Matthews of San Benito, Miller, O'Keefe, Owen, Pendleton, Perkins, Simpson, Standart, Taggart, Talbott, Taylor, Thomas of Nevada, Thomas of Santa Clara, Vann, and Wade—36

RESOLUTIONS.

By Mr. Gallagher:

Resolved, That the per diem of the Messenger to the State Printer be and the same is fixed at five dollars, said per diem being payable out of the appropriation for the Contingent Fund of the Assembly, as now provided for by law

Adopted.

By Mr. Tindall:

Resolved, That the State Printer be and he is hereby directed and instructed to print for the use of the members of the House, two hundred copies of the standing committees of this House, as appointed by the Speaker

Adopted.

By Mr. Hurley:

Resolved, That the Secretary of State be authorized to purchase and pay for out of the contingent expenses of the Assembly, eighty-five copies of Desty's pocket edition of the Constitution of the State of California, for the use of the members of this Assembly.

Adopted.

ASSEMBLY JOINT RESOLUTIONS.

By Mr. Sargent: Assembly Joint Resolution No. 3—Relative to duplicate copies of Statutes and Supreme Court Reports in the State Library.

Referred to Committee on State Library.

By Mr. Vann: Assembly Joint Resolution No. 4—Relative to the free and unlimited coinage of silver.

Referred to Committee on Federal Relations.

By Mr. Adams: Assembly Joint Resolution No. 5—Relative to the construction of the Nicaragua Canal.

Referred to Committee on Commerce and Navigation.

By Mr. Wade: Assembly Joint Resolution No. 6—Relative to the construction of the Nicaragua Canal.

Referred to Committee on Commerce and Navigation.

RESOLUTIONS.

By Mr. Sims:

Resolved, That the per diem of the Chaplain of the Assembly be and the same is hereby fixed at five dollars ($5), commencing January 3, 1893, said per diem being made payable out of the appropriation for the contingent expenses of the Assembly

Adopted.

By Mr. McGowan:

Resolved, That in the introduction of bills the roll shall be called and each member shall present such bills as he may desire when his name is called

Lost.

INTRODUCTION OF BILLS.

The following bills were introduced, read by title, and referred to committees, as follows:

By Mr. Mathews of Tehama: Assembly Bill No. 1—An Act making an appropriation to pay the deficiency in the appropriation for fuel, lights, and supplies for the Secretary of State's office for the forty-second fiscal year.

Referred to Committee on Ways and Means.

Also: Assembly Bill No. 2—An Act making an appropriation to pay the deficiencies in the appropriation for costs and expenses of suits in which the State is a party in interest, for the fortieth, forty-first, forty-second, and forty-third fiscal years.

Referred to Committee on Public Expenditures and Accounts.

Also: Assembly Bill No. 3—An Act to abolish commissions, or fees, paid by the State for the assessment. equalization, auditing, and collection of ad valorem taxes.

Referred to Committee on Ways and Means.

By Mr. Alford: Assembly Bill No. 4—An Act to amend section fifty-three of the Penal Code of California, relating to intimidating, corrupting, deceiving, or defrauding electors.

Referred to Committee on Judiciary.

Also: Assembly Bill No. 5—An Act defining estrays, and providing for the taking up and sale of the same, and the disposition of the proceeds arising from such sale.

Referred to Committee on Judiciary.

Also: Assembly Bill No. 6—An Act to increase the Law Library Fund in counties where law libraries now exist, or shall hereafter exist, pursuant to the provisions of an Act entitled "An Act to establish law libraries," approved March 31, A. D. 1891.

Referred to Committee on Judiciary.

By Mr. Shanahan: Assembly Bill No. 8—An Act to promote the purity of elections.

Referred to Committee on Elections.

By Mr. Casterline: Assembly Bill No. 9—An Act to amend section four hundred and ten of the Code of Civil Procedure, relative to the serving of summons and complaints.

Referred to Committee on Judiciary.

By Mr. Shanahan: Assembly Bill No. 10—An Act in relation to reassessments of property, and the equalization of the same, in cases where a former assessment is invalid or void, and in relation to the collection of taxes on said reassessment.

Referred to Committee on Judiciary.

Also: Assembly Bill No. 11—An Act to prevent frauds on travelers.

Referred to Committee on Judiciary.

By Mr. Vann: Assembly Bill No. 12—An Act defining estray animals, and providing for the care and disposition of same.

Referred to Committee on Judiciary.

By Mr. Pueschel: Assembly Bill No. 13—An Act for the relief of county officers.

Referred to Committee on County and Township Governments.

By Mr. Mordecai: Assembly Bill No. 14—An Act to add a new section to an Act entitled "An Act to establish a Political Code of the State of California," to be called section two thousand nine hundred and eighty-four, relative to the appointment of a State Sanitary Inspector.

Referred to Committee on Hospitals.

Also: Assembly Bill No. 15—An Act to appropriate money to prevent the introduction of contagious diseases.

Referred to Committee on Chinese Immigration and Emigration.

By Mr. Johnson of Santa Clara: Assembly Bill No. 16—An Act to amend section one thousand five hundred and seventy-seven of the Political Code of the State of California, relating to school districts.

Referred to Committee on Education.

By Mr. Bretz: Assembly Bill No. 17—An Act to add a new section to the Penal Code of the State of California, to be designated as four hundred and two, relating to the duties of females employed in mercantile and manufacturing occupations.

Referred to Committee on Judiciary.

Also: Assembly Bill No. 18—An Act to provide for the incorporation of mutual fire insurance companies, and define their powers and duties.

Referred to Committee on Corporations.

Also: Assembly Bill No. 19—An Act to establish a Civil Code, approved March 21, 1872, by adding a new section thereto, to be numbered four hundred and thirty-two, relating to fire and marine insurance.

Referred to Committee on Corporations.

By Mr. Carlson: Assembly Bill No. 20—An Act making an appropriation for the construction of a seawall, thoroughfare, and piers, in the harbor of San Diego.

Referred to Committee on Commerce and Navigation.

By Mr. Pendleton: Assembly Bill No. 21—An Act entitled an Act to amend section two thousand nine hundred and fifty-five of the Civil Code.

Referred to Committee on Judiciary.

Also. Assembly Bill No. 22—An Act to amend section forty-three of an Act entitled "An Act to provide for work upon streets, lanes, alleys, courts, places, and sidewalks, and for construction of sewers within municipalities," approved March 18, 1891, which added said section forty-three to said original Act.

Referred to Committee on Municipal Corporations.

Also: Assembly Bill No 23—An Act to provide for the formation of new counties.

Referred to Committee on Counties and County Boundaries.

Also: Assembly Bill No. 24—An Act to create the county of Putnam, to establish the boundaries thereof, to determine the county seat, and to provide for its organization and election of officers.

Referred to Committee on Counties and County Boundaries.

Also (by request): Assembly Bill No. 25—An Act to create the county of Buena Vista, to establish the boundaries thereof, to determine the county seat, and to provide for its organization and election of officers.

Referred to Committee on Counties and County Boundaries.

By Mr. Dodge: Assembly Bill No. 26—An Act to provide two additional Judges of the Superior Court of the county of Alameda.

Referred to Committee on County and Township Governments.

Also: Assembly Bill No. 27—An Act to amend section five hundred and eighty-five of an Act entitled "An Act to establish a Code of Civil Procedure of the State of California," approved March 11, 1872, relating to judgment upon failure to answer.

Referred to Committee on Judiciary.

Also: Assembly Bill No. 28—An Act to provide for the completion and equipment of the Deaf and Dumb and Blind Asylum, and to make an appropriation therefor.

Referred to Committee on Public Buildings and Grounds.

Also: Assembly Bill No. 29—An Act to amend section fifteen hundred and eighty-two of the Code of Civil Procedure.

Referred to Committee on Judiciary.

Also: Assembly Bill No. 30—An Act entitled an Act to amend section fifteen of an Act entitled "An Act to provide for the formation, government, operation, and dissolution of sanitary districts in any part of the State for the construction of sewers and other sanitary purposes; the acquisition of property thereby; the calling and conducting of elections in such districts; the assessment, levy, collection, custody, and disbursement of taxes therein; the issuance and disposal of the bonds thereof, and the determination of their validity, and making provision for the payment of such bonds, and the disposal of their proceeds."

Referred to Committee on Hospitals.

Also: Assembly Bill No. 31—An Act to add a section to the Penal Code, to be known as section one hundred and sixty-one and a half, making it a misdemeanor to advertise to obtain or procure a divorce or nullity of marriage.

Referred to Committee on Judiciary.

Also: Assembly Bill No. 32—An Act to repeal an Act entitled "An Act to add an additional section to the Penal Code, to be known as section one hundred and fifty-nine and a half, making it a misdemeanor to advertise to obtain a divorce, or to aid therein."

Referred to Committee on Crimes and Penalties.

Also: Assembly Bill No. 33—An Act to amend section eleven hundred and eighty-three of the Code of Civil Procedure.

Referred to Committee on Judiciary.

Also: Assembly Bill No. 34—An Act to amend section thirteen hundred and twenty-two of the Penal Code, relating to the competency of husband and wife to testify against each other.

Referred to Committee on Crimes and Penalties.

Also: Assembly Bill No 35—An Act to add a section to the Penal Code, to be known as section one hundred and forty-nine and one half, making it a misdemeanor to refuse a prisoner the right of counsel.

Referred to Committee on Crimes and Penalties.

By Mr. Marston: Assembly Bill No. 36—An Act to appropriate money for the survey, location, and construction of a free wagon road from the town of Mariposa, in Mariposa County, to the Yosemite Valley.

Referred to Committee on Yosemite Valley and Mariposa Grove of Big Trees.

By Mr. Mack: Assembly Bill No. 37—An Act to amend an Act entitled "An Act to establish a Penal Code," approved February 14, 1872, by amending section three hundred and ninety-seven thereof, relating to penalty for selling liquor to habitual or common drunkards, and Indians.

Referred to Committee on Public Morals.

Also: Assembly Bill No. 38—An Act to amend an Act entitled "An Act to establish a Penal Code," approved February 14, 1872, by amend-

ing section one thousand three hundred and twenty-nine thereof, relating to the payment of expenses of witnesses in criminal cases.

Referred to Committee on Judiciary.

Also: Assembly Bill No. 39—An Act to amend section two hundred and fourteen of an Act entitled "An Act to establish a uniform system of county and township governments," approved March 31, 1891, relating to the salary of the county officers in the counties of the fifty-second class.

Referred to Committee on County and Township Governments

Also: Assembly Bill No. 40—An Act to tax gifts, legacies, and collateral inheritances in certain cases.

Referred to Committee on Judiciary.

By Mr. Finlayson: Assembly Bill No. 41—An Act to amend sections one thousand one hundred and eighty-six, one thousand one hundred and eighty-eight, one thousand three hundred and fifty-seven, one thousand three hundred and fifty-eight, one thousand three hundred and fifty-nine, 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 sixty-three, one thousand three hundred and sixty-four, and one thousand three hundred and sixty-five of the Political Code, and to add seventeen new sections thereto, to be numbered one thousand three hundred and sixty-six, one thousand three hundred and sixty-seven, one thousand three hundred and sixty-eight, one thousand three hundred and sixty-nine, one thousand three hundred and seventy, one thousand three hundred and seventy-one, one thousand three hundred and seventy-two, one thousand three hundred and seventy-three, one thousand three hundred and seventy-four, one thousand three hundred and seventy-five, one thousand three hundred and seventy-six, one thousand three hundred and seventy-seven, one thousand three hundred and seventy-eight, one thousand three hundred and seventy-nine, one thousand three hundred and eighty, one thousand three hundred and eighty-one, and one thousand three hundred and eighty-two, all in relation to the conduct of elections in this State.

Referred to Committee on Apportionment and Election Laws.

Also: Assembly Bill No. 42—An Act to define labor corporations, and to provide for the incorporation, organization, and government thereof, and, as a part of the government thereof, to provide for the regulation of deputies to which labor corporations may be parties, by referring the same to a Board of Conciliation or Arbitration.

Referred to Committee on Labor and Capital.

Also: Assembly Bill No. 43—An Act to provide for the publication of monthly statements of city indebtedness.

Referred to Committee on Municipal Corporations.

Also: Assembly Bill No. 44—An Act to provide for the publication of monthly statements by the Auditor, of county indebtedness.

Referred to Committee on County and Township Governments.

By Mr. Kennedy. Assembly Bill No. 45—An Act amendatory of and supplemental to an Act entitled "An Act to create a Police Court in and for the City and County of San Francisco, State of California," approved March 5, 1889, and providing for an additional department, to be known as Department Number Four, and the appointment of a suitable person to act as Judge of said Court.

Referred to Committee on Municipal Corporations.

Also: Assembly Bill No. 46—An Act to provide for organizing and maintaining paid fire departments within cities and towns, cities and counties, in the State of California, to be under the supervision and control of Boards of Fire Commissioners, respectively.

Referred to Committee on Municipal Corporations.

By Mr. Thomas: Assembly Bill No. 47—An Act to amend sections three thousand seven hundred and forty-six and three thousand seven hundred and fifty-six of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to revenue and taxation.

Referred to Committee on Judiciary.

By Mr. Thomas of Nevada: Assembly Bill No. 48—An Act to appropriate money for the erection of a monument at Donner Lake, Nevada County, California, to the memory of the Donner party.

Referred to Committee on Public Buildings and Grounds.

By Mr. Schlesinger: Assembly Bill No. 49—An Act to provide and regulate the manner of making payment of fees, commissions, percentages, and other compensation for official services, and fines, penalties, and the like imposed.

Referred to Committee on County and Township Governments.

Also: Assembly Bill No. 50—An Act to limit the time within which franchises or privileges for the construction, extension, or operation of street railroads may be granted by Boards of Supervisors of the several counties, and cities and counties, of this State.

Referred to Committee on Municipal Corporations.

Also: Assembly Bill No. 51—An Act to repeal sections six hundred and thirty-nine, six hundred and forty, six hundred and forty-one, six hundred and forty-two, six hundred and forty-three, six hundred and forty-four, six hundred and forty-five, six hundred and forty-seven, of title sixteen, of part four, division first of the Civil Code, and to add seventeen new sections to said Civil Code, to be known and numbered as sections six hundred and thirty-three, six hundred and thirty-four, six hundred and thirty-five, six hundred and thirty-six, six hundred and thirty-seven, six hundred and thirty-eight, six hundred and thirty-nine, six hundred and forty, six hundred and forty-one, six hundred and forty-two, six hundred and forty-three, six hundred and forty-four, six hundred and forty-five, six hundred and forty-six, six hundred and forty-seven, six hundred and forty-eight, and six hundred and forty-eight and one half, providing for the formation and government of mutual building and loan associations, approved March 31, 1891.

Referred to Committee on Corporations.

Also: Assembly Bill No. 52—An Act making an appropriation to pay the claim of D. Jordan, as approved by the State Board of Examiners.

Referred to Committee on Claims.

By Mr. Androus: Assembly Bill No. 53—An Act to amend an Act entitled "An Act to establish a State Reform School for Juvenile Offenders, and to make an appropriation therefor," approved March 11, 1889, by amending the title to said Act, and by amending sections one, four, seven, eight, nine, fourteen, fifteen, sixteen, seventeen, eighteen, nineteen, twenty, twenty-one, twenty-three, twenty-four, twenty-six, twenty-seven, twenty-eight, twenty-nine, and thirty thereof, and by adding four new sections thereto, to be numbered, respectively, Sections 16a, 16b, 16c, and 16d, relating to a change in the name of the institution and the powers and duties of the public officers thereof, and the manner and

conditions under which commitments may be made thereto, and of the rights and obligations of persons committed thereto, and of the powers and duties of certain public officers in connection therewith, and generally relating to the State school located and established under the aforesaid Act, and now maintained by the State of California, at Whittier, in the county of Los Angeles therein.

Referred to Committee on Public Buildings and Grounds.

Also: Assembly Bill No. 54—An Act to prevent the overflow of streams of water and washes, and to confine them to their usual channels.

Referred to Committee on Swamp and Overflowed Lands.

Also: Assembly Bill No. 55—An Act to amend section four thousand and eighty-five of the Political Code, relating to the improvement of innavigable streams, and the protection of land adjacent thereto.

Referred to Committee on Internal Improvements.

Also: Assembly Bill No. 56—An Act to provide for the organization and government of districts already supplied with water for domestic and irrigation purposes, or either, and to provide for the acquisition of additional supplies of water when necessary, and to provide for the regulation and use of such water.

Referred to Committee on Water Rights and Drainage.

By Mr. Sims: Assembly Bill No. 57—An Act to provide for the establishment of high schools in the State of California

Referred to Committee on Education.

Also: Assembly Bill No. 58—An Act to provide for the punishment of persons, copartnerships, or corporations forming pools, trusts, and combines, and mode of procedure and rules of evidence in such cases.

Referred to Committee on Corporations.

Also: Assembly Bill No. 59—An Act to amend section three hundred and sixty-two of the Civil Code, relating to amending articles of incorporation.

Referred to Committee on Corporations.

Also: Assembly Bill No. 60—An Act amending section one thousand two hundred and seven of the Civil Code of the State of California, approved March 12, 1872, relating to proof and acknowledgment of instruments.

Referred to Committee on Judiciary.

Also: Assembly Bill No. 61—An Act to amend sections one thousand one hundred and eighty-three, one thousand one hundred and eighty-four, one thousand one hundred and eighty-seven, one thousand one hundred and ninety-three, one thousand one hundred and ninety-four, one thousand one hundred and ninety-five, and one thousand two hundred, and to repeal section one thousand one hundred and eighty-eight, and to add a new section, to be numbered one thousand two hundred and three, of an Act of the Legislature of the State of California entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, all relating to liens of mechanics and others.

Referred to Committee on Labor and Capital.

Also: Assembly Bill No. 62—An Act to prevent combinations to obstruct the sale of live stock in the State of California.

Referred to Committee of Agriculture

By Mr. Hutson: Assembly Bill No. 63—An Act relating to estrays.

Referred to Committee on Agriculture.

By Mr. Mathews (by request): Assembly Bill No. 64—An Act to appropriate money for the support of persons in indigent circumstances afflicted with incurable diseases.

Referred to Committee on Hospitals.

By Mr. Anderson: Assembly Bill No. 65—An Act to amend chapter two (2) of title two (2) of the Civil Code in relation to adoption.

Referred to Committee on Judiciary.

Also: Assembly Bill No. 66—An Act to pay the claim of George Nelson against the State of California.

Referred to Committee on Claims.

Also: Assembly Bill No. 67—An Act to provide for the purchase of a residence for the Governor of California, and to appropriate money therefor.

Referred to Committee on Public Expenditures and Accounts.

Also: Assembly Bill No. 68—An Act to amend an Act entitled "An Act to regulate the practice of pharmacy and sale of poisons in the State of California," approved March 11, 1891.

Referred to Committee on Judiciary.

Also: Assembly Bill No. 69—An Act to amend section one thousand six hundred and sixty-eight of an Act of the Legislature of the State of California entitled "An Act to establish a Code of Civil Procedure," relating to proceedings for the distribution of the estates of deceased persons.

Referred to Committee on Judiciary.

Also: Assembly Bill No. 70—An Act to amend section seven of an Act of the Legislature of the State of California entitled "An Act for the relief of insolvent debtors, for the protection of creditors, and for the punishment of fraudulent debtors," approved April 16, 1880, relating to voluntary insolvency and the payment of the costs and expenses thereof.

Referred to Committee on Judiciary.

Also: Assembly Bill No. 71—An Act to amend an Act entitled "An Act to insure the better education of practitioners of dental surgery, and to regulate the practice of dentistry in the State of California," approved March 12, 1885.

Referred to Committee on Crimes and Penalties.

By Mr. Burke: Assembly Bill No. 72—An Act providing for the selection, condemnation, and purchase of a suitable site, and the erection thereon of a State building, in San Francisco, and making an appropriation therefor.

Referred to Committee on Public Buildings and Grounds.

By Mr Barlow: Assembly Bill No. 73—An Act to provide for the payment of jurors and witnesses in criminal cases in Justices' Courts, or before a Justice of the Peace.

Referred to Committee on Judiciary.

By Mr. Taggart (by request): Assembly Bill No. 74—An Act to amend section one hundred and sixty-five of an Act entitled "An Act to establish a uniform system of county and township governments," approved March 31, 1891.

Referred to Committee on County and Township Governments.

Also (by request): Assembly Bill No. 75—An Act making an appropriation to pay the deficiency in the appropriation for the State Board

of Forestry, for the thirty-eighth, forty-second, and forty-third fiscal years.

Referred to Committee on Ways and Means.

By Mr. Conway: Assembly Bill No. 76—An Act to provide for furnishing clerks and copyists to the County Clerk of each city and county having one hundred thousand or more inhabitants, and providing the mode in which such clerks and copyists shall be appointed and designated as officers of the city and county, and establishing the compensation of such clerks and copyists.

Referred to Committee on Municipal Corporations.

Also: Assembly Bill No. 77—An Act to amend section ten of "An Act to create a Police Court in and for the City and County of San Francisco, State of California," approved March 5, 1889.

Referred to Committee on Municipal Corporations.

Also: Assembly Bill No. 78—An Act to amend an Act entitled "An Act to provide for the completion of all unfinished county, city, city and county, towns, and township buildings in the several counties, cities and counties, cities, and towns throughout the State of California," approved March 11, 1891.

Referred to Committee on Municipal Corporations.

By Mr. Sargent: Assembly Bill No. 79—An Act entitled an Act to pay the claim of J. W. Sibole.

Referred to Committee on Claims.

Also: Assembly Bill No 80—An Act to amend an Act entitled "An Act to establish a uniform system of county and township governments," approved March 31, 1891.

Referred to Committee on County and Township Governments.

By Mr. Bulla: Assembly Bill No. 81—An Act to amend section three thousand seven hundred and sixty-five, section three thousand seven hundred and seventy-three, section three thousand seven hundred and seventy-eight, section three thousand seven hundred and eighty, section three thousand seven hundred and eighty-one, section three thousand seven hundred and eighty-five, section three thousand seven hundred and eighty-eight, and section three thousand eight hundred and seventeen; and to repeal section three thousand seven hundred and seventy-five, section three thousand seven hundred and seventy-six, section three thousand seven hundred and seventy-seven, section three thousand seven hundred and seventy-nine, section three thousand seven hundred and eighty-two, section three thousand seven hundred and eighty-three, section three thousand seven hundred and eighty-four, and section three thousand eight hundred and eighteen of an Act of the Legislature of the State of California entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the sale of real property for delinquent taxes, and the redemption and resale of such property; and to add a new section thereto, to be known and designated as section three thousand eight hundred and one, also relating to the sale of real property for delinquent taxes.

Referred to Committee on Judiciary.

Also: Assembly Bill No. 82—An Act to amend sections one thousand three hundred and three, one thousand three hundred and twenty-three, one thousand three hundred and sixty-five, one thousand three hundred and eighty-eight, one thousand four hundred and thirty-nine, one thousand five hundred and sixteen, one thousand five hundred and

seventeen, one thousand five hundred and thirty-six, one thousand five hundred and forty-five, one thousand five hundred and forty-seven, 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 fifty-two, one thousand five hundred and fifty-three, one thousand five hundred and fifty-four, one thousand five hundred and fifty-seven, one thousand five hundred and fifty-eight, one thousand five hundred and sixty-five, one thousand five hundred and ninety-one, one thousand five hundred and ninety-seven, one thousand five hundred and ninety-eight, one thousand five hundred and ninety-nine, one thousand six hundred and eighteen; and to repeal sections one thousand five hundred and eighteen, one thousand five hundred and nineteen, one thousand five hundred and twenty-two, one thousand five hundred and twenty-three, one thousand five hundred and twenty-four, 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-three, one thousand five hundred and thirty-seven, one thousand five hundred and thirty-eight, one thousand five hundred and thirty-nine, one thousand five hundred and forty, one thousand five hundred and forty-one, one thousand five hundred and forty-two, one thousand five hundred and forty-three, one thousand five hundred and forty-four, one thousand five hundred and forty-nine, one thousand five hundred and fifty-six; and to add four new sections, to be known and designated as sections one thousand five hundred and forty-six, one thousand five hundred and fifty-four and one half, one thousand five hundred and ninety-two, one thousand five hundred and ninety-seven and one half, of an Act of the Legislature of the State of California entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1873, all relating to estates of deceased persons.

Referred to Committee on Judiciary.

Also: Assembly Bill No. 83—An Act to amend sections seventeen hundred and sixty-eight, seventeen hundred and seventy, seventeen hundred and seventy-seven, seventeen hundred and eighty-eight, seventeen hundred and eighty-nine; and repealing sections seventeen hundred and seventy-eight, seventeen hundred and eighty-one, seventeen hundred and eighty-two, seventeen hundred and eighty-three, seventeen hundred and eighty-four, seventeen hundred and eighty-five, seventeen hundred and eighty-six, seventeen hundred and eighty-seven of an Act of the Legislature of the State of California entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1873, all relating to the guardianship of the persons and estates of minors and incompetents, and adding a new section to said Code of Civil Procedure, to be known and designated as section seventeen hundred and seventy-one and one half, also relating to the guardianship of persons and estates of minors and incompetents.

Referred to Committee on Judiciary.

Also: Assembly Bill No. 84—An Act to authorize the husband or wife or next of kin of a deceased person to collect and receive of any bank any deposit in such bank when the same does not exceed the sum of five hundred dollars.

Referred to Committee on Judiciary.

Also: Assembly Bill No. 85—An Act to amend section six hundred and thirty-one of an Act of the Legislature of the State of California entitled "An Act to establish a Code of Civil Precedure," approved March 11, 1873, relating to a waiver of a trial by jury, and to add two new sections to said Code, to be known and designated as section two hundred and forty-eight, relating to the fees of grand and trial jurors, and section six hundred and twenty, relating to the time and manner of demanding a trial by jury.

Referred to Committee on Judiciary.

Also: Assembly Bill No. 86—An Act to amend section seven hundred and thirty-eight of the Code of Civil Procedure, relating to parties to an action to quiet title.

Referred to the Committee on Judiciary.

By Mr. Duckworth: Assembly Bill No. 87—An Act to repeal an Act entitled "An Act fixing a bounty on coyote scalps," approved March 31, 1891.

Referred to Committee on Agriculture.

By Mr. Curtis: Assembly Bill No. 88—An Act to provide for increasing the efficiency of paid fire departments within municipalities in the State of California.

Referred to Committee on Municipal Corporations.

By Mr. Drees: Assembly Bill No. 89—An Act to amend an Act entitled "An Act to establish a Penal Code," approved March 31, 1891, by amending section six hundred and twenty-six of the Penal Code, relating to the laws for the preservation of game birds and animals.

Referred to Committee on Fish and Game.

Also: Assembly Bill No. 90—An Act to prevent deception in the manufacture and sale of butter and of cheese, and to appropriate money for its enforcement.

Referred to Committee on Agriculture.

By Mr. Jacobsen: Assembly Bill No. 91—An Act making an appropriation to pay Charles Phipps for services rendered as assistant to the Secretary of the State Board of Examiners from February 15, 1891, to March 21, 1891.

Referred to Committee on Claims.

By Mr. Kerns: Assembly Bill No. 92—An Act to repeal an Act entitled "An Act to increase the number of Judges of the Superior Court of the county of Los Angeles, State of California, and for the appointment of such additional Judges," approved March 11, 1889, and to reduce the number of Judges of said county from six to four.

Referred to Committee on County and Township Governments.

By Mr. Casterline: Assembly Bill No. 93—An Act for the creation of a Commission for the promotion of uniformity of legislation in the United States.

Referred to Committee on Federal Relations.

By Mr. Blakeley: Assembly Bill No. 94—An Act to amend sections three hundred and seven, three hundred and twelve, and three hundred and fourteen of the Civil Code.

Referred to Committee on Corporations.

By Mr. Price: Assembly Bill No. 95—An Act to amend the Civil Code, by adding thereto two sections, to be known as sections one thousand four hundred and twenty-four and one thousand four hundred and

twenty-five, being title nine, part four, division two, of said Code, concerning the manner of conducting the business of hydraulic mining.

Referred to Committee on Mines and Mining.

Also (by request): Asssembly Bill No. 96—An Act to add a new section to the Political Code, to be numbered three thousand eight hundred and nineteen, relating to the payment of taxes under protest, and the right of action to recover taxes so paid.

Referred to Committee on Judiciary.

Also: Assembly Bill No. 97—An Act to repeal an Act entitled "An Act to create a State Board of Forestry, and to provide for the expenses thereof."

Referred to Committee on Forestry.

Also: Assembly Bill No. 98—An Act to amend section three thousand eight hundred and fifty-four and section three thousand eight hundred and fifty-eight of the Political Code.

Referred to Committee on Judiciary.

By Mr. Tindall: Assembly Bill No. 99—An Act to appropriate two hundred and sixty-one thousand four hundred and fifty dollars for the erection of an administration building for the Mendocino State Asylum for the Insane; to complete the female ward; to purchase furniture and finish the buildings erected and to be erected by the Directors of said asylum; to construct a plant for lighting said buildings; to improve the grounds thereof; to purchase live stock and agricultural implements to be used for asylum purposes; to construct a carpenter shop and morgue thereon; to furnish the bakery; to construct a dam to furnish a water supply to said asylum; for fencing the ground and constructing yard fencing, and constructing a sewer system; for purchasing laundry machinery and kitchen furniture; to appropriate money therefor, and provide for the expenditure of the same.

Referred to Committee on Hospitals.

Also: Assembly Bill No. 100—An Act to change the name of the Mendocino State Asylum for the Insane to "Mendocino Asylum."

Referred to Committee on Hospitals.

Also: Assembly Bill No. 101—An Act entitled an Act to appropriate money to pay the claims of McGowan and Butler for building retaining walls to "The Mendocino State Asylum for the Insane," for grading and terracing the ground thereof, and for constructing a drainage and sewer system in and about the buildings, which work was performed on, and material furnished said asylum, under contracts with the Board of Directors of said asylum.

Referred to Committee on Claims.

Also: Assembly Bill No. 102—An Act to amend sections eight, ten, and eleven of an Act entitled "An Act to establish a Branch Insane Asylum for the Insane of the State of California, at Ukiah, to be known as the Mendocino State Insane Asylum, and appropriating money therefor," approved February 20, 1889.

Referred to Committee on Hospitals.

By Mr. O'Keefe: Assembly Bill No. 103—An Act to declare certan tide lands public grounds, and granting the same to the county of San Mateo in trust for the use of the public.

Referred to Committee on Swamp and Overflowed Lands.

Also: Assembly Bill No. 104—An Act to amend section one hundred and seventy-two of the Civil Code, relating to the control, management, and disposition of community property.

Referred to Committee on Judiciary.

Also: Assembly Bill No. 105—An Act to create a State Board of Funeral Directors, to prescribe its powers and duties, to regulate the practice of undertaking and funeral direction, and to more effectually protect the people against contagious diseases.

Referred to Committee on Judiciary.

Also: Assembly Bill No. 106—An Act to amend section one thousand four hundred and two of the Civil Code, relating to the distribution of the community property upon the death of the husband.

Referred to Committee on Judiciary.

Also: Assembly Bill No. 107—An Act to amend section one hundred and three of the Code of Civil Procedure, relating to Justices' Courts.

Referred to Committee on Judiciary.

Also: Assembly Bill No. 108—An Act to amend sections two hundred and four, two hundred and five, two hundred and six, and two hundred and eight of the Code of Civil Procedure.

Referred to Committee on Judiciary

Also: Assembly Bill No. 109—An Act to amend section two hundred and seventy-six of the Code of Civil Procedure, relating to the qualifications of attorneys and counselors at law.

Referred to Committee on Judiciary.

Also: Assembly Bill No. 110—An Act to amend section one thousand two hundred and seventy of the Civil Code, relating to the power of testamentary disposition.

Referred to Committee on Judiciary.

Also: Assembly Bill No. 111—An Act to amend section one thousand four hundred and one of the Civil Code, relating to the distribution of the community property on the death of the wife.

Referred to Committee on Judiciary.

By Mr. Simpson: Assembly Bill No. 112—An Act to amend section one hundred and sixty-four of the Civil Code of the State of California, relating to conveyances of real property by married women, and limiting the time in which to commence actions for recovery of community property by husbands.

Referred to Committee on Judiciary.

Also: Assembly Bill No. 113—An Act requiring the recording of maps of cities, towns, additions to cities or towns, or subdivisions of lands into small lots or tracts for the purposes of sale, and providing for a forfeiture for the selling, or offering for sale, any lots or tracts in cities, towns, additions to cities, towns, subdivisions or additions thereto, before such maps are filed and recorded.

Referred to Committee on Municipal Corporations.

Also: Assembly Bill No. 114—An Act to provide for the organization, incorporation, and government of towns.

Referred to Committee on Municipal Corporations.

Also: Assembly Bill No 115—An Act to amend section four thousand two hundred and thirty-four of the Political Code of the State of California, relating to the books of records to be procured and kept by the County Recorder.

Referred to Committee on County and Township Governments.

Also: Assembly Bill No. 116—An Act to amend section one thousand one hundred and eighty-three of the Code of Civil Procedure of the State of California, relating to liens of mechanics, material men, contractors, sub-contractors, artisans, architects, machinists, builders, miners, and all persons and laborers of every class.

Referred to Committee on Judiciary.

Also: Assembly Bill No. 117—An Act to provide for the planting, maintenance, and care of shade trees upon streets, lanes, alleys, courts, and places within municipalities, and of hedges upon the lines thereof; also for the eradication of certain weeds within city limits.

Referred to Committee on Internal Improvements.

Also: Assembly Bill No. 118—An Act to prevent damages from the overflow of artesian wells.

Referred to Committee on Water Rights and Drainage.

By Mr. LaRue—Assembly Bill No. 119—An Act to regulate fees of County Clerks in counties of the ninth class, and to repeal conflicting Acts.

Referred to Committee on County and Township Governments.

Also: Assembly Bill No. 120—An Act to amend an Act entitled "An Act to establish a Penal Code," approved March 12, 1885, by amending section six hundred and twenty-six of the Penal Code, relating to the laws for the preservation of game birds and animals.

Referred to Committee on Fish and Game.

Also: Assembly Bill No. 121—An Act to amend "An Act to establish a Penal Code," approved March 12, 1885, by amending section six hundred and thirty-one of the Penal Code, relating to the laws for the preservation of game birds and animals.

Referred to Committee on Fish and Game.

By Mr. Talbott: Assembly Bill No. 122—An Act to appropriate ten thousand dollars for the purpose of sending an expert to foreign countries to collect and import into the State parasites and predaceous insects.

Referred to Committee on Viniculture, Viticulture, and Horticulture.

Also: Assembly Bill No. 123—An Act to provide for the publication and sale of an abridgment of the reports of the State Board of Horticulture, and making an appropriation of money to pay for the same.

Referred to Committee on Viniculture, Viticulture, and Horticulture.

By Mr. Bennett of Santa Clara: Assembly Bill No. 124—An Act to amend sections two hundred and fifty-eight and two hundred and fifty-nine of the Code of Civil Procedure, relative to the powers and duties of Court Commissioners.

Referred to Committee on Judiciary.

Also: Assembly Bill No. 125—An Act to increase the number of Judges of the Superior Court of the county of Santa Clara, and to provide for the appointment of an additional Judge, and to fix his compensation.

Referred to Committee on County and Township Governments.

Also: Assembly Bill No. 126—An Act appropriating the sum of ten thousand dollars for supplying a system of heating and ventilating the State Normal School building at San José, California.

Referred to Committee on Public Buildings and Grounds.

Also: Assembly Bill No. 127—An Act appropriating four thousand dollars to pay for the system of heating and ventilating established in

the Training Department of the State Normal School at San José, California.

Referred to Committee on Public Buildings and Grounds.

Also: Assembly Bill No. 128—An Act appropriating the sum of three thousand five hundred dollars for furnishing the Training Department building of the State Normal School at San José, California.

Referred to Committee on Public Buildings and Grounds.

By Mr. Carlson: Assembly Bill No. 129—An Act to amend an Act entitled "An Act to establish a Political Code," by amending section six hundred and eighty thereof.

Referred to Committee on Education.

By Mr. Barker. Assembly Bill No. 130—An Act to form Riverside County, classify it, define its boundaries, provide for its organization, and the appointment, election of officers, the location of county seat by election, and the adjustment and fulfillment of certain rights and obligations arising between such county and certain other counties.

Referred to Committee on Counties and County Boundaries.

By Mr. Bennett of Orange: Assembly Bill No. 131—An Act to amend sections three thousand seven hundred and sixty-five, three thousand seven hundred and seventy-three, three thousand seven hundred and eighty, three thousand seven hundred and eighty-five, three thousand seven hundred and eighty-eight, three thousand eight hundred and ninety-nine, and to repeal sections three thousand seven hundred and seventy-four, three thousand seven hundred and seventy-five, three thousand seven hundred and seventy-six, three thousand seven hundred and seventy-seven, three thousand seven hundred and seventy-eight, three thousand seven hundred and seventy-nine, three thousand seven hundred and eighty-one, three thousand seven hundred and eighty-two, three thousand seven hundred and eighty-three, three thousand seven hundred and eighty-four, and three thousand eight hundred and three of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to revenue and taxation.

Referred to Committee on Judiciary.

By Mr. Chipman: Assembly Bill No. 132—An Act to amend section seven hundred and fifty-one of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the duties of the Clerk of the Supreme Court.

Referred to Committee on Judiciary.

By Mr. Miller (by request): Assembly Bill No. 133—An Act to amend section five hundred and eighty-one of the Code of Civil Procedure, in relation to dismissal of actions.

Referred to Committee on Judiciary.

By Mr. Thomas of Santa Clara: Assembly Bill No. 134—An Act limiting the use of the National Guard of the State of California.

Referred to Committee on Military Affairs.

Also: Assembly Bill No. 135—An Act to amend section seven hundred and two of the Code of Civil Procedure, relating to the redemption of real property sold to satisfy a judgment.

Referred to Committee on Judiciary.

Also: Assembly Bill No. 136—An Act to ascertain and express the will of the people upon the subject of woman suffrage.

Referred to Committee on Apportionment and Election Laws.

Also: Assembly Bill No. 137—An Act to amend section eleven hundred and forty-two of the Political Code of the State of California, relating to Boards of Elections.

Referred to Committee on Apportionment and Election Laws.

By Mr. Carlson: Assembly Bill No. 138—An Act to amend "An Act to provide for the organization and government of irrigation districts, and to provide for the acquisition of water and other property, and for the distribution of water thereby for irrigation purposes," approved March 7, 1887, amending section seventeen thereof.

Referred to Committee on Irrigation and Water Rights.

Also: Assembly Bill No. 139—An Act to provide for the leasing and disposition of water for mechanical and other purposes, by irrigation districts organized, or to be organized, under and pursuant to an Act entitled "An Act to provide for the organization and government of irrigation districts, and to provide for the acquisition of water and other property, and the distribution of water thereby for irrigation purposes, approved March 7, 1887.

Referred to Committee on Irrigation and Water Rights.

Also: Assembly Bill No. 140—An Act supplemental to an Act entitled "An Act to provide for the organization and government of irrigation districts, and to provide for the acquisition of water and other property, and for the distribution of water thereby for irrigation purposes," approved March 7, 1887, providing for the disorganization of irrigation districts.

Referred to Committee on Irrigation and Water Rights.

Also: Assembly Bill No. 141—An Act to amend an Act entitled "An Act to provide for the organization and government of irrigation districts, and to provide for the acquisition of water and other property, and for the distribution of water thereby for irrigation purposes," approved March 7, 1887, by amending sections three, four, eleven, twelve, thirty-six, and thirty-seven thereof. and by repealing section forty-one thereof.

Referred to Committee on Irrigation and Water Rights.

ASSEMBLY CONSTITUTIONAL AMENDMENTS.

By Mr. Alford: Assembly Constitutional Amendment No. 1—An Act to submit to the people of the State of California an amendment to section one, article thirteen, of the Constitution of the State of California.

Referred to Committee on Constitutional Amendments.

By Mr. Finlayson: Assembly Constitutional Amendment No. 2—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, relative to revenue and taxation.

Referred to Committee on Constitutional Amendments.

By Mr. Barlow: Assembly Constitutional Amendment No. 3—Proposed amendment to article thirteen of the Constitution, relative to revenue and taxation.

Referred to Committee on Constitutional Amendments.

By Mr. Shanahan: Assembly Constitutional Amendment No. 4—Proposing the repeal of sections twenty-two and twenty-three of the State Constitution, and abolishing the Railroad Commission.

Referred to Committee on Corporations.

By Mr. Price: Assembly Constitutional Amendment No. 5—A resolution to propose to the people of the State of California an amendment to section one of article thirteen of the Constitution of the State of California.

Referred to Committee on Constitutional Amendments.

By Mr. Simpson: Assembly Constitutional Amendment No. 6—A proposal to amend article thirteen of the Constitution, relative to revenue and taxation.

Referred to Committee on Constitutional Amendments.

By Mr. Owen: Assembly Constitutional Amendment No. 7—An Act to amend section one of article thirteen of the Constitution, relative to revenue and taxation.

Referred to Committee on Constitutional Amendments.

ASSEMBLY JOINT RESOLUTION.

By Mr. Shanahan: Assembly Joint Resolution No. 7—Relative to the election of United States Senators.

Referred to Committee on Federal Relations.

MOTION.

Mr. Matthews of San Benito moved to take up Senate messages.

So ordered.

MESSAGE FROM THE SENATE.

SENATE CHAMBER, SACRAMENTO, January 9, 1893

MR. SPEAKER: I am directed to inform your honorable body that the Senate, on the 9th day of January, passed the following:

Senate Joint Resolution No. 3, relative to defining options and futures

F. J. BRANDON, Secretary of Senate.
By R. SHAW, Assistant.

SENATE JOINT RESOLUTION.

Senate Joint Resolution No. 3—Relative to defining options and futures.

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

AYES—Messrs. Adams, Anderson, Androus, Barker, Bennett of Santa Clara, Bennett of Orange, Blakeley, Boyce, Bretz, Brownlie, Buckley, Bulla, Burke, Carlson, Casterline, Chipman, Conway, Curtis, Cusick, Dodge, Drees, Duckworth, Duffy, Durst, Emeric, Finlayson, Gallagher, Gately, Godchaux, Hamilton, Hendrickson, Hurley, Hutson, Jacobs, Jacobsen, Johnson of Humboldt, Johnson of Santa Clara, Kennedy, Kahn, Kerns, LaRue, Luttringer, Lynch, McCauley, McElroy, McGowan, Mack, Marks, Marston, Mathews of Tehama, Matthews of San Benito, Miller, Mordecai, O'Keefe, O'Neill, Owen, Pendleton, Perkins, Price, Pueschel, Raw, Sargent, Schlesinger, Schroebel, Shanahan, Simpson, Sims, Standardt, Taggart, Talbott, Taylor, Thomas of Nevada, Thomas of Santa Clara, Tindall, Vann, Wade, and Mr. Speaker—76

NOES—None

ADJOURNMENT.

At four o'clock and twenty minutes P. M., on motion of Mr. Matthews of San Benito, the Assembly adjourned.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Tuesday, January 10, 1893.

The Assembly met pursuant to adjournment.

Speaker Gould in the chair.

The roll was called, and the following members answered to their names:

Messrs. Adams, Alford, Anderson, Androus, Barker, Barlow, Bennett of Santa Clara, Bennett of Orange, Blakeley, Bledsoe, Boyce, Bretz, Brownlie, Buckley, Bulla, Casterline, Conway, Curtis, Cusick, Dodge, Drees, Duckworth, Duffy, Durst, Emeric, Finlayson, Gallagher, Godchaux, Hamilton, Hendrickson, Hurley, Hutson, Jacobs, Jacobsen, Johnson of Humboldt, Johnson of Santa Clara, Kennedy, Kahn, Kerns, LaRue, Luttringer, McCauley, McElroy, McGowan, Mack, Marks, Mathews of Tehama, Matthews of San Benito, Miller, Mordecai, O'Keefe, O'Neill, Owen, Pendleton, Perkins, Price, Pueschel, Raw, Sargent, Schlesinger, Schroebel, Shanahan, Simpson, Sims, Standart, Taggart, Talbott, Taylor, Thomas of Nevada, Thomas of Santa Clara, Tindall, Vann, Wade, and Mr. Speaker.

Quorum present

LEAVE OF ABSENCE.

Mr. Lynch was granted leave of absence for the day.

PRAYER.

Prayer was offered by Rev. H. W. Conry.

READING OF THE MINUTES.

Pending the reading of the Journal of yesterday, Mr. Dodge moved that the further reading be dispensed with.

So ordered.

MOTIONS.

Mr. McElroy moved to amend the Journal of the 5th, as follows:

Under Rule 2 and after Subdivision 12, I move to amend by inserting "No. 13—Business on the Special File," making the following subdivision No. 14.

Under Rule 13, in the next to the last line, and after the word "by," I move to amend by inserting the words "order of."

Under Rule 75, in the third line, and after the word "he," I move to amend by inserting the word "shall"

So ordered.

Mr. Schlesinger moved that the report of the Committee on Rules and Regulations be amended, as follows:

Add to Rule 6 the following, viz.:

"Whenever a standing committee reports a bill back to the House with amendments, it shall also report a printed copy of the bill with the proposed amendments interlined in the proper place"

So ordered.

RULES ADOPTED.

Mr. McElroy moved the adoption of the Standing Rules of the Assembly, as reported by the Committee on Rules and Regulations, and amended in the Assembly.

Adopted.

PETITION.

By Mr. Mordecai: From citizens of Fresno County favoring the establishment of the county of Madera.

Referred to Committee on Counties and County Boundaries.

LEAVE OF ABSENCE.

Mr. Gately was granted leave of absence for the day.

MOTION.

Mr. Price moved that the rules be suspended, to consider Senate messages.

So ordered.

MESSAGE FROM THE SENATE.

SENATE CHAMBER, SACRAMENTO, January 9, 1893

MR. SPEAKER: I am directed to inform your honorable body that the Senate, on the 9th day of January, passed Assembly Joint Resolution No. 2, relative to the mining and river interests of the State of California

F. J. BRANDON, Secretary of Senate
By R SHAW, Assistant.

RESOLUTION.

By Mr. Price:

Resolved, That the enrollment of Assembly Joint Resolution No 2 be dispensed with, and said resolution be immediately transmitted to the Governor, to be telegraphed to Washington, and that the expense of said telegraphing be paid from the contingent expenses of the Assembly

Adopted.

MESSAGE FROM THE SENATE.

SENATE CHAMBER, SACRAMENTO, January 9, 1893.

MR. SPEAKER: I am directed to inform your honorable body that the Senate, on the 9th day of January, 1893, passed Senate Concurrent Resolution No 1, relative to duplicate copies of California Statutes and Reports.

F J BRANDON, Secretary of Senate
By R. SHAW, Assistant.

Senate Concurrent Resolution No. 1 referred to Committee on Judiciary.

INTRODUCTION OF BILLS.

The following bills were introduced, read by title, and referred to committees, as follows.

By Mr. Bledsoe: Assembly Bill No. 142—An Act regulating the hours of labor in saw mills, shingle mills, shake mills, and logging camps.

Referred to Committee on Labor and Capital.

Also: Assembly Bill No. 143—An Act to regulate the rate of interest in this State.

Referred to Committee on Judiciary.

Also: Assembly Bill No. 144—An Act to prohibit prize fighting and pugilistic sport.

Referred to Committee on Public Morals.

Speaker pro tem. Mathews in the chair.

By Mr. Mathews of Tehama: Assembly Bill No. 145—An Act making an appropriation to pay the deficiency in the appropriation for the salary of the Secretary of State Board of Examiners for the forty-second fiscal year.

Referred to Committee on Ways and Means.

Also: Assembly Bill No. 146—An Act making an appropriation to pay the deficiency in the appropriation for postage, expressage, telegraphing, and contingent expenses, State Board of Examiners, for the forty-fourth fiscal year.

Referred to Committee on Ways and Means.

Also: Assembly Bill No. 147—An Act to amend paragraph twenty-three of section twenty-five of an Act entitled "An Act to establish a uniform system of county and township governments."

Referred to Committee on County and Township Governments.

By Mr. Emeric. Assembly Bill No. 148—An Act to amend sections six hundred and twenty-six and six hundred and thirty-one of an Act entitled "An Act to establish a Penal Code," approved February 14, 1872, relating to fish and game.

Referred to Committee on Fish and Game.

Also: Assembly Bill No. 149—An Act to amend an Act entitled "An Act to prevent hunting and shooting on private inclosed grounds, and the destruction of growing timber on private grounds, in certain counties of the State."

Referred to Committee on Forestry.

Also: Assembly Bill No. 150—An Act appointing Sheriffs and Constables Game and Fish Wardens, and giving Justices of the Peace additional powers in cases of arrests for violation of the game and fish laws.

Referred to Committee on Fish and Game.

Also: Assembly Bill No. 151—An Act to amend section six hundred and thirty-six of the Penal Code of the State of California, in relation to the violations of the fish laws.

Referred to Committee on Fish and Game.

By Mr. Sims: Assembly Bill No. 152—An Act to amend sections two, five, seven, and ten of an Act entitled "An Act to establish free public libraries and reading-rooms," approved April 26, 1880, to enable the Trustees to fix the amount of taxes to be raised therefor, and to provide the manner of levying and collecting the same; to authorize the City Treasurer to pay out the same on order of the Trustees, to fix term of office of Trustees, and to provide the manner of their election in cities of less than one hundred thousand population.

Referred to Committee on Education.

Also: Assembly Bill No. 153—An Act to amend section six and section eight of an Act approved March 19, 1889, entitled "An Act authorizing the incurring of indebtedness by cities, towns, and municipal corporations incorporated under the laws of this State, for the construction of waterworks, sewers, and all necessary public improvements, or for any purpose whatever;" and to repeal the Act approved March 9, 1885, entitled "An Act to authorize municipal corporations of the fifth class, containing more than three thousand and less than ten thousand inhabitants, to obtain waterworks;" also, to repeal an Act approved March 15, 1887, entitled "An Act authorizing the incurring

of indebtedness by cities, towns, and municipal corporations incorporated under the laws of this State."

Referred to Committee on Municipal Corporations.

By Mr. Mordecai: Assembly Bill No. 154—An Act to create the county of Madera, to define the boundaries thereof, to determine the county seat, and to provide for its organization and election of officers, and to classify said county.

Referred to Committee on Counties and County Boundaries.

By Mr. Tindall: Assembly Bill No. 155—An Act to provide for opening, extending, widening, straightening, or closing up, in whole or in part, any street, square, lane, alley, court, or place within municipalities, and to condemn and acquire all land and property necessary or convenient for such purposes.

Referred to Committee on Municipal Corporations.

By Mr. Anderson: Assembly Bill No. 156—An Act to amend section one thousand five hundred and ninety-seven of the Code of Civil Procedure of this State, relating to specific performance of contracts made by decedents during their lifetime.

Referred to Committee on Judiciary.

By Mr. Drees: Assembly Bill No. 157—An Act to amend an Act entitled "An Act to establish a Political Code," approved March 20, 1891, by amending section one thousand five hundred and forty-three of the Political Code, relating to the disbursements of public school funds.

Referred to Committee on Education.

By Mr. Adams: Assembly Bill No. 158—An Act to amend section two thousand six hundred and fifty-three (2653) of the Political Code, relating to the levy of road tax.

Referred to Committee on Roads and Highways.

By Mr. Wade: Assembly Bill No. 159—An Act to provide for additional improvements and repairs at the Napa State Asylum for the Insane, and making an appropriation therefor.

Referred to Committee on State Hospitals.

By Mr. Kennedy: Assembly Bill No. 160—An Act requiring city, city and county, or town authorities to exact and require from persons or corporations seeking permission and authority to lay railroad tracks through streets or public highways of any incorporated city, city and county, or town, a satisfactory promise and undertaking to permit and allow mail carriers in the employ of the United States Government at all times, while engaged in the actual discharge of duty, to ride on the cars of such railroad without paying fare, and to make such promise and undertaking a condition precedent to the granting of such permission and authority by such governing Board.

Referred to Committee on Corporations.

By Mr. Miller (by request): Assembly Bill No. 161—An Act to amend section three thousand seven hundred and fifty-one of the Political Code of this State, relating to revenue and taxation.

Referred to Committee on Ways and Means

By Mr. Hendrickson, Jr.: Assembly Bill No. 162—An Act to add a new section to the Code of Civil Procedure of California, to be known as section one thousand six hundred and nineteen, relating to the commissions of the executor or the administrator, with the will annexed in cases where the administration is, by the terms of the will, and in consequence thereof, extended beyond four years.

Referred to Committee on Judiciary.

By Mr. Duffy: Assembly Bill No. 163—An Act entitled an Act defining the boundaries of Del Norte County.

Referred to Committee on Counties and County Boundaries.

By Mr. Schlesinger: Assembly Bill No. 164—An Act to amend an Act entitled "An Act to establish a Code of Civil Procedure," adopted March 11, 1872, by adding thereto a new section, to be known as section five hundred and seventy, relating to the appointment of receivers of the property of corporations.

Referred to Committee on Judiciary.

Also: Assembly Bill No. 165—An Act to appropriate the sum of thirteen thousand seven hundred and twenty-two dollars and twenty-one cents, to pay the salary of the Commissioner of Immigration from October 10, 1885, to March 16, 1889.

Referred to Committee on Claims.

Also: Assembly Bill No. 166—An Act to appropriate the sum of two thousand five hundred dollars, to pay the salary of the Deputy Commissioner of Immigration from August 1, 1883, to October, 1885.

Referred to Committee on Claims.

By Mr. Barlow: Assembly Bill No. 167—An Act providing for the destruction of ground squirrels and other destructive crop pests on all lands owned or claimed within the limits of the State of California.

Referred to Committee on Agriculture.

Also: Assembly Bill No. 168—An Act fixing a basis for the assessment of railroad property in this State.

Referred to Committee on Corporations.

By Mr. Finlayson (by request): Assembly Bill No 169—An Act to cede jurisdiction to the United States over certain lands.

Referred to Committee on Federal Relations.

Also: Assembly Bill No. 170—An Act to amend an Act entitled "An Act to amend sections ten, twenty-two, and twenty-seven of an Act entitled 'An Act to provide for the organization and government of irrigation districts, and to provide for the acquisition of water and other property, and for the distribution of water thereby for irrigation purposes,' approved March 7, 1887, relating to appointments to office in case of vacancies, and to assessments of real property, and to the collection of such assessments," approved February 16, 1889, relating to fees for recording duplicate certificates of sales.

Referred to Committee on Irrigation.

By Mr. Durst (by request): Assembly Bill No. 171—An Act to encourage fiber culture.

Referred to Committee on Agriculture.

By Mr. Carlson: Assembly Bill No. 172—An Act empowering Boards of Supervisors to appoint experts, and fixing their compensation.

Referred to Committee on County and Township Governments.

By Mr. Duckworth: Assembly Bill No. 173—An Act to amend the Civil Code by adding to part four, division first, a new title, providing for the consolidation of colleges and institutions of higher education.

Referred to Committee on Education.

By Mr. Bennett: Assembly Bill No. 174—An Act to amend section three thousand six hundred and twenty-nine of an Act entitled "An Act to establish a Political Code," approved March 7, 1881, relating to revenue and taxation.

Referred to Committee on Ways and Means.

Also: Assembly Bill No. 175—An Act to amend section six hundred and ninety-two of the Code of Civil Procedure, relating to the sale of property on execution.

Referred to Committee on Judiciary.

ASSEMBLY CONSTITUTIONAL AMENDMENTS.

By Mr. Bledsoe: Assembly Constitutional Amendment No. 8—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, amending section one of article two thereof, relative to the right of suffrage.

Referred to Committee on Apportionment and Election Laws.

By Mr. Anderson: Assembly Constitutional Amendment No. 9—To propose to the people of the State an amendment to the Constitution of the State, relative to poll tax.

Referred to Committee on Constitutional Amendments.

By Mr. Adams: Assembly Constitutional Amendment No. 10—To propose to the people of the State an amendment to the Constitution of the State, relating to the exemption of fruit trees and vines from taxation.

Referred to Committee on Constitutional Amendments.

By Mr. Kerns: Assembly Constitutional Amendment No. 11—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, amending section nine of article thirteen thereof, relative to the election of a State Board of Equalization.

Referred to Committee on Constitutional Amendments.

By Mr. Barlow: Assembly Constitutional Amendment No. 12—A resolution proposing to the people of the State of California an amendment to section seventeen, article one, of the Constitution of the State of California.

Referred to Committee on Constitutional Amendments.

By Mr. Bennett of Orange: Assembly Constitutional Amendment No. 13—A resolution to propose to the people of the State of California an amendment to section one of article thirteen of the Constitution of the State of California.

Referred to Committee on Constitutional Amendments.

RESOLUTIONS.

By Mr. Mordecai:

Resolved, That requisitions on the Secretary of State for stationery be limited to twenty-five dollars each for the Committees on Ways and Means, and Judiciary, and six dollars each for all other standing committees, all requisitions to be signed by the Chairman

Referred to Committee on Attachés and Employés.

By Mr. Matthews of San Benito:

Resolved, That Mrs M A. Hotaling be and she is hereby appointed Mailing Clerk of the Assembly, at a per diem of five dollars, payable out of the Contingent Fund of the Assembly

Referred to Committee on Attachés and Employés.

By Mr. Tindall:

Resolved, That the Sergeant-at-Arms be and he is hereby authorized to appoint a Page, at a per diem of three dollars

Referred to Committee on Attachés and Employés.

Also:

Resolved, That John Ginochio be and he is hereby appointed Committee-room Porter for the Election Committee, at a per diem of four dollars

Referred to Committee on Attachés and Employés.

By Mr. Boyce:

Resolved, That requisitions upon the Secretary of State for supplies for the use of committees of the Assembly shall be signed by the Chairman of the committee for whom the requisition is made And the Secretary of State is hereby instructed and directed not to recognize any requisition for any committee, except the same be signed by the respective Chairman.

Referred to Committee on Attachés and Employés.

By Mr. McCauley:

Resolved, That A. Young be and is hereby appointed Porter to the Coat-room of the Assembly, at the same per diem as the other Porters, to be paid out of the Contingent Fund of the Assembly.

Referred to Committee on Attachés and Employés.

By Mr. Jacobs:

Resolved, That J. H. Williams be and is hereby appointed Janitor and Messenger of the Judiciary Committee, at the same per diem as other Janitors, payable out of the Contingent Fund of the Assembly.

Referred to Committee on Attachés and Employés.

By Mr. Bretz:

Resolved, That the State Printer be instructed to print five hundred (500) copies of all bills, joint resolutions, constitutional amendments, and Journals for the use of the Assembly and Senate.

Adopted.

By Mr. Shanahan:

Resolved, That the Chairman of the Judiciary Committee be and he is hereby authorized to appoint for said committee a Sergeant-at-Arms, at a per diem of five dollars, and a Messenger at four dollars, payable out of the fund for contingent expenses of the Assembly

Adopted.

By Mr. McElroy:

Resolved, That the per diem for the clerks of Committee on Mileage and Committee on Rules and Regulations begin on January 3, 1893

Adopted.

By Mr. Boyce:

Resolved, That Joseph Clancy be and he is hereby appointed as Copying Clerk of the Assembly, at a per diem as is now paid the Assistant Clerks at the desk, said per diem being payable out of the appropriation for the contingent expenses of the Assembly.

Referred to Committee on Attachés and Employés.

ASSEMBLY JOINT RESOLUTION.

By Mr. Bledsoe: Assembly Joint Resolution No. 8—Relative to the payment of the debt which the Pacific railroads owe the Government.

Referred to Committee on Federal Relations.

RESOLUTION.

By Mr. Price:

Resolved, That Mrs. E. Sutherland be and hereby is appointed as typewriter of the Judiciary Committee, at a salary of five dollars per day, to be paid from the Contingent Fund of the Assembly.

PREVIOUS QUESTION.

Mr. Barlow moved the previous question, seconded by Messrs. Carlson and Hurley.

The question being, "Shall the main question be now put?" it was so ordered.

RESOLUTION ADOPTED.

The ayes and noes were demanded by Messrs. Kahn, Barlow, and Miller.

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

AYES—Messrs. Alford, Anderson, Barker, Bennett of Santa Clara, Blakeley, Boyce, Brownlie, Buckley, Burke, Carlson, Chipman, Conway, Curtis, Cusick, Drees, Duffy, Emeric, Finlayson, Gallagher, Gately, Godchaux, Hamilton, Hendrickson, Hurley, Hutson, Jacobs, Johnson of Santa Clara, Kennedy, LaRue, Luttringer, McCauley, McElroy, Mack, Marks, Marston, Mathews of Tehama, Miller, Mordecai, O'Neill, Price, Pueschel, Sargent, Schlesinger, Schroebel, Shanahan, Sims, and Tindall—45.

NOES—Messrs. Adams, Androus, Barlow, Bennett of Orange, Bledsoe, Bretz, Bulla, Casterline, Dodge, Duckworth, Durst, Jacobsen, Johnson of Humboldt, Kahn, Kerns, McGowan, O'Keefe, Owen, Pendleton, Perkins, Raw, Simpson, Standart, Taggart, Talbott, Taylor, Thomas of Nevada, Thomas of Santa Clara, Vann, and Wade—30.

RESOLUTIONS.

By Mr. Conway:

Resolved, That William Brannan be and he is hereby appointed a Porter of the Assembly, to take charge of the cloak-room in the Sergeant-at-Arms' room, at the same per diem as is paid the other Porters, said per diem being payable out of the appropriation for the contingent expenses of the Assembly.

Referred to Committee on Attachés and Employés.

By Mr. Taylor:

Resolved, That the Superintendent of State Printing be and he is hereby instructed and requested to furnish each member of the Assembly with a sewed copy of the Senate and Assembly Journals every Monday morning, said sewed copy to consist of each day's Journal of both houses for the week preceding such furnishing.

Referred to Committee on Retrenchment.

ASSEMBLY JOINT RESOLUTION.

By Mr. Bledsoe: Assembly Joint Resolution No. 9—Relative to foreign immigration to the United States.

Referred to Committee on Federal Relations.

RESOLUTIONS.

By Mr. Mathews of Tehama:

Resolved, That J. M. Sullivan be and he is hereby appointed Sergeant-at-Arms of the committees that meet in the State Library, at a per diem of five dollars, payable out of the Contingent Fund of the Assembly

Referred to Committee on Attachés and Employés.

Also:

Resolved, That Mrs. Carrie Murray be and she is hereby appointed Bill Clerk in the Sergeant-at-Arms' office, at a per diem of four dollars, payable out of the Contingent Fund of the Assembly

Referred to Committee on Attachés and Employés.

Also:

Resolved, That the action of the Assembly, whereby the following resolution, viz.: "That the Controller be and is hereby directed to draw a warrant upon the appropriation for the contingent expenses of the Assembly for thirty-five dollars, for the purpose of carpeting for the Assembly lobby, in order to deaden the noise of tramping," was adopted on last Thursday, January 5th, be and the same is hereby reconsidered

Adopted

Also:

Resolved, That the Sergeant-at-Arms be and he is hereby instructed and empowered to have the lobby of the Assembly chamber properly furnished, in order to deaden the noise caused by the tramping of members and visitors, such furnishing not to exceed the sum of eighty-five dollars

Adopted.

Speaker Gould in the chair.

APPOINTMENT.

The Speaker announced that he had appointed James L. Gilleran Watchman, vice James H. Lawrence, resigned.

RECESS.

The hour of recess having arrived, the Speaker declared recess until two o'clock P. M.

REASSEMBLED.

The Assembly reassembled at two o'clock P. M.

Speaker Gould in the chair.

The roll was called, and the following members answered to their names:

Messrs Adams, Alford, Anderson, Androus, Barker, Barlow, Bennett of Santa Clara, Bennett of Orange, Blakeley, Bledsoe, Boyce, Bretz, Brownlie, Buckley, Bulla, Burke, Carlson, Casterline, Chipman, Conway, Curtis, Cusick, Dodge, Drees, Duckworth, Duffy, Durst, Emeric, Finlayson, Gallagher, Gately, Godchaux, Hamilton, Hendrickson, Hurley, Hutson, Jacobs, Jacobsen, Johnson of Humboldt, Johnson of Santa Clara, Kennedy, Kahn, Kerns, LaRue, Luttringer, McCauley, McElroy, McGowan, Mack, Marks, Marston, Mathews of Tehama, Matthews of San Benito, Miller, Mordecai, O'Keefe, O'Neill, Owen, Pendleton, Perkins, Price, Pueschel, Raw, Sargent, Schlesinger, Schroebel, Shanahan, Simpson, Sims, Standardt, Taggart, Talbott, Taylor, Thomas of Santa Clara, Tindall, Vann, Wade, and Mr Speaker.

Quorum present.

INTRODUCTION OF BILLS.

The following bills were introduced, read by title, and referred to committees, as follows:

By Mr. McCauley: Assembly Bill No. 176—An Act authorizing school districts, cities, cities and counties, or incorporated towns in the State

of California, to furnish the pupils of their respective public schools with free use of school text-books.

Referred to Committee on Education.

By Mr. Gould: Assembly Bill No. 177—An Act to amend section two thousand six hundred and forty-six of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the powers and duties of highway officers, and to provide for the construction, maintenance, and improvements of highways by contract let out to the lowest bidder.

Referred to Committee on Roads and Highways.

By Mr. Raw: Assembly Bill No. 178—An Act to authorize and require the State of California to secure the title to, or right of way over, that certain wagon road in Sacramento and El Dorado Counties leading from the city of Sacramento to Lake Tahoe, and to keep the same in repair.

Referred to Committee on Roads and Highways.

By Mr. Bennett of Santa Clara: Assembly Bill No. 179—An Act to amend section four thousand three hundred and ninety-two of the Political Code of the State of California, relating to the duties of City Treasurers.

Referred to Committee on Municipal Corporations.

By Mr. Simpson: Assembly Bill No. 180—An Act to amend section eight hundred and eighty-two of an Act entitled "An Act to establish a Code of Civil Procedure," adopted March 11, 1872, relating to the trial of issues of fact in Justices' Courts.

Referred to Committee on Judiciary.

RESOLUTIONS.

By Mr. Tindall:

Resolved, That Jack McDonald be and he is hereby appointed Messenger to the Election Committee, at the per diem of five dollars, payable out of the Contingent Fund of the Assembly.

Lost.

By Bledsoe:

Resolved, That the Committee on Public Morals be and it is hereby authorized and empowered to send for persons and papers necessary for an investigation of the matter of the maintenance of a saloon in the basement of the State Capitol.

Adopted.

ADJOURNMENT.

At two o'clock and twenty-five minutes P. M., on motion of Mr. Mathews of Tehama, the Assembly adjourned.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Wednesday, January 11, 1893.

The Assembly met pursuant to adjournment.

Speaker Gould in the chair.

The roll was called, and the following members answered to their names:

Messrs Adams, Anderson, Androus, Barker, Barlow, Bennett of Santa Clara, Bennett of Orange, Blakeley, Bledsoe, Boyce, Bretz, Brownlie, Buckley, Bulla, Burke, Carlson, Casterline, Chipman, Conway, Curtis, Cusick, Dodge, Drees, Duckworth, Duffy, Durst, Emeric, Finlayson, Gately, Godchaux, Hendrickson, Hurley, Hutson, Jacobs, Jacobsen, Johnson of Humboldt, Johnson of Santa Clara, Kahn, Kerns, LaRue, Luttringer, Lynch, McCauley, McElroy, McGowan, Mack, Marks, Marston, Mathews of Tehama, Matthews of San Benito, Miller, Mordecai, O'Keefe, O'Neill, Owen, Pendleton, Perkins, Price, Pueschel, Raw, Sargent, Schlesinger, Schroebel, Shanahan, Simpson, Sims, Standart, Taggart, Talbott, Taylor, Thomas of Nevada, Thomas of Santa Clara, Tindall, Vann, Wade, and Mr Speaker.

Quorum present.

LEAVE OF ABSENCE.

Mr. Alford was granted leave of absence for the day.

PRAYER.

Prayer was offered by Rev. H. W. Conry.

READING OF THE MINUTES.

Pending the reading of the Journal of yesterday, Mr. Schlesinger moved that the further reading be dispensed with.

So ordered.

Journal of Monday approved.

INTRODUCTION OF BILLS.

The following bills were introduced, read by title, and referred to committees, as follows:

By Mr. Vann (by request): Assembly Bill No. 181—An Act entitled "An Act to appropriate moneys to pay the claim of W. D. Crow for the advertising of the San Francisco Depot Act."

Referred to Committee on Claims.

By Mr. Finlayson: Assembly Bill No. 182—An Act to amend section two hundred and twenty-four of the Civil Code, regarding the adoption of children.

Referred to Committee on Judiciary.

Also: Assembly Bill No. 183—An Act to provide for the appointment of guardians of children maintained in any orphan asylum in this State

Referred to Committee on Judiciary.

By Mr. Lynch: Assembly Bill No. 184—An Act to reinstate and reenact section three thousand five hundred and seventy-three of the Political Code, relating to public lands.

Referred to Committee on Public Lands.

Also: Assembly Bill No. 185—An Act to amend section three thousand seven hundred and seventy-three of the Political Code, relating to the sale of property for delinquent taxes.

Referred to Committee on Ways and Means.

Also: Assembly Bill No. 186—An Act to amend section three thousand eight hundred and sixty-eight of the Political Code, relating to the report of County Auditors

Referred to Committee on Ways and Means.

Also: Assembly Bill No. 187—An Act to amend section three thousand eight hundred and sixty-six of the Political Code, relating to settlements with the State

Referred to Committee on Ways and Means.

By Mr. Schroebel: Assembly Bill No. 188—An Act to amend an Act entitled "An Act to form agricultural districts, to provide for the formation of agricultural associations therein, and for the management and control of the same by the State, and to repeal so much of an Act entitled 'An Act to form agricultural districts, to provide for the formation of agricultural associations therein, and for the management and control of the same by the State.'" approved March 20, 1891, by amending sections one, eleven, and twelve.

Referred to Committee on Agriculture.

By Mr. Owen: Assembly Bill No. 189—An Act to amend section one thousand two hundred and eighteen of an Act entitled "An Act to establish a Code of Civil Procedure of the State of California," approved March 11, 1872, relating to contempt of Court and punishment thereof.

Referred to Committee on Judiciary.

By Mr. Boyce: Assembly Bill No. 190—An Act to provide for a day of rest from labor.

Referred to Committee on Public Morals.

By Mr. Simpson: Assembly Bill No. 191—An Act to amend an Act entitled "An Act to establish a Political Code," approved March 12, 1872, by amending section seven hundred and ninety-one of said Code, relating to the appointment and number of Notaries Public in the several counties of this State.

Referred to Committee on Judiciary.

By Mr. Wade: Assembly Bill No. 192—An Act to provide for the building and furnishing of three cottages for use as residences of the Resident Physician and two Assistant Physicians at the Napa State Asylum for the Insane, and making an appropriation therefor.

Referred to Committee on State Hospitals.

By Mr Barlow: Assembly Bill No. 193—An Act to provide for incorporation, operation, and management of coöperative associations.

Referred to Committee on Labor and Capital.

By Mr. Thomas of Nevada: Assembly Bill No. 194—An Act to amend section two thousand six hundred and forty-five of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the powers and duties of highway officers, and to provide for the construction, maintenance, and improvements of highways by contract let out to the lowest bidder.

Referred to Committee on Roads and Highways

By Mr. Drees: Assembly Bill No 195—An Act to abolish the State Drainage Construction Fund, and directing the transfer of any balance remaining therein to the General Fund.

Referred to Committee on Ways and Means.

Also: Assembly Bill No. 196—An Act to amend section three thousand seven hundred and seventy of the Political Code, relating to the duties of Tax Collectors.

Referred to Committee on Judiciary.

By Mr. Bennett of Santa Clara: Assembly Bill No. 197—An Act to amend an Act approved February 28, 1887, entitled "An Act to amend an Act to appropriate money for the support of aged persons in indigent circumstances residing in the Home of the Veterans' Home Association," approved March 7, 1883, providing for an increase in the annual appropriation therefor, and changing time for the payment thereof.

Referred to Committee on State Hospitals.

Also: Assembly Bill No. 198—An Act to appropriate the sum of fifty thousand dollars for the erection, completion, and furnishing of buildings, laundry, and bath house, and for improvement of the grounds, heating and cooking apparatus, and water supply at Veterans' Home, situate in Napa County, under the auspices of the Veterans' Home Association of the State of California.

Referred to Committee on State Hospitals.

By Mr. Bulla: Assembly Bill No. 199—An Act amending section four of an Act entitled "An Act to establish a uniform system of county and township governments," approved March 31, 1891, adding to said Act new sections, to be known and designated, respectively, as sections number one hundred and twenty-one and one half and one hundred and fifty-four and one half, amending sections three thousand six hundred and fifty, three thousand six hundred and seventy-one, three thousand six hundred and seventy-three, three thousand six hundred and seventy-eight, three thousand seven hundred and thirty, three thousand seven hundred and thirty-one, three thousand seven hundred and thirty-four, three thousand seven hundred and fifty-three, three thousand seven hundred and fifty-six, three thousand seven hundred and sixty-three, three thousand seven hundred and sixty-eight, three thousand seven hundred and seventy-nine, three thousand eight hundred and four, three thousand eight hundred and sixteen, three thousand eight hundred and seventeen, three thousand eight hundred and ninety-eight, and three thousand nine hundred of the Political Code of the State of California, and adding to said Political Code new sections, to be known and designated, respectively, as sections number three thousand seven hundred and thirty-nine and three thousand eight hundred and nineteen, for the purpose of providing for the assessment of property for taxation, and the collection, accounting, and paying over of the taxes of cities and municipal corporations by county officers.

Referred to Committee on Municipal Corporations.

Also: Assembly Bill No. 200—An Act to provide for the assessment of property for taxation, and the collection, accounting, and paying over of the taxes of cities and municipal corporations by county officers.

Referred to Committee on Municipal Corporations.

Also: Assembly Bill No. 201—An Act to amend an Act entitled "An Act amendatory of and supplemental to an Act entitled 'An Act to provide for the organization and government of irrigation districts, and to provide for the acquisition of water and other property, and for the distribution of water thereby for irrigation purposes,' approved March 7, 1887, and providing for a change of the boundaries of irrigation

districts, by excluding other lands therefrom," approved February 16, 1889, relating to the exclusion of lands therefrom.

Referred to Committee on Irrigation.

By Mr. Johnson of Humboldt: Assembly Bill No. 202—An Act to amend sections one thousand five hundred and ninety-three and one thousand six hundred and twenty of an Act entitled "An Act to establish a Political Code," approved March 12, 1872. relating to the public schools.

Referred to Committee on Education.

By Mr. Gallagher: Assembly Bill No. 203—An Act to amend section three thousand and nine of the Political Code of the State of California. relating to the appointment of certain officers and employés by the Board of Health of the City and County of San Francisco.

Referred to Committee on Hospitals.

RESOLUTION.

By Mr. Shanahan:

Resolved, That the Judiciary Committee be and it is hereby authorized, by its Chief Clerk, to purchase the five annotated Deering Codes, and the Statutes of the twenty-ninth session of the California Legislature, together with all citations thereto.

Adopted.

ASSEMBLY JOINT RESOLUTION.

By Mr. Matthews of San Benito: Assembly Joint Resolution No. 10—Relating to refunding of moneys to certain settlers on Government lands in Fresno. Monterey and San Benito Counties.

Referred to Committee on Federal Relations.

ASSEMBLY CONSTITUTIONAL AMENDMENT.

By Mr. Godchaux: Assembly Constitutional Amendment No. 14—A resolution proposing to the people of the State of California an amendment to the Constitution, repealing sections twenty-two and twenty-three of article twelve of said Constitution, relating to the Railroad Commission, and adding to article four of said Constitution a new section, to be known and numbered as section thirty-six, relating to railroad freights and fares.

Referred to Committee on Corporations

RESOLUTION.

By Mr. Schlesinger: Requesting that an investigation be made of the acts of the Railroad Commissioners:

WHEREAS, The people of this State are materially interested in the reasonable and impartial regulation of railroad transportation charges, to the end that all such common carriers doing business in California shall receive fair and adequate compensation for services performed, and no more; and whereas, the railroad corporations of this State have established and do maintain extravagant freight and fare charges, thereby retarding our prosperity, and depriving the people of the legitimate rewards of their efforts, and whereas, the enormous fortunes which have been acquired by these corporations and their managers, and the transportation burdens imposed upon the people, clearly demonstrate that a substantial reduction of freight and fare charges should be made, and whereas, the people of California, after many and futile efforts to control the charges made by the transportation companies within her borders, did, in the Constitution of 1879, and for the purpose of remedying an obvious evil, provide for the organization of a Railroad Commission with plenary powers, and requiring such Com-

mission to establish rates of charges for the transportation of passengers and freight, and whereas such constitutional provision was adopted, to the end that such charges might be reduced and the people relieved from onerous burdens thereby occasioned; and whereas, said Commission, from the time of its organization to this date, has been absolutely controlled by the corporations it was created to regulate, and has wholly failed to meet public expectation or to perform its duty, and has thus disappointed and imposed upon the public, and whereas, the present incumbents of such Commission have been publicly and frequently charged with subserviency to the railroad corporations, and there exists a widespread belief that such Commissioners are and have been derelict in their duties, and that the fare and freight schedules issued by them are really the work of the several railroad companies affected, and whereas, the people who elected said Commissioners are entitled to know the reason for their inaction and inefficiency, and whereas, it is the duty of this Legislature to enforce any remedy that may be proper in the premises; and whereas, the Constitution of the State declares that the Legislature shall have power, by a two-thirds vote of all members elected to each house, to remove any one or more of said Commissioners from office for dereliction of duty, or corruption, or incompetency, now therefore, be it

Resolved by the Assembly of the State of California

First—That a special committee of five persons be appointed by the Speaker, whose duty it shall be to investigate, ascertain, and report whether or not the existing Commission has exercised or performed the powers, duties, and obligations conferred upon it by law, and particularly if said Commission has ever adopted a proper schedule of charges for transportation of freight and passengers as contemplated by law, and if not, the reasons why it has not done so

Second—To ascertain and report to this House whether either of the members of the present Commission is guilty of any dereliction of duty, incompetency, or corruption in office.

Third—Said committee shall also report what proceedings, if any, are necessary or expedient to be taken in the premises.

Fourth—Said committee shall have power to send for persons and papers, to employ a stenographer, and shall return and report to this House all the testimony and proceedings had and taken pursuant to this resolution.

Fifth—Said committee, if in their judgment it is necessary, may present articles of impeachment against one or more of the Commissioners

Referred to Committee on Corporations.

ASSEMBLY CONCURRENT RESOLUTION.

By Mr. Dodge: Assembly Concurrent Resolution No. 2—Pertaining to an investigation of the Home for the Adult Blind.

Adopted.

ASSEMBLY JOINT RESOLUTION.

By Mr. Bledsoe: Assembly Joint Resolution No. 11—Relative to a public building at Eureka.

Referred to Committee on Federal Relations.

RESOLUTIONS.

By Mr. Tindall:

Resolved, That the Chairman of the Election Committee be and he is hereby authorized to appoint a Sergeant-at-Arms, at a per diem of five dollars, payable out of the Contingent Fund of the Assembly

Mr. Lynch in the chair.

The ayes and noes were demanded by Messrs. Bledsoe, O'Keefe, and Duckworth.

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

AYES—Messrs Boyce, Brownlie, Buckley Burke, Carlson, Conway, Curtis, Cusick, Emeric, Finlayson, Gallagher, Gately, Godchaux, Hamilton, Hendrickson, Hurley, Hutson, LaRue, Luttringer, McCauley, McGowan, Mack, Marks, Marston, Mathews of Tehama, Price, Pueschel, Sargent, Schlesinger, Schroebel, Shanahan, and Tindall—32.

NOES—Messrs. Adams, Anderson, Androus, Barker, Barlow, Bennett of Santa Clara, Bennett of Orange, Blakeley, Bledsoe, Bretz, Bulla, Casterline, Chipman, Dodge, Drees, Duckworth, Duffy, Durst, Jacobs, Jacobsen, Johnson of Humboldt, Kahn, Kerns, Lynch,

McElroy, Matthews of San Benito, Miller, Mordecai, O'Keefe, Owen, Pendleton, Perkins, Raw, Simpson, Sims, Standart, Taggart, Talbott, Taylor, Thomas of Nevada, Thomas of Santa Clara, Vann, and Wade—43

By Mr. Price (by request):

Resolved, That Lewis Hendricks be and he is hereby appointed to take charge of the hat and cloak-room of the Assembly, 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.

By Mr. LaRue:

Resolved, That Chas. Robinson be and he hereby is appointed Committee-room Porter, at a per diem of four dollars, to be paid out of the Contingent Fund of the Assembly

Referred to Committee on Attachés and Employés.

By Mr. Mathews of Tehama:

Resolved, That H. A. Mason be and he is hereby appointed an Assistant Clerk at the desk, whose duty it shall be to assist the Chief Clerk in the discharge of his duties; to receive the same per diem as the Chief Clerk, to be paid out of the appropriation for the contingent expenses of the Assembly.

Referred to Committee on Attachés and Employés.

ASSEMBLY CONCURRENT RESOLUTION.

By Mr. Androus: Assembly Concurrent Resolution No. 3—Relative to lieu lands of the State of California within the county of Los Angeles.

Referred to Committee on Public Lands.

INTRODUCTION OF BILLS.

The following bills were introduced, read by title, and referred to committees, as follows:

By Mr. Mathews of Tehama: Assembly Bill No. 204—An Act to authorize the State Board of Agriculture to build a Machinery Hall addition to the State Agricultural and Industrial Exhibition building, on the State Capitol grounds, to improve the surroundings of said building, and to appropriate money therefor.

Referred to Committee on Public Buildings and Grounds.

By Mr. Anderson: Assembly Bill No. 205—An Act to amend the Political Code in relation to the reclamation of swamp and overflowed and other lands, and to provide for works of drainage and reclamation too extensive to be constructed by reclamation districts organized under section ——— of said Code.

Referred to Committee on Swamp and Overflowed Lands.

By Mr. Sims: Assembly Bill No. 206—An Act to provide furniture for and furnishing the California Home for the Care and Training of Feeble-Minded Children, at Glen Ellen, Sonoma County, California, and making an appropriation therefor.

Referred to Committee on State Hospitals.

By Mr. Sims: Assembly Bill No. 207—An Act to provide for the erection of an additional wing to the main building of the California Home for the Care and Training of Feeble-Minded Children, at Glen Ellen,

Sonoma County, California, for the Female Department of said institution, and to appropriate money therefor.

Referred to Committee on State Hospitals.

By Mr. Sims: Assembly Bill No. 208—An Act to provide for the improvement of the grounds of the California Home for the Care and Training of Feeble-Minded Children, at Glen Ellen, Sonoma County, California, and to appropriate money therefor.

Referred to Committee on State Hospitals.

Also: Assembly Bill No. 209—An Act to amend section three thousand seven hundred and sixty-two of the Political Code, relating to the duties of County Auditors.

Referred to Committee on County and Township Governments.

Also: Assembly Bill No. 210—An Act authorizing the Controller and Treasurer to transfer to the General Fund all moneys now in the Election Reward Fund, the Leprosy Fund, and Interest and Sinking Fund, Levee District Number Five, and abolishing the Leprosy Fund and Interest and Sinking Fund, Levee District Number Five.

Referred to Committee on Ways and Means.

By Mr. Bennett of Santa Clara: Assembly Bill No. 211—An Act to regulate the fees of County Clerks in estates of deceased persons, of minors, and of incompetent persons.

Referred to Committee on Judiciary.

RESOLUTIONS.

By Mr. Mack:

Resolved, That the Chairmen of the respective committees heretofore appointed, and who may be hereafter appointed by the Speaker, be and they are hereby instructed to notify the introducers of bills of the time when said bills will be considered by said committees.

Adopted.

By Mr. Luttringer:

Resolved, That B C Hughes be and he is hereby appointed Janitor of the Assembly, at a per diem of five dollars, said per diem being payable out of the appropriation for the contingent expenses of the Assembly.

Referred to Committee on Attachés and Employés.

Speaker Gould in the chair.

WITHDRAWAL FROM COMMITTEE.

Mr. Simpson asked leave to withdraw from the Committee on Education.

Granted.

APPOINTMENTS.

The Speaker appointed Mr. Bulla a member of the Committee on Education in place of Mr. Simpson.

The Speaker also appointed as one of the Porters, James Fagan.

ADJOURNMENT.

At twelve o'clock M., on motion of Mr. Lynch, the House adjourned.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Thursday, January 12, 1893.

The Assembly met pursuant to adjournment.

Speaker Gould in the chair.

The roll was called, and the following members answered to their names:

Messrs Adams, Alford, Anderson, Androus, Barker, Barlow, Bennett of Santa Clara, Bennett of Orange, Blakeley, Bledsoe, Boyce, Bretz, Buckley, Bulla, Burke, Carlson, Casterline, Chipman, Conway, Curtis, Cusick, Dodge, Drees, Duckworth, Duffy, Durst, Emeric, Finlayson, Gallagher, Gately, Godchaux, Hamilton, Hendrickson, Hurley, Hutson, Jacobs, Jacobsen, Johnson of Humboldt, Johnson of Santa Clara, Kennedy, Kahn, Kerns, LaRue, Luttringer, Lynch, McCauley, McElroy, McGowan, Mack, Marks, Marston, Mathews of Tehama, Matthews of San Benito, Miller, Mordecai, O'Neill, Owen, Pendleton, Perkins, Price, Pueschel, Raw, Sargent, Schlesinger, Schroebel, Shanahan, Simpson, Sims, Standart, Taggart, Talbott, Taylor, Thomas of Nevada, Thomas of Santa Clara, Tindall, Vann, Wade, and Mr. Speaker.

Quorum present.

LEAVE OF ABSENCE.

Mr. Duckworth was granted leave of absence for the remainder of the week.

Messrs. O'Keefe and Brownlie were granted leave of absence for the day.

PRAYER.

Prayer was offered by Rev. H. W. Conry.

READING OF THE MINUTES.

Pending the reading of the Journal of yesterday, Mr. Schlesinger moved that the further reading be dispensed with.

So ordered.

Journals of Tuesday and Wednesday approved.

MOTION.

Mr. Mathews of Tehama moved that five hundred copies of the rules, including the standing committees, be printed for the use of the members.

So ordered.

REPORT OF STANDING COMMITTEE.

ON ATTACHÉS AND EMPLOYÉS

ASSEMBLY CHAMBER, SACRAMENTO, January 12, 1893.

MR SPEAKER: Your Committee on Attachés and Employés, to whom was referred the following resolutions.

Resolved, That J M Sullivan be and he is hereby appointed Sergeant-at-Arms of the committees that meet in the State Library, at a per diem of five dollars, payable out of the Contingent Fund of the Assembly

Resolved, That the Speaker of the Assembly be and he is hereby authorized and empowered to employ such person as he may designate to attend to the gas and lights

of the Assembly, at a per diem of three dollars, and the Controller is hereby directed to draw his warrant for the same, payable out of the Contingent Fund of the Assembly.

Resolved, That H W Conry be and he is hereby appointed Chaplain of the Assembly, and his per diem is hereby fixed at five dollars, payable out of the Contingent Fund of the Assembly

Resolved, That requisitions on the Secretary of State for stationery be limited to twenty-five dollars each for the Committees on Ways and Means, and Judiciary, and six dollars each for all other standing committees, all requisitions to be signed by the Chairman.

Resolved, That I. Norton be and he is hereby appointed History Clerk of the Assembly, at the same per diem as is paid to the clerks at the desk, and that the Controller is hereby directed to draw warrant for same, payable out of the Contingent Fund of the Assembly

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass as above

HURLEY, Chairman.

MOTIONS.

Mr. Owen moved that the report of the Committee on Attachés and Employés of the Assembly, in reference to the History Clerk of the Assembly, be amended so as to adopt the following resolution, viz.:

Resolved, That a Weekly History of all Assembly Bills and Constitutional Amendments introduced be prepared, and that said History show the status, standing, and position of each Assembly Bill at the issuance of such History That a printed copy thereof be placed upon each member's desk every Monday during the session of the Legislature. That Ed. J Smith be and he is hereby appointed an Assistant Clerk at the desk to so prepare such History under the order of the Chief Clerk, and perform the duties required and ordered by this resolution, at the same per diem as is paid the Assistant Clerks at the desk, said per diem being payable out of the appropriation for the contingent expenses of the Assembly.

Instead and in place of the resolution as reported by the committee.

Mr. Finlayson moved to amend the amendment by striking out all including and after the words, "That Ed. J. Smith," etc.

The ayes and noes were demanded by Messrs. Adams, Anderson, and Owen.

The roll was called, and the amendment to the amendment was lost by the following vote:

AYES—Messrs Bennett of Orange, Boyce, Bretz, Finlayson, Gately, Hamilton, Hutson, Jacobs, Johnson of Santa Clara, Kerns, McCauley, McElroy, Matthews of San Benito, O'Neill, Sargent, Tindall, and Vann—17

NOES—Messrs Adams, Anderson, Androus, Barker, Barlow, Bennett of Santa Clara, Blakeley, Bledsoe, Buckley, Bulla, Burke, Carlson, Casterline, Chipman, Conway, Curtis, Cusick, Dodge, Drees, Duffy, Durst, Emeric, Gallagher, Golchaux, Hendrickson, Hurley, Jacobsen, Johnson of Humboldt, LaRue, Luttringer, Lynch, McGowan, Mack, Marks, Marston Mathews of Tehama, Miller, Mordecai, Owen, Pendleton, Perkins, Price, Pueschel, Raw, Schlesinger, Schroebel, Shanahan, Simpson, Sims, Standart, Taggart, Talbott, Taylor, Thomas of Nevada, Thomas of Santa Clara, Wade, and Mr. Speaker—57.

Mr. Owen's amendment was lost.

REPORT ADOPTED.

The question recurring on the adoption of the report of the Committee on Attachés and Employés, the same was adopted.

RESOLUTION.

By Mr. Shanahan:

Resolved, That the Committee on Corporations be and it is hereby instructed to report to the Assembly forthwith, without recommendation, the resolution introduced by Mr. Schlesinger, proposing an investigation of the State Railroad Commission.

MOTION.

Mr. Tindall moved to lay the resolution on the table.

POINT OF ORDER.

Mr. Mathews of Tehama raised a point of order that the resolution was out of order, in this that the committee have, under the rules, ten days' time in which to report bills back to the Assembly.

The Speaker ruled the point of order well taken.

APPEAL FROM DECISION OF THE CHAIR.

From which decision Mr. Shanahan appealed to the Assembly.

The question being, "Shall the decision of the Chair stand as the judgment of the Assembly?" it was so ordered.

COMMUNICATION.

The following communication was received and read:

SERGEANT-AT-ARMS' OFFICE, SACRAMENTO, January 12, 1893

MR. SPEAKER: One of your appointees, Miss Crawford, has never served in any capacity in this office whatever. The lady has been here but once, and that was to collect her warrant

Yours respectfully,

THOMAS E HEALY,
Sergeant-at-Arms.

MOTION.

Mr. Hurley moved that the communication be referred to the Committee on Attachés and Employés.

So ordered.

MESSAGE FROM THE SENATE.

SENATE CHAMBER, SACRAMENTO, January 12, 1893

MR SPEAKER: I am directed to inform your honorable body that the Senate, on the 12th day of January, 1893, concurred in Assembly Concurrent Resolution No 2, relative to an investigation of the Home for the Adult Blind.

F J. BRANDON, Secretary
By R. SHAW, Assistant.

APPOINTMENT OF COMMITTEE.

The Speaker announced that, in accordance with Assembly Concurrent Resolution No. 2, he would appoint on such committee, on the part of the Assembly, Messrs. Mathews of Tehama, Dodge, and Mordecai.

INTRODUCTION OF BILLS.

The following bills were introduced, read by title, and referred to committees, as follows:

By Mr. Kahn: Assembly Bill No. 212—An Act to amend section one thousand two hundred and four of the Code of Civil Procedure, relating to certain liens for salaries and wages, and to persons preferred, on assignments for benefit of creditors.

Referred to Committee on Judiciary.

Also: Assembly Bill No. 213—An Act to amend section one thousand two hundred and five of the Code of Civil Procedure, relating to certain liens for salaries and wages, and to persons preferred, in estates of deceased persons.

Referred to Committee on Judiciary.

Also: Assembly Bill No. 214—An Act to amend section one thousand two hundred and six of the Code of Civil Procedure, relating to certain liens for salaries and wages, and to persons preferred, in cases of executions and attachments.

Referred to Committee on Judiciary.

Also: Assembly Bill No. 215—An Act to amend section seven hundred and sixty-eight of the Code of Civil Procedure of California, relating to charges and fees allowable by the Court in actions for the partition of real property.

Referred to Committee on Judiciary.

By Mr. Sims: Assembly Bill No. 216—An Act to add a new section to an Act of the Legislature of the State of California entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1873, in relation to the distribution of the estates of deceased persons, to be known as section one thousand six hundred and seventy.

Referred to Committee on Judiciary.

By Mr. Taggart: Assembly Bill No. 217—An Act entitled an Act to amend section three thousand seven hundred and fifty-six of an Act entitled "An Act to amend section three thousand seven hundred and fifty-six of an Act entitled 'An Act to establish a Political Code,' approved March 12, A. D. 1872, relating to revenue and taxation," approved March 31, A. D. 1891.

Referred to Committee on Judiciary.

Also: Assembly Bill No. 218—An Act entitled an Act to amend section three thousand seven hundred and fifty-one of an Act entitled "An Act to amend section three thousand seven hundred and fifty-one of an Act entitled 'An Act to establish a Political Code,' approved March 12, A. D. 1872, relating to revenue and taxation," approved March 31, A. D. 1891.

Referred to Committee on Judiciary.

Also: Assembly Bill No. 219—An Act to amend section three thousand seven hundred and forty-six of an Act entitled "An Act to amend section three thousand seven hundred and forty-six of an Act entitled 'An Act to establish a Political Code,' approved March 12, A. D. 1872, relating to revenue and taxation," approved March 31, A. D. 1891.

Referred to Committee on Judiciary.

Also: Assembly Bill No. 220—An Act to amend section three thousand seven hundred and seventy-nine of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to revenue and taxation.

Referred to Committee on Judiciary.

Also: Assembly Bill No. 221—An Act to amend section three thousand seven hundred and eighty and section three thousand seven hundred and eighty-five of an Act to amend an Act entitled "An Act to amend sections three thousand seven hundred and eighty and three thousand seven hundred and eighty-five of an Act entitled 'An Act to establish a Political Code,' approved March 12, A. D. 1872, relating to the redemption of lands sold at tax sale," approved March 19, A. D. 1891.

Referred to Committee on Judiciary.

By Mr. Bretz: Assembly Bill No. 222—An Act for the relief of Barnaby Dougherty.

Referred to Committee on Claims.

By Mr. Price: Assembly Bill No. 223—An Act making an appropriation for the erection of an additional building for the State Normal School at Chico.

Referred to Committee on Public Buildings and Grounds.

Also: Assembly Bill No. 224—An Act making an appropriation for a fence in front of the grounds of the State Normal School building at Chico.

Referred to Committee on Public Buildings and Grounds.

Also: Assembly Bill No. 225—An Act making an appropriation for the construction of a cement floor in the basement of the State Normal School building at Chico.

Referred to Committee on Public Buildings and Grounds.

Also: Assembly Bill No. 226—An Act appropriating money to pay the claim of W. H. Murray, his heirs or assigns.

Referred to Committee on Claims.

Also: Assembly Bill No. 227—An Act amending sections one thousand five hundred and seventy-seven and one thousand five hundred and seventy-eight of the Code of Civil Procedure, relating to mortgages and leases in certain cases.

Referred to Committee on Judiciary.

By Mr. Pendleton: Assembly Bill No. 228—An Act to compel savings banks to publish a sworn statement of all unclaimed deposits.

Referred to Committee on Judiciary.

By Mr. Finlayson: Assembly Bill No. 229—An Act to amend section three hundred and seventy-four of an Act entitled "An Act to establish a Penal Code," approved February 14, 1872, in relation to crimes against the public health and safety.

Referred to Committee on Crimes and Penalties.

Also: Assembly Bill No. 230—An Act to amend sections three thousand seven hundred and seventy and three thousand seven hundred and eighty-four of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the costs and fees to be collected by the Tax Collector at the time of making sales of property for delinquent taxes, and in relation to redemptions from delinquent tax sales.

Referred to Committee on Judiciary.

By Mr. Sargent: Assembly Bill No 231—An Act to appropriate money for the completion of the building of the Preston School of Industry at Ione, and for furnishing and equipping the same.

Referred to Committee on State Prisons and Reformatory Institutions.

By Mr. Hendrickson: Assembly Bill No. 232—An Act for the regulation of the practice of medicine and surgery in the State of California, and for the appointment of a Board of Medical Examiners in the matter of said regulation.

Referred to Committee on Judiciary.

By Mr. Johnson of Santa Clara: Assembly Bill No. 233—An Act to amend section five hundred and thirty-seven of the Penal Code of the State of California, relating to defrauding proprietors and managers of hotels, inns, restaurants, boarding houses, and lodging houses.

Referred to Committee on Crimes and Penalties.

By Mr. Schlesinger: Assembly Bill No. 234—An Act to amend section seven hundred and sixty-eight of the Code of Civil Procedure of California, relating to charges and fees allowable by the Court in actions for the partition of real property.

Referred to Committee on Judiciary.

By Mr. Carlson: Assembly Bill No. 235—An Act supplemental to an Act entitled "An Act to provide for the organization and government of irrigation districts, and to provide for the acquisition of water and other property, and for the distribution of water thereby for irrigation purposes," approved March 7, 1887, providing for reducing the bonded indebtedness thereof.

Referred to Committee on Irrigation and Water Rights.

Also: Assembly Bill No. 236—An Act to amend an Act entitled "An Act to provide for the organization and government of irrigation districts, and to provide for the acquisition of water and other property, and for the distribution of water thereby for irrigation purposes," approved March 7, 1887, by amending sections fifteen and thirty thereof.

Referred to Committee on Irrigation and Water Rights.

By Mr. Miller: Assembly Bill No. 237—An Act to amend section three hundred and eighty-five of the Code of Civil Procedure of the State of California, relating to the bringing and continuance of actions and proceedings upon the death or disability of a party or person interested in certain causes of action.

Referred to Committee on Judiciary.

Also (by request): Assembly Bill No. 238—An Act relating to certain contracts for the conditional sale, lease, or hire of railroad and street railway equipment and rolling stock, and providing for the recording thereof.

Referred to Committee on Corporations.

By Mr. Blakeley: Assembly Bill No. 239—An Act to create the county of Kings, to define the boundaries thereof, to fix the county seat thereof, and to provide for its organization and election of officers, and to classify said county.

Referred to Committee on Counties and County Boundaries.

By Mr. Bulla: Assembly Bill No. 240—An Act entitled an Act to add a new section to the Penal Code of the State of California, approved February 14, 1872, to be known and designated as section three hundred and ten, relating to the lewd and improper touching and handling of children under the age of fourteen years, and fixing the punishment therefor.

Referred to Committee on Crimes and Penalties.

By Mr. Lynch: Assembly Bill No. 241—An Act to amend section three thousand eight hundred and sixty-six of the Political Code, relating to settlements with the Controller, and payments into the State Treasury.

Referred to Committee on Ways and Means.

By Mr. Bennett of Santa Clara: Assembly Bill No. 242—An Act appropriating two hundred and fifty thousand dollars for the erection of buildings for the use of affiliated and other departments of the University of California.

Referred to Committee on Public Buildings and Grounds.

Also: Assembly Bill No 243—An Act to establish and provide for an Industrial School for Girls, and make appropriations therefor.

Referred to Committee on Public Buildings and Grounds.

By Mr. LaRue: Assembly Bill No. 244—An Act to provide for the compensation of the Chief and Captain of Police and police officers in cities in the State of California containing not less than ten thousand and not exceeding thirty thousand inhabitants.

Referred to Committee on Municipal Corporations.

By Mr. Godchaux: Assembly Bill No. 245—An Act entitled an Act to pay the claim of Sands W. Forman for services as Secretary of the State Board of Forestry, and appropriating the sum of three hundred and seventy-five dollars to pay such claim.

Referred to Committee on Claims.

By Mr Marston: Assembly Bill No. 246—An Act to enfranchise the women citizens of the State, and prescribing their qualifications as electors.

Referred to Committee on Judiciary.

By Mr. O'Neill: Assembly Bill No. 247—An Act to amend section two hundred and seventy-four of an Act entitled "An Act to establish a Code of Civil Procedure," relating to the duties and compensation of Court reporters, and to add a new section to said Act, to be known as section number two hundred and seventy-four and one half, providing for appointment of reporters pro tempore in any action.

Referred to Committee on Judiciary.

By Mr. Casterline: Assembly Bill No. 248—An Act to amend section three thousand eight hundred and four of the Political Code, so as to provide for the refunding of double and erroneous assessments of taxes, and to relieve land owners from the effect of illegal tax sales.

Referred to Committee on Judiciary.

By Mr. Thomas of Santa Clara: Assembly Bill No. 249—An Act to amend section one hundred and ninety-four of the Code of Civil Procedure of the State of California, relating to jurors.

Referred to Committee on Judiciary.

By Mr. Bennett of Santa Clara: Assembly Bill No. 250—An Act to amend section three hundred and seventy-four of the Penal Code, relating to crimes against the public health.

Referred to Committee on Crimes and Penalties.

By Mr. Anderson: Assembly Bill No. 251—An Act to amend an Act of the Legislature of the State of California entitled "An Act for the relief of insolvent debtors, for the protection of creditors, and for the punishment of fraudulent debtors," approved April 16, 1880, by adding one new section thereto, to be known as Section 6a, providing for qualification to vote for assignee; to amend section fifteen of said Act, providing for election of assignee, and to amend section fifty-five of said Act, touching fraudulent preferences and transfers.

Referred to Committee on Judiciary.

By Mr. Mathews of Tehama: Assembly Bill No. 252—An Act to amend sections one hundred and ninety-one and one hundred and ninety-six of an Act entitled "An Act to establish a uniform system of county and township governments," approved March 31, 1891, relating to the salaries and fees of the county and township officers in counties of the twenty-ninth and thirty-fourth class, by adding a new subdivision to each of said sections, to be designated as subdivision sixteen of each of said sections, regulating the fees to be charged by the County Clerk and County Recorder for services performed and to be performed by them.

Referred to Committee on Judiciary.

ASSEMBLY CONSTITUTIONAL AMENDMENTS.

By Mr. Owen: Assembly Constitutional Amendment No. 15—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, amending sections one and nine, and repealing sections four and five of article thirteen thereof, relative to revenue and taxation.

Referred to Committee on Constitutional Amendments.

By Mr. Pueschel: Assembly Constitutional Amendment No. 16—Relative to a constitutional amendment regarding the free distribution of State text-books to the common schools of the State of California.

Referred to Committee on Education.

ASSEMBLY CONCURRENT RESOLUTIONS.

By Mr. Finlayson: Assembly Concurrent Resolution No. 4—Relative to a Joint Convention for the purpose of electing five Trustees of the State Library.

Mr. Kahn moved to lay the resolution on the table.

Lost.

Assembly Concurrent Resolution No. 4 adopted.

By Mr. Pueschel: Assembly Concurrent Resolution No. 5—Relative to an investigation of the Reform School of Juvenile Offenders at Whittier.

Referred to Committee on State Prisons and Reformatory Institutions.

RESOLUTIONS.

By Mr. Price:

Resolved, That the Committee on Attachés be and it is hereby instructed to carefully investigate as to whether or not any further attachés are necessary to the prompt and efficient discharge of the business of this body

Adopted.

By Mr. Owen:

Resolved, That Ed. J. Smith be and he is hereby appointed an Assistant Clerk of the Assembly to assist the History Clerk, at the same per diem as is paid the other Assistant Clerks at the desk, said per diem being payable out of the appropriation for the contingent expenses of the Assembly.

Referred to Committee on Attachés and Employés.

By Mr. McCauley:

Resolved, That James T. Gormley be and he is hereby appointed Assistant File Clerk to the Sergeant-at-Arms, at a per diem of five ($5) dollars, payable out of the Contingent Fund of the Assembly.

Referred to Committee on Attachés and Employés.

By Mr. Drees (at request of Sergeant-at-Arms):

Resolved, That the Speaker of the Assembly be and he is hereby directed to appoint M. Marks a Porter, to have charge of the rooms of the Journal Clerk, Enrolling Clerk, and Engrossing Clerk, at the same per diem as paid Committee-room Porters, payable out of the Contingent Fund of the Assembly.

Referred to Committee on Attachés and Employés.

By Mr. Hutson:

WHEREAS, The members of this Assembly cannot hear distinctly what is said by the Clerk; be it

Resolved, That the gas fixture or lamp stand immediately in front of the Clerk be removed, and the Sergeant-at-Arms is hereby instructed to remove said gas fixture.

Lost.

By Mr. Conway:

Resolved, That John H. Ryan be and he is hereby appointed Assistant Engrossing Clerk, at the same per diem allowed by law to the Engrossing Clerk, to be paid out of the appropriation for the contingent expenses of the Assembly

Referred to Committee on Attachés and Employés.

ADJOURNMENT.

At twelve o'clock and twenty minutes P. M., on motion of Mr. Pendleton, the Assembly adjourned.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Friday, January 13, 1893.

The Assembly met pursuant to adjournment.

Speaker Gould in the chair.

The roll was called, and the following members answered to their names:

Messrs Adams, Alford, Anderson, Androus, Barker, Barlow, Bennett of Santa Clara, Bennett of Orange, Blakeley, Bledsoe, Boyce, Bretz, Brownlie, Buckley, Bulla, Burke, Carlson, Casterline, Chipman, Conway, Curtis, Cusick, Dodge, Drees, Duffy, Durst, Emeric, Finlayson, Gallagher, Gately, Godchaux, Hamilton, Hendrickson, Hurley, Hutson, Jacobs, Jacobsen, Johnson of Humboldt, Kennedy, Kahn, Kerns, LaRue Luttringer, Lynch, McCauley, McElroy McGowan, Mack, Marks, Marston, Mathews of Tehama, Matthews of San Benito, Miller, Mordecai, O'Neill, Owen, Pendleton, Perkins, Price, Pueschel, Raw, Sargent, Schlesinger, Schroebel, Shanahan, Simpson, Sims, Standart, Taggart, Talbott, Taylor, Thomas of Nevada, Thomas of Santa Clara, Tindall, Vann, Wade, and Mr Speaker

Quorum present.

PRAYER.

Prayer by the Chaplain, Rev. H. W. Conry.

QUESTION OF PRIVILEGE.

Mr. Schlesinger arose to a question of privilege, in reference to a statement published in the San Francisco "Call" of January 12th.

READING OF THE MINUTES.

Pending the reading of the Journal of yesterday, Mr. Tindall moved that the further reading be dispensed with.

So ordered.

Journal of Thursday approved.

LEAVE OF ABSENCE.

Mr. O'Keefe was granted leave of absence for the day.

EXCUSED.

At his request, Mr. Dodge was excused from serving on the Joint Committee of both houses, relative to an investigation of the Home for the Adult Blind.

PETITION.

By Mr. Bulla: From Notaries Public in and for the county of Los Angeles, relative to the limitation of the number of Notaries Public in the county of Los Angeles.

Referred to Committee on Judiciary.

REPORT OF COMMITTEE.

ON PUBLIC MORALS

MR SPEAKER: Your Committee on Public Morals, to which was referred the duty of investigating the question of the sale of intoxicating liquors in the basement of the State Capitol building, beg leave to report the results of our investigation.

Pursuant to the authority vested in us, we have had witnesses subpoenaed before us, and have also ascertained the law bearing on the subject investigated by us.

We have endeavored to ascertain, first, who is the legal custodian of the State Capitol, second, whether the legal custodian of the State Capitol has any legal right to allow any part of the building to be used for any other purposes than business of the State; third, whether intoxicating liquors can be legally sold or given away in the State Capitol, fourth, whether intoxicating liquors have been sold or given away in the basement of the Capitol during the present session.

First—The Secretary of State is the legal custodian of the State Capitol. Section four hundred and twelve of the Political Code provides as follows: "The Secretary of State is the Superintendent and has charge of the State Capitol, and he must keep the same, together with all property therein, in good order and repair."

Second—Neither the Secretary of State nor any other person is authorized by any law to use, or permit the use of, any portion of the State Capitol for any purpose other than purposes of State. The maintenance of a restaurant or saloon in the basement of the Capitol is clearly an illegal act.

Third—The question whether intoxicating liquor can be legally sold or given away in the State Capitol is easily answered. It is provided by section one of chapter eighty-three of the Statutes of California of 1880, page eighty, as follows: "Any person or persons having in charge or control the State Capitol building, and allowing the same or any portion thereof to be used for the sale or distribution, in any manner, for profit, of any malt or spirituous liquors, shall be guilty of a misdemeanor, and shall, upon conviction, be punished by a fine of not less than one thousand dollars." And it is further provided by section one hundred and seventy-two of the Penal Code of California, as follows: "Every person who, in the State Capitol, or within the limits of the grounds adjacent and belonging thereto, sells, gives away, or exposes for sale, any vinous or alcoholic liquors, is guilty of a misdemeanor."

Fourth—Your committee find from the evidence before them that intoxicating liquors have been sold in the "well" during the present session of the Legislature. And we find that the persons responsible for the maintenance of the "well" are the Secretary of State E. G. Waite, A. J. Rhoads, Joseph Rainford, James McCue, and Henry Gallagher.

Your committee recommend the adoption of the resolution reported herewith, directing the Sergeant-at-Arms of the Assembly to order and cause the premises known as the "well" to be immediately vacated and the restaurant removed therefrom.

A. J. BLEDSOE, Chairman.
P. R. ADAMS.
J. J. McELROY.
W. M. CASTERLINE.
R. J. LUTTRINGER.

RESOLUTION.

By Committee on Public Morals:

Resolved, That the Sergeant-at-Arms of the Assembly be and he is hereby instructed to immediately order and cause the premises in the basement of the Capitol known as the "well" to be vacated, and the restaurant located therein to be immediately removed therefrom.

The ayes and noes were demanded by Messrs. Bledsoe, Matthews of San Benito, and Bretz.

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

AYES—Messrs. Adams, Alford, Androus, Barker, Barlow, Bennett of Santa Clara, Bennett of Orange, Blakeley, Bledsoe, Boyce, Bretz, Brownlie, Buckley, Bulla, Burke, Carlson, Castelhne, Chipman, Conway, Cusick, Dodge, Drees, Duffy, Durst, Emeric, Finlayson, Gallagher, Godchaux, Hamilton, Hendrickson, Hurley, Hutson, Jacobs, Jacobsen, Johnson of Humboldt, Kahn, Kerns, LaRue, Luttringer, Lynch, McCauley, McElroy, Mack, Marston, Mathews of Tehama, Matthews of San Benito, Miller, Mordecai, O'Neill, Owen, Pendleton, Perkins, Price, Pueschel, Raw, Sargent, Schlesinger, Schroebel, Shanahan, Simpson, Sims, Standart, Taggart, Talbott, Taylor, Thomas of Nevada, Thomas of Santa Clara, Tindall, Vann, Wade, and Mr. Speaker—71.

NOES—Messrs. Anderson, Curtis, Gately, Kennedy, McGowan, and Marks—6.

REPORT OF COMMITTEE.

ON JUDICIARY.

ASSEMBLY CHAMBER, SACRAMENTO, January 13, 1893.

MR SPEAKER: Your Committee on Judiciary, to whom was referred Assembly Bill No. 4—An Act to amend section fifty-three of the Penal Code of California, relating to intimidating, corrupting, deceiving, or defrauding electors.

Also, Assembly Bill No. 10—An Act in relation to reassessments of property, and the equalization of the same, in cases where a former assessment is invalid or void, and in relation to the collection of taxes on said reassessment.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

Also, Assembly Bill No. 11—An Act to prevent frauds upon travelers.

WHEREAS, numerous frauds have been practiced upon unsuspecting travelers by means of the sale, by unauthorized persons, of railway and other tickets, and also upon railroads and other corporations by the fraudulent use of tickets, in violation of the contract of their purchase; now, therefore, with the view of preventing and punishing such frauds—that the same be amended as follows.

On line four of section two, strike out the words "whether the same be," "or owned," "or without," and on the same line insert the word "or" before the word "operated" and after the word "situated."

Also, Assembly Bill No. 21—An Act entitled an Act to amend section two thousand nine hundred and fifty-five of the Civil Code.

That the same be amended by adding the word "household" before the word "goods," on line thirteen.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass as amended.

SHANAHAN, Chairman.

MESSAGE FROM THE SENATE.

SENATE CHAMBER, SACRAMENTO, January 13, 1893.

MR SPEAKER: I am directed to inform your honorable body that the Senate, on the twelfth day of January, 1893, refused to concur and amended Assembly Concurrent Resolution No. 4—Relative to fixing time for meeting of Senate and Assembly for the purpose of electing Trustees of the State Library.

F. J. BRANDON, Secretary.
By A. D. BOWEN, Assistant Secretary.

AMENDMENT CONCURRED IN.

The roll was called, and the Senate amendment to Assembly Concurrent Resolution No. 4 concurred in by the following vote:

AYES—Messrs. Adams, Alford, Anderson, Androus, Barker, Barlow, Bennett of Santa Clara, Bennett of Orange, Blakeley, Bledsoe, Boyce, Bretz, Buckley, Bulla, Burke, Carlson, Casterline, Chipman, Conway, Curtis, Cusick, Dodge, Drees, Duffy, Durst, Emeric, Finlayson, Gallagher, Gately, Godchaux, Hamilton, Hendrickson, Hurley, Hutson, Jacobs, Jacobsen, Johnson of Humboldt, Kennedy, Kahn, Kerns, Luttringer, Lynch, McCauley, McElroy, McGowan, Mack, Marks, Marston, Mathews of Tehama, Matthews of San Benito, Miller, Mordecai, O'Keefe, Owen, Perkins, Price, Pueschel, Raw, Sargent, Schlesinger, Schroebel, Shanahan, Simpson, Sims, Standart, Taggart, Talbott, Taylor, Thomas of Nevada, Thomas of Santa Clara, Tindall, Vann, Wade, and Mr Speaker—75

NOES—None

QUESTIONS OF PRIVILEGE.

Mr. Mathews of Tehama arose to a question of personal privilege, in reference to a statement published in the San Francisco "Call" of this day.

Mr. Lynch in the chair.

Speaker Gould arose to a question of privilege, in reference to a statement published in the San Francisco "Call" of January 12th and this day.

Speaker Gould in the chair.

INTRODUCTION OF BILLS.

The following bills were introduced, read by title, and referred to committees, as follows:

By Mr. Price: Assembly Bill No. 253—An Act to appropriate money for the support of the State Normal School at Chico.

Referred to Committee on Public Buildings and Grounds.

Also: Assembly Bill No. 254—An Act to appropriate money for the purchase of scientific apparatus for the State Normal School at Chico.

Referred to Committee on Public Buildings and Grounds.

Also: Assembly Bill No. 255—An Act to appropriate money for improvement of grounds of the State Normal School at Chico.

Referred to Committee on Public Buildings and Grounds.

Also: Assembly Bill No. 256—An Act to appropriate money for the support of the Library and Museum of the State Normal School at Chico.

Referred to Committee on Public Buildings and Grounds.

Also: Assembly Bill No. 257—An Act to appropriate money for the care of grounds of the State Normal School at Chico.

Referred to Committee on Public Buildings and Grounds.

Also: Assembly Bill No. 258—An Act to amend an Act entitled "An Act to establish a Civil Code of the State of California," passed March 21, 1872, by adding a new section thereto, to be numbered as section four hundred and four, concerning foreign corporations.

Referred to Committee on Corporations.

By Mr. McCauley: Assembly Bill No. 259—An Act to amend sections one thousand nine hundred and twelve, one thousand nine hundred and forty-two, one thousand nine hundred and fifty-nine, one thousand nine hundred and seventy-three, one thousand nine hundred and eighty-two, one thousand nine hundred and eighty-four, one thousand nine hundred and ninety, one thousand nine hundred and ninety-two, two thousand and three, two thousand and four, two thousand and twenty-seven, and two thousand and ninety-four, and to add three new sections, to be known as one thousand nine hundred and twenty-three, one thousand nine hundred and forty-five, and one thousand nine hundred

and eighty-one, all of the Political Code of the State of California, and relating to the National Guard.

Referred to Committee on Military Affairs.

By Mr. Mordecai: Assembly Bill No. 260—An Act to amend an Act entitled "An Act to establish a Code of Civil Procedure," by amending section three hundred and ninety-two thereof, relating to the place of trial of civil actions.

Referred to Committee on Judiciary.

By Mr. Alford: Assembly Bill No. 261—An Act to amend section two thousand nine hundred and fifty-five of the Civil Code, relating to mortgages of personal property.

Referred to Committee on Judiciary.

By Mr. Finlayson: Assembly Bill No. 262—An Act to amend sections one thousand one hundred and eighty-six, one thousand one hundred and eighty-seven, one thousand one hundred and eighty-eight, one thousand one hundred and ninety, one thousand one hundred and ninety-two, one thousand three hundred and fifty-seven, one thousand three hundred and fifty-eight, one thousand three hundred and fifty-nine, 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 sixty-three, one thousand three hundred and sixty-four, one thousand three hundred and sixty-five of the Political Code, and too add nineteen new sections thereto, to be numbered one thousand three hundred and sixty-six, one thousand three hundred and sixty-seven, one thousand three hundred and sixty-eight, one thousand three hundred and sixty-nine, one thousand three hundred and seventy, one thousand three hundred and seventy-one, one thousand three hundred and seventy-two, one thousand three hundred and seventy-three, one thousand three hundred and seventy-four, one thousand three hundred and seventy-five, one thousand three hundred and seventy-six, one thousand three hundred and seventy-seven, one thousand three hundred and seventy-eight, one thousand three hundred and seventy-nine, one thousand three hundred and eighty, one thousand three hundred and eighty-one, one thousand three hundred and eighty-two, one thousand three hundred and eighty-three, and one thousand three hundred and eighty-four, all in relation to the conduct of elections in this State.

Referred to Committee on Apportionment and Election Laws.

Also: Assembly Bill No. 263—An Act to amend section one hundred and seventy-two of the Civil Code of the State of California, relating to the husband's control and disposition of the community property.

Referred to Committee on Judiciary.

Also: Assembly Bill No. 264—An Act providing for the sale of railroad and other franchises in municipalities, and fixing the time when certain acts of the governing bodies thereof, relative to franchises, shall take effect.

Referred to Committee on Municipal Corporations.

By Mr. Shanahan: Assembly Bill No. 265—An Act to provide for payment of the claim of C. C. Rochford.

Referred to Committee on Claims.

By Mr. Raw: Assembly Bill No. 266—An Act to appropriate money to pay the claim of George J. Mothersole, for labor performed and

expenses incurred in roofing the Napa State Asylum for the Insane, under a written contract.

Referred to Committee on Claims.

Also: Assembly Bill No. 267—An Act to appropriate money to pay the claim of Enoch N. Strout, for services rendered as Reclamation Land Commissioner, under "An Act to provide for the funding of the indebtedness of the reclamation and levee districts of this State," approved March 30, 1872.

Referred to Committee on Claims.

By Mr. O'Keefe: Assembly Bill No. 268—An Act to amend section two hundred and eighty-one of the Code of Civil Procedure, relating to who shall have the right to practice law in certain Courts, and relating also to the penalty for practicing without a license.

Referred to Committee on Judiciary.

By Mr. Kennedy: Assembly Bill No. 269—An Act making an appropriation to pay armory rents and other expenses of the Naval Battalion of the National Guard for the remainder of the forty-fourth fiscal year.

Referred to Committee on Military Affairs.

Also: Assembly Bill No. 270—An Act to establish a naval battalion, to be attached to the National Guard of California.

Referred to Committee on Military Affairs.

By Mr. Simpson: Assembly Bill No. 271—An Act to amend sections seven hundred and twenty-eight and seven hundred and eighty-two of the Political Code of the State of California, relating to the printing and sale of the reports of the Supreme Court of the said State of California, and to repeal sections seven hundred and seventy-nine, seven hundred and eighty, and seven hundred and eighty-one of the Political Code.

Referred to Committee on Judiciary.

By Mr. Perkins: Assembly Bill No. 272—An Act to amend section one thousand eight hundred and eighty-one of the Civil Code of Procedure, relating to witnesses.

Referred to Committee on Judiciary.

Also: Assembly Bill No. 273—An Act to amend section eight of an Act entitled "An Act to form agricultural districts, to provide for the formation of agricultural associations therein, and for the management and control of the same by the State, and to repeal so much of an Act entitled 'An Act to form agricultural districts, to provide for the formation of agricultural associations therein, and for the management and control of the same by the State,' approved April 15, 1880, and of all Acts amendatory thereof, as are in conflict herewith," approved March 20, 1891.

Referred to Committee on Agriculture.

By Mr. Taggart: Assembly Bill No. 274—An Act to regulate the sale of commercial fertilizers, or material used for manurial purposes.

Referred to Committee on Agriculture.

By Mr. Godchaux: Assembly Bill No. 275—An Act to amend section six of an Act entitled "An Act authorizing the incurring of indebtedness of cities, towns, and municipal corporations, for the construction of waterworks, sewers, and all necessary public improvements. or for any purpose whatever;" and to repeal an Act approved March 9, 1885, entitled "An Act to authorize municipal corporations of the fifth class, containing more than three thousand and less than ten thousand

inhabitants, to obtain waterworks;" also, to repeal an Act approved March 15, 1887, entitled "An Act authorizing the incurring of indebtedness by cities, towns, and municipal corporations incorporated under the laws of this State," approved March 19, 1889.

Referred to Committee on Municipal Corporations.

By Mr. Duffy: Assembly Bill No. 276—An Act entitled an Act to amend section two thousand six hundred and eighty-four of the Political Code.

Referred to Committee on Roads and Highways.

Also: Assembly Bill No. 277—An Act entitled an Act to prevent the sale of short-weight rolls of butter.

Referred to Committee on Agriculture.

By Mr. Casterline: Assembly Bill No. 278—An Act to create the county of Escondido, to define the boundaries thereof, to determine the county seat until otherwise provided by law, and to provide for its organization and election of officers, and to classify said county.

Referred to Committee on Counties and County Boundaries.

By Mr. Wade: Assembly Bill No. 279—An Act to amend section four of the Act entitled "An Act to establish a uniform system of county and township governments," approved March 31, 1891.

Referred to Committee on County and Township Governments.

By Mr. Androus: Assembly Bill No. 280—An Act to form San Antonio County, classify it, define its boundaries, provide for its organization and the appointment and election of officers, the location of county seat by election, and the adjustment and fulfillment of certain rights and obligations arising between such new county and certain other counties.

Referred to Committee on Counties and County Boundaries.

By Mr. Anderson: Assembly Bill No. 281—An Act to provide for paying for improving that portion of Tenth Street lying between L and N Streets in the city of Sacramento, adjoining the State Capitol grounds, and for sundry work to the Capitol sidewalk and grounds, and making an appropriation therefor.

Referred to Committee on Public Buildings and Grounds.

Also: Assembly Bill No. 282—An Act making an appropriation to pay the deficiency in the appropriation provided by an Act entitled "An Act to establish a School of Industry, to provide for the maintenance and management of the same, and to make an appropriation therefor," approved March 11, 1889.

Referred to Committee on State Prisons and Reformatory Institutions.

By Mr. Chipman: Assembly Bill No. 283—An Act to repeal section three thousand eight hundred and eighteen of the Political Code, relating to preferred purchasers for lands sold to the State for taxes.

Referred to Committee on Judiciary.

By Mr. McGowan: Assembly Bill No. 284—An Act for the relief of George Dougherty.

Referred to Committee on Claims.

Also: Assembly Bill No. 285—An Act directing the State Board of Harbor Commissioners to construct a certain portion of the harbor embankment, or seawall, of the port of San Francisco.

Referred to Committee on Commerce and Navigation.

RESOLUTIONS.

By Mr. Buckley:

Resolved, That the Speaker be and he is hereby authorized and directed to appoint an Assistant File Clerk in the Sergeant-at-Arms' office, at the same per diem as is payable to the other File Clerks, said per diem being payable out of the appropriation for the contingent expenses of the Assembly

Referred to Committee on Attachés and Employés.

By Mr. Mathews of Tehama:

Resolved, That for and by reason of services rendered the Assembly by W. T Hamilton, as Assistant Minute Clerk, for the week ending January 15th, the State Controller is hereby directed to draw his warrant in the sum of fifty-six ($56) dollars in payment of the same, in favor of said W T Hamilton, being payable out of the appropriation for the contingent expenses of the Assembly.

Adopted.

Also:

Resolved, That the Controller is hereby directed to draw a warrant, and the Treasurer pay the same, for services rendered by William Wicks as gasman, from January 2 to January 13, 1893, at three dollars per diem, the same payable out of the Contingent Fund of the Assembly

Adopted.

By Mr. Tindall:

Resolved, That P. J. Biggy be and he is hereby appointed File Clerk to the Sergeant-at-Arms, at a per diem of four dollars, payable out of the Contingent Fund of the Assembly.

Referred to Committee on Attachés and Employés.

By Mr. Burke:

WHEREAS, The engrossment of bills must now be in a printed form, as provided for by the Acts of the last session of the Legislature; and whereas, there will be a great many of the bills amended; and whereas, the Superintendent of State Printing will require a clean and clear copy for his compositors, therefore, be it

Resolved, That W C Gurley be and he is hereby appointed an Assistant Clerk for the purpose of making such copies, at the same per diem as is paid the Assistant Clerks at the desk, said per diem being payable out of the appropriation for the contingent expenses of the Assembly.

Referred to Committee on Attachés and Employés.

FIRST READING OF BILLS.

Each of the following bills were read a first time and ordered placed on file for second reading:

Assembly Bill No. 4—An Act to amend section fifty-three of the Penal Code of California, relating to intimidating, corrupting, deceiving, or defrauding electors.

Assembly Bill No. 10—An Act in relation to reassessments of property, and the equalization of the same, in cases where a former assessment is invalid or void, and in relation to the collection of taxes on said reassessment.

Assembly Bill No. 11—An Act to prevent frauds on travelers.

Assembly Bill No. 21—An Act entitled an Act to amend section two thousand nine hundred and fifty-five of the Civil Code.

LEAVE OF ABSENCE.

Messrs. Johnson of Santa Clara, Lynch, Pendleton, Kahn, Kerns, Hendrickson, Jacobsen, Pueschel, and Emeric were granted leave of absence until Monday morning.

Mr. Schlesinger moved that no further leave of absence be granted.

Lost.

Mr. Lynch moved that Mr. McCauley be granted leave of absence until Monday morning

So ordered.

Mr. Anderson moved that Mr. Curtis be granted leave of absence until Monday morning.

So ordered.

REPORT OF COMMITTEE.

ON JUDICIARY

ASSEMBLY CHAMBER, SACRAMENTO, January 13, 1893

MR SPEAKER Your Committee on Judiciary, to whom was referred Assembly Bill No 27—An Act to amend section five hundred and eighty-five of an Act entitled "An Act to establish a Code of Civil Procedure of the State of California," approved March 11, 1872, relating to judgment upon failure to answer—that the same be amended as follows:

In the printed bill, after the words "do enact as follows," insert the following.

"SECTION 1 Section five hundred and eighty-five of the Code of Civil Procedure is hereby amended so as to read as follows."

Strike out the word "section" preceding the figures 585 on line one

Strike out the words "must hear the proof," on line fourteen of subdivision two

On line fifteen of subdivision two, after the word "otherwise," insert the following: "Must hear the proof of any fact not involved in the taking of an account"

After the word "recover," on last line, add the following:

"SEC 2. This Act shall take effect from and after its passage."

Have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended

SHANAHAN, Chairman

MOTION.

Mr. Pendleton moved to adjourn until Monday at eleven o'clock and thirty minutes A. M.

Lost.

ADJOURNMENT.

At twelve o'clock and thirty minutes P. M., on motion of Mr. Shanahan, the Assembly adjourned.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Saturday, January 14, 1893.

The Assembly met pursuant to adjournment.

Speaker pro tem. Mathews in the chair.

The roll was called, and the following members answered to their names:

Messrs. Adams, Anderson, Androus, Barker, Barlow, Bennett of Santa Clara, Bennett of Orange, Bledsoe, Boyce, Bretz, Brownlie, Buckley, Bulla, Burke, Carlson, Casterline, Chipman, Conway, Dodge, Drees, Duffy, Durst, Gately, Hurley, Hutson,

Jacobs, Johnson of Humboldt, Kennedy, LaRue, Luttinger, McElroy, McGowan, Mack, Marks, Marston, Mathews of Tehama, Matthews of San Benito, Miller, Mordecai, O'Keefe, O'Neill, Perkins, Price, Sargent, Schlesinger, Schroebel, Shanahan, Simpson, Sims, Standart, Taggart, Talbott, Taylor, Thomas of Nevada, Thomas of Santa Clara, Tindall, Vann, and Wade.

Quorum present.

LEAVE OF ABSENCE.

Messrs. Owen, Finlayson, Godchaux, Gallagher, and Raw were granted leave of absence for the day.

PRAYER.

Prayer by the Chaplain, Rev. H. W. Conry.

READING OF THE JOURNAL.

Pending the reading of the Journal of yesterday, Mr. Taggart moved that the further reading be dispensed with.

So ordered.

Journal of Friday approved.

REPORT OF STANDING COMMITTEE.

ON JUDICIARY

ASSEMBLY CHAMBER, SACRAMENTO, January 14, 1893

MR SPEAKER. Your Committee on Judiciary, to whom was referred Assembly Bill No 9—An Act to amend section four hundred and ten of the Code of Civil Procedure, relative to the serving of summons and complaint—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended

Also: Assembly Bill No 6—An Act to increase the Law Library Fund in counties where law libraries now exist, or shall hereafter exist, pursuant to the provisions of an Act entitled "An Act to establish law libraries," approved March 31, A. D 1891

Also Assembly Bill No 73—An Act to provide for the payment of jurors and witnesses in criminal cases in Justices' Courts, or before a Justice of the Peace.

Have had the same under consideration, and respectfully report the same back, and recommend that they do not pass

Also: Assembly Bill No 7—An Act to amend section fifty-three of the Penal Code of California, relating to intimidating, corrupting, deceiving, or defrauding electors—have had the same under consideration, and respectfully report the same back, and recommend that the author of the bill be allowed to withdraw the same.

SHANAHAN, Chairman.

Recommendation adopted and Assembly Bill No. 7 withdrawn by the author.

INTRODUCTION OF BILLS.

The following bills were introduced, read by title, and referred to committees, as follows:

By Mr. Emeric: Assembly Bill No. 286—An Act to amend section six hundred and thirty-five of the Penal Code of the State of California, in relation to violations of the fish laws.

Referred to Committee on Fish and Game.

By Mr. Bulla: Assembly Bill No. 287—An Act to amend an Act entitled "An Act to authorize the Common Council, Board of Trustees, or other governing body of any incorporated city or town other than cities of the first class, to refund its indebtedness, issue bonds therefor, and provide for the payment of the same," approved March 15, 1883.

Referred to Committee on Municipal Corporations.

By Mr. Raw. Assembly Bill No. 288—An Act to add to part eleven, division second, of the Civil Code, a new title, to be known as title five, containing seventeen 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 ninety, eight hundred and ninety-one, eight hundred and ninety-two, eight hundred and ninety-three, and eight hundred and ninety-four, relating to mining laws and forming mining districts.

Referred to Committee on Mines and Mining.

By Mr. Duffy: Assembly Bill No. 289—An Act to amend section twenty-five of an Act entitled "An Act to establish a uniform system of county and township governments," approved March 31, 1891, relating to the general permanent powers of Boards of Supervisors.

Referred to Committee on County and Township Governments.

By Mr. Perkins: Assembly Bill No. 290—An Act making an appropriation to pay the expense of advertising "An Act to ascertain and express the will of the people of the State of California upon the subject of election of United States Senator," approved March 10, 1891; "An Act to submit to the people of the State of California an amendment to section two, article four, of the Constitution of the State of California," approved February 7, 1891; "A resolution to propose to the people of the State of California an amendment to the Constitution of the State, amending section eighteen of article seven thereof, relative to the increasing of indebtedness or liability by any county, city, town, township, Board of Education, or school district," adopted February 25, 1891; "A resolution to propose to the people of the State of California an amendment to section thirty-four of article four of the Constitution of the State of California;" "A resolution to propose to the people of the State of California an amendment to the Constitution of the State, amending section eight of article eleven thereof, relative to the framing and adoption of charters by cities containing more than thirty-five hundred inhabitants," adopted March 19, 1891; "A resolution to propose an amendment to sections fifteen and nineteen, article five, of the Constitution," adopted March 3, 1891.

Referred to Committee on Public Printing.

Also: Assembly Bill No. 291—An Act making an appropriation to pay the expense of advertising "An Act to provide for the issuance and sale of State bonds to create a fund for the construction and furnishing by the Board of State Harbor Commissioners of a general ferry and passenger depot in the City and County of San Francisco; to create a sinking fund for the payment of said bonds, and providing for the submission of this Act to a vote of the people," approved March 17, 1891, as provided for in section eleven of said Act.

Referred to Committee on Public Printing.

Also: Assembly Bill No. 292—An Act making an appropriation to pay the expense of advertising "An Act to provide for the payment of funded indebtedness of the State of California, and to contract a funded debt for that purpose," approved March 31, 1891, as provided for in section sixteen of said Act.

Referred to Committee on Public Printing.

Also: Assembly Bill No. 293—An Act making an appropriation to pay the expense of advertising "An Act to prohibit the coming of Chinese persons into the State, whether subjects of the Chinese Empire or otherwise, and to provide for registration and certificates of residence, and determine the status of all Chinese persons now resident of the State, and fixing penalties and punishments for violation of this Act, and providing for deportation of criminals," approved March 20, 1891, as provided for in section nine of said Act.

Referred to Committee on Chinese Immigration and Emigration.

RESOLUTIONS.

By Mr. Shanahan:

Resolved, That for and by reason of services rendered the Assembly by Ed. J Smith, as an Assistant Clerk, for the week ending January 15th, the State Controller is hereby directed to draw his warrant in the sum of fifty-six ($56) dollars in payment of the same, in favor of said Ed. J Smith, being payable out of the appropriation for the contingent expenses of the Assembly

Adopted.

By Mr. Tindall:

Resolved, That H C. Chase be and is hereby appointed an Assistant Minute Clerk, at the same per diem allowed by law to the Minute Clerk, to be paid out of the appropriation for contingent expenses of the Assembly

Referred to Committee on Attachés and Employés.

SECOND READING OF BILLS.

Assembly Bill No. 4—An Act to amend section fifty-three of the Penal Code of California, relating to intimidating, corrupting, deceiving, or defrauding electors.

Read second time, ordered engrossed and to a third reading.

Assembly Bill No. 10—An Act in relation to reassessments of property, and the equalization of the same, in cases where a former assessment is invalid or void, and in relation to the collection of taxes on said reassessment.

Ordered read a second time.

MOTION.

Mr. Anderson moved that Assembly Bill No. 10 be sent forthwith to the printer, and also that the further consideration of the bill be made a special order for next Monday at two o'clock P. M.

So ordered.

SECOND READING OF BILLS.

Assembly Bill No. 11—An Act to prevent frauds upon travelers.

Passed on file.

Assembly Bill No. 21—An Act entitled an Act to amend section two thousand nine hundred and fifty-five of the Civil Code.

Read second time.

The committee offered the following amendment: Amend by inserting the word "household" after the word "and" in subdivision eight.

Adopted.

Mr. Shanahan moved to amend by adding before line one, the words "section one."

Adopted.

Mr. Mordecai moved to amend by striking out the words "upholstering, household furniture, and goods of all kinds," in line twelve, eighth clause.

MOTION.

Pending consideration of the amendment, Mr. Shanahan moved that further consideration of the bill be postponed until Monday.

So ordered.

FIRST READING OF BILL.

Assembly Bill No. 27—An Act to amend section five hundred and eighty-five of an Act entitled "An Act to establish a Code of Civil Procedure of the State of California," approved March 11, 1872, relating to judgment upon failure to answer.

Read first time, and ordered placed on file for second reading.

Mr. Matthews of San Benito in the chair.

RESOLUTIONS.

By Mr. O'Keefe:

Resolved, That the Sergeant-at-Arms be and he is hereby authorized to purchase for each member of the Judiciary Committee two file boards, the same to be paid out of the Contingent Fund of the Assembly. This resolution shall have no reference to the twenty-five dollars allowed to the committee or members for contingent expenses.

Adopted.

By Mr. Gately:

Resolved, That John S. Wilkins be and hereby is appointed to take charge and care of cloak-room for the members of the Assembly, 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. Hurley:

Amend the report of the Committee on Attaches and Employés of last Thursday, relative to History Clerk, to read as follows:

Resolved, That a Weekly History of all Assembly Bills and Constitutional Amendments introduced be prepared, and that said History show the status, standing, and position of each Assembly Bill at the issuance of such History. That a printed copy thereof be placed upon each member's desk every Monday during the session of the Legislature. That I. Norton be and he is hereby appointed an Assistant Clerk at the desk to so prepare such History, under the order of the Chief Clerk, and perform the duties required and ordered by this resolution, at the same per diem as is paid the Assistant Clerks at the desk, said per diem being payable out of the appropriation for the contingent expenses of the Assembly.

Adopted.

Speaker pro tem. Mathews in the chair.

REPORT OF STANDING COMMITTEE.

ON JUDICIARY.

ASSEMBLY CHAMBER, SACRAMENTO, January 14, 1893.

MR. SPEAKER: Your Committee on Judiciary, to whom was referred Assembly Bill No. 68—An Act to amend an Act entitled "An Act to regulate the practice of pharmacy and sale of poisons in the State of California," approved March 11, 1891—have had the same under consideration, and respectfully report the same back, and recommend that it be referred to the Committee on State Hospitals.

SHANAHAN, Chairman.

Recommendation adopted, and Assembly Bill No. 68 referred to Committee on State Hospitals.

MOTION.

Mr. Schlesinger moved that the usual number of copies of his resolution relative to the State Board of Railroad Commissioners be printed.

So ordered.

IN RESPECT.

Mr. Anderson moved that when the Assembly adjourns this day it do so in respect to the memory of the late Hon. Creed Haymond.

So ordered.

MOTION.

Mr. Taggart moved that when the Assembly adjourns this day it do so until Monday at eleven o'clock and thirty minutes A. M.

Mr. Boyce moved to amend by fixing the hour one o'clock and thirty minutes P. M.

HOUR OF RECESS EXTENDED.

Mr. Shanahan moved that the hour of recess be extended fifteen minutes.

So ordered.

AMENDMENT LOST.

The roll was called, and the amendment lost by the following vote:

AYES—Messrs Alford, Androus, Barker, Blakeley, Boyce, Brownlie, Buckley, Burke, Carlson, Chipman, Conway, Duffy, Gately, Hamilton, Hutson, Jacobs, Johnson of Humboldt, Kennedy, LaRue, Luttringer, McElroy, McGowan, Mack, Marks, Marston, Mathews of Tehama, Miller, O'Keefe, O'Neill, Price, Sargent, Schlesinger, Schroebel, Standart, Taylor, and Thomas of Nevada—36.

NOES—Messrs Adams, Anderson, Barlow, Bennett of Santa Clara, Bennett of Orange, Bledsoe, Bretz, Bulla, Casterline, Dodge, Drees, Hurley, Matthews of San Benito, Mordecai, Perkins, Shanahan, Simpson, Sims, Taggart, Talbott, Thomas of Santa Clara, Tindall, Vann, and Wade—24

MOTION CARRIED.

The question recurring on the motion of Mr. Taggart, it was so ordered.

REPORT OF STANDING COMMITTEE.

ON RETRENCHMENT.

ASSEMBLY CHAMBER, SACRAMENTO, January 14, 1893

MR. SPEAKER: Your Committee on Retrenchment, to whom was referred the following resolution

Resolved, That the Superintendent of State Printing be and he is hereby instructed and requested to furnish each member of the Assembly with a sewed copy of the Senate and Assembly Journals every Monday morning, said sewed copy to consist of each day's Journal of both houses for the week preceding such furnishing.

Have had the same under consideration, and respectfully report the same back, and recommend that it be adopted

MARKS, Chairman

Adopted.

APPOINTMENT.

The Speaker announced that yesterday he had appointed William Wicks as gasman of the Assembly Chamber.

ADJOURNMENT.

At twelve o'clock and forty minutes P. M., on motion of Mr. Schlesinger, the Assembly adjourned.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Monday, January 16, 1893.

The Assembly met pursuant to adjournment.

Speaker Gould in the chair.

The roll was called, and the following members answered to their names:

Messrs. Adams, Alford, Anderson, Androus, Barker, Barlow, Bennett of Santa Clara, Bennett of Orange, Blakeley, Bledsoe, Boyce, Bretz, Brownlie, Buckley, Bulla, Burke, Carlson, Casterline, Chapman, Conway, Curtis, Cusick, Dodge, Drees, Duckworth, Duffy, Durst, Emeric, Finlayson, Gallagher, Gately, Godchaux, Hamilton, Hendrickson, Hurley, Hutson, Jacobs, Jacobsen, Johnson of Humboldt, Johnson of Santa Clara, Kennedy, Kahn, Kerns, LaRue, Luttringer, Lynch, McCauley, McElroy, McGowan, Mack, Marks, Marston, Mathews of Tehama, Matthews of San Benito, Miller, Mordecai, O'Keefe, O'Neill, Owen, Pendleton, Perkins, Price, Pueschel, Raw, Sargent, Schlesinger, Schroebel, Shanahan, Simpson, Sims, Standart, Taggart, Talbott, Taylor, Thomas of Nevada, Thomas of Santa Clara, Tindall, Vann, Wade, and Mr Speaker.

Quorum present.

PRAYER.

Prayer by the Chaplain, Rev. H. W. Conry.

READING OF THE MINUTES.

Pending the reading of the Journal of Saturday, Mr. Dodge moved that the further reading be dispensed with.

So ordered.

Journal of Saturday approved.

PETITION.

By Mr. Bulla: From two hundred and fifty leading citizens of Los Angeles County, protesting against the passage of the so-called railroad scalpers bill.

Placed on file.

REPORT OF STANDING COMMITTEE.

ON ATTACHÉS AND EMPLOYÉS

ASSEMBLY CHAMBER, SACRAMENTO, January 16, 1893

MR SPEAKER Your Committee on Attachés and Employés, to whom was referred the following resolutions

WHEREAS, The engrossment of bills must now be in a printed form, as provided for by the Acts of the last session of the Legislature, and whereas, there will be a great many of the bills amended, and whereas, the Superintendent of State Printing will require a clean and clear copy for his compositors, therefore, be it

Resolved, That W C Gurey be and he is hereby appointed an Assistant Clerk for the purpose of making such copies, at the same per diem as is paid the Assistant Clerks at the desk, said per diem being payable out of the appropriation for the contingent expenses of the Assembly.

Resolved, That the Speaker be and he is hereby authorized and directed to appoint an Assistant File Clerk in the Sergeant-at-Arms' office, at the same per diem as is payable to the other File Clerks, said per diem being payable out of the appropriation for the contingent expenses of the Assembly

Resolved, That P. J. Biggy be and he is hereby appointed File Clerk to the Sergeant-at-Arms, at a per diem of four dollars, payable out of the Contingent Fund of the Assembly

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass

HURLEY, Chairman.

Adopted.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, January 15, 1893

MR. SPEAKER: Your Committee on Attachés and Employés, to whom was referred the following resolutions

By Mr. LaRue:

Resolved, That Chas Robinson be and he hereby is appointed Committee-room Porter, at a per diem of four dollars, to be paid out of the Contingent Fund of the Assembly.

Also: By Mr McCauley:

Resolved, That A Young be and he is hereby appointed Porter to the Coat-room of the Assembly, at the same per diem as the other Porters, to be paid out of the Contingent Fund of the Assembly.

Also: By Mr Conway.

Resolved, That William Brannan be and he is hereby appointed a Porter of the Assembly, to take charge of the cloak-room in the Sergeant-at-Arms' room, at the same per diem as is paid the other Porters, said per diem being payable out of the appropriation for the contingent expenses of the Assembly.

Also: By Mr Price:

Resolved, That Lewis Hendricks be and he is hereby appointed to take charge of the hat and cloak-room of the Assembly, at a per diem of five dollars, to be paid out of the Contingent Fund of the Assembly

Also: By Mr Tindall:

Resolved, That the Sergeant-at-Arms be and he is hereby authorized to appoint a Page, at a per diem of three dollars.

Also: By Mr Tindall:

Resolved, That John Ginochio be and he is hereby appointed Committee-room Porter for the Election Committee, at a per diem of four dollars

Also: By Mr. Jacobs.

Resolved, That J H Williams be and he is hereby appointed Janitor and Messenger of the Judiciary Committee, at the same per diem as other Janitors, payable out of the Contingent Fund of the Assembly

Also, By Mr. Duffy:

Resolved, That J D. Ennis be and he is hereby appointed Messenger between the Assembly Clerk's desk and the office of the Superintendent of State Printing, at a per diem of five dollars, said per diem being payable out of the appropriation for the contingent expenses of the Assembly

Also By Mr Luttringer:

Resolved, That B. C Hughes be and he is hereby appointed Janitor of the Assembly, at a per diem of five dollars, said per diem being payable out of the appropriation for the contingent expenses of the Assembly.

Also: By Mr. Conway

Resolved, That John H. Ryan be and he is hereby appointed Assistant Engrossing Clerk, at the same per diem allowed by law to the Engrossing Clerk, to be paid out of the appropriation for the contingent expenses of the Assembly.

Also. By Mr Owen:

Resolved, That Ed J. Smith be and he is hereby appointed an Assistant Clerk of the Assembly to assist the History Clerk, at the same per diem as is paid the other Assistant Clerks at the desk, said per diem being payable out of the appropriation for the contingent expenses of the Assembly

Also: By Mr. McCauley.

Resolved, That James T. Gormley be and he is hereby appointed Assistant File Clerk to the Sergeant-at-Arms, at a per diem of five ($5) dollars, payable out of the Contingent Fund of the Assembly

Have had the same under consideration, and respectfully report the same back, and recommend that they do not pass

Also: By Mr Tindall:

Resolved, That Miss Nellie Taylor be and she is hereby appointed File Clerk to the Sergeant-at-Arms, at a per diem of five ($5) dollars, the same to be paid out of the appropriation for the contingent expenses of the Assembly

Recommend it be amended to read:

Resolved, That Miss Nellie Taylor be and she is hereby appointed File Clerk, at a per diem of four ($4) dollars, the same to be paid out of the Contingent Fund of the Assembly

And in the amended form recommend that it do pass.

Also. By Mr. Schlesinger:

Resolved, That Miss Laura Little be and she is hereby appointed Mailing Clerk and be required to perform also the duties of Folding Clerk of the Assembly, at the per diem of five ($5) dollars, payable out of the Contingent Fund of the Assembly

Recommend it be amended so as to read

Resolved, That Miss Laura Little be and she is hereby appointed Mailing Clerk, and be required to perform also the duties of Folding Clerk of the Assembly, at a per diem of four ($4) dollars, payable out of the Contingent Fund of the Assembly.

And in the amended form recommend it do pass

Also. By Mr. Boyce:

Resolved, That Joseph Clancy be and he is hereby appointed as Copying Clerk of the Assembly, at a per diem as is now paid the Assistant Clerks at the desk, said per diem being payable out of the appropriation for the contingent expenses of the Assembly

Also. By Mr. Drees (at request of Sergeant-at-Arms).

Resolved, That the Speaker of the Assembly be and he is hereby directed to appoint M. Marks a Porter, to have charge of the rooms of the Journal Clerk, Enrolling Clerk, and Engrossing Clerk, at the same per diem as paid Committee-room Porters, payable out of the Contingent Fund of the Assembly.

Also. By Mr. Mathews of Tehama:

Resolved, That H. A. Mason be and he is hereby appointed an Assistant Clerk at the desk, whose duty it shall be to assist the Chief Clerk in the discharge of his duties, to receive the same per diem as the Chief Clerk, to be paid out of the appropriation for the contingent expenses of the Assembly

Also. By Mr. LaRue

Resolved, That D. C. Shepherd be appointed to act as Assistant Enrolling Clerk of the Assembly, at the rate per diem that is paid to said Enrolling Clerk, the per diem to be paid from the Contingent Fund of the Assembly

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

HURLEY, Chairman

MOTIONS.

Mr. Owen moved that that portion of the report recommending that the resolution be not adopted, relative to Ed. J. Smith being appointed Assistant History Clerk, be amended as follows:

Resolved, That Ed. J. Smith be and he is hereby appointed an Assistant Clerk of the Assembly to assist the History Clerk, at the same per diem as is paid the other Assistant Clerks at the desk, said per diem being payable out of the appropriation for the contingent expenses of the Assembly.

Mr. Bledsoe moved that the recommendations of the committee be considered seriatim.

Lost.

POINT OF ORDER.

Mr. Bledsoe raised a point of order that under the rules the report would have to be considered in the manner provided for in his motion.

The Speaker ruled the point of order well taken.

AMENDMENT ADOPTED.

Upon the adoption of the amendment offered by Mr. Owen, the ayes and noes were demanded by Messrs. Owen, Anderson, and Thomas.

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

AYES—Messrs. Anderson, Androus, Barker, Bennett of Santa Clara, Blakeley, Bledsoe, Brownlie, Buckley, Bulla, Burke, Carlson, Casterline, Chipman, Conway, Curtis, Cusick, Dodge, Drees, Durst, Finlayson, Gallagher, Gately, Godchaux, Hendrickson, Johnson of Humboldt, Kennedy, LaRue, Lynch, McGowan, Mack, Marks, Marston, Mathews of Tehama, Miller, O'Keefe, O'Neill, Owen, Pendleton, Perkins, Price, Pueschel, Raw, Sargent, Schroebel, Shanahan, Simpson, Sims, Standart, Taggart, Talbott, Taylor, Thomas of Nevada, Tindall, and Wade—54.

NOES—Messrs. Adams, Alford, Barlow, Bennett of Orange, Boyce, Bretz, Duffy, Emeric, Hamilton, Hurley, Hutson, Jacobs, Johnson of Santa Clara, Kerns, Luttringer.

McCauley, McElroy, Matthews of San Benito, Mordecai, Schlesinger, Thomas of Santa Clara, Vann, and Mr Speaker—23

Mr. Duckworth was excused from voting.

MOTIONS.

Mr. Hurley moved that that portion of the report as amended, relative to Ed. J. Smith, be referred back to the Committee on Attachés and Employés.

Mr. Lynch moved to amend that the entire report be referred back to the Committee on Attachés and Employés.

The ayes and noes were demanded by Messrs. Lynch, Taylor, and Hurley.

The roll was called, and the amendment lost by the following vote:

AYES—Messrs Bledsoe, Conway Hurley, Jacobs Johnson of Humboldt Johnson of Santa Clara, Lynch, McCauley, McElroy, Matthews of San Benito, Mordecai, Taggart, Wade, and Mr Speaker—14.

NOES—Messrs. Adams, Alford, Anderson, Androus, Barker, Barlow, Bennett of Santa Clara, Bennett of Orange, Blakeley, Boyce, Bretz, Brownlie, Buckley, Bulla, Burke, Carlson, Casterline, Chipman, Curtis, Cusick, Dodge, Drees, Duckworth, Duffy, Durst, Emeric, Finlayson, Gallagher, Gately, Godchaux, Hamilton, Hendrickson, Hutson, Jacobsen, Kennedy, Kahn, Kerns, LaRue, Luttringer, McGowan, Mack, Marks, Marston, Mathews of Tehama, Miller, O'Keefe, O'Neill, Owen, Pendleton, Perkins, Price, Pueschel, Raw, Sargent, Schlesinger, Schroebel, Shanahan, Simpson, Sims, Standart, Talbott, Taylor, Thomas of Nevada, Thomas of Santa Clara, Tindall, and Vann—66.

Upon the motion of Mr. Hurley, the ayes and noes were demanded by Messrs. Durst, Simpson, and Anderson.

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

AYES—Messrs. Alford, Boyce, Duffy, Finlayson, Hamilton, Hendrickson, Hurley, Hutson, Jacobs, Johnson of Santa Clara, Luttringer, McCauley, McElroy, Mack, Marston, Mathews of Tehama, Matthews of San Benito, Mordecai, Price, Pueschel, Schlesinger, and Mr. Speaker—22

NOES—Messrs Adams, Anderson, Androus Barker, Barlow, Bennett of Santa Clara, Bennett of Orange, Blakeley, Bledsoe, Bretz, Brownlie, Buckley, Bulla, Carlson, Casterline, Chipman, Conway, Curtis, Cusick, Dodge, Drees, Duckworth, Durst, Emeric, Gallagher, Gately, Godchaux, Jacobsen, Johnson of Humboldt, Kennedy, Kahn, Kerns LaRue, Lynch, McGowan, Marks, Miller, O'Keefe, O'Neill, Owen, Pendleton, Perkins, Raw, Sargent, Schroebel, Shanahan, Simpson, Sims, Standart, Taggart, Talbott, Taylor, Thomas of Nevada, Thomas of Santa Clara, Tindall, Vann, and Wade—37

CONSIDERATION OF REPORT OF COMMITTEE ON ATTACHÉS AND EMPLOYÉS.

The question being upon the adoption of the report of the Committee on Attachés and Employés, the several recommendations were considered seriatim, as follows:

Resolved, That Charles Robinson be and he hereby is appointed Committee-room Porter, at a per diem of four dollars, to be paid out of the Contingent Fund of the Assembly

Recommendation adopted and resolution lost.

Also:

Resolved, That A. Young be and he is hereby appointed Porter to the Coat-room of the Assembly, at the same per diem as the other Porters, to be paid out of the Contingent Fund of the Assembly

Recommendation adopted and resolution lost.

Also:

Resolved, That William Brannan be and he is hereby appointed a Porter of the Assembly, to take charge of the cloak-room in the Sergeant-at-Arms' room, at the same per diem as is paid the other Porters, said per diem being payable out of the appropriation for the contingent expenses of the Assembly

Recommendation adopted and resolution lost.

RECESS EXTENDED.

Mr. Schlesinger moved that the hour of recess be extended fifteen minutes.

So ordered

REPORT OF COMMITTEE ON ATTACHÉS AND EMPLOYÉS—(RESUMED).

Resolved, That Lewis Hendricks be and he is hereby appointed to take charge of the hat and cloak-room of the Assembly, at a per diem of five dollars, to be paid out of the Contingent Fund of the Assembly

Recommendation adopted and resolution lost.

Also:

Resolved, That the Sergeant-at-Arms be and he is hereby authorized to appoint a Page, at a per diem of three dollars

Recommendation adopted and resolution lost.

Also:

Resolved, That John Gnocchio be and he is hereby appointed Committee-room Porter for the Election Committee, at a per diem of four dollars

Recommendation adopted and resolution lost.

Also:

Resolved, That J. H. Williams be and he is hereby appointed Janitor and Messenger of the Judiciary Committee, at the same per diem as other Janitors, payable out of the Contingent Fund of the Assembly

Recommendation adopted and resolution lost.

Also:

Resolved, That J. D. Ennis be and he is hereby appointed Messenger between the Assembly Clerk's desk and the office of the Superintendent of State Printing, at a per diem of five dollars, said per diem being payable out of the appropriation for the contingent expenses of the Assembly

Recommendation adopted and resolution lost.

Also.

Resolved, That B. C. Hughes be and he is hereby appointed Janitor of the Assembly, at a per diem of five dollars, said per diem being payable out of the appropriation for the contingent expenses of the Assembly

Recommendation adopted and resolution lost.

Also:

Resolved, That John H. Ryan be and he is hereby appointed Assistant Engrossing Clerk, at the same per diem allowed by law to the Engrossing Clerk, to be paid out of the appropriation for the contingent expenses of the Assembly.

Recommendation adopted and resolution lost.

Also.

Resolved, That Ed. J Smith be and he is hereby appointed an Assistant Clerk of the Assembly to assist the History Clerk, at the same per diem as is paid the other Assistant Clerks at the desk, said per diem being payable out of the appropriation for the contingent expenses of the Assembly

The question being on the adoption of the resolution as amended.

The ayes and noes were demanded by Messrs. Owen, Barlow, and Thomas.

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

AYES—Messrs Adams, Anderson, Androus, Barker, Barlow, Bennett of Santa Clara, Bennett of Orange, Blakeley, Bledsoe, Bretz, Brownlie, Buckley, Bulla, Burke, Carlson, Casterline, Chipman, Conway, Curtis, Dodge, Drees, Duckworth, Duffy, Durst, Emeric, Gallagher, Gately, Godchaux, Jacobsen, Johnson of Humboldt, Kennedy, Kahn, LaRue, Lynch, McGowan, Mack, Marks, Miller, O'Keefe, O'Neill, Owen, Pendleton, Perkins, Raw, Schroebel, Simpson, Sims, Standart, Taggart, Talbott, Taylor, Thomas of Nevada, Tindall, and Wade—54

NOES—Messrs Alford, Boyce, Cusick, Finlayson, Hamilton, Hendrickson, Hurley, Hutson, Jacobs, Johnson of Santa Clara, Kerns, Luttringer, McCauley, McElroy, Marston, Mathews of Tehama, Matthews of San Benito, Mordecai, Price, Pueschel, Sargent, Schlesinger, Shanahan, Thomas of Santa Clara, Vann, and Mr Speaker—26

RECESS EXTENDED.

Mr. Alford moved that the hour of recess be extended ten minutes.

So ordered.

REPORT OF COMMITTEE ON ATTACHÉS AND EMPLOYÉS—(RESUMED).

Resolved, That James T Gormley be and he is hereby appointed Assistant File Clerk to the Sergeant-at-Arms, at a per diem of five ($5) dollars, payable out of the Contingent Fund of the Assembly

Recommendation adopted and resolution lost.

Also:

Resolved, That Miss Nellie Taylor be and she is hereby appointed File Clerk to the Sergeant-at-Arms, at a per diem of five ($5) dollars, the same to be paid out of the appropriation for the contingent expenses of the Assembly

Committee recommend it be amended to read:

Resolved, That Miss Nellie Taylor be and she is hereby appointed File Clerk, at a per diem of four ($4) dollars, the same to be paid out of the Contingent Fund of the Assembly—and in the amended form recommend that it do pass

Recommendation adopted and resolution adopted as amended

Also.

Resolved, That Miss Laura Little be and she is hereby appointed Mailing Clerk, and be required to perform also the duties of Folding Clerk of the Assembly, at a per diem of five dollars, payable out of the Contingent Fund of the Assembly

Committee recommend it be amended so as to read:

Resolved, That Miss Laura Little be and she is hereby appointed Mailing Clerk, and be required to perform also the duties of Folding Clerk of the Assembly, at a per diem of four dollars, payable out of the Contingent Fund of the Assembly

Recommendation adopted and resolution adopted as amended.

Also·

Resolved, That Joseph Clancy be and he is hereby appointed as Copying Clerk of the Assembly, at a per diem as is now paid the clerks at the desk, said per diem being payable out of the appropriation for the contingent expenses of the Assembly

Recommendation defeated and resolution lost.

Also:

Resolved, That the Speaker of the Assembly be and he is hereby directed to appoint M Marks a Porter, to have charge of the rooms of the Journal Clerk, Enrolling Clerk, and Engrossing Clerk, at the same per diem as paid Committee-room Porters, payable out of the Contingent Fund of the Assembly

Recommendation defeated and resolution lost.

MOTIONS.

Mr. Shanahan moved a reconsideration of the vote whereby the resolution was defeated.

Mr. Wade moved to lay the motion on the table.

So ordered.

RECESS.

Pending consideration of the report, the hour of recess having arrived, the Speaker declared recess until two o'clock P. M.

REASSEMBLED.

The Assembly reassembled at two o'clock P. M.

Speaker Gould in the chair.

MOTIONS.

Mr. Mathews of Tehama moved that the calling of the roll on reassembling in the afternoon be dispensed with in the future.

So ordered.

Mr. Schlesinger moved that the consideration of the special order set for this hour be deferred until after the consideration of the report of the Committee on Attachés and Employés.

So ordered.

CONSIDERATION OF REPORT OF COMMITTEE ON ATTACHÉS AND EMPLOYÉS— (RESUMED).

Resolved, That H A Mason be and he is hereby appointed an Assistant Clerk at the desk, whose duty it shall be to assist the Chief Clerk in the discharge of his duties, to receive the same per diem as the Chief Clerk, to be paid out of the appropriation for the contingent expenses of the Assembly

Recommendation adopted and resolution adopted.

Also

Resolved, That D C Shepherd be appointed to act as Assistant Enrolling Clerk of the Assembly, at the rate per diem that is paid to said Enrolling Clerk, the per diem to be paid from the Contingent Fund of the Assembly.

Recommendation defeated and resolution lost.

APPOINTMENT.

The Speaker announced that he had appointed T. B. Cronin an Assistant File Clerk.

NOTICE OF RECONSIDERATION.

Mr. Boyce gave notice that on the next legislative day he will move a reconsideration of the vote whereby that portion of the report of the Committee on Attachés and Employés, relative to the resolution appointing Joseph Clancy as Copying Clerk, was refused adoption.

SPECIAL ORDER.

Assembly Bill No. 10—An Act in relation to reassessments of property, and the equalization of the same in cases where a former assessment is invalid or void, and in relation to the collection of taxes on said reassessment.

Mr. Anderson moved to amend by striking out of section one, line two, the words "eighty-two," and inserting the following: "eighty-nine."

The ayes and noes were demanded by Messrs. Bledsoe, Alford, and Dodge.

The roll was called, and the amendment was unanimously lost by the following vote

AYES—None

NOES—Messrs Adams, Alford, Anderson, Androus, Barker, Barlow, Bennett of Santa Clara, Bennett of Orange, Blakeley, Bledsoe, Boyce, Bretz, Buckley, Bulla, Burke, Carlson, Casterline, Chipman, Conway, Curtis, Cusick, Dodge, Drees, Duckworth, Dufty, Durst Emeric, Finlayson, Gallagher, Gately, Godchaux, Hamilton, Hendrickson, Hurley, Hutson, Jacobs, Jacobsen, Johnson of Humboldt, Johnson of Santa Clara, Kennedy, Kahn, Kerns, LaRue, Luttringer, Lynch, McCauley, McElroy, McGowan, Mack, Marks, Marston, Mathews of Tehama, Matthews of San Benito, Miller, Mordecai, O'Keefe, O'Neill, Owen, Pendleton, Perkins, Price, Pueschel, Raw, Sargent, Schlesinger, Schroebel, Shanahan, Sims, Standart, Taggart, Talbott, Taylor, Thomas of Nevada, Thomas of Santa Clara, Tindall, Vann, Wade, and Mr Speaker—78

Assembly Bill No. 10 read second time, ordered engrossed and to a third reading.

MOTIONS.

Mr. Shanahan moved that the bill be made a special order for to-morrow at two o'clock P. M.

So ordered.

Mr. Anderson moved that Assembly Bill No. 11—An Act to prevent frauds upon travelers—be made a special order for to-morrow at two o'clock P. M.

So ordered.

APPOINTMENT.

The Speaker announced that he had appointed Mr. Androus a member of the joint committee of both houses, relative to an investigation of the Deaf, Dumb, and Blind Asylum, instead of Mr. Dodge, who was excused from serving.

REPORTS OF STANDING COMMITTEES.

ON WAYS AND MEANS

ASSEMBLY CHAMBER, SACRAMENTO, January 16, 1893

MR SPEAKER In accordance with the requirements of Rule 21, your Committee on Ways and Means begs leave to report that the aggregate of the appropriations so far referred to this committee is $5,919 10. This includes only such appropriations as are made by bills in the hands of the committee. Other deficiency bills are still in the hands of the printer, and have not reached this committee.

W. P MATHEWS, Chairman

ON ENGROSSMENT

ASSEMBLY CHAMBER, SACRAMENTO, January 16, 1893

MR SPEAKER Your Committee on Engrossment begs leave to report that it has examined Assembly Bill No. 4—An Act to amend section fifty-three of the Penal Code of California, relating to intimidating, corrupting, deceiving, or defrauding electors—and find it correctly engrossed

KENNEDY, Chairman

ON MUNICIPAL CORPORATIONS

ASSEMBLY CHAMBER, SACRAMENTO, January 16, 1893

MR SPEAKER Your Committee on Municipal Corporations, to whom was referred Assembly Bill No 50—An Act to limit the time within which franchises or privileges for the construction, extension or operation of street railroads may be granted by Boards of Supervisors of the several counties, and cities and counties of this State—have had the same under consideration, and respectfully report the same back, and recommend that it do pass

BUCKLEY, Chairman

ON IRRIGATION

ASSEMBLY CHAMBER, SACRAMENTO, January 16, 1893

MR SPEAKER Your Committee on Irrigation, to whom was referred Assembly Bill No 138—have had the same under consideration, and respectfully report the same back, and recommend that it do pass

CARLSON, Chairman

INTRODUCTION OF BILLS.

The following bills were introduced, read by title, and referred to committees, as follows.

By Mr. Anderson: Assembly Bill No. 294—An Act to amend section three thousand five hundred and fifty-five of "An Act to establish a Political Code," approved March 12, 1872, relating to the costs of suits taxed and collected in delinquent land suits.

Referred to Committee on Public Lands.

By Mr. Johnson of Santa Clara. Assembly Bill No. 295—An Act making an appropriation to pay the claim of Santa Clara County against the State of California for Tax Collectors' commissions on taxes collected and paid to the State.

Referred to Committee on Claims.

By Mr. Pendleton: Assembly Bill No. 296—An Act to amend sections thirty-eight to fifty-three, inclusive, of an Act approved March 31, 1891, adding those sections to An Act to provide for work upon streets, alleys, lanes, courts, places, and sidewalks, and for the construction of sewers within municipalities," approved March 18, 1885.

Referred to Committee on Municipal Corporations.

Mr. Alford in the chair.

By Mr. Bretz: Assembly Bill No. 297—An Act relating to the payment of official reporters.

Referred to Committee on Judiciary.

By Mr. Gould: Assembly Bill No. 298—An Act to amend an Act entitled "An Act creating a Board of Bank Commissioners, and prescribing their duties and powers," approved March 30, 1878.

Referred to Committee on Ways and Means.

By Mr. Lynch: Assembly Bill No. 299—An Act to amend section one thousand two hundred and thirty-eight of the Code of Civil Procedure, relating to eminent domain.

Referred to Committee on Judiciary.

By Mr. Emeric: Assembly Bill No. 300—An Act to amend an Act entitled "An Act to provide for the restoration and preservation of fish in the waters of this State," approved April 2, 1870, by adding thereto an additional section, numbered section twelve, relative to the better protection of fish placed in streams for the purpose of propagation.

Referred to Committee on Fish and Game.

By Mr. Wade: Assembly Bill No. 301—An Act to amend section three thousand eight hundred and five of the Political Code, relating to duplicate assessments.

Referred to Committee on Judiciary.

Also: Assembly Bill No. 302—An Act to amend section three thousand seven hundred and thirty-one of the Political Code, relating to the duties of Auditors.

Referred to Committee on Judiciary.

By Mr. Godchaux (by request): Assembly Bill No. 303—An Act authorizing and providing for the erection and furnishing of armories for the National Guard of the State of California, and to issue bonds for the payment of the same, and providing for the payment of said bonds.

Referred to Committee on Military Affairs.

By Mr. Chipman: Assembly Bill No. 304—An Act to amend section three thousand four hundred and ninety-one of the Political Code, relating to the election of Trustees of reclamation districts.

Referred to Committee on Irrigation.

By Mr. Schlesinger. Assembly Bill No. 305—An Act to amend section one thousand two hundred and ten of the Code of Civil Procedure, relating to reëntry upon real property.

Referred to Committee on Judiciary.

By Mr. Gately: Assembly Bill No. 306—An Act directing the State Board of Harbor Commissioners to construct a certain portion of the harbor embankment, or seawall, of the port of San Francisco.

Referred to Committee on Commerce and Navigation

By Mr. Raw: Assembly Bill No. 307—An Act to amend section one thousand two hundred and thirty-eight of the Code of Civil Procedure of the State of California, concerning the right of eminent domain.

Referred to Committee on Judiciary.

By Mr. Anderson: Assembly Bill No. 308—An Act to amend the Political Code, changing the boundary line between the counties of Yolo and Sacramento.

Referred to Committee on Counties and County Boundaries.

By Mr. Casterline: Assembly Bill No. 309—An Act making an appropriation for reimbursing J. V. Hicks, a citizen of California, for moneys expended by him in the extradition of one A. L. Gibbs, a fugitive from the justice of this State.

Referred to Committee on Claims.

By Mr. Johnson of Humboldt: Assembly Bill No. 310—An Act amending section one thousand nine hundred and twelve of the Political Code of the State of California, relating to the National Guard.

Referred to Committee on Military Affairs.

ASSEMBLY CONSTITUTIONAL AMENDMENT.

By Mr. Bulla: Assembly Constitutional Amendment No. 17—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, amending article six, relative to the judicial department.

Referred to Committee on Judiciary.

ASSEMBLY CONCURRENT RESOLUTION.

By Mr. Drees. Assembly Concurrent Resolution No. 6—Requesting an inquiry into the condition of affairs and management of the State Printing Department of California.

Referred to Committee on Public Printing.

Speaker Gould in the chair

RESOLUTIONS.

By Mr. Conway.

Resolved, That Mrs J V David be and is hereby appointed an Assistant Engrossing Clerk, at the same per diem as the Engrossing Clerk, payable out of the contingent expenses of the Assembly

Referred to Committee on Attachés and Employés.

By Mr. Taylor

Resolved, That the Speaker be and he is hereby requested to notify the Chairmen of the various standing committees of the Assembly to have a meeting for the purpose of fixing dates and times of meeting of their respective committees

Adopted.

THIRD READING OF BILL.

Assembly Bill No. 4—An Act to amend section fifty-three of the Penal Code of California, relating to intimidating, corrupting, deceiving, or defrauding electors.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs Adams, Alford, Anderson, Androus, Barker, Barlow, Bennett of Santa Clara, Bennett of Orange, Blakeley, Bledsoe, Boyce, Brownlie, Buckley, Bulla, Burke, Carlson, Casterline, Chipman, Conway, Curtis, Cusick, Dodge, Drees, Duckworth, Dufty, Emeric, Finlayson, Gallagher, Gately, Godchaux, Hamilton, Hendrickson, Hurley, Hutson, Jacobs, Jacobsen, Johnson of Humboldt, Johnson of Santa Clara, Kennedy, Kahn, Kerns, Luttringer, Lynch, McCauley, McElroy, McGowan, Mack, Marks, Marston, Mathews of Tehama, Matthews of San Benito, Miller, Mordecai, O'Keefe, O'Neill, Owen, Pendleton, Perkins, Price, Pueschel, Raw, Schlesinger, Schroebel, Shanahan, Simpson, Sims, Standart, Taggart, Talbott, Taylor, Thomas of Nevada, Thomas of Santa Clara, Tindall, Vann, Wade, and Mr Speaker—76

NOES—None

Title read and approved.

SECOND READING OF BILLS.

Assembly Bill No. 21—An Act entitled an Act to amend section two thousand nine hundred and fifty-five of the Civil Code.

The question being upon the adoption of the pending amendment by Mr. Mordecai, as follows: Amend by striking out the words, "upholstering, household furniture, and goods of all kinds," in line twelve, eighth clause.

Lost.

Mr. Mordecai moved to amend section one, line fourteen, so as to read: "growing crops of grain, grapes, and fruit."

Adopted.

ADJOURNMENT.

At four o'clock and fifteen minutes P. M., on motion of Mr. Mathews, the Assembly adjourned.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Tuesday, January 17, 1893.

The Assembly met pursuant to adjournment.

Speaker Gould in the chair.

The roll was called, and the following members answered to their names:

Messrs Adams, Alford, Anderson, Androus, Barker, Barlow, Bennett of Santa Clara, Bennett of Orange, Blakeley, Bledsoe, Boyce, Bretz, Brownlie Buckley, Bulla, Burke, Carlson, Casterline, Chipman, Conway, Curtis, Cusick, Dodge, Drees, Duckworth, Duffy, Durst, Emeric, Finlayson, Gallagher, Gately, Godchaux, Hamilton, Hendrickson, Hurley Hutson, Jacobs, Jacobsen, Johnson of Humboldt, Johnson of Santa Clara, Kennedy, Kahn, Kerns, LaRue, Luttringer, Lynch, McCauley, McElroy, McGowan, Mack, Marks, Marston, Mathews of Tehama, Matthews of San Benito, Miller, Mordecai, O'Keefe O'Neill, Owen, Pendleton, Perkins, Price, Pueschel, Raw, Sargent, Schlesinger, Schroebel, Shanahan, Simpson, Sims, Standart, Taggart, Talbott, Taylor, Thomas of Nevada, Thomas of Santa Clara, Tindall, Vann, Wade, and Mr Speaker

Quorum present.

PRAYER.

Prayer by the Chaplain, Rev. H. W. Conry.

READING OF THE MINUTES.

Pending the reading of the Journal of yesterday, Mr. Taggart moved that the further reading be dispensed with.

So ordered.

Journal of Monday approved

PETITIONS.

By Mr. Bulla: From citizens of Los Angeles, protesting against the passage of the so-called railroad scalpers bill.

Placed on file.

By Mr. Jacobsen: From citizens of Fresno County, remonstrating against the division of Fresno County and creation of the county of Madera.

Referred to Committee on Counties and County Boundaries.

REPORTS OF STANDING COMMITTEES.

ON COUNTY AND TOWNSHIP GOVERNMENTS

ASSEMBLY CHAMBER, SACRAMENTO, January 17, 1893

MR SPEAKER: Your Committee on County and Township Governments, to whom was referred Assembly Bill No 26—An Act to provide two additional Judges of the Superior Court of the county of Alameda—have had the same under consideration, and respectfully report the same back, and recommend that it do pass

SCHROEBEL, Chairman

ON PUBLIC MORALS

ASSEMBLY CHAMBER, SACRAMENTO, January 17, 1893

MR SPEAKER: Your Committee on Public Morals, to whom was referred Assembly Bill No. 37—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

Also, Assembly Concurrent Resolution No 3—have had the same under consideration, and respectfully report the same back, and recommend that it be referred to the Committee on Judiciary

BLEDSOE, Chairman

Assembly Concurrent Resolution No. 3 referred as recommended.

ON JUDICIARY

ASSEMBLY CHAMBER, SACRAMENTO, January 17, 1893

MR SPEAKER: Your Committee on Judiciary, to whom was referred Assembly Bill No 17—An Act to add a new section to the Penal Code of the State of California, to be designated as section four hundred and two, relating to the duties of females employed in mercantile and manufacturing occupations—have had the same under consideration, and respectfully report the same back, and recommend that the author be allowed to withdraw the same

Also Assembly Bill No 84—An Act to authorize the husband or wife, or next of kin, of a deceased person, to collect and receive of any bank any deposit in such bank when the same does not exceed the sum of five hundred dollars—have had the same under consideration, and respectfully report the same back, and recommend that it do pass

Also, Assembly Bill No 31—An Act to add a section to the Penal Code, to be known as section one hundred and sixty-one and one half, making it a misdemeanor to advertise to obtain or procure a divorce or nullity of marriage—have had the same under consideration and respectfully report the same back, and recommend that it do pass as amended

SHANAHAN, Chairman

Ordered that the author be allowed to withdraw Assembly Bill No. 17.

ON ENGROSSMENT.

ASSEMBLY CHAMBER, SACRAMENTO, January 17, 1893

MR SPEAKER: Your Committee on Engrossment begs leave to report that it has examined Assembly Bill No 10—An Act in relation to reassessments of property, and the equalization of the same in cases where a former assessment is invalid or void, and in relation to the collection of taxes on said reassessment—and find it correctly engrossed

KENNEDY, Chairman

ON CORPORATIONS

MR SPEAKER: Your Committee on Corporations, to which was referred the resolution introduced by Mr Schlesinger, relative to investigating the Railroad Commissioners, beg leave to report the following substitute, and recommend that the same be adopted.

WHEREAS, There were elected in November, 1890, William Beckman, J. M Litchfield, and J. W Rea, as Railroad Commissioners, and whereas, it is provided by section twenty-two, article twelve, of the Constitution of the State of California, that the Legislature of the State of California may, by a two-thirds vote of all the members elected to each house, remove any or all such Commissioners from office because of

their dereliction of duty, corruption, and incompetency, and whereas, it is the duty of the said Railroad Commissioners, namely, William Beckman, J. M. Litchfield, and J. W. Rea, and has been their duty ever since their said election to such office, to establish rates of charges for the transportation of passengers and freight by railroad or other transportation companies, and whereas, the said Railroad Commissioners have utterly failed and neglected to establish such rates of charges for the transportation of passengers and freight by railroads or other transportation companies, and have been and are guilty of dereliction of duty; now, therefore, be it

Resolved by the Assembly of the State of California, the Senate concurring, That the said William Beckman, J. M. Litchfield, and J. W. Rea, Railroad Commissioners as aforesaid, be and they are hereby removed from said offices of Railroad Commissioners, and the said offices are hereby each and every one of them declared to be and are vacant

ALFORD, Chairman

MOTION.

Mr. Shanahan moved that the resolution be printed in the Journal.

Mr. Mathews of Tehama moved as a substitute that the resolution be placed upon the file.

So ordered.

Mr. Bledsoe moved that the resolution be made the special order for two o'clock P. M. to-morrow.

Mr. Schlesinger moved to lay the matter on the table.

The ayes and noes were demanded by Messrs. Bledsoe, Pueschel, and Johnson of Humboldt.

The roll was called, and the motion to lay on the table was lost by the following vote:

AYES—None

NOES—Messrs. Adams, Alford, Anderson, Androus, Barker, Barlow, Bennett of Santa Clara, Bennett of Orange, Blakeley, Bledsoe, Boyce, Bretz, Brownlie, Buckley, Bulla Burke, Carlson, Casterline, Chipman, Conway, Curtis, Cusick, Dodge, Drees, Duckworth, Dufty, Durst, Emeric, Gallagher, Gately, Godchaux, Hamilton, Hendrickson, Hurley, Hutson, Jacobs, Jacobsen, Johnson of Humboldt, Johnson of Santa Clara, Kennedy, Kahn, Kerns, LaRue, Luttringer, Lynch, McCauley, McElhoy, McGowan, Mack, Marks, Marston, Mathews of Tehama, Matthews of San Benito, Miller, Mordecai, O'Keefe, O'Neill, Owen, Pendleton, Perkins, Price, Pueschel, Raw, Sargent, Schlesinger, Schroebel, Shanahan, Simpson, Sims, Standart, Taggart, Talbott, Taylor, Thomas of Nevada, Thomas of Santa Clara, Tindall, Vann, Wade, and Mr Speaker—79.

Mr Bledsoe moved that the resolution be made a special order for Monday, at eleven o'clock and thirty minutes A. M.

Mr. Alford moved that Mr. Bledsoe be allowed to withdraw his motion.

So ordered.

REPORTS OF STANDING COMMITTEES.

ON YOSEMITE VALLEY AND MARIPOSA GROVE OF BIG TREES

ASSEMBLY CHAMBER, SACRAMENTO, January 17, 1893

MR SPEAKER Your Committee on Yosemite Valley and Mariposa Grove of Big Trees, to whom was referred Assembly Bill No 36—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

MARSTON, Chairman

ON PUBLIC BUILDINGS AND GROUNDS

ASSEMBLY CHAMBER, SACRAMENTO, January 17, 1893

MR SPEAKER Your Committee on Public Buildings and Grounds, to whom was referred Assembly Bill No. 53—Relative to the Whittier Reform School—have had the same under consideration, and report it back with the recommendation that it be referred to the State Prisons Committee

CURTIS, Chairman

So ordered.

MESSAGES FROM THE SENATE.

SENATE CHAMBER, SACRAMENTO, January 16, 1893

MR. SPEAKER: I am directed to inform your honorable body that the Senate, on this day, adopted Senate Concurrent Resolution No. 3—Relative to an investigation of the Home for the Care and Training of Feeble-Minded Children, at Glen Ellen Sonoma County.

F. J. BRANDON, Secretary
By R. SHAW, Assistant Secretary

Senate Concurrent Resolution No. 3 referred to Committee on State Hospitals.

Also

SENATE CHAMBER, SACRAMENTO, January 17, 1893

MR. SPEAKER: I am directed to inform your honorable body that the Senate, on the sixteenth day of January, 1893, adopted the Committee Substitute for Senate Joint Resolutions Nos. 1 and 2—Relative to Nicaragua Maritime Canal.

F. J. BRANDON, Secretary
By R. SHAW, Assistant Secretary

Senate Committee Substitute referred to Committee on Commerce and Navigation.

INTRODUCTION OF BILLS.

The following bills were introduced, read by title, and referred to committees, as follows:

By Mr. Sargent: Assembly Bill No. 311—An Act to amend an Act entitled "An Act to establish a School of Industry, to provide for the maintenance and management of the same, and to make an appropriation therefor," approved March 11, 1889.

Referred to Committee on State Prisons and Reformatory Institutions.

By Mr. Pendleton: Assembly Bill No. 312—An Act appropriating money to pay for the removal, refurnishing of rooms, and repair of furniture for Supreme Court in city of Los Angeles.

Referred to Committee on Ways and Means.

Also Assembly Bill No. 313—An Act making an appropriation to pay Cyrus Lyon the sum of one thousand dollars for the capture of Anastacio Garcia in 1855.

Referred to Committee on Claims.

By Mr. Matthews of San Benito: Assembly Bill No. 314—An Act to amend an Act entitled "An Act to regulate the practice of pharmacy and sale of poisons in the State of California," approved March 11, 1891.

Referred to Committee on State Hospitals.

By Mr. Dodge: Assembly Bill No. 315—An Act appropriating the sum of fifteen thousand dollars to defray the cost and expenses, and for the employment of associate counsel therein, of suits and legal proceedings to be commenced and prosecuted by the Attorney-General in the name of the People of the State of California, to quiet the title to and for the recovery of the possession of Oakland waterfront, San Antonio Creek, and its bays and estuaries, and the Alameda waterfront.

Referred to Committee on Judiciary.

By Mr. Cusick: Assembly Bill No. 316—An Act making an appropriation for the erection of buildings and for the purchase of machinery

to be used in the manufacture of ice, to be used at the State Prison at Folsom.

Referred to Committee on State Prisons and Reformatory Institutions.

Also: Assembly Bill No. 317—An Act for the relief of Patrick Creighton.

Referred to Committee on Claims.

By Mr. Kahn: Assembly Bill No. 318—An Act to authorize the Assessors of counties, and cities and counties, having over two hundred and fifty thousand inhabitants to appoint deputies, and to fix their salaries and compensation.

Referred to Committee on Municipal Corporations.

By Mr. Johnson of Santa Clara: Assembly Bill No. 319—An Act appropriating the sum of twenty thousand dollars for the erection and construction of a sewer for the State Insane Asylum at Agnews, to appropriate money therefor, and to provide for the expenditure of the same.

Referred to Committee on State Hospitals.

By Mr. Vann: Assembly Bill No. 320—An Act to amend section two thousand six hundred and eighty-four of the Political Code of California, relative to highways, and the appointment of viewers thereof

Referred to Committee on Roads and Highways.

By Mr. Taggart: Assembly Bill No. 321—An Act to amend sections seven hundred and ninety-two and eight hundred and one of the Political Code of the State of California, relating to the qualifications and liabilities of Notaries Public.

Referred to Committee on Judiciary.

Also: Assembly Bill No. 322—An Act to amend section one thousand one hundred and ninety-seven of an Act entitled "An Act to amend section one thousand one hundred and ninety-seven of an Act entitled 'An Act to establish a Political Code,' approved March 12, 1872, in relation to the conduct of elections in this State," approved March 20, 1891.

Referred to Committee on Apportionment and Election Laws.

By Mr. Chipman: Assembly Bill No. 323—An Act to prevent evil disposed persons from coming upon the State Prison grounds.

Referred to Committee on Crimes and Penalties.

Also: Assembly Bill No. 324—An Act to provide for planting a row of trees around the Capitol grounds.

Referred to Committee on Internal Improvements.

Also: Assembly Bill No. 325—An Act to amend section six hundred and thirty-four of the Penal Code of the State of California

Referred to Committee on Fish and Game.

Also: Assembly Bill No. 326—An Act authorizing the State Board of Capitol Commissioners to appoint two extra employés for the Capitol grounds, in addition to the number now employed, and making an appropriation for payment of their services for the remainder of the forty-fourth fiscal year.

Referred to Committee on Retrenchment.

By Mr. Price: Assembly Bill No. 327—An Act amendatory of and supplemental to an Act entitled "An Act to provide for the organization and government of irrigation districts, and to provide for the acquisition of water and other property, and for the distribution of water thereby for irrigation purposes," approved March 7, 1887, and

providing for the dissolution and disorganization of irrigation districts organized under said Act.

Referred to Committee on Irrigation.

By Mr. LaRue: Assembly Bill No. 328—An Act to provide for the payment of the claim of James C. Smith, for money advanced and expended by him for the State of California in the building and construction of the North Street Canal and laying sewer pipe, at and near Stockton, San Joaquin County, California.

Referred to Committee on Claims

RESOLUTION.

By Mr. Pueschel.

Resolved, That the Assembly do now proceed to name, by a viva voce vote, a person for Senator in Congress from the State of California for the term of six years, beginning March 4, 1893, pursuant to an Act of Congress entitled "An Act to regulate the time and manner of holding elections for Senators in Congress," approved July 25, 1866, and pursuant to the provisions of sections fourteen and fifteen of an Act of Congress of the United States entitled "An Act to revise and consolidate the Statutes of the United States in force on the first day of December, Anno Domini 1873," approved January 22, 1874

Adopted.

ELECTION OF UNITED STATES SENATOR.

The Assembly, at twelve o'clock M., proceeded to the election of one United States Senator, in accordance with the following Act of Congress.

Title two, chapter one, Revised Statutes United States—An Act to regulate the time and manner of holding elections for Senators in Congress, approved July 25, 1866

Be it enacted by the Senate and House of Representatives of the United States, in Congress assembled

SECTION 14. The Legislature of each State, which is chosen next preceding the expiration of the time for which any Senator was elected to represent such State in Congress, shall, on the second Tuesday after the meeting and organization thereof, proceed to elect a Senator in Congress.

SEC. 15. Such election shall be conducted in the following manner: Each house shall openly, by a viva voce vote of each member present, name one person for Senator in Congress from such State, and the name of the person so voted for who received a majority of the whole number of votes cast in each house shall be entered on the Journal of that house by the Clerk or Secretary thereof; and if either house fails to give such majority to any person on that day, the fact shall be entered on the Journal. At twelve o'clock meridian of the day following that on which proceedings are required to take place, as aforesaid, the members of the two houses shall convene in joint assembly, and the Journal of each house shall then be read, and if the same person has received a majority of all the votes in each house, he shall be declared duly elected Senator. But if the same person has not received a majority of the votes in each house, or if either house has failed to take proceedings as required by this section, the joint assembly shall then proceed to choose, by a viva voce vote of each member present, a person for Senator, and the person who receives a majority of all the votes of the joint assembly, a majority of all the members elected to both houses being present and voting, shall be declared duly elected. If no person receives such majority on the first day, the joint assembly shall meet at twelve o'clock meridian of each succeeding day during the session of the Legislature, and shall take at least one vote until a Senator is elected.

SEC. 16. Whenever, on the meeting of the Legislature of any State, a vacancy exists in the representation of such State in the Senate, the Legislature shall proceed, on the second Tuesday after meeting and organization, to elect a person to fill such vacancy, in the manner prescribed in the preceding section for the election of a Senator for a full term.

SEC. 17. Whenever, during the session of the Legislature of any State, a vacancy occurs in the representation of such State in the Senate, similar proceedings to fill such vacancy shall be had on the second Tuesday after the Legislature is organized and has notice of such vacancy.

SEC. 18. It shall be the duty of the Executive of the State from which any Senator has been chosen to certify his election, under the seal of the State, to the President of the Senate of the United States

Mr. Mathews of Tehama moved that the hour of recess be extended until after the election of United States Senator.

So ordered.

The Speaker declared in order nominations for one United States Senator to succeed Hon. C. N. Felton.

Mr. O'Keefe nominated Hon. Charles N. Felton of San Mateo.

Mr. Bledsoe seconded the nomination of Mr. Felton.

Mr. Shanahan nominated Hon. Stephen M. White of Los Angeles.

Mr. Finlayson seconded the nomination of Mr. White.

Mr. Schlesinger seconded the nomination of Mr. White.

Mr. Taylor nominated Hon. George C. Perkins of Alameda.

Mr. Talbott nominated Hon. Thomas R. Bard of Ventura.

Mr. Pendleton nominated Hon. Robert M. Widney of Los Angeles.

Mr. Dodge seconded the nomination of Mr. Perkins.

Mr. Thomas nominated Hon. E. M. Preston of Nevada.

Mr. Androus seconded the nomination of Mr. Widney.

Mr. Perkins seconded the nomination of Mr. Bard.

Mr. Bretz nominated Hon. Thomas V. Cator of San Francisco.

Mr. Vann seconded the nomination of Mr. Cator.

Mr. Carlson nominated Hon. D. C. Reed of San Diego.

Mr. Casterline seconded the nomination of Mr. Reed.

Mr. Curtis moved that the nominations close.

So ordered.

The roll was called, with the following result:

For F. C Franck—Messrs Bennett of Santa Clara and Kahn.
For D. C. Reed—Messrs Carlson, Casterline, and Owen.
For Thos V Cator—Messrs Adams, Barlow, Bennett of Orange, Bretz, Jacobsen, Kerns, Thomas of Santa Clara, and Vann.
For S M. White—Messrs. Alford, Boyce, Brownlie, Buckley, Burke Conway, Curtis, Cusick, Drees, Duffy, Emeric, Finlayson, Gallagher, Gately, Godchaux, Hamilton, Hendrickson, Hurley, Hutson, Jacobs, Johnson of Santa Clara, Kennedy, LaRue Luttringer, McCauley, McElroy, Mack, Marks, Marston, Mathews of Tehama, Matthews of San Benito, Mordecai, O'Neill, Price, Pueschel, Sargent, Schlessinger, Schroebel, Shanahan, Sims, Tindall, and Mr. Speaker
For Chas N Felton—Messrs Bledsoe, Duckworth, Durst, Johnson of Humboldt, McGowan, and O'Keefe
For Geo. C. Perkins—Messrs Anderson, Blakeley, Chipman, Dodge, Miller, Standart, Taggart, and Taylor.
For Thos. R. Bard—Messrs. Barker, Lynch, Perkins, and Talbott
For Robt. M. Widney—Messrs. Androus, Bulla, Pendleton, and Simpson.
For E M Preston—Mr Thomas of Nevada
For M. M Estee—Mr Wade
For J. H Neff—Mr Raw

Whole number of votes cast	80
Necessary to a choice	41
Hon. Charles N Felton received	6
Hon Stephen M. White received	42
Hon George C. Perkins received	8
Hon Thomas R Bard received	4
Hon Robert M Widney received	4
Hon. E. M. Preston received	1
Hon. Thomas V Cator received	8
Hon D C. Reed received	3
Hon F. C. Franck received	2
Hon. J H Neff received	1
Hon M M Estee received	1

The Speaker announced the vote, and declared that the Hon. Stephen M. White having received a majority of the votes of the whole Assembly, is the choice of the Assembly of the State of California for United States Senator, for the term commencing the fourth day of March, 1893.

RESOLUTION.

By Mr. Sims:

Resolved, That the Chief Clerk forthwith inform the Senate of the vote for United States Senator in this Assembly, and that the Assembly will meet with the Senate, in the Assembly Chamber to-morrow, Wednesday, January 18, 1893, at twelve o'clock meridian, in joint assembly, for the purpose of electing, or declaring the election, of a United States Senator, pursuant to an Act of Congress entitled "An Act to regulate the time and manner of holding elections for Senators in Congress," approved July 25, 1866, and pursuant to the provisions of sections fourteen and fifteen of an Act of Congress of the United States entitled "An Act to revise and consolidate the Statutes of the United States in force on the first day of December, Anno Domini 1873," approved January 22, 1874.

Adopted.

RECESS.

At one o'clock and eight minutes the Speaker declared a recess until two o'clock P. M.

REASSEMBLED.

The Assembly reassembled at two o'clock P. M.
Speaker Gould in the chair.

INTRODUCTION OF BILLS.

The following bills were introduced, read by title, and referred to committees, as follows:

By Mr. Vann: Assembly Bill No. 329—An Act supplemental to an Act entitled "An Act to provide for the organization and government of irrigation districts, and to provide for the acquisition of water and other property, and for the distribution of water thereby for irrigation purposes," approved March 7, 1887, and to provide for the disorganization of irrigation districts formed or organized under said Act, in the matter of levying and collecting of taxes for building or completing any system of irrigation works therein, or for any further expense in repairing or improving the same, or for any other purpose; expending any further money, seeking to establish a system of irrigation therein, to provide for the election of officers, regulating their salaries, prescribing their duties, authorizing the sale and conveyance of the property and effects of such district, and providing for the final disorganization of districts organized under said Act.

Referred to Committee on Irrigation.

By Mr. Schlesinger: Assembly Bill No. 330—An Act to amend an Act entitled "An Act relating to life, health, accident, and annuity or endowment insurance on the assessment plan, and the conduct of the business of such insurance," approved March 19, 1891.

Referred to Committee on Corporations.

By Mr. Owen: Assembly Bill No. 331—An Act to amend the Code of Civil Procedure, in relation to the place of holding the sessions of the Supreme Court.

Referred to Committee on Judiciary.

By Mr. Taylor: Assembly Bill No. 332—An Act for the relief of Charles F. Wells, and to appropriate money therefor.

Referred to Committee on Claims.

By Mr. Bretz: Assembly Bill No. 333—An Act to amend section three thousand seven hundred and seventy-nine of the Political Code, relating to lien of State vests in the purchaser at tax sale, and how divested.

Referred to Committee on Judiciary.

By Mr. Duckworth: Assembly Bill No. 334—An Act to amend an Act entitled "An Act to establish a uniform system of county and township governments," approved March 31, 1891, relating to county supplies, printing, and advertisements.

Referred to Committee on County and Township Governments.

Also: Assembly Bill No. 335—An Act to amend section one thousand five hundred and thirty-nine of the Code of Civil Procedure of the State of California.

Referred to Committee on Judiciary.

Also: Assembly Bill No. 336—An Act to amend section one thousand seven hundred and five of the Code of Civil Procedure of the State of California.

Referred to Committee on Judiciary.

Also: Assembly Bill No. 337—An Act to amend section six hundred and ninety-two of the Code of Civil Procedure of the State of California.

Referred to Committee on Judiciary.

Also: Assembly Bill No. 338—An Act to amend section four hundred and thirteen of the Code of Civil Procedure of the State of California, relating to publication of summons.

Referred to Committee on Judiciary.

Also: Assembly Bill No. 339—An Act to amend section one thousand three hundred and three of the Code of Civil Procedure of the State of California.

Referred to Committee on Judiciary.

By Mr. Johnson: Assembly Bill No. 340—An Act appropriating the sum of one hundred and seventy-five thousand dollars for the erection of additional buildings at Agnews for the use of the insane, to appropriate funds therefor, and to provide for the expenditure of the same.

Referred to Committee on Public Buildings and Grounds.

Also: Assembly Bill No. 341—An Act to amend section two of an Act entitled "An Act to organize and define the powers of the Board of Railroad Commissioners."

Referred to Committee on Corporations.

SPECIAL ORDERS.

Assembly Bill No. 10—An Act in relation to reassessments of property, and the equalization of the same, in cases where a former assessment is invalid or void, and in relation to the collection of taxes on said reassessment.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Adams, Alford, Anderson, Androus, Barker, Barlow, Bennett of Santa Clara, Bennett of Orange, Blakeley, Bledsoe, Boyce, Bretz, Brownlie, Buckley, Bulla, Burke, Casterline, Chipman, Curtis, Cusick, Dodge, Drees, Duckworth, Duffy, Durst, Emeric, Finlayson, Gallagher, Gately, Godchaux, Hamilton, Hendrickson, Hurley, Hutson, Jacobsen, Johnson of Humboldt, Johnson of Santa Clara, Kennedy, Kahn, Kerns, LaRue, Luttringer, Lynch, McCauley, McElroy, McGowan, Mack, Marks, Mars-

ton, Mathews of Tehama, Matthews of San Benito, Miller, Mordecai, O'Keefe, O'Neill, Owen, Pendleton, Perkins, Price, Pueschel, Raw, Sargent, Schlesinger, Schroebel, Shanahan, Simpson, Sims, Standart, Taggart, Talbott, Taylor, Thomas of Nevada, Thomas of Santa Clara, Tindall, Vann, Wade, and Mr. Speaker—77

NOES—None.

Title read and approved.

MOTION.

Mr. Shanahan moved that the bill be immediately transmitted to the Senate.

So ordered.

SPECIAL ORDERS—(RESUMED).

Assembly Bill No. 11—An Act to prevent frauds upon travelers.

Read second time.

MOTIONS.

Mr. Mathews of Tehama moved to amend by striking out sections two and three.

Adopted.

Mr. Shanahan moved that the bill be re-referred to the Committee on Judiciary.

Mr. Bledsoe moved as a substitute that the enacting clause be stricken out.

The ayes and noes were demanded by Messrs. Bledsoe, Pendleton, and Schlesinger.

The roll was called, and the substitute lost by the following vote:

AYES—Messrs Bennett of Santa Clara, Bledsoe, Bretz, Casterline, Dodge, Emeric, Godchaux, Hurley, Jacobsen, Johnson of Humboldt, Kahn, McElroy, Miller, and Wade—14.

NOES—Messrs Adams, Alford, Androus, Barlow, Bennett of Orange, Blakeley, Boyce, Brownlie, Buckley, Bulla, Burke, Carlson, Chipman, Conway, Curtis, Cusick, Drees, Duckworth, Duffy, Durst, Finlayson, Gallagher, Gately, Hamilton, Hendrickson, Hutson, Jacobs, Kennedy, Kerns, Luttringer, Lynch, McCauley, Mack, Marks, Marston, Mathews of Tehama, Matthews of San Benito, Mordecai, O'Keefe, O'Neill, Owen, Pendleton, Perkins, Price, Pueschel, Raw, Sargent, Schlesinger, Shanahan, Simpson, Sims, Standart, Taggart, Talbott, Taylor, Thomas of Nevada, Thomas of Santa Clara, Tindall, Vann, and Mr. Speaker—60

The question being on the motion to re-refer the bill, it was so ordered.

REPORT OF STANDING COMMITTEE.

ON STATE HOSPITALS.

ASSEMBLY CHAMBER, SACRAMENTO, January 17, 1893.

MR SPEAKER: Your Committee on State Hospitals, to whom was referred Assembly Bill No 99, and Senate Concurrent Resolution No 3—have had the same under consideration, and respectfully report the same back, and recommend that they be referred to the Committee on Public Buildings.

MORDECAI, Chairman.

So ordered.

ASSEMBLY CONCURRENT RESOLUTION.

By Mr. Kahn: Assembly Concurrent Resolution No. 8—Relative to the Senate and Assembly meeting in joint convention for the purpose of electing five Trustees of the State Library.

Adopted.

RESOLUTIONS.

By Mr. Marston:

Resolved, That Joseph Mansfield be and he is hereby appointed Sergeant-at-Arms of the offices of the Journal, Enrolling, and Engrossing Clerks of the Assembly, at a per diem of five dollars, payable out of the Contingent Fund of the Assembly.

Referred to Committee on Attachés and Employés.

By Mr. Conway:

Resolved, That the Speaker of the Assembly be and is hereby directed to appoint James Kelley a Porter, to have charge of the rooms of the Journal Clerk, Enrolling Clerk, and Engrossing Clerk, at the same per diem as paid Committee-room Porters, payable out of the Contingent Fund of the Assembly

Referred to Committee on Attachés and Employés.

RECONSIDERATION.

Mr. Boyce moved a reconsideration of the vote whereby that portion of the report of the Committee on Attachés and Employés, relative to the resolution appointing Joseph Clancy as Copying Clerk, was on yesterday refused adoption.

The ayes and noes were demanded by Messrs. Boyce, Kennedy, and Johnson of Santa Clara.

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

AYES—Messrs. Adams, Alford, Anderson, Androus, Barker, Barlow, Bennett of Santa Clara, Bennett of Orange, Boyce, Bretz, Brownlie, Buckley, Burke, Carlson, Casterline, Chipman, Conway, Curtis, Cusick, Dodge, Drees, Duckworth, Duffy, Durst, Emeric, Finlayson, Gallagher, Gately, Godchaux, Hamilton, Hendrickson, Hurley, Hutson, Jacobs, Johnson of Humboldt, Kennedy, Kerns, Luttringer, Mack, Marks, Marston, Mathews of Tehama, Miller, Pendleton, Price, Pueschel, Sargent, Schlesinger, Schroebel, Shanahan, Sims, Standart, Taylor, Thomas of Santa Clara, and Tindall—55

NOES—Messrs Bledsoe, Bulla, Jacobsen, Johnson of Santa Clara, Kahn, McCauley, McElroy, Matthews of San Benito, Mordecai, O'Keefe, O'Neill, Owen, Perkins, Raw, Simpson, Taggart, Talbott, Vann, Wade, and Mr Speaker—20

The question being on the adoption of that portion of the report of the committee recommending the adoption of the resolution appointing Joseph Clancy as Copying Clerk.

The ayes and noes were demanded by Messrs. Mathews, Schlesinger, and O'Keefe.

The roll was called, and the recommendation refused adoption and the resolution lost by the following vote:

AYES—Messrs. Alford, Anderson, Barker, Blakeley, Boyce, Brownlie, Buckley, Burke, Chipman, Conway, Curtis, Cusick, Duffy, Durst, Gallagher, Gately, Godchaux, Hamilton, Hendrickson, Hurley, Jacobs, Kennedy, Luttringer, McGowan, Mack, Marks, Marston, Mathews of Tehama, Miller, Pueschel, Schlesinger, Schroebel, Shanahan, Taylor, Thomas of Nevada, and Tindall—36

NOES—Messrs Adams, Androus, Barlow, Bennett of Santa Clara, Bennett of Orange, Bledsoe, Bretz, Bulla, Carlson, Casterline, Dodge, Drees, Duckworth, Emeric, Finlayson, Hutson, Jacobsen, Johnson of Humboldt, Johnson of Santa Clara, Kahn, Kerns, LaRue, McCauley, McElroy, Matthews of San Benito, Mordecai, O'Keefe, Owen, Perkins, Price, Raw, Simpson, Sims, Taggart, Talbott, Thomas of Santa Clara, Vann, Wade, and Mr Speaker—39.

ADJOURNMENT.

At four o'clock and twenty-five minutes P. M., on motion of Mr. O'Keefe, the Assembly adjourned.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Wednesday, January 18, 1893.

The Assembly met pursuant to adjournment.

Speaker Gould in the chair.

The roll was called, and the following members answered to their names:

Messrs. Adams, Alford, Anderson, Androus, Barker, Barlow, Bennett of Santa Clara, Bennett of Orange, Blakeley, Bledsoe, Boyce, Bretz, Brownlie, Buckley, Bulla, Burke, Carlson, Casterline, Chipman, Conway, Curtis, Cusick, Dodge, Drees, Duckworth, Duffy, Durst, Emeric, Finlayson, Gallagher, Gately, Godchaux, Hamilton, Hendrickson, Hurley, Hutson, Jacobs, Jacobsen, Johnson of Humboldt, Johnson of Santa Clara, Kennedy, Kahn, Kerns, LaRue, Luttringer, Lynch, McCauley, McElroy, Mack, Marks, Marston, Mathews of Tehama, Matthews of San Benito, Miller, Mordecai, O'Keefe, O'Neill, Owen, Pendleton, Perkins, Price, Pueschel, Raw, Sargent, Schlesinger, Schroebel, Shanahan, Simpson, Sims, Standart, Taggart, Talbott, Taylor, Thomas of Nevada, Thomas of Santa Clara, Tindall, Vann, Wade, and Mr. Speaker.

Quorum present.

PRAYER.

Prayer by the Chaplain, Rev. H. W. Conry.

READING OF THE MINUTES.

Pending the reading of the Journal of yesterday, Mr. Pendleton moved that the further reading be dispensed with.

So ordered.

Journal of Tuesday approved.

MOTION.

Mr. Schlesinger moved to take up Senate messages.

So ordered.

MESSAGE FROM THE SENATE.

SENATE CHAMBER, SACRAMENTO, January 18, 1893

MR. SPEAKER: I am directed to inform your honorable body that the Senate, on this day, concurred in Assembly Concurrent Resolution No 8—Relative to meeting in joint convention of Senate and Assembly for the purpose of electing five Trustees of the State Library.

F. J. BRANDON, Secretary.
By R. SHAW, Assistant.

The hour of eleven o'clock and thirty minutes A. M. having arrived, the Sergeant-at-Arms announced that the members of the Senate were at the bar of the Assembly.

IN JOINT CONVENTION.

WEDNESDAY, January 18, 1893.

At the hour of eleven o'clock and thirty minutes A. M., pursuant to concurrent resolution previously adopted by both houses, and as provided for in section two thousand two hundred and ninety-two of the

Political Code, and to elect five Trustees for the State Library for the term of four years, commencing February 28, 1894, both houses assembled in joint convention, Lieutenant-Governor J. B. Reddick, the President of the Senate, and Hon. F. H. Gould, the Speaker of the Assembly, presiding.

The Secretary of the Senate called the roll of the Senate, and the following Senators responded:

Messrs. Arms, Bailey, Berry, Biggy, Broderick, Burke, Campbell, Carpenter, Denison, Dunn, Earl, Everett, Fay, Flint, Ford, Gesford, Harp, Hart, Hoyt, Langford, McAllister, McGowan, Maher, Mahoney, Martin, Mathews, Mitchell, Orr, Ostrom, Ragsdale, Seawell, Seymour, Shippee, Simpson, Streeter, Voorheis, Whitehurst, Williams, and Wilson.

The Chief Clerk of the Assembly called the roll of the Assembly, and the following members responded:

Messrs. Alford, Anderson, Androus, Barker, Barlow, Bennett of Santa Clara, Bennett of Orange, Blakeley, Bledsoe, Boyce, Bretz, Brownlie, Buckley, Bulla, Burke, Carlson, Casterline, Chipman, Conway, Curtis, Cusick, Dodge, Drees, Duckworth, Duffy, Durst, Emeric, Finlayson, Gallagher, Gately, Godchaux, Hamilton, Hendrickson, Hurley, Hutson, Jacobs, Jacobsen, Johnson of Humboldt, Johnson of Santa Clara, Kennedy, Kahn, Kerns, LaRue, Luttringer, Lynch, McCauley, McElroy, Mack, Marks, Marston, Mathews of Tehama, Matthews of San Benito, Miller, Mordecai, O'Keefe, O'Neill, Owen, Pendleton, Perkins, Price, Pueschel, Raw, Sargent, Schlesinger, Schroebel, Shanahan, Simpson, Sims, Standart, Taggart, Talbott, Taylor, Thomas of Nevada, Thomas of Santa Clara, Tindall, Vann, Wade, and Mr. Speaker.

Quorum of both houses present.

RESOLUTION.

By Senator Flint:

Resolved, That when the roll is called on the election of Trustees for the State Library, each Senator and Assemblyman announce the names of five candidates as his choice for the office of Trustees of the State Library.

Adopted.

The President of the Senate announced that the first order of business would be the election of five Trustees of the State Library.

NOMINATIONS.

The President of the Senate declared nominations in order.

Mr. Mathews of Tehama nominated Curtis H. Lindley of San Francisco, Ed. E. Leake of Yolo, Dr. M. Gardner of Sacramento, F. T. Baldwin of San Joaquin, and W. S. Green of Colusa.

Mr. Duckworth nominated Adam Andrews of Sacramento, Wm. R. Davis of Alameda, Isaac Trumbo of San Francisco, John S. Dore of Fresno, and E. M. Wardell of Los Angeles.

Senator Everett nominated William Cluff of San Francisco.

There being no further nominations, the President of the Senate declared the nominations closed.

The roll of the Senate was called by the Secretary of the Senate, with the following result:

For Lindley—Messrs. Arms, Berry, Biggy, Burke, Dunn, Fay, Gesford, Harp, Langford, McAllister, Mahoney, Martin, Mathews, Mitchell, Ostrom, Seawell, Whitehurst, and Wilson

For Leake—Messrs. Arms, Berry, Biggy, Burke, Dunn, Fay, Gesford, Harp, Langford, McAllister, Mahoney, Martin, Mathews, Mitchell, Ostrom, Seawell, Whitehurst, and Wilson.

For Gardner—Messrs Arms, Berry, Biggy, Burke, Dunn, Fay, Gesford, Harp, Langford, McAllister, Martin, Mathews, Mitchell, Ostrom, Seawell, Shippee, Whitehurst, and Wilson

For Baldwin—Messrs. Arms, Berry, Biggy, Burke, Dunn, Fay, Gesford, Harp, Langford, McAllister, Martin, Mathews, Mitchell, Ostrom, Seawell, Shippee, Whitehurst, and Wilson.

For Green—Messrs Arms, Bailey, Berry, Biggy, Burke, Dunn, Fay, Gesford, Harp, Hart, Langford, McAllister, Mahoney, Martin, Mathews, Mitchell, Ostrom, Seawell, Whitehurst, and Wilson

For Andrews—Messrs. Bailey, Broderick, Campbell, Carpenter, Denison, Earl, Everett, Flint, Hart, Hoyt, McGowan, Maher, Orr, Ragsdale, Seymour, Shippee, Simpson, Streeter, Voorheis, and Williams

For Davis—Messrs. Bailey, Broderick, Campbell, Carpenter, Denison, Earl, Everett, Flint, Hart, Hoyt, McGowan, Maher, Orr, Ragsdale, Seymour, Shippee, Simpson, Streeter, Voorheis, and Williams.

For Trumbo—Messrs. Carpenter, Denison, Flint, Hoyt, Mahoney, Seymour, Simpson, Streeter, and Voorheis.

For Dore—Messrs Bailey, Broderick, Campbell, Carpenter, Denison, Earl, Everett, Flint, Hart, Hoyt, McGowan, Maher, Orr, Ragsdale, Seymour, Simpson, Streeter, Voorheis, and Williams.

For Wardell—Messrs. Bailey, Broderick, Campbell, Carpenter, Denison, Earl, Everett, Flint, Hart, Hoyt, McGowan, Maher, Orr, Ragsdale, Seymour, Simpson, Streeter, Voorheis, and Williams.

For Cluff—Messrs. Broderick, Campbell, Earl, Everett, McGowan, Maher, Mahoney, Orr, Ragsdale, Shippee, and Williams.

Whole number of votes cast	38 votes.
Curtis H Lindley received	18 votes
Ed. E Leake received	18 votes.
Dr. M. Gardner received	18 votes.
F T Baldwin received	18 votes.
W. S. Green received	20 votes
Adam Andrews received	20 votes.
Wm R Davis received	20 votes.
Isaac Trumbo received	9 votes.
John S. Dore received	19 votes.
E M. Wardell received	19 votes.
Wm. Cluff received	11 votes.

The roll of the Assembly was called by the Chief Clerk of the Assembly, with the following result:

For Lindley—Messrs. Alford, Boyce, Brownlie, Buckley, Burke, Conway, Curtis, Cusick, Drees, Duffy, Emeric, Finlayson, Gallagher, Gately, Godchaux, Hamilton, Hendrickson, Hurley, Hutson, Jacobs, Johnson of Santa Clara, Kennedy, LaRue, Luttringer, McCauley, McElroy, Mack, Marks, Marston, Mathews of Tehama, Matthews of San Benito, Mordecai, O'Neill, Price, Pueschel, Raw, Sargent, Schlesinger, Schroebel, Shanahan, Sims, Thomas of Nevada, Tindall, and Mr Speaker

For Leake—Messrs Alford, Blakeley, Boyce, Brownlie, Buckley, Burke, Conway, Curtis, Cusick, Drees, Duffy, Emeric, Finlayson, Gallagher, Gately, Godchaux, Hamilton, Hendrickson, Hurley, Hutson, Jacobs, Johnson of Santa Clara, Kennedy, Kerns, LaRue, Luttringer, McCauley, McElroy, Mack, Marks, Marston, Mathews of Tehama, Matthews of San Benito, Miller, Mordecai, O'Neill, Price, Pueschel, Raw, Sargent, Schlesinger, Schroebel, Shanahan, Sims, Thomas of Nevada, Tindall, and Mr Speaker.

For Gardner—Messrs. Alford, Boyce, Brownlie, Buckley, Burke, Chipman, Conway, Curtis, Cusick, Drees, Duffy, Emeric, Finlayson, Gallagher, Gately, Godchaux, Hamilton, Hendrickson, Hurley, Hutson, Jacobs, Johnson of Santa Clara, Kennedy, LaRue, Luttringer, McCauley, McElroy, Mack, Marks, Marston, Mathews of Tehama, Matthews of San Benito, Miller, Mordecai, O'Neill, Price, Pueschel, Raw, Sargent, Schlesinger, Schroebel, Shanahan, Sims, Thomas of Nevada, Tindall, and Mr. Speaker

For Baldwin—Messrs. Alford, Boyce, Brownlie, Buckley, Burke, Conway, Curtis, Cusick, Drees, Duffy, Durst, Emeric, Finlayson, Gallagher, Gately, Godchaux, Hamilton, Hendrickson, Hurley, Hutson, Jacobs, Johnson of Santa Clara, Kennedy, LaRue, Luttringer, McCauley, McElroy, Mack, Marks, Marston, Mathews of Tehama Matthews of San Benito, Miller, Mordecai, O'Neill, Price, Pueschel, Raw, Sargent, Schlesinger, Schroebel, Shanahan, Sims, Thomas of Nevada, Tindall, and Mr Speaker

For Green—Messrs Alford, Boyce, Brownlie, Buckley, Burke, Conway, Curtis, Cusick, Drees, Duffy, Durst, Emeric, Finlayson, Gallagher, Gately, Godchaux, Hamilton, Hendrickson, Hurley, Hutson, Jacobs Johnson of Santa Clara, Kennedy, LaRue, Luttringer, McCauley, McElroy, Mack, Marks, Marston, Mathews of Tehama, Matthews of San Benito, Miller, Mordecai, O'Neill, Price, Pueschel, Raw, Sargent, Schlesinger, Schroebel, Shanahan, Sims, Thomas of Nevada, Tindall, Vann, and Mr Speaker

For Andrews—Messrs Adams, Anderson, Androus, Barker, Barlow, Bennett of Santa Clara, Bennett of Orange, Blakeley, Bretz, Bulla, Carlson, Casterline, Chipman, Dodge,

Duckworth, Durst, Jacobsen, Johnson of Humboldt, Kahn, Kerns, Lynch, O'Keefe, Owen, Pendleton, Perkins, Simpson, Standart, Taggart, Talbott, Taylor, Thomas of Santa Clara, and Wade

For Davis—Messrs. Adams, Anderson, Androus, Barker, Barlow, Bennett of Santa Clara, Bennett of Orange, Blakeley, Bretz, Bulla, Carlson, Casterline, Chipman, Dodge, Duckworth, Durst, Jacobsen, Johnson of Humboldt, Kahn, Lynch, Miller, O'Keefe, Owen, Pendleton, Perkins, Simpson, Standart, Taggart, Talbott, Taylor, Thomas of Santa Clara, Vann, and Wade

For Trumbo—Messrs Adams, Anderson, Androus, Barker, Barlow, Bennett of Santa Clara, Bennett of Orange, Blakeley, Bretz, Bulla, Carlson, Casterline, Dodge, Duckworth, Jacobsen, Kahn, Kerns, Lynch, O'Keefe, Owen, Pendleton, Perkins, Simpson, Taggart, Talbott, Thomas of Santa Clara, Vann, and Wade

For Dore—Messrs. Adams, Anderson, Androus, Barker, Barlow, Bennett of Santa Clara, Bennett of Orange, Blakeley, Bretz, Bulla, Carlson, Casterline, Chipman, Dodge, Duckworth, Durst, Jacobsen, Johnson of Humboldt, Kahn, Kerns, Lynch, O'Keefe, Owen, Pendleton, Perkins, Simpson, Standart, Taggart, Talbott, Taylor, Thomas of Santa Clara, Vann, and Wade

For Wardell—Messrs. Adams, Anderson, Androus, Barker, Barlow, Bennett of Santa Clara, Bennett of Orange, Bretz, Bulla, Carlson, Casterline, Chipman, Dodge, Duckworth, Jacobsen, Johnson of Humboldt, Kahn, Kerns, Lynch, O'Keefe, Owen, Pendleton, Perkins, Simpson, Standart, Taggart, Talbott, Taylor, Thomas of Santa Clara, Vann, and Wade.

For Cluff—Messrs. Carlson, Johnson of Humboldt, Standart, and Taylor

For McConnell—Mr Bledsoe.

For Carson—Mr Bledsoe.

For Leonard—Mr. Bledsoe.

For Armstrong—Mr Bledsoe

For Owen—Mr. Bledsoe.

Whole number of votes cast, 79.

The President announced the result as follows:

Whole number of votes cast	117 votes
Necessary to a choice	59 votes.
Curtis H. Lindley received	62 votes
Ed. E Leake received	65 votes.
Dr. M Gardner received	64 votes
F. T Baldwin received	64 votes
W. S. Green received	67 votes
Adam Andrews received	52 votes
Wm R. Davis received	53 votes
Isaac Trumbo received	37 votes.
John S. Dore received	52 votes
E. M Wardell received	50 votes
William Cluff received	15 votes.
J M McConnell received	1 vote.
Wm. Carson received	1 vote.
John P. Leonard received	1 vote
S. Armstrong received	1 vote
J. J. Owen received	1 vote

The President of the Senate announced that Curtis H. Lindley, Ed. E. Leake, Dr. M. Gardner, F. T. Baldwin, and W. S. Green having each received a majority of all the votes cast in joint convention, a majority of all the members elected to both houses being present and voting, were duly elected Trustees of the State Library, to serve for the term of four years commencing at the expiration of the term ending on the twenty-eighth day of February, 1894.

READING OF THE MINUTES.

The President of the Senate directed that the minutes of the joint convention be read for approval.

APPROVAL OF JOURNAL.

The minutes of the joint convention were read and approved.

ADJOURNMENT.

On motion of Senator Flint the joint convention stood adjourned.

IN ASSEMBLY.

The Assembly reassembled at eleven o'clock and fifty-eight minutes A. M.

Speaker Gould in the chair.

Quorum present.

IN JOINT ASSEMBLY.

WEDNESDAY, January 18, 1893.

The hour of twelve o'clock meridian having arrived, the Senate and Assembly went into joint session for the purpose of electing a United States Senator, pursuant to an Act of Congress entitled "An Act to regulate the time and manner of holding elections for Senators in Congress," approved July 25, 1866, and pursuant to the provisions of sections fourteen and fifteen of an Act of Congress of the United States entitled "An Act to revise and consolidate the Statutes of the United States in force on the first day of December, Anno Domini 1873," approved January 22, 1874, Lieutenant-Governor J. B. Reddick, President of the Senate, and Hon. F. H. Gould, Speaker of the Assembly, presiding.

The President of the Senate directed the Secretary of the Senate to call the roll of Senators.

The roll was called, and the following Senators answered to their names:

Messrs. Arms, Bailey, Berry, Biggy, Broderick, Burke, Campbell, Carpenter, Denison, Dunn, Earl, Everett, Fay, Flint, Ford, Gesford, Goucher, Harp, Hart, Hoyt, Langford, McAllister, McGowan, Maher, Mahoney, Martin, Mathews, Mitchell, Orr, Ostrom, Ragsdale, Seawell, Seymour, Shippee, Simpson, Streeter, Voorheis, Whitehurst, Williams, and Wilson.

The Speaker of the Assembly directed the Chief Clerk of the Assembly to call the roll of Assemblymen.

The roll was called, and the following Assemblymen answered to their names:

Messrs. Adams, Alford, Anderson, Androus, Barker, Barlow, Bennett of Santa Clara, Bennett of Orange, Blakeley, Bledsoe, Boyce, Bretz, Brownlie, Buckley, Bulla, Burke, Carlson, Casterline, Chipman, Conway, Curtis, Cusick, Dodge, Drees, Duckworth, Duffy, Durst, Emeric, Finlayson, Gallagher, Gately, Godchaux, Hamilton, Hendrickson, Hurley, Hutson, Jacobs, Jacobsen, Johnson of Humboldt, Johnson of Santa Clara, Kennedy, Kahn, Kerns, LaRue, Luttringer, Lynch, McCauley, McElroy, Mack, Marks, Marston, Mathews of Tehama, Matthews of San Benito, Miller, Mordecai, O'Keefe, O'Neill, Owen, Pendleton, Perkins, Price, Pueschel, Raw, Sargent, Schlesinger, Schroebel, Shanahan, Simpson, Sims, Standart, Taggart, Talbot, Taylor, Thomas of Nevada, Thomas of Santa Clara, Tindall, Vann, Wade, and Mr Speaker

Quorum of both houses present.

The President of the Senate directed the Secretary of the Senate to read the Act of Congress requiring the joint assembly to be held this day. It was read, as follows:

Title two, chapter one. Revised Statutes United States—An Act to regulate the time and manner of holding elections for Senators in Congress, approved July 25, 1866

Be it enacted by the Senate and House of Representatives of the United States in Congress assembled

SECTION 14. The Legislature of each State, which is chosen next preceding the expiration of the time for which any Senator was elected to represent such State in Congress, shall, on the second Tuesday after the meeting and organization thereof, proceed to elect a Senator in Congress

SEC. 15. Such election shall be conducted in the following manner. Each house shall openly, by a viva voce vote of each member present, name one person for Senator in Congress from such State, and the name of the person so voted for who received a majority of the whole number of votes cast in each house shall be entered on the Journal of that house by the Clerk or Secretary thereof, or if either house fails to give such majority to any person on that day, the fact shall be entered on the Journal. At twelve o'clock meridian of the day following that on which proceedings are required to take place, as aforesaid, the members of the two houses shall convene in joint assembly, and the Journal of each house shall then be read, and if the same person has received a majority of all the votes in each house, he shall be declared duly elected Senator. But if the same person has not received a majority of the votes in each house, or if either house has failed to take proceedings as required by this section, the joint assembly shall then proceed to choose, by a viva voce vote of each member present, a person for Senator, and the person who receives a majority of all the votes of the joint assembly, a majority of all the members elected to both houses being present and voting, shall be declared duly elected If no person receive such majority on the first day, the joint assembly shall meet at twelve o'clock meridian of each succeeding day during the session of the Legislature, and shall take at least one vote until a Senator is elected

SEC. 16 Whenever, on the meeting of the Legislature of any State, a vacancy exists in the representation of such State in the Senate, the Legislature shall proceed, on the second Tuesday after meeting and organization, to elect a person to fill such vacancy, in the manner prescribed in the preceding section for the election of a Senator for a full term.

SEC. 17. Whenever, during the session of the Legislature of any State a vacancy occurs in the representation of such State in the Senate, similar proceedings to fill such vacancy shall be had on the second Tuesday after the Legislature is organized and has notice of such vacancy

SEC 18 It shall be the duty of the Executive of the State from which any Senator has been chosen to certify his election, under the seal of the State, to the President of the Senate of the United States.

The Secretary of the Senate then read from the Journal of the Senate so much of the proceedings of yesterday, which was the second Tuesday after organization of the thirtieth session, as relates to the election of a United States Senator for the term of six years, beginning March 4, 1893, whereby it appears that forty Senators were present, and voted, each for his choice, and that the—

Hon. Stephen M. White received	18 votes
Hon George C Perkins received	6 votes.
Hon. Charles N. Felton received	7 votes.
Hon Thomas R Bard received	5 votes.
Hon. R. M. Widney received	3 votes.
Hon F C Franck received	1 vote

The Chief Clerk of the Assembly then read so much of the Journal of the Assembly of yesterday as relates to the proceedings of that body in reference to the election of a United States Senator, held in accordance with the Act of Congress above recited, whereby it appears that eighty members of the Assembly were present, and voted, each for his choice, and that the—

Hon. Charles N Felton received	6 votes
Hon Stephen M White received	42 votes
Hon George C. Perkins received	8 votes
Hon Thomas R Bard received	4 votes.
Hon. Robert M. Widney received	4 votes.
Hon E M Preston received	1 vote.
Hon Thomas V. Cator received	8 votes
Hon. D C. Reed received	3 votes
Hon F C Franck received	2 votes
Hon J. H Neff received	1 vote
Hon. M. M. Estee received	1 vote

The Speaker of the Assembly then announced that it appearing by the Journals of the Senate and the Assembly that in the proceedings yesterday pertaining to the election of a Senator in Congress from California, to fill the term commencing March 4, 1893, that the same person has not received a majority of the votes of each house as a choice for United States Senator to fill such term, it is now the duty of, and is now in order, for this Joint Assembly to elect a Senator in Congress from California to fill such term.

The President of the Senate announced that nominations would be in order for United States Senator for the State of California for the term of six years, beginning the fourth day of March, 1893.

NOMINATIONS.

Senator Gesford nominated Hon Stephen M. White of Los Angeles.
Mr. O'Keefe nominated Hon. Charles N. Felton of San Mateo.
Mr. Dodge nominated Hon. George C. Perkins of Alameda.
Mr. Alford seconded the nomination of Mr. White.
Mr. Hamilton seconded the nomination of Mr. White.
Mr. Bledsoe seconded the nomination of Mr. Felton.
Mr. McElroy seconded the nomination of Mr. White.
Mr. Bretz nominated Hon. Thomas V. Cator.
Senator Ford seconded the nomination of Mr. Felton.
Senator Bailey nominated Hon. Robert M. Widney of Los Angeles.
Mr. Carlson nominated Hon. D. C. Reed of San Diego.
Senator Orr nominated Hon. Thomas R. Bard of Ventura.
Mr. Talbott seconded the nomination of Mr. Bard.
Mr. Barlow seconded the nomination of Mr. Cator.
Mr. Casterline seconded the nomination of Mr. Reed.
Senator Streeter seconded the nomination of Mr. Reed.
Mr. Androus seconded the nomination of Mr. Widney.
Senator Williams nominated Hon. F. C. Franck.

MOTION.

Mr. Dodge moved a call of the House.
The President of the Senate declared the motion lost.

NOMINATIONS CLOSED.

The President of the Senate declared nominations closed, and ordered the Secretary of the Senate to call the roll of the Senate.

MOTION.

Mr. Bledsoe moved a call of the House, seconded by Messrs. Carlson and Barlow.

The ayes and noes were demanded by Messrs. Bledsoe, Barlow, and Carlson.

The roll of the Senate was called by the Secretary of the Senate, with the following result:

AYES—Messrs. Bailey, Broderick, Campbell, Carpenter, Denison, Earl, Everett, Flint, Ford, Hart, Hoyt, McGowan, Maher, Mahoney, Orr, Ragsdale, Seymour, Shippee, Simpson, Streeter, Voorhees, and Williams—22

NOES—Messrs. Arms, Berry, Biggy, Burke, Dunn, Fay, Gesford, Goucher, Harp, Langford, McAllister, Martin, Mathews, Mitchell, Ostrom, Seawell, Whitehurst, and Wilson—18

The roll of the Assembly was called by the Chief Clerk of the Assembly, with the following result:

AYES—Messrs. Adams, Anderson, Androus, Barker, Barlow, Bennett of Santa Clara, Bennett of Orange, Blakeley, Bledsoe, Bretz, Bulla, Carlson, Casterline, Chipman, Dodge, Duckworth, Durst, Jacobsen, Johnson of Humboldt, Kahn, Kerns, Lynch, Miller, O'Keefe, Owen, Pendleton, Perkins, Raw, Simpson, Standart, Taggart, Talbott, Taylor, Thomas of Nevada, Thomas of Santa Clara, Vann, and Wade—37

NOES—Messrs Alford, Boyce, Brownlie, Buckley, Burke, Conway, Curtis, Cusick, Drees, Duffy, Emeric, Finlayson, Gallagher, Gateley, Godchaux, Hamilton, Hendrickson, Hurley, Hutson, Jacobs, Johnson of Santa Clara, Kennedy, LaRue, Luttringer, McCauley, McElroy, Mack, Marks, Marston, Mathews of Tehama, Matthews of San Benito, Mordecai, O'Neill, Price, Pueschel, Sargent, Schlesinger, Schroebel, Shanahan, Sims, Tindall, and Mr Speaker—42.

TOTAL VOTE.

Ayes	59
Noes	60

The President of the Senate declared the motion lost.

ELECTION OF UNITED STATES SENATOR.

The President of the Senate directed the Secretary of the Senate to call the roll of the Senate for its choice for United States Senator.

The Secretary of the Senate called the roll of the Senate, and each Senator pronounced the name of the person for whom he voted, as follows:

For White—Messrs. Arms, Berry, Biggy, Burke, Dunn, Fay, Gesford, Goucher, Harp, Langford, McAllister, Martin, Matthews, Mitchell, Ostrom, Seawell, Whitehurst, and Wilson.
For Felton—Messrs Everett, McGowan, Mahoney, Ragsdale, Shippee, and Voorheis
For Perkins—Messrs. Campbell, Denison, Earl, Ford, Hart, Hoyt, and Simpson
For Widney—Messrs Bailey and Carpenter.
For Reed—Messrs. Broderick and Streeter.
For Bard—Messrs. Flint, Maher, Orr, and Seymour.
For Franck—Mr Williams

Whole number of votes cast	40 votes
S. M. White received	18 votes
Chas N. Felton received	6 votes.
George C Perkins received	7 votes.
Robert M. Widney received	2 votes.
D. C. Reed received	2 votes.
Thos R. Bard received	4 votes
F C. Franck received	1 vote.

The Speaker of the Assembly directed the Chief Clerk of the Assembly to call the roll of the Assembly for its choice for United States Senator.

The Chief Clerk of the Assembly called the roll of the Assembly, and each member pronounced the name of his choice for Senator, as follows:

For White—Messrs Alford, Boyce, Brownlie, Buckley, Burke, Conway, Curtis, Cusick, Drees, Duffy, Emeric, Finlayson, Gallagher, Gately, Godchaux, Hamilton, Hendrickson, Hurley, Hutson, Jacobs, Johnson of Santa Clara, Kennedy, Kerns, LaRue, Luttringer, McCauley, McElroy, Mack, Marks, Marston, Mathews of Tehama, Matthews of San Benito, Mordecai, O'Neill, Price, Pueschel, Sargent, Schlesinger, Schroebel, Shanahan, Sims, Tindall, and Mr Speaker
For Felton—Messrs Bledsoe, Duckworth, Durst, Johnson of Humboldt, and O'Keefe.
For Perkins—Messrs. Dodge, Miller, Standart, Taggart, and Taylor
For Widney—Messrs Androus, Bulla, Pendleton, and Simpson.
For Preston—Mr Thomas of Nevada.

For Cator—Messrs Adams, Barlow, Bennett of Orange, Bretz, Jacobsen, Thomas of Santa Clara, and Vann
For Reed—Messrs Anderson, Blakeley, Carlson, Casterline, Chipman, and Owen.
For Estee—Mr. Wade.
For Bard—Messrs Barker, Lynch, Perkins, Raw, and Talbott.
For Franck—Messrs Bennett of Santa Clara and Kahn.

Whole number of votes cast	79 votes
S M White received	43 votes.
Chas N. Felton received	5 votes
Geo C Perkins received	5 votes
Robt M Widney received	4 votes.
E. M. Preston received	1 votes
T. V. Cator received	7 votes
D C Reed received	6 votes
M M Estee received	1 vote.
Thos R. Bard received	5 votes.
F. C. Franck received	2 votes.

Pending the announcement of the result, Mr. Bretz arose to state that he desired to change his vote.

MOTION.

Mr. Mathews of Tehama moved that the remarks of Mr. Bretz be taken down by the Clerk.

So ordered.

The remarks were as follows:

We believe that this change was brought about by the corrupt use of money, and we believe that Marion Cannon is the negotiator

Mr. McElroy moved to strike out the words "we believe" at the beginning of his remarks.

Senator Ostrom moved that further proceedings under this matter be dispensed with.

So ordered.

ANNOUNCEMENT OF VOTE.

The Speaker of the Assembly announced the result of the ballot, as follows:

Whole number of votes cast	119 votes.
Necessary to a choice	60 votes
S M White received	61 votes
Chas N Felton received	11 votes.
George C. Perkins received	12 votes.
Robt M Widney received	6 votes.
E. M Preston received	1 vote
T V Cator received	7 votes.
D C Reed received	8 votes
M M Estee received	1 vote
Thos. R Bard received	9 votes
F. C Franck received	3 votes

HON. S. M. WHITE DECLARED ELECTED.

The Speaker of the Assembly then announced the vote, and declared that the Hon Stephen M. White of Los Angeles having received a majority of all the votes cast by the members of both houses of the Legislature present and voting in Joint Assembly, was duly declared elected to represent the State of California in the Senate of the United States for the term of six years, commencing March 4, 1893.

RESOLUTION.

By Senator Mathews:

Resolved, That the Secretary of the Senate and the Clerk of the Assembly be and they are hereby directed to prepare and transmit forthwith to the Governor of the State of California, a copy of the proceedings of this Joint Assembly pertaining to the election of a person to the United States Senate in Congress from California for the term of six years, beginning March 4, 1893, in accordance with an Act of Congress entitled "An Act to regulate the time and manner of holding elections for Senators in Congress," approved July 25, 1866, and that said copy be attested by the President and Secretary of the Senate, and the Speaker and Clerk of the Assembly.

Adopted.

MOTION.

Senator Seawell moved that the President of the Senate appoint a Committee of five to wait upon Hon. Stephen M. White, and invite him to address the Joint Assembly.

So ordered.

APPOINTMENT OF COMMITTEE.

The President of the Senate appointed as such committee, Senators Seawell, Denison, and McGowan, and Messrs. Finlayson and Burke.

Hon. Stephen M. White was escorted by the committee to the Speaker's chair.

ADDRESS.

The President of the Senate introduced Mr. White, who then addressed the Joint Assembly.

MINUTES APPROVED.

The minutes of the Joint Assembly were read and approved.

ADJOURNMENT.

At two o'clock and forty-five minutes P. M., on motion of Senator Berry, the Joint Assembly stood adjourned.

REASSEMBLED.

The Assembly reassembled at two o'clock and forty-seven minutes P. M. Speaker Gould in the chair.

Quorum present.

ADJOURNMENT.

At two o'clock and fifty minutes P. M., on motion of Mr. Lynch, the Assembly adjourned.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Thursday, January 19, 1893.

The Assembly met pursuant to adjournment.

Speaker Gould in the chair.

The roll was called, and the following members answered to their names:

Messrs Adams, Alford, Anderson, Androus, Barker, Barlow, Bennett of Santa Clara, Bennett of Orange, Blakeley, Bledsoe, Boyce, Bretz, Brownlie, Buckley, Bulla, Burke, Carlson, Casterline, Chipman, Conway, Curtis, Cusick, Dodge, Drees, Duckworth, Dufty, Durst, Emeric, Finlayson, Godchaux, Hamilton, Hendrickson, Hurley, Hutson, Jacobs, Jacobsen, Johnson of Humboldt, Johnson of Santa Clara, Kennedy, Kahn, Kerns, LaRue, Luttringer, Lynch, McCauley, McElroy, McGowan, Mack, Marks, Marston, Mathews of Tehama, Matthews of San Benito, Miller, Mordecai, O'Keefe, O'Neill, Owen, Pendleton, Perkins, Price, Pueschel, Raw, Sargent, Schlesinger, Schroebel, Shanahan, Simpson, Sims, Standart, Taggart, Talbott, Taylor, Thomas of Nevada, Thomas of Santa Clara, Tindall, Vann, Wade, and Mr. Speaker.

Quorum present.

LEAVE OF ABSENCE.

Mr. Gately was granted leave of absence for the day.

PRAYER.

Prayer by the Chaplain, Rev. H. W. Conry.

READING OF THE MINUTES.

Pending the reading of the Journal of yesterday, Mr. Shanahan moved that the further reading be dispensed with.

So ordered.

Journal of Wednesday approved.

APPOINTMENT.

The Speaker announced that he had appointed Charles F. Johnson as Porter.

QUESTION OF PRIVILEGE.

Mr. Shanahan arose to a question of personal privilege, and thereupon offered the following resolution:

Resolved, That a select committee of seven be appointed by the Speaker of the Assembly to fully investigate the charge and words used by Assemblyman Bretz in the Joint Assembly for the election of United States Senator, on January 18, 1893, wherein Mr Bretz used the words in said Joint Assembly as follows, to wit:

"We believe that this change was brought about by the corrupt use of money, and we believe that Marion Cannon is the negotiator"

And that said committee is fully empowered to investigate said charge, to send for persons and papers, and is required to report to the Assembly the result of its investigation.

Adopted.

APPOINTMENT OF SELECT COMMITTEE.

The Speaker appointed as such select committee Messrs. Shanahan, Alford, Pueschel, Mathews of Tehama, Kahn, Vann, and Perkins.

REPORTS OF STANDING COMMITTEES.

ON CORPORATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, January 18, 1893.

MR SPEAKER: Your Committee on Corporations, to whom was referred Constitutional Amendment No. 14—Proposed amendment to sections twenty-two and twenty-three of the Constitution, relative to the Railroad Commission, and adding to article four of said Constitution a new section, to be known and numbered as section thirty-six, relating to freights and fares—have had the same under consideration, and the committee having prepared a substitute, respectfully report the same back, and recommend that the committee substitute therefor do pass. We further recommend that the manner of submitting it to the people be referred to the Judiciary Committee for its opinion

ALFORD, Chairman.

So ordered.

ON PUBLIC EXPENDITURES AND ACCOUNTS.

ASSEMBLY CHAMBER, SACRAMENTO, January 17, 1893

MR. SPEAKER: Your Committee on Public Expenditures and Accounts, to whom was referred Assembly Bill No. 67—An Act to provide for the purchase of a residence for the Governor of California, and appropriate money therefor—have had the same under consideration, and respectfully report the same back, and recommend that it do not pass

J. H. MATTHEWS, Chairman

Assembly Bill No. 67 re-referred to Committee on Ways and Means.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, January 17, 1893

MR. SPEAKER: Your Committee on Public Expenditures and Accounts beg leave to report that they have examined into the following accounts against the appropriation for the contingent expenses of the Assembly, viz:

Washing, two weeks ending January 14th	$2 50
Badges for Pages	1 75
One half dozen crash roller towels	3 50
Rubber stamp and pad	1 50
Ice for two weeks	3 50
Chloride of lime	10
Total	$12 85

And respectfully report the same back, and recommend the following resolution be adopted:

Resolved, That the Controller be and is hereby directed to draw his warrant upon the appropriation for the contingent expenses of the Assembly for the sum of twelve dollars and eighty-five cents, that the said amount be drawn in favor of Thomas E. Healy, Sergeant-at-Arms of the Assembly.

J. H. MATTHEWS, Chairman.

Adopted.

ON ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, January 18, 1893.

MR SPEAKER: Your Committee on Enrollment, to whom was referred Assembly Joint Resolution No. 2—Relative to the mining and river interests of the State of California—report that the same has been correctly enrolled, and was delivered to the Governor at four o'clock and thirty minutes P. M., January 10, A. D. 1893.

O'NEILL, Chairman

Mr. Kahn in the chair.

ON CONSTITUTIONAL AMENDMENTS.

ASSEMBLY CHAMBER, SACRAMENTO, January 19, 1893.

MR SPEAKER: Your Committee on Constitutional Amendments, to whom was referred Assembly Constitutional Amendment No. 5—Resolution to propose to the people of the

State of California an amendment to section one of article thirteen of the Constitution of the State of California—have had the same under consideration, and respectfully report the same back, and recommend that the introducer be allowed to withdraw the same, as per his request to this committee

Also, Assembly Constitutional Amendment No 1—An Act to submit to the people of the State of California an amendment to section one (1), article thirteen (13), of the Constitution of the State of California—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended

Also, Assembly Constitutional Amendment No. 12—A resolution proposing to the people of the State of California an amendment to section seventeen, article one, of the Constitution of the State of California—have had the same under consideration, and respectfully report the same back without recommendation.

SCHLESINGER, Chairman.

Ordered that introducer of Assembly Constitutional Amendment No. 5 be allowed to withdraw the same.

ON PUBLIC BUILDINGS AND GROUNDS

ASSEMBLY CHAMBER, SACRAMENTO, January 18, 1893.

MR SPEAKER: Your Committee on Public Buildings and Grounds, to whom was referred Senate Concurrent Resolution No 3—Relative to investigation of the Home of the Feeble-Minded—have had the same under consideration, and respectfully report the same back, and recommend that it do pass

CURTIS, Chairman

ON PUBLIC MORALS

ASSEMBLY CHAMBER, SACRAMENTO, January 19, 1893.

MR SPEAKER Your Committee on Public Morals, to whom was referred Assembly Bill No 190—An Act to provide a day of rest from labor—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

Also: Assembly Bill No 144—An Act to prohibit prize-fighting and pugilistic sport—have had the same under consideration, and respectfully report the same back, and recommend the adoption of the committee substitute for the same, herewith presented.

BLEDSOE, Chairman.

ON WAYS AND MEANS.

ASSEMBLY CHAMBER, SACRAMENTO, January 18, 1893.

MR. SPEAKER. Your Committee on Ways and Means, to whom was referred Assembly Bill No 1—An Act making an appropriation to pay the deficiency in the appropriation for fuel, lights, and supplies for the Secretary of State's office for the forty-second fiscal year—have had the same under consideration, and recommend its passage as amended.

Also Assembly Bill No. 75—An Act making an appropriation to pay the deficiency in the appropriation for the State Board of Forestry for the thirty-eighth, forty-second, and forty-third fiscal years—have had the same under consideration, and recommend its passage.

Also, Assembly Bill No 3—An Act to abolish commissions or fees paid by the State for the assessment, equalization, auditing, and collection of ad valorem taxes.

Also: Assembly Bill No. 145—An Act making an appropriation to pay the deficiency in the appropriation for salary of Secretary of State Board of Examiners for the forty-second fiscal year.

Also Assembly Bill No. 146—An Act making an appropriation to pay the deficiency in the appropriation for postage, expressage, telegraphing, and contingent expenses, State Board of Examiners, for the forty-fourth fiscal year

Also, Assembly Bill No. 185—An Act to amend section three thousand seven hundred and seventy-three of the Political Code, relating to the sale of property for delinquent taxes.

Also: Assembly Bill No 186—An Act to amend section three thousand eight hundred and sixty-eight of the Political Code, relating to the report of County Auditors.

Have had the same under consideration, and recommend that they do pass.

Also Assembly Bill No. 187—An Act to amend section three thousand eight hundred and sixty-six of the Political Code, relating to settlements with the State—respectfully report the same back, and recommend that the author of the bill be allowed to withdraw the same.

Also: Assembly Bill No 241—An Act to amend section three thousand eight hundred and sixty-six of the Political Code, relating to settlements with the Controller and payments into the State Treasury—and recommend its passage.

W. P. MATHEWS, Chairman.

The author of Assembly Bill No. 187 was allowed to withdraw the same.

MESSAGES FROM THE SENATE.

SENATE CHAMBER, SACRAMENTO, January 17, 1893

MR. SPEAKER: I am directed to inform your honorable body that the Senate, on this day, passed the following resolution:

Resolved, That the Secretary of the Senate forthwith inform the Assembly of the vote for United States Senator in this Senate, and that the Senate will meet with the Assembly, in the Assembly Chamber, to-morrow, Wednesday, January 18, 1893, at twelve o'clock meridian, in Joint Assembly, for the purpose of electing, or declaring the election, of a United States Senator, pursuant to an Act of Congress entitled "An Act to regulate the time and manner of holding elections for Senators in Congress," approved July 25, 1866

F. J. BRANDON, Secretary
By R. SHAW, Assistant Secretary

Also:

SENATE CHAMBER, SACRAMENTO, January 17, 1893

MR SPEAKER. I am directed to inform your honorable body that the Senate, on this day, adopted Senate Joint Resolution No 11—Relative to the increase and equalization of the pay of letter carriers

F. J BRANDON, Secretary.
By R. SHAW, Assistant Secretary

Senate Joint Resolution No. 11 referred to Committee on Federal Relations.

INTRODUCTION OF BILLS.

The following bills were introduced, read by title, and referred to committees, as follows:

By Mr. Pendleton: Assembly Bill No. 342—An Act making an appropriation to pay the claim of the Evening Express Company, Los Angeles, California.

Referred to Committee on Claims

Also: Assembly Bill No. 343—An Act to provide a system of street improvement bonds, to represent certain assessments for the cost of street work and improvement within municipalities, and also for the payment of such bonds.

Referred to Committee on Municipal Corporations.

By Mr. Finlayson: Assembly Bill No. 344—An Act to amend section eight hundred and sixty-nine of an Act entitled "An Act to establish a Penal Code," approved February 14, 1872, relating to preliminary examinations in cases of homicide.

Referred to Committee on Judiciary.

Also: Assembly Bill No. 345—An Act to amend section one thousand four hundred and forty-eight of an Act entitled "An Act to establish a Penal Code," approved February 14, 1872, relating to judgment against prosecutor or defendant for costs.

Referred to Committee on Judiciary.

Also: Assembly Bill No. 346—An Act to amend section one hundred and thirty-six of "An Act to establish a uniform system of county and township governments," approved March 31, 1891, relating to the duties of District Attorney.

Referred to Committee on Judiciary.

Also: Assembly Bill No. 347—An Act adding a new section to the Act entitled "An Act to establish a uniform system of county and township governments," approved March 31, 1891, to be known and designated as section ninety-one and one half, and amending sections seventy-one, seventy-two, and one hundred and fifteen of said Act, and section three thousand eight hundred and ninety of the Political Code,

the purpose of this Act being to consolidate the offices of County Tax Collector and County Treasurer under the name of County Treasurer.

Referred to Committee on County and Township Governments.

Also: Assembly Bill No. 348—An Act amending section one hundred and twenty-four of the Act entitled "An Act to establish a uniform system of county and township governments," approved March 31, 1891, and adding to the Political Code two new sections, to be known and designated, respectively, as sections three thousand six hundred and forty and four thousand two hundred and six of the Political Code, relative to transfers of real estate and interests therein upon the county assessment book.

Referred to Committee on County and Township Governments.

Also: Assembly Bill No. 349—An Act to amend sections one thousand one hundred and forty-two, one thousand one hundred and eighty-eight, one thousand one hundred and ninety-four, one thousand one hundred and ninety-seven, one thousand two hundred and three, one thousand two hundred and five, one thousand two hundred and eight, one thousand two hundred and fifty-seven, one thousand two hundred and sixty-four, one thousand two hundred and sixty-five, in relation to elections within this State.

Referred to Committee on Apportionment and Election Laws.

By Mr. Miller (by request): Assembly Bill No. 350—An Act to enfranchise the women citizens of this State, and prescribing their qualifications as electors.

Referred to Committee on Apportionment and Election Laws.

Also: Assembly Bill No. 351—An Act to amend section eight hundred and sixty-two of an Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883.

Referred to Committee on Municipal Corporations.

Also Assembly Bill No. 352—An Act to amend an Act entitled "An Act to amend an Act entitled 'An Act to provide for Police Courts in cities of thirty thousand and under one hundred thousand inhabitants, and to provide for officers thereof,' approved March 18, 1885, and to provide for Clerks of Police Courts in cities of twenty-six thousand and under fifty thousand inhabitants," approved March 31, 1891, by inserting a new section, to be numbered six and one half, providing for prosecuting attorneys of Police Courts in cities having more than thirty thousand and under fifty thousand inhabitants, and prescribing the duties and regulating the compensation of such prosecuting attorneys.

Referred to Committee on Municipal Corporations.

Also (by request): Assembly Bill No. 353—An Act to amend section one thousand two hundred and sixty-one of an Act entitled "An Act to establish a Civil Code," approved March 21, 1872.

Referred to Committee on Judiciary.

By Mr. Schlesinger: Assembly Bill No. 354—An Act to amend sections of the Political Code, relating to the Board of Health.

Referred to Committee on Judiciary.

By Mr. McCauley: Assembly Bill No. 355—An Act to amend section one hundred and seventy-five of an Act entitled "An Act to establish a uniform system of county and township governments," approved March 31, 1891, and to fix and regulate the compensation of county and town-

ship officers, and of jurors and witnesses, and to provide for the payment thereof, in counties of the thirteenth class.

Referred to Committee on County and Township Governments.

By Mr. Price (by request): Assembly Bill No. 356—An Act to create the county of Bidwell, establish the boundaries, to provide for its organization, and to provide for the payment of such proportion of the indebtedness of Butte County as may be equitably chargeable to Bidwell County.

Referred to Committee on Counties and County Boundaries.

By Mr. Kennedy: Assembly Bill No. 357—An Act regulating the quality of illuminating gas manufactured and sold by any corporation or person, and fixing a forfeiture for failure to comply with the provisions of this Act.

Referred to Committee on Corporations.

Also: Assembly Bill No. 358—An Act to amend section eighty-seven of an Act entitled "An Act to establish a uniform system of county and township governments," approved March 31, 1891, relative to the keeping of public moneys by County Treasurers.

Referred to Committee on County and Township Governments.

Also: Assembly Bill No. 359—An Act to amend section ninety-one of an Act entitled "An Act to establish a uniform system of county and township governments," approved March 31, 1891, relative to counting the money in the County Treasury.

Referred to Committee on County and Township Governments.

Also: Assembly Bill No. 360—An Act to amend section one hundred and nineteen of an Act entitled "An Act to establish a uniform system of county and township governments," approved March 31, 1891, relative to the counting of the public moneys in the County Treasury.

Referred to Committee on County and Township Governments.

By Mr. Curtis: Assembly Bill No. 361—An Act to regulate the collection and disposition of all garbage, offal, ashes, and other refuse matter in towns, cities, and cities and counties.

Referred to Committee on Municipal Corporations.

By Mr. Marks: Assembly Bill No. 362—An Act to amend an Act entitled "An Act to establish a Penal Code," approved February 14, 1872, by adding thereto a new section, to be known and numbered as section three hundred and eight, relative to the sale and use of opium, or any preparation thereof.

Referred to Committee on Judiciary.

By Mr. Lynch: Assembly Bill No. 363—An Act to amend section three thousand six hundred and sixty-three of the Political Code of the State of California, relating to assessments.

Referred to Committee on Ways and Means.

Also: Assembly Bill No. 364—An Act to amend section four hundred and seventy-six of the Code of Civil Procedure, relating to demurrers and notices.

Referred to Committee on Judiciary.

By Mr. Vann: Assembly Bill No. 365—An Act to provide for the transfer of certain moneys from one county to another when a new county has been formed and organized.

Referred to Committee on County and Township Governments.

By Mr. Bennett of Santa Clara: Assembly Bill No. 366—An Act

making an appropriation for the erection of an additional building for the State Normal School at San José.

Referred to Committee on Public Buildings and Grounds.

By Mr. Cusick: Assembly Bill No. 367—An Act prescribing the qualifications of presidents, directors, officers, and employés of corporations, and providing a penalty for corporations willfully violating its provisions.

Referred to Committee on Corporations.

By Mr. Sims: Assembly Bill No. 368—An Act granting to the Board of Supervisors of Sonoma County, California, right of way through the lands of the California Home for the Care and Training of Feeble-Minded Children, to enable said Board of Supervisors to change the location of the public highway now traversing said lands.

Referred to Committee on Roads and Highways.

By Mr. Anderson: Assembly Bill No. 369—An Act to authorize the Justices of the Supreme Court to appoint a Librarian for said Court, and fixing his salary.

Referred to Committee on Judiciary.

By Mr. Bulla: Assembly Bill No. 370—An Act to amend section twelve 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 5, 1870.

Referred to Committee on Judiciary.

By Mr. Dodge: Assembly Bill No. 371—An Act to amend sections one thousand three hundred and fifty-two, one thousand three hundred and sixty-eight, one thousand three hundred and seventy, and one thousand three hundred and eighty-three of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, relating to estates of deceased persons.

Referred to Committee on Judiciary.

By Mr. Sargent: Assembly Bill No. 372—An Act to establish a uniform system of mine bell signals, to be used in all mines operated in the State of California, and for the protection of miners.

Referred to Committee on Mines and Mining.

Also: Assembly Bill No. 373—An Act to amend an Act entitled "An Act creating a Board of Bank Commissioners, and prescribing their duties and powers," approved March 30, 1878, and amended March 10, 1887.

Referred to Committee on Corporations.

By Mr. Hendrickson: Assembly Bill No. 374—An Act to authorize suits against the State, and regulating the procedure therein.

Referred to Committee on Judiciary.

By Mr. Bennett of Orange: Assembly Bill No. 375—An Act entitled an Act to pay the claim of A. L. Wood.

Referred to Committee on Claims.

By Mr. Duffy: Assembly Bill No. 376—An Act to amend section nine of an Act entitled "An Act to authorize the establishment of County High Schools, and provide for their support," approved March 10, 1891.

Referred to Committee on Education.

Also: Assembly Bill No. 377—An Act to establish what shall constitute lawful fences within the State of California.

Referred to Committee on Agriculture.

By Mr. Raw: Assembly Bill No. 378—An Act to amend section five hundred and forty-one of the Civil Code, relating to telegraphic corporations.

Referred to Committee on Corporations.

Also: Assembly Bill No. 379—An Act authorizing the State Board of Prison Directors to establish a cordage factory at the Folsom State Prison, and making an appropriation therefor.

Referred to Committee on Internal Improvements.

By Mr. Pueschel: Assembly Bill No. 380—An Act making an appropriation to pay the claims of J. L. Cooke and William Gutenberger, for the balance due for materials furnished and work done in the construction of the branch State Prison at Folsom.

Referred to Committee on Claims.

By Mr. Johnson of Humboldt: Assembly Bill No. 381—An Act amending section two thousand six hundred and fifty-three of the Political Code of the State of California, in relation to roads and highways.

Referred to Committee on Roads and Highways.

By Mr. Jacobsen: Assembly Bill No. 382—An Act to amend section four hundred and eighty-seven of the Penal Code, relating to what constitutes grand larceny.

Referred to Committee on Crimes and Penalties.

By Committee on Judiciary: Assembly Bill No. 383—An Act to provide for the appointment by the Supreme Court of five Commissioners, to be known as Commissioners of the Supreme Court, and to appoint a Secretary therefor, to assist said Court in the performance of its duties and in the disposition of numerous causes pending in said Court, and to provide for the compensation of said Commissioners and Secretary, and to appropriate money therefor.

Ordered placed on the first-reading file.

By Mr. Adams: Assembly Bill No. 384—An Act to authorize the acquisition by donation of a site for camps of instruction for the National Guard of the State of California, and to improve the same, and make appropriation therefor.

Referred to Committee on Military Affairs.

By Mr. Bulla: Assembly Bill No. 385—An Act to amend sections two and five of "An Act to provide for the maintenance and support of the public parks heretofore created within the various cities, and cities and counties, of the State, and amend the existing Acts in relation thereto," approved March 14, 1889.

Referred to Committee on Municipal Corporations.

ASSEMBLY CONSTITUTIONAL AMENDMENT.

By Mr. Finlayson: Assembly Constitutional Amendment No. 18—A resolution to propose to the people of the State of California an amendment to section three of article eleven of the Constitution of the State of California.

Referred to Committee on Constitutional Amendments.

RESOLUTION.

By Mr. Hurley:

WHEREAS, There has been established the office of Assistant History Clerk to the Assembly; and whereas, it appears that said office is entirely unnecessary, as the History Clerk to the Assembly is competent to fully discharge all the duties of his office without

an assistant, and whereas, the maintaining of said office of Assistant History Clerk is an unjustifiable expenditure and waste of public money, therefore, be it

Resolved, That said office of Assistant History Clerk to the Assembly be and is hereby declared abolished; and be it further

Resolved, That the name of Ed J. Smith be and is hereby stricken from the payroll of the Assembly.

Mr. Bledsoe offered the following resolution as a substitute:

Resolved, That the Committee on Attachés and Employés be and it is hereby instructed to immediately investigate the charges made by the San Francisco "Examiner" of January 18, 1893, against E. J. Smith, Assistant History Clerk of the Assembly, and report the result of such investigation to the House

MOTION.

Mr. Schlesinger moved to lay the substitute on the table.

So ordered.

RESOLUTIONS.

By Mr. Owen:

Resolved, That the Controller be and is hereby requested to provide this Assembly with a detailed statement of the cost per annum, incident to the maintenance of branches of the Supreme Court at San Francisco and Los Angeles

Adopted.

By Mr. Gallagher:

Resolved, That Miss Eva O'Neill and Miss Georgia Jones be appointed as Assistant Engrossing Clerks to the Engrossing Clerk, and to be paid at the per diem of four dollars, to be paid out of the Contingent Fund of the Assembly

Referred to Committee on Attachés and Employés.

By Mr. Mathews of Tehama:

Resolved, That Milo C. Ayer be and he is hereby appointed Messenger to the Committee on County and Township Governments, at a per diem of four dollars, payable out of the Contingent Fund of the Assembly

Referred to Committee on Attachés and Employés.

SECOND READING OF BILLS.

Assembly Bill No. 21—An Act entitled an Act to amend section two thousand nine hundred and fifty-five of the Civil Code.

Mr. Mordecai moved to amend by striking out of section one, line twelve, the word "household" and inserting the word "hotel."

RECESS.

Pending consideration of the amendment, the hour of recess having arrived, the acting Speaker declared recess until two o'clock P. M.

REASSEMBLED.

The Assembly reassembled at two o'clock P. M.

Speaker Gould in the chair.

Quorum present.

SECOND READING OF BILLS.

The question being on the pending amendment offered by Mr. Mordecai to Assembly Bill No. 21.

Mr. Kennedy moved to amend the amendment by striking out line twelve, and inserting in lieu thereof the following:

Eighth—Upholstering and furniture used in hotels and lodging houses.

Mr. Finlayson in the chair.

The ayes and noes were demanded by Messrs. Dodge, Wade, and Barlow.

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

AYES—Messrs. Adams, Alford, Barlow, Bennett of Santa Clara, Bennett of Orange, Blakeley, Bledsoe, Boyce, Bretz, Buckley, Burke, Casterline, Conway, Curtis, Dodge, Drees, Dufty, Durst, Emeric, Gallagher, Godchaux, Hendrickson, Hutson, Jacobs, Jacobsen, Johnson of Humboldt, Johnson of Santa Clara, Kennedy, Kahn, Kerns, LaRue, Luttringer, McGowan, Mack, Marks, Matthews of San Benito, Mordecai, O'Keefe, O'Neill, Owen, Perkins, Price, Pueschel, Raw, Sargent, Schlesinger, Schroebel, Sims, Standart, Taggart, Talbott, Taylor, Thomas of Santa Clara, Vann, Wade, and Mr. Speaker—56

NOES—Messrs. Anderson, Androus, Barker, Bulla, Chipman, Duckworth, Finlayson, Hamilton, Hurley, Lynch, McElroy, Marston, Miller, Pendleton, Simpson, Thomas of Nevada, and Tindall—17.

The question being upon the amendment as amended, it was adopted.

Mr. Pendleton moved that the further consideration of the bill be made a special order for twelve o'clock M. to-morrow.

So ordered.

Assembly Bill No. 27—An Act to amend section five hundred and eighty-five of an Act entitled "An Act to establish a Code of Civil Procedure of the State of California," approved March 11, 1872, relating to judgment upon failure to answer.

Read second time.

Committee amendments as follows:

After the words "do enact as follows," insert the following.

SECTION 1 Section five hundred and eighty-five of the Code of Civil Procedure is hereby amended so to read as follows

Strike out the word "section" preceding the figures "585"

Adopted.

In subdivision two strike out the words "must hear the proof," and after the word "otherwise" insert the following:

Must hear the proof of any fact not involved in the taking of an account

Adopted.

After the word "recover," in subdivision three, add the following:

SEC 2 This Act shall take effect from and after its passage.

Adopted.

Assembly Bill No. 27 ordered engrossed and to a third reading.

FIRST READING OF BILLS.

Each of the following bills was read a first time and ordered placed on file for second reading:

Assembly Bill No. 9—An Act to amend section four hundred and ten of the Code of Civil Procedure, relative to the serving of summons and complaint.

Speaker Gould in the chair.

Assembly Bill No. 6—An Act to increase the Law Library Fund in counties where law libraries now exist, pursuant to the provisions of an Act entitled "An Act to establish law libraries," approved March 31, A. D. 1891.

Assembly Bill No. 73—An Act to provide for the payment of jurors and witnesses in criminal cases in Justices' Courts, or before a Justice of the Peace.

Assembly Bill No. 50—An Act to limit the time within which franchises or privileges for the construction, extension, or operation of street railroads may be granted by Boards of Supervisors of the several counties, and cities and counties, of this State.

Assembly Bill No. 138—An Act to amend an Act entitled "An Act to provide for the organization and government of irrigation districts, and to provide for the acquisition of water and other property, and for the distribution of water thereby for irrigation purposes," approved March 7, 1887, by amending Section 17 thereof.

Assembly Bill No. 26—An Act to provide two additional Judges of the Superior Court of the county of Alameda.

Assembly Bill No. 37—An Act to amend an Act entitled "An Act to establish a Penal Code," approved February 14, 1872, by amending section three hundred and ninety-seven thereof, relating to penalty for selling liquor to habitual or common drunkards, and Indians.

Assembly Bill No. 17—An Act to add a new section to the Penal Code of the State of California, to be designated as section four hundred and two, relating to the duties of females employed in mercantile and manufacturing occupations.

Assembly Bill No. 31—An Act to add a new section to the Penal Code, to be known as section one hundred and sixty-one and one half, making it a misdemeanor to advertise to obtain or procure a divorce or nullity of marriage.

Assembly Bill No. 84—An Act to authorize the husband or wife, or next of kin, of a deceased person to collect and receive of any bank any deposit in such bank when the same does not exceed the sum of five hundred dollars.

MOTION.

Mr. Bledsoe moved that Assembly resolution relating to investigating the State Board of Railroad Commissioners be made the special order for next Monday at two o'clock P. M.

So ordered.

INTRODUCTION OF BILLS.

The following bills were introduced, read by title, and referred to committees, as follows:

By Mr. Kahn: Assembly Bill No. 386—An Act to amend section three thousand eight hundred and eighty-one of the Political Code, relating to errors, etc., on assessment roll, and the correction thereof.

Referred to Committee on Judiciary.

Also: Assembly Bill No. 387—An Act to amend section six hundred and thirty-two of the Code of Civil Procedure, relative to the trial of causes by the Court.

Referred to Committee on Judiciary.

By Mr. Simpson: Assembly Bill No. 388—An Act to amend section six hundred and thirty-three of the Code of Civil Procedure, relating to trial by Court.

Referred to Committee on Judiciary.

Also: Assembly Bill No. 389—An Act to amend section six hundred and sixty of the Code of Civil Procedure, relative to new trials.

Referred to Committee on Judiciary.

By Mr. Anderson: Assembly Bill No. 390—An Act to provide for the payment of the per diem of the members and attachés of the Constitutional Convention.

Referred to Committee on Claims.

By Mr. Miller: Assembly Bill No. 391—An Act to enfranchise the women citizens of this State, and prescribing their qualifications as electors.

Referred to Committee on Apportionment and Election Laws.

ADJOURNMENT.

At three o'clock and twenty-five minutes P. M., on motion of Mr. Kahn, the Assembly adjourned.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Friday, January 20, 1893.

The Assembly met pursuant to adjournment.

Speaker Gould in the chair.

The roll was called, and the following members answered to their names:

Messrs. Anderson, Barker, Barlow, Bennett of Santa Clara, Bennett of Orange, Blakeley, Bledsoe, Boyce, Brownlie, Buckley, Burke, Casterline, Chipman, Conway, Curtis, Dodge, Drees, Duckworth, Duffy, Durst, Emeric, Finlayson, Gallagher, Gately, Godchaux, Hamilton, Hendrickson, Hurley, Hutson, Jacobs, Johnson of Humboldt, Johnson of Santa Clara, Kennedy, Lahue, Luttringer, Lynch, McCauley, McGowan, Mack, Marks, Marston, Matthews of San Benito, Miller, Mordecai, O'Keefe, O'Neill, Owen, Pendleton, Price, Raw, Sargent, Schlesinger, Schroebel, Simpson, Sims, Standart, Taggart, Talbott, Taylor, Thomas of Nevada, Tindall, Wade, and Mr Speaker

Quorum present.

LEAVE OF ABSENCE.

Messrs. Bulla, McElroy, Andrews, Bretz, Thomas of Santa Clara, Jacobsen, Adams, Bennett of Orange, and the Senatorial Investigating Committee were granted leave of absence for the day.

PRAYER.

Prayer by the Chaplain, Rev. H. W. Conry.

READING OF THE MINUTES.

Pending the reading of the Journal of yesterday, Mr. Dodge moved that the further reading be dispensed with.

So ordered.

ELECTION CONTEST PAPERS.

The Speaker announced that he was in receipt of the papers and testimony in the matter of the election contest of Armanda Decourtieux vs. James McGowan, for member of the Assembly from the Forty-fourth District.

MOTION.

Mr. Anderson moved that the papers and testimony be referred to the Committee on Elections and Privileges.

So ordered.

PETITION.

By Mr. Mordecai: From citizens of Selma Irrigation District, favoring an amendment to the Wright law, providing for disposition of irrigation districts.

Referred to Committee on Irrigation.

REPORTS OF STANDING COMMITTEES.

ON PUBLIC EXPENDITURES AND ACCOUNTS.

ASSEMBLY CHAMBER, SACRAMENTO, January 20, 1893.

MR. SPEAKER: Your Committee on Public Expenditures and Accounts, to whom was referred Assembly Bill No. 2—An Act making an appropriation to pay the deficiencies in the appropriation for costs and expenses of suits in which the State is a party in interest, for the fortieth, forty-first, forty-second, and forty-third fiscal years—beg leave to report that they have had the same under consideration, and respectfully report the same back, and ask that the said bill be referred to the Committee on Ways and Means.

J. H. MATTHEWS, Chairman.

Assembly Bill No. 2 re-referred to Committee on Ways and Means.

ON PUBLIC MORALS.

ASSEMBLY CHAMBER, SACRAMENTO, January 20, 1893

MR SPEAKER: Your Committee on Public Morals, which investigated the sale of liquor in the Capitol, beg leave to report that witness fees have been demanded to the amount of eighteen dollars; also, fees of the Sergeant-at-Arms for serving subpœnas, twelve dollars, also, bill of Kate E. Fellows, for typewriting, three dollars and twenty-five cents, making a total amount of thirty-three dollars and twenty-five cents, and your committee recommend the adoption of the resolution presented herewith

BLEDSOE, Chairman.

RESOLUTION.

By Committee on Public Morals:

Resolved, That the Controller be and he is hereby directed to draw his warrant in favor of A J Bledsoe, Chairman of the Committee on Public Morals, for the amount of thirty-three dollars and twenty-five cents, for the purpose of paying the expenses incurred in the investigation of the sale of liquor in the Capitol building, and that said warrant be drawn upon the appropriation for the contingent expenses of the Assembly.

Adopted.

ON STATE PRISONS AND REFORMATORY INSTITUTIONS

ASSEMBLY CHAMBER, SACRAMENTO, January 19, 1893

MR. SPEAKER: Your Committee on State Prisons and Reformatory Institutions, to whom was referred Assembly Bill No. 282—An Act making an appropriation to pay the deficiency in the appropriation provided by an Act entitled "An Act to establish a School of Industry, to provide for the maintenance and management of the same, and to make an appropriation therefor," approved March 11, 1889—have had the same under consideration, and recommend that it be re-referred to the Committee on Ways and Means

Also. Assembly Bill No. 231—An Act to appropriate money for the completion of the building of the Preston School of Industry—have had the same under consideration, and recommend its passage.

Also: Assembly Bill No. 311—An Act to amend an Act entitled "An Act to establish a School of Industry, to provide for the maintenance and management of the same, and to make an appropriation therefor," approved March 11, 1889—have had the same under consideration, and report it back, recommending its passage.

H H JOHNSON, Chairman.

Assembly Bills Nos. 282, 231, and 311 ordered re-referred to Committee on Ways and Means.

ON APPORTIONMENT AND ELECTION LAWS

ASSEMBLY CHAMBER, SACRAMENTO, January 20, 1893

MR SPEAKER: Your Committee on Apportionment and Election Laws, to whom was referred Assembly Constitutional Amendment No 8—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, amending section one of article two thereof, relative to the right of suffrage—have had the same under consideration, and respectfully report the same back, and recommend that the same be adopted.

FINLAYSON, Chairman

ON PUBLIC BUILDINGS AND GROUNDS.

ASSEMBLY CHAMBER, SACRAMENTO, January 20, 1893

MR. SPEAKER: Your Committee on Public Buildings and Grounds, to whom was referred Assembly Bill No. 281—An Act to provide for paying for improving that portion of Tenth Street lying between L and N Streets, in the city of Sacramento, adjoining the State Capitol grounds, and for sundry work to the Capitol sidewalk and grounds, and making an appropriation therefor.

Also Assembly Bills Nos. 253, 254, 256, and 257—Relative to the State Normal School at Chico

Have had the same under consideration, and respectfully report the same back, and recommend that they be re-referred to the Committee on Ways and Means

CURTIS, Chairman.

Assembly Bills Nos. 253, 254, 256, 257, and 281 re-referred to Committee on Ways and Means.

ON COMMERCE AND NAVIGATION

ASSEMBLY CHAMBER, SACRAMENTO, January 19, 1893.

MR SPEAKER Your Committee on Commerce and Navigation, to whom was referred Substitute for Senate Joint Resolutions Nos. 1 and 2—Relative to the construction of the Nicaragua Canal—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

Also: Assembly Petition—Relative to speedy construction of the Nicaragua Canal

Also Assembly Joint Resolution No. 1—Relative to the Nicaragua Canal

Also. Assembly Joint Resolution No. 6—Relative to the construction of the Nicaragua Canal

Also: Assembly Joint Resolution No 5—Relative to the construction of the Nicaragua Canal

Also: Assembly Concurrent Resolution No 1—Relative to the Nicaragua Canal

Have had the same under consideration, and respectfully report the same back, and recommend that they be withdrawn

GODCHAUX, Chairman.

The introducers of Assembly Joint Resolution No. 6 and Assembly Concurrent Resolution No. 1 were allowed to withdraw the same.

ON LABOR AND CAPITAL

ASSEMBLY CHAMBER, SACRAMENTO, January 20, 1893.

MR. SPEAKER: Your Committee on Labor and Capital, to whom was referred Assembly Bill No. 142—An Act regulating the hours of labor in saw mills, shingle mills, shake mills, and logging camps—have had the same under consideration, and respectfully report the same back, and recommend that it do pass, with the amendments which are presented herewith.

CONWAY, Chairman

ON MUNICIPAL CORPORATIONS

ASSEMBLY CHAMBER, SACRAMENTO, January 20, 1893.

MR. SPEAKER: Your Committee on Municipal Corporations, to whom was referred Assembly Bill No. 43—An Act to provide for the publication of monthly statements of city indebtedness—have had the same under consideration, and respectfully report the same back, and recommend that it do not pass.

BUCKLEY, Chairman

MESSAGE FROM THE SENATE.

SENATE CHAMBER, SACRAMENTO, January 19, 1893.

MR. SPEAKER: I am directed to inform your honorable body that the Senate, on this day, passed Senate Bill No. 17—An Act to provide for the appointment by the Supreme Court of five Commissioners, to be known as Commissioners of the Supreme Court, and to appoint a Secretary therefor, to assist said Court in the performance of its duties and in the disposition of numerous causes pending in said Court, and to provide for the compensation of said Commissioners and Secretary, and to appropriate money therefor.

Also Senate Bill No. 134—An Act to establish a uniform system of mine bell signals, to be used in all the mines operated in the State of California, and for the protection of miners.

F. J. BRANDON, Secretary
By R. SHAW, Assistant Secretary

SENATE BILLS REFERRED.

Senate Bill No. 17 referred to Committee on Judiciary.
Senate Bill No. 134 referred to Committee on Labor and Capital.

INTRODUCTION OF BILLS.

The following bills were introduced, read by title, and referred to committees, as follows:

By Mr. Pendleton: Assembly Bill No. 392—An Act to amend section seven hundred and twenty-six of the Code of Civil Procedure, and to add a new section thereto, to be known as section seven hundred and twenty-nine, relating to actions for the foreclosure of mortgages.

Referred to Committee on Judiciary.

By Mr. Drees: Assembly Bill No. 393—An Act to amend section seven hundred and ninety of an Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883.

Referred to Committee on Municipal Corporations.

By Mr. Burke: Assembly Bill No. 394—An Act authorizing the State Board of Harbor Commissioners to grant for a limited period of time to persons or corporations the right to run and operate street cars, between the hours of six A. M. and seven P. M. of each day for the carriage of passengers, and collect tolls therefor, over and upon any railroad upon State lands and lands within their jurisdiction along the exterior water-front line of the City and County of San Francisco.

Referred to Committee on Commerce and Navigation.

Also: Assembly Bill No. 395—An Act relating to the publication of legal notices.

Referred to Committee on Judiciary.

By Mr. Talbott: Assembly Bill No. 396—An Act to create the county of Santa Ynez, to establish the boundaries thereof, and to provide for its organization.

Referred to Committee on Counties and County Boundaries.

By Mr. Johnson: Assembly Bill No. 397—An Act authorizing the allowance, settlement, and payment of claims of counties against the State.

Referred to Committee on Claims.

By Mr. Curtis: Assembly Bill No. 398—An Act for the protection of life and limb.

Referred to Committee on Labor and Capital.

By Mr. Marks: Assembly Bill No. 399—An Act to amend sections three hundred and nineteen, three hundred and twenty, three hundred and twenty-one, three hundred and twenty-four, three hundred and twenty-five, and three hundred and twenty-six of the Penal Code of California, relating to lotteries.

Referred to Committee on Judiciary.

By Mr. Thomas: Assembly Bill No. 400—An Act to provide for the appointment, duties, and compensation of the Debris Commissioners, and to make an appropriation to be expended under their direction in discharge of their duties as such Commissioners.

Referred to Committee on Mines and Mining.

By Mr. Schlesinger: Assembly Bill No. 401—An Act to define the powers and duties of Boards of Supervisors or other governing body of counties, cities and counties, and cities of this State, in relation to the granting of franchises or other privileges.

Referred to Committee on Municipal Corporations.

By Mr. Blakeley: Assembly Bill No. 402—An Act providing for appeals from orders of the Board of Supervisors, forming, or refusing to form, reclamation or swamp land districts, setting off lands from such districts, or including lands in such districts, or consolidating swamp land or reclamation districts.

Referred to Committee on Swamp and Overflowed Lands.

By Mr. Emeric: Assembly Bill No. 403—An Act to amend section six hundred and twenty-six of the Penal Code, relating to the preservation of game birds and animals, and providing punishment for the unlawful taking, killing, and transportation thereof.

Referred to Committee on Fish and Game.

By Mr. Miller: Assembly Bill No. 404—An Act requiring all State institutions to give preference to California products and the productions of California labor.

Referred to Committee on Labor and Capital.

By Mr. McCauley: Assembly Bill No. 405—An Act to amend section six hundred and thirty-six of an Act entitled "An Act to establish a Penal Code," approved April 11, 1872, relating to fish and game.

Referred to Committee on Fish and Game.

By Mr. Taggart: Assembly Bill No. 406—An Act to amend subdivisions one, two, three, four, five, and six of section one hundred and twelve of the Code of Civil Procedure.

Referred to Committee on Judiciary.

By Mr. Matthews of San Benito: Assembly Bill No. 407—An Act for the presentation and cancellation of unlocated school land warrants of the State of California, issued under the Act of the State of California, approved May 3, 1852, providing for the disposal of the five hundred thousand acres of land donated to the State of California by the Government of the United States, and authorizing the Controller of this State to draw his warrant on the State Treasurer for the sum of two dollars per acre in favor of any bona fide owner and holder of any such land warrant for every acre represented by any such land warrant.

Referred to Committee on Public Lands.

By Mr. Kennedy: Assembly Bill No. 408—An Act to amend chapter seven, article ten, section nine hundred and ninety-six of the Political Code, by adding a new division, providing for filling vacancies not otherwise provided for.

Referred to Committee on Judiciary.

By Mr. Simpson: Assembly Bill No. 409—An Act to amend section two thousand six hundred and thirty-three, Political Code, and amend sections two thousand six hundred and forty-one, two thousand six hundred and forty-two, two thousand six hundred and forty-three, two thousand six hundred and forty-five, two thousand six hundred and fifty-two, and to repeal section two thousand six hundred and forty-six of an Act entitled "An Act to amend sections two thousand six hundred and forty-one, two thousand six hundred and forty-two, two thousand six hundred and forty-three, two thousand six hundred and forty-five, two thousand six hundred and forty-six, two thousand six hundred and fifty-two, and to repeal section two thousand six hundred and forty-four of an Act entitled 'An Act to establish a Political Code,' approved March 12, 1872, relating to the powers and duties of highway officers, and to provide for the construction, maintenance, and improvements of highways by contract let out to the lowest bidder," and to provide for the appointment of road overseers for the various road districts within counties of this State, and to authorize Boards of Supervisors to let contracts for improving and building roads to the lowest bidder.

Referred to Committee on Roads and Highways

By Mr. Luttringer: Assembly Bill No. 410—An Act to amend section two thousand one hundred and sixty-eight of the Civil Code, relating to common carriers.

Referred to Committee on Corporations

By Mr. Gately: Assembly Bill No. 411—An Act to appropriate the sum of three thousand dollars, to pay the claim against the State of T. Carl Spelling.

Referred to Committee on Claims.

By Mr. Gallagher: Assembly Bill No 412—An Act to regulate the collection and disposition of all garbage, offal, ashes, and other refuse matter in towns, cities, and cities and counties.

Referred to Committee on Municipal Corporations.

By Mr. Kennedy. Assembly Bill No. 413—An Act providing that gas and telegraph companies shall be assessed and taxed on the value of deposits received on meters by gas companies and senders and receivers by telegraph companies.

Referred to Committee on Corporations.

RESOLUTIONS.

By Mr. Dodge:

WHEREAS, During the investigation by the special committee appointed by this House to investigate the charges and language made and used by Assemblyman A. Bretz concerning the conduct of Assemblyman T J Kerns, it was testified to by one John T. Gaffey, and admitted by one W A Chamberlain, that the said W A. Chamberlain had approached the said John T Gaffey with a proposition to sell the votes of certain members of this Assembly on the question of the United States Senatorship, and whereas, it is the purpose of this House to punish every attempt at corruption, and to keep its conduct and actions above and beyond reproach, and whereas, lobbying is made a felony by the laws of this State, and is recognized by this House as one of the greatest crimes against our Government; and whereas, the said W A. Chamberlain has been a constant attendant on the floor of this House during this session, be it therefore

Resolved, That the said W A Chamberlain be and he is hereby expelled from the floor of this House, and that he be not allowed to enter again upon the same during this session, and that the Sergeant-at-Arms be and he is hereby instructed to carry this resolution into effect; and be it further

Resolved, That it is the sense of this House that the said W. A Chamberlain be dealt with according to law.

The ayes and noes were demanded by Messrs. McCauley, Jacobsen, and O'Neill.

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

AYES—Messrs Anderson, Barker, Barlow, Bennett of Santa Clara, Blakeley, Bledsoe, Boyce, Brownlie, Buckley, Burke, Casterline, Chipman, Conway, Curtis, Dodge, Drees, Duckworth, Duffy, Durst, Emeric, Finlayson, Gallagher, Gately, Godchaux, Hamilton, Hendrickson, Hurley, Hutson, Jacobs, Jacobsen, Johnson of Humboldt, Johnson of Santa Clara, Kennedy, LaRue, Luttringer, Lynch, McCauley, McElroy, McGowan, Mack, Marks, Marston, Matthews of San Benito, Miller, O'Keefe, O'Neill, Owen, Pendleton, Price, Sargent, Schlesinger, Schroebel, Simpson, Sims, Standart, Taggart, Talbott, Taylor, Thomas of Nevada, Tindall, Wade, and Mr. Speaker—62.

NOES—*None*

By Mr. O'Keefe:

WHEREAS, It has pleased an all-wise Providence to summon before His heavenly tribunal R B. Hayes, one who was highly honored in life, and who held and fulfilled with ability and credit the highest position in the gift of the nation; therefore, be it

Resolved, That when this House adjourns it do so out of respect to the memory of R. B Hayes.

Mr. Duckworth moved the adoption of the resolution by a rising vote.

So ordered.

Resolution adopted.

By Mr. Schlesinger:

WHEREAS, The newspaper reporters of the Assembly are the avenues by which the records of our proceedings reach our constituency; and whereas, we desire the newspapers to be able to do their work intelligently, and knowing that their work is one that does not admit of a moment's delay, the imprints of their pencils, in many instances, being flashed throughout the world by telegraph; and whereas, this House has a large number of file clerks, and hundreds of extra copies of all bills, resolutions, etc, on file in the Sergeant-at-Arms' room; therefore, be it

Resolved, That a complete file of all bills and resolutions be kept complete on the desk of each representative of the daily papers

Adopted.

By Mr. Johnson of Santa Clara:

Resolved, That Assemblymen Johnson, Schroebel, Alford, Gately, and Taylor, of the Committee on State Prisons and Reformatory Institutions, be and hereby are granted three days' leave of absence, for the purpose of visiting the State Prison at San Quentin.

Adopted.

NOTICE OF RECONSIDERATION.

Mr. Matthews of San Benito gave notice that on the next legislative day he will move a reconsideration of the vote whereby the resolution was adopted.

SPECIAL ORDER.

Assembly Bill No. 21—An Act entitled an Act to amend section two thousand nine hundred and fifty-five of the Civil Code.

Mr. Pendleton moved to amend by striking out of section one, line fourteen, printed bill, the words "of grain," and inserting the following:

"All" and "including," so as to make said line fourteen read: "All growing crops, including grapes and fruit"

Adopted.

Assembly Bill No. 21 ordered engrossed and to a third reading.

MOTION.

Mr. Anderson moved that the special file be passed, and that second reading of bills be considered.

So ordered.

REPORT OF STANDING COMMITTEE.

ON STATE HOSPITALS.

ASSEMBLY CHAMBER, SACRAMENTO, January 20, 1893.

MR SPEAKER: Your Committee on State Hospitals to whom was referred Assembly Bill No 30—An Act entitled an Act to amend section fifteen of an Act entitled "An Act to provide for the formation, government, operation, and dissolution of sanitary districts in any part of the State for the construction of sewers and other sanitary purposes, the acquisition of property thereby; the calling and conducting of elections in such districts; the assessment, levy, collection, custody, and disbursement of taxes therein, the issuance and disposal of the bonds thereof, and the determination of their validity, and making provision for the payment of such bonds, and the disposal of their proceeds."

Also: Assembly Bill No. 100—An Act to change the name of the Mendocino State Asylum for the Insane to the Mendocino Insane Asylum

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

Also. After consideration of Assembly Bill No 14—An Act to add a new section to an Act entitled "An Act to establish a Political Code of the State of California," to be called section two thousand nine hundred and eighty-four, relative to the appointment of a State Sanitary Inspector—we respectfully recommend that the same do not pass.

MORDECAI, Chairman.

SECOND READING OF BILLS.

Assembly Bill No. 9—An Act to amend section four hundred and ten of the Code of Civil Procedure, relative to the serving of summons and complaint.

Read second time.

Committee amendment: Amend by striking out the letter "s" in word defendants, and inserting the words "or his" before the word "attorney."

Adopted.

Mr. Finlayson moved that the further consideration of the bill be made a special order for two o'clock P. M. this day.

So ordered.

Assembly Bill No. 6—An Act to increase the Law Library Fund in counties where law libraries now exist, pursuant to the provisions of an Act entitled "An Act to establish law libraries," approved March 31, A. D. 1891.

Passed on file.

Assembly Bill No. 73—An Act to provide for the payment of jurors and witnesses in criminal cases in Justices' Courts, or before a Justice of the Peace.

Passed on file.

Assembly Bill No. 50—An Act to limit the time within which franchises or privileges for the construction, extension, or operation of street railroads may be granted by Boards of Supervisors of the several counties, and cities and counties, of this State.

Read second time, ordered engrossed and to a third reading.

Assembly Bill No. 138—An Act to amend an Act entitled "An Act to provide for the organization and government of irrigation districts, and to provide for the acquisition of water and other property, and for the distribution of water thereby for irrigation purposes," approved March 7, 1887, by amending section seventeen thereof.

Read second time, ordered engrossed and to a third reading.

Assembly Bill No. 26—An Act to provide two additional Judges of the Superior Court of the county of Alameda.

Read second time.

Assembly Bill No. 37—An Act to amend an Act entitled "An Act to establish a Penal Code," approved February 14, 1872, by amending section three hundred and ninety-seven thereof, relating to penalty for selling liquor to habitual or common drunkards, and Indians.

Read second time, ordered engrossed and to a third reading.

Assembly Bill No. 17—An Act to add a new section to the Penal Code of the State of California, to be designated as section four hundred and two, relating to the duties of females employed in mercantile and manufacturing occupations.

Passed on file.

Assembly Bill No. 31—An Act to add a section to the Penal Code, to be known as section one hundred and sixty-one and one half, making it a misdemeanor to advertise to obtain or procure a divorce or nullity of marriage.

Read second time.

Committee amendments:

Amended as follows:
Strike out the words "add a" after the word "to," and insert "amend," in title
Strike out the word "to" after the word "section," and insert "one hundred and fifty-nine and one half of "
Strike out the words "to be known as section one hundred and sixty-one and one half" after the word "Code "
Strike out the figures "161½" after the word "section," and insert "159½."

Adopted.

After the word "State" insert the following:
"SEC. 2 This Act shall take effect from and after its passage."

Adopted.

Mr. Dodge moved to amend by adding after the word "follows" the following:

SECTION 1. Section one hundred and fifty-nine and one half of the Penal Code is hereby amended so as to read as follows

Adopted.

Assembly Bill No. 31 ordered engrossed and to a third reading.

RESOLUTION—LEAVE OF ABSENCE.

By Mr. Mordecai:

Resolved, That leave of absence be granted to Assemblymen Mordecai, Mathews of Tehama, Dodge, Chipman, Tindall, Marks, and Brownlie, members of the Committee on State Hospitals, until Monday at two P. M., for the purpose of visiting the Stockton Insane Asylum, the California Institution for the Education of the Deaf and Dumb and the Blind, at Berkeley, the orphan asylums at San Francisco, and the Napa State Asylum for the Insane.

Adopted.

Messrs. O'Keefe, Miller, and Schlesinger were granted leave of absence until Monday.

RECESS.

The hour of recess having arrived, the Speaker declared recess until two o'clock P. M.

REASSEMBLED.

The Assembly reassembled at two o'clock P. M.

Speaker Gould in the chair.

Quorum present.

NOTICE GIVEN.

Mr. Sims gave notice that on to-morrow he would move to amend the Standing Rules as follows:

Resolved, That all joint and concurrent resolutions, upon the same being reported back to this House by any committee, be placed on the third-reading file of the Assembly.

INTRODUCTION OF BILLS.

The following bills were introduced, read by title, and referred to committees, as follows:

By Mr. Jacobsen: Assembly Bill No. 414—An Act to amend section one hundred and seventy of an Act entitled "An Act to establish a uniform system of county and township governments," approved March 31, 1891.

Referred to Committee on County and Township Governments.

By Mr. Lynch: Assembly Bill No. 415—An Act granting the right of way and station grounds to the Southern California Railway Company over a portion of asylum grounds in the county of San Bernardino.

Referred to Committee on State Hospitals.

By Mr. Mathews of Tehama: Assembly Bill No. 416—An Act authorizing the Superintendent of State Printing to have prepared and printed an index to all the laws of California, 1850–1893.

Referred to Committee on Public Printing.

By Mr. LaRue: Assembly Bill No. 417—An Act to provide for the payment by the Board of Directors of the State Insane Asylum at Stockton, California, of certain sums of money for the paving of Cali-

fornia Street, in the city of Stockton, county of San Joaquin, State of California, opposite the State Insane Asylum at Stockton, California, and for the construction of a concrete sidewalk along said street.

Referred to Committee on State Hospitals.

By Mr. Kennedy: Assembly Bill No. 418—An Act to amend section one hundred and sixty-three of an Act entitled "An Act to establish a uniform system of county and township governments," approved March 31, 1891.

Referred to Committee on County and Township Governments.

By Mr. Cusick: Assembly Bill No. 419—An Act to amend an Act of the Legislature of the State of California entitled "An Act to establish a Penal Code," approved February 14, 1872, by adding thereto a new section, to be known and numbered as section three hundred and eight, relating to the sale and use of opium and any preparation thereof.

Referred to Committee on Public Morals.

Also: Assembly Bill No. 420—An Act to declare arrangements, contracts, agreements, trusts, or combinations in restraint of trade and production unlawful, and to fix the penalty therefor.

Referred to Committee on Labor and Capital.

Also: Assembly Bill No. 421—An Act to amend sections three hundred and seven and three hundred and twelve of an Act entitled "An Act to establish a Civil Code," approved March 21, 1872, relating to the better protection of stockholders of corporations, and providing a penalty for the violation of the provisions thereof.

Referred to Committee on Corporations.

By Mr. Raw: Assembly Bill No. 422—An Act authorizing the State Board of Prison Directors to establish an ice factory at the Folsom State Prison, and making an appropriation therefor.

Referred to Committee on State Prisons.

REPORTS OF STANDING COMMITTEES.

ON APPORTIONMENT AND ELECTION LAWS.

ASSEMBLY CHAMBER, SACRAMENTO, January 20, 1893.

MR SPEAKER. Your Committee on Apportionment and Election Laws, to whom was referred Assembly Bill No 8—An Act to promote the purity of elections—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

FINLAYSON, Chairman.

ON FEDERAL RELATIONS

ASSEMBLY CHAMBER, SACRAMENTO, January 20, 1893.

MR SPEAKER Your Committee on Federal Relations, to whom was referred Assembly Joint Resolution No 11—Relative to a public building at Eureka

Also. Assembly Joint Resolution No 9—Relative to foreign immigration to the United States.

Also. Assembly Joint Resolution No. 7—Relative to the election of United States Senators.

Also: Senate Joint Resolution No. 11—Relative to the increase and equalization of the pay of letter carriers.

Have had the same under consideration, and respectfully report the same back, and recommend that they be adopted

Also: Assembly Bill No 169—An Act to cede jurisdiction to the United States over certain lands—have had the same under consideration, and respectfully report the same back, and recommend that it do pass

Also Assembly Bill No 93—An Act for the creation of a commission for the promotion of uniformity of legislation in the United States—have had the same under consideration, and respectfully report the same back, and recommend that the same be referred to the Committee on Judiciary

Also Assembly Joint Resolution No 10—Relative to the refunding of moneys to certain settlers on Government lands in Fresno, Monterey, and San Benito Counties—

have had the same under consideration, and respectfully report the same back, with amendments, and recommend its adoption as amended

Also, Assembly Joint Resolution No 8—Relative to the payment of the debt which the Pacific railroads owe the Government—have had the same under consideration, and respectfully report the same back, with amendments, and recommend its adoption as amended.

SIMS, Chairman.

Assembly Bill No. 93 re-referred to Committee on Judiciary.

ON ENGROSSMENT.

ASSEMBLY CHAMBER, SACRAMENTO, January 20, 1893.

MR. SPEAKER: Your Committee on Engrossment begs leave to report that it has examined Assembly Bill No. 27—An Act to amend section five hundred and eighty-five of the Code of Civil Procedure of the State of California—and finds the same correctly engrossed.

KENNEDY, Chairman.

Mr. Kennedy in the chair.

PETITION.

By Mr. Mordecai: From citizens of Fresno County, favoring the appointment of an additional Judge.

Referred to Committee on Judiciary.

SPECIAL ORDER.

Assembly Bill No. 9—An Act to amend section four hundred and ten of the Code of Civil Procedure, relative to the serving of summons and complaint.

Mr. Finlayson moved to amend as follows:

On line nine, printed bill, strike out the words "at any time" and insert instead thereof the following: "at the time of, or after serving and filing a notice of his appearance in the action, and "

Assembly Bill No. 9 ordered engrossed and to a third reading.

MOTION.

Mr. Sims moved that Senate Concurrent Resolution No. 3 be taken up out of order.

So ordered.

Senate Concurrent Resolution No. 3—Relative to the investigation of the Home for the Care and Training of Feeble-Minded Children, at Glen Ellen, Sonoma County.

Resolution read.

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

AYES—Messrs Anderson, Androus, Barker, Bennett of Santa Clara, Bledsoe, Boyce, Brownlie, Buckley, Burke, Casterline, Conway, Curtis, Cusick, Dodge, Drees, Duckworth, Duffy, Durst, Finlayson, Gallagher, Gately, Godchaux, Hamilton, Hendrickson, Hurley, Hutson, Johnson of Humboldt, Johnson of Santa Clara, Kennedy, LaRue, Luttringer, Lynch, McElroy, McGowan, Marks, Marston, Matthews of San Benito, Mordecai, O'Neill, Owen, Price, Raw, Schlesinger, Schroebel, Simpson, Sims, Standart, Taggart, Talbott, Taylor, Thomas of Nevada, Tindall, Wade, and Mr. Speaker—54.

NOES—None

SECOND READING OF BILL.

Assembly Bill No. 84—An Act to authorize the husband or wife, or next of kin, of a deceased person to collect and receive of any bank any

deposit in such bank when the same does not exceed the sum of five hundred dollars.

Read second time.

Mr. Mordecai moved that the further consideration of the bill be passed on file.

So ordered.

RESOLUTION.

By Mr. Andrews:

Resolved, That leave of absence until Monday next be granted to the special committee appointed to investigate the Home for the Adult Blind, at Oakland, and that said committee is hereby empowered to call witnesses, to employ a stenographer to take testimony, and to incur all necessary expenses for the investigation of the same.

Adopted.

FIRST READING OF BILL.

Assembly Bill No. 190—An Act to provide for a day of rest from labor.

Read first time and placed on file for second reading.

INTRODUCTION OF BILLS.

The following bills were introduced, read by title, and referred to committees, as follows:

By Mr. Thomas of Nevada: Assembly Bill No. 423—An Act to amend an Act entitled "An Act to establish a Penal Code," approved February 14, 1872, by amending section six hundred and twenty-six of the Penal Code, relating to the laws for the preservation of game birds and animals.

Referred to Committee on Fish and Game.

Also: Assembly Bill No. 424—An Act for the better protection of the stockholders in corporations doing business in the State of California, formed for any purpose whatever.

Referred to Committee on Corporations.

Also: Assembly Bill No. 425—An Act to define express companies, and to prescribe the mode of taxing the same, and to fix the rate of taxation thereon.

Referred to Committee on Corporations.

By Mr. Gallagher: Assembly Bill No. 426—An Act making an appropriation to pay the deficiency in the appropriation for the transportation of insane for the forty-third fiscal year.

Referred to Committee on Ways and Means.

Also: Assembly Bill No. 427—An Act making an appropriation to pay the deficiency in the appropriation for the transportation of prisoners for the forty-third fiscal year.

Referred to Committee on Ways and Means.

ADJOURNMENT.

At three o'clock and five minutes P. M., on motion of Mr. Buckley, the Assembly adjourned.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Saturday, January 21, 1893.

The Assembly met pursuant to adjournment.

Speaker Gould in the chair.

The roll was called, and the following members answered to their names:

Messrs Adams, Alford, Anderson, Barker, Barlow, Bennett of Santa Clara, Bennett of Orange, Blakeley, Bledsoe, Boyce, Bretz, Buckley, Casterline, Conway, Curtis, Drees, Duckworth, Duffy, Durst, Emeric, Finlayson, Gallagher, Gately, Godchaux, Hamilton, Hendrickson, Hurley, Hutson, Jacobs, Jacobsen, Johnson of Humboldt, Johnson of Santa Clara, Kahn, Kerns, Kennedy, LaRue, Luttringer, Lynch, McCauley, McElroy, McGowan, Marston, Matthews of San Benito, O'Neill, Pendleton, Perkins, Price, Pueschel, Raw, Sargent, Schroebel, Shanahan, Simpson, Sims, Standart, Taggart, Talbott, Thomas of Nevada, Thomas of Santa Clara, Tindall, Vann, Wade, and Mr Speaker.

Quorum present.

LEAVE OF ABSENCE.

Messrs. Burke, Owen, and Bulla were granted leave of absence for the day.

Mr. LaRue was granted leave of absence for Monday.

PRAYER.

Prayer by the Chaplain, Rev. H. W. Conry.

READING OF THE MINUTES.

Pending the reading of the Journal of yesterday, Mr. Perkins moved that the further reading be dispensed with.

So ordered.

APPROVAL OF JOURNALS.

Journals of Thursday and Friday ordered approved.

PETITIONS.

By Mr. Hutson: From Woodbridge Grange, favoring a law granting full suffrage to the women of California.

Referred to Committee on Apportionment and Election Laws.

By Mr. Bledsoe: From Stockton Grange No. 70, Patrons of Husbandry, favoring a law prohibiting prize fighting.

Referred to Committee on Public Morals.

INTRODUCTION OF BILLS.

The following bills were introduced, read by title, and referred to committees, as follows:

By Mr. Drees: Assembly Bill No. 428—An Act to amend sections five hundred and twenty-seven, five hundred and thirty-one, and five

hundred and thirty-two of the Political Code, relating to public printing, and the duties of the Superintendent of State Printing.

Referred to Committee on State Printing.

Also: Assembly Bill No. 429—An Act to amend section six hundred and seventy-nine of the Political Code, relating to duties of the State Board of Examiners.

Referred to Committee on Ways and Means.

By Mr. Schroebel: Assembly Bill No. 430—An Act to add a new section to the Political Code of the State of California, to be designated as section three thousand six hundred and fifty-one and one half, relating to the form of tax receipts.

Referred to Committee on Judiciary.

By Mr. Hutson: Assembly Bill No. 431—An Act to promote ramie fibre and silk culture in California, and make an exhibit in the interest of the State at the World's Columbian Exposition at Chicago, Ill., 1893, and pay a deserving bonus to S. H. Slaught for its promotion and exhibit.

Referred to Committee on Agriculture.

By Mr. Shanahan: Assembly Bill No. 432—An Act to amend section two hundred and ninety-one of the Civil Code, relating to the articles of incorporation of railroad, wagon road, and telegraph corporations.

Referred to Committee on Judiciary.

Also: Assembly Bill No. 433—An Act to amend section two hundred and ninety-three of the Civil Code, relating to railroad, wagon road, and telegraph corporations.

Referred to Committee on Judiciary.

Also: Assembly Bill No. 434—An Act to amend section four hundred and fifty-six of the Civil Code, relating to the borrowing of money and the issuance of bonds by railroad corporations.

Referred to Committee on Judiciary.

Also: Assembly Bill No. 435—An Act to provide for the consolidation of railroad corporations organized under the laws of the State of California, with corporations organized under the laws of any other State or territory, or both.

Referred to Committee on Judiciary.

By Mr. Perkins: Assembly Bill No. 436—An Act to provide for the formation of corporations authorized to insure country school houses and churches, and all property situated on the farm of any farmer, horticulturist, or gardener, and to loan its accumulated surplus to policy holders.

Referred to Committee on Corporations.

By Mr. Androus: Assembly Bill No. 437—Relative to the protection of fish and game.

Referred to Committee on Fish and Game.

By Mr. Sims: Assembly Bill No. 438—An Act to appropriate money for the erection of a monument in Golden Gate Park, in the city of San Francisco, or in Court-house grounds, Santa Rosa, California, in memory of the late General M. G. Vallejo.

Referred to Committee on Public Expenditures and Accounts.

By Mr. Price: Assembly Bill No. 439—An Act to provide for the care and treatment of inebriates, acute insane persons, and victims of opium or other drug habits.

Referred to Committee on Public Morals.

RESOLUTION.

By Mr. Hurley:

Resolved, That the Controller is hereby directed to draw a warrant for nine hundred and seventy-seven dollars and fifty cents, in favor of the Secretary of State, for eighty-five pocket editions of Codes and Constitution, and the Treasurer is authorized to pay the same

Referred to Committee on Public Expenditures and Accounts.

FIRST READING OF BILLS.

Each of the following bills was read the first time and placed on file for second reading:

Assembly Bill No. 1—An Act making an appropriation to pay the deficiency in the appropriation for fuel, lights, and supplies for the Secretary of State's office for the forty-second fiscal year.

Assembly Bill No. 75—An Act making an appropriation to pay the deficiency in the appropriation for the State Board of Forestry for the thirty-eighth, forty-second, and forty-third fiscal years.

Assembly Bill No. 145—An Act making an appropriation to pay the deficiency in the appropriation for salary of Secretary of State Board of Examiners for the forty-second fiscal year.

Assembly Bill No. 146—An Act making an appropriation to pay the deficiency in the appropriation for postage, expressage, telegraphing, and contingent expenses, State Board of Examiners, for the forty-fourth fiscal year.

CONSTITUTIONAL AMENDMENTS READ.

Each of the following constitutional amendments was read the first time:

Assembly Constitutional Amendment No. 1—An Act to submit to the people of the State of California an amendment to section one, article thirteen, of the Constitution of the State of California.

Assembly Constitutional Amendment No. 12—A resolution proposing to the people of the State of California an amendment to section seventeen, article one, of the Constitution of the State of California.

Assembly Constitutional Amendment No. 8—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, amending section one of article two thereof, relative to the right of suffrage.

RESOLUTION.

By Mr. Shanahan:

Resolved, That the Committee on Rules and Regulations of the Assembly be and it is hereby instructed to hold a joint conference with the Senate committee of like nature, for the purpose of framing and reporting to the Senate and Assembly a set of rules for their joint government

Adopted.

THIRD READING OF BILLS.

Assembly Bill No. 27—An Act to amend section five hundred and eighty-five of an Act entitled "An Act to establish a Code of Civil Procedure of the State of California," approved March 11, 1872, relating to judgment upon failure to answer.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Alford, Anderson, Barker, Barlow, Bennett of Santa Clara, Bennett of Orange, Blakeley, Bledsoe, Bretz, Buckley, Casterline, Conway, Drees, Duckworth, Duffy, Durst, Emeric, Finlayson, Gallagher, Gately, Godchaux, Hamilton, Hendrickson, Hurley, Hutson, Jacobs, Jacobsen, Johnson of Humboldt, Johnson of Santa Clara, Kahn, Kerns, LaRue, Luttringer, McCauley, McElroy, McGowan, Mack, Marston, Matthews of San Benito, Pendleton, Perkins, Price, Pueschel, Raw, Sargent, Schrobel, Shanahan, Simpson, Sims, Standart, Taggart, Talbott, Thomas of Santa Clara, Tindall, Vann, Wade, and Mr Speaker—57.

NOES—None.

Title read and approved.

SECOND READING OF BILLS.

Assembly Bill No. 6—An Act to increase the Law Library Fund in counties where law libraries now exist, pursuant to the provisions of an Act entitled "An Act to establish law libraries," approved March 31, A. D. 1891.

Read second time.

Mr. Alford, the introducer, on his own motion, was allowed to withdraw the bill.

Assembly Bill No. 73—An Act to provide for the payment of jurors and witnesses in criminal cases in Justices' Courts, or before a Justice of the Peace.

Read second time.

Mr. Anderson moved to amend by striking out section one.

So ordered.

RECESS.

The hour of recess having arrived, the Speaker declared recess until two o'clock P. M.

REASSEMBLED.

The Assembly reassembled at two o'clock P. M.

Speaker Gould in the chair.

Quorum present.

LEAVE OF ABSENCE.

Messrs. Standart, O'Neill, Sims, and Barker were granted leave of absence for the day.

MOTION.

Mr. Bledsoe moved that the second reading file be passed, and that the first reading of bills be considered.

So ordered.

Mr. Kahn in the chair.

RESOLUTION.

By Mr. Anderson:

Resolved, That a committee of three from the Committee on Public Buildings and Grounds, and a committee of three from the Committee on Education, and the Speaker of the House, making a joint committee of seven, be granted leave of absence from the House on the 27th inst. to visit and examine the State Normal School at San José, said committee to consist of two members of the respective committees and the Chairman of each committee, said Chairman to appoint two members of his respective committee, which shall constitute said sub-committee.

Adopted.

ROLL CALL.

The Acting Speaker directed the roll to be called to ascertain whether a quorum was present.

The roll was called, and the following members answered to their names:

Messrs. Anderson, Barlow, Bennett of Santa Clara, Bennett of Orange, Blakeley, Bledsoe, Bretz, Buckley, Casterline, Conway, Drees, Duckworth, Durst, Emeric, Finlayson, Gallagher, Gately, Godchaux, Hamilton, Hendrickson, Hurley, Hutson, Jacobs, Jacobsen, Johnson of Humboldt, Kalin, Kerns, LaRue, Luttringer, Lynch, McElroy, Mack, Marston, Matthews of San Benito, Pendleton, Perkins, Pueschel, Sargent, Simpson, Taggart, Talbott, Thomas of Nevada, Thomas of Santa Clara, Tindall, Wade, and Mr Speaker.

Quorum present.

REPORTS OF STANDING COMMITTEES.

ON APPORTIONMENT AND ELECTION LAWS.

ASSEMBLY CHAMBER, SACRAMENTO, January 21, 1893

MR SPEAKER Your Committee on Apportionment and Election Laws, to whom was referred Assembly Bill No 262—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

FINLAYSON, Chairman.

ON CRIMES AND PENALTIES.

ASSEMBLY CHAMBER, SACRAMENTO. January 21, 1893.

MR SPEAKER Your Committee on Crimes and Penalties, to whom was referred Assembly Bill No. 71—An Act to amend an Act to insure the better education of practitioners of dental surgery, and to regulate the practice of dentistry in the State of California, approved March 12, 1885—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

LUTTRINGER, Chairman.

ON MUNICIPAL CORPORATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, January 21, 1893.

MR. SPEAKER: Your Committee on Municipal Corporations, to whom was referred Assembly Bill No 45—An Act amendatory of and supplemental to an Act entitled "An Act to create a Police Court in and for the City and County of San Francisco, State of California," approved March 5, 1889, and providing for an additional department, to be known as department number four, and the appointment of a suitable person to act as Judge of said Court—have had the same under consideration, and respectfully report the same back with amendments, and recommend the passage of same as amended

Also Assembly Bill No 76—An Act to provide for furnishing clerks and copyists to the County Clerk of each city and county having one hundred thousand or more inhabitants, and providing the mode in which such clerks and copyists shall be appointed and designated as officers of the city and county, and establishing the compensation of such clerks and copyists.

Also Assembly Bill No 77—An Act to amend section ten of "An Act to create a Police Court in and for the City and County of San Francisco, State of California," approved March 5, 1889

Also Assembly Bill No. 113—An Act requiring the recording of maps of cities, towns, additions to cities or towns, or subdivisions of lands into small lots or tracts for the purposes of sale, and providing for a forfeiture for the selling or offering for sale, any lots or tracts in cities, towns, additions to cities, towns, subdivisions or additions thereto, before such maps are filed and recorded.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass

Also Assembly Bill No. 114—An Act to provide for the organization, incorporation, and government of towns—have had the same under consideration, and respectfully report the same back, and recommend that it be referred to the Committee on County and Township Governments.

Also: Assembly Bill No 153—An Act to amend section six and section eight of an Act approved March 19, 1889, entitled "An Act authorizing the incurring of indebtedness by cities, towns, and municipal corporations, incorporated under the laws of this State,

for the construction of waterworks, sewers, and all necessary public improvements, or for any purpose whatever," and to repeal the Act approved March 9, 1885, entitled "An Act to authorize municipal corporations of the fifth class, containing more than three thousand and less than ten thousand inhabitants, to obtain water works;" also, to repeal an Act approved March 15, 1887, entitled "An Act authorizing the incurring of indebtedness by cities, towns, and municipal corporations incorporated under the laws of this State."

Also: Assembly Bill No 179—An Act to amend section four thousand three hundred and ninety-two of the Political Code of the State of California, relating to the duties of City Treasurers.

Also Assembly Bill No. 287—*An Act to amend an Act entitled* "An Act to authorize the Common Council, Board of Trustees, or other governing body of any incorporated city or town, other than cities of the first class, to refund its indebtedness, issue bonds therefor, and provide for the payment of the same," approved March 15, 1883.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

BUCKLEY, Chairman.

Assembly Bill No. 114 re-referred to Committee on County and Township Governments.

FIRST READING OF BILLS.

Each of the following bills was read the first time and placed on file for second reading:

Assembly Bill No. 144—An Act to prohibit prize fighting and pugilistic sport.

Assembly Bill No. 3—An Act to abolish commissions or fees paid by the State for the assessment, equalization, auditing, and collection of ad valorem taxes.

Assembly Bill No. 185—An Act to amend section three thousand seven hundred and seventy-three of the Political Code, relating to the sale of property for delinquent taxes.

Assembly Bill No. 186—An Act to amend section three thousand eight hundred and sixty-eight of the Political Code, relating to the report of County Auditors.

Assembly Bill No. 241—An Act to amend section three thousand eight hundred and sixty-six of the Political Code, relating to settlements with the Controller and payments into the State Treasury.

Assembly Bill No. 383—An Act to provide for the appointment by the Supreme Court of five Commissioners, to be known as Commissioners of the Supreme Court, and to appoint a Secretary therefor, to assist said Court in the performance of its duties and in the disposition of numerous causes pending in said Court, and to provide for the compensation of said Commissioners and Secretary, and to appropriate money therefor.

Passed on file.

MOTION.

Speaker Gould moved that Senate Substitute for Senate Joint Resolutions Nos. 1 and 2, relative to Nicaragua Maritime Canal, be made a special order for Monday at two o'clock P. M.

So ordered.

LEAVE OF ABSENCE.

Messrs. Taggart and Gallagher were granted leave of absence for the remainder of the day.

INTRODUCTION OF BILLS.

The following bills were introduced, read by title, and referred to committees, as follows:

By Mr. Finlayson: Assembly Bill No. 440—An Act to amend an Act entitled "An Act to establish a Political Code," approved March 12, 1872, by adding thereto a new section, to be numbered and designated as section one thousand two hundred and sixty-nine, relating to elections.

Referred to Committee on Apportionment and Election Laws.

By Mr. Shanahan: Assembly Bill No. 441—An Act making an appropriation for the support and maintenance of the State Mining Bureau for the forty-fifth and forty-sixth fiscal years.

Referred to Committee on Mines and Mining.

RESOLUTION.

By Mr. Luttringer:

WHEREAS, The engrossment of bills must now be in a printed form, as provided by the Acts of the last Legislature; and whereas, there will be a great many of the bills amended, and whereas, the Superintendent of State Printing will require a clean and clear copy for his compositors, and whereas, it will be impossible for one Assistant Clerk to do said work of copying; therefore, be it

Resolved, That Joseph Clancy be and he is hereby appointed an Assistant Clerk for the purpose of making such copies, at the same per diem as is paid the Assistant Clerks at the desk, said per diem being payable out of the appropriation for the contingent expenses of the Assembly.

Referred to Committee on Attachés and Employés.

ADJOURNMENT.

Mr. Jacobs moved to adjourn until two o'clock P. M. Monday.

Mr. Bledsoe moved to amend by fixing the hour at eleven o'clock and thirty minutes A. M.

So ordered.

At two o'clock and thirty-five minutes P. M., the Assembly stood adjourned.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Monday, January 23, 1893.

The Assembly met pursuant to adjournment.

Speaker Gould in the chair.

The roll was called, and the following members answered to their names:

Messrs. Adams, Alford, Anderson, Barker, Barlow, Bennett of Santa Clara, Blakeley, Bledsoe, Bretz, Buckley, Bulla, Burke, Carlson, Casterline, Chipman, Conway, Curtis, Cusick, Dodge, Drees, Duckworth, Duffy, Durst, Emeric, Finlayson, Gallagher, Godchaux, Hamilton, Hendrickson, Hurley, Hutson, Jacobs, Jacobsen, Johnson of Humboldt, Johnson of Santa Clara, Kennedy, Kahn, Kerns, Luttringer, Lynch, McCauley, McElroy, McGowan, Marston, Mathews of Tehama, Matthews of San Benito, Miller, Mordecai, O'Keefe, Owen, Pendleton, Perkins, Price, Pueschel, Raw, Sargent, Schlesinger, Schroebel, Shanahan, Simpson, Sims, Standart, Taggart, Talbott, Taylor, Thomas of Nevada, Thomas of Santa Clara, Tindall, Vann, Wade, and Mr Speaker

Quorum present.

LEAVE OF ABSENCE.

Messrs. Boyce, Bennett of Orange, and Bulla were granted leave of absence for the day.

Mr. Mack was granted one week's leave of absence.

PRAYER.

Prayer by the Chaplain, Rev. H. W. Conry.

READING OF THE MINUTES.

Pending the reading of the Journal of Saturday, Mr. Pendleton moved that the further reading be dispensed with.

So ordered.

Journal of Saturday approved.

REPORTS OF STANDING COMMITTEES.

ON ROADS AND HIGHWAYS.

ASSEMBLY CHAMBER, SACRAMENTO, January 21, 1893

MR SPEAKER: Your Committee on Roads and Highways, to whom was referred Assembly Bill No 158—An Act to amend section two thousand six hundred and fifty-three (2653) of the Political Code, relating to the levy of road tax—report the same back without recommendation

Also: Assembly Bill No. 276—An Act entitled an Act to amend section two thousand six hundred and eighty-four of the Political Code—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

Also: Assembly Bill No. 178—An Act to authorize and require the State of California to secure the title to, or right of way over, that certain wagon road in Sacramento and El Dorado Counties, leading from the city of Sacramento to Lake Tahoe, and to keep the same in repair

Also: Assembly Bill No 320—An Act to amend section two thousand six hundred and eighty-four of the Political Code of California, relative to highways and the appointment of viewers therefor.

Recommend the authors be allowed to withdraw the same

Also: Assembly Bill No 194—An Act to amend section two thousand six hundred and forty-five of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the powers and duties of highway officers, and to provide for the construction, maintenance, and improvements of highways by contract let out to the lowest bidders—have had the same under consideration, and respectfully report the same back, and recommend that it do not pass

DUFFY, Chairman

ON PUBLIC BUILDINGS AND GROUNDS.

ASSEMBLY CHAMBER, SACRAMENTO, January 21, 1893.

MR. SPEAKER: Your Committee on Public Buildings and Grounds, to whom was referred Assembly Bill No. 204—An Act to appropriate money for the construction of additional buildings on the State agricultural grounds—have considered the same, and report it back, and recommend its passage.

Also Assembly Bill No 128—Appropriating money for furnishing the training building at the State Normal School at San José—have considered the same, amended it, and recommend that it pass as amended.

Also, Assembly Bill No 72—An Act providing for the condemnation of ground and the erection of a State building in San Francisco—have considered the same, amended it, and report it back, and recommend its passage as amended.

Also, Assembly Bills Nos 223, 224, 225, and 255—Appropriating money for various purposes for the State Normal School at Chico—have considered the same, report them back, and recommend their passage.

Also: Assembly Bill No. 127—Appropriating money for heating and furnishing the Training Department of the State Normal School at San José—have considered the same, and report it back, and recommend its passage

CURTIS, Chairman

Assembly Bills Nos. 204, 128, 72, 223, 224, 225, 255, and 127 re-referred to Committee on Ways and Means.

INTRODUCTION OF BILLS.

The following bills were introduced, read by title, and referred to committees, as follows:

By Mr. Sims: Assembly Bill No. 442—An Act to provide a depository for the county funds.

Referred to Committee on Judiciary.

By Mr. Duckworth: Assembly Bill No. 443—An Act relating to the making of sworn statements of the character, amount, and value of personal property owned, possessed, or under the control of taxpayers at twelve o'clock M. on the first Monday of March of each year, and providing a penalty for failure to comply therewith.

Referred to Committee on Judiciary.

Also: Assembly Bill No. 444—An Act providing for the publication of semi-annual statements by corporations and persons engaged in the business of banking.

Referred to Committee on Corporations.

Also: Assembly Bill No. 445—An Act to amend an Act approved March 10, 1887, entitled "An Act to amend an Act creating a Board of Bank Commissioners, and prescribing their duties and powers," approved March 13, 1878.

Referred to Committee on Corporations.

Also: Assembly Bill No. 446—An Act to amend an Act entitled "An Act creating a Board of Bank Commissioners, and prescribing their duties and powers," approved March 30, 1878.

Referred to Committee on Corporations.

By Mr. Owen: Assembly Bill No. 447—An Act exempting agricultural, horticultural, viticultural, and pastoral occupations from license taxation.

Referred to Committee on County and Township Governments.

By Mr. Taggart: Assembly Bill No. 448—An Act to provide for the manufacture of paper, the printing of books, reports, blanks, and other documents required for public use, and for the binding of books for the use of the State, at the State Prison at Folsom, and making an appropriation therefor.

Referred to Committee on Public Printing.

By Mr. Standart: Assembly Bill No. 449—An Act to pay the claims of J. N. Cardoza, also the claim of Farmer & Hoxie, and also the claim of D. M. Davison, their heirs or assigns, for military services in defending the eastern frontier against the attacks of the Indians.

Referred to Committee on Claims.

By Mr. Shanahan: Assembly Bill No. 450—An Act to encourage the reduction of base and refractory low grade gold, silver, and other metallic ores in the State of California.

Referred to Committee on Mines and Mining.

By Mr. Pueschel: Assembly Bill No. 451—An Act to declare what constitutes insurance companies, and to define their duties, and to provide for an annual statement of their business.

Referred to Committee on Corporations.

By Mr. Price: Assembly Bill No. 452—An Act regulating the sale of lands uncovered by the recession of the waters of inland lakes, and unsegregated swamp and overflowed lands.

Referred to Committee on Swamp and Overflowed Lands.

By Mr. Marston: Assembly Bill No. 453—An Act to regulate the practice of medicine in the State of California.

Referred to Committee on State Hospitals.

By Mr. Talbott: Assembly Bill No. 454—An Act to amend section one hundred and eighty-three of an Act entitled "An Act to establish a uniform system of county and township governments," approved March 31, 1891, relating to the fees and compensation of officers of counties of the twenty-first class.

Referred to Committee on County and Township Governments.

ASSEMBLY CONCURRENT RESOLUTION.

By Mr. Shanahan: Assembly Concurrent Resolution No. 9—Relative to the erection of a plant for the reduction of metallic ores.

Referred to Committee on Mines and Mining.

RESOLUTION.

By Mr. Pueschel:

Resolved, That the Controller of State be and he is hereby authorized to draw his warrant, and the Treasurer is directed to pay the same, payable out of the contingent expenses of the Assembly, in favor of the Minute Clerk, for the sum of fifty dollars, for rubber stamps and stencils to be used by the Minute Clerk and his assistants at the desk.

Adopted.

SPECIAL ORDER.

Senate Substitute for Senate Joint Resolutions Nos. 1 and 2—Relative to Nicaragua Maritime Canal.

Mr. Adams moved as a substitute Assembly Joint Resolution No. 5—Relative to the construction of the Nicaragua Canal.

RECESS.

Pending consideration of the joint resolution, the hour of recess having arrived, the Speaker declared recess until two o'clock P. M.

REASSEMBLED.

The Assembly reassembled at two o'clock P. M.

Speaker Gould in the chair.

Quorum present.

SPECIAL ORDER.

The question being upon the adoption of the pending substitute offered by Mr. Adams to Senate Substitute for Senate Joint Resolutions Nos. 1 and 2—Relative to Nicaragua Maritime Canal.

Mr. Hurley in the chair.

Speaker Gould in the chair.

CALL OF THE HOUSE.

Mr. Bledsoe moved a call of the House, seconded by Messrs. Barlow and Schlesinger.

The ayes and noes were demanded by Messrs. Bledsoe, Barlow, and Schlesinger.

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

AYES—Messrs Adams, Anderson, Barker, Barlow, Bennett of Santa Clara, Blakeley, Bledsoe, Boyce, Bretz, Bulla, Burke, Carlson, Casterline, Chipman, Conway, Cusick, Dodge, Drees, Duckworth, Duffy, Durst, Emeric, Finlayson, Gallagher, Godchaux, Hendrickson, Hurley, Hutson, Jacobsen, Johnson of Humboldt, Kahn, Kerns, Luttringer, Lynch, McCauley, McElroy, McGowan, Marks, Miller, O'Keefe, O'Neill, Owen, Perkins, Pueschel, Raw, Sargent, Schlesinger, Schroebel, Shanahan, Simpson, Sims, Standart, Taggart, Talbott, Taylor, Thomas of Nevada, Thomas of Santa Clara, Vann, Wade, and Mr. Speaker—60

NOES—Messrs Alford, Brownlie, Buckley, Curtis, Jacobs, Johnson of Santa Clara, Kennedy, Marston, and Matthews of San Benito—10

The roll was called, and the following members answered to their names:

Messrs. Adams, Alford, Anderson, Barker, Barlow, Bennett of Santa Clara, Blakeley, Bledsoe, Boyce, Bretz, Brownlie, Buckley, Bulla, Burke, Carlson, Casterline, Chipman, Conway, Curtis, Cusick, Dodge, Drees, Duckworth, Duffy, Durst, Emeric, Finlayson, Gallagher, Godchaux, Hendrickson, Hurley, Hutson, Jacobs, Jacobsen, Johnson of Humboldt, Johnson of Santa Clara, Kennedy, Kahn, Kerns, Luttringer, Lynch, McCauley, McElroy, McGowan, Marks, Marston, Mathews of Tehama, Matthews of San Benito, Miller, Mordecai, O'Keefe, O'Neill, Owen, Perkins, Price, Pueschel, Raw, Sargent, Schlesinger, Schroebel, Shanahan, Simpson, Sims, Standart, Taggart, Talbott, Taylor, Thomas of Nevada, Thomas of Santa Clara, Vann, Wade, and Mr. Speaker.

Mr. Lynch moved that further proceedings under the call of the House be dispensed with.

So ordered.

The question recurring upon the adoption of the substitute, the ayes and noes were demanded by Messrs. Vann, Bulla, and Thomas of Santa Clara.

The roll was called, and the substitute refused adoption by the following vote:

AYES—Messrs. Adams, Alford, Barlow, Bretz, Buckley, Bulla, Carlson, Duffy, Hutson, Jacobsen, Johnson of Santa Clara, Kerns, McCauley, Marston, O'Neill, Owen, Shanahan, Talbott, Thomas of Santa Clara, Vann, and Mr. Speaker—21.

NOES—Messrs Anderson, Barker, Bennett of Santa Clara, Blakeley, Bledsoe, Brownlie, Burke, Casterline, Chipman, Conway, Curtis, Cusick, Dodge, Drees, Duckworth, Durst, Emeric, Finlayson, Gallagher, Godchaux, Hendrickson, Hurley, Jacobs, Johnson of Humboldt, Kennedy, Kahn, Luttringer, Lynch, McElroy, McGowan, Marks, Mathews of Tehama, Matthews of San Benito, Miller, Mordecai, O'Keefe, Perkins, Price, Pueschel, Raw, Sargent, Schlesinger, Schroebel, Simpson, Sims, Standart, Taggart, Taylor, Thomas of Nevada, and Wade—50.

AMENDMENT.

Mr. Dodge moved to amend by adding to the Senate substitute, after line three, the words:

And be it further resolved, That we favor the absolute ownership and control of the said Nicaragua Canal by the United States Government, if within the power of said Government to so own and control the same.

Adopted.

MOTION.

Mr. Finlayson moved to lay the resolution as amended on the table.

The ayes and noes were demanded by Messrs. Bledsoe, Taylor, and Kahn.

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

AYES—Messrs. Brownlie, Finlayson, Kennedy, and McElroy—4.

NOES—Messrs. Adams, Alford, Anderson, Barker, Barlow, Bennett of Santa Clara, Blakeley, Bledsoe, Bretz, Buckley, Bulla, Burke, Carlson, Casterline, Chipman, Conway, Cusick, Dodge, Drees, Duckworth, Duffy, Durst, Emeric, Gallagher, Godchaux,

Hendrickson, Hurley, Hutson, Jacobs, Jacobsen, Johnson of Humboldt, Kahn, Kerns, Luttringer, Lynch, McCauley, McGowan, Marks, Marston, Mathews of Tehama, Matthews of San Benito, Miller, Mordecai, O'Keefe, O'Neill, Owen, Perkins, Pueschel, Raw, Sargent, Schlesinger, Schroebel, Shanahan, Simpson, Sims, Standart, Taggart, Talbott, Taylor, Thomas of Santa Clara, Vann, Wade, and Mr. Speaker—63.

ADOPTION OF RESOLUTION.

The question recurring upon the adoption of the resolution as amended, the roll was called, and Senate Substitute for Senate Joint Resolutions Nos. 1 and 2, relative to Nicaragua Maritime Canal, as amended, was adopted by the following vote:

AYES—Messrs. Adams, Alford, Anderson, Barker, Barlow, Bennett of Santa Clara, Blakeley, Bledsoe, Bretz, Brownlie, Buckley, Bulla, Burke, Carlson, Casterline, Chipman, Conway, Curtis, Cusick, Dodge, Drees, Duckworth, Duffy, Durst, Emeric, Gallagher, Godchaux, Hendrickson, Hurley, Hutson, Jacobs, Jacobsen, Johnson of Humboldt, Kennedy, Kahn, Kerns, Luttringer, Lynch, McCauley, McElroy, McGowan, Marks, Marston, Mathews of Tehama, Matthews of San Benito, Miller, Mordecai, O'Keefe, O'Neill, Owen, Perkins, Pueschel, Raw, Sargent, Schlesinger, Schroebel, Shanahan, Simpson, Sims, Standart, Taggart, Talbott, Taylor, Thomas of Nevada, Thomas of Santa Clara, Vann, Wade, and Mr Speaker—67.

NOES—Mr. Finlayson—1

MOTION.

Mr. Bledsoe moved that the special order, Assembly resolution relating to investigating the State Board of Railroad Commissioners, set for two o'clock P. M., be postponed until next Thursday, at eleven o'clock A. M.

So ordered.

INTRODUCTION OF BILL.

By Mr. Barlow: Assembly Bill No. 455—An Act to amend the Civil Code, in relation to the ownership of real estate by fereigners.

Referred to Committee on Homestead and Land Monopoly.

ADJOURNMENT.

At four o'clock P. M., on motion of Mr. Schlesinger, the Assembly adjourned.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Tuesday, January 24, 1893.

The Assembly met pursuant to adjournment.

Speaker Gould in the chair.

The roll was called, and the following members answered to their names:

Messrs. Anderson, Barker, Barlow, Bennett of Santa Clara, Blakeley, Bledsoe, Boyce, Bretz, Brownlie, Buckley, Bulla, Carlson, Casterline, Chipman, Conway, Curtis, Cusick, Dodge, Drees, Duckworth, Duffy, Durst, Emeric, Finlayson, Gallagher, Gately, Godchaux, Hamilton, Hendrickson, Hurley, Hutson, Jacobs, Jacobsen, Johnson of Humboldt, Johnson of Santa Clara, Kennedy, Kerns, Luttringer, Lynch, McCauley, McElroy, McGowan,

Marks, Marston, Matthews of San Benito, Miller, Mordecai, O'Keefe, O'Neill, Owen, Price, Pueschel, Raw, Sargent, Schlesinger, Schroebel, Simpson, Sims, Standart, Taggart, Talbott, Taylor, Thomas of Santa Clara, Tindall, Wade, and Mr. Speaker.

Quorum present.

LEAVE OF ABSENCE.

Messrs. Pendleton, Adams, and the Senatorial Investigating Committee were granted leave of absence for the day.

PRAYER.

Prayer by the Chaplain, Rev. H. W. Conry.

READING OF THE MINUTES.

Pending the reading of the Journal of yesterday, Mr. Sims moved that the further reading be dispensed with.

So ordered.

Journal of Monday approved.

MOTION.

Mr. Raw moved that Assembly Bill No. 178 be re-referred to Committee on Judiciary.

So ordered.

PETITIONS.

By Mr. McCauley: Resolutions of the Board of Supervisors of Merced County, favoring a law increasing the salary of the County Recorder of said county.

Referred to Committee on County and Township Governments.

By Mr. Blakeley: From citizens of Tulare County, favoring the creation of the county of Kings.

Referred to Committee on Counties and County Boundaries.

By Mr. Mordecai: From citizens of Madera Irrigation District, against allowing Directors to levy tax without a vote of the people.

Referred to Committee on Irrigation.

By Mr. Jacobsen: From citizens, favoring a Sunday law.

Referred to Committee on Public Morals.

By Mr. Durst: From citizens, favoring a Sunday law.

Referred to Committee on Public Morals.

By Mr. Boyce: From citizens, favoring a Sunday law.

Referred to Committee on Public Morals.

By Mr. Mordecai: From citizens, favoring a Sunday law.

Referred to Committee on Public Morals.

By Mr. Wade: From citizens, favoring a Sunday law.

Referred to Committee on Public Morals.

By Mr. Duckworth: From citizens, favoring a Sunday law.

Referred to Committee on Public Morals.

By Mr. Sargent: From citizens, favoring a Sunday law.

Referred to Committee on Public Morals.

REPORTS OF STANDING COMMITTEES.

ON COUNTY AND TOWNSHIP GOVERNMENTS.

ASSEMBLY CHAMBER, SACRAMENTO, January 24, 1893.

MR SPEAKER: Your Committee on County and Township Governments, to whom was referred Assembly Bill No. 334—An Act to amend "An Act to establish a uniform system of county and township governments," approved March 31, 1891, relating to county supplies, printing, and advertisements.

Also. Assembly Bill No 114—An Act to provide for the organization, incorporation, and government of towns

Also: Assembly Bill No. 115—An Act to amend section four thousand two hundred and thirty-four of the Political Code of the State of California, relating to the books of records to be procured and kept by the County Recorder.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass

SCHROEBEL, Chairman.

ON PUBLIC EXPENDITURES AND ACCOUNTS

ASSEMBLY CHAMBER, SACRAMENTO, January 23, 1893.

MR. SPEAKER: Your Committee on Public Expenditures and Accounts beg leave to report that they have examined into the following accounts against the appropriation for the contingent expenses of the Assembly, viz:

STATE OF CALIFORNIA, DEPARTMENT OF STATE,
SACRAMENTO, January 21, 1893.

The Assembly to State of California, Dr

Eighty-five copies (pocket edition) Codes and Constitution, at $11 50 ..... $977 50

As per the following resolution:

Resolved, That the Secretary of State be authorized to purchase and pay for out of the contingent expenses of the Assembly, eighty-five copies of Desty's pocket edition of the Constitution of the State of California, for the use of the members of this Assembly.

SACRAMENTO, January 20, 1893

State of California to C T. Seavey, Dr, for material furnished and labor performed by order of Sergeant-at-Arms of the Assembly

Jan. 4	Fitting keys, room 70, 5, room 71, 7; room 72, 2; room 73, 10, to Reporters' tables, 10, to Chief Clerk's desk, 9; to Speaker's desk, 3; to Mathews of Tehama's desk, 1; to Matthews of San Benito's desk, 1, to Mr. Buckley's desk, 2, to Supreme Court-room No. 1, 3; cloak-room, 1; water-closet, 1; Mr. Pueschel's desk, 1	$16 80
	Repairing 6 chairs	1 50
	Repairing lock and furnishing catch in water-closet	50
	Repairing lock on Mr Pueschel's desk	25
	Five locks, at 60 cents	3 00
	Seven locks, at 50 cents	3 50
	Putting on locks, room 71, 1; room 72, 1; room 73, 4; Chief Clerk's desk and pigeon-hole desk, 4; Mr Gould's desk, 1; "Post" correspondent's desk, 1	5 00
	Putting lockers in Chief Clerk's desk (2), and furnishing material	5 00
	Putting up and taking down screen	50
	One bolt for room 71	25
	Putting on the same	25
	Fifty-six keys, at 15 cents	8 40
	Total	$44 75

And respectfully report the same back, and recommend the following resolutions be adopted:

Resolved, That the Controller be and is hereby directed to draw his warrant upon the appropriation for the contingent expenses of the Assembly, for the sum of forty-four dollars and seventy-five cents, that the said amount be drawn in favor of C T Seavey.

Also:

Resolved, That the Controller be and is hereby directed to draw his warrant upon the appropriation for the contingent expenses of the Assembly, for the sum of nine hundred and seventy-seven dollars and fifty cents, in favor of the Secretary of State

J. H. MATTHEWS, Chairman.

Adopted.

ON MILITARY AFFAIRS.

ASSEMBLY CHAMBER, SACRAMENTO, January 24, 1893.

MR SPEAKER Your Committee on Military Affairs, to whom was referred Assembly Bill No 259—An Act to amend sections one thousand nine hundred and twelve, one thousand nine hundred and forty-two, one thousand nine hundred and fifty-nine, one thousand nine hundred and seventy-three, one thousand nine hundred and eighty-two, one thousand nine hundred and eighty-four, one thousand nine hundred and ninety, one thousand nine hundred and ninety-two, two thousand and three, two thousand and four, two thousand and twenty-seven, and two thousand and ninety-four, and to add three new sections, to be known as one thousand nine hundred and twenty-three, one thousand nine hundred and forty-five, and one thousand nine hundred and eighty-one, all of the Political Code of the State of California, and relating to the National Guard.

Also: Assembly Bill No 270—An Act to establish a naval battalion, to be attached to the National Guard of California.

Also: Assembly Bill No 269—An Act making an appropriation to pay armory rents and other expenses of the naval battalion of the National Guard for the remainder of the forty-fourth fiscal year.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass

McCAULEY, Chairman

Assembly Bills Nos. 270 and 269 re-referred to Committee on Ways and Means.

MOTION.

Mr. McCauley moved that Assembly Bill No. 259 be read the first time.

So ordered.

FIRST READING OF BILL.

Assembly Bill No. 259—An Act to amend sections one thousand nine hundred and twelve, one thousand nine hundred and forty-two, one thousand nine hundred and fifty-nine, one thousand nine hundred and seventy-three, one thousand nine hundred and eighty-two, one thousand nine hundred and eighty-four, one thousand nine hundred and ninety, one thousand nine hundred and ninety-two, two thousand and three, two thousand and four, two thousand and twenty-seven, and two thousand and ninety-four, and to add three new sections, to be known as one thousand nine hundred and twenty-three, one thousand nine hundred and forty-five, and one thousand nine hundred and eighty-one, all of the Political Code of the State of California, and relating to the National Guard.

Read first time, and placed on file for second reading.

REPORTS OF STANDING COMMITTEES—(RESUMED).

ON EDUCATION

ASSEMBLY CHAMBER, SACRAMENTO, January 24, 1893

MR SPEAKER: Your Committee on Education, to whom was referred Assembly Bill No. 173—An Act to amend the Civil Code, by adding to part four, subdivision one, a new title, providing for the consolidation of colleges and institutions of higher education—have had the same under consideration, and respectfully report the same back, and recommend that it do pass

SARGENT, Chairman

ON STATE PRISONS AND REFORMATORY INSTITUTIONS

ASSEMBLY CHAMBER, SACRAMENTO, January 24, 1893.

MR. SPEAKER: Your Committee on State Prisons and Reformatory Institutions respectfully submit the following report:

On Saturday evening, January 21st, a delegation of five members of this committee, including the Chairman, left the Capitol for San Francisco, and on Sunday morning proceeded to visit the State Prison at San Quentin, spending the day in examining the

prison in all its departments—the jute mills, the adjacent buildings, and the surrounding grounds

The first feature of the institution, in the line of improvement, which attracted our attention, is the cleanliness and good order which pervade every department. There is an unusual absence of the offensive odors which generally characterize the interior of jails and prisons. This important factor in the sanitary conditions gives evidence of strict attention on the part of the present management, and is creditable alike to the Warden and his subordinates.

The number of convicts at present incarcerated is eleven hundred and eighty. There are only eight female convicts in the prison. These are segregated in comfortable quarters and under the supervision of a matron, who, with a ladylike deportment, combines the necessary tact and judgment to enable her to successfully fill a very unenviable position.

We thoroughly inspected the kitchen, bakery, dining-rooms, hospital, and cells, omitting nothing in any department of the institution, within or without the walls. The cells are cleanly, and as comfortable as is possible with a reasonable regard for security. The food is plain, substantial, and wholesome, and the allowance abundant.

The old jute mill, when running up to its full capacity, gives employment to four hundred and twenty men.

The new mill, when completed, will add to the working force of the jute department about three hundred. The manufacturing capacity of the entire works will then be (as estimated) not less than fifteen thousand sacks per day.

The new building is of good material and constructed in a substantial manner. All the work was done by convicts.

In connection with this subject we note the suggestion of the Warden, corroborated by other evidence, that the limit placed upon the sale of jute bags to any one purchaser, in quantity exceeding five thousand, has been a serious obstacle to their ready sale, and has left the State with a surplus on hand. We recommend raising the limitation figures to ten thousand.

Referring to the machinery of the mill, one of the attachés of the prison stated that the looms manufactured in Oakland were superior to those imported from England and Scotland, and could be purchased at a considerably lower price.

Before leaving the subject we deem it proper to call your attention to the possible contingency of fire. Although the water supply is abundant, and every possible care used in guarding against casualties of this kind, yet there is always more or less danger of fire in all manufactories of the textile fabrics. The additional mill and increase in productive capacity will naturally increase the liability to accidental conflagration.

The former insurance was dropped by our next preceding Legislature. Believing it to be an unwarranted and ill-advised economy, we recommend a restoration of insurance, in such an amount as may seem to this Legislature advisable. This would require a repeal or amendment of "An Act relative to the non-insurance of property belonging to the State against risk of damage or destruction by fire," approved March 10, 1891.

Our attention was called to the dilapidated condition of the local wharf west of the prison inclosure, which is in constant use for landing every description of supplies for the prison and for the loading of manufactured articles for exportation. The structure has outlived its usefulness, is past repairing, and in general terms is "a perfect wreck." A new wharf is imperatively demanded. Its cost will be about $5,000. Several old buildings occupied by officers, with their families, are also in an advanced stage of decay, and should be replaced by new ones. These buildings are rented at a nominal sum, sufficient to pay the expense of gas and water, and keeping them in good repair. The estimated cost for construction of four new houses, which are required by the exigencies of the case, is about $5,000.

The work on the buildings, and the wharf as well, would be done by convicts—the only necessary outlay being for material, and, in the matter of the wharf construction, for dredging.

We recommend the passage of a special appropriation bill for the required amount, $10,000.

We were shown through the library, chapel, and prison school, by the Chaplain, who speaks cheerfully of the good results of his labors in this apparently unpromising field.

The Warden states that he has from two hundred to three hundred inmates—not of the hardened criminal class—who should be transferred to an industrial or a reformatory school. His opinion in this regard has received the indorsement of other gentlemen who have given the subject of penology close attention.

An examination of the Clerk's books shows that the accounts are systematically kept and uniformly correct.

The statistics with reference to the cost of maintenance of prisoners, with elaborate details, are given in the thirteenth annual report of the State Board of Prison Directors, together with the estimates for the next two fiscal years, which are placed at the former figures, viz: $165,000 per annum, or $330,000 for the two years.

These estimates do not include the improvements herein recommended, which are not within the list of items in the General Appropriation Bill. Hence, the necessity of a special Act to cover the required outlay.

In conclusion, we unite in expressing our appreciation of the courteous treatment received by your committee at the hands of Warden Hale and his subordinates, who joined in affording us every possible facility for investigating each department of the institution.

H. H. JOHNSON, Chairman.

MOTION.

Mr. Price moved that the report be printed in the Journal, without being read.

So ordered.

ON FEDERAL RELATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, January 24, 1893.

MR. SPEAKER. Your Committee on Federal Relations, to whom was referred Assembly Joint Resolution No. 4—Relative to the free and unlimited coinage of silver—have had the same under consideration, and respectfully report the same back without recommendation.

SIMS, Chairman.

ON INTERNAL IMPROVEMENTS.

ASSEMBLY CHAMBER, SACRAMENTO, January 24, 1893.

MR. SPEAKER: Your Committee on Internal Improvements, to whom was referred Assembly Bill No. 324—Relating to an Act to provide for planting a row of trees around the Capitol grounds.

Also. Assembly Bill No. 117—Relating to an Act to provide for the planting, maintenance, and care of shade trees upon streets, lanes, alleys, courts, and places within municipalities, and of hedges upon the lines thereof; also for the eradication of certain weeds within city limits.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

GALLAGHER, Chairman.

ON WAYS AND MEANS.

ASSEMBLY CHAMBER, SACRAMENTO, January 23, 1893.

MR. SPEAKER. Your Committee on Ways and Means beg leave to report the condition of the Contingent Fund of the Assembly.

Amount appropriated and in fund at beginning of session	$18,000 00
Amount of warrants drawn against fund	9,189 70
Balance remaining in fund, January 23d	$8,810 30

I have also to report that this committee has recommended the passage of bills involving appropriations amounting to $6,354 10.

W. P. MATHEWS, Chairman.

INTRODUCTION OF BILLS.

The following bills were introduced, read by title, and referred to committees, as follows:

By Mr. Gould: Assembly Bill No. 456—An Act to amend section eighteen hundred and seventy-four of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the public schools.

Referred to Committee on Education.

By Mr. Bulla: Assembly Bill No. 457—An Act to amend section two hundred and seventy-four of an Act entitled "An Act to establish a Code of Civil Procedure," with reference to the compensation of phonographic reporters for Superior Courts.

Referred to Committee on Judiciary.

Also: Assembly Bill No. 458—An Act to provide for the construction and furnishing of an additional school building for the use of the State Normal School at Los Angeles, California, and to appropriate money therefor.

Referred to Committee on Public Buildings and Grounds.

By Mr. Mathews of Tehama: Assembly Bill No. 459—An Act making an appropriation to pay the deficiency in the appropriation for expenses

of Supreme Court, under section forty-seven, Code of Civil Procedure, for forty-first fiscal year.

Referred to Committee on Ways and Means.

Also: Assembly Bill No. 460—An Act making an appropriation for the payment of an indebtedness created or to be incurred by the Surveyor-General, in transcribing records and plat books in his office.

Referred to Committee on Ways and Means.

Also: Assembly Bill No. 461—An Act to change and permanently locate the boundary lines between the counties of Glenn and Colusa.

Referred to Committee on Counties and County Boundaries.

By Mr. Durst: Assembly Bill No. 462—An Act to amend section thirty-seven of the Civil Code of the State of California, relating to the jurisdiction to try impeachments.

Referred to Committee on Judiciary.

Also: Assembly Bill No. 463—An Act to amend section two thousand six hundred and thirty-three of the Political Code, and to amend sections two thousand six hundred and forty-one, two thousand six hundred and forty-two, two thousand six hundred and forty-three, two thousand six hundred and forty-five, and two thousand six hundred and fifty-two, and to repeal section two thousand six hundred and forty-six of an Act entitled "An Act to amend sections two thousand six hundred and forty-one, two thousand six hundred and forty-two, two thousand six hundred and forty-three, two thousand six hundred and forty-five, two thousand six hundred and forty-six, two thousand six hundred and fifty-two, and to repeal section two thousand six hundred and forty-four of an Act entitled 'An Act to establish a Political Code,' approved March 12, 1872, relating to the powers and duties of highway officers, and to provide for the construction, maintenance, and improvements of highways by contract let out to the lowest bidder, and to provide for the appointment of road overseers for the various road districts within counties of this State, and to authorize Boards of Supervisors to let contracts for improving and building roads to the lowest bidder."

Referred to Committee on Roads and Highways.

By Mr. Simpson: Assembly Bill No. 464—An Act to amend section five hundred and thirty-seven of the Penal Code, and to add a new section thereto, to be known and designated as section five hundred and thirty-eight, relating to the removal, sale, or subsequent incumbrance of mortgaged chattels.

Referred to Committee on Judiciary.

Also: Assembly Bill No. 465—An Act to amend section one thousand and forty-two of the Penal Code, relating to trials by jury in cases of misdemeanor.

Referred to Committee on Crimes and Penalties.

By Mr. Owen: Assembly Bill No. 466—An Act to amend sections two, three, four, and five of an Act entitled "An Act fixing a bounty on coyote scalps."

Referred to Committee on Agriculture.

Also: Assembly Bill No. 467—An Act to create a special commission for the purpose of examining and reporting to the thirty-first session of the Legislature on the Torrens Land Transfer Act of Australia, and to appropriate money therefor.

Referred to Committee on Public Lands.

By Mr. Taggart: Assembly Bill No. 468—An Act to amend section four thousand four hundred and forty-five of the Political Code of California, relating to bonds.

Referred to Committee on Judiciary.

Also: Assembly Bill No. 469—An Act to pay the claim of Mary M. Springer, the widow and heir of Thomas A. Springer, late State Printer, deceased.

Referred to Committee on Claims.

Also: Assembly Bill No. 470—An Act creating a Board of Commissioners of Loan Associations, and prescribing their duties and powers.

Referred to Committee on Judiciary.

By Mr. Barlow: Assembly Bill No. 471—An Act to amend the Civil Code, in relation to community property, and to the succession thereto in case of the death of either spouse.

Referred to Committee on Judiciary.

By Mr. Bennett of Orange: Assembly Bill No. 472—An Act creating an additional section to article six of chapter seven of an Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883.

Referred to Committee on Municipal Corporations.

Also: Assembly Bill No. 473—An Act to increase the revenue by the taxation of incomes.

Referred to Committee on Judiciary.

By Mr. Taylor: Assembly Bill No. 474—An Act to promote the business of breeding and propagating horses, cattle, and other live stock, to enable owners to borrow money thereon without parting with the possession thereof, and to prevent fraudulent sales of incumbered live stock.

Referred to Committee on Agriculture.

By Mr. Miller: Assembly Bill No. 475—An Act to amend section three of an Act entitled "An Act to provide for laying out, opening, extending, widening, straightening, or closing up, in whole or in part, any street, square, lane, alley, court, or place within municipalities, and to condemn and acquire any and all land and property necessary for that purpose," approved March 6, 1889.

Referred to Committee on Municipal Corporations.

By Mr. Brownlie: Assembly Bill No. 476—An Act to provide for the appointment of a Board of Examining Engineers, to license engineers of portable and stationary steam engines and boilers, to establish the duties and compensations of said Board.

Referred to Committee on Commerce and Navigation.

By Mr. Anderson: Assembly Bill No. 477—An Act making an appropriation for the payment of the claim of A. L. Rhodes for his services as counsel for the plaintiffs in an action entitled "The County of Santa Clara vs. The Southern Pacific Railroad Company," and other actions, in the Circuit Court, Ninth Circuit District of California, and in the Supreme Court of the United States, brought for the collection of delinquent taxes assessed upon the property of railroad companies.

Referred to Committee on Claims.

By Mr. Gately: Assembly Bill No. 478—An Act to establish a Board of Parole Commissioners, for the parole of and government of paroled prisoners.

Referred to Committee on Crimes and Penalties.

By Mr. Gallagher: Assembly Bill No. 479—An Act to provide for the payment to the State of California by fire, marine, accident, or life, or other insurance companies doing business in said State, of an annual tax upon their corporate franchises, or business done in said State, of one per centum upon the gross amount of premiums annually received by said companies, and providing for the payment thereof, and for annual sworn returns of such premiums received, and for the punishment of failure to make and execute such returns, and for the institution of actions for the collection and payment of such tax.

Referred to Committee on Corporations.

By Mr. Carlson: Assembly Bill No. 480—An Act to amend an Act entitled "An Act to provide for the organization and government of irrigation districts, and to provide for the acquisition of water and other property, and for the distribution of water thereby for irrigation purposes," approved March 7, 1887, and to enable and empower irrigation districts to sell or rent, or otherwise dispose of their surplus water.

Referred to Committee on Irrigation.

By Mr. Buckley: Assembly Bill No. 481—An Act to provide for laying out, opening, extending, widening, straightening, or closing up, in whole or in part, any street, square, lane, alley, court, or place within municipalities, and to condemn and acquire any and all land and property necessary or convenient for that purpose.

Referred to Committee on Municipal Corporations.

Also: Assembly Bill No. 482—An Act making an appropriation for the erection of additional buildings and improvements for the Southern California State Asylum for the Insane and Inebriates.

Referred to Committee on State Hospitals.

Also: Assembly Bill No. 483—An Act making an appropriation to pay the deficiency in the appropriation for additional improvements for the Southern California State Asylum for the Insane and Inebriates.

Referred to Committee on State Hospitals.

By Mr. Lynch: Assembly Bill No. 484—An Act making an appropriation to pay for the management and maintenance of the Southern California State Asylum for the Insane and Inebriates for the forty-fourth fiscal year.

Referred to Committee on State Hospitals.

By Mr. Hurley: Assembly Bill No. 485—An Act to amend an Act entitled "An Act to establish a Political Code," approved March 12, 1872, by adding thereto a new section, to be numbered and designated as section three thousand eight hundred and sixty-three, relating to percentages and commissions on poll taxes.

Referred to Committee on Judiciary.

By Mr. Thomas of Santa Clara: Assembly Bill No. 486—An Act to require banks and banking corporations doing business in this State to make and publish a sworn report, showing the actual financial condition of the bank making such report, on the first Monday of March at twelve o'clock M. of each year.

Referred to Committee on Corporations.

Also: Assembly Bill No. 487—An Act to provide for the employment of destitute citizens, and making appropriations therefor.

Referred to Committee on Labor and Capital.

By Mr. Kennedy: Assembly Bill No. 488—An Act regulating the

sale of the lands uncovered by the recession of the waters of inland lakes, and unsegregated swamp and overflowed lands.

Referred to Committee on Swamp and Overflowed Lands.

ASSEMBLY CONSTITUTIONAL AMENDMENT.

By Mr. Buckley: Assembly Constitutional Amendment No. 19—A resolution to propose to the people of the State of California an amendment to section twelve of article thirteen of the Constitution of the State of California.

Referred to Committee on Constitutional Amendments.

ASSEMBLY JOINT RESOLUTION.

By Mr. Bledsoe: Assembly Joint Resolution No. 12—Relative to the Government ownership of railroads.

Referred to Committee on Federal Relations.

BILL WITHDRAWN.

Mr. Hutson, on his motion, was allowed to withdraw Assembly Bill No. 431.

RESOLUTIONS.

By Mr. Mathews of Tehama:

Resolved, That the State Controller be and he is hereby instructed to draw his warrant for the sum of forty ($40) dollars, in favor of John Breuner, in payment for one office table furnished to the Committee on Ways and Means, the same to be paid out of the appropriation for the contingent expenses of the Assembly

Adopted.

By Mr. Matthews of San Benito:

Resolved, That the Committee on Fish and Game be allowed four ($4) dollars additional to the amount already allowed for stationery, etc.

Adopted.

By Mr. Hurley:

Resolved, That the Sergeant-at-Arms, or the Assistant Sergeant-at-Arms, under the direction of the Sergeant-at-Arms, be and is hereby directed to superintend the Gatekeepers, Porters, Watchmen, Mail Carrier, and Pages, and to assign them to their respective places and duties, and direct them in the discharge of the obligations of their respective offices, and report any neglect of duty to the Speaker of the Assembly.

Adopted.

REPORT OF STANDING COMMITTEE.

ON STATE PRISONS AND REFORMATORY INSTITUTIONS.

ASSEMBLY CHAMBER, SACRAMENTO, January 24, 1893.

MR SPEAKER: Your Committee on State Prisons and Reformatory Institutions respectfully report:

That in the discharge of their duties, pursuant to a resolution adopted by the Assembly, they have visited the State Prison at San Quentin, and are entitled to mileage, as follows:

Messrs W. H. Alford, W. H Gately, H. H Johnson, D. J B Schroebel, James I. Taylor, and Clerk J. H. Lawrence, from Sacramento to San Quentin and return, two hundred and two miles, twenty dollars and twenty cents each, and we recommend the adoption of the following resolution:

Resolved, That the Controller is hereby authorized and directed to draw his warrant in favor of each of the above-named members and their Clerk for the said amount of twenty dollars and twenty cents, and the Treasurer is hereby directed to pay the same out of the Contingent Fund of the Assembly.

H. H. JOHNSON, Chairman.

Referred to Committee on Mileage.

SPECIAL FILE.

Assembly Bill No. 1—An Act making an appropriation to pay the deficiency in the appropriation for fuel, lights, and supplies for the Secretary of State's office for the forty-second fiscal year.

Read second time.

COMMITTEE AMENDMENTS.

Amend the title to read as follows:

Making an appropriation to pay the deficiency for stationery, fuel, lights, and supplies for the Legislature and State offices for the forty-second fiscal year.

Adopted.

Also:

In the printed bill in section one, line three, insert the words "stationery supplies" before the word fuel, and strike out the words "and supplies;" in line four strike out the words "Secretary of State's office," and insert in lieu thereof the words "Legislature and State offices."

Adopted.

MOTION.

Mr. Matthews of San Benito moved that the Assembly go into Committee of the Whole, with the Speaker in the chair, for the purpose of considering Assembly Bill No. 1.

So ordered.

IN COMMITTEE OF THE WHOLE.

Speaker Gould in the chair.

Assembly Bill No. 1 was considered in Committee of the Whole.

IN ASSEMBLY.

Speaker Gould in the chair.

REPORT OF THE COMMITTEE OF THE WHOLE.

The Speaker stated the report of the Committee of the Whole, as follows:

GENTLEMEN: The Committee of the Whole have had under consideration Assembly Bill No. 1—An Act making an appropriation to pay the deficiency in the appropriation for fuel, lights, and supplies for the Secretary of State's office for the forty-second fiscal year—and now report the same back, and recommend that the same do pass as amended.

Assembly Bill No. 1 ordered engrossed and to a third reading.

SPECIAL FILE.

Assembly Bill No. 75—An Act making an appropriation to pay the deficiency in the appropriation for the State Board of Forestry for the thirty-eighth, forty-second, and forty-third fiscal years.

Read second time.

Assembly Bill No. 145—An Act making an appropriation to pay the deficiency in the appropriation for salary of Secretary of State Board of Examiners for the forty-second fiscal year.

Read second time.

Assembly Bill No. 146—An Act making an appropriation to pay the deficiency in the appropriation for postage, expressage, telegraphing, and contingent expenses, State Board of Examiners, for the forty-fourth fiscal year.

Read second time.

MOTION.

Mr. Wade moved that the Assembly go into Committee of the Whole, with the Speaker in the chair, for the purpose of considering Assembly Bills Nos. 75, 145, and 146.

So ordered.

IN COMMITTEE OF THE WHOLE.

Speaker Gould in the chair.

Assembly Bills Nos. 75, 145, and 146 were considered in Committee of the Whole.

IN ASSEMBLY.

Speaker Gould in the chair.

REPORT OF THE COMMITTEE OF THE WHOLE.

The Speaker stated the report of the Committee of the Whole, as follows:

GENTLEMEN: The Committee of the Whole have had under consideration Assembly Bill No. 75—An Act making an appropriation to pay the deficiency in the appropriation for the State Board of Forestry for the thirty-eighth, forty-second, and forty-third fiscal years.

Also: Assembly Bill No 145—An Act making an appropriation to pay the deficiency in the appropriation for the salary of Secretary of State Board of Examiners for the forty-second fiscal year.

Also: Assembly Bill No 146—An Act making an appropriation to pay the deficiency in the appropriation for postage, expressage, telegraphing, and contingent expenses, State Board of Examiners, for the forty-fourth fiscal year.

And now report, and recommend that the same do pass.

Assembly Bills Nos. 75, 145, and 146 ordered engrossed and to a third reading.

REPORT OF SELECT COMMITTEE.

MR SPEAKER, AND GENTLEMEN OF THE ASSEMBLY: Your committee, to whom was referred for consideration and investigation the following resolution, to wit:

Resolved, That a select committee of seven be appointed by the Speaker of the Assembly to fully investigate the charge and words used by Assemblyman Bretz, in the Joint Assembly for the election of United States Senator, on January 18, 1893, wherein Mr. Bretz used the words in said Joint Assembly, as follows, to wit "We believe that this change was brought about by the corrupt use of money, and we believe that Marion Cannon is the negotiator." And that said committee is fully empowered to investigate

said charge, to send for persons and papers, and is required to report to the Assembly the result of its investigation.

Beg leave to report, as follows:

That they have taken and given ample time in the matter of said investigation to any and all persons who desired to be heard therein, either as to facts or arguments.

That Thomas V. Cator appeared as counsel for Assemblyman Bretz, and no one appeared as counsel for any other person.

From such consideration and investigation we find:

That the charge made by Assemblyman Aaron Bretz, as set forth in said resolution, and which was made in the Joint Assembly for the election of United States Senator, in the Assembly Chamber, on January 18, 1893, was false and untrue in every respect.

That the charge so made was groundless and malicious, inasmuch as from the evidence we find no probable cause for the utterance of the words used in said Joint Assembly by the said Aaron Bretz as aforesaid.

We find that there was not the slightest evidence adduced before said committee that money, or any corrupt means whatsoever, or that any means other than those the most honorable, were used to procure the election of Stephen M. White as United States Senator.

We find that not the slightest taint of corruption, or wrongdoing in any respect, attaches to either Hon. Marion Cannon or Hon. T. J. Kerns, in the matter of said election of said United States Senator.

Wherefore, in view of said facts, and in view of the circumstances surrounding the making of said charge, your committee respectfully recommends that said Assemblyman Aaron Bretz should receive the severest censure of the Assembly, and that he should be expelled therefrom, and his seat declared vacant.

SHANAHAN, Chairman.
ALFORD.
PERKINS.
KAHN
PUESCHEL.
MATHEWS of Tehama.

I concur in the report, except as to that part which recommends expulsion.

VANN

Mr. Barlow moved that the consideration of the report be deferred until the evidence taken before the committee be printed and laid upon the desks of the members.

So ordered.

REPORT OF STANDING COMMITTEE.

ON ENGROSSMENT.

MR SPEAKER: Your Committee on Engrossment beg leave to report that they have examined the following Assembly Bills and find them correctly engrossed:

Assembly Bill No. 21—An Act entitled an Act to amend section two thousand nine hundred and fifty-five of the Civil Code.

Also: Assembly Bill No. 31—An Act to add a new section to the Penal Code, to be known as section one hundred and fifty-nine and one half, making it a misdemeanor to advertise to obtain or procure a divorce or nullity of marriage.

Also: Assembly Bill No. 37—An Act to amend an Act entitled "An Act to establish a Penal Code," by amending section three hundred and ninety-seven, relating to the penalty for selling liquor to habitual or common drunkards, and Indians.

Also: Assembly Bill No. 50—An Act to limit the time within which franchises or privileges for the construction, extension, or operation of street railroads may be granted by Boards of Supervisors of the several counties, and cities and counties, of this State.

Also: Assembly Bill No. 138—An Act to amend an Act entitled "An Act to provide for the organization and government of irrigation districts, and to provide for the acquisition of water and other property, and for the distribution of water thereby for irrigation purposes, by amending section seventeen thereof.

Also: Assembly Bill No. 9—An Act to amend section four hundred and ten of the Code of Civil Procedure, relative to the serving of summons and complaint.

KENNEDY, Chairman.

ASSEMBLY CONSTITUTIONAL AMENDMENTS.

Mr. Alford moved that Assembly Constitutional Amendment No. 1 be made a special order for to-morrow at two o'clock P. M.

So ordered.

Assembly Constitutional Amendment No. 12—A resolution proposing to the people of the State of California an amendment to section seventeen, article one, of the Constitution of the State of California.

Mr. Barlow moved to amend by striking out lines five, six, and seven of the printed bill, and inserting in lieu thereof the following:

That such foreigners owning real estate at the time of the adoption of this amendment may remain such owners; *and provided further*, that the Legislature may by statute provide for the disposition of real estate which shall hereafter be acquired by such now resident foreigners by descent or devise

Mr. Hurley moved that the amendments be re-referred to the Committee on Constitutional Amendments.

So ordered.

Assembly Constitutional Amendment No. 8—A resolution to propose to the people of the State of California an amendment to the Constitution of the State of California, amending section one of article two thereof, relative to the right of suffrage.

RECESS.

Pending consideration of the amendment, the hour of recess having arrived, the Speaker declared recess until two o'clock P. M.

REASSEMBLED.

The Assembly reassembled at two o'clock P. M.

Speaker Gould in the chair.

Quorum present.

REPORT OF STANDING COMMITTEE.

ON JUDICIARY.

ASSEMBLY CHAMBER, SACRAMENTO, January 24, 1893.

MR SPEAKER: Your Committee on Judiciary, to whom was referred Assembly Bill No. 189—An Act to amend section one thousand two hundred and eighteen of an Act entitled "An Act to establish a Code of Civil Procedure of the State of California," approved March 11, 1872, relating to contempt of Court and punishment thereof—have had the same under consideration, and a majority respectfully report the same back, and recommend that it do not pass A minority recommend that it do pass

Also. Assembly Bill No 162—An Act to add a new section to the Code of Civil Procedure of the State of California, to be known as section one thousand six hundred and nineteen, relating to the commissions of the executor, or the administrator, with the will annexed, in cases where the administration is, by the terms of the will, and in consequence thereof, extended beyond four years.

Also. Assembly Bill No 183—An Act to provide for the appointment of guardians of children maintained in any orphans' home, or orphan asylum, in this State

Also Assembly Bill No 271—An Act to amend sections seven hundred and seventy-eight and seven hundred and eighty-two of the Political Code of the State of California, relating to the printing and sale of the reports of the Supreme Court of the said State of California, and to repeal sections seven hundred and seventy-nine, seven hundred and eighty, and seven hundred and eighty-one of said Political Code.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass

Also: Assembly Bill No. 232—An Act for the regulation of the practice of medicine and surgery in the State of California, and for the appointment of a Board of Medical Examiners in the matter of said regulation—have had the same under consideration, and respectfully report the same back, and recommend that it be referred to the State Hospitals Committee

Also. Assembly Bill No 143—An Act to regulate the rate of interest in this State—have had the same under consideration, and respectfully report the same back, as amended, without recommendation.

Also: Assembly Bill No 82—An Act to amend section one thousand three hundred and three, section one thousand three hundred and twenty-three, section one thousand

three hundred and sixty-five, section one thousand three hundred and eighty-eight, section one thousand four hundred and thirty-nine, section one thousand five hundred and sixteen, section one thousand five hundred and seventeen, section one thousand five hundred and thirty-six, section one thousand five hundred and forty-five, section one thousand five hundred and forty-seven, section one thousand five hundred and forty-eight, section one thousand five hundred and fifty, section one thousand five hundred and fifty-one, section one thousand five hundred and fifty-two, section one thousand five hundred and fifty-three, section one thousand five hundred and fifty-four, section one thousand five hundred and fifty-seven, section one thousand five hundred and fifty-eight, section one thousand five hundred and sixty-five, section one thousand five hundred and ninety-two, section one thousand five hundred and ninety-seven, section one thousand five hundred and ninety-eight, section one thousand five hundred and ninety-nine, and section one thousand six hundred and eighteen, and to repeal section one thousand five hundred and eighteen, section one thousand five hundred and nineteen, section one thousand five hundred and twenty-two, section one thousand five hundred and twenty-three, section one thousand five hundred and twenty-four, section one thousand five hundred and twenty-six, section one thousand five hundred and twenty-nine, section one thousand five hundred and thirty, section one thousand five hundred and thirty-one, section one thousand five hundred and thirty-two, section one thousand five hundred and thirty-three, section one thousand five hundred and thirty-seven, section one thousand five hundred and thirty-eight, section one thousand five hundred and thirty-nine, section one thousand five hundred and forty, section one thousand five hundred and forty-one, section one thousand five hundred and forty-two, section one thousand five hundred and forty-three, section one thousand five hundred and forty-four, section one thousand five hundred and forty-nine, and section one thousand five hundred and fifty-six, and to add four new sections, to be known and designated as section one thousand five hundred and forty-six, section one thousand five hundred and fifty-four and one half, section one thousand five hundred and ninety-two, and section one thousand five hundred and ninety-seven and one half of an Act of the Legislature of the State of California entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1873, all relating to estates of deceased persons.

Also, Assembly Bill No 83—An Act to amend sections one thousand seven hundred and sixty-eight, one thousand seven hundred and seventy, one thousand seven hundred and seventy-seven, one thousand seven hundred and eighty-eight, and one thousand seven hundred and eighty-nine, and repealing sections one thousand seven hundred and seventy-eight, 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-six, and one thousand seven hundred and eighty-seven of an Act of the Legislature of the State of California entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1873, all relating to the guardianship of the persons and estates of minors and incompetents, and adding a new section to said Code of Civil Procedure, to be known and designated as section one thousand seven hundred and seventy-one and one half, also relating to the guardianship of the persons and estates of minors and incompetents.

Also: Assembly Bill No 69—An Act to amend section one thousand six hundred and sixty-eight of an Act of the Legislature of the State of California entitled "An Act to establish a Code of Civil Procedure," relating to proceedings for the distribution of the estates of deceased persons.

Also: Assembly Bill No. 112—An Act to amend section one hundred and sixty-four of the Civil Code of the State of California, relating to conveyances of real property by married women, and limiting the time in which to commence actions for recovery of community property by husbands.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

SHANAHAN, Chairman.

Assembly Bill No. 232 re-referred to Committee on State Hospitals.

ASSEMBLY CONSTITUTIONAL AMENDMENT No 8

The pending question being upon the adoption of Assembly Constitutional Amendment No. 8—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, amending section one of article two thereof, relative to the right of suffrage.

Mr. Alford moved as a substitute the following:

A resolution to propose to the people of the State of California an amendment to the Constitution of the State, amending section one of article two thereof, relative to the right of suffrage

The Legislature of the State of California at its thirtieth session, commencing on the second day of January, Anno Domini one thousand eight hundred and ninety-three, two thirds of all the members elected to each house of said Legislature voting in favor thereof, hereby propose that section one of article two of the Constitution of the State of California be amended so as to read as follows:

SECTION 1. Every native male citizen of the United States, every male person who shall have acquired the rights of citizenship under or by virtue of the Treaty of Queretaro, and every male naturalized citizen thereof, who shall have become such ninety days prior to any election, of the age of twenty-one years, who shall have been resident of the State one year next preceding the election, and of the county in which he claims his vote ninety days, and in the election precinct thirty days, shall be entitled to vote at all elections which are now or may hereafter be authorized by law; *provided*, no native of China, no idiot, no insane person, no person convicted of any infamous crime, no person hereafter convicted of the embezzlement or misappropriation of public money; *provided*, that no elector shall receive any assistance from any person or persons in preparing the ballot which he shall cast, *provided*, that the provision of this section, relative to assistance in preparing the ballot, shall not apply to an elector who is blind or who is prevented by any physical disability from preparing his ballot

Mr. Duckworth in the chair.

PREVIOUS QUESTION.

Mr. Barlow moved the previous question, seconded by Messrs. Schlesinger and Anderson.

The question being, "Shall the main question be now put?" it was so ordered.

Upon the adoption of the substitute, the ayes and noes were demanded by Messrs. Dodge, Schlesinger, and Kahn.

The roll was called, and the substitute refused adoption by the following vote:

AYES—Messrs. Alford, Bulla, Conway, Gately, Hamilton, O'Neill, Schroebel, and Tindall—8.

NOES—Messrs. Anderson, Androus, Barker, Barlow, Bennett of Santa Clara, Blakeley, Bledsoe, Boyce, Bretz, Brownlie, Buckley, Burke, Carlson, Curtis, Cusick, Dodge, Drees, Duckworth, Duffy, Durst, Emeric, Finlayson, Godchaux, Hendrickson, Hurley, Hutson, Jacobs, Jacobsen, Johnson of Humboldt, Johnson of Santa Clara, Kahn, Kerns, LaRue, Luttringer, McCauley, McElroy, McGowan, Marks, Marston, Matthews of San Benito, Miller, Mordecai, O'Keefe, Owen, Perkins, Price, Pueschel, Raw, Sargent, Schlesinger, Shanahan, Simpson, Sims, Standart, Taggart, Talbott, Taylor, Thomas of Nevada, Thomas of Santa Clara, Vann, Wade, and Mr. Speaker—62

ADOPTION OF ASSEMBLY CONSTITUTIONAL AMENDMENT.

ASSEMBLY CONSTITUTIONAL AMENDMENT No. 8.

A resolution to propose to the people of the State of California an amendment to the Constitution of the State, amending section one of article two thereof, relative to the right of suffrage

The Legislature of the State of California at its thirtieth session, commencing on the second day of January, Anno Domini one thousand eight hundred and ninety-three, two thirds of all the members elected to each house of said Legislature voting in favor thereof, hereby propose that section one of article two of the Constitution of the State of California be amended so as to read as follows:

SECTION 1. Every native male citizen of the United States, every male person who shall have acquired the rights of citizenship under or by virtue of the Treaty of Queretaro, and every male naturalized citizen thereof, who shall have become such ninety days prior to any election, of the age of twenty-one years, who shall have been resident of the State one year next preceding the election, and of the county in which he claims his vote ninety days, and in the election precinct thirty days, shall be entitled to vote at all elections which are now or may hereafter be authorized by law, *provided*, no native of China, no idiot, no insane person, no person convicted of any infamous crime, no person hereafter convicted of the embezzlement or misappropriation of public money, and no person who shall not be able to read the Constitution in the English language and write his name, shall ever exercise the privileges of an elector in this State; *provided*, that the provisions of this amendment relative to an educational qualification shall not apply to any person prevented by a physical disability from complying with its requisitions, nor to any person who now has the right to vote, nor to any person who shall be sixty years of age and upwards at the time this amendment shall take effect

The roll was called, and Assembly Constitutional Amendment No. 8 adopted by the following vote:

AYES—Messrs. Anderson, Androus, Barker, Barlow, Bennett of Santa Clara, Blakeley, Bledsoe, Boyce, Bretz, Brownlie, Buckley, Burke, Carlson, Curtis, Cusick, Dodge, Drees, Duckworth, Duffy, Durst, Emeric, Finlayson, Godchaux, Hendrickson, Hurley, Hutson, Jacobs, Jacobsen, Johnson of Humboldt, Johnson of Santa Clara, Kahn, Kerns, LaRue, Luttringer, McCauley, McElroy, McGowan, Marks, Marston, Matthews of San Benito, Miller, Mordecai, O'Keefe, Owen, Perkins, Price, Pueschel, Raw, Sargent, Schlesinger, Schroebel, Shanahan, Simpson, Sims, Standart, Taggart, Talbott, Taylor, Thomas of Nevada, Thomas of Santa Clara, Tindall, Vann, Wade, and Mr. Speaker—64.

NOES—Messrs. Alford, Bulla, Conway, Gately, Hamilton, and O'Neill—6

INTRODUCTION OF BILLS.

The following bills were introduced, read by title, and referred to committees, as follows:

By Mr. Anderson: Assembly Bill No. 489—An Act to appropriate money to erect a monument upon the plot of ground belonging to the Mexican War Veterans of Sacramento, California.

Referred to Committee on Public Buildings and Grounds.

By Mr. Luttringer: Assembly Bill No. 490—An Act to declare arrangements, contracts, agreements, trusts, or combinations in restraint of trade and production unlawful, and to fix the penalty therefor.

Referred to Committee on Corporations.

By Mr. LaRue: Assembly Bill No. 491—An Act making an appropriation to pay the deficiency in the appropriation for the support of the State Insane Asylum at Stockton, California, for the forty-second and forty-third fiscal years.

Referred to Committee on State Hospitals.

Also: Assembly Bill No. 492—An Act to provide for certain improvements at the Stockton Insane Asylum, at Stockton, California, and making an appropriation therefor.

Referred to Committee on State Hospitals.

Also: Assembly Bill No. 493—An Act to provide for the erection of a residence for the Medical Superintendent of the State Insane Asylum at Stockton, California, and making an appropriation therefor.

Referred to Committee on State Hospitals.

Also: Assembly Bill No. 494—An Act to provide for the purchase of apparatus and appliances for the protection of the buildings and property of the State Insane Asylum at Stockton, California, and making an appropriation therefor.

Referred to Committee on State Hospitals.

Also: Assembly Bill No. 495—An Act to provide for certain improvements in the State Insane Asylum at Stockton, California, and making an appropriation therefor.

Referred to Committee on State Hospitals.

By Mr. Schlesinger: Assembly Bill No. 496—An Act to provide and pay for services rendered, and expenses incurred by the Commissioners for the City and County of San Francisco, in proceedings for extension of Sixteenth Street in said city and county.

Referred to Committee on Municipal Corporations.

Also: Assembly Bill No. 497—An Act to provide and regulate the manner of receiving and paying fees, commissions, percentage, and other compensation for official services in cities, and cities and counties, having a population of over one hundred thousand inhabitants, and prescribing the duties of officers with reference thereto.

Referred to Committee on Municipal Corporations.

By Mr. Alford: Assembly Bill No. 498—An Act to provide for the division of existing counties, and for the creation and organization of new counties, and names therefor, to determine the location of county seats by an election, to declare the manner of providing officers, and to determine the portion of the old county debt to be chargeable to such new county.

Referred to Committee on Counties and County Boundaries.

Also: Assembly Bill No. 499—An Act to add a new section to the Penal Code, to be known and numbered five hundred and thirty-eight, relating to misrepresentations as to circulation by proprietors of newspapers and periodicals, for the purpose of obtaining patronage.

Referred to Committee of Public Printing.

RESOLUTIONS.

By Mr. Androus:

Resolved, That Mrs. Anna Faylor be appointed assistant clerk to the Committee on State Prisons and Reformatory Institutions, at the same per diem as is paid the other committee clerks, payable out of the fund for the contingent expenses of the Assembly.

Mr. McCauley moved the adoption of the resolution.

Mr. Matthews of San Benito moved to amend by referring the resolution to the Committee on Attachés and Employés.

So ordered.

By Mr. Curtis:

Resolved, That H. F Emeric be and is hereby added to the Committee on Public Buildings and Education (a joint committee), to proceed to San José with said committee to assist in examinations, etc, and said H F. Emeric is hereby granted leave of absence for said examination, at the call of the Chairman.

Adopted.

INTRODUCTION OF BILLS.

The following bills were introduced, read by title, and referred to committees, as follows:

By Mr. Gould: Assembly Bill No. 500—An Act fixing the salary of the Janitor of the State Capitol building, defining his duties, and making an appropriation therefor.

Referred to Committee on Ways and Means.

By Mr. Pueschel: Assembly Bill No. 501—An Act providing for the payment of the claim of William Saunders, for services rendered to the State, and to repeal an Act entitled "An Act for the relief of William Saunders," approved April 1, 1876.

Referred to Committee on Claims.

By Mr. Carlson: Assembly Bill No. 502—An Act to retire teachers of the public schools of the State of California upon partial pay.

Referred to Committee on Education.

By Mr. McElroy: Assembly Bill No. 503—An Act to amend section two thousand and fifty-one of an Act to establish a Code of Civil Procedure, approved March 11, 1872, relating to the impeachment of a witness.

Referred to Committee on Judiciary.

Also: Assembly Bill No. 504—An Act to add a new section to the Code of Civil Procedure, to be known as section ———, creating the office of County Superintendent of the Poor, in the respective counties of

the second class and of the third class, and prescribing the manner of election and the term of incumbency, and fixing the salary and defining the duties, obligations, and powers of said officials.

Referred to Committee on Labor and Capital.

Also: Assembly Bill No. 505—An Act abolishing the office of Public Administrator.

Referred to Committee on Judiciary.

By Mr. Androus: Assembly Bill No. 506—An Act to provide for additional improvements at the Reform School for Juvenile Offenders, located at Whittier, in the county of Los Angeles, State of California, and to make an appropriation for the same.

Referred to Committee on State Prisons and Reformatory Institutions.

By Mr. Price: Assembly Bill No. 507—An Act regulating the sale of opium.

Referred to Committee on Public Morals.

ADJOURNMENT.

At three o'clock and ten minutes P. M., on motion of Mr. Schlesinger, the Assembly adjourned.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Wednesday, January 25, 1893.

The Assembly met pursuant to adjournment.

Speaker Gould in the chair.

The roll was called, and the following members answered to their names:

Messrs. Alford, Anderson, Androus, Barker, Barlow, Bennett of Santa Clara, Bledsoe, Boyce, Bretz, Brownlie, Buckley, Bulla, Burke, Carlson, Casterline, Chipman, Conway, Curtis, Cusick, Dodge, Drees, Duckworth, Duffy, Emeric, Finlayson, Gallagher, Gately, Godchaux, Hamilton, Hendrickson, Hurley, Hutson, Jacobs, Jacobsen, Johnson of Humboldt, Johnson of Santa Clara, Kennedy, Kahn, Kerns, LaRue, Luttringer, Lynch, McCauley, McElroy, McGowan, Marks, Marston, Mathews of Tehama, Matthews of San Benito, Miller, Mordecai, O'Keefe, O'Neill, Owen, Pendleton, Perkins, Price, Pueschel, Raw, Sargent, Schlesinger, Schroebel, Shanahan, Simpson, Sims, Standart, Taggart, Talbott, Taylor, Thomas of Nevada, Thomas of Santa Clara, Tindall, Vann, Wade, and Mr. Speaker.

Quorum present.

LEAVE OF ABSENCE.

Messrs. Bennett of Orange and Adams were granted an indefinite leave of absence.

PRAYER.

Prayer by the Chaplain, Rev. H. W. Conry.

READING OF THE MINUTES.

Pending the reading of the Journal of yesterday, Mr. Pendleton moved that the further reading be dispensed with.

So ordered.

Journal of Tuesday approved.

BILLS WITHDRAWN.

Mr. McElroy, on his motion, was allowed to withdraw Assembly Bills Nos. 503, 504, and 505.

PETITIONS.

By Messrs. Raw, Bledsoe, Vann, Tindall, and Hamilton, from citizens asking for the enactment of a Sunday law.

Referred to Committee on Public Morals.

REPORTS OF STANDING COMMITTEES.

ON COUNTY AND TOWNSHIP GOVERNMENTS

ASSEMBLY CHAMBER, SACRAMENTO, January 25, 1893.

MR. SPEAKER Your Committee on County and Township Governments, to whom was referred Assembly Bill No. 360—An Act to amend section one hundred and nineteen of an Act entitled "An Act to establish a uniform system of county and township governments," approved March 31, 1891, relative to the counting of the public moneys in the County Treasury.

Also: Assembly Bill No. 358—An Act to amend section eighty-seven of an Act entitled "An Act to establish a uniform system of county and township governments," approved March 31, 1891, relative to the keeping of public moneys by County Treasurers

Have had the same under consideration, and respectfully report the same back, and recommend that they do not pass

Also: Assembly Bill No 359—An Act to amend section ninety-one of an Act entitled "An Act to establish a uniform system of county and township governments," approved March 31, 1891, relative to counting the money in the County Treasury—have had the same under consideration, and respectfully report the same back, and recommend that it do pass

Also: Assembly Bill No 125—An Act to increase the number of Judges of the Superior Court of the county of Santa Clara, and to provide for the appointment of an additional Judge, and to fix his compensation—have had the same under consideration, and respectfully report the same back without recommendation

SCHROEBEL, Chairman.

ON IRRIGATION.

ASSEMBLY CHAMBER, SACRAMENTO, January 25, 1893.

MR SPEAKER Your Committee on Irrigation, to whom was referred Assembly Bill No. 304—An Act to amend section three thousand four hundred and ninety-one of the Political Code, relating to the election of Trustees of reclamation districts—have had the same under consideration, and respectfully report the same back, and recommend that it be re-referred to the Committee on Swamp and Overflowed Lands

CARLSON, Chairman

Assembly Bill No. 304 re-referred to Committee on Swamp and Overflowed Lands.

ON ATTACHÉS AND EMPLOYÉS

ASSEMBLY CHAMBER, SACRAMENTO, January 25, 1893

MR. SPEAKER: Your Committee on Attachés and Employés, to whom was referred the following resolutions:

By Mr Tindall:

Resolved, That H. C. Chase be and is hereby appointed an Assistant Minute Clerk, at the same per diem allowed by law to the Minute Clerk to be paid out of the appropriation for contingent expenses of the Assembly.

Also: By Mr. Conway:

Resolved, That Mrs. J. V. David be and is hereby appointed an Assistant Engrossing Clerk, at the same per diem as the Engrossing Clerk, payable out of the contingent expenses of the Assembly.

Resolved, That Mrs M. A. Hotaling be and she is hereby appointed Mailing Clerk of the Assembly, at a per diem of five dollars, payable out of the Contingent Fund of the Assembly.

Resolved, That the Speaker of the Assembly be and is hereby directed to appoint James Kelley as Porter, to have charge of the rooms of the Journal Clerk, Enrolling Clerk, and Engrossing Clerk, at the same per diem as paid Committee-room Porters, payable out of the Contingent Fund of the Assembly.

Have had the same under consideration, and respectfully report the same back, and recommend that they do not pass.

Also: By Mr. Luttringer.

WHEREAS, The engrossment of bills must now be in a printed form, as provided by the Acts of the last Legislature, and whereas, there will be a great many of the bills amended, and whereas, the Superintendent of State Printing will require a clean and clear copy for his compositors; and whereas, it will be impossible for one Assistant Clerk to do said work of copying; therefore, be it

Resolved, That Joseph Clancy be and he is hereby appointed an Assistant Clerk for the purpose of making such copies, at the same per diem as is paid the Assistant Clerks at the desk, said per diem being payable out of the appropriation for the contingent expenses of the Assembly.

Also: By Mr. Marston:

Resolved, That Joseph Mansfield be and is hereby appointed Sergeant-at-Arms and Messenger of the offices of the Journal, Enrolling, and Engrossing Clerks of the Assembly, at a per diem of five dollars, payable out of the Contingent Fund of the Assembly.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

HURLEY, Chairman.

ON PUBLIC BUILDINGS AND GROUNDS.

ASSEMBLY CHAMBER, SACRAMENTO, January 25, 1893

MR. SPEAKER: Your Committee on Public Buildings and Grounds, to whom was referred Assembly Bill No 242—An Act appropriating money to build in the city of San Francisco a building for the use of affiliated and other departments of the University of California—have had the same under consideration, and have amended the same, and report it back with the recommendation that it do pass as amended

Also: Assembly Bill No. 48—An Act to appropriate money for a monument in memory of the Donner party—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

CURTIS, Chairman

Assembly Bills Nos. 242 and 48 re-referred to Committee on Ways and Means

ON AGRICULTURE.

ASSEMBLY CHAMBER, SACRAMENTO, January 25, 1893

MR. SPEAKER Your Committee on Agriculture, to whom was referred Assembly Bill No. 62—An Act to prevent combinations to obstruct the sale of live stock in the State of California—have had the same under consideration, and respectfully report the same back, and recommend that it do pass

Also: Assembly Bill No 188—An Act to amend an Act entitled "An Act to form agricultural districts, to provide for the formation of agricultural associations therein, and for the management and control of the same by the State, and to repeal so much of an Act entitled 'An Act to form agricultural districts, to provide for the formation of agricultural associations therein, and for the management and control of the same by the State,' approved March 20, 1891," by amending sections one, eleven, and twelve.

Also: Assembly Bill No 90—An Act to prevent deception in the manufacture and sale of butter and of cheese, and to appropriate money for its enforcement.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass as amended.

Also. Assembly Bill No. 87—An Act to repeal an Act entitled "An Act fixing a bounty on coyote scalps," approved March 31, 1891.

Also: Assembly Bill No. 171—An Act to encourage fiber culture.

Have had the same under consideration, and respectfully report the same back, and recommend that they do not pass.

LARUE, Chairman

Assembly Bills Nos. 90 and 171 re-referred to Committee on Ways and Means.

ON STATE HOSPITALS.

ASSEMBLY CHAMBER, SACRAMENTO, January 24, 1893.

MR SPEAKER: Your Committee on State Hospitals beg leave to report, and state that we have visited the following places, viz:

To Stockton	48 miles.
To San Francisco, King's Daughters Home	109 miles.
To Protestant Orphan Asylum	8 miles.
To Hebrew Orphan Asylum	2 miles.
To Roman Catholic Asylum	10 miles.
To Home for Adult Blind, East Oakland	22 miles.
To Home for Deaf and Dumb and the Blind, Berkeley	3 miles.
To San Francisco	15 miles.
To Sacramento	90 miles.
Total	307 miles.

That the following members of such committee, viz: G. W. Mordecai, Chairman; W. P. Mathews, C. W Tindall, C. G Dodge, H. C. Chipman, J. M. Marks, and J. Brownlie, and John M. McClure, the Clerk, comprised such visiting committee.

That there is now due to each of said members and said clerk the sum of $30 70.

We recommend the adoption of the following resolution, viz

Resolved, That the Controller be and is hereby directed to draw his warrant in favor of G. W Mordecai, the Chairman of the State Hospitals Committee, for the amount of two hundred and forty-five dollars and sixty cents ($245 60) for such mileage, and that said warrant be drawn upon the appropriation for the contingent expenses of the Assembly.

MORDECAI, Chairman

Referred to Committee on Mileage.

LEAVE OF ABSENCE.

Mr. Durst was granted one day's leave of absence.

REPORTS OF STANDING COMMITTEES—(RESUMED).

ON JUDICIARY.

ASSEMBLY CHAMBER, SACRAMENTO, January 25, 1893.

MR. SPEAKER: Your Committee on Judiciary, to whom was referred Assembly Bill No. 60—An Act amending section one thousand two hundred and seven of the Civil Code of the State of California, approved March 12, 1872, relating to proof and acknowledgment of instruments.

Also: Assembly Bill No. 164—An Act to amend an Act entitled "An Act to establish a Code of Civil Procedure," adopted March 11, 1872, by adding thereto a new section, to be known as section five hundred and seventy, relating to the appointment of receivers of the property of corporations.

Also: Assembly Bill No. 227—An Act amending sections one thousand five hundred and seventy-seven and one thousand five hundred and seventy-eight of the Code of Civil Procedure, relating to mortgages and leases in certain cases

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

Also: Assembly Bill No. 214—An Act to amend section one thousand two hundred and six of the Code of Civil Procedure, relating to creation of liens for salaries and wages, and to persons preferred in cases of executions and attachments.

Also Assembly Bill No 96—An Act to add a new section to the Political Code, to be numbered three thousand eight hundred and nineteen, relating to the payment of taxes under protest, and the right of action to recover taxes so paid

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass as amended

Also Assembly Bill No. 212—An Act to amend section one thousand two hundred and four of the Code of Civil Procedure, relating to certain liens for salaries and wages, and to persons preferred on assignments for benefit of creditors

Also: Assembly Bill No. 213—An Act to amend section one thousand two hundred and five of the Code of Civil Procedure, relating to certain liens for salaries and wages, and to persons preferred in estates of deceased persons

Also Senate Bill No 17—An Act to provide for the appointment by the Supreme Court of five Commissioners, to be known as Commissioners of the Supreme Court, and to appoint a Secretary therefor, to assist said Court in the performance of its duties and in the disposition of numerous causes pending in said Court, and to provide for the compensation of said Commissioners and Secretary, and to appropriate money therefor.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

SHANAHAN, Chairman.

ON CLAIMS.

ASSEMBLY CHAMBER, SACRAMENTO, January 24, 1893.

MR. SPEAKER: Your Committee on Claims, to whom was referred Assembly Bill No. 101—In favor of McGowan & Butler for the sum of six thousand seven hundred and twenty-four dollars and thirty-eight cents ($6,724 38)—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

Also: Assembly Bill No 245—In favor of Sands W Forman for the sum of three hundred and seventy-five dollars ($375)—have had the same under consideration, and respectfully report the same back, and recommend that it do pass, and we further recommend that the State Board of Forestry be abolished.

Also. Assembly Bill No 265—An Act to provide for the payment of the claim of C. C. Rochford—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

BURKE, Chairman

Assembly Bill No. 101 re-referred to Committee on Public Buildings and Grounds.

Assembly Bills Nos. 245 and 265 re-referred to Committee on Ways and Means.

INTRODUCTION OF BILLS.

The following bills were introduced, read by title, and referred to committees, as follows:

By Mr. Dodge: Assembly Bill No. 508—An Act amendatory of chapter three of title four of the Code of Civil Procedure, relative to phonographic reporters.

Referred to Committee on Judiciary.

Also: Assembly Bill No. 509—An Act to amend "An Act to provide for the organization, incorporation, and government of municipal corporations," as approved March 13, 1883, and amended March 19, 1889.

Referred to Committee on Municipal Corporations.

By Mr. Chipman: Assembly Bill No. 510—An Act to provide a Home for Incurables.

Referred to Committee on State Hospitals.

By Mr. Standart: Assembly Bill No. 511—An Act to amend sections two thousand six hundred and forty-two, two thousand six hundred and forty-three, two thousand six hundred and forty-five, and two thousand six hundred and forty-six of the Political Code, relating to roads and highways.

Referred to Committee on Roads and Highways.

By Mr. Pueschel: Assembly Bill No. 512—An Act to amend "An Act amendatory of and supplemental to an Act entitled 'An Act to provide for the organization and government of irrigation districts, and to provide for the acquisition of water and other property, and for the distribution of water thereby for irrigation purposes,' approved March 7, 1887, providing for the exclusion of certain lands within any such district," approved February 16, 1889.

Referred to Committee on Irrigation.

By Mr. Jacobs: Assembly Bill No. 513—An Act to prevent the spread of contagious or infectious diseases among domestic animals.

Referred to Committee on Agriculture.

Also: Assembly Bill No. 514—An Act for the relief of Michael Denzer, for personal injuries received by him through the falling of a stand of seats maintained by the State, under control of the State Agricultural Society.

Referred to Committee on Claims.

By Mr. Pendleton: Assembly Bill No. 515—An Act to create the county of San Jacinto, to define the boundaries thereof, to provide for its organization, and to determine the location of the county seat by election.

Referred to Committee on Counties and County Boundaries.

By Mr. Godchaux: Assembly Bill No. 516—An Act to prevent the illegal wearing of the badge of an officer of any incorporated society for the prevention of cruelty to animals in this State.

Referred to Committee on Crimes and Penalties.

By Mr. Anderson: Assembly Bill No. 517—An Act to amend an Act of the Legislature of the State of California entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, by adding thereto five new sections, to be known as Sections 539*a*, 539*b*, 539*c*, 539*d*, and 539*e*, in chapter four of part two, title seven, concerning attachments.

Referred to Committee on Judiciary.

By Mr. Carlson: Assembly Bill No. 518—An Act supplemental to an Act entitled "An Act to provide for the organization and government of irrigation districts, and to provide for the acquisition of water and other property, and for the distribution of water thereby for irrigation purposes," approved March 7, 1887, by the creation of a State Board of Irrigation, and by defining the powers and prescribing the duties thereof, and by providing for the printing of bonds issued by virtue of said Act.

Referred to Committee on Irrigation.

By Mr. Gallagher: Assembly Bill No. 519—An Act to amend section one thousand three hundred and fifty of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, relating to executors.

Referred to Committee on Judiciary.

Also: Assembly Bill No. 520—An Act to amend section one thousand four hundred and eleven of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, relating to special administrators.

Referred to Committee on Judiciary.

By Mr. Buckley: Assembly Bill No. 521—An Act to prohibit the employment of persons who are related by affinity or consanguinity to the chief or other officers of any department of the government of the State of California.

Referred to Committee on Labor and Capital.

By Mr. Conway: Assembly Bill No. 522—An Act to amend section six of an Act entitled "An Act for the relief of insolvent debtors, for the protection of creditors, and for the punishment of fraudulent debtors," approved April 18, 1880, and to enact a new section to said Act, to be numbered sixty-three, relating to the appointment of receivers.

Referred to Committee on Judiciary.

By Mr. Curtis: Assembly Bill No. 523—An Act to provide for payment for private property heretofore actually taken for public use, and for which no compensation has been made.

Referred to Committee on Judiciary.

ASSEMBLY CONSTITUTIONAL AMENDMENTS.

By Mr. Vann: Assembly Constitutional Amendment No. 20—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, amending section one of article four thereof, relative to the legislative department.

Referred to Committee on Constitutional Amendments.

By Mr. Bledsoe: Assembly Constitutional Amendment No. 21—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, amending section twenty-two of article four thereof, relative to the power of the Legislature to grant aid to corporations.

Referred to Committee on Corporations.

ASSEMBLY JOINT RESOLUTIONS.

By Mr. Duffy: Assembly Joint Resolution No. 13—Requesting the laying of a telegraph cable line from Northwest Seal Rock Lighthouse, in Del Norte County, to Trinidad, Humboldt County.

Referred to Committee on Federal Relations.

By Mr. Finlayson: Assembly Joint Resolution No. 14—Relating to the construction by the United States Government of a deep-water harbor at San Pedro, on the coast of Los Angeles County.

Referred to Committee on Federal Relations.

RESOLUTIONS.

By Mr. Mathews of Tehama:

Resolved, That Jesse Vaughn be and he is hereby appointed Electrician of the Assembly, to date from January 2, 1893, 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. Price:

WHEREAS, In the judgment of the Committee on Counties and County Boundaries, the services of a Sergeant-at-Arms is absolutely necessary; therefore, be it

Resolved, That Joseph N. Vera be and he is hereby appointed to such position, at a per diem of five dollars, the same to be paid out of the Contingent Fund of the Assembly.

Adopted.

THIRD READING OF BILLS.

Assembly Bill No. 21—An Act entitled an Act to amend section two thousand nine hundred and fifty-five of the Civil Code.

Read third time, and passed on file.

Assembly Bill No. 50—An Act to limit the time within which franchises or privileges for the construction, extension, or operation of street railroads may be granted by Boards of Supervisors of the several counties, and cities and counties, of this State.

Read third time, and passed by the following vote:

AYES—Messrs. Alford, Anderson, Androus, Barker, Barlow, Bennett of Santa Clara, Bledsoe, Boyce, Bretz, Brownlie, Buckley, Bulla, Burke, Carlson, Casterline, Conway, Curtis, Cusick, Dodge, Drees, Duckworth, Duffy, Emeric, Finlayson, Gallagher, Gately, Godchaux, Hamilton, Hendrickson, Hurley, Hutson, Jacobs, Jacobsen, Johnson of Humboldt, Kennedy, Kahn, Kerns, LaRue, Luttringer, Lynch, McCauley, McElroy, McGowan,

Marks, Marston, Matthews of San Benito, Miller, Mordecai, O'Keefe, O'Neill, Owen, Pendleton, Perkins, Price, Pueschel, Raw, Sargent, Schlesinger, Schroebel, Shanahan, Simpson, Sims, Standart, Taggart, Talbott, Taylor, Thomas of Nevada, Thomas of Santa Clara, Tindall, Vann, Wade, and Mr. Speaker—72.

NOES—None.

Title read and approved.

Assembly Bill No. 138—An Act to amend an Act entitled "An Act to provide for the organization and government of irrigation districts, and to provide for the acquisition of water and other property, and for the distribution of water thereby for irrigation purposes," approved March 7, 1887, by amending section seventeen thereof.

Read third time, and passed by the following vote:

AYES—Messrs. Alford, Anderson, Androus, Barker, Barlow, Bennett of Santa Clara, Boyce, Bretz, Brownlie, Buckley, Bulla, Burke, Carlson, Casterline, Chipman, Conway, Curtis, Cusick, Dodge, Drees, Duckworth, Duffy, Finlayson, Gallagher, Gately, Godchaux, Hamilton, Hendrickson, Hurley, Jacobs, Jacobsen, Johnson of Santa Clara, Kahn, Kerns, LaRue, Luttringer, Lynch, McCauley, McElroy, McGowan, Marks, Marston, Matthews of San Benito, Miller, O'Keefe, Owen, Pendleton, Perkins, Price, Pueschel, Sargent, Schlesinger, Schroebel, Shanahan, Simpson, Sims, Standart, Taggart, Talbott, Taylor, Thomas of Nevada, Thomas of Santa Clara, Tindall, Vann, Wade, and Mr. Speaker—66

NOES—Messrs. Bledsoe, Hutson, and Johnson of Humboldt—3.

Title read and approved.

Mr. Carlson moved that the bill be immediately transmitted to the Senate.

So ordered.

Assembly Bill No. 37—An Act to amend an Act entitled "An Act to establish a Penal Code," approved February 14, 1872, by amending section three hundred and ninety-seven thereof, relating to penalty for selling liquor to habitual or common drunkards, and Indians.

Read third time, and passed by the following vote:

AYES—Messrs. Alford, Anderson, Androus, Barker, Barlow, Bennett of Santa Clara, Bledsoe, Boyce, Bretz, Brownlie, Buckley, Bulla, Burke, Carlson, Casterline, Chipman, Conway, Curtis, Cusick, Dodge, Drees, Duckworth, Duffy, Finlayson, Gallagher, Gately, Godchaux, Hamilton, Hendrickson, Hurley, Hutson, Jacobs, Jacobsen, Johnson of Humboldt, Kennedy, Kahn, Kerns, LaRue, Luttringer, Lynch, McElroy, McGowan, Marks, Marston, Mathews of Tehama, Matthews of San Benito, Miller, Mordecai, O'Keefe, Owen, Pendleton, Perkins, Price, Pueschel, Schroebel, Shanahan, Simpson, Sims, Standart, Taggart, Talbott, Taylor, Thomas of Nevada, Thomas of Santa Clara, Tindall, Vann, Wade, and Mr. Speaker—68.

NOES—None

Title read and approved.

Mr. Standart moved that the bill be immediately transmitted to the Senate.

So ordered.

Assembly Bill No. 31—An Act to add a section to the Penal Code, to be known as section one hundred and sixty-one and one half, making it a misdemeanor to advertise to obtain or procure a divorce or nullity of marriage.

Read third time, and passed by the following vote:

AYES—Messrs Alford, Anderson, Androus, Barker, Barlow, Bennett of Santa Clara, Bledsoe, Boyce, Bretz, Brownlie, Buckley, Bulla, Burke, Carlson, Casterline, Chipman, Curtis, Cusick, Dodge, Drees, Duckworth, Duffy, Emeric, Finlayson, Gallagher, Gately, Godchaux, Hamilton, Hendrickson, Hurley, Hutson, Jacobs, Jacobsen, Johnson of Humboldt, Johnson of Santa Clara, Kahn, Kerns, LaRue, Luttringer, Lynch, McElroy, McGowan, Marks, Marston, Mathews of Tehama, Matthews of San Benito, Miller, Mordecai, O'Keefe, Owen, Pendleton, Perkins, Price, Pueschel, Raw, Sargent, Schroebel,

Shanahan, Simpson, Sims, Standart, Taggart, Talbott, Taylor, Thomas of Nevada, Thomas of Santa Clara, Tindall, Vann, Wade, and Mr. Speaker—70.
NOES—None

Title read and approved.

Mr. Dodge moved that the bill be immediately transmitted to the Senate.

So ordered.

RECESS.

The hour of recess having arrived, the Speaker declared recess until two o'clock P. M.

REASSEMBLED.

The Assembly reassembled at two o'clock P. M.
Speaker Gould in the chair.
Quorum present.

INTRODUCTION OF A BILL.

By Mr. Sargent: Assembly Bill No. 524—An Act to amend sections one thousand five hundred and twenty, one thousand five hundred and twenty-one, one thousand five hundred and thirty-two, one thousand five hundred and thirty-three, one thousand five hundred and forty-three, one thousand five hundred and forty-nine, one thousand five hundred and fifty-one, one thousand five hundred and fifty-three, one thousand five hundred and sixty-one, one thousand five hundred and sixty-four, one thousand five hundred and sixty-five, one thousand five hundred and seventy-six, one thousand five hundred and seventy-seven, one thousand five hundred and eighty-one, one thousand eight hundred and eighty-three, one thousand five hundred and ninety-three, one thousand five hundred and ninety-six, one thousand five hundred and ninety-nine, one thousand six hundred and two, one thousand six hundred and fourteen, one thousand six hundred and fifteen, 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 thirty-four, one thousand six hundred and thirty-six, one thousand six hundred and thirty-seven, one thousand six hundred and thirty-eight, one thousand six hundred and thirty-nine, one thousand six hundred and forty-nine, one thousand six hundred and fifty, one thousand six hundred and fifty-one, 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 eighty-seven, one thousand six hundred and ninety-six, one thousand six hundred and ninety-eight, one thousand six hundred and ninety-nine, one thousand seven hundred and twelve, one thousand seven hundred and fourteen, one thousand seven hundred and sixty-eight, 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-five, one thousand seven hundred and seventy-six, one thousand seven hundred and eighty-eight, one thousand seven hundred and ninety, one thousand seven hundred and ninety-one, one thousand seven hundred and ninety-two, one thousand eight hundred and seventeen, one thousand eight hundred and thirty, one thousand eight hun-

dred and thirty-three, one thousand eight hundred and thirty-five, one thousand eight hundred and thirty-six, one thousand eight hundred and fifty-seven, one thousand eight hundred and fifty-eight, one thousand eight hundred and seventy-seven, one thousand eight hundred and seventy-nine, one thousand eight hundred and eighty, one thousand eight hundred and eighty-two, one thousand eight hundred and eighty-three, one thousand eight hundred and eighty-five, and one thousand five hundred and three of the Political Code; to add thereto four new sections, to be known and numbered as sections one thousand six hundred and three, one thousand six hundred and sixty-nine, one thousand six hundred and seventy, and one thousand six hundred and seventy-one; to repeal sections one thousand five hundred and sixty-one, one thousand seven hundred and fifty-seven, and one thousand seven hundred and sixty-nine of the Political Code; and also to repeal "An Act to authorize the establishment of County High Schools, and provide for their support," approved March 10, 1891, and "An Act to provide for the establishment of High Schools in the State of California," approved March 20, 1891, and all Acts and parts of Acts in conflict with the provisions of this Act.

Referred to Committee on Education.

SPECIAL ORDER.

Assembly Constitutional Amendment No. 1—An Act to submit to the people of the State of California an amendment to section one, article thirteen, of the Constitution of the State of California.

MOTION.

Pending consideration of committee amendments, Mr. Finlayson moved that the further consideration of Assembly Constitutional Amendment No. 1 be made a special order for next Wednesday, at two o'clock P. M.

PREVIOUS QUESTION.

Mr. Schlesinger moved the previous question, seconded by Messrs Duckworth and Alford.

The question being, "Shall the main question be now put?" it was so ordered.

Upon the motion, the ayes and noes were demanded by Messrs. Bledsoe, Simpson, and Pueschel.

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

AYES—Messrs. Adams, Androus, Barker, Barlow, Blakeley, Bretz, Bulla, Dodge, Drees, Duckworth, Finlayson, Jacobs, Kahn, Kerns, McCauley, McGowan, Miller, O'Keefe, Perkins, Simpson, Talbott, Thomas of Nevada, Thomas of Santa Clara, and Wade—24.

NOES—Messrs Alford, Anderson, Bennett of Santa Clara, Bledsoe, Boyce, Brownlie, Buckley, Burke, Carlson, Casterline, Chipman, Conway, Curtis, Cusick, Duffy, Emeric, Gallagher, Gately, Godchaux, Hamilton, Hendrickson, Hurley, Hutson, Jacobsen, Johnson of Humboldt, Johnson of Santa Clara, Kennedy, LaRue, Luttringer, Lynch, McElroy, Marks, Marston, Mathews of Tehama, Matthews of San Benito, Mordecai, O'Neill, Owen, Pendleton, Price, Pueschel, Raw, Sargent, Schlesinger, Schroebel, Shanahan, Sims, Standart, Taggart, Taylor, Tindall, Vann, and Mr Speaker—53

AMENDMENTS.

The question recurring upon the adoption of the committee amendments, as follows:

Strike out the word "no" before the word "growing," in line five, printed bill.

Adopted.
Also:

Insert the words "and nut" after the word "fruit," in line eight, printed bill.

Adopted.
Mr. Anderson moved to amend as follows:

Insert the words "non-bearing" before the word "vines," and the words "non-bearing" before the words "nut trees."

Adopted.
Mr. Wade moved to amend as follows:

Insert in line five, after the word "crops," the words "non-bearing fruit trees, and non-bearing nut trees, and non-bearing vines," and strike out the last three words in line seven, all of line eight, and the first word in line nine, of printed bill.

Lost.

MOTION.

Mr. Kennedy moved to take up Senate messages.
So ordered.

MESSAGES FROM THE SENATE.

SENATE CHAMBER, SACRAMENTO, January 25, 1893.

MR SPEAKER: I am directed to inform your honorable body that the Senate, on this day, concurred in the Assembly amendment to Senate Substitute for Senate Joint Resolutions Nos. 1 and 2—Relative to the Nicaragua Maritime Canal.

F. J BRANDON, Secretary
By R. SHAW, Assistant.

Also:

SENATE CHAMBER, SACRAMENTO, January 25, 1893

MR. SPEAKER: I am directed to inform your honorable body that the Senate, on this day, adopted Assembly Constitutional Amendment No 8—Relative to the right of suffrage.

F. J. BRANDON, Secretary.
By R. SHAW, Assistant.

Also:

SENATE CHAMBER, SACRAMENTO, January 24, 1893

MR. SPEAKER. I am directed to inform your honorable body that the Senate, on this day, passed the following:

Senate Bill No 132—An Act to appropriate money for the completion of the building of the Preston School of Industry at Ione, and for furnishing and equipping the same

Also: Senate Bill No 42—An Act to amend section four thousand three hundred and ninety-two of the Political Code of the State of California, relating to the duties of City Treasurers.

Also: Senate Bill No 9—An Act to declare certain tide lands public grounds, and granting the same to the county of San Mateo, in trust for the use of the public

Also Senate Bill No. 47—An Act to amend an Act entitled "An Act to prevent hunting and shooting on private inclosed grounds, and the destruction of growing timber on private grounds, in certain counties in the State "

Also: Senate Bill No. 11—An Act to amend section sixty of an Act entitled "An Act for the relief of insolvent debtors, for the protection of creditors, and for the punishment of fraudulent debtors," approved April 16, 1880. relating to setting apart exempt property for the use and benefit of the insolvent, and also a homestead, and providing for giving notice of the hearing of the application therefor.

Also: Senate Bill No. 20—An Act to amend section one thousand three hundred and sixty-eight of "An Act to establish a Code of Civil Procedure," approved March 11, 1873, relating to estates of deceased persons.

Also Senate Bill No 8—An Act to provide for the appointment of Health Inspectors and Market Inspectors in each municipality of this State having one hundred thousand inhabitants and over that number; providing how such Inspectors shall be appointed and designated as officers of such municipality, and prescribing the duties and fixing the compensation of such Inspectors.

F J. BRANDON, Secretary

SENATE BILLS REFERRED.

Senate Bill No. 132 referred to Committee on Public Buildings and Grounds.

Senate Bill No. 9 referred to Committee on Public Lands.

Senate Bill No. 47 referred to Committee on Fish and Game.

Senate Bills Nos. 11 and 20 referred to Committee on Judiciary.

Senate Bill No. 8 referred to Committee on Municipal Corporations.

MOTION.

Mr. Bennett of Santa Clara moved that Senate Bill No. 42 be substituted on the file for Assembly Bill No. 179.

So ordered.

MESSAGES FROM THE SENATE—(RESUMED).

SENATE CHAMBER, SACRAMENTO, January 21, 1893

MR. SPEAKER: I am directed to inform your honorable body that the Senate, on this day, passed Senate Bill No. 24—An Act to provide two additional Judges of the Superior Court of the county of Alameda

F. J. BRANDON, Secretary.
By R. SHAW, Assistant

MOTIONS.

Mr. Dodge moved that Senate Bill No. 24 be placed on file.

So ordered.

Mr. Shanahan moved that Senate Bill No. 17 be substituted on the file for Assembly Bill No. 383.

So ordered.

MESSAGES FROM THE SENATE—(RESUMED).

SENATE CHAMBER, SACRAMENTO, January 23, 1893.

MR SPEAKER: I am directed to inform your honorable body that the Senate, on this day, adopted the following:

Senate Joint Resolution No 4—Relative to restricting undesirable immigration.

Also· Senate Joint Resolution No. 5—Relative to indebtedness of the United States Government to the State of California

Also· Senate Joint Resolution No 8—Requesting Congress to enact a law limiting or prohibiting foreign immigration.

Also. Senate Joint Resolution No. 9—Relative to the establishment of a postal telegraph in connection with the postal service of the United States.

Also: Senate Joint Resolution No 10—Relative to the abolishment of the duty on grain bags, burlaps, gunnies, or gunny cloth.

F. J BRANDON, Secretary.
By R. SHAW, Assistant

SENATE RESOLUTIONS REFERRED.

Senate Joint Resolutions Nos. 4 and 8 referred to Committee on Chinese Immigration and Emigration.

Senate Joint Resolutions Nos. 5, 9, and 10 referred to Committee on Federal Relations.

MOTION.

Mr. Pendleton moved that Assembly Bill No. 21—An Act entitled an Act to amend section two thousand nine hundred and fifty-five of the Civil Code—be placed upon its passage.

So ordered.

PASSAGE OF BILL.

The roll was called, and Assembly Bill No. 21 passed by the following vote:

AYES—Messrs Alford, Anderson, Androus, Barlow, Bennett of Santa Clara, Blakeley, Boyce, Brownlie, Buckley, Bulla, Burke, Carlson, Casterline, Conway, Curtis, Cusick, Dodge, Drees, Duffy, Emeric, Finlayson, Gallagher, Gately, Godchaux, Hamilton, Hendrickson, Hurley, Hutson, Jacobs, Jacobsen, Johnson of Humboldt, Johnson of Santa Clara, Kennedy, Kahn, Kerns, LaRue, Luttringer, Lynch, McCauley, McElroy, McGowan, Marks, Marston, Matthews of San Benito, Miller, Mordecai, O'Keefe, O'Neill, Owen, Pendleton, Perkins, Price, Raw, Sargent, Schlesinger, Schroebel, Simpson, Sims, Standart, Taggart, Talbott, Taylor, Thomas of Nevada, Thomas of Santa Clara, Tindall, Vann, Wade, and Mr Speaker—68.

NOES—Mr. Bledsoe—1.

Title read and approved.

MOTION.

Mr. Kennedy moved that Senate Joint Resolution No. 11 be now considered.

So ordered.

SENATE JOINT RESOLUTION.

Senate Joint Resolution No. 11—Relative to the increase and equalization of the pay of letter carriers.

Read, and adopted by the following vote:

AYES—Messrs Adams, Alford, Anderson, Androus, Barlow, Bennett of Santa Clara, Blakeley, Bledsoe, Boyce, Brownlie, Buckley, Bulla, Burke, Carlson, Casterline, Chipman, Conway, Curtis, Cusick, Dodge, Drees, Duckworth, Emeric, Finlayson, Gallagher, Gately, Godchaux, Hamilton, Hendrickson, Hurley, Hutson, Jacobs, Jacobsen, Johnson of Humboldt, Kennedy, Kahn, Kerns, LaRue, Luttringer, Lynch, McCauley, McElroy, McGowan, Marks, Marston, Matthews of San Benito, Miller, Mordecai, O'Keefe, O'Neill, Owen, Pendleton, Perkins, Price, Pueschel, Raw, Sargent, Schlesinger, Schroebel, Shanahan, Simpson, Sims, Standart, Taggart, Talbott, Taylor, Thomas of Santa Clara, Tindall, Vann, Wade, and Mr. Speaker—71.

NOES—None.

MOTION.

Mr. Matthews of San Benito moved that Assembly Joint Resolution No. 10 be now considered.

So ordered.

ASSEMBLY JOINT RESOLUTION.

Assembly Joint Resolution No. 10—Relative to the refunding of moneys to certain settlers on Government lands in Fresno, Monterey, and San Benito Counties.

Read.

COMMITTEE AMENDMENTS.

Amend the preamble by striking out the word "and" before the word "San Benito," and by inserting after the same word "San Benito" the words "and Merced."

Adopted.

Also:

Amend the first resolution, line two, of printed bill, by inserting the word "assigned" after the word "settlers"

Adopted.

MOTION.

Mr. Bledsoe moved that the first reading file be now considered.

So ordered.

FIRST READING OF BILLS.

Senate Bill No. 17—An Act to provide for the appointment by the Supreme Court of five Commissioners, to be known as Commissioners of the Supreme Court, and to appoint a Secretary therefor, to assist said Court in the performance of its duties and in the disposition of numerous causes pending in said Court, and to provide for the compensation of said Commissioners and Secretary, and to appropriate money therefor.

Read first time.

RESOLUTION.

By Mr. Shanahan:

Resolved, That Senate Bill No. 17 presents a case of urgency, as that term is used in section fifteen of article four of the Constitution, and the provisions of that section requiring that the bill shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the second and third times, and placed upon its passage.

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

AYES—Messrs. Adams, Alford, Anderson, Androus, Blakeley, Boyce, Brownlie, Buckley, Bulla, Burke, Carlson, Casterline, Chipman, Conway, Curtis, Cusick, Dodge, Drees, Duckworth, Gallagher, Gately, Godchaux, Hamilton, Hendrickson, Hurley, Hutson, Jacobs, Johnson of Santa Clara, Kennedy, Kahn, Kern, Luttringer, Lynch, McCauley, McGowan, Marks, Marston, Matthews of San Benito, Miller, Mordecai, O'Keefe, O'Neill, Pendleton, Perkins, Price, Sargent, Schlesinger, Shanahan, Simpson, Sims, Standart, Taggart, Talbott, Taylor, Thomas of Nevada, Thomas of Santa Clara, Tindall, Vann, Wade, and Mr. Speaker—59.

NOES—Messrs. Barlow, Bledsoe, Bretz, Duffy, Jacobsen, Johnson of Humboldt, and Owen—7.

SECOND READING OF BILL.

Senate Bill No. 17—An Act to provide for the appointment by the Supreme Court of five Commissioners, to be known as Commissioners of the Supreme Court, and to appoint a Secretary therefor, to assist said Court in the performance of its duties and in the disposition of numerous causes pending in said Court, and to provide for the compensation of said Commissioners and Secretary, and to appropriate money therefor.

Read second time.

MOTION.

Mr. Shanahan moved that the Assembly go into Committee of the Whole, with the Speaker in the chair, for the purpose of considering Senate Bill No. 17.

So ordered.

IN COMMITTEE OF THE WHOLE.

Speaker Gould in the chair.

Senate Bill No. 17 was considered in Committee of the Whole.

IN ASSEMBLY.

Speaker Gould in the chair.

REPORT OF THE COMMITTEE OF THE WHOLE.

The Speaker stated the report of the Committee of the Whole, as follows:

GENTLEMEN: The Committee of the Whole have had under consideration Senate Bill No. 17—An Act to provide for the appointment by the Supreme Court of five Commissioners, to be known as Commissioners of the Supreme Court, and to appoint a Secretary therefor, to assist said Court in the performance of its duties and in the disposition of numerous causes pending in said Court, and to provide for the compensation of said Commissioners and Secretary, and to appropriate money therefor—and now report, and recommend that the same do pass.

THIRD READING OF BILLS.

Senate Bill No. 17—An Act to provide for the appointment by the Supreme Court of five Commissioners, to be known as Commissioners of the Supreme Court, and to appoint a Secretary therefor, to assist said Court in the performance of its duties and in the disposition of numerous causes pending in said Court, and to provide for the compensation of said Commissioners and Secretary, and to appropriate money therefor.

Read third time, and passed by the following vote:

AYES—Messrs. Adams, Alford, Anderson, Androus, Barlow, Bennett of Santa Clara, Blakeley, Bretz, Brownlie, Buckley, Bulla, Carlson, Casterline, Chipman, Conway, Cusick, Dodge, Drees, Duckworth, Emeric, Finlayson, Hamilton, Hendrickson, Hutson, Jacobs, Jacobsen, Kennedy, Kahn, Kerns, LaRue, McCauley, McElroy, McGowan, Marks, Marston, Matthews of San Benito, Miller, Mordecai, O'Keefe, O'Neill, Pendleton, Perkins, Pueschel, Schlesinger, Schroebel, Shanahan, Simpson, Sims, Taggart, Talbott, Taylor, Thomas of Nevada, Tindall, Vann, and Mr. Speaker—55

NOES—Messrs. Bledsoe, Boyce, Burke, Dufly, Gallagher, Gately, Hurley, Johnson of Humboldt, Luttringer, Owen, Thomas of Santa Clara, and Wade—11.

Title read and approved.

MOTION.

Mr. Shanahan moved that Senate Bill No. 17 be immediately transmitted to the Senate.

So ordered.

LEAVE OF ABSENCE.

Mr. Pendleton was granted leave of absence for the remainder of the week.

AMENDMENT.

Mr. Anderson moved to amend Assembly Constitutional Amendment No. 1—An Act to submit to the people of the State of California an amendment to section one, article thirteen, of the Constitution of the State of California—by inserting the word "trees" after the word "fruit," in line eight of the printed bill.

Adopted.

Assembly Constitutional Amendment No. 1, as amended, ordered to the printer.

BILL WITHDRAWN.

Mr. Carlson, on his motion, was allowed to withdraw Assembly Joint Resolution No. 1—Relative to the construction and operation of the Nicaragua Canal by the United States Government.

REPORT OF STANDING COMMITTEE.

ON STATE HOSPITALS.

ASSEMBLY CHAMBER, SACRAMENTO, January 25, 1893.

MR SPEAKER. Your Committee on State Hospitals, to whom was referred Assembly Bill No. 232—An Act for the regulation of the practice of medicine and surgery in the State of California, and for the appointment of a Board of Medical Examiners in the matter of said regulation—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

MORDECAI, Chairman.

FIRST READING OF BILLS.

Each of the following bills was read the first time, and placed on file for second reading:

Assembly Bill No. 142—An Act regulating the hours of labor in saw mills, shingle mills, shake mills, and logging camps.

Assembly Bill No. 43—An Act to provide for the publication of monthly statements of city indebtedness.

Assembly Bill No. 30—An Act entitled an Act to amend section fifteen of an Act entitled "An Act to provide for the formation, government, operation, and dissolution of sanitary districts in any part of the State for the construction of sewers and other sanitary purposes; the acquisition of property thereby; the calling and conducting of elections in such districts; the assessment, levy, collection, custody, and disbursement of taxes therein; the issuance and disposal of the bonds thereof, and the determination of their validity, and making provision for the payment of such bonds, and the disposal of their proceeds."

Assembly Bill No. 100—An Act to change the name of the Mendocino State Asylum for the Insane, to Mendocino Asylum.

Assembly Bill No. 14—An Act to add a new section to an Act entitled "An Act to establish a Political Code of the State of California," to be called section two thousand nine hundred and eighty-four, relative to the appointment of a State Sanitary Inspector.

Assembly Bill No. 8—An Act to promote the purity of elections.

ASSEMBLY JOINT RESOLUTIONS.

Assembly Joint Resolution No. 11—Relative to a public building at Eureka.

Read, and adopted by the following vote:

AYES—Messrs. Adams, Anderson, Androus, Barker, Barlow, Bennett of Santa Clara, Blakeley, Bledsoe, Boyce, Bretz, Brownlie, Buckley, Bulla, Burke, Carlson, Casterline, Chipman, Conway, Dodge, Drees, Duckworth, Duffy, Emeric, Gately, Hamilton, Hendrickson, Hurley, Hutson, Jacobs, Jacobsen, Johnson of Humboldt, Johnson of Santa Clara, Kennedy, Kahn, Kerns, LaRue, Luttringer, McCauley, McElroy, Marks, Marston, Mathews of Tehama, Miller, Mordecai, O'Keefe, Owen, Pendleton, Perkins, Price, Pueschel, Raw, Sargent, Schroebel, Simpson, Sims, Standart, Taggart, Talbott, Thomas of Nevada, Thomas of Santa Clara, Tindall, Vann, Wade, and Mr. Speaker—64.

NOES—None.

At four o'clock P. M. Mr. Bulla moved to adjourn.

Lost.

Assembly Joint Resolution No. 9—Relative to foreign immigration to the United States.

Read, and adopted by the following vote:

AYES—Messrs. Adams, Alford, Anderson, Androus, Bennett of Santa Clara, Blakeley, Bledsoe, Boyce, Bretz, Buckley, Bulla, Carlson, Casterline, Chipman, Conway, Cusick, Dodge, Drees, Duckworth, Duffy, Emeric, Finlayson, Gately, Hamilton, Hendrickson, Hutson, Jacobs, Jacobsen, Johnson of Santa Clara, Kennedy, Kahn, LaRue, McCauley, McElroy, McGowan, Marks, Mathews of Tehama, Matthews of San Benito, O'Keefe, Owen, Perkins, Pueschel, Sargent, Schlesinger, Schroebel, Simpson, Sims, Standart, Taggart, Talbott, Taylor, Thomas of Nevada, Thomas of Santa Clara, Tindall, Vann, Wade, and Mr Speaker—57.

NOES—None.

RESOLUTION.

By Mr. Thomas of Santa Clara:

WHEREAS, It having been charged by James W. Rea, Railroad Commissioner, that he has been approached by Assemblyman Johnson, of Santa Clara County, with an offer to "sell his vote" on matters affecting said Commission, and on other subjects, for the sum of one hundred dollars, "expressing his ability to procure several more members of the same body for a like consideration;" now, therefore, be it

Resolved, That a committee, consisting of five members, be appointed by the Speaker, with power to send for persons and papers, to investigate the charges made by said Railroad Commissioner.

MOTION.

Mr. Mathews of Tehama moved that the resolution lie on the table until to-morrow.

So ordered.

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

Lost.

INTRODUCTION OF BILL.

By Mr. Matthews of San Benito: Assembly Bill No. 525—An Act to prevent children from being in and about places where intoxicating liquors are sold, and to prevent the sale of such liquors to children.

Referred to Committee on Public Morals.

ASSEMBLY JOINT RESOLUTION.

Assembly Joint Resolution No. 7—Relative to the election of United States Senators.

Read, and adopted by the following vote:

AYES—Messrs. Adams, Alford, Anderson, Androus, Barker, Barlow, Bennett of Santa Clara, Blakeley, Bledsoe, Boyce, Bretz, Brownlie, Buckley, Bulla, Burke, Casterline, Chipman, Conway, Curtis, Cusick, Dodge, Drees, Duckworth, Duffy, Finlayson, Gallagher, Gately, Godchaux, Hamilton, Hendrickson, Huley, Hutson, Jacobs, Jacobsen, Johnson of Humboldt, Johnson of Santa Clara, Kennedy, Kahn, Kerns, LaRue, Luttringer, Lynch, McCauley, McElroy, McGowan, Marks, Marston, Mathews of Tehama, Matthews of San Benito, Miller, Mordecai, O'Keefe, O'Neill, Owen, Pendleton, Perkins, Price, Pueschel, Sargent, Schlesinger, Schroebel, Simpson, Sims, Standart, Taggart, Talbott, Taylor, Thomas of Nevada, Thomas of Santa Clara, Tindall, Vann, Wade, and Mr Speaker—72.

NOES—None

At four o'clock and twenty minutes P. M., Mr. McCauley moved to adjourn.

Lost.

FIRST READING OF BILL.

Assembly Bill No. 169—An Act to cede jurisdiction to the United States over certain lands.

Read first time and placed on file for second reading.

ASSEMBLY JOINT RESOLUTION.

Assembly Joint Resolution No. 8—Relative to the payment of the debt which the Pacific railroads owe to the Government.

COMMITTEE AMENDMENT.

Amend the preamble by striking therefrom the following: "It has corrupted legislators and Courts in its own interests, it has interposed a powerful lobby of corruptionists against every attempt heretofore made to compel it to pay the said debt."

Adopted.

Mr. Bledsoe moved to amend by striking out the word "Southern" wherever it appears in the preamble, and inserting the following: "Central."

Adopted.

Resolution, as amended, ordered to the printer.

FIRST READING OF BILLS.

Assembly Bill No. 262—An Act to amend sections one thousand one hundred and eighty-six, one thousand one hundred and eighty-seven, one thousand one hundred and eighty-eight, one thousand one hundred and ninety, one thousand one hundred and ninety-two, one thousand three hundred and fifty-seven, one thousand three hundred and fifty-eight, one thousand three hundred and fifty-nine, 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 sixty-three, one thousand three hundred and sixty-four, and one thousand three hundred and sixty-five of the Political Code, and to add nineteen new sections thereto, to be numbered one thousand three hundred and sixty-six, one thousand three hundred and sixty-seven, one thousand three hundred and sixty-eight, one thousand three hundred and sixty-nine, one thousand three hundred and seventy, one thousand three hundred and seventy-one, one thousand three hundred and seventy-two, one thousand three hundred and seventy-three, one thousand three hundred and seventy-four, one thousand three hundred and seventy-five, one thousand three hundred and seventy-six, one thousand three hundred and seventy-seven, one thousand three hundred and seventy-eight, one thousand three hundred and seventy-nine, one thousand three hundred and eighty, one thousand three hundred and eighty-one, one thousand three hundred and eighty-two, one thousand three hundred and eighty-three, and one thousand three hundred and eighty-four, all in relation to the conduct of elections in this State.

Read first time, and placed on file for second reading.

MOTION.

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

Lost.

FIRST READING OF BILLS.

The following bills were read the first time and placed on file for second reading:

Assembly Bill No. 71—An Act to amend an Act entitled "An Act to insure the better education of practitioners of dental surgery, and to regulate the practice of dentistry in the State of California," approved March 12, 1885.

Assembly Bill No. 45—An Act amendatory of and supplemental to an Act entitled "An Act to create a Police Court in and for the City and County of San Francisco, State of California," approved March 5, 1889, and providing for an additional department, to be known as Department Number Four, and the appointment of a suitable person to act as Judge of said Court.

BILL RE-REFERRED.

Mr. Kahn moved that Assembly Bill No. 76 be re-referred to the San Francisco delegation.

So ordered.

MOTION.

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

Lost.

FIRST READING OF BILLS.

The following bills were read the first time and placed on file for second reading:

Assembly Bill No. 77—An Act to amend section ten of "An Act to create a Police Court in and for the City and County of San Francisco, State of California," approved March 5, 1889.

Assembly Bill No. 113—An Act requiring the recording of maps of cities, towns, additions to cities or towns, or subdivisions of lands into small lots or tracts for the purposes of sale, and providing for a forfeiture for the selling, or offering for sale, any lots or tracts in cities, towns, additions to cities, towns, subdivisions or additions thereto, before such maps are filed and recorded.

MOTION.

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

Lost.

FIRST READING OF BILL.

Assembly Bill No. 153—An Act to amend section six and section eight of an Act approved March 19, 1889, entitled "An Act authorizing the incurring of indebtedness by cities, towns, and municipal corpora-

tions incorporated under the laws of this State, for the construction of waterworks, sewers, and all necessary public improvements, or for any purpose whatever;" and to repeal the Act approved March 9, 1885, entitled "An Act to authorize municipal corporations of the fifth class, containing more than three thousand and less than ten thousand inhabitants, to obtain waterworks;" also, to repeal an Act approved March 15, 1887, entitled "An Act authorizing the incurring of indebtedness by cities, towns, and municipal corporations incorporated under the laws of this State."

Read first time and placed on file for second reading.

MOTION.

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

FIRST READING OF BILLS.

The following bills were read the first time and placed on file for second reading:

Senate Bill No. 42—An Act to amend section four thousand three hundred and ninety-two of the Political Code of the State of California, relating to the duties of City Treasurers.

Assembly Bill No. 287—An Act to amend an Act entitled "An Act to authorize the Common Council, Board of Trustees, or other governing body of any incorporated city or town, other than cities of the first class, to refund its indebtedness, issue bonds therefor, and provide for the payment of the same," approved March 15, 1883.

Assembly Bill No. 158—An Act to amend section two thousand six hundred and fifty-three of the Political Code, relating to the levy of road tax.

Assembly Bill No. 276—An Act entitled an Act to amend section two thousand six hundred and eighty-four of the Political Code.

BILL WITHDRAWN.

Mr. Vann, on his motion, was allowed to withdraw Assembly Bill No. 320.

ADJOURNMENT.

At five o'clock and eighteen minutes P. M., on motion of Mr. Pendleton, the Assembly adjourned.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Thursday, January 26, 1893.

The Assembly met pursuant to adjournment.

Speaker Gould in the chair.

The roll was called. and the following members answered to their names:

Messrs Adams, Alford, Anderson, Androus, Barker, Barlow, Bennett of Santa Clara, Blakeley, Bledsoe, Boyce, Bretz, Brownlie, Buckley, Bulla, Burke, Carlson, Casterline, Chipman, Conway, Curtis, Cusick, Dodge, Drees, Duckworth, Duffy, Emeric, Finlayson, Gallagher, Gately, Godchaux, Hamilton, Hendrickson, Hurley, Hutson, Jacobs, Jacobsen, Johnson of Humboldt, Johnson of Santa Clara, Kennedy, Kahn, Kerns, Lalue, Luttringer, Lynch, McCauley, McElroy, McGowan, Marks, Marston, Mathews of Tehama, Matthews of San Benito, Miller, Mordecai, O'Keefe, O'Neill, Owen, Perkins, Price, Pueschel, Raw, Sargent, Schlesinger, Schroebel, Shanahan, Simpson, Sims, Standart, Taggart, Talbott, Taylor, Thomas of Nevada, Thomas of Santa Clara, Tindall, Vann, Wade, and Mr Speaker.

Quorum present.

LEAVE OF ABSENCE.

Messrs. Casterline and Durst were granted leave of absence for the day.

Mr. Bennett of Santa Clara was granted leave of absence for Friday and Saturday.

PRAYER.

Prayer by the Chaplain, Rev. H. W. Conry.

QUESTION OF PRIVILEGE.

Mr. Johnson of Santa Clara arose to a question of privilege, in reference to a charge published in the San Francisco "Chronicle," made by one James W. Rea, which charge Mr. Johnson characterized as being false and untrue in every respect.

RESOLUTION.

By Mr. Johnson of Santa Clara:

Resolved, That a committee of five be appointed by the Speaker of the Assembly, to investigate the charges made through the columns of the San Francisco "Chronicle" against Assemblyman H. H Johnson.

Adopted.

READING OF THE MINUTES.

Pending the reading of the Journal of yesterday, Mr. Pendleton moved that the further reading be dispensed with.

So ordered.

MOTION.

Mr. Thomas of Nevada moved that Assembly Bill No. 194 be re-referred to Committee on Roads and Highways.

So ordered.

MADE SPECIAL ORDER.

Mr. Shanahan moved that the consideration of the report of the select committee in the matter of the investigation of A. Bretz be made a special order for Monday at two o'clock P. M.

So ordered.

SPECIAL ORDER.

Assembly resolution, relating to investigating the State Board of Railroad Commissioners.

COMMITTEE SUBSTITUTE.

ASSEMBLY CONCURRENT RESOLUTION No 7.

Relative to investigating the Railroad Commissioners.

WHEREAS, There were elected in November, 1890, William Beckman, J. W. Litchfield, and J. W. Rea, as Railroad Commissioners of the State of California, constituting the State Board of Railroad Commissioners; and whereas, it is provided by section twenty-two, article twelve, of the Constitution of the State of California, that the Legislature of the State of California may, by a two-thirds vote of all the members elected to each house, remove any or all such Commissioners from office because of their dereliction of duty, corruption, or incompetency, and whereas, it is the duty of the said Railroad Commissioners, namely, William Beckman, J. W. Litchfield, and J. W. Rea, and has been their duty ever since their said election to such office, to establish rates of charges for the transportation of passengers and freight by railroad or other transportation companies; and whereas, the said Railroad Commissioners have utterly failed and neglected to establish such rates of charges for the transportation of passengers and freight by railroads or other transportation companies, and have been and are guilty of dereliction of duty, now, therefore, be it

Resolved by the Assembly of the State of California, the Senate concurring, That the said William Beckman, J. W. Litchfield, and J. W. Rea, Railroad Commissioners, as aforesaid, be and they are hereby removed from said offices of Railroad Commissioners, and the said offices are hereby each and every one of them declared to be and are vacant.

RECESS EXTENDED.

Mr. Shanahan moved that the hour of recess be extended fifteen minutes.

So ordered.

At twelve o'clock and forty minutes P. M., Mr. Alford moved that the hour of recess be extended fifteen minutes.

Lost.

RECESS.

Pending consideration of the resolution, the hour of recess having arrived, the Speaker declared recess until two o'clock P. M.

REASSEMBLED.

The Assembly reassembled at two o'clock P. M.

Speaker Gould in the chair.

Quorum present.

MOTION.

Mr. Bulla moved that the Clerk read a communication addressed to the Speaker by one James W. Rea.

So ordered.

The communication was read.

CALL OF THE HOUSE.

The question being upon the adoption of the pending committee substitute to Assembly resolution relating to investigating the State Board of Railroad Commissioners.

Mr. Shanahan moved a call of the House, seconded by Messrs. Bledsoe and O'Keefe.

So ordered.

The roll was called, and the following members answered to their names:

Messrs. Adams, Alford, Anderson, Androus, Barker, Barlow, Bennett of Santa Clara, Bledsoe, Boyce, Bretz, Brownlie, Buckley, Bulla, Burke, Carlson, Chipman, Conway, Cusick, Dodge, Drees, Duckworth, Duffy, Durst, Emeric, Finlayson, Gallagher, Gately, Godchaux, Hamilton, Hendrickson, Hurley, Hutson, Jacobs, Jacobsen, Johnson of Humboldt, Johnson of Santa Clara, Kennedy, Kahn, Kerns, LaRue, Luttringer, Lynch, McCauley, McElroy, McGowan, Marks, Marston, Mathews of Tehama, Matthews of San Benito, Mordecai, O'Keefe, O'Neill, Owen, Perkins, Price, Pueschel, Raw, Sargent, Schlesinger, Schroebel, Shanahan, Simpson, Sims, Standart, Taggart, Talbott, Thomas of Nevada, Thomas of Santa Clara, Tindall, Vann, Wade, and Mr. Speaker.

Quorum present.

Absent without leave, Messrs. Blakeley, Curtis, Miller, and Taylor.

The Sergeant-at-Arms was directed to bring the absent members before the bar of the House.

Messrs. Blakeley, Miller, and Taylor were brought before the bar of the House, and on motion, were excused.

Mr. Alford moved that further proceedings under the call of the House be dispensed with.

So ordered.

Speaker pro tem. Mathews in the chair.

PREVIOUS QUESTION.

Mr. Matthews of San Benito moved the previous question, seconded by Messrs. Androus and Kennedy.

The question being, "Shall the main question be now put?" it was lost.

Mr. Kahn moved the previous question, seconded by Messrs. Matthews of San Benito and Androus.

The question being, "Shall the main question be now put?" it was so ordered.

ADOPTION OF SUBSTITUTE.

Upon the adoption of the substitute, the ayes and noes were demanded by Messrs. Finlayson, Kahn, and Alford.

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

AYES—Messrs Adams, Alford, Androus, Bledsoe, Boyce, Bretz, Brownlie, Buckley, Bulla, Burke, Conway, Cusick, Dodge, Drees, Duckworth, Duffy, Durst Emeric, Finlayson, Gately, Godchaux, Hamilton, Hendrickson, Hurley, Hutson, Jacobs, Jacobsen, Johnson of Humboldt, Johnson of Santa Clara, Kennedy, Kahn, Kerns, LaRue, Luttringer, McCauley, McElroy, McGowan, Marks, Marston, Mathews of Tehama, Matthews of San Benito, Mordecai, O'Keefe, O'Neill, Pueschel, Sargent, Schlesinger, Schroebel Shanahan, Simpson, Sims, Taggart, Talbott, Taylor, Thomas of Nevada, Thomas of Santa Clara, Tindall, Vann, Wade, and Mr Speaker—60.

NOES—Messrs. Anderson, Barker, Barlow, Bennett of Santa Clara, Blakeley, Carlson, Chipman, Lynch, Miller, Owen, Perkins, Price, Raw, and Standart—14

NOTICE OF RECONSIDERATION.

Mr. Duckworth gave notice that on the next legislative day he will move a reconsideration of the vote whereby the substitute was adopted.

ADOPTION OF RESOLUTION AS AMENDED.

Upon the adoption of Assembly resolution relating to investigating the State Board of Railroad Commissioners, as amended by the adoption of the substitute, the ayes and noes were demanded by Messrs. Shanahan, O'Keefe, and Finlayson.

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

AYES—Messrs. Adams, Alford, Androus, Bledsoe, Boyce, Bretz, Brownlie, Buckley, Bulla, Burke, Conway, Cusick, Dodge, Drees, Duckworth, Dufty, Dunst, Emeric, Finlayson, Gately, Godchaux, Hamilton, Hendrickson, Hurley, Hutson, Jacobs, Jacobsen, Johnson of Humboldt, Johnson of Santa Clara, Kennedy, Kahn, Kerns, LaRue, Luttringer, McCauley, McElroy, McGowan, Marks, Marston, Mathews of Tehama, Matthews of San Benito, Mordecai, O'Keefe, O'Neill, Price, Pueschel, Sargent, Schlesinger, Schroebel, Shanahan, Simpson, Sims, Taggart, Talbott, Taylor, Thomas of Nevada, Thomas of Santa Clara, Tindall, Vann, Wade, and Mr. Speaker—61

NOES—Messrs. Anderson, Barker, Barlow, Bennett of Santa Clara, Blakeley, Carlson, Lynch, Miller, Owen, Perkins, Raw, and Standart—12

NOTICE OF RECONSIDERATION.

Mr. Duckworth gave notice that on the next legislative day he will move a reconsideration of the vote whereby the resolution as amended was adopted.

PETITIONS.

By Mr. Alford: From citizens of Tulare County, protesting against dividing that county.

Referred to Committee on Counties and County Boundaries.

By Mr. Alford: From citizens of Tulare County, protesting against dividing that county.

Referred to Committee on Counties and County Boundaries.

By Mr. Simpson: From residents of Southern California, favoring the passage of the bill to provide for the planting, care, and maintenance of shade trees upon public highways.

Ordered on file.

MOTION.

Mr. Hurley moved that the report of the Committee on Attachés and Employés submitted yesterday be now considered.

So ordered.

REPORTS OF STANDING COMMITTEES.

ON ATTACHÉS AND EMPLOYÉS.

ASSEMBLY CHAMBER, SACRAMENTO, January 25, 1893

MR SPEAKER: Your Committee on Attachés and Employés, to whom was referred the following resolutions:

By Mr Tindall.

Resolved, That H. C. Chase be and is hereby appointed an Assistant Minute Clerk, at the same per diem allowed by law to the Minute Clerk, to be paid out of the appropriation for contingent expenses of the Assembly.

Also: By Mr. Conway:

Resolved, That Mrs. J. V. David be and is hereby appointed an Assistant Engrossing Clerk, at the same per diem as the Engrossing Clerk, payable out of the contingent expenses of the Assembly.

Resolved, That Mrs M. A. Hotaling be and she is hereby appointed Mailing Clerk of the Assembly, at a per diem of five dollars, payable out of the Contingent Fund of the Assembly.

Resolved, That the Speaker of the Assembly be and is hereby directed to appoint James Kelley as Porter, to have charge of the rooms of the Journal Clerk, Enrolling Clerk, and Engrossing Clerk, at the same per diem as paid Committee-room Porters, payable out of the Contingent Fund of the Assembly.

Have had the same under consideration, and respectfully report the same back, and recommend that they do not pass.

Also: By Mr. Luttringer:

WHEREAS, The engrossment of bills must now be in a printed form, as provided by the Acts of the last Legislature, and whereas, there will be a great many of the bills amended, and whereas, the Superintendent of State Printing will require a clean and clear copy for his compositors; and whereas, it will be impossible for one Assistant Clerk to do said work of copying; therefore, be it

Resolved, That Joseph Clancy be and he is hereby appointed an Assistant Clerk for the purpose of making such copies, at the same per diem as is paid the Assistant Clerks at the desk, said per diem being payable out of the appropriation for the contingent expenses of the Assembly.

Also: By Mr Marston:

Resolved, That Joseph Mansfield be and is hereby appointed Sergeant-at-Arms and Messenger of the offices of the Journal, Enrolling, and Engrossing Clerks of the Assembly, at a per diem of five dollars, payable out of the Contingent Fund of the Assembly.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass

HURLEY, Chairman

Recommendations adopted.

ON FISH AND GAME.

ASSEMBLY CHAMBER, SACRAMENTO, January 26, 1893.

MR SPEAKER. Your Committee on Fish and Game, to whom was referred Assembly Bill No 403—An Act to amend section six hundred and twenty-six of the Penal Code, relating to the preservation of game birds and animals, and providing punishment for the unlawful taking, killing, and transportation thereof—have had the same under consideration, and respectfully report the same back, with amendments, and recommend that it do pass as amended.

EMERIC, Chairman.

ON RETRENCHMENT.

ASSEMBLY CHAMBER, SACRAMENTO, January 26, 1893

MR SPEAKER: Your Committee on Retrenchment, to whom was referred Assembly Bill No. 326—An Act authorizing the State Board of Capitol Commissioners to appoint two extra employés for the Capitol grounds, in addition to the number now employed, and making an appropriation for payment of their services for the remainder of the forty-fourth fiscal year—have had the same under consideration, and a majority of the committee respectfully report the same back, and recommend that it do pass

MARKS, Chairman.

ON RETRENCHMENT—MINORITY REPORT.

ASSEMBLY CHAMBER, SACRAMENTO, January 26, 1893.

MR SPEAKER: The undersigned, of your Committee on Retrenchment, to whom was referred Assembly Bill No. 326—An Act authorizing the State Board of Capitol Commissioners to appoint two extra employés for the Capitol grounds, in addition to the number now employed, and making an appropriation for payment of their services for the remainder of the forty-fourth fiscal year—have had the same under consideration, and respectfully report the same back, and recommend that it do not pass.

LUTTRINGER.
HURLEY.

ON CONSTITUTIONAL AMENDMENTS

ASSEMBLY CHAMBER, SACRAMENTO, January 26, 1893.

MR. SPEAKER: Your Committee on Constitutional Amendments, to whom was referred Assembly Constitutional Amendment No. 6—Relative to revenue and taxation—have had the same under consideration, and respectfully report the same back, and recommend that it be re-referred to the Judiciary Committee.

Also: Assembly Constitutional Amendment No 3—A resolution to propose an amendment to section eleven of article thirteen of the Constitution of the State of California

Also: Assembly Constitutional Amendment No. 7—An Act to amend section one of article thirteen of the Constitution.

Have had the same under consideration, and respectfully report the same back, and recommend that they do not pass.

SCHLESINGER, Chairman

Assembly Constitutional Amendment No. 6 re-referred to Committee on Judiciary.

ON PUBLIC PRINTING.

ASSEMBLY CHAMBER, SACRAMENTO, January 26, 1893

MR SPEAKER: Your Committee on Public Printing, to whom was referred Assembly Concurrent Resolution No 6—Relative to requesting an inquiry into the condition and management of the State Printing Department of California—have had the same under consideration, and respectfully report the same back, and recommend that it be adopted

Also: Assembly Bill No. 428—An Act to amend sections five hundred and twenty-seven, five hundred and thirty-one, and five hundred and thirty-two of the Political Code, relating to Public Printing and the duties of the Superintendent of State Printing.

Your committee submit that the bill be amended as follows, to wit: In line nineteen, page two, the word "than" should be inserted after "other" and before "State"

Have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

Also: Assembly Bill No. 416—An Act authorizing the Superintendent of State Printing to have prepared and printed an index to all laws of California, 1850-1893—have had the same under consideration, and respectfully report the same back, and recommend that it do pass

HENDRICKSON, Chairman.

ON ENGROSSMENT

ASSEMBLY CHAMBER, SACRAMENTO, January 26, 1893

MR. SPEAKER Your Committee on Engrossment begs leave to report that it has examined the following Assembly Bills, and find them correctly engrossed:

Assembly Bill No. 1—An Act making an appropriation to pay the deficiency in the appropriation for fuel, lights, and supplies for the Secretary of State's office for the forty-second fiscal year

Also. Assembly Bill No 75—An Act making an appropriation to pay the deficiency in the appropriation for the State Board of Forestry for the thirty-eighth, forty-second and forty-third fiscal years

Also: Assembly Bill No 145—An Act making an appropriation to pay the deficiency in the appropriation for salary of Secretary of State Board of Examiners for the forty-second fiscal year.

Also: Assembly Bill No. 146—An Act making an appropriation to pay the deficiency in the appropriation for postage, expressage, telegraphing, and contingent expenses of the State Board of Examiners for the forty-fourth fiscal year.

KENNEDY, Chairman.

BILL RECOMMITTED.

Mr. Gallagher moved that Assembly Bill No. 117, on the second reading file, be recommitted to the Committee on Internal Improvements.

So ordered.

REPORTS OF STANDING COMMITTEES—(RESUMED).

ON COUNTY AND TOWNSHIP GOVERNMENTS

ASSEMBLY CHAMBER, SACRAMENTO, January 25, 1893

MR. SPEAKER. Your Committee on County and Township Governments, to whom was referred Assembly Bill No 447—An Act exempting agricultural, horticultural, viticultural, and pastoral occupations from license taxation—have had the same under consideration, and respectfully report the same back, and recommend that it do pass

SCHROEBEL, Chairman.

ON VINICULTURE, VITICULTURE, AND HORTICULTURE,

ASSEMBLY CHAMBER, SACRAMENTO, January 25, 1893.

MR. SPEAKER: Your Committee on Viniculture, Viticulture, and Horticulture, to whom was referred Assembly Bill No 122—An Act to appropriate ten thousand dollars for the purpose of sending an expert to foreign countries, to collect and import into this State parasites and predaceous insects—have had the same under consideration, and respectfully report the same back, and we, the majority, recommend that it do pass as amended.

CHIPMAN.
TAGGART
BLAKELEY.
DREES
DURST.

While we, the minority, recommend that it do not pass

ADAMS.
JACOBS.
MATTHEWS of San Benito
HUTSON.

Assembly Bill No. 122 referred to Committee on Ways and Means.

ON WAYS AND MEANS

ASSEMBLY CHAMBER, SACRAMENTO, January 26, 1893

MR SPEAKER. Your Committee on Ways and Means, to whom was referred Assembly Bill No 281—An Act to provide for paying for improving that portion of Tenth Street lying between L and N Streets, in the city of Sacramento, adjoining the State Capitol grounds, and for sundry work to the Capitol sidewalk and grounds, and making an appropriation therefor—have had the same under consideration, and respectfully report the same back, and recommend its passage.

Also: Assembly Bill No. 127—An Act appropriating four thousand dollars to pay for the system of heating and ventilating established in the Training Department of the State Normal School at San José, California

Also: Assembly Bill No 210—An Act authorizing the Controller and Treasurer to transfer to the General Fund all moneys now in the Election Reward Fund, the Leprosy Fund, and Interest and Sinking Fund, Levee District Number Five, and abolishing the Leprosy Fund, and Interest and Sinking Fund, Levee District Number Five.

Also: Assembly Bill No. 195—An Act to abolish the State Drainage Construction Fund, and directing the transfer of any balance remaining therein to the General Fund

Also: Assembly Bill No 426—An Act making an appropriation to pay the deficiency in the appropriation for the transportation of insane, for the forty-third fiscal year

Also: Assembly Bill No. 427—An Act making an appropriation to pay the deficiency in the appropriation for the transportation of prisoners, for the forty-third fiscal year

Also: Assembly Bill No. 48—An Act to appropriate money for the erection of a monument at Donner Lake, Nevada County, California, to the memory of the Donner party.

Also: Assembly Bill No. 269—An Act making an appropriation to pay armory rents and other expenses of the Naval Battalion of the National Guard for the remainder of the forty-fourth fiscal year.

And recommend their passage.

Also: Assembly Bill No 298—An Act to amend an Act entitled "An Act creating a Board of Bank Commissioners, and prescribing their duties and powers," approved March 30, 1878.

Also: Assembly Bill No. 36—An Act to appropriate money for the survey, location, and construction of a free wagon road from the town of Mariposa, in Mariposa County, to the Yosemite Valley

Also. Assembly Bill No 282—An Act making an appropriation to pay the deficiency in the appropriation by an Act entitled "An Act to establish a School of Industry, to provide for the maintenance and management of the same, and to make an appropriation therefor," approved March 11, 1889.

And recommend their passage as amended.

Also: Assembly Bill No 161—An Act to amend section three thousand seven hundred and fifty-one of the Political Code of this State, relating to revenue and taxation—and respectfully refer it back to the Committee on Judiciary.

Also: Assembly Bill No 429—An Act to amend section six hundred and seventy-nine of the Political Code, relating to duties of the State Board of Examiners—and respectfully refer it back to the Committee on Printing.

Also. Assembly Bill No 311—An Act to amend an Act entitled "An Act to establish a School of Industry, to provide for the maintenance and management of the same, and to make any appropriations therefor," approved March 11, 1889—and respectfully recommend to have it placed on file, as it had been favorably recommended by the Committee on State Prisons and Reformatory Institutions

W P MATHEWS, Chairman

BILLS RE-REFERRED.

Assembly Bill No. 161 re-referred to Committee on Judiciary.

Assembly Bill No. 429 re-referred to Committee on Public Printing.

Assembly Bill No. 311 re-referred to Committee on State Prisons and Reformatory Institutions.

ON COMMERCE AND NAVIGATION

ASSEMBLY CHAMBER, SACRAMENTO, January 26, 1893

MR SPEAKER Your Committee on Commerce and Navigation, to whom was referred Assembly Bill No 394—An Act authorizing the Board of State Harbor Commissioners to grant for a limited period of time, to persons or corporations, the right to run and operate street cars between the hours of SIX A M. and seven P. M of each day, for the carriage of passengers, and collect tolls therefor, over and upon any railroad upon State lands and lands within their jurisdiction, along the exterior waterfront line of the City and County of San Francisco—have had the same under consideration, and respectfully report the same back, and recommend that the author be allowed to withdraw the same

GODCHAUX, Chairman.

BILL WITHDRAWN.

Mr. Burke, on his motion, was allowed to withdraw Assembly Bill No. 394.

ON MUNICIPAL CORPORATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, January 26, 1893

MR SPEAKER Your Committee on Municipal Corporations, to whom was referred Assembly Bill No. 352—An Act to amend an Act entitled "An Act to amend an Act entitled 'An Act to provide for Police Courts in cities of thirty thousand and under one hundred thousand inhabitants, and to provide for officers thereof,' approved March 18, 1885, and to provide for clerks of Police Courts in cities of twenty-six thousand and under fifty thousand inhabitants," approved March 31, 1891, by inserting a new section, to be numbered six and one half, providing for prosecuting attorneys of Police Courts in cities having more than thirty thousand and under fifty thousand inhabitants, and prescribing the duties and regulating the compensation of such prosecuting attorneys

Also: Assembly Bill No. 385—An Act to amend sections two and five of "An Act to provide for the maintenance and support of the public parks heretofore created within the various cities, and cities and counties, of the State, and amend the existing Acts in relation thereto," approved March 14, 1889.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

Also: Assembly Bill No. 343—An Act to provide a system of street improvement bonds to represent certain assessments for the cost of street work and improvement within municipalities, and also for the payment of such bonds—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended by the committee

Also Assembly Bill No. 22—An Act to amend section forty-three of an Act entitled "An Act to provide for work upon streets, lanes, alleys, courts, places, and sidewalks, and for construction of sewers within municipalities," approved March 18, 1885, as amended by an Act approved March 17, 1891, which added said section forty-three to said original Act—have had the same under consideration, and respectfully report the same back, and recommend that the author be allowed to withdraw same.

BUCKLEY, Chairman

ON CLAIMS

ASSEMBLY CHAMBER, SACRAMENTO, January 26, 1893

MR. SPEAKER: Your Committee on Claims, to whom was referred Assembly Bill No 226—An Act appropriating money to pay the claim of W H Murray, his heirs or assigns—have had the same under consideration, and respectfully report the same back, and recommend that it do pass

BURKE, Chairman.

ON CONSTITUTIONAL AMENDMENTS.

ASSEMBLY CHAMBER, SACRAMENTO, January 26, 1893

MR SPEAKER Your Committee on Constitutional Amendments, to whom was referred Assembly Constitutional Amendment No 2—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, relative to revenue and taxation—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended

SCHLESINGER, Chairman

ON CORPORATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, January 26, 1893.

MR. SPEAKER: Your Committee on Corporations, to whom was referred Assembly Bill No. 18—Relative to an Act to provide for the incorporation of mutual fire insurance companies, and define their powers and duties—have had the same under consideration, and respectfully report the same back, and recommend that it do not pass

ALFORD, Chairman

ON CORPORATIONS—MINORITY REPORT.

We hereby report that we voted in favor of referring the bill back to the House without recommendation.

BLEDSOE
KERNS

RESOLUTIONS.

By Mr. Kahn:

Resolved, That Nora Andrews be and is hereby appointed as stenographer and typewriter of the Ways and Means Committee, at a salary of six dollars per day, to be paid from the Contingent Fund of the Assembly, the appointment to date from Friday, January 20, 1893.

Adopted.

By Mr. Duckworth:

WHEREAS, A select committee of the House did, on January 24th, file its report in this House, among other things recommending the expulsion of A. Bretz from this House, and that his seat be declared vacant, by which his seat is imperiled; and whereas, in such cases, by precedent, both of Congress and Legislatures, the accused is entitled to be heard by counsel at the bar of the House before action thereon, now, therefore, be it

Resolved, That before a vote is taken upon said report, the said A. Bretz be heard by counsel of his choice, at the bar of the House.

Referred to Committee on Judiciary.

MESSAGE FROM THE SENATE.

SENATE CHAMBER, SACRAMENTO, January 25, 1893

MR SPEAKER I am directed to inform your honorable body that the Senate, on the twenty-fifth day of January, 1893, adopted Senate Concurrent Resolution No 14—Relative to joint committee on investigation of Whittier Reform School.

F. J. BRANDON, Secretary.
By R. SHAW, Assistant

Senate Concurrent Resolution No. 14 referred to Committee on State Prisons and Reformatory Institutions.

ADJOURNMENT.

At four o'clock and forty-five minutes P. M., on motion of Mr. Schlesinger, the Assembly adjourned.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Friday, January 27, 1893.

The Assembly met pursuant to adjournment.

Speaker pro tem. Mathews in the chair.

The roll was called, and the following members answered to their names:

Messrs. Adams, Anderson, Androus, Barker, Barlow, Blakeley, Bledsoe, Boyce, Bretz, Brownlie, Buckley, Bulla, Burke, Carlson, Casterline, Chipman, Conway, Cusick, Dodge, Drees, Duckworth, Duffy, Durst, Finlayson, Godchaux, Hamilton, Hurley, Hutson, Jacobs, Jacobsen, Johnson of Humboldt, Johnson of Santa Clara, Kennedy, Kahn, Kerns, LaRue, Luttringer, Lynch, McCauley, McElroy, McGowan, Marks, Marston, Mathews of Tehama, Matthews of San Benito, Miller, Mordecai, O'Keefe, O'Neill, Owen, Perkins, Price, Pueschel, Raw, Schlesinger, Schroebel, Shanahan, Simpson, Standart, Talbott, Taylor, Thomas of Nevada, Thomas of Santa Clara, Vann, and Wade.

Quorum present.

LEAVE OF ABSENCE.

Mr. Taggart was granted leave of absence for the day.

Mr. Bretz was granted leave of absence until Monday.

The Committee on Counties and County Boundaries was granted leave of absence for the day.

PRAYER.

Prayer by the Chaplain, Rev. H. W. Conry.

READING OF THE JOURNAL.

Pending the reading of the Journal of yesterday, Mr. Schlesinger moved that the further reading be dispensed with.

So ordered.

Journals of Wednesday, January 25th, and Thursday, January 26th, approved.

MOTION OF RECONSIDERATION.

Mr. Duckworth moved to reconsider the vote whereby the Assembly on yesterday adopted the committee substitute to the Assembly resolution relating to investigating the State Board of Railroad Commissioners.

Mr. Matthews of San Benito moved to lay the motion on the table.

The ayes and noes were demanded by Messrs. Bledsoe, Kahn, and Hurley.

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

AYES—Messrs Adams, Bledsoe, Brownlie, Buckley, Bulla, Burke, Casterline, Conway, Cusick, Drees, Duffy, Finlayson, Godchaux, Hamilton, Hurley, Hutson, Jacobs, Jacobsen, Johnson of Humboldt, Johnson of Santa Clara, Kahn, Kerns, LaRue, McCauley, McElroy, McGowan, Marston, Mathews of Tehama, Matthews of San Benito, Mordecai, O'Keefe, Schlesinger, Schroebel, Shanahan, Simpson, and Thomas of Santa Clara—36

NOES—Messrs Anderson, Barker, Barlow, Blakeley, Boyce, Carlson, Chipman, Dodge, Duckworth, Durst, Lynch, Miller, Owen, Perkins, Raw, Standart, Talbott, Thomas of Nevada, and Wade—19.

MOTION.

Mr. Shanahan moved that the Assembly resolution relative to an investigation of the State Board of Railroad Commissioners, as amended by the adoption of the committee substitute, be transmitted immediately to the Senate.

POINT OF ORDER.

Mr. Duckworth raised a point of order that the motion to lay on the table carried with it the resolution as amended.

The Speaker pro tem. decided the point of order not well taken.

APPEAL FROM DECISION.

From which decision Mr. Duckworth appealed to the House.

The question being, "Shall the decision of the Chair stand as the judgment of the House?" it was so ordered.

The question recurring upon Mr. Shanahan's motion, it was so ordered.

PETITION.

By Mr. Talbott: From citizens of Santa Barbara County, favoring the creation of Santa Ynez County.

Referred to Committee on Counties and County Boundaries.

REPORTS OF STANDING COMMITTEES.

ON AGRICULTURE.

ASSEMBLY CHAMBER, SACRAMENTO, January 27, 1893.

MR. SPEAKER: Your Committee on Agriculture, to whom was referred Assembly Bill No. 167—An Act providing for the destruction of ground squirrels and other destructive crop pests on all lands owned or claimed within the limits of the State of California—have had the same under consideration, and respectfully report the same back, and recommend that the substitute for the original bill, herewith submitted, do pass.

Also: Assembly Bill No. 377—An Act to establish what shall constitute lawful fences within the State of California—have had the same under consideration, and respectfully report the same back, and recommend that it do pass

Also: Assembly Bill No. 63—An Act relating to estrays—have had the same under consideration, and respectfully report the same back, and recommend that it be referred to the Judiciary Committee.

Also: Assembly Bill No 277—An Act entitled an Act to prevent the sale of short-weight rolls of butter—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

LARUE, Chairman.

Assembly Bill No. 63 re-referred to Committee on Judiciary.

ON CHINESE IMMIGRATION AND EMIGRATION.

ASSEMBLY CHAMBER, SACRAMENTO, January 27, 1893.

MR. SPEAKER: Your Committee on Chinese Immigration and Emigration, to whom was referred Senate Joint Resolution No. 8—Relative to requesting Congress to enact a law limiting or prohibiting foreign immigration—have had the same under consideration, and respectfully report the same back, and recommend that it be adopted

Also: Senate Joint Resolution No. 4—Relative to restricting undesirable immigration—have had the same under consideration, and respectfully report the same back, and recommend that the same be adopted.

Also: Assembly Bill No. 293—Recommend to refer it to Committee on Public Printing.

BOYCE, Chairman.

Assembly Bill No. 293 re-referred to Committee on Public Printing.

ON WAYS AND MEANS

ASSEMBLY CHAMBER, SACRAMENTO, January 27, 1893.

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred Assembly Bill No. 265—An Act to provide for payment of the claim of C. C. Rochford.

Also: Assembly Bill No. 460—An Act making an appropriation for the payment of an indebtedness created or to be incurred by the Surveyor-General, in transcribing records and plat books in his office.

Also: Assembly Bill No. 245—An Act entitled an Act to pay the claim of Sands W. Forman, for services as Secretary of the State Board of Forestry, and appropriating the sum of three hundred and seventy-five dollars to pay such claim.

Have had the same under consideration, and recommend their passage

Also: Assembly Bill No. 90—An Act to prevent deception in the manufacture and sale of butter and of cheese, and to appropriate money for its enforcement—and respectfully report it back without recommendation.

Also: Assembly Bill No. 459—An Act making an appropriation to pay the deficiency in the appropriation for expenses of Supreme Court, under section forty-seven, Code of Civil Procedure, for forty-first fiscal year—have had the same under consideration, and respectfully recommend its passage.

W. P. MATHEWS, Chairman.

ON INTERNAL IMPROVEMENTS.

ASSEMBLY CHAMBER, SACRAMENTO, January 27, 1893

MR. SPEAKER: Your Committee on Internal Improvements, to whom was referred Assembly Bill No. 117—An Act to provide for the planting, maintenance, and care of shade trees upon streets, lanes, alleys, courts, and places within municipalities, and of hedges upon the lines thereof, also, for the eradication of certain weeds within city limits—for the purpose of making a corrected copy of the bill with its amendments, as agreed upon by the committee, have had the same under consideration, and respectfully report the same back, with the amendments placed in their proper positions in the original bill, and recommend that it do pass as amended.

SIMPSON, for Chairman.

ON MILEAGE.

ASSEMBLY CHAMBER, SACRAMENTO, January 27, 1893.

MR. SPEAKER. Your Committee on Mileage, to whom was referred the report of the Committee on State Prisons and Reformatory Institutions, also the following Assembly resolution:

Resolved, That the Controller is hereby authorized and directed to draw his warrant in favor of each of the above-named members and their clerk for the said amount of twenty dollars and twenty cents, and the Treasurer is hereby directed to pay the same out of the Contingent Fund of the Assembly.

H. H. JOHNSON, Chairman.

Have had the same under consideration, and respectfully report the same back, and recommend its adoption.

Recommendation adopted.

Also: The report of Committee on State Hospitals, with the following resolution:

Resolved, That the Controller be and is hereby directed to draw his warrant in favor of G. W. Mordecai, the Chairman of the State Hospitals Committee, for the amount of two hundred and forty-five dollars and sixty cents ($245 60) for such mileage, and that said warrant be drawn upon the appropriation for the contingent expenses of the Assembly.

MORDECAI, Chairman.

Have had the same under consideration, and respectfully report the same back, and report the following substitute:

Resolved, That the Controller is hereby directed to draw his warrant in favor of G. W Mordecai, the Chairman of the State Hospitals Committee, for the amount of two hundred and twenty-seven dollars and twenty cents ($227 20) for such mileage, and that said warrant be drawn upon the appropriation for the contingent expenses of the Assembly.

And recommend the adoption of the substitute resolution.

DREES, Chairman

Recommendation adopted.

ON SWAMP AND OVERFLOWED LANDS.

ASSEMBLY CHAMBER, SACRAMENTO, January 27, 1893.

MR. SPEAKER: Your Committee on Swamp and Overflowed Lands, to whom was referred Assembly Bill No. 103—An Act to declare certain tide lands public grounds, and

granting the same to the county of San Mateo, in trust for the use of the public—have had the same under consideration, and respectfully report the same back, and recommend that it be referred to the Committee on Judiciary, to pass upon the constitutionality of the Act.

Also: Assembly Bill No. 402—Providing for appeals from orders of the Board of Supervisors forming or refusing to form reclamation or swamp land districts, setting off lands from such districts, or including lands in such districts, or consolidating swamp land or reclamation districts—have had the same under consideration, and respectfully report the same back, and recommend that it do pass

PUESCHEL, Chairman

Assembly Bill No. 103 re-referred to Committee on Judiciary.

INTRODUCTION OF BILLS.

The following bills were introduced, read by title, and referred to committees, as follows.

By Mr. Anderson: Assembly Bill No. 526—An Act to pay the claim of L. N. Brock against the State of California, and making an appropriation therefor.

Referred to Committee on Claims.

Also: Assembly Bill No. 527—An Act to pay the claim of Abraham Winans against the State of California, and making an appropriation therefor.

Referred to Committee on Claims.

By Mr. O'Keefe: Assembly Bill No. 528—An Act to pay to the wife of W. S. Moffat, deceased, the claims of said deceased husband for services rendered as member of the Constitutional Convention, and for claims assigned to him by members of said Constitutional Convention, and appropriating money to pay the same.

Referred to Committee on Claims.

By Mr. Jacobs: Assembly Bill No. 529—An Act to amend sections three thousand seven hundred and fourteen and three thousand seven hundred and thirty-two of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to revenue and taxation.

Referred to Committee on Judiciary.

By Mr. Talbott: Assembly Bill No. 530—An Act to provide for the division of existing counties and for the creation of new counties.

Referred to Committee on Counties and County Boundaries.

By Mr. Conway: Assembly Bill No. 531—An Act amending sections one thousand one hundred and eighty-three, one thousand one hundred and eighty-four, and one thousand one hundred and eighty-seven of the Code of Civil Procedure of the State of California, as amended March 15, 1887; section one thousand one hundred and ninety-five of the said Code of Civil Procedure, as amended March 18, 1885, and section one thousand one hundred and ninety of said Code of Civil Procedure, all relating to liens of mechanics and others, and also inserting a new section in said Code, to be numbered section one thousand two hundred and three.

Referred to Committee on Labor and Capital.

Also: Assembly Bill No. 532—An Act authorizing the Board of State Harbor Commissioners to grant, for a limited period of time, to persons or corporations, the right to run and operate street cars between the hours of six A. M. and seven P. M. of each day, for the carriage of passengers, and collect tolls therefor, over and upon any railroad upon

State lands and lands within their jurisdiction along the exterior waterfront line of the City and County of San Francisco.

Referred to Committee on Commerce and Navigation.

By Mr. Chipman: Assembly Bill No. 533—An Act to amend sections thirty-seven, one hundred and ninety, one thousand four hundred and eighteen, and one thousand four hundred and nineteen of the Penal Code of the State of California, relating to the punishment of crimes, and to the granting of reprieves, commutations, and pardons to persons convicted of crimes.

Referred to Committee on Crimes and Penalties.

Also: Assembly Bill No. 534—An Act in relation to the care and improvement of the State Capitol grounds, and making an appropriation therefor.

Referred to Committee on Public Buildings and Grounds.

By Mr. Simpson: Assembly Bill No. 535—An Act to amend section two hundred and seventy-four of an Act entitled "An Act to establish a Code of Civil Procedure," with reference to the compensation of phonographic reporters for Superior Courts.

Referred to Committee on Judiciary.

By Mr. Schroebel: Assembly Bill No. 536—An Act to amend an Act entitled "An Act to establish a uniform system of county and township governments," approved March 31, 1891.

Referred to Committee on County and Township Governments.

Also: Assembly Bill No. 537—An Act to amend an Act entitled "An Act to establish a uniform system of county and township governments," approved March 31, 1891.

Referred to Committee on County and Township Governments.

By Mr. Kahn: Assembly Bill No. 538—An Act prohibiting the burial of the dead within the corporate limits of any incorporated city, or city and county, of over fifty thousand inhabitants, from and after the thirty-first day of December, A. D. 1895.

Referred to Committee on Municipal Corporations.

By Mr. Schlesinger: Assembly Bill No. 539—An Act to create the county of Santa Rita, to establish the boundaries thereof, and to provide for its organization.

Referred to Committee on Counties and County Boundaries.

By Mr. Brownlie: Assembly Bill No. 540—An Act to provide for the publication of legal notices.

Referred to Committee on Judiciary.

Also: Assembly Bill No. 541—An Act to amend section three hundred and ninety-eight of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, relative to the transfer of causes where Judge is disqualified.

Referred to Committee on Judiciary.

By Mr. Marston: Assembly Bill No. 542—An Act making an appropriation for the payment of certain salary due Allen Kelly, as Executive Officer of the State Board of Forestry.

Referred to Committee on Forestry.

By Mr. Cusick: Assembly Bill No. 543—An Act regulating the sale of the lands uncovered by the recession of the waters of inland lakes, and unsegregated swamp and overflowed lands.

Referred to Committee on Swamp and Overflowed Lands.

By Mr. Taylor: Assembly Bill No. 544—An Act relating to the appointment of aliens to positions under State, county, city and county, city, or town officials.

Referred to Committee on Labor and Capital.

By Mr. Bulla: Assembly Bill No. 545—An Act amending section two hundred and sixteen of an Act entitled "An Act to establish a uniform system of county and township governments," approved March 31, 1891, relative to compensation of Assessors in counties of the second class.

Referred to Committee on County and Township Governments.

By Mr. Cusick: Assembly Bill No. 546—An Act authorizing persons having claims against the State, or against counties or municipal corporations, to prosecute and establish them in the Courts of the State, and providing for the payment of judgments therefor.

Referred to Committee on Judiciary.

By Mr. Finlayson: Assembly Bill No. 547—An Act to amend section one thousand two hundred and forty of the Civil Code, relating to the exemptions of homesteads and their proceeds from execution or forced sale.

Referred to Committee on Judiciary.

By Mr. Hurley: Assembly Bill No. 548—An Act to add a section to an Act entitled "An Act to establish a uniform system of county and township governments," approved March 31, 1891, to be known as section twenty-seven and one half, to authorize Boards of Supervisors to provide for the payment of jurors and witnesses in criminal cases in Justices' Courts.

Referred to Committee on County and Township Governments.

Mr. Shanahan in the chair.

By Mr. Mathews of Tehama: Assembly Bill No. 549—An Act to amend sections three hundred and sixty-four and six hundred and fifty-four of the Political Code, relating to the Board of Examiners, and to add a new section thereto, to be known as section six hundred and eighty-five of the Political Code, providing for the appointment of a clerk by said Board, and making an appropriation for his salary.

Referred to Committee on Judiciary.

Also: Assembly Bill No. 550—An Act to prohibit the creation of debts against the State in excess of appropriations made by law, except in cases of actual necessity, and on consent of the Board of Examiners.

Referred to Committee on Judiciary.

Also: Assembly Bill No. 551—An Act to repeal "An Act to provide for a State Board of Arbitration for the settlement of differences between employers and employés, to define the duties of said Board, and to appropriate the sum of twenty-five hundred dollars," approved March 10, 1891.

Referred to Committee on Ways and Means.

Also: Assembly Bill No. 552—An Act to amend an Act entitled "An Act in relation to foreign corporations," approved April 1, 1872.

Referred to Committee on Corporations.

Also: Assembly Bill No. 553—An Act making an appropriation for the support of the State Printing Office for the remainder of the forty-fourth fiscal year.

RESOLUTION.

By Mr. Mathews of Tehama:

Resolved, That Assembly Bill No. 553 presents a case of urgency, as that term is used in section fifteen of article four of the Constitution, and the provisions of that section requiring that the bill shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the first, second, and third times, and placed upon its passage.

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

AYES—Messrs. Adams, Alford, Anderson, Androus, Barlow, Blakeley, Bledsoe, Boyce, Brownlie, Buckley, Bulla, Carlson, Casterline, Chipman, Conway, Cusick, Dodge, Drees, Duckworth, Duffy, Durst, Finlayson, Godchaux, Hamilton, Hurley, Hutson, Jacobs, Jacobsen, Johnson of Humboldt, Johnson of Santa Clara, Kahn, Kerns, LaRue, Lynch, McCauley, McElroy, McGowan, Marks, Marston, Mathews of Tehama, Matthews of San Benito, Miller, Mordecai, O'Keefe, O'Neill, Owen, Perkins, Raw, Schlesinger, Schroebel, Shanahan, Simpson, Standart, Talbott, Thomas of Nevada, Thomas of Santa Clara, Tindall, and Wade—58.

NOES—None.

FIRST READING OF BILL.

Assembly Bill No. 553—An Act making an appropriation for the support of the State Printing Office for the remainder of the forty-fourth fiscal year.

Read first time.

SECOND READING OF BILL.

Assembly Bill No. 553—An Act making an appropriation for the support of the State Printing Office for the remainder of the forty-fourth fiscal year.

Read second time.

MOTION.

Mr. Mathews of Tehama moved that the Assembly go into Committee of the Whole, with Mr. Shanahan in the chair, for the purpose of considering Assembly Bill No. 553.

So ordered.

IN COMMITTEE OF THE WHOLE.

Mr. Shanahan in the chair.

Assembly Bill No. 553 was considered in Committee of the Whole.

IN ASSEMBLY.

Mr. Shanahan in the chair.

REPORT OF THE COMMITTEE OF THE WHOLE.

Mr. Shanahan stated the report of the Committee of the Whole, as follows:

GENTLEMEN: The Committee of the Whole have had under consideration Assembly Bill No 553—An Act making an appropriation for the support of the State Printing Office for the remainder of the forty-fourth fiscal year—and now report, and recommend that the same do pass.

SHANAHAN, Chairman.

Bill ordered engrossed and to a third reading.

INTRODUCTION OF BILLS—(RESUMED).

The following bills were introduced, read by title, and referred to committees, as follows:

By Mr. Tindall: Assembly Bill No. 554—An Act to pay the claim of Cornelius Lynch, and to appropriate money therefor.

Referred to Committee on Claims.

By Mr. Alford: Assembly Bill No. 555—An Act declaring valid all reclamation, levee, and swamp land reclamation districts heretofore organized by order of the Board of Supervisors.

Referred to Committee on Swamp and Overflowed Lands.

RESOLUTIONS.

By Mr. Kahn:

WHEREAS, We have learned with profound sorrow that the great statesman and illustrious American, Hon. James G. Blaine, has this morning departed this life; and whereas, in his life and public career we recognize a patriotic devotion to our country, and a continued effort for her supremacy and the advancement of her interests; and whereas, in the offices of the nation that he filled with such distinguished honor and eminent ability he proved himself a statesman of the highest order; and whereas, he ever has been the firm and constant friend of California and the champion of the rights of her citizens; be it therefore

Resolved, That we join the nation in sympathy and sorrow over the loss of her illustrious son; and be it further

Resolved, That we do now adjourn out of respect to the memory of the Hon. James G. Blaine; and be it further

Resolved, That a copy of these resolutions be immediately telegraphed to his bereaved family at Washington, to whom we tender our sincere and heartfelt sympathy.

Pending consideration of the resolution, Mr. Dodge offered the following resolutions:

Resolved, That the expense of telegraphing the memorial resolutions by this House, in honor of the memory of Hon. James G. Blaine, to his family, be paid out of the Contingent Fund of the Assembly.

Adopted.

Also:

Resolved, the Senate concurring, That a special time be set apart for a memorial address to be delivered in joint session of the Senate and Assembly in honor of the memory, life, and services of the Hon James G Blaine, and that a committee of six, three to be appointed by the President of the Senate and three by the Speaker of the Assembly, be appointed to select the time of and speaker on such occasion.

Adopted.

ADOPTION OF RESOLUTION.

The question recurring upon the adoption of the resolutions offered by Mr. Kahn, the same were adopted by a unanimous rising vote.

ADJOURNMENT.

At twelve o'clock and twenty-five minutes P. M. the Assembly stood adjourned, in respect to the memory of Hon. James G. Blaine.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Saturday, January 28, 1893.

The Assembly met pursuant to adjournment.

Speaker pro tem. Mathews in the chair.

The roll was called, and the following members answered to their names:

Messrs Adams, Alford, Anderson, Androus, Barker, Barlow, Bledsoe, Boyce, Brownlie, Buckley, Bulla, Burke, Carlson, Casterline, Chipman, Conway, Cusick, Dodge, Duckworth, Duffy, Durst, Finlayson, Gately, Hurley, Hutson, Jacobs, Johnson of Humboldt, Johnson of Santa Clara, Kennedy, Kahn, Kerns, Luttringer, Lynch, McCauley, McElroy, Marks, Marston, Mathews of Tehama, Matthews of San Benito, O'Keefe, Owen, Perkins, Price, Pueschel, Schlesinger, Schroebel, Shanahan, Standart, Talbott, Taylor, Thomas of Nevada, Thomas of Santa Clara, Tindall, Vann, and Wade

Quorum present.

LEAVE OF ABSENCE.

Messrs. Raw, Simpson, LaRue, Drees, Mordecai, Godchaux, Miller, Sims, McGowan, Jacobsen, O'Neill, Blakeley, and Taggart were granted leave of absence for the day.

Mr. Barker and the Committee on Counties and County Boundaries were granted leave of absence for the morning session.

PRAYER.

Prayer by the Chaplain, Rev. H. W. Conry.

READING OF THE JOURNAL.

Pending the reading of the Journal of yesterday, Mr. Kennedy moved that the further reading be dispensed with.

So ordered.

Journal of Friday, January 27th, approved.

PETITIONS.

By Mr. Dodge: From employés of the California Cotton Mills, Oakland, protesting against the passage of the bill providing for the erection of a cordage factory at the Folsom State Prison.

Referred to Committee on Labor and Capital.

Also: From members of the bar of Alameda County, favoring the passage of Assembly Bill No. 352.

Referred to Committee on Municipal Corporations.

By Mr. Talbott: From citizens of Santa Barbara County, favoring the creation of Santa Ynez County.

Referred to Committee on Counties and County Boundaries.

REPORTS OF STANDING COMMITTEES.

ON PUBLIC MORALS.

ASSEMBLY CHAMBER, SACRAMENTO, January 28, 1893.

MR. SPEAKER. Your Committee on Public Morals, to whom was referred Assembly Bill No 419—An Act to amend an Act of the Legislature of the State of California

entitled "An Act to establish a Penal Code," approved February 14, 1872, by adding thereto a new section, to be known and numbered as section three hundred and eight, relating to the sale and use of opium, and any preparation thereof—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

BLEDSOE, Chairman.

ON CRIMES AND PENALTIES.

ASSEMBLY CHAMBER, SACRAMENTO, January 27, 1893.

MR. SPEAKER: Your Committee on Crimes and Penalties, to whom was referred Assembly Bill No. 233—An Act to amend section five hundred and thirty-seven of the Penal Code of the State of California, relating to defrauding proprietors and managers of hotels, inns, restaurants, boarding houses, and lodging houses—have had the same under consideration, and respectfully report the same back, and recommend that it do not pass.

Also: Assembly Bill No 32—An Act to repeal an Act entitled "An Act to add an additional section to the Penal Code, to be known as section one hundred and fifty-nine and one half, making it a misdemeanor to advertise to obtain a divorce or to aid therein."

Also: Assembly Bill No. 35—An Act to add a new section to the Penal Code, to be known as section one hundred and forty-nine and one half, making it a misdemeanor to refuse a prisoner the right of counsel.

Have had the same under consideration, and respectfully report the same back, and recommend that the authors of said bills be allowed to withdraw the same

Also: Assembly Bill No. 34—An Act to amend section thirteen hundred and twenty-two of the Penal Code, relating to the competency of husband and wife to testify against each other.

Also· Assembly Bill No. 240—An Act entitled "An Act to add a new section to the Penal Code of the State of California," approved February 14, 1872, to be known and designated as section three hundred and ten, relating to the lewd and improper touching and handling of children under the age of fourteen years, and fixing the punishment therefor.

Also: Assembly Bill No. 465—An Act to amend section one thousand and forty-two of the Penal Code, relating to trials by jury in cases of misdemeanor.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass

LUTTRINGER, Chairman.

ON WATER RIGHTS AND DRAINAGE

ASSEMBLY CHAMBER, SACRAMENTO, January 28, 1893.

MR. SPEAKER: Your Committee on Water Rights and Drainage, to whom was referred Assembly Bill No. 118—An Act to prevent damages from the overflow of artesian wells—have had the same under consideration, and respectfully report the same back, and recommend that it do pass

Also: Assembly Bill No. 56—Report to refer same to Committee on Irrigation.

CUSICK, Chairman.

Assembly Bill No. 56 re-referred to Committee on Irrigation.

ON IRRIGATION.

ASSEMBLY CHAMBER, SACRAMENTO, January 28, 1893.

MR. SPEAKER: Your Committee on Irrigation, to whom was referred Assembly Bill No 139—An Act to provide for the leasing and disposition of water for mechanical and other purposes by irrigation districts organized or to be organized under and pursuant to an Act entitled "An Act to provide for the organization and government of irrigation districts, and to provide for the acquisition of water and other property, and for the distribution of water thereby for irrigation purposes," approved March 7, 1887—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

Also: Assembly Bill No 235—An Act supplemental to an Act entitled "An Act to provide for the organization and government of irrigation districts, and to provide for the acquisition of water and other property, and for the distribution of water thereby for irrigation purposes," approved March 7, 1887, providing for reducing the bonded indebtedness thereof—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

CARLSON, Chairman.

ON PUBLIC EXPENDITURES AND ACCOUNTS.

ASSEMBLY CHAMBER, SACRAMENTO, January 28, 1893.

MR. SPEAKER: Your Committee on Public Expenditures and Accounts, to whom was referred Assembly Bill No. 438—An Act to appropriate money for the erection of a monument in Golden Gate Park, in the city of San Francisco, or in Court-house grounds,

Santa Rosa, California, in memory of the late General M. G. Vallejo—beg leave to report that they have given said bill a careful consideration, and are of the opinion that it is inexpedient to make such an appropriation at the present time, owing to the fact that we will be compelled to make heavy appropriations for the support of the different departments of the State government, as well as for the support of our various public institutions. Therefore, owing to the general depression of all industries of the State at this time, your committee respectfully report the same back, and recommend that it do not pass, although we highly appreciate the services of the late General M G. Vallejo. We hope a monument can be erected in memory of him when the State is in better financial circumstances.

J. H. MATTHEWS, Chairman.

Assembly Bill No. 438 re-referred to Committee on Ways and Means.

ON CORPORATIONS

ASSEMBLY CHAMBER, SACRAMENTO, January 28, 1893.

MR. SPEAKER. Your Committee on Corporations, to whom was referred Assembly Bill No. 444—An Act for the publication of semi-annual statements by corporations and persons engaged in the business of banking.

Also: Assembly Bill No. 445—An Act to amend an Act approved March 10, 1887, entitled "An Act to amend an Act creating a Board of Bank Commissioners, and prescribing their duties and powers," approved March 5, 1878.

Also: Assembly Bill No 446—An Act to amend an Act entitled "An Act creating a Board of Bank Commissioners, and prescribing their duties and powers," approved March 30, 1878.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

ALFORD, Chairman.

ON JUDICIARY.

ASSEMBLY CHAMBER, SACRAMENTO, January 28, 1893.

MR. SPEAKER: Your Committee on Judiciary, to whom was referred Assembly Bill No. 315—An Act appropriating the sum of fifteen thousand dollars to defray the costs and expenses, and for the employment of associate counsel therein, of suits and legal proceedings to be commenced and prosecuted by the Attorney-General in the name of the People of the State of California, to quiet the title to and for the recovery of the possession of the Oakland waterfront, San Antonio Creek and its bays and estuaries, and the Alameda waterfront—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended, and that it be referred to the Committee on Ways and Means

Also· Assembly Bill No 335—An Act to amend section one thousand five hundred and thirty-nine of the Code of Civil Procedure of the State of California.

Also: Assembly Bill No. 339—An Act to amend section one thousand three hundred and three of the Code of Civil Procedure of the State of California.

Have had the same under consideration, and respectfully report the same back, and recommend that the author be permitted to withdraw them.

Also: Assembly Bill No 103—An Act to declare certain tide lands public grounds, and granting the same to the county of San Mateo, in trust for the use of the public.

Also: Assembly Bill No 215—An Act to amend section seven hundred and sixty-eight of the Code of Civil Procedure of California, relating to charges and fees allowable by the Court in actions for the partition of real property.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

Also: A petition from the citizens of Selma, in relation to irrigation districts—have had the same under consideration, and respectfully report the same back, and recommend that it be referred to the Committee on Irrigation.

SHANAHAN, Chairman.

So ordered.

Assembly Bill No. 315 re-referred to Committee on Ways and Means.

ON CLAIMS

ASSEMBLY CHAMBER, SACRAMENTO, January 27, 1893.

MR. SPEAKER: Your Committee on Claims, to whom was referred Assembly Bill No 66—An Act to pay the claim of George Nelson against the State of California

Also: Assembly Bill No. 52—An Act making an appropriation to pay the claim of D Jordan as approved by the State Board of Examiners.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass as amended.

BURKE, Chairman.

Assembly Bills Nos. 66 and 52 re-referred to Committee on Ways and Means.

ON ENGROSSMENT.

ASSEMBLY CHAMBER, SACRAMENTO, January 28, 1893.

MR. SPEAKER: Your Committee on Engrossment begs leave to report that it has examined Assembly Bill No 553—An Act making an appropriation for the support of the State Printing Office for the remainder of the forty-fourth fiscal year—and finds the same correctly engrossed.

KENNEDY, Chairman

ON AGRICULTURE.

ASSEMBLY CHAMBER, SACRAMENTO, January 28, 1893.

MR. SPEAKER: Your Committee on Agriculture, to whom was referred Assembly Bill No 273—An Act to amend section eight of an Act entitled "An Act to form agricultural districts, to provide for the formation of agricultural associations therein, and for the management and control of the same by the State; and to repeal so much of an Act entitled 'An Act to form agricultural districts, to provide for the formation of agricultural associations therein, and for the management and control of the same by the State,' approved April 15, 1880, and of all Acts amendatory thereof, as are in conflict herewith," approved March 20, 1891—have had the same under consideration, and respectfully recommend that the author have permission to withdraw the same.

Also: Assembly Bill No. 466—An Act to amend sections three, four, and five of an Act entitled "An Act fixing a bounty on coyote scalps"—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

LARUE, Chairman

MESSAGE FROM THE SENATE.

SENATE CHAMBER, SACRAMENTO, January 28, 1893

MR SPEAKER: I am directed to inform your honorable body that the Senate, on this day, passed Senate Bill No. 455—Relative to the contingent expenses of the Senate, as a case of urgency.

F. J. BRANDON, Secretary
By R. SHAW, Assistant.

RESOLUTION.

By Mr. Kahn:

Resolved, That Senate Bill No 455 presents a case of urgency, as that term is used in section fifteen of article four of the Constitution, and the provisions of that section requiring that the bill shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the first, second, and third times, and placed upon its passage

ROLL CALL.

The Speaker pro tem. directed the roll to be called to ascertain the number of members present.

The roll was called, and the following members answered to their names:

Messrs. Adams, Alford, Anderson, Androus, Barker, Barlow, Bledsoe, Boyce, Brownlie, Buckley, Bulla, Burke, Carlson, Casterline, Chipman, Conway, Cusick, Dodge, Duckworth, Duffy, Durst, Finlayson, Gately, Hurley, Hutson, Jacobs, Johnson of Humboldt, Johnson of Santa Clara, Kennedy, Kahn, Kerns, Luttringer, Lynch, McCauley, McElroy, Marks, Marston, Mathews of Tehama, Matthews of San Benito, O'Keefe, Owen, Perkins, Price, Pueschel, Schlesinger, Schroebel, Shanahan, Standart, Talbott, Taylor, Thomas of Nevada, Thomas of Santa Clara, Tindall, Vann, and Wade.

RESOLUTION ADOPTED.

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

AYES—Messrs. Adams, Alford, Anderson, Androus, Barker, Barlow, Bledsoe, Boyce, Brownlie, Buckley, Bulla, Burke, Carlson, Casterline, Chipman, Conway, Cusick, Dodge, Duckworth, Duffy, Durst, Finlayson, Gately, Hurley, Hutson, Jacobs, Johnson of Humboldt, Johnson of Santa Clara, Kennedy, Kahn, Kerns, Luttringer, Lynch, McCauley, McElroy, Marks, Marston, Mathews of Tehama, Matthews of San Benito, O'Keefe, Owen, Perkins, Price, Pueschel, Schlesinger, Schroebel, Shanahan, Standart, Talbott, Taylor, Thomas of Nevada, Thomas of Santa Clara, Tindall, Vann, and Wade—55.

NOES—None.

FIRST AND SECOND READINGS OF BILL.

Senate Bill No. 455—An Act making an appropriation for the contingent expenses of the Senate for the thirtieth session of the Legislature.

Read first and second times.

MOTION.

Mr. Kahn moved that the Assembly resolve itself into Committee of the Whole, with the Speaker pro tem. in the chair, for the purpose of considering Senate Bill No. 455.

So ordered.

IN COMMITTEE OF THE WHOLE.

Speaker pro tem. Mathews in the chair.

Senate Bill No. 455 was considered in Committee of the Whole.

IN ASSEMBLY.

Speaker pro tem. Mathews in the chair.

REPORT OF THE COMMITTEE OF THE WHOLE.

The Speaker pro tem. stated the report of the Committee of the Whole, as follows:

GENTLEMEN: The Committee of the Whole have had under consideration Senate Bill No. 455, and now report and recommend that the same do pass.

THIRD READING OF BILL.

Senate Bill No. 455—An Act making an appropriation for the contingent expenses of the Senate for the thirtieth session of the Legislature.

Read third time, and passed by the following vote:

AYES—Messrs Adams, Alford, Anderson, Androus, Barker, Barlow, Bledsoe, Boyce, Brownlie, Buckley, Bulla, Burke, Carlson, Casterline, Chipman, Conway, Cusick, Dodge, Duckworth, Duffy, Durst, Finlayson, Gately, Hurley, Hutson, Jacobs, Johnson of Humboldt, Johnson of Santa Clara, Kennedy, Kahn, Kerns, Luttringer, Lynch, McCauley, McElroy, Marks, Marston, Mathews of Tehama, Matthews of San Benito, O'Keefe, Owen, Perkins, Price, Pueschel, Schlesinger, Schroebel, Shanahan, Standart, Talbott, Taylor, Thomas of Nevada, Thomas of Santa Clara, Tindall, Vann, and Wade—55

NOES—None.

Title read and approved.

QUESTION OF PRIVILEGE.

Mr. Bledsoe arose to a question of privilege, in reference to an article in the San Francisco "Chronicle" of this day.

MOTION.

Mr. Kahn moved that Senate Bill No. 455 be immediately transmitted to the Senate.

So ordered.

INTRODUCTION OF BILLS.

The following bills were introduced, read by title, and referred to committees, as follows:

By Mr. Hurley: Assembly Bill No. 556—An Act to repeal an Act entitled "An Act to provide for the laying out, opening, extending, widening, straightening, or closing up, in whole or in part, any street, square, lane, alley, court, or place within municipalities, and to condemn and acquire any and all land and property necessary or convenient for that purpose," approved March 6, 1889.

Referred to Committee on Municipal Corporations.

By Mr. Alford: Assembly Bill No. 557—An Act to add sections two thousand five hundred and forty-three and two thousand five hundred and forty-four to the Civil Code.

Referred to Committee on Judiciary.

Also: Assembly Bill No. 558—An Act to amend sections one thousand one hundred and eleven, one thousand one hundred and twelve, and one thousand one hundred and thirteen of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, relating to contesting certain elections.

Referred to Committee on Judiciary.

By Mr. Wade: Assembly Bill No. 559—An Act to amend section four of an Act entitled "An Act authorizing the incurring of indebtedness by cities, towns, or municipal corporations incorporated under the laws of this State," approved March 15, 1887.

Referred to Committee on Municipal Corporations.

By Mr. Owen: Assembly Bill No. 560—An Act appropriating money for the relief of E. W. Melvin, his heirs or assigns.

Referred to Committee on Claims.

By Mr. Taylor: Assembly Bill No. 561—An Act directing the State Prison Directors of the State of California to employ at least twenty prisoners in the construction of roads to the State Prisons at San Quentin and Folsom.

Referred to Committee on State Prisons.

Also: Assembly Bill No. 562—An Act making an appropriation for the reimbursing the county of Marin, for moneys expended by it for the prosecution of crimes committed within the State Prison at San Quentin, and for inquest held over the bodies of convicts who have died within said prison.

Referred to Committee on Claims.

Also: Assembly Bill No. 563—An Act directing the State Prison Directors of the State of California to employ at least twenty prisoners in the construction of roads to the State Prison at San Quentin.

Referred to Committee on State Prisons.

By Mr. Johnson of Humboldt: Assembly Bill No. 564—An Act amendatory of chapter three, title four, of the Code of Civil Procedure, relative to phonographic reporters.

Referred to Committee on Judiciary.

By Mr. Bledsoe: Assembly Bill No. 565—An Act amendatory of an Act entitled "An Act to establish a unifom system of county and township governments," approved March 31, 1891.

Referred to Committee on County and Township Governments.

By Mr. Schlesinger: Assembly Bill No. 566—An Act to amend section one thousand and thirty-two of the Political Code, relating to public records

Referred to Committee on Judiciary.

Also: Assembly Bill No. 567—An Act making it unlawful to refuse admission to places of amusement.

Referred to Committee on Judiciary.

By Mr. Johnson of Santa Clara: Assembly Bill No. 568—An Act to authorize necessary improvements at San Quentin, and provide for the payment for the same.

Referred to Committee on State Prisons.

By Mr. Gately: Assembly Bill No. 569—An Act to provide for the election and term of office and salary of Justices of the Peace in all counties, and cities and counties, having a population of more than two hundred thousand.

Referred to Committee on Judiciary.

By Mr. Kerns: Assembly Bill No. 570—An Act to prescribe the mode of payment of all obligations of debt to be paid in money.

Referred to Committee on Judiciary.

By Mr. Anderson: Assembly Bill No. 571—An Act to amend section one hundred and three of the Code of Civil Procedure of the State of California, relating to Justices' Courts.

Referred to Committee on Judiciary.

By Mr. Durst: Assembly Bill No. 572—An Act to amend an Act entitled "An Act to regulate the practice of pharmacy and sale of poisons in the State of California," approved March 11, 1891.

Referred to Committee on State Hospitals.

RESOLUTIONS.

By Mr. Kahn:

Resolved, That the Controller be and he is hereby directed to draw his warrant in favor of George W. Peckham, Chief Clerk, for the sum of thirteen dollars and ninety-five cents, payable out of the appropriation for the contingent expenses of the Assembly, the said amount being the cost of transmitting by telegraph the resolutions in memory of the late Hon. James G Blaine.

Adopted.

By Mr. Chipman:

Resolved, That W H. Davis be and he is hereby allowed the sum of forty-five dollars, for fifteen days' services as Porter of the rooms occupied by the Committee on Apportionment and Elections, and the Committee on Fish and Game, from January 11th to January 25th, inclusive; and the Controller is hereby authorized and directed to draw his warrant for the same, payable out of the appropriation for contingent expenses of the Assembly.

Referred to Committee on Public Expenditures and Accounts.

By Mr. Finlayson:

Resolved, That the Sergeant-at-Arms of the Assembly be and he is hereby authorized to purchase a desk for the use of the Chief Clerk of the Assembly, at an expense not to exceed twenty-five dollars, to be paid for out of the fund for the contingent expenses of the Assembly, and the Controller is directed to draw his warrant for the same, not to exceed twenty-five dollars

Adopted.

By Mr. Lynch:

Resolved, That the Sergeant-at-Arms be and is hereby authorized to purchase for each member of the Ways and Means Committee two file boards, the same to be paid for out of the Contingent Fund of the Assembly. This resolution shall have no reference to the twenty-five dollars allowed to the committee or members for contingent expenses.

Adopted.

MOTION.

Mr. McCauley moved that Assembly Bill No. 259, on the first reading file, be re-referred to Committee on Ways and Means.

So ordered.

RESOLUTION.

By Mr. Schroebel:

Resolved, That the Sergeant-at-Arms of the Assembly be and he is hereby directed to furnish a desk for the Committee on County and Township Governments of the Assembly, and if the Sergeant-at-Arms is unable to secure such a desk from the Secretary of State, then he shall purchase one at any store in Sacramento, the price of which shall be and the same is hereby made payable out of the appropriation for the contingent expenses of the Assembly.

Referred to Committee on Public Expenditures and Accounts.

ASSEMBLY JOINT RESOLUTION.

By Mr. Kerns: Assembly Joint Resolution No. 15—Relative to the repeal of the Act of Congress of July 14, 1890, requiring the purchase of silver and the issuance of legal tender notes.

Referred to Committee on Federal Relations.

RESOLUTION.

By Mr. Alford:

Resolved, That the Sergeant-at-Arms be and he is hereby authorized and directed to subscribe for eighty copies of the newspaper known as the "Illustrated Californian," said copies to be placed upon the desks of the members of the Assembly, the subscription price therefor to be paid out of the appropriation for the contingent expenses of the Assembly

Referred to Committee on Education.

REPORT OF STANDING COMMITTEE.

ON RULES AND REGULATIONS

To the Speaker and members of the Assembly:

Your Committee on Rules and Regulations beg leave to report that we have met with the Committee on Rules and Regulations of the Senate, and have agreed upon the following as the rules to govern both bodies:

JOINT RULES OF THE SENATE AND ASSEMBLY.

I.—COMMITTEE OF CONFERENCE.

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

II.—MESSAGES MUST BE ANNOUNCED BY THE ASSISTANT SERGEANT-AT-ARMS.

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

III.—SECRETARY, CLERKS, ETC, TO CARRY MESSAGES.

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

IV —NOTICES TO BE ON PAPER UNDER PROPER SIGNATURE.

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

V.—ENROLLED BILLS TO RECEIVE SIGNATURE OF PROPER OFFICER.

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

VI.—ENROLLING COMMITTEE TO COMPARE

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

VII.—PRESIDENT AND SPEAKER TO SIGN BILLS.

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

VIII.—ENROLLING COMMITTEE TO PRESENT BILL TO GOVERNOR

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

IX —ORDERS, RESOLUTIONS, AND VOTES TO BE APPROVED AS ARE BILLS.

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

X —JOINT ADDRESSES TO GOVERNOR

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

XI —BILL OR RESOLUTION OF ONE HOUSE, REJECTED IN THE OTHER, REQUIRES NOTICE.

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

XII.—REJECTED BILLS REQUIRE FIVE DAYS' NOTICE AND TWO-THIRDS VOTE FOR REINTRODUCTION.

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

XIII.—EACH HOUSE TO TRANSMIT PAPERS.

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

XIV.—DISAGREEMENT, ADHERED TO, DEFEATS THE BILL.

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

XV.—NO APPROPRIATION EXCEPT BY BILL.

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

XVI —EXCEPT BY EACH HOUSE, PRINTING TO BE DONE BY CONCURRENT RESOLUTION.

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

XVII.—JOINT STANDING COMMITTEE OF THREE FROM EACH HOUSE.

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

XVIII.—JOINT AND CONCURRENT RESOLUTIONS

Joint resolutions are those which relate to a certain communication to the Federal Government. All other resolutions relating to matters to be treated by both Houses of the Legislature are concurrent resolutions

XIX.—JOINT RESOLUTIONS TREATED AS BILLS.

All joint resolutions shall be treated in all respects as bills; except that all joint resolutions shall be read but one time in each House

XX.—UNANIMOUS CONSENT FOR EXTRA PAY

No extra pay nor increase in the pay of any officer or attaché of the Senate or Assembly shall be made by resolution, except by unanimous consent.

XXI.—AMENDMENTS TO AMENDED BILLS MUST BE ATTACHED.

Whenever a bill or resolution which shall have been passed in one House shall be amended in the other, such amendment or amendments shall be attached to the bill or resolution so amended, and indorsed "Adopted," and such amendment or amendments, if concurred in by the House in which such bill or resolution originated, shall be indorsed "Concurred in," and such indorsement shall be signed by the Secretary or Assistant Secretary of the Senate, or the Clerk or Assistant Clerk of the Assembly, as the case may be.

XXII.

Whenever any Senate or Assembly bill is reported back by any committee, it shall be substituted on the file at the request of any Senator or member of the Assembly by the Secretary of the Senate or Clerk of the Assembly, in the place of any similar Senate or Assembly bill.

XXIII.

On and after February 21, 1893, the Senate and Assembly shall adopt and provide a special file, upon which shall be placed in the Senate, only Assembly bills that have passed the Assembly, and in the Assembly, only Senate bills that have passed the Senate.

Such special file shall be taken up at two o'clock P. M. each day, and be considered one hour and a half after being so taken up.

McELROY, Chairman.

MOTIONS.

Mr. Kennedy moved that Assembly Bill No. 160 be recalled from the Committee on Corporations, and that it be re-referred to Committee on Municipal Corporations.

So ordered.

Mr. Duckworth moved that Assembly Bill No. 553 be now considered.

So ordered.

THIRD READING OF BILL.

Assembly Bill No. 553—An Act making an appropriation for the support of the State Printing Office for the remainder of the forty-fourth fiscal year.

Read third time, and passed by the following vote:

AYES—Messrs. Adams, Alford, Anderson, Androus, Barlow, Boyce, Brownlie, Buckley, Bulla, Burke, Carlson, Casterline, Chipman, Conway, Cusick, Dodge, Duckworth, Durst, Finlayson, Gately, Huley, Hutson, Jacobs, Johnson of Humboldt, Johnson of Santa Clara, Kennedy, Kahn, Kerns, Lynch, McCauley, McElroy, Marks, Marston, Mathews of Tehama, Matthews of San Benito, O'Keefe, Owen, Perkins, Schlesinger, Standart, Talbott, Thomas of Nevada, Tindall, and Wade—44.

NOES—Messrs Bledsoe and Duffy—2.

Title read and approved.

RECESS.

The hour of recess having arrived, the Speaker pro tem. declared recess until two o'clock P. M.

REASSEMBLED.

The Assembly reassembled at two o'clock P. M.
Mr. Shanahan in the chair.

MOTION.

Mr. Hurley moved to adjourn.
Lost.

RESOLUTION.

By Mr. Boyce:

Resolved, That Charles Robinson be and is hereby appointed Porter to the committee-room of the San Francisco Delegation.

(Signed:)

KENNEDY.
SCHLESINGER
LUTTRINGER
CUSICK.
MARKS.
CONWAY.
GATELY.
BOYCE.
BROWNLIE.
HENDRICKSON

Mr. Anderson moved that the resolution be now considered.
Mr. Matthews of San Benito moved to amend by referring the resolution to the Committee on Attachés and Employés.

ADJOURNMENT.

Pending a vote on the motion, the Speaker, at two o'clock and eight minutes P. M., declared the Assembly adjourned for want of a quorum.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Monday, January 30, 1893.

The Assembly met pursuant to adjournment.
Speaker Gould in the chair.
The roll was called, and the following members answered to their names:

Messrs. Adams, Alford, Anderson, Androus, Barker, Barlow, Bennett of Santa Clara, Blakeley, Bledsoe, Boyce, Bretz, Brownlie, Buckley, Bulla, Burke, Carlson, Casterline, Chipman, Conway, Curtis, Cusick, Dodge, Duckworth, Duffy, Durst, Emeric, Finlayson, Gallagher, Gately, Godchaux, Hamilton, Hendrickson, Hurley, Hutson, Jacobs, Jacobsen, Johnson of Humboldt, Johnson of Santa Clara, Kennedy, Kahn, Kerns, Luttringer, Lynch, McCauley, McElroy, McGowan, Mack, Marks, Marston, Mathews of Tehama, Matthews of San Benito, Miller, O'Keefe, O'Neill, Owen, Perkins, Price, Pueschel, Raw, Schlesinger, Schroebel, Shanahan, Simpson, Sims, Standart, Taggart, Talbott, Taylor, Thomas of Nevada, Thomas of Santa Clara, Tindall, Vann, Wade, and Mr. Speaker.

Quorum present.

LEAVE OF ABSENCE.

Mr. Pendleton was granted leave of absence for the day.

Mr. LaRue was granted leave of absence until the afternoon.

Mr. O'Neill was granted leave of absence until eleven o'clock and thirty minutes A. M.

PRAYER.

Prayer by the Chaplain, Rev. H. W. Conry.

READING OF THE JOURNAL.

Pending the reading of the Journal of Saturday, Mr. Bennett of Santa Clara moved that the further reading be dispensed with.

So ordered.

LEAVE TO SIT.

The Committee on Counties and County Boundaries was granted leave to sit this morning.

PERMISSION GRANTED.

Mr. Bennett of Santa Clara, on his motion, was granted permission to withdraw from the Committee on Claims.

ASSEMBLY JOINT RESOLUTION.

By Mr. Emeric:

ASSEMBLY JOINT RESOLUTION No. 16

Relating to the annexation of the Hawaiian Islands.

WHEREAS, The Hawaiian Islands are now held by a Provisional Government; and whereas, a delegation from said Government is now en route to Washington, asking annexation to the United States of America; therefore, be it

Resolved by the Assembly, the Senate concurring, That our delegation in Congress be requested to use every honorable means to annex said Hawaiian Islands to our galaxy of stars and stripes, and the said delegation of the Provisional Government be favorably received by the head of our Government.

Resolved, That the Governor of the State of California be requested to telegraph the above resolutions to our members in Congress.

Mr. Shanahan moved that the resolution be referred to Committee on Federal Relations, with instructions to report the same back to-morrow morning.

So ordered.

RESOLUTION.

By Mr. Shanahan:

WHEREAS, It has been stated on the floor of this House that the evidence in the Bretz investigation had been incorrectly reported; therefore, be it

Resolved, That T. W. H. Shanahan, the Chairman of the Select Committee, Mr. Jacobsen, and Mr. Kavanaugh, the reporter, be and they are hereby required to correct said testimony, and report at two o'clock P. M to this House their action thereon.

Adopted.

PETITIONS.

By Mr. Carlson: From citizens of San Diego, asking for the preservation of the game and animals in this State.

Referred to Committee on Fish and Game.

By Mr. Talbott: From citizens of Santa Barbara County, favoring the creation of Santa Ynez County.

Referred to Committee on Counties and County Boundaries.

By Mr. Alford: From citizens of Tulare County, protesting against dividing Tulare County.

Referred to Committee on Counties and County Boundaries.

By Speaker Gould: Resolutions of the Central Democratic Club of Alameda County, relative to the matter of the investigation of A. Bretz.

Placed on file.

By Speaker Gould: Resolutions of the Board of Regents favoring the passage of Senate Bill No. 234.

Referred to Committee on Public Buildings and Grounds.

COMMUNICATION.

Speaker Gould presented the following communication, which was read:

TWENTY-EIGHTH DISTRICT AGRICULTURAL ASSOCIATION,
RIALTO, CALIFORNIA, January 27, 1893.

Hon. F. H. GOULD, *Speaker of the Assembly, Sacramento, California:*

MY DEAR SIR: The Southern California State Citrus Fair will hold its opening exercises at the new Horticultural Pavilion in Colton, California, on the evening of March 15, 1893.

By order of the Board of Managers, I am directed to invite the Assembly of the State of California to attend their opening exercises in a body, and listen to the opening address by United States Senator-elect Hon Stephen M. White, and at the same time to be able to study briefly but practically the great irrigation interests of the State, and thus be able to appreciate the fact that millions of wealth are based on one of the great questions—irrigation—which your honorable body is called upon to regulate by law.

Awaiting your acceptance, I have the honor to remain,

Yours most truly,

L. M. HOLT,
President and Manager

Referred to Committee on Retrenchment.

REPORTS OF STANDING COMMITTEES.

ON LABOR AND CAPITAL.

ASSEMBLY CHAMBER, SACRAMENTO, January 29, 1893.

MR SPEAKER: Your Committee on Labor and Capital, to whom was referred Assembly Bill No. 521—An Act to prohibit the employment of persons who are related by affinity or consanguinity to the chief or other officers of any department of the government of the State of California—have had the same under consideration, and respectfully report the same back, and recommend that it do not pass

Also: Assembly Bill No. 404—An Act requiring all State institutions to give preference to California products and the productions of California labor—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

Also: Senate Bill No. 134—An Act to establish a uniform system of mine bell signals, to be used in all the mines operated in the State of California, and for the protection of miners—have had the same under consideration, and respectfully report the same back, and recommend that the same be referred to the Committee on Mines and Mining.

Also: Assembly Bill 193—An Act to provide for incorporation, operation, and management of cooperative associations—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

Also: Assembly Bill No. 42—An Act to define labor corporations, and to provide for the incorporation, organization, and government thereof, and, as a part of the government thereof, to provide for the regulation of disputes to which labor corporations may be parties, by referring the same to a Board of Conciliation or Arbitration—have had the same under consideration, and respectfully report the same back without recommendation.

Also: Assembly Bill No 487—An Act to provide for the employment of destitute citizens, and making appropriations therefor—have had the same under consideration, and respectfully report the same back, and recommend that it do not pass.

Also: Assembly Bill No. 398—An Act for the protection of life and limb—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

CONWAY, Chairman.

Senate Bill No. 134 re-referred to Committee on Mines and Mining.

Assembly Bill No. 487 re-referred to Committee on Ways and Means.

ON FISH AND GAME.

ASSEMBLY CHAMBER, SACRAMENTO, January 30, 1893.

MR. SPEAKER: Your Committee on Fish and Game, to whom was referred Assembly Bill No. 150—An Act appointing Sheriffs and Constables Game and Fish Wardens, and giving Justices of the Peace additional powers in cases of arrests for violation of the game and fish laws—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

EMERIC, Chairman.

ON PUBLIC BUILDINGS AND GROUNDS.

ASSEMBLY CHAMBER, SACRAMENTO, January 26, 1893.

MR. SPEAKER: Your Committee on Public Buildings and Grounds, to whom was referred Assembly Bill No. 99—have had the same under consideration, and report the same back, and recommend that it do pass

CURTIS, Chairman.

ON VINICULTURE, VITICULTURE, AND HORTICULTURE.

ASSEMBLY CHAMBER, SACRAMENTO, January 30, 1893.

MR. SPEAKER: Your Committee on Viniculture, Viticulture, and Horticulture, to whom was referred Assembly Bill No. 123—An Act to provide for publication and sale of an abridgment of the reports of the State Board of Horticulture, and making an appropriation of money to pay for the same—have had the same under consideration, and respectfully report the same back, and recommend that it do not pass.

HUTSON, Chairman.

Assembly Bill No. 123 re-referred to Committee on Ways and Means.

ON ATTACHÉS AND EMPLOYÉS.

ASSEMBLY CHAMBER, SACRAMENTO, January 30, 1893.

MR SPEAKER. Your Committee on Attachés and Employés, to whom was referred the following resolutions:

By Mr. Mathews of Tehama

Resolved, That Jesse Vaughn be and he is hereby appointed Electrician of the Assembly, to date from January 2, 1893, at a per diem of three dollars, payable out of the Contingent Fund of the Assembly.

Have had the same under consideration, and respectfully report the same back, and recommend that it do not pass.

Also: By Mr. Androus:

Resolved, That Mrs. Anna Faylor be appointed assistant clerk to the Committee on State Prisons and Reformatory Institutions, at the same per diem as is paid the other committee clerks, payable out of the fund for the contingent expenses of the Assembly.

Also: By Mr Mathews of Tehama:

Resolved, That Milo C. Ayer be and he is hereby appointed Messenger to the Committee on County and Township Governments, at a per diem of four dollars, payable out of the Contingent Fund of the Assembly.

Have considered them, and respectfully report them back, with the recommendation that they pass

HURLEY, Chairman.

Recommendations adopted.

MESSAGE FROM THE SENATE.

SENATE CHAMBER, SACRAMENTO, January 27, 1893.

MR. SPEAKER: I am directed to inform your honorable body that the Senate, on the twenty-fifth day of January, 1893, passed Senate Bills Nos. 206, 200, 1, and Senate Joint Resolution No 12—Relative to irrigation of arid and desert lands.

F. J. BRANDON, Secretary.
By R. SHAW, Assistant.

SENATE BILLS REFERRED.

Senate Bill No. 206 referred to Committee on State Hospitals.
Senate Bill No. 200 referred to Committee on Public Lands.
Senate Bill No. 1 referred to Committee on Municipal Corporations.
Senate Joint Resolution No. 12 referred to Committee on Irrigation.

INTRODUCTION OF BILLS.

The following bills were introduced, read by title, and referred to committees, as follows:

By Mr. Finlayson: Assembly Bill No. 573—An Act supplemental to an Act entitled "An Act to provide for the organization and government of levee districts created for the protection of lands from overflow of innavigable running streams of water, and to confine innavigable running streams to a fixed channel," approved March 10, 1891, and to provide for the examination, approval, and confirmation of proceedings for the issue and sale of bonds issued under the provisions of said Act.

Referred to Committee on Swamp and Overflowed Lands.

Also: Assembly Bill No. 574—An Act to add an additional section to the Code of Civil Procedure, to be known as section seven hundred and twenty-six and one half.

Referred to Committee on Judiciary.

By Mr. Matthews of San Benito: Assembly Bill No. 575—An Act to amend sections sixteen, eighteen, nineteen, twenty-four, twenty-six, and twenty-nine of an Act entitled "An Act to establish a State Reform School for Juvenile Offenders, and to make an appropriation therefor," approved March 11, 1889.

Referred to Committee on State Prisons and Reformatory Institutions.

By Mr. Bulla: Assembly Bill No. 576—An Act to amend section three thousand and forty-six of the Civil Code of the State of California.

Referred to Committee on Judiciary.

By Mr. Casterline: Assembly Bill No. 577—An Act providing that the offices of Judge of the Superior Court of the county of San Diego, State of California, now held by the Judges of Departments No. 1, No. 2, and No. 3 of said Court, shall cease upon a vacancy occurring therein.

Referred to Committee on Judiciary.

By Mr. Kennedy: Assembly Bill No. 578—An Act to amend section three thousand five hundred and seventy-two of an Act entitled "An Act to establish a Political Code," approved March 12, 1872.

Referred to Committee on Swamp and Overflowed Lands.

REPORT OF STANDING COMMITTEE.

ON JUDICIARY.

ASSEMBLY CHAMBER, SACRAMENTO, January 30, 1893.

MR. SPEAKER: Your Committee on Judiciary, to whom was referred Assembly Bill No. 247—An Act to amend section two hundred and seventy-four of an Act entitled "An Act to establish a Code of Civil Procedure," relating to the duties and compensation of Court reporters, and to add a new section to said Act, to be known as section number two hundred and seventy-four and one half, providing for appointment of reporters pro tempore in any action—have had the same under consideration, and respectfully report the same back, and recommend that it do not pass

Also: Assembly Bill No. 246—An Act to enfranchise the women citizens of the State, and prescribing their qualifications as electors.

Also: Assembly Bill No 305—An Act to amend section one thousand two hundred and ten of the Code of Civil Procedure

Also: Assembly Bill No. 353—An Act to amend section one thousand two hundred and sixty-one of an Act entitled "An Act to establish a Civil Code," approved March 21, 1872.

Also: Senate Bill No. 11—An Act to amend section sixty of an Act entitled "An Act for the relief of insolvent debtors, for the protection of creditors, and for the punishment of fraudulent debtors," approved April 16, 1880, relating to setting apart exempt property for the use and benefit of the insolvent, and also a homestead, and providing for giving notice of the hearing of the application therefor

Also. Senate Bill No 20—An Act to amend section one thousand three hundred and sixty-eight of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1873, relating to estates of deceased persons.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

Also: Assembly Bill No. 234—An Act to amend section seven hundred and sixty-eight of the Code of Civil Procedure of California, relating to charges and fees allowable by the Court in actions for the partition of real property.

Also: Assembly Bill No. 261—An Act to amend section two thousand nine hundred and fifty-five of the Civil Code, relating to mortgages of personal property.

Have had the same under consideration, and respectfully report the same back, and recommend that the authors of the same be allowed to withdraw them.

Also: Assembly Bill No. 109—An Act to amend section two hundred and seventy-six of the Code of Civil Procedure, relating to the qualifications of attorneys and counselors at law—have had the same under consideration, and respectfully report the same back without recommendation.

Also: Assembly Bill No. 104—An Act to amend section one hundred and seventy-two of the Civil Code, relating to the control, management, and disposition of community property.

Also: Assembly Bill No 133—An Act to amend section five hundred and eighty-one of the Code of Civil Procedure, in relation to dismissal of actions.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass as amended.

SHANAHAN, Chairman.

MOTION.

Mr. Mathews of Tehama moved that an evening session be held this evening, commencing at seven o'clock and thirty minutes, for the purpose of considering the first reading of bills.

So ordered.

INTRODUCTION OF BILLS.

The following bills were introduced, read by title, and referred to committees, as follows:

By Mr. Dodge: Assembly Bill No. 579—An Act to appropriate the sum of two hundred and fifty-six dollars and fifty-four cents to pay the claim of John M. Creed for the construction of a sewer along Dwight Way, in front of the lands of the Deaf and Dumb Asylum, of Berkeley, California, which work was performed and material furnished under a contract with George Schmidt, Superintendent of Streets of the town of Berkeley, his authority having been acquired under the general street law of this State.

Referred to Committee on Claims.

By Mr. Carlson: Assembly Bill No. 580—An Act to authorize cities operating under a charter framed under the provisions of section eight, article eleven of the Constitution, to surrender such charter and reorganize under the general municipal laws of the State of California, relating to municipal corporations of the class to which such city and county, city, or town may belong.

Referred to Committee on Municipal Corporations.

By Mr. Hurley: Assembly Bill No. 581—An Act to amend section five hundred and one of the Civil Code, relating to street railways.

Referred to Committee on Municipal Corporations.

By Mr. Duffy: Assembly Bill No. 582—An Act prohibiting the use of barbed wire fence on public lanes, streets, alleys, roads, or highways.

Referred to Committee on Roads and Highways.

By Mr. Curtis: Assembly Bill No. 583—An Act amending sections one thousand one hundred and eighty-three, one thousand one hundred and eighty-four, and one thousand one hundred and eighty-seven of the Code of Civil Procedure of the State of California, as amended March 15, 1887; section one thousand one hundred and ninety-five of the said Code of Civil Procedure, as amended March 18, 1885, and section one thousand one hundred and ninety of said Code of Civil Procedure, all relating to liens of mechanics and others, and also inserting a new section in said Code, to be numbered section one thousand two hundred and three.

Referred to Committee on Judiciary.

Also: Assembly Bill No. 584—An Act to amend section three thousand and five of the Political Code.

Referred to Committee on State Hospitals.

By Mr. Sargent: Assembly Bill No. 585—An Act to amend section fifteen hundred and two of the Political Code, respecting Normal Schools.

Referred to Committee on Education.

MOTION.

Mr. McElroy moved that the Assembly do now consider the joint rules of the Senate and Assembly, as reported by the Committee on Rules and Regulations on last Saturday.

So ordered.

ADOPTION OF JOINT RULES.

Mr. McElroy moved to amend rule seven by striking out the word "Speaker," and inserting in lieu thereof the word "President."

Adopted.

Joint rules as amended adopted.

BILL WITHDRAWN.

Mr. Perkins, on his motion, was allowed to withdraw Assembly Bill No. 273.

MOTION.

Mr. Mathews of Tehama moved that the Assembly do now consider the second reading file.

So ordered.

SECOND READING OF BILLS.

Assembly Bill No. 26—An Act to provide two additional Judges of the Superior Court of the county of Alameda.

Passed on file.

Assembly Bill No. 17—An Act to add a new section to the Penal Code of the State of California, to be designated as section four hundred and two, relating to the duties of females employed in mercantile and manufacturing occupations.

Passed on file.

Assembly Bill No. 84—An Act to authorize the husband or wife, or next of kin, of a deceased person to collect and receive of any bank any deposit in such bank when the same does not exceed the sum of five hundred dollars.

Ordered engrossed and to a third reading.

Assembly Bill No. 190—An Act to provide for a day of rest from labor.

Read second time.

Mr. Raw moved to amend by striking out section three.

Pending consideration of the amendment, the further consideration of the bill was ordered passed on file.

Assembly Bill No. 144—An Act to prohibit prize fighting and pugilistic sport.

Read second time.

Committee substitute, as follows:

SUBSTITUTE FOR ASSEMBLY BILL No. 144.

An Act to prohibit prize fighting.

The People of the State of California, represented in Senate and Assembly, do enact as follows:

SECTION 1. It shall be unlawful for any person or persons within this State to engage in what is generally known as prize fighting, with or without gloves, whereby bruising or maiming, or other serious bodily injury, may result to the participants.

SEC. 2. Any and all persons engaging in contests designated in section one of this Act, either as principals, aids, seconds, or backers, shall be guilty of felony, and upon conviction shall be fined not less than one thousand dollars nor more than five thousand dollars, and be imprisoned in the State Prison not less than one year nor more than three years.

SEC. 3. This Act shall take effect immediately.

Adopted.

Ordered engrossed and to a third reading.

Assembly Bill No. 185—An Act to amend section three thousand seven hundred and seventy-three of the Political Code, relating to the sale of property for delinquent taxes.

Read second time, ordered engrossed and to a third reading.

Assembly Bill No. 142—An Act regulating the hours of labor in saw mills, shingle mills, shake mills, and logging camps.

Read second time.

Committee amendments, as follows:

AMENDMENT No. 1.

Amend line four in section one so as to read as follows: "of hours labor in one day shall be void at the option of the employé without regard to the."

Adopted.

AMENDMENT No. 2.

Amend line one in section two so as to read as follows:

"SEC. 2. In actions to recover the value or price of labor under section one of this Act."

Lost.

AMENDMENT No. 3.

Amend line five in section three so as to read as follows: "Camp at (state place) for (state number of days), at the agreed rate of (state price per day, week)."

Adopted.

AMENDMENT No. 4

Amend line nine in section three so as to read as follows: "(stating number of days and hours) work in excess of ten hours in one day for which there is."

Adopted.

Mr. Bledsoe moved to amend section six so as to read as follows:

"This Act shall take effect thirty days after its passage."

Adopted.

NOTICE OF RECONSIDERATION.

Mr. Bledsoe gave notice that on the next legislative day he will move a reconsideration of the vote whereby committee amendment number two was lost.

The further consideration of Assembly Bill No. 142 was passed on file.

Assembly Bill No. 43—An Act to provide for the publication of monthly statements of city indebtedness.

Passed on file.

Assembly Bill No. 30—An Act entitled an Act to amend section fifteen of an Act entitled "An Act to provide for the formation, government, operation, and dissolution of sanitary districts in any part of the State for the construction of sewers and other sanitary purposes; the acquisition of property thereby; the calling and conducting of elections in such districts; the assessment, levy, collection, custody, and disbursement of taxes therein; the issuance and disposal of the bonds thereof, and the determination of their validity, and making provision for the payment of such bonds, and the disposal of their proceeds.

Passed on file.

Assembly Bill No. 100—An Act to change the name of the Mendocino State Asylum for the Insane, to Mendocino Asylum.

Read second time, ordered engrossed and to a third reading.

Assembly Bill No. 14—An Act to add a new section to an Act entitled "An Act to establish a Political Code of the State of California," to be called section two thousand nine hundred and eighty-four, relative to the appointment of a State Sanitary Inspector.

Read second time, ordered engrossed and to a third reading.

Assembly Bill No. 8—An Act to promote the purity of elections.

Read second time.

Committee amendments, as follows:

AMENDMENT No. 1.

Amend the title so as to read as follows, viz:

"An Act to promote the purity of elections by regulating the conduct thereof, and to support the privilege of free suffrage by prohibiting certain acts and practices in relation thereto, and providing for the punishment thereof."

Adopted.

AMENDMENT No. 2.

Amend section one, line two, of printed bill, by inserting after the words "this State and" the word "presidential."

Adopted.

AMENDMENT No. 3.

Amend section one, line three, of printed bill, by adding after words "made by" the following words, viz: "the members of a political party or by."

Adopted.

Mr. Hurley moved that the further consideration of the bill be deferred until the members of the Judiciary Committee are present, and that the bill retain its place upon the file.

So ordered.

REPORT OF STANDING COMMITTEE.

ON ELECTIONS AND PRIVILEGES

ASSEMBLY CHAMBER, SACRAMENTO, January 30, 1893.

MR. SPEAKER: Your Committee on Elections and Privileges, to whom was referred the contested election case of F. W. Leonhard, contestant, vs. H. B. M. Miller, respondent—report the same back, and recommend that H. B. M. Miller, the respondent, who was legally elected a member of this Assembly, be allowed to retain his seat as a member of this Assembly.

TINDALL, Chairman.

INTRODUCTION OF BILL.

By Mr. Curtis: Assembly Bill No. 586—An Act regulating the practice of architecture in the State of California.

Referred to Committee on Judiciary.

REPORT OF STANDING COMMITTEE.

ON CLAIMS.

ASSEMBLY CHAMBER, SACRAMENTO, January 27, 1893.

MR. SPEAKER: Your Committee on Claims, to whom was referred Assembly Bill No. 328—An Act to provide for the payment of the claim of James C. Smith, for money advanced and expended by him for the State of California, in the building and construction of the North Street Canal, and laying sewer pipe, at and near Stockton, San Joaquin County, California—have had the same under consideration, and respectfully report the same back, and recommend that it do not pass.

Also: Assembly Bill No. 222—An Act for the relief of Barnaby Dougherty.

Also: Assembly Bill No. 284—An Act for the relief of George Dougherty.

Also: Assembly Bill No. 317—An Act for the relief of Patrick Creighton.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

BURKE, Chairman.

Assembly Bill No. 328 re-referred to Committee on Ways and Means.

Mr. Godchaux moved that Assembly Bills Nos. 222, 284, and 317 be re-referred to Committee on Judiciary.

So ordered.

RECESS.

The hour of recess having arrived, the Speaker declared recess until two o'clock P. M.

REASSEMBLED.

The Assembly reassembled at two o'clock P. M.

Speaker Gould in the chair.

Quorum present.

APPROVAL OF JOURNAL.

Journal of Saturday, January 28th, approved.

PETITION.

By Mr. Anderson:

To the honorable Senate and Assembly in Legislature assembled:

The California Drainage and Reclamation Convention, assembled in Sacramento January 28, 1893, unanimously adopted the following resolution:

Resolved by the State Drainage and Reclamation Convention, assembled in Sacramento this twenty-eighth day of January, 1893, That the Senate and Assembly of the State of California are earnestly requested to adopt a joint resolution urging upon the Congress now in session at Washington to pass the House resolution introduced by Congressman A. Caminetti on the nineteenth day of January, 1893, known as House Resolution No. 188, providing for the examination of the navigable waters of the river system tributary to the bay of San Francisco, State of California, with a view to permanent improvement for the purposes of commerce and navigation.

W. S. GREEN, Colusa, Chairman,
J. M. FULWEILER, Placer,
FRANK MILLER, Sacramento,
A. C. BINGHAM, Yuba,
JAMES MILLER, Solano,
GEO. OHLEYER, Sutter,
G. M. DIXON, Sacramento,
W. C. CURTIS, Yolo,
N. B. KIRTLEY, Sutter,
Members Memorial Committee.

ASSEMBLY JOINT RESOLUTION.

By Mr. Anderson: Assembly Joint Resolution No. 17—

Resolved by the Assembly, the Senate concurring, That we urge upon Congress, and most earnestly request, that they adopt and speedily pass the resolution introduced in the House of Representatives by Congressman A. Caminetti, on the nineteenth day of January, 1893, providing for the examination or survey of the navigability of the waters of the river system tributary to the bay of San Francisco, State of California, and in such manner as in said joint resolution set out; that the Governor of the State cause to be forwarded by telegraph to our Representatives in Congress a copy of this resolution, and request that they present the same to the House and Senate.

MOTION.

Mr. Anderson moved that the consideration of the resolution be made a special order for to-morrow morning.

So ordered.

REPORT OF STANDING COMMITTEE.

ON ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, January 28, 1893.

MR. SPEAKER: Your Committee on Enrollment beg leave to report that Assembly Constitutional Amendment No. 8—Relative to the rights of suffrage—has been correctly enrolled, and was presented to the Governor January 28, 1893, at eleven o'clock and thirty minutes A. M.

O'NEILL, Chairman.

MOTION.

Mr. Lynch moved that the special order set for this hour—consideration of report of committee of investigation appointed to consider the language used by Mr. Bretz on January 18th—be deferred until after the Judiciary Committee presents a report relative to the matter.

So ordered.

SECOND READING OF BILLS.

Assembly Bill No. 169—An Act to cede jurisdiction to the United States over certain lands.

Read second time and passed on file.

MOTIONS.

Mr. Shanahan moved that the Judiciary Committee be granted twenty minutes additional time in which to make a report relative to the matter of the report of the committee of investigation in regard to A. Bretz.

So ordered.

Mr. Dodge moved that Senate Bill No. 24 be substituted on the file for Assembly Bill No. 26, and that it be read the first time.

So ordered.

FIRST READING OF BILL.

Senate Bill No. 24—An Act to provide two additional Judges of the Superior Court of the county of Alameda.

Read first time, and ordered placed on file for second reading.

ASSEMBLY JOINT RESOLUTIONS.

Assembly Joint Resolution No. 10—Relative to the refunding of moneys to certain settlers on Government lands in Fresno, Monterey, and San Benito Counties.

Read, and adopted by the following vote:

AYES—Messrs. Adams, Anderson, Androus, Barlow, Bennett of Santa Clara, Bledsoe, Bretz, Brownlie, Buckley, Bulla, Burke, Carlson, Casterline, Chipman, Conway, Cusick, Dodge, Drees, Duckworth, Duffy, Durst, Emeric, Gallagher, Gately, Godchaux, Hendrickson, Hurley, Hutson, Jacobs, Jacobsen, Johnson of Humboldt, Johnson of Santa Clara, Kahn, Kerns, Luttringer, Lynch, McElroy, McGowan, Mack, Marks, Marston, Matthews of San Benito, Miller, Mordecai, O'Keefe, O'Neill, Owen, Pendleton, Perkins, Price, Pueschel, Raw, Sargent, Schlesinger, Schroebel, Simpson, Sims, Standart, Taggart, Talbott, Taylor, Thomas of Nevada, Thomas of Santa Clara, Tindall, Vann, Wade, and Mr. Speaker—67.

NOES—None

Assembly Joint Resolution No. 8—Relative to the payment of the debt which the Pacific railroads owe to the Government.

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

AYES—Messrs Adams, Anderson, Androus, Barlow, Bennett of Santa Clara, Bledsoe, Bretz, Brownlie, Buckley, Bulla, Burke, Carlson, Casterline, Chipman, Conway, Curtis, Cusick, Dodge, Drees, Duckworth, Duffy, Durst, Emeric, Gately, Godchaux, Hendrickson, Hurley, Hutson, Jacobs, Jacobsen, Johnson of Humboldt, Kahn, Kerns, Luttringer, McElroy, Marks, Marston, Matthews of San Benito, Miller, Mordecai, O'Keefe, O'Neill, Owen, Pendleton, Perkins, Price, Pueschel, Raw, Sargent, Schlesinger, Schroebel, Simpson, Sims, Standart, Taggart, Talbott, Taylor, Thomas of Nevada, Thomas of Santa Clara, Tindall, Vann, Wade, and Mr. Speaker—63

NOES—None

SECOND READING OF BILLS.

Assembly Bill No. 262—An Act to amend sections one thousand one hundred and eighty-six, one thousand one hundred and eighty-seven, one thousand one hundred and eighty-eight, one thousand one hundred and ninety, one thousand one hundred and ninety-two, one thousand three hundred and fifty-seven, one thousand three hundred and fifty-eight, one thousand three hundred and fifty-nine, 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 sixty-three, one thousand three hundred and sixty-four, and one thousand three hundred and sixty-five of the Political Code, and to add nineteen new sections thereto, to be numbered one thousand three

hundred and sixty-six, one thousand three hundred and sixty-seven, one thousand three hundred and sixty-eight, one thousand three hundred and sixty-nine, one thousand three hundred and seventy, one thousand three hundred and seventy-one, one thousand three hundred and seventy-two, one thousand three hundred and seventy-three, one thousand three hundred and seventy-four, one thousand three hundred and seventy-five, one thousand three hundred and seventy-six, one thousand three hundred and seventy-seven, one thousand three hundred and seventy-eight, one thousand three hundred and seventy-nine, one thousand three hundred and eighty, one thousand three hundred and eighty-one, one thousand three hundred and eighty-two, one thousand three hundred and eighty-three, and one thousand three hundred and eighty-four, all in relation to the conduct of elections in this State.

Passed on file.

LEAVE OF ABSENCE.

Mr. Boyce was granted leave of absence for the day.

SECOND READING OF BILLS—(RESUMED).

Assembly Bill No. 71—An Act to amend an Act entitled "An Act to insure the better education of practitioners of dental surgery, and to regulate the practice of dentistry in the State of California," approved March 12, 1885.

Read second time, ordered engrossed and to a third reading.

Assembly Bill No. 45—An Act amendatory of and supplemental to an Act entitled "An Act to create a Police Court in and for the City and County of San Francisco, State of California," approved March 5, 1889, and providing for an additional department, to be known as Department Number Four, and the appointment of a suitable person to act as Judge of said Court.

Read second time.

Committee amendment, as follows:

Amend by striking out all of section ten of printed bill and inserting in lieu thereof the following:

Section 10 There shall be appointed a Clerk for each department of this Court, in the manner now provided by law, who shall receive a salary of two hundred dollars per month, who shall transact the business of Clerk of said Court as provided by law. The City and County Auditor shall prepare and deliver to the Clerk of the Police Court, from time to time, as many official receipts as may be required. The Auditor shall sign such receipts and deliver them to the Clerk receiving them, specifying in the charge the amounts thereof named in such official receipts, and the class of receipts, respectively, taking receipts therefor, and said Clerk shall countersign the same, and upon the payment of any fine imposed by the Judge of the Police Court, he must deliver to the person paying the same an official receipt for the amount of such fine, and shall daily pay to the City and County Treasurer all moneys so collected or received by him; and shall, under oath, on the first day of each month, and oftener when required so to do by the Auditor, make to the Auditor a report of all such official receipts issued and used by him during the preceding month, and on hand at the close of official business on the last day of the preceding month, and of all moneys so paid by him to the Treasurer during the preceding month, and shall at such time exhibit to the Auditor all unused official receipts, or official receipts not issued remaining in his hands, and the Treasurer's receipts for all moneys paid into the treasury. Whenever any money is deposited with the Clerk as bail money, the Clerk must deliver to the person depositing such money an official receipt therefor, signed by himself, written upon an official receipt countersigned and furnished for that purpose by the Auditor, and shall daily pay to City and County Treasurer all moneys so collected or received by him, taking the Treasurer's receipt therefor. The said money shall be received and kept by the Treasurer as a special deposit, and shall be paid out by him on the order of the Judge of the Police Court, if the bail is exonerated, in the same manner as deposits of money in the custody of the Treasurer belonging to estates of deceased persons are paid out At least one day shall

intervene between the deposit of the money with the Treasurer and the payment on the order made by the Judge of the Police Court. The Treasurer shall be liable on his official bond for the safe-keeping and disbursement of all moneys so deposited with him; but nothing contained in this Act shall be construed or held to relieve the Clerk of the Police Court from any liability for his acts in relation to moneys collected or received by him. All official receipts must be kept and bound in books containing not more than one hundred such receipts, each receipt and stub thereof bearing a number, beginning with number one in each class for each fiscal year, and numbered in consecutive order. When a receipt is issued or used by the Clerk of the Police Court, the Clerk must enter on the stub corresponding with the receipt, the name of the person making the payment of the fine or depositing the money as bail, the offense of which the person was convicted, and the name of the person convicted, or the offense of which the person bailed is charged, and the name of the person bailed, and the date and amount of the payment or deposit. Any person making, issuing, or giving a receipt for money received in payment of a fine, or for money deposited as bail, other than the official receipt countersigned and furnished by the Auditor, is guilty of a felony.

Adopted.
Bill ordered engrossed and to a third reading.

REPORT OF SELECT COMMITTEE.

MR. SPEAKER: Your select committee, consisting of Mr. Shanahan, the Chairman of the select committee on investigation of charges made by A. Bretz, have examined the testimony of H. J. T. Jacobsen, with the assistance of the shorthand reporter, and have made and offer the following correction to the long-hand transcript of the testimony taken in the investigation of the said Bretz:

Strike out all after the word "might," on line thirteen, page fifty-nine, printed transcript, and up to and including the word "myself," on line nineteen, same page, and insert the following: "might not be difficult to secure something of that kind. And he asked me what my ambitions were, and I said, 'I would like to get a foreign mission.' 'Well,' he said, 'that is not within reason, but possibly a consulate or something of that kind might be arranged.' Then I told him that I was very friendly disposed towards Mr. White, and I would probably vote for him if it was not that we Populists had a candidate, and had pledged ourselves to vote for him until our case was hopeless; 'later on I may vote for White myself.'"

SHANAHAN, Chairman.

Adopted.

REPORT OF STANDING COMMITTEE.

ON JUDICIARY.

ASSEMBLY CHAMBER, SACRAMENTO, January 30, 1893.

MR. SPEAKER: Your Committee on Judiciary, to whom was referred the following Assembly resolution:

WHEREAS, A select committee of the House did, on January 24th, file its report in this House, among other things recommending the expulsion of A. Bretz from this House, and that his seat be declared vacant, by which his seat is imperiled; and whereas, in such cases, by precedent, both of Congress and Legislatures, the accused is entitled to be heard by counsel at the bar of the House before action thereon; now, therefore, be it

Resolved, That before a vote is taken upon said report, the said A. Bretz be heard by counsel of his choice at the bar of the House

That the same be amended by adding thereto the following:

"*Provided, however*, that any argument made by counsel for Mr. Bretz shall be limited to one hour."

Have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

DODGE.
BULLA.
O'KEEFE.
SIMPSON.
MILLER.
THOMAS.
SCHLESINGER.
DUCKWORTH.

We, the undersigned, members of said committee, dissent, and recommend that said report be not adopted.

SHANAHAN.
ALFORD.
HAMILTON.
FINLAYSON.
MACK.

The question being upon the adoption of the minority report, the ayes and noes were demanded by Messrs. Duckworth, Bulla, and Jacobsen.

The roll was called, and the minority report refused adoption by the following vote:

AYES—Messrs Alford, Brownlie, Buckley, Burke, Conway, Curtis, Drees, Duffy, Emeric, Finlayson, Gately, Godchaux, Hamilton, Hendrickson, Hurley, Hutson, Jacobs, Kahn, Luttringer, McCauley, McElroy, Mack, Marks, Marston, Mathews of Tehama, Matthews of San Benito, Mordecai, O'Neill, Price, Pueschel, Sargent, Schroebel, Shanahan, Sims, Tindall, and Mr Speaker—36

NOES—Messrs. Adams, Anderson, Androus, Barlow, Bennett of Santa Clara, Blakeley, Bledsoe, Bulla, Carlson, Casterline, Chipman, Cusick, Dodge, Duckworth, Durst, Gallagher, Jacobsen, Johnson of Humboldt, Johnson of Santa Clara, Kennedy, Lynch, McGowan, Miller, O'Keefe, Owen, Pendleton, Perkins, Raw, Schlesinger, Simpson, Standart, Taggart, Talbott, Taylor, Thomas of Nevada, Thomas of Santa Clara, Vann, and Wade—38.

Mr. Mathews of Tehama moved to amend the majority report, in effect that Mr. Kerns also be heard by counsel of his choice.

Lost.

The question being upon the adoption of the majority report, the ayes and noes were demanded by Messrs. Duckworth, Anderson, and Barlow.

The roll was called, and the majority report refused adoption by the following vote:

AYES—Messrs. Adams, Anderson, Androus, Barker, Barlow, Bennett of Santa Clara, Blakeley, Bledsoe, Bulla, Carlson, Casterline, Chipman, Cusick, Dodge, Drees, Duckworth, Jacobsen, Johnson of Humboldt, Johnson of Santa Clara, Kennedy, Lynch, McGowan, Miller, O'Keefe, Owen, Pendleton, Perkins, Raw, Schlesinger, Simpson, Standart, Talbott, Taylor, Thomas of Nevada, Thomas of Santa Clara, Vann, and Wade—37.

NOES—Messrs Alford, Brownlie, Buckley, Burke, Conway, Duffy, Durst, Emeric, Finlayson, Gallagher, Gately, Godchaux, Hamilton, Hendrickson, Hurley, Hutson, Jacobs, Kahn, LaRue, Luttringer, McCauley, McElroy, Mack, Marks, Marston, Mathews of Tehama, Matthews of San Benito, Mordecai, O'Neill, Price, Pueschel, Sargent, Schroebel, Shanahan, Sims, Taggart, Tindall, and Mr Speaker—38.

SPECIAL ORDER.

Consideration of report of committee of investigation appointed to consider the language used by Mr. Bretz on January 18th.

MOTION.

Mr. Barlow moved that the Assembly resolve itself into Committee of the Whole for the purposing of considering the report and all matters pertaining to it.

Lost.

RESOLUTION.

By Mr. Shanahan:

Resolved, That Aaron Bretz be and he is hereby expelled from the Assembly, and his seat is hereby declared to be and is vacant

Mr. Vann offered the following as a substitute:

WHEREAS, No positive proof has been introduced to show that money was used in the election of the United States Senator, yet the circumstances surrounding the vote of Mr. Kerns were of such a suspicious nature that it is reasonable to lead any man to say that he believed what Bretz said that he believed; therefore, be it

Resolved, That A. Bretz shall hereby be discharged from any punishment whatever by this Assembly

Mr. Bledsoe offered the following as a substitute to the substitute:

Resolved, That A. Bretz be and he is hereby suspended from all his privileges and duties as a member of this Assembly for and during the period of one week.

Mr. Anderson moved to amend the latter substitute so as to read as follows:

Resolved, That Aaron Bretz be brought before the bar of the House, and that a reprimand be administered to him by the Speaker, that he be thereafter suspended for one week.

Amendment accepted.

The ayes and noes were demanded by Messrs. Barlow, Adams, and Pueschel.

The roll was called, and Mr. Bledsoe's substitute as amended adopted by the following vote:

AYES—Messrs. Alford, Anderson, Androus, Barker, Bennett of Santa Clara, Bledsoe, Brownlie, Buckley, Bulla, Burke, Carlson, Casterline, Chipman, Conway, Curtis, Cusick, Dodge, Drees, Duffy, Durst, Emeric, Finlayson, Gallagher, Gately, Godchaux, Hamilton, Hendrickson, Hurley, Hutson, Jacobs, Johnson of Humboldt, Johnson of Santa Clara, Kennedy, LaRue, Luttringer, Lynch, McCauley, McElroy, Mack, Marks, Marston, Mathews of Tehama, Matthews of San Benito, Mordecai, O'Keefe, O'Neil, Price, Pueschel, Raw, Sargent, Schlesinger, Schroebel, Shanahan, Simpson, Sims, Standart, Taggart, Tindall, Wade, and Mr. Speaker—60

NOES—Messrs Adams, Barlow, Blakeley, Duckworth, Jacobsen, Kahn, McGowan, Miller, Owen, Pendleton, Perkins, Talbott, Taylor, Thomas of Nevada, Thomas of Santa Clara, and Vann—16.

AMENDMENT.

Mr. Shanahan moved to amend the consideration of report of committee of investigation appointed to consider the language used by Mr. Bretz on January 18th, by striking out the word "severest," and also the following words: "and that he should be expelled therefrom, and his seat declared vacant."

MOTION.

Mr. Barlow moved to recommit the report.

Lost.

Amendment adopted.

ADOPTION OF REPORT.

Upon the adoption of the report as amended, the ayes and noes were demanded by Messrs. Barlow, Adams, and Vann.

The roll was called, and the report as amended adopted by the following vote:

AYES—Messrs Alford, Anderson, Androus, Barker, Bennett of Santa Clara, Brownlie, Buckley, Bulla, Burke, Carlson, Casterline, Chipman, Conway, Curtis, Cusick, Dodge, Drees, Duffy, Durst, Emeric, Finlayson, Gately, Godchaux, Hamilton, Hendrickson, Hurley, Hutson, Jacobs, Johnson of Humboldt, Johnson of Santa Clara, Kennedy, Kahn, LaRue, Lynch, McCauley, McElroy, Mack, Marks, Marston, Mathews of Tehama, Matthews of San Benito, Mordecai, O'Keefe, O'Neill, Perkins, Pueschel, Raw, Sargent, Schlesinger, Schroebel, Shanahan, Simpson, Sims, Standart, Taggart, Thomas of Nevada, Tindall, and Mr. Speaker—58.

NOES—Messrs. Adams, Barlow, Blakeley, Bledsoe, Duckworth, Jacobsen, Miller, Owen, Talbott, Taylor, Thomas of Santa Clara, Vann, and Wade—13

COMMITTEE APPOINTMENTS.

The Speaker appointed Mr. Hurley as a member of the Committee on Claims, in place of Mr. Bennett of Santa Clara, excused.

The Speaker appointed on the special committee to investigate the charges made by J. W. Rea against Assemblyman Johnson of Santa Clara, Messrs. Mordecai, Hendrickson, Hurley, Bledsoe, and Bulla.

RECESS.

At five o'clock and twenty-five minutes P. M., on motion of Mr. Mathews of Tehama, the Assembly took a recess until seven o'clock and thirty minutes P. M.

REASSEMBLED.

The Assembly reassembled at seven o'clock and thirty minutes P. M. Speaker Gould in the chair.
Quorum present.

GENERAL FILE—FIRST READING OF BILLS.

The following bills were read the first time and placed on file for second reading:

Assembly Bill No. 334—An Act to amend "An Act to establish a uniform system of county and township governments," approved March 31, 1891, relating to county supplies, printing, and advertisements.

Assembly Bill No. 114—An Act to provide for the organization, incorporation, and government of towns.

Assembly Bill No. 115—An Act to amend section four thousand two hundred and thirty-four of the Political Code of the State of California, relating to the books of records to be procured and kept by the County Recorder.

Assembly Bill No. 270—An Act to establish a naval battalion, to be attached to the National Guard of California.

Assembly Bill No. 173—An Act to amend the Civil Code by adding to part four, division one, a new title, providing for the consolidation of colleges and institutions of higher education.

Assembly Joint Resolution No. 4—Relating to the free and unlimited coinage of silver.

Passed on file.

Assembly Bill No. 324—An Act to provide for planting a row of trees around the Capitol grounds.

Re-referred to Committee on Ways and Means.

Assembly Bill No. 189—An Act to amend section one thousand two hundred and eighteen of an Act entitled "An Act to establish a Code of Civil Procedure of the State of California," approved March 11, 1872, relating to contempt of Court and punishment thereof.

Assembly Bill No. 162—An Act to add a new section to the Code of Civil Procedure of California, to be known as section one thousand six hundred and nineteen, relating to the commissions of the executor, or the administrator, with the will annexed, in cases where the administration is, by the terms of the will, and, in consequence thereof, extended beyond four years.

Assembly Bill No. 183—An Act to provide for the appointment of guardians of children maintained in any orphans' home or orphan asylum in this State.

WITHDRAWAL OF BILL.

Mr. Finlayson, the introducer, on his motion, was allowed to withdraw Assembly Bill No. 183.

FIRST READING OF BILLS—(RESUMED).

The following bills were read the first time, and ordered placed on file for second reading:

Assembly Bill No. 271—An Act to amend sections seven hundred and seventy-eight and seven hundred and eighty-two of the Political Code of the State of California, relating to the printing and sale of the reports of the Supreme Court of the said State of California, and to repeal sections seven hundred and seventy-nine, seven hundred and eighty, and seven hundred and eighty-one of said Political Code.

Assembly Bill No. 143—An Act to regulate the rate of interest in this State.

Assembly Bill No. 82—An Act to amend sections one thousand three hundred and three, one thousand three hundred and twenty-three, one thousand three hundred and sixty-five, one thousand three hundred and eighty-eight, one thousand four hundred and thirty-nine, one thousand five hundred and sixteen, one thousand five hundred and seventeen, one thousand five hundred and thirty-six, one thousand five hundred and forty-five, one thousand five hundred and forty-seven, 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 fifty-two, one thousand five hundred and fifty-three, one thousand five hundred and fifty-four, one thousand five hundred and fifty-seven, one thousand five hundred and fifty-eight, one thousand five hundred and sixty-five, one thousand five hundred and ninety-two, one thousand five hundred and ninety-seven, one thousand five hundred and ninety-eight, one thousand five hundred and ninety-nine, and one thousand six hundred and eighteen, and to repeal sections one thousand five hundred and eighteen, one thousand five hundred and nineteen, one thousand five hundred and twenty-two, one thousand five hundred and twenty-three, one thousand five hundred and twenty-four, 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-three, one thousand five hundred and thirty-seven, one thousand five hundred and thirty-eight, one thousand five hundred and thirty-nine, one thousand five hundred and forty, one thousand five hundred and forty-one, one thousand five hundred and forty-two, one thousand five hundred and forty-three, one thousand five hundred and forty-four, one thousand five hundred and forty-nine, and one thousand five hundred and fifty-six, and to add four new sections, to be known and designated as sections one thousand five hundred and forty-six, one thousand five hundred and fifty-four and one half, one thousand five hundred and ninety-two, and one thousand five hundred and ninety-seven and one half of an Act of the Legislature of the State of California entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1873, all relating to estates of deceased persons.

Assembly Bill No. 83—An Act to amend sections one thousand seven hundred and sixty-eight, one thousand seven hundred and seventy, one thousand seven hundred and seventy-seven, one thousand seven hundred and eighty-eight, and one thousand seven hundred and eighty-nine, and repealing sections one thousand seven hundred and seventy-eight, 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-six, and one thousand seven hundred and eighty-seven of an Act of the Legislature of the State of California entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1873, all relating to the guardianship of the persons and estates of minors and incompetents, and adding a new section to said Code of Civil Procedure, to be known and designated as section one thousand seven hundred and seventy-one and one half, also relating to the guardianship of the persons and estates of minors and incompetents.

Assembly Bill No. 69—An Act to amend section one thousand six hundred and sixty-eight of an Act of the Legislature of the State of California entitled "An Act to establish a Code of Civil Procedure," relating to proceedings for the distribution of the estates of deceased persons.

Assembly Bill No. 112—An Act to amend section one hundred and sixty-four of the Civil Code of the State of California, relating to conveyances of real property by married women, and limiting the time in which to commence actions for recovery of community property by husbands.

Mr. Schlesinger in the chair.

BILLS RE-REFERRED.

Mr. Cusick moved that Assembly Bills Nos. 360 and 358 be re-referred to Committee on Judiciary.

So ordered.

FIRST READING OF BILLS—(RESUMED).

The following bills were read the first time and ordered placed on file for second reading:

Assembly Bill No. 359—An Act to amend section ninety-one of an Act entitled "An Act to establish a uniform system of county and township governments," approved March 31, 1891, relative to counting the money in the County Treasury.

Assembly Bill No. 125—An Act to increase the number of Judges of the Superior Court of the county of Santa Clara, and to provide for the appointment of an additional Judge, and to fix his compensation.

Assembly Bill No. 62—An Act to prevent combinations to obstruct the sale of live stock in the State of California.

Assembly Bill No. 188—An Act to amend an Act entitled "An Act to form agricultural districts, to provide for the formation of agricultural associations therein, and for the management and control of the same by the State, and to repeal so much of an Act entitled 'An Act to form agricultural districts, to provide for the formation of agricultural associations therein, and for the management and control of the same by

the State,' approved March 20, 1891," by amending sections one, eleven, and twelve.

Assembly Bill No. 87—An Act to repeal an Act entitled "An Act fixing a bounty on coyote scalps," approved March 31, 1891.

Assembly Bill No. 60—An Act amending section one thousand two hundred and seven of the Civil Code of the State of California, approved March 12, 1872, relating to proof and acknowledgment of instruments.

Assembly Bill No. 164—An Act to amend an Act entitled "An Act to establish a Code of Civil Procedure," adopted March 11, 1872, by adding thereto a new section, to be known as section five hundred and seventy, relating to the appointment of receivers of the property of corporations.

Assembly Bill No. 227—An Act amending sections one thousand five hundred and seventy-seven and one thousand five hundred and seventy-eight of the Code of Civil Procedure, relating to mortgages and leases in certain cases.

Assembly Bill No. 214—An Act to amend section one thousand two hundred and six of the Code of Civil Procedure, relating to certain liens for salaries and wages, and to persons preferred in cases of executions and attachments.

Assembly Bill No. 96—An Act to add a new section to the Political Code, to be numbered three thousand eight hundred and nineteen, relating to the payment of taxes under protest, and the right of action to recover taxes so paid.

Assembly Bill No. 212—An Act to amend section one thousand two hundred and four of the Code of Civil Procedure, relating to certain liens for salaries and wages, and to persons preferred on assignments for benefit of creditors.

Assembly Bill No. 213—An Act to amend section one thousand two hundred and five of the Code of Civil Procedure, relating to certain liens for salaries and wages, and to persons preferred in estates of deceased persons.

Assembly Bill No. 232—An Act for the regulation of the practice of medicine and surgery in the State of California, and for the appointment of a Board of Medical Examiners in the matter of said regulation.

Assembly Bill No. 403—An Act to amend section six hundred and twenty-six of the Penal Code, relating to the preservation of game birds and animals, and providing punishment for the unlawful taking, killing, and transportation thereof.

Assembly Bill No. 428—An Act to amend sections five hundred and twenty-seven, five hundred and thirty-one, and five hundred and thirty-two of the Political Code, relating to public printing, and the duties of the Superintendent of State Printing.

Assembly Concurrent Resolution No. 6—Requesting an inquiry into the condition of affairs and management of the State Printing Department of California.

Passed on file.

Assembly Bill No. 416—An Act authorizing the Superintendent of State Printing to have prepared and printed an index to all the laws of California, 1850–1893.

Assembly Bill No. 447—An Act exempting agricultural, horticultural, viticultural, and pastoral occupations from license taxation.

BILL RE-REFERRED.

Mr. Standart moved that Assembly Bill No. 447 be re-referred to Committee on Judiciary.

ROLL CALL.

Messrs. Owen, Schroebel, and Durst demanded a call of the roll, to ascertain whether a quorum was present.

The roll was called, and the following members answered to their names:

Messrs. Adams, Anderson, Androus, Barlow, Bennett of Santa Clara, Bledsoe, Bretz, Buckley, Burke, Carlson, Curtis, Cusick, Dodge, Drees, Duffy, Durst, Emeric, Gallagher, Hamilton, Hendrickson, Hutson, Jacobs, Jacobsen, Johnson of Humboldt, LaRue, McElroy, McGowan, Mack, Marks, Marston, Miller, O'Keefe, O'Neill, Owen, Perkins, Raw, Schlesinger, Schroebel, Standart, Taggart, Talbott, Wade, and Mr Speaker.

Quorum present.

Speaker Gould in the chair.

The question recurring on the motion to re-refer, it was lost.

FIRST READING OF BILLS—(RESUMED).

The following bills were read the first time and ordered placed on file for second reading:

Assembly Bill No. 48—An Act to appropriate money for the erection of a monument at Donner Lake, Nevada County, California, to the memory of the Donner party.

Assembly Bill No. 298—An Act to amend an Act entitled "An Act creating a Board of Bank Commissioners, and prescribing their duties and powers," approved March 30, 1878.

Assembly Bill No. 36—An Act to appropriate money for the survey, location, and construction of a free wagon road from the town of Mariposa, in Mariposa County, to the Yosemite Valley.

Assembly Bill No. 311—An Act to amend an Act entitled "An Act to establish a School of Industry, to provide for the maintenance and management of the same, and to make an appropriation therefor," approved March 11, 1889.

Assembly Bill No. 352—An Act to amend an Act entitled "An Act to amend an Act entitled 'An Act to provide for Police Courts in cities of thirty thousand and under one hundred thousand inhabitants, and to provide for officers thereof,' approved March 18, 1885, and to provide for Clerks of Police Courts in cities of twenty-six thousand and under fifty thousand inhabitants," approved March 31, 1891, by inserting a new section, to be numbered six and one half, providing for prosecuting attorneys of Police Courts in cities having more than thirty thousand and under fifty thousand inhabitants, and prescribing the duties and regulating the compensation of such prosecuting attorneys.

Assembly Bill No. 385—An Act to amend sections two and five of "An Act to provide for the maintenance and support of the public parks heretofore created within the various cities, and cities and counties, of the State, and amend the existing Acts in relation thereto," approved March 14, 1889.

Assembly Bill No. 343—An Act to provide a system of street improvement bonds to represent certain assessments for the cost of street work

and improvement within municipalities, and also for the payment of such bonds.

Assembly Bill No. 22—An Act to amend section forty-three of an Act entitled "An Act to provide for work upon streets, lanes, alleys, courts, places, and sidewalks, and for construction of sewers within municipalities," approved March 18, 1885, as amended by an Act approved March 17, 1891, which added said section forty-three to said original Act.

Assembly Bill No. 18—An Act to provide for the incorporation of mutual fire insurance companies, and define their powers and duties.

Assembly Bill No. 167—An Act providing for the destruction of ground squirrels and other destructive crop pests on all lands owned or claimed within the limits of the State of California.

Assembly Bill No 377—An Act to establish what shall constitute lawful fences within the State of California.

Assembly Bill No. 277—An Act entitled an Act to prevent the sale of short-weight rolls of butter.

Senate Joint Resolution No. 8—Requesting Congress to enact a law limiting or prohibiting foreign immigration.

Passed on file.

Senate Joint Resolution No. 4—Relative to restricting undesirable immigration.

Passed on file.

Assembly Bill No. 265—An Act to provide for payment of the claim of C. C. Rochford.

Assembly Bill No. 90—An Act to prevent deception in the manufacture and sale of butter and of cheese, and to appropriate money for its enforcement.

Assembly Bill No. 117—An Act to provide for the planting, maintenance, and care of shade trees upon streets, lanes, alleys, courts, and places within municipalities, and of hedges upon the lines thereof; also, for the eradication of certain weeds within city limits.

Assembly Bill No. 402—An Act providing for appeals from orders of the Board of Supervisors forming or refusing to form reclamation or swamp land districts, setting off lands from such districts, or including lands in such districts, or consolidating swamp land or reclamation districts.

Assembly Bill No. 419—An Act to amend an Act of the Legislature of the State of California entitled "An Act to establish a Penal Code," approved February 14, 1872, by adding thereto a new section, to be known and numbered as section three hundred and eight, relating to the sale and use of opium and any preparation thereof.

Assembly Bill No. 233—An Act to amend section five hundred and thirty-seven of the Penal Code of the State of California, relating to defrauding proprietors and managers of hotels, inns, restaurants, boarding houses, and lodging houses.

Assembly Bill No. 34—An Act to amend section one thousand three hundred and twenty-two of the Penal Code, relating to the competency of husband and wife to testify against each other.

Assembly Bill No. 240—An Act entitled an Act to add a new section to the Penal Code of the State of California, approved February 14, 1872, to be known and designated as section three hundred and ten, relating to the lewd and improper touching and handling of children under the age of fourteen years, and fixing the punishment therefor.

Assembly Bill No. 465—An Act to amend section one thousand and forty-two of the Penal Code, relating to trials by jury in cases of misdemeanor.

Assembly Bill No. 32—An Act to repeal an Act entitled "An Act to add an additional section to the Penal Code, to be known as section one hundred and fifty-nine and one half, making it a misdemeanor to advertise to obtain a divorce, or to aid therein."

Assembly Bill No. 35—An Act to add a section to the Penal Code, to be known as section one hundred and forty-nine and one half, making it a misdemeanor to refuse a prisoner the right of counsel.

Assembly Bill No. 118—An Act to prevent damages from the overflow of artesian wells

Assembly Bill No. 139—An Act to provide for the leasing and disposition of water for mechanical and other purposes by irrigation districts organized or to be organized under and pursuant to an Act entitled "An Act to provide for the organization and government of irrigation districts, and to provide for the acquisition of water and other property, and for the distribution of water thereby for irrigation purposes," approved March 7, 1887.

Assembly Bill No. 235—An Act supplemental to an Act entitled "An Act to provide for the organization and government of irrigation districts, and to provide for the acquisition of water and other property, and for the distribution of water thereby for irrigation purposes," approved March 7, 1887, providing for reducing the bonded indebtedness thereof.

Assembly Bill No. 444—An Act providing for the publication of semi-annual statements by corporations and persons engaged in the business of banking.

Assembly Bill No. 445—An Act to amend an Act approved March 10, 1887, entitled "An Act to amend 'An Act creating a Board of Bank Commissioners, and prescribing their duties and powers,' approved March 13, 1878."

Assembly Bill No. 446—An Act to amend an Act entitled "An Act creating a Board of Bank Commissioners, and prescribing their duties and powers," approved March 30, 1878.

Assembly Bill No. 335—An Act to amend section one thousand five hundred and thirty-nine of the Code of Civil Procedure of the State of California.

Assembly Bill No. 339—An Act to amend section one thousand three hundred and three of the Code of Civil Procedure of the State of California.

Assembly Bill No. 103—An Act to declare certain tide lands public grounds, and granting the same to the county of San Mateo, in trust for the use of the public.

Assembly Bill No. 215—An Act to amend section seven hundred and sixty-eight of the Code of Civil Procedure of California, relating to charges and fees allowable by the Court in actions for the partition of real property.

Assembly Bill No. 466—An Act to amend sections three, four, and five of an Act entitled "An Act fixing a bounty on coyote scalps."

SPECIAL FILE.

Assembly Bill No. 281—An Act to provide for paying for improving that portion of Tenth Street lying between L and N Streets, in the city of Sacramento, adjoining the State Capitol grounds, and for sundry work to the Capitol sidewalk and grounds, and making an appropriation therefor.

Assembly Bill No. 127—An Act appropriating four thousand dollars to pay for the system of heating and ventilating established in the Training Department of the State Normal School at San José, California.

Assembly Bill No. 210—An Act authorizing the Controller and Treasurer to transfer to the General Fund all moneys now in the Election Reward Fund, the Leprosy Fund, and Interest and Sinking Fund, Levee District No. 5, and abolishing the Leprosy Fund, and Interest and Sinking Fund, Levee District No. 5.

Assembly Bill No. 195—An Act to abolish the State Drainage Construction Fund, and directing the transfer of any balance remaining therein to the General Fund.

Assembly Bill No. 426—An Act making an appropriation to pay the deficiency in the appropriation for the transportation of insane for the forty-third fiscal year.

Assembly Bill No. 427—An Act making an appropriation to pay the deficiency in the appropriation for the transportation of prisoners for the forty-third fiscal year.

Assembly Bill No. 269—An Act making an appropriation to pay armory rents and other expenses of the Naval Battalion of the National Guard, for the remainder of the forty-fourth fiscal year.

Assembly Bill No. 282—An Act making an appropriation to pay the deficiency in the appropriation provided by an Act entitled "An Act to establish a School of Industry, to provide for the maintenance and management of the same, and to make an appropriation therefor," approved March 11, 1889.

Assembly Bill No. 460—An Act making an appropriation for the payment of an indebtedness created or to be incurred by the Surveyor-General in transcribing records and plat books in his office.

Assembly Bill No. 245—An Act entitled an Act to pay the claim of Sands W. Forman, for services as Secretary of the State Board of Forestry, and appropriating the sum of three hundred and seventy-five dollars to pay such claim.

Assembly Bill No. 459—An Act making an appropriation to pay the deficiency in the appropriation for expenses of Supreme Court, under section forty-seven, Code of Civil Procedure, for forty-first fiscal year.

ADJOURNMENT.

At eight o'clock and twenty minutes P. M., on motion of Mr. Cusick, the Assembly adjourned.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Tuesday, January 31, 1893.

The Assembly met pursuant to adjournment.

Speaker Gould in the chair.

The roll was called, and the following members answered to their names:

Messrs. Adams, Alford, Anderson, Androus, Barker, Barlow, Bennett of Santa Clara, Blakeley, Bledsoe, Boyce, Brownlie, Buckley, Bulla, Burke, Carlson, Casterline, Chipman, Conway, Curtis, Cusick, Dodge, Drees, Duckworth, Duffy, Durst, Emeric, Finlayson, Gallagher, Godchaux, Hamilton, Hendrickson, Hurley, Hutson, Jacobs, Jacobsen, Johnson of Humboldt, Johnson of Santa Clara, Kennedy, Kahn, Kerns, LaRue, Luttringer, Lynch, McCauley, McElroy, McGowan, Mack, Marks, Marston, Mathews of Tehama, Matthews of San Benito, Miller, Mordecai, O'Keefe, O'Neill, Owen, Pendleton, Perkins, Pueschel, Raw, Sargent, Schlesinger, Schroebel, Shanahan, Simpson, Sims, Standart, Taggart, Talbott, Taylor, Thomas of Nevada, Thomas of Santa Clara, Tindall, Vann, Wade, and Mr. Speaker.

Quorum present.

DEATH OF HON. E. B. PRICE.

During the roll call, and on the name of Mr. Price being called, Mr. Alford arose and made the sad announcement of the death of Mr. Price at eight o'clock and thirty minutes A. M., in words as follows, to wit:

MR. SPEAKER: He is not here. Since the last rap of your gavel on yesterday, Edward B. Price, one of our number, one of the ablest, brightest, and best among us, the bud of whose youth had just bursted into manhood, the light of truth just breaking on his earnest soul, passed to that land from which no traveler ever returns, but where the meanest mind is more than Shakespeare,

> Where one look
> Shows more than here the wise can find,
> Though toiling slow from book to book.
> Where life is knowledge,
> Love is sure,
> And hope's brief promise made secure.

E. B. Price has gone from before the bar of this House, to appear before that bar where his trial will be just, but where justice is tempered with mercy.

PRAYER.

Prayer by the Chaplain, Rev. H. W. Conry.

READING OF THE JOURNAL.

Pending the reading of the Journal of yesterday, Mr. Schlesinger moved that the further reading be dispensed with.

So ordered.

CONCURRENT RESOLUTIONS.

By Mr. Sims:

WHEREAS, In the dispensation of Providence a sad duty has this day fallen to our lot, arising from the death of our esteemed colleague, Hon. E. B. Price; therefore, be it

Resolved by the Assembly, the Senate concurring, That the Speaker of the Assembly appoint five members of the Assembly, and the President of the Senate appoint five members of the Senate, to act as a joint committee to draft suitable resolutions in memory of our late honored and esteemed colleague, Hon. E. B Price.

Adopted.

By Mr. Finlayson:

Resolved by the Assembly, the Senate concurring, That a committee of five, consisting of three members of the Assembly and two members of the Senate, to be named by the Speaker and the President of the Senate, respectively, be appointed to take charge of all arrangements for the funeral services of the late E. B. Price.

Adopted.

Also:

WHEREAS, The Almighty Giver of all law has, in his inscrutable wisdom, seen fit to bereave this Assembly of one of its most zealous workers, and to deprive this State of one of her faithful servants—one who, by his persevering energy and loyalty to duty and conscience, has endeared himself to all his associates in this body—Edward B. Price, and who, though called to pass beyond the veil that separates mortality from eternity, long ere the zenith of life had been reached, had, nevertheless, by his qualities of manhood, stamped the impress of his talents upon the history of this commonwealth; now, therefore, be it

Resolved, That this Assembly does hereby adjourn for one day out of respect to the memory of our deceased colleague; and be it further

Resolved, That a copy of these resolutions be spread upon the minutes.

Adopted by a unanimous rising vote.

ADJOURNMENT.

At eleven o'clock and fifteen minutes A. M., the Assembly stood adjourned, in respect to the memory of the late Hon. E. B. Price.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Wednesday, February 1, 1893.

The Assembly met pursuant to adjournment.

Speaker Gould in the chair.

The roll was called, and the following members answered to their names:

Messrs. Adams, Alford, Anderson, Androus, Barker, Barlow, Bennett of Orange, Blakeley, Bledsoe, Boyce, Buckley, Bulla, Burke, Carlson, Casterline, Conway, Cusick, Dodge, Drees, Duffy, Durst, Emeric, Finlayson, Gallagher, Gately, Godchaux, Hamilton, Hendrickson, Hurley, Hutson, Jacobs, Johnson of Humboldt, Johnson of Santa Clara, Kennedy, Kerns, Laline, Luttringer, Lynch, McCauley, McElroy, McGowan, Mack, Marston, Mathews of Tehama, Matthews of San Benito, Miller, Mordecai, O'Keefe, O'Neill, Owen, Pendleton, Perkins, Raw, Sargent, Schlesinger, Schroebel, Shanahan, Simpson, Standart, Talbott, Taylor, Thomas of Nevada, Thomas of Santa Clara, Vann, Wade, and Mr Speaker.

Quorum present.

APPOINTMENT OF COMMITTEE.

The Speaker announced that he had appointed Messrs. Finlayson, Schlesinger, and Androus the committee on part of the Assembly to take charge of all arrangements for the funeral services of the late Hon. E. B. Price.

LEAVE OF ABSENCE.

Messrs. Pueschel, Kahn, Duckworth, and Taggart were granted leave of absence for the day.

READING AND APPROVAL OF THE JOURNAL.

Pending the reading of the Journal of yesterday, Mr. McCauley moved that the further reading be dispensed with.

So ordered.

Journals of Monday, January 30th, and Tuesday, January 31st, approved.

RECONSIDERATION.

Mr. Bledsoe moved to reconsider the vote whereby the Assembly on Monday refused to adopt committee amendment number two to Assembly Bill No. 142—An Act regulating the hours of labor in saw mills, shingle mills, shake mills, and logging camps.

So ordered.

The question recurred upon the adoption of committee amendment number two, as follows:

Amend line one in section two so as to read as follows:
"SEC. 2 In actions to recover the value or price of labor under section one of this Act"

Adopted.

Bill ordered engrossed and to a third reading.

REPORTS OF STANDING COMMITTEES.

ON AGRICULTURE.

ASSEMBLY CHAMBER, SACRAMENTO, January 31, 1893

MR. SPEAKER: Your Committee on Agriculture, to whom was referred Assembly Bill No. 513—An Act to prevent the spread of contagious or infectious diseases among domestic animals—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

Also: Assembly Bill No 474—An Act to promote the business of breeding and propagating horses, cattle, and other live stock, to enable owners to borrow money thereon without parting with the possession thereof, and to prevent fraudulent sales of incumbered live stock—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended by the committee

LARUE, Chairman

REPORT OF SPECIAL COMMITTEE.

ASSEMBLY CHAMBER, SACRAMENTO, February 1, 1893.

MR. SPEAKER: Your special committee appointed to make arrangements for the obsequies of our deceased fellow-member, Edward B Price, beg leave to report that we have made all necessary arrangements for the funeral ceremonies to commence in the Assembly Chamber at two o'clock this afternoon, as appears from the order of arrangements annexed hereto, and further report that the following-named members have been selected to act as pall-bearers, to wit: Messrs Adams, Godchaux, Schroebel, Tindall, Burke, Simpson, Standart, and Perkins

Order of Arrangements.

1 The services will commence in the Assembly Chamber at two o'clock P. M
2 The Senators will be invited to sit with the Assemblymen in the same order as at a Joint Assembly
3 The Chaplain, and a minister selected by the family, will each perform such services as are usual

4 At the close of the services in the Assembly Chamber the Senators, Assemblymen, and friends of the deceased will pass around the remains and file out to the west entrance of the Capitol

5 At the entrance to the Capitol the funeral march will be taken up, and the Senators and Assemblymen will be expected to march to the cemetery

6. At the grave the Odd Fellows will take charge of the obsequies.

ANDROUS,
SCHLESINGER,
FINLAYSON,
Committee.

MOTION.

Mr. Finlayson moved that the Speaker appoint a committee of three to notify the Senate of the action taken by the special committee.

So ordered.

APPOINTMENT OF COMMITTEE.

The Speaker appointed as such committee, Messrs. Finlayson, Schlesinger, and Androus.

REPORTS OF STANDING COMMITTEES—(RESUMED).

ON JUDICIARY.

ASSEMBLY CHAMBER, SACRAMENTO, February 1, 1893.

MR SPEAKER: Your Committee on Judiciary, to whom was referred Assembly Bill No 180—An Act to amend section eight hundred and eighty-two of an Act entitled "An Act to establish a Code of Civil Procedure," adopted March 11, 1872, relating to the trial of issues of fact in Justices' Courts

Also: Assembly Bill No 228—An Act to compel savings banks to publish a sworn statement of all unclaimed deposits.

Also. Assembly Bill No 567—An Act making it unlawful to refuse admission to places of amusement

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

Also: Assembly Bill No 370—An Act to amend section twelve 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 5, 1870

Also: Assembly Bill No. 392—An Act to amend section seven hundred and twenty-six of the Code of Civil Procedure, and to add a new section thereto, to be known as section seven hundred and twenty-nine, relating to actions for the foreclosure of mortgages

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass as amended.

Also: Assembly Bill No 124—An Act to amend sections two hundred and fifty-eight and two hundred and fifty-nine of the Code of Civil Procedure, relative to the powers and duties of Court Commissioners.

Also: Assembly Bill No. 371—An Act to amend sections one thousand three hundred and fifty-two, one thousand three hundred and sixty-eight, one thousand three hundred and seventy, and one thousand three hundred and eighty-three of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, relating to estates of deceased persons

Also: Assembly Bill No 566—An Act to amend section one thousand and thirty-two of the Political Code, relating to public records

Have had the same under consideration, and respectfully report the same back, and recommend that the authors thereof be allowed to withdraw them.

SIMPSON, for Chairman.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, February 1, 1893

MR. SPEAKER: Your Committee on Judiciary, to whom was referred Assembly Bill No 263—An Act to amend section one hundred and seventy-two of the Civil Code of the State of California, relating to the husband's control and disposition of the community property—have had the same under consideration, and respectfully report the same back *without recommendation.*

Also: Assembly Bill No. 432—An Act to amend section two hundred and ninety-one of the Civil Code, relating to the articles of incorporation of railroad, wagon road, and telegraph corporations.

Also: Assembly Bill No 433—An Act to amend section two hundred and ninety-three of the Civil Code, relating to railroad, wagon road, and telegraph corporations

Also: Assembly Bill No 434—An Act to amend section four hundred and fifty-six of the Civil Code, relating to the borrowing of money and the issuance of bonds by railroad corporations.

Also. Assembly Bill No. 435—An Act to provide for the consolidation of railroad corporations organized under the laws of the State of California with railroad corporations organized under the laws of any other State or Territory, or both

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass—(No. 435 as amended)

Also: Assembly Bill No 29—An Act to amend section fifteen hundred and eighty-two of the Code of Civil Procedure—have had the same under consideration, and respectfully report the same back, and recommend that it do not pass

Also: Assembly Bill No. 86—An Act to amend section seven hundred and thirty-eight of the Code of Civil Procedure, relating to parties to an action to quiet title—have had the same under consideration, and respectfully report the same back, and a majority recommend that it do not pass. A minority of the committee recommend that it do pass.

SHANAHAN, Chairman.

APPOINTMENT OF COMMITTEE.

The Speaker appointed Messrs. Finlayson, Lynch, and Buckley the committee on the part of the Assembly in accordance with the following concurrent resolution:

Resolved, the Senate concurring, That a special time be set apart for a memorial address to be delivered in joint session of the Senate and Assembly in honor of the memory, life, and services of the Hon James G Blaine, and that a committee of six, three to be appointed by the President of the Senate and three by the Speaker of the Assembly, be appointed to select the time of and speaker on such occasion

REPORTS OF STANDING COMMITTEES—(RESUMED).

ON STATE HOSPITALS.

ASSEMBLY CHAMBER, SACRAMENTO, January 31, 1893.

MR. SPEAKER: Your Committee on State Hospitals, to whom was referred Assembly Bill No 102—An Act to amend sections eight, ten, and eleven of an Act entitled "An Act to establish a Branch Insane Asylum for the Insane of the State of California, at Ukiah, to be known as the Mendocino State Insane Asylum, and appropriating money therefor," approved February 20, 1889, relating to the election, duties, and compensation of the Secretary and Treasurer of the Board of Directors of said asylum; also, the qualifications, duties, and compensation of the Medical Superintendent of said asylum; and also the appointment, duties, and compensation of the Assistant Physician, and authorizing the Board of Directors, if in their judgment it should become necessary, to elect an additional Assistant Physician, and providing for his compensation

Also: Assembly Bill No 415—An Act granting the right of way and station grounds to the Southern California Railway Company over a portion of the asylum grounds in the county of San Bernardino.

Also: Senate Bill No 206—An Act making an appropriation to pay the deficiency in the appropriation for support of State Insane Asylum at Stockton, California, for the forty-second and forty-third fiscal years.

Also: Assembly Bill No 495—An Act to provide for certain improvements in the State Insane Asylum at Stockton, California, and making an appropriation therefor.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass

MORDECAI, Chairman.

Senate Bill No. 206 and Assembly Bill No. 495 re-referred to Committee on Ways and Means.

ON FISH AND GAME.

ASSEMBLY CHAMBER, SACRAMENTO, February 1, 1893.

MR SPEAKER Your Committee on Fish and Game, to whom was referred Assembly Bill No 405—An Act to amend section six hundred and thirty-six of an Act entitled "An Act to establish a Penal Code," approved April 11, 1872, relating to fish and game

Also: Assembly Bill No 325—An Act to amend section six hundred and thirty-four of the Penal Code of the State of California

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass as amended.

Also: Assembly Bill No. 286—An Act to amend section six hundred and thirty-five of the Penal Code of the State of California, in relation to violations of the fish laws—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

Also: Assembly Bill No 437—Section 1. Section six hundred and twenty-six of the Penal Code is amended so as to read as follows—have had the same under consideration, and respectfully report the same back, and recommend that the author be allowed to withdraw said bill

Also: Assembly Bill No 151—An Act to amend section six hundred and thirty-six of the Penal Code of the State of California, in relation to violations of the fish laws.

Also: Assembly Bill No 148—An Act to amend sections six hundred and twenty-six and six hundred and thirty-one of an Act entitled "An Act to establish a Penal Code," approved February 14, 1872, relating to fish and game

Also: Assembly Bill No 423—An Act to amend an Act entitled "An Act to establish a Penal Code," approved February 14, 1872, by amending section six hundred and twenty-six of the Penal Code, relating to the laws for the preservation of game birds and animals.

Also: Assembly Bill No. 120—An Act to amend an Act entitled "An Act to establish a Penal Code," approved March 12, 1885, by amending section six hundred and twenty-six of the Penal Code, relating to the laws for the preservation of game birds and animals.

Also: Assembly Bill No 121—An Act to amend an Act to establish a Penal Code, approved March 12, 1885, by amending section six hundred and thirty-one of the Penal Code, relating to the laws for the preservation of game birds and animals

Have had the same under consideration, and respectfully report the same back, and recommend that the authors be allowed to withdraw said bills.

EMERIC, Chairman

WITHDRAWAL OF BILLS.

Mr. Emeric, on his motion, was allowed to withdraw Assembly Bills Nos. 148 and 151.

Mr. LaRue, on his motion, was allowed to withdraw Assembly Bills Nos. 120 and 121.

REPORTS OF STANDING COMMITTEES—(RESUMED).

ON FEDERAL RELATIONS

ASSEMBLY CHAMBER, SACRAMENTO, January 31, 1893.

MR SPEAKER. Your Committee on Federal Relations, to whom was referred the following:

ASSEMBLY JOINT RESOLUTION No. 16

Relating to the annexation of the Hawaiian Islands

WHEREAS, The Hawaiian Islands are now held by a Provisional Government; and whereas, a delegation from said Government is now en route to Washington, asking annexation to the United States of America; therefore, be it

Resolved by the Assembly, the Senate concurring, That our delegation in Congress be requested to use every honorable means to annex said Hawaiian Islands to our galaxy of stars and stripes, and the said delegation of the Provisional Government be favorably received by the head of our Government

Resolved, That the Governor of the State of California be requested to telegraph the above resolutions to our members in Congress.

Have had the same under consideration, and respectfully report the same back, and recommend that they be adopted, with the following amendment: by striking out the words "our galaxy of stars and stripes," and substitute in lieu thereof the words "the United States."

SIMS, Chairman.

Amendment adopted.

ASSEMBLY JOINT RESOLUTION.

Assembly Joint Resolution No. 16—Relative to the annexation of the Hawaiian Islands.

Read, and adopted by the following vote:

AYES—Messrs Adams, Alford, Anderson, Barker, Barlow, Bennett of Orange, Blakeley, Bledsoe, Buckley, Bulla, Burke, Carlson, Casterline, Conway, Cusick, Dodge, Drees, Duffy,

Emeric, Gallagher, Godchaux, Hamilton, Hendrickson, Hurley, Hutson, Jacobs, Johnson of Humboldt, Johnson of Santa Clara, Kerns, LaRue, Luttringer, Lynch, McCauley, McElroy, McGowan, Mack, Marston, Matthews of San Benito, Mordecai, O'Keefe, Owen, Pendleton, Perkins, Raw, Sargent, Schroebel, Shanahan, Simpson, Standart, Thomas of Nevada, Thomas of Santa Clara, Vann, Wade, and Mr Speaker—54

NOES—Messrs. Durst, Mathews of Tehama, and Talbott—3

MOTION.

Mr. Emeric moved that the resolution be immediately transmitted to the Senate.

So ordered.

REPORTS OF STANDING COMMITTEES—(RESUMED).

ON STATE HOSPITALS.

ASSEMBLY CHAMBER, SACRAMENTO, January 31, 1893.

MR SPEAKER. Your Committee on State Hospitals, to whom was referred Assembly Bill No 491—Making appropriation to pay deficiency for support of Insane Asylum at Stockton—have had the same under consideration, and respectfully report the same back, and recommend that the author be allowed to withdraw the same.

MORDECAI, Chairman

Mr. LaRue, on his motion, was allowed to withdraw Assembly Bill No. 491.

ON WAYS AND MEANS.

ASSEMBLY CHAMBER, SACRAMENTO, January 31, 1893.

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred Assembly Bill No. 223—An Act making an appropriation for the erection of an additional building for the State Normal School at Chico

Also: Assembly Bill No. 224—An Act making an appropriation for a fence in front of the grounds of the State Normal School building at Chico.

Also: Assembly Bill No 225—An Act making an appropriation for the construction of a cement floor in the basement of the State Normal School building at Chico.

Also. Assembly Bill No. 253—An Act to appropriate money for the support of the State Normal School at Chico.

Also: Assembly Bill No. 254—An Act to appropriate money for the purchase of scientific apparatus for the State Normal School at Chico.

Also: Assembly Bill No. 255—An Act to appropriate money for improvement of grounds of the State Normal School at Chico.

Also: Assembly Bill No. 256—An Act to appropriate money for the support of the library and museum of the State Normal School at Chico.

Also: Assembly Bill No 257—An Act to appropriate money for the care of grounds of the State Normal School at Chico

Have had the same under consideration, and respectfully recommend that the author of the bills be allowed to withdraw the same.

Also: Assembly Bill No. 500—An Act fixing the salary of the Janitor of the State Capitol building, defining his duties, and making an appropriation therefor—and recommend that it do pass.

Also: Assembly Bill No. 66—An Act to pay the claim of George Nelson against the State of California—and recommend that it do pass as amended by the Committee on Claims

Also: Assembly Bill No. 312—An Act appropriating money to pay for the removal, refurnishing of rooms, and repair of furniture for the Supreme Court in city of Los Angeles—and recommend its passage as amended.

W. P. MATHEWS, Chairman

ON IRRIGATION.

ASSEMBLY CHAMBER, SACRAMENTO, February 1, 1893.

MR. SPEAKER. Your Committee on Irrigation, to whom was referred Assembly Bill No 140—An Act supplemental to an Act entitled "An Act to provide for the organization and government of irrigation districts, and to provide for the acquisition of water and other property, and for the distribution of water thereby for irrigation purposes," approved March 7, 1887, providing for the disorganization of irrigation districts

Also· Assembly Bill No 170—An Act to amend an Act entitled "An Act to amend sections ten, twenty-two, and twenty-seven of an Act entitled 'An Act to provide for the organization and government of irrigation districts, and to provide for the acquisition

of water and other property, and for the distribution of water thereby for irrigation purposes,' approved March 7, 1887, relating to appointments to office in case of vacancies, and to assessments of real property, and to the collection of such assessments," approved February 16, 1889, relating to fees for recording duplicate certificates of sale.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass as amended

Also: Senate Joint Resolution No. 12—Relative to irrigation of arid and desert lands—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

CARLSON, Chairman.

ON CLAIMS.

ASSEMBLY CHAMBER, SACRAMENTO, January 31, 1893.

MR. SPEAKER: Your Committee on Claims, to whom was referred Assembly Bill No. 309—An Act making an appropriation for reimbursing J. V. Hicks, a citizen of California, for moneys expended by him in the extradition of one A. L. Gibbs, a fugitive from the justice of this State

Also: Assembly Bill No. 380—An Act making an appropriation to pay the claim of J. L. Cooke and William Gutenberger for balance due for materials furnished and work done in the construction of the branch State Prison at Folsom.

Have had the same under consideration, and respectfully report the same back, and recommend that they do not pass.

Also: Assembly Bill No. 295—An Act making an appropriation to pay the claim of Santa Clara County against the State of California for Tax Collectors' commissions on taxes collected and paid to the State

Also: Assembly Bill No. 411—An Act to appropriate the sum of three thousand dollars to pay the claim against the State of T. Carl Spelling

Have had the same under consideration, and respectfully report the same back, and recommend that they be withdrawn.

Also: Assembly Bill No. 469—An Act to pay the claim of Mary M. Springer, the widow and heir of Thomas A. Springer, late State Printer, deceased—have had the same under consideration, and respectfully report the same back without recommendation.

Also: Assembly Bill No. 449—An Act to pay the claims of J. N. Cardoza, also the claim of Farmer & Hoxie, and also the claim of D. M. Davison, their heirs or assigns, for military services in defending the eastern frontier against the attacks of the Indians—have had the same under consideration, and respectfully report a substitute for same, and recommend that the substitute do pass.

Also: Assembly Bill No. 313—An Act making an appropriation to pay Cyrus Lyon the sum of one thousand dollars for the capture of Anastacio Garcia, in 1855—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

Also: Assembly Bill No. 397—An Act authorizing the allowance, settlement, and payment of claims of counties against the State—have had the same under consideration, and respectfully report the same back, and recommend that it be referred to the Judiciary Committee.

BURKE, Chairman

Assembly Bills Nos. 309 and 380 re-referred to Committee on Ways and Means.

Assembly Bill No. 313 re-referred to Committee on Ways and Means.

Assembly Bill No. 449 re-referred to Committee on Ways and Means.

Assembly Bill No. 409 re-referred to Committee on Ways and Means.

Assembly Bill No. 397 re-referred to Committee on Judiciary.

ON FISH AND GAME.

ASSEMBLY CHAMBER, SACRAMENTO, February 1, 1893.

MR. SPEAKER: Your Committee on Fish and Game, to whom was referred Assembly Bill No. 89—An Act to amend an Act entitled "An Act to establish a Penal Code," approved March 31, 1891, by amending section six hundred and twenty-six of the Penal Code, relating to the laws for the preservation of game birds and animals—have had the same under consideration, and respectfully report the same back, and recommend that the author be allowed to withdraw said bill

EMERIC, Chairman.

Mr. Drees, on his motion, was allowed to withdraw Assembly Bill No. 89.

ON COMMERCE AND NAVIGATION.

ASSEMBLY CHAMBER, SACRAMENTO, January 31, 1893.

MR. SPEAKER: Your Committee on Commerce and Navigation, to whom was referred Assembly Bill No. 306—An Act directing the State Board of Harbor Commissioners to

construct a certain portion of the harbor embankment, or seawall, of the port of San Francisco—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

Also: Assembly Bill No 285—An Act directing the State Board of Harbor Commissioners to construct a certain portion of the harbor embankment, or seawall, of the port of San Francisco—have had the same under consideration, and respectfully report the same back, and recommend that it be withdrawn.

Also: Assembly Bill No 476—An Act to provide for the appointment of a Board of Examining Engineers, to license engineers of portable and stationary steam engines and boilers, to establish the duties and compensation of said Board—have had the same under consideration, and respectfully report the same back, and recommend that it be re-referred to the Committee on Labor and Capital.

GODCHAUX, Chairman

So re-referred.

WITHDRAWAL OF BILLS.

Mr. Gately, on his motion, was allowed to withdraw Assembly Bill No. 411.

Mr. Johnson of Santa Clara, on his motion, was allowed to withdraw Assembly Bill No. 295.

Mr. Alford, on his motion, was allowed to withdraw Assembly Bill No. 261.

SPECIAL ORDER.

Assembly Joint Resolution No. 17—Relative to the passage by Congress of the Caminetti resolution of inquiry.

Read, and adopted by the following vote:

AYES—Messrs Adams, Alford, Anderson, Androus, Barker, Barlow, Bennett of Orange, Blakeley, Bledsoe, Buckley, Bulla, Burke, Carlson, Casterline, Conway, Cusick, Dodge, Drees, Duffy, Durst, Emeric, Gallagher, Gately, Godchaux, Hamilton, Hendrickson, Hurley, Hutson Jacobs, Jacobsen, Johnson of Humboldt, Johnson of Santa Clara, Kennedy, Kerns, LaRue, Luttringer, Lynch, McElroy, McGowan, Mack, Marston, Mathews of Tehama, Matthews of San Benito, Mordecai, O'Keefe, Owen, Pendleton, Perkins, Sargent, Schroebel, Simpson, Standart, Talbott, Thomas of Nevada, Thomas of Santa Clara, Vann, Wade, and Mr. Speaker—59.

NOES—None

ASSEMBLY JOINT RESOLUTION.

By Mr. Barlow: Assembly Joint Resolution No. 18—Relative to a continuation and extension of the improvements commenced by the United States Government at Port Harford, in San Luis Obispo County, State of California.

Referred to Committee on Commerce and Navigation.

PETITION.

By Mr. Pendleton: From the Superior Judges of Los Angeles County, relative to the compensation of official phonographic reporters, and urging the passage of Assembly Bill No. 457.

Referred to Committee on Judiciary.

MESSAGES FROM THE SENATE.

SENATE CHAMBER, SACRAMENTO, January 30, 1893

MR SPEAKER: I am directed to inform your honorable body that the Senate, on the twenty-seventh day of January, 1893, passed Senate Bills Nos. 214 and 174.

F. J. BRANDON, Secretary.
By R. SHAW, Assistant.

Also:

SENATE CHAMBER, SACRAMENTO, January 31, 1893.

MR. SPEAKER: I am directed to inform your honorable body that the Senate, on the thirtieth day of January, 1893, passed Senate Bills Nos. 218, 62, 219, 114, 279, and 182.

F J. BRANDON, Secretary.
By R. SHAW, Assistant

Also:

SENATE CHAMBER, SACRAMENTO, January 31, 1893.

MR SPEAKER: I am directed to inform your honorable body that the Senate, on the thirtieth day of January, concurred in Assembly Concurrent Resolution No. 10—Relative to setting apart a time for the delivery of memorial addresses in honor of the late Hon James G. Blaine, in joint session of the Senate and Assembly.

F. J. BRANDON, Secretary.
By R. SHAW, Assistant.

Also:

SENATE CHAMBER, SACRAMENTO, January 31, 1893

MR. SPEAKER. I am directed to inform your honorable body that the Senate, on the ninth day of January, adopted Senate Concurrent Resolution No 2—Relative to approving the charter of the city of Sacramento, Sacramento County, California.

F J. BRANDON, Secretary.
By R. SHAW, Assistant

SENATE BILLS REFERRED.

Senate Bill No. 214 referred to Committee on Labor and Capital.

Senate Bill No. 174 referred to Committee on State Prisons and Reformatory Institutions.

Senate Bills Nos. 218 and 219 referred to Committee on Judiciary.

Senate Bill No. 62 referred to Committee on Roads and Highways.

Senate Bill No. 114 referred to Committee on Agriculture.

Senate Bill No. 279 referred to Committee on Education.

Senate Bill No. 182 referred to San Francisco Delegation.

MOTION.

Mr. Anderson moved that Senate Concurrent Resolution No. 2 be now considered.

So ordered.

SENATE CONCURRENT RESOLUTION.

Senate Concurrent Resolution No. 2—Approving the charter of the city of Sacramento, in Sacramento County, California, which was voted for and ratified by the qualified electors of said city at a special election held therein for that purpose on May 17, 1892.

Read.

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

AYES—Messrs. Adams, Alford, Anderson, Barker, Barlow, Bennett of Orange, Blakeley, Bledsoe, Boyce, Buckley, Bulla, Burke, Carlson, Casterline, Conway, Cusick, Dodge, Drees, Duffy, Durst, Emeric, Gallagher, Gately, Godchaux, Hamilton, Hendrickson, Hurley, Hutson, Jacobs, Jacobsen, Johnson of Humboldt, Johnson of Santa Clara, Kerns, LaRue, Luttringer, Lynch, McCauley, McElroy, McGowan, Mack, Marston, Mathews of Tehama, Matthews of San Benito, Mordecai, O'Keefe, O'Neill, Owen, Pendleton, Perkins, Raw, Schroebel, Shanahan, Simpson, Standart, Talbott, Thomas of Santa Clara, Vann, Wade, and Mr. Speaker—59.

NOES—None

RESOLUTIONS.

By Mr. Mordecai:

Resolved, That leave of absence until Thursday, at two o'clock P. M., be granted to J. M. Marks, John Brownlie, H. C. Chipman, and C. W. Tindall, of State Hospitals Committee, for the purpose of visiting the Home for the Care and Training of Feeble-Minded Children at Glen Ellen, and the Mendocino Asylum at Ukiah, and that J. C. Sims and Julius Kahn be added to the committee.

Adopted.

Also:

Resolved, That the special committee to investigate the charges made by J. W. Rea against Assemblyman Johnson of Santa Clara, be and it is hereby authorized and empowered to send for persons and papers necessary for the investigation of said charges; also, be it

Resolved, That the Chairman of said special committee be and he is hereby authorized to appoint a Clerk and a Sergeant-at-Arms for said committee at a per diem each of five ($5) dollars, payable out of the fund for the contingent expenses of the Assembly.

Adopted.

INTRODUCTION OF BILL.

By Mr. Mathews of Tehama: Assembly Bill No. 587—An Act to provide for an appropriation for the contingent expenses of the Assembly.

MOTION.

Mr. Mathews moved that the bill be read the first time.

So ordered.

FIRST READING OF BILL.

Assembly Bill No. 587—An Act to provide for an appropriation for the contingent expenses of the Assembly.

Read first time, and placed on file for second reading.

INTRODUCTION OF BILLS.

The following bills were introduced, read by title, and referred to committees, as follows:

By Mr. LaRue: Assembly Bill No. 588—An Act to appropriate money to pay the claim of Charlotte M. Holman.

Referred to Committee on Claims.

By Mr. Raw: Assembly Bill No. 589—An Act entitled an Act to establish a uniform rate of wages per day in the State of California, for doing assessment work on mining locations.

Referred to Committee on Mines and Mining.

Also: Assembly Bill No. 590—An Act making an appropriation to improve and beautify the grounds of the "Marshall Monument" at Coloma, El Dorado County.

Referred to Committee on Public Expenditures and Accounts.

By Mr. Johnson of Santa Clara: Assembly Bill No. 591—An Act to amend section one hundred and sixty-six of "An Act to establish a uniform system of county and township governments."

Referred to Committee on County and Township Governments.

By Mr. Emeric: Assembly Bill No. 592—An Act to amend section one hundred and eighty-seven of an Act entitled "An Act to establish a uniform system of county and township governments."

Referred to Committee on County and Township Governments.

By Mr. Standart: Assembly Bill No. 593—An Act to pay the claim of John McGrath against the State of California, and making an appropriation therefor.

Referred to Committee on Claims.

Also: Assembly Bill No. 594—An Act to amend section six hundred and two of "An Act to establish a uniform system of county and township governments," approved March 31, 1891.

Referred to Committee on County and Township Governments.

By Mr. Anderson: Assembly Bill No. 595—An Act to provide for the organization and government of drainage districts, for the levy, equalization, and collection of assessments therein, for the construction and maintenance of canals and other drainage works to secure the lands of such districts from overflow, and conferring powers and imposing duties upon the State Board of Public Works in relation to such drainage districts.

Referred to Committee on Swamp and Overflowed Lands.

Also: Assembly Bill No. 596—An Act creating a State Board of Public Works, defining their duties and powers, prescribing their compensation, and making an appropriation.

Referred to Committee on Swamp and Overflowed Lands.

Also: Assembly Bill No. 597—An Act to amend section one thousand two hundred and twenty-two of the Code of Civil Procedure of the State of California, in relation to judgments in cases of contempt, and providing for appeals therefrom.

Referred to Committee on Judiciary.

By Mr. O'Keefe: Assembly Bill No. 598—An Act relating to surveys of cities, towns, villages, and additions thereto, and providing for recording of maps and plats of such surveys.

Referred to Committee on Municipal Corporations.

By Mr. Shanahan: Assembly Bill No. 599—An Act making an appropriation for the printing and issuance of the eleventh report of the State Mineralogist of the State of California, for the years 1891 and 1892.

Referred to Committee on Public Printing.

Also: Assembly Bill No. 600—An Act to amend sections ten and one hundred and thirty-four of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 1, 1889, relating to legal holidays and non-judicial days.

Referred to Committee on Judiciary.

Also: Assembly Bill No. 601—An Act to amend section seven of the Civil Code, relating to holidays.

Referred to Committee on Judiciary.

Also: Assembly Bill No. 602—An Act to amend section ten of the Political Code, relating to legal holidays.

Referred to Committee on Judiciary.

By Mr. Luttringer: Assembly Bill No. 603—An Act to pay the claim of Maurice Sheehan against the State of California, and making an appropriation therefor.

Referred to Committee on Claims.

By Mr. Lynch: Assembly Bill No. 604—An Act appropriating money to pay the claims of John Mullan for services rendered by him for this State.

Referred to Committee on Claims.

Also: Assembly Bill No. 605—An Act to provide for the giving of bonds by the keepers of intelligence offices, defining the same and their liabilities.

Referred to Committee on Labor and Capital.

By Mr. Kennedy: Assembly Bill No. 606—An Act entitled an Act regulating the location of manufactories for the manufacture of giant powder, gun powder, blasting power, or any explosive substance, the storage of explosives, and providing a penalty therefor.

Referred to Committee on Crimes and Penalties.

Also: Assembly Bill No. 607—An Act entitled an Act to amend section seven hundred and ninety-one of the Political Code of the State of California, relating to the appointment and number of Notaries Public in the several counties of said State.

Referred to Committee on Judiciary.

By Mr. Gately: Assembly Bill No. 608—An Act in relation to and prescribing conditions under which foreign insurance companies may transact business.

Referred to Committee on Corporations.

Also: Assembly Bill No. 609—An Act to amend section one hundred and seventy of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, relative to the disqualification of Judges.

Referred to Committee on Judiciary.

By Mr. Burke: Assembly Bill No. 610—An Act to amend the Code of Civil Procedure by adding thereto three new sections, to be numbered sections one thousand one hundred and twenty-eight, one thousand one hundred and twenty-nine, and one thousand one hundred and thirty, relating to the contesting of elections by a judicial recount of the ballots cast.

Referred to Committee on Apportionment and Election Laws.

By Mr. Schlesinger: Assembly Bill No. 611—An Act in relation to and prescribing conditions upon which certain foreign insurance companies may transact insurance business in the State of California.

Referred to Committee on Corporations.

Also: Assembly Bill No. 612—An Act to amend section six hundred and thirty-three of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relative to conditions precedent to right to act as insurance agent or solicitor.

Referred to Committee on Corporations.

By Mr. Sims: Assembly Bill No. 613—An Act to amend an Act entitled "An Act to protect agriculture, and to prevent the trespassing of animals upon private property," approved March 22, 1872.

Referred to Committee on Agriculture.

By Mr. Dodge: Assembly Bill No. 614—An Act for the relief of J. F. Chapman & Co. for damage sustained through the loss of coal from Fremont Street wharf in the City and County of San Francisco.

Referred to Committee on Claims.

PETITION.

By Mr. Dodge: From the Board of State Harbor Commissioners, that Assembly Bill No. 614 become a law.

Referred to Committee on Claims.

ASSEMBLY JOINT RESOLUTION.

By Mr. Alford: Assembly Joint Resolution No. 19—Relative to a public building at Visalia.

MOTION.

Mr. Alford moved the immediate consideration of the resolution.

So ordered.

Resolution read, and adopted by the following vote:

AYES—Messrs. Adams, Alford, Anderson, Barker, Barlow, Bennett of Orange, Blakeley, Bledsoe, Boyce, Buckley, Bulla, Burke, Carlson, Casterline, Conway, Cusick, Dodge, Drees, Duffy, Emeric, Finlayson, Gallagher, Gately, Godchaux, Hamilton, Hendrickson, Hurley, Hutson, Jacobs, Jacobsen, Johnson of Humboldt, Johnson of Santa Clara, Kennedy, Kerns, LaRue, Luttringer, Lynch, McCauley, McElroy, McGowan, Mack, Marston, Mathews of Tehama, Matthews of San Benito, Miller, Mordecai, O'Keefe, O'Neill, Pendleton, Perkins, Raw, Sargent, Schlesinger, Schroebel, Shanahan, Simpson, Talbott, Thomas of Santa Clara, Vann, Wade, and Mr. Speaker—61.

NOES—None.

MOTION.

Mr. Alford moved that the resolution be immediately printed and transmitted to the Senate.

So ordered.

ASSEMBLY CONSTITUTIONAL AMENDMENT.

By Mr. Alford: Assembly Constitutional Amendment No. 22—A resolution proposing to the people of the State of California an amendment to section three of article nine of the Constitution of the State of California, relating to the formation of new counties.

Referred to Committee on Counties and County Boundaries.

REPORT OF SELECT COMMITTEE.

ASSEMBLY CHAMBER, SACRAMENTO, February 1, 1893.

MR. SPEAKER. Your committee on investigation into the charges known as the "Bretz's charges," respectfully report and recommend the adoption of the following resolution, viz.:

Resolved, That the Controller be and he is hereby directed to draw a warrant upon the appropriation for the contingent expenses of the Assembly, in favor of Georgia Jones, for twelve days' services, at five dollars per day, as clerk, and M. Marks for twelve days' services, at five dollars per day, as Sergeant-at-Arms and Porter. Said services have been rendered the said committee

SHANAHAN, Chairman.

Adopted.

RESOLUTIONS.

By Mr. Burke:

Resolved, That the Committee on Commerce and Navigation be granted leave of absence from Friday night until Tuesday morning, to inspect San Diego harbor.

Referred to Committee on Retrenchment.

By Mr. O'Keefe:

WHEREAS, The Committee on Judiciary was assigned Department One of the Supreme Court for conducting its business, said department being used time immemorial by the Judiciary Committees of previous sessions of the Legislature; and whereas, said department is being preempted by other committees, thereby causing the members of the Judiciary Committee considerable inconvenience by necessitating them to seek other quarters every evening; therefore, be it

Resolved, That the Sergeant-at-Arms be directed to summarily eject from Department One of the Supreme Court, at the hour of seven, any person or persons found therein, unless such persons be members of the Judiciary Committee.

Mr. Mathews of Tehama moved to amend the resolution by making it applicable from and after Thursday.

Lost.

Mr. Dodge moved to amend by adding thereto the following:

Provided, however, that no persons having business before or desiring to attend the meetings of said committee shall be excluded.

Adopted.

Resolution as amended adopted.

MESSAGE FROM THE SENATE.

SENATE CHAMBER, SACRAMENTO, February 1, 1893.

MR. SPEAKER. I am directed to inform your honorable body that the Senate, on the first day of February, passed Assembly Concurrent Resolution No. 11—Relative to the appointment of a committee to draft resolutions in memory of the late Hon. E. B. Price.

Also: Assembly Concurrent Resolution No 12—Relative to the appointment of a committee to take charge of the arrangements for the funeral services of the late Hon. E. B. Price.

F. J. BRANDON, Secretary.
By R. SHAW, Assistant.

ADJOURNMENT.

At eleven o'clock and fifty-five minutes A. M., on motion of Mr. Schroebel, the Assembly adjourned.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Thursday, February 2, 1893.

The Assembly met pursuant to adjournment.

Speaker Gould in the chair.

The roll was called, and the following members answered to their names:

Messrs. Adams, Alford, Anderson, Androus, Barker, Barlow, Bennett of Orange, Blakeley, Bledsoe, Boyce, Brownlie, Buckley, Bulla, Burke, Carlson, Casterline, Conway, Dodge, Drees, Duffy, Durst, Emeric, Finlayson, Gallagher, Godchaux, Hamilton, Hendrickson, Hurley, Hutson, Jacobs, Jacobsen, Johnson of Humboldt, Johnson of Santa Clara, Kennedy, Kerns, LaRue, Luttringer, Lynch, McCauley, McElroy, McGowan, Mack, Marston, Mathews of Tehama, Matthews of San Benito, Miller, Mordecai, O'Keefe, O'Neill, Owen, Pendleton, Perkins, Raw, Schlesinger, Schroebel, Shanahan, Simpson, Standart, Talbott, Taylor, Thomas of Nevada, Thomas of Santa Clara, Vann, Wade, and Mr Speaker.

Quorum present.

LEAVE OF ABSENCE.

Messrs. Duckworth and Pueschel were granted leave of absence for the day.

Mr. Blakeley was granted leave of absence for the morning.

PRAYER.

Prayer by the Chaplain, Rev. H. W. Conry.

READING OF THE JOURNAL.

Pending the reading of the Journal of yesterday, Mr. Pendleton moved that the further reading be dispensed with.

So ordered.

PETITIONS.

By Mr. Dodge: Resolutions of the Board of Supervisors of Alameda County, relative to the State Reform School at Whittier.

Referred to Committee on State Prisons and Reformatory Institutions.

By Mr. Talbott: From citizens of Santa Barbara County, favoring the creation of San Ynez County.

Referred to Committee on Counties and County Boundaries.

REPORTS OF STANDING COMMITTEES.

ON JUDICIARY.

ASSEMBLY CHAMBER, SACRAMENTO, February 2, 1893

MR. SPEAKER. Your Committee on Judiciary, to whom was referred Assembly Bill No. 307—An Act to amend section one thousand two hundred and thirty-eight of the Code of Civil Procedure of the State of California, concerning the right of eminent domain.

Also: Assembly Bill No 336—An Act to amend section one thousand seven hundred and five of the Code of Civil Procedure of the State of California.

Also: Assembly Bill No. 337—An Act to amend section six hundred and ninety-two of the Code of Civil Procedure of the State of California.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass as amended.

Also: Assembly Bill No 338—An Act to amend section four hundred and thirteen of the Code of Civil Procedure of the State of California, relating to publication of summons—have had the same under consideration, and respectfully report the same back, and recommend that it do not pass

Also: Assembly Bill No. 344—An Act to amend section eight hundred and sixty-nine of an Act entitled "An Act to establish a Penal Code," approved February 14, 1872, relating to preliminary examinations in cases of homicide.

Also: Assembly Bill No. 345—An Act to amend section one thousand four hundred and forty-eight of an Act entitled "An Act to establish a Penal Code," approved February 14, 1872, relating to judgment against prosecutor or defendant for costs.

Also: Assembly Bill No. 346—An Act to amend section one hundred and thirty-six of "An Act to establish a uniform system of county and township governments," approved March 31, 1891, relating to the duties of District Attorney.

Have had the same under consideration, and respectfully report the same back, and recommend that the author be allowed to withdraw them.

SIMPSON, for Chairman.

ON CONSTITUTIONAL AMENDMENTS.

ASSEMBLY CHAMBER, SACRAMENTO, January 26, 1893

MR. SPEAKER. Your Committee on Constitutional Amendments, to whom was referred Assembly Constitutional Amendment No 11—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, amending section nine of article thirteen thereof, relative to the election of a State Board of Equalization—have had the same under consideration, and respectfully report the same back, and recommend that it be referred to the Judiciary Committee.

SCHLESINGER, Chairman.

Assembly Constitutional Amendment No. 11 re-referred to Committee on Judiciary.

ON PUBLIC MORALS.

ASSEMBLY CHAMBER, SACRAMENTO, February 2, 1893.

MR SPEAKER: Your Committee on Public Morals, to whom was referred Assembly Bill No. 507—An Act regulating the sale of opium—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

BLEDSOE, Chairman.

ON STATE PRISONS AND REFORMATORY INSTITUTIONS.

ASSEMBLY CHAMBER, SACRAMENTO, February 1, 1893.

MR. SPEAKER: Your Committee on State Prisons and Reformatory Institutions, to whom was referred Assembly Concurrent Resolution No 5—Relative to the investigation of the Reform School for Juvenile Offenders at Whittier—have had the same under consideration, and respectfully report the same back, and recommend that the same be not adopted.

H. H. JOHNSON, Chairman.

ASSEMBLY CONCURRENT RESOLUTION.

Assembly Concurrent Resolution No. 5—Relative to the investigation of the Reform School for Juvenile Offenders at Whittier.

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

AYES—Messrs. Bennett of Orange, Bledsoe, and Carlson—3

NOES—Messrs Adams, Alford, Anderson, Androus, Barker, Barlow, Boyce, Buckley, Bulla, Casterline, Conway, Dodge, Drees, Duffy, Durst, Emeric, Finlayson, Godchaux, Hamilton, Hendrickson, Hurley, Hutson, Jacobs, Jacobsen, Johnson of Santa Clara, Kerns, LaRue, Luttringer, Lynch, McCauley, McElroy, Mack, Marston, Mathews of Tehama, Matthews of San Benito, Miller, Mordecai, O'Keefe, O'Neill, Owen, Pendleton, Perkins, Raw, Schlesinger, Schroebel, Simpson, Standart, Talbott, Taylor, Thomas of Santa Clara, Vann, Wade, and Mr. Speaker—53.

APPOINTMENT.

The Speaker announced that he had appointed Mr. Mack a member of the Committee on Counties and County Boundaries, in place of Mr. Price, deceased.

INTRODUCTION OF BILLS.

The following bills were introduced, read by title, and referred to committees, as follows:

By Mr. Barlow: Assembly Bill No. 615—An Act to provide for the establishment and maintenance under the direction of the Bureau of Labor Statistics of free public employment offices.

Referred to Committee on Labor and Capital.

Also: Assembly Bill No. 616—An Act to amend "An Act to establish a uniform system of county and township governments," approved March 31, 1891.

Referred to Committee on County and Township Governments.

By Mr. Drees: Assembly Bill No. 617—An Act providing for the dissolution of certain corporations doing a banking business.

Referred to Committee on Corporations.

By Mr. Schlesinger: Assembly Bill No. 618—An Act to amend article two of chapter two of title seven of an Act entitled "An Act to establish a Civil Code of the State of California," approved March 21, 1872.

Referred to Committee on Corporations.

By Mr. LaRue: Assembly Bill No. 619—An Act to amend an Act entitled "An Act to establish a Civil Code," approved March 21, 1872, by repealing section one thousand and ninety-three thereof, relating to grants by married women.

Referred to Committee on Judiciary.

By Mr. Dodge: Assembly Bill No. 620—An Act to amend section two hundred and sixteen of an Act entitled "An Act to establish a uniform system of county and township governments," approved March 31, 1891.

Referred to Committee on County and Township Governments.

By Mr. Mathews of Tehama: Assembly Bill No. 621—An Act making an appropriation for enlarging the fire-proof warehouse for use of the State Printing Department.

Referred to Committee on Public Printing.

Also: Assembly Bill No. 622—An Act appropriating money for the erection of shop buildings at the Industrial Home of Mechanical Trades for the Adult Blind.

Referred to Committee on State Hospitals.

By Mr. Shanahan: Assembly Bill No. 623—An Act to amend section three thousand six hundred and sixty-six, and repeal sections three thousand six hundred and sixty-seven, three thousand six hundred and sixty-eight, three thousand six hundred and sixty-nine, and three thousand six hundred and seventy of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to revenue and taxation.

Referred to Committee on Judiciary.

By Mr. Anderson: Assembly Bill No. 624—An Act to pay the claim of John H. Van Saun against the State of California, and making an appropriation therefor.

Referred to Committee on Claims.

By Mr. Jacobsen: Assembly Bill No. 625—An Act to amend section nine hundred and ninety-seven of the Code of Civil Procedure of the State of California, relating to an offer to compromise before trial.

Referred to Committee on Judiciary.

CONSTITUTIONAL AMENDMENT.

By Mr. Vann: Assembly Constitutional Amendment No. 23—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, relative to revenue and taxation.

Referred to Committee on Constitutional Amendments.

REPRIMANDED.

Mr. Bretz was called before the bar of the House and reprimanded by the Speaker, in words as follows:

In accordance with a resolution adopted by this Assembly on the nineteenth day of January, 1893, it becomes my unpleasant duty to call you before the bar of this House, and reprimand you for the use of certain language used in the Joint Convention of this body and the Senate of this State, convened on the eighteenth day of January of this year

You were elected upon the eighth day of last November as a member of this Assembly by the joint vote of the Democrats and Populists of Alameda County, and on the second day of January took the oath of office and entered upon the discharge of your duties as Assemblyman from the Forty-seventh District. Shortly thereafter, you, with six of your associates, of whom Mr Kerns was not a member, held a caucus and selected as the People's party nominee for United States Senator one Thos. V. Cator, and under such circumstances entered the Joint Convention for the election of United States Senator, held on the eighteenth of January.

At the time you were called upon to cast your vote for such Senator you knew the following facts: That Mr. Kerns was not a member of the caucus selecting Mr. Cator as Populist candidate for Senator; that he was under great personal and political obligations to Mr. White, the Democratic nominee for United States Senator; that his inclinations were very strong toward the support of Mr. White; that about nine or ten o'clock on the morning of the eighteenth Mr. Kerns had declared his intention of supporting Mr. White, and after roll call that Mr. McGowan, a Republican Assemblyman from San Francisco, was not present, and that a call of the House had failed of adoption; that the Democratic Senator, Goucher, although sick, was present, and that upon that ballot Mr. White would receive a clear majority of at least two votes, and would be elected. You, yourself, was pledged to vote for a Democrat in case a Populist could not be elected, and

you knew that Mr. Kerns was under similar obligations, if not even more urgent ones, to Mr. White.

After the roll had been called, and it appeared that Mr White had been elected Senator by a clear majority of three, you arose in your place and, as was your right, demanded the privilege of changing your vote and explaining your reasons therefor, presumptively, for the purpose of redeeming your promise given to the Democrats of Alameda County. You did not do so, but availing yourself of a privilege accorded to members here for the purpose of their own protection, you gave utterance to the words, the truth of which you have been put to the proof Even if these words were true, their utterance under such a false pretense was such a breach of the obligations of a gentleman and an officer as invokes the censure of all honorable men upon your action But the charge then made by you was untrue, and an impartial committee, among whom was a member of your own party, joining in the report, after the fullest investigation, in which you were accorded counsel of your own choice, pronounced the charge so made by you groundless and malicious, and we can but conclude that at the time you arose to your feet you did so in pursuance of a plan conceived in your mind before the convention met, gaining your right to be heard by the use of a willful deception, deliberately conceived and executed in accordance with that plan, and taking advantage of the privilege thus obtained, you uttered a charge against honorable men in the presence of the multitude then assembled here, the malignity of which can only be measured by the enormity of the crime implied by your accusation

Under these circumstances, and for this offense, the Assembly of this State, by a vote, has imposed upon me the duty of reprimanding you. I have not adequate words at my command to express the utter abhorrence all honorable men must feel toward a person guilty of the infamous crime you so lightly charged, and I will only say that in deliberately and with premeditation, at such a time and place, having made such charge, without the slightest evidence to sustain it, and having failed to express the slightest contrition or regret for so doing, though its groundlessness has been abundantly proven, you have shown yourself to possess either a vindictiveness of nature that must excite commiseration, or a fanaticism that is positively deplorable. If the former be the case, it is a matter between you and your God; if the latter, it is impossible for me to express the depth of my regret at your unfortunate condition You stand suspended from all your duties and privileges as a member of this body, from and including Tuesday, January 31, 1893, until and including Monday, February 6, 1893. You may be seated.

RESOLUTION.

By Mr. O'Keefe:

WHEREAS, Owing to the unceasing inclemency of the Sacramento weather, it becomes absolutely necessary, as a matter of convenience, as a matter of protection to the health of every member, and to the acceleration of committee work, to have conducted in the basement of the Capitol the business of restaurant, where meals can be had at all times; therefore, be it

Resolved, That John Doe is hereby authorized to conduct a restaurant in the basement of the Capitol; *provided, however*, that he shall not sell, dispose of, or give away any intoxicating beverage of whatever nature.

MOTION.

Mr. Wade moved to lay the resolution on the table.

The ayes and noes were demanded by Messrs. Bledsoe, Carlson, and McElroy.

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

AYES—Messrs. Adams, Alford, Barker, Barlow, Bennett of Orange, Bledsoe, Boyce, Buckley, Bulla, Casterline, Dodge, Durst, Finlayson, Hurley, Jacobs, Jacobsen, Johnson of Humboldt, Johnson of Santa Clara, Kerns, Luttringer, Lynch, McElroy, Mathews of Tehama, Matthews of San Benito, Mordecai, Owen, Perkins, Raw, Schlesinger, Simpson, Standart, Thomas of Santa Clara, Vann, and Wade—34.

NOES—Messrs. Anderson, Androus, Carlson, Conway, Drees, Duffy, Gallagher, Godchaux, Hamilton, Hendrickson, Hutson, LaRue, McCauley, Mack, Marston, Miller, O'Keefe, O'Neill, Shanahan, Taylor, Thomas of Nevada, and Mr. Speaker—22.

RESOLUTION.

By Mr. McCauley:

Resolved, That the Committee on Military Affairs be and they are hereby granted permission to visit the city of San Francisco on Saturday next for the purpose of inspecting, in connection with the Senate Committee on Military Affairs, and the Chair-

man of the Assembly Committee on Ways and Means (or some member of said committee, to be selected by the Chairman), the companies of the National Guard of California in that city

Adopted.

ASSEMBLY CONCURRENT RESOLUTION.

By Mr. Barlow: Assembly Concurrent Resolution No. 13—Relative to the granting of special privileges by the people of the State of California to individuals, corporations, associations, or otherwise, and an inquiry into the present use or abuse thereof by the individuals, corporations, associations, or otherwise, to whom they may have been granted.

Referred to Committee on Corporations.

RESOLUTION.

By Mr. Duffy:

WHEREAS, By the death of Hon. E. B. Price, which occurred on the thirty-first day of January, 1893, a vacancy was thereby caused in the office of Member of the Assembly for the Seventh Assembly District, heretofore filled by said Hon. E. B. Price; therefore, be it

Resolved, That the Chief Clerk be and he is hereby instructed to notify his Excellency, the Governor of the State of California, that by the death of Hon E. B. Price a vacancy now exists in the office of Member of the Assembly for the Seventh District

Adopted.

REPORT OF SPECIAL COMMITTEE.

ASSEMBLY CHAMBER, SACRAMENTO, February 2, 1893.

MR SPEAKER: Your special committee, acting under the following resolution, adopted on Tuesday, January 31, 1893, viz.:

Resolved by the Assembly, the Senate concurring, That a committee of five, consisting of three members of the Assembly and two members of the Senate, to be named by the Speaker and the President of the Senate, respectively, be appointed to take charge of all arrangements for the funeral services of the late E B. Price.

Respectfully report back that in conjunction with Senators Ostrom and Shippee we took charge of and carried out all arrangements for the funeral services of the late Hon. E. B. Price, and we recommend the adoption of the following resolution, viz·

Resolved, That the Controller be and he is hereby directed to draw his warrant upon the appropriation for the contingent expenses of the Assembly in favor of F. G. Finlayson, Chairman of the Committee of Arrangements for the funeral of Hon. E B Price, for the sum of five hundred and one dollars, for the purpose of paying the accompanying bills incurred by said committee·

Undertaker	$454 00
Musicians	47 00
Total	$501 00

FINLAYSON, Chairman.

Referred to Committee on Public Expenditures and Accounts.

RESOLUTION.

By Mr. Mathews of Tehama:

WHEREAS, It is necessary and essential that there should be a suitable person appointed as a Night Watchman for the Engrossing and Enrolling Clerks' offices, so be it

Resolved, That John S Wilkins be and he is hereby appointed as Night Watchman for the said offices, at the same per diem as the other Watchmen, and the Controller is instructed to draw his warrant for the same, payable out of the Contingent Fund of the Assembly

Referred to Committee on Attachés and Employés.

INTRODUCTION OF BILL.

By Mr. Owen: Assembly Bill No. 626—An Act to abolish and prohibit chain-gangs.

Referred to Committee on Labor and Capital.

SPECIAL FILE—THIRD READING OF BILLS.

Assembly Bill No. 1—An Act making an appropriation to pay the deficiency in the appropriation for fuel, lights, and supplies for the Secretary of State's office, for the forty-second fiscal year.

Read third time, and passed by the following vote:

AYES—Messrs. Adams, Alford, Anderson, Androus, Barker, Barlow, Bennett of Orange, Boyce, Buckley, Bulla, Burke, Carlson, Casterline, Conway, Dodge, Drees, Durst, Finlayson, Godchaux, Hamilton, Hendrickson, Hurley, Hutson, Jacobs, Jacobsen, Johnson of Humboldt, Johnson of Santa Clara, Kerns, LaRue, Luttringer, Lynch, McCauley, McElroy, Mack, Marston, Mathews of Tehama, Matthews of San Benito, Miller, O'Keefe, Owen, Pendleton, Perkins, Raw, Schlesinger, Schroebel, Simpson, Standart, Talbott, Taylor, Thomas of Nevada, Thomas of Santa Clara, Vann, and Mr. Speaker—53

NOES—Messrs Bledsoe and Duffy—2

Title read and approved.

Assembly Bill No. 75—An Act making an appropriation to pay the deficiency in the appropriation for the State Board of Forestry for the thirty-eighth, forty-second, and forty-third fiscal years.

Read third time, and passed by the following vote:

AYES—Messrs Adams, Alford, Anderson, Androus, Barker, Barlow, Bennett of Orange, Boyce, Buckley, Carlson, Casterline, Conway, Durst, Emeric, Finlayson, Gallagher, Godchaux, Hendrickson, Hutson, Jacobs, Jacobsen, Johnson of Santa Clara, Kerns, LaRue, Lynch, Mack, Marston, Mathews of Tehama, Matthews of San Benito, Miller, Mordecai, O'Keefe, Owen, Pendleton, Perkins, Raw, Schlesinger, Shanahan, Simpson, Standart, Taylor, Thomas of Nevada, Thomas of Santa Clara, Vann, and Wade—45.

NOES—Messrs. Bledsoe, Bulla, Dodge, Drees, Duffy, Hamilton, Hurley, Johnson of Humboldt, Luttringer, McCauley, McElroy, O'Neill, Schroebel, Talbott, and Mr. Speaker—15

Title read and approved.

Assembly Bill No. 145—An Act making an appropriation to pay the deficiency in the appropriation for salary of Secretary of State Board of Examiners for the forty-second fiscal year.

Mr. Mathews of Tehama, on his motion, was allowed to withdraw the bill.

Assembly Bill No. 146—An Act making an appropriation to pay the deficiency in the appropriation for postage, expressage, telegraphing, and contingent expenses, State Board of Examiners, for the forty-fourth fiscal year.

Read third time, and passed by the following vote:

AYES—Messrs Adams, Anderson, Androus, Barker, Barlow, Bennett of Orange, Boyce, Buckley, Bulla, Burke, Carlson, Casterline, Conway, Dodge, Drees, Duffy, Durst, Finlayson, Godchaux, Hamilton, Hendrickson, Hurley, Hutson, Jacobs, Jacobsen, Johnson of Santa Clara, LaRue, Lvnch, McElroy, Mack, Marston, Mathews of Tehama, Matthews of San Benito, Miller, Mordecai, O'Keefe, Owen, Pendleton, Perkins, Raw, Schlesinger, Schroebel, Simpson, Standart, Talbott, Taylor, Thomas of Nevada, Thomas of Santa Clara, Vann, Wade, and Mr. Speaker—51

NOES—Messrs. Bledsoe, Johnson of Humboldt, and O'Neill—3

Title read and approved.

SPECIAL FILE—SECOND READING OF BILLS.

Assembly Bill No. 3—An Act to abolish commissions, or fees, paid by the State for the assessment, equalization, auditing, and collection of ad valorem taxes.

Read second time, ordered engrossed and to a third reading.

Mr. Anderson in the chair.

Assembly Bill No. 186—An Act to amend section three thousand eight hundred and sixty-eight of the Political Code, relating to the report of County Auditors.

Read second time, ordered engrossed and to a third reading.

Assembly Bill No. 241—An Act to amend section three thousand eight hundred and sixty-six of the Political Code, relating to settlements with the Controller and payments into the State Treasury.

Read second time, ordered engrossed and to a third reading.

Assembly Bill No. 281—An Act to provide for paying for improving that portion of Tenth Street lying between L and N Streets in the city of Sacramento, adjoining the State Capitol grounds, and for sundry work to the Capitol sidewalk and grounds, and making an appropriation therefor.

Read second time.

Assembly Bill No. 127—An Act appropriating four thousand dollars to pay for the system of heating and ventilating established in the Training Department of the State Normal School at San José, California.

Read second time.

MOTION.

Mr. Schlesinger moved that the Assembly resolve itself into Committee of the Whole, with Mr. Anderson in the chair, for the purpose of considering Assembly Bill No. 281—An Act to provide for paying for improving that portion of Tenth Street lying between L and N Streets in the city of Sacramento, adjoining the State Capitol grounds, and for sundry work to the Capitol sidewalk and grounds, and making an appropriation therefor.

Also: Assembly Bill No. 127—An Act appropriating four thousand dollars to pay for the system of heating and ventilating established in the Training Department of the State Normal School at San José, California.

So ordered.

IN COMMITTEE OF THE WHOLE.

Mr. Anderson in the chair.

Assembly Bills Nos. 281 and 127 were considered in Committee of the Whole.

IN ASSEMBLY.

Mr. Anderson in the chair.

REPORT OF THE COMMITTEE OF THE WHOLE.

Mr. Anderson stated the report of the Committee of the Whole, as follows:

GENTLEMEN: The Committee of the Whole have had under consideration Assembly Bill No 281—An Act to provide for paying for improving that portion of Tenth Street lying between L and N Streets in the city of Sacramento, adjoining the State Capitol grounds, and for sundry work to the Capitol sidewalk and grounds, and making an appropriation therefor.

Also: Assembly Bill No. 127—An Act appropriating four thousand dollars to pay for the system of heating and ventilating established in the Training Department of the State Normal School at San José, California.

Now report, and recommend that the same do pass.

Assembly Bills Nos. 281 and 127 ordered engrossed and to a third reading.

SECOND READING OF BILLS.

Assembly Bill No. 210—An Act authorizing the Controller and Treasurer to transfer to the General Fund all moneys now in the Election Reward Fund, the Leprosy Fund, and Interest and Sinking Fund, Levee District No. 5, and abolishing the Leprosy Fund, and Interest and Sinking Fund, Levee District No 5.

Read second time, ordered engrossed and to a third reading.

Assembly Bill No. 195—An Act to abolish the State Drainage Construction Fund, and directing the transfer of any balance remaining therein to the General Fund.

Read second time, ordered engrossed and to a third reading.

Assembly Bill No. 426—An Act making an appropriation to pay the deficiency in the appropriation for the transportation of insane for the forty-third fiscal year.

Read second time.

Assembly Bill No. 427—An Act making an appropriation to pay the deficiency in the appropriation for the transportation of prisoners for the forty-third fiscal year.

Read second time.

Assembly Bill No. 269—An Act making an appropriation to pay armory rents and other expenses of the Naval Battalion of the National Guard for the remainder of the forty-fourth fiscal year.

Read second time.

Assembly Bill No. 282—An Act making an appropriation to pay the deficiency in the appropriation provided by an Act entitled "An Act to establish a School of Industry, to provide for the maintenance and management of the same, and to make an appropriation therefor," approved March 11, 1889.

Read second time.

Committee amendment, as follows:

In section one, line one, of printed bill, amend by striking out the words "nineteen thousand three hundred and thirty-six," and insert in lieu thereof the words "twenty-one thousand three hundred and thirty-six;" also, in section one, line two, strike out the word "ten" and insert therefor the word "sixteen."

Adopted.

Assembly Bill No. 460—An Act making an appropriation for the payment of an indebtedness created or to be incurred by the Surveyor-General in transcribing records and plat books in his office.

Read second time.

Assembly Bill No. 245—An Act entitled an Act to pay the claim of Sands W. Forman for services as Secretary of the State Board of

Forestry, and appropriating the sum of three hundred and seventy-five dollars to pay such claim.

Read second time.

Assembly Bill No. 459—An Act making an appropriation to pay the deficiency in the appropriation for expenses of Supreme Court, under section forty-seven, Code of Civil Procedure, for forty-first fiscal year.

Read second time.

Assembly Bill No. 587—An Act making an appropriation for the contingent expenses of the Assembly.

Read second time.

MOTION.

Mr. Pendleton moved that the Assembly resolve itself into Committee of the Whole, with Mr. Anderson in the chair, for the purpose of considering Assembly Bills Nos. 426, 427, 269, 282, 460, 459, and 587.

So ordered.

IN COMMITTEE OF THE WHOLE.

Mr. Anderson in the chair.

Assembly Bills Nos. 426, 427, 269, 282, 460, 459, and 587 were considered in Committee of the Whole.

IN ASSEMBLY.

Mr. Anderson in the chair.

REPORT OF THE COMMITTEE OF THE WHOLE.

Mr. Anderson stated the report of the Committee of the Whole, as follows:

GENTLEMEN. The Committee of the Whole have had under consideration Assembly Bill No. 426—An Act making an appropriation to pay the deficiency in the appropriation for the transportation of insane for the forty-third fiscal year.

Also: Assembly Bill No 427—An Act making an appropriation to pay the deficiency in the appropriation for the transportation of prisoners for the forty-third fiscal year.

Also: Assembly Bill No 269—An Act making an appropriation to pay armory rents and other expenses of the Naval Battalion of the National Guard for the remainder of the forty-fourth fiscal year.

Also: Assembly Bill No. 282—An Act making an appropriation to pay the deficiency in the appropriation provided by an Act entitled "An Act to establish a School of Industry, to provide for the maintenance and management of the same, and to make an appropriation therefor," approved March 11, 1889.

Also: Assembly Bill No 460—An Act making an appropriation for the payment of an indebtedness created or to be incurred by the Surveyor-General in transcribing records and plat books in his office.

Also: Assembly Bill No. 459—An Act making an appropriation to pay the deficiency in the appropriation for expenses of Supreme Court, under section forty-seven, Code of Civil Procedure, for forty-first fiscal year.

Also: Assembly Bill No 587—An Act making an appropriation for the contingent expenses of the Assembly.

And now report and recommend that the same do pass.

Assembly Bills Nos. 426, 427, 269, 282, 460, 459, and 587 ordered engrossed and to a third reading.

WITHDRAWAL OF BILLS.

Mr. Mathews of Tehama, on his motion, was allowed to withdraw Assembly Bill No. 223—An Act making an appropriation for the erection of an additional building for the State Normal School at Chico.

Also: Assembly Bill No. 224—An Act making an appropriation for a fence in front of the grounds of the State Normal School building at Chico.

Also: Assembly Bill No. 225—An Act making an appropriation for the construction of a cement floor in the basement of the State Normal School building at Chico.

Also: Assembly Bill No. 253—An Act to appropriate money for the support of the State Normal School at Chico.

Also: Assembly Bill No. 254—An Act to appropriate money for the purchase of scientific apparatus for the State Normal School at Chico.

Also: Assembly Bill No. 255—An Act to appropriate money for improvement of grounds of the State Normal School at Chico.

Also: Assembly Bill No. 256—An Act to appropriate money for the support of the library and museum of the State Normal School at Chico.

Also: Assembly Bill No. 257—An Act to appropriate money for the care of grounds of the State Normal School at Chico.

SPECIAL FILE—FIRST READING OF BILLS.

Assembly Bill No. 500—An Act fixing the salary of the Janitor of the State Capitol building, defining his duties, and making an appropriation therefor.

Read first time, and placed on file for second reading.

Assembly Bill No. 312—An Act appropriating money to pay for the removal, refurnishing of rooms, and repair of furniture for Supreme Court in city of Los Angeles.

Read first time, and placed on file for second reading.

ASSEMBLY CONSTITUTIONAL AMENDMENTS.

Assembly Constitutional Amendment No. 1—An Act to submit to the people of the State of California an amendment to section one, article thirteen, of the Constitution of the State of California.

Mr. Alford moved that Assembly Constitutional Amendment No. 1 be made a special order for this afternoon at two o'clock and thirty minutes.

So ordered.

Assembly Constitutional Amendment No. 3—A resolution to propose an amendment to section eleven of article thirteen of the Constitution of the State of California.

Passed on file.

Assembly Constitutional Amendment No. 7—An Act to amend section one of article thirteen of the Constitution.

Passed on file.

MOTION.

Mr. Pendleton moved that Assembly Bill No. 312 be made a special order for to-morrow at two o'clock P. M.

So ordered.

ASSEMBLY CONSTITUTIONAL AMENDMENT.

Assembly Constitutional Amendment No. 2—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, relative to revenue and taxation.

Committee amendment, as follows:

Strike out section number eight and number the remaining sections, respectively as follows: Numbers eight, nine, ten, and eleven.

Adopted.

MOTION.

Mr. Shanahan moved that all Assembly Constitutional Amendments now on the file be re-referred to Committee on Judiciary.

So ordered.

INTRODUCTION OF BILL.

By Mr. Mathews of Tehama: Assembly Bill No. 627—An Act to provide for the redemption and payment of certain funded debt bonds of this State, together with interest thereon, making an appropriation therefor, and authorizing the State Controller and State Treasurer to transfer the sum of one hundred and twenty thousand dollars from the General Fund to the Interest and Sinking Fund to carry out the provisions of this Act.

Referred to Committee on Ways and Means.

REPORT OF STANDING COMMITTEE.

ON JUDICIARY.

ASSEMBLY CHAMBER, SACRAMENTO, February 2, 1893.

MR. SPEAKER: Your Committee on Judiciary, to whom was referred Assembly Bill No. 116—An Act to amend section one thousand one hundred and eighty-three of the Code of Civil Procedure of the State of California, relating to liens of mechanics, material men, contractors, sub-contractors, artisans, architects, machinists, builders, miners, and all persons and laborers of every class—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

SHANAHAN, Chairman

INTRODUCTION OF BILLS.

By Mr. Kennedy: Assembly Bill No. 628—An Act to repeal an Act entitled "An Act in relation to the House of Correction of the City and County of San Francisco," approved April 1, 1878.

Referred to San Francisco Delegation.

Also: Assembly Bill No. 629—An Act authorizing the formation of county mutual insurance companies, regulating the transaction of their business, and defining the duties of the officers thereof.

Referred to Committee on Corporations.

RECESS.

The hour of recess having arrived, the Speaker pro tem. declared a recess until two o'clock P. M.

REASSEMBLED.

The Assembly reassembled at two o'clock P. M.

Speaker Gould in the chair.

Quorum present.

COMMUNICATION.

The Speaker had read a communication from Denis Kearney, relative to immigration of Japanese laborers.

GENERAL FILE—THIRD READING OF BILLS.

Assembly Bill No. 9—An Act to amend section four hundred and ten of the Code of Civil Procedure, relative to the serving of summons and complaint.

Read third time, and passed by the following vote:

AYES—Messrs. Adams, Alford, Anderson, Androus, Barker, Barlow, Bennett of Orange, Bledsoe, Boyce, Buckley, Bulla, Burke, Carlson, Casterline, Conway, Dodge, Drees, Duffy, Durst, Emeric, Godchaux, Hamilton, Hendrickson, Hurley, Hutson, Jacobsen, Johnson of Humboldt, Johnson of Santa Clara, Kennedy, Kerns, LaRue, Luttringer, Lynch, McCauley, McElroy, McGowan, Mack, Marston, Mathews of Tehama, Matthews of San Benito, Mordecai, O'Keefe, O'Neill, Owen, Pendleton, Perkins, Raw, Sargent, Schlesinger, Schroebel, Shanahan, Simpson, Standart, Talbott, Taylor, Thomas of Santa Clara, Vann, Wade, and Mr. Speaker—59.

Noes—None.

Title read and approved.

REPORT OF STANDING COMMITTEE.

ON WAYS AND MEANS.

ASSEMBLY CHAMBER, SACRAMENTO, February 2, 1893.

MR. SPEAKER: Your Committee on Ways and Means, during an investigation of some claims presented for its consideration, has discovered some facts that it is deemed proper should be in possession of this House.

During the forty-second fiscal year, by the authority of the Attorney-General, the firm of Langhorne & Miller was employed to bring suits against certain Harbor Commissioners and the sureties on their official bonds, to recover sums of money aggregating $114,596 72. Upon said trial said Langhorne & Miller successfully established the liability for the full amount, of the defendants, all of whom were solvent.

Your committee further finds that said defendants, through their agents and attorneys, secured the enactment of a law (see Statutes 1891, page 268) which released them from all liability except in the sum of $18,000.

The committee holds that if the money recovered had been paid into the Harbor Commissioners' fund the claim of Langhorne & Miller for legal services is a proper demand against the said fund, and should not be paid out of the General Fund.

Inquiry elicited the fact that the money so recovered was paid to the Attorney-General more than a year ago, pursuant to an Act of the Legislature of 1891, approved on March 31st, and is still in his possession. Your committee is of the opinion that the action of the Attorney-General in retaining possession of the money is unwarranted and unjustifiable, and will not recommend the payment of the claim of Messrs. Langhorne & Miller unless the money so recovered is converted into the General Fund.

The adoption of the following resolution is therefore recommended:

Resolved, That the Controller of the State be and he is hereby directed to make a formal demand for all the money recovered and paid to the Attorney-General in any of the suits in which Langhorne & Miller appeared as attorneys for the People of the State of California, together with the interest thereon for the period during which the money has been in his possession; *provided*, that a reasonable time shall be allowed in which the money should have been paid into the State Treasury.

W. P. MATHEWS, Chairman.

Resolution adopted.

SECOND READING OF BILLS.

Senate Bill No. 24—An Act to provide two additional Judges of the Superior Court of the county of Alameda.

Read second time.

Mr. Dodge moved to amend as follows:

Amend by striking out of the title the word "two," and by inserting in lieu thereof the word "one;" also, by striking out the letter "s" in the word "Judges," in the title; also, in section one, by striking out the word "two" in line two, and inserting in lieu thereof the word "one," also, by striking out the letter "s" in the word "Judges" in said line two; also, by striking out the word "two" in line four, and inserting in lieu thereof the word "one;" also, by striking out the letter "s" in the word "Judges" in line four, also, by striking out the word "two" in line one of section two, and inserting in lieu thereof the word "one;" also, by striking out the letter "s" in the word "Judges" in said line one of section two.

Adopted.

Assembly Bill No. 17—An Act to add a new section to the Penal Code of the State of California, to be designated as section four hundred and two, relating to the duties of females employed in mercantile and manufacturing occupations.

Passed on file.

Assembly Bill No. 190—An Act to provide for a day of rest from labor.

Mr. Boyce moved that the bill be made a special order for Thursday, February 9th, at two o'clock P. M.

So ordered.

Assembly Bill No. 142—An Act regulating the hours of labor in saw mills, shingle mills, shake mills, and logging camps.

Ordered engrossed and to third reading.

Assembly Bill No. 43—An Act to provide for the publication of monthly statements of city indebtedness.

Passed on file.

REPORT OF STANDING COMMITTEE.

ON MUNICIPAL CORPORATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, February 2, 1893

MR. SPEAKER: Your Committee on Municipal Corporations, to whom was referred Assembly Bill No. 497—An Act to provide and regulate the manner of receiving and paying fees, commissions, percentages, and other compensation for official services, in cities, and cities and counties, having a population of over one hundred thousand inhabitants, and prescribing the duties of officers with reference thereto—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

Also: Senate Bill No. 1—An Act requiring city, city and county, or town authorities to exact and require from persons or corporations seeking permission and authority to lay railroad tracks through streets or public highways of any incorporated city, city and county, or town, a satisfactory promise and undertaking to permit and allow mail carriers in the employ of the United States Government, at all times while engaged in the actual discharge of duty, to ride on the cars of such railroad without paying fare, and to make such promise and undertaking a condition precedent to the granting of such permission and authority by such governing Board.

Also: Assembly Bill No 78—An Act to amend an Act entitled "An Act to provide for the completion of all unfinished county, city, city and county, towns, and township buildings in the several counties, cities and counties, cities, and towns throughout the State of California," approved March 11, 1891.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

BUCKLEY, Chairman

APPOINTMENT.

The Speaker appointed Mr. Drees a member of the Committee on Public Printing, in place of Mr. Price, deceased.

SECOND READING OF BILLS.

Assembly Bill No. 30—An Act entitled an Act to amend section fifteen of an Act entitled "An Act to provide for the formation, government, operation, and dissolution of sanitary districts in any part of the State for the construction of sewers and other sanitary purposes; the acquisition of property thereby; the calling and conducting of elections in such districts; the assessment, levy, collection, custody, and disbursement of taxes therein; the issuance and disposal of the bonds thereof, and the determination of their validity, and making provision for the payment of such bonds, and the disposal of their proceeds."

Read second time, ordered engrossed and to a third reading.

Assembly Bill No. 8—An Act to promote the purity of elections.

Read second time.

Committee amendments, as follows:

Amend the title so as to read as follows, viz.:
"An Act to promote the purity of elections by regulating the conduct thereof, and to support the privilege of free suffrage by prohibiting certain acts and practices in relation thereto, and providing for the punishment thereof."

Adopted.

AMENDMENT No 1

Amend section one, line two, of printed bill, by inserting after the words "this State and" the word "presidential."

Adopted.

AMENDMENT No. 2.

Amend section one, line three, of printed bill, by adding after words "made by" the following words, viz.: "the members of a political party, or by."

Adopted.

AMENDMENT No. 3.

Amend section one, line five, printed bill, by striking out the words "by the Chairman and Secretary of such convention, assemblage, or body," and insert in lieu thereof the following words, viz.: "as provided by the provisions of sections eleven hundred and eighty-seven (1187) or eleven hundred and eighty-eight (1188) of the Political Code of this State."

Adopted.

AMENDMENT No. 4

Amend section one, line six, printed bill, by inserting after the word "nomination" the words "the persons signing such certificates of nomination."

Adopted.

AMENDMENT No. 5.

Amend section one, line ten, printed bill, by inserting before the word "certificate" the word "said."

Adopted.

AMENDMENT No. 6.

Amend section one, line eleven, printed bill, by striking therefrom the words "filed by such Chairman and Secretary."

Adopted.

AMENDMENT No. 7

Amend section one, line fourteen, printed bill, by adding after the word "persons" the following: "citizens and electors of this State."

Adopted.

AMENDMENT No. 8.

Amend section one, line nineteen, by inserting after the word "subject" the words "if there be any," and adding a comma (,) instead of a period after the word "subject."

Adopted.

AMENDMENT No. 9.

Amend section one, line twenty-one, printed bill, by striking therefrom the words "and in the same manner."

Adopted.

AMENDMENT No. 10.

Amend section three, line fifteen, printed bill, by adding after the word "county" the words "city and county."

Adopted.

AMENDMENT No. 11.

Amend section three, line twenty-six, printed bill, by changing the word "and" to the word "aid."

Adopted.

AMENDMENT No. 12.

Amend section five, line four, printed bill, by inserting after the word "subject" the words "if any."

Adopted.

AMENDMENT No. 13.

Amend section five, line thirteen, of printed bill, by inserting after the word "subject" the words "if any."

Adopted.

AMENDMENT No. 14.

Amend section seven, line three, printed bill, by striking out the word "or."

Adopted.

AMENDMENT No. 15.

Amend section seven, line nine, printed bill, by inserting before the word "present" the word "to."

Adopted.

AMENDMENT No 16.

Amend section eight, line four, printed bill, by striking therefrom the word "this."

Adopted

AMENDMENT No. 17.

Amend section eleven, line nineteen, of printed bill, by inserting after the word "expense" the words "authorized by the Political Code to be contributed by a candidate for nomination, to defray the legal and authorized expenses of a primary election, and except, also, the cost or expense."

Adopted.

Mr. Mordecai in the chair.

AMENDMENT No. 18.

Amend section eleven, line twenty-six, by inserting the word "presidential" before the word "electors."

Adopted.

AMENDMENT No. 19.

Amend section eleven, line thirty-seven, printed bill, by inserting after the word "act" the words "such candidate."

Adopted.

AMENDMENT No. 20.

Amend section twelve, line six, printed bill, by inserting the words "the State of" before the word "California."

Adopted.

AMENDMENT No. 21.

Amend section twelve, line sixteen, printed bill, by striking out the period and adding after the word "such" the word "proceeding."

Adopted.

AMENDMENT No. 22.

Amend section twelve, line twenty-two, printed bill, by making the word "imprisonment" to read "impeachment"

Adopted.

AMENDMENT No. 23.

Amend section twelve, line twenty-four, printed bill, by inserting the words "such member" after the word "elected."

Adopted.

AMENDMENT No. 24.

Amend section twelve, line twenty-nine, printed bill, by inserting the words "the State of."

Adopted.

AMENDMENT No. 25.

Amend section thirteen, line thirteen, printed bill, by adding a comma after the word "not," and strike therefrom the comma just preceding said word.

Adopted.

AMENDMENT No. 26.

Amend section seventeen, line eight, printed bill, by changing the word "the" to "their."

Adopted.

AMENDMENT No. 27.

Amend section nineteen, line forty-one, printed bill, by adding after the word "office" the following: "except that a candidate for nomination to a public office may contribute such proportion of the cost and expense of holding a primary election as is authorized by the Political Code of this State, and no more."

Adopted.

AMENDMENT No. 28.

Amend section twenty-one, line two, printed bill, by inserting after the word "county" the words "or city and county."

Adopted.

AMENDMENT No. 29.

Amend section twenty-two, line two, printed bill, by inserting after the word "county" the words "or city and county."

Adopted.

AMENDMENT No. 30.

Amend section twenty-four, line two, printed bill, by inserting after the word "election" the words "or who personates or attempts to personate a person legally entitled to vote."

Adopted.

AMENDMENT No. 31.

Amend section twenty-six, line eight, printed bill, by changing the word "knowing" to "knowingly."

Adopted.

AMENDMENT No. 32.

Amend section twenty-nine, line five, printed bill, by changing the words "this Code" to read "the Code of this State."

Adopted.

AMENDMENT No. 33.

Amend section thirty-six, line two, printed bill, by inserting after the word "Act" the following: "unless a different penalty is provided for such illegal payment."

Adopted.

AMENDMENT No. 34.

Amend section thirty-seven, line three, printed bill, by changing the word "and" to "or."

Adopted.

AMENDMENT No 35.

Amend section thirty-seven, line four, printed bill, by inserting after the word "misdemeanor" the words "unless a different penalty is provided for such illegal payment."

Adopted.

AMENDMENT No. 36.

Amend section thirty-seven, line four of printed bill, by adding the word "to" after the word "contrary."

Adopted.

AMENDMENT No. 37.

Amend section thirty-seven, line four, printed bill, by striking out the words "this section," and adding in lieu thereof the words "said sections five or six of this Act."

Adopted.

AMENDMENT No. 38.

Amend section thirty-eight, line two, printed bill, by adding after the word "act" the words "who makes any payment."

Adopted.

AMENDMENT No. 39.

Amend section thirty-eight, line two, printed bill, by changing the word "and" to "or."

Adopted.

AMENDMENT No 40.

Amend section thirty-eight, line two, printed bill, by inserting after the word "act," where it appears lastly on said line, the following: "unless a different penalty is provided for such illegal payment."

Adopted.

AMENDMENT No. 41.

Amend section forty-one, line fourteen, printed bill, by inserting after the word "printed" the words "the name of any candidate or."

Adopted.

Mr. Bulla moved to amend as follows:

By striking out of section three, line twelve, the words "in the," after the word "be," and inserting the same words, "in the," after the word "substantially."

Adopted.

Mr. Raw moved that the further consideration of the bill be made a special order for Thursday, at two o'clock P. M.

Mr. Shanahan moved as an amendment that the bill, as amended, be printed, ordered engrossed and to a third reading, and that the further consideration of the bill be made a special order for Monday, at two o'clock P. M.

So ordered.

MOTION.

Mr. Thomas of Nevada moved that Assembly Bill No. 48 be taken up out of its order and considered.

So ordered.

SECOND READING OF BILL.

Assembly Bill No. 48—An Act to appropriate money for the erection of a monument at Donner Lake, Nevada County, California, to the memory of the Donner party.

Read second time.

MOTION.

Mr. Gould moved that the Assembly resolve itself into Committee of the Whole, with Mr. Mordecai in the chair, for the purpose of considering Assembly Bill No. 48.

So ordered.

IN COMMITTEE OF THE WHOLE.

Mr. Mordecai in the chair.

Assembly Bill No. 48 was considered in Committee of the Whole.

IN ASSEMBLY.

Mr. Mordecai in the chair.

REPORT OF THE COMMITTEE OF THE WHOLE.

Mr. Mordecai stated the report of the Committee of the Whole, as follows:

GENTLEMEN: The Committee of the Whole have had under consideration Assembly Bill No 48—An Act to appropriate money for the erection of a monument at Donner Lake, Nevada County, California, to the memory of the Donner party—and now report, and recommend that the same do pass.

Bill ordered engrossed and to a third reading.

RESOLUTIONS.

By Mr. Shanahan:

Resolved, That the Controller be and is hereby directed to draw a warrant in favor of Thomas E. Healy, Sergeant-at-Arms, for the sum of fifty-eight dollars, payable out of the fund for the contingent expenses of the Assembly, the said amount being the cost and expenses in the case of Assemblyman Bretz as per bill rendered.

Also, that the Controller be and is hereby directed to draw a warrant in favor of Luke Kavanagh for services as shorthand reporter in the case of A. Bretz, as per bill rendered, the sum total being one hundred and seventy dollars, payable out of the fund for contingent expenses of the Assembly.

Adopted.

By Mr. Emeric:

Resolved, That the Committee on Judiciary, to which was referred Assembly Constitutional Amendment No. 14, be and it is hereby instructed to report back to this House said amendment, with its opinion on the manner of submission to the people, on Friday morning, February 3, 1893.

Lost.

ADJOURNMENT.

At four o'clock and thirty minutes P. M., on motion of Mr. Matthews of San Benito, the Assembly adjourned.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Friday, February 3, 1893.

The Assembly met pursuant to adjournment.

Speaker Gould in the chair.

The roll was called, and the following members answered to their names:

Messrs. Alford, Anderson, Androus, Barker, Barlow, Bennett of Santa Clara, Bennett of Orange, Blakeley, Bledsoe, Boyce, Brownlie, Buckley, Bulla, Burke, Carlson, Casterline, Chipman, Conway, Curtis, Cusick, Dodge, Drees, Duffy, Durst, Emeric, Finlayson, Gately, Godchaux, Hendrickson, Hurley, Hutson, Jacobs, Jacobsen, Johnson of Humboldt, Johnson of Santa Clara, Kennedy, Kahn, Kerns, LaRue, Luttringer, Lynch, McCauley, McElroy, Mack, Marks, Marston, Mathews of Tehama, Matthews of San Benito, Miller, Mordecai, O'Keefe, O'Neill, Owen, Pendleton, Perkins, Pueschel, Raw, Sargent, Schlesinger, Schroebel, Shanahan, Simpson, Sims, Standart, Taggart, Talbott, Taylor, Thomas of Santa Clara, Tindall, Vann, Wade, and Mr. Speaker.

Quorum present.

LEAVE OF ABSENCE.

Messrs. Adams, Thomas of Nevada, and Duckworth were granted leave of absence for the day.

PRAYER.

Prayer by the Chaplain, Rev. H. W. Conry.

READING AND APPROVAL OF THE JOURNAL.

Pending the reading of the Journal of yesterday, Mr. Bennett of Santa Clara moved that the further reading be dispensed with.

So ordered.

Journal of Wednesday, February 1st, approved.

REPORTS OF STANDING COMMITTEES.

ON CORPORATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, February 3, 1893.

MR. SPEAKER: Your Committee on Corporations, to whom was referred Assembly Bill No. 168—An Act fixing a basis for the assessment of railroad property in this State—have had the same under consideration, and respectfully report the same back without recommendation.

Also: Assembly Bill No 238—An Act relating to certain contracts for the conditional sale, lease, or hire of railroad and street railway equipment and rolling stock, and providing for the recording thereof—have had the same under consideration, and respectfully report the same back, and recommend that it be referred to the Committee on Judiciary.

Also: Assembly Bill No 373—An Act to amend an Act entitled "An Act creating a Board of Bank Commissioners, and prescribing their duties and powers," approved March 30, 1878, and amended March 10, 1887.

Also Assembly Bill No 330—An Act to amend an Act entitled "An Act relating to life, health, accident, and annuity or endowment insurance on the assessment plan, and the conduct of the business of such insurance," approved March 19, 1891

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

Also: Assembly Bill No 51—An Act to amend an Act entitled "An Act to repeal sections six hundred and thirty-nine, six hundred and forty, six hundred and forty-one, six hundred and forty-two, six hundred and forty-three, six hundred and forty-four, six hundred and forty-five, six hundred and forty-seven, of title sixteen, of part four, division first, of the Civil Code, and to add seventeen new sections to said Civil Code, to be known and numbered as sections six hundred and thirty-three, six hundred and thirty-four, six hundred and thirty-five, six hundred and thirty-six, six hundred and thirty-seven, six hundred and thirty-eight, six hundred and thirty-nine, six hundred and forty, six hundred and forty-one, six hundred and forty-two, six hundred and forty-three, six hundred and forty-four, six hundred and forty-five, six hundred and forty-six, six hundred and forty-seven, six hundred and forty-eight, and six hundred and forty-eight and one half, providing for the formation and government of mutual building and loan associations," approved March 31, 1891—have had the same under consideration, and have amended the same, and respectfully report the same back, and recommend that it do pass as amended

ALFORD, Chairman

Assembly Bill No. 238 re-referred to Committee on Judiciary.

ON JUDICIARY.

ASSEMBLY CHAMBER, SACRAMENTO, February 3, 1893.

MR. SPEAKER: Your Committee on Judiciary, to whom was referred Assembly Bill No. 47—An Act to amend sections three thousand seven hundred and forty-six and three thousand seven hundred and fifty-six of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to revenue and taxation.

Also: Assembly Bill No 98—An Act to amend section three thousand eight hundred and fifty-four and section three thousand eight hundred and fifty-eight of the Political Code.

Also: Assembly Bill No. 333—An Act to amend section three thousand seven hundred and seventy-nine of the Political Code, relating to lien of State vests in the purchaser at tax sale, and how divested.

Also: Assembly Bill No. 529—An Act to amend sections three thousand seven hundred and fourteen and three thousand seven hundred and thirty-two of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to revenue and taxation.

Have had the same under consideration, and respectfully report the same back, and recommend that they do not pass.

Also: Assembly Bill No. 196—An Act to amend section three thousand seven hundred and seventy of the Political Code, relating to the duties of Tax Collectors.

Also: Assembly Bill No 219—An Act to amend section three thousand seven hundred and forty-six of an Act entitled "An Act to amend section three thousand seven hun-

dred and forty-six of an Act entitled 'An Act to establish a Political Code,' approved March 31, A. D. 1891."

Also: Assembly Bill No. 443—An Act relating to the making of sworn statements of the character, amount, and value of personal property owned, possessed, or under the control of taxpayers at twelve o'clock M. on the first Monday of March of each year, and providing a penalty for failure to comply therewith.

Also: Assembly Bill No 473—An Act to increase the revenue by the taxation of incomes.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

Also: Assembly Bill No. 131—An Act to amend sections three thousand seven hundred and sixty-five, three thousand seven hundred and seventy-three, three thousand seven hundred and eighty, three thousand seven hundred and eighty-five, three thousand seven hundred and eighty-eight, three thousand eight hundred and ninety-nine, and to repeal sections three thousand seven hundred and seventy-four, three thousand seven hundred and seventy-five, three thousand seven hundred and seventy-six, three thousand seven hundred and seventy-seven, three thousand seven hundred and seventy-eight, three thousand seven hundred and seventy-nine, three thousand seven hundred and eighty-one, three thousand seven hundred and eighty-two, three thousand seven hundred and eighty-three, three thousand seven hundred and eighty-four, and three thousand eight hundred and three of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to revenue and taxation.

Also: Assembly Bill No. 218—An Act entitled an Act to amend section three thousand seven hundred and fifty-one of an Act entitled "An Act to amend section three thousand seven hundred and fifty-one of an Act entitled 'An Act to establish a Political Code,' approved March 12, A. D. 1872, relating to revenue and taxation," approved March 31, A. D. 1891.

Also: Assembly Bill No 220—An Act to amend section three thousand seven hundred and seventy-nine of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to revenue and taxation

Also: Assembly Bill No. 221—An Act to amend section three thousand seven hundred and eighty and section three thousand seven hundred and eighty-five of an Act to amend an Act entitled "An Act to amend sections three thousand seven hundred and eighty and three thousand seven hundred and eighty-five of an Act entitled 'An Act to establish a Political Code,' approved March 12, A. D. 1872, relating to the redemption of lands sold at tax sale," approved March 19, A. D. 1891.

Also: Assembly Bill No. 230—An Act to amend sections three thousand seven hundred and seventy and three thousand seven hundred and eighty-four of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the costs and fees to be collected by the Tax Collector at the time of making sales of property for delinquent taxes, and in relation to redemptions from delinquent tax sales.

Also: Assembly Bill No. 430—An Act to add a new section to the Political Code of the State of California, to be designated as section three thousand six hundred and fifty-one and one half, relating to the form of tax receipts.

Have had the same under consideration, and respectfully report the same back, and recommend that the authors thereof be allowed to withdraw said bills.

SHANAHAN, Chairman

ON PUBLIC LANDS.

ASSEMBLY CHAMBER, SACRAMENTO, February 2, 1893.

MR. SPEAKER: Your Committee on Public Lands, to whom was referred Assembly Bill No. 467—An Act to create a special commission for the purpose of examining and reporting to the thirty-first session of the Legislature on the Torrens Land Transfer Act of Australia, and to appropriate money therefor

Also: Assembly Bill No 184—An Act to reinstate and reënact section three thousand five hundred and seventy-three of the Political Code, relating to public lands.

Also: Senate Bill No. 9—An Act to declare certain tide lands public grounds, and granting the same to the county of San Mateo, in trust for the use of the public

Also: Senate Bill No. 200—An Act providing for the presentation and cancellation of unlocated school land warrants of the State of California, issued under the Act of the State of California, approved May 3, 1852, providing for the disposal of the five hundred thousand acres of land donated to the State of California by the Government of the United States, and authorizing the Controller of this State to draw his warrant on the State Treasurer for the sum of two dollars per acre in favor of any bona fide owner and holder of any such land warrant for every acre represented by any such land warrant.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass, and recommend that Senate Bill No. 200 be substituted for Assembly Bill No. 467.

MACK, Chairman.

ON ROADS AND HIGHWAYS.

ASSEMBLY CHAMBER, SACRAMENTO, February 3, 1893.

MR SPEAKER: Your Committee on Roads and Highways, to whom was referred Assembly Bill No. 177—An Act to amend section two thousand six hundred and forty-

six of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the powers and duties of highway officers, and to provide for the construction, maintenance, and improvements of highways by contract let out to the lowest bidder.

Also: Assembly Bill No. 194—An Act to amend section two thousand six hundred and forty-five of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the powers and duties of highway officers, and to provide for the construction, maintenance, and improvements of highways by contract let out to the lowest bidders.

Also: Assembly Bill No. 409—An Act to amend section two thousand six hundred and thirty-three, Political Code, and amend sections two thousand six hundred and forty-one, two thousand six hundred and forty-two, two thousand six hundred and forty-three, two thousand six hundred and forty-five, and two thousand six hundred and fifty-two, and to repeal section two thousand six hundred and forty-six of an Act entitled "An Act to amend sections two thousand six hundred and forty-one, two thousand six hundred and forty-two, two thousand six hundred and forty-three, two thousand six hundred and forty-five, two thousand six hundred and forty-six, two thousand six hundred and fifty-two, and to repeal section two thousand six hundred and forty-four of an Act entitled 'An Act to establish a Political Code,' approved March 12, 1872, relating to the powers and duties of highway officers, and to provide for the construction, maintenance, and improvements of highways by contract let out to the lowest bidder;" and to provide for the appointment of Road Overseers for the various road districts within counties of this State; and to authorize Boards of Supervisors to let contracts for improving and building roads to the lowest bidder.

Also: Assembly Bill No. 463—An Act to amend section two thousand six hundred and thirty-three, Political Code, and amend sections two thousand six hundred and forty-one, two thousand six hundred and forty-two, two thousand six hundred and forty-three, two thousand six hundred and forty-five, and two thousand six hundred and fifty-two, and to repeal section two thousand six hundred and forty-six of an Act entitled "An Act to amend sections two thousand six hundred and forty-one, two thousand six hundred and forty-two, two thousand six hundred and forty-three, two thousand six hundred and forty-five, two thousand six hundred and forty-six, two thousand six hundred and fifty-two, and to repeal section two thousand six hundred and forty-four of an Act entitled 'An Act to establish a Political Code,' approved March 12, 1872, relating to the powers and duties of highway officers, and to provide for the construction, maintenance, and improvements of highways by contract let out to the lowest bidder;" and to provide for the appointment of Road Overseers for the various road districts within counties of this State; and to authorize Boards of Supervisors to let contracts for improving and building roads to the lowest bidder.

Also. Assembly Bill No. 511—An Act to amend sections two thousand six hundred and forty-two, two thousand six hundred and forty-three, two thousand six hundred and forty-five, and two thousand six hundred and forty-six of the Political Code, relating to roads and highways.

Have had the same under consideration, and respectfully report back a substitute for all of them, and recommend it do pass, and that the authors of Assembly Bills Nos. 177, 194, 409, 463, and 511 be allowed to withdraw them.

DUFFY, Chairman.

ON AGRICULTURE.

ASSEMBLY CHAMBER, SACRAMENTO, February 3, 1893.

MR. SPEAKER: Your Committee on Agriculture, to whom was referred Senate Bill No 114—An Act to prevent combinations to obstruct the sale of live stock in the State of California—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

Also: Assembly Bill No 274—An Act to regulate the sale of commercial fertilizers, or material used for manurial purposes—have had the same under consideration, and respectfully report the same back without recommendation

LARUE, Chairman.

ON STATE PRISONS AND REFORMATORY INSTITUTIONS.

ASSEMBLY CHAMBER, SACRAMENTO, February 3, 1893.

MR. SPEAKER: Your Committee on State Prisons and Reformatory Institutions, to whom was referred Assembly Bill No. 316—An Act making an appropriation for the erection of buildings, and for the purchase of machinery to be used in the manufacture of ice, to be used at the State Prison at Folsom—have had it under consideration, and report the same back, with a recommendation that the author thereof be permitted to withdraw the bill

Also: Assembly Bill No. 422—An Act authorizing the State Board of Prison Directors to establish an ice factory at the Folsom State Prison, and making an appropriation therefor—have had the same under consideration, and respectfully recommend that it be referred to Committee on Ways and Means

Also: Senate Concurrent Resolution No 14—Relative to Joint Committee on Investigation of Whittier Reform School—have had the same under consideration, and respectfully report the same back, and recommend that it do not pass

Also: Senate Bill No. 174—An Act fixing the price and conditions of sale at which jute goods shall be sold by the State—have had the same under consideration, and respectfully recommend its passage.

Also: Assembly Bill No. 563—An Act directing the State Prison Directors of the State of California to employ at least twenty prisoners in the construction of roads to the State Prison at San Quentin.

Also: Assembly Bill No 568—An Act to authorize necessary improvements at San Quentin, and provide for the payment for the same

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

H. H JOHNSON, Chairman

Assembly Bill No. 422 re-referred to Committee on Ways and Means.

ON FISH AND GAME

ASSEMBLY CHAMBER, SACRAMENTO, February 1, 1893

MR. SPEAKER: Your Committee on Fish and Game, to whom was referred Assembly Bill No. 300—An Act to amend an Act entitled "An Act to provide for the restoration and preservation of fish in the waters of this State," approved April 2, 1870, by adding thereto an additional section, numbered section twelve, relative to the better protection of fish placed in streams for the purpose of propagation—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended

EMERIC, Chairman

ON LABOR AND CAPITAL.

ASSEMBLY CHAMBER, SACRAMENTO, February 3, 1893.

MR SPEAKER: Your Committee on Labor and Capital, to whom was referred Assembly Bill No. 420—An Act to declare arrangements, contracts, agreements, trusts, or combinations in restraint of trade and production unlawful, and to fix the penalty therefor—have had the same under consideration, and respectfully report the same back, and recommend that it do not pass.

Also: Assembly Bill No. 476—An Act to provide for the appointment of a Board of Examining Engineers, to license engineers of portable and stationary steam engines and boilers, to establish the duties and compensation of said Board—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

Also: Assembly Bill No 544—An Act relating to the appointment of aliens to positions under State, county, city and county, city, or town officials.

Also: Senate Bill No. 214—An Act to amend an Act entitled "An Act to establish and support a Bureau of Labor Statistics," approved March 3, 1883.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass

Also: Assembly Bill No. 531—An Act amending sections one thousand one hundred and eighty-three, one thousand one hundred and eighty-four, and one thousand one hundred and eighty-seven of the Code of Civil Procedure of the State of California, as amended March 15, 1887; section one thousand one hundred and ninety-five of the said Code of Civil Procedure, as amended March 18, 1885; and section one thousand one hundred and ninety of said Code of Civil Procedure, all relating to liens of mechanics and others. And also inserting a new section in said Code, to be numbered section one thousand two hundred and three—have had the same under consideration, and respectfully report the same back, and recommend that it be referred to the Committee on Judiciary.

CONWAY, Chairman

Assembly Bill No. 531 re-referred to Committee on Judiciary.

ON PUBLIC MORALS.

ASSEMBLY CHAMBER, SACRAMENTO, February 3, 1893.

MR SPEAKER: Your Committee on Public Morals, to whom was referred Assembly Bill No. 525—An Act to prevent children from being in and about places where intoxicating liquors are sold, and to prevent the sale of such liquors to children—have had the same under consideration, and respectfully report the same back, and recommend that it do pass, with committee amendments.

BLEDSOE, Chairman

MESSAGES FROM THE SENATE.

SENATE CHAMBER, SACRAMENTO, February 1, 1893.

MR. SPEAKER: I am directed to inform your honorable body that the Senate, on the first day of February, 1893, passed Senate Bill No. 199.

F. J. BRANDON, Secretary.
By R. SHAW, Assistant.

Also:

SENATE CHAMBER, SACRAMENTO, February 1, 1893

MR. SPEAKER: I am directed to inform your honorable body that the Senate, on this day, adopted Senate Joint Resolution No. 16—Relative to annexation of Hawaiian Islands

Also: Senate Joint Resolution No. 17—Relative to the examination of navigable waters in State of California.

Also Senate Joint Resolution No 18—Relative to break in Feather River.

F J. BRANDON, Secretary.
By R SHAW, Assistant

Also:

SENATE CHAMBER, SACRAMENTO, February 2, 1893.

MR. SPEAKER: I am directed to inform your honorable body that the Senate, on this day, passed Assembly Bill No. 553

Also: Senate Bills Nos. 80 and 49

F J BRANDON, Secretary.
By R. SHAW, Assistant.

Assembly Bill No. 553 ordered to enrollment.

SENATE BILLS REFERRED.

Senate Bill No. 199 referred to Committee on Forestry.

Senate Joint Resolutions Nos. 16 and 17 referred to Committee on Federal Relations.

Senate Bill No. 80 referred to Committee on Municipal Corporations.

Senate Joint Resolution No. 18 and Senate Bill No. 49 placed on file.

INTRODUCTION OF BILLS.

The following bills were introduced, read by title, and referred to committees, as follows:

By Mr. Tindall: Assembly Bill No. 630—An Act requiring every corporation doing business in this State to pay their employés, and each of them, at least once in each and every month, the wages earned by such employé; to define the duties of the Labor Commissioner, and the District Attorneys of the several counties of this State in enforcing this Act; to limit the defenses which may be set up by such corporation to assignments of wages, set-off, or counter claims, or the absence of such employé at the time of making payment, and in case of such absence the wages are payable upon demand; to prohibit assignments of wages for the purpose of evading the provisions of this Act, and agreements to accept wages at longer periods than as herein provided as a condition of employment; to fix a penalty for this violation of the provisions of this Act by such corporation, and to provide for the disposition of any fines recovered from corporations violating the same.

Referred to Committee on Labor and Capital.

Also: Assembly Bill No. 631—An Act to amend section five hundred and seventy-five of the Civil Code of the State of California, relating to making and drawing deposits and dividends in savings and loan corporations.

Referred to Committee on Judiciary.

Also: Assembly Bill No. 632—An Act to repeal an Act entitled "An Act concerning corporations and persons engaged in the business of banking," approved April 1, 1876.

Referred to Committee on Corporations.

By Mr. Barker: Assembly Bill No. 633—An Act to define the duties of County Surveyors, and to regulate and provide for their compensation.

Referred to Committee on Judiciary.

By Mr. Emeric: Assembly Bill No. 634—An Act making an appropriation to pay the deficiency in the appropriation for the restoration and preservation of fish in the waters of the State for the forty-second and forty-third fiscal years.

Referred to Committee on Ways and Means.

Also: Assembly Bill No. 635—An Act making an appropriation to pay the deficiency in the appropriation for support and maintenance of State hatcheries for the forty-second and forty-third fiscal years.

Referred to Committee on Ways and Means.

Also: Assembly Bill No. 636—An Act to amend an Act entitled "An Act to establish a uniform system of county and township governments," approved March 31, 1891.

Referred to Committee on County and Township Governments.

By Mr. Carlson: Assembly Bill No. 637—An Act to amend an Act entitled "An Act to provide for the organization and government of irrigation districts, and to provide for the acquisition of water and other property, and for the distribution of water thereby for irrigation purposes," approved March 7, 1887, by amending section fifteen thereof.

Referred to Committee on Irrigation.

Also: Assembly Bill No. 638—An Act to amend an Act entitled "An Act to provide for the organization and government of irrigation districts, and to provide for the acquisition of water and other property, and for the distribution of water thereby for irrigation purposes," approved March 7, 1887, by amending sections thirteen and seventeen thereof.

Referred to Committee on Irrigation.

By Mr. Mack: Assembly Bill No. 639—An Act supplemental to an Act entitled "An Act to provide for the organization and government of irrigation districts, and to provide for the acquisition of water and other property, and for the distribution of water thereby for irrigation purposes," approved March 7, 1887, providing for the abandonment of operations by irrigation districts, and for their disorganization upon the discharge of all outstanding obligations.

Referred to Committee on Irrigation.

By Mr. Dodge: Assembly Bill No. 640—An Act entitled an Act to appropriate money to pay the claim of Patrick Begley for the construction of a sewer along Dwight Way, in front of the lands of the Deaf and Dumb Asylum of Berkeley, California, which work was performed and material furnished under a contract with George Schmidt, Superintendent of Streets of the town of Berkeley, his authority having been acquired under the general street law of this State, and approved by the State Board of Examiners.

Referred to Committee on Claims.

By Mr. Luttringer: Assembly Bill No. 641—An Act to amend section one thousand three hundred and fifty of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, relating to executors.

Referred to Committee on Judiciary.

Also: Assembly Bill No. 642—An Act to amend section one thousand

three hundred and sixty-nine of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, relating to administrators.

Referred to Committee on Judiciary.

Also: Assembly Bill No. 643—An Act to amend sections one thousand seven hundred and forty-eight, one thousand seven hundred and forty-nine, and one thousand seven hundred and sixty-four of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, relating to guardian and ward.

Referred to Committee on Judiciary.

By Mr. Cusick: Assembly Bill No. 644—An Act appropriating money to pay the claim of B. McMahon & Son.

Referred to Committee on Claims.

By Mr. Johnson of Humboldt: Assembly Bill No. 645—An Act to pay the claim of A. G. Lafferty against the State of California, for supplies furnished in fitting out Company A, First Battalion of Mountaineers.

Referred to Committee on Claims.

REPORT OF STANDING COMMITTEE.

ON JUDICIARY.

ASSEMBLY CHAMBER, SACRAMENTO, February 3, 1893

MR SPEAKER: Your Committee on Judiciary, to whom was referred Assembly Bill No 108—An Act to amend sections two hundred and four, two hundred and five, two hundred and six, and two hundred and eight of the Code of Civil Procedure.

Also, Assembly Bill No. 161—An Act to amend section three thousand seven hundred and fifty-one of the Political Code of this State, relating to revenue and taxation.

Also, Assembly Bill No. 217—An Act entitled an Act to amend section three thousand seven hundred and fifty-six of an Act entitled "An Act to amend section three thousand seven hundred and fifty-six of an Act entitled 'An Act to establish a Political Code,' approved March 12, A. D. 1872, relating to revenue and taxation," approved March 31, A. D. 1891

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass as amended.

Also:

MR SPEAKER: Your Committee on Judiciary, to whom was referred the question of the proper method of submitting constitutional amendments to be voted upon by the people—have had the same under consideration, and respectfully report that proposed amendments to the Constitution should be submitted, if at a special election, by an Act of the Legislature, otherwise, they will be voted upon at the next ensuing general election

SHANAHAN, Chairman

ASSEMBLY JOINT RESOLUTION.

By Mr. Barlow: Assembly Joint Resolution No. 20—Relative to the ownership and operation of railroads by the people.

Referred to Committee on Federal Relations.

MOTION.

Mr. Durst moved that Senate Joint Resolution No. 18 be now considered.

So ordered.

Speaker pro tem. Mathews in the chair.

SENATE JOINT RESOLUTION.

Senate Joint Resolution No. 18—Relative to break in Feather River. Read, and adopted by the following vote:

AYES—Messrs. Alford, Anderson, Androus, Barker, Barlow, Bennett of Santa Clara, Bennett of Orange, Blakeley, Bledsoe, Boyce, Brownlie, Buckley, Bulla, Burke, Carlson, Casterline, Conway, Cusick, Dodge, Drees, Duffy, Durst, Finlayson, Gately, Godchaux, Hendrickson, Hurley, Hutson, Jacobs, Jacobsen, Johnson of Humboldt, Johnson of Santa Clara, Kennedy, Kahn, Kerns, LaRue, Luttringer, Lynch, McCauley, McElroy, McGowan, Mack, Marks, Marston, Mathews of Tehama, Matthews of San Benito, Mordecai, O'Keefe, O'Neill, Owen, Pendleton, Perkins, Raw, Sargent, Schlesinger, Schroebel, Simpson, Sims, Standart, Taggart, Talbott, Taylor, Thomas of Santa Clara, Tindall, Vann, Wade, and Mr. Speaker—67.

NOES—None.

MOTION.

Mr. Lynch moved that Assembly Bill No. 587 be considered engrossed, and that it be read the third time.

So ordered.

THIRD READING OF BILL.

Assembly Bill No. 587—An Act making an appropriation for the contingent expenses of the Assembly.

Read third time, and passed by the following vote:

AYES—Messrs. Anderson, Androus, Barker, Barlow, Bennett of Santa Clara, Bennett of Orange, Blakeley, Bledsoe, Boyce, Brownlie, Buckley, Bulla, Carlson, Casterline, Chipman, Conway, Cusick, Dodge, Drees, Duffy, Durst, Finlayson, Gately, Godchaux, Hendrickson, Hurley, Hutson, Jacobs, Johnson of Humboldt, Johnson of Santa Clara, Kennedy, Kahn, Kerns, LaRue, Luttringer, Lynch, McElroy, McGowan, Mack, Marks, Marston, Mathews of Tehama, Matthews of San Benito, Mordecai, O'Keefe, O'Neill, Owen, Pendleton, Perkins, Raw, Sargent, Schlesinger, Schroebel, Simpson, Sims, Standart, Taggart, Talbott, Taylor, Thomas of Santa Clara, Tindall, Wade, and Mr Speaker—63.

NOES—None.

Title read and approved.

MOTION.

Mr. Lynch moved that the bill be immediately transmitted to the Senate.

So ordered.

RESOLUTIONS.

By Mr. Mordecai:

Resolved, That Assemblymen Matthews, Chipman, Dodge, Brownlie, Marks, and Mordecai, members of the Committee on State Hospitals, be granted leave of absence until Tuesday, February 7th, at twelve o'clock M., in order that they may visit and investigate the Southern California Asylum for the Insane and Inebriates, in San Bernardino County.

Mr. Gould moved that the resolution be referred to Committee on Public Expenditures and Accounts.

So ordered.

Mr. Lynch in the chair.

By Mr. Johnson of Santa Clara:

Resolved, That the Committee on State Prisons and Reformatory Institutions be granted one day's leave of absence, for Saturday, February 4th, for the purpose of visiting the Folsom State Prison.

Referred to Committee on Public Expenditures and Accounts.

By Mr. Carlson:

WHEREAS, According to statement furnished by the State Treasurer, the county of San Diego has paid into the State Treasury the sum of $1,156,439 92 as taxes during the past thirteen years, and has paid millions of dollars to the State of California during the past forty-two years without ever having received any appropriation for any improvement or building there, and as the Committee on Commerce and Navigation of the Assembly, together with that of the Senate, at the joint meeting held last Tuesday night, unanimously decided on recommending to each house that the Commerce and Navigation Committee of each, in order to investigate the necessities as to whether $200,000 should be appropriated for the construction of piers and a seawall by the State Harbor Commission at San Diego, the said committee (nearly every one of whom has never seen said harbor and know nothing of its necessities) should, by a personal inspection and investigation of same, decide whether to recommend said appropriation, or nothing; and as it is better to expend a few dollars in a careful investigation of the matter than to expend hundreds of thousands of dollars in an improvement which said committee may find to be unnecessary and unjustifiable, therefore, be it

Resolved, That a sub-committee of three of the said committee be and is hereby authorized and directed to investigate the necessity for said appropriation by an inspection of said location, and while absent on same, from Friday night to Monday evening, the said committee is granted leave of absence.

We, the undersigned Assemblymen, recommend the passage of above resolution:

C. O Barker.	Bert Schlesinger	William Hendrickson, Jr
R. J. Luttringer.	D. T Perkins.	B. O Marston
W. T. Boyce	B. Conway	C. W. Pendleton.
James McGowan.	J L Sargent	J J Kennedy
William H Gately	R I. Thomas	W A Anderson
John Buckley	F. A. Blakeley.	C. D. McCauley.
Thomas W Burke	C A. Barlow	Thomas Duffy.
Joseph G. Gallagher.	P H. Mack	D. J B. Schroebel.
E. Godchaux.	E. A. Pueschel.	George W Hamilton.
W. H. Carlson.	H H. Johnson	J. C. Lynch.
James T O'Keefe.	C. F Bennett.	G. Standart
M. Thomas, Jr.	H. B M. Miller.	F G Finlayson.
James I Taylor.	I. W Jacobs	T W. H Shanahan.
W. L Talbott.	J. J. McElroy.	Thomas P Cusick.
D. P. Durst.	H J. O'Neill	John M. Curtis.
P. R Adams.	H. J. T Jacobsen	Robert N. Bulla.
S N. Androus	R S Raw	Julius Kahn.
	William H. Alford	

Referred to Committee on Public Expenditures and Accounts.

MOTION.

Mr. Carlson moved to suspend the rules, and that the Committee on Public Expenditures and Accounts be instructed to report back the resolution at two o'clock this afternoon.

The ayes and noes were demanded by Messrs. Carlson. Pendleton, and Hurley.

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

AYES—Messrs Anderson, Androus, Barker, Barlow, Bennett of Santa Clara, Bennett of Orange, Blakeley, Boyce, Brownlie, Buckley, Bulla, Burke, Carlson, Casterline, Chipman, Conway, Curtis, Cusick, Dodge, Drees, Durst, Emeric, Finlayson, Gately, Godchaux, Hendrickson, Hutson, Jacobs, Jacobsen, Johnson of Santa Clara Kennedy, Kahn, Kerns, LaRue, Luttringer, Lynch, McCauley, McElroy, McGowan, Mack, Marks, Marston, Mathews of Tehama, Matthews of San Benito, Miller, Mordecai, O'Keefe, O'Neill, Owen, Pendleton, Perkins, Sargent, Schlesinger, Schroebel, Simpson, Standart, Taylor, Thomas of Nevada, Thomas of Santa Clara, Vann, Wade, and Mr. Speaker—63

NOES—Messrs. Bledsoe, Duffy, Hurley, Johnson of Humboldt, Shanahan, and Tindall—6

LEAVE OF ABSENCE.

The Committee on Public Expenditures and Accounts was granted leave of absence until two o'clock P. M.

ASSEMBLY JOINT RESOLUTION.

By Mr. Gould: Assembly Joint Resolution No. 21—Relating to the postponement of the payment of the indebtedness of the Central and Southern Pacific Railroad Companies.

Referred to Committee on Federal Relations.

PETITION.

By Mr. Mathews of Tehama: From property owners of Butte County, remonstrating against the division of Butte County.

Referred to Committee on Counties and County Boundaries.

REPORT OF STANDING COMMITTEE.

ON ENGROSSMENT

ASSEMBLY CHAMBER, SACRAMENTO, February 3, 1893

MR. SPEAKER: Your Committee on Engrossment begs leave to report that it has examined the following Assembly Bills, and finds the same correctly engrossed:

Assembly Bill No 84—An Act to authorize the husband or wife, or next of kin, of a deceased person to collect and receive of any bank any deposit in such bank when the same does not exceed the sum of five hundred dollars

Also: Assembly Bill No 144—An Act to prohibit prize fighting.

Also. Assembly Bill No 185—An Act to amend section three thousand seven hundred and seventy-three of the Political Code, relating to the sale of delinquent taxes

Also Assembly No 100—An Act to change the name of the Mendocino State Asylum for the Insane, to Mendocino Insane Asylum.

Also Assembly Bill No. 14—An Act to add a new section to an Act entitled "An Act to establish a Political Code of the State of California," to be called section two thousand nine hundred and eighty-four, relative to the appointment of a State Sanitary Inspector.

Also: Assembly Bill No. 71—An Act to amend an Act entitled "An Act to insure the better education of practitioners of dental surgery, and to regulate the practice of dentistry in the State of California," approved March 12, 1885

Also: Assembly Bill No 45—An Act amendatory of and supplemental to an Act entitled "An Act to create a Police Court in and for the City and County of San Francisco, State of California," approved March 5, 1889, and providing for an additional department, to be known as Department Number Four, and the appointment of a suitable person to act as Judge of said Court

Also Assembly Bill No 142—An Act regulating the hours of labor in saw mills, shingle mills, shake mills, and logging camps.

KENNEDY, Chairman.

SPECIAL FILE—SECOND READING OF BILLS.

Assembly Bill No. 500—An Act fixing the salary of the Janitor of the State Capitol building, defining his duties, and making an appropriation therefor.

Read second time.

MOTION.

Mr. Schroebel moved that the Assembly resolve itself into Committee of the Whole, with Mr. Lynch in the chair, for the purpose of considering Assembly Bill No. 500

So ordered.

IN COMMITTEE OF THE WHOLE.

Mr. Lynch in the chair.

Assembly Bill No. 500 was considered in Committee of the Whole.

IN ASSEMBLY.

Mr. Lynch in the chair.

REPORT OF THE COMMITTEE OF THE WHOLE.

Mr Lynch stated the report of the Committee of the Whole, as follows:

GENTLEMEN. The Committee of the Whole have had under consideration Assembly Bill No. 500—An Act fixing the salary of the Janitor of the State Capitol building, defining his duties, and making an appropriation therefor—and now report, and recommend that the same do pass.

Bill ordered engrossed and to a third reading.
Speaker Gould in the chair.

GENERAL FILE—THIRD READING OF BILLS.

Assembly Bill No. 84—An Act to authorize the husband or wife, or next of kin, of a deceased person to collect and receive of any bank any deposit in such bank when the same does not exceed the sum of five hundred dollars.

Read third time.

The roll was called, and Assembly Bill No. 84 finally passed by the following vote:

AYES—Messrs. Alford, Anderson, Androus, Barker, Barlow, Bennett of Santa Clara, Bennett of Orange, Blakeley, Bledsoe, Boyce, Brownlie, Buckley, Bulla, Burke, Casterline, Conway, Cusick, Dodge, Drees, Duffy, Durst, Emeric, Finlayson, Gately, Godchaux, Hendrickson, Hurley, Jacobs, Johnson of Santa Clara, Kahn, Kerns, LaRue, Luttringer, Lynch, McCauley, McElroy, McGowan, Mack, Marks, Miller, O'Keefe, O'Neill, Owen, Pendleton, Perkins, Raw, Sargent, Schlesinger, Schroebel, Simpson, Standart, Taggart, Thomas of Santa Clara, Tindall, Vann, Wade, and Mr. Speaker—57

NOES—None.

Title read and approved.

MOTION.

Mr. Lynch moved to take up Senate messages.
So ordered.

MESSAGES FROM THE SENATE.

SENATE CHAMBER, SACRAMENTO, February 3, 1893

MR SPEAKER: I am directed to inform your honorable body that the Senate, on this day, passed Assembly Bill No 587—An Act to provide for an appropriation for the contingent expenses of the Assembly

F. J. BRANDON, Secretary.
By R SHAW, Assistant

Assembly Bill No. 587 ordered to enrollment.
Also·

SENATE CHAMBER, SACRAMENTO, February 2, 1893.

MR SPEAKER I am directed to inform your honorable body that the Senate, on this day, passed Senate Bill No. 346—An Act to provide a system of street improvement bonds to represent certain assessments for the cost of street work and improvement within municipalities, and also for the payment of such bonds

Also. Senate Bill No 267—An Act to amend an Act entitled "An Act to establish a School of Industry, to provide for the maintenance and management of the same, and to make an appropriation therefor," approved March 11, 1889

Also: Senate Bill No 177—An Act to provide for the erection of an additional wing to the main building of the California Home for the Care and Training of Feeble-Minded Children, at Glen Ellen, Sonoma County, California, for the Female Department of said institution, and to appropriate money therefor.

Also: Senate Bill No 113—An Act to appropriate money to prevent the introduction of contagious diseases.

Also: Senate Bill No. 55—An Act to amend section one thousand one hundred and seven of the Civil Code of the State of California.

Also. Senate Bill No. 22—An Act to provide for the completion and equipment of the Deaf and Dumb and Blind Asylum, and to make an appropriation therefor.

F. J. BRANDON, Secretary
By R. SHAW, Assistant

MOTION.

Mr. Pendleton moved that Senate Bill No. 346 be substituted on the file for Assembly Bill No. 343.

So ordered.

EXCUSED.

Mr. Emeric, on his motion, was excused from serving on the Committee on County and Township Governments.

SENATE BILLS REFERRED.

Senate Bill No. 267 referred to Committee on State Prisons and Reformatory Institutions.

Senate Bills Nos. 177, 113, and 22 referred to Committee on State Hospitals.

Senate Bill No. 55 referred to Committee on Judiciary.

THIRD READING OF BILLS.

Assembly Bill No. 144—An Act to prohibit prize fighting and pugilistic sport.

Read third time, and passed by the following vote:

AYES—Messrs Androus, Barker, Barlow, Bennett of Santa Clara, Bennett of Orange, Bledsoe, Boyce, Brownlie, Buckley, Bulla, Carlson, Casterline, Conway, Cusick, Dodge, Drees, Duckworth, Duffy, Durst, Emeric, Godchaux, Hurley, Jacobs, Johnson of Santa Clara, Kahn, Kerns, LaRue, Lynch, McGowan, Mack, Marks, Miller, O'Keefe, Owen, Pendleton, Perkins, Raw, Schroebel, Shanahan, Simpson, Sims, Standart, Taggart, Talbott, Thomas of Santa Clara, Tindall, Vann, Wade, and Mr. Speaker—49

NOES—Messrs. Alford, Burke, Finlayson, Gately, Hendrickson, Luttringer, McCauley, O'Neill, Sargent, and Schlesinger—10.

Title read and approved.

Assembly Bill No. 185—An Act to amend section three thousand seven hundred and seventy-three of the Political Code, relating to the sale of property for delinquent taxes.

Read third time.

MOTIONS.

Mr. Shanahan moved that the further consideration of the bill be passed on file.

So ordered.

Mr. Pendleton moved the immediate consideration of Senate Bill No. 346.

So ordered.

FIRST READING OF BILL.

Senate Bill No. 346—An Act to provide a system of street improvement bonds to represent certain assessments for the cost of street work

and improvement within municipalities, and also for the payment of such bonds.

Refused a first reading.

NOTICE OF RECONSIDERATION.

Mr. Pendleton gave notice that on the next legislative day he will move a reconsideration of the vote whereby Senate Bill No. 346 was refused a first reading.

MOTION.

Mr. Sims moved that Senate Bill No. 114 be substituted on the file for Assembly Bill No. 62, and that it be read the first time.

So ordered.

FIRST READING OF BILL.

Senate Bill No. 114—An Act to prevent combinations to obstruct the sale of live stock in the State of California.

Read first time, and placed on file for second reading.

THIRD READING OF BILLS.

Assembly Bill No. 100—An Act to change the name of the Mendocino State Asylum for the Insane, to Mendocino Asylum.

Read third time, and passed by the following vote·

AYES—Messrs. Alford, Anderson, Androus, Barker, Barlow, Bennett of Orange, Bledsoe, Boyce, Brownlie, Buckley, Bulla, Burke, Casterline, Conway, Curtis, Cusick, Drees, Duckworth, Duffy, Durst, Emeric, Finlayson, Gately, Godchaux, Hendrickson, Jacobs, Johnson of Santa Clara, Kennedy, Kahn, Kerns, Luttringer, Lynch, McCauley, McElroy, McGowan, Mack, Marks, Mathews of Tehama, Miller, O'Keefe, O'Neill, Pendleton, Perkins, Raw, Schlesinger, Schroebel, Shanahan, Simpson, Sims, Standart, Taggart, Talbott, Thomas of Santa Clara, Tindall, Vann, Wade, and Mr Speaker—57.

NOES—None

Title read and approved.

Assembly Bill No. 14—An Act to add a new section to an Act entitled "An Act to establish a Political Code of the State of California," to be called section two thousand nine hundred and eighty-four, relative to the appointment of a State Sanitary Inspector.

Read third time.

Mr. Kahn moved that the enacting clause be stricken out.

So ordered.

Assembly Bill No. 71—An Act to amend an Act entitled "An Act to insure the better education of practitioners of dental surgery, and to regulate the practice of dentistry in the State of California," approved March 12, 1885.

Read third time, and passed by the following vote:

AYES—Messrs. Alford, Anderson, Androus, Barker, Barlow, Bennett of Santa Clara, Bennett of Orange, Bledsoe, Boyce, Brownlie, Buckley, Bulla, Burke, Casterline, Chipman, Conway, Cusick, Dodge, Drees, Duckworth, Duffy, Emeric, Finlayson, Gately, Godchaux, Hendrickson, Jacobs, Johnson of Santa Clara, Kerns, Luttringer, Lynch, McCauley, McElroy, McGowan, Marks, Mathews of Tehama, Mordecai, O'Keefe, O'Neill, Owen, Pendleton, Perkins, Raw, Sargent, Schroebel, Shanahan, Simpson, Sims, Standart, Taggart, Talbott, Thomas of Santa Clara, Tindall, Vann, Wade, and Mr Speaker—56

NOES—None.

Title read and approved.

RECESS.

The hour of recess having arrived, the Speaker declared recess until two o'clock P. M.

REASSEMBLED.

The Assembly reassembled at two o'clock P. M.
Speaker Gould in the chair.
Quorum present.

LEAVE OF ABSENCE.

Mr. Hendrickson was granted leave of absence until Monday.

REPORTS OF STANDING COMMITTEES.

ON EDUCATION.

ASSEMBLY CHAMBER, SACRAMENTO, February 3, 1893.

MR SPEAKER. Your Committee on Education, to whom was referred Assembly Bill No. 502—Relating to the retiring of public school teachers upon partial pay—have had the same under consideration, and respectfully report the same back, and recommend that it do not pass.

SARGENT, Chairman.
BENNETT.
SIMS
BULLA.

We, the undersigned, a minority of your committee, have had the same under consideration, and respectfully report the same back, and recommend that it do pass

MILLER.
HENDRICKSON
McELROY.

ON PUBLIC EXPENDITURES AND ACCOUNTS.

ASSEMBLY CHAMBER, SACRAMENTO, February 3, 1893.

MR SPEAKER Your Committee on Public Expenditures and Accounts, to whom was referred a resolution by Mr Carlson, beg leave to report that a committee of three be granted a leave of absence until Tuesday, February 7, 1893, the committee to consist of the Chairman of the Committee on Commerce and Navigation, and two others whom he may appoint, for the purpose of visiting the harbor of San Diego to investigate as to the necessity of making an appropriation for the erection of wharves

J. H MATTHEWS, Chairman.

Report adopted.
Also:

MR. SPEAKER: Your Committee on Public Expenditures and Accounts, to whom was referred a resolution by Mr Mordecai, beg leave to report that a committee of four be granted a leave of absence until Tuesday, February 7, 1893, the committee to consist of the Chairman of the Committee on State Hospitals, and three others whom he may appoint, in order that they may visit and investigate the Southern California Asylum for the Insane and Inebriates in San Bernardino County, and the Whittier Reform School in Los Angeles County.

J. H MATTHEWS, Chairman.

Mr. Hurley moved to amend by reducing the number from four to three.

Lost.

Report adopted.
Also:

MR. SPEAKER: Your Committee on Public Expenditures and Accounts, to whom was referred resolution by H. H. Johnson, beg leave to report that a committee of three be granted one day's leave of absence for the purpose of visiting Folsom State Prison, the committee to consist of the Chairman of the Committee on State Prisons and Reformatory Institutions, and two others whom he may appoint.

J H. MATTHEWS, Chairman

Report adopted.

Also:

MR. SPEAKER: Your Committee on Public Expenditures and Accounts, to whom was referred the following bills, viz

Chalk	$0 25
Washing, two weeks	3 00
One pad	1 00
One dater	1 50
One Post Office scale, eight ounces	3 50
One Post Office scale, sixty-four ounces	8 00
One box for warrants	2 00
Six dozen Shannon files, at $17 90	107 40
Total	$126 65
Also, bill per special committee	504 00

Beg leave to report that they have carefully examined the same, and recommend the adoption of the following resolutions:

Resolved, That the Controller be and he is hereby directed to draw his warrant upon the appropriation for the contingent expenses of the Assembly, for the sum of one hundred and twenty-six dollars and sixty-five cents ($126 65), the same to be drawn in favor of Thomas E. Healy, Sergeant-at-Arms.

Also:

Resolved, That the Controller be and he is hereby directed to draw his warrant upon the appropriation for the contingent expenses of the Assembly, in favor of F. G. Finlayson, for the sum of five hundred and four dollars, for the purpose of paying the bills incurred by special committee

Also.

Resolved, That the Controller be and he is hereby directed to draw his warrant upon the appropriation for the contingent expenses of the Assembly, for the sum of forty-five dollars, in favor of W. H. Davis for fifteen days' work.

Also

Resolved, That the Sergeant-at-Arms be and he is hereby directed to purchase a desk for the Committee on County and Township Governments of the Assembly, the price not to exceed fifteen dollars, the same to be made payable out of the appropriation for the contingent expenses of the Assembly

J. H. MATTHEWS, Chairman.

Resolutions adopted.

SPECIAL ORDER.

Assembly Bill No. 312—An Act appropriating money to pay for the removal, refurnishing of rooms, and repair of furniture for Supreme Court in city of Los Angeles.

Read second time.

Committee amendment, as follows:

Amend by striking out of section one, line one, the words "three thousand" and inserting the following, "two thousand five hundred"

Adopted.

Mr. Pendleton moved to amend by striking out of section one, line one, the figures, "$3,000."

Adopted.

MOTION.

Mr. Pendleton moved that the Assembly resolve itself into Committee of the Whole, with the Speaker in the chair, for the purpose of considering Assembly Bill No. 312.

So ordered

IN COMMITTEE OF THE WHOLE.

Speaker Gould in the chair.

Assembly Bill No. 312 was considered in Committee of the Whole.

IN ASSEMBLY.

Speaker Gould in the chair.

REPORT OF THE COMMITTEE OF THE WHOLE.

The Speaker stated the report of the Committee of the Whole, as follows.

GENTLEMEN: The Committee of the Whole have had under consideration Assembly Bill No 312—An Act appropriating money to pay for the removal, refurnishing of rooms, and repair of furniture for Supreme Court in city of Los Angeles—and now report, and recommend that the same do pass as amended.

Bill ordered engrossed and to a third reading.

MOTIONS.

Mr. Pendleton moved that the further consideration of the bill be made a special order for to-morrow morning, immediately after the reading of the Journal.

So ordered.

Mr. Kennedy moved that Assembly Concurrent Resolution No. 6, requesting an inquiry into the condition of affairs and management of the State Printing Department of California, be taken up out of order and considered.

Lost.

REPORTS OF STANDING COMMITTEES.

ON MUNICIPAL CORPORATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, February 3, 1893.

MR. SPEAKER: Your Committee on Municipal Corporations, to whom was referred Senate Bill No 80—An Act to provide for increasing the efficiency of paid fire departments within municipalities in the State of California—have had the same under consideration, and respectfully report the same back, and recommend that it do pass

BUCKLEY, Chairman.

ON JUDICIARY.

ASSEMBLY CHAMBER, SACRAMENTO, February 3, 1893

MR. SPEAKER Your Committee on Judiciary, to whom was referred Assembly Bill No. 272—An Act to amend section one thousand eight hundred and eighty-one of the Code of Civil Procedure, relating to witnesses

Also Assembly Bill No. 81—An Act to amend section three thousand seven hundred and sixty-five, section three thousand seven hundred and seventy-three, section three thousand seven hundred and seventy-eight, section three thousand seven hundred and eighty, section three thousand seven hundred and eighty-one, section three thousand seven hundred and eighty-five, section three thousand seven hundred and eighty-eight, and section three thousand eight hundred and seventeen; and to repeal section three thousand seven hundred and seventy-five, section three thousand seven hundred and seventy-six, section three thousand seven hundred and seventy-seven, section three thousand seven hundred and seventy-nine, section three thousand seven hundred and eighty-two, section three thousand seven hundred and eighty-three, section three thousand seven hundred and eighty-four, and section three thousand eight hundred and eighteen of an Act of the Legislature of the State of California entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the sale of real property for delinquent taxes, and redemption and release of such property, and to add a new section thereto, to be known and designated as section three thousand eight hundred and one, also relating to the sale of real property for delinquent taxes.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass as amended.

SHANAHAN, Chairman

ON APPORTIONMENT AND ELECTION LAWS.

ASSEMBLY CHAMBER, SACRAMENTO, February 3, 1893.

MR. SPEAKER. Your Committee on Apportionment and Election Laws, to whom was referred Assembly Bill No. 349—An Act to amend sections one thousand one hundred and forty-two, one thousand one hundred and eighty-eight, one thousand one hundred and ninety-four, one thousand one hundred and ninety-seven, one thousand two hundred and three, one thousand two hundred and five, one thousand two hundred and eight, one thousand two hundred and fifty-seven, one thousand two hundred and sixty-four, and one thousand two hundred and sixty-five of the Political Code, in relation to elections within this State—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended

Also: Assembly Bill No 350—An Act to enfranchise the women citizens of this State, and prescribing their qualifications as electors—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

Also. Assembly Bill No 391—An Act to enfranchise the women citizens of this State, and prescribing their qualifications as electors—have had the same under consideration, and respectfully report the same back, and recommend that it do pass And your committee respectfully further report that the original bill has been mislaid by your committee, and that a duplicate copy thereof is hereby reported, and we ask that the same be accepted in lieu of the original so mislaid

FINLAYSON, Chairman.

Mr. Finlayson moved that the recommendation of the committee be adopted.

So ordered.

ON WAYS AND MEANS

ASSEMBLY CHAMBER, SACRAMENTO, February 2, 1893

MR SPEAKER Under section six hundred and seventy-one of the Political Code, whoever is aggrieved by the rejection of a claim by the Board of Examiners, may appeal to the Legislature, and when a notice of appeal is filed the Board transmits the demand and all accompanying papers to the Legislature The provisions of said Act do not make it clear how these rejected claims are to reach the Legislature, and what disposition must be made of them when they are in the possession of the House Rejected claims of P. H. Dyer, J. V. Heuds, Edward F. Dyer, P Reddy, Sullivan & Sullivan, and Maurice C Blake having been filed with the Committee on Ways and Means, said Committee begs leave to report the same to the Assembly, with the recommendation that they be referred to the Committee on Claims

W P. MATHEWS, Chairman.

So ordered.

THIRD READING OF BILLS.

Assembly Bill No. 45—An Act amendatory of and supplemental to an Act entitled "An Act to create a Police Court in and for the City and County of San Francisco, State of California," approved March 5, 1889, and providing for an additional department, to be known as Department No. 4, and the appointment of a suitable person to Act as Judge of said Court.

Speaker pro tem. Mathews in the chair.

Read third time, and passed by the following vote:

AYES—Messrs. Alford, Anderson, Barker, Barlow, Bennett of Orange, Blakeley, Bledsoe, Boyce, Brownlie, Buckley, Bulla, Burke, Carlson, Casterline, Chipman, Conway, Curtis, Cusick, Dodge, Drees, Duckworth, Duffy, Durst, Finlayson, Gately, Hutson, Jacobs, Johnson of Humboldt, Johnson of Santa Clara, Kennedy, Kahn, Kerns, LaRue, Luttringer, McGowan, Mack, Marks, Marston, Mathews of Tehama, Mordecai, O'Keefe, O'Neill, Owen, Perkins, Raw, Sargent, Schlesinger, Schroebel, Shanahan, Simpson, Sims, Standart, Taggart, Talbott, Thomas of Nevada, Tindall, and Wade—57.

NOES—Messrs. Hurley, Matthews of San Benito, and Thomas of Santa Clara—3.

Title read and approved.

MOTION.

Mr. Shanahan moved to be allowed to introduce a concurrent resolution under a suspension of the rules.

So ordered.

ASSEMBLY CONCURRENT RESOLUTION.

By Mr. Shanahan. Assembly Concurrent Resolution No. 14—Relative to petitioning and requesting the Supreme Court of the United States to hear and determine the action now before said Court in which the State of California is plaintiff in error and the San Pablo and Tulare Railroad Company is defendant in error, being cause No. 1467 upon the docket of said Court, which action involves the validity of the provisions of the Constitution of this State, relative to the taxation of railroads operated in more than one county.

Read, and adopted by the following vote:

AYES—Messrs Anderson, Androus, Barker, Barlow, Bennett of Orange, Blakeley, Bledsoe, Brownlie, Buckley, Bulla, Burke, Casterline, Chipman, Conway, Curtis, Dodge, Drees, Duffy, Durst, Finlayson, Gallagher, Hurley, Hutson, Jacobs, Johnson of Humboldt, Johnson of Santa Clara, Kennedy, Kahn, Kerns, Laltue, Luttringer, Mack, Marks, Marston, Mathews of Tehama, Matthews of San Benito, Mordecai, O'Neill, Owen, Pendleton, Perkins, Sargent, Schlesinger, Schroebel, Shanahan, Simpson, Sims, Taggart, Thomas of Santa Clara, Tindall, Vann, and Wade—52

NOES—Messrs. Bennett of Santa Clara and Duckworth—2.

REPORTS OF STANDING COMMITTEES.

ON STATE HOSPITALS

ASSEMBLY CHAMBER, SACRAMENTO, February 3, 1893

MR SPEAKER. Your Committee on State Hospitals, to whom was referred Assembly Bill No 206—An Act to provide furniture for, and furnishing the California Home for the Care and Training of Feeble-Minded Children, at Glen Ellen, Sonoma County, California, and making an appropriation therefor.

Also: Assembly Bill No. 207—An Act to provide for the erection of an additional wing to the main building of the California Home for the Care and Training of Feeble-Minded Children, at Glen Ellen, Sonoma County, California, for the Female Department of said institution, and to appropriate money therefor

Also: Assembly Bill No 208—An Act to provide for the improvement of the grounds of the California Home for the Care and Training of Feeble-Minded Children, at Glen Ellen, Sonoma County, California, and to appropriate money therefor.

Have had the same under consideration, and respectfully report the same back, and recommend that they be referred to the Committee on Public Buildings and Grounds

Also. Assembly Bill No 192—An Act to provide for the building and furnishing of three cottages for use as residences of the Resident Physician and two Assistant Physicians at the Napa State Asylum for the Insane, and making an appropriation therefor

Also Assembly Bill No 64—An Act to appropriate money for the support of persons in indigent circumstances afflicted with incurable diseases

Also Assembly Bill No. 492—An Act to provide for certain improvements at the State Insane Asylum at Stockton, California, and making an appropriation therefor

Also: Assembly Bill No 493—An Act to provide for the erection of a residence for the Medical Superintendent of the State Insane Asylum at Stockton, California, and making an appropriation therefor

Also: Assembly Bill No 494—An Act to provide for the purchase of apparatus and appliances for the protection of the buildings and property of the State Insane Asylum at Stockton, California, and making an appropriation therefor.

Also: Assembly Bill No 510—An Act to provide a home for incurables.

Have had the same under consideration, and respectfully report the same back, and recommend that they do not pass

Also: Assembly Bill No 197—An Act to amend an Act, approved February 28, 1887, entitled "An Act to amend 'An Act to appropriate money for the support of aged persons in indigent circumstances residing in the home of the Veterans' Home Association,' approved March 7, 1883," providing for an increase in the annual appropriation therefor, and changing time for the payment thereof

Also: Assembly Bill No. 198—An Act to appropriate the sum of fifty thousand dollars for the erection, completion, and furnishing of buildings, laundry and bath house, and for improvements of the grounds, heating and cooking apparatus, and water supply at the Veterans' Home, situate in Napa County, under the auspices of the Veterans' Home Association of the State of California.

Have had the same under consideration, and respectfully report the same back without recommendation.

MORDECAI, Chairman

Assembly Bills Nos. 206, 207, and 208 re-referred to Committee on Public Buildings and Grounds.

Assembly Bills Nos. 192, 64, 492, 493, 494, and 510 re-referred to Committee on Ways and Means.

Assembly Bills Nos. 197 and 198 re-referred to Committee on Ways and Means.

ON PUBLIC BUILDINGS AND GROUNDS.

ASSEMBLY CHAMBER, SACRAMENTO, February 3, 1893.

MR SPEAKER: Your Committee on Public Buildings and Grounds, to whom was referred Assembly Bill No. 101—An Act to appropriate money to pay the claim of McGowan & Butler, for building retaining wall for the Mendocino Insane Asylum, and for constructing a drainage and sewer system in and about the building—have had the same under consideration, and respectfully report the same back, and recommend that it do pass

CURTIS, Chairman

Assembly Bill No. 101 re-referred to Committee on Ways and Means.

THIRD READING OF BILLS.

Senate Bill No. 24—An Act to provide two additional Judges of the Superior Court of the county of Alameda.

Passed on file.

Assembly Bill No. 142—An Act regulating the hours of labor in saw mills, shingle mills, shake mills, and logging camps.

Read third time, and passed by the following vote:

AYES—Messrs. Alford, Barlow, Bennett of Santa Clara, Bennett of Orange, Blakeley, Bledsoe, Buckley, Bulla, Burke, Carlson, Casterline, Chipman, Conway, Curtis, Cusick, Dodge, Drees, Duckworth, Emeric, Hurley, Johnson of Humboldt, Johnson of Santa Clara, Kennedy, Kalm, Kerns, Luttringer, McGowan, Mack, Marks, Marston, Matthews of San Benito, O'Neill, Owen, Perkins, Pueschel, Schlesinger, Schroebel, Simpson, Sims, Taggart, Taylor, Thomas of Santa Clara, Tindall, Vann, Wade, and Mr Speaker—46

NOES—Messrs. Andrews, Barker, Finlayson, Hutson, Jacobs, Mathews of Tehama, Miller, Mordecai, Pendleton, Raw, Sargent, Shanahan, Standart, and Thomas of Nevada—14.

Title read and approved.

Mr. Finlayson moved to take up Senate message.

So ordered.

MESSAGE FROM THE SENATE.

SENATE CHAMBER, SACRAMENTO, February 3, 1893

MR SPEAKER. I am directed to inform your honorable body that the Senate, on this day, passed Senate Joint Resolution No. 15—Relating to the construction by the United States Government of a deep-water harbor at San Pedro, on the coast of Los Angeles County

Also: Senate Bill No. 393—To facilitate the disposition of business in the Superior Court of Fresno County, by the appointment and election of a third Judge of said Court.

F. J. BRANDON, Secretary.
By R. SHAW, Assistant.

MOTION.

Mr. Finlayson moved the immediate consideration of Senate Joint Resolution No. 15.

So ordered.

SENATE JOINT RESOLUTION.

Senate Joint Resolution No. 15—Relating to the construction by the United States Government of a deep-water harbor at San Pedro, on the coast of Los Angeles County.

Read, and adopted by the following vote:

AYES—Messrs Alford, Anderson, Androus, Bennett of Orange, Blakeley, Bledsoe, Bulla, Burke, Conway, Curtis, Cusick, Dodge, Drees, Duckworth, Duffy, Durst, Finlayson, Gallagher, Hurley, Hutson, Jacobs, Johnson of Humboldt, Johnson of Santa Clara, Kahn, Kerns, LaRue, McGowan, Marston, Miller, Mordecai, O'Neill, Owen, Pendleton, Perkins, Raw, Schroebel, Shanahan, Simpson, Sims, Standart, Talbott, Tindall, Wade, and Mr. Speaker—44

NOES—None.

Mr. Mordecai moved to take up Senate Bill No. 393.

Lost.

Senate Bill No. 393 referred to Committee on Judiciary.

SECOND READING OF BILLS.

Assembly Bill No. 17—An Act to add a new section to the Penal Code of the State of California, to be designated as section four hundred and two, relating to the duties of females employed in mercantile and manufacturing occupations.

Passed on file.

Assembly Bill No. 43—An Act to provide for the publication of monthly statements of city indebtedness.

Mr. Finlayson, on his motion, was allowed to withdraw the bill.

Assembly Bill No. 169—An Act to cede jurisdiction to the United States over certain lands.

Mr. Bulla moved to amend as follows.

Amend by adding to section one of said Act, after line twenty-nine, the following, to wit: "*also further provided*, that such cession shall not deprive such officers of said county of Los Angeles, as now or may hereafter have control and supervision of the public roads and highways through or within said tract of land, of the continued control and supervision thereof."

Adopted.

Mr. Finlayson moved to amend by striking out the word "now" in line twenty-eight.

Adopted.

Bill ordered engrossed and to a third reading.

Assembly Bill No. 262—An Act to amend sections one thousand one hundred and eighty-six, one thousand one hundred and eighty-seven, one thousand one hundred and eighty-eight, one thousand one hundred and ninety, one thousand one hundred and ninety-two, one thousand three hundred and fifty-seven, one thousand three hundred and fifty-eight, one thousand three hundred and fifty-nine, 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 sixty-three, one thousand three hundred and sixty-four, and one thousand three hundred and sixty-five of the Political Code, and to add nineteen new sections thereto, to be numbered one thousand three hundred and sixty-six, one thousand three hundred and sixty-seven, one thousand three hundred and sixty-eight, one thousand three hundred and sixty-nine, one thousand three hundred and seventy, one thousand three hundred and seventy-one, one thousand three hundred and seventy-two, one thousand three hundred and seventy-three, one thousand three hundred and seventy-four, one thousand three hundred and seventy-five, one thousand three hundred and seventy-six, one thousand three hundred and seventy-seven, one thousand three hundred

and seventy-eight, one thousand three hundred and seventy-nine, one thousand three hundred and eighty, one thousand three hundred and eighty-one, one thousand three hundred and eighty-two, one thousand three hundred and eighty-three, and one thousand three hundred and eighty-four, all in relation to the conduct of elections in this State.

Committee amendments, as follows:

AMENDMENT No. 1.

Amend section one, line nine of printed bill, by inserting in blank space, after the word "least," the word "three."

Adopted.

AMENDMENT No. 2.

Amend section one, line four of printed bill, by inserting in blank space, after the word "least," the word "three."

Adopted.

AMENDMENT No. 3.

Amend section one, line twelve of printed bill, by inserting in the blank space, after the word "least," the word "three."

Adopted.

AMENDMENT No. 4.

Amend section three, line twelve, printed bill, by striking out the word "five" and inserting in lieu thereof the word "three."

Adopted.

MOTION.

Mr. Drees moved to adjourn.

Lost.

PASSED ON FILE.

Mr. Finlayson moved that the further consideration of Assembly Bill No. 262 be passed on file.

So ordered.

LEAVE OF ABSENCE.

Mr. Raw was granted leave of absence until Monday.

Mr. Thomas of Santa Clara was granted leave of absence until Monday evening.

Mr. Carlson was granted leave of absence until Tuesday evening.

APPOINTMENT.

The Speaker appointed Mr. Curtis a member of the Committee on County and Township Governments, in place of Mr. Emeric, excused.

ADJOURNMENT.

At four o'clock and thirty-six minutes P. M., on motion of Mr. Drees, the Assembly adjourned.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Saturday, February 4, 1893.

The Assembly met pursuant to adjournment.

Speaker Gould in the chair.

The roll was called, and the following members answered to their names:

Messrs. Alford, Anderson, Androus, Barker, Barlow, Bennett of Santa Clara, Bennett of Orange, Bledsoe, Buckley, Bulla. Burke, Casterline, Conway, Curtis, Cusick, Dodge, Drees, Duckworth, Duffy, Durst, Emeric, Gallagher, Hurley, Hutson, Jacobs, Johnson of Humboldt, Johnson of Santa Clara, Kennedy, Kahn, Kerns, LaRue, Luttringer, McGowan, Mack, Marston, Matthews of San Benito, Miller, Mordecai, O'Neill, Owen, Pendleton, Perkins, Pueschel, Sargent, Schlesinger, Schroebel, Shanahan, Simpson, Sims, Standart, Taggart, Talbott, Taylor, Thomas of Nevada, Tindall, Vann, Wade, and Mr. Speaker.

Quorum present.

LEAVE OF ABSENCE.

Messrs. Gately and Finlayson were granted leave of absence for the day.

Mr. Adams was granted an indefinite leave of absence.

PRAYER.

Prayer by the Chaplain, Rev. H. W. Conry.

READING OF THE JOURNAL.

Pending the reading of the Journal of yesterday, Mr. Tindall moved that the further reading be dispensed with.

So ordered.

LEAVE OF ABSENCE.

The Committee on Elections and Privileges was granted leave of absence for the morning.

Mr. Kerns was granted leave of absence from two o'clock P. M. until Monday.

Mr. Thomas of Nevada was granted leave of absence for the morning.

Mr. Emeric was granted leave of absence for the day.

PETITIONS.

By Mr. Mordecai, at the request of Mr. Mathews of Tehama: From citizens favoring the passage of the bill creating the county of Bidwell.

Referred to Committee on Counties and County Boundaries.

By Mr. Thomas of Nevada: From residents of the proposed Bidwell County, remonstrating against the creation of that county.

Referred to Committee on Counties and County Boundaries.

REPORTS OF STANDING COMMITTEES.

ON FEDERAL RELATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, February 4, 1893.

MR SPEAKER: Your Committee on Federal Relations, to whom was referred Assembly Joint Resolution No. 12—Relative to Government ownership of railroads.

Also Assembly Joint Resolution No 13—Relative to requesting the laying of a telegraph cable line from Northwest Seal Rock Lighthouse, in Del Norte County, to Trinidad, Humboldt County.

Also: Assembly Joint Resolution No. 14—Relating to the construction by the United States Government of a deep-water harbor at San Pedro, on the coast of Los Angeles County

Also: Assembly Joint Resolution No. 15—Relative to the repealing the Act of July 14, 1890, requiring the purchase of fifty-four million ounces of silver a year, etc

Also: Senate Joint Resolution No. 9—Relative to the establishment of a postal telegraph in connection with the postal service of the United States.

Also Senate Joint Resolution No 5—Relative to indebtedness of the United States Government to the State of California

Also: Senate Joint Resolution No. 10—Relative to the abolishment of the duty on grain bags, burlaps, gunnies, or gunny cloth.

Have had the same under consideration, and respectfully report the same back, and recommend that they be adopted.

SIMS, Chairman.

ON CORPORATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, February 4, 1893.

MR SPEAKER: Your Committee on Corporations, to whom was referred Assembly Constitutional Amendment No. 21—Proposed amendment to article four, section twenty-two, of the Constitution, relative to the power of the Legislature to grant aid to corporations—have had the same under consideration, and having amended the same, respectfully report the same back, and recommend that it do pass as amended.

Also: Assembly Bill No. 258—An Act to amend an Act entitled "An Act to establish a Civil Code of the State of California," passed March 21, 1872, by adding a new section thereto, to be numbered section four hundred and four, concerning foreign corporations—have had the same under consideration, and respectfully report the same back, and recommend that it do pass

ALFORD, Chairman.

ON FISH AND GAME

ASSEMBLY CHAMBER, SACRAMENTO, February 4, 1893.

MR. SPEAKER: Your Committee on Fish and Game, to whom was referred Senate Bill No. 47—An Act to amend an Act entitled "An Act to prevent hunting and shooting on private inclosed grounds, and the destruction of growing timber on private grounds, in certain counties of the State"—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

EMERIC, Chairman.

REPORT OF SPECIAL COMMITTEE.

PUBLIC BUILDINGS AND GROUNDS.

ASSEMBLY CHAMBER, SACRAMENTO, February 4, 1893.

MR. SPEAKER: Your special committee, consisting of three members of the Committee on Public Buildings and Grounds, who, in connection with a similar committee of the Senate, who was directed to visit and examine the building for the insane at Ukiah, Mendocino County; also, the Home for the Feeble-Minded at Glen Ellen, in the county of Sonoma, beg leave to report that they have made a personal inspection of the Mendocino County buildings, and are pleased to say that they found everything there done in a most thorough and workman-like manner The material is all of the very best quality, and everything connected with the building shows a careful supervision by the Board, and especially by the Chairman of the Building Committee, who is himself a mechanic and builder, and for this reason the State has a building of which it may well be proud, while the Commissioners may congratulate themselves on having so faithfully discharged so important a trust

Your committee are especially pleased with the location of this building, situated as it is in the center of a tract of one hundred and thirty acres of beautifully wooded and watered land, capable of being made a lovely park at a small cost, it contains abundance of water, which is conveyed to the building by pipes, giving ample supply for all purposes, and with a pressure of more than two hundred feet.

Your committee, in view of the crowded condition of the various asylums for the insane, would recommend that appropriations be made for its speedy completion and furnishing, thus giving a beautiful home for that class of our unfortunates, and relieving the crowded condition of the various other institutions.

Your committee, as directed, then visited the Home for the Feeble-Minded, at Glen Ellen, and found the building overcrowded—so much so that some ninety of the girls are sleeping upstairs over the laundry building. We found the place neat and clean, and from our observations, extremely well managed, the food abundant, of good quality, and well prepared. This building is most beautifully located, with excellent drainage and pleasant surroundings. The tract contains some seventeen hundred acres, a fine fruit orchard, and a vegetable garden, furnishing ample supplies for the use of the Home. In view of the crowded condition of the Home, your committee would recommend such appropriations as may be required for the construction of an additional wing to the building for the use of the girls.

CURTIS, Chairman.

RESOLUTION.

By Mr. Curtis:

Resolved, That John M. Curtis, A. G. Bennett, Grant I. Taggart, and John W. Wilcox, Clerk, and members of the Special Committee on Public Buildings and Grounds, who were directed to visit the Insane Asylum at Ukiah, also the Home for the Feeble-Minded at Glen Ellen, are allowed mileage for the following amounts, distance traveled, going and coming, four hundred and forty-four miles, making for each the sum of forty-four dollars and forty cents, and that the Controller of State is hereby directed to draw his warrants in favor of—

John M. Curtis, for	$44 40
A. G. Bennett, for	44 40
Grant I. Taggart, for	44 40
John W. Wilcox, for	44 40

On the Contingent Fund of the Assembly, and the State Treasurer is authorized to pay the same

Referred to Committee on Public Expenditures and Accounts.

REPORT OF SPECIAL COMMITTEE.

EDUCATION, AND PUBLIC BUILDINGS AND GROUNDS

ASSEMBLY CHAMBER, SACRAMENTO, February 4, 1893

MR SPEAKER: Your special committee, consisting of the Chairman and two members of the respective Committees on Education, and Public Buildings and Grounds, to which was added the honorable Speaker, F. H. Gould, of the House, who were directed to visit the State Normal School at San José, beg leave to report that they performed that pleasant duty, and that they were most fortunate in timing their visit of inspection, arriving there on Commencement Day, and having the pleasure of witnessing the exercises and the graduating of some forty of the pupils, soon to take their places in the great work of education.

Your committee found much to commend in the management of the school, its thorough discipline, and competent teachers.

Your committee feels that if the maxim be true that "the stability of our republic rests upon the intelligence of its people," then our Legislature should deal with our educational institutions in the most liberal manner.

Your committee made a most thorough examination of the building, and found that some improvements are absolutely necessary. The system of heating and ventilation in the old building is worn out, being some twelve years old, and now worthless for purposes for which constructed. We would recommend appropriations for a new steam-heating plant.

Your committee also finds that, owing to the rapid increase in the number of pupils, it is absolutely necessary that at least two teachers be added to the staff, necessitating an increase in the general appropriation for the school, also, that the basement should have an asphaltum floor; also, that an exercising house, or gymnasium, be erected on the school grounds.

Your committee also visited the abandoned State property, situated in Santa Clara, formerly the Home for the Feeble-Minded, and made a careful examination of the same, but will make no recommendations in regard to it, leaving the matter for the consideration of the full committee.

Your committee also visited the State Insane Asylum at Agnews, was well received by the Directors, shown through the building and grounds, and well pleased with the management of the same. It is clean and well conducted, the Resident Physician seeming to your committee the proper man for the place.

Your committee, however, feels that it was a mistake to locate the asylum at that place, as it has no drainage. In fact, the location seems to be low and marshy, and for sanitary reasons, if for no other, condemn the location. Any recommendations in the matter are left to the full committee.

Your committee also visited the Asylum for the Deaf, Dumb, and Blind, located at Berkeley, and while we were unfortunate in not finding the Superintendent, Dr. Wilkinson, at home, we were shown through the building and over the grounds, and

found everything in first-class condition, and congratulate that class of our unfortunate citizens on the able management of their schools and home. We make no suggestions in regard to this institution, leaving the matter to the respective committees

Respectfully submitted.

SARGENT,
Chairman Committee on Education.
CURTIS,
Chairman Committee on Public Buildings and Grounds.

RESOLUTION.

By Mr. Curtis:

Resolved, That John M. Curtis, J. G. Gallagher, Grant I. Taggart, and John W. Wilcox, Clerk, and members of the Special Committee on Public Buildings and Grounds, and J. L. Sargent, Wm. Hendrickson, and J. C. Sims, of the Committee on Education, who were directed to visit the State Normal School at San José, be allowed the sum of twenty-six dollars and forty cents each, the distance traveled going and coming being two hundred and sixty-four miles, and that the Controller of State be and is hereby directed to draw his warrant in favor of—

John M. Curtis, for	$26 40
J. G. Gallagher, for	26 40
Grant I. Taggart, for	26 40
John W. Wilcox, for	26 40
J. L. Sargent, for	26 40
Wm. Hendrickson, for	26 40
J. C. Sims, for	26 40

On the Contingent Fund of the Assembly, and the State Treasurer is directed to pay the same.

Referred to Committee on Public Expenditures and Accounts.

REPORTS OF STANDING COMMITTEES.

ON JUDICIARY.

ASSEMBLY CHAMBER, SACRAMENTO, February 4, 1893.

MR. SPEAKER: Your Committee on Judiciary, to whom was referred Assembly Concurrent Resolution No. 3—Relative to lieu lands of the State of California within the county of Los Angeles—have had the same under consideration, and respectfully report the same back, and recommend that the author be allowed to withdraw the same.

Also: Assembly Bill No. 354—An Act to amend certain sections of the Political Code, relative to the Board of Health—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

SHANAHAN, Chairman.

ON COUNTY AND TOWNSHIP GOVERNMENTS.

ASSEMBLY CHAMBER, SACRAMENTO, February 4, 1893

MR SPEAKER Your Committee on County and Township Governments, to whom was referred Assembly Bill No. 545—have had the same under consideration, and respectfully report the same back, and recommend that it do not pass

Also: Assembly Bills Nos. 92, 358, and 360—have had the same under consideration, and respectfully report the same back without recommendation.

SCHROEBEL, Chairman.

ON ROADS AND HIGHWAYS.

ASSEMBLY CHAMBER, SACRAMENTO, February 4, 1893.

MR. SPEAKER: Your Committee on Roads and Highways, to whom was referred Assembly Bill No. 368—An Act granting to the Board of Supervisors of Sonoma County, California, right of way through the lands of the California Home for the Care and Training of Feeble-Minded Children, to enable said Board of Supervisors to change the location of the public highway now traversing said lands.

Also: Assembly Bill No. 381—An Act amending section two thousand six hundred and fifty-three of the Political Code of the State of California, in relation to roads and highways.

Also: Senate Bill No 62—An Act to amend section two thousand six hundred and ninety-one of the Political Code of the State of California, relating to roads and highways

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

DUFFY, Chairman.

ON PUBLIC BUILDINGS AND GROUNDS.

ASSEMBLY CHAMBER, SACRAMENTO, February 4, 1893.

MR. SPEAKER: Your Committee on Public Buildings and Grounds, to whom was referred Assembly Bill No 489—An Act to appropriate money for the erection of a monument upon the plot of ground belonging to the Sacramento Association of Veterans of the Mexican War, situate in the City Cemetery of Sacramento, and for the improvement of said grounds—have had the same under consideration, and respectfully report the same back without recommendation.

CURTIS, Chairman.

LEAVE OF ABSENCE.

Mr. Barker was granted leave of absence for the day.

ELECTION CONTEST EXPENSES.

Mr. Taggart presented the following bills of expenses in the matter of the contest of F. W. Leonhard vs. H. B. M. Miller:

IN THE MATTER OF LEONHARD-MILLER CONTEST.

EXPENSES OF F W. LEONHARD, CONTESTANT.

Four hundred and twenty-four folios of testimony and Justice's fees	$134 20
Shorthand reporter's fees	84 80
Filing complaint and typewriting	7 60
Sheriff's fees, subpœnaing witnesses, and mileage and witness fees	125 10
Incidentals, procuring witnesses, railroad fares, and expenses	100 00
Attorney's fees	2,500 00
Total	$2,951 70

E J. RODGERS, Attorney for F. W Leonhard

EXPENSES OF H B. M. MILLER.

Paid Justices for taking depositions	$139 10
Paid stenographer for taking testimony	89 40
Paid for serving witnesses, witness fees, and mileage	98 90
Paid for incidental expenses, procuring witnesses, railroad fare, and expenses of attorney in Sacramento	100 00
Attorney's fees	2,500 00
Witness Chambers' mileage from Oakland to Sacramento, 90 miles, at 30 cents per mile, and one day at $2	29 00
Total	$2,956 40

SAN FRANCISCO, January 25, 1893.

H B. M. Miller, Esq., to William C. Wallace, Dr ·

To amount due for professional services, rendered as attorney for respondent, in the matter of the contested election for member of the Assembly for the Forty-ninth Assembly District of the State of California, entitled "F. W. Leonhard, contestant, vs. H. B M. Miller, respondent"	$2,500 00
Said services itemized as follows·	
To examination of statement of contest, commission to take depositions, and notice of taking depositions, and consultation and advice concerning same, December 7, 1892	Half a day.
Item: To examination of authorities, and consultation and advice, December 18, 19, 20, and 21, 1892	Four days.
Item · To attendance before Justices of the Peace at Oakland, and conducting proceedings upon taking of depositions, examination of witnesses, argument, etc., December 27, 28, 29, and 31, 1892, and evening session December 28, 1892	Four days
Item To going to and returning from Sacramento, and detention at Sacramento pending action by the Assembly, January 2, 3, 4, 5, and 6, 1893	Five days
Item To going to and returning from Sacramento, and detention at Sacramento pending action by the Committee on Elections, January 9, 10, 11, 12, and 13, 1893	Five days.
Item · To going to and returning from Sacramento, and detention at Sacramento, as above, January 16, 17, 18, 19, and 20, 1893	Five days.

Item: To going to and returning from Sacramento, and detention at Sacramento, as above, January 23 and 24, 1893..... Two days.
Item: To examination of authorities, consultation, and advice, during detention, as above.
Item: To appearing before Committee on Elections, and presenting case for respondent, January 24, 1893.
Received payment.

Referred to Committee on Public Expenditures and Accounts.

MOTION.

Mr. Pendleton moved that the special order set for immediately after the reading of the Journal this morning, the consideration of Assembly Bill No. 312—An Act appropriating money to pay for the removal, refurnishing of rooms, and repair of furniture for Supreme Court in city of Los Angeles—be postponed until Monday at two o'clock P. M.

So ordered.

INTRODUCTION OF BILLS.

The following bills were introduced, read by title, and referred to committees, as follows:

Mr. Kahn in the chair.

By Mr. Thomas of Nevada: Assembly Bill No. 646—An Act to amend section four thousand one hundred and sixty-one of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the deposit of public funds.

Referred to Committee on Judiciary.

By Mr. Casterline: Assembly Bill No. 647—An Act to add a new section to the Political Code, to be numbered section three thousand eight hundred and eighteen, in relation to the cancellation of tax sales to the State.

Referred to Committee on Judiciary.

By Mr. Sims: Assembly Bill No. 648—An Act to add a new section to the Penal Code of the State of California, to be known as and numbered section three hundred and twenty-seven, in regard to lotteries.

Referred to Committee on Public Morals.

By Mr. Miller: Assembly Bill No. 649—An Act to prevent the mutilation of horses.

Referred to Committee on Agriculture.

By Mr. Chipman: Assembly Bill No. 650—An Act entitled an Act to add two new sections to the Penal Code of the State of California, to be known and numbered as section one thousand four hundred and twenty-four, and section one thousand four hundred and twenty-five.

Referred to Committee on Judiciary.

By Mr. Johnson of Santa Clara: Assembly Bill No. 651—An Act to appropriate money to pay funeral expenses, to provide tombstones, to sink a well, and make needed repairs in and about the "Woman's Relief Corps Home," at Evergreen, California.

Referred to Committee on State Hospitals.

ASSEMBLY CONSTITUTIONAL AMENDMENT.

By Mr. Chipman: Assembly Constitutional Amendment No. 24—An Act to submit to the people of the State of California an amendment to section one, article seven, of the Constitution of the State of California.

Referred to Committee on Constitutional Amendments.

RECONSIDERATION.

Mr. Pendleton moved to reconsider the vote whereby Senate Bill No. 346 was refused a first reading.

So ordered.

ASSEMBLY JOINT RESOLUTION.

By Mr. Vann: Assembly Joint Resolution No. 22—Relating to an amendment to the patent laws of the United States.

Referred to Committee on Federal Relations.

INTRODUCTION OF BILLS—(RESUMED).

By Mr. Barlow: Assembly Bill No. 652—An Act to amend section four thousand one hundred and sixty-one of the Political Code, relating to duties of County Treasurers.

Referred to Committee on County and Township Governments.

By Committee on Labor and Capital: Assembly Bill No. 653—An Act to amend an Act entitled "An Act to establish a Political Code," approved March 12, 1872, by amending section three thousand two hundred and forty-five, relating to eight hours being a legal day's work.

Placed on file.

MOTION.

Mr. Pendleton moved that the first reading of bills be taken up.

So ordered.

FIRST READING OF BILLS.

Senate Bill No. 346—An Act to provide a system of street improvement bonds to represent certain assessments for the cost of street work and improvement within municipalities, and also for the payment of such bonds.

Read first time, and placed on file for second reading.

LEAVE OF ABSENCE.

Messrs. Kahn and Pendleton were granted leave of absence from two o'clock P. M. until Monday at eleven o'clock and thirty minutes A. M.

MOTION.

Mr. Anderson moved that in the consideration of the first reading file all joint and concurrent resolutions appearing on the same be passed.

So ordered.

REPORT OF STANDING COMMITTEE.

ON ENGROSSMENT.

ASSEMBLY CHAMBER, SACRAMENTO, February 4, 1893.

MR. SPEAKER: Your Committee on Engrossment have examined and found correctly engrossed Assembly Bill No. 312—An Act appropriating money to pay for the removal, refurnishing of rooms, and repair of furniture for Supreme Court in city of Los Angeles.

DUFFY, for Chairman.

FIRST READING OF BILLS—(RESUMED).

Assembly Joint Resolution No. 4—Relating to the free and unlimited coinage of silver.

Passed on file.

Assembly Concurrent Resolution No. 6—Requesting an inquiry into the condition of affairs and management of the State Printing Department of California.

Passed on file.

Senate Joint Resolution No. 8—Requesting Congress to enact a law limiting or prohibiting foreign immigration.

Passed on file.

Senate Joint Resolution No. 4—Relative to restricting undesirable immigration.

Passed on file.

Assembly Bill No. 521—An Act to prohibit the employment of persons who are related by affinity or consanguinity to the chief or other officers of any department of the government of the State of California.

Read first time, and placed on file for second reading.

Assembly Bill No. 404—An Act requiring all State institutions to give preference to California products, and the productions of California labor.

Read first time, and placed on file for second reading.

Assembly Bill No. 193—An Act to provide for incorporation, operation, and management of cooperative associations.

Read first time, and placed on file for second reading.

Assembly Bill No. 42—An Act to define labor corporations, and to provide for the incorporation, organization, and government thereof, and, as a part of the government thereof, to provide for the regulation of deputies to which labor corporations may be parties, by referring the same to a Board of Conciliation or Arbitration.

Read first time, and placed on file for second reading.

Assembly Bill No. 487—An Act to provide for the employment of destitute citizens, and making appropriations therefor.

Re-referred to Committee on Ways and Means.

Assembly Bill No. 398—An Act for the protection of life and limb.

Read first time, and placed on file for second reading.

Assembly Bill No. 150—An Act appointing Sheriffs and Constables Game and Fish Wardens, and giving Justices of the Peace additional powers in cases of arrests for violation of the game and fish laws.

Read first time, and placed on file for second reading.

Assembly Bill No. 123—An Act to provide for the publication and sale of an abridgement of the reports of the State Board of Horticulture, and making an appropriation of money to pay for the same.

Re-referred to Committee on Ways and Means.

Assembly Bill No. 247—An Act to amend section two hundred and seventy-four of an Act entitled "An Act to establish a Code of Civil Procedure," relating to the duties and compensation of Court reporters, and to add a new section to said Act, to be known as section number two hundred and seventy-four and one half, providing for appointment of reporters pro tempore in any action.

Read first time, and placed on file for second reading.

Assembly Bill No. 246—An Act to enfranchise the women citizens of the State, and prescribing their qualifications as electors.

Read first time, and placed on file for second reading.

Assembly Bill No. 305—An Act to amend section one thousand two hundred and ten of the Code of Civil Procedure, relating to reëntry upon real property.

Read first time, and placed on file for second reading.

Assembly Bill No. 353—An Act to amend section one thousand two hundred and sixty-one of an Act entitled "An Act to establish a Civil Code," approved March 21, 1872.

Read first time, and placed on file for second reading.

Senate Bill No. 11—An Act to amend section sixty of an Act entitled "An Act for the relief of insolvent debtors, for the protection of creditors, and for the punishment of fraudulent debtors," approved April 16, 1880, relating to setting apart exempt property for the use and benefit of the insolvent, and also a homestead, and providing for giving notice of the hearing of the application therefor.

Read first time, and placed on file for second reading.

REPORTS OF STANDING COMMITTEES.

ON CLAIMS.

ASSEMBLY CHAMBER, SACRAMENTO, February 4, 1893.

MR SPEAKER: Your Committee on Claims, to whom was referred Assembly Bill No 614—An Act for the relief of J. F. Chapman & Co. for damages sustained through the loss of coal from Fremont Street wharf, in the City and County of San Francisco

Also. Assembly Bill No 477—An Act making an appropriation for the payment of the claim of A. L. Rhodes for his services as counsel for the plaintiffs in an action entitled "The County of Santa Clara vs. The Southern Pacific Railroad Company," and other actions, in the Circuit Court of the United States, Ninth Circuit, District of California, and in the Supreme Court of the United States, brought for the collection of delinquent taxes assessed upon the property of railroad companies

Also: Assembly Bill No. 165—An Act to appropriate the sum of thirteen thousand seven hundred and twenty-two dollars and twenty cents to pay the salary of the Commissioner of Immigration from October 10, 1885, to March 16, 1889.

Also Assembly Bill No 166—An Act to appropriate the sum of two thousand five hundred dollars to pay the salary of the Deputy Commissioner of Immigration from August 1, 1883, to October 1, 1885.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass

BURKE, Chairman.

Assembly Bill No. 614 re-referred to Committee on Ways and Means.

Assembly Bill No. 477 re-referred to Committee on Ways and Means.

Assembly Bills Nos. 165 and 166 re-referred to Committee on Ways and Means.

ON CONSTITUTIONAL AMENDMENTS

ASSEMBLY CHAMBER, SACRAMENTO, February 4, 1893.

MR SPEAKER: Your Committee on Constitutional Amendments, to whom was referred Assembly Constitutional Amendment No. 13—A resolution to propose to the people of the State of California an amendment to section one of article thirteen of the Constitution of the State of California—have had the same under consideration, and respectfully report the same back, and refer the same to the Judiciary Committee.

Also: Assembly Constitutional Amendment No. 12—A resolution proposing to the people of the State of California an amendment to section seventeen, article one, of the Constitution of the State of California—have had the same under consideration, and respectfully report the same back, and recommend that it do not pass.

Also: Assembly Constitutional Amendment No 10—A resolution to propose to the people of the State an amendment to the Constitution of the State, relative to the exemption of fruit trees and vines from taxation—have had the same under consideration, and respectfully report the same back, and refer the same to the Judiciary Committee.

Also: Assembly Constitutional Amendment No. 19—A resolution to propose to the people of the State of California an amendment to section twelve (12) of article thirteen (XIII) of the Constitution of the State of California

Also: Assembly Constitutional Amendment No. 9—To propose to the people of the State an amendment to the Constitution of the State, relative to poll tax.

Have had the same under consideration, and respectfully report the same back, and recommend that they do not pass

SCHLESINGER, Chairman.

Assembly Constitutional Amendment No. 13 re-referred to Committee on Judiciary.

Assembly Constitutional Amendment No. 10 re-referred to Committee on Judiciary.

INTRODUCTION OF BILL.

By Mr. Duckworth: Assembly Bill No. 654—An Act making an appropriation to pay the claim of Major José Ramon Pico for expenses incurred in recruiting and maintaining military companies.

Referred to Committee on Claims.

APPROVAL OF JOURNALS.

Journals of Thursday, February 2d, and Friday, February 3d, ordered approved.

FIRST READING OF BILLS—(RESUMED).

Senate Bill No. 20—An Act to amend section one thousand three hundred and sixty-eight of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1873, relating to estates of deceased persons.

Read first time, and placed on file for second reading.

REPORTS OF STANDING COMMITTEES.

ON EDUCATION.

ASSEMBLY CHAMBER, SACRAMENTO, February 4, 1893.

MR. SPEAKER: Your Committee on Education, to whom was referred Senate Bill No 279—An Act to amend the Civil Code by adding to part four, division one, a new title, providing for consolidation of colleges and institutions of higher education—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

SARGENT, Chairman

ON STATE PRISONS AND REFORMATORY INSTITUTIONS.

ASSEMBLY CHAMBER, SACRAMENTO, February 4, 1893.

MR SPEAKER: Your Committee on State Prisons and Reformatory Institutions, to whom was referred Senate Bill No. 267—An Act to amend an Act entitled "An Act to establish a School of Industry, to provide for the maintenance and management of the same, and to make appropriations therefor," approved March 11, 1889—have had this bill under consideration, and respectfully report the same back, and recommend its passage.

H. H. JOHNSON, Chairman.

MOTION.

Mr. Sargent moved that Senate Bill No. 279 be substituted for Assembly Bill No. 173, and that it be read the first time.

So ordered.

FIRST READING OF BILL.

Senate Bill No. 279—An Act to amend the Civil Code by adding to part four, division one, a new title, providing for the consolidation of colleges and institutions of higher education.

Read first time, and placed on file for second reading.

MOTION.

Mr. Sargent moved that Senate Bill No. 267 be substituted for Assembly Bill No. 311, and be read the first time.

So ordered.

FIRST READING OF BILLS.

Senate Bill No. 267—An Act to amend an Act entitled "An Act to establish a School of Industry, to provide for the maintenance and management of the same, and to make appropriations therefor."

Read first time, and placed on file for second reading.

Assembly Bill No. 234—An Act to amend section seven hundred and sixty-eight of the Code of Civil Procedure of California, relating to charges and fees allowable by the Court in actions for the partition of real property.

Read first time, and placed on file for second reading.

Assembly Bill No. 109—An Act to amend section two hundred and seventy-six of the Code of Civil Procedure, relating to the qualifications of attorneys and counselors at law.

Read first time, and placed on file for second reading.

Assembly Bill No. 104—An Act to amend section one hundred and seventy-two of the Civil Code, relating to the control, management, and disposition of community property.

Passed on file, on motion of Mr. Anderson.

Assembly Bill No. 133—An Act to amend section five hundred and eighty-one of the Code of Civil Procedure, in relation to dismissal of actions.

Read first time, and placed on file for second reading.

Assembly Bill No. 474—An Act to promote the business of breeding and propagating horses, cattle, and other live stock, to enable owners to borrow money thereon without parting with the possession thereof, and to prevent fraudulent sales of incumbered live stock.

Read first time, and placed on file for second reading.

Assembly Bill No. 513—An Act to prevent the spread of contagious and infectious diseases among domestic animals.

Read first time, and placed on file for second reading.

Assembly Bill No. 180—An Act to amend section eight hundred and eighty-two of an Act entitled "An Act to establish a Code of Civil Procedure," adopted March 11, 1872, relating to the trial of issues of fact in Justices' Courts.

Read first time, and placed on file for second reading.

Assembly Bill No. 228—An Act to compel savings banks to publish a sworn statement of all unclaimed deposits.

Read first time, and placed on file for second reading.

Assembly Bill No. 567—An Act making it unlawful to refuse admission to places of amusement.

Read first time, and placed on file for second reading.

Assembly Bill No. 370—An Act to amend section twelve 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 5, 1870.

Read first time, and placed on file for second reading.

Assembly Bill No. 392—An Act to amend section seven hundred and twenty-six of the Code of Civil Procedure, and to add a new section thereto, to be known as section seven hundred and twenty-nine, relating to actions for the foreclosure of mortgages.

Read first time, and placed on file for second reading.

Assembly Bill No. 124—An Act to amend sections two hundred and fifty-eight and two hundred and fifty-nine of the Code of Civil Procedure, relative to the powers and duties of Court Commissioners.

Read first time, and placed on file for second reading.

Assembly Bill No. 371—An Act to amend sections one thousand three hundred and fifty-two, one thousand three hundred and sixty-eight, one thousand three hundred and seventy, and one thousand three hundred and eighty-three of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, relating to estates of deceased persons.

Read first time, and placed on file for second reading.

Assembly Bill No. 566—An Act to amend section one thousand and thirty-two of the Political Code, relating to public records.

Read first time, and placed on file for second reading.

Assembly Bill No. 263—An Act to amend section one hundred and seventy-two of the Civil Code of the State of California, relating to husband's control and disposition of the community property.

Read first time, and placed on file for second reading.

Assembly Bill No. 432—An Act to amend section two hundred and ninety-one of the Civil Code, relating to the articles of incorporation of railroad, wagon road, and telegraph corporations.

Read first time, and placed on file for second reading.

Assembly Bill No. 433—An Act to amend section two hundred and ninety-three of the Civil Code, relating to railroad, wagon road, and telegraph corporations.

Read first time, and placed on file for second reading.

Assembly Bill No. 434—An Act to amend section four hundred and fifty-six of the Civil Code, relating to the borrowing of money and the issuance of bonds by railroad corporations.

Read first time, and placed on file for second reading.

Assembly Bill No. 435—An Act to provide for the consolidation of railroad corporations organized under the laws of the State of California with railroad corporations organized under the laws of any other State or Territory, or both.

Read first time, and placed on file for second reading.

Assembly Bill No. 29—An Act to amend section one thousand five hundred and eighty-two of the Code of Civil Procedure.

Read first time, and placed on file for second reading.

Assembly Bill No. 86—An Act to amend section seven hundred and thirty-eight of the Code of Civil Procedure, relating to parties to an action to quiet title.

Read first time, and placed on file for second reading.

Assembly Bill No. 102—An Act to amend sections eight, ten, and

eleven of an Act entitled "An Act to establish a Branch Insane Asylum for the Insane of the State of California, at Ukiah, to be known as the 'Mendocino State Insane Asylum,' and appropriating money therefor," approved February 20, 1889, relating to the election, duties, and compensation of the Secretary and Treasurer of the Board of Directors of said Asylum; also, the qualifications, duties, and compensation of the Medical Superintendent of said asylum; and also, the appointment, duties, and compensation of the Assistant Physician, and authorizing the Board of Directors, if in their judgment it should become necessary, to elect an additional Assistant Physician, and providing for his compensation.

Read first time, and placed on file for second reading.

Assembly Bill No. 415—An Act granting the right of way and station grounds to the Southern California Railway Company over a portion of the asylum grounds in the county of San Bernardino.

Read first time, and placed on file for second reading.

Assembly Bill No. 405—An Act to amend section six hundred and thirty-six of an Act entitled "An Act to establish a Penal Code," approved April 11, 1872, relating to fish and game.

Read first time, and placed on file for second reading.

Assembly Bill No. 325—An Act to amend section six hundred and thirty-four of the Penal Code of the State of California.

Read first time, and placed on file for second reading.

Assembly Bill No 286—An Act to amend section six hundred and thirty-five of the Penal Code of the State of California, in relation to violations of the fish laws.

Read first time, and placed on file for second reading.

Assembly Bill No. 437—An Act to amend section six hundred and twenty-six of the Penal Code.

Read first time, and placed on file for second reading.

Assembly Bill No. 423—An Act to amend an Act entitled "An Act to establish a Penal Code," approved February 14, 1872, by amending section six hundred and twenty-six of the Penal Code, relating to the laws for the preservation of game birds and animals.

Read first time, and placed on file for second reading.

Assembly Bill No. 66—An Act to pay the claim of George Nelson against the State of California.

Read first time, and placed on file for second reading.

Assembly Bill No. 140—An Act supplemental to an Act entitled "An Act to provide for the organization and government of irrigation districts, and to provide for the acquisition of water and other property, and for the distribution of water thereby for irrigation purposes," approved March 7, 1887, providing for the disorganization of irrigation districts.

Read first time, and placed on file for second reading.

Assembly Bill No. 170—An Act to amend an Act entitled "An Act to amend sections ten, twenty-two, and twenty-seven of an Act entitled 'An Act to provide for the organization and government of irrigation districts, and to provide for the acquisition of water and other property, and for the distribution of water thereby for irrigation purposes,' approved March 7, 1887, relating to appointments to office in case of vacancies, and to assessments of real property, and to the collection of such assessments," approved February 16, 1889, relating to fees for recording duplicate certificates of sale.

Read first time, and placed on file for second reading.

Senate Joint Resolution No. 12—Relative to irrigation of arid and desert lands.

Passed on file.

Assembly Bill No. 306—An Act directing the State Board of Harbor Commissioners to construct a certain portion of the harbor embankment, or seawall, of the port of San Francisco.

Read first time, and placed on file for second reading.

Assembly Bill No. 285—An Act directing the State Board of Harbor Commissioners to construct a certain portion of the harbor embankment, or seawall, of the port of San Francisco.

Read first time, and placed on file for second reading.

Assembly Bill No. 307—An Act to amend section one thousand two hundred and thirty-eight of the Code of Civil Procedure of the State of California, concerning the right of eminent domain.

Read first time, and placed on file for second reading.

Assembly Bill No. 336—An Act to amend section one thousand seven hundred and five of the Code of Civil Procedure of the State of California.

Read first time, and placed on file for second reading.

Assembly Bill No. 337—An Act to amend section six hundred and ninety-two of the Code of Civil Procedure of the State of California.

Read first time, and placed on file for second reading.

Assembly Bill No. 338—An Act to amend section four hundred and thirteen of the Code of Civil Procedure of the State of California, relating to publication of summons.

Read first time, and placed on file for second reading.

Assembly Bill No. 344—An Act to amend section eight hundred and sixty-nine of an Act entitled "An Act to establish a Penal Code," approved February 14, 1872, relating to preliminary examinations in cases of homicide.

Read first time, and placed on file for second reading.

Assembly Bill No. 345—An Act to amend section one thousand four hundred and forty-eight of an Act entitled "An Act to establish a Penal Code," approved February 14, 1872, relating to judgment against prosecutor or defendant for costs.

Read first time, and placed on file for second reading.

Assembly Bill No. 346—An Act to amend section one hundred and thirty-six of "An Act to establish a uniform system of county and township governments," approved March 31, 1891, relating to the duties of District Attorney.

Read first time, and placed on file for second reading.

Assembly Bill No. 507—An Act regulating the sale of opium.

Read first time, and placed on file for second reading.

Assembly Bill No. 116—An Act to amend section one thousand one hundred and eighty-three of the Code of Civil Procedure of the State of California, relating to liens of mechanics, material men, contractors, sub-contractors, artisans, architects, machinists, builders, miners, and all persons and laborers of every class.

Read first time, and placed on file for second reading.

Assembly Bill No. 497—An Act to provide and regulate the manner of receiving and paying fees, commissions, percentages, and other compensation for official services, in cities, and cities and counties, having

a population of over one hundred thousand inhabitants, and prescribing the duties of officers with reference thereto.

Read first time, and placed on file for second reading.

Senate Bill No. 1—An Act requiring city, city and county, or town authorities to exact and require from persons or corporations seeking permission and authority to lay railroad tracks through streets, or public highways, of any incorporated city, city and county, or town, a satisfactory promise and undertaking to permit and allow mail carriers in the employ of the United States Government at all times, while engaged in the actual discharge of duty, to ride on the cars of such railroad without paying fare, and to make such promise and undertaking a condition precedent to the granting of such permission and authority by such governing Board.

Read first time, and placed on file for second reading.

Assembly Bill No. 78—An Act to amend an Act entitled "An Act to provide for the completion of all unfinished county, city, city and county, towns, and township buildings in the several counties, cities and counties, cities, and towns throughout the State of California," approved March 11, 1891.

Read first time, and placed on file for second reading.

Assembly Bill No. 168—An Act fixing a basis for the assessment of railroad property in this State.

Read first time, and placed on file for second reading.

Assembly Bill No. 373—An Act to amend an Act entitled "An Act creating a Board of Bank Commissioners, and prescribing their duties and powers," approved March 30, 1878, and amended March 10, 1887.

Read first time, and placed on file for second reading.

Assembly Bill No. 330—An Act to amend an Act entitled "An Act relating to life, health, accident, and annuity or endowment insurance on the assessment plan, and the conduct of the business of such insurance," approved March 19, 1891.

Read first time, and placed on file for second reading.

Assembly Bill No. 51—An Act to amend an Act entitled "An Act to repeal sections six hundred and thirty-nine, six hundred and forty, six hundred and forty-one, six hundred and forty-two, six hundred and forty-three, six hundred and forty-four, six hundred and forty-five, and six hundred and forty-seven, of title sixteen, of part four, division one, of the Civil Code, and to add seventeen new sections to said Civil Code, to be known and numbered as sections six hundred and thirty-three, six hundred and thirty-four, six hundred and thirty-five, six hundred and thirty-six, six hundred and thirty-seven, six hundred and thirty-eight, six hundred and thirty-nine, six hundred and forty, six hundred and forty-one, six hundred and forty-two, six hundred and forty-three, six hundred and forty-four, six hundred and forty-five, six hundred and forty-six, six hundred and forty-seven, six hundred and forty-eight, and six hundred and forty-eight and one half, providing for the formation and government of mutual building and loan associations," approved March 31, 1891.

Read first time, and placed on file for second reading.

Assembly Bill No. 47—An Act to amend sections three thousand seven hundred and forty-six and three thousand seven hundred and fifty-six of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to revenue and taxation.

Read first time, and placed on file for second reading.

Assembly Bill No. 98—An Act to amend section three thousand eight hundred and fifty-four and section three thousand eight hundred and fifty-eight of the Political Code.

Read first time, and placed on file for second reading.

Assembly Bill No. 333—An Act to amend section three thousand seven hundred and seventy-nine of the Political Code, relating to lien of State vests in the purchaser at tax sale, and how divested.

Read first time, and placed on file for second reading.

Assembly Bill No. 529—An Act to amend sections three thousand seven hundred and fourteen and three thousand seven hundred and thirty-two of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to revenue and taxation.

Read first time, and placed on file for second reading.

Assembly Bill No. 196—An Act to amend section three thousand seven hundred and seventy of the Political Code, relating to the duties of Tax Collectors.

Read first time, and placed on file for second reading.

Assembly Bill No. 219—An Act to amend section three thousand seven hundred and forty-six of an Act entitled "An Act to amend section three thousand seven hundred and forty-six of an Act entitled 'An Act to establish a Political Code,' approved March 12, A. D. 1872," and approved March 31, A. D. 1891.

Read first time, and placed on file for second reading.

Assembly Bill No. 443—An Act relating to the making of sworn statements of the character, amount, and value of personal property owned, possessed, or under the control of taxpayers at twelve o'clock M. on the first Monday of March of each year, and providing a penalty for failure to comply therewith.

Read first time, and placed on file for second reading.

Assembly Bill No. 473—An Act to increase the revenue by the taxation of incomes.

Read first time, and placed on file for second reading.

Assembly Bill No. 131—An Act to amend sections three thousand seven hundred and sixty-five, three thousand seven hundred and seventy three, three thousand seven hundred and eighty, three thousand seven hundred and eighty-five, three thousand seven hundred and eighty-eight, and three thousand eight hundred and ninety-nine, and to repeal sections three thousand seven hundred and seventy-four, three thousand seven hundred and seventy-five, three thousand seven hundred and seventy-six, three thousand seven hundred and seventy-seven, three thousand seven hundred and seventy-eight, three thousand seven hundred and seventy-nine, three thousand seven hundred and eighty-one, three thousand seven hundred and eighty-two, three thousand seven hundred and eighty-three, three thousand seven hundred and eighty-four, and three thousand eight hundred and three of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to revenue and taxation.

Read first time, and placed on file for second reading.

INTRODUCTION OF BILL.

By Mr. Taylor: Assembly Bill No. 655—An Act to amend sections three hundred and nineteen, three hundred and twenty-four, three

hundred and twenty-five, and three hundred and twenty-six of chapter nine, and to add sections three hundred and twenty-seven, three hundred and twenty-eight, and three hundred and twenty-nine of the Penal Code of California, relating to lotteries.

Referred to Committee on Public Morals.

FIRST READING OF BILLS—(RESUMED).

Assembly Bill No. 218—An Act entitled an Act to amend section three thousand seven hundred and fifty-one of an Act entitled "An Act to amend section three thousand seven hundred and fifty-one of an Act entitled 'An Act to establish a Political Code,' approved March 12, A. D. 1872, relating to revenue and taxation," approved March 31, A. D. 1891.

Read first time, and placed on file for second reading.

Assembly Bill No. 220—An Act to amend section three thousand seven hundred and seventy-nine of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to revenue and taxation.

Read first time, and placed on file for second reading.

Assembly Bill No. 221—An Act to amend section three thousand seven hundred and eighty and section three thousand seven hundred and eighty-five of an Act to amend an Act entitled "An Act to amend sections three thousand seven hundred and eighty and three thousand seven hundred and eighty-five of an Act entitled 'An Act to establish a Political Code,' approved March 12, A. D. 1872, relating to the redemption of lands sold at tax sale," approved March 19, A. D. 1891.

Read first time, and placed on file for second reading.

Assembly Bill No. 230—An Act to amend sections three thousand seven hundred and seventy and three thousand seven hundred and eighty-four of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the costs and fees to be collected by the Tax Collector at the time of making sales of property for delinquent taxes, and in relation to redemptions for delinquent tax sales.

Read first time, and placed on file for second reading.

Assembly Bill No. 430—An Act to add a new section to the Political Code of the State of California, to be designated as section three thousand six hundred and fifty-one and one half, relating to the form of tax receipts.

Read first time, and placed on file for second reading.

Assembly Bill No. 184—An Act to reinstate and reenact section three thousand five hundred and seventy-three of the Political Code, relating to public lands.

Read first time, and placed on file for second reading.

Assembly Bill No. 467—An Act to create a special commission for the purpose of examining and reporting to the thirty-first session of the Legislature on the Torrens Land Transfer Act of Australia, and to appropriate money therefor.

Referred to Committee on Ways and Means.

Senate Bill No. 9—An Act to declare certain tide lands public grounds, and granting the same to the county of San Mateo, in trust for the use of the public.

Read first time, and placed on file for second reading.

Senate Bill No. 200—An Act providing for the presentation and cancellation of unlocated school land warrants of the State of California, issued under the Act of the State of California, approved March 3, 1852, providing for the disposal of the five hundred thousand acres of land donated to the State of California by the Government of the United States, and authorizing the Controller of this State to draw his warrant on the State Treasury for the sum of two dollars per acre in favor of any bona fide owner and holder of any such land warrant for every acre represented by any such land warrant.

Read first time, and placed on file for second reading.

Assembly Bill No. 177—An Act to amend section two thousand six hundred and forty-six of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the powers and duties of highway officers, and to provide for the construction, maintenance, and improvements of highways by contract let out to the lowest bidder.

Read first time, and placed on file for second reading.

Assembly Bill No. 194—An Act to amend section two thousand six hundred and forty-five of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the powers and duties of highway officers, and to provide for the construction, maintenance, and improvements of highways by contract let out to the lowest bidders.

Read first time, and placed on file for second reading.

Assembly Bill No. 409—An Act to amend section two thousand six hundred and thirty-three, Political Code, and amend sections two thousand six hundred and forty-one, two thousand six hundred and forty-two, two thousand six hundred and forty-three, two thousand six hundred and forty-five, and two thousand six hundred and fifty-two, and to repeal section two thousand six hundred and forty-six of an Act entitled "An Act to amend sections two thousand six hundred and forty-one, two thousand six hundred and forty-two, two thousand six hundred and forty-three, two thousand six hundred and forty-five, two thousand six hundred and forty-six, two thousand six hundred and fifty-two, and to repeal section two thousand six hundred and forty-four of an Act entitled 'An Act to establish a Political Code,' approved March 12, 1872, relating to the powers and duties of highway officers, and to provide for the construction, maintenance, and improvements of highways by contract let out to the lowest bidder;" and to provide for the appointment of Road Overseers for the various road districts within counties of this State, and to authorize Boards of Supervisors to let contracts for improving and building roads to the lowest bidder.

Read first time, and placed on file for second reading.

Assembly Bill No. 463—An Act to amend section two thousand six hundred and thirty-three, Political Code, and amend sections two thousand six hundred and forty-one, two thousand six hundred and forty-two, two thousand six hundred and forty-three, two thousand six hundred and forty-five, and two thousand six hundred and fifty-two, and to repeal section two thousand six hundred and forty-six of an Act entitled "An Act to amend sections two thousand six hundred and forty-one, two thousand six hundred and forty-two, two thousand six hundred and forty-three, two thousand six hundred and forty-five, two thousand six hundred and forty-six, two thousand six hundred and fifty-two, and to repeal section two thousand six hundred and forty-four of an Act entitled 'An Act to establish a Political Code,' approved March 12, 1872, relating to the powers and duties of highway officers,

and to provide for the construction. maintenance, and improvements of highways by contract let out to the lowest bidder;" and to provide for the appointment of Road Overseers for the various road districts within counties of this State, and to authorize Boards of Supervisors to let contracts for improving and building roads to the lowest bidder.

Read first time, and placed on file for second reading.

Assembly Bill No. 511—An Act to amend sections two thousand six hundred and forty-two, two thousand six hundred and forty-three, two thousand six hundred and forty-five, two thousand six hundred and forty-six of the Political Code, relating to roads and highways.

Read first time, and placed on file for second reading.

Assembly Bill No. 274—An Act to regulate the sale of commercial fertilizers, or material used for manurial purposes.

Read first time, and placed on file for second reading.

Senate Concurrent Resolution No. 14—Relative to a joint investigation of the Whittier Reform School.

Passed on file.

Senate Bill No. 174—An Act fixing the price and conditions of sale at which jute goods shall be sold by the State.

Read first time, and placed on file for second reading.

Assembly Bill No. 563—An Act directing the State Prison Directors of the State of California to employ at least twenty prisoners in the construction of roads to the State Prison at San Quentin.

Read first time, and placed on file for second reading.

Assembly Bill No. 300—An Act to amend an Act entitled "An Act to provide for the restoration and preservation of fish in the waters of this State," approved April 2, 1870, by adding thereto an additional section, numbered section twelve, relative to the better protection of fish placed in streams for the purpose of propagation.

Read first time, and placed on file for second reading.

Assembly Bill No. 420—An Act to declare arrangements, contracts, agreements, trusts, or combinations in restraint of trade and production unlawful. and to fix the penalty therefor.

Read first time, and placed on file for second reading.

Assembly Bill No. 476—An Act to provide for the appointment of a Board of Examining Engineers, to license engineers of portable and stationary steam engines and boilers, to establish the duties and compensation of said Board.

Read first time, and placed on file for second reading.

Assembly Bill No. 544—An Act relating to the appointment of aliens to positions under State, county, city and county, city, or town officials.

Read first time, and placed on file for second reading.

Senate Bill No. 214—An Act to amend an Act entitled "An Act to establish and support a Bureau of Labor Statistics," approved March 3, 1883.

Read first time, and placed on file for second reading.

Assembly Bill No. 525—An Act to prevent children from being in and about places where intoxicating liquors are sold, and to prevent the sale of such liquors to children.

Read first time, and placed on file for second reading.

Senate Bill No. 49—An Act to appropriate money for the erection of a monument at Donner Lake, Nevada County, California, to the memory of the Donner party.

Read first time, and placed on file for second reading.

Assembly Bill No. 108—An Act to amend sections two hundred and four, two hundred and five, two hundred and six, and two hundred and eight of the Code of Civil Procedure.

Read first time, and placed on file for second reading.

Assembly Bill No. 161—An Act to amend section three thousand seven hundred and fifty-one of the Political Code of this State, relating to revenue and taxation.

Read first time, and placed on file for second reading.

Assembly Bill No. 217—An Act entitled an Act to amend section three thousand seven hundred and fifty-six of an Act entitled "An Act to amend section three thousand seven hundred and fifty-six of an Act entitled 'An Act to establish a Political Code,' approved March 12, A. D. 1872, relating to revenue and taxation," approved March 31, A. D. 1891.

Read first time, and placed on file for second reading.

Assembly Bill No. 502—An Act to retire teachers of the public schools of the State of California upon partial pay.

Read first time, and placed on file for second reading.

Senate Bill No. 80—An Act to provide for increasing the efficiency of paid fire departments within municipalities in the State of California.

Read first time, and placed on file for second reading.

Assembly Bill No. 272—An Act to amend section one thousand eight hundred and eighty-one of the Civil Code of Procedure, relating to witnesses.

Read first time, and placed on file for second reading.

Assembly Bill No. 81—An Act to amend sections three thousand seven hundred and sixty-five, three thousand seven hundred and seventy-three, three thousand seven hundred and seventy-eight, three thousand seven hundred and eighty, three thousand seven hundred and eighty-one, three thousand seven hundred and eighty-five, three thousand seven hundred and eighty-eight, and three thousand eight hundred and seventeen; and to repeal sections three thousand seven hundred and seventy-four, three thousand seven hundred and seventy-five, three thousand seven hundred and seventy-six, three thousand seven hundred and seventy-seven, three thousand seven hundred and seventy-nine, three thousand seven hundred and eighty-two, three thousand seven hundred and eighty-three, three thousand seven hundred and eighty-four, and three thousand eight hundred and eighteen of an Act of the Legislature of the State of California entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the sale of real property for delinquent taxes, and the redemption and resale of such property; and to add a new section thereto, to be known and designated as section three thousand eight hundred and one, also relating to the sale of real property for delinquent taxes.

Read first time, and placed on file for second reading.

Assembly Bill No. 349—An Act to amend sections one thousand one hundred and forty-two, one thousand one hundred and eighty-eight, one thousand one hundred and ninety-four, one thousand one hundred and ninety-seven, one thousand two hundred and three, one thousand two hundred and five, one thousand two hundred and eight, one thousand two hundred and fifty-seven, one thousand two hundred and sixty-four, and one thousand two hundred and sixty-five of the Political Code, in relation to elections within this State.

Read first time, and placed on file for second reading.

Assembly Bill No. 350—An Act to enfranchise the women citizens of this State, and prescribing their qualifications as electors.

Read first time, and placed on file for second reading.

Assembly Bill No. 391—An Act to enfranchise the women citizens of this State, and prescribing their qualifications as electors.

Read first time, and placed on file for second reading.

MOTION.

Mr. Vann moved that Assembly Joint Resolution No. 4 be made a special order for Monday morning immediately after reading of the Journal.

So ordered.

ADJOURNMENT.

At twelve o'clock and thirteen minutes P. M., on motion of Mr. Shanahan, the Assembly adjourned.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Monday, February 6, 1893.

The Assembly met pursuant to adjournment.

Speaker Gould in the chair.

The roll was called, and the following members answered to their names:

Messrs. Alford, Anderson, Androus, Barker, Barlow, Bennett of Santa Clara, Bennett of Orange, Blakeley, Bledsoe, Buckley, Bulla, Burke, Casterline, Conway, Curtis, Dodge, Drees, Duckworth, Durst, Emeric, Finlayson, Gately, Hurley, Hutson, Jacobs, Johnson of Humboldt, Johnson of Santa Clara, Kennedy, Kahn, Kerns, LaRue, Luttringer, Lynch, McCauley, McElroy, Mack, Marston, Matthews of San Benito, Miller, Mordecai, O'Neill, Owen, Pendleton, Perkins, Sargent, Schlesinger, Schroebel, Shanahan, Simpson, Sims, Standart, Taggart, Talbott, Thomas of Nevada, Tindall, Vann, Wade, and Mr Speaker.

Quorum present.

LEAVE OF ABSENCE.

Mr. Perkins was granted leave of absence for an hour.

Messrs. Duffy and Pueschel were granted leave of absence for the day.

PRAYER.

Prayer by the Chaplain, Rev. H. W. Conry.

READING OF THE JOURNAL.

Pending the reading of the Journal of Saturday, Mr. Schlesinger moved that the further reading be dispensed with.

So ordered.

PETITION.

By Mr. Talbott: From citizens of Santa Barbara County, favoring the creation of Santa Ynez County.

Referred to Committee on Counties and County Boundaries.

LEAVE OF ABSENCE.

Mr. O'Neill was granted leave of absence until twelve o'clock M.

MOTION.

Mr. Vann moved that the special order set for this hour, the consideration of Assembly Joint Resolution No. 4, relating to the free and unlimited coinage of silver, be postponed until to-morrow morning immediately after the reading of the Journal; and further, that in the meantime the resolution be sent to the printer for correction.

So ordered.

REPORT OF STANDING COMMITTEE.

ON CLAIMS.

ASSEMBLY CHAMBER, SACRAMENTO, February 6, 1893

MR SPEAKER The undersigned, a minority of your Committee on Claims, to whom was referred Assembly Bill No 165—An Act to appropriate the sum of thirteen thousand seven hundred and twenty-two dollars and twenty cents to pay the salary of the Commissioner of Immigration from October 10, 1885, to March 16, 1889—have had the same under consideration, and respectfully recommend that it do not pass.

J. H. MATTHEWS.
M. J. HURLEY.

Assembly Bill No. 165 re-referred to Committee on Ways and Means.

INTRODUCTION OF BILLS.

The following bills were introduced, read by title, and referred to committees, as follows:

By Mr. Shanahan: Assembly Bill No. 656—An Act to amend section two thousand one hundred and sixty-two of the Civil Code.

Referred to Committee on Corporations.

By Mr. Bulla: Assembly Bill No. 657—An Act to amend section three thousand and fifty-one of the Civil Code of California, relating to liens for services in the care, protection, improvement, safe-keeping, or carriage of personal property, and for caring for, boarding, feeding, or pasturing horses or stock.

Referred to Committee on Judiciary.

By Mr. Taggart: Assembly Bill No. 658—An Act to prevent the poisoning of honey.

Referred to Committee on Agriculture.

By Mr. Lynch: Assembly Bill No. 659—An Act amendatory of an Act to provide for the organization and government of levee districts created for the protection of lands from overflow of innavigable running streams of water, and to confine innavigable running streams to a fixed channel.

Referred to Committee on Swamp and Overflowed Lands.

ASSEMBLY CONSTITUTIONAL AMENDMENT.

By Mr. Vann: Assembly Constitutional Amendment No. 25—A resolution to propose to the people of the State of California an amendment to the Constitution of said State, amending article eleven thereof, by adding a new section thereto, to be known as section number ———, relating to the government of counties, cities, and towns.

Referred to Committee on Constitutional Amendments.

RESOLUTIONS.

By Mr. Anderson:

Resolved, That the State Controller be and he is hereby requested to draw his warrant on the State Treasurer in the sum of twenty-five dollars for each member, in compliance with article four, section twenty-three, of the Constitution, the same to be paid out of the Contingent Fund of the Assembly, after deducting the amount of stationery drawn on requisition from the Secretary of State by each member up to date.

Adopted.

By Mr. Johnson of Santa Clara:

Resolved, That four members of the Committee on State Prisons and Reformatory Institutions be granted three days' leave of absence, for the purpose of visiting the Whittier Reform School.

Referred to Committee on Attachés and Employés.

By Mr. Emeric:

Resolved, That the sum of two hundred and forty dollars be and the same is hereby allowed to the widow of the late Hon Edward B Price, and that the same be paid out of the Assembly Contingent Fund The Controller of State is hereby directed to draw his warrant for two hundred and forty dollars in favor of Mrs E B. Price, and the State Treasurer is hereby ordered to pay the same out of the said Assembly Contingent Fund

Adopted.

INTRODUCTION OF BILLS.

The following bills were introduced, read by title, and referred to committees, as follows:

By Mr. Kennedy: Assembly Bill No. 660—An Act to repeal an Act entitled "An Act to provide for the establishment and maintenance of a Mining Bureau," and to transfer the museum, library, laboratory, and all other property of the State Mining Bureau, together with the fund provided for their maintenance, to the University of California.

Referred to Committee on Mines and Mining.

Also: Assembly Bill No. 661—An Act to provide for the establishment and maintenance of a training ship for the instruction of boys in nautical matters by the State of California, and to appropriate the sum of one hundred thousand dollars therefor.

Referred to Committee on Military Affairs.

By Mr. Anderson: Assembly Bill No. 662—An Act to amend section three hundred and thirty-one of the Civil Code of the State of California, in relation to the power of corporations to sue stockholders.

Referred to Committee on Judiciary.

By Mr. Luttringer: Assembly Bill No. 663—An Act entitled an Act to regulate the practice of veterinary medicine and surgery in the State of California.

Referred to Committee on Judiciary.

ASSEMBLY CONSTITUTIONAL AMENDMENT.

By Mr. Marston: Assembly Constitutional Amendment No. 26—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, relative to the duties of county officers and their terms of office.

Referred to Committee on Constitutional Amendments.

REPORTS OF STANDING COMMITTEES.

ON COUNTY AND TOWNSHIP GOVERNMENTS

ASSEMBLY CHAMBER, SACRAMENTO, February 6, 1893.

MR. SPEAKER: Your Committee on County and Township Governments, to whom was referred Assembly Bill No. 172—An Act empowering Boards of Supervisors to appoint experts, and fixing their compensation—have had the same under consideration, and respectfully report the same back, and recommend that it do pass

SCHROEBEL, Chairman.

ON JUDICIARY

ASSEMBLY CHAMBER, SACRAMENTO, February 6, 1893.

MR SPEAKER: Your Committee on Judiciary, to whom was referred Assembly Bill No 321—An Act to amend sections seven hundred and ninety-two and eight hundred and one of the Political Code of the State of California, relating to the qualifications and liabilities of Notaries Public

Also Assembly Bill No 374—An Act to authorize suits against the State, and regulating the procedure therein

Also, Assembly Bill No. 549—An Act to amend sections three hundred and sixty-four and six hundred and fifty-four of the Political Code, relating to the Board of Examiners, and to add a new section thereto, to be known as section six hundred and eighty-five of the Political Code, providing for the appointment of a clerk by said Board, and making an appropriation for his salary

Also: Senate Bill No 393—An Act to facilitate the disposition of business in the Superior Court of Fresno County, by the appointment and election of a third Judge of said Court.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

Also, Assembly Bill No. 191—An Act to amend an Act entitled "An Act to establish a Political Code," approved March 12, 1872, by amending section seven hundred and ninety-one of said Code, relating to the appointment and number of Notaries Public in the several counties of this State

Also: Assembly Bill No. 216—An Act to add a new section to an Act of the Legislature of the State of California entitled 'An Act to establish a Code of Civil Procedure," approved March 11, 1873, in relation to the distribution of the estates of deceased persons, to be known as section one thousand six hundred and seventy

Also Assembly Bill No. 395—An Act relating to the publication of legal notices

Also: Assembly Bill No 464—An Act to amend section five hundred and thirty-seven of the Penal Code, and to add a new section thereto, to be known and designated as section five hundred and thirty-eight, relating to the removal, sale, or subsequent incumbrance of mortgaged chattels.

Also: Assembly Bill No. 571—An Act to amend section one hundred and three of the Code of Civil Procedure of the State of California, relating to Justices' Courts.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass as amended.

SHANAHAN, Chairman.

SPECIAL FILE.

Assembly Constitutional Amendment No. 14—A resolution proposing to the people of the State of California an amendment to the Constitution, repealing sections twenty-two and twenty-three of article twelve of said Constitution, relating to the Railroad Commission, and adding to article four of said Constitution a new section, to be known and numbered as section thirty-six, relating to railroad freights and fares.

Mr. Bledsoe moved that the consideration of Assembly Constitutional Amendment No. 14 be made a special order for Wednesday at two o'clock P. M., and further that the committee substitute be printed.

So ordered.

Assembly Constitutional Amendment No. 21—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, amending section twenty-two of article four thereof, relative to the power of the Legislature to grant aid to corporations.

Mr. Bledsoe moved that the consideration of Assembly Constitutional Amendment No. 21 be made a special order for to-morrow at two o'clock P. M.

So ordered.

Mr. Shanahan moved that Assembly Constitutional Amendment No. 12—A resolution proposing to the people of the State of California an amendment to section seventeen, article one, of the Constitution of the State of California; also, Assembly Constitutional Amendment No. 19—A resolution to propose to the people of the State of California an amendment to section twelve of article thirteen of the Constitution of the State of California; also, Assembly Constitutional Amendment No. 9—To propose to the people of the State an amendment to the Constitution of the State, relative to poll tax—be passed on file.

So ordered.

GENERAL FILE—THIRD READING OF BILLS.

Assembly Bill No. 185—An Act to amend section three thousand seven hundred and seventy-three of the Political Code, relating to the sale of property for delinquent taxes.

Passed on file.

Senate Bill No. 24—An Act to provide two additional Judges of the Superior Court of the county of Alameda.

Read third time, and refused passage by the following vote:

AYES—Messrs. Alford, Anderson, Barker, Barlow, Bennett of Santa Clara, Bennett of Orange, Blakeley, Bledsoe, Bulla, Casterline, Curtis, Drees, Duckworth, Durst, Emeric, Hurley, Hutson, Jacobs, Johnson of Humboldt, Johnson of Santa Clara, Kennedy, Kerns, LaRue, Luttringer, Lynch, McGowan, Mack, Marston, Matthews of San Benito, Mordecai, Owen, Schlesinger, Schroebel, Simpson, Standart, Taggart, Talbott, Thomas of Nevada, Tindall, Vann, and Wade—41

NOES—Messrs. Dodge and Shanahan—2.

NOTICE OF RECONSIDERATION.

Mr. Shanahan gave notice that on the next legislative day he will move a reconsideration of the vote whereby Senate Bill No. 24 was refused passage.

SECOND READING OF BILLS.

Assembly Bill No. 17—An Act to add a new section to the Penal Code of the State of California, to be designated as section four hundred and two, relating to the duties of females employed in mercantile and manufacturing occupations.

Passed on file.

Assembly Bill No. 262—An Act to amend sections one thousand one hundred and eighty-six, one thousand one hundred and eighty-seven, one thousand one hundred and eighty-eight, one thousand one hundred and ninety, one thousand one hundred and ninety-two, one thousand three hundred and fifty-seven, one thousand three hundred and fifty-eight, one thousand three hundred and fifty-nine, 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 sixty-three, one thousand three hundred and sixty-four, and one thousand three hundred and sixty-five of the Political Code, and to add nineteen new sections thereto, to be numbered one thousand three hundred and sixty-six, one thousand three hundred and sixty-seven, one thousand three hundred and sixty-eight, one thousand three hundred and sixty-nine, one thousand three hundred and seventy, one thousand three hundred and seventy-one, one thousand three hundred and seventy-two, one thousand three hundred and seventy-three, one thousand three hundred and seventy-four, one thousand three hundred and seventy-five, one thousand three hundred and seventy-six, one thousand three hundred and seventy-seven, one thousand three hundred and seventy-eight, one thousand three hundred and seventy-nine, one thousand three hundred and eighty, one thousand three hundred and eighty-one, one thousand three hundred and eighty-two, one thousand three hundred and eighty-three, and one thousand three hundred and eighty-four, all in relation to the conduct of elections in this State.

Passed on file.

Assembly Bill No. 77—An Act to amend section ten of "An Act to create a Police Court in and for the City and County of San Francisco, State of California," approved March 5, 1889.

Read second time.

Mr. Kennedy moved that the further consideration of the bill be passed on file.

So ordered.

Assembly Bill No. 113—An Act requiring the recording of maps of cities, towns, additions to cities or towns, or subdivisions of lands into small lots or tracts for the purposes of sale, and providing for a forfeiture for the selling, or offering for sale, any lots or tracts in cities, towns, additions to cities, towns, subdivisions or additions thereto, before such maps are filed and recorded.

Read second time.

Mr. Simpson moved to amend by striking out sections four and five, and insert in lieu thereof a new section, to be known as section four, as follows:

SEC. 4. Every person who sells, or offers for sale, any lot within any city, town, subdivision, or addition, before the map or plat thereof is made out, acknowledged, filed, and recorded as herein provided, is guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine of not less than twenty-five dollars and not more than five hundred dollars, or by imprisonment in the county jail not to exceed six months, or by both such fine and imprisonment.

Adopted.

Mr. Simpson moved to amend the title by striking out of the title the words "for a forfeiture," and inserting the following: "a penalty."

Adopted.

Bill ordered engrossed and to a third reading.

Assembly Bill No. 153—An Act to amend section six and section eight of an Act approved March 19, 1889, entitled "An Act authorizing the incurring of indebtedness by cities, towns, and municipal corporations incorporated under the laws of this State, for the construction of waterworks, sewers, and all necessary public improvements, or for any purpose whatever;" and to repeal the Act approved March 9, 1885, entitled "An Act to authorize municipal corporations of the fifth class, containing

more than three thousand and less than ten thousand inhabitants, to obtain waterworks;" also, to repeal an Act approved March 15, 1887, entitled "An Act authorizing the incurring of indebtedness by cities, towns, and municipal corporations incorporated under the laws of this State."

Read second time, ordered engrossed and to a third reading.

Senate Bill No. 42—An Act to amend section four thousand three hundred and ninety-two of the Political Code of the State of California, relating to the duties of City Treasurers.

Mr. Lynch moved that the bill be passed on file.

Lost.

The question being, "Shall the bill be read the second time?"

The ayes and noes were demanded by Messrs. Lynch, Anderson, and Duckworth.

The roll was called, and the bill refused a second reading by the following vote:

AYES—Messrs. Anderson, Barlow, Bennett of Santa Clara, Bennett of Orange, Blakeley, Bledsoe, Duckworth, Durst, Kennedy, Simpson, and Talbott—11.

NOES—Messrs. Alford, Bulla, Casterline, Curtis, Dodge, Drees, Emeric, Hutson, Jacobs, Johnson of Humboldt, Johnson of Santa Clara, Kerns, Luttringer, Lynch, McGowan, Mack, Marston, Matthews of San Benito, Miller, Mordecai, Owen, Perkins, Schlesinger, Schroebel, Shanahan, Sims, Standart, Taggart, Tindall, Vann, Wade, and Mr. Speaker—32.

NOTICE OF RECONSIDERATION.

Mr. Lynch gave notice that on the next legislative day he will move a reconsideration of the vote whereby Senate Bill No. 42 was refused a second reading.

Mr. Lynch in the chair.

SECOND READING OF BILLS—(RESUMED).

Assembly Bill No. 287—An Act to amend an Act entitled "An Act to authorize the Common Council, Board of Trustees, or other governing body of any incorporated city or town, other than cities of the first class, to refund its indebtedness, issue bonds therefor, and provide for the payment of the same," approved March 15, 1883.

Read second time, ordered engrossed and to a third reading.

Assembly Bill No. 158—An Act to amend section two thousand six hundred and fifty-three of the Political Code, relating to the levy of road tax.

Read second time, ordered engrossed and to a third reading.

Assembly Bill No. 276—An Act entitled an Act to amend section two thousand six hundred and eighty-four of the Political Code.

Passed on file, on motion of Mr. Bledsoe.

Assembly Bill No. 334—An Act to amend "An Act to establish a uniform system of county and township governments," approved March 31, 1891, relative to county supplies, printing, and advertisements.

Read second time.

Mr. Alford moved that the bill be recommitted to the Committee on County and Township Governments.

So ordered.

LEAVE OF ABSENCE.

Mr. Johnson of Santa Clara was granted leave of absence for the day.

SECOND READING OF BILLS—(RESUMED).

Assembly Bill No. 114—An Act to provide for the organization, incorporation, and government of towns.

Read second time.

Mr. Simpson moved to amend section thirty-three, as follows:

On line fourteen strike out the word "on," and insert the word "at;" and also strike out lines fifteen, sixteen, and seventeen of said section thirty-three, and insert in lieu thereof the following. "time of the expiration of the longest term of office for which any of the city officers shall have been elected, or prior thereto, if the affairs of the old incorporation shall have been settled up, and all its officers shall have resigned their respective offices; *provided*, that all officers elected between the date of the election at which a change of incorporation is decided upon shall hold office only for the same time as the hold-over officers who may have previously been elected for a longer term than two years"

Adopted.

Bill ordered engrossed and to a third reading.

Assembly Bill No. 115—An Act to amend section four thousand two hundred and thirty-four of the Political Code of the State of California, relating to the books of records to be procured and kept by the County Recorder.

Mr. Duckworth moved that the bill be recommitted to the Committee on County and Township Governments.

So ordered.

Assembly Bill No. 270—An Act to establish a Naval Battalion, to be attached to the National Guard of California.

Read second time, ordered engrossed and to a third reading.

Senate Bill No. 279—An Act to amend the Civil Code by adding to part four, division one, a new title, providing for the consolidation of colleges and institutions of higher education.

Read second time, and ordered to a third reading.

Assembly Bill No. 189—An Act to amend section one thousand two hundred and eighteen of an Act entitled "An Act to establish a Code of Civil Procedure of the State of California," approved March 11, 1872, relating to contempt of Court and punishment thereof.

Read second time.

Mr. Durst moved to amend by striking out of section one, line nine, the word "five," and insert the following: "two."

RECESS.

Pending consideration of the amendment, the hour of recess having arrived, the Speaker pro tem. declared recess until two o'clock P. M.

REASSEMBLED.

The Assembly reassembled at two o'clock P. M.

Speaker Gould in the chair.

Quorum present.

Mr. Lynch in the chair.

RESOLUTION.

By Mr. Finlayson:

Resolved, That R. B Nathan be and is hereby appointed Assistant Engrossing Clerk, to assist the Engrossing Clerk, at the same per diem as is now paid to the other clerks, payable out of the Contingent Fund of the Assembly

Referred to Committee on Attachés and Employés.

MOTION.

Mr. Shanahan moved that the special order set for this hour, the consideration of Assembly Bill No. 8, be postponed thirty minutes.

So ordered.

LEAVE OF ABSENCE.

Mr. Buckley was granted leave of absence for the afternoon.

INTRODUCTION OF BILLS.

The following bills were introduced, read by title, and referred to committees, as follows:

By Mr. Casterline: Assembly Bill No. 664—An Act to amend sections six and eight of an Act approved March 19, 1889, entitled "An Act authorizing the incurring of indebtedness by cities, towns, and municipal corporations incorporated under the laws of this State for the construction of waterworks, sewers, and all necessary public improvements, or for any purpose whatever, and to repeal the Act approved March 9, 1885, entitled 'An Act to authorize municipal corporations of the fifth class, containing more than three thousand and less than ten thousand inhabitants, to obtain waterworks;' also, to repeal an Act approved March 15, 1887, entitled 'An Act authorizing the incurring of indebtedness by cities, towns, and municipal corporations incorporated under the laws of this State.'"

Referred to Committee on Municipal Corporations.

By Mr. Tindall: Assembly Bill No. 665—An Act to pay the claim of A. J. Bourn against the State of California, and making an appropriation therefor.

Referred to Committee on Claims.

By Mr. Mack: Assembly Bill No. 666—An Act supplemental to an Act entitled "An Act to provide for the organization and government of irrigation districts, and to provide for the acquisition of water and other property, and for the distribution of water thereby for irrigation purposes," approved March 7, 1887, providing for the abandonment of operations by irrigation districts, and for their disorganization upon the discharge of all outstanding obligations.

Referred to Committee on Irrigation.

Also: Assembly Bill No. 667—An Act to amend section one thousand five hundred and sixty-one of the Political Code, relating to the holding of Teachers' Institutes.

Referred to Committee on Education.

By Mr. Schlesinger: Assembly Bill No. 668—An Act to enable railroad companies to complete their railroads.

Referred to Committee on Corporations.

By Mr. Duckworth: Assembly Bill No. 669—An Act to provide for

the appointment of a Board of Colton Hall Trustees, and for the acquisition of the Colton Hall property, and providing for an appropriation for the preservation, protection, and improvement of said property.

Referred to Committee on Public Buildings and Grounds.

By Mr. Kahn: Assembly Bill No. 670—An Act to repeal an Act entitled "An Act to establish and support a Bureau of Labor Statistics," approved March 3, 1883.

Referred to Committee on Labor and Capital.

MOTION.

Mr. Pendleton moved that the special order set for this hour, the consideration of Assembly Bill No. 312, be postponed until after the consideration of Assembly Bill No. 189.

So ordered.

ASSEMBLY BILL No 189.

The question recurred on the pending amendment offered by Mr. Durst to Assembly Bill No. 189—An Act to amend section one thousand two hundred and eighteen of an Act entitled "An Act to establish a Code of Civil Procedure of the State of California," approved March 11, 1872, relating to contempt of Court and punishment thereof.

Speaker Gould in the chair.

The ayes and noes were demanded by Messrs. Owen, Anderson, and Alford.

The roll was called, and the amendment lost by the following vote:

AYES—Messrs. Anderson, Barker, Barlow, Bennett of Santa Clara, Bennett of Orange, Casterline, Drees, Durst, Jacobs, Owen, Taylor, Vann, Wade, and Mr. Speaker—14.

NOES—Messrs. Alford, Androus, Blakeley, Bledsoe, Bulla, Burke, Conway, Curtis, Cusick, Dodge, Emeric, Finlayson, Gallagher, Gateley, Hurley, Hutson, Jacobsen, Johnson of Humboldt, Johnson of Santa Clara, Kennedy, Kahn, Kerns, LaRue, Luttringer, Lynch, McCauley, McElroy, McGowan, Mack, Marston, Matthews of San Benito, Miller, Mordecai, Pendleton, Perkins, Raw, Sargent, Schlesinger, Shanahan, Simpson, Sims, Standart, Taggart, Talbott, Thomas of Nevada, and Tindall—46.

MOTION.

Mr. Thomas moved to strike out the enacting clause.

The ayes and noes were demanded by Messrs. Owen, Jacobs, and Vann.

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

AYES—Messrs. Alford, Androus, Blakeley, Bledsoe, Bulla, Burke, Conway, Curtis, Cusick, Dodge, Drees, Emeric, Finlayson, Gately, Hurley, Hutson, Jacobsen, Johnson of Humboldt, Johnson of Santa Clara, Kahn, Kerns, LaRue, Luttringer, McCauley, McElroy, Mack, Marston, Mordecai, O'Neill, Pendleton, Raw, Sargent, Schlesinger Schroebel, Shanahan, Sims, Standart, Taggart, Taylor, Thomas of Nevada, Tindall, and Mr Speaker—42

NOES—Messrs. Anderson, Barker, Barlow, Bennett of Santa Clara, Bennett of Orange, Casterline, Durst, Jacobs, McGowan, Miller, Owen, Perkins, Simpson, Talbott, Vann, and Wade—16

REPORT OF STANDING COMMITTEE.

ON COUNTIES AND COUNTY BOUNDARIES.

ASSEMBLY CHAMBER, SACRAMENTO, February 6, 1893

MR SPEAKER. Your Committee on Counties and County Boundaries, to whom was referred Assembly Bill No 280—An Act to form San Antonio County, classify it, define its boundaries, provide for its organization and the appointment and election of officers, the location of county seat by election, and the adjustment and fulfillment of certain rights and obligations arising between such new county and certain other counties—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

EMERIC, Chairman.

MOTION.

Mr. Androus moved that Assembly Bill No. 280 be read the first time.

So ordered.

FIRST READING OF BILL.

Assembly Bill No. 280—An Act to form San Antonio County, classify it, define its boundaries, provide for its organization and the appointment and election of officers, the location of county seat by election, and the adjustment and fulfillment of certain rights and obligations arising between such new county and certain other counties.

Read first time, and placed on file for second reading.

REPORT OF STANDING COMMITTEE.

ON COUNTIES AND COUNTY BOUNDARIES.

ASSEMBLY CHAMBER, SACRAMENTO, February 6, 1893.

MR. SPEAKER. Your Committee on Counties and County Boundaries, to whom was referred Assembly Bill No. 130—An Act to form Riverside County, classify it, define its boundaries, provide for its organization, and the appointment, election of officers, the location of the county seat by election, and the adjustment and fulfillment of certain rights and obligations arising between such county and certain other counties—have had the same under consideration, and offer a committee substitute, and respectfully recommend the passage of the substitute.

EMERIC, Chairman.

MOTION.

Mr. Barker moved that Assembly Bill No. 130 be read the first time.

The ayes and noes were demanded by Messrs. Curtis, Lynch, and Alford.

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

AYES—Messrs. Anderson, Androus, Barker, Barlow, Bennett of Orange, Blakeley, Bulla, Burke, Casterline, Conway, Curtis, Cusick, Dodge, Drees, Duckworth, Durst, Finlayson, Gallagher, Gately, Hutson, Jacobs, Kennedy, Kahn, Kerns, LaRue, Lynch, McGowan, Miller, Mordecai, O'Neill, Owen, Perkins, Raw, Sargent, Schlesinger, Schroebel, Shanahan, Simpson, Sims, Standart, Talbott, Taylor, and Tindall—43.

NOES—Messrs. Alford, Bledsoe, Jacobsen, Johnson of Humboldt, McElroy, Marston, Matthews of San Benito, Pendleton, Taggart, Wade, and Mr. Speaker—11

FIRST READING OF BILL.

Assembly Bill No. 130—An Act to form Riverside County, classify it, define its boundaries, provide for its organization, and the appointment, election of officers, the location of the county seat by election, and the adjustment and fulfillment of certain rights and obligations arising between such county and certain other counties.

Read first time, and placed on file for second reading.

REPORT OF STANDING COMMITTEE.

ON COUNTIES AND COUNTY BOUNDARIES.

ASSEMBLY CHAMBER, SACRAMENTO, February 6, 1893.

MR SPEAKER: Your Committee on Counties and County Boundaries, to whom was referred Assembly Bill No. 515—An Act to create the county of San Jacinto, to define the boundaries thereof, to provide for its organization, and to determine the location of the county seat by election.

Also Assembly Bill No. 25—An Act to create the county of Buena Vista, to establish the boundaries thereof, to determine the county seat, and to provide for its organization and election of officers

Have had the same under consideration, and respectfully report the same back, and recommend that they do not pass.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, February 4, 1893.

MR. SPEAKER: Your Committee on Counties and County Boundaries, to whom was referred Assembly Bill No. 24—An Act to create the county of Putnam, to establish the boundaries thereof, to determine the county seat, and to provide for its organization and election of officers—have had the same under consideration, and respectfully report the same back, and we, a majority of the committee, recommend that it do not pass.

EMERIC.
PUESCHEL.
VANN.
BENNETT.

We, a minority of the committee, have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

LUTTRINGER.
TAYLOR.

[Mr. Mack excused from voting.]

Also: Assembly Bill No 239—An Act to create the county of Kings, to define the boundaries thereof, to fix the county seat thereof, and to provide for its organization and election of officers, and to classify said county—have had the same under consideration, and respectfully report the same back without recommendation, as amended.

EMERIC, Chairman.

MOTION.

Mr. Blakeley moved that Assembly Bill No. 239 be read the first time.

So ordered.

FIRST READING OF BILL.

Assembly Bill No. 239—An Act to create the county of Kings, to define the boundaries thereof, to fix the county seat thereof, and to provide for its organization and election of officers, and to classify said county.

Read first time, and placed on file for second reading.

REPORTS OF STANDING COMMITTEES.

ON ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, February 6, 1893.

MR. SPEAKER: Your Committee on Enrollment beg leave to report that Assembly Bill No. 587 has been properly enrolled, and was presented to the Governor this day at two o'clock and fifty minutes P. M.

O'NEILL, Chairman.

ON AGRICULTURE.

ASSEMBLY CHAMBER, SACRAMENTO, February 6, 1893.

MR. SPEAKER. Your Committee on Agriculture, to whom was referred Assembly Bill No. 613—An Act to amend an Act entitled "An Act to protect agriculture, and to prevent the trespassing of animals upon private property," approved March 22, 1872—have had the same under consideration, and respectfully report the same back, and recommend that the accompanying bill be substituted therefor

LaRUE, Chairman.

COMMUNICATION.

The Speaker had read a communication from P. B. Gallagher, of San Francisco, relative to the San Francisco Police Commission.

Referred to Committee on Judiciary.

SPECIAL ORDERS.

Mr. Shanahan moved that the special order set for this hour, the consideration of Assembly Bill No. 8—An Act to promote the purity of elections by regulating the conduct thereof, and to support the privilege of free suffrage by prohibiting certain acts and practices in relation thereto, and providing for the punishment thereof—be postponed until to-morrow at two o'clock P. M.

So ordered.

Assembly Bill No. 312—An Act appropriating money to pay for the removal, refurnishing of rooms, and repair of furniture for Supreme Court in city of Los Angeles.

Read third time, and passed by the following vote:

AYES—Messrs. Alford, Anderson, Androus, Barker, Barlow, Bennett of Orange, Blakeley, Bledsoe, Bulla, Burke, Casterline, Conway, Curtis, Cusick, Dodge, Drees, Duckworth, Durst, Finlayson, Gallagher, Gately, Hurley, Hutson, Jacobs, Johnson of Humboldt, Johnson of Santa Clara, Kennedy, Kahn, Kerns, LaRue, Lynch, McCauley, McGowan, Marston, Matthews of San Benito, Miller, Mordecai, Owen, Pendleton, Perkins, Raw, Sargent, Schlesinger, Schroebel, Shanahan, Simpson, Sims, Standart, Taggart, Talbott, Thomas of Nevada, Tindall, Wade, and Mr. Speaker—54.

NOES—None.

Title read and approved.

MOTION.

Mr. Pendleton moved that the bill be immediately transmitted to the Senate.

So ordered.

LEAVE OF ABSENCE.

The Committee on Constitutional Amendments was granted leave to sit during the remainder of the afternoon.

SECOND READING OF BILLS.

Assembly Bill No. 162—An Act to add a new section to the Code of Civil Procedure of California, to be known as section one thousand six hundred and nineteen, relating to the commissions of the executor, or the administrator, with the will annexed, in cases where the administration is, by the terms of the will, and, in consequence thereof, extended beyond four years.

Read second time.

Mr. Bulla moved to amend by prefixing to section one, line three, the words following:

If the administration of any estate cannot be closed within one year from the issuance of letters testamentary or of administration, the Court may allow to the executor or administrator, upon the settlement of each annual account, such portion of the commissions of such executor or administrator as the Court may deem just and reasonable for the services rendered up to the time of filing such annual account; *provided*, that such allowances shall not exceed in the aggregate one half of the total commissions to which such executor or administrator may be entitled upon the final settlement of the estate.

Adopted.

Bill ordered engrossed and to a third reading.

MOTION.

Mr. McCauley moved to take up Senate messages.

So ordered.

MESSAGE FROM THE SENATE.

SENATE CHAMBER, SACRAMENTO, February 6, 1893.

MR SPEAKER I am directed to inform your honorable body that the Senate, on the third day of February, passed Senate Joint Resolution No. 20 of the Legislature of the State of California—Relative to the classification of clerks in first and second class Post Offices, and fixing the salaries of the same.

Also, Senate Bill No. 6—An Act to appropriate twenty-five thousand dollars for the purchase of a site for and the erection of a State Hospital for Lepers

Also: Senate Bill No 274—An Act to amend sections one thousand nine hundred and twelve, one thousand nine hundred and forty-two, one thousand nine hundred and fifty-nine, one thousand nine hundred and seventy-three, one thousand nine hundred and eighty-two, one thousand nine hundred and eighty-four, one thousand nine hundred and ninety, one thousand nine hundred and ninety-two, two thousand and three, two thousand and four, two thousand and twenty-seven, and two thousand and ninety-four, and to add three new sections, to be known as one thousand nine hundred and twenty-three, one thousand nine hundred and forty-five, and one thousand nine hundred and eighty-one, all of the Political Code of the State of California, and relating to the National Guard.

F. J. BRANDON, Secretary.
By R. SHAW, Assistant.

MOTION.

Mr. Kahn moved that Senate Joint Resolution No. 20 be now considered.

So ordered.

SENATE JOINT RESOLUTION.

Senate Joint Resolution No. 20—Relative to the classification of clerks in first and second class Post Offices, and fixing the salaries of the same.

Read, and adopted by the following vote:

AYES—Messrs. Alford, Anderson, Androus, Barker, Barlow, Bennett of Orange, Bledsoe, Brownlie, Bulla, Burke, Casterline, Conway, Cusick, Dodge, Drees, Duckworth, Durst, Finlayson, Gately, Hurley, Hutson, Jacobs, Jacobsen, Johnson of Humboldt, Johnson of Santa Clara, Kennedy, Kahn, Kerns, McCauley, McElroy, McGowan, Marston, Miller, Mordecai, O'Neill, Owen, Perkins, Raw, Sargent, Schroebel, Shanahan, Simpson, Sims, Standart, Talbott, Tindall, Wade, and Mr. Speaker—48.

NOES—None.

SENATE BILLS REFERRED.

Senate Bill No. 6 referred to Committee on State Hospitals.

Senate Bill No. 274 referred to Committee on Ways and Means, on motion of Mr. McCauley.

SECOND READING OF BILLS.

Assembly Bill No. 271—An Act to amend sections seven hundred and seventy-eight and seven hundred and eighty-two of the Political Code of the State of California, relating to the printing and sale of the reports of the Supreme Court of the said State of California, and to repeal sections seven hundred and seventy-nine, seven hundred and eighty, and seven hundred and eighty-one of said Political Code.

Read second time, ordered engrossed and to a third reading.

Assembly Bill No. 143—An Act to regulate the rate of interest in this State.

Read second time.

Committee amendments, as follows:

In the printed bill, line eight of section six, after the word "entire" insert "interest," and strike out the word "debt."

Adopted.

On line ten of section six, after the word "original," insert the words "interest due on the," and strike out the words "without interest."

Adopted.

On line twelve, section six, strike out the words "and against the plaintiff for costs of suit."

Adopted.

Mr. Bledsoe moved to amend by striking out all of section five.

Adopted.

Mr. Bledsoe moved to amend by renumbering sections six, seven, eight, and nine, and making them read, sections five, six, seven, and eight.

Adopted.

Bill ordered engrossed and to a third reading.

INTRODUCTION OF BILLS.

The following bills were introduced, read by title, and referred to committees, as follows:

By Mr. Schlesinger: Assembly Bill No. 671—An Act to authorize and empower the Board of Supervisors of any city, or city and county, having more than one hundred thousand inhabitants, to close up, and cause to be closed up, any city cemetery or cemeteries, and to purchase another cemetery or cemeteries.

Referred to Committee on Municipal Corporations.

By Mr. Kennedy: Assembly Bill No. 672—An Act to provide for furnishing assistants to the Coroner of each city, or city and county, having one hundred thousand or more inhabitants, and providing the mode in which such assistants shall be appointed and designated, and establishing the compensation and prescribing the duties of such assistants.

Referred to Committee on Municipal Corporations.

By Mr. Pendleton: Assembly Bill No. 673—An Act to amend section seven hundred and seventeen of an Act entitled "An Act to establish a Civil Code," approved March 21, 1872, relating to leases on agricultural lands.

Referred to Committee on Agriculture.

REPORT OF STANDING COMMITTEE.

ON FEDERAL RELATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, February 6, 1893.

MR. SPEAKER: Your Committee on Federal Relations, to whom was referred Senate Joint Resolution No. 16—Relative to annexation of Hawaiian Islands—have had the same under consideration, and respectfully report the same back, and recommend that the same be adopted.

SIMS, Chairman.

SECOND READING OF BILLS.

Assembly Bill No. 82—An Act to amend sections one thousand three hundred and three, one thousand three hundred and twenty-three, one thousand three hundred and sixty-five, one thousand three hundred and eighty-eight, one thousand four hundred and thirty-nine, one thousand five hundred and sixteen, one thousand five hundred and seventeen, one thousand five hundred and thirty-six, one thousand five hundred and forty-five, one thousand five hundred and forty-seven, 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 fifty-two, one thousand five hundred and fifty-three, one thousand five hundred and fifty-four, one thousand five hundred and fifty-seven, one thousand five hundred and fifty-eight, one thousand five hundred and sixty-five, one thousand five hundred and ninety-two, one thousand five hundred and ninety-seven, one thousand five hundred and ninety-eight, one thousand five hundred and ninety-nine, and one thousand six hundred and eighteen, and to repeal sections one thousand five hundred and eighteen, one thousand five hundred and nineteen, one thousand five hundred and twenty-two, one thousand five hundred and twenty-three, one thousand five hundred and twenty-four, 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-three, one thousand five hundred and thirty-seven, one thousand five hundred and thirty-eight, one thousand five hundred and thirty-nine, one thousand five hundred and forty, one thousand five hundred and forty-one, one thousand five hundred and forty-two, one thousand five hundred and forty-three, one thousand five hundred and forty-four, one thousand five hundred and forty-nine, and one thousand five hundred and fifty-six, and to add four new sections, to be known and designated as sections one thousand five hundred and forty-six, one thousand five hundred and fifty-four and one half, one thousand five hundred and ninety-two, and one thousand five hundred and ninety-seven and one half of an Act of the Legislature of the State of California entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1873, all relating to estates of deceased persons.

Read second time.

Mr. Kennedy moved to amend by striking out all of section three.

The ayes and noes were demanded by Messrs. Kennedy, Schlesinger, and Miller.

The roll was called, and the amendment lost by the following vote:

AYES—Messrs Drees, Gallagher, Hutson, LaRue, Luttringer, Marston, and Shanahan—7.
NOES—Messrs. Alford, Anderson, Androus, Barker, Barlow, Bennett of Santa Clara, Bennett of Orange, Bledsoe, Burke, Casterline, Conway, Cusick, Dodge, Duckworth, Durst, Finlayson, Hurley, Jacobs, Jacobsen, Johnson of Humboldt, Johnson of Santa Clara, Kennedy, Kahn, Kerns, McCauley, McElroy, McGowan, Matthews of San Benito, Miller, Mordecai, O'Neill, Owen, Pendleton, Perkins, Raw, Sargent, Schlesinger, Schroebel, Simpson, Sims, Standart, Taggart, Talbott, Taylor, Tindall, Vann, Wade, and Mr. Speaker—48.

ADJOURNMENT.

At five o'clock P. M., on motion of Mr. Hurley, the Assembly adjourned.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Tuesday, February 7, 1893.

The Assembly met pursuant to adjournment.

Speaker Gould in the chair.

The roll was called, and the following members answered to their names:

Messrs. Alford, Anderson, Androus, Barker, Barlow, Bennett of Santa Clara, Bennett of Orange, Blakeley, Bledsoe, Boyce, Bretz, Brownlie, Bulla, Burke, Carlson, Casterline, Chipman, Conway, Curtis, Cusick, Dodge, Drees, Duckworth, Durst, Emeric, Finlayson, Gallagher, Gately, Godchaux, Hurley, Hutson, Jacobs, Jacobsen, Johnson of Humboldt, Johnson of Santa Clara, Kahn, Kerns, LaRue, Luttringer, Lynch, McCauley, McElroy, McGowan, Mack, Marks, Marston, Mathews of Tehama, Matthews of San Benito, Miller, Mordecai, O'Neill, Owen, Pendleton, Perkins, Raw, Sargent, Schlesinger, Schroebel, Shanahan, Simpson, Sims, Standart, Taggart, Talbott, Taylor, Thomas of Nevada, Thomas of Santa Clara, Tindall, Vann, Wade, and Mr. Speaker.

Quorum present.

LEAVE OF ABSENCE.

Mr. Duffy was granted leave of absence for the day.

PRAYER.

Prayer by the Chaplain, Rev. H. W. Conry.

READING AND APPROVAL OF THE JOURNAL.

Pending the reading of the Journal of yesterday, Mr. Casterline moved that the further reading be dispensed with.

So ordered.

Journal of Saturday, February 4th, approved.

PETITION.

By Mr. Talbott: From citizens of Santa Barbara County, favoring the creation of San Ynez County.

Referred to Committee on Counties and County Boundaries.

SPECIAL ORDER.

Assembly Joint Resolution No. 4—Relating to the free and unlimited coinage of silver.

Read.

Mr. Bulla moved to amend by inserting the following:

"Produced within the United States," after the word "silver," in line four, page two.

PREVIOUS QUESTION.

Mr. Simpson moved the previous question, seconded by Messrs. Kahn and Bennett of Santa Clara.

The question being, "Shall the main question be now put?" it was so ordered.

The question recurring on the amendment, it was lost.

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

AYES—Messrs. Alford, Barlow, Bennett of Orange, Bretz, Cusick, Duckworth, Durst, Emeric, Finlayson, Gallagher, Gately, Hurley, Hutson, Jacobsen, Johnson of Santa Clara, Kahn, Kerns, LaRue, Luttringer, Lynch, Marston, McCauley, McElroy, McGowan, Mack, Matthews of San Benito, Owen, Pendleton, Perkins, Schlesinger, Schroebel, Shanahan, Taylor, Thomas of Santa Clara, and Vann—35.

NOES—Messrs. Barker, Bennett of Santa Clara, Bledsoe, Bulla, Casterline, Conway, Curtis, Dodge, Drees, Jacobs, Mordecai, O'Neill, Sargent, Simpson, Taggart, Talbott, Tindall, Wade, and Mr. Speaker—19.

NOTICE OF RECONSIDERATION.

Mr. Jacobsen gave notice that on the next legislative day he will move a reconsideration of the vote whereby Assembly Joint Resolution No. 4 was refused adoption.

REPORTS OF STANDING COMMITTEES.

ON ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, February 7, 1893.

MR. SPEAKER: Your Committee on Enrollment beg leave to report that Assembly Bill No. 553 has been properly enrolled, and was presented to the Governor at three o'clock and forty minutes P. M., February 6th.

O'NEILL, Chairman.

ON WAYS AND MEANS.

ASSEMBLY CHAMBER, SACRAMENTO, February 6, 1893.

MR SPEAKER: Your Committee on Ways and Means, to whom was referred Assembly Bill No. 467—An Act to create a special commission for the purpose of examining and reporting to the thirty-first session of the Legislature on the Torrens Land Transfer Act of Australia, and to appropriate money therefor—have had the same under consideration, and respectfully recommend its passage.

W. P. MATHEWS, Chairman.

ON CONSTITUTIONAL AMENDMENTS.

ASSEMBLY CHAMBER, SACRAMENTO, February 7, 1893.

MR. SPEAKER: Your Committee on Constitutional Amendments, to whom was referred Assembly Constitutional Amendment No 20—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, amending section one of article four thereof, relative to the legislative department—have had the same under consideration, and respectfully report the same back, and recommend that the author be permitted to withdraw the same.

Also: Assembly Constitutional Amendment No. 18—A resolution to propose to the people of the State of California an amendment to section three of article eleven of the Constitution of the State of California—have had the same under consideration, and respectfully report the same back, and recommend that it do not pass.

Also. Assembly Constitutional Amendment No. 15—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, amending sections one and nine, and repealing sections four and five of article thirteen thereof, relative to revenue and taxation—have had the same under consideration, and respectfully report the same back, and recommend that it be re-referred to the Judiciary Committee.

SCHLESINGER, Chairman.

Assembly Constitutional Amendment No. 15 re-referred to Committee on Judiciary.

ON CORPORATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, February 7, 1893.

MR. SPEAKER: Your Committee on Corporations, to whom was referred Assembly Bill No. 19—An Act to amend an Act entitled "An Act to establish a Civil Code," by adding a new section thereto, to be numbered four hundred and thirty-two, relating to fire and marine insurance

Also: Assembly Bill No. 425—An Act to define express companies, and to prescribe the mode of taxing the same, and to fix the rate of taxation thereon.

Also: Assembly Bill No. 629—An Act authorizing the formation of county mutual insurance companies, regulating the transaction of their business, and defining the duties of the officers thereof.

Have had the same under consideration, and respectfully report the same back, and recommend that they do not pass.

Also: Assembly Bill No. 410—An Act to amend section two thousand one hundred and sixty-eight of the Civil Code, relating to common carriers.

Also: Assembly Bill No. 612—An Act to amend section six hundred and thirty-three of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relative to conditions precedent to right to act as insurance agent or solicitor.

Also: Assembly Bill No. 357—An Act regulating the quality of illuminating gas manufactured and sold by any corporation or person, and fixing a forfeiture for failure to comply with the provisions of this Act.

Also: Assembly Bill No. 378—An Act to amend section five hundred and forty-one of the Civil Code, relative to telegraph corporations

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass

Also: Assembly Constitutional Amendment No. 4—Proposed amendment to article thirteen of the Constitution, relative to a Board of Railroad Commissioners—have had the same under consideration, and respectfully report the same back without recommendation

Also: Assembly Bill No 413—An Act providing that gas and telegraph companies shall be assessed and taxed on the value of deposits received on meters by gas companies, and senders and receivers by telegraph companies

Also: Assembly Bill No. 618—An Act to amend article two of chapter two of title seven of an Act entitled "An Act to establish a Civil Code of the State of California," approved March 21, 1872, relating to common carriers of persons.

Have had the same under consideration, and, having amended the same, respectfully report the same back, and recommend that they do pass as amended.

ALFORD, Chairman.

ON CLAIMS.

ASSEMBLY CHAMBER, SACRAMENTO, February 7, 1893

MR. SPEAKER: Your Committee on Claims, to whom was referred Assembly Bill No. 579—An Act to appropriate the sum of two hundred and fifty-six dollars and fifty-four cents, to pay the claim of John M. Creed, for the construction of a sewer along Dwight Way, in front of the lands of the Deaf and Dumb Asylum of Berkeley, California, which work was performed and material furnished under a contract with George Schmidt, Superintendent of Streets of the town of Berkeley, his authority having been acquired under the general street law of this State.

Also: Assembly Bill No 654—An Act making an appropriation to pay the claim of Major José Ramon Pico, for expenses incurrred in recruiting and maintaining military companies

Also: Assembly Bill No. 375—An Act to pay the claim of A. L. Wood, for the arrest of Francisco Torres, charged with the crime of murder

Also. Assembly Bill No. 640—An Act entitled an Act to appropriate money to pay the claim of Patrick Begley, for the construction of a sewer along Dwight Way in front of the lands of the Deaf and Dumb Asylum of Berkeley, California, which work was performed and material furnished under a contract with George Schmidt, Superintendent of Streets of the town of Berkeley, his authority having been acquired under the general street law of this State, and approved by the State Board of Examiners

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass

Also: Assembly Bill No. 390—An Act to provide for the payment of the per diem of the members and attachés of the Constitutional Convention—have had the same under consideration, and respectfully report the same back, and recommend that it do not pass

BURKE, Chairman.

Assembly Bills Nos. 654, 375, 579, 640, and 390 re-referred to Committee on Ways and Means.

ON COUNTIES AND COUNTY BOUNDARIES

ASSEMBLY CHAMBER, SACRAMENTO, February 6, 1893.

MR. SPEAKER: Your Committee on Counties and County Boundaries, to whom was referred Assembly Bill No 154—An Act to create the county of Madera, to define the boundaries thereof, to determine the county seat, and provide for its organization and election of officers, and to classify said county—we, a majority of the committee, have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

MACK
TAYLOR.
LUTTRINGER.

We, a minority of the committee, have had the same under consideration, and respectfully report the same back, and recommend that it do not pass as amended.

VANN.
EMERIC.

MOTION.

Mr. Mordecai moved that Assembly Bill No. 154 be read the first time.

So ordered.

FIRST READING OF BILL.

Assembly Bill No. 154—An Act to create the county of Madera, to define the boundaries thereof, to determine the county seat, and to provide for its organization and election of officers, and to classify said county.

Read first time, and placed on file for second reading.

CALL OF THE HOUSE.

Mr. Dodge moved a call of the House, seconded by Messrs. Bulla and Androus.

So ordered.

The roll was called, and the following members answered to their names:

Messrs. Alford, Anderson, Androus, Barker, Barlow, Bennett of Santa Clara, Bennett of Orange, Bledsoe, Bretz, Bulla, Burke, Casterline, Conway, Curtis, Cusick, Dodge, Duckworth, Durst, Emeric, Finlayson, Gallagher, Gately, Hurley, Hutson, Jacobs, Jacobsen, Johnson of Humboldt, Johnson of Santa Clara, Kahn, Kerns, Luttringer, Lynch, McCauley, McElroy, McGowan, Mack, Marston, Matthews of San Benito, Miller, Mordecai, O'Neill, Owen, Pendleton, Perkins, Raw, Sargent, Schlesinger, Schroebel, Shanahan, Simpson, Sims, Standart, Taggart, Talbott, Taylor, Thomas of Nevada, Thomas of Santa Clara, Tindall, Vann, Wade, and Mr. Speaker.

Mr. Anderson moved that further proceedings under the call of the House be dispensed with.

So ordered.

RECONSIDERATION.

Mr. Dodge moved to reconsider the vote whereby Senate Bill No. 24—An Act to provide one additional Judge of the Superior Court of the county of Alameda—was refused passage.

So ordered.

SENATE BILL No. 24.

The roll was called, and Senate Bill No. 24—An Act to provide one additional Judge of the Superior Court of the county of Alameda—passed by the following vote:

AYES—Messrs. Alford, Anderson, Androus, Barker, Barlow, Bennett of Santa Clara, Bennett of Orange, Bledsoe, Bretz, Bulla, Burke, Casterline, Conway, Curtis, Cusick, Dodge, Drees, Duckworth, Durst, Emeric, Finlayson, Gallagher, Gately, Hurley, Hutson, Jacobs, Jacobsen, Johnson of Humboldt, Johnson of Santa Clara, Kahn, Kerns, LaRue, Luttringer, Lynch, McCauley, McElroy, McGowan, Mack, Marston, Matthews of San Benito, Miller, Mordecai, O'Neill, Owen, Pendleton, Perkins, Raw, Sargent, Schlesinger, Schroebel, Shanahan, Simpson, Sims, Standart, Taggart, Talbott, Taylor, Thomas of Nevada, Thomas of Santa Clara, Tindall, Vann, Wade, and Mr. Speaker—63.

NOES—None.

Title read and approved.

MOTION.

Mr. Dodge moved that the bill be immediately transmitted to the Senate.

So ordered.

REPORTS OF STANDING COMMITTEES.

ON ELECTIONS AND PRIVILEGES.

ASSEMBLY CHAMBER, SACRAMENTO, February 7, 1893.

MR. SPEAKER: Your Committee on Elections and Privileges, to whom was referred the election case of Armand Decourtieux, contestant, vs James McGowan, contestee—have had the same under consideration, have examined the testimony carefully, and most respectfully report the same back, and recommend that James McGowan, the contestee, who was legally elected a member of this Assembly, be allowed to retain his seat as a member of this Assembly.

TINDALL, Chairman.

ON PUBLIC MORALS.

ASSEMBLY CHAMBER, SACRAMENTO, February 7, 1893.

MR. SPEAKER: Your Committee on Public Morals, to whom was referred Assembly Bill No. 439—An Act to provide for the care and treatment of inebriates, acute insane persons, and victims of opium or other drug habits—have had the same under consideration, and respectfully report the same back, and recommend that it do not pass.

BLEDSOE, Chairman.

ON COUNTY AND TOWNSHIP GOVERNMENTS.

ASSEMBLY CHAMBER, SACRAMENTO, February 7, 1893.

MR. SPEAKER: Your Committee on County and Township Governments, to whom was referred Assembly Bill No. 365—An Act to provide for the transfer of certain moneys from one county to another, when a new county has been formed and organized.

Also. Assembly Bill No. 13—An Act for the relief of county officers.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

Also. Assembly Bill No. 44—An Act to provide for the publication of monthly statements by the Auditor, of county indebtedness—have had the same under consideration, and respectfully report the same back, and recommend that it do not pass.

SCHROEBEL, Chairman.

ADOPTION OF REPORT.

Mr. Raw moved the adoption of the report of the Committee on Elections and Privileges.

Report adopted.

MESSAGE FROM THE SENATE.

SENATE CHAMBER, SACRAMENTO, February 6, 1893.

MR. SPEAKER: I am directed to inform your honorable body that the Senate, on this day, passed Senate Bill No. 93—An Act to amend sections two and five of "An Act to provide for the maintenance and support of the public parks heretofore created within the various cities, and cities and counties, of the State, and amend the existing Acts in relation thereto," approved March 14, 1889.

F. J. BRANDON, Secretary.
By R. SHAW, Assistant.

MOTION.

Mr. Bulla moved that Senate Bill No. 93 be substituted on the file for Assembly Bill No. 385, and that it be read the first time.

So ordered.

FIRST READING OF BILL.

Senate Bill No. 93—An Act to amend sections two and five of "An Act to provide for the maintenance and support of the public parks

heretofore created within the various cities, and cities and counties, of the State, and amend the existing Acts in relation thereto," approved March 14, 1889.

Read first time, and placed on file for second reading.

MESSAGE FROM THE SENATE.

SENATE CHAMBER, SACRAMENTO, February 7, 1893.

MR. SPEAKER: I am directed to inform your honorable body that the Senate, on the sixth day of February, passed Substitute for Senate Bill No 302—An Act to amend section three thousand eight hundred and eighty-one of the Political Code, relative to errors, etc., on assessment roll, and the corrections thereof.

F. J. BRANDON, Secretary.
By R. SHAW, Assistant.

Substitute for Senate Bill No. 302 referred to Committee on Municipal Corporations.

INTRODUCTION OF BILLS.

The following bills were introduced, read by title, and referred to committees, as follows:

By Mr. Sargent: Assembly Bill No. 674—An Act quitclaiming to the successors in interest of James Bowman all claims of the State of California in that certain tract of land in the City and County of San Francisco known as "Water Lot No. 415," and empowering and directing the Governor to execute a deed of quitclaim therefor to said successors in interest of said James Bowman.

Referred to Committeé on Judiciary.

Also: Assembly Bill No. 675—An Act quitclaiming to the successors in interest of Sallie C. Perry all claims of the State of California in that certain tract of land in the City and County of San Francisco known as "City Slip Lot No. 116," and empowering and directing the Governor to execute a deed of quitclaim therefor to said successors in interest of said Sallie C. Perry.

Referred to Committee on Judiciary.

By Mr. Anderson: Assembly Bill No. 676—An Act to amend section one thousand eight hundred and eighty of the Code of Civil Procedure of the State of California, relating to witnesses.

Referred to Committee on Judiciary.

By Mr. Dodge: Assembly Bill No. 677—An Act appropriating money for the purchase of land for the Industrial Home of Mechanical Trades for the Adult Blind.

Referred to Committee on Hospitals.

By Mr. Finlayson: Assembly Bill No. 678—An Act to cede jurisdiction to the United States over certain lands.

Referred to Committee on Federal Relations.

Also: Assembly Bill No. 679—An Act providing for primary elections in the State of California.

Referred to Committee on Apportionment and Election Laws.

MOTION.

Mr. Sims moved that Senate Joint Resolution No. 16 be taken up out of order, the same being identical with Assembly Joint Resolution No. 16, heretofore adopted by the Assembly, and being now in possession of the Senate committee.

So ordered.

SENATE JOINT RESOLUTION.

Senate Joint Resolution No. 16—Relative to annexation of Hawaiian Islands.

Read, and adopted by the following vote:

AYES—Messrs. Alford, Anderson, Androus, Barker, Barlow, Bennett of Santa Clara, Bennett of Orange, Bledsoe, Bretz, Bulla, Burke, Casterline, Conway, Curtis, Cusick, Dodge, Drees, Duckworth, Emeric, Finlayson, Gallagher, Gately, Hurley, Hutson, Jacobs, Jacobsen, Johnson of Humboldt, Kennedy, Kahn, Kerns, LaRue, Luttringer, Lynch, McCauley, McElroy, Mack, Marston, Matthews of San Benito, Miller, Mordecai, O'Neill, Owen, Pendleton, Perkins, Sargent, Schlesinger, Schroebel, Shanahan, Simpson, Sims, Standart, Taggart, Talbott, Taylor, Thomas of Santa Clara, Tindall, Vann, Wade, and Mr. Speaker—57.

NOES—None.

MOTION.

Mr. Barker offered the following motion:

MR. SPEAKER: The Committee on Counties and County Boundaries, having heretofore reported back to the Assembly Assembly Bill No. 130, known commonly as the "Riverside County Division Bill," with a substitute, and as the bill has been read a first time, and is now upon the second reading file, in order to give the members of the Assembly all the necessary information as regards said substitute, I move that the said substitute, as reported by your committee, be printed and placed upon the members' desks.

So ordered.

ASSEMBLY CONCURRENT RESOLUTION.

By Mr. Androus: Assembly Concurrent Resolution No. 15—Relative to lieu lands in the State of California within the county of Los Angeles, and to an investigation of the conduct of the Surveyor-General concerning the title to the same.

Referred to Committee on Judiciary.

ASSEMBLY CONSTITUTIONAL AMENDMENT.

By Mr. Vann: Assembly Constitutional Amendment No. 27—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, amending article eighteen thereof, relative to amending and revising the Constitution.

Referred to Committee on Constitutional Amendments.

REPORT OF STANDING COMMITTEE.

ON JUDICIARY.

ASSEMBLY CHAMBER, SACRAMENTO, February 7, 1893.

MR. SPEAKER: Your Committee on Judiciary, to whom was referred Assembly Bill No. 408—An Act to amend chapter seven, article ten, section nine hundred and ninety-six of the Political Code, by adding a new division, providing for filling vacancies not otherwise provided for—have had the same under consideration, and respectfully report the same back, and recommend that the substitute therefor, herewith submitted, do pass.

Also: Assembly Bill No. 222—An Act for the relief of Barnaby Dougherty.

Also: Assembly Bill No. 284—An Act for the relief of George Dougherty.

Also Assembly Bill No. 317—An Act for the relief of Patrick Creighton.

Have had the same under consideration, and respectfully report that we find no legal objection to the passage of these bills.

Also Assembly Bill No 237—An Act to amend section three hundred and eighty-five of the Code of Civil Procedure of the State of California, relating to the bringing and continuance of actions and proceedings upon the death or disability of a party or person interested in certain causes of action.

Also: Assembly Bill No. 369—An Act to authorize the Justices of the Supreme Court to appoint a Librarian for said Court, and fixing his salary.

Also: Assembly Bill No 576—An Act to amend section three thousand and forty-six of the Civil Code of the State of California.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass—Assembly Bill No. 369 as amended.

Also Assembly Bill No. 619—An Act to amend an Act entitled "An Act to establish a Civil Code," approved March 21, 1872, by repealing section one thousand and ninety-three thereof, relating to grants by married women—have had the same under consideration, and respectfully report the same back, and recommend that it do not pass.

SHANAHAN, Chairman.

INTRODUCTION OF BILL.

By Mr. Curtis: Assembly Bill No. 680—An Act to provide for holding joint primary elections for all political parties.

Referred to Committee on Apportionment and Election Laws.

ASSEMBLY CONSTITUTIONAL AMENDMENTS.

Assembly Constitutional Amendment No. 12—A resolution proposing to the people of the State of California an amendment to section seventeen, article one, of the Constitution of the State of California.

Mr. Barlow moved to amend by striking out lines five, six, and seven of the printed bill, and inserting in lieu thereof the following:

That such foreigners owning real estate at the time of the adoption of this amendment may remain such owners; *and provided further*, that the Legislature may by statute provide for the disposition of real estate which shall hereafter be acquired by such now resident foreigners by descent or devise.

Mr. Schlesinger moved that the further consideration of Assembly Constitutional Amendment No. 12 be made a special order for to-morrow at three o'clock P. M.

So ordered.

Assembly Constitutional Amendment No. 19—A resolution to propose to the people of the State of California an amendment to section twelve of article thirteen of the Constitution of the State of California.

Passed on file.

Assembly Constitutional Amendment No. 9—Constitutional amendment to propose to the people of the State an amendment to the Constitution of the State, relative to poll tax.

Mr. Anderson moved that the amendment be re-referred to the Committee on Judiciary.

Lost.

The roll was called, and Assembly Constitutional Amendment No. 9 refused adoption by the following vote:

AYES—Messrs. Anderson, Barlow, Bledsoe, Bretz, Buckley, Bulla, Burke, Conway, Cusick, Dodge, Drees, Duckworth, Emeric, Finlayson, Pendleton, and Simpson—16.

NOES—Messrs Alford, Barker, Bennett of Santa Clara, Bennett of Orange, Casterline, Curtis, Durst, Gately, Hurley, Hutson, Jacobs, Jacobsen, Johnson of Humboldt, Johnson of Santa Clara, Kennedy, Kahn, Kerns, LaRue, Luttringer, Lynch, McCauley, McElroy, McGowan, Mack, Marston, Matthews of San Benito, Mordecai, O'Keefe, O'Neill, Owen, Perkins, Raw, Sargent, Schlesinger, Schroebel, Shanahan, Standart, Taggart, Talbott, Thomas of Nevada, Thomas of Santa Clara, Tindall, Vann, Wade, and Mr. Speaker—45

INTRODUCTION OF BILL.

By Mr. Curtis: Assembly Bill No. 681—An Act to provide for the destruction of seals and sea lions, and to authorize a bounty to be given by the State to encourage such destruction to any person who shall kill a seal or sea lion in the waters of the State of California.

Referred to Committee on Fish and Game.

THIRD READING OF BILL.

Assembly Bill No. 185—An Act to amend section three thousand seven hundred and seventy-three of the Political Code, relating to the sale of property for delinquent taxes.

Passed on file, on motion of Mr. Lynch.

SECOND READING OF BILL.

Mr. Bretz moved that Assembly Bill No. 18 be substituted upon the file for Assembly Bill No. 17.

So ordered.

Assembly Bill No. 18—An Act to provide for the incorporation of mutual fire insurance companies, and define their powers and duties.

Read second time.

Mr. Schlesinger moved to amend by striking out the enacting clause.

LEAVE OF ABSENCE.

Mr. Johnson of Santa Clara was granted leave of absence for the afternoon.

RECESS.

Pending consideration of the motion, the hour of recess having arrived, the Speaker pro tem. declared recess until two o'clock P. M.

REASSEMBLED.

The Assembly reassembled at two o'clock P. M.

Speaker Gould in the chair.

Quorum present.

ASSEMBLY BILL No. 18.

The question being upon the pending amendment offered by Mr. Schlesinger, to strike out the enacting clause of Assembly Bill No. 18—An Act to provide for the incorporation of mutual fire insurance companies, and define their powers and duties.

MOTION WITHDRAWN.

Mr. Schlesinger was allowed to withdraw his motion.

MOTION.

Mr. Bretz moved that the further consideration of the bill be passed on file.

So ordered.

APPOINTMENT OF COMMITTEE.

The Speaker appointed Messrs. Sims, Vann, Kerns, Lynch, Bulla, and Buckley, the committee on part of the Assembly to draft resolutions in memory of Hon. E. B. Price.

MOTIONS.

Mr. Shanahan moved that the special order set for this hour, the consideration of Assembly Bill No. 8, be postponed until to-morrow at two o'clock P. M.

So ordered.

Mr. Shanahan moved to take up Governor's message.

So ordered.

MESSAGE FROM THE GOVERNOR.

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA,
SACRAMENTO, February 7, 1893.

To the Assembly of the State of California:

I have the honor to inform your honorable body that I have approved Assembly Bills Nos 587 and 553.

H. H. MARKHAM, Governor.

SPECIAL ORDER.

Assembly Constitutional Amendment No. 21—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, amending section twenty-two of article four thereof, relative to the power of the Legislature to grant aid to corporations.

Read.

Committee amendments, as follows:

AMENDMENT No. 1.

Amend by striking out the following words in lines ten and eleven: "Between the city of San Francisco, California, and the city of Salt Lake, Utah, or the city of Denver, Colorado," and inserting in lieu thereof the following words: "entering this State from any direction, and making the city of San Francisco its terminus therein."

MOTION.

Pending consideration of the amendment, Mr. Duckworth moved to indefinitely postpone the bill.

PREVIOUS QUESTION.

Mr. Bennett of Santa Clara moved the previous question, seconded by Messrs. Schlesinger and Talbott.

The question being, "Shall the main question be now put?" it was so ordered.

Upon the motion to indefinitely postpone, the ayes and noes were demanded by Messrs. Bledsoe, Hurley, and Kahn.

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

AYES—Messrs. Anderson, Barker, Barlow, Bennett of Santa Clara, Bennett of Orange, Blakeley, Bretz, Carlson, Chipman, Duckworth, Durst, Jacobs, Marston, Matthews of San Benito, Miller, Mordecai, Perkins, and Thomas of Santa Clara—18.

NOES—Messrs. Bledsoe, Boyce, Brownlie, Buckley, Bulla, Burke, Casterline, Conway, Curtis, Cusick, Dodge, Drees, Finlayson, Gately, Godchaux, Hurley, Hutson, Jacobsen, Johnson of Humboldt, Kennedy, Kahn, Kerns, Luttringer, Lynch, McCauley, McElroy, McGowan, Mack, Marks, O'Keefe, O'Neill, Owen, Raw, Sargent, Schlesinger, Schroebel, Shanahan, Simpson, Sims, Standart, Taggart, Talbott, Taylor, Thomas of Nevada, Tindall, Vann, Wade, and Mr. Speaker—48.

AMENDMENTS.

The question recurred upon the adoption of Committee Amendment No. 1.

Adopted.

COMMITTEE AMENDMENT No 2

Amend by striking out all of lines sixteen, seventeen, and eighteen of printed bill, and the word "equipment," in line nineteen.

Adopted.

Mr. Duckworth moved to amend by striking out of section twenty-two, lines ten and eleven, the words "San Francisco, California," and inserting the following: "Monterey, California."

Lost.

Mr. Bulla moved to amend by striking out of section twenty-two, line six, the words "provided, etc.," to end of line fifteen of said section.

PREVIOUS QUESTION.

Mr. Schlesinger moved the previous question, seconded by Messrs. Casterline and Kahn.

The question being, "Shall the main question be now put?" it was so ordered.

Mr. Wade in the chair.

Upon the adoption of the amendment, the ayes and noes were demanded by Messrs. Bledsoe, Kahn, and Kennedy.

The roll was called, and the amendment lost by the following vote:

AYES—Messrs. Anderson, Androus, Barlow, Bennett of Santa Clara, Bennett of Orange, Blakeley, Bretz, Bulla, Chipman, Dodge, Duckworth, Durst, Emeric, Finlayson, Jacobsen, Kerns, McElroy, Matthews of San Benito, Miller, O'Neill, Owen, Pendleton, Perkins, Raw, Simpson, Talbott, Thomas of Santa Clara, and Vann—28.

NOES—Messrs. Bledsoe, Boyce, Brownlie, Buckley, Burke, Carlson, Casterline, Conway, Curtis, Cusick, Drees, Gallagher, Gately, Godchaux, Hurley, Hutson, Jacobs, Johnson of Humboldt, Kennedy, Kahn, Luttringer, Lynch, McCauley, McGowan, Mack, Marks, Marston, O'Keefe, Sargent, Schlesinger, Shanahan, Sims, Standart, Taggart, Taylor, and Wade—36.

MOTION.

Mr. Bledsoe moved that the further consideration of Assembly Constitutional Amendment No. 21 be made a special order for Friday, at two o'clock P. M.

So ordered.

RECONSIDERATION.

Mr. Lynch moved to reconsider the vote whereby Senate Bill No. 42 was refused a second reading.

Mr. Matthews of San Benito moved to lay the motion on the table.

The ayes and noes were demanded by Messrs. Matthews of San Benito, Thomas of Santa Clara, and Schlesinger.

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

AYES—Messrs. Barlow, Bennett of Orange, Bledsoe, Boyce, Bretz, Casterline, Drees, Gallagher, Gately, Hutson, Jacobs, Jacobsen, Johnson of Humboldt, McCauley, Marston, Matthews of San Benito, O'Neill, Schlesinger, Schroebel, Shanahan, Sims, Standart, Taggart, Thomas of Santa Clara, Vann, and Wade—26.

NOES—Messrs. Anderson, Androus, Barker, Bennett of Santa Clara, Blakeley, Brownlie, Buckley, Bulla, Burke, Carlson, Chipman, Conway, Curtis, Cusick, Dodge,

Duckworth, Durst, Finlayson, Hurley, Kennedy, Kerns, Luttringer, Lynch, McElroy, McGowan, Mack, Marks, Miller, O'Keefe, Owen, Pendleton, Perkins, Raw, Sargent, Simpson, Talbott, Taylor, and Thomas of Nevada—38.

The question recurred on the motion to reconsider.

So ordered.

SECOND READING OF BILL.

Senate Bill No. 42—An Act to amend section four thousand three hundred and ninety-two of the Political Code of the State of California, relating to the duties of City Treasurers.

Read second time.

Mr. Lynch moved to amend by inserting after line twelve the following:

Provided, however, that in all cases where any money is deposited in any bank, said bank shall execute a bond in double the amount of the total sum so deposited.

Adopted.

Bill ordered to third reading.

The Committees on Public Expenditures and Accounts and Counties and County Boundaries, and Mr. Duckworth were granted leave of absence for the remainder of the afternoon.

SECOND READING OF BILLS.

Assembly Bill No. 262—An Act to amend sections one thousand one hundred and eighty-six, one thousand one hundred and eighty-seven, one thousand one hundred and eighty-eight, one thousand one hundred and ninety, one thousand one hundred and ninety-two, one thousand three hundred and fifty-seven, one thousand three hundred and fifty-eight, one thousand three hundred and fifty-nine, 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 sixty-three, one thousand three hundred and sixty-four, and one thousand three hundred and sixty-five of the Political Code, and to add nineteen new sections thereto, to be numbered one thousand three hundred and sixty-six, one thousand three hundred and sixty-seven, one thousand three hundred and sixty-eight, one thousand three hundred and sixty-nine, one thousand three hundred and seventy, one thousand three hundred and seventy-one, one thousand three hundred and seventy-two, one thousand three hundred and seventy-three, one thousand three hundred and seventy-four, one thousand three hundred and seventy-five, one thousand three hundred and seventy-six, one thousand three hundred and seventy-seven, one thousand three hundred and seventy-eight, one thousand three hundred and seventy-nine, one thousand three hundred and eighty, one thousand three hundred and eighty-one, one thousand three hundred and eighty-two, one thousand three hundred and eighty-three, and one thousand three hundred and eighty-four, all in relation to the conduct of elections in this State.

Passed on file.

Assembly Bill No. 77—An Act to amend section ten of "An Act to create a Police Court in and for the City and County of San Francisco, State of California," approved March 5, 1889.

Passed on file.

Assembly Bill No. 276—An Act entitled an Act to amend section two thousand six hundred and eighty-four of the Political Code.

Passed on file.

Assembly Bill No. 82—An Act to amend sections one thousand three hundred and three, one thousand three hundred and twenty-three, one thousand three hundred and sixty-five, one thousand three hundred and eighty-eight, one thousand four hundred and thirty-nine, one thousand five hundred and sixteen, one thousand five hundred and seventeen, one thousand five hundred and thirty-six, one thousand five hundred and forty-five, one thousand five hundred and forty-seven, 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 fifty-two, one thousand five hundred and fifty-three, one thousand five hundred and fifty-four, one thousand five hundred and fifty-seven, one thousand five hundred and fifty-eight, one thousand five hundred and sixty-five, one thousand five hundred and ninety-two, one thousand five hundred and ninety-seven, one thousand five hundred and ninety-eight, one thousand five hundred and ninety-nine, and one thousand six hundred and eighteen, and to repeal sections one thousand five hundred and eighteen, one thousand five hundred and nineteen, one thousand five hundred and twenty-two, one thousand five hundred and twenty-three, one thousand five hundred and twenty-four, 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-three, one thousand five hundred and thirty-seven, one thousand five hundred and thirty-eight, one thousand five hundred and thirty-nine, one thousand five hundred and forty, one thousand five hundred and forty-one, one thousand five hundred and forty-two, one thousand five hundred and forty-three, one thousand five hundred and forty-four, one thousand five hundred and forty-nine, and one thousand five hundred and fifty-six, and to add four new sections, to be known and designated as sections one thousand five hundred and forty-six, one thousand five hundred and fifty-four and one half, one thousand five hundred and ninety-two, and one thousand five hundred and ninety-seven and one half of an Act of the Legislature of the State of California entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1873, all relating to estates of deceased persons.

Read second time, ordered engrossed and to a third reading.

Assembly Bill No. 83—An Act to amend sections one thousand seven hundred and sixty-eight, one thousand seven hundred and seventy, one thousand seven hundred and seventy-seven, one thousand seven hundred and eighty-eight, and one thousand seven hundred and eighty-nine, and repealing sections one thousand seven hundred and seventy-eight, 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-six, and one thousand seven hundred and eighty-seven of an Act of the Legislature of the State of California entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1873, all relating to the guardianship of the persons and estates of minors and incompetents, and adding a new section to said Code of Civil Procedure, to be known and designated

as section one thousand seven hundred and seventy-one and one half, also relating to the guardianship of the persons and estates of minors and incompetents.

Read second time, ordered engrossed and to a third reading.

Assembly Bill No. 69—An Act to amend section one thousand six hundred and sixty-eight of an Act of the Legislature of the State of California entitled "An Act to establish a Code of Civil Procedure," relating to proceedings for the distribution of the estates of deceased persons.

Read second time, ordered engrossed and to a third reading.

ADJOURNMENT.

At four o'clock and twenty-five minutes P. M., on motion of Mr. Standart, the Assembly adjourned.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Wednesday, February 8, 1893.

The Assembly met pursuant to adjournment.

Speaker Gould in the chair.

The roll was called, and the following members answered to their names:

Messrs. Alford, Anderson, Androus, Barker, Barlow, Bennett of Santa Clara, Bennett of Orange, Blakeley, Bledsoe, Boyce, Bretz, Brownlie, Buckley, Bulla, Burke, Carlson, Casterline, Chipman, Conway, Curtis, Cusick, Dodge, Drees, Duckworth, Durst, Emeric, Finlayson, Gallagher, Gately, Godchaux, Hamilton, Hendrickson, Hurley, Hutson, Jacobs, Jacobsen, Johnson of Humboldt, Johnson of Santa Clara, Kennedy, Kahn, Kerns, LaRue, Luttringer, Lynch, McCauley, McElroy, McGowan, Mack, Marks, Marston, Mathews of Tehama, Matthews of San Benito, Miller, Mordecai, O'Keefe, O'Neill, Owen, Pendleton, Perkins, Raw, Sargent, Schlesinger, Schroebel, Shanahan, Simpson, Sims, Standart, Taggart, Talbott, Taylor, Thomas of Nevada, Thomas of Santa Clara, Tindall, Vann, Wade, and Mr. Speaker.

Quorum present.

PRAYER.

Prayer by the Chaplain, Rev. H. W. Conry.

LEAVE OF ABSENCE.

On account of sickness, Mr. Pueschel was granted leave of absence for the remainder of the week.

The Committee on State Hospitals was granted leave to sit this morning.

Mr. Duffy was granted leave of absence for the day.

READING OF THE JOURNAL.

Pending the reading of the Journal of yesterday, Mr. Bennett of Santa Clara moved that the further reading be dispensed with.

So ordered.

MOTION.

Mr. Marston moved to amend the Journal of yesterday to show that he voted "aye" instead of "no" on Assembly Joint Resolution No. 4, relating to the free and unlimited coinage of silver.

So ordered.

PETITIONS.

Messrs. LaRue, Finlayson. Tindall, Hutson, Durst, Wade, Bennett of Santa Clara, Bennett of Orange, Anderson, Bulla, Jacobsen, Carlson, Raw, Drees, Marston, Bledsoe, Taylor, Vann, Dodge, and Shanahan presented petitions from citizens of their respective localities, asking for the passage of a law granting full suffrage to the women of California.

Placed on file.

Mr. Bulla moved that the presenters of the petitions be allowed to withdraw them.

So ordered.

Mr. Alford presented a petition from residents and taxpayers of the proposed new county to be taken from Stanislaus and Merced Counties, protesting against the creation of such new county.

Referred to Committee on Counties and County Boundaries.

REPORTS OF STANDING COMMITTEES.

ON COUNTIES AND COUNTY BOUNDARIES.

ASSEMBLY CHAMBER, SACRAMENTO, February 7, 1893.

MR. SPEAKER: Your Committee on Counties and County Boundaries, to whom was referred Assembly Bill No. 356—An Act to create the county of Bidwell, establish the boundaries, to provide for its organization, and to provide for the payment of such proportion of the indebtedness of Butte County as may be equitably chargeable to Bidwell County—we, a majority of the committee, have had the same under consideration, and respectfully report the same back, and recommend that it do not pass as amended.

MACK.
BENNETT.
VANN.
EMERIC.

We, a minority of the committee, have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

TAYLOR.
LUTTRINGER.

ON CORPORATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, February 8, 1893.

MR SPEAKER: Your Committee on Corporations, to whom was referred Assembly Bill No. 160—An Act requiring city, city and county, or town authorities to exact and require from persons or corporations seeking permission and authority to lay railroad tracks through streets or public highways of any incorporated city, city and county, or town, a satisfactory promise and undertaking to permit and allow mail carriers in the employ of the United States Government, at all times while engaged in the actual discharge of duty, to ride on the cars of such railroad without paying fare and to make such promise and undertaking a condition precedent to the granting of such permission and authority by such governing Board—have had the same under consideration, and respectfully report the same back, and recommend that it be referred to the Committee on Municipal Corporations.

Also. Assembly Concurrent Resolution No 13—Relative to the granting of special privileges by the people of the State of California to individuals, corporations, associations, or otherwise, and an inquiry into the present use or abuse thereof by the individuals, corporations, associations, or otherwise to whom they may have been granted—have had the same under consideration, and respectfully report the same back, and recommend that it do not pass.

ALFORD, Chairman.

MOTION.

Mr. Alford moved that Assembly Bill No. 410, reported yesterday, be recommitted to the Committee on Corporations.

So ordered.

ON PUBLIC PRINTING.

ASSEMBLY CHAMBER, SACRAMENTO, February 8, 1893.

MR. SPEAKER: Your Committee on Public Printing, to whom was referred Assembly Bill No. 499—An Act to add a new section to the Penal Code, to be numbered five hundred and thirty-eight, relating to misrepresentations as to the circulation by proprietors of newspapers and periodicals, for the purpose of obtaining patronage—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

Also Assembly Bill No. 429—An Act to amend section six hundred and seventy-nine of the Political Code, relating to duties of the State Board of Examiners—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

HENDRICKSON, Chairman.

ON PUBLIC BUILDINGS AND GROUNDS.

ASSEMBLY CHAMBER, SACRAMENTO, February 8, 1893.

MR SPEAKER: Your Committee on Public Buildings and Grounds, to whom was referred Assembly Bill No. 534—An Act to appropriate money for the care and improvement of the Capitol grounds—have had the same under consideration, and report it back, and recommend that it do pass.

Also: Assembly Bill No. 126—An Act making appropriation for heating and ventilating at State Normal School at San José—have considered the same, and report it back, and recommend that it do pass.

Also: Assembly Bill No 243—An Act to appropriate money to establish an Industrial School for Girls at Santa Clara—have considered the same, and report it back, and recommend that it do pass.

Also: Assembly Bill 366—An Act making appropriation for an additional building for State Normal School at San José—and recommend that it do not pass.

Also. Assembly Bill No. 340—An Act providing for the erection of additional buildings at Agnews—have had the same under consideration, and respectfully report the same back, and recommend that it do not pass.

CURTIS, Chairman.

Assembly Bills Nos. 534, 126, 243, 366, and 340 re-referred to Committee on Ways and Means.

ON PUBLIC MORALS.

ASSEMBLY CHAMBER, SACRAMENTO, February 8, 1893.

MR. SPEAKER Your Committee on Public Morals, to whom was referred Assembly Bill No 648—An Act to add a new section to the Penal Code of the State of California, to be known as and numbered section three hundred and twenty-seven, in regard to lotteries.

Also: Assembly Bill No 655—An Act to amend sections three hundred and nineteen, three hundred and twenty-four, three hundred and twenty-five, and three hundred and twenty-six, of chapter nine, and to add sections three hundred and twenty-seven, three hundred and twenty-eight, and three hundred and twenty-nine, of the Penal Code of California, relating to lotteries

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass

BLEDSOE, Chairman

ON COUNTY AND TOWNSHIP GOVERNMENTS.

ASSEMBLY CHAMBER, SACRAMENTO, February 7, 1893.

MR. SPEAKER: Your Committee on County and Township Governments, to whom was referred Assembly Bill No 548—An Act to add a section to an Act entitled "An Act to establish a uniform system of county and township governments," approved March 31, 1891, to be known as section twenty-seven and one half, to authorize Boards of Supervisors to provide for the payment of jurors and witnesses in criminal cases in Justices' Courts—have had the same under consideration, and respectfully report the same back, and recommend that it do not pass.

SCHROEBEL, Chairman

ON COUNTY AND TOWNSHIP GOVERNMENTS—MINORITY REPORT.

I recommend that the bill do pass.

BARLOW.

ON JUDICIARY.

ASSEMBLY CHAMBER, SACRAMENTO, February 8, 1893.

MR. SPEAKER. Your Committee on Judiciary, to whom was referred Assembly Bill No 132—An Act to amend section seven hundred and fifty-one of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the duties of the Clerk of the Supreme Court.

Also: Assembly Bill No 301—An Act to amend section three thousand eight hundred and five of the Political Code, relating to duplicate assessments.

Also Assembly Bill No. 600—An Act to amend sections ten and one hundred and thirty-four of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 1, 1889, relating to legal holidays and non-judicial days.

Also Assembly Bill No 601—An Act to amend section seven of the Civil Code, relating to holidays.

Also Assembly Bill No. 602—An Act to amend section ten of the Political Code, relating to legal holidays

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass

Also: Assembly Bill No 182—An Act to amend section two hundred and twenty-four of the Civil Code, regarding the adoption of children.

Also: Assembly Bill No 248—An Act to amend section three thousand eight hundred and four of the Political Code, so as to provide for the refunding of double and erroneous assessments of taxes, and to relieve land owners from the effect of illegal tax sales.

Also: Assembly Bill No. 260—An Act to amend an Act entitled "An Act to establish a Code of Civil Procedure," by amending section three hundred and ninety-two thereof, relating to the place of trial of civil actions

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass as amended.

Also: Assembly Bill No. 252—An Act to amend sections one hundred and ninety-one and one hundred and ninety-six of an Act entitled "An Act to establish a uniform system of county and township governments," approved March 31, 1891, relating to the salaries and fees of the county and township officers in counties of the twenty-ninth and thirty-fourth class, by adding a new subdivision to each of said sections, to be designated as subdivision sixteen of each of said sections, regulating the fees to be charged by the County Clerk and County Recorder for services performed and to be performed by them.

Also. Assembly Bill No 633—An Act to define the duties of County Surveyors, and to regulate and provide for their compensation.

Have had the same under consideration, and respectfully report the same back, and recommend that they be referred to Committee on County and Township Governments.

Also Assembly Bill No. 283—An Act to repeal section three thousand eight hundred and eighteen of the Political Code, relating to preferred purchasers for lands sold to the State for taxes—have had the same under consideration, and respectfully report the same back, and recommend that the author be allowed to withdraw it

Also Assembly Bill No 362—An Act to amend an Act entitled "An Act to establish a Penal Code," approved February 14, 1872, by adding thereto a new section, to be known and numbered as section three hundred and eight, relative to the sale and use of opium, or any preparation thereof—have had the same under consideration, and respectfully report the same back, and recommend that it be referred to the Committee on Crimes and Penalties

Also Assembly Bill No. 135—An Act to amend section seven hundred and two of the Code of Civil Procedure, relating to the redemption of real property sold to satisfy a judgment

Also: Assembly Bill No. 175—An Act to amend section six hundred and ninety-two of the Code of Civil Procedure, relating to the sale of property on execution

Also: Assembly Bill No. 268—An Act to amend section two hundred and eighty-one of the Code of Civil Procedure, relating to who shall have the right to practice law in certain Courts, and relating also to the penalty for practicing without a license

Also Assembly Bill No. 297—An Act relating to the payment of official reporters.

Also Assembly Bill No. 302—An Act to amend section three thousand seven hundred and thirty-one of the Political Code, relating to the duties of Auditors.

Also. Assembly Bill No 331—An Act to amend the Code of Civil Procedure, in relation to the place of holding the sessions of the Supreme Court.

Also: Assembly Bill No 364—An Act to amend section four hundred and seventy-six of the Code of Civil Procedure, relating to demurrers and notice

Have had the same under consideration, and respectfully report the same back, and recommend that they do not pass.

SHANAHAN, Chairman.

Assembly Bills Nos. 252 and 633 re-referred to Committee on County and Township Governments.

Assembly Bill No. 362 re-referred to Committee on Crimes and Penalties.

PETITIONS.

Mr. Miller presented petitions asking for the passage of a law granting full suffrage to the women of California.

Mr. Miller was granted permission to withdraw the petitions.

REPORT OF SPECIAL COMMITTEE.

ASSEMBLY CHAMBER, SACRAMENTO, February 7, 1893.

MR. SPEAKER: Your special committee appointed to make arrangements for the obsequies of Edward B Price, deceased, beg leave to report as follows:

That on the sixth day of February, 1893, a warrant was drawn by the Controller upon the State Treasurer, payable to the order of the undersigned, Chairman of this committee, for the sum of five hundred and four dollars, in accordance with the report and recommendation of the Committee on Public Expenditures and Accounts.

That on the seventh day of February, 1893, said Chairman cashed said warrant, and thereupon paid all the bills presented to, and all the debts contracted by, your said special committee, to wit.

Bill of J. F. Clark, undertaker	$454 00
Bill of A Hertzel, for music	47 00
Bill of C. H. McGreevy, for crepe	3 00
Total	$504 00

That receipts for said payments were duly signed by the persons to whom said sums were paid, and were given to said Chairman, and said receipts are hereunto attached and are made a part of this report. That the duties of your special committee are now closed.

FINLAYSON, Chairman.

Mr. Alford moved that the report be received and that the committee be discharged.

So ordered.

MESSAGE FROM THE SENATE.

SENATE CHAMBER, SACRAMENTO, February 7, 1893.

MR SPEAKER: I am directed to inform your honorable body that the Senate, on this day, passed Senate Bill No. 125—An Act to abolish commissions or fees paid by the State for the assessment, equalization, auditing, and collection of ad valorem taxes.

Also: Senate Bill No. 210—An Act to regulate the disposition of the hides of cattle killed or slaughtered in the State of California, and to provide a penalty for a violation of the provisions of this Act.

F J BRANDON, Secretary.
By A. D. BOWEN, Assistant.

Senate Bill No. 125 referred to Committee on Judiciary.

Senate Bill No. 210 referred to Committee on Agriculture.

INTRODUCTION OF BILLS.

The following bills were introduced, read by title, and referred to committees, as follows:

By Mr. Sims: Assembly Bill No. 682—An Act to amend section seventy-one of the Code of Civil Procedure, relating to the duties of Judges of Superior Courts.

Referred to Committee on Judiciary.

By Mr. O'Neill: Assembly Bill No. 683—An Act making an appropriation for the payment of the salary of the Librarian of the Supreme Court for the remainder of the forty-fourth fiscal year.

Referred to Committee on Ways and Means.

By Mr. Owen: Assembly Bill No. 684—An Act to add eight new sections to an Act entitled "An Act to establish a Political Code," approved

March 12, 1872, said new sections to be known, numbered, and designated as sections two thousand six hundred and ninety-six, two thousand six hundred and ninety-seven, two thousand six hundred and ninety-eight, two thousand six hundred and ninety-nine, two thousand seven hundred, two thousand seven hundred and one, two thousand seven hundred and two, and two thousand seven hundred and three, respectively, all relating to laying out and constructing drains, canals, ditches, and other works to drain public roads.

Referred to Committee on Roads and Highways.

By Mr. Bulla: Assembly Bill No. 685—An Act to provide for the transfer by County Assessors of real property for taxation.

Referred to Committee on County and Township Governments.

By Mr. Miller: Assembly Bill No. 686—An Act entitled an Act to amend section one thousand one hundred and eighty-nine of the Civil Code of the State of California, relating to proof and acknowledgment of instruments.

Referred to Committee on Judiciary.

Also: Assembly Bill No. 687—An Act to amend section two hundred of an Act entitled "An Act to establish a Code of Civil Procedure of the State of California," approved March 11, 1872, relating to exemption from jury duty.

Referred to Committee on Judiciary.

QUESTIONS OF PRIVILEGE.

Messrs. Hurley, Schlesinger, and Schroebel arose to a question of privilege, and declared that certain testimony adduced last evening before the special committee investigating a charge preferred by one James W. Rea against Mr. Johnson of Santa Clara, was false and untrue in every respect.

REPORT OF STANDING COMMITTEE.

ON COMMERCE AND NAVIGATION.

ASSEMBLY CHAMBER, SACRAMENTO, January 26, 1893.

MR. SPEAKER: Your Committee on Commerce and Navigation, to whom was referred Assembly Bill No. 20—An Act making an appropriation for the construction of a seawall, thoroughfare, and piers, in the harbor of San Diego—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

GODCHAUX, Chairman.

Assembly Bill No. 20 re-referred to Committee on Ways and Means.

REPORT OF SUB-COMMITTEE.

ASSEMBLY CHAMBER, SACRAMENTO, February 8, 1893.

MR. SPEAKER: The Sub-Committee of Commerce and Navigation of the Assembly, who were instructed by resolution adopted by the Assembly on February 3, 1893, to investigate as to the necessity for an appropriation of two hundred thousand dollars for the building of wharves, seawall, and thoroughfare by the State Harbor Commission at San Diego, beg leave to report to the Assembly as follows

The said sub-committee visited San Diego, and made a thorough and careful investigation of the harbor, wharves, tide lands, and all points of importance and interest in connection with the information sought to be obtained.

The harbor of San Diego was found to be ample, commodious, safe, and capable of accommodating the commerce of a great commercial city, second to San Francisco

That with the construction and opening of the Nicaragua Canal, the whole State of California is interested in the construction of wharves and a thoroughfare at San Diego

by the State Harbor Commission there, for with the same being built and owned by the State, all of California having shipping business with San Diego, either as a terminal or as a stopping port for vessels bound between San Francisco and the Nicaragua Canal, will feel the benefit of low wharf rates and the accommodation resulting from the State's ownership, which will at the same time cause the present private wharf owners there to reduce their monopolistic rates and cause them to change from their present state of partiality to a spirit of accommodation resulting from the competition of the State's wharves At the same time the State will receive an enormous revenue from a strip of tide lands three hundred feet in width and two miles in length, which, by the seawall thoroughfare proposed, will become such that the revenue derived will equal the interest on over a million dollars, for the said most valuable strip of State tide land, controlled by the State Harbor Commission there, is situated immediately adjoining and lengthwise with the principal and most valuable portion of the business part of the city of San Diego

The appropriation will result in improvements which will pay a handsome interest to the State, as well as prove of inestimable value to the shipping interests of the entire State, and is a most meritorious business proposition, and we urgently and earnestly recommend that the said appropriation be granted, by passage of Assembly Bill No. 20

GODCHAUX, Chairman.

STATEMENT.

Mr. Androus made the following statement, which was ordered printed in the Journal:

MR SPEAKER On yesterday I introduced a resolution in reference to certain lands near Pomona, in Los Angeles County, and upon examination into the matter I find that unintentionally on my part I may have cast some reflections upon the Surveyor-General of this State, and which I would consider a gross injustice to that efficient officer, and I do now ask the consent of this body to withdraw said resolution from the files.

ASSEMBLY JOINT RESOLUTIONS.

By Mr. Durst: Assembly Joint Resolution No. 23—Relative to the immigration of Japanese laborers.

Referred to Committee on Labor and Capital.

By Mr. Conway: Assembly Joint Resolution No. 24—Relative to the creation of a position in the Cabinet of the President, to be known as "Secretary of Labor."

Referred to Committee on Federal Relations.

REPORTS OF STANDING COMMITTEES.

ON COMMERCE AND NAVIGATION.

ASSEMBLY CHAMBER, SACRAMENTO, February 7, 1893

MR. SPEAKER: The undersigned, members of your Committtee on Commerce and Navigation, respectfully report that in pursuance to the following resolution, viz.:

WHEREAS, According to statement furnished by the State Treasurer, the county of San Diego has paid into the State Treasury the sum of $1,156.439 92 as taxes during the past thirteen years, and has paid millions of dollars to the State of California during the past forty-two years without ever having received an appropriation for any improvement or building there, and as the Committee on Commerce and Navigation of the Assembly, together with that of the Senate, at the joint meeting held last Tuesday night, unanimously decided on recommending to each house that the Commerce and Navigation Committee of each, in order to investigate the necessities as to whether $200,000 should be appropriated for the construction of piers and a seawall by the State Harbor Commission at San Diego, the said committee (nearly every one of whom has never seen said harbor and know nothing of its necessities) should, by a personal inspection and investigation of same, decide whether to recommend said appropriation, or nothing, and as it is better to expend a few dollars in a careful investigation of the matter than to expend hundreds of thousands of dollars in an improvement which said committee may find to be unnecessary and unjustifiable; therefore, be it

Resolved, That a sub-committee of three of the said committee be and is hereby authorized and directed to investigate the necessity for said appropriation by an inspection of said location, and while absent on same, from Friday night to Monday evening, the said committee is granted leave of absence

Visited the Harbor of San Diego, and investigated into the necessities as to whether money should be appropriated for the construction of piers and a seawall by the State Harbor Commissioners.

That there is now due the members of your sub-committee, and the clerk thereof, each one hundred and twenty-four dollars and fifty cents, for mileage traveled, viz.: one thousand two hundred and forty-five miles, and we recommend the adoption of the following resolution, viz.:

Resolved, That the Controller be and he is hereby directed to draw his warrant upon the appropriation for the contingent expenses of the Assembly, in favor of Mr. Godchaux, for the sum of four hundred and ninety-eight dollars, for the purpose of paying to Messrs. Godchaux, O'Keefe, Boyce, and M. C. Giry, Clerk, each one hundred and twenty-four dollars and fifty cents, for mileage due them upon their visit to San Diego, under the resolution hereinbefore set out.

GODCHAUX.
BOYCE.
O'KEEFE.

Referred to Committee on Mileage.

ON MUNICIPAL CORPORATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, February 8, 1893

MR SPEAKER: Your Committee on Municipal Corporations, to whom was referred Assembly Bill No. 275—An Act to amend section six of an Act entitled "An Act authorizing the incurring of indebtedness by cities, towns, and municipal corporations, for the construction of waterworks, sewers, and all necessary public improvements, or for any purpose whatever, and to repeal an Act approved March 9, 1885, entitled 'An Act to authorize municipal corporations of the fifth class, containing more than three thousand and less than ten thousand inhabitants, to obtain waterworks;' also, to repeal an Act approved March 15, 1887, entitled 'An Act authorizing the incurring of indebtedness by cities, towns, and municipal corporations incorporated under the laws of this State,'" approved March 19, 1889—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

BUCKLEY, Chairman

APPOINTMENT OF COMMITTEE.

The Speaker appointed Messrs. Finlayson, Anderson, and Drees a special committee to investigate the cause of delay in the engrossment of bills.

The committee was granted a temporary leave of absence.

SECOND READING OF BILLS.

Assembly Bill No. 245—An Act entitled an Act to pay the claim of Sands W. Forman, for services as Secretary of the State Board of Forestry, and appropriating the sum of three hundred and seventy-five dollars to pay such claim.

Ordered engrossed and to a third reading.

ASSEMBLY CONSTITUTIONAL AMENDMENTS.

Assembly Constitutional Amendment No. 19—A resolution to propose to the people of the State of California an amendment to section twelve of article thirteen of the Constitution of the State of California.

Withdrawn by Mr. Buckley, the introducer.

Assembly Constitutional Amendment No. 20—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, amending section one of article four thereof, relative to the Legislative Department.

Passed on file.

Assembly Constitutional Amendment No. 18—A resolution to propose to the people of the State of California an amendment to section three of article eleven of the Constitution of the State of California.

Passed on file.

Assembly Constitutional Amendment No. 4—A resolution to propose to the people of the State of California an amendment to and providing for the repeal of sections twenty-two and twenty-three of article twelve of the Constitution, relative to a Board of Railroad Commissioners.

Passed on file.

SECOND READING OF BILLS—(RESUMED).

Assembly Bill No. 185—An Act to amend section three thousand seven hundred and seventy-three of the Political Code, relating to the sale of property for delinquent taxes.

Passed on file.

Assembly Bill No. 18—An Act to provide for the incorporation of mutual fire insurance companies, and define their powers and duties.

Passed on file.

THIRD READING OF BILLS.

Senate Bill No. 279—An Act to amend the Civil Code by adding to part four, division one, a new title, providing for the consolidation of colleges and institutions of higher education.

Read third time, and passed by the following vote:

AYES—Messrs. Alford, Anderson, Barker, Barlow, Bennett of Santa Clara, Bennett of Orange, Blakeley, Brownlie, Buckley, Bulla, Burke, Carlson, Casterline, Conway, Cusick, Dodge, Durst, Finlayson, Gately, Godchaux, Hamilton, Hendrickson, Hurley, Hutson, Jacobs, Johnson of Humboldt, Johnson of Santa Clara, Kahn, Kerns, LaRue, Lynch, McCauley, McElroy, McGowan, Mack, Marston, Matthews of San Benito, Owen, Pendleton, Perkins, Raw, Sargent, Schlesinger, Shanahan, Simpson, Sims, Standart, Taggart, Talbott, Taylor, Thomas of Nevada, Thomas of Santa Clara, Vann, and Wade—54.

NOES—Mr Bledsoe—1.

Title read and approved.

REPORT OF SPECIAL COMMITTEE.

Mr. Finlayson, for the special committee appointed to investigate the cause of delay in the engrossment of bills, reported verbally that the delay was due to Assembly Bill No. 8, a voluminous bill containing a large number of amendments.

SECOND READING OF BILLS.

Assembly Bill No. 262—An Act to amend sections one thousand one hundred and eighty-six, one thousand one hundred and eighty-seven, one thousand one hundred and eighty-eight, one thousand one hundred and ninety, one thousand one hundred and ninety-two, one thousand three hundred and fifty-seven, one thousand three hundred and fifty-eight, one thousand three hundred and fifty-nine, 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 sixty-three, one thousand three hundred and sixty-four, and one thousand three hundred and sixty-five of the Political Code, and to add nineteen new sections thereto, to be numbered one thousand three hundred and sixty-six, one thousand three hundred and sixty-seven, one thousand three hundred and sixty-eight, one thousand three hundred and sixty-nine, one thousand three hundred and seventy, one thousand three hundred and seventy-one, one thousand three hundred and

seventy-two, one thousand three hundred and seventy-three, one thousand three hundred and seventy four, one thousand three hundred and seventy-five, one thousand three hundred and seventy-six, one thousand three hundred and seventy-seven, one thousand three hundred and seventy-eight, one thousand three hundred and seventy-nine, one thousand three hundred and eighty, one thousand three hundred and eighty-one, one thousand three hundred and eighty-two, one thousand three hundred and eighty-three, and one thousand three hundred and eighty-four, all in relation to the conduct of elections in this State.

Passed on file.

Assembly Bill No. 77—An Act to amend section ten of "An Act to create a Police Court in and for the City and County of San Francisco, State of California," approved March 5, 1889.

Ordered engrossed and to a third reading.

Assembly Bill No. 276—An Act entitled an Act to amend section two thousand six hundred and eighty-four of the Political Code.

Passed on file.

Assembly Bill No. 112—An Act to amend section one hundred and sixty-four of the Civil Code of the State of California, relating to conveyances of real property by married women, and limiting the time in which to commence actions for recovery of community property by husbands.

Read second time, ordered engrossed and to a third reading.

Assembly Bill No. 359—An Act to amend section ninety-one of an Act entitled "An Act to establish a uniform system of county and township governments," approved March 31, 1891, relative to counting the money in the County Treasury.

Mr. Kennedy moved that the bill be re-referred to the Committee on County and Township Governments.

So ordered.

Assembly Bill No. 125—An Act to increase the number of Judges of the Superior Court of the county of Santa Clara, and to provide for the appointment of an additional Judge, and to fix his compensation.

Read second time, ordered engrossed and to a third reading.

Senate Bill No. 114—An Act to prevent combinations to obstruct the sale of live stock in the State of California.

Read second time, and ordered to a third reading.

Assembly Bill No. 188—An Act to amend an Act entitled "An Act to form agricultural districts, to provide for the formation of agricultural associations therein, and for the management and control of the same by the State, and to repeal so much of an Act entitled 'An Act to form agricultural districts, to provide for the formation of agricultural associations therein, and for the management and control of the same by the State,'" approved March 20, 1891, by amending sections one, eleven, and twelve.

Read second time.

Committee amendments, as follows:

AMENDMENT No 1.

Amend by striking out in line number seven of section one, the words "counties" and "Colusa," and substitute the word "county," so that the line will read: "The county of Butte shall constitute Agricultural District No. 3."

Adopted.

AMENDMENT No 2.

Also. Strike out of line fourteen the words "counties of Del Norte and," and substitute the words "county of," so that it will read: "The county of Humboldt shall constitute Agricultural District No. 9."

Adopted.

AMENDMENT No 3.

Also: Strike out of line nineteen the word "Yolo" so the line will read: "The counties of Sutter and Yuba shall constitute Agricultural District No. 13."

Adopted.

AMENDMENT No. 4.

Also: After line fifty-eight insert the words. "The counties of Yolo and Colusa shall constitute Agricultural District No 40. The county of Del Norte shall constitute Agricultural District No. 41. The county of Glenn shall constitute Agricultural District No. 42."

Adopted.

Mr. Schroebel moved to amend as follows:

By striking out of section one, line twenty-eight, the word "and" after the word "Mono," and inserting the following: "Alpine," after the word "Inyo."

Adopted.

Also: By striking out of section one, line fifty-seven, the words "and Alpine," and inserting the following: the word "county" for "counties."

Adopted.

Mr. Lynch moved that the bill be re-referred to Committee on Ways and Means.

So ordered.

QUESTION OF PRIVILEGE.

Mr. Sims arose to a question of privilege, and declared that certain testimony adduced last evening before the special committee investigating a charge preferred by one James W. Rea against Mr. Johnson of Santa Clara, was false and untrue in every respect.

SECOND READING OF BILL.

Assembly Bill No. 87—An Act to repeal an Act entitled "An Act fixing a bounty on coyote scalps," approved March 31, 1891.

Passed on file, on motion of Mr. Duckworth.

RESOLUTION.

By Mr. Finlayson:

Resolved, That the Superintendent of the State Printing Office be and he is hereby directed to keep standing, in form, the type used in engrossing Assembly bills. Such forms to be so kept standing until a certificate from the Chairman of the Engrossing Committee is furnished said Superintendent that there will be no further need of keeping them so standing.

Adopted.

SECOND READING OF BILLS.

Assembly Bill No. 60—An Act amending section one thousand two hundred and seven of the Civil Code of the State of California,

approved March 12, 1872, relating to proof and acknowledgment of instruments.

Read second time, ordered engrossed and to a third reading.

Assembly Bill No. 164—An Act to amend an Act entitled "An Act to establish a Code of Civil Procedure," adopted March 11, 1872, by adding thereto a new section, to be known as section five hundred and seventy, relating to the appointment of receivers of the property of corporations.

Read second time, ordered engrossed and to a third reading.

Assembly Bill No. 227—An Act amending sections one thousand five hundred and seventy-seven and one thousand five hundred and seventy-eight of the Code of Civil Procedure, relating to mortgages and leases in certain cases.

Read second time, ordered engrossed and to a third reading.

Assembly Bill No. 214—An Act to amend section one thousand two hundred and six of the Code of Civil Procedure, relating to certain liens for salaries and wages, and to persons preferred in cases of executions and attachments.

Read second time.

Committee amendment, as follows:

Amend by striking out the words "seizure and," just after the word "the" and before the word "transfer."

Adopted.

Bill ordered engrossed and to a third reading.

Assembly Bill No. 96—An Act to add a new section to the Political Code, to be numbered three thousand eight hundred and nineteen, relating to the payment of taxes under protest, and the right of action to recover taxes so paid.

Read second time.

Committee amendment:

Amend by adding the following: "And on the payment of any such judgment, such part of the tax recovered thereby as may have been paid by the County Treasurer into the State Treasury shall be regarded as an amount due the county from this State, and shall be deducted in the next settlement had by the county with the Controller, such deduction to be made in the manner that other deductions are made, as provided in section three thousand eight hundred and seventy-one of the Political Code of this State."

Adopted.

Bill ordered engrossed and to a third reading.

Assembly Bill No. 212—An Act to amend section one thousand two hundred and four of the Code of Civil Procedure, relating to certain liens for salaries and wages, and to persons preferred on assignments for benefit of creditors.

Read second time, ordered engrossed and to a third reading.

Assembly Bill No. 213—An Act to amend section one thousand two hundred and five of the Code of Civil Procedure, relating to certain liens for salaries and wages, and to persons preferred in estates of deceased persons.

Read second time, ordered engrossed and to a third reading.

Assembly Bill No. 232—An Act for the regulation of the practice of medicine and surgery in the State of California, and for the appointment of a Board of Medical Examiners in the matter of said regulation.

Passed on file, on motion of Mr. Hendrickson.

Assembly Bill No. 403—An Act to amend section six hundred and twenty-six of the Penal Code, relating to the preservation of game birds and animals, and providing punishment for the unlawful taking, killing, and transportation thereof.

Read second time.

Committee amendments, as follows:

AMENDMENT No. 1.

Strike out the word "pheasant" in line five of printed bill

Adopted.

AMENDMENT No. 2.

Amend by striking out the word "January" in line ten, printed bill, and insert in lieu thereof the word "March;" also, strike out the word "July" in line eleven, printed bill, and insert in lieu thereof the word "August."

Adopted.

AMENDMENT No. 3.

Amend by striking out the words "or animal" in lines twenty-five and twenty-six, printed bill.

Adopted.

AMENDMENT No. 4.

Insert after the word "misdemeanor," in line twenty-seven, printed bill, the following: "Every person in the State of California who shall at any time sell or offer for sale the hide or meat of any deer, elk, antelope, or mountain sheep, shall be guilty of a misdemeanor."

Adopted.

AMENDMENT No. 5.

Amend by inserting after line thirty-one, on page two of the printed bill, the following: "Every person who, in the State of California, shall, within the two years next after the passage of this Act, hunt, pursue, take, kill, or destroy any pheasant, shall be guilty of a misdemeanor. Every person who shall at any time net or pound any quail, partridge, or grouse, and every person who shall sell, transport, or give away, or offer or expose for sale, or have in his possession any quail, partridge, or grouse that has been snared, captured, or taken in or by means of any net or pound, is guilty of a misdemeanor. Proof of possession of any quail, partridge, or grouse, which shall not show evidence of having been taken by means other than a net or pound, shall be prima facie evidence in any prosecution for violation of the provisions of this section that the person in whose possession such quail, partridge, or grouse is found, killed or destroyed the same by means of a net or pound, quail, bob-white quail, partridge, pheasant, grouse, or any kind of wild duck killed in this State, shall not be transported to any point within this State from any of the counties thereof or possessed for that purpose, except that such birds may be transported from the county where killed when accompanied by the owner thereof. Possession of the birds named by common carrier, unaccompanied by the owner, is a violation of this section.

Adopted.

AMENDMENT No 6.

Strike out the words "or trapping" and "or traps" in line fifty-nine, printed bill.

Adopted.

Mr. Drees moved to amend by inserting in line five, printed bill, the words "English snipe" after the words "wild duck."

Adopted.

Bill ordered engrossed and to a third reading.

Assembly Bill No. 428—An Act to amend sections five hundred and twenty-seven, five hundred and thirty-one, and five hundred and thirty-two of the Political Code, relating to public printing, and the duties of the Superintendent of State Printing.

Read second time.

Committee amendment, as follows:

Amend by inserting in line nineteen, section two, the word "than" after the word "other" and before the word "State."

Bill ordered engrossed and to a third reading.

Assembly Bill No. 416—An Act authorizing the Superintendent of State Printing to have prepared and printed an index to all the laws of California, 1850–1893.

Read second time, ordered engrossed and to a third reading.

Assembly Bill No. 447—An Act exempting agricultural, horticultural, viticultural, and pastoral occupations from license taxation.

Read second time.

Mr. Mack moved to amend as follows:

By striking out of section one, line one, of printed bill, the words "or pastoral," and inserting on line one of section one the word "or," after the word "viticultural."

RECESS.

Pending consideration of the amendment, the hour of recess having arrived, the Speaker declared recess until two o'clock P. M.

REASSEMBLED.

The Assembly reassembled at two o'clock P. M.

Speaker Gould in the chair.

Quorum present.

MOTION.

Mr. Godchaux moved that the special order set for this hour, the consideration of Assembly Constitutional Amendment No. 14, be postponed until Tuesday, February 14th, at two o'clock P. M.

So ordered.

LEAVE OF ABSENCE.

Mr. Duckworth was granted leave of absence for the afternoon.

MOTION.

Mr. Shanahan moved that the special order set for this hour, the consideration of Assembly Bill No. 8, be postponed until after the consideration of the pending bill, Assembly Bill No. 447.

So ordered.

REPORTS OF STANDING COMMITTEES.

ON ENGROSSMENT.

ASSEMBLY CHAMBER, SACRAMENTO, February 8, 1893

MR SPEAKER: Your Committee on Engrossment begs leave to report that the following Assembly Bills have been correctly engrossed:

Assembly Bill No. 3—An Act to abolish commissions or fees paid by the State for the assessment, equalization, auditing, and collection of ad valorem taxes.

Also: Assembly Bill No. 186—An Act to amend section three thousand eight hundred and sixty-eight of the Political Code.

Also: Assembly Bill No. 241—An Act to amend section three thousand eight hundred and sixty-six of the Political Code.

Also: Assembly Bill No. 281—An Act to provide for paying for improving that portion of Tenth Street lying between L and N Streets, in the city of Sacramento, adjoining the State Capitol grounds.

Also: Assembly Bill No 127—An Act appropriating four thousand dollars to pay for the system of heating and ventilating established in the Training Department of the State Normal School at San José.

Also Assembly Bill No 210—An Act authorizing the Controller and Treasurer to transfer to the General Fund all moneys now in the Election Reward Fund, the Leprosy Fund, and Interest and Sinking Fund, Levee District No. 5, and abolishing the Leprosy Fund, and Interest and Sinking Fund, Levee District No. 5.

Also Assembly Bill No. 195—An Act to abolish the State Drainage Construction Fund, and directing the transfer of any balance remaining therein to the General Fund.

Also. Assembly Bill No 426—An Act making an appropriation to pay the deficiency in the appropriation for the transportation of insane for the forty-third fiscal year.

Also Assembly Bill No 427—An Act making an appropriation to pay the deficiency in the appropriation for the transportation of prisoners for the forty-third fiscal year.

Also Assembly Bill No. 268—An Act making an appropriation to pay armory rents and other expenses of the Naval Battalion of the National Guard for the remainder of the forty-fourth fiscal year.

Also. Assembly Bill No. 282—An Act making an appropriation to pay the deficiency in the appropriation provided by an Act entitled "An Act to establish a school of industry, to provide for the maintenance and management of the same, and to make an appropriation therefor."

Also. Assembly Bill No 460—An Act making an appropriation for the payment of an indebtedness created, or to be incurred, by the Surveyor-General in transcribing records and plat books in his office.

Also· Assembly Bill No 459—An Act making an appropriation to pay the deficiency in the appropriation for expenses of the Supreme Court.

Also Assembly Bill No 30—An Act to amend section fifteen of an Act relating to sanitary districts.

Also. Assembly Bill No 8—An Act to promote the purity of elections

Also· Assembly Bill No 48—An Act to appropriate money for the erection of a monument at Donner Lake

Also Assembly Bill No 500—An Act fixing the salary of the Janitor of the State Capitol building

Also: Assembly Bill No. 169—An Act to cede jurisdiction to the United States over certain lands.

KENNEDY, Chairman

ON MILITARY AFFAIRS.

ASSEMBLY CHAMBER, SACRAMENTO February 8, 1893

MR SPEAKER Your Committee on Military Affairs, to whom was referred Assembly Bill No. 134—An Act limiting the use of the National Guard of the State of California—have had the same under consideration, and respectfully report the same back, and recommend that it do not pass.

Also: Assembly Bill No 310—An Act amending section one thousand nine hundred and twelve of the Political Code of the State of California, relating to the National Guard—do recommend the author withdraw the same

Also: Assembly Bill No 303—An Act authorizing and providing for the erection and furnishing of armories for the National Guard of the State of California, and to issue bonds for the payment of the same, and providing for the payment of said bonds.

Also· Assembly Bill No 384—An Act to authorize the acquisition by donation of a site for camps of instruction for the National Guard of the State of California, and to improve the same, and make an appropriation therefor

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass

Assembly Bill No. 384 re-referred to Committee on Ways and Means.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, February 8, 1893.

MR. SPEAKER· Your Committee on Military Affairs beg leave to report that, in accordance with a resolution adopted by the Assembly, the committee, in conjunction with the Senate Committee on Military Affairs, together with Assemblyman John C Lynch, of the Ways and Means Committee, have visited and inspected the property and companies of the National Guard at San Francisco, and also inspected the Naval Battalion, and we found the armories entirely inadequate for present purposes, uniforms generally in good condition, with the exception of the Third Regiment, whose uniforms are old and well worn The companies are a fine looking body of men, and well worthy of your best consideration. And your committee also report the following members of the committee are entitled to mileage, viz McCauley, McElroy, Bennett of Santa Clara, Taylor, Jacobsen, and Clerk Norton, and also Lynch, of the Ways and Means Committee, in the sum of sixteen dollars and eighty cents each, being the legal amount of mileage allowed by law from Sacramento to San Francisco and return, and recommend the adoption of the following

Resolved, That the Controller be directed to draw his warrant upon the Contingent Fund of the Assembly, in favor of C. D McCauley, for the sum of one hundred and seventeen dollars and sixty cents, for the purpose of paying the same.

McCAULEY, Chairman.

Referred to Committee on Mileage.

SAN FRANCISCO DELEGATION.

ASSEMBLY CHAMBER, SACRAMENTO, February 8, 1893

MR. SPEAKER: The San Francisco Delegation, to whom was referred Assembly Bill No 628—An Act to repeal an Act in relation to the House of Correction of the City and County of San Francisco—have had the same under consideration, and respectfully report the same back, and recommend that it do pass

KENNEDY, Chairman.

ON AGRICULTURE.

ASSEMBLY CHAMBER, SACRAMENTO, February 8, 1893

MR SPEAKER: Your Committee on Agriculture, to whom was referred Assembly Bill No 658—An Act to prevent the poisoning of honey—have had the same under consideration, and respectfully report the same back, and recommend that it do not pass.

Also. Assembly Bill No 649—An Act to prevent the mutilation of horses—have had the same under consideration, and respectfully report the same back, and recommend that it do pass

LARUE, Chairman.

ON WAYS AND MEANS.

ASSEMBLY CHAMBER, SACRAMENTO, February 8, 1893

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred Assembly Bill No 313—An Act making an appropriation to pay Cyrus Lyon the sum of one thousand dollars for the capture of Anastacio Garcia, in 1855—have had the same under consideration, and respectfully recommend its passage

Also Assembly Bill No 52—An Act making an appropriation to pay the claim of D Jordan, as approved by the State Board of Examiners—and recommend that it do pass as amended by the Committee on Claims

Also Assembly Bill No. 122—An Act to appropriate ten thousand dollars for the purpose of sending an expert to foreign countries to collect and import into this State parasites and predaceous insects

Also: Assembly Bill No. 123—An Act to provide for the publication and sale of an abridgment of the reports of the State Board of Horticulture, and making an appropriation of money to pay for the same

Also: Assembly Bill No 438—An Act to appropriate money for the erection of a monument in Golden Gate Park, in the city of San Francisco, or in Court-house grounds, Santa Rosa, California, in memory of the late General M. G Vallejo.

Also. Assembly Bill No. 328—An Act to provide for the payment of the claim of James C. Smith, for money advanced and expended by him for the State of California, in the building and construction of the North Street Canal and laying sewer pipe, at and near Stockton, San Joaquin County, California

Also Assembly Bill No 380—An Act making an appropriation to pay the claim of J L Cooke and William Gutenberger for balance due for materials furnished and work done in the construction of the branch State Prison at Folsom.

Also Assembly Bill No. 309—An Act making an appropriation for reimbursing J V. Hicks, a citizen of California, for moneys expended by him in the extradition of one A L Gibbs, a fugitive from the justice of this State

Have had the same under consideration, and recommend that they do not pass.

Also Assembly Bill No. 469—An Act to pay the claim of Mary M Springer, the widow and heir of Thomas A Springer, late State Printer, deceased—have had the same under consideration, and respectfully re-refer it to the Committee on Claims

W. P MATHEWS, Chairman

Assembly Bill No. 469 re-referred to Committee on Claims.

INTRODUCTION OF BILL.

By Mr. Mathews of Tehama: Assembly Bill No. 688—An Act making an appropriation from the State School Book Fund, to supply the deficiency in the present appropriation from the General Fund for compiling State School Text-Books for the forty-fourth fiscal year.

Referred to Committee on Ways and Means.

REPORTS OF STANDING COMMITTEES.

ON PUBLIC BUILDINGS AND GROUNDS.

ASSEMBLY CHAMBER, SACRAMENTO, February 8, 1893.

MR SPEAKER: Your Committee on Public Buildings and Grounds, to whom was referred Assembly Bills Nos. 206, 207, and 208, providing for building additional buildings, improvement of grounds, and furnishing same, etc.—have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

Also: Senate Bill No. 132—An Act to appropriate money for the completion of the building of the Preston School of Industry, situated at Ione, and for furnishing the same, and for equipments—have had the same under consideration, and respectfully report the same back, and recommend that it be referred to the Committee on Ways and Means. As we have not visited the buildings and grounds, we do not recommend.

CURTIS, Chairman.

Assembly Bills Nos. 206, 207, and 208 re-referred to Committee on Ways and Means.

Senate Bill No. 132 re-referred to Committee on Ways and Means.

ON CRIMES AND PENALTIES

ASSEMBLY CHAMBER, SACRAMENTO, February 8, 1893.

MR SPEAKER: Your Committee on Crimes and Penalties, to whom was referred Assembly Bill No 478—An Act to establish a Board of Parole Commissioners for the parole and government of paroled prisoners—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

Also: Assembly Bill No. 533—An Act to amend sections thirty-seven, one hundred and ninety, one thousand four hundred and seventeen, one thousand four hundred and eighteen, and one thousand four hundred and nineteen of the Penal Code of the State of California, relating to the punishment of crimes, and to the granting of reprieves, commutations, and pardons to persons convicted of crime—have had the same under consideration, and respectfully report the same back, and recommend that it do not pass.

Also: Assembly Bill No. 250—An Act to amend section three hundred and seventy-four of the Penal Code, relating to crimes against the public health—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

Also: Assembly Bill No 323—An Act to prevent evil-disposed persons from coming upon the State Prison grounds—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

LUTTRINGER, Chairman.

INTRODUCTION OF BILLS.

The following bills were introduced, read by title, and referred to committees, as follows:

By Mr. Kahn: Assembly Bill No. 689—An Act to amend section three hundred and sixty-eight of the Political Code, relating to appointments by the Governor.

Referred to Committee on Retrenchment.

Also: Assembly Bill No. 690—An Act to repeal an Act for the promotion of the viticultural industries of the State, approved April 15, 1880.

Referred to Committee on Viniculture, Viticulture, and Horticulture.

Also: Assembly Bill No. 691—An Act relating to Treasurers, their deputies and clerks, in counties, and cities and counties, having a population of two hundred thousand inhabitants or over.

Referred to Committee on Municipal Corporations.

By Mr. Chipman: Assembly Bill No. 692—An Act to amend section one thousand six hundred and sixteen of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, relating to compensation of executors and administrators of estates of deceased persons.

Referred to Committee on Judiciary.

By Mr. McCauley: Assembly Bill No. 693—An Act relating to the sale of wines and liquors, and the maintenance of saloons and places where wines and liquors are sold.

Referred to Committee on County and Township Governments.

ASSEMBLY BILL No. 447.

The question being upon the pending amendment offered by Mr. Mack to Assembly Bill No. 447—An Act exempting agriculture, horticulture, viticulture, and pastoral occupations from license taxation.

Mr. Bulla in the chair.

MOTION.

Mr. Mordecai moved a call of the house, seconded by Messrs. Owen and Schroebel.

Lost.

AMENDMENT ADOPTED.

Upon the amendment, the ayes and noes were demanded by Messrs. Thomas of Nevada, Standart, and Curtis.

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

AYES—Messrs. Androus, Barker, Barlow, Bennett of Santa Clara, Bennett of Orange, Blakeley, Bulla, Burke, Carlson, Casterline, Cusick, Finlayson, Gallagher, Gateley, Hamilton, Hendrickson, Hurley, Hutson, Jacobs, Johnson of Humboldt, Kennedy, Kerns, La-Rue, Lynch, McElroy, Mack, Mathews of Tehama, Matthews of San Benito, O'Neill, Owen, Raw, Sargent, Schlesinger, Shanahan, Simpson, Standart, Taggart, Taylor, Thomas of Nevada, Thomas of Santa Clara, and Wade—41

NOES—Messrs. Alford, Bledsoe, Boyce, Brownlie, Buckley, Chipman, Curtis, Dodge, Drees, Durst, Emeric, Godchaux, Jacobsen, Johnson of Santa Clara, Luttringer, McGowan, Marston, Miller, Mordecai, Perkins, Schroebel, Sims, Talbott, Tindall, Vann, and Mr. Speaker—26.

Bill ordered engrossed and to a third reading.

NOTICE OF RECONSIDERATION.

Mr. Owen gave notice that on the next legislative day he will move a reconsideration of the vote whereby the amendment was adopted.

LEAVE OF ABSENCE.

Mr. Burke was granted leave of absence until Monday morning.

REPORT OF STANDING COMMITTEE.

ON PUBLIC BUILDINGS AND GROUNDS.

ASSEMBLY CHAMBER, SACRAMENTO, February 8, 1893

MR. SPEAKER: Your Committee on Public Buildings and Grounds, to whom was referred Assembly Bill No. 28—have had the same under consideration, and respectfully report the same back, and report that a similar bill is now in the hands of the Ways and Means Committee, and we herewith return same without recommendation.

CURTIS, Chairman

INTRODUCTION OF BILLS.

The following bills were introduced, read by title, and referred to committees, as follows:

By Mr. Bennett of Santa Clara: Assembly Bill No. 694—An Act to insure preference in appointment, employment, and retention therein, in the public service of the State of California, and municipalities, villages, and counties of the State of California, to ex-Union soldiers of the late war.

Referred to Committee on Labor and Capital.

By Mr. Alford: Assembly Bill No. 695—An Act to amend an Act entitled "An Act to establish a uniform system of county and township governments."

Referred to Committee on County and Township Governments.

SPECIAL ORDER.

Assembly Bill No. 8.—An Act to promote the purity of elections by regulating the conduct thereof, and to support the privilege of free suffrage by prohibiting certain acts and practices in relation thereto, and providing for the punishment thereof.

Read third time.

Speaker Gould in the chair.

LEAVE OF ABSENCE.

Mr. Luttringer was granted leave of absence until Monday morning.

MOTIONS.

Mr. Vann called up the motion to reconsider the vote whereby Assembly Joint Resolution No. 4 was refused adoption, and moved that the consideration of the motion be postponed until to-morrow.

So ordered.

Speaker pro tem. Mathews in the chair.

Mr. Barlow moved that the special order set for three o'clock P. M., the consideration of Assembly Constitutional Amendment No. 12, be postponed until to-morrow at three o'clock P. M.

So ordered.

PASSAGE OF ASSEMBLY BILL No. 8.

The question recurred on the passage of Assembly Bill No. 8—An Act to promote the purity of elections by regulating the conduct thereof, and to support the privilege of free suffrage by prohibiting certain acts and practices in relation thereto, and providing for the punishment thereof.

The roll was called, and the bill passed by the following vote:

AYES—Messrs Alford, Anderson, Androus, Barker, Barlow, Bennett of Orange, Boyce, Bretz, Buckley, Bulla, Carlson, Casterline, Chipman, Conway, Curtis, Cusick, Dodge, Drees, Durst, Finlayson, Gallagher, Gately, Godchaux, Hamilton, Hendrickson, Hurley, Hutson, Jacobs, Jacobsen, Johnson of Humboldt, Johnson of Santa Clara, Kennedy, Kahn, Kerns, LaRue, McCauley, Marston, Mathews of Tehama, Matthews of San Benito, Mordecai, O'Keefe, Owen, Pendleton, Perkins, Schlesinger, Schroebel, Shanahan, Simpson, Sims, Standart, Taggart, Thomas of Santa Clara, Vann, Wade, and Mr. Speaker—56.

NOES—Messrs Bledsoe, Brownlie, Lynch, McElroy, McGowan, Marks, Miller, O'Neill, Raw, and Sargent—10

Title read and approved.

INTRODUCTION OF BILL.

By Mr. Mordecai: Assembly Bill No. 696—An Act to establish a California State Raisin Growers, Packers, and Brokers' Association, and prescribing the powers thereof.

Referred to Committee on Viniculture, Viticulture, and Horticulture.

REPORT OF STANDING COMMITTEE.

ON SWAMP AND OVERFLOWED LANDS.

ASSEMBLY CHAMBER, SACRAMENTO, February 8, 1893.

MR. SPEAKER: Your Committee on Swamp and Overflowed Lands, to whom was referred Assembly Bill No. 596—An Act creating a State Board of Public Works, defining their duties and powers, prescribing their compensation, and making an appropriation.

Also: Assembly Bill No. 595—An Act to provide for the organization and government of drainage districts, for the levy, equalization, and collection of assessments therein, for the construction and maintenance of canals and other drainage works to secure the lands of such districts from overflow, and conferring powers and imposing duties upon the State Board of Public Works in relation to such drainage districts.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass as amended.

MACK, for Chairman

Assembly Bill No. 596 re-referred to Committee on Ways and Means.

ADJOURNMENT.

At four o'clock and fifty-five minutes P. M., on motion of Mr. Gould, the Assembly adjourned.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Thursday, February 9, 1893.

The Assembly met pursuant to adjournment.

Speaker Gould in the chair.

The roll was called, and the following members answered to their names:

Messrs. Adams, Alford, Anderson Androus, Barker, Barlow, Bennett of Santa Clara, Bennett of Orange, Blakeley, Bledsoe, Boyce, Bretz, Brownlie, Buckley, Bulla, Carlson, Casterline, Chipman, Conway, Curtis, Cusick, Dodge, Drees, Duckworth, Duffy, Durst, Emeric, Finlayson, Gallagher, Gately, Godchaux, Hamilton, Hendrickson, Hurley, Hutson, Jacobs, Jacobsen, Johnson of Humboldt, Johnson of Santa Clara, Kennedy, Kahn, Kerns, LaRue, Lynch, McCauley, McGowan, Mack, Marks, Marston, Mathews of Tehama, Matthews of San Benito, Miller, Mordecai, O'Keefe, O'Neill, Owen, Pendleton, Perkins, Raw, Sargent, Schlesinger, Schroebel, Shanahan, Simpson, Sims, Standart, Taggart, Talbott, Taylor, Thomas of Nevada, Thomas of Santa Clara, Tindall, Vann, Wade, and Mr. Speaker.

Quorum present.

PRAYER.

Prayer by the Chaplain, Rev. H. W. Conry.

READING AND APPROVAL OF THE JOURNAL.

Pending the reading of the Journal of yesterday, Mr. Tindall moved that the further reading be dispensed with.

So ordered.

Journal of Monday, February 6th, approved.

REPORTS OF STANDING COMMITTEES.

ON FEDERAL RELATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, February 9, 1893.

MR SPEAKER: Your Committee on Federal Relations, to whom was referred Assembly Joint Resolution No. 20—Relative to ownership and operation of railroads by the people—have had the same under consideration, and respectfully report the same back, with amendments, and recommend that the same be adopted as amended.

Also: Assembly Joint Resolution No 18—Relative to a continuation and extension of the improvements commenced by the United States Government at Port Harford, in San Luis Obispo County, State of California.

Also: Assembly Joint Resolution No. 22—Relative to an amendment to the patent laws of the United States.

Also: Senate Joint Resolution No. 17—Relative to the examination of navigable waters in the State of California.

Have had the same under consideration, and respectfully report the same back, and recommend that the same be adopted.

SIMS, Chairman.

ON IRRIGATION.

ASSEMBLY CHAMBER, SACRAMENTO, February 9, 1893.

MR. SPEAKER Your Committee on Irrigation, to whom was referred Assembly Bill No 666—An Act supplemental to an Act entitled "An Act to provide for the organization and government of irrigation districts, and to provide for the acquisition of water and other property, and for the distribution of water thereby for irrigation purposes," approved March 7, 1887, providing for the abandonment of operations by irrigation districts, and for their disorganization upon the discharge of all outstanding obligations

Also Assembly Bill No. 512—An Act to amend an Act amendatory of and supplemental to an Act entitled "An Act to provide for the organization and government of irrigation districts, and to provide for the acquisition of water and other property, and for the distribution of water thereby for irrigation purposes," approved March 7, 1887, providing for the exclusion of certain lands within any such district, approved February 16, 1889.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass

CARLSON, Chairman.

ON STATE HOSPITALS

ASSEMBLY CHAMBER, SACRAMENTO, February 8, 1893.

MR SPEAKER: Your Committee on State Hospitals, to whom was referred Assembly Bill No. 314—An Act to amend an Act entitled "An Act to regulate the practice of pharmacy and sale of poisons in the State of California," approved March 11, 1891

Also Assembly Bill No. 572—An Act to amend an Act entitled "An Act to regulate the practice of pharmacy and sale of poisons in the State of California," approved March 11, 1891.

Have had the same under consideration, and respectfully report the same back, and recommend that the authors be allowed to withdraw the same.

Also: Assembly Bill No. 483—An Act making an appropriation to pay the deficiency in the appropriation for additional improvements for the Southern California State Asylum for the Insane and Inebriates.

Also. Assembly Bill No. 484—An Act making an appropriation to pay for the management and maintenance of the Southern California State Asylum for the Insane and Inebriates for the forty-fourth fiscal year.

Have had the same under consideration, and respectfully report the same back, and recommend that they be referred to the Ways and Means Committee

Also: Assembly Bill No. 584—An Act to amend section three thousand and five of the Political Code.

Also Assembly Bill No 453—An Act to regulate the practice of medicine in the State of California

Also Senate Bill No. 6—An Act to appropriate twenty-five thousand dollars for the purchase of a site for and the erection of a State Hospital for Lepers.

Have had the same under consideration, and respectfully report the same back, and recommend that they do not pass.

Also. Assembly Bill No. 482—An Act making an appropriation for the erection of additional buildings and improvements, for the Southern California State Asylum for Inebriates.

Also: Senate Bill No. 113—An Act to appropriate money to prevent the introduction of contagious diseases.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass as amended.

Also: Assembly Bill No 622—An Act appropriating money for the erection of shop buildings at the Industrial Home of Mechanical Trades for the Adult Blind

Also. Assembly Bill No. 417—An Act to provide for the payment, by the Board of Directors of the State Insane Asylum at Stockton, California, of certain sums of money, for the paving of California Street, in the city of Stockton, county of San Joaquin, State of California, opposite the State Insane Asylum at Stockton, California, and for the construction of a concrete sidewalk along said street.

Also Assembly Bill No. 68—An Act to amend an Act entitled "An Act to regulate the practice of pharmacy and sale of poisons in the State of California," approved March 11, 1891.

Also. Assembly Bill No. 319—An Act appropriating the sum of twenty thousand dollars for the erection and construction of a sewer for the State Insane Asylum at Agnews, to appropriate money therefor, and to provide for the expenditure of the same

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass

MORDECAI, Chairman

Assembly Bills Nos. 483 and 484 re-referred to Committee on Ways and Means.

Senate Bill No. 6 re-referred to Committee on Ways and Means.

Assembly Bill No. 482 and Senate Bill No. 113 re-referred to Committee on Ways and Means.

Assembly Bills No. 622, 417, and 319 re-referred to Committee on Ways and Means.

ON MINES AND MINING.

ASSEMBLY CHAMBER, SACRAMENTO, February 8, 1893

MR SPEAKER Your Committee on Mines and Mining, to whom was referred Senate Bill No. 134—An Act to establish a uniform system of mine bell signals, to be used in all the mines operated in the State of California, and for the protection of miners

Also. Assembly Bill No. 372—An Act to establish a uniform system of mine bell signals, to be used in all the mines operated in the State of California, and for the protection of miners

Have had the same under consideration, and respectfully report the same back, and recommend Senate Bill No 134 be substituted for Assembly Bill No 372, and that the author be allowed to withdraw same, and said Senate Bill No. 134 do pass.

HAMILTON, Chairman

ON SWAMP AND OVERFLOWED LANDS.

ASSEMBLY CHAMBER, SACRAMENTO, February 9, 1893.

MR SPEAKER: Your Committee on Swamp and Overflowed Lands, to whom was referred Assembly Bill No. 543—An Act regulating the sale of the lands uncovered by the recession of the waters of inland lakes, and unsegregated swamp and overflowed lands

Also: Assembly Bill No 452—An Act regulating the sale of the lands uncovered by the recession of the waters of inland lakes, and unsegregated swamp and overflowed lands.

Also: Assembly Bill No 488—An Act regulating the sale of the lands uncovered by the recession of the waters of inland lakes, and unsegregated swamp and overflowed lands

Have had the same under consideration, and respectfully report the same back, and recommend that Substitute Bill No 543 do pass in place of the three bills named

JACOBS, Chairman

ON APPORTIONMENT AND ELECTION LAWS

ASSEMBLY CHAMBER, SACRAMENTO, February 8, 1893

MR SPEAKER: Your Committee on Apportionment and Election Laws, to whom was referred Assembly Bill No 322—An Act to amend section one thousand one hundred and ninety-seven of an Act entitled "An Act to amend section one thousand one hundred and ninety-seven of an Act entitled 'An Act to establish a Political Code,' approved

March 12, 1872, in relation to the conduct of elections in this State," approved March 20, 1891—have had the same under consideration, and respectfully report the same back, and recommend that it do not pass

Also Assembly Bill No. 610—An Act to amend the Code of Civil Procedure, by adding thereto three new sections, to be numbered sections one thousand one hundred and twenty-eight, one thousand one hundred and twenty-nine, and one thousand one hundred and thirty, relating to the contesting of elections by a judicial recount of the ballots cast.

Also Assembly Bill No. 136—An Act to ascertain and express the will of the people upon the subject of woman suffrage

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

FINLAYSON, Chairman.

ON MUNICIPAL CORPORATIONS

ASSEMBLY CHAMBER, SACRAMENTO, February 9, 1893

MR SPEAKER Your Committee on Municipal Corporations, to whom was referred Assembly Bill No 244—An Act to provide for the compensation of the Chief and Captain of Police and police officers in cities in the State of California containing not less than ten thousand and not exceeding thirty thousand inhabitants—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended

BUCKLEY, Chairman.

ON JUDICIARY.

ASSEMBLY CHAMBER, SACRAMENTO, February 9, 1893

MR SPEAKER Your Committee on Judiciary, to whom was referred Assembly Bill No 523—An Act to provide for payment for private property heretofore actually taken for public use, and for which no compensation has been made.

Also Assembly Bill No. 547—An Act to amend section twelve hundred and forty (1240) of the Civil Code, relating to the exemptions of homesteads and their proceeds from execution or forced sale

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

Also Assembly Bill No 586—An Act regulating the practice of architecture in the State of California—have had the same under consideration, and respectfully report the same back, and recommend that it, with the committee's substitute therefor, be referred to the Committee on Public Buildings and Grounds

Also Assembly Bill No 387—An Act to amend section six hundred and thirty-two of the Code of Civil Procedure, relative to the trial of causes by the Court

Also. Assembly Bill No 388—An Act to amend section six hundred and thirty-three of the Code of Civil Procedure, relating to trial by Court.

Also Assembly Bill No 389—An Act to amend section six hundred and sixty of the Code of Civil Procedure, relative to new trials.

Also. Assembly Bill No. 406—An Act to amend subdivisions one, two, three, four, five, and six of section one hundred and twelve of the Code of Civil Procedure.

Also: Assembly Bill No 574—An Act to add an additional section to the Code of Civil Procedure, to be known as section seven hundred and twenty-six and one half

Have had the same under consideration, and respectfully report the same back, and recommend that they do not pass

Also: Assembly Bill No 211—An Act to regulate the fees of County Clerks in estates of deceased persons, of minors, and of incompetent persons—with the substitute therefor

Also: Assembly Bill No 540—An Act to provide for the publication of legal notices

Have had the same under consideration, and respectfully report the same back without recommendation.

Also Assembly Bill No 399—An Act to amend sections three hundred and nineteen, three hundred and twenty, three hundred and twenty-one, three hundred and twenty-four, three hundred and twenty-five, and three hundred and twenty-six of the Penal Code of California, relating to lotteries—have had the same under consideration, and respectfully report the same back, and recommend that it be referred to the Committee on Public Morals

Also Assembly Bill No 397—An Act authorizing the allowance, settlement, and payment of claims of counties against the State—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

Also Senate Bill No. 125—An Act to abolish commissions, or fees, paid by the State for the assessment, equalization, auditing, and collection of ad valorem taxes—have had the same under consideration, and respectfully report the same back, and recommend that it be substituted on the file for Assembly Bill No 3, and that it do pass

SHANAHAN, Chairman

Assembly Bill No. 586 re-referred to Committee on Public Buildings and Grounds.

Assembly Bill No. 399 re-referred to Committee on Public Morals.

Mr. Shanahan moved that Senate Bill No. 125 be substituted on the file for Assembly Bill No. 3.

So ordered.

ON ATTACHÉS AND EMPLOYÉS

ASSEMBLY CHAMBER, SACRAMENTO, February 9, 1893

MR SPEAKER. Your Committee on Attachés and Employés, to whom was referred the following resolutions

By Mr. Mathews of Tehama·

WHEREAS, It is necessary and essential that there should be a suitable person appointed as Night Watchman for the Engrossing and Enrolling Clerks' office; so be it

Resolved, That John S. Wilkins be and he is hereby appointed as Night Watchman for the said office, at a per diem as the other Watchmen, and the Controller is instructed to draw his warrant for the same, payable out of the Contingent Fund of the Assembly.

By Mr. Gallagher.

Resolved. That Miss Eva O'Neill and Miss Georgia Jones be appointed as Assistant Engrossing Clerks to the Engrossing Clerk, and to be paid at the per diem of four dollars, to be paid out of the Contingent Fund of the Assembly.

By Mr. Finlayson:

Resolved, That R. B. Nathan be and he is hereby appointed Assistant Engrossing Clerk, to assist the Engrossing Clerk, at the same per diem as is now paid to the other clerks, payable out of the Contingent Fund of the Assembly.

Have had the same under consideration, and respectfully report the same back without recommendation.

HURLEY, Chairman.

ON PUBLIC PRINTING.

ASSEMBLY CHAMBER, SACRAMENTO, February 8, 1893

MR. SPEAKER: Your Committee on Public Printing, to whom was referred Assembly Bill No 448—An Act to provide for the manufacture of paper, the printing of books, reports, blanks, and other documents required for public use, and for the binding of *books for the use of the State at the State Prison at Folsom, and making appropriation* therefor—have had the same under consideration, and respectfully report the same back, and recommend that the author of said bill be allowed to withdraw the same.

HENDRICKSON, Chairman

Mr. Taggart, on his motion, was allowed to withdraw Assembly Bill No. 448.

ON WAYS AND MEANS.

ASSEMBLY CHAMBER, SACRAMENTO, February 9, 1893

MR SPEAKER· Your Committee on Ways and Means, to whom was referred Assembly Bill No. 654—An Act making an appropriation to pay the claim of Major José Ramon Pico for expenses incurred in recruiting and maintaining military companies

Also: Assembly Bill No. 126—An Act appropriating the sum of ten thousand dollars for supplying a system of heating and ventilating the State Normal School building at San José, California.

Also: Senate Bill No 206—An Act making an appropriation to pay the deficiency in the appropriation for support of State Insane Asylum at Stockton, California, for the forty-second and forty-third fiscal years

Also: Assembly Bill No. 551—An Act to repeal "An Act to provide for a State Board of Arbitration for the settlement of differences between employers and employés, to define the duties of said Board, and to appropriate the sum of two thousand five hundred dollars therefor," approved March 10, 1891

Also Assembly Bill No 627—An Act to provide for the redemption and payment of certain funded debt bonds of this State, together with interest thereon, making an appropriation therefor, and authorizing the State Controller and State Treasurer to transfer the sum of one hundred and twenty thousand dollars from the General Fund to the Interest and Sinking Fund to carry out the provisions of this Act

Also. Assembly Bill No. 635—An Act making an appropriation to pay the deficiency in the appropriation for support and maintenance of State hatcheries for the forty-second and forty-third fiscal years.

Also: Assembly Bill No 634—An Act making an appropriation to pay the deficiency in the appropriation for the restoration and preservation of fish in the waters of the State for the forty-second and forty-third fiscal years

Also. Assembly Bill No 375—An Act to pay the claim of A. L Wood, for the arrest of Francisco Torres, charged with the crime of murder.

Have had the same under consideration, and recommend their passage

Also Assembly Bill No. 128—An Act appropriating the sum of three thousand five hundred dollars for furnishing the Training Department building of the State Normal School at San José, California—and recommend that it do pass as amended.

Also: Assembly Bill No. 192—An Act to provide for the building and furnishing of three cottages for use as residences of the Resident Physician and two Assistant Physicians at the Napa State Asylum for the Insane, and making an appropriation therefor—have had the same under consideration, and respectfully recommend that it do not pass.

W. P. MATHEWS, Chairman.

PETITIONS.

Messrs. Mordecai, Duffy, Hamilton, and McCauley presented petitions asking for woman suffrage.

By Mr. LaRue: Resolutions of the Board of Supervisors of San Joaquin County, relating to the Whittier Reform School.

Referred to Committee on Ways and Means.

MESSAGES FROM THE SENATE.

SENATE CHAMBER, SACRAMENTO, February 8, 1893.

MR. SPEAKER: I am directed to inform your honorable body that the Senate, on the seventh day of February, concurred in the Assembly amendment to Senate Bill No. 24—Relative to Superior Judge of Alameda County

F. J. BRANDON, Secretary
By R. SHAW, Assistant

Also:

SENATE CHAMBER, SACRAMENTO, February 8, 1893.

MR. SPEAKER: I am directed to inform your honorable body that the Senate, on this day, passed Senate Bill No. 384—An Act to amend an Act entitled "An Act to establish a Penal Code," approved February 14, 1872, by adding a new section to said Penal Code, to be known and numbered as section six hundred and seventy-nine, relating to the coercion or compulsion of persons seeking employment.

Also: Senate Bill No. 160—An Act making an appropriation to pay the claim of "The California Spirit of the Times," for advertising the election proclamation in the forty-second fiscal year.

Also: Senate Bill No. 212—An Act authorizing the Controller and Treasurer to transfer to the General Fund all moneys now in the Election Reward Fund, the Leprosy Fund, and Interest and Sinking Fund, Levee District No. 5, and abolishing the Leprosy Fund and Interest and Sinking Fund, Levee District No. 5.

F. J. BRANDON, Secretary.
By R. SHAW, Assistant.

Senate Bill No. 384 referred to Committee on Labor and Capital.

Senate Bill No. 160 referred to Committee on Claims.

Senate Bill No. 212 substituted on the file for Assembly Bill No. 210, on motion of Mr. Sims.

Also:

SENATE CHAMBER, SACRAMENTO, February 8, 1893.

MR. SPEAKER: I am directed to inform your honorable body that the Senate, on this day, passed Senate Bill No. 72—An Act to provide for a day of rest from labor.

Also: Senate Bill No. 36—An Act to amend an Act entitled "An Act to provide for the completion of all unfinished county, city, city and county, towns, and township buildings in the several counties, cities and counties, cities, and towns throughout the State of California," approved March 11, 1891.

F. J. BRANDON, Secretary
By R. SHAW, Assistant

Senate Bill No. 72 substituted on the file for Assembly Bill No. 190, on motion of Mr. Boyce.

Senate Bill No. 36 referred to Committee on Public Buildings and Grounds.

INTRODUCTION OF BILL.

By Mr. Duffy: Assembly Bill No. 697—An Act relating to the operation of railroads.

Referred to Committee on Corporations.

RESOLUTION.

By Mr. Sims·

Resolved, That the Chief Clerk be and he is hereby directed to place upon the third reading general file all joint and concurrent resolutions now upon the general file, or that may be hereafter ordered upon the general file.

Adopted.

SPECIAL FILE.

Senate Bill No. 125—An Act to abolish commissions, or fees, paid by the State for the assessment, equalization, auditing, and collection of ad valorem taxes.

Read first time, and placed on file for second reading.

Assembly Bill No. 186—An Act to amend section three thousand eight hundred and sixty-eight of the Political Code, relating to the report of County Auditors.

Read third time, and passed by the following vote:

AYES—Messrs. Adams, Anderson, Barker, Barlow, Bennett of Santa Clara, Bennett of Orange, Bledsoe, Bretz, Brownlie, Buckley, Bulla, Burke, Carlson, Casterline, Conway, Cusick, Dodge, Drees, Duckworth, Duffy, Durst, Finlayson, Gately, Godchaux, Hamilton, Hendrickson, Hurley, Hutson, Jacobs, Jacobsen, Johnson of Humboldt, Kennedy, Kerns, Lynch, McGowan, Mack, Marks, Marston, Matthews of San Benito, Miller, Mordecai, O'Keefe, Owen, Pendleton, Perkins, Raw, Sargent, Schroebel, Shanahan, Sims, Standart, Taggart, Talbott, Taylor, Thomas of Nevada, Thomas of Santa Clara, Tindall, Vann, Wade, and Mr. Speaker—60.

NOES—None

Title read and approved.

Assembly Bill No. 241—An Act to amend section three thousand eight hundred and sixty-six of the Political Code, relating to settlements with the Controller and payments into the State Treasury.

Read third time, and passed by the following vote:

AYES—Messrs. Adams, Anderson, Barker, Barlow, Bennett of Santa Clara, Bennett of Orange, Blakeley, Bledsoe, Bretz, Brownlie, Buckley, Bulla, Carlson, Casterline, Conway, Cusick, Dodge, Drees, Duckworth, Duffy, Durst, Emeric, Finlayson, Gately, Godchaux, Hamilton, Hendrickson, Hurley, Hutson, Jacobs, Jacobsen, Johnson of Humboldt, Kennedy, Kerns, Lynch, McCauley, McGowan, Mack, Matthews of San Benito, Miller, Mordecai, O'Keefe, O'Neill, Pendleton, Perkins, Raw, Sargent, Schlesinger, Schroebel, Sims, Standart, Taggart, Talbott, Taylor, Thomas of Nevada, Thomas of Santa Clara, Tindall, Vann, Wade, and Mr. Speaker—60

NOES—None

Title read and approved.

Assembly Bill No. 281—An Act to provide for paying for improving that portion of Tenth Street lying between L and N Streets, in the city of Sacramento, adjoining the State Capitol grounds, and for sundry work to the Capitol sidewalk and grounds, and making an appropriation therefor.

Read third time, and passed by the following vote:

AYES—Messrs. Adams, Anderson, Androus, Barker, Barlow, Bennett of Santa Clara, Bennett of Orange, Blakeley, Bledsoe, Boyce, Bretz, Brownlie, Buckley, Bulla, Carlson, Casterline, Chipman, Conway, Curtis, Cusick, Dodge, Drees, Duckworth, Duffy, Durst, Gallagher, Gately, Godchaux, Hamilton, Hendrickson, Hurley, Hutson, Jacobs, Jacobsen, Johnson of Humboldt, Johnson of Santa Clara, Kennedy, Kerns, LaRue, Lynch, McCauley, McGowan, Mack, Marks, Marston, Matthews of San Benito, Miller, Mordecai, O'Keefe, O'Neill, Owen, Pendleton, Perkins, Schlesinger, Shanahan, Simpson, Sims, Standart, Taggart, Talbott, Taylor, Thomas of Santa Clara, Tindall, Vann, Wade, and Mr. Speaker—65

NOES—None

Title read and approved.

REPORT OF STANDING COMMITTEE.

ON ENGROSSMENT.

ASSEMBLY CHAMBER, SACRAMENTO, February 9, 1893.

MR SPEAKER: Your Committee on Engrossment begs leave to report that it finds the following Assembly Bills correctly engrossed:

Assembly Bill No. 113—An Act requiring the recording of maps of cities, towns, additions to cities or towns, or subdivisions of lands into small lots or tracts for the purposes of sale, and providing for a forfeiture for the selling or offering for sale any lots or tracts in cities, towns, subdivisions, or additions thereto before such maps are filed and recorded

Also: Assembly Bill No 153—An Act to amend sections six and eight of an Act approved March 16, 1889, and to repeal an Act approved March 9, 1885; also, to repeal an Act approved March 15, 1887

Also: Assembly Bill No 287—An Act to amend an Act entitled "An Act to authorize the Common Council, Board of Trustees, or other governing body of any incorporated city or town, other than cities of the first class, to refund its indebtedness, issue bonds therefor, and provide for the payment of the same," approved March 15, 1883.

Also: Assembly Bill No 158—An Act to amend section two thousand six hundred and fifty-three of the Political Code, relating to the levy of road tax

KENNEDY, Chairman

SPECIAL FILE.

Assembly Bill No. 127—An Act appropriating four thousand dollars to pay for the system of heating and ventilating established in the Training Department of the State Normal School at San José, California.

Read third time, and passed by the following vote:

AYES—Messrs Adams, Alford, Anderson, Androus, Barker, Barlow, Bennett of Santa Clara, Bennett of Orange, Blakeley, Bledsoe, Boyce, Bretz, Buckley, Bulla, Carlson, Casterline, Conway, Curtis, Cusick, Dodge, Drees, Duckworth, Duffy, Durst, Gallagher, Gately, Godchaux, Hamilton, Hendrickson, Hurley, Jacobs, Jacobsen, Johnson of Humboldt, Johnson of Santa Clara, Kennedy, Kerns, LaRue, Lynch, McCauley, Mack, Marks, Marston, Matthews of San Benito, Miller, Mordecai, O'Keefe, O'Neill, Owen, Pendleton, Perkins, Sargent, Schlesinger, Simpson, Sims, Standart, Talbott, Taylor, Thomas of Santa Clara, Vann, Wade, and Mr Speaker—61.

NOES—None.

Title read and approved.

MOTION.

Mr. Schlesinger moved to reconsider the vote whereby the amendment to Assembly Bill No. 447 was on yesterday adopted.

Mr. Shanahan moved that the consideration of the motion be made a special order for two o'clock P. M.

So ordered.

SPECIAL FILE.

Senate Bill No. 212—An Act authorizing the Controller and Treasurer to transfer to the General Fund all moneys now in the Election Reward Fund, the Leprosy Fund, and Interest and Sinking Fund, Levee District No. 5, and abolishing the Leprosy Fund, and Interest and Sinking Fund, Levee District No. 5.

Read first time, and placed on file for second reading.

Assembly Bill No. 195—An Act to abolish the State Drainage Construction Fund, and directing the transfer of any balance remaining therein to the General Fund

Read third time, and passed by the following vote:

AYES—Messrs Adams, Alford, Anderson, Androus, Barker, Barlow, Bennett of Santa Clara, Bennett of Orange, Blakeley, Bledsoe, Boyce, Bretz, Buckley, Bulla, Carlson, Cas-

terline, Cusick, Dodge, Drees, Duckworth, Duffy, Gallagher, Gately, Godchaux, Hamilton, Hendrickson, Hurley, Hutson, Jacobs, Jacobsen, Johnson of Humboldt, Kerns, LaRue, Lynch, McCauley, McGowan, Marks, Marston, Matthews of San Benito, Mordecai, O'Keefe, O'Neill, Owen, Pendleton, Perkins, Raw, Sargent, Schlesinger, Schroebel, Shanahan, Standart, Taggart, Taylor, Thomas of Nevada, Thomas of Santa Clara, Tindall, Vann, Wade, and Mr. Speaker—59.

NOES—None

Title read and approved.

Assembly Bill No 426—An Act making an appropriation to pay the deficiency in the appropriation for the transportation of insane for the forty-third fiscal year.

Read third time, and passed by the following vote:

AYES—Messrs. Adams, Anderson, Barker, Barlow, Bennett of Santa Clara, Bennett of Orange, Blakeley, Boyce, Bretz, Buckley, Bulla, Carlson, Casterline, Chipman, Cusick, Dodge, Drees, Duckworth, Durst, Gallagher, Gately, Godchaux, Hamilton, Hendrickson, Hurley, Hutson, Jacobs Jacobsen, Kerns, LaRue, Lynch, McCauley, McElroy, McGowan, Marks, Marston, Matthews of San Benito, Mordecai, O'Keefe, O'Neill, Owen, Pendleton, Perkins, Raw, Sargent, Schlesinger, Schroebel, Sims, Standart, Taggart, Talbott, Thomas of Nevada, Thomas of Santa Clara, Tindall, Vann, Wade, and Mr Speaker—57.

NOES—Mr. Bledsoe—1

Title read and approved.

Assembly Bill No. 427—An Act making an appropriation to pay the deficiency in the appropriation for the transportation of prisoners for the forty-third fiscal year.

Read third time, and passed by the following vote:

AYES—Messrs. Adams, Anderson, Barker, Barlow, Bennett of Santa Clara, Bennett of Orange, Blakeley, Boyce, Bretz, Brownlie, Buckley, Bulla, Carlson, Casterline, Chipman, Cusick, Drees, Duckworth, Durst, Gallagher, Gately, Godchaux, Hamilton, Hendrickson, Hurley, Hutson, Jacobsen, Johnson of Santa Clara, Kerns, LaRue, Lynch, McCauley, McElroy, McGowan, Marks, Marston, Mordecai, O'Keefe, Owen, Pendleton, Perkins, Sargent, Schlesinger, Schroebel, Simpson, Sims, Standart, Taggart, Thomas of Nevada, Thomas of Santa Clara, Tindall, Vann, Wade, and Mr Speaker—54.

NOES—Messrs Bledsoe and O'Neill—2

Title read and approved.

Assembly Bill No. 269—An Act making an appropriation to pay armory rents and other expenses of the Naval Battalion of the National Guard for the remainder of the forty-fourth fiscal year.

Read third time, and passed by the following vote:

AYES—Messrs. Anderson, Androus, Barker, Bennett of Santa Clara, Bledsoe, Boyce, Brownlie, Buckley, Bulla, Carlson, Casterline, Chipman, Conway, Cusick, Dodge, Drees, Duckworth, Duffy, Durst, Emeric, Finlayson, Gallagher, Gately, Godchaux, Hamilton, Hendrickson, Hurley, Hutson, Jacobsen, Johnson of Humboldt, Johnson of Santa Clara, Kennedy, Kerns, LaRue, Lynch, McCauley, McElroy, McGowan, Marston, Matthews of San Benito, Miller, Mordecai, O'Keefe, O'Neill, Owen, Pendleton, Perkins, Sargent, Schroebel, Shanahan, Sims, Standart, Taggart, Talbott, Taylor, Tindall, Vann, Wade, and Mr. Speaker—59

NOES—Messrs. Adams, Barlow, Bennett of Orange, Bretz, Jacobs, and Thomas of Santa Clara—6.

Title read and approved.

RESOLUTION.

By Mr. Matthews of San Benito:

Resolved, That the Bookkeeper to the Sergeant-at-Arms, C. H. McGreevy, be and is hereby empowered to receipt to the Controller for all warrants for the members and attachés of the Assembly

Adopted.

SPECIAL FILE.

Assembly Bill No. 282—An Act making an appropriation to pay the deficiency in the appropriation provided by an Act entitled "An Act to establish a School of Industry, to provide for the maintenance and management of the same, and to make an appropriation therefor," approved March 11, 1889.

Read third time, and passed by the following vote:

AYES—Messrs Adams, Anderson, Androus, Barker, Barlow, Bennett of Santa Clara, Bennett of Orange, Boyce, Bretz, Brownlie, Buckley, Bulla, Carlson, Casterline, Chipman, Conway, Cusick, Dodge, Drees, Duckworth, Durst, Emeric, Finlayson, Gallagher, Gately, Godchaux, Hamilton, Hendrickson, Jacobs, Jacobsen, Johnson of Santa Clara, Kennedy, LaRue, Lynch, McElroy, McGowan, Marston, Matthews of San Benito, Miller, Mordecai, O'Keefe, Pendleton, Perkins, Shanahan, Sims, Standart, Talbott, Taylor, Tindall, Vann, Wade, and Mr Speaker—52

NOES—Messrs Bledsoe, Hurley, O'Neill, and Thomas of Santa Clara—4

Title read and approved.

Assembly Bill No. 460—An Act making an appropriation for the payment of an indebtedness created or to be incurred by the Surveyor-General in transcribing records and plat books in his office.

Read third time, and passed by the following vote:

AYES—Messrs Adams, Anderson, Androus, Barker, Barlow, Bennett of Santa Clara, Bennett of Orange, Boyce, Bretz, Brownlie, Buckley, Bulla, Carlson, Casterline, Conway, Cusick, Dodge, Drees, Durst, Finlayson, Gallagher, Gately, Godchaux, Hamilton, Hendrickson, Hurley, Jacobs, Kennedy, Kerns, LaRue, Lynch, Marks, Marston, Matthews of San Benito, Miller, Mordecai, Owen, Pendleton, Sargent, Shanahan, Sims, Standart, Talbott, Taylor, Vann, Wade, and Mr Speaker—47

NOES—Messrs Bledsoe, Jacobsen, Johnson of Humboldt, McElroy, O'Neill, and Raw—6

Title read and approved.

Assembly Bill No. 245—An Act entitled an Act to pay the claim of Sands W. Forman, for services as Secretary of the State Board of Forestry, and appropriating the sum of three hundred and seventy-five dollars to pay such claim.

Passed on file.

Assembly Bill No. 459—An Act making an appropriation to pay the deficiency in the appropriation for expenses of Supreme Court, under section forty-seven, Code of Civil Procedure, for forty-first fiscal year.

Read third time, and passed by the following vote:

AYES—Messrs Adams, Alford, Anderson, Androus, Barker, Barlow, Bennett of Santa Clara, Boyce, Bretz, Buckley, Bulla, Carlson, Casterline, Chipman, Conway, Cusick, Dodge, Drees, Duckworth, Durst, Emeric, Finlayson, Gallagher, Gately, Godchaux, Hamilton, Hendrickson, Hurley, Hutson, Jacobs, Jacobsen, Kennedy, Kerns, LaRue, Lynch, Marks, Marston, Matthews of San Benito, Miller, Owen, Pendleton, Perkins, Raw, Sims, Standart, Talbott, Taylor, Tindall, Vann, Wade, and Mr. Speaker—51

NOES—Messrs Bledsoe, McCauley, McElroy, McGowan, O'Keefe, and O'Neill—6

Title read and approved.

Assembly Bill No. 500—An Act fixing the salary of the Janitor of the State Capitol building, defining his duties, and making an appropriation therefor.

Read third time, and passed by the following vote:

AYES—Messrs Adams, Anderson, Androus, Barker, Barlow, Bennett of Santa Clara, Blakeley, Boyce, Bretz, Brownlie, Buckley, Bulla, Casterline, Chipman, Conway, Curtis, Cusick, Dodge, Drees, Duckworth, Durst, Emeric, Finlayson, Gallagher, Gately, Godchaux, Hamilton, Hendrickson, Hurley, Hutson, Jacobs, Jacobsen, Johnson of Humboldt,

Kerns, LaRue, McCauley, McElroy, McGowan, Marks, Marston, Matthews of San Benito, Miller, O'Keefe, Pendleton, Perkins, Raw, Sargent, Schlesinger, Sims, Taggart, Talbott, Taylor, Thomas of Nevada, Tindall, Vann, and Mr. Speaker—56.

NOES—Messrs. Bledsoe, Thomas of Santa Clara, and Wade—3.

Title read and approved.

RESOLUTION.

By Mr. McCauley:

Resolved, That the Committee on Military Affairs be granted leave of absence from Friday morning, February 17th, until Tuesday, February 21st, at twelve o'clock M., in order that they may visit and investigate the companies of the National Guard situated in Stockton, Fresno, Los Angeles, and San Diego.

Referred to Committee on Public Expenditures and Accounts.

SPECIAL FILE.

Assembly Constitutional Amendment No. 20—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, amending section one of article four thereof, relative to the Legislative Department.

Passed on file.

Assembly Constitutional Amendment No. 18—A resolution to propose to the people of the State of California an amendment to section three of article eleven of the Constitution of the State of California.

Passed on file.

Assembly Constitutional Amendment No. 4—A resolution to propose to the people of the State of California an amendment to and providing for the repeal of sections twenty-two and twenty-three of article twelve of the Constitution, relative to a Board of Railroad Commissioners.

Passed on file.

GENERAL FILE—THIRD READING OF BILLS.

Assembly Bill No. 185—An Act to amend section three thousand seven hundred and seventy-three of the Political Code, relating to the sale of property for delinquent taxes.

Passed on file.

Assembly Bill No. 30—An Act entitled an Act to amend section fifteen of an Act entitled "An Act to provide for the formation, government, operation, and dissolution of sanitary districts in any part of the State for the construction of sewers and other sanitary purposes; the acquisition of property thereby; the calling and conducting of elections in such districts; the assessment, levy, collection, custody, and disbursement of taxes therein; the issuance and disposal of the bonds thereof, and the determination of their validity, and making provision for the payment of such bonds, and the disposal of their proceeds."

Read third time, and passed by the following vote:

AYES—Messrs. Adams, Anderson, Androus, Barker, Barlow, Bennett of Santa Clara, Blakeley, Bledsoe, Boyce, Bretz, Brownlie, Buckley, Bulla, Carlson, Casterline, Conway, Cusick, Dodge, Drees, Duckworth, Duffy, Durst, Emeric, Finlayson, Gallagher, Gately, Godchaux, Hamilton, Hendrickson, Hutson, Jacobs, Jacobsen, Johnson of Humboldt, Kennedy, Kerns, LaRue, Lynch, McCauley, McElroy, McGowan, Marks, Martson,

Matthews of San Benito, Miller, Mordecai, O'Keefe, Pendleton, Raw, Sargent, Schlesinger, Simpson, Sims, Taggart, Talbott, Taylor, Thomas of Nevada, Thomas of Santa Clara, Tindall, Wade, and Mr. Speaker—60.
NOES—None.

Title read and approved.

Pending roll call, Mr. Wade moved that the hour of recess be extended five minutes.

So ordered.

RECESS.

The hour of recess having arrived, the Speaker declared recess until two o'clock P. M.

REASSEMBLED.

The Assembly reassembled at two o'clock P. M.

Speaker Gould in the chair.

Quorum present.

INTRODUCTION OF BILLS.

The following bills were introduced, read by title, and referred to committees, as follows:

By Mr. Anderson: Assembly Bill No. 698—An Act entitled an Act to prevent deception in the sale of cheese.

Referred to Committee on Agriculture.

By Mr. Lynch: Assembly Bill No. 699—An Act making an appropriation to pay the deficiency in the appropriation for the State Board of Forestry, for the wages of station employés at Chico and Santa Monica.

Referred to Committee on Ways and Means.

SPECIAL ORDER.

Consideration of the motion to reconsider the vote whereby the amendment to Assembly Bill No. 447 was adopted.

MOTION.

Mr. Shanahan moved that the special order be postponed until to-morrow morning immediately after the reading of the Journal.

So ordered.

SPECIAL ORDER.

Senate Bill No. 72—An Act to provide for a day of rest from labor.

Read first time, and placed on file for second reading.

MOTION.

Mr. Boyce moved that the further consideration of the bill be made a special order for to-morrow at two o'clock P. M.

So ordered.

MOTION OF RECONSIDERATION.

Mr. Vann moved to reconsider the vote whereby Assembly Joint Resolution No. 4—Relative to the free and unlimited coinage of silver—was refused adoption.

Mr. Finlayson in the chair.

PREVIOUS QUESTION.

Mr. Kahn moved the previous question, seconded by Messrs. Sargent and Schlesinger.

RECONSIDERATION.

The question being, "Shall the main question be now put?" it was so ordered.

The ayes and noes were demanded by Messrs. Vann, Schlesinger, and Matthews of San Benito.

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

AYES—Messrs. Adams, Barker, Barlow, Bennett of Santa Clara, Bennett of Orange, Bledsoe, Bretz, Brownlie, Buckley, Bulla, Carlson, Casterline, Chipman, Conway, Cusick, Duffy, Durst, Finlayson, Gallagher, Gately, Hamilton, Hendrickson, Hurley, Hutson, Jacobsen, Johnson of Humboldt, Kennedy, Kahn, Kerns, LaRue, Lynch, McElroy, McGowan, Mack, Marks, Marston, Matthews of San Benito, O'Keefe, Owen, Perkins, Schlesinger, Schroebel, Shanahan, Simpson, Sims, Taggart, Talbott, Taylor, Thomas of Nevada, Thomas of Santa Clara, Tindall, Vann, Wade, and Mr. Speaker—54.

NOES—Messrs. Anderson, Jacobs, Mathews of Tehama, Mordecai, Pendleton, Raw, and Sargent—7.

Speaker Gould in the chair.

SPECIAL ORDER.

Assembly Joint Resolution No. 4—Relative to the free and unlimited coinage of silver.

Mr. Wade moved to amend as follows:

Strike out all of the preamble, and insert in lieu thereof the following:

WHEREAS, For about eighty years prior to and immediately preceding the year 1873, the Government of the United States maintained the free and unlimited coinage of silver at the ratio of sixteen of silver to one of gold, without detriment to the interests of the country; and whereas, the demonetization of silver by the Act of 1873 has, as we believe, proved detrimental to the agricultural, manufacturing, laboring, and all producing interests of the country, and to all borrowers of money, and advantageous only to the money-lending class; therefore be it.

Adopted.

Mr. Bulla moved to amend as follows:

By inserting the following after the word "silver" in line four: "provided, the same be limited to the United States product"

Adopted.

RECONSIDERATION.

Mr. Jacobsen moved to reconsider the vote whereby the amendment of Mr. Bulla to Assembly Joint Resolution No. 4 was adopted.

Mr. Kahn moved to lay the motion on the table.

The ayes and noes were demanded by Messrs. Shanahan, Bledsoe, and Adams.

The roll was called, and the motion to lay on the table lost by the following vote:

AYES—Messrs. Anderson, Androus, Bledsoe, Brownlie, Bulla, Chipman, Dodge, Johnson of Humboldt, Kahn, LaRue, McElroy, Marks, Mordecai, O'Keefe, Pendleton, Raw, Sargent, Simpson, Taggart, Tindall, and Mr. Speaker—21.

NOES—Messrs. Adams, Alford, Barlow, Bennett of Santa Clara, Bennett of Orange, Boyce, Bretz, Buckley, Carlson, Casterline, Conway, Cusick, Duckworth, Duffy, Durst, Emeric, Finlayson, Gallagher, Gately, Godchaux, Hamilton, Hendrickson, Hurley, Hutson, Jacobs, Jacobsen, Johnson of Santa Clara, Kerns, Lynch, McCauley, McGowan, Mack, Marston, Matthews of San Benito, Owen, Perkins, Schlesinger, Schroebel, Shanahan, Sims, Talbott, Taylor, Thomas of Nevada, Thomas of Santa Clara, Vann, and Wade—46.

Upon the motion to reconsider, the ayes and noes were demanded by Messrs. Shanahan, Alford, and Adams.

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

AYES—Messrs. Adams, Alford, Barlow, Bennett of Orange, Bretz, Buckley, Carlson, Casterline, Duckworth, Duffy, Durst, Finlayson, Gately, Hamilton, Hendrickson, Hutson, Jacobs, Jacobsen, Johnson of Santa Clara, Kerns, Lynch, McCauley, Mack, Matthews of San Benito, O'Keefe, Owen, Schroebel, Shanahan, Sims, Talbott, Taylor, Thomas of Nevada, Thomas of Santa Clara, Vann, and Wade—35

NOES—Messrs. Anderson, Androus, Barker, Bennett of Santa Clara, Bledsoe, Boyce, Brownlie, Bulla, Conway, Cusick, Dodge, Emeric, Godchaux, Hurley, Johnson of Humboldt, Kahn, LaRue, McElroy, Marks, Marston, Mordecai, O'Neill, Pendleton, Perkins, Raw, Sargent, Schlesinger, Simpson, Standart, Taggart, Tindall, and Mr. Speaker—32.

The question being on the adoption of the amendment of Mr. Bulla.

The ayes and noes were demanded by Messrs. Dodge, Bulla, and Alford.

The roll was called, and the amendment lost by the following vote:

AYES—Messrs Anderson, Androus, Barker, Bennett of Santa Clara, Bledsoe, Boyce, Bulla, Chipman, Conway, Cusick, Dodge, Johnson of Humboldt, Kahn, Marks, Marston, O'Keefe, Pendleton, Perkins, Raw, Sargent, Simpson, Standart, Taggart, Tindall, and Wade—25

NOES—Messrs Adams, Alford, Barlow, Bennett of Orange, Bretz, Brownlie, Buckley, Carlson, Casterline, Duckworth, Duffy, Durst, Emeric, Finlayson, Gately, Godchaux, Hamilton, Hendrickson, Hurley, Hutson, Jacobs, Jacobsen, Johnson of Santa Clara, Kerns, LaRue, Lynch, McCauley, McElroy, Mack, Matthews of San Benito, Mordecai, O'Neill, Owen, Schlesinger, Schroebel, Shanahan, Sims, Taylor, Thomas of Santa Clara, and Vann—40

Mr. Alford in the chair.

CALL OF THE HOUSE.

Mr. Shanahan moved a call of the House, seconded by Messrs. Vann and Adams.

So ordered.

Mr. Wade moved that further proceedings under the call of the House be dispensed with.

So ordered.

MOTION.

Mr. Vann moved that the further consideration of Assembly Joint Resolution No. 4 be made the special order for to-morrow at two o'clock P. M.

So ordered.

LEAVE TO SIT.

The Committee on Counties and County Boundaries was granted leave to sit the remainder of the afternoon.

REPORTS OF STANDING COMMITTEES.

ON PUBLIC EXPENDITURES AND ACCOUNTS.

ASSEMBLY CHAMBER, SACRAMENTO, February 8, 1893.

MR SPEAKER: Your Committee on Public Expenditures and Accounts, to whom was referred Assembly Bill No 590—An Act making an appropriation to improve and beautify the grounds of the "Marshall Monument" at Coloma, El Dorado County—beg leave to report that they have given the same careful consideration, and have come to the conclusion that it is inexpedient to make said appropriation at this time, owing to the fact that we will be compelled to make heavy appropriations for the erection of additional buildings for the use of our various public institutions, and for the maintenance of the inmates of the same, as well as for the support of the different departments of the State government. In addition to all these expenses there has been a multitude of claims presented to this Legislature for liquidation, which we have received as a legacy from former Legislatures In view of these facts your committee respectfully reports the same back, and recommend that it do not pass.

J. H. MATTHEWS, Chairman.

Assembly Bill No. 590 referred to Committee on Ways and Means.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, February 7, 1893.

MR. SPEAKER: Your Committee on Public Expenditures and Accounts, to whom was referred the traveling expenses of special committees, beg leave to report that they have had the same under consideration, and respectfully recommend the adoption of the following resolutions:

Resolved, That John M. Curtis, J. G. Gallagher, Grant I. Taggart, and John W. Wilcox, Clerk, and members of the Special Committee on Public Buildings and Grounds, and J. L. Sargent, Wm. Hendrickson, and J. C. Sims, of the Committee on Education, who were directed to visit the State Normal School at San José, be allowed the sum of twenty-six dollars and forty cents each, the distance traveled going and coming being two hundred and sixty-four miles, and that the Controller of State be and is hereby directed to draw his warrant in favor of—

John M Curtis, for	$26 40
J. G. Gallagher, for	26 40
Grant I Taggart, for	26 40
John W. Wilcox, for	26 40
J. L Sargent, for	26 40
Wm. Hendrickson, for	26 40
J. C. Sims, for	26 40

On the Contingent Fund of the Assembly, and the State Treasurer is directed to pay the same.

Also:

Resolved, That John M Curtis, A. G. Bennett, Grant I. Taggart, and John W. Wilcox, Clerk, and members of the Special Committee on Public Buildings and Grounds, who were directed to visit the insane asylum at Ukiah, also the Home of the Feeble-Minded at Glen Ellen, are allowed mileage for the following amounts; distance traveled going and coming, four hundred and forty-four miles, making for each the sum of forty-four dollars and forty cents, and that the Controller of State is hereby directed to draw his warrants in favor of –

John M. Curtis, for	$44 40
A G Bennett, for	44 40
Grant I Taggart, for	44 40
John W Wilcox, for	44 40

On the Contingent Fund of the Assembly, and the State Treasurer is authorized to pay the same

J. H MATTHEWS, Chairman.

Resolutions adopted.

ON WAYS AND MEANS.

ASSEMBLY CHAMBER, SACRAMENTO, February 9, 1893

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred Assembly Bill No. 366—An Act making an appropriation for the erection of an additional building for the State Normal School at San José

Also: Assembly Bill No 390—An Act to provide for the payment of the per diem of the members and attachés of the Constitutional Convention.

Also: Assembly Bill No. 487—An Act to provide for the employment of destitute citizens, and making appropriations therefor.

Have had the same under consideration, and recommend that they do not pass

Also: Assembly Bill No. 188—An Act to amend an Act entitled "An Act to form agricultural districts, to provide for the formation of agricultural associations therein, and for the management and control of the same by the State, and to repeal so much of an Act entitled 'An Act to form agricultural districts, to provide for the formation of agricultural associations therein, and for the management and control of the same by the State,' approved March 20, 1891," by amending sections one, eleven, and twelve—have had the same under consideration, and refer it back to take its place on file, according to the recommendation of the Committee on Agriculture.

W. P. MATHEWS, Chairman.

So ordered.

INTRODUCTION OF BILLS.

The following bills were introduced, read by title, and referred to committees, as follows:

By Mr. Mathews of Tehama: Assembly Bill No. 700—An Act to provide for the revision of certain books of the State series of school textbooks, for the compilation of an additional book of said series, and for the continued publication of the same, and to authorize and direct the use for these purposes of the money accumulated in the State School Book Fund.

Referred to Committee on Education.

Also: Assembly Bill No. 701—An Act to provide for a topographical survey and map of the State of California, and appropriating money to pay for the same.

Referred to Committee on Ways and Means.

Also: Assembly Bill No. 702—An Act to amend an Act entitled "An Act to organize and define the powers of the Board of Railroad Commissioners," by amending section five thereof, relating to the location of the office of said Commissioners.

Referred to Committee on Judiciary.

Also: Assembly Bill No. 703—An Act to amend section six hundred and thirty-one of the Political Code, relating to the location of the office of Insurance Commissioner.

Referred to Committee on Judiciary.

Also: Assembly Bill No. 704—An Act to amend an Act entitled "An Act to provide for the management of the Yosemite Valley and the Mariposa Big Tree Grove," approved April 15, 1880, in relation to the location of the place of business of said Commissioners.

Referred to Committee on Judiciary.

Also: Assembly Bill No. 705—An Act to amend an Act entitled "An Act creating a Board of Bank Commissioners, and prescribing their duties and powers," approved March 30, 1878, relating to location of the office of Bank Commissioners.

Referred to Committee on Judiciary.

Also: Assembly Bill No. 706—An Act to amend an Act entitled "An Act to create and establish a State Board of Horticulture, and appropriate money for the expenses thereof," approved March 13, 1883, relating to the location of the office of the State Board of Horticulture.

Referred to Committee on Judiciary.

MOTION.

Mr. Barlow moved that the special order set for three o'clock P. M., the consideration of Assembly Constitutional Amendment No. 12, be postponed until to-morrow immediately after the reading of the Journal.

So ordered.

LEAVE TO SIT.

The Committee on Public Expenditures and Accounts was granted leave to sit the remainder of the afternoon.

RESOLUTION.

By Mr. Mordecai:

Resolved, That C. W. Tindall, H. C Chipman, J M. Marks, J. Brownlie, members; also, Julius Kahn and J. C. Sims, added to committee, and J. M. McClure, Clerk, the Committee on State Hospitals, who were directed to visit the Mendocino Insane Asylum at Ukiah, also the Home for the Care and Training of Feeble-Minded Children, at Glen Ellen, Sonoma County, are allowed mileage for the following amounts, distance traveled going and coming four hundred and forty-four miles, making for each the sum of forty-four dollars and forty cents, and that the State Controller is hereby directed to draw his warrants in favor of—

C. W. Tindall, for	$44 40
H. C. Chipman, for	44 40
J. M. Marks, for	44 40
J. Brownlie, for	44 40
Julius Kahn, for	44 40
J. C. Sims, for	44 40
J. M. McClure, for	44 40

On the Contingent Fund of the Assembly, and the State Treasurer is authorized to pay the same.

Referred to Committee on Public Expenditures and Accounts.

INTRODUCTION OF BILLS.

The following bills were introduced, read by title, and referred to committees, as follows:

By Mr. Godchaux: Assembly Bill No. 707—An Act to amend sections two, three, and twenty-four of an Act entitled "An Act to provide for work upon streets, lanes, alleys, courts, places, and sidewalks, and for the construction of sewers within municipalities," approved March 17, 1885.

Referred to Committee on Municipal Corporations.

By Mr. Anderson: Assembly Bill No. 708—An Act establishing a commission for the revision of the codes and laws of California, prescribing their duties, fixing their compensation, and making an appropriation.

Referred to Committee on Judiciary.

By Mr. Boyce: Assembly Bill No. 709—An Act to amend section two thousand four hundred and sixty-eight of the Political Code, relative to pilotage.

Referred to Committee on Commerce and Navigation.

Also: Assembly Bill No. 710—An Act to amend section two thousand four hundred and sixty-seven of the Political Code, relative to charges for towage.

Referred to Committee on Commerce and Navigation.

Also: Assembly Bill No. 711—An Act to amend sections two thousand four hundred and thirty-six, two thousand four hundred and forty, two thousand four hundred and forty-three of article five of the Political Code, relating to pilots and Pilot Commissioners, and two thousand four hundred and fifty-seven, two thousand four hundred and sixty, two thousand four hundred and sixty-two, two thousand four hundred and

sixty-five, two thousand four hundred and sixty-six, two thousand four hundred and sixty-seven of article six of the Political Code, relating to the pilot regulations for San Francisco, Mare Island, and Benicia.

Referred to Committee on Commerce and Navigation.

Also: Assembly Bill No. 712—An Act to amend section two thousand five hundred and twenty of the Political Code, relating to the Board of State Harbor Commissioners, the powers, duties, and terms of office, and time of taking office.

Referred to Committee on Commerce and Navigation.

By Mr. Conway: Assembly Bill No. 713—An Act to prevent dispensers of water from overcharging consumers for water and water connections.

Referred to Committee on Judiciary.

Also: Assembly Bill No. 714—An Act relating to the erection, construction, and repairs of public buildings in this State, or in any of the counties, cities and counties, cities, towns, and townships thereof.

Referred to Committee on Public Buildings and Grounds.

Also: Assembly Bill No. 715—An Act to prevent persons, corporations, or companies discriminating against employés.

Referred to Committee on Labor and Capital.

Also: Assembly Bill No. 716—An Act to compel corporations to have as their chief representatives citizens of the United States.

Referred to Committee on Corporations.

By Mr. Chipman: Assembly Bill No. 717—An Act to provide for the purchase of a furnished residence for the Governor of California, and stable premises for use in connection with the same, and to appropriate money therefor.

Referred to Committee on Ways and Means.

REPORTS OF STANDING COMMITTEES.

ON IRRIGATION.

ASSEMBLY CHAMBER, SACRAMENTO, February 9, 1893.

MR. SPEAKER: Your Committee on Irrigation, to whom was referred Assembly Bill No. 141—An Act to amend an Act entitled "An Act to provide for the organization and government of irrigation districts, and to provide for the acquisition of water and other property, and for the distribution of water thereby for irrigation purposes," approved March 7, 1887, by amending sections three, four, eleven, twelve, thirty-six, and thirty-seven thereof, and by repealing section forty-one thereof.

Also: Assembly Bill No. 637—An Act to amend an Act entitled "An Act to provide for the organization and government of irrigation districts, and to provide for the acquisition of water and other property, and for the distribution of water thereby for irrigation purposes," approved March 7, 1887, by amending section fifteen thereof.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass

Also: Assembly Bill No. 639—An Act supplemental to an Act entitled "An Act to provide for the organization and government of irrigation districts, and to provide for the acquisition of water and other property, and for the distribution of water thereby for irrigation purposes," approved March 7, 1887, providing for the abandonment of operations by irrigation districts, and for their disorganization upon the discharge of all outstanding obligations—have had the same under consideration, and respectfully report the same back, and recommend that the request of Mr. Mack, the author, to withdraw the same, be granted

CARLSON, Chairman

ON FORESTRY.

ASSEMBLY CHAMBER, SACRAMENTO, February 8, 1893.

MR SPEAKER: Your Committee on Forestry, to whom was referred Assembly Bill No. 149—An Act to amend an Act entitled "An Act to prevent hunting and shooting on private inclosed grounds, and the destruction of growing timber on private grounds, in certain counties of the State"—have had the same under consideration, and respectfully report the same back, and recommend that it do not pass

Also: Assembly Bill No 97—An Act to repeal an Act entitled "An Act to create a State Board of Forestry, and to provide for the expenses thereof"—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

BROWNLIE, Chairman.

LEAVE OF ABSENCE.

Mr. Raw was granted leave of absence for the remainder of the day.

MOTION.

Mr. Kennedy moved the adoption of the resolutions reported back by the Committee on Attachés and Employés.

Mr. Barlow moved that further consideration be postponed until to-morrow.

So ordered.

REPORTS OF STANDING COMMITTEES.

ON STATE HOSPITALS.

ASSEMBLY CHAMBER, SACRAMENTO, February 9, 1893.

MR. SPEAKER: Your Committee on State Hospitals, to whom was referred Senate Bill No. 22—An Act to provide for the completion and equipment of the Deaf, Dumb, and Blind Asylum, and to make an appropriation therefor—have had the same under consideration, and respectfully report the same back, and recommend that it be referred to the Committee on Ways and Means, without recommendation.

MORDECAI, Chairman.

Senate Bill No. 22 re-referred to Committee on Ways and Means.

ON PUBLIC PRINTING.

ASSEMBLY CHAMBER, SACRAMENTO, February 9, 1893.

MR. SPEAKER: Your Committee on Public Printing, to whom was referred Assembly Bill No. 599—An Act making an appropriation for the printing and issuance of the eleventh report of the State Mineralogist of the State of California, for the years 1891 and 1892—have had the same under consideration, and respectfully report the same back, and recommend that the author of said bill be allowed to withdraw the same.

HENDRICKSON, Chairman.

Mr. Shanahan, on his motion, was allowed to withdraw Assembly Bill No. 599.

ASSEMBLY CONCURRENT RESOLUTION.

By Mr. Shanahan: Assembly Concurrent Resolution No. 16—Authorizing and directing the State Printer to print ten thousand copies of the report of the State Mineralogist for the years 1891 and 1892.

MOTION.

Mr. Kahn moved that the resolution be referred to the Committee on Retrenchment.

The ayes and noes were demanded by Messrs. Kahn, Owen, and Vann.

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

AYES—Messrs. Adams, Barlow, Bennett of Orange, Bledsoe, Boyce, Bretz, Bulla, Carlson, Chipman, Cusick, Dodge, Duckworth, Duffy, Hurley, Jacobs, Kahn, McElroy, Marks, Mordecai, O'Keefe, O'Neill, Owen, Pendleton, Perkins, Schroebel, Simpson, Thomas of Santa Clara, Wade, and Mr. Speaker—29.

NOES—Messrs Alford, Anderson, Barker, Buckley, Casterline, Conway, Curtis, Gallagher, Gately, Hamilton, Hendrickson, Hutson, Johnson of Santa Clara, Kennedy, Kerns, Lynch, McCauley, McGowan, Mack, Miller, Sargent, Shanahan, Sims, Standart, Talbott, Taylor, Thomas of Nevada, and Vann—28.

INTRODUCTION OF BILL.

By Mr. Finlayson: Assembly Bill No. 718—An Act to amend section one hundred and sixty-four of the Act to establish a uniform system of county and township governments, approved March 31, 1891.

Referred to Committee on County and Township Governments.

ADJOURNMENT.

At four o'clock and thirty minutes P. M., on motion of Mr. Pendleton, the Assembly adjourned.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Friday, February 10, 1893.

The Assembly met pursuant to adjournment.

Speaker Gould in the chair.

The roll was called, and the following members answered to their names:

Messrs. Adams, Alford, Anderson, Androus, Barker, Barlow, Bennett of Santa Clara, Bennett of Orange, Blakeley, Bledsoe, Boyce, Bretz, Brownlie, Buckley, Bulla, Carlson, Casterline, Chipman, Conway, Curtis, Cusick, Dodge, Duckworth, Duffy, Durst, Emeric, Finlayson, Gallagher, Godchaux, Hamilton, Hendrickson, Hurley, Hutson, Jacobs, Jacobsen, Johnson of Humboldt, Kahn, Kerns, Lynch, McCauley, McElroy, Mack, Marks, Marston, Mathews of Tehama, Matthews of San Benito, Miller, Mordecai, O'Keefe, O'Neill, Owen, Pendleton, Perkins, Raw, Sargent, Schlesinger, Schroebel, Shanahan, Simpson, Sims, Standart, Taggart, Talbott, Taylor, Thomas of Nevada, Thomas of Santa Clara, Tindall, Vann, Wade, and Mr. Speaker.

Quorum present.

PRAYER.

Prayer by the Chaplain, Rev. H. W. Conry.

READING AND APPROVAL OF THE JOURNAL.

Pending the reading of the Journal of yesterday, Mr. Bennett of Santa Clara moved that the further reading be dispensed with.

So ordered.

Journals of Tuesday, February 7th, and Wednesday, February 8th, approved.

LEAVE OF ABSENCE.

Mr. Johnson of Santa Clara was granted leave of absence for the day.

SPECIAL ORDER.

Consideration of the motion of reconsideration, whereby the amendment of Mr. Mack to Assembly Bill No. 447—An Act exempting agricultural, horticultural, viticultural, and pastoral occupations from license taxation—was adopted.

The ayes and noes were demanded by Messrs. Owen, Mack, and Schroebel.

CALL OF THE HOUSE.

Pending announcement of the roll call, Mr. Shanahan moved a call of the House, seconded by Messrs. Schlesinger and Standart.

The ayes and noes were demanded by Messrs. Shanahan, Schlesinger, and Hurley.

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

AYES—Messrs. Adams, Alford, Anderson, Androus, Barker, Barlow, Bennett of Santa Clara, Bennett of Orange, Blakeley, Bretz, Buckley, Carlson, Casterline, Chipman, Dodge, Duckworth, Duffy, Emeric, Finlayson, Gallagher, Hamilton, Hendrickson, Hurley, Hutson, Jacobs, Johnson of Humboldt, Kahn, Kerns, Lynch, Mack, Mathews of Tehama, Matthews of San Benito, Miller, Pendleton, Raw, Sargent, Schlesinger, Shanahan, Simpson, Sims, Standart, Taggart, Thomas of Nevada, Thomas of Santa Clara, Tindall, Vann, Wade, and Mr. Speaker—48.

NOES—Messrs Boyce, Brownlie, Bulla, Conway, Curtis, Cusick, Durst, Godchaux, Jacobsen, McCauley, McElroy, Marks, Marston, Mordecai, O'Keefe, O'Neill, Owen, Perkins, Schroebel, Talbott, and Taylor—21.

The roll was called, and the following members answered to their names:

Messrs. Adams, Alford, Anderson, Androus, Barker, Barlow, Bennett of Santa Clara, Bennett of Orange, Blakeley, Bledsoe, Boyce, Bretz, Brownlie, Buckley, Bulla, Carlson, Casterline, Chipman, Conway, Curtis, Cusick, Dodge, Duckworth, Duffy, Durst, Emeric, Finlayson, Gallagher, Godchaux, Hamilton, Hendrickson, Hurley, Hutson, Jacobs, Jacobsen, Johnson of Humboldt, Kahn, Kerns, Lynch, McCauley, McElroy, Mack, Marks, Marston, Mathews of Tehama, Matthews of San Benito, Miller, Mordecai, O'Keefe, O'Neill, Owen, Pendleton, Perkins, Raw, Sargent, Schlesinger, Schroebel, Shanahan, Simpson, Sims, Standart, Taggart, Talbott, Taylor, Thomas of Nevada, Thomas of Santa Clara Tindall, Vann, Wade, and Mr. Speaker.

The following members: Messrs. Drees, Gately, Kennedy, and McGowan, were absent without leave, and the Sergeant-at-Arms was directed to bring them before the bar of the House.

Mr. Alford in the chair.

Mr. Kahn moved that further proceedings under the call of the house be dispensed with.

Speaker Gould in the chair.

Pending a vote on the motion, Mr. Drees was brought before the bar of the House and excused.

Upon the motion, the ayes and noes were demanded by Messrs. Shanahan, Standart, and O'Neill.

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

AYES—Messrs. Adams, Barlow, Bennett of Santa Clara, Bennett of Orange, Boyce, Brownlie, Bulla, Carlson, Chipman, Duckworth, Durst, Jacobsen, Kahn, Kerns, McCauley, McElroy, Marks, Marston, Matthews of San Benito, Mordecai, O'Keefe, Owen, Perkins, Schroebel, and Talbott—25

NOES—Messrs. Alford, Anderson, Androus, Barker, Blakeley, Bledsoe, Bretz, Buckley, Casterline, Conway, Curtis, Cusick, Dodge, Drees, Duffy, Emeric, Finlayson, Gallagher, Godchaux, Hamilton, Hendrickson, Hurley, Hutson, Jacobs, Johnson of Humboldt, Lynch, Mack, Mathews of Tehama, Miller, O'Neill, Pendleton, Raw, Sargent, Schlesinger, Shanahan, Simpson, Sims, Standart, Taggart, Taylor, Thomas of Nevada, Thomas of Santa Clara, Tindall, Vann, Wade, and Mr. Speaker—46.

Mr. Standart moved that further proceedings under the call of the House be dispensed with.

Lost.

Mr. Kennedy was brought before the bar of the House and excused.

Mr. Standart moved that further proceedings under the call of the House be dispensed with.

So ordered.

RECONSIDERATION.

Pending the announcement of the vote on the motion of reconsideration, the names of members not voting were called, and thereupon the motion of reconsideration was declared carried by the following vote:

AYES—Messrs. Adams, Alford, Barlow, Bennett of Santa Clara, Bennett of Orange, Bledsoe, Boyce, Bretz, Brownlie, Buckley, Bulla, Carlson, Chipman, Conway, Curtis, Dodge, Duckworth, Durst, Emeric, Godchaux, Jacobs, Jacobsen, Kahn, Kerns, McCauley, Marks, Miller, Mordecai, O'Keefe, Owen, Pendleton, Schroebel, Talbott, Taylor, Tindall, Vann, and Mr. Speaker—37.

NOES—Messrs Anderson, Androus, Barker, Blakeley, Casterline, Cusick, Drees, Duffy, Finlayson, Gallagher, Hamilton, Hendrickson, Hurley, Hutson, Johnson of Humboldt, Kennedy, Lynch, McElroy, Mack, Marston, Mathews of Tehama, Matthews of San Benito, O'Neill, Perkins, Raw, Sargent, Schlesinger, Shanahan, Simpson, Sims, Standart, Taggart, Thomas of Nevada, Thomas of Santa Clara, and Wade—35

AMENDMENT ADOPTED.

The question recurred on the adoption of the reconsidered amendment of Mr. Mack.

The ayes and noes were demanded by Messrs. Schlesinger, Shanahan, and Mack.

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

AYES—Messrs Adams, Anderson, Androus, Barker, Barlow, Bennett of Orange, Blakeley, Bulla, Carlson, Casterline, Conway, Cusick, Duffy, Finlayson, Gately, Hamilton, Hendrickson, Hurley, Hutson, Johnson of Humboldt, Kennedy, Kahn, Kerns, Lynch, McElroy, Mack, Marston, Mathews of Tehama, Matthews of San Benito, O'Neill, Pendleton, Raw, Sargent, Schlesinger, Shanahan, Simpson, Sims, Standart, Taggart, Taylor, Thomas of Nevada, Thomas of Santa Clara, Vann, and Wade—44

NOES—Messrs. Alford, Bennett of Santa Clara, Bledsoe, Boyce, Bretz, Brownlie, Buckley, Chipman, Curtis, Dodge, Drees, Duckworth, Durst, Emeric, Godchaux, Jacobs, Jacobsen, McCauley, McGowan, Marks, Miller, Mordecai, Owen, Perkins, Schroebel, Talbott, Tindall, and Mr. Speaker—28.

LEAVE OF ABSENCE.

Mr. Emeric was granted leave of absence until Monday.

Mr. Wade was granted leave of absence for to-morrow.

SPECIAL ORDER.

Assembly Constitutional Amendment No. 12—A resolution proposing to the people of the State of California an amendment to section seventeen, article one, of the Constitution of the State of California.

The question being on the pending amendment of Mr. Barlow:

Amend by striking out of section seventeen, lines five, six, and seven, and inserting the following: "That such aliens owning real estate at the time of the adoption of this amendment may remain such owners; *and provided further*, that the Legislature may by statute provide for the disposition of such real estate which shall hereafter be acquired by such aliens by descent or devise"

Adopted.

RECESS.

At twelve o'clock and twenty-five minutes P. M., on motion of Mr. Schlesinger, recess was taken until two o'clock P. M.

REASSEMBLED.

The Assembly reassembled at two o'clock P. M.
Speaker Gould in the chair.
Quorum present.

NOTICE.

Mr. Dodge gave notice that on the next legislative day he will move to amend the rules as follows:

Resolved, From and after the tenth day of February, 1893, all petitions, memorials, and resolutions to Congress shall be discussed only in evening session, unless by a two-thirds vote of the House it is ordered otherwise.

Mr. Anderson gave notice that he will, at the proper time, move as an amendment to the resolution that all joint and concurrent resolutions be made the special order for next Monday evening, at seven o'clock and thirty minutes, and that until that date they be passed on the file.

MOTION.

Mr. Bulla moved that Assembly Bill No. 287 be taken up out of order and considered.
So ordered.

THIRD READING OF BILL.

Assembly Bill No. 287—An Act to amend an Act entitled "An Act to authorize the Common Council, Board of Trustees, or other governing body of any incorporated city or town, other than cities of the first class, to refund its indebtedness, issue bonds therefor, and provide for the payment of the same," approved March 15, 1883.
Read third time, and passed by the following vote:

AYES—Messrs. Adams, Anderson, Androus, Barker, Barlow, Bennett of Santa Clara, Bennett of Orange, Blakeley, Bledsoe, Boyce, Bretz, Buckley, Bulla, Carlson, Casterline, Conway, Dodge, Drees, Duckworth, Duffy, Durst, Finlayson, Gately, Hendrickson, Hurley, Hutson, Jacobs, Jacobsen, Johnson of Humboldt, Kahn, Kerns, Lynch, McCauley, McElroy, Mack, Marks, Marston, Mathews of Tehama, Matthews of San Benito, Miller, Mordecai, O'Neill, Owen, Pendleton, Perkins, Raw, Sargent, Schlesinger, Schroebel, Shanahan, Simpson, Standart, Taggart, Talbott, Taylor, Thomas of Santa Clara, Tindall, Vann, Wade, and Mr. Speaker—60.
NOES—None.

Title read and approved.

MOTION.

Mr Bulla moved that the bill be immediately transmitted to the Senate.
So ordered.

REPORTS OF STANDING COMMITTEES.

ON PUBLIC BUILDINGS AND GROUNDS.

ASSEMBLY CHAMBER, SACRAMENTO, February 10, 1893

MR SPEAKER: Your Committee on Public Buildings and Grounds, to whom was referred Assembly Bill No. 586 (Judiciary Committee Substitute)—Referred to Committee on Judiciary, and referred to us—have had the same under consideration, and respectfully report the same back, and recommend that it do pass

CURTIS, Chairman.

ON EDUCATION.

ASSEMBLY CHAMBER, SACRAMENTO, February 10, 1893

MR SPEAKER: Your Committee on Education, to whom was referred Assembly Bill No. 456—An Act to amend section one thousand eight hundred and seventy-four of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the public schools—have had the same under consideration, and respectfully report the same back without recommendation.

Also: Assembly Bill No. 585—An Act to amend section one thousand five hundred and two of the Political Code, respecting normal schools—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

Also Assembly Bill No 202—An Act to amend sections one thousand five hundred and ninety-three and one thousand six hundred and twenty of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the public schools

Also. Assembly Bill No 376—An Act to amend section nine of an Act entitled "An Act to authorize the establishment of county high schools, and provide for their support," approved March 10, 1891

Have had the same under consideration, and respectfully report the same back, and recommend that they do not pass.

SARGENT, Chairman.

ON JUDICIARY

ASSEMBLY CHAMBER, SACRAMENTO, February 10, 1893

MR SPEAKER. Your Committee on Judiciary, to whom was referred Assembly Bill No 583—An Act amending sections one thousand one hundred and eighty-three, one thousand one hundred and eighty-four, and one thousand one hundred and eighty-seven of the Code of Civil Procedure of the State of California, as amended March 15, 1887; section one thousand one hundred and ninety-five of the said Code of Civil Procedure, as amended March 18, 1885, and section one thousand one hundred and ninety of said Code of Civil Procedure; all relating to liens of mechanics and others And also inserting a new section in said Code, to be numbered section one thousand two hundred and three—have had the same under consideration, and respectfully report the same back, and recommend that the substitute herewith reported therefor do pass

Also: Assembly Bill No. 550—An Act to prohibit the creation of debts against the State in excess of appropriations made by law, except in cases of actual necessity and on consent of the Board of Examiners

Also· Assembly Bill No 558—An Act to amend sections one thousand one hundred and eleven, one thousand one hundred and twelve, and one thousand one hundred and thirteen of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, relating to contesting certain elections

Also: Assembly Bill No 597—An Act to amend section one thousand two hundred and twenty-two of the Code of Civil Procedure of the State of California, in relation to judgments in cases of contempt, and providing for appeals therefrom.

Also· Assembly Bill No. 623—An Act to amend section three thousand six hundred and sixty-six, and repeal sections three thousand six hundred and sixty-seven, three thousand six hundred and sixty-eight, three thousand six hundred and sixty-nine, and three thousand six hundred and seventy of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to revenue and taxation.

Also: Assembly Bill No. 657—An Act to amend section three thousand and fifty-one of the Civil Code of California, relating to liens for services in the care, protection, improvement, safe-keeping, or carriage of personal property, and for caring for, boarding, feeding, or pasturing horses or stock

Also: Assembly Bill No 662—An Act to amend section three hundred and thirty-one of the Civil Code of the State of California, in relation to the power of corporations to sue stockholders.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

Also. Assembly Bill No 609—An Act to amend section one hundred and seventy of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, relative to the disqualification of Judges—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended

Also: Assembly Bill No. 531—An Act amending sections one thousand one hundred and eighty-three, one thousand one hundred and eighty-four, and one thousand one hundred and eighty-seven of the Code of Civil Procedure of the State of California, as amended March 15, 1887; section one thousand one hundred and ninety-five of the said

Code of Civil Procedure, as amended March 18, 1885; and section one thousand one hundred and ninety of said Code of Civil Procedure; all relating to liens of mechanics and others. And also inserting a new section in said Code, to be numbered section one thousand two hundred and three.

Also: Assembly Bill No. 546—An Act authorizing persons having claims against the State, or against counties, or municipal corporations, to prosecute and establish them in the Courts of this State and providing for the payment of judgments therefor.

Also: Assembly Concurrent Resolution No 15—Relative to lieu lands in the State of California within the county of Los Angeles, and to an investigation of the conduct of the Surveyor-General concerning the title to the same

Have had the same under consideration, and respectfully report the same back, and recommend that the authors thereof be allowed to withdraw them.

Also: Assembly Bill No 93—An Act for the creation of a Commission for the promotion of uniformity of legislation in the United States

Also: Assembly Bill No 442—An Act to provide a depository for the county funds

Also: Assembly Bill No. 462—An Act to amend section thirty-seven of the Civil Code of the State of California, relating to the jurisdiction to try impeachments

Also: Assembly Bill No. 470—An Act creating a Board of Commissioners of Loan Associations, and prescribing their duties and powers.

Also: Assembly Bill No. 471—An Act to amend the Civil Code, in relation to community property, and to the succession thereto in case of the death of either spouse.

Also. Assembly Bill No 520—An Act to amend section one thousand four hundred and eleven of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, relating to special administrators.

Also: Assembly Bill No. 522—An Act to amend section six of an Act entitled "An Act for the relief of insolvent debtors, for the protection of creditors, and for the punishment of fraudulent debtors," approved April 18, 1880; and to enact a new section to said Act, to be numbered sixty-three, relating to the appointment of receivers.

Have had the same under consideration, and respectfully report the same back, and recommend that they do not pass

Also: Assembly Bill No 65—An Act to amend chapter two (2) of title two (2) of the Civil Code, in relation to adoption

Also: Assembly Bill No 70—An Act to amend section seven of an Act of the Legislature of the State of California entitled "An Act for the relief of insolvent debtors, for the protection of creditors, and for the punishment of fraudulent debtors," approved April 16, 1880, relating to voluntary insolvency and the payment of the costs and expenses thereof

Also: Assembly Bill No. 577—An Act providing that the offices of Judge of the Superior Court of the county of San Diego, State of California, now held by the Judges of Departments No 1, No 2, and No. 3 of said Court, shall cease upon a vacancy occurring therein.

Have had the same under consideration, and respectfully report the same back without recommendation.

Also: Assembly Bill No 569—An Act to provide for the election and term of office and salary of Justices of the Peace in all counties, and cities and counties, having a population of more than two hundred thousand

Also: Assembly Bill No 570—An Act to prescribe the mode of payment of all obligations of debt to be paid in money.

Also: Assembly Bill No. 625—An Act to amend section nine hundred and ninety-seven of the Code of Civil Procedure of the State of California, relating to an offer to compromise before trial

Also: Assembly Bill No. 631—An Act to amend section five hundred and seventy-five of the Civil Code of the State of California, relating to making and drawing deposits and dividends in savings and loan corporations

Also: Assembly Bill No. 641—An Act to amend section one thousand three hundred and fifty of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, relating to executors.

Also: Assembly Bill No. 642—An Act to amend section one thousand three hundred and sixty-nine of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, relating to administrators.

Also. Assembly Bill No 646—An Act to amend section four thousand one hundred and sixty-one of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the deposit of public funds

Also: Assembly Bill No. 650—An Act entitled an Act to add two new sections to the Penal Code of the State of California, to be known and numbered as section one thousand four hundred and twenty-four, and section one thousand four hundred and twenty-five.

Have had the same under consideration, and respectfully report the same back, and recommend that they do not pass.

SHANAHAN, Chairman.

ON STATE PRISONS AND REFORMATORY INSTITUTIONS

ASSEMBLY CHAMBER, SACRAMENTO, February 10, 1893.

MR SPEAKER: Your Committee on State Prisons and Reformatory Institutions, to whom was referred Assembly Bill No 561—An Act directing the State Prison Directors of the State of California to employ at least twenty prisoners in the construction of

roads to the State Prisons at San Quentin and Folsom—have had the same under consideration, and report the same back, and respectfully recommend its passage as amended.

Also: Assembly Bill No 575—An Act to amend sections sixteen, eighteen, nineteen, twenty-four, twenty-six, and twenty-nine of an Act entitled "An Act to establish a State Reform School for Juvenile Offenders, and to make an appropriation therefor," approved March 11, 1889—have had the same under consideration, and would respectfully recommend that the author thereof be permitted to withdraw the bill.

Also: Assembly Bill No 53—An Act to amend an Act entitled "An Act to establish a State Reform School for Juvenile Offenders, and to make an appropriation therefor," approved March 11, 1889, by amending the title to said Act, and by amending sections one, four, seven, eight, nine, fourteen, fifteen, sixteen, seventeen, eighteen, nineteen, twenty, twenty-one, twenty-three, twenty-four, twenty-six, twenty-seven, twenty-eight, twenty-nine, and thirty thereof, and by adding four new sections thereto, to be numbered, respectively, Sections 16*a*, 16*b*, 16*c*, and 16*d*, relating to a change in the name of the institution, and the powers and duties of the public officers thereof, and the manner and conditions under which commitments may be made thereto, and of the rights and obligations of persons committed thereto, and of the powers and duties of certain public officers in connection therewith, and generally relating to the State school located and established under the aforesaid Act, and now maintained by the State of California, at Whittier, in the county of Los Angeles, therein—have had the same under consideration, and respectfully report the same back, and recommend its passage as amended.

Also: Report that we have had under consideration Assembly Bill No 506, and respectfully request that the same be re-referred to the Committee on Ways and Means.

H H. JOHNSON, Chairman.

Assembly Bill No. 506 re-referred to Committee on Ways and Means.

ON COUNTIES AND COUNTY BOUNDARIES

ASSEMBLY CHAMBER, SACRAMENTO, February 8, 1893.

MR. SPEAKER: Your Committee on Counties and County Boundaries, to whom was referred Assembly Constitutional Amendment No. 22—Proposed amendment to article eleven, section three, of the Constitution, relative to the formation of new counties—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

Also: Assembly Bill No. 461—An Act to change and permanently locate the boundary lines between the counties of Glenn and Colusa—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

Also: Assembly Bill No. 539—An Act to create the county of Santa Rita, to establish the boundaries thereof, and to provide for its organization—have had the same under consideration, and respectfully report the same back, and recommend that it do not pass.

Also· Assembly Bill No 396—An Act to create the county of Santa Ynez, to establish the boundaries thereof, and provide for its organization—have had the same under consideration, and respectfully report back a committee substitute, and recommend that it do pass.

EMERIC, Chairman

MOTION.

Mr. Talbott moved that Assembly Bill No. 396 be read the first time. So ordered.

FIRST READING OF BILL.

Assembly Bill No. 396—An Act to create the county of Santa Ynez, to establish the boundaries thereof, and provide for its organization.

Read first time, and placed on file for second reading.

SWAMP AND OVERFLOWED LANDS—MINORITY REPORT.

Mr. Jacobs presented the following, which was ordered printed in the Journal:

MR. SPEAKER: Not being able to agree with the other members of your Committee on Swamp and Overflowed Lands in their recommendation for passage of Assembly Bills Nos. 595 and 596, the minority of that committee begs to submit in brief some of its reasons why the same should not pass, and why Assembly Bill No 205 should in their place and stead.

1 There is no necessity for twin bills, separate from the Political Code. That Code contains the laws concerning the reclamation of swamp and overflowed land, and such additions as this Legislature sees fit to make should become parts of the Political Code, so that all statutes on the same subject may be construed together.

2. There can be no necessity for making a Board of Public Works distinct from the managers of the different districts formed under the Acts.

3. In my judgment there can be no necessity to give a Board of Public Works such powers as are given in Assembly Bill No. 596:

(*a*) The plan is double, when it should be single and harmonious with the Political Code.

(*b*) Fifty thousand dollars are appropriated for salaries of the Commissioners and their employés, when they can have little to do except to pass on the work of engineers. Practically their offices are sinecures.

(*c*) In my opinion each district should govern its own affairs, and it is not likely that the Board of Public Works could aid much in the management

4. Section 1 of Assembly Bill No 595 provides only for drainage districts. The work to be done also requires levees, and the provisions in that regard should be fitted to the Political Code

5. Section 2 of Assembly Bill No. 595 provides for five Directors and a Treasurer. In my opinion a County Treasurer should take care of the money and not leave it to a Treasurer of a district; and three Trustees are sufficient to do the business of a district.

6 Why organize a "State Board of Public Works" to inaugurate an Act of reclamation *necessarily local*

7. Why divide a district into five divisions. (See lines 31, 32, 33, 34, page 2)

8. The election of a Director in each division will, I think, be found impracticable (lines 34 and 35, page 2), and the whole machinery of that section (3) is ponderous, when it should be simple

9. The order of a Board of Supervisors cannot be made to operate outside the county in which the members were elected, and an election called outside their county would be null and void (See closing paragraphs of Section 3)

10. The elections to be held in such district (Section 4) cannot be enforced, or if it can, an interested party may colonize voters, and the owners of land who live outside their voting precincts can have no vote in naming the Directors.

11 Cities and towns may be as much benefited by acts of drainage and reclamation as farm lands, and in such cases may be included, and the voting population of such city or town would be able to control acts of legislation—might adopt or reject the proceeding at pleasure. To this I cannot give my assent

12 Why provide that the State Board of Public Works shall have the power to appoint Directors in *case of vacancies, even if that would be constitutional.* (See Section 11 of Assembly Bill No 595)

13. Why should the State Board of Public Works be required to devise plans and estimate the cost of works necessary for any drainage district as provided in Section 12. That whole section shows that the plan devised is bad policy. The Directors are the men principally interested, and they must have a more intimate knowledge of the facts. If the State Board is to do all the work, why have Directors at all?

14. Section 13 of Assembly Bill No. 595 shows the power given to the Board of Directors, and I submit that, as the work must proceed under the direction of the State Board, the work of Directors may as well be done by a single agent (say the engineer), and save $5 per day for the Directors.

15. Section 17 of Assembly Bill No. 595 seems to me particularly objectionable:

(*a*) It takes action by the Board of Directors and the State Board to determine what moneys are to be raised.

(*b*) The moneys are to be raised annually, when it should be raised only as needed.

(*c*) The assessment of lands in a district is a difficult matter. It includes the lands in cities as well as farming lands. Let us suppose one district includes Sacramento, and each lot owner is assessed, and the benefits to each small lot must be estimated when the lot is fully protected by levees without such drainage The act must be done annually, when it will take one man a year to make one assessment under that section. I think it will be found to be next to impossible

(*d*) Then assessments must be made by three Commissioners for each district, to be paid as other employés How are other employés paid?

16 Section 23 provides for the collection of assessments by action, and I am inclined to the opinion that the office of attorney for the collection of assessments from the mouth of the San Joaquin to the north side of Colusa County, both sides of the Sacramento, would need no other client than the Board of Directors of that district to make his fortune, if this bill shall become a law

Instead of Assembly Bills Nos 595 and 596, I am of the opinion that we should take up Assembly Bill No 205, amendatory to the Political Code, and consider and amend the same, and adopt some plan that will save the State and the people, now suffering from overflow of their lands, so much money as the ponderous character of the provisions of Assembly Bills Nos 595 and 596 will carry with them

These bills seem to me to be constructed in part to provide fat berths for somebody, and I recommend that the bills do not pass, and that they take up and consider Assembly Bill No. 205

All of which is respectfully submitted.

I. W. JACOBS.

ON ENGROSSMENT.

ASSEMBLY CHAMBER, SACRAMENTO, February 10, 1893.

MR SPEAKER Your Committee on Engrossment beg leave to report that the following Assembly Bills are correctly engrossed:

Assembly Bill No. 114—An Act to provide for the organization, incorporation, and government of towns

Also: Assembly Bill No. 270—An Act to establish a Naval Battalion, to be attached to the National Guard of California

Also: Assembly Bill No 162—An Act to add a new section to the Code of Civil Procedure, to be known as section one thousand six hundred and nineteen.

Also. Assembly Bill No. 271—An Act to amend sections seven hundred and seventy-eight and seven hundred and eighty-two of the Political Code, and to repeal sections seven hundred and seventy-nine, seven hundred and eighty, and seven hundred and eighty-one of said Political Code.

Also· Assembly Bill No. 143—An Act to regulate the rate of interest in this State.

KENNEDY, Chairman.

ON LABOR AND CAPITAL.

ASSEMBLY CHAMBER, SACRAMENTO, February 10, 1893.

MR. SPEAKER. Your Committee on Labor and Capital, to whom was referred Assembly Bill No. 626—An Act to abolish and prohibit chain-gangs—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

Also: Senate Bill No. 384—An Act to amend an Act entitled "An Act to establish a Penal Code," approved February 14. 1872, by adding a new section to said Penal Code, to be known and numbered as section six hundred and seventy-nine, relating to the coercion or compulsion of persons seeking employment.

Also: Assembly Bill No 630—An Act requiring every corporation doing business in this State to pay their employés, and each of them, at least once in each and every month, the wages earned by such employé; to define the duties of the Labor Commissioner, and the District Attorneys of the several counties of this State, in enforcing this Act; to limit the defenses which may be set up by such corporations to assignments of wages, set-off, or counter claims, or the absence of such employé at the time of making payment, and in case of such absence the wages are payable upon demand; to prohibit assignments of wages for the purpose of evading the provisions of this Act, and agreements to accept wages at longer periods than as herein provided as a condition of employment; to fix a penalty for this violation of the provisions of this Act by such corporation, and to provide for the disposition of any fines recovered from corporations violating the same.

Also: Assembly Bill No. 605—An Act to provide for the giving of bonds by the keepers of intelligence offices, defining the same, and their liabilities.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

CONWAY, Chairman.

ON INTERNAL IMPROVEMENTS.

ASSEMBLY CHAMBER, SACRAMENTO, February 10, 1893.

MR. SPEAKER: Your Committee on Internal Improvements, to whom was referred Assembly Bill No. 55—An Act to amend section four thousand and eighty-five of the Political Code, relating to the improvement of unnavigable streams and the protection of land adjacent thereto—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

GALLAGHER, Chairman.

ON MUNICIPAL CORPORATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, February 10, 1893.

MR. SPEAKER: Your Committee on Municipal Corporations, to whom was referred Assembly Bill No. 401—An Act to define the powers and duties of Boards of Supervisors, or other governing body of counties, cities and counties, and cities of this State, in relation to the granting of franchises or other privileges—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

BUCKLEY, Chairman

MESSAGE FROM THE SENATE.

SENATE CHAMBER, SACRAMENTO, February 9, 1893.

MR. SPEAKER· I am directed to inform your honorable body that the Senate, on the eighth day of February, 1893, passed Committee Substitute for Senate Bill No. 131—An Act to create the county of Riverside, classify it, define its boundaries, provide for its

organization, and the appointment, election of officers, the location of county seat by election, and the adjustment and fulfillment of certain rights and obligations arising between such county and certain other counties.

F. J. BRANDON, Secretary.
By R. SHAW, Assistant

MOTION.

Mr. Anderson moved that Committee Substitute for Senate Bill No. 131 be substituted on the file for Assembly Bill No. 130, and that it be read the first time.

So ordered.

FIRST READING OF BILL.

Committee Substitute for Senate Bill No. 131—An Act to create the county of Riverside, classify it, define its boundaries, provide for its organization, and the appointment, election of officers, the location of county seat by election, and the adjustment and fulfillment of certain rights and obligations arising between such county and certain other counties.

Read first time, and placed on file for second reading.

MESSAGE FROM THE SENATE.

SENATE CHAMBER, SACRAMENTO, February 9, 1893.

MR. SPEAKER: I am directed to inform your honorable body that the Senate, on this day, passed Senate Bill No 198—An Act to create the county of Madera, to define the boundaries thereof, to determine the county seat, and to provide for its organization and election of officers, and to classify said county.

F. J. BRANDON, Secretary.
By R. SHAW, Assistant.

MOTION.

Mr. Mordecai moved that Senate Bill No. 198 be substituted on file for Assembly Bill No. 154, and be read the first time.

So ordered.

FIRST READING OF BILL.

Senate Bill No. 198—An Act to create the county of Madera, to define the boundaries thereof, to determine the county seat, and to provide for its organization and election of officers, and to classify said county.

Read first time, and placed on file for second reading.

MOTION.

Mr. Miller moved that Assembly Bill No. 356 be taken up out of order and read the first time.

So ordered.

FIRST READING OF BILL.

Assembly Bill No. 356—An Act to create the county of Bidwell, establish the boundaries, to provide for its organization, and to provide for the payment of such proportion of the indebtedness of Butte County as may be equitably chargeable to Bidwell County.

Read first time, and placed on file for second reading.

LEAVE OF ABSENCE.

Mr. Talbott was granted leave of absence for the remainder of the week.

So ordered.

ASSEMBLY CONSTITUTIONAL AMENDMENT.

By Mr. Shanahan: Assembly Constitutional Amendment No. 28—A resolution proposing an amendment to section ten of article thirteen of the Constitution of the State of California, relating to revenue and taxation.

Referred to Committee on Judiciary.

INTRODUCTION OF BILLS.

The following bills were introduced, read by title, and referred to committees, as follows:

By Mr. Anderson: Assembly Bill No. 719—An Act to pay the claim of C. Schindler against the State of California.

Referred to Committee on Claims.

By Mr. Mathews of Tehama: Assembly Bill No. 720—An Act authorizing the State Controller and State Treasurer to transfer from the State School Fund to the State School Land Fund the sum of one hundred and eighty-nine thousand four hundred and twenty-six dollars and fifty-eight cents.

Referred to Committee on Ways and Means.

By Mr. Kerns: Assembly Bill No. 721—An Act to amend section two of an Act amendatory of an Act entitled "An Act to amend an Act entitled 'An Act to protect and promote the horticultural interests of the State,' approved March 14, 1881; approved March 19, 1889; approved March 31, 1891."

Referred to Committee on Viniculture, Viticulture, and Horticulture.

By Mr. Dodge: Assembly Bill No. 722—An Act to amend an Act entitled "An Act to establish a uniform system of county and township governments," approved March 31, 1891.

Referred to Committee on County and Township Governments.

Also: Assembly Bill No. 723—An Act to amend section five hundred and thirty-nine, entitled "An Act to establish a Civil Code," approved March 21, 1872, relating to corporations, and the increase and diminution of the capital stock, and the creation, increase, and diminution of the bonded indebtedness thereof.

Referred to Committee on Corporations.

By Mr. Jacobsen: Assembly Bill No. 724—An Act to enable school districts in or including cities of the fifth class to issue bonds for the purpose of raising money for certain purposes, and to repeal an Act approved March 31, 1891, entitled "An Act to enable cities of the fifth class to issue bonds for the purpose of raising money to purchase school lots, and for building or purchasing one or more school houses, and supplying the same with furniture, necessary apparatus, and improving the grounds, and for liquidating any indebtedness already incurred for such purposes."

Referred to Committee on Education.

Also: Assembly Bill No. 725—An Act to amend section one thousand one hundred and eighty-three of the Code of Civil Procedure of the State of California, relating to the liens of mechanics and others upon real property.

Referred to Committee on Judiciary.

By Mr. Kahn: Assembly Bill No. 726—An Act to amend section two hundred and seventy-two of the Penal Code, relative to the licensing of children in theatrical exhibitions.

Referred to Committee on Public Morals.

By Mr. Kennedy: Assembly Bill No. 727—An Act to amend sections three, five, six, and ten of an Act entitled "An Act to provide for the maintenance and support of the public parks heretofore created within the various cities, and cities and counties of the State, and to amend the existing Acts in relation thereto," approved March 14, 1889.

Referred to Committee on Forestry.

By Mr. Brownlie: Assembly Bill No. 728—An Act to amend section three thousand and five of the Political Code, and providing for the appointment of a Board of Health for the City and County of San Francisco.

Referred to Committee on State Hospitals.

Also: Assembly Bill No. 729—An Act appropriating money to pay the claims of H. P. Dyer, E. F. Dyer, C. A. Granger, Gaston Goldsmith, and P. Reddy.

Referred to Committee on Claims.

By Mr. O'Keefe: Assembly Bill No. 730—An Act to amend section one thousand five hundred and twenty-one of the Political Code of California, relating to the powers and duties of the State Board of Education.

Referred to Committee on Education.

By Mr. Gately: Assembly Bill No. 731—An Act directing the State Board of Harbor Commissioners to construct a certain portion of the harbor embankment, or seawall, of the port of San Francisco.

Referred to Committee on Commerce and Navigation.

SPECIAL ORDER.

Assembly Constitutional Amendment No. 21—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, amending section twenty-two of article four thereof, relative to the power of the Legislature to grant aid to corporations.

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

AYES—Messrs Alford, Bledsoe, Boyce, Brownlie, Buckley, Carlson, Casterline, Conway, Curtis, Cusick, Dodge, Drees, Duffy, Gallagher, Gately, Hendrickson, Hurley, Johnson of Humboldt, Kennedy, Lynch, McCauley, McElroy, McGowan, Mack, Marks, Marston, O'Keefe, Schlesinger, Schroebel, Shanahan, Sims, Standart, Taggart, Taylor, Tindall, Vann, Wade, and Mr. Speaker—38

NOES—Messrs. Adams, Anderson, Androus, Barker, Barlow, Bennett of Santa Clara, Bennett of Orange, Bretz, Bulla, Chipman, Duckworth, Durst, Finlayson, Hutson, Jacobs, Jacobsen, Kerns, Matthews of San Benito, Miller, Mordecai, O'Neill, Owen, Pendleton, Perkins, Raw, Sargent, Simpson, and Thomas of Santa Clara—28.

SPECIAL ORDERS.

Senate Bill No. 72—An Act to provide for a day of rest from labor.

Read second time.

Mr. Boyce moved to amend, as follows:

Amend section one, line four, by striking out the words "and excepting also."

Adopted.

Also: Amend line five by striking out the words "domestic servants."

Adopted.

Bill ordered to a third reading.

SPECIAL ORDER.

Assembly Joint Resolution No. 4—Relative to the free and unlimited coinage of silver.

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

AYES—Messrs Adams, Alford, Androus, Barlow, Bennett of Santa Clara, Bennett of Orange, Boyce, Bretz, Brownlie, Buckley, Carlson, Casterline, Conway, Cusick, Drees, Duffy, Durst, Finlayson, Gallagher, Gately, Hendrickson, Hurley, Hutson, Jacobsen, Kennedy, Kerns, Lynch, McCauley, McGowan, Mack, Marks, Marston, Matthews of San Benito, Miller, O'Keefe, O'Neill, Owen, Schlesinger, Schroebel, Shanahan, Sims, Taggart, Thomas of Santa Clara, Tindall, Vann, and Wade—46.

NOES—Messrs Anderson, Barker, Bledsoe, Bulla, Chipman, Dodge, Jacobs, Johnson of Humboldt, Mordecai, Pendleton, Perkins, Raw, Sargent, Simpson, Standart, Taylor, and Mr. Speaker—17.

MOTION.

Mr. Vann moved that the resolution be immediately transmitted to the Senate.

So ordered.

SPECIAL FILE.

Senate Bill No. 125—An Act to abolish commissions or fees paid by the State for the assessment, equalization, auditing, and collection of ad valorem taxes.

Read second time, and ordered to a third reading.

Senate Bill No. 212—An Act authorizing the Controller and Treasurer to transfer to the General Fund all moneys now in the Election Reward Fund, the Leprosy Fund, and Interest and Sinking Fund, Levee District No. 5, and abolishing the Leprosy Fund, and Interest and Sinking Fund, Levee District No. 5.

Read second time, and ordered to a third reading.

Assembly Bill No. 245—An Act entitled an Act to pay the claim of Sands W. Forman, for services as Secretary of the State Board of Forestry, and appropriating the sum of three hundred and seventy-five dollars to pay such claim.

Passed on file.

Assembly Bill No. 627—An Act to provide for the redemption and payment of certain funded debt bonds of this State, together with interest thereon, making an appropriation therefor, and authorizing the State Controller and State Treasurer to transfer the sum of one hundred and twenty thousand dollars from the General Fund to the Interest and Sinking Fund to carry out the provisions of this Act.

Read first time, and placed on file for second reading.

Assembly Bill No. 635—An Act making an appropriation to pay the deficiency in the appropriation for support and maintenance of State hatcheries for the forty-second and forty-third fiscal years.

Read first time, and placed on file for second reading.

Assembly Bill No. 634—An Act making an appropriation to pay the deficiency in the appropriation for the restoration and preservation of fish in the waters of the State, for the forty-second and the forty-third fiscal years.

Read first time, and placed on file for second reading.

Assembly Bill No. 128—An Act appropriating the sum of three thousand five hundred dollars for furnishing the Training Department building of the State Normal School at San José, California.

Read first time, and placed on file for second reading.

Assembly Bill No. 192—An Act to provide for the building and furnishing of three cottages for use as residences of the Resident Physician and two Assistant Physicians at the Napa State Asylum for the Insane, and making an appropriation therefor.

Read first time, and placed on file for second reading.

Assembly Bill No. 366—An Act making an appropriation for the erection of an additional building for the State Normal School at San José.

Read first time, and placed on file for second reading.

Assembly Constitutional Amendment No. 20—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, amending section one of article four thereof, relative to the Legislative Department.

Passed on file.

Assembly Constitutional Amendment No. 18—A resolution to propose to the people of the State of California an amendment to section three of article eleven of the Constitution of the State of California.

Passed on file.

Assembly Constitutional Amendment No. 4—A resolution to propose to the people of the State of California an amendment to and providing for the repeal of sections twenty-two and twenty-three of article twelve of the Constitution, relative to a Board of Railroad Commissioners.

Passed on file.

GENERAL FILE—THIRD READING OF BILLS.

Assembly Bill No. 185—An Act to amend section three thousand seven hundred and seventy-three of the Political Code, relating to the sale of property for delinquent taxes.

Passed on file.

Assembly Bill No. 48—An Act to appropriate money for the erection of a monument at Donner Lake, Nevada County, California, to the memory of the Donner party.

Passed on file.

Assembly Bill No. 169—An Act to cede jurisdiction to the United States over certain lands.

Passed on file.

Assembly Bill No. 113—An Act requiring the recording of maps of cities, towns, additions to cities or towns, or subdivisions of lands into small lots or tracts for the purposes of sale, and providing for a forfeiture for the selling, or offering for sale, any lots or tracts in cities, towns, additions to cities, towns, subdivisions or additions thereto, before such maps are filed and recorded.

Mr. Kahn in the chair.

Read third time, and passed by the following vote:

AYES—Messrs Adams, Alford, Anderson, Barker, Barlow, Bennett of Santa Clara, Bennett of Orange, Bledsoe, Bretz, Bulla, Carlson, Casterline, Conway, Cusick, Dodge, Drees, Duckworth, Duffy, Durst, Finlayson, Gallagher, Gately, Hendrickson Hurley, Hutson, Jacobs, Jacobsen, Johnson of Humboldt, Kahn, Kerns, Lynch, McCauley, McElroy, Mack, Marston, Matthews of San Benito, Miller, O'Keefe, Perkins, Raw, Schroebel, Simpson, Standart, Taggart, Thomas of Santa Clara, Vann, and Wade—47.
NOES—None

Title read and approved.

REPORT OF SUB-COMMITTEE.

ASSEMBLY CHAMBER, SACRAMENTO, February 10, 1893.

MR. SPEAKER By authority of this House a sub-committee of the Hospitals Committee, consisting of two members and a clerk, visited the Southern California Asylum for the Insane, and two members visited the Whittier Reform School The distance to the Southern California Asylum for the Insane is five hundred and forty-four miles, and there is due to the sub-committee visiting that institution three hundred and twenty-six dollars and forty cents for mileage. The distance to the Whittier Reform School is five hundred miles, and there is due to the sub-committee for their visit to that institution two hundred dollars for mileage.

The adoption of the following resolution is therefore recommended:

Resolved, That the Controller be and he is hereby directed to draw his warrant for the sum of five hundred and twenty-six dollars and forty cents, in favor of G. W. Mordecai, Chairman of the Hospitals Committee, payable out of the Contingent Fund of the Assembly, and the State Treasurer is authorized to pay the same.

MORDECAI, Chairman.

Referred to Committee on Public Expenditures and Accounts.

RESOLUTION.

By Mr. Mordecai:

Resolved, That the Chairman of the special committee of five, appointed by the Speaker of the Assembly to investigate the charges made by J. W. Rea against Assemblyman Johnson of Santa Clara, be and he is hereby authorized to have the testimony in the matter of said investigation heretofore taken, and that which may hereafter be taken, transcribed and printed from day to day, as the same is taken, for the convenience of the committee.

Adopted.

INTRODUCTION OF BILL.

By Mr. Gately: Assembly Bill No. 732—An Act for the protection of fish.

Referred to Committee on Fish and Game.

THIRD READING OF BILL.

Assembly Bill No. 153—An Act to amend section six and section eight of an Act approved March 19, 1889, entitled "An Act authorizing the incurring of indebtedness by cities, towns, and municipal corporations incorporated under the laws of this State, for the construction of waterworks, sewers, and all necessary public improvements, or for any purpose whatever;" and to repeal the Act approved March 9, 1885, entitled "An Act to authorize municipal corporations of the fifth class, containing more than three thousand and less than ten thousand inhabitants, to obtain waterworks;" also, to repeal an Act approved March

15, 1887, entitled "An Act authorizing the incurring of indebtedness by cities, towns, and municipal corporations incorporated under the laws of this State."

MOTION.

Mr. Sims moved that a select committee of one be appointed by the Speaker to amend Assembly Bill No. 153, as follows:

In section one, on line four, after the word "payable," insert the words "in gold coin or lawful money of the United States."

Also: On line twelve, page two, after the word "California" the words "and may be payable annually or semi-annually."

So ordered.

APPOINTMENT OF COMMITTEE.

Mr. Sims was appointed such committee to make said amendments.

REPORT OF SELECT COMMITTEE.

ASSEMBLY CHAMBER, SACRAMENTO, February 10, 1893.

MR. SPEAKER: Your select committee, to whom was referred Assembly Bill No 153—An Act to amend section six and section eight of an Act approved March 19, 1889, entitled "An Act authorizing the incurring of indebtedness by cities, towns, and municipal corporations, incorporated under the laws of this State, for the construction of waterworks, sewers, and all necessary public improvements, or for any purpose whatever," and to repeal the Act approved March 9, 1885, entitled "An Act to authorize municipal corporations of the fifth class, containing more than three thousand and less than ten thousand inhabitants, to obtain waterworks," also, to repeal an Act approved March 15, 1887, entitled "An Act authorizing the incurring of indebtedness by cities, towns, and municipal corporations incorporated under the laws of this State"—with instructions to amend in accordance with the action of the House, would respectfully report that the instructions of the House have been carried out.

SIMS, Committee.

THIRD READING OF BILLS.

Assembly Bill No. 158—An Act to amend section two thousand six hundred and fifty-three of the Political Code, relating to the levy of road tax.

Passed on file.

Assembly Bill No. 114—An Act to provide for the organization, incorporation, and government of towns.

Read third time, and passed by the following vote:

AYES—Messrs. Adams, Alford, Anderson, Androus, Barker, Barlow, Bennett of Santa Clara, Bennett of Orange, Blakeley, Bledsoe, Boyce, Bretz, Buckley, Bulla, Carlson, Casterline, Chipman, Conway, Cusick, Dodge, Duffy, Durst, Finlayson, Hendrickson, Jacobs, Jacobsen, Johnson of Humboldt, Kahn, Kerns, Lynch, McCauley, McElroy, McGowan, Marks, Marston, Mathews of Tehama, Mordecai, O'Keefe, O'Neill, Pendleton, Perkins, Schlesinger, Shanahan, Simpson, Sims, Taggart, Taylor, Thomas of Nevada, Thomas of Santa Clara, Tindall, Vann, and Wade—52.

NOES—Matthews of San Benito—1.

Title read and approved.

MOTION.

Mr. Thomas of Nevada moved that Senate Bill No. 49 be substituted on the file for Assembly Bill No. 48, and be read the second time.

So ordered.

SECOND READING OF BILL.

Senate Bill No. 49—An Act to appropriate money for the erection of a monument at Donner Lake, Nevada County, California, to the memory of the Donner party.

Read second time.

At four o'clock P. M. Mr. Matthews of San Benito moved to adjourn. Lost.

MOTION.

Mr. Thomas moved that the Assembly go into Committee of the Whole, with Mr. Kahn in the chair, for the purpose of considering Senate Bill No. 49.

So ordered.

IN COMMITTEE OF THE WHOLE.

Mr. Kahn in the chair.

Senate Bill No. 49 was considered in Committee of the Whole.

IN ASSEMBLY.

Mr. Kahn in the chair.

REPORT OF THE COMMITTEE OF THE WHOLE.

Mr. Kahn stated the report of the Committee of the Whole, as follows:

GENTLEMEN: The Committee of the Whole have had under consideration Senate Bill No. 49—An Act to appropriate money for the erection of a monument at Donner Lake, Nevada County, California, to the memory of the Donner party—and now report, and recommend that the same do pass.

Senate Bill No. 49 ordered to a third reading.

ADJOURNMENT.

At four o'clock and forty minutes P. M., on motion of Mr. Mordecai, the Assembly adjourned.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Saturday, February 11, 1893.

The Assembly met pursuant to adjournment.

Speaker Gould in the chair.

The roll was called, and the following members answered to their names:

Messrs. Adams, Anderson, Androus, Barker, Barlow, Bennett of Santa Clara, Bennett of Orange, Blakeley, Bledsoe, Boyce, Bretz, Brownlie, Buckley, Bulla, Carlson, Casterline, Chipman, Conway, Curtis, Cusick, Dodge, Drees, Duckworth, Duffy, Durst, Finlayson, Gately, Hendrickson, Hurley, Hutson, Jacobs, Johnson of Humboldt, Kennedy,

Kahn, Kerns, Lynch, McCauley, McElroy, McGowan, Mack, Marks, Marston, Mathews of Tehama, Matthews of San Benito, Miller, Mordecai, O'Keefe, O'Neill, Owen, Pendleton, Perkins, Sargent, Schlesinger, Schroebel, Shanahan, Simpson, Sims, Standart, Taggart, Taylor, Thomas of Nevada, Thomas of Santa Clara, Tindall, Vann, and Mr. Speaker.

Quorum present.

LEAVE OF ABSENCE.

Mr. LaRue was granted leave of absence for the day.

PRAYER.

Prayer by the Chaplain, Rev. H. W. Conry.

LEAVE OF ABSENCE.

Messrs. Raw and Thomas were granted leave of absence until Monday at eleven o'clock and thirty minutes A. M.

Messrs. Wade, Johnson of Santa Clara, and Vann were granted leave of absence for the day.

READING AND APPROVAL OF THE JOURNAL.

Pending the reading of the Journal of yesterday, Mr. Pendleton moved that the further reading be dispensed with.

So ordered.

Journal of Thursday, February 9th, approved.

MOTION.

Mr. Durst moved to correct the Journal of yesterday to show that he voted "aye" instead of "no" on Assembly Joint Resolution No. 4, relating to the free and unlimited coinage of silver.

So ordered.

REPORTS OF STANDING COMMITTEES.

ON ROADS AND HIGHWAYS.

ASSEMBLY CHAMBER, SACRAMENTO, February 11, 1893.

MR. SPEAKER: Your Committee on Roads and Highways, to whom was referred Assembly Bill No. 582—An Act prohibiting the use of barbed wire fence on public lanes, streets, alleys, roads, or highways—report the same back without recommendation.

Also Assembly Bill No 684—An Act to add eight new sections to an Act entitled "An Act to establish a Political Code," approved March 12, 1872, said new sections to be known, numbered, and designated as sections two thousand six hundred and ninety-six, two thousand six hundred and ninety-seven, two thousand six hundred and ninety-eight, two thousand six hundred and ninety-nine, two thousand seven hundred, two thousand seven hundred and one, two thousand seven hundred and two, and two thousand seven hundred and three, respectively, all relating to laying out and constructing drains, canals, ditches, and other works to drain public roads—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended

DUFFY, Chairman.

ON MILEAGE.

ASSEMBLY CHAMBER, SACRAMENTO, February 10, 1893.

MR. SPEAKER Your Committee on Mileage, to whom was referred the following resolution:

Resolved, That the Controller be and he is hereby directed to draw his warrant upon the appropriation for the contingent expenses of the Assembly, in favor of Mr Godchaux, for the sum of four hundred and ninety-eight dollars, for the purpose of paying to

Messrs. Godchaux, O'Keefe, Boyce, and M. C. Giry, Clerk, each one hundred and twenty-four dollars and fifty cents, for mileage due them upon their visit to San Diego, under the resolution hereinbefore set out.

Have had the same under consideration, and respectfully report the same back, and recommend the adoption of the following substitute.

Resolved, That the Controller be and he is hereby directed to draw his warrant upon the appropriation for the contingent expenses of the Assembly, in favor of Mr. Godchaux, for the sum of four hundred and fifty-two dollars and eighty cents ($452 80), for the purpose of paying to Messrs. Godchaux, O'Keefe, Boyce, and M. C. Giry, Clerk, each one hundred and thirteen dollars and twenty cents for mileage due them upon their visit to San Diego, under the resolution hereinbefore set out.

DREES, Chairman.

Consideration of the report deferred until Monday.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, February 10, 1893.

MR. SPEAKER. Your Committee on Mileage, to whom was referred the following resolution:

ASSEMBLY CHAMBER, SACRAMENTO, February 8, 1893.

MR. SPEAKER: Your Committee on Military Affairs beg leave to report that, in accordance with a resolution adopted by the Assembly, the committee, in conjunction with the Senate Committee on Military Affairs, together with Assemblyman John C. Lynch of the Ways and Means Committee, have visited and inspected the property and companies of the National Guard at San Francisco, and also inspected the Naval Battalion, and we found the armories entirely inadequate for present purposes, uniforms generally in good condition, with the exception of the Third Regiment, whose uniforms are old and well worn. The companies are a fine looking body of men, and well worthy of your best consideration. And your committee also report the following members of the committee are entitled to mileage, viz: McCauley, McElroy, Bennett of Santa Clara, Taylor, Jacobsen, and Clerk Norton, and also Lynch of the Ways and Means Committee, in the sum of sixteen dollars and eighty cents each, being the legal amount of mileage allowed by law from Sacramento to San Francisco and return, and recommend the adoption of the following:

Resolved, That the Controller be directed to draw his warrant upon the Contingent Fund of the Assembly, in favor of C. D. McCauley, for the sum of one hundred and seventeen dollars and sixty cents, for the purpose of paying the same.

Have had the same under consideration, and respectfully report the same back, and recommend its adoption.

DREES, Chairman.

Resolution adopted.

ON VINICULTURE, VITICULTURE, AND HORTICULTURE

ASSEMBLY CHAMBER, SACRAMENTO, February 10, 1893.

MR SPEAKER: Your Committee on Viniculture, Viticulture, and Horticulture, to whom was referred Assembly Bill No. 696—An Act to establish a California State Raisin Growers', Packers', and Brokers' Association, and prescribing the powers thereof—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

HUTSON, Chairman.

MESSAGES FROM THE SENATE.

SENATE CHAMBER, SACRAMENTO, February 10, 1893

MR. SPEAKER. I am directed to inform your honorable body that the Senate, on the ninth day of February, passed Assembly Bill No. 50—An Act to limit the time within which franchises or privileges for the construction, extension, or operation of street railroads may be granted by Boards of Supervisors of the several counties, and cities and counties, of this State.

F. J. BRANDON, Secretary.
By A. D BOWEN, Assistant.

Also:

SENATE CHAMBER, SACRAMENTO, February 10, 1893

MR SPEAKER: I am directed to inform your honorable body that the Senate, on the ninth day of February, passed Senate Constitutional Amendment No 14—A resolution proposing to the people of the State of California an amendment to section three of article eleven of the Constitution of the State of California, relating to the formation of new counties.

Also: Senate Bill No. 573—An Act to repeal an Act entitled "An Act in relation to the House of Correction of the City and County of San Francisco," approved April 1, 1878

Also: Senate Bill No. 122—An Act entitled an Act to appropriate money to pay the claims of McGowan & Butler for building retaining walls to "The Mendocino State Asylum for the Insane," for grading and terracing the grounds thereof, and for constructing a drainage and sewer system in and about the buildings, which work was performed on and material furnished said asylum under contracts with the Board of Directors of said asylum.

F. J. BRANDON, Secretary.
By A. D. BOWEN, Assistant.

Also:

SENATE CHAMBER, SACRAMENTO, February 10, 1893.

MR. SPEAKER: I am directed to inform your honorable body that the Senate, on February 9th, passed Senate Bill No 569—An Act to add a new section to the Penal Code of the State of California, to be known as and numbered section three hundred and twenty-seven, in regard to lotteries.

Also: Senate Bill No 221—An Act to make an appropriation to pay the claim of Henry Hogan, for services rendered for the State Board of Fish Commissioners, as special attorney therefor during the year 1890.

Also: Senate Bill No. 538—An Act to repeal an Act entitled "An Act concerning corporations and persons engaged in the business of banking," approved April 1, 1876.

Also: Substitute for Senate Bill No 137—An Act to establish Board of Parole Commissioners for the parole of and government of paroled prisoners.

Also: Senate Bill No 28—An Act making an appropriation to pay the deficiency in the appropriation for the State Board of Forestry for the thirty-eighth, forty-second, and forty-third fiscal years.

F. J. BRANDON, Secretary.
By A. D. BOWEN, Assistant.

Also:

SENATE CHAMBER, SACRAMENTO, February 10, 1893.

MR. SPEAKER: I am directed to inform your honorable body that the Senate, on the ninth day of February, passed Senate Concurrent Resolution No. 5—Relative to Golden Gate Park Commissioners.

Also: Senate Bill No. 50—An Act to amend the Civil Code by adding thereto two sections, to be known as sections one thousand four hundred and twenty-four and one thousand four hundred and twenty-five, being title nine, part four, division two of said Code, concerning the manner of conducting the business of hydraulic mining.

F. J. BRANDON, Secretary
By A. D. BOWEN, Assistant

Assembly Bill No. 50 ordered to enrollment.

Senate Constitutional Amendment No. 14 ordered on file.

Senate Bill No. 573 substituted on the file for Assembly Bill No. 628, on motion of Mr. Kennedy.

Senate Bill No. 122 referred to Committee on Ways and Means.

Senate Bill No. 569 referred to Committee on Public Morals.

Senate Bill No. 221 referred to Committee on Fish and Game.

Senate Bill No. 538 referred to Committee on Corporations.

Substitute for Senate Bill No. 137 referred to Committee on State Prisons and Reformatory Institutions.

Senate Bill No. 28 referred to Committee on Ways and Means.

Senate Concurrent Resolution No. 5 referred to Committee on Forestry.

Senate Bill No. 50 referred to Committee on Mines and Mining.

INTRODUCTION OF BILLS.

The following bills were introduced, read by title, and referred to committees, as follows:

By Mr. Taggart: Assembly Bill No. 733—An Act to promote the practical study of science in the high schools of California.

Referred to Committee on Education.

By Mr. Chipman: Assembly Bill No. 734—An Act providing an appropriation for the purpose of completing and preserving Sutter's Fort.

Referred to Committee on Public Expenditures and Accounts.

By Mr. Bennett of Orange: Assembly Bill No. 735—An Act to provide for the free distribution of the State series of school text-books to enrolled pupils of the public schools, and other public institutions.

Referred to Committee on Education.

REPORT OF STANDING COMMITTEE.

ON PUBLIC PRINTING

ASSEMBLY CHAMBER, SACRAMENTO, February 11, 1893.

MR. SPEAKER: Your Committee on Public Printing, to whom was referred Assembly Bill No 621—have had the same under consideration, and respectfully report the same back, and recommend that it be referred to the Committee on Public Buildings and Grounds.

HENDRICKSON, Chairman.

Assembly Bill No. 621 re-referred to Committee on Public Buildings and Grounds.

Mr. Lynch in the chair.

BILL WITHDRAWN.

Mr. Gould, on his motion, was allowed to withdraw Assembly Bill No. 456—An Act to amend section one thousand eight hundred and seventy-four of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the public schools.

RESOLUTION.

By Mr. Kennedy:

Resolved, That Senate Bill No. 573 presents a case of urgency, as that term is used in section fifteen of article four of the Constitution, and the provisions of that section requiring that the bill shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the first, second, and third times, and placed upon its passage.

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

AYES—Messrs. Adams, Alford, Anderson, Androus, Barker, Barlow, Bennett of Santa Clara, Bennett of Orange, Bledsoe, Boyce, Bretz, Brownlie, Bulla, Carlson, Casterline, Chipman, Conway, Curtis, Cusick, Dodge, Drees, Duckworth, Duffy, Durst, Finlayson, Hendrickson, Hurley, Hutson, Jacobs, Johnson of Humboldt, Kennedy, Kerns, Lynch, McCauley, McElroy, McGowan, Mack, Marks, Marston, Matthews of San Benito, Miller, Mordecai, O'Keefe, O'Neill, Owen, Pendleton, Perkins, Sargent, Schlesinger, Schroebel, Shanahan, Simpson, Sims, Standart, Taggart, Taylor, Thomas of Nevada, Thomas of Santa Clara, and Mr. Speaker—59.

NOES—None.

SENATE BILL No. 573.

Senate Bill No. 573—An Act to repeal an Act entitled "An Act in relation to the House of Correction of the City and County of San Francisco," approved April 1, 1878.

Read the first, second, and third times.

The roll was called, and the bill passed by the following vote:

AYES—Messrs Adams, Alford, Anderson, Androus, Barker, Barlow, Bennett of Santa Clara, Bennett of Orange, Bledsoe, Boyce, Bretz, Brownlie, Bulla, Carlson, Casterline, Conway, Curtis, Cusick, Dodge, Drees, Duckworth, Duffy, Durst, Finlayson, Gately, Hendrickson, Hurley, Hutson, Jacobs, Johnson of Humboldt, Kennedy, Kahn, Kerns, Lynch, McCauley, McElroy, McGowan, Mack, Marks, Marston, Mathews of Tehama, Matthews of San Benito, Miller, Mordecai, O'Keefe, O'Neill, Owen, Pendleton, Perkins, Sargent, Schlesinger, Schroebel, Shanahan, Simpson, Sims, Standart, Taggart, Taylor, Thomas of Santa Clara, and Tindall—60

NOES—None.

Title read and approved.

AMENDMENT TO RULES.

In accordance with notice given, Mr. Dodge moved to amend the Standing Rules of the Assembly, as follows:

Resolved, From and after the tenth day of February, 1893, all petitions, memorials, and resolutions to Congress shall be discussed only in evening session, unless by a two-thirds vote of the House it is ordered otherwise.

Adopted.

MOTIONS.

Mr. Kennedy moved that Senate Bill No. 573 be immediately transmitted to the Senate.

So ordered.

Mr. Sims moved that Senate Bill No. 569 be substituted on the file for Assembly Bill No. 648, and be read the first time.

So ordered.

FIRST READING OF BILL.

Senate Bill No. 569—An Act to add a new section to the Penal Code of the State of California, to be known as and numbered section three hundred and twenty-seven, in regard to lotteries.

Read first time, and placed on file for second reading.

REPORTS OF STANDING COMMITTEES.

ON ENGROSSMENT.

ASSEMBLY CHAMBER, SACRAMENTO, February 10, 1893

MR SPEAKER Your Committee on Engrossment begs leave to report that the following Assembly Bills are correctly engrossed:

Assembly Bill No 82—An Act to amend sections one thousand three hundred and three, one thousand three hundred and twenty-three, one thousand three hundred and sixty-five, one thousand three hundred and eighty-eight, one thousand four hundred and thirty-nine, one thousand five hundred and sixteen, one thousand five hundred and seventeen, one thousand five hundred and thirty-six, one thousand five hundred and forty-five, one thousand five hundred and forty-seven, 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 fifty-two, one thousand five hundred and fifty-three, one thousand five hundred and fifty-four, one thousand five hundred and fifty-seven, one thousand five hundred and fifty-eight, one thousand five hundred and sixty-five, one thousand five hundred and ninety-one, one thousand five hundred and ninety-seven, one thousand five hundred and ninety-eight, one thousand five hundred and ninety-nine, one thousand six hundred and eighteen, and to repeal sections one thousand five hundred and eighteen, one thousand five hundred and nineteen, one thousand five hundred and twenty-two, one thousand five hundred and twenty-three, one thousand five hundred and twenty-four, 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-three, one thousand five hundred and thirty-seven, one thousand five hundred and thirty-eight, one thousand five hundred and thirty-nine, one thousand five hundred and forty, one thousand five hundred and forty-one, one thousand five hundred and forty-two, one thousand five hundred and forty-three, one thousand five hundred and forty-four, one thousand five hundred and forty-nine, one thousand five hundred and fifty-six, and to add four new sections, to be known and designated as sections one thousand five hundred and forty-six, one thousand five hundred and fifty-four and one half, one thousand five hundred and ninety-two, and one thousand five hundred and ninety-seven and one half, of an Act of the Legislature of the State of California entitled "An Act to establish a Code of Civil Procedure."

Also Assembly Bill No 83—An Act to amend sections one thousand seven hundred and sixty-eight, one thousand seven hundred and seventy, one thousand seven hundred and seventy-seven, one thousand seven hundred and eighty-eight, and one thousand seven hundred and eighty-nine, and repealing sections one thousand seven hundred and seventy-eight, 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-six, one thousand seven hundred and eighty-seven of the Code of Civil Procedure, and adding a new section thereto, to be known as section one thousand seven hundred and seventy-one and one half.

Also. Assembly Bill No 69—An Act to amend section one thousand six hundred and sixty-eight of the Code of Civil Procedure.

Also: Assembly Bill No 77—An Act to amend section ten of an Act to create a Police Court in and for the City and County of San Francisco, approved March 5, 1889

Also: Assembly Bill No. 112—An Act to amend section one hundred and sixty-four of the Civil Code of the State of California.

Also: Assembly Bill No 125—An Act to increase the number of Judges of the Superior Court of the county of Santa Clara, and to provide for the appointment of an additional Judge, and to fix his compensation.

Also: Assembly Bill No. 60—An Act amending section one thousand two hundred and seven of Civil Code.

Also: Assembly Bill No. 164—An Act to amend an Act to establish a Code of Civil Procedure, by adding a new section thereto, to be known as section five hundred and seventy.

Also· Assembly Bill No. 227—An Act amending sections one thousand five hundred and seventy-seven and one thousand five hundred and seventy-eight of the Code of Civil Procedure.

Also. Assembly Bill No 214—An Act to amend section one thousand two hundred and six of the Code of Civil Procedure.

Also: Assembly Bill No. 96—An Act to add a new section to the Political Code, to be numbered three thousand eight hundred and nineteen

Also. Assembly Bill No. 212—An Act to amend section one thousand two hundred and four of the Code of Civil Procedure.

Also: Assembly Bill No. 213—An Act to amend section one thousand two hundred and five of the Code of Civil Procedure

KENNEDY, Chairman

ON CONSTITUTIONAL AMENDMENTS.

ASSEMBLY CHAMBER, SACRAMENTO, February 11, 1893.

MR. SPEAKER: Your Committee on Constitutional Amendments, to whom was referred Assembly Constitutional Amendment No. 26—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, relative to the duties of county officers and their terms of office—have had the same under consideration, and respectfully report the same back, and recommend that it do not pass

Also: Assembly Constitutional Amendment No. 25—A resolution to propose to the people of the State of California an amendment to the Constitution of said State, amending article eleven thereof, by adding a new section thereto, to be known as section number twenty, relating to the government of counties, cities, and towns—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

Also: Assembly Constitutional Amendment No 23—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, relative to revenue and taxation—have had the same under consideration, and respectfully report the same back, and recommend that it be referred to the Judiciary Committee

Also: Assembly Constitutional Amendment No. 24—A resolution to submit to the people of the State of California an amendment to section one (1), article seventh (7th), of the Constitution of the State of California—have had the same under consideration, and respectfully report the same back, and recommend that it do not pass

SCHLESINGER, Chairman.

Assembly Constitutional Amendment No 23 re-referred to Committee on Judiciary.

ON JUDICIARY

ASSEMBLY CHAMBER, SACRAMENTO, February 11, 1893

MR SPEAKER. Your Committee on Judiciary, to whom was referred Assembly Bill No 557—An Act to add sections two thousand five hundred and forty-three and two thousand five hundred and forty-four to the Civil Code—have had the same under consideration, and respectfully report the same back, and recommend that it be referred to Committee on Corporations

Also· Assembly Bill No 647—An Act to add a new section to the Political Code, to be numbered section three thousand eight hundred and eighteen, in relation to the cancellation of tax sales to the State

Also· Assembly Constitutional Amendment No. 7—An Act to amend section one of article thirteen of the Constitution. The Legislature of the State of California, at its thirtieth session, commencing on the second day of January, A. D. 1893, two thirds of all the members elected to each of the two houses of said Legislature voting in favor thereof, hereby propose that section one of article thirteen of the Constitution of the State of California be amended so as to read as follows.

Also. Assembly Constitutional Amendment No. 11—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, amending section nine of article thirteen thereof, relative to the election of a State Board of Equalization.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass as amended.

Also: Assembly Bill No. 386—An Act to amend section three thousand eight hundred and eighty-one of the Political Code, relating to errors, etc., on assessment roll, and the correction thereof.

Also: Assembly Bill No 508—An Act amendatory of chapter three, of title four, of the Code of Civil Procedure, relative to phonographic reporters.

Also: Assembly Bill No. 457—An Act to amend section two hundred and seventy-four of an Act entitled "An Act to establish a Code of Civil Procedure," with reference to the compensation of phonographic reporters for Superior Courts

Also: Assembly Bill No. 535—An Act to amend section two hundred and seventy-four of an Act entitled "An Act to establish a Code of Civil Procedure," with reference to the compensation of phonographic reporters for Superior Courts.

Also: Assembly Bill No. 564—An Act amendatory of chapter three, title four, of the Code of Civil Procedure, relative to phonographic reporters.

Have had the same under consideration, and respectfully report the same back, and recommend that they do not pass.

Also: Assembly Constitutional Amendment No. 2—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, relative to revenue and taxation—have had the same under consideration, and respectfully report the same back, and recommend that the substitute herewith reported therefor do pass.

Also: Assembly Constitutional Amendment No. 1—An Act to submit to the people of the State of California an amendment to section one, article thirteen, of the Constitution of the State of California—have had the same under consideration, and respectfully report the same back, and recommend that the author be allowed to withdraw it.

Also: Senate Bill No. 55—An Act to amend section one thousand one hundred and seven of the Civil Code of the State of California

Also: Senate Concurrent Resolution No. 1—Relative to duplicate copies of California statutes, etc

Also: Assembly Bill No. 674—An Act quitclaiming to the successors in interest of James Bowman all claims of the State of California in that certain tract of land in the City and County of San Francisco, known as "Water Lot No. 415," and empowering and directing the Governor to execute a deed of quitclaim therefor to said successors in interest of said James Bowman

Also: Assembly Bill No. 675—An Act quitclaiming to the successors in interest of Sallie C. Perry all claims of the State of California in that certain tract of land in the City and County of San Francisco, known as "City Slip Lot No. 116," and empowering and directing the Governor to execute a deed of quitclaim therefor to said successors in interest of said Sallie C. Perry.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

SHANAHAN, Chairman

Assembly Bill No. 557 re-referred to Committee on Corporations.

MOTIONS.

Mr. Vann moved that Senate Bill No. 9 be substituted on the file for Assembly Bill No. 103.

So ordered.

Mr. Shanahan moved that for the remainder of this legislative day the Assembly consider only the first reading of bills on the first reading file and at the Clerk's desk.

So ordered.

REPORT OF STANDING COMMITTEE.

ON COUNTIES AND COUNTY BOUNDARIES.

ASSEMBLY CHAMBER, SACRAMENTO, February 11, 1893.

MR. SPEAKER. Your Committee on Counties and County Boundaries, to whom was referred Assembly Bill No. 308—An Act to amend the Political Code, changing the boundary line between the counties of Sacramento and Yolo—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

MACK, for Chairman

BILL WITHDRAWN.

Mr. Sargent, on his motion, was allowed to withdraw Assembly Bill No. 372.

REPORTS OF STANDING COMMITTEES.

ON IRRIGATION.

ASSEMBLY CHAMBER, SACRAMENTO, February 11, 1893.

MR. SPEAKER: Your Committee on Irrigation, to whom was referred Assembly Bill No. 480—An Act to amend an Act entitled "An Act to provide for the organization and government of irrigation districts, and to provide for the acquisition of water and other property, and for the distribution of water thereby for irrigation purposes," approved March 7, 1887, and to enable and empower irrigation districts to sell or rent, or otherwise dispose of, their surplus water

Also: Assembly Bill No 518—An Act supplemental to an Act entitled "An Act to provide for the organization and government of irrigation districts, and to provide for the acquisition of water and other property, and for the distribution of water thereby for irrigation purposes," approved March 7, 1887, by the creation of a State Board of Irrigation, and by defining the powers and prescribing the duties thereof, and by providing for the printing of bonds issued by virtue of said Act.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

Also: Assembly Bill No 638—An Act to amend an Act entitled "An Act to provide for the organization and government of irrigation districts, and to provide for the acquisition of water and other property, and for the distribution of water thereby for irrigation purposes," approved March 7, 1887, by amending sections thirteen and seventeen thereof—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

CARLSON, Chairman.

ON CLAIMS.

ASSEMBLY CHAMBER, SACRAMENTO, February 11, 1893

MR. SPEAKER: Your Committee on Claims, to whom was referred Assembly Bill No. 526—An Act to pay the claim of I. N. Brock against the State of California, and making an appropriation therefor.

Also, Assembly Bill No. 527—An Act to pay the claim of Abraham Winans against the State of California, and making an appropriation therefor.

Also: Assembly Bill No 554—An Act to pay the claim of Cornelius Lynch, and to appropriate money therefor.

Also: Assembly Bill No. 593—An Act to pay the claim of John McGrath against the State of California, and making an appropriation therefor

Also Assembly Bill No 603—An Act to pay the claim of Maurice Sheehan against the State of California, and making an appropriation therefor

Also Assembly Bill No 624—An Act to pay the claim of John H Van Saun against the State of California, and making an appropriation therefor.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass as amended

Also· Assembly Bill No. 665—An Act to pay the claim of A. J. Bourn against the State of California, and making an appropriation therefor.

Have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

J. H. MATTHEWS, Chairman

Assembly Bills Nos. 554, 526, 527, 593, 603, 624, and 665 re-referred to Committee on Ways and Means.

ON WAYS AND MEANS.

ASSEMBLY CHAMBER, SACRAMENTO, February 11, 1893.

MR SPEAKER: Your Committee on Ways and Means, to whom was referred Assembly Bill No 2—An Act making an appropriation to pay the deficiencies in the appropriation for costs and expenses of suits in which the State is a party in interest, for the fortieth, forty-first, forty-second, and forty-third fiscal years—have had the same under consideration, and respectfully recommend its passage.

W. P. MATHEWS, Chairman.

FIRST READING OF BILLS.

Assembly Bill No. 104—An Act to amend section one hundred and seventy-two of the Civil Code, relating to the control, management, and disposition of community property.

Passed on file.

Speaker Gould in the chair.

Assembly Bill No. 258—An Act to amend an Act entitled "An Act to establish a Civil Code of the State of California," passed March 21, 1872, by adding a new section thereto, to be numbered as section four hundred and four, concerning foreign corporations.

Read first time, and placed on file for second reading.

Senate Bill No. 47—An Act to amend an Act entitled "An Act to prevent hunting and shooting on private inclosed grounds, and the destruction of growing timber on private grounds, in certain counties in the State."

Read first time, and placed on file for second reading.

Assembly Bill No. 354—An Act to amend certain sections of the Political Code, relative to the Board of Health.

Read first time, and placed on file for second reading.

Assembly Bill No. 545—An Act amending section two hundred and sixteen of an Act entitled "An Act to establish a uniform system of county and township governments," approved March 31, 1891, relative to compensation of Assessors in counties of the second class.

Recommitted to Committee on County and Township Governments.

Assembly Bill No. 92—An Act to repeal an Act entitled "An Act to increase the number of Judges of the Superior Court of the county of Los Angeles, State of California, and for the appointment of such additional Judges," approved March 11, 1889, and to reduce the number of Judges of said county from six to four.

Read first time, and placed on file for second reading.

Assembly Bill No. 358—An Act to amend section eighty-seven of an Act entitled "An Act to establish a uniform system of county and township governments," approved March 31, 1891, relative to the keeping of public moneys by County Treasurers.

Recommitted to Committee on County and Township Governments.

Mr. Cusick in the chair.

Assembly Bill No. 360—An Act to amend section one hundred and nineteen of an Act entitled "An Act to establish a uniform system of county and township governments," approved March 31, 1891, relative to the counting of public moneys in the County Treasury.

Recommitted to Committee on County and Township Governments.

Assembly Bill No. 368—An Act granting to the Board of Supervisors of Sonoma County, California, right of way through the lands of the California Home for the Care and Training of Feeble-Minded Children, to enable said Board of Supervisors to change the location of the public highway now traversing said lands.

Read first time, and placed on file for second reading.

Assembly Bill No. 381—An Act amending section two thousand six hundred and fifty-three of the Political Code of the State of California, in relation to roads and highways.

Read first time, and placed on file for second reading.

Senate Bill No. 62—An Act to amend section two thousand six hundred and ninety-one of the Political Code of the State of California, relating to roads and highways.

Read first time, and placed on file for second reading.

Assembly Bill No. 653—An Act to amend an Act entitled "An Act to establish a Political Code." approved March 12, 1872, by amending section three thousand two hundred and forty-five, relating to eight hours being a legal day's work.

Read first time, and placed on file for second reading.

Assembly Bill No. 172—An Act empowering Boards of Supervisors to appoint experts, and fixing their compensation.

Read first time, and placed on file for second reading.

Assembly Bill No. 321—An Act to amend sections seven hundred and ninety-two and eight hundred and one of the Political Code of the State of California, relating to the qualifications and liabilities of Notaries Public.

Read first time, and placed on file for second reading.

Assembly Bill No. 374—An Act to authorize suits against the State, and regulating the procedure therein.

Read first time, and placed on file for second reading.

Assembly Bill No. 549—An Act to amend sections three hundred and sixty-four and six hundred and fifty-four of the Political Code, relating to the Board of Examiners, and to add a new section thereto, to be known as section six hundred and eighty-five of the Political Code, providing for the appointment of a clerk by said Board, and making an appropriation for his salary.

Read first time, and placed on file for second reading.

Senate Bill No. 393—An Act to facilitate the disposition of business in the Superior Court of Fresno County, by the appointment and election of a third Judge of said Court.

Read first time, and placed on file for second reading.

Assembly Bill No. 191—An Act to amend an Act entitled "An Act to establish a Political Code," approved March 12, 1872, by amending section seven hundred and ninety-one of said Code, relating to the appointment and number of Notaries Public in the several counties of this State.

Read first time, and placed on file for second reading.

Assembly Bill No. 216—An Act to add a new section to an Act of the Legislature of the State of California entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1873, in relation to the distribution of the estates of deceased persons, to be known as section one thousand six hundred and seventy.

Read first time, and placed on file for second reading.

Assembly Bill No. 395—An Act relating to the publication of legal notices.

Read first time, and placed on file for second reading.

Assembly Bill No. 464—An Act to amend section five hundred and thirty-seven of the Penal Code, and to add a new section thereto, to be known and designated as section five hundred and thirty-eight, relating to the removal, sale, or subsequent incumbrance of mortgaged chattels.

Read first time, and placed on file for second reading.

Assembly Bill No. 571—An Act to amend section one hundred and three of the Code of Civil Procedure of the State of California, relating to Justices' Courts.

Read first time, and placed on file for second reading.

Assembly Bill No. 515—An Act to create the county of San Jacinto, to define the boundaries thereof, to provide for its organization, and to determine the location of the county seat by election.

Read first time, and placed on file for second reading.

Assembly Bill No. 25—An Act to create the county of Buena Vista, to establish the boundaries thereof, to determine the county seat, and to provide for its organization and election of officers.

Read first time, and placed on file for second reading.

Assembly Bill No. 24—An Act to create the county of Putnam, to establish the boundaries thereof, to determine the county seat, and to provide for its organization and election of officers.

Read first time, and placed on file for second reading.

Assembly Bill No. 613—An Act to amend an Act entitled "An Act to protect agriculture and to prevent the trespassing of animals upon private property," approved March 22, 1872.

Read first time, and placed on file for second reading.

Assembly Bill No. 467—An Act to create a special commission for the purpose of examining and reporting to the thirty-first session of the Legislature on the Torrens Land Transfer Act of Australia, and to appropriate money therefor.

Read first time, and placed on file for second reading.

Assembly Bill No. 19—An Act to amend "An Act to establish a Civil Code," approved March 21, 1872, by adding a new section thereto, to be numbered four hundred and thirty-two, relating to fire and marine insurance.

Read first time, and placed on file for second reading.

Mr. Thomas moved that Senate Bill No. 50 be substituted on the file for Assembly Bill No. 425, and that it be read the first time.

So ordered.

Senate Bill No. 50—An Act to amend the Civil Code by adding thereto two sections, to be known as sections one thousand four hundred and twenty-four and one thousand four hundred and twenty-five, being title nine, part four, division two of said Code, concerning the manner of conducting the business of hydraulic mining.

Read first time, and placed on file for second reading.

Assembly Bill No. 629—An Act authorizing the formation of county mutual insurance companies, regulating the transaction of their business, and defining the duties of the officers thereof.

Read first time, and placed on file for second reading.

Assembly Bill No. 612—An Act to amend section six hundred and thirty-three of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relative to conditions precedent to right to act as insurance agent or solicitor.

Read first time, and placed on file for second reading.

Assembly Bill No. 357—An Act regulating the quality of illuminating gas manufactured and sold by any corporation or person, and fixing a forfeiture for failure to comply with the provisions of this Act.

Read first time, and placed on file for second reading.

Assembly Bill No. 378—An Act to amend section five hundred and forty-one of the Civil Code, relating to telegraphic corporations.

Read first time, and placed on file for second reading.

Assembly Bill No. 413—An Act providing that gas and telegraph companies shall be assessed and taxed on the value of deposits received on meters by gas companies, and senders and receivers by telegraph companies.

Read first time, and placed on file for second reading.

Assembly Bill No. 618—An Act to amend article two, of chapter two, of title seven, of an Act entitled "An Act to establish a Civil Code of the State of California," approved March 21, 1872, relating to common carriers of persons.

Read first time, and placed on file for second reading.

Assembly Bill No. 439—An Act to provide for the care and treatment of inebriates, acute insane persons, and victims of opium or other drug habits.

Read first time, and placed on file for second reading.

Assembly Bill No. 365—An Act to provide for the transfer of certain moneys from one county to another, when a new county has been formed and organized.

Read first time. and placed on file for second reading.

Assembly Bill No. 13—An Act for the relief of county officers.

Read first time, and placed on file for second reading.

REPORT OF STANDING COMMITTEE.

ON MUNICIPAL CORPORATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, February 11, 1893.

MR. SPEAKER. Your Committee on Municipal Corporations, to whom was referred Senate Bill No. 302—An Act to amend section three thousand eight hundred and eighty-one of the Political Code, relating to errors, etc., on assessment roll, and the corrections thereof—have had the same under consideration, and respectfully report the same back, and recommend that it be re-referred to Committee on Judiciary.

Also. Assembly Bill No. 296—An Act to amend sections thirty-eight to fifty-three, inclusive, of an Act approved March 31, 1891, adding those sections to an Act to provide for work upon streets, alleys, lanes, courts, places, and sidewalks, and for the construction of sewers within municipalities, approved March 18, 1885—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

BUCKLEY, Chairman.

Senate Bill No. 302 re-referred to Committee on Judiciary.

FIRST READING OF BILLS—(RESUMED).

Assembly Bill No. 44—An Act to provide for the publication of monthly statements by the Auditor, of county indebtedness.

Read first time, and placed on file for second reading.

Assembly Bill No. 408—An Act to amend chapter seven, article ten, section nine hundred and ninety-six of the Political Code, by adding a new division, providing for filling vacancies not otherwise provided for.

Read first time, and placed on file for second reading.

Assembly Bill No. 222—An Act for the relief of Barnaby Dougherty.

Read first time, and placed on file for second reading.

Assembly Bill No. 284—An Act for the relief of George Dougherty.

Read first time, and placed on file for second reading.

Assembly Bill No. 317—An Act for the relief of Patrick Creighton.

Read first time, and placed on file for second reading.

Assembly Bill No. 237—An Act to amend section three hundred and eighty-five of the Code of Civil Procedure of the State of California, relating to the bringing and continuance of actions and proceedings upon the death or disability of a party or person interested in certain causes of action.

Read first time, and placed on file for second reading.

Assembly Bill No. 369—An Act to authorize the Justices of the Supreme Court to appoint a Librarian for said Court, and fixing a salary.

Read first time, and placed on file for second reading.

Assembly Bill No. 576—An Act to amend section three thousand and forty-six of the Civil Code of the State of California.

Read first time, and placed on file for second reading.

Assembly Bill No. 619—An Act to amend an Act entitled "An Act to establish a Civil Code," approved March 21, 1872, by repealing section one thousand and ninety-three thereof, relating to grants by married women.

Read first time, and placed on file for second reading.

Assembly Bill No. 499—An Act to add a new section to the Penal Code, to be numbered five hundred and thirty-eight, relating to misrepresentations as to circulation by proprietors of newspapers and periodicals, for the purpose of obtaining patronage.

Read first time, and placed on file for second reading.

Assembly Bill No. 429—An Act to amend section six hundred and seventy-nine of the Political Code, relating to duties of the State Board of Examiners.

Read first time, and placed on file for second reading.

Assembly Bill No. 655—An Act to amend sections three hundred and nineteen, three hundred and twenty-four, three hundred and twenty-five, and three hundred and twenty-six of chapter nine, and to add sections three hundred and twenty-seven, three hundred and twenty-eight, and three hundred and twenty-nine of the Penal Code of California, relating to lotteries.

Read first time, and placed on file for second reading.

Assembly Bill No. 548—An Act to add a section to an Act entitled "An Act to establish a uniform system of county and township governments," approved March 31, 1891, to be known as section twenty-seven and one half, to authorize Boards of Supervisors to provide for the payment of jurors and witnesses in criminal cases in Justices' Courts.

Recommitted to Committee on County and Township Governments.

Assembly Bill No. 132—An Act to amend section seven hundred and fifty-one of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the duties of the Clerk of the Supreme Court.

Read first time, and placed on file for second reading.

Assembly Bill No. 301—An Act to amend section three thousand eight hundred and five of the Political Code, relating to duplicate assessments.

Read first time, and placed on file for second reading.

Assembly Bill No. 600—An Act to amend sections ten and one hundred and thirty-four of an Act entitled "An Act to establish a Code of

Civil Procedure," approved March 1, 1889, relating to legal holidays and non-judicial days.

Read first time, and placed on file for second reading.

Assembly Bill No. 601—An Act to amend section seven of the Civil Code, relating to holidays.

Read first time, and placed on file for second reading.

Assembly Bill No. 602—An Act to amend section ten of the Political Code, relating to legal holidays.

Read first time, and placed on file for second reading.

Assembly Bill No. 182—An Act to amend section two hundred and twenty-four of the Civil Code, regarding the adoption of children.

Read first time, and placed on file for second reading.

Assembly Bill No. 248—An Act to amend section three thousand eight hundred and four of the Political Code, so as to provide for the refunding of double and erroneous assessments of taxes, and to relieve land owners from the effect of illegal tax sales.

Read first time, and placed on file for second reading.

Assembly Bill No. 260—An Act to amend an Act entitled "An Act to establish a Code of Civil Procedure," by amending section three hundred and ninety-two thereof, relating to the place of trial of civil actions.

Read first time, and placed on file for second reading.

Assembly Bill No. 283—An Act to repeal section three thousand eight hundred and eighteen of the Political Code, relating to preferred purchasers for lands sold to the State for taxes.

Read first time, and placed on file for second reading.

INTRODUCTION OF BILL.

By Mr. Kahn: Assembly Bill No. 736—An Act to provide for organizing and maintaining paid fire departments within cities and towns, or cities and counties, in the State of California, to be under the supervision and control of Boards of Fire Commissioners, respectively.

Referred to Committee on Municipal Corporations.

FIRST READING OF BILLS—(RESUMED).

Assembly Bill No. 135—An Act to amend section seven hundred and two of the Code of Civil Procedure, relating to the redemption of real property sold to satisfy a judgment.

Read first time, and placed on file for second reading.

Assembly Bill No. 175—An Act to amend section six hundred and ninety-two of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, relating to the sale of property on execution.

Read first time, and placed on file for second reading.

Assembly Bill No. 268—An Act to amend section two hundred and eighty-one of the Code of Civil Procedure, relating to who shall have the right to practice law in certain Courts, and relating also to the penalty for practicing without a license.

Read first time, and placed on file for second reading.

Assembly Bill No. 297—An Act relating to the payment of official reporters.

Read first time, and placed on file for second reading.

Assembly Bill No. 302—An Act to amend section three thousand seven hundred and thirty-one of the Political Code, relating to the duties of Auditors.

Read first time, and placed on file for second reading.

Assembly Bill No. 331—An Act to amend the Code of Civil Procedure in relation to the place of holding the sessions of the Supreme Court.

Read first time, and placed on file for second reading.

Assembly Bill No. 364—An Act to amend section four hundred and seventy-six of the Code of Civil Procedure, relating to demurrers and notice.

Read first time, and placed on file for second reading.

Assembly Bill No. 275—An Act to amend section six of an Act entitled "An Act authorizing the incurring of indebtedness of cities, towns, and municipal corporations, for the construction of waterworks, sewers, and all necessary public improvements, or for any purpose whatever, and to repeal an Act approved March 9, 1885, entitled 'An Act to authorize municipal corporations of the fifth class, containing more than three thousand and less than ten thousand inhabitants, to obtain waterworks;' also, to repeal an Act approved March 15, 1887, entitled 'An Act authorizing the incurring of indebtedness by cities, towns, and municipal corporations incorporated under the laws of this State,'" approved March 19, 1889.

Read first time, and placed on file for second reading.

Assembly Bill No. 134—An Act limiting the use of the National Guard of the State of California.

Read first time, and placed on file for second reading.

Assembly Bill No. 310—An Act amending section one thousand nine hundred and twelve of the Political Code of the State of California, relating to the National Guard.

Read first time, and placed on file for second reading.

Assembly Bill No. 303—An Act authorizing and providing for the erection and furnishing of armories for the National Guard of the State of California, and to issue bonds for the payment of the same, and providing for the payment of said bonds.

Read first time, and placed on file for second reading.

Assembly Bill No. 658—An Act to prevent the poisoning of honey.

Read first time, and placed on file for second reading.

Assembly Bill No. 649—An Act to prevent the mutilation of horses.

Read first time, and placed on file for second reading.

INTRODUCTION OF BILL.

By Mr. Mathews of Tehama: Assembly Bill No. 737—An Act to provide for the payment of interest on the outstanding bonds of the State of California held in trust for the University Fund and the State School Fund; to continue in force so much of an Act entitled "An Act to provide for the payment of the funded indebtedness of the State of California, and to contract a funded debt for that purpose," approved April 2, 1870, as is not in conflict with this Act; to repeal an Act of the Legislature of the State of California, approved March 4, 1881, entitled "An Act to appropriate money to reimburse the University of California for moneys heretofore appropriated to other State purposes, and making

an appropriation to pay the interest on said outstanding bonds from January 1 to July 1, 1893."

Referred to Committee on Ways and Means.

REPORT OF STANDING COMMITTEE.

ON PUBLIC BUILDINGS AND GROUNDS.

ASSEMBLY CHAMBER, SACRAMENTO, February 11, 1893

MR. SPEAKER: Your Committee on Public Buildings and Grounds, to whom was referred Senate Bill No. 36—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

CURTIS, Chairman.

FIRST READING OF BILLS—(RESUMED).

Assembly Bill No. 313—An Act making an appropriation to pay Cyrus Lyon the sum of one thousand dollars for the capture of Anastacio Garcia, in 1855.

Read first time, and placed on file for second reading.

Assembly Bill No. 52—An Act making an appropriation to pay the claim of D. Jordan as approved by the State Board of Examiners.

Read first time, and placed on file for second reading.

Assembly Bill No. 122—An Act to appropriate ten thousand dollars for the purpose of sending an expert to foreign countries to collect and import into this State parasites and predaceous insects.

Read first time, and placed on file for second reading.

Assembly Bill No. 123—An Act to provide for the publication and sale of an abridgment of the reports of the State Board of Horticulture, and making an appropriation of money to pay for the same.

Read first time, and placed on file for second reading.

Assembly Bill No. 438—An Act to appropriate money for the erection of a monument in Golden Gate Park, in the city of San Francisco, or in Court-house grounds, Santa Rosa, California, in memory of the late General M. G. Vallejo.

Read first time, and placed on file for second reading.

Assembly Bill No. 328—An Act to provide for the payment of the claim of James C. Smith, for money advanced and expended by him for the State of California, in the building and construction of the North Street Canal and laying sewer pipe, at and near Stockton, San Joaquin County, California.

Read first time, and placed on file for second reading.

Assembly Bill No. 380—An Act making an appropriation to pay the claim of J. L. Cooke and William Gutenberger for balance due for materials furnished and work done in the construction of the branch State Prison at Folsom.

Read first time, and placed on file for second reading.

Assembly Bill No. 309—An Act making an appropriation for reimbursing J. V. Hicks, a citizen of California, for moneys expended by him in the extradition of one A. L. Gibbs, a fugitive from the justice of this State.

Read first time, and placed on file for second reading.

Mr. Pendleton moved that Senate Bill No. 137 be substituted on the file for Assembly Bill No. 478, and be read first time.

So ordered.

Substitute for Senate Bill No. 137—An Act to establish a Board of Parole Commissioners for the parole of and government of paroled prisoners.

Read first time, and placed on file for second reading.

Assembly Bill No. 533—An Act to amend sections thirty-seven, one hundred and ninety, one thousand four hundred and seventeen, one thousand four hundred and eighteen, and one thousand four hundred and nineteen of the Penal Code of the State of California, relating to the punishment of crimes, and to the granting of reprieves, commutations, and pardons to persons convicted of crime.

Read first time, and placed on file for second reading.

Assembly Bill No. 250—An Act to amend section three hundred and seventy-four of the Penal Code, relating to crimes against the public health.

Read first time, and placed on file for second reading.

Assembly Bill No. 323—An Act to prevent evil-disposed persons from coming upon the State Prison grounds.

Read first time, and placed on file for second reading.

Assembly Bill No. 595—An Act to provide for the organization and government of drainage districts, for the levy, equalization, and collection of assessments therein, for the construction and maintenance of canals and other drainage works to secure the lands of such districts from overflow, and conferring powers and imposing duties upon the State Board of Public Works in relation to such drainage districts.

Read first time, and placed on file for second reading.

Assembly Bill No. 666—An Act supplemental to an Act entitled "An Act to provide for the organization and government of irrigation districts, and to provide for the acquisition of water and other property, and for the distribution of water thereby for irrigation purposes," approved March 7, 1887, providing for the abandonment of operations by irrigation districts, and for their disorganization upon the discharge of all outstanding obligations.

Read first time, and placed on file for second reading.

Assembly Bill No. 512—An Act to amend "An Act amendatory of and supplemental to an Act entitled 'An Act to provide for the organization and government of irrigation districts, and to provide for the acquisition of water and other property, and for the distribution of water thereby for irrigation purposes,' approved March 7, 1887, providing for the exclusion of certain lands within any such district," approved February 16, 1889.

Read first time, and placed on file for second reading.

Assembly Bill No. 314—An Act to amend an Act entitled "An Act to regulate the practice of pharmacy and sale of poisons in the State of California," approved March 11, 1891.

Read first time, and placed on file for second reading.

Assembly Bill No. 572—An Act to amend an Act entitled "An Act to regulate the practice of pharmacy and sale of poisons in the State of California," approved March 11, 1891.

Read first time, and placed on file for second reading.

Assembly Bill No. 584—An Act to amend section three thousand and five of the Political Code.

Read first time, and placed on file for second reading.

Assembly Bill No. 453—An Act to regulate the practice of medicine in the State of California.

Read first time, and placed on file for second reading.

Assembly Bill No. 68—An Act to amend an Act entitled "An Act to regulate the practice of pharmacy and sale of poisons in the State of California," approved March 11, 1891.

Read first time, and placed on file for second reading.

Senate Bill No. 134—An Act to establish a uniform system of mine bell signals, to be used in all the mines operated in the State of California, and for the protection of miners.

Read first time, and placed on file for second reading.

Assembly Bill No. 543—An Act regulating the sale of the lands uncovered by the recession of the waters of inland lakes, and unsegregated swamp and overflowed lands.

Read first time, and placed on file for second reading.

Assembly Bill No. 452—An Act regulating the sale of the lands uncovered by the recession of the waters of inland lakes, and unsegregated swamp and overflowed lands.

Read first time, and placed on file for second reading.

Assembly Bill No. 488—An Act regulating the sale of the lands uncovered by the recession of the waters of inland lakes, and unsegregated swamp and overflowed lands.

Read first time, and placed on file for second reading.

Assembly Bill No. 322—An Act to amend section one thousand one hundred and ninety-seven of an Act entitled "An Act to amend section one thousand one hundred and ninety-seven of an Act entitled 'An Act to establish a Political Code,' approved March 12, 1872, in relation to the conduct of elections in this State," approved March 20, 1891.

Read first time, and placed on file for second reading.

Assembly Bill No. 610—An Act to amend the Code of Civil Procedure, by adding thereto three new sections, to be numbered sections one thousand one hundred and twenty-eight, one thousand one hundred and twenty-nine, and one thousand one hundred and thirty, relating to the contesting of elections by a judicial recount of the ballots cast.

Read first time, and placed on file for second reading.

Assembly Bill No. 136—An Act to ascertain and express the will of the people upon the subject of woman suffrage.

Read first time, and placed on file for second reading.

Assembly Bill No. 244—An Act to provide for the compensation of the Chief and Captain of Police and police officers, in cities in the State of California containing not less than ten thousand and not exceeding thirty thousand inhabitants.

Read first time, and placed on file for second reading.

Assembly Bill No. 523—An Act to provide for payment for private property heretofore actually taken for public use, and for which no compensation has been made.

Read first time, and placed on file for second reading.

Assembly Bill No. 547—An Act to amend section one thousand two hundred and forty of the Civil Code, relating to the exemptions of homesteads and their proceeds from execution or forced sale.

Read first time, and placed on file for second reading.

Assembly Bill No. 387—An Act to amend section six hundred and

thirty-two of the Code of Civil Procedure, relative to the trial of causes by the Court.

Read first time, and placed on file for second reading.

Assembly Bill No. 388—An Act to amend section six hundred and thirty-three of the Code of Civil Procedure, relating to trial by Court.

Read first time, and placed on file for second reading.

Assembly Bill No. 389—An Act to amend section six hundred and sixty of the Code of Civil Procedure, relative to new trials.

Read first time, and placed on file for second reading.

Assembly Bill No. 406—An Act to amend subdivisions one, two, three, four, five, and six of section one hundred and twelve of the Code of Civil Procedure.

Read first time, and placed on file for second reading.

Assembly Bill No. 574—An Act to add an additional section to the Code of Civil Procedure, to be known as section seven hundred and twenty-six and one half.

Read first time, and placed on file for second reading.

Assembly Bill No. 211—An Act to regulate the fees of County Clerks in estates of deceased persons, of minors, and of incompetent persons.

Read first time, and placed on file for second reading.

Assembly Bill No. 540—An Act to provide for the publication of legal notices.

Read first time, and placed on file for second reading.

Assembly Bill No. 397—An Act authorizing the allowance, settlement, and payment of claims of counties against the State.

Read first time, and placed on file for second reading.

Assembly Bill No. 654—An Act making an appropriation to pay the claim of Major José Ramon Pico for expenses incurred in recruiting and maintaining military companies.

Read first time, and placed on file for second reading.

Assembly Bill No. 126—An Act appropriating the sum of ten thousand dollars for supplying a system of heating and ventilating the State Normal School building at San José, California.

Read first time, and placed on file for second reading.

Senate Bill No. 206—An Act making an appropriation to pay the deficiency in the appropriation for support of State Insane Asylum at Stockton, California, for the forty-second and forty-third fiscal years.

Read first time, and placed on file for second reading.

Assembly Bill No. 551—An Act to repeal "An Act to provide for a State Board of Arbitration for the settlement of differences between employers and employés, to define the duties of said Board, and to appropriate the sum of two thousand five hundred dollars therefor," approved March 10, 1891.

Read first time, and placed on file for second reading.

Assembly Bill No. 375—An Act to pay the claim of A. L. Wood, for the arrest of Francisco Torres, charged with the crime of murder.

Read first time, and placed on file for second reading.

RECESS.

The hour of recess having arrived, the Speaker pro tem. declared recess until two o'clock P. M.

REASSEMBLED.

The Assembly reassembled at two o'clock P. M.
Speaker Gould in the chair.
Quorum present.

MEMORIAL RESOLUTIONS.

By Mr. Sims:

MR. SPEAKER: The joint committee of the Senate and Assembly appointed to draft suitable resolutions in memory of Hon. E. B. Price, respectfully submit the following:

Resolved by the Senate and the Assembly of the State of California, That in the death of the Hon. E. B. Price, late a member of this Legislature, the people of the State of California have lost a diligent, faithful, and patriotic public servant—a citizen who in public, as well as in private life, buried self far out of sight, and wrought for the good of others. No taint of gain ever touched his hand; no surrender of principle ever marred the colors of the banner he bore. The great purpose of his life was just planned out; but he was stricken down in the midst of duty, before his ambitions could be realized, or the aspirations of his life fulfilled.

Resolved, That his career furnishes a shining example of one who, choosing his life work, loved it with an unwavering love, believed in it with an unalterable and tireless devotion, and attained to eminence before he had rounded two-score years.

Resolved, That to the bereaved family of the deceased we tender our deep and heartfelt sympathies.

Resolved, That copies of these resolutions be transmitted to his family, and be entered in full in the Journals of the Senate and Assembly.

SIMS.
VANN.
BULLA.
KERNS.
BUCKLEY.
GOUCHER.
GESFORD.
McGOWAN.
SEAWELL.
HART.

Adopted by unanimous rising vote.

REPORT OF STANDING COMMITTEE.

ON EDUCATION.

ASSEMBLY CHAMBER, SACRAMENTO, February 11, 1893.

MR. SPEAKER: Your Committee on Education, to whom was referred Assembly Bill No. 700—An Act to provide for the revision of certain books of the State series of school text-books, for the compilation of an additional book of said series, and for the continued publication of the same, and to authorize and direct the use for these purposes of the money accumulated in the State School Book Fund—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

SARGENT, Chairman.

MOTION.

Mr. Mathews of Tehama moved that Assembly Bill No. 700 be now read the first time.

So ordered.

FIRST READING OF BILL.

Assembly Bill No. 700—An Act to provide for the revision of certain books of the State series of school text-books, for the compilation of an additional book of said series, and for the continued publication of the same, and to authorize and direct the use for these purposes of the money accumulated in the State School Book Fund.

Read first time, and placed on file for second reading.

REPORT OF STANDING COMMITTEE.

ON PUBLIC EXPENDITURES AND ACCOUNTS.

ASSEMBLY CHAMBER, SACRAMENTO, February 9, 1893.

MR. SPEAKER: Your Committee on Public Expenditures and Accounts, having examined the claim of H B. M. Miller, in the election contest of Leonhard vs. Miller, beg leave to report that they favor paying the sum of four hundred and fifty-six dollars and forty cents, being the actual expenses contracted and paid by said Miller in above case, and further favor allowing said Miller the sum of three hundred and seventy-five dollars for attorney's fees in said case, and hereby recommend the adoption of the following resolution:

Resolved, That the Controller be and he is hereby directed to draw his warrant in favor of H. B. M. Miller for the sum of eight hundred and thirty-one dollars and forty cents, and the same to be paid out of the Contingent Fund of the Assembly.

Also: Believing that it is wrong that the expenses of the contestants, where they fail to establish their right to the office contested for, should be paid by the State, we hereby respectfully beg leave to report that the claim of F. W. Leonhard, in the case of Leonhard vs. Miller, be not allowed.

J. H. MATTHEWS, Chairman.

Mr. Mathews of Tehama moved to amend by allowing the contestant two hundred and fifty dollars.

So ordered.

Mr. Taylor moved to amend the report as follows:

Resolved, That the Controller be and he hereby is directed to draw his warrant upon the appropriation for the contingent expenses of the Assembly, in favor of Mr. Miller, for his expenses in the matter of the election contest of F. W. Leonhard vs. H. B. M. Miller, for the sum of one thousand six hundred and fifty-six dollars and forty cents, itemized as follows:

Fees for Justices of Peace for taking depositions	$139 10
Fees for stenographer for taking and transcribing testimony	89 40
Expense of serving witnesses, witness fees, and mileage	98 90
Incidental expenses, procuring witnesses, railroad fare, and expenses of attorney at Sacramento	100 00
Attorney's fee	1,200 00
Witness Chambers' mileage from Oakland to Sacramento, 91 miles, 30 cents per mile, and one day at $2	29 00
Total	$1,656 40

Pending consideration of the amendment, Mr. Hurley moved that the further consideration of the report be made a special order for Monday at two o'clock P. M.

So ordered.

FIRST READING OF BILLS—(RESUMED).

Assembly Bill No. 390—An Act to provide for the payment of the per diem of the members and attachés of the Constitutional Convention.

Read first time, and placed on file for second reading.

Assembly Bill No. 487—An Act to provide for the employment of destitute citizens, and making appropriations therefor.

Read first time, and placed on file for second reading.

Assembly Bill No. 141—An Act to amend an Act entitled "An Act to provide for the organization and government of irrigation districts, and to provide for the acquisition of water and other property, and for the distribution of water thereby for irrigation purposes," approved March 7, 1887, by amending sections three, four, eleven, twelve, thirty-six, and thirty-seven thereof, and by repealing section forty-one thereof.

Read first time, and placed on file for second reading.

Assembly Bill No. 639—An Act to amend an Act entitled "An Act

to provide for the organization and government of irrigation districts, and to provide for the acquisition of water and other property, and for the distribution of water thereby for irrigation purposes," approved March 7, 1887, by amending section fifteen thereof.

Read first time, and placed on file for second reading.

Mr. Mack moved that Assembly Bill No. 674 be substituted on the file for Assembly Bill No. 637, and be read the first time.

So ordered.

Assembly Bill No. 674—An Act quitclaiming to the successors in interest of James Bowman all claim of the State of California in that certain tract of land in the City and County of San Francisco, known as "Water Lot No. 415," and empowering and directing the Governor to execute a deed of quitclaim therefor to said successors in interest of said James Bowman.

Read first time, and placed on file for second reading.

Assembly Bill No. 149—An Act to amend an Act entitled "An Act to prevent hunting and shooting on private inclosed grounds, and the destruction of growing timber on private grounds, in certain counties of the State."

Read first time, and placed on file for second reading.

Assembly Bill No. 97—An Act to repeal an Act entitled "An Act to create a State Board of Forestry, and to provide for the expenses thereof."

Read first time, and placed on file for second reading.

Assembly Bill No. 586—An Act regulating the practice of architecture in the State of California.

Read first time, and placed on file for second reading.

Assembly Bill No. 585—An Act to amend section one thousand five hundred and two of the Political Code, respecting normal schools.

Read first time, and placed on file for second reading.

Assembly Bill No. 202—An Act to amend sections one thousand five hundred and ninety-three and one thousand six hundred and twenty of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the public schools.

Read first time, and placed on file for second reading.

Assembly Bill No. 376—An Act to amend section nine of an Act entitled "An Act to authorize the establishment of County High Schools, and provide for their support," approved March 10, 1891.

Read first time, and placed on file for second reading.

Assembly Bill No. 583—An Act amending sections one thousand one hundred and eighty-three, one thousand one hundred and eighty-four, and one thousand one hundred and eighty-seven of the Code of Civil Procedure of the State of California, as amended March 15, 1887; section one thousand one hundred and ninety-five of the said Code of Civil Procedure, as amended March 18, 1885; and section one thousand one hundred and ninety of said Code of Civil Procedure; all relating to liens of mechanics and others. And also inserting a new section in said Code, to be numbered section one thousand two hundred and three.

Read first time, and placed on file for second reading.

Assembly Bill No. 550—An Act to prohibit the creation of debts against the State in excess of appropriations made by law, except in cases of actual necessity, and on consent of the Board of Examiners.

Read first time, and placed on file for second reading.

Assembly Bill No. 558—An Act to amend sections one thousand one hundred and eleven, one thousand one hundred and twelve, and one thousand one hundred and thirteen of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, relating to contesting certain elections.

Read first time, and placed on file for second reading.

Assembly Bill No. 597—An Act to amend section one thousand two hundred and twenty-two of the Code of Civil Procedure of the State of California, in relation to judgments in cases of contempt, and providing for appeals therefrom.

Read first time, and placed on file for second reading.

Assembly Bill No. 623—An Act to amend section three thousand six hundred and sixty-six, and repeal sections three thousand six hundred and sixty-seven, three thousand six hundred and sixty-eight, three thousand six hundred and sixty-nine, and three thousand six hundred and seventy of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to revenue and taxation.

Read first time, and placed on file for second reading.

Assembly Bill No. 657—An Act to amend section three thousand and fifty-one of the Civil Code of California, relating to liens for services in the care, protection, improvement, safe-keeping, or carriage of personal property, and for caring for, boarding, feeding, or pasturing horses or stock.

Read first time, and placed on file for second reading.

Assembly Bill No. 662—An Act to amend section three hundred and thirty-one of the Civil Code of the State of California, in relation to the power of corporations to sue stockholders.

Read first time, and placed on file for second reading.

Assembly Bill No. 609—An Act to amend section one hundred and seventy of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, relative to disqualification of Judges.

Read first time, and placed on file for second reading.

Assembly Bill No. 531—An Act amending sections one thousand one hundred and eighty-three, one thousand one hundred and eighty-four, and one thousand one hundred and eighty-seven of the Code of Civil Procedure of the State of California, as amended March 15, 1887; section one thousand one hundred and ninety-five of the said Code of Civil Procedure, as amended March 18, 1885; and section one thousand one hundred and ninety of said Code of Civil Procedure; all relating to liens of mechanics and others. And also inserting a new section in said Code, to be numbered section one thousand two hundred and three.

Read first time, and placed on file for second reading.

Mr. Cusick moved that Assembly Bill No. 675 be substituted on the file for Assembly Bill No. 546, and be read the first time.

So ordered.

Assembly Bill No. 675—An Act quitclaiming to the successors in interest of Sallie C. Perry all claim of the State of California in that certain tract of land in the City and County of San Francisco, known as "City Slip Lot No. 116," and empowering and directing the Governor to execute a deed of quitclaim therefor to said successors in interest of said Sallie C. Perry.

Read first time, and placed on file for second reading.

MOTION.

Mr. Mathews of Tehama moved to suspend Rule No. 72 for the remainder of the afternoon.

Lost.

FIRST READING OF BILLS—(RESUMED).

Assembly Bill No. 93—An Act for the creation of a Commission for the promotion of uniformity of legislation in the United States.

Read first time, and placed on file for second reading.

Assembly Bill No. 442—An Act to provide a depository for the county funds.

Read first time, and placed on file for second reading.

Assembly Bill No. 462—An Act to amend section thirty-seven of the Civil Code of the State of California, relating to the jurisdiction to try impeachments.

Read first time, and placed on file for second reading.

Assembly Bill No. 470—An Act creating a Board of Commissioners of Loan Associations, and prescribing their duties and powers.

Read first time, and placed on file for second reading.

Assembly Bill No. 471—An Act to amend the Civil Code in relation to community property, and to the succession thereto in case of the death of either spouse.

Read first time, and placed on file for second reading.

Assembly Bill No. 520—An Act to amend section one thousand four hundred and eleven of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, relating to special administrators.

Read first time, and placed on file for second reading.

Assembly Bill No. 522—An Act to amend section six of an Act entitled "An Act for the relief of insolvent debtors, for the protection of creditors, and for the punishment of fraudulent debtors," approved April 18, 1880, and to enact a new section to said Act, to be numbered sixty-three, relating to the appointment of receivers.

Read first time, and placed on file for second reading.

Assembly Bill No. 65—An Act to amend chapter two of title two of the Civil Code, in relation to adoption.

Read first time, and placed on file for second reading.

Assembly Bill No. 70—An Act to amend section seven of an Act of the Legislature of the State of California entitled "An Act for the relief of insolvent debtors, for the protection of creditors, and for the punishment of fraudulent debtors," approved April 16, 1880, relating to voluntary insolvency, and the payment of the costs and expenses thereof.

Read first time, and placed on file for second reading.

Assembly Bill No. 577—An Act providing that the offices of Judge of the Superior Court of the county of San Diego, State of California, now held by the Judges of Departments Nos. 1, 2, and 3 of said Court, shall cease upon a vacancy occurring therein.

Read first time, and placed on file for second reading.

Assembly Bill No. 569—An Act to provide for the election and term of office and salary of Justices of the Peace in all counties, and cities and counties, having a population of more than two hundred thousand.

Read first time, and placed on file for second reading.

Assembly Bill No. 570—An Act to prescribe the mode of payment of all obligations of debt to be paid in money.

Read first time, and placed on file for second reading.

Mr. Pendleton in the chair.

Assembly Bill No. 625—An Act to amend section nine hundred and ninety-seven of the Code of Civil Procedure of the State of California, relating to an offer to compromise before trial.

Read first time, and placed on file for second reading.

Assembly Bill No. 631—An Act to amend section five hundred and seventy-five of the Civil Code of the State of California, relating to making and drawing deposits and dividends in savings and loan corporations.

Read first time, and placed on file for second reading.

Assembly Bill No. 641—An Act to amend section one thousand three hundred and fifty of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, relating to executors.

Read first time, and placed on file for second reading.

Assembly Bill No. 642—An Act to amend section one thousand three hundred and sixty-nine of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, relating to administrators.

Read first time, and placed on file for second reading.

Assembly Bill No. 646—An Act to amend section four thousand one hundred and sixty-one of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the deposit of public funds.

Read first time, and placed on file for second reading.

Assembly Bill No. 650—An Act entitled an Act to add two new sections to the Penal Code of the State of California, to be known and numbered as section one thousand four hundred and twenty-four and section one thousand four hundred and twenty-five.

Read first time, and placed on file for second reading.

Assembly Bill No. 561—An Act directing the State Prison Directors of the State of California to employ at least twenty prisoners in the construction of roads to the State Prisons at San Quentin and Folsom.

Read first time, and placed on file for second reading.

Assembly Bill No. 53—An Act to amend an Act entitled "An Act to establish a State Reform School for Juvenile Offenders, and to make an appropriation therefor," approved March 11, 1889, by amending the title to said Act, and by amending sections one, four, seven, eight, nine, fourteen, fifteen, sixteen, seventeen, eighteen, nineteen, twenty, twenty-one, twenty-three, twenty-four, twenty-six, twenty-seven, twenty-eight, twenty-nine, and thirty thereof, and by adding four new sections thereto, to be numbered, respectively, Sections 16*a*, 16*b*, 16*c*, and 16*d*, relating to a change in the name of the institution, and the powers and duties of the public officers thereof, and the manner and conditions under which committments may be made thereto, and of the rights and obligations of persons committed thereto, and of the powers and duties of certain public officers in connection therewith, and generally relating to the State school located and established under the aforesaid Act, and now maintained by the State of California, at Whittier, in the county of Los Angeles, therein.

Read first time, and placed on file for second reading.

Assembly Bill No. 461—An Act to change and permanently locate the boundary lines between the counties of Glenn and Colusa.

Read first time, and placed on file for second reading.

Assembly Bill No. 539—An Act to create the county of Santa Rita, to establish the boundaries thereof, and provide for its organization.

Read first time, and placed on file for second reading.

Assembly Bill No. 626—An Act to abolish and prohibit chain-gangs.

Read first time, and placed on file for second reading.

Senate Bill No. 384—An Act to amend an Act entitled "An Act to establish a Penal Code." approved February 14, 1872, by adding a new section to said Penal Code, to be known and numbered as section six hundred and seventy-nine, relating to the coercion or compulsion of persons seeking employment.

Read first time, and placed on file for second reading.

Assembly Bill No. 630—An Act requiring every corporation doing business in this State to pay their employés, and each of them, at least once in each and every month, the wages earned by such employé; to define the duties of the Labor Commissioner, and the District Attorneys of the several counties of this State, in enforcing this Act; to limit the defenses which may be set up by such corporations to assignments of wages, set-off. or counter claims, or the absence of such employé at the time of making payment, and in case of such absence the wages are payable upon demand; to prohibit assignments of wages for the purpose of evading the provisions of this Act, and agreements to accept wages at longer periods than as herein provided as a condition of employment; to fix a penalty for this violation of the provisions of this Act by such corporation, and to provide for the disposition of any fines recovered from corporations violating the same.

Read first time, and placed on file for second reading.

Assembly Bill No. 605—An Act to provide for the giving of bonds by the keepers of intelligence offices, defining the same, and their liabilities.

Read first time, and placed on file for second reading.

Assembly Bill No. 55—An Act to amend section four thousand and eighty-five of the Political Code, relating to the improvement of unnavigable streams, and the protection of land adjacent thereto.

Read first time, and placed on file for second reading.

Assembly Bill No. 401—An Act to define the powers and duties of Boards of Supervisors, or other governing body of counties, cities and counties, and cities of this State, in relation to the granting of franchises or other privileges.

Read first time, and placed on file for second reading.

ADJOURNMENT.

At two o'clock and forty-five minutes P. M., on motion of Mr. Gould, the Assembly adjourned.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Monday, February 13, 1893.

The Assembly met pursuant to adjournment.

Speaker Gould in the chair.

The roll was called, and the following members answered to their names:

Messrs. Adams, Alford, Anderson, Androus, Barker, Barlow, Bennett of Santa Clara, Bennett of Orange, Blakeley, Bledsoe, Bretz, Brownlie, Buckley, Bulla, Casterline, Chipman, Conway, Curtis, Dodge, Drees, Duckworth, Duffy, Durst, Emeric, Gallagher, Gately, Godchaux, Hamilton, Hendrickson, Hurley Hutson, Jacobs, Johnson of Humboldt, Johnson of Santa Clara, Kennedy, Kahn, Kerns, LaRue, Luttringer, Lynch, McCauley, McElroy, McGowan, Mack, Marks, Marston, Mathews of Tehama, Matthews of San Benito, Miller, Mordecai, O'Keefe, O'Neill, Owen, Pendleton, Perkins, Pueschel, Raw, Schlesinger, Schroebel, Shanahan, Simpson, Sims, Standart, Taggart, Talbott, Taylor, Thomas of Nevada, Thomas of Santa Clara, Tindall, Vann, Wade, and Mr. Speaker.

Quorum present.

PRAYER.

Prayer by the Chaplain, Rev. H. W. Conry.

READING AND APPROVAL OF THE JOURNAL.

Pending the reading of the Journal of Saturday, Mr. Schlesinger moved that the further reading be dispensed with.

So ordered.

Journal of Friday, February 10th, approved.

LEAVE OF ABSENCE.

Mr. Burke was granted leave of absence for the day.

PETITIONS.

By Mr. Bennett of Orange: Resolutions of the Board of Supervisors of Orange County, relative to the salaries of officers in counties of the twenty-fourth class.

Referred to Committee on County and Township Governments.

By Mr. Wade: From grape growers and wine makers of Napa County, asking for the abolishment of the State Viticultural Commission.

Referred to Committee on Viniculture, Viticulture, and Horticulture.

By Mr. Talbott: From citizens of Santa Barbara County, favoring the creating of Santa Ynez County.

Placed on file.

APPOINTMENT.

The Speaker appointed Howard May as Page.

INTRODUCTION OF BILLS.

The following bills were introduced, read by title, and referred to committees, as follows:

By Mr. Anderson: Assembly Bill No. 738—An Act to provide for the adjustment of the indebtedness and assets between any county that has been created, or may hereafter be created, and the county or counties from the territory of which such new county may be created.

Referred to Committee on Judiciary.

By Mr. Kerns: Assembly Bill No. 739—An Act to amend sections one thousand two hundred and forty, one thousand two hundred and forty-one, and one thousand two hundred and forty-three of the Civil Code of the State of California, relating to homestead exemptions.

Referred to Committee on Homestead and Land Monopoly.

By Mr. Emeric: Assembly Bill No. 740—An Act to regulate out-door advertising.

Referred to Committee on Crimes and Penalties.

By Mr. Standart: Assembly Bill No. 741—An Act making an appropriation for editing the manuscript of the State Mineralogist for the two years ending September 15, 1892.

Referred to Committee on Public Printing.

SPECIAL FILE.

Senate Bill No. 125—An Act to abolish commissions or fees paid by the State for the assessment, equalization, auditing, and collection of ad valorem taxes.

Read third time, and passed by the following vote:

AYES—Messrs Adams, Alford, Anderson, Barker, Barlow, Bennett of Santa Clara, Bennett of Orange, Bledsoe, Bretz, Buckley, Bulla, Casterline, Chipman, Conway, Curtis, Dodge, Duckworth, Duffy, Emeric, Hamilton, Hurley, Hutson, Jacobs, Johnson of Humboldt, Kennedy, Kerns, Luttringer, Lynch, McCauley, McGowan, Mack, Marks, Marston, Mathews of Tehama, Matthews of San Benito, Mordecai, Owen, Pendleton, Perkins, Schlesinger, Schroebel, Shanahan, Simpson, Sims, Standart, Taggart, Talbott, Taylor, Thomas of Nevada, Thomas of Santa Clara, Tindall, Vann, Wade, and Mr Speaker—54.

NOES—None.

Title read and approved.

Mr. Godchaux was granted leave of absence for the day.

Senate Bill No. 212—An Act authorizing the Controller and Treasurer to transfer to the General Fund all moneys now in the Election Reward Fund, the Leprosy Fund, and Interest and Sinking Fund, Levee District No. 5, and abolishing the Leprosy Fund, and Interest and Sinking Fund, Levee District No. 5.

Read third time, and passed by the following vote:

AYES—Messrs. Adams, Anderson, Barker, Barlow, Bennett of Santa Clara, Bennett of Orange, Bledsoe, Bretz, Buckley, Bulla, Casterline, Curtis, Dodge, Duckworth, Duffy, Hamilton, Hurley, Hutson, Jacobs, Johnson of Humboldt, Johnson of Santa Clara, Kennedy, Kerns, Luttringer, Lynch, McCauley, McGowan, Mack, Marks, Marston, Mathews of Tehama, Matthews of San Benito, Miller, Owen, Pendleton, Perkins, Schlesinger, Schroebel, Shanahan, Simpson, Sims, Standart, Taggart, Talbott, Taylor, Thomas of Nevada, Thomas of Santa Clara, Tindall, Vann, Wade, and Mr. Speaker—51

NOES—None

Title read and approved.

REPORT OF STANDING COMMITTEE.

ON ENGROSSMENT.

MR. SPEAKER: Your Committee on Engrossment reports that the following Assembly Bills have been correctly engrossed:

Assembly Bill No 245—An Act entitled an Act to pay the claim of Sands W. Forman, for services as Secretary of the State Board of Forestry, and appropriating three hundred and seventy-five dollars to pay such claim.

Also: Assembly Bill No 403—An Act to amend section six hundred and twenty-six of the Penal Code

Also: Assembly Bill No. 428—An Act to amend sections five hundred and twenty-seven, five hundred and thirty-one, and five hundred and thirty-two of the Political Code.

Also: Assembly Bill No. 416—An Act authorizing the Superintendent of State Printing to have prepared and printed an index to all the laws of California from 1850 to 1893

Also: Assembly Bill No 447—An Act exempting agricultural, horticultural, viticultural, and pastoral occupations from license taxation.

KENNEDY, Chairman

SPECIAL FILE.

Assembly Bill No. 245—An Act entitled an Act to pay the claim of Sands W. Forman, for services as Secretary of the State Board of Forestry, and appropriating the sum of three hundred and seventy-five dollars to pay such claim.

Read third time, and passed by the following vote:

AYES—Messrs. Adams, Alford, Anderson, Barker, Barlow, Bennett of Santa Clara, Bennett of Orange, Buckley, Bulla, Casterline, Conway, Dodge, Duckworth, Duffy, Hamilton, Hurley, Hutson, Jacobs, Johnson of Santa Clara, Kennedy, Kerns, Luttringer, Lynch, McCauley, McGowan, Mack, Marks, Marston, Mathews of Tehama, Matthews of San Benito, Miller, Mordecai, Owen, Perkins, Schlesinger, Schroebel, Shanahan, Simpson, Sims, Standart, Taggart, Talbott, Taylor, Thomas of Nevada, Thomas of Santa Clara, Tindall, Vann, Wade, and Mr. Speaker—49.

NOES—Messrs. Bledsoe and Bretz—2.

Title read and approved.

INTRODUCTION OF BILL.

By Mr. Buckley: Assembly Bill No. 742—An Act to encourage the establishment of county, and city and county, reform schools, for the correction, care, and maintenance of juvenile offenders, and to provide State aid, and appropriate money therefor.

Referred to Committee on County and Township Governments.

SPECIAL FILE.

Assembly Bill No. 627—An Act to provide for the redemption and payment of certain funded debt bonds of this State, together with interest thereon, making an appropriation therefor, and authorizing the State Controller and State Treasurer to transfer the sum of one hundred and twenty thousand dollars from the General Fund to the Interest and Sinking Fund to carry out the provisions of this Act.

Read second time.

MOTION.

Mr. Mathews of Tehama moved that the Assembly resolve itself into Committee of the Whole, with the Speaker in the chair, for the purpose of considering Assembly Bill No. 627.

So ordered.

IN COMMITTEE OF THE WHOLE.

Speaker Gould in the chair.

Assembly Bill No. 627 was considered in Committee of the Whole.

IN ASSEMBLY.

Speaker Gould in the chair.

REPORT OF THE COMMITTEE OF THE WHOLE.

The Speaker stated the report of the Committee of the Whole, as follows:

GENTLEMEN: The Committee of the Whole have had under consideration Assembly Bill No. 627—An Act to provide for the redemption and payment of certain funded debt bonds of this State, together with the interest thereon, making an appropriation therefor, and authorizing the State Controller and State Treasurer to transfer the sum of one hundred and twenty thousand dollars from the General Fund to the Interest and Sinking Fund to carry out the provisions of this Act—and now report, and recommend that the same do pass.

Bill ordered engrossed and to a third reading.

SPECIAL FILE.

Assembly Bill No. 635—An Act making an appropriation to pay the deficiency in the appropriation for support and maintenance of State hatcheries for the forty-second and forty-third fiscal years.

Read second time.

Assembly Bill No. 634—An Act making an appropriation to pay the deficiency in the appropriation for the restoration and preservation of fish in the waters of the State for the forty-second and forty-third fiscal years.

Read second time.

Assembly Bill No. 128—An Act appropriating the sum of three thousand five hundred dollars for furnishing the Training Department building of the State Normal School at San José, California.

Read second time.

Assembly Bill No. 192—An Act to provide for the building and furnishing of three cottages for use as residences of the Resident Physician and two Assistant Physicians at the Napa State Asylum for the Insane, and making an appropriation therefor.

Passed on file.

Assembly Bill No. 366—An Act making an appropriation for the erection of an additional building for the State Normal School at San José.

Passed on file.

Assembly Bill No. 126—An Act appropriating the sum of ten thousand dollars for supplying a system of heating and ventilating the State Normal School building at San José, California.

Read second time.

Senate Bill No. 206—An Act making an appropriation to pay the deficiency in the appropriation for support of State Insane Asylum at Stockton, California, for the forty-second and forty-third fiscal years.

Read second time.

MOTION.

Mr. Mathews of Tehama moved that the Assembly resolve itself into Committee of the Whole, with the Speaker in the chair, for the purpose of considering Assembly Bills Nos. 635, 634, 126, 128, and Senate Bill No. 206.

So ordered.

IN COMMITTEE OF WHOLE.

Speaker Gould in the chair.

Assembly Bills Nos. 635, 634, 126, 128, and Senate Bill No. 206 were considered in Committee of the Whole.

IN ASSEMBLY.

Speaker Gould in the chair.

REPORT OF THE COMMITTEE OF THE WHOLE.

The Speaker stated the report of the Committee of the Whole, as follows:

GENTLEMEN: The Committee of the Whole have had under consideration Assembly Bill No. 635—An Act making an appropriation to pay the deficiency in the appropriation for support and maintenance of State hatcheries for the forty-second and forty-third fiscal years

Also: Assembly Bill No. 634—An Act making an appropriation to pay the deficiency in the appropriation for the restoration and preservation of fish in the waters of the State, for the forty-second and forty-third fiscal years.

Also. Assembly Bill No 128—An Act appropriating the sum of three thousand five hundred dollars for furnishing the Training Department building of the State Normal School at San José, California.

Also: Assembly Bill No 126—An Act appropriating the sum of ten thousand dollars for supplying a system of heating and ventilating the State Normal School building at San José, California.

Also: Senate Bill No 206—An Act making an appropriation to pay the deficiency in the appropriation for support of the State Insane Asylum at Stockton, California, for the forty-second and forty-third fiscal years.

And now report, and recommend that the same do pass.

Assembly Bills Nos. 635, 634, 128, and 126 ordered engrossed and to a third reading.

Senate Bill No. 206 ordered to a third reading.

SPECIAL FILE.

Assembly Bill No. 2—An Act making an appropriation to pay the deficiencies in the appropriation for costs and expenses of suits in which the State is a party in interest, for the fortieth, forty-first, forty-second, and forty-third fiscal years.

Read first time, and placed on file for second reading.

GENERAL FILE—THIRD READING OF BILLS.

Assembly Bill No. 185—An Act to amend section three thousand seven hundred and seventy-three of the Political Code, relating to the sale of property for delinquent taxes.

Passed on file.

Senate Bill No. 49—An Act to appropriate money for the erection of

a monument at Donner Lake, Nevada County, California, to the memory of the Donner party.

Passed on file.

Assembly Bill No. 169—An Act to cede jurisdiction to the United States over certain lands.

Passed on file.

Assembly Bill No. 153—An Act to amend section six and section eight of an Act approved March 19, 1889, entitled "An Act authorizing the incurring of indebtedness by cities, towns, and municipal corporations incorporated under the laws of this State, for the construction of waterworks, sewers, and all necessary public improvements, or for any purpose whatever;" and to repeal the Act approved March 9, 1885, entitled "An Act to authorize municipal corporations of the fifth class, containing more than three thousand and less than ten thousand inhabitants, to obtain waterworks;" also to repeal an Act approved March 15, 1887, entitled "An Act authorizing the incurring of indebtedness by cities, towns, and municipal corporations incorporated under the laws of this State."

Passed on file.

Assembly Bill No. 158—An Act to amend section two thousand six hundred and fifty-three of the Political Code, relating to the levy of road tax.

Passed on file.

Mr. Lynch in the chair.

Assembly Bill No. 270—An Act to establish a Naval Battalion, to be attached to the National Guard of California.

Read third time.

Mr. Kahn moved that the bill be recommitted to the Committee on Ways and Means.

So ordered.

Assembly Bill No. 162—An Act to add a new section to the Code of Civil Procedure of California, to be known as section one thousand six hundred and nineteen, relating to the commissions of the executor, or the administrator, with the will annexed, in cases where the administration is, by the terms of the will, and, in consequence thereof, extended beyond four years.

Read third time and passed on file.

Assembly Bill No. 271—An Act to amend sections seven hundred and seventy-eight and seven hundred and eighty-two of the Political Code of the State of California, relating to the printing and sale of the reports of the Supreme Court of the said State of California, and to repeal sections seven hundred and seventy-nine, seven hundred and eighty, and seven hundred and eighty-one of said Political Code.

Read third time, and passed by the following vote:

AYES—Messrs. Adams, Alford, Anderson, Androus, Barlow, Bennett of Santa Clara, Bennett of Orange, Blakeley, Bledsoe, Bretz, Brownlie, Buckley, Bulla, Casterline, Chipman, Conway, Curtis, Dodge, Drees, Duckworth, Duffy, Durst, Emeric, Gallagher, Godchaux, Hamilton, Hendrickson, Hutson, Jacobs, Johnson of Santa Clara, Kennedy, Kahn, Kerns, Luttringer, Lynch, McGowan, Mack, Marks, Marston, Matthews of San Benito, Miller, Mordecai, O'Keefe, Owen, Pendleton, Perkins, Raw, Schlesinger, Schroebel, Shanahan, Simpson, Sims, Standart, Talbott, Taylor, Thomas of Nevada, Thomas of Santa Clara, Tindall, Vann, Wade, and Mr Speaker—61

NOES—Messrs Barker, Finlayson, Gately, Hurley, Johnson of Humboldt, LaRue, McCauley, McElroy, Mathews of Tehama, and O'Neill—10

Title read and approved.

INTRODUCTION OF BILL.

By Mr. Bennett of Santa Clara: Assembly Bill No. 743—An Act to provide for the publication of semi-annual statements by corporations and persons engaged in the business of banking, and to repeal the Act approved April 1, 1876, entitled "An Act concerning corporations and persons engaged in the business of banking."

Referred to Committee on Corporations.

THIRD READING OF BILL.

Assembly Bill No. 143—An Act to regulate the rate of interest in this State.

Read third time.

MOTION.

Mr. Bledsoe moved that a select committee of one be appointed by the Speaker to amend Assembly Bill No. 143, as follows:

Amend section five by inserting the following after the word "not" in line twelve: "Every person, or member, or employé of any company, or officer, employé, or stockholder of any bank or corporation who violates any of the provisions of this Act shall be guilty of a misdemeanor."

Adopted.

APPOINTMENT OF COMMITTEE.

Mr. Bledsoe was appointed such committee to make said amendment.

REPORT OF SELECT COMMITTEE.

ASSEMBLY CHAMBER, SACRAMENTO, February 13, 1893

MR. SPEAKER: Your select committee, to whom was referred Assembly Bill No. 143—An Act to regulate the rate of interest in this State—with instructions to amend in accordance with the action of the House, would respectfully report that the instructions of the House have been carried out.

BLEDSOE, Committee

Report of committee adopted.

THIRD READING OF BILL.

Senate Bill No. 42—An Act to amend section four thousand three hundred and ninety-two of the Political Code of the State of California, relating to the duties of City Treasurers.

RECESS.

Pending third reading of the bill, the hour of recess having arrived the Speaker declared recess until two o'clock P. M.

REASSEMBLED.

The Assembly reassembled at two o'clock P. M.

Speaker Gould in the chair.

Quorum present.

SENATE BILL No. 42.

The question being, "Shall Senate Bill No. 42 be read the third time?"
The bill was refused a third reading.
Mr. Perkins was excused until four o'clock P. M.

SPECIAL ORDER.

Consideration of committee report relative to expenses in the election contest of Leonhard vs. Miller.
Mr. McElroy moved that the report be recommitted.
Lost.
Mr. Alford moved that the report be referred to the Committees on Public Expenditures and Accounts and Ways and Means.
So ordered.

REPORT OF COMMITTEE ON MILEAGE.

The report of the Committee on Mileage, deferred until this day, was taken up.
The question being on the adoption of the following resolution offered by the committee:

Resolved, That the Controller be and he is hereby directed to draw his warrant upon the appropriation for the contingent expenses of the Assembly, in favor of Mr. Godchaux, for the sum of four hundred and fifty-two dollars and eighty cents ($452 80), for the purpose of paying to Messrs. Godchaux, O'Keefe, Boyce, and M. C Giry, Clerk, each one hundred and thirteen dollars and twenty cents, for mileage due them upon their visit to San Diego, under the resolution hereinbefore set out.

Adopted.

INTRODUCTION OF BILLS.

The following bills were introduced, read by title, and referred to committees, as follows:
By Mr. Anderson: Assembly Bill No. 744—An Act to amend section one thousand six hundred and sixty-eight of the Political Code.
Referred to Committee on Education.
By Mr. Sims: Assembly Bill No. 745—An Act to amend sections eight, nine, twelve, seventeen, forty-eight, and fifty-five of an Act of the Legislature of the State of California entitled "An Act for the relief of insolvent debtors, for the protection of creditors, and for the punishment of fraudulent debtors," approved April 16, 1880.
Referred to Committee on Judiciary.
Also: Assembly Bill No. 746—An Act to provide for the working of certain convicts upon the public roads in the State.
Referred to Committee on State Prisons.

PETITION.

By Mr. Kerns: Resolutions of Assembly of the Knights of Labor No. 2405, of Los Angeles, favoring the suffrage of women at school and municipal elections.
Placed on file.

RESOLUTION.

By Mr. Talbott:

WHEREAS, The Committee on Counties and County Boundaries having reported to the Assembly a substitute for Assembly Bill No. 396—An Act to create the county of Santa

Ynez, to establish the boundaries thereof, and to provide for its organization—and said bill having been read the first time and is now on the general file ready for second reading; be it

Resolved, That said substitute as reported be printed and placed upon the members' desks for their information.

Adopted.

Mr. Mordecai in the chair.

ASSEMBLY CONSTITUTIONAL AMENDMENT.

By Mr. Barlow: Assembly Constitutional Amendment No. 29—A resolution proposing to the people of the State an amendment to section one of article thirteen of the Constitution, relative to exemptions from taxation.

Referred to Committee on Constitutional Amendments.

INTRODUCTION OF BILL.

By Mr. Lynch: Assembly Bill No. 747—An Act making an appropriation for the relief of N. Southmayd and others, in caring for and preserving the perishable property of the State of California.

Referred to Committee on Ways and Means.

THIRD READING OF BILLS.

Assembly Bill No. 82—An Act to amend sections one thousand three hundred and three, one thousand three hundred and twenty-three, one thousand three hundred and sixty-five, one thousand three hundred and eighty-eight, one thousand four hundred and thirty-nine, one thousand five hundred and sixteen, one thousand five hundred and seventeen, one thousand five hundred and thirty-six, one thousand five hundred and forty-five, one thousand five hundred and forty-seven, 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 fifty-two, one thousand five hundred and fifty-three, one thousand five hundred and fifty-four, one thousand five hundred and fifty-seven, one thousand five hundred and fifty-eight, one thousand five hundred and sixty-five, one thousand five hundred and ninety-two, one thousand five hundred and ninety-seven, one thousand five hundred and ninety-eight, one thousand five hundred and ninety-nine, and one thousand six hundred and eighteen, and to repeal sections one thousand five hundred and eighteen, one thousand five hundred and nineteen, one thousand five hundred and twenty-two, one thousand five hundred and twenty-three, one thousand five hundred and twenty-four, 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-three, one thousand five hundred and thirty-seven, one thousand five hundred and thirty-eight, one thousand five hundred and thirty-nine, one thousand five hundred and forty, one thousand five hundred and forty-one, one thousand five hundred and forty-two, one thousand five hundred and forty-three, one thousand five hundred and forty-four, one thousand five hundred and forty-nine, and one thousand five hundred and fifty-six, and to add four new sections, to be known and designated as sections one

thousand five hundred and forty-six, one thousand five hundred and fifty-four and one half, one thousand five hundred and ninety-two, and one thousand five hundred and ninety-seven and one half of an Act of the Legislature of the State of California entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1873, all relating to estates of deceased persons.

Mr. Bulla moved that Assembly Bill No. 82 be recommitted to the Committee on Judiciary, with instructions to report the same back to-morrow morning, and that it shall retain its place on file.

So ordered.

Assembly Bill No. 83—An Act to amend sections one thousand seven hundred and sixty-eight, one thousand seven hundred and seventy, one thousand seven hundred and seventy-seven, one thousand seven hundred and eighty-eight, and one thousand seven hundred and eighty-nine, and repealing sections one thousand seven hundred and seventy-eight, 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-six, and one thousand seven hundred and eighty-seven of an Act of the Legislature of the State of California entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1873, all relating to the guardianship of the persons and estates of minors and incompetents, and adding a new section to said Code of Civil Procedure, to be known and designated as section one thousand seven hundred and seventy-one and one half, also relating to the guardianship of the persons and estates of minors and incompetents.

Passed on file.

Assembly Bill No. 69—An Act to amend section one thousand six hundred and sixty-eight of an Act of the Legislature of the State of California entitled "An Act to establish a Code of Civil Procedure," relating to proceedings for the distribution of the estates of deceased persons.

Read third time, and passed by the following vote:

AYES—Messrs Adams, Alford, Anderson, Androus, Barker, Barlow, Bennett of Santa Clara, Bennett of Orange, Blakeley, Bledsoe, Bretz, Bulla, Casterline, Conway, Cusick, Dodge, Duckworth, Duffy, Emeric, Finlayson, Gallagher, Gately, Godchaux, Hendrickson, Hutson, Jacobs, Jacobsen, Johnson of Humboldt, Kennedy, Kahn, Kerns, LaRue, Luttringer, Lynch, McElroy, Mack, Marks, Marston, Matthews of San Benito, Mordecai, O'Keefe, Owen, Pendleton, Pueschel, Raw, Sargent, Schlesinger, Schroebel, Simpson, Sims, Standart, Taggart, Talbott, Thomas of Santa Clara, Tindall, Vann, Wade, and Mr. Speaker—58

NOES—None.

Title read and approved.

Mr. Simpson moved that Assembly Bill No. 271 be immediately transmitted to the Senate.

So ordered.

Assembly Bill No. 77—An Act to amend section ten of "An Act to create a Police Court in and for the City and County of San Francisco, State of California," approved March 5, 1889.

Read third time, and passed by the following vote:

AYES—Messrs Adams, Anderson, Androus, Barker, Barlow, Bennett of Santa Clara, Bennett of Orange, Blakeley, Bledsoe, Boyce, Bretz, Buckley, Bulla, Casterline, Chipman, Conway, Cusick, Dodge, Drees, Duckworth, Duffy, Durst, Finlayson, Gallagher, Gately, Godchaux, Hamilton, Hendrickson, Hurley, Hutson, Jacobs, Jacobsen, Johnson

of Humboldt, Kahn, Luttringer, Lynch, McElroy, Mack, Matthews of San Benito, Mordecai, O'Keefe, O'Neill, Owen, Pendleton, Raw, Schlesinger, Shanahan, Simpson, Sims, Standart, Taggart, Talbott, Taylor, Thomas of Santa Clara, Tindall, Vann, and Wade—57.
NOES—None.

Title read and approved.

Assembly Bill No. 112—An Act to amend section one hundred and sixty-four of the Civil Code of the State of California, relating to conveyances of real property by married women, and limiting the time in which to commence actions for recovery of community property by husbands.

Read third time, and passed by the following vote:

AYES—Messrs Adams, Anderson, Androus, Barker, Barlow, Bennett of Santa Clara, Bennett of Orange, Blakeley, Bledsoe, Boyce, Bretz, Buckley, Bulla, Casterline, Chipman, Conway, Cusick, Dodge, Drees, Duckworth, Duffy, Durst, Finlayson, Gallagher, Gately, Godchaux, Hamilton, Hendrickson, Hurley, Hutson, Jacobs, Jacobsen, Johnson of Humboldt, Kahn, Luttringer, Lynch, McElroy, McGowan, Marks, Marston, Matthews of San Benito, Miller, Mordecai, O'Keefe, O'Neill, Owen, Raw, Schlesinger, Shanahan, Simpson, Sims, Taggart, Talbott, Taylor, Thomas of Nevada, Thomas of Santa Clara, Tindall, Vann, Wade, and Mr. Speaker—60.
NOES—None.

Title read and approved.

Assembly Bill No. 125—An Act to increase the number of Judges of the Superior Court of the county of Santa Clara, and to provide for the appointment of an additional Judge, and to fix his compensation.

Passed on file.

Senate Bill No. 114—An Act to prevent combinations to obstruct the sale of live stock in the State of California.

Read third time, and passed by the following vote:

AYES—Messrs. Adams, Alford, Anderson, Androus, Barker, Barlow, Bennett of Santa Clara, Bennett of Orange, Bledsoe, Boyce, Bretz, Bulla, Casterline, Chipman, Conway, Curtis, Cusick, Dodge, Drees, Duckworth, Duffy, Durst, Emeric, Gallagher, Gately, Godchaux, Hamilton, Hendrickson, Hurley, Hutson, Jacobs, Jacobsen, Johnson of Humboldt, Kennedy, Kahn, Luttringer, Lynch, McCauley, McElroy, McGowan, Mack, Marks, Marston, Miller, Mordecai, O'Keefe, O'Neill, Owen, Sargent, Schlesinger, Shanahan, Simpson, Sims, Standart, Talbott, Taylor, Thomas of Nevada, Thomas of Santa Clara, Tindall, Vann, Wade, and Mr. Speaker—62
NOES—None.

Title read and approved.

Assembly Bill No. 60—An Act amending section one thousand two hundred and seven of the Civil Code of the State of California, approved March 12, 1872, relating to proof and acknowledgment of instruments.

Read third time, and passed by the following vote:

AYES—Messrs Adams, Alford, Anderson, Androus, Barker, Barlow, Bennett of Santa Clara, Bennett of Orange, Bledsoe, Bretz, Brownlie, Buckley, Bulla, Casterline, Chipman, Conway, Curtis, Cusick, Dodge, Drees, Duckworth, Duffy, Durst, Finlayson, Gallagher, Gately, Godchaux, Hamilton, Hendrickson, Hutson, Jacobs, Jacobsen, Johnson of Humboldt, Kerns, Luttringer, Lynch, McCauley, McElroy, McGowan, Mack, Marston, Matthews of San Benito, Mordecai, O'Keefe, O'Neill, Owen, Raw, Sargent, Schlesinger, Simpson, Sims, Taggart, Talbott, Thomas of Santa Clara, Tindall, Vann, Wade, and Mr. Speaker—58.
NOES—None.

Title read and approved.

Assembly Bill No. 164—An Act to amend an Act entitled "An Act to establish a Code of Civil Procedure," adopted March 11, 1872, by adding thereto a new section, to be known as section five hundred and seventy, relating to the appointment of receivers of the property of corporations.

Read third time, and passed by the following vote:

AYES—Messrs Adams, Alford, Anderson, Androus, Barlow, Bennett of Santa Clara, Bennett of Orange, Bledsoe, Boyce, Bretz, Brownlie, Buckley, Bulla, Casterline, Chipman, Conway, Curtis, Cusick, Dodge, Duckworth, Duffy, Durst, Emeric, Gallagher, Gately, Godchaux, Hamilton, Hendrickson, Hurley, Hutson, Jacobs, Jacobsen, Johnson of Humboldt, Kennedy, Kahn, Luttringer, Lynch, McElroy, McGowan, Mack, Matthews of San Benito, Mordecai, O'Keefe, O'Neill, Sargent, Schlesinger, Simpson, Taggart, Talbott, Thomas of Santa Clara, Vann, Wade, and Mr. Speaker—53.
NOES—None.

Title read and approved.

Assembly Bill No. 227—An Act amending sections one thousand five hundred and seventy-seven and one thousand five hundred and seventy-eight of the Code of Civil Procedure, relating to mortgages and leases in certain cases.

Read third time, and passed by the following vote:

AYES—Messrs. Adams, Alford, Anderson, Androus, Barker, Barlow, Bennett of Santa Clara, Bennett of Orange, Blakeley, Bledsoe, Boyce, Bretz, Brownlie, Buckley, Bulla, Casterline, Chipman, Conway, Curtis, Dodge, Drees, Duckworth, Duffy, Durst, Emeric, Gallagher, Godchaux, Hamilton, Hendrickson, Hurley, Hutson, Jacobs, Jacobsen, Johnson of Humboldt, Kennedy, Kahn, Kerns, Luttringer, Lynch, McCauley, McElroy, McGowan, Mack, Marks, Marston, Mathews of Tehama, Matthews of San Benito, Mordecai, O'Keefe, O'Neill, Perkins, Raw, Schlesinger, Shanahan, Simpson, Sims, Taggart, Talbott, Thomas of Santa Clara, Tindall, Vann, Wade, and Mr. Speaker—63
NOES—None.

Title read and approved.

Assembly Bill No. 214—An Act to amend section one thousand two hundred and six of the Code of Civil Procedure, relating to certain liens for salaries and wages, and to persons preferred in cases of executions and attachments.

Read third time, and passed by the following vote:

AYES—Messrs. Adams, Alford, Anderson, Androus, Barlow, Bennett of Santa Clara, Bennett of Orange, Blakeley, Bledsoe, Boyce, Bretz, Brownlie, Buckley, Bulla, Casterline, Chipman, Conway, Curtis, Cusick, Dodge, Drees, Duckworth, Durst, Emeric, Gallagher, Godchaux, Hamilton, Hendrickson, Hurley, Hutson, Jacobs, Jacobsen, Johnson of Humboldt, Kennedy, Kahn, Luttringer, Lynch, McCauley, McElroy, McGowan, Mack, Marks, Marston, Mathews of Tehama, Matthews of San Benito, Miller, Mordecai, O'Keefe, O'Neill, Owen, Perkins, Schlesinger, Simpson, Sims, Taggart, Thomas of Nevada, Thomas of Santa Clara, Tindall, Vann, Wade, and Mr. Speaker—61.
NOES—None.

Title read and approved.

Assembly Bill No. 96—An Act to add a new section to the Political Code, to be numbered three thousand eight hundred and nineteen, relating to the payment of taxes under protest, and the right of action to recover taxes so paid.

Read third time, and passed by the following vote:

AYES—Messrs Adams, Alford, Anderson, Androus, Barlow, Bennett of Santa Clara, Bennett of Orange, Blakeley, Bledsoe, Bretz, Buckley, Bulla, Casterline, Chipman, Conway, Curtis, Dodge, Drees, Duckworth, Duffy, Durst, Emeric, Godchaux, Hamilton, Hendrickson, Hurley, Hutson, Jacobs, Jacobsen, Johnson of Humboldt, Kahn, Kerns, Luttringer, Lynch, McCauley, McElroy, McGowan, Marston, Mathews of Tehama, Matthews of San Benito, Miller, Mordecai, O'Keefe, Pendleton, Perkins, Raw, Sargent, Schlesinger, Simpson, Standart, Taggart, Thomas of Santa Clara, Tindall, and Wade—54
NOES—None.

Title read and approved.

Assembly Bill No. 212—An Act to amend section one thousand two hundred and four of the Code of Civil Procedure, relating to certain liens for salaries and wages, and to persons preferred on assignments for benefit of creditors.

Read third time, and passed by the following vote:

AYES—Messrs. Adams, Alford, Anderson, Androus, Barker, Barlow, Bennett of Santa Clara, Bennett of Orange, Blakeley, Bledsoe, Bretz, Brownlie, Buckley, Bulla, Casterline, Cusick, Dodge, Drees, Duckworth, Duffy, Gallagher, Hamilton, Hendrickson, Hurley, Hutson, Jacobs, Jacobsen, Johnson of Humboldt, Kennedy, Kahn, Kerns, Luttringer, Lynch, McCauley, McElroy, McGowan, Mack, Marks, Marston, Matthews of San Benito, Mordecai, O'Keefe, Pendleton, Perkins, Sargent, Schlesinger, Schroebel, Simpson, Sims, Standart, Taggart, Thomas of Santa Clara, Vann, Wade, and Mr. Speaker—55.
NOES—None

Title read and approved.

INTRODUCTION OF BILLS.

By Mr. Schroebel: Assembly Bill No. 748—An Act to amend sections six, eight, nine, twelve, seventeen, forty-eight, and fifty-five of an Act of the Legislature of the State of California entitled "An Act for the relief of insolvent debtors, for the protection of creditors, and for the punishment of fraudulent debtors," approved April 16, 1880, and to add a new section thereto, to be numbered section sixty-three of said Act.

Referred to Committee on Judiciary.

By Mr. Finlayson: Assembly Bill No. 749—An Act to establish a committee on legislation, advisory to the Legislature.

Referred to Committee on Judiciary.

REPORT OF STANDING COMMITTEE.

ON FORESTRY.

ASSEMBLY CHAMBER, SACRAMENTO, February 13, 1893.

MR. SPEAKER: Your Committee on Forestry, to whom was referred Senate Concurrent Resolution No. 5—Relative to Golden Gate Park Commissioners—have had the same under consideration, and respectfully report the same back favorably.

BROWNLIE, Chairman.

MOTIONS.

Mr. Marston moved that Assembly Bill No. 36 be placed on the special file.

So ordered.

Mr. Kennedy moved that Assembly Bill No. 270, re-referred to the Committee on Ways and Means this morning, retain its place on the file.

So ordered.

RESOLUTION.

By Mr. Anderson:

Resolved, That H. M. Woods be and he is hereby appointed Assistant Enrolling Clerk, at the same per diem as paid other Assistant Enrolling Clerks, payable out of the Contingent Fund of the Assembly

Referred to Committee on Attachés and Employés.

THIRD READING OF BILLS.

Assembly Bill No. 213—An Act to amend section one thousand two hundred and five of the Code of Civil Procedure, relating to certain liens for salaries and wages, and to persons preferred in estates of deceased persons.

Read third time, and passed by the following vote:

AYES—Messrs. Adams, Alford, Anderson, Androus, Barker, Barlow, Bennett of Santa Clara, Bennett of Orange, Bledsoe, Boyce, Bretz, Buckley, Bulla, Casterline, Chipman, Conway, Curtis, Cusick, Dodge, Drees, Duckworth, Duffy, Durst, Emeric, Finlayson, Gallagher, Godchaux, Hamilton, Hendrickson, Hurley, Hutson, Jacobs, Jacobsen, Johnson of Humboldt, Kennedy, Kahn, Kerns, LaRue, McCauley, McElroy, McGowan, Mack, Marks, Marston, Mathews of Tehama, Matthews of San Benito, Miller, Mordecai, O'Keefe, O'Neill, Owen, Pendleton, Perkins, Raw, Sargent, Schlesinger, Schroebel, Simpson, Sims, Standart, Taggart, Talbott, Thomas of Santa Clara, and Wade—64.

NOES—None

Title read and approved.

Mr. Sargent moved to adjourn.

Lost.

Assembly Bill No. 403—An Act to amend section six hundred and twenty-six of the Penal Code, relating to the preservation of game birds and animals, and providing punishment for the unlawful taking, killing, and transportation thereof.

MOTION.

Mr. McCauley moved that a select committee of one be appointed by the Speaker to amend Assembly Bill No. 403, as follows:

Amend by inserting after the word "destroy," in line four, section one, the words "or have in his possession dead or alive."

Lost.

Mr. Kennedy moved to adjourn.

Lost.

Also: Amend by striking out of section one, line five, the word "English."

Lost.

Mr. McCauley moved that the following other proposed amendments be printed in the Journal, and that their consideration be made a special order for to-morrow at two o'clock P. M.

So ordered.

PROPOSED AMENDMENTS.

Amend by striking out of section one, lines thirteen, fourteen, and fifteen, the words "within the two years next after the passage of this Act," also, "elk, antelope, mountain sheep," and inserting after the word "California," in line thirteen, the following: "at any time except between the first day of July and the first day of October in each year."

Also: Amend by striking out of section one, lines seventeen and eighteen, the words "killed after the passage of this Act, and before the expiration of two years from the date of the passage of this Act," and inserting the following after the word "sheep," in line seventeen, "at times when it is unlawful to kill such animals."

Also: Amend by adding, after the word "destroy," in section one, line twenty-three, the words "or have in his possession."

Also, "Amend by inserting the following after the word "fawn," in line twenty-three, section one: "or any deer, elk, antelope, or mountain sheep not bearing horns."

Also: Amend by striking out of section one all of lines forty-six, forty-seven, forty-eight, forty-nine, and fifty.

Also: Amend by adding after the word "duck," in section one, line sixty-one, the following: "at times when it is unlawful to take or kill such animals or birds in the State of California."

Also. Amend by striking out of section one all of lines sixty-nine, seventy, seventy-one, seventy-two, seventy-three, and seventy-four

Also: Amend by adding the following clause after line seventy-six, in section one:

"Every person who shall use a shotgun of a larger caliber than that commonly known and designated as number ten-gauge, for the purpose of killing or destroying any wild duck, rail, quail, partridge, pheasant, or grouse—shall be guilty of a misdemeanor."

Also: Amend by adding after the word "any," in line seventy-seven, section one, the following: "inclosed or cultivated."

Also. Amend by adding after the phrase "who shall permit such dogs to run at large on grounds inhabited by deer," in line eighty-two, section one, the following: "unless such dogs are accompanied by a hunter or hunting party, who shall not turn loose more than two dogs."

ADJOURNMENT.

At four o'clock and fifty minutes P. M., on motion of Mr. Schlesinger, the Assembly adjourned.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Tuesday, February 14, 1893.

The Assembly met pursuant to adjournment.

Speaker Gould in the chair.

The roll was called, and the following members answered to their names:

Messrs. Adams, Alford, Anderson, Androus, Barker, Barlow, Bennett of Santa Clara, Bennett of Orange, Blakeley, Bledsoe, Boyce, Bretz, Brownlie, Buckley, Bulla, Carlson, Casterline, Chipman, Conway, Curtis, Cusick, Dodge, Drees, Duckworth, Duffy, Durst, Emeric, Finlayson, Gallagher, Gately, Godchaux, Hamilton, Hendrickson, Hurley, Hutson, Jacobs, Jacobsen, Johnson of Humboldt, Johnson of Santa Clara, Kahn, Kerns, LaRue, Luttringer, Lynch, McCauley, McElroy, McGowan, Mack, Marks, Marston, Mathews of Tehama, Matthews of San Benito, Miller, Mordecai, O'Keefe, O'Neill, Owen, Pendleton, Perkins, Pueschel, Raw, Sargent, Schlesinger, Schroebel, Shanahan, Simpson, Sims, Standart, Taggart, Talbott, Taylor, Thomas of Nevada, Thomas of Santa Clara, Tindall, Vann, Wade, and Mr. Speaker.

Quorum present.

LEAVE OF ABSENCE.

Mr. Kennedy was granted leave of absence for the day.

PRAYER.

Prayer by the Chaplain, Rev. H. W. Conry.

READING AND APPROVAL OF THE JOURNAL.

Pending the reading of the Journal of Monday, Mr. Bennett of Santa Clara moved that the further reading be dispensed with.

So ordered.

Journal of Saturday, February 11th, approved.

REPORTS OF STANDING COMMITTEES.

ON ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, February 13, 1893.

MR. SPEAKER: Your Committee on Enrollment beg leave to report that the following bill has been correctly enrolled: Assembly Bill No. 50—An Act to limit the time within which franchises or privileges for the construction, extension, or operation of street railroads may be granted by Boards of Supervisors of the several counties, and cities and counties, of this State—and was presented to the Governor February 13, 1893, at three o'clock P. M.

O'NEILL, Chairman.

ON WAYS AND MEANS.

ASSEMBLY CHAMBER, SACRAMENTO, February 14, 1893.

MR. SPEAKER: Your Committee on Ways and Means deems it a duty to bring to the notice of this Assembly certain willful neglect of duty, official misconduct, and misdemeanor in the office of Hon W. H. H. Hart, Attorney-General of the State of California.

Your committee represents and charges that said W. H. H Hart has, at sundry times during the past two years, willfully and persistently neglected his official duty as the legal adviser of the State officials, thereby necessitating the employment of special counsel, and imposing a heavy and unnecessary expense upon the State.

That the said W. H H Hart has, as your committee has been informed and believes, employed special counsel when it was unnecessary to do so, presumably for the benefit of an intimate friend and associate, and that for such services he has approved of unreasonable and exorbitant claims.

Your committee further represents and charges that said W. H. H. Hart, on account of suits instituted by the State against certain Harbor Commissioners, received, in satisfaction of judgment, the following sums:

July 25, 1891, People vs. Phillips	$7,725 82
August 1, 1891, People vs. Blanding	6,601 56
October 25, 1892, People vs Knight	2,404 36
October 25, 1892, People vs. Blanding	1,120 00
Total	$17,851 74

That said W. H. H. Hart has, for a period of nearly two years, retained in his possession the bulk of this money, in violation of the law now in force and effect, and that he failed and neglected to make any mention of the said money in his annual report, dated September 15, 1892

That by the action of this Assembly, and a formal demand made by the Controller, said W. H. H Hart was apprised of his dereliction of duty, and notified to pay into the State Treasury the amount of money now in his possession which belongs to the State, but has refused to comply with the demand, and is therefore guilty of official misconduct and misdemeanor in office.

Your committee, in conclusion, respectfully asks, at the hands of this honorable body, that the rights of the State be vindicated and the integrity of the public service be preserved by an investigation of the official acts and conduct of the said W. H. H. Hart, and the passage of the following resolution is recommended:

Resolved, That the Speaker be and he is hereby authorized to appoint a special committee of five, whose duty it shall be to inquire into the official conduct and acts of W. H. H. Hart, Attorney-General of the State of California, and that said committee have full power to send for persons and papers, and that they report to this Assembly by impeachment or otherwise.

W. P. MATHEWS, Chairman.
JULIUS KAHN.
C. W TINDALL.
JOHN C LYNCH.
T. J. KERNS.
P. H. MACK.
J. M LARUE.
C. D. BARKER.
G. W. MORDECAI.

Resolution adopted.

APPOINTMENT OF COMMITTEE.

The Speaker appointed as such committee Messrs. Mathews of Tehama, Tindall, Mack, Kahn, and Lynch.

ON CLAIMS.

ASSEMBLY CHAMBER, SACRAMENTO, February 14, 1893.

MR SPEAKER. Your Committee on Claims, to whom was referred Assembly Bill No. 560—An Act appropriating money for the relief of E. W. Melvin, his heirs or assigns—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended

Also. Assembly Bill No 469—An Act to pay the claim of Mary M. Springer, the widow and heir of Thomas A. Springer, late State Printer, deceased

Also: Assembly Bill No. 342—An Act making an appropriation to pay the claim of the Evening Express Company, Los Angeles, California.

Also: Senate Bill No. 160—An Act making an appropriation to pay the claim of The California Spirit of the Times for advertising the election proclamation in the forty-second fiscal year.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

J. H. MATTHEWS, Chairman.

Assembly Bills Nos. 560, 469, and 342, and Senate Bill No. 160 re-referred to Committee on Ways and Means.

ON APPORTIONMENT AND ELECTION LAWS.

ASSEMBLY CHAMBER, SACRAMENTO, February 14, 1893.

MR SPEAKER: Your Committee on Apportionment and Election Laws, to whom was referred Assembly Bill No 679—An Act providing for primary elections in the State of California—have had the same under consideration, and respectfully report the same back with a substitute, and recommend the passage of the substitute.

FINLAYSON, Chairman

ON PUBLIC MORALS.

ASSEMBLY CHAMBER, SACRAMENTO, February 14, 1893.

MR. SPEAKER: Your Committee on Public Morals, to whom was referred Assembly Bill No. 726—An Act to amend section two hundred and seventy-two of the Penal Code, relative to the licensing of children in theatrical exhibitions—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

Also: Assembly Bill No. 399—An Act to amend sections three hundred and nineteen, three hundred and twenty, three hundred and twenty-one, three hundred and twenty-four, three hundred and twenty-five, and three hundred and twenty six of the Penal Code of California, relating to lotteries—have had the same under consideration, and respectfully report the same back, and recommend that the author be allowed to withdraw the same, for the reason that it is similar to Assembly Bill No. 655, which is already on the file.

BLEDSOE, Chairman

Mr. Marks, on his motion, was allowed to withdraw Assembly Bill No. 399.

ON CORPORATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, February 14, 1893.

MR. SPEAKER: Your Committee on Corporations, to whom was referred Assembly Bill No 608—An Act in relation to and prescribing conditions under which foreign insurance companies may transact business—have had the same under consideration, and respectfully report the same back, and recommend that the author be allowed to withdraw the same

Also: Assembly Bill No 486—An Act to require banks or banking corporations doing business in this State, to make and publish a sworn report, showing the actual financial condition of the bank making such report, on the first Monday of March, at twelve o'clock M, of each year.

Also: Assembly Bill No. 617—An Act providing for the dissolution of certain corporations doing a banking business.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

Also: Assembly Bill No 557—An Act to add sections two thousand five hundred and forty-three and two thousand five hundred and forty-four to the Civil Code—have had the same under consideration and respectfully report the same back, and recommend that it do not pass.

ALFORD, Chairman.

Mr. Gately, on his motion, was allowed to withdraw Assembly Bill No. 608.

ON MINES AND MINING.

ASSEMBLY CHAMBER, SACRAMENTO, February 14, 1893.

MR. SPEAKER: Your Committee on Mines and Mining, to whom was referred Assembly Bill No 490—An Act to provide for the appointment, duties, and compensation of the Debris Commissioners, and to make an appropriation to be expended under their directions in the discharge of their duties as such Commissioners—have had the same under consideration, and respectfully report the same back, and recommend that the committee amendments herewith presented be substituted therefor, and that the same do pass.

Also: Assembly Bill No 288—An Act to add to part eleven, division second, of the Civil Code, a new title, to be known as title five, containing seventeen 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, and eight hundred and ninety-four, relating to mining laws and forming mining districts—have had the same under consideration, and respectfully report the same back, and recommend that the author be allowed to withdraw the same

Also: Assembly Bill No. 589—An Act entitled an Act to establish a uniform rate of wages per day in the State of California, for doing assessment work on mining locations—have had the same under consideration, and respectfully report the same back, and recommend that the same do pass.

HAMILTON, Chairman

Mr. Raw, on his motion, was allowed to withdraw Assembly Bill No. 288.

ON MUNICIPAL CORPORATIONS

ASSEMBLY CHAMBER, SACRAMENTO, February 14, 1893

MR SPEAKER: Your Committee on Municipal Corporations, to whom was referred Assembly Bill No. 538—An Act prohibiting the burial of the dead within the corporate limits of any incorporated city, or city and county, of over fifty thousand inhabitants, from and after the thirty-first day of December, A. D. 1895

Also. Assembly Bill No. 264—An Act providing for the sale of railroad and other franchises in municipalities, and fixing the time when certain acts of the governing bodies thereof, relative to franchises, shall take effect

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass as amended.

BUCKLEY, Chairman.

ON WAYS AND MEANS.

ASSEMBLY CHAMBER, SACRAMENTO, February 14, 1893.

MR SPEAKER. Your Committee on Ways and Means, to whom was referred Senate Bill No. 122—An Act entitled an Act to appropriate money to pay the claims of McGowan & Butler for building retaining walls to "The Mendocino State Asylum for the Insane," for grading and terracing the grounds thereof, and for constructing a drainage and sewer system in and about the buildings, which work was performed on and material furnished said asylum under contracts with the Board of Directors of said asylum.

Also: Assembly Bill No 720—An Act authorizing the State Controller and State Treasurer to transfer from the State School Fund to the State School Land Fund the sum of one hundred and eighty-nine thousand four hundred and twenty-six dollars and fifty-eight cents.

Also Assembly Bill No 270—An Act to establish a Naval Battalion, to be attached to the National Guard of California

Also: Senate Bill No 28—An Act making an appropriation to pay the deficiency in the appropriation for the State Board of Forestry for the thirty-eighth, forty-second, and forty-third fiscal years.

Also: Senate Bill No. 274—An Act to amend sections one thousand nine hundred and twelve, one thousand nine hundred and forty-two, one thousand nine hundred and fifty-nine, one thousand nine hundred and seventy-three, one thousand nine hundred and eighty-two, one thousand nine hundred and eighty-four, one thousand nine hundred and ninety, one thousand nine hundred and ninety-two, two thousand and three, two thousand and four, two thousand and twenty-seven, and two thousand and ninety-four, and to add three new sections, to be known as one thousand nine hundred and twenty-three, one thousand nine hundred and forty-five, and one thousand nine hundred and eighty-one, all of the Political Code of the State of California, and relating to the National Guard

Have had the same under consideration, and recommend that they do pass.

Also Assembly Bill No 101—An Act entitled an Act to appropriate money to pay the claims of McGowan & Butler for building retaining walls to "The Mendocino State Asylum for the Insane," for grading and terracing the grounds thereof, and for constructing a drainage and sewer system in and about the buildings, which work was performed on and material furnished said asylum under contracts with the Board of Directors of said asylum.

Also: Assembly Bill No. 259—An Act to amend sections one thousand nine hundred and twelve, one thousand nine hundred and forty-two, one thousand nine hundred and fifty-nine, one thousand nine hundred and seventy-three, one thousand nine hundred and eighty-two, one thousand nine hundred and eighty-four, one thousand nine hundred and ninety, one thousand nine hundred and ninety-two, two thousand and three, two thousand and four, two thousand and twenty-seven, and two thousand and ninety-four, and to add three new sections, to be known as one thousand nine hundred and twenty-three, one thousand nine hundred and forty-five, and one thousand nine hundred and eighty-one, all of the Political Code of the State of California, and relating to the National Guard

Have had the same under consideration, and recommend that they be withdrawn, as they are duplicated by Senate Bills Nos. 122 and 274, respectively

Also: Senate Bill No. 6—An Act to appropriate twenty-five thousand dollars for the purchase of a site for and the erection of a State Hospital for Lepers—and recommend that it do not pass

Also: Assembly Bill No 315—An Act appropriating the sum of fifteen thousand dollars to defray the costs and expenses, and for the employment of associate counsel therein, of suits and legal proceedings, to be commenced and prosecuted by the Attorney-General in the name of the People of the State of California, to quiet the title to and for the recovery of the possession of the Oakland waterfront, San Antonio Creek and its bays and estuaries, and the Alameda waterfront—have had the same under consideration, and report it back with a substitute, and recommend that the substitute do pass.

Also: Assembly Bill No. 737—An Act to provide for the payment of interest on the outstanding bonds of the State of California held in trust for the University Fund and the State School Fund, to continue in force so much of an Act entitled "An Act to provide for the payment of the funded indebtedness of the State of California, and to contract a funded debt for the purpose," approved April 2, 1870, as is not in conflict with this Act; to repeal an Act of the Legislature of the State of California, approved March 4, 1881, entitled "An Act to appropriate money to reimburse the University of California for moneys heretofore appropriated into the Endowment Fund thereof, which moneys have by mistake been withheld therefrom and appropriated to other State purposes," and making an appropriation to pay the interest on said outstanding bonds from January 1 to July 1, 1893—and respectfully recommend its passage.

W. P MATHEWS, Chairman.

Mr. Tindall, on his motion, was allowed to withdraw Assembly Bill No. 101.

Mr. McCauley, on his motion, was allowed to withdraw Assembly Bill No. 259.

ON JUDICIARY.

ASSEMBLY CHAMBER, SACRAMENTO, February 14, 1893.

MR. SPEAKER: Your Committee on Judiciary, to whom was referred Assembly Bill No 517—An Act to amend an Act of the Legislature of the State of California entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, by adding thereto five new sections, to be known as Sections 539*a*, 539*b*, 539*c*, 539*d*, 539*e*, in Chapter IV, of Part II, Title VII, concerning "attachments."

Also: Assembly Bill No 686—An Act entitled an Act to amend section one thousand one hundred and eighty-nine of the Civil Code of the State of California, relating to proof and acknowledgment of instruments.

Also: Assembly Bill No 706—An Act to amend an Act entitled "An Act to create and establish a State Board of Horticulture, and appropriate money for the expenses thereof," approved March 13, 1883, relating to the location of the office of the State Board of Horticulture

Also: Assembly Bill No 708—An Act establishing a Commission for the revision of the Code and laws of California, prescribing their duties, fixing their compensation, and making an appropriation

Also: Senate Bill No. 219—An Act to provide for appointments of guardians of children maintained in any orphans' home or orphan asylum in this State

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

Also: Assembly Bill No. 82—An Act to amend section one thousand three hundred and three, section one thousand three hundred and twenty-three, section one thousand three hundred and sixty-five, section one thousand three hundred and eighty-eight, section one thousand four hundred and thirty-nine, section one thousand five hundred and sixteen, section one thousand five hundred and seventeen, section one thousand five hundred and thirty-six, section one thousand five hundred and forty-five, section one thousand five hundred and forty-seven, section one thousand five hundred and forty-eight, section one thousand five hundred and fifty, section one thousand five hundred and fifty-one, section one thousand five hundred and fifty-two, section one thousand five hundred and fifty-three, section one thousand five hundred and fifty-four, section one thousand five hundred and fifty-seven, section one thousand five hundred and fifty-eight, section one thousand five hundred and sixty-five, section one thousand five hundred and ninety-two, section one thousand five hundred and ninety-seven, section one thousand five hundred and ninety-eight, section one thousand five hundred and ninety-nine, and section one thousand six hundred and eighteen, and to repeal section one thousand five hundred and eighteen, section one thousand five hundred and nineteen, section one thousand five hundred and twenty-two, section one thousand five hundred and twenty-three, section one thousand five hundred and twenty-four, section one thousand five hundred and twenty-six, section one thousand five hundred and twenty-nine, section one thousand five hundred and thirty, section one thousand five hundred and thirty-one, section one thousand five hundred and thirty-two, section one thousand five hundred and thirty-three, section one thousand five hundred and thirty-seven, section one thousand five hundred and thirty-eight, section one thousand five hundred and

thirty-nine, section one thousand five hundred and forty, section one thousand five hundred and forty-one, section one thousand five hundred and forty-two, section one thousand five hundred and forty-three, section one thousand five hundred and forty-four, section one thousand five hundred and forty-nine, and section one thousand five hundred and fifty-six, and to add four new sections, to be known and designated as section one thousand five hundred and forty-six, section one thousand five hundred and fifty-four and one half, section one thousand five hundred and ninety-two, and section one thousand five hundred and ninety-seven and one half of an Act of the Legislature of the State of California entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1873, all relating to estates of deceased persons

Also: Senate Bill No. 218—An Act to amend section two hundred and twenty-four of the Civil Code, regarding the adoption of children

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass as amended.

Also: Assembly Bill No. 156—An Act to amend section one thousand five hundred and ninety-seven of the Code of Civil Procedure of this State, relating to specific performance of contracts made by decedents during their lifetime.

Also: Assembly Bill No. 682—An Act to amend section seventy-one of the Code of Civil Procedure, relating to the duties of Judges of Superior Courts.

Also: Senate Bill No. 302—An Act to amend section three thousand eight hundred and eighty-one of the Political Code, relative to errors, etc., on assessment roll, and the corrections thereof.

Have had the same under consideration, and respectfully report the same back, and recommend that they do not pass.

Also Assembly Bill No 105—An Act to create a State Board of Funeral Directors, to prescribe its powers and duties, to regulate the practice of undertaking and funeral direction, and to more effectually protect the people against contagious diseases—have had the same under consideration, and respectfully report the same back, and recommend that the substitute reported herewith do pass

Also: Assembly Bill No. 40—An Act to tax gifts, legacies, and collateral inheritances in certain cases.

Also. Assembly Bill No. 251—An Act to amend an Act of the Legislature of the State of California entitled "An Act for the relief of insolvent debtors, for the protection of creditors, and for the punishment of fraudulent debtors," approved April 16, 1880, by adding one new section thereto, to be known as Section 6a, providing for qualification to vote for assignee, to amend section fifteen of said Act, providing for election of assignee; and to amend section fifty-five of said Act, touching fraudulent preferences and transfers.

Have had the same under consideration, and respectfully report the same back without recommendation.

SHANAHAN, Chairman

MESSAGES FROM THE SENATE.

SENATE CHAMBER, SACRAMENTO, February 13, 1893.

MR. SPEAKER: I am directed to inform your honorable body that the Senate, on the eleventh day of February, 1893, passed Senate Bill No 314—An Act authorizing the State Board of Capitol Commissioners to appoint two extra employés for the Capitol grounds, in addition to the number now employed, and making an appropriation for payment of their services for the remainder of the forty-fourth fiscal year

Also: Senate Bill No. 5—An Act providing for the selection, condemnation, and purchase of a suitable site, and the erection thereon of a State building, in San Francisco, and making an appropriation therefor

F. J. BRANDON, Secretary.
By R. SHAW, Assistant.

Also:

SENATE CHAMBER, SACRAMENTO, February 13, 1893.

MR. SPEAKER: I am directed to inform your honorable body that the Senate, on this day, passed Senate Bill No. 215—An Act to amend section seven of the Civil Code of the State of California, relating to legal holidays and non-judicial days.

Also: Senate Bill No. 217—An Act to amend section ten of the Political Code of the State of California, relating to legal holidays and non-judicial days

Also: Senate Bill No 184—An Act to amend sections ten and one hundred and thirty-four of the Code of Civil Procedure of the State of California, relating to legal holidays and non-judicial days.

F. J. BRANDON, Secretary.
By R SHAW, Assistant

Also:

SENATE CHAMBER, SACRAMENTO, February 13, 1893.

MR. SPEAKER: I am directed to inform your honorable body that the Senate, on this day, passed Senate Bill No. 209—An Act amending sections one thousand five hundred and seventy-seven and one thousand five hundred and seventy-eight of the Code of Civil Procedure, relating to mortgages and leases in certain cases

Also: Senate Bill No. 103—An Act to amend section one thousand seven hundred and sixty-three of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, relating to serving notice of application for letters of guardianship on insane and incompetent persons.

Also: Senate Bill No. 382—An Act authorizing the allowance, settlement, and payment of claims of counties against the State

Also: Senate Bill No. 166—An Act authorizing the formation of county mutual insurance companies, regulating the transaction of their business, and defining the duties of the officers thereof.

Also: Senate Bill No 229—An Act to compel savings banks to publish a sworn statement of all unclaimed deposits.

F. J. BRANDON, Secretary.
By R SHAW, Assistant.

Senate Bill No. 314 referred to Committee on Public Expenditures and Accounts.

Senate Bill No. 5 referred to Committee on Public Buildings and Grounds.

Senate Bills Nos. 215, 184, and 217 referred to Committee on Labor and Capital.

Senate Bills Nos. 209 and 103 referred to Committee on Judiciary.

Senate Bill No. 166 referred to Committee on Corporations.

MOTION.

Mr. Thomas of Nevada moved that Senate Bill No. 382 be substituted on the file for Assembly Bill No. 397, and be read the first time.

So ordered.

FIRST READING OF BILL.

Senate Bill No. 382—An Act authorizing the allowance, settlement, and payment of claims of counties against the State.

Read first time, and placed on file for second reading.

MOTION.

Mr. Pendleton moved that Senate Bill No. 229 be substituted on the file for Assembly Bill No. 228, and be read the first time.

So ordered.

FIRST READING OF BILL.

Senate Bill No. 229—An Act to compel savings banks to publish a sworn statement of all unclaimed deposits.

Read first time, and placed on file for second reading.

MOTIONS.

Mr. Finlayson moved that Senate Constitutional Amendment No. 14 be substituted on the file for Assembly Constitutional Amendment No. 18.

So ordered.

Mr. McCauley moved that Assembly Bill No. 274 be now read the first time.

So ordered.

FIRST READING OF BILL.

Assembly Bill No. 274—An Act to amend sections one thousand nine hundred and twelve, one thousand nine hundred and forty-two, one

thousand nine hundred and fifty-nine, one thousand nine hundred and seventy-three, one thousand nine hundred and eighty-two, one thousand nine hundred and eighty-four, one thousand nine hundred and ninety, one thousand nine hundred and ninety-two, two thousand and three, two thousand and four, two thousand and twenty-seven, and two thousand and ninety-four, and to add three new sections, to be known as sections one thousand nine hundred and twenty-three, one thousand nine hundred and forty-five, and one thousand nine hundred and eighty-one, all of the Political Code of the State of California, and relating to the National Guard.

Read first time, and placed on file for second reading.

REPORTS OF STANDING COMMITTEES.

ON INTERNAL IMPROVEMENTS.

ASSEMBLY CHAMBER, SACRAMENTO, February 13, 1893.

MR SPEAKER: Your Committee on Internal Improvements, to whom was referred Assembly Bill No. 379—An Act authorizing the State Board of Prison Directors to establish a cordage factory at the Folsom State Prison, and making an appropriation therefor—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

GALLAGHER, Chairman.

Assembly Bill No. 379 re-referred to Committee on Ways and Means.

ON CORPORATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, February 14, 1893

MR. SPEAKER Your Committee on Corporations, to whom was referred Assembly Bill No. 611—An Act in relation to and prescribing conditions upon which certain foreign insurance companies may transact insurance business in the State of California—have had the same under consideration, and having amended the same, respectfully report the same back, and recommend that it do pass as amended.

ALFORD, Chairman.

INTRODUCTION OF BILLS.

The following bills were introduced, read by title, and referred to committees, as follows:

By Mr. Bulla: Assembly Bill No. 750—An Act to amend section three hundred and forty-eight of the Code of Civil Procedure, relating to limitation of actions.

Referred to Committee on Judiciary.

By Mr. Duckworth: Assembly Bill No. 751—An Act to amend section one thousand five hundred and thirty-six, section one thousand five hundred and thirty-seven, section one thousand five hundred and thirty-eight, section one thousand five hundred and forty-two, section one thousand five hundred and forty-three, and section one thousand five hundred and forty-five of an Act of the Legislature of the State of California entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1873, all relating to estates of deceased persons.

Referred to Committee on Judiciary.

By Mr. Androus: Assembly Bill No. 752—An Act to authorize the appointment of a Commission by the Governor for the purpose of selecting and suggesting a permanent site and location for an additional State Prison.

Referred to Committee on State Prisons.

By Mr. Duffy: Assembly Bill No. 753—An Act to repeal an Act entitled an Act to declare Lake Earl, in Del Norte County, navigable.

Referred to Committee on Commerce and Navigation.

By Mr. Casterline: Assembly Bill No. 754—An Act to amend section sixty-six of "An Act to establish a uniform system of county and township governments," approved March 31, 1891.

Referred to Committee on County and Township Governments.

By Mr. LaRue: Assembly Bill No. 755—An Act to amend section three thousand four hundred and eighty-two of the Political Code, relating to the division of swamp land districts.

Referred to Committee on Swamp and Overflowed Lands.

Also: Assembly Bill No. 756—An Act to add a new section to the Political Code, to be known and designated as section three thousand four hundred and ninety-three and one half, relating to suits to determine the validity of assessments in reclamation districts.

Referred to Committee on Swamp and Overflowed Lands.

By Mr. Shanahan: Assembly Bill No. 757—An Act to amend section four hundred and twelve of the Code of Civil Procedure, relating to service of summons on persons residing out of the State, and in other cases.

Referred to Committee on Judiciary.

Also: Assembly Bill No. 758—An Act to amend section seven hundred and thirty-eight of the Code of Civil Procedure, relating to actions affecting title to real estate.

Referred to Committee on Judiciary.

Also: Assembly Bill No. 759—An Act to add a new section to the Code of Civil Procedure, relating to proceedings affecting the title to real estate, to be known as section seven hundred and fifty.

Referred to Committee on Judiciary.

MOTION.

Mr. Mathews of Tehama moved to take up the resolution relative to John Wilkins, which was reported back without recommendation by the Committee on Attachés and Employés on last Thursday.

So ordered.

RESOLUTION.

WHEREAS, It is necessary and essential that there should be a suitable person appointed as Night Watchman for the Engrossing and Enrolling Clerks' office; so be it

Resolved, That John S. Wilkins be and he is hereby appointed as Night Watchman for the said office, at the same per diem as the other Watchmen, and the Controller is instructed to draw his warrant for the same, payable out of the Contingent Fund of the Assembly.

Mr. Mathews of Tehama moved to amend by including the Journal Clerk's office.

So ordered.

Resolution as amended adopted.

MOTION.

Mr. Carlson moved that Assembly Bill No. 666 be substituted on the file for Assembly Bill No. 140.

So ordered.

RESOLUTION.

By Mr. Alford:

Resolved, That a committee of three be appointed from the Committee on County and Township Governments to confer with the Senate special committee for the purpose of drafting an omnibus County and Township Government bill.

Mr. Duckworth moved to amend by striking out the words "from the Committee on County and Township Governments."

Adopted.

Resolution as amended adopted.

APPOINTMENT OF COMMITTEE.

The Speaker appointed as such committee Messrs. Schroebel, Duckworth, and Alford.

RESOLUTION.

By Mr. Thomas of Santa Clara:

WHEREAS, C. E. Cunningham, State Capitol Engineer, and W. H. Hevener, fireman, are now, and have been for some time past, heating the Capitol building evenings, for the benefit and at the request of the members of this House, without compensation for the same, therefore, be it

Resolved, That the names of the said C. E. Cunningham and W. H. Hevener be placed on the payroll of this House, at a per diem of four dollars and three dollars, respectively, for such services rendered and to be rendered for the remainder of this session, the same to be paid out of the Contingent Fund of the Assembly, and that the Controller be and is hereby directed to draw his warrant for the same, dating from the twenty-fourth day of January, 1893.

Referred to Committee on Public Expenditures and Accounts.

REPORT OF STANDING COMMITTEE.

ON ENGROSSMENT

ASSEMBLY CHAMBER, SACRAMENTO, February 14, 1893.

MR. SPEAKER: Your Committee on Engrossment reports that the following bills have been correctly engrossed:

Assembly Bill No. 627—An Act to provide for the redemption and payment of certain funded debt bonds of this State, together with interest thereon, making an appropriation therefor, and authorizing the State Controller and State Treasurer to transfer the sum of one hundred and twenty thousand dollars from the General Fund to the Interest and Sinking Fund to carry out the provisions of this Act.

Also: Assembly Bill No. 635—An Act making an appropriation to pay the deficiency in the appropriation for support and maintenance of State hatcheries for the forty-second and forty-third fiscal years.

Also: Assembly Bill No. 634—An Act making an appropriation to pay the deficiency in the appropriation for the restoration and preservation of fish in the waters of the State, for the forty-second and forty-third fiscal years.

Also: Assembly Bill No. 128—An Act appropriating the sum of three thousand five hundred dollars for furnishing the Training Department building of the State Normal School at San José, California.

Also: Assembly Bill No. 126—An Act appropriating the sum of ten thousand dollars for supplying a system of heating and ventilating the State Normal School building at San José, California.

DUFFY, for Chairman.

SPECIAL FILE.

Assembly Bill No. 627—An Act to provide for the redemption and payment of certain funded debt bonds of this State, together with interest thereon, making an appropriation therefor, and authorizing the State Controller and State Treasurer to transfer the sum of one

hundred and twenty thousand dollars from the General Fund to the Interest and Sinking Fund to carry out the provisions of this Act.

Read third time, and passed by the following vote:

AYES—Messrs Adams, Alford, Anderson, Androus, Barker, Barlow, Bennett of Orange, Blakeley, Boyce, Bretz, Brownlie, Buckley, Bulla, Carlson, Casterline, Conway, Curtis, Cusick, Dodge, Drees, Duffy, Durst, Gallagher, Gately, Godchaux, Hamilton, Hendrickson, Hurley, Hutson, Jacobs, Jacobsen, Johnson of Humboldt, Johnson of Santa Clara, Kahn, Kerns, LaRue, Luttringer, Lynch, McElroy, McGowan, Mack, Marks, Marston, O'Keefe, O'Neill, Owen, Pendleton, Perkins, Pueschel, Sargent, Schlesinger, Schroebel, Simpson, Sims, Standart, Taggart, Talbott, Thomas of Nevada, Thomas of Santa Clara, Tindall, Vann, Wade, and Mr. Speaker—63.

NOES—None

Title read and approved.

Mr. Alford in the chair.

REPORT OF STANDING COMMITTEE.

ON PUBLIC BUILDINGS AND GROUNDS.

ASSEMBLY CHAMBER, SACRAMENTO, February 14, 1893.

MR. SPEAKER: Your Committee on Public Buildings and Grounds, to whom was referred Assembly Bill No. 669—An Act to provide for the appointment of a Board of Colton Hall Trustees, and for the acquisition of the Colton Hall property, and providing for an appropriation for the preservation, protection, and improvement of said property—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

CURTIS, Chairman.

Assembly Bill No. 669 re-referred to Committee on Ways and Means.

SPECIAL FILE—(RESUMED).

Assembly Bill No. 635—An Act making an appropriation to pay the deficiency in the appropriation for support and maintenance of State hatcheries for the forty-second and forty-third fiscal years.

Read third time, and passed by the following vote:

AYES—Messrs. Adams, Alford, Barker, Bennett of Santa Clara, Bennett of Orange Boyce, Bretz, Brownlie, Buckley, Bulla, Carlson, Casterline, Chipman, Conway, Curtis Cusick, Dodge, Drees, Duckworth, Duffy, Durst, Finlayson, Gallagher, Gately, Godchaux Hamilton, Hendrickson, Hurley, Hutson, Jacobs, Johnson of Humboldt, Johnson of Santa Clara, Kahn, Kerns, LaRue, Luttringer, Lynch, McElroy, McGowan, Mack, Marston, Mordecai, O'Neill, Owen, Pendleton, Perkins, Raw, Sargent, Schlesinger, Schroebel, Simpson, Sims, Standart, Taggart, Taylor, Thomas of Nevada, Tindall, Vann, Wade, and Mr. Speaker—60

NOES—None.

Title read and approved.

Assembly Bill No. 634—An Act making an appropriation to pay the deficiency in the appropriation for the restoration and preservation of fish in the waters of the State, for the forty-second and forty-third fiscal years.

Read third time, and passed by the following vote:

AYES—Messrs. Adams, Alford, Anderson, Androus, Barker, Barlow, Bennett of Santa Clara, Bennett of Orange, Blakeley, Brownlie, Buckley, Bulla, Carlson, Casterline, Chipman, Conway, Curtis, Dodge, Drees, Duckworth, Duffy, Durst, Finlayson, Gallagher, Gately, Godchaux, Hamilton, Hendrickson, Hutson, Jacobs, Jacobsen, Johnson of Humboldt, Johnson of Santa Clara, Kahn, Kerns, LaRue, McCauley, McElroy, McGowan, Mack, Marston, Mordecai, Owen, Pendleton, Perkins, Pueschel, Sargent, Schlesinger, Schroebel, Shanahan, Simpson, Sims, Standart, Taggart, Talbott, Thomas of Nevada, Vann, Wade, and Mr. Speaker—59

NOES—Messrs Bledsoe, Boyce, Bretz, Cusick, Luttringer, O'Neill, and Raw—7.

Title read and approved.

Assembly Bill No. 128—An Act appropriating the sum of three thousand five hundred dollars for furnishing the Training Department building of the State Normal School at San José, California.

Read third time, and passed by the following vote:

AYES—Messrs Adams, Alford, Anderson, Barker, Barlow, Bennett of Santa Clara, Bennett of Orange, Blakeley, Bledsoe, Boyce, Bretz, Brownlie, Buckley, Bulla, Carlson, Casterline, Chipman, Conway, Curtis, Cusick, Dodge, Drees, Duckworth, Duffy, Durst, Emeric, Gallagher, Gately, Godchaux, Hamilton, Hendrickson, Hutson, Jacobs, Jacobsen, Johnson of Humboldt, Kahn, Kerns, LaRue, Luttringer, Lynch, McCauley, McElroy, McGowan, Mack, Marks, Marston, Mordecai, O'Keefe, Owen, Pendleton, Perkins, Pueschel, Raw, Sargent, Schlesinger, Schroebel, Sims, Standart, Taggart, Talbott, Thomas of Santa Clara, Tindall, Vann, Wade, and Mr. Speaker—65.

NOES—None

Title read and approved.

Assembly Bill No. 192—An Act to provide for the building and furnishing of three cottages for use as residences of the Resident Physician and two Assistant Physicians at the Napa State Asylum for the Insane, and making an appropriation therefor.

Passed on file.

Assembly Bill No. 366—An Act making an appropriation for the erection of an additional building for the State Normal School at San José.

Passed on file.

Assembly Bill No. 126—An Act appropriating the sum of ten thousand dollars for supplying a system of heating and ventilating the State Normal School building at San José, California.

Read third time, and passed by the following vote:

AYES—Messrs. Alford, Anderson, Androus, Barker, Bennett of Santa Clara, Blakeley, Brownlie, Buckley, Bulla, Carlson, Casterline, Chipman, Conway, Curtis, Cusick, Dodge, Drees, Duckworth, Duffy, Durst, Emeric, Gallagher, Godchaux, Hamilton, Hutson, Jacobs, Jacobsen, Johnson of Humboldt, Kahn, Kerns, LaRue, Lynch, McCauley, McGowan, Mack, Marks, Marston, O'Keefe, Pendleton, Perkins, Pueschel, Schlesinger, Schroebel, Sims, Standart, Taggart, Talbott, Taylor, Thomas of Nevada, Tindall, Wade, and Mr. Speaker—52

NOES—Messrs Adams, Bennett of Orange, Boyce, Bretz, Gately, Luttringer, McElroy, Thomas of Santa Clara, and Vann—9.

Title read and approved.

INTRODUCTION OF BILL.

By Mr. Kerns: Assembly Bill No. 760—An Act to promote bee culture.

Referred to Committee on Agriculture.

MOTION.

Mr. Bennett of Santa Clara moved that Assembly Bills Nos. 126 and 128 be immediately transmitted to the Senate.

So ordered.

SPECIAL FILE—(RESUMED).

Senate Bill No. 206—An Act making an appropriation to pay the deficiency in the appropriation for support of State Insane Asylum at Stockton, California, for the forty-second and forty-third fiscal years.

Read third time, and passed by the following vote:

AYES—Messrs Adams, Alford, Anderson, Androus, Barker, Barlow, Bennett of Santa Clara, Bennett of Orange, Blakeley, Boyce, Bretz, Brownlie, Buckley, Carlson, Casterline,

Chipman, Conway, Dodge, Drees, Duckworth, Duffy, Durst, Gallagher, Gately, Godchaux, Hamilton, Hendrickson, Hutson, Jacobs, Jacobsen, Kahn, LaRue, Lynch, McCauley, McGowan, Mack, Marks, Marston, Mordecai, O'Keefe, Owen, Pendleton, Perkins, Pueschel, Sargent, Sims, Standart, Taggart, Talbott, Thomas of Nevada, Thomas of Santa Clara, Tindall, Vann, Wade, and Mr. Speaker—55.

NOES—Messrs Bledsoe and O'Neill—2.

Title read and approved.

Assembly Bill No. 2—An Act making an appropriation to pay the deficiencies in the appropriation for costs and expenses of suits in which the State is a party in interest, for the fortieth, forty-first, forty-second, and forty-third fiscal years.

Read second time.

Assembly Bill No. 36—An Act to appropriate money for the survey, location, and construction of a free wagon road from the town of Mariposa, in Mariposa County, to the Yosemite Valley.

Read second time.

Committee amendment, as follows:

Section one, line one of printed bill, amend by striking out the words "seventy-five," and inserting therefor the word "fifty."

Adopted.

MOTION.

Mr. Lynch moved that the Assembly resolve itself into Committee of the Whole, with Mr. Alford in the chair, for the purpose of considering Assembly Bills Nos. 2 and 36.

So ordered.

IN COMMITTEE OF THE WHOLE.

Mr. Alford in the chair.

Assembly Bills Nos. 2 and 36 were considered in Committee of the Whole.

IN ASSEMBLY.

Mr. Alford in the chair.

REPORT OF THE COMMITTEE OF THE WHOLE.

Mr. Alford stated the report of the Committee of the Whole, as follows:

GENTLEMEN: The Committee of the Whole have had under consideration Assembly Bill No. 2—An Act making an appropriation to pay the deficiencies in the appropriation for costs and expenses of suits in which the State is a party in interest, for the fortieth, forty-first, forty-second, and forty-third fiscal years.

Also: Assembly Bill No 36—An Act to appropriate money for the survey, location, and construction of a free wagon road from the town of Mariposa, in Mariposa County, to the Yosemite Valley

And now report the same back, and ask leave to sit again.

RECESS EXTENDED.

Mr. Gould moved that the hour of recess be extended ten minutes.

So ordered.

MOTION.

Mr. Gould moved that the Assembly go into Committee of the Whole, with Mr. Alford in the chair, for the purpose of considering Assembly Bills Nos. 2 and 36.

So ordered.

IN COMMITTEE OF THE WHOLE.

Mr. Alford in the chair.

Assembly Bills Nos. 2 and 36 were considered in Committee of the Whole.

IN ASSEMBLY.

Mr. Alford in the chair.

REPORT OF COMMITTEE OF THE WHOLE.

Mr. Alford stated the report of the Committee of the Whole, as follows:

GENTLEMEN: The Committee of the Whole have had under consideration Assembly Bill No. 2—An Act making an appropriation to pay the deficiencies in the appropriation for costs and expenses of suits in which the State is a party in interest, for the fortieth, forty-first, forty-second, and forty-third fiscal years

Also: Assembly Bill No. 36—An Act to appropriate money for the survey, location, and construction of a free wagon road from the town of Mariposa, in Mariposa County, to the Yosemite Valley

And now report progress, and recommend that Assembly Bill No 2 do pass, and ask leave to sit again on Assembly Bill No. 36.

RECESS.

The hour of recess having arrived, the Speaker pro tem. declared recess until two o'clock P. M.

REASSEMBLED.

The Assembly reassembled at two o'clock P. M.

Speaker Gould in the chair.

Quorum present.

LEAVE OF ABSENCE.

Mr. Standart was granted leave of absence until Thursday morning.

MOTION.

Mr. Godchaux moved that the special order set for this hour, the consideration of Assembly Constitutional Amendment No. 14, be postponed until next Thursday at two o'clock P. M.

So ordered.

RESOLUTIONS.

Mr. Tindall had read the following set of resolutions adopted by the Council of Federated Trades of Sacramento:

SACRAMENTO, February 14, 1893.

Hon. FRANK H. GOULD, *Speaker of the Assembly*:

DEAR SIR: At a regular meeting of the Sacramento Council of Federated Trades, held Monday evening, February 13th, the following resolutions were unanimously adopted, and, as per instructions, I inclose copy of the same.

Most respectfully,

W. F. GORMLEY, President

WHEREAS, The Hon. Frank H. Gould, Speaker of the Assembly, did, as subsequent events showed, introduce, by request, believing it to be in the interest of the State, Assembly Bill No. 456—An Act to amend section one thousand eight hundred and seventy-four of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the public schools; and whereas, on having his attention called by delegates to this Council that said bill might have a detrimental effect to the publication of the State series of school text-books, Mr. Gould did promptly and willingly withdraw the same; and whereas, he has by such commendable action, together with remarks made

by him relative to the matter on the floor of the Assembly, clearly proven that he is a staunch and earnest friend of the State series of school books; therefore, with the hope, and that all members of the Legislature shall, as they have in the past, establish, as Mr. Gould has, their fealty to the State school books as against the "ring," which in every way is endeavoring to destroy and thwart, by means of legislation, the publication of said books, be it

Resolved by the Sacramento Council of Federated Trades, That Speaker Gould's action in withdrawing the bill is warmly commended, and the thanks of the Council are herewith extended Mr. Gould; and be it further

Resolved, That a copy of these resolutions be furnished the press for publication, and that a copy thereof be also presented to Mr. Gould, with the request that the resolutions be read in open Assembly.

W. F. GORMLEY, President.
H. N. BAUMANN, Secretary.

INTRODUCTION OF BILLS.

The following bills were introduced, read by title, and referred to committees, as follows:

By Mr. Thomas of Nevada: Assembly Bill No. 761—An Act to repeal an Act entitled "An Act regulating fees and mileage in criminal cases in the county of Nevada," approved March 23, 1876.

Referred to Committee on Judiciary.

By Mr. Casterline: Assembly Bill No. 762—An Act providing for the adjustment, settlement, and payment of any indebtedness existing against any city or municipal corporation at the time of exclusion of territory therefrom, and the division of the property thereof.

Referred to Committee on Municipal Corporations.

REPORT OF STANDING COMMITTEE.

ON STATE HOSPITALS.

ASSEMBLY CHAMBER, SACRAMENTO, February 14, 1893.

MR SPEAKER: Your Committee on State Hospitals, to whom was referred Assembly Bill No. 203—An Act to amend section three thousand and nine of the Political Code of the State of California, relating to the appointment of certain officers and employés by the Board of Health of the City and County of San Francisco.

Also: Assembly Bill No 677—An Act appropriating money for the purchase of land for the Industrial Home of Mechanical Trades for the Adult Blind.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

We further recommend that Senate Bill No. 177, providing for the erection of an additional wing to the Home for Feeble-Minded Children at Glen Ellen, and making an appropriation therefor, be re-referred to the Committee on Ways and Means.

MORDECAI, Chairman.

Assembly Bill No. 677 and Senate Bill No. 177 re-referred to Committee on Ways and Means.

SPECIAL ORDER.

Assembly Bill No. 403—An Act to amend section six hundred and twenty-six of the Penal Code, relating to the preservation of game birds and animals, and providing punishment for the unlawful taking, killing, and transportation thereof.

The question being on the pending motion of Mr. McCauley, that a select committee of one be appointed by the Speaker to amend Assembly Bill No. 403, as follows:

Amend by striking out of section one, lines thirteen, fourteen, and fifteen, the words 'within the two years next after the passage of this Act," also, "elk, antelope, mountain sheep," and inserting after the word "California," in line thirteen, the following: "at any time except between the first day of July and the first day of October in each year"

Mr. Mordecai moved that Mr. Shanahan be allowed again to discuss the amendment.

So ordered.

Mr. Bledsoe moved to substitute the amendment, as follows:

After the word "misdemeanor," in line fifteen of section one, insert the following: "*provided*, that this prohibition shall not apply to any person who kills such male deer for actual consumption as food by himself or family in the county in which he resides"

The ayes and noes were demanded by Messrs. Bledsoe, Matthews, and Johnson of Humboldt.

The roll was called, and the substitute lost by the following vote:

AYES—Messrs. Adams, Bennett of Santa Clara, Bennett of Orange, Blakeley, Bledsoe, Bretz, Hamilton, Hurley, Johnson of Humboldt, Matthews of San Benito, O'Keefe, Sargent, Vann, and Wade—14.

NOES—Messrs. Alford, Anderson, Androus, Barker, Boyce, Brownlie, Buckley, Bulla, Burke, Carlson, Casterline, Chipman, Conway, Curtis, Cusick, Dodge, Drees, Duckworth, Duffy, Durst, Emeric, Finlayson, Gallagher, Gately, Hendrickson, Hutson, Jacobs, Jacobsen, Kerns, LaRue, Luttringer, Lynch, McCauley, McElroy, McGowan, Mack, Marks, Marston, Mathews of Tehama, Mordecai, O'Neill, Owen, Pendleton, Perkins, Pueschel, Raw, Schroebel, Shanahan, Simpson, Sims, Talbott, Taylor, Thomas of Santa Clara, Tindall, and Mr. Speaker—54.

The question recurring on the motion to amend.

The ayes and noes were demanded by Messrs. McCauley, Jacobsen, and LaRue.

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

AYES—Messrs. Adams, Bennett of Santa Clara, Bennett of Orange, Blakeley, Boyce, Bretz, Brownlie, Buckley, Burke, Casterline, Conway, Curtis, Cusick, Duffy, Gallagher, Gately, Hendrickson, Hurley, LaRue, Luttringer, McCauley, McElroy, McGowan, Mack, Marks, Marston, O'Neill, Raw, Sargent, Shanahan, Thomas of Santa Clara, and Wade—31.

NOES—Messrs. Alford, Anderson, Androus, Barker, Bledsoe, Bulla, Carlson, Chipman, Dodge, Drees, Duckworth, Emeric, Finlayson, Hamilton, Hutson, Jacobs, Jacobsen, Johnson of Humboldt, Johnson of Santa Clara, Kerns, Lynch, Mathews of Tehama, Matthews of San Benito, Mordecai, O'Keefe, Owen, Pendleton, Perkins, Pueschel, Schroebel, Simpson, Sims, Taggart, Talbott, Taylor, Thomas of Nevada, Tindall, Vann, and Mr. Speaker—40.

Mr. McCauley moved that a select committee of one be appointed by the Speaker to amend Assembly Bill No. 403, as follows:

Amend by adding, after the word "destroy," in section one, line twenty-three, the words: "or have in his possession."

Lost.

Also: Amend by inserting the following after the word "fawn," in line twenty-three, section one: "or any deer, elk, antelope, or mountain sheep not bearing horns."

Lost.

Also: Amend by striking out of section one all of lines forty-six, forty-seven, forty-eight, forty-nine, and fifty.

Lost.

Also: Amend by adding after the word "duck," in section one, line sixty-one, the following "at times when it is unlawful to take or kill such animals or birds in the State of California"

Lost.

Mr. Lynch in the chair.

Also: Amend by striking out of section one all of lines sixty-nine, seventy, seventy-one, seventy-two, seventy-three, and seventy-four

The ayes and noes were demanded by Messrs. McCauley, Jacobsen, and Wade.

The roll was called, and the amendment lost by the following vote:

AYES—Messrs. Adams, Barlow, Bennett of Orange, Blakeley, Boyce, Brownlie, Buckley, Burke, Casterline, Conway, Cusick, Duffy, Gallagher, Gately, Hendrickson, Hurley, Kahn, Luttringer, McCauley, McElroy, McGowan, Marks, O'Neill, Sargent, Shanahan, Thomas of Santa Clara, and Wade—27.

NOES—Messrs. Alford, Anderson, Androus, Barker, Bennett of Santa Clara, Bledsoe, Bretz, Bulla, Carlson, Chipman, Curtis, Dodge, Drees, Duckworth, Durst, Emeric, Finlayson, Godchaux, Hamilton, Hutson, Jacobs, Jacobsen, Johnson of Humboldt, Johnson of Santa Clara, Kerns, Lynch, Mack, Marston, Mathews of Tehama, Matthews of San Benito, Miller, Mordecai, O'Keefe, Owen, Pendleton, Perkins, Pueschel, Raw, Schroebel, Simpson, Sims, Taggart, Talbott, Taylor, Tindall, Vann, and Mr. Speaker—47.

MOTION.

Mr. McCauley moved that a select committee of one be appointed by the Speaker to amend Assembly Bill No. 403—An Act to amend section six hundred and twenty-six of the Penal Code, relating to the preservation of game birds and animals, and providing punishment for the unlawful taking, killing, and transportation thereof—as follows:

Amend by adding the following clause after line seventy-six, in section one:
"Every person who shall use a shotgun of a larger caliber than that commonly known and designated as number ten-gauge, for the purpose of killing or destroying any wild duck, rail, quail, partridge, pheasant, or grouse, shall be guilty of a misdemeanor."

The ayes and noes were demanded by Messrs. Shanahan, McElroy, and McCauley.

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

AYES—Messrs. Adams, Alford, Barlow, Bennett of Santa Clara, Blakeley, Bledsoe, Boyce, Bretz, Brownlie, Buckley, Bulla, Casterline, Dodge, Drees, Duffy, Finlayson, Gallagher, Gately, Hamilton, Hendrickson, Hurley, Hutson, Jacobsen, Johnson of Humboldt, Kahn, Kerns, Luttringer, McCauley, McElroy, Mack, Marks, Marston, Matthews of San Benito, Miller, O'Neill, Raw, Sargent, Shanahan, Simpson, Sims, Taggart, Thomas of Santa Clara, Tindall, Vann, Wade, and Mr. Speaker—46.

NOES—Messrs. Anderson, Bennett of Orange, Burke, Carlson, Chipman, Conway, Curtis, Cusick, Duckworth, Durst, Emeric, Godchaux, Jacobs, Johnson of Santa Clara, Lynch, Mathews of Tehama, Mordecai, O'Keefe, Owen, Pendleton, Perkins, Pueschel, Schroebel, Talbott, and Taylor—25.

APPOINTMENT OF COMMITTEE.

Mr. McCauley was appointed such committee to make said amendment.

REPORT OF SELECT COMMITTEE.

ASSEMBLY CHAMBER, SACRAMENTO, February 14, 1893.

MR. SPEAKER: Your select committee, to whom was referred Assembly Bill No 403, with instructions to amend in accordance with the action of the House, would respectfully report that the instructions of the House have been carried out.

McCAULEY, Committee.

Report adopted.

MOTION.

Mr. McCauley moved that a select committee of one be appointed by the Speaker to amend Assembly Bill No. 403—An Act to amend section six hundred and twenty-six of the Penal Code, relating to the preservation of game birds and animals, and providing punishment for the unlawful taking, killing, and transportation thereof—as follows:

Amend by adding after the word "any," in line seventy-seven, section one, the following "inclosed or cultivated"

The ayes and noes were demanded by Messrs. Shanahan, Conway, and Cusick.

The roll was called, and the amendment lost by the following vote:

AYES—Messrs Adams, Barlow, Bennett of Orange, Blakeley, Boyce, Bretz, Brownlie, Burke, Conway, Cusick, Gallagher, Gately, Hendrickson, Kahn, Luttringer, McCauley, McElroy, Marks, O'Neill, Pueschel, Sargent, Shanahan, Thomas of Santa Clara, Vann, and Wade—25.

NOES—Messrs. Alford, Anderson, Androus, Barker, Bennett of Santa Clara, Bulla, Carlson, Chipman, Curtis, Dodge, Drees, Duckworth, Duffy, Durst, Emeric, Finlayson, Godchaux, Hamilton, Hutson, Jacobs, Jacobsen, Johnson of Humboldt, Johnson of Santa Clara, Kerns, LaRue, Lynch, Mack, Marston, Matthews of San Benito, Miller, Mordecai, O'Keefe, Owen, Pendleton, Perkins, Schroebel, Sims, Talbott, Taylor, Thomas of Nevada, Tindall, and Mr. Speaker—42.

MOTION.

Mr. McCauley moved that a select committee of one be appointed by the Speaker to amend Assembly Bill No. 403, as follows:

Amend by adding after the phrase "who shall permit such dogs to run at large on grounds inhabited by deer," in line eighty-two, section one, the following: "unless such dogs are accompanied by a hunter or hunting party, who shall not turn loose more than two dogs."

Lost.

Bill ordered to the printer.

Mr. Anderson moved that the further consideration of the bill be made a special order for Thursday at eleven o'clock A. M.

So ordered.

REPORT OF JOINT COMMITTEE.

To the Senate and Assembly of the State of California:

Your joint committee appointed to make the necessary arrangements for a joint session of the Legislature, memorializing the death of James G. Blaine, respectfully report as follows:

Both houses of the Legislature shall assemble at ten o'clock and thirty minutes A. M on Wednesday, February 22, 1893, in joint memorial session, when and where the following programme of exercises shall be carried out.

1. Reading and adoption of memorial resolutions.
2. Song, male choir.
3. Invocation, Rev. J. L. Levy.
4. Song, male choir.
5. Memorial address, Senator G. G. Goucher.
6. Song, male choir.
7. Benediction

Your committee recommends that Senators and Assemblymen meet at ten o'clock in the Senate Chamber, and from thence enter the Assembly Chamber two by two, in the following order:

1. President of Senate and Speaker of Assembly
2. Senators
3. Assemblymen.

Your committee recommends further that the Sergeant-at-Arms of each house be instructed to arrange and provide seats in the Assembly Chamber for the occasion.

And your committee further requests that they be authorized to incur such expenses as may be necessary for said memorial exercises, the same to be paid equally from the Contingent Fund of each house.

FINLAYSON.
BUCKLEY.
LYNCH
FLINT.
GESFORD
MAHER

Adopted.

REPORT OF STANDING COMMITTEE.

ON PUBLIC EXPENDITURES AND ACCOUNTS.

ASSEMBLY CHAMBER, SACRAMENTO, February 14, 1893.

MR. SPEAKER: Your Committee on Public Expenditures and Accounts, to whom was referred Assembly resolution relative to pay of traveling committees, beg leave to report that they have had the same under consideration, and recommend the adoption of the following resolution:

Resolved, That C. W. Tindall, H. C Chipman, J M. Marks, J Brownlie, members; also, Julius Kahn and J. C. Sims, added to committee, and J M. McClure, Clerk, the Committee on State Hospitals, who were directed to visit the Mendocino Insane Asylum at Ukiah, also the Home for the Care and Training of Feeble-Minded Children, at Glen Ellen, Sonoma County, are allowed mileage for the following amounts, distance traveled going and coming four hundred and forty-four miles, making for each the sum of forty-four dollars and forty cents, and that the State Controller is hereby directed to draw his warrants in favor of—

C. W. Tindall, for	$44 40
H C. Chipman, for	44 40
J M. Marks, for	44 40
J. Brownlie, for	44 40
Julius Kahn, for	44 40
J C. Sims, for	44 40
J. M. McClure, for	44 40

On the Contingent Fund of the Assembly, and the State Treasurer is authorized to pay the same

J. H MATTHEWS, Chairman.

Adopted.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, February 14, 1893.

MR. SPEAKER: Your Committee on Public Expenditures and Accounts, to whom was referred report of Sub-committee on Hospitals, have had the same under consideration, and recommend the adoption of the following resolution:

Resolved, That the Controller be and he is hereby directed to draw his warrant for the sum of four hundred and seventy-two dollars ($472) in favor of G. W. Mordecai, Chairman of the Hospitals Committee, payable out of the Contingent Fund of the Assembly, and the State Treasurer is authorized to pay the same.

J. H. MATTHEWS, Chairman.

Mr. Mordecai moved the following substitute for the report:

ASSEMBLY CHAMBER, SACRAMENTO, February 14, 1893.

MR. SPEAKER: By authority of this House, a sub-committee of the Hospitals Committee, consisting of two members and a clerk, visited the Southern California Asylum for the Insane, and two members visited the Whittier Reform School. The distance to the Southern California Asylum for the Insane is five hundred and forty-four miles, and there is due to the sub-committee visiting that institution three hundred and twenty-six dollars and forty cents for mileage. The distance to the Whittier Reform School is five hundred miles, and there is due to the sub-committee for their visit to that institution two hundred dollars for mileage.

The adoption of the following resolution is therefore recommended:

Resolved, That the Controller be and he is hereby directed to draw his warrant for the sum of five hundred and twenty-six dollars and forty cents, in favor of G. W. Mordecai, Chairman of the Hospitals Committee, payable out of the Contingent Fund of the Assembly, and the State Treasurer is authorized to pay the same.

MORDECAI, Chairman.

Adopted.

INTRODUCTION OF BILLS.

By Mr. Godchaux: Assembly Bill No. 763—An Act to amend section three hundred and sixty-one of the Civil Code, relating to the consolidation of corporations, and to repeal section four hundred and seventy-three of the Civil Code.

Referred to Committee on Corporations.

By Mr. Simpson: Assembly Bill No. 764—An Act to amend "An Act to establish a uniform system of county and township governments," approved March 31, 1891, relating to appropriations by counties for the purpose of securing and maintaining an adequate exhibition of the products of such county at the World's Columbian Exhibition to be held in Chicago, by amending subdivision forty of section twenty-six of said Act.

Referred to Committee on County and Township Governments.

REPORT OF STANDING COMMITTEE.

ON ENGROSSMENT.

ASSEMBLY CHAMBER, SACRAMENTO, February 14, 1893

MR. SPEAKER: Your Committee on Engrossment begs leave to report that it finds the following Assembly Bills correctly engrossed:

Assembly Bill No. 153—An Act to amend section six and section eight of an Act approved March 19, 1889, entitled "An Act authorizing the incurring of indebtedness by cities, towns, and municipal corporations, incorporated under the laws of this State, for the construction of waterworks, sewers, and all necessary public improvements, or for any purpose whatever," and to repeal the Act approved March 9, 1885, entitled "An Act to authorize municipal corporations of the fifth class, containing more than three thousand and less than ten thousand inhabitants, to obtain waterworks;" also, to repeal an Act approved March 15, 1887, entitled "An Act authorizing the incurring of indebtedness by cities, towns, and municipal corporations incorporated under the laws of this State"

Also: Assembly Bill No. 143—An Act to regulate the rate of interest in this State

DUFFY, for Chairman.

ADJOURNMENT.

At four o'clock and fifty-five minutes P. M., on motion of Mr. Luttringer, the Assembly adjourned.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Wednesday, February 15, 1893.

The Assembly met pursuant to adjournment.

Speaker Gould in the chair.

The roll was called, and the following members answered to their names:

Messrs. Adams, Alford, Anderson, Androus, Barker, Barlow, Bennett of Santa Clara, Bennett of Orange, Blakeley, Bledsoe, Boyce, Bretz, Brownlie, Buckley, Bulla, Burke, Carlson, Casterline, Chipman, Conway, Curtis, Cusick, Dodge, Drees, Duckworth, Duffy, Durst, Emeric, Finlayson, Gallagher, Gately, Godchaux, Hendrickson, Hurley, Hutson, Jacobs, Jacobsen, Johnson of Humboldt, Johnson of Santa Clara, Kennedy, Kahn, Kerns, LaRue, Luttringer, Lynch, McCauley, McElroy, McGowan, Mack, Marks, Marston,

Mathews of Tehama, Matthews of San Benito, Miller, Mordecai, O'Keefe, O'Neill, Pendleton, Perkins, Pueschel, Raw, Sargent, Schlesinger, Schroebel, Shanahan, Simpson, Sims, Taggart, Talbott, Taylor, Thomas of Nevada, Thomas of Santa Clara, Tindall, Vann, Wade, and Mr Speaker.

Quorum present.

PRAYER.

Prayer by the Chaplain, Rev. H. W. Conry.

READING AND APPROVAL OF THE JOURNAL.

Pending the reading of the Journal of yesterday, Mr. Schlesinger moved that the further reading be dispensed with.

So ordered.

Journal of Monday, February 13th, approved.

LEAVE OF ABSENCE.

The Committee on Ways and Means was granted leave to sit this day.

Mr. Jacobs was granted leave of absence for the morning.

PETITIONS.

By Mr. Drees: From grape growers and wine makers of Sonoma County, requesting the maintenance of the State Viticultural Commission.

Referred to Committee on Viniculture, Viticulture, and Horticulture.

By Mr. Schlesinger: From wholesale liquor dealers of San Francisco, requesting the maintenance of the State Viticultural Commission.

Referred to Committee on Viniculture, Viticulture, and Horticulture.

REPORTS OF STANDING COMMITTEES.

ON VINICULTURE, VITICULTURE, AND HORTICULTURE.

ASSEMBLY CHAMBER, SACRAMENTO, February 15, 1893

MR. SPEAKER: Your Committee on Viniculture, Viticulture, and Horticulture, to whom was referred Assembly Bill No 690—An Act to repeal an Act for the promotion of the viticultural industries of the State, approved April 15, 1880—have had the same under consideration, and respectfully report the same back, and recommend that it do not pass.

HUTSON, Chairman.

ON IRRIGATION.

ASSEMBLY CHAMBER, SACRAMENTO, February 14, 1893.

MR. SPEAKER: Your Committee on Irrigation, to whom was referred Assembly Bill No. 236—An Act to amend an Act entitled "An Act to provide for the organization and government of irrigation districts, and to provide for the acquisition of water and other property, and for the distribution of water thereby for irrigation purposes," approved March 7, 1887, by amending sections fifteen and thirty thereof—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended

CARLSON, Chairman.

ON STATE HOSPITALS.

ASSEMBLY CHAMBER, SACRAMENTO, February 14, 1893

MR. SPEAKER: Your Committee on State Hospitals, to whom was referred Assembly Bill No. 728—An Act to amend section three thousand and five of the Political Code, and providing for the appointment of a Board of Health for the City and County of San Francisco—have had the same under consideration, and respectfully report the same back, and recommend that it do pass

MORDECAI, Chairman.

ON PUBLIC BUILDINGS AND GROUNDS

ASSEMBLY CHAMBER, SACRAMENTO, February 14, 1893.

MR. SPEAKER: Your Committee on Public Buildings and Grounds, to whom was referred Assembly Bill No. 714—An Act relating to the erection, construction, and repairs of public buildings in this State, or in any counties of this State—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

CURTIS, Chairman.

ON LABOR AND CAPITAL.

ASSEMBLY CHAMBER, SACRAMENTO, February 14, 1893.

MR. SPEAKER. Your Committee on Labor and Capital, to whom was referred Assembly Joint Resolution No. 23—Relative to the immigration of Japanese laborers—have had the same under consideration, and respectfully report the same back, and recommend that the same be adopted.

Also: Assembly Bill No. 715—An Act to prevent corporations or companies discriminating against employés—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

Also: Assembly Bill No. 615—An Act to provide for the establishment and maintenance, under the direction of the Bureau of Labor Statistics, of free public employment offices—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended, by adding section seven, that this take effect after its passage.

Also. Assembly Bill No. 694—An Act to insure preference in the appointment, employment, and retention therein, in the public service of the State of California, and municipalities, villages, and counties of the State of California, to ex-Union soldiers of the late war—have had the same under consideration, and respectfully report the same back, and recommend that it do pass

CONWAY, Chairman.

ON CORPORATIONS

ASSEMBLY CHAMBER, SACRAMENTO, February 15, 1893

MR SPEAKER: Your Committee on Corporations, to whom was referred Assembly Bill No 94—An Act to amend sections three hundred and seven, three hundred and twelve, and three hundred and fourteen of the Civil Code—have had the same under consideration, and having amended the same, respectfully report the same back, and recommend that it do pass as amended

Also: Assembly Bill No. 421—An Act to amend sections three hundred and seven and three hundred and twelve of an Act entitled "An Act to establish a Civil Code," approved March 21, 1872, relating to the better protection of stockholders of corporations, and providing a penalty for the violation of the provisions thereof—have had the same under consideration, and respectfully report the same back, and recommend that the author be allowed to withdraw the same.

Also· Assembly Bill No. 410—An Act to amend section two thousand one hundred and sixty-eight of the Civil Code, relating to common carriers—have had the same under consideration, and respectfully report the same back, and recommend that it do not pass.

Also· Assembly Bill No 59—An Act to amend section three hundred and sixty-two of the Civil Code, relating to amending articles of incorporation.

Also. Assembly Bill No 367—An Act prescribing the qualification of Presidents, Directors, officers, and employés of corporations, and providing a penalty for corporations willfully violating its provisions

Also. Assembly Bill No. 490—An Act to declare arrangements, contracts, agreements, trusts, or combinations in restraint of trade and production unlawful, and to fix the penalty therefor.

Also: Assembly Bill No. 697—An Act relating to the operation of railroads

Also· Assembly Bill No. 716—An Act to compel corporations to have as their chief representatives citizens of the United States.

Also: Senate Bill No. 538—An Act to repeal an Act entitled "An Act concerning corporations and persons engaged in the business of banking," approved April 1, 1876

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass

Also. Assembly Bill No 58—An Act to provide for the punishment of persons, co-partnerships, or corporations forming pools, trusts, and combines, and mode of procedure and rules of evidence in such cases

Also: Assembly Bill No. 424—An Act for the better protection of the stockholders in corporations doing business in the State of California, formed for any purpose whatsoever.

Also· Assembly Bill No. 451—An Act to declare what constitutes insurance companies, and to define their duties, and to provide for an annual statement of their business

Have had the same under consideration, and respectfully report the same back without recommendation

ALFORD, Chairman.

Mr. Cusick, on his motion, was allowed to withdraw Assembly Bill No. 421.

ON CLAIMS.

ASSEMBLY CHAMBER, SACRAMENTO, February 15, 1893.

MR. SPEAKER: Your Committee on Claims, to whom was referred Assembly Bill No. 588—An Act to appropriate money to pay the claim of Charlotte M. Holman

Also: Assembly Bill No. 562—An Act making an appropriation for reimbursing the county of Marin for moneys expended by it for the prosecution of crimes committed within the State Prison at San Quentin, and for inquest held over the bodies of convicts who have died within said prison

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

BURKE, Chairman.

Assembly Bills Nos. 588 and 562 re-referred to Committee on Ways and Means.

ON MUNICIPAL CORPORATIONS

ASSEMBLY CHAMBER, SACRAMENTO, February 15, 1893.

MR SPEAKER Your Committee on Municipal Corporations, to whom was referred Assembly Bill No 393—An Act to amend section seven hundred and ninety of an Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883

Also: Assembly Bill No 691—An Act relating to Treasurers, their deputies and clerks, in counties, and cities and counties, having a population of two hundred thousand inhabitants or over.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

Also: Assembly Bill No 351—An Act to amend section eight hundred and sixty-two of an Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883—have had the same under consideration, and respectfully report the same back without recommendation

Also: Assembly Bill No 199—An Act amending section four of an Act entitled "An Act to establish a uniform system of county and township governments," approved March 31, 1891, adding to said Act new sections, to be known and designated, respectively, as sections number one hundred and twenty-one and one half and one hundred and fifty-four and one half, amending sections three thousand six hundred and fifty, three thousand six hundred and seventy-one, three thousand six hundred and seventy-three, three thousand six hundred and seventy-eight, three thousand seven hundred and thirty, three thousand seven hundred and thirty-one, three thousand seven hundred and thirty-four, three thousand seven hundred and fifty-three, three thousand seven hundred and fifty-six, three thousand seven hundred and sixty-three, three thousand seven hundred and sixty-eight, three thousand seven hundred and seventy-nine, three thousand eight hundred and four, three thousand eight hundred and sixteen, three thousand eight hundred and seventeen, three thousand eight hundred and ninety-eight, and three thousand nine hundred of the Political Code of the State of California, and adding to said Political Code new sections, to be known and designated, respectively, as sections number three thousand seven hundred and thirty-nine and three thousand eight hundred and nineteen, for the purpose of providing for the assessment of property for taxation, and the collection, accounting, and paying over of the taxes of cities and municipal corporations by county officers.

Also: Assembly Bill No. 200—An Act to provide for the assessment of property for taxation, and the collection, accounting, and paying over of the taxes of cities and municipal corporations by county officers

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

BUCKLEY, Chairman.

ON CRIMES AND PENALTIES.

ASSEMBLY CHAMBER, SACRAMENTO, February 15, 1893.

MR SPEAKER Your Committee on Crimes and Penalties, to whom was referred Assembly Bill No 382—have had the same under consideration, and respectfully report the same back, and recommend that it do pass, with the following amendment: On line eight, after the word "grain," insert the words: "to an amount exceeding (150) one hundred and fifty pounds"

LUTTRINGER, Chairman.

MESSAGE FROM THE SENATE.

SENATE CHAMBER, SACRAMENTO, February 13, 1893.

MR SPEAKER: I am directed to inform your honorable body that the Senate, on the tenth day of February, 1893, passed Senate Bill No 74—An Act to amend an Act entitled "An Act to establish a Political Code," approved March 12, 1872, by adding a new section

thereto, to be known as section three thousand two hundred and forty-five and one half, relating to the payment of persons employed under the provisions of section three thousand two hundred and forty-five of said Political Code

F. J. BRANDON, Secretary.
By R. SHAW, Assistant.

Senate Bill No. 74 referred to Committee on Labor and Capital.

INTRODUCTION OF BILLS.

The following bills were introduced, read by title, and referred to committees, as follows:

By Mr. Anderson: Assembly Bill No. 765—An Act making an appropriation to pay the claim of Charles L. Wilson for reward for the arrest of Joe Foster for stage robbery, committed November, 1876, conviction of said Joe Foster having been prevented by his death, caused by wounds inflicted in making his arrest.

Referred to Committee on Claims.

Also: Assembly Bill No. 766—An Act making an appropriation to pay the claim of Charles L. Wilson for reward for the arrest and conviction of Thomas Brown for stage robbery, committed November 13, 1876.

Referred to Committee on Claims.

By Mr. Duffy: Assembly Bill No. 767—An Act to amend sections three thousand nine hundred and nine, three thousand nine hundred and thirteen, and three thousand nine hundred and fourteen, and to repeal section three thousand nine hundred and ten of the Political Code, entitled "An Act defining the boundaries of Del Norte County."

Referred to Committee on Counties and County Boundaries.

By Mr. Bulla: Assembly Bill No. 768—An Act to amend section one thousand two hundred and fourteen of an Act entitled "An Act to establish a Civil Code," approved March 21, 1872, relating to the recording of conveyances.

Referred to Committee on Judiciary.

By Mr. Schlesinger: Assembly Bill No. 769—An Act relative to the insurance of property belonging to the State.

Referred to Committee on Public Expenditures and Accounts.

By Mr. Gately: Assembly Bill No. 770—An Act relating to the employment of laborers and mechanics by the government of the State of California, or of any county, city, or town of the State, or by any contractor or sub-contractor.

Referred to Committee on Labor and Capital.

By Mr. Adams: Assembly Bill No. 771—An Act relative to amending section one hundred and seventy-six of the County Government Act.

Referred to Committee on County and Township Governments.

RESOLUTION.

By Mr. Cusick:

Resolved, That Joseph Currington be and is hereby appointed Assistant Engrossing Clerk, at a salary of five dollars per diem, to be paid out of the appropriation for the contingent expenses of the Assembly

Referred to Committee on Attachés and Employés.

MOTION.

Mr. Finlayson moved to take up the resolution relative to R. B. Nathan, which was reported back without recommendation by the Committee on Attachés and Employés on last Thursday.

So ordered.

RESOLUTION.

By Mr. Finlayson:

Resolved, That R. B. Nathan be and he is hereby appointed Assistant Engrossing Clerk, to assist the Engrossing Clerk, at the same per diem as is now paid to the other clerks, payable out of the Contingent Fund of the Assembly.

Adopted.

MOTION.

Mr. Miller moved that the consideration of Assembly Bill No. 352 be made a special order for to-morrow at two o'clock P. M.

So ordered.

INTRODUCTION OF BILLS.

The following bills were introduced, read by title, and referred to committees, as follows:

By Mr. Barlow: Assembly Bill No. 772—An Act entitled "An Act to establish a Civil Code," approved March 21, 1872, and to add a new section thereto, to be numbered section one thousand six hundred and seventy-seven, relating to unlawful contracts.

Referred to Committee on Judiciary.

By Mr. Alford: Assembly Bill No. 773—An Act creating a Board of Commissioners of the Building and Loan Associations, and prescribing their duties and powers.

Referred to Committee on Corporations.

Mr. Bledsoe in the chair.

MOTIONS.

Mr. Vann moved that Assembly Bill No. 365 be taken up, read the second time, and be made the special order for to-morrow at two o'clock P. M.

Lost.

Mr. Conway moved that Assembly Bill No. 487 be recommitted to the Committee on Labor and Capital.

So ordered.

SPECIAL FILE.

Assembly Bill No. 192—An Act to provide for the building and furnishing of three cottages for use as residences of the Resident Physician and two Assistant Physicians at the Napa State Asylum for the Insane, and making an appropriation therefor.

Passed on file.

Assembly Bill No. 363—An Act making an appropriation for the erection of an additional building for the State Normal School at San José.

Passed on file.

Assembly Bill No. 2—An Act making an appropriation to pay the deficiencies in the appropriation for costs and expenses of suits in which the State is a party in interest, for the fortieth, forty-first, forty-second, and forty-third fiscal years.

Ordered engrossed and to a third reading.

Assembly Bill No. 36—An Act to appropriate money for the survey, location, and construction of a free wagon road from the town of Mariposa, in Mariposa County, to the Yosemite Valley.

MOTION.

Mr. Marston moved that the Assembly resolve itself into Committee of the Whole, with Mr. Bledsoe in the chair, for the purpose of considering Assembly Bill No. 36.

So ordered.

IN COMMITTEE OF THE WHOLE.

Mr. Bledsoe in the chair.

Assembly Bill No. 36 was considered in Committee of the Whole.

IN ASSEMBLY.

Mr. Bledsoe in the chair.

REPORT OF THE COMMITTEE OF THE WHOLE.

Mr. Bledsoe stated the report of the Committee of the Whole, as follows:

GENTLEMEN: The Committee of the Whole have had under consideration Assembly Bill No. 36—An Act to appropriate money for the survey, location, and construction of a free wagon road from the town of Mariposa, in Mariposa County, to the Yosemite Valley—and now report, and recommend that the same do pass

AMENDMENTS.

Mr. Gould moved to amend Assembly Bill No. 36, as follows:

By striking out of section two, line five, the word "three," and inserting the word "two."

Adopted.

Also: Amend by striking out of section three, line five, the word "eighteen," and inserting the word "twelve."

Adopted.

Also Amend by striking out of section four, line five, the word "eighteen," and inserting the word "twelve."

Adopted.

Also. Amend by striking out of section five, line five, the word "eighteen," and inserting the word "twelve"

Adopted.

Also: Amend by striking out of section six, line five, the word "eighteen," and inserting the word "twelve."

Adopted.

Mr. Raw moved to amend as follows:

By inserting the following after the word "county," line two, section six: "for the State of California."

Lost.

The question being, "Shall the bill be ordered engrossed and to a third reading?"

The ayes and noes were demanded by Messrs. Thomas of Santa Clara, Barlow, and Bretz.

The roll was called, and the bill ordered engrossed and to a third reading by the following vote:

AYES—Messrs. Alford, Anderson, Androus, Barker, Bennett of Santa Clara, Blakeley, Bledsoe, Buckley, Bulla, Burke, Carlson, Casterline, Chipman, Conway, Drees, Duckworth, Durst, Gallagher, Godchaux, Hendrickson, Jacobsen, Johnson of Humboldt, Johnson of Santa Clara, Kahn, Kerns, LaRue, Lynch, McGowan, Marston, Mathews of Tehama, Miller, Mordecai, Pueschel, Raw, Schroebel, Sims, Talbott, Taylor, Thomas of Nevada, Tindall, and Mr. Speaker—41.

NOES—Messrs. Adams, Barlow, Bennett of Orange, Boyce, Bretz, Brownlie, Curtis, Cusick, Dodge, Duffy, Finlayson, Gately, Hurley, Hutson, Luttringer, McCauley, McElroy, Marks, Matthews of San Benito, O'Keefe, O'Neill, Perkins, Sargent, Schlesinger, Shanahan, Simpson, Thomas of Santa Clara, Vann, and Wade—29

SPECIAL FILE.

Assembly Bill No. 720—An Act authorizing the State Controller and State Treasurer to transfer from the State School Fund to the State School Land Fund the sum of one hundred and eighty-nine thousand four hundred and twenty-six dollars and fifty-eight cents.

Read first time, and placed on file for second reading.

Senate Bill No. 28—An Act making an appropriation to pay the deficiency in the appropriation for the State Board of Forestry for the thirty-eighth, forty-second, and forty-third fiscal years.

Passed on file.

Assembly Bill No. 737—An Act to provide for the payment of interest on the outstanding bonds of the State of California, held in trust for the University Fund and the State School Fund; to continue in force so much of an Act entitled "An Act to provide for the payment of the funded indebtedness of the State of California, and to contract a funded debt for that purpose," approved April 2, 1870, as is not in conflict with this Act; to repeal an Act of the Legislature of the State of California, approved March 4, 1881, entitled "An Act to appropriate money to reimburse the University of California for moneys heretofore appropriated to the Endowment Fund thereof, which moneys have, by mistake, been withheld therefrom and appropriated to other State expenses," and making an appropriation to pay the interest on said outstanding bonds from January 1 to July 1, 1893.

Read first time, and placed on file for second reading.

Speaker Gould in the chair.

REPORT OF STANDING COMMITTEE.

ON PUBLIC BUILDINGS AND GROUNDS.

ASSEMBLY CHAMBER, SACRAMENTO, February 15, 1893.

MR. SPEAKER: Your Committee on Public Buildings and Grounds, to whom was referred Senate Bill No. 5—An Act providing for the selection, condemnation, and purchase of a suitable site, and the erection thereon of a State building, in San Francisco, and making an appropriation therefor—have had the same under consideration, and respectfully report the same back, and recommend that it do pass

CURTIS, Chairman.

Senate Bill No. 5 re-referred to Committee on Ways and Means.

Assembly Bill No. 185—An Act to amend section three thousand seven hundred and seventy-three of the Political Code, relating to the sale of property for delinquent taxes.

Read third time, and passed by the following vote:

AYES—Messrs. Adams, Alford, Anderson, Androus, Barker, Barlow, Bennett of Orange, Blakeley, Bledsoe, Boyce, Bretz, Brownlie, Buckley, Bulla, Burke, Carlson, Casterline, Chipman, Curtis, Cusick, Dodge, Drees, Duckworth, Duffy, Durst, Finlayson, Gately, Godchaux, Hendrickson, Hurley, Hutson, Jacobsen, Johnson of Humboldt, Kerns, Lynch, McCauley, McElroy, McGowan, Mack, Marston, Matthews of San Benito, Miller, O'Neill, Pendleton, Perkins, Pueschel, Raw, Schlesinger, Taggart, Talbott, Taylor, Thomas of Nevada, Thomas of Santa Clara, Vann, Wade, and Mr. Speaker—56

NOES—None.

Title read and approved.

Senate Bill No. 49—An Act to appropriate money for the erection of a monument at Donner Lake, Nevada County, California, to the memory of the Donner party.

Read third time, and passed by the following vote:

AYES—Messrs Alford, Anderson, Androus, Barker, Blakeley, Brownlie, Bulla, Burke, Carlson, Casterline, Chipman, Conway, Cusick, Dodge, Duckworth, Duffy, Durst, Gallagher, Gately, Godchaux, Hendrickson, Jacobsen, Johnson of Santa Clara Kahn, Kerns, LaRue, Luttringer, Lynch, McCauley, McElroy, McGowan, Mack, Marks, Marston, Mathews of Tehama, Miller, Mordecai, O'Keefe, O'Neill, Pendleton, Perkins, Pueschel, Raw, Schlesinger, Simpson, Sims, Taggart, Talbott, Taylor, Thomas of Nevada, Tindall, Vann, and Wade—53

NOES—Messrs. Adams, Barlow, Bennett of Orange, Bledsoe, Bretz, Finlayson, Hurley, Hutson, Johnson of Humboldt, Matthews of San Benito, and Thomas of Santa Clara—11.

Title read and approved.

Assembly Bill No. 169—An Act to cede jurisdiction to the United States over certain lands.

Passed on file, on motion of Mr. Finlayson.

Assembly Bill No 153—An Act to amend section six and section eight of an Act approved March 19, 1889, entitled "An Act authorizing the incurring of indebtedness by cities, towns, and municipal corporations, incorporated under the laws of this State, for the construction of waterworks, sewers, and all necessary public improvements, or for any purpose whatever;" and to repeal the Act approved March 9, 1885, entitled "An Act to authorize municipal corporations of the fifth class, containing more than three thousand and less than ten thousand inhabitants to obtain waterworks;" also, to repeal an Act approved March 15, 1887, entitled "An Act authorizing the incurring of indebtedness by cities, towns, and municipal corporations incorporated under the laws of this State."

Passed on file, on motion of Mr. Bulla.

Assembly Bill No. 158—An Act to amend section two thousand six hundred and fifty-three of the Political Code, relating to the levy of road tax.

Passed on file, on motion of Mr. Adams.

Assembly Bill No. 270—An Act to establish a Naval Battalion, to be attached to the National Guard of California.

Passed on file, on motion of Mr. Schlesinger.

Assembly Bill No. 162—An Act to add a new section to the Code of Civil Procedure of California, to be known as section one thousand six

hundred and nineteen, relating to the commissions of the executor, or the administrator, with the will annexed, in cases where the administration is, by the terms of the will, and in consequence thereof, extended beyond four years.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Adams, Anderson, Androus, Barker, Bennett of Santa Clara, Bennett of Orange, Blakeley, Bledsoe, Bretz, Brownlie, Bulla, Burke, Carlson, Casterline, Chipman, Cusick, Dodge, Duckworth, Duffy, Durst, Finlayson, Gallagher, Gately, Godchaux, Hendrickson, Hurley, Hutson, Johnson of Humboldt, Johnson of Santa Clara, Kerns, Luttringer, Lynch, McElroy, McGowan, Mack, Marks, Marston, Mordecai, O'Keefe, Perkins, Pueschel, Raw, Sargent, Schlesinger, Schroebel, Simpson, Taggart, Talbott, Taylor, Thomas of Nevada, Thomas of Santa Clara, Vann, Wade, and Mr. Speaker—54.

NOES—None.

Title read and approved.

Assembly Bill No. 143—An Act to regulate the rate of interest in this State.

Read third time.

Pending discussion on the passage of the bill, the hour of recess having arrived, the Speaker declared recess until two o'clock P. M.

REASSEMBLED.

The Assembly reassembled at two o'clock P. M.

Speaker Gould in the chair.

Quorum present.

ASSEMBLY BILL No 143.

The question being upon the passage of Assembly Bill No. 143—An Act to regulate the rate of interest in this State.

PREVIOUS QUESTION.

Mr. Duckworth moved the previous question, seconded by Messrs. Dodge and O'Keefe.

The question being, "Shall the main question be now put?" it was so ordered.

Mr. Bledsoe moved a call of the House, seconded by Messrs. Vann and Barlow.

Lost.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Adams, Alford, Androus, Barlow, Bennett of Santa Clara, Bennett of Orange, Bledsoe, Boyce, Bretz, Bulla, Burke, Carlson, Casterline, Conway, Cusick, Dodge, Duckworth, Duffy, Gallagher, Hendrickson, Hurley, Jacobsen, Johnson of Humboldt, Johnson of Santa Clara, Kerns, Luttringer, Lynch, McCauley, McElroy, McGowan, Marston, Matthews of San Benito, Mordecai, O'Keefe, Perkins, Pueschel, Sargent, Schlesinger, Schroebel, Shanahan, Taggart, Talbott, Thomas of Santa Clara, Vann, and Mr. Speaker—45

NOES—Messrs Anderson, Brownlie, Chipman, Curtis, Drees, Durst, Finlayson, Gately, Godchaux, Hutson, Jacobs, Mack, Marks, Miller, O'Neill, Pendleton, Simpson, Sims, Thomas of Nevada, Tindall, and Wade—21

Title read and approved.

MOTIONS.

Mr. Bledsoe moved that the bill be immediately transmitted to the Senate.

So ordered.

Mr. Finlayson moved that Committee Substitute for Assembly Bill No. 679 be printed and laid upon the desks of the members.

So ordered.

THIRD READING OF BILLS.

Assembly Bill No. 82—An Act to amend sections one thousand three hundred and three, one thousand three hundred and twenty-three, one thousand three hundred and sixty-five, one thousand three hundred and eighty-eight, one thousand four hundred and thirty-nine, one thousand five hundred and sixteen, one thousand five hundred and seventeen, one thousand five hundred and thirty-six, one thousand five hundred and forty-five, one thousand five hundred and forty-seven, 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 fifty-two, one thousand five hundred and fifty-three, one thousand five hundred and fifty-four, one thousand five hundred and fifty-seven, one thousand five hundred and fifty-eight, one thousand five hundred and sixty-five, one thousand five hundred and ninety-two, one thousand five hundred and ninety-seven, one thousand five hundred and ninety-eight, one thousand five hundred and ninety-nine, and one thousand six hundred and eighteen, and to repeal sections one thousand five hundred and eighteen, one thousand five hundred and nineteen, one thousand five hundred and twenty-two, one thousand five hundred and twenty-three, one thousand five hundred and twenty-four, 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-three, one thousand five hundred and thirty-seven, one thousand five hundred and thirty-eight, one thousand five hundred and thirty-nine, one thousand five hundred and forty, one thousand five hundred and forty-one, one thousand five hundred and forty-two, one thousand five hundred and forty-three, one thousand five hundred and forty-four, one thousand five hundred and forty-nine, and one thousand five hundred and fifty-six, and to add four new sections, to be known and designated as sections one thousand five hundred and forty-six, one thousand five hundred and fifty-four and one half, one thousand five hundred and ninety-two, and one thousand five hundred and ninety-seven and one half of an Act of the Legislature of the State of California entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1873, all relating to estates of deceased persons.

MOTION.

Mr. Bulla moved that a select committee of one be appointed by the Speaker to amend Assembly Bill No. 82, as follows:

COMMITTEE AMENDMENT No. 1.

Strike out of the title the words "Section 1365" and "Section 1618"

COMMITTEE AMENDMENT No. 2

Strike out all of section three, and make "section four" read "section three," and correct the following sections accordingly.

COMMITTEE AMENDMENT No. 3

On page seven, lines seven and eight, strike out the following words: "All persons interested in the estate," and in place thereof insert "the heirs of the deceased."

COMMITTEE AMENDMENT No. 4.

On page seven, line eight, after the word "situated." insert "and whose names are mentioned in the petition for letters."

COMMITTEE AMENDMENT No. 5.

On page seven, lines eleven and twelve, strike out the following words "If any person interested in said estate resides within the county where the property is situated," and make the word "the" in line twelve, "The"

COMMITTEE AMENDMENT No. 6.

On page eight, line four, after the word "sold," insert "and that the sales as reported in the returns are for the best interest of the estate"

COMMITTEE AMENDMENT No. 7

Strike out all of "section fifty," make "section fifty-one" read "section forty-nine."

So ordered.

APPOINTMENT OF COMMITTEE.

Mr. Bulla was appointed such committee to make said amendments.

REPORT OF SPECIAL COMMITTEE.

ASSEMBLY CHAMBER, SACRAMENTO, February 15, 1893.

MR SPEAKER: Your special committee of one, to whom was referred Assembly Bill No. 82, with instructions to amend, has had the same under consideration, and respectfully reports the same back, amended as per instructions.

BULLA, Committee

Report adopted.

THIRD READING OF BILLS.

Assembly Bill No. 83—An Act to amend sections one thousand seven hundred and sixty-eight, one thousand seven hundred and seventy, one thousand seven hundred and seventy-seven, one thousand seven hundred and eighty-eight, and one thousand seven hundred and eighty-nine, and repealing sections one thousand seven hundred and seventy-eight, 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-six, and one thousand seven hundred and eighty-seven of an Act of the Legislature of the State of California entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1873, all relating to the guardianship of the persons and estates of minors and incompetents, and adding a new section to said Code of Civil Procedure, to be known and designated as section one thousand seven hundred and seventy-one and one half, also relating to the guardianship of the persons and estates of minors and incompetents.

Passed on file.

Assembly Bill No. 125—An Act to increase the number of Judges of the Superior Court of the county of Santa Clara, and to provide for the appointment of an additional Judge, and to fix his compensation.

Passed on file.

Assembly Bill No 428—An Act to amend sections five hundred and twenty-seven, five hundred and thirty-one, and five hundred and thirty-two of the Political Code, relating to public printing, and the duties of the Superintendent of State Printing.

Passed on file.

Assembly Bill No. 416—An Act authorizing the Superintendent of State Printing to have prepared and printed an index to all the laws of California, 1850–1893.

Passed on file.

Assembly Bill No. 447—An Act exempting agricultural, horticultural, viticultural, and pastoral occupations from license taxation.

Passed on file.

Senate Bill No. 72—An Act to provide for a day of rest from labor.

Read third time, and passed by the following vote:

AYES—Messrs Adams, Anderson, Androus, Barker, Barlow, Bennett of Santa Clara, Bennett of Orange, Blakeley, Bledsoe, Boyce, Bretz, Brownlie, Bulla, Burke, Carlson, Casterline, Chipman, Conway, Curtis, Cusick, Dodge, Drees, Duckworth, Duffy, Gallagher, Gately, Hendrickson, Hurley, Jacobs, Jacobsen, Johnson of Humboldt, Johnson of Santa Clara, Kennedy, Luttringer, Lynch, McCauley, McGowan, Matthews of San Benito, Miller, O'Keefe, Pendleton, Perkins, Pueschel, Sargent, Schlesinger, Schroebel, Shanahan, Simpson, Taggart, Talbott, Taylor, Thomas of Nevada, Thomas of Santa Clara, Vann, Wade, and Mr Speaker—56

NOES—Messrs. Hutson, LaRue, Marston, and Mordecai—4.

Title read and approved.

Mr. Boyce moved that the bill be immediately transmitted to the Senate.

So ordered.

LEAVE OF ABSENCE.

Messrs. Buckley and Owen were granted leave of absence for the remainder of the day.

SECOND READING OF BILLS.

Assembly Bill No. 18—An Act to provide for the incorporation of mutual fire insurance companies, and define their powers and duties.

Mr. Bretz moved to amend section three, by adding thereto as follows:

The premium notes taken by any company formed under this Act in part payment of the premium shall become a lien upon the property insured, to the amount of such note and cost, and interest due thereon from the date of filing in the office of the County Recorder, in the county in which the property is situated

First—The name of the maker, date, amount, and maturity thereof

Second—Date of expiration of the policy of insurance, with description of the property insured

Adopted.

Mr. Bledsoe moved that the further consideration of the bill be made a special order for to-morrow at two o'clock P. M.

So ordered.

Assembly Bill No. 262—An Act to amend sections one thousand one hundred and eighty-six, one thousand one hundred and eighty-seven, one thousand one hundred and eighty-eight, one thousand one hundred and ninety, one thousand one hundred and ninety-two, one thousand three hundred and fifty-seven, one thousand three hundred and fifty-

eight, one thousand three hundred and fifty-nine, 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 sixty-three, one thousand three hundred and sixty-four, and one thousand three hundred and sixty-five of the Political Code, and to add nineteen new sections thereto, to be numbered one thousand three hundred and sixty-six, one thousand three hundred and sixty-seven, one thousand three hundred and sixty-eight, one thousand three hundred and sixty-nine, one thousand three hundred and seventy, one thousand three hundred and seventy-one, one thousand three hundred and seventy-two, one thousand three hundred and seventy-three, one thousand three hundred and seventy-four, one thousand three hundred and seventy-five, one thousand three hundred and seventy-six, one thousand three hundred and seventy-seven, one thousand three hundred and seventy-eight, one thousand three hundred and seventy-nine, one thousand three hundred and eighty, one thousand three hundred and eighty-one, one thousand three hundred and eighty-two. one thousand three hundred and eighty-three, and one thousand three hundred and eighty-four, all in relation to the conduct of elections in this State.

Passed on file.

Assembly Bill No. 276—An Act entitled an Act to amend section two thousand six hundred and eighty-four of the Political Code.

Read second time.

Mr. Wade moved to amend section one, line three, of the printed bill, as follows:

By striking out the words "may if they deem it advisable"

Adopted.

Also Amend by striking out of section one line one, the word "two," and inserting the following: "twenty-six hundred"

Adopted.

Bill ordered engrossed and to a third reading.

MOTION.

Mr. Sims moved that Assembly Bill No. 153 be now taken up and considered.

So ordered.

THIRD READING OF BILL.

Assembly Bill No. 153—An Act to amend section six and section eight of an Act approved March 19, 1889, entitled "An Act authorizing the incurring of indebtedness by cities, towns, and municipal corporations incorporated under the laws of this State, for the construction of waterworks, sewers, and all necessary public improvements, or for any purpose whatever;" and to repeal the Act approved March 9, 1885, entitled "An Act to authorize municipal corporations of the fifth class, containing more than three thousand and less than ten thousand inhabitants, to obtain waterworks;" also, to repeal an Act approved March 15, 1887, entitled "An Act authorizing the incurring of indebtedness by cities, towns, and municipal corporations incorporated under the laws of this State."

Read third time, and passed by the following vote:

AYES—Messrs. Anderson, Androus, Barker, Barlow, Bennett of Santa Clara, Bledsoe, Bretz, Brownlie, Bulla, Burke, Carlson, Casterline, Chipman, Cusick, Duckworth, Duffy, Durst, Emeric, Gallagher, Gately, Godchaux, Hendrickson, Hurley, Hutson, Jacobs, Jacobsen, Johnson of Humboldt, Johnson of Santa Clara, Kerns, LaRue, Luttringer, Lynch, McCauley, McElroy, Mack, Marks, Marston, Mathews of Tehama, Matthews of San Benito, Millet, O'Keefe, O'Neill, Pendleton, Perkins, Raw, Sargent, Schlesinger, Shanahan, Simpson, Sims, Taggart, Talbott, Thomas of Santa Clara, Vann, Wade, and Mr Speaker—56

NOES—None.

Title read and approved.

SECOND READING OF BILLS—(RESUMED).

Assembly Bill No. 188—An Act to amend an Act entitled "An Act to form agricultural districts, to provide for the formation of agricultural associations therein, and for the management and control of the same by the State, and to repeal so much of an Act entitled 'An Act to form agricultural districts, to provide for the formation of agricultural associations therein, and for the management and control of the same by the State,'" approved March 20, 1891, by amending sections one, eleven, and twelve.

Passed on file.

Assembly Bill No. 87—An Act to repeal an Act entitled "An Act fixing a bounty on coyote scalps," approved March 31, 1891.

Passed on file.

Assembly Bill No. 232—An Act for the regulation of the practice of medicine and surgery in the State of California, and for the appointment of a Board of Medical Examiners in the matter of said regulation.

Passed on file.

Assembly Bill No. 298—An Act to amend an Act entitled "An Act creating a Board of Bank Commissioners, and prescribing their duties and powers," approved March 30, 1878.

Read second time.

Committee amendments, as follows:

Section one, line six of printed bill, amend by inserting the words "or before" between the words "on" and "the."

Adopted.

Also Line seven of printed bill, amend by inserting the words "on or before" between the words "and" and "the"

Adopted.

Ordered engrossed and to a third reading.

LEAVE OF ABSENCE.

The Committee on Public Expenditures and Accounts was granted leave of absence for the remainder of the afternoon.

SECOND READING OF BILLS—(RESUMED).

Senate Bill No. 267—An Act to amend an Act entitled "An Act to establish a School of Industry, to provide for the maintenance and

management of the same, and to make an appropriation therefor," approved March 11, 1889.

Read second time, and ordered to a third reading.

Mr. Miller moved that Assembly Bill No. 352, the consideration of which was this morning made the special order for to-morrow at two o'clock P. M., be now read the second time.

So ordered.

Assembly Bill No. 352—An Act to amend an Act entitled "An Act to amend an Act entitled 'An Act to provide for Police Courts in cities of thirty thousand and under one hundred thousand inhabitants, and to provide for officers thereof,' approved March 18, 1885, and to provide for Clerks of Police Courts in cities of twenty-six thousand and under fifty thousand inhabitants," approved March 31, 1891, by inserting a new section, to be numbered six and one half, providing for prosecuting attorneys of Police Courts in cities having more than thirty thousand and under fifty thousand inhabitants, and prescribing the duties and regulating the compensation of such prosecuting attorneys.

Read second time, ordered engrossed and to a third reading.

Senate Bill No. 93—An Act to amend sections two and five of "An Act to provide for the maintenance and support of the public parks heretofore created within the various cities, and cities and counties, of the State, and amend the existing Acts in relation thereto," approved March 14, 1889.

Read second time, and ordered to a third reading.

Assembly Bill No. 18—An Act to provide for the incorporation of mutual fire insurance companies, and define their powers and duties.

Ordered engrossed and to a third reading.

REPORTS OF STANDING COMMITTEES.

ON WAYS AND MEANS.

ASSEMBLY CHAMBER, SACRAMENTO, February 15, 1893.

MR SPEAKER: Your Committee on Ways and Means, to whom was referred Assembly Bill No. 469—An Act to pay the claim of Mary M Springer, the widow and heir of Thomas A Springer, late State Printer, deceased—have had the same under consideration, and recommend that it do pass

Also: Assembly Bill No 477—An Act making an appropriation for the payment of the claim of A. L. Rhodes, for his services as counsel for the plaintiffs in an action entitled 'The County of Santa Clara vs The Southern Pacific Railroad Company," and other actions, in the Circuit Court of the United States, Ninth Circuit, District of California, and in the Supreme Court of the United States, brought for the collection of delinquent taxes assessed upon the property of railroad companies—and recommend its passage as amended.

Also, Assembly Bill No 483—An Act making an appropriation to pay the deficiency in the appropriation for additional improvements for the Southern California State Asylum for the Insane and Inebriates—and recommend that it do pass.

Your committee has also considered Assembly Bill No 506—An Act to provide for additional improvements at the Reform School for Juvenile Offenders, located at Whittier, in the county of Los Angeles, and State of California, and to make an appropriation for the same—and reports the same back with a substitute, with the recommendation that the substitute do pass.

Your committee has also considered Assembly Bill No. 99—An Act to appropriate one hundred thousand dollars for the Mendocino State Asylum, to complete the female ward, to purchase furniture and furnish the buildings erected and to be erected by the Directors of said asylum, to construct a plant for lighting said buildings, to improve the grounds thereof, to purchase live stock and agricultural implements to be used for asylum purposes, to construct a carpenter shop and morgue thereon, to furnish the bakery, to construct a dam to furnish a water supply to said asylum, for fencing the ground and constructing a sewer system, for purchasing laundry machinery and kitchen furniture, to appropriate money therefor, and provide for the expenditure of the same—and report the same back with a substitute, and with the recommendation that the substitute do pass.

Your committee has also had under consideration Assembly Bill No 482—An Act making an appropriation for the erection of additional buildings and improvements for the Southern California State Asylum for the Insane and Inebriates—and report the same back with a substitute, and recommend the passage of the substitute.

Also: Assembly Bill No 688—An Act making an appropriation for the State School Book Fund, to supply the deficiency in the present appropriation from the General Fund, for compiling State school text-books for the forty-fourth fiscal year

Also: Assembly Bill No. 319—An Act appropriating the sum of twenty thousand dollars for the erection and construction of a sewer for the State Insane Asylum at Agnews, to appropriate money therefor, and to provide for the expenditure of the same—and recommend their passage.

Also: Senate Bill No. 132—An Act to appropriate money for the completion of the building of the Preston School of Industry at Ione, and for furnishing and equipping the same—and recommend its passage as amended.

Also: Assembly Bill No. 231—An Act to appropriate money for the completion of the building of the Preston School of Industry at Ione, and for furnishing and equipping the same

Also Assembly Bill No 484—An Act making an appropriation to pay for the management and maintenance of the Southern California State Asylum for the Insane and Inebriates for the forty-fourth fiscal year—and recommend that they be withdrawn by their authors.

Also Senate Bill No. 5—An Act providing for the selection, condemnation, and purchase of a suitable site, and the erection thereon of a State building, in San Francisco, and making an appropriation therefor—have had the same under consideration, and report it back without recommendation.

Also: Assembly Bill No 206—An Act to provide furniture for and furnishing the California Home for the Care and Training of Feeble-Minded Children, at Glen Ellen, Sonoma County, California, and making an appropriation therefor

Also: Assembly Bill No. 207—An Act to provide for the erection of an additional wing to the main building of the California Home for the Care and Training of Feeble-Minded Children, at Glen Ellen, Sonoma County, California, for the female department of said institution, and to appropriate money therefor.

Also. Assembly Bill No 208—An Act to provide for the improvement of the grounds of the California Home for the Care and Training of Feeble-Minded Children, at Glen Ellen, Sonoma County, California, and to appropriate money therefor

Have had the same under consideration, and recommend that the authors be allowed to withdraw the same, for the reason that all appropriations asked for in these bills are embodied in Senate Bill No 177 as amended.

Also: Senate Bill No 177—An Act to provide for the erection of an additional wing to the main building of the California Home for the Care and Training of Feeble-Minded Children, at Glen Ellen, Sonoma County, California, for the female department of said institution, and to appropriate money therefor—and respectfully recommend its passage as amended.

W. P MATHEWS, Chairman.

ON LABOR AND CAPITAL.

ASSEMBLY CHAMBER, SACRAMENTO, February 14, 1893.

MR. SPEAKER Your Committee on Labor and Capital, to whom was referred Assembly Bill No. 487—An Act to provide for the employment of destitute citizens, and making appropriations therefor—have had the same under consideration, and respectfully report the same back, and recommend that it do pass

CONWAY, Chairman.

Assembly Bill No. 487 re-referred to Committee on Ways and Means.

SECOND READING OF BILLS.

Senate Bill No. 346—An Act to provide a system of street improvement bonds, to represent certain assessments for the cost of street work and improvement within municipalities, and also for the payment of such bonds.

Read second time, and ordered to a third reading.

Assembly Bill No. 296—An Act to amend sections thirty-eight to fifty-three, inclusive, of an Act approved March 31, 1891, adding those sections to an Act to provide for work upon streets, alleys, lanes, courts, places, and sidewalks, and for the construction of sewers within municipalities, approved March 18, 1885.

Read second time.

Committee amendments, as follows:

AMENDMENT No 1.

Amend section one, line twenty-eight, page two of the printed bill, by adding after the word "resolution" the following words: "*provided*, that no change of an established grade shall be ordered except on petition of the owners of a majority of the property affected by the proposed change of grade."

Adopted.

AMENDMENT No. 2

Amend section three, line three, page two of the printed bill, by striking out after the word "filed" the words to and including the word "thereof," on line six, same section, and inserting the following words in lieu thereof: "The Mayor, Surveyor, and Superintendent of Streets, of the city or city and county, acting as a Board of Commissioners, shall assess the benefits, damages, and costs of the proposed change of grade"

Adopted.

AMENDMENT No. 3

Amend section four, line three, page three of the printed bill, by striking out the words "when appointed."

Adopted.

AMENDMENT No 4.

Amend section four, line four, page three of the printed bill, by striking out after the word "favor" the balance of the section.

Adopted.

AMENDMENT No 5.

Amend section six, line five, page three of the printed bill, by striking out after the word "proceedings," to and including the word "council," line seven.

Adopted.

AMENDMENT No. 6

Amend section six, line nine, page three of the printed bill, by striking out after the word "improvement" to and including the word "council," in line eleven.

Adopted.

AMENDMENT No. 7.

Amend section fourteen, line twenty-two, page eight of the printed bill, by adding after the word "second" the following words: "The provisions of section one thousand two hundred and fifty-one of the Code of Civil Procedure, requiring the payment of damages within thirty days after the entry of judgment, shall not apply to damages rendered in proceedings under this Act"

Adopted.
Bill ordered engrossed and to a third reading.

MOTION.

Mr. Taggart moved that Assembly Bill No. 469 be substituted on the file for Senate Bill No. 28, and be read the first time.
So ordered.

FIRST READING OF BILL.

Assembly Bill No. 469—An Act to pay the claim of Mary M. Springer, the widow and heir of Thomas A. Springer, late State Printer, deceased.
Read first time, and placed on file for second reading.

SECOND READING OF BILL.

Assembly Bill No. 167—An Act providing for the destruction of ground squirrels and other destructive crop pests on all lands owned or claimed within the limits of the State of California.

Read second time.

Committee substitute, as follows:

COMMITTEE SUBSTITUTE FOR ASSEMBLY BILL No 167.

An Act providing for the destruction of ground squirrels and other destructive crop pests on all lands owned or claimed within the limits of the State of California.

The People of the State of California, represented in Senate and Assembly, do enact as follows

SECTION 1. Every individual, corporation, or association owning or claiming any real property in this State is hereby required to exterminate all ground squirrels thereon, at least annually, from and after the passage of this Act

SEC. 2 The Board of Supervisors of each county in this State are hereby empowered, and it shall be their duty, to appoint a person to be known as a Pest Commissioner for each and every supervisorial district in their respective counties

SEC 3 Every such Commissioner, when so appointed, shall qualify as required of other district or county officers, and give bonds for the faithful performance of his duties, as may be fixed by the Board of Supervisors of the county in which his district is situated

SEC 4. The duties of every such Pest Commissioner shall be to critically examine all the title and claimed lands in his district, at least once each year, and whenever he shall discover any ground squirrels he shall notify the owner or claimant of such infected lands to destroy such pests within thirty days from the date of such notice; *provided*, that all such notices shall be served between the first day of October and the first day of April of each fiscal year.

SEC 5 If, at the expiration of the thirty days' notice, as above provided, such squirrels have not been destroyed by such owner or claimant, it shall be the duty of the Pest Commissioner of the district to enter upon such lands and destroy, or cause to be destroyed by assistants selected for the purpose, all such squirrels; and for such service he, and each of his assistants so employed, shall be entitled to three dollars per day while actually employed in such work, and for amounts of money advanced for the material used in such destruction

SEC 6. When the work of such pest destruction shall have been completed on the lands of any owner or claimant, the Pest Commissioner shall make out his bill for the work performed by himself and by each assistant, if any, stating the number of days' service, the amount of material used, and definitely describing the metes and boundaries on which the service was rendered

SEC 7 All such bills shall be made out on county blanks prepared for the purpose, subscribed and sworn to by each claimant, and certified to as correct by said Commissioner.

SEC 8 When so prepared the bills shall be presented to the Board of Supervisors of the county in which the service was performed, and when approved by such Board, the Clerk of the Board shall, at the earliest practical moment, notify the land owner or claimant on whose property the service was performed, of the nature of the service, the name of the claimant, and the amount approved by the Board, and that such amounts of money certified to must be paid into the County Treasury for the use and benefit of such claimants within thirty days from the date of such notice The Auditor is hereby authorized to draw his warrant for the amount due to each and every claimant when properly certified to by the Clerk of the Board of Supervisors for the amount due each; and the Treasurer of the county is hereby directed to pay said warrant out of the money that has been paid by the land owner for the work done by said claimant

SEC. 9. If any such amount so certified to by the County Clerk shall not be paid into the County Treasury, as above provided, then, and in that case, ten per cent shall be added to the amount of each unpaid claim, and shall thereafter draw interest thereon at the rate of ten per cent per annum until paid. All such unpaid claims shall be filed with the County Recorder, and entered at length in a book kept for the purpose, giving a definite description of each piece or parcel of land against which each claim is laid, and such claim or claims shall ever thereafter be and constitute a valid lien against any such lands until fully paid

SEC 10 This Act shall take effect and be in force from and after its passage.

Adopted.

Bill ordered engrossed and to a third reading.

REPORT OF STANDING COMMITTEE.

ON PUBLIC EXPENDITURES AND ACCOUNTS.

ASSEMBLY CHAMBER, SACRAMENTO, February 15, 1893.

MR SPEAKER: Your Committee on Public Expenditures and Accounts, to whom was referred Assembly resolution relative to the names of C. E Cunningham, State Capitol Engineer, and W H Hevener, fireman, being placed on the payroll of the Assembly, beg leave to report the same back, and recommend the adoption of the following resolution:

WHEREAS, C. E. Cunningham, State Capitol Engineer, and W H Hevener, fireman, are now, and have been for some time past, heating the Capitol building evenings, for the benefit and at the request of the members of this House, without compensation for the same; therefore, be it

Resolved, That the names of the said C. E. Cunningham and W H Hevener be placed on the payroll of this House, at a per diem of four dollars and three dollars, respectively, for such services rendered and to be rendered for the remainder of this session, the same to be paid out of the Contingent Fund of the Assembly, and that the Controller be and is hereby directed to draw his warrant for the same, dating from the twenty-fourth day of January, 1893

J. H. MATTHEWS, Chairman.

Adopted.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, February 15, 1893.

MR. SPEAKER: Your Committee on Public Expenditures and Accounts, to whom was referred Assembly resolution by Mr McCauley, asking for a leave of absence from Friday morning, February 17th, until Tuesday, February 21st, at twelve o'clock M., in order that the Committee on Military Affairs may visit and investigate the companies of the National Guard in Stockton, Fresno, Los Angeles, and San Diego, beg leave to report that they have had the same under consideration, and recommend that a committee of three be appointed, consisting of the Chairman and two others whom he may appoint

J. H. MATTHEWS, Chairman.

Mr. Bennett of Santa Clara moved to amend that the Clerk of the committee be included.

Lost.

Report adopted.

SECOND READING OF BILLS.

Assembly Bill No. 377—An Act to establish what shall constitute lawful fences within the State of California.

Read second time, ordered engrossed and to a third reading.

Assembly Bill No. 277—An Act entitled an Act to prevent the sale of short-weight rolls of butter.

Read second time.

Committee amendment, as follows:

Amend by striking out after the word "effect," in the last line, the word "immediately," and insert the words "sixty days"

Ordered engrossed and to a third reading.

Assembly Bill No. 265—An Act to provide for payment of the claim of C. C. Rochford.

Read second time.

MOTION.

Mr. Shanahan moved that the Assembly resolve itself into Committee of the Whole, with the Speaker in the chair, for the purpose of considering Assembly Bill No. 265.

So ordered.

IN COMMITTEE OF THE WHOLE.

Speaker Gould in the chair.
Assembly Bill No. 265 was considered in Committee of the Whole.

IN ASSEMBLY.

Speaker Gould in the chair.

REPORT OF THE COMMITTEE OF THE WHOLE.

The Speaker stated the report of the Committee of the Whole, as follows:

GENTLEMEN: The Committee of the Whole have had under consideration Assembly Bill No. 265—An Act to provide for payment of the claim of C C Rochford—and now report, and recommend that the same do pass

Bill ordered engrossed and to a third reading.

SECOND READING OF BILL.

Assembly Bill No. 90—An Act to prevent deception in the manufacture and sale of butter and of cheese, and to appropriate money for its enforcement.
Read second time.
Mr. Alford in the chair.
Committee amendments, as follows:

AMENDMENT No. 1.

Amend title of Act as follows: Strike out words "and of cheese" after word "butter," and insert word "imitation" before the word "butter," so the same will read: "An Act to prevent deception in the manufacture and sale of imitation butter, and to appropriate money for its enforcement."

Adopted.

AMENDMENT No. 2.

Amend by striking out words commencing with word "and," after word "butter," on line four, page one, and ending with word "cheese," on line seven, page one, of section one.

Adopted.

AMENDMENT No. 3.

Strike out words "rennet and" on line eight, page one, section one, and insert in lieu thereof the word "or."

Adopted.

AMENDMENT No. 4.

Strike out in section one, page one, line nine, commencing with word "and," after the word "imitation," to and including all of line ten, same section and page.

Adopted.

AMENDMENT No. 5

Strike out on line one, page one, section two, after the word "butter," the words "or imitation cheese."

Adopted.

AMENDMENT No. 6.

Strike out in line five, page one, of section two, after the word "butter," the words "or imitation cheese, as the case may be."

Adopted.

AMENDMENT No. 7.

Strike out on line two, page two, of section three, after the word "butter," the words "or imitation cheese."

Adopted.

AMENDMENT No 8.

Strike out on line four, page two, of section three, after the word "butter," the words "or imitation cheese."

Adopted.

AMENDMENT No. 9.

Strike out on line six, page two, of section three, after the word "butter," the words "or imitation cheese, as the case may be."

Adopted.

AMENDMENT No. 10

Strike out on line two, page two, section four, after the word "butter," the words "or imitation cheese."

Adopted.

AMENDMENT No. 11.

Strike out on line two, page two, of section five, after the word "butter," the words "or imitation cheese "

Adopted.

AMENDMENT No. 12

Strike out on line three, page two, of section five, the words "or pure cheese."

Adopted.

AMENDMENT No. 13.

Strike out on line four, page two, of section five, the words "or imitation cheese "

Adopted.

AMENDMENT No. 14.

Strike out on line five, page two, of section five, after the word "butter," the words "or imitation cheese, as the case may be "

Adopted.

AMENDMENT No. 15.

Strike out on line eight, page two, of section five, after the word "butter," the following words: "or imitation cheese, as the case may be."

Adopted.

AMENDMENT No. 16.

Strike out after the word "butter," on line two, page two, of section six, and before the word "unless," on line three, page two, of section six, the words "or imitation cheese "

Adopted.

AMENDMENT No. 17.

Strike out on line four, page two, of section six, after the word "butter," the words "or imitation cheese, as the case may be."

Adopted.

AMENDMENT No. 18.

Strike out on line five, page two, of section six, after the word "butter," the words "or imitation cheese"

Adopted.

AMENDMENT No 19

Strike out after the word "butter," on line two, page two, of section seven, and before the word "unless," on line three, page two, of section seven, the words "or imitation cheese"

Adopted.

AMENDMENT No 20.

Strike out on line five, page two, of section seven, after the word "width," commencing with the word "licensed," to and including the word "be," on line six, page two, of said section seven.

Adopted.

AMENDMENT No. 21.

Strike out after word "butter," on line one, page three, of section nine, and before the word "which," on line two, same section and page, the words "or imitation cheese."

Adopted.

AMENDMENT No. 22.

Strike out all of line four, page three, of section nine.

Adopted.

AMENDMENT No. 23.

Strike out on line one, page three, of section eleven, after the word "butter," the words "or cheese"

Adopted.

AMENDMENT No. 24.

Strike out the word "and," on line one, page three, of section eleven, between the words "salt" and "harmless," and insert in lieu thereof the word "or."

Adopted.

AMENDMENT No. 25

Strike out after the word "butter," on line one, page four, of section fifteen, and before the word "contrary," on line two, same page and section, the words "or imitation cheese"

Adopted.

AMENDMENT No. 26.

Strike out after the word "butter," on line five, page four, of section fifteen, and before the words "to deliver," on line six, same page and section, the words "or imitation cheese."

Adopted.

AMENDMENT No 27.

Strike out after the word "butter," on line ten, page four, of section fifteen, the words "or imitation cheese."

Adopted.

AMENDMENT No. 28.

Strike out after the word "butter," on line thirteen, page four, of section fifteen, the words "or imitation cheese."

Adopted.

MOTION.

Mr. Sims moved that the Assembly resolve itself into Committee of the Whole, with Mr. Alford in the chair, for the purpose of considering Assembly Bill No. 90.

So ordered.

IN COMMITTEE OF THE WHOLE.

Mr. Alford in the chair.

Assembly Bill No. 90 was considered in Committee of the Whole.

IN ASSEMBLY.

Mr. Alford in the chair.

REPORT OF THE COMMITTEE OF THE WHOLE.

Mr. Alford stated the report of the Committee of the Whole, as follows:

GENTLEMEN: The Committee of the Whole have had under consideration Assembly Bill No. 90—An Act to prevent deception in the manufacture and sale of butter and of cheese, and to appropriate money for its enforcement—and now report, and recommend that the same do pass.

Bill ordered engrossed and to a third reading.

MOTION.

Mr. Kennedy moved to take up the resolution relative to Miss Eva O'Neill and Miss G. Jones, which was reported back without recommendation by Committee on Attachés and Employés on last Thursday.

So ordered.

RESOLUTION.

By Mr. Gallagher:

Resolved, That Miss Eva O'Neill and Miss Georgia Jones be appointed as Assistant Engrossing Clerks to the Engrossing Clerk, and to be paid at the per diem of four dollars, to be paid out of the Contingent Fund of the Assembly

Adopted.

MOTIONS.

Mr. Pendleton moved to adjourn.

Lost.

Mr. Lynch moved that Mr. Pendleton be excused for the remainder of the afternoon.

Lost.

Mr. Finlayson moved that Assembly Bill No. 349, as reported with amendments, be printed and placed upon the desks of members.

So ordered.

SECOND READING OF BILL.

Assembly Bill No. 117—An Act to provide for the planting, maintenance, and care of shade trees upon streets, lanes, alleys, courts, and places within municipalities, and of hedges upon the lines thereof; also, for the eradication of certain weeds within city limits.

Read second time.

Committee amendment, as follows:

Amend by adding, as follows.

"SEC 12. The City Council or Trustees of every municipality shall provide for the replacement of missing trees, and for the trimming and care of all trees that have or shall have been planted for three or more years in the streets and highways, whether such planting shall have been done under this Act or otherwise, the expense whereof must be defrayed out of the Street Fund, and the work be done by the Superintendent of Streets of such municipality.

"SEC 13. This Act shall take effect from and after its passage."

Adopted.

Mr. Simpson moved to amend, as follows:

By striking out of section eight, line five, the words "one year," and inserting the following: "eighteen months"

Adopted.

Also:

Amend by striking out of section eight, the word "two," and inserting the following: "three"

Adopted.

Bill ordered engrossed and to a third reading.

REPORT OF JOINT COMMITTEE.

To the Senate and Assembly of the State of California:

The Governor's message suggests that the Legislature investigate the question of the fitness of a blind man to hold and administer the office of Superintendent of the Industrial Home for the Adult Blind, a State institution located in Alameda County, and by law placed under the control of a Board of five Directors, appointed by the Governor, and to serve during his pleasure. An investigation of the question submitted should not be had at all, unless it can be conclusive of some issue, and productive of some authoritative result. At the outset, the committee of investigation considers the conclusion, and the nature and force of the results. As a proposition of law, if the Legislature should act by bill, inhibiting a blind man, and excluding him from that position, such Act would be null. Men are not to be lawfully excluded from any civil trust or employment of a public nature because of physical defects. Such exclusion is of necessity aimed at a class, and any individual therein can secure an adjudication by showing that men of that class have performed, and do perform satisfactorily, the duties and functions of the trust and employment covered by the inhibition. Upon such showing, which can be easily made in the case of blind men, respecting their success as teachers of letters and mathematics, music, and the handicrafts, as administrative officers of public institutions like this, and as executives in high public trusts in this country and in Europe, the Courts would say that the law cannot close any avenue against the blind in which it is proved that they can successfully administer a public office or a civil trust.

It is plain, therefore, that if this committee and this Legislature reached a judgment adverse to the blind, as a class, such judgment could not be reflected in the law.

This brings your committee to narrow its view from the inspection of a class to consideration of the fitness of the individual incumbent of the superintendency of the Industrial Home for the Adult Blind of this State.

It appears from the reference to the subject in the Governor's message, that there is a difference of opinion in the Board of Directors upon the propriety of superintendency by a blind man, a majority of the Directors favoring a blind man in that place, and a minority opposing it. We are again in doubt about the right of authoritative interference by the Legislature in a matter so clearly belonging to executive jurisdiction.

As legislation against a class to exclude it from public employment would be void, would legislation against a specified member of the class be of effect? We think it would be ineffective. If we should specialize such legislation to the incumbent Superintendent, and by name exclude him from the position he holds, such would be regarded as invading the constitutional authority of the executive, and would be void.

The inquiry made by this committee has developed some facts which belong to the public, and then enlargement as a contribution to the general knowledge upon subjects effecting an eleemosynary institution, and the interests of a defective class, deprived of one of the capital senses, will no doubt arrest the attention of the thoughtful, and contribute to the welfare of the unfortunate.

In the division of the Board of Directors upon the employment of a blind Superintendent, we find that the Directors longest in service and most familiar with the

institution and its needs, constitute the majority and favor the blind Superintendent, who has had charge of the Home since 1888

We find that the two minority members were not familiar with such institutions, and had never visited this one, nor made any study of the ways of the blind, nor gained familiarity with the history of the training of the blind in letters and handicrafts, previous to their appointment. We find that they were prepossessed against a blind Superintendent, and at the outset offered such prepossession in opposition to the experience of the majority members, and regardless of the facts of record in the institution.

We find that the President of the Board, belonging to the majority, has brought to bear, in discharging his duties, a lifetime of personal experience with the blind, and years of study of their means of self-support and the methods of administering institutions in which the blind handicrafts are taught We find that the other members of the majority have for years devoted their time and thought to this institution, and are thoroughly familiar with its changes of policy, and actuated, apparently, entirely by a desire to increase its usefulness to its intended beneficiaries Without making any invidious comparison between the minority and majority, we state the facts, which seem to demonstrate that the judgment of the majority is entitled to at least respectful examination.

Finding that this country has the greatest institutions of this character for the blind, we find, also, that, as a rule, they have been founded by blind men, and their high advancement has been reached and maintained under the superintendency of blind men This is true of the leading institutions in New York and Pennsylvania, both of which were, in the beginning, private foundations left to develop naturally on the line of greatest benefit to the blind

We believe that California is the first State in the Union to officially recognize the experience and facts furnished in the record of these institutions that were private and not public in their origin, and, though both New York and Pennsylvania have admitted the beneficially public nature of the work done in the private foundations in those States, by making stated financial contributions to them from the public funds, the States have left their management in the hands of blind Superintendents California is, we believe, the first to put a blind officer at the head of a purely public institution. The fitness of the selection can be judged only by the records of the institution itself The opinions of people who know the blind only by the general sympathy felt for the defective classes, a sentiment that may not be any safe guide at all in providing for them, are of no value in reaching a determination Nor are the opinions of those who have lost sight in adult age to be at all followed It is a fact that the greater the age at loss of sight, the more certain is the unfortunate of the incapacity of the blind Such blind people, having had years of eye sight, and all of its advantages, in the pursuit of a vocation, upon losing it treat the loss as they would that of an arm or leg, which cannot grow again, and which cannot be substituted by any of the remaining members.

The difference between the loss of a leg and that of the eyes is that the loss of a leg is a physical loss only, while that of the eyes is the loss of one of the capital senses, leaving the others unimpaired to replace it This faculty of replacement and adaptation declines with age, and in that decline lies the need of these institutions for the adult blind, who find themselves helpless and unable to turn to a vocation for support without this assistance It is true that in some cases the aged blind do acquire confidence and a manifest self-reliance and undiminished capacity, but these cases are exceptional

With those who lose their sight in infancy or youth, or are blind congenitally, the case is entirely different The sense of sight was in their possession so short a time that they relied on it but little They miss it briefly, and what it revealed to them remains as a nebulous memory, not even to be mourned over. The other senses gain acuteness; palpitation becomes capable of the most delicate discrimination; they read with the ends of their fingers, and practically see through a consensus of their remaining senses, which, when brought together in the place vacated by sight, seem almost to add a sixth to the list of senses It is from the ranks of such blind men that the teachers and Superintendents of these institutions are drawn, and we find no case in which they have failed of success

So much by way of explanation of the fact that in the California institution, and in others, are found many blind men who lost their sight in adult age, who do not believe that a blind man can superintend such an institution To them the loss of sight is not merely the loss of a sense, it is an impairment of their use of hand and foot, a limitation physical in its nature upon all their activities Feeling their own incapacity, they project to all who are sightless a generalization that is entirely without warrant, though natural and innocent in its origin.

In the California institution a majority of the inmates lost their sight at an age when it meant impoverishment by destroying their power as producing and self-sustaining members of the community, and in their helplessness the State comes to their relief They are in the institution because they cannot wholly help themselves, because they are incapable of usefully and independently managing their own affairs They are to *be slowly and patiently led to overcome their helplessness and made partially, at least,* self-supporting They feel that fate has foreclosed on them, and the darkness that is around them is peopled by visions of complaint and discontent. Feeling their own weakness, incapacity, dependence, and unhappiness, they cannot conceive contentment, strength, capacity, and happiness in any other blind Now, the verdict of experience is that when these disabled, discontented, unhappy blind are placed in an institution superintended by a man with eyesight, they remain helpless and dependent, for he has

no relation to them but the sympathetic, when the proper relation should be practical and sympathetic also. A self-reliant, self-supporting, independent blind man only can combine the two, therefore blind men only have brought such institutions to the standard of complete success

With this statement of what occurs to us as the principles involved, we pass to the actual condition of things at the California Industrial Home for the Adult Blind, as shown by the record of that institution from its inception. It was opened for the reception of inmates and the beginning of operations in November, 1885. For the space of thirty-three months thereafter it was in charge of Superintendents with full sight. In August, 1888, it was put under the superintendency of the present incumbent, Mr Joseph Sanders, who has been blind from early childhood, and is a graduate of the leading industrial school of this kind in the world, that has always been superintended by a blind man

Your committee, pursuant to the resolution under which this investigation was holden, examined sixty-two witnesses, of whom a large portion were inmates of the institution whose management is questioned All sources of information which could in any degree reflect any light upon the subject embraced in the resolution, were sought and examined in the prosecution of our inquiries. We are persuaded that local political conditions at Oakland, the site of the Home for the Adult Blind, had much to do in stimulating the discontent which we found among the inmates at the time of our visit to the institution. It appears that at a late primary election held in Oakland that one of the Trustees was a candidate for office While it does not appear that he personally solicited the votes of the inmates of the Home, it does appear that he was voted for by the inmates with remarkable unanimity, and without respect to the party affiliations of those who exercise the right of suffrage

The witnesses Tuck, Coogan, Nelson, and Taylor are gentlemen of a high degree of intelligence, and appear to be acting in concert to overthrow the management. Mr Tuck was formerly an inmate but is now expelled It appears in the testimony of Senator Earl and Assemblyman Dodge that two of the inmates, Messrs Tuck and Nelson, called upon these two gentlemen, who were then candidates for the respective offices of Senator and Assemblyman, and stated to each of them that they were a committee from the Home of the Adult Blind, that there were forty-five votes at the Home, and that it would be to the interest of these two candidates to visit the Home We are overwhelmed with the conviction that the purpose of these two gentlemen so visiting these candidates at that time, was for the purpose of securing a promise to change the management of the Home, and that it was an implied threat to unite the vote of the inmates of the Home against them if they refused to make such promise

Much of the testimony given by the inmates was in relation to the food. Upon this subject there is much conflict of evidence We are of the opinion from all the evidence that the food has been usually, but not uniformly, good and wholesome Occasionally, without fault of the management, it has been bad This might occur, as you are aware, in the best regulated families In institutions of this character, through the avarice and cupidity of those who contract to furnish provisions to public institutions, it is impossible to absolutely protect the State and the beneficiaries of such institutions from temporary impositions of designing contractors It appears, however, in this case, that when the attention of the Superintendent was called to the defective character of the food, that he endeavored at once to remove the cause of rational objection

The evidence is somewhat replete with complaints by inmates that an offensive system of espionage is maintained by the Superintendent. Your committee reports that the evidence on this point is wholly insufficient to support such accusation, that the discipline is mild, and yet the rules and regulations appear to be enforced with firmness

There were charges of favoritism made As to this charge your committee is of the opinion that men who become blind at adult age are exceedingly sensitive and are often very morose As was well remarked by one blind witness, their condition seems to intensify fault-finding, and it was a matter of observation with your committee that as a class they are more captious and discontented than seeing people.

We are of the opinion that opportunities are accorded some in the business of broom making that are not accorded to others, but as far as we prosecuted our inquiries in this matter, it appears that all assignments of duty and allotments of work were made by the Superintendent upon a basis of adaptation You are aware that some of the inmates are better workmen than others Those who are the most active and learn the quickest have the best opportunities. This is so of seeing people as well as with blind people If an increase in the industrial character of the institution is to be considered as an element in ascertaining its efficiency, and is in line with the purpose for which this beneficent institution is established, then we say that the evidence shows that the output has greatly increased under a blind Superintendent, and that under such Superintendent the increase in wages per hand, in income, and shop force has very largely increased, as will appear on page one hundred and seven of the testimony taken in this investigation

From a personal inspection of the grounds we find them well kept, and the buildings thereon neat and orderly maintained

The property upon which the Home is situated was purchased originally for the sum of $26,000 It is now worth more than double that amount

The chief trouble in arriving at a conclusion by your committee, was the practical unanimity of the female inmates against the management. One or two of them seems to have given the superintendency of such institution some thought and investigation.

It is, however, our opinion, taking this class of testimony, which was largely directed to the incompetency of the Superintendent on account of blindness, and the character of the food, that it is wholly insufficient to justify a finding that the Superintendent is incompetent or the food unwholesome, except at times, and then merely temporarily, as hereinbefore indicated.

CONCLUSION.

Your committee therefore recommend:

First—That the present management be retained

Second—We commend to the Governor, through the Legislature, the reappointment of Mr. Greenhood to succeed himself as a Trustee

Third—We advise this Legislature to so amend the law governing the Home that only three Trustees residing in Alameda County shall be appointed on the Board, and that the other two shall be citizens of the State, residing in other counties than Alameda.

We beg to close this report with the following statement made by the President of the Board of Trustees before your committee: "It should be a matter of pride rather than the subject of contention in California, that this State has availed itself first of all in the Union of the results of a century of experience by putting a blind man at the head of a purely State institution The record made here by a blind Superintendent, goes out to inspire the blind and give them hope of a career in every nation where effort is made to better their condition"

We sincerely hope that the self-sacrificing efforts made by those who projected this institution, and who have devoted their time to its management, shall not, on account of any slight and inconsequential disagreement among those in control, be unavailing, but that all activities which can promote the charitable and beneficent purpose for which the institution was established may be evoked, and that the success of this institution may continue to be the pride of our great commonwealth.

W. P. MATHEWS,
Chairman of Assembly Committee.
J. H. SEAWELL,
Chairman of Senate Committee.

ADJOURNMENT.

At four o'clock and twenty-three minutes P. M., on motion of Mr. Lynch, the Assembly adjourned.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Thursday, February 16, 1893

The Assembly met pursuant to adjournment.

Speaker Gould in the chair.

The roll was called, and the following members answered to their names:

Messrs Adams, Alford, Anderson, Androus, Barker, Barlow, Bennett of Santa Clara, Bennett of Orange, Blakeley, Bledsoe, Boyce, Bretz, Brownlie, Buckley, Bulla, Burke, Carlson, Casterline, Chipman, Conway, Curtis, Dodge, Drees, Duckworth, Dufty, Durst, Emeric, Finlayson, Gallagher, Godchaux, Hendrickson, Hurley, Hutson, Jacobs, Jacobsen, Johnson of Humboldt, Johnson of Santa Clara, Kennedy, Kahn, Kerns, LaRue, Luttringer, Lynch, McCauley, McElroy, McGowan, Mack, Marks, Marston, Mathews of Tehama, Matthews of San Benito, Miller, Mordecai, O'Keefe, O'Neill, Owen, Pendleton, Perkins, Pueschel, Raw, Sargent, Schlesinger, Schroebel, Shanahan, Simpson, Sims, Standart, Taggart, Talbott, Taylor, Thomas of Nevada, Thomas of Santa Clara, Tindall, Vann, Wade, and Mr. Speaker

Quorum present.

PRAYER.

Prayer by the Chaplain, Rev. H. W. Conry.

READING OF THE JOURNAL.

Pending the reading of the Journal of yesterday, Mr. Tindall moved that the further reading be dispensed with.

So ordered.

RESOLUTION.

By Mr. Dodge:

Resolved, That Senate Bill No. 5 presents a case of urgency, as that term is used in section fifteen of article four of the Constitution, and the provisions of that section requiring that the bill shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the first, second, and third times, and placed upon its passage.

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

AYES—Messrs. Alford, Androus, Barker, Bennett of Santa Clara, Bennett of Orange, Boyce, Brownlie, Buckley, Bulla, Burke, Carlson, Casterline, Conway, Curtis, Dodge, Drees, Duffy, Durst, Emeric, Finlayson, Godchaux, Hendrickson, Hurley, Jacobsen, Kennedy, Kahn, Kerns, LaRue, Luttringer, Lynch, McCauley, McGowan, Mack, Marks, Marston, Mordecai, O'Keefe, O'Neill, Pendleton, Perkins, Schlesinger, Schroebel, Shanahan, Simpson, Sims, Talbott, Thomas of Nevada, Tindall, and Vann—49.

NOES—Messrs. Adams, Anderson, Barlow, Blakeley, Bledsoe, Bretz, Chipman, Duckworth, Hutson, Jacobs, Johnson of Humboldt, Mathews of Tehama, Matthews of San Benito, Owen, Taggart, Thomas of Santa Clara, Wade, and Mr. Speaker—18.

REPORTS OF STANDING COMMITTEES.

ON PUBLIC BUILDINGS AND GROUNDS.

ASSEMBLY CHAMBER, SACRAMENTO, February 16, 1893.

MR. SPEAKER: Your Committee on Public Buildings and Grounds, to whom was referred Assembly Bill No 458—have had the same under consideration, and respectfully report the same back, and recommend that it do pass

CURTIS, Chairman.

Assembly Bill No. 458 re-referred to Committee on Ways and Means.

ON JUDICIARY.

ASSEMBLY CHAMBER, SACRAMENTO, February 15, 1893.

MR. SPEAKER: Your Committee on Judiciary, to whom was referred Senate Bill No. 103—An Act to amend section one thousand seven hundred and sixty-three of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, relating to serving notice of application for letters of guardianship of insane and incompetent persons.

Also: Senate Bill No. 209—An Act amending sections one thousand five hundred and seventy-seven and one thousand five hundred and seventy-eight of the Code of Civil Procedure, relating to mortgages and leases in certain cases.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

Also Assembly Constitutional Amendment No 28—A resolution proposing an amendment to section ten of article thirteen of the Constitution of the State of California, relating to revenue and taxation—have had the same under consideration, and respectfully report the same back without recommendation.

Also Assembly Bill No. 85—An Act to amend section six hundred and thirty-one of an Act of the Legislature of the State of California entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1873, relating to a waiver of a trial by jury; and to add two new sections to said Code, to be known and designated as section two hundred and forty-eight, relating to the fees of grand and trial jurors, and section six hundred and twenty, relating to the time and manner of demanding a trial by jury—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

Also: Assembly Bill No 713—An Act to prevent dispensers of water from overcharging consumers for water and water connections—have had the same under consideration, and respectfully report the same back, and recommend that it do pass

Also: Assembly Bill No. 749—An Act to establish a Committee on Legislation, advisory to the Legislature—have had the same under consideration, and respectfully report the same back as amended, without recommendation.

SHANAHAN, Chairman.

ON COMMERCE AND NAVIGATION.

ASSEMBLY CHAMBER, SACRAMENTO, February 15, 1893

MR. SPEAKER: Your Committee on Commerce and Navigation, to whom was referred Assembly Bill No. 731—An Act directing the State Board of Harbor Commissioners to construct a certain portion of the harbor embankment, or seawall, of the port of San Francisco—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as substitute for Assembly Bill No. 306, and that the author be allowed to withdraw Assembly Bill No. 306.

GODCHAUX, Chairman.

ON CORPORATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, February 16, 1893.

MR. SPEAKER: Your Committee on Corporations, to whom was referred Assembly Bill No 668—An Act to enable railroad companies to complete their railroads.

Also: Assembly Bill No 723—An Act to amend section three hundred and fifty-nine, entitled "An Act to establish a Civil Code," approved March 21, 1872, relating to corporations and the increase and diminution of the capital stock, and the creation, increase, and diminution of the bonded indebtedness thereof.

Have had the same under consideration, and respectfully report the same back, and recommend that they be referred to the Judiciary Committee.

ALFORD, Chairman.

Assembly Bills Nos. 668 and 723 re-referred to Committee on Judiciary.

ON MUNICIPAL CORPORATIONS

ASSEMBLY CHAMBER, SACRAMENTO, February 16, 1893.

MR. SPEAKER: Your Committee on Municipal Corporations, to whom was referred Assembly Bill No 664—An Act to amend sections six and eight of an Act approved March 19, 1889, entitled "An Act authorizing the incurring of indebtedness by cities, towns, and municipal corporations, incorporated under the laws of this State, for the construction of waterworks, sewers, and all necessary public improvements, or for any purpose whatever, and to repeal the Act approved March 9, 1885, entitled 'An Act to authorize municipal corporations of the fifth class, containing more than three thousand and less than ten thousand inhabitants, to obtain waterworks;' also, to repeal an Act approved March 15, 1887, entitled 'An Act authorizing the incurring of indebtedness by cities, towns, and municipal corporations incorporated under the laws of this State'"—have had the same under consideration, and respectfully report the same back, and recommend that it do pass

Also: Assembly Bill No. 155—An Act to provide for opening, extending, widening, straightening, or closing up, in whole or in part, any street, square, lane, alley, court, or place within municipalities, and to condemn and acquire all land and property necessary or convenient for such purposes.

Also: Assembly Bill No. 581—An Act to amend section five hundred and one of the Civil Code, relating to street railways.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass as amended.

Also: Senate Bill No. 8—An Act to provide for the appointment of Health Inspectors and Market Inspectors in each municipality of this State having one hundred thousand inhabitants and over that number, providing how such Inspectors shall be appointed and designated as officers of such municipality, and prescribing the duties and fixing the compensation of such Inspectors—have had the same under consideration, and respectfully report the same back, and recommend that it be re-referred to the San Francisco Delegation.

BUCKLEY, Chairman

Senate Bill No. 8 re-referred to San Francisco Delegation.

ON PUBLIC EXPENDITURES AND ACCOUNTS.

ASSEMBLY CHAMBER, SACRAMENTO, February 15, 1893.

MR SPEAKER: Your Committee on Public Expenditures and Accounts, to whom was referred Assembly Bill No. 734—An Act providing an appropriation for the purpose of completing and preserving Sutter's Fort—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

J. H. MATTHEWS, Chairman.

Assembly Bill No. 734 re-referred to Committee on Ways and Means.

ON EDUCATION.

ASSEMBLY CHAMBER, SACRAMENTO, February 15, 1893.

MR. SPEAKER: Your Committee on Education, to whom was referred Assembly Bill No. 730—An Act to amend section one thousand five hundred and twenty-one of the Political Code of California, relating to the powers and duties of the State Board of Education—have had the same under consideration, and respectfully report the same back without recommendation.

Also: Assembly Bill No. 724—An Act to enable school districts in or including cities of the fifth class to issue bonds for the purpose of raising money for certain purposes, and to repeal an Act approved March 31, 1891, entitled "An Act to enable cities of the fifth class to issue bonds for the purpose of raising money to purchase school lots, and for building or purchasing one or more school houses, and supplying the same with furniture, necessary apparatus, and improving the grounds, and for liquidating any indebtedness already incurred for such purposes"—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

Also: Assembly Bill No. 152—An Act to amend sections two, five, seven, and ten of an Act entitled "An Act to establish free public libraries and reading-rooms," approved April 26, 1880, to enable the Trustees to fix the amount of taxes to be raised therefor, and to provide the manner of levying and collecting the same, to authorize the City Treasurer to pay out the same on order of the Trustees, to fix term of office of Trustees, and to provide the manner of their election in cities of less than one hundred thousand population—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

SARGENT, Chairman.

ON FEDERAL RELATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, February 16, 1893.

MR SPEAKER: Your Committee on Federal Relations, to whom was referred Assembly Joint Resolution No. 24—Relative to the creation of a position in the Cabinet of the President of the United States, to be known as "Secretary of Labor"—have had the same under consideration, and respectfully report the same back, and recommend that the same be adopted.

Also: Assembly Joint Resolution No 21—Relating to the postponement of the payment of the indebtedness of the Central and Southern Pacific Railroad Companies—have had the same under consideration, and respectfully report the same back, with amendments, but without recommendation.

SIMS, Chairman.

ON WAYS AND MEANS.

ASSEMBLY CHAMBER, SACRAMENTO, February 16, 1893.

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred Assembly Bill No. 174—An Act to amend section three thousand six hundred and twenty-nine of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, and amended March 7, 1881, relating to revenue and taxation—have had the same under consideration, and respectfully refer it back to the Committee on Judiciary.

W. P. MATHEWS, Chairman.

Assembly Bill No. 174 re-referred to Committee on Judiciary.

ON ATTACHÉS AND EMPLOYÉS.

ASSEMBLY CHAMBER, SACRAMENTO, February 16, 1893.

MR. SPEAKER: Your Committee on Attachés and Employés, to whom was referred the following resolution.

By Mr. Johnson of Santa Clara:

Resolved, That four members of the Committee on State Prisons and Reformatory Institutions be granted three days' leave of absence, for the purpose of visiting the Whittier Reform School.

Have had the same under consideration, and propose that it be amended to read as follows:

Resolved, That three members of the Committee on State Prisons and Reformatory Institutions be granted three days' leave of absence, for the purpose of visiting the Whittier Reform School.

And in the amended form respectfully report the same back, and recommend that it be adopted.

HURLEY, Chairman.

Re-referred to Committee on Public Expenditures and Accounts.

ON ENGROSSMENT.

ASSEMBLY CHAMBER, SACRAMENTO, February 16, 1893.

MR SPEAKER Your Committee on Engrossment beg leave to report that Assembly Bill No 403—An Act to amend section six hundred and twenty-six of the Penal Code—has been properly reengrossed.

KENNEDY, Chairman.

COMMUNICATION.

Mr. Tindall presented the following, which was ordered printed in the Journal:

A PLEA FOR PROGRESS

To the honorable Messrs. of the House, now in session at Sacramento:

We send greeting, through the Hon. Chas. W. Tindall, member of the Assembly from Mendocino, who has long been well known in this county—in youth, earnest and enterprising; in manhood, diligent and discreet in business, ever mentally reaching forward to the higher and nobler gifts of destiny, yet who, like many of us in the rush and crowd of business, may not have studied or even read much on some important questions of the day, that now wait consideration at the bar of legislation—to him, our chosen representative, and to you, we would say, through his courtesy and your permission, let the voice of the home tide be heard.

From you, loyal members of the Assembly, many anxious hearts are waiting a favorable consideration of the question relating to woman's franchise, waiting, waiting at the vestibule of your God-given, manly intelligence for a just and righteous response May not the year 1893 mark an era in the Legislature of California, where the noblest and grandest feature of constitutional reform shall be enacted, that can grace the legal annals of our State?

Shall not franchise for the noble mothers and sisters of this proud golden land be ably championed, in their favor, by every member of the chosen body of Assemblymen that now compose the House? Another '93 will never smile on deeds demanded now.

Let the grand discovery of worlds of latent ability to enact, encourage, and constitute, a long-prayed for and much-needed law, enhance the majesty of your decisions.

Mendocino County has more than four hundred lady taxpayers! A fair case of "taxation without representation." You doubtless smile, and lightly say: "Can we be men and suffer such disfranchise?"

"Shall not intelligence, wit, honor, wealth, citizenship, and loyalty merit our best efforts to pass a bill for the full enfranchisement of women?"

Aye, so let it be Don't let the good thought get strangled in a sea of pecadillos or lawyers' quibbles; seek a right and sure path, which is always to be found somewhere—in every case—amend the Constitution if need be.

Shall woman in possession of intellectual, financial, and judicial ability continue in this age of progress to have no vote for electors chosen from her domain; no vote for the educational enterprises or office holders; no vote for municipal officials, whose decisions may affect her surroundings?

Shall we, of the Golden State, longer ignore the golden rule? Are not our *mothers* and *sisters* endowed with the glory of virtue, knowledge, and wisdom as worthy to-day the right of franchise as are our honored fathers and brothers?

O privileged men, legislators, fathers, would you like to pay taxes with never a vote at elections, or enjoy citizenship with never a citizen's ballot?

Why longer keep silence, or pretend not to hear the voice of conviction that through a vista of years has rung his chimes to every honest heart, clanging equal rights for loyal citizens, irrespective of sex, shade, or color? Our ancient veteran fathers so realized it, only custom, darkly blind, annulled the truth. Let us of to-day lift the veil of blind ignorance, and unveil anew the Goddess of Truth and Liberty, and, by this recognition, the glorious dawn of enlightened womanhood will beam with new luster upon an enlightened nation, when there will be equal rights for man and woman at the ballot.

You say, perchance, rude ways of some men will disturb the gentler mind on voting days. Good laws dispel disturbance When *she* advances to deposit *her* ballot, there will be no rude demeanor, then mutual wishes for a nation's good will prevail

Happy will be the *man* who writes his score in favor of woman's franchise, and happier he who lives to see her cast the ballot

The way to reach desired ends seems often dark and impracticable, but there is somewhere and somehow a straightforward path to it. Make up the mind in favor of granting full franchise, and clouds in the legal horizon will disappear, giving place to the gold and silver tintings of constitutional prosperity and progress.

We pray you, let the noble women who wait your words of wisdom hear that the House echoes their earnest appeal for woman's franchise Let strong hearts sustain it as an Assembly composed of gifted and learned young statesmen should, rather than let the passage of so important a bill be deferred, perhaps, till another generation appears, causing deeper moans, by the lapse of time, where woman's franchise has been unduly, cruelly delayed.

The honor of *advancing* so just a cause should be yours. Achievements are often performed decisively and unexpectedly, and they achieve greatness for the performer; with greatness, too, *results* productive of great good to humanity.

Sweet is the memory of a good deed, helping a friend in need, or an enemy in trouble, but sweeter, far, the satisfaction in having aided to dispel a great injustice that has long hampered the advancement of the community.

What cups of joy for many a heart in this State would overflow with life-giving elixir in praise and orison, were this term's closing session bells to ring out the welcome news of the enfranchisement of woman—to the varied elements, full and clear.

Will you not so deem it, well, soulfully, and in faith with some of your best constituents, to grant the women's sacred petition, asking for franchise, doing all in your power to promote the passage of the bill?

Respectfully submitted.

MARY E. P. McCOWEN,
County Corresponding Secretary, W. C. T. U.

Attest: MRS. BELLE JOHNSON, Vice-President, W. C. T. U.
UKIAH, MENDOCINO COUNTY, CALIFORNIA, February 15, 1893.

MESSAGES FROM THE SENATE.

SENATE CHAMBER, SACRAMENTO, February 15, 1893.

MR SPEAKER I am directed to inform your honorable body that the Senate, on the fifteenth day of February, passed Assembly Bill No 75—An Act making an appropriation to pay the deficiency in the appropriation for the State Board of Forestry for the thirty-eighth, forty-second, and forty-third fiscal years.

Also: Assembly Bill No 269—An Act making an appropriation to pay armory rents and other expenses of the Naval Battalion of the National Guard for the remainder of the forty-fourth fiscal year.

Also: Assembly Bill No 312—An Act appropriating money to pay for the removal, refurnishing of rooms, and repair of furniture for Supreme Court in city of Los Angeles

F. J. BRANDON, Secretary.
By R. SHAW, Assistant.

Assembly Bills Nos. 75, 269, and 312 ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, February 15, 1893.

MR SPEAKER: I am directed to inform your honorable body that the Senate, on the fourteenth day of February, passed Senate Bill No 116—An Act to amend an Act entitled "An Act to establish a Civil Code," approved March 21, 1872, by adding a new section to said Civil Code, to be known as section four hundred and thirty-three, permitting the establishment of mutual insurance companies.

Also Senate Bill No 186—An Act to amend section one thousand four hundred and forty-four of the Code of Civil Procedure, in relation to appraisements of estates of deceased persons

Also: Senate Bill No. 76—An Act to amend an Act entitled "An Act to regulate the practice of pharmacy and sale of poisons in the State of California," approved March 11, 1891.

Also: Senate Bill No 191—An Act to amend section four hundred and ten of the Code of Civil Procedure, relative to the manner of serving summons and complaint.

F. J. BRANDON, Secretary.
By R. SHAW, Assistant

Senate Bill No. 116 referred to Committee on Corporations.

Senate Bills Nos. 186 and 191 referred to Committee on Judiciary.

MOTION.

Mr. Anderson moved that Senate Bill No. 76 be substituted on the file for Assembly Bill No. 68, and be read the first time.

So ordered.

FIRST READING OF BILL.

Senate Bill No. 76—An Act to amend an Act entitled "An Act to regulate the practice of pharmacy and sale of poisons in the State of California," approved March 11, 1891.

Read first time, and placed on file for second reading.

INTRODUCTION OF BILLS.

The following bills were introduced, read by title, and referred to committees, as follows:

By Mr. Duckworth: Assembly Bill No. 774—An Act to amend an Act entitled "An Act to establish a uniform system of county and township governments," approved March 31, 1891, by amending sections fifty-seven, sixty, eighty, ninety-three, one hundred and eleven, one hundred and twelve, one hundred and twenty-three, one hundred and twenty-four, one hundred and twenty-six, one hundred and twenty-seven, one hundred and thirty, one hundred and thirty-one, one hundred and thirty-three, one hundred and thirty-four, one hundred and thirty-five, one hundred and fifty-one, one hundred and fifty-two, one hundred and fifty-four, one hundred and fifty-five, one hundred and sixty-four, one hundred and sixty-five, one hundred and sixty-six, one hundred and sixty-seven, one hundred and sixty-eight, one hundred and sixty-nine, one hundred and seventy, one hundred and seventy-one, one hundred and seventy-two, one hundred and seventy-three, one hundred and seventy-four, one hundred and seventy-five, one hundred and seventy-six, one hundred and seventy-seven, one hundred and seventy-eight, one hundred and seventy-nine, one hundred and eighty, one hundred and eighty-one, one hundred and eighty-two, one hundred and eighty-three, one hundred and eighty-four, one hundred and eighty-five, one hundred and eighty-six, one hundred and eighty-seven, one hundred and eighty-eight, one hundred and eighty-nine, one hundred and ninety, one hundred and ninety-one, one hundred and ninety-two, one hundred and ninety-three, one hundred and ninety-four, one hundred and ninety-five, one hundred and ninety-six, one hundred and ninety-seven, one hundred and ninety-eight, one hundred and ninety-nine, two hundred, two hundred and one, two hundred and two, two hundred and three, two hundred and four, two hundred and five, two hundred and six, two hundred and seven, two hundred and eight, two hundred and nine, two hundred and ten, two hundred and eleven, two hundred and twelve, two hundred and thirteen, two hundred and fourteen, two hundred and fifteen, two hundred and sixteen thereof, and by repealing sections one hundred and six and one hundred and ten of said Act, and by renumbering sections one hundred and seven, one hundred and eight, and one hundred and nine of said Act, and designating them as sections one hundred and six, one hundred and seven, and one hundred and eight, respectively, and by adding two new sections to said Act, and numbering them sections one hundred and nine and one hundred and ten.

Referred to Committee on County and Township Governments.

By Mr. Kahn: Assembly Bill No. 775—An Act to amend section three hundred and seventy-four of an Act entitled "An Act to establish a Penal Code," approved February 14, 1872, in relation to crimes against the public health and safety.

Referred to Committee on Crimes and Penalties.

By Mr. Curtis: Assembly Bill No. 776—An Act to license all persons dealing in cigarettes.

Referred to Committee on Public Morals.

By Mr. Mathews of Tehama: Assembly Bill No. 777—An Act making an appropriation to pay the deficiencies in the appropriation for

costs and expenses of suits in which the State is a party in interest, for the thirty-fifth, thirty-sixth, thirty-seventh, thirty-eighth, thirty-ninth, and fortieth fiscal years.

Referred to Committee on Ways and Means.

By Mr. Finlayson: Assembly Bill No. 778—An Act to amend section two hundred and eighteen of the Political Code of this State, in relation to train wrecking, and the punishment thereof.

Referred to Committee on Crimes and Penalties.

By Mr. Bulla: Assembly Bill No. 779—An Act to amend section three thousand seven hundred and sixty-six of the Political Code, relating to the publication of lists of delinquent State and county taxes.

Referred to Committee on Judiciary.

Also: Assembly Bill No. 780—An Act fixing the number of hours that shall constitute a legal day's labor, and providing the punishment for a violation thereof.

Referred to Committee on Labor and Capital.

By Mr. Thomas of Santa Clara: Assembly Bill No. 781—An Act to amend section one thousand and eighty-three of the Political Code of the State of California, defining the qualifications and disabilities of electors.

Referred to Committee on Apportionment and Election Laws.

By Mr. Carlson: Assembly Bill No. 782—An Act to amend an Act entitled "An Act to provide for the organization and government of irrigation districts, and to provide for the acquisition of water and other property, and for the distribution of water thereby for irrigation purposes," approved March 7, 1887, by amending sections twelve and thirty-seven thereof.

Referred to Committee on Irrigation.

By Mr. Casterline: Assembly Bill No. 783—An Act to amend section one hundred and sixty-eight of an Act entitled "An Act to establish a uniform system of county and township governments," approved March 31, 1891.

Referred to Committee on County and Township Governments.

By Mr. Taylor: Assembly Bill No. 784—An Act to create the county of Tehachapi, classify it, define its boundaries, provide for its organization, and the appointment, election of officers, the location of the county seat by election, and the adjustment and fulfillment of certain rights and obligations arising between such county and certain other counties.

Referred to Committee on Counties and County Boundaries.

By Mr. O'Keefe: Assembly Bill No. 785—An Act to amend section three thousand nine hundred and forty-three of the Civil Code, relating to private remedies for public nuisances.

Referred to Committee on Judiciary.

By Mr. Duffy: Assembly Bill No. 786—An Act to amend section eight of an Act entitled "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," approved March 23, 1876.

Referred to Committee on Agriculture.

ASSEMBLY CONSTITUTIONAL AMENDMENT.

By Committee on Judiciary: Assembly Constitutional Amendment No. 30—A resolution to propose to the people of the State of California

a new section to article thirteen of the Constitution, to be known as section twelve and one half, in relation to revenue and taxation.

Placed on file.

ASSEMBLY CONCURRENT RESOLUTION.

By Mr. Carlson: Assembly Concurrent Resolution No. 17—Concurrent resolution approving the amendments to the charter of the city of San Diego, in San Diego County, California, voted for and ratified by the qualified electors of said city at the general election held therein on the eighth day of November, 1892.

Referred to Committee on Municipal Corporations.

MOTION.

Mr. Kennedy moved that Senate Bill No. 116 be substituted on the file for Assembly Bill No. 629, and be read the first time.

So ordered.

FIRST READING OF BILL.

Senate Bill No. 116—An Act to amend an Act entitled "An Act to establish a Civil Code," approved March 21, 1872, by adding a new section to said Civil Code, to be known as section four hundred and thirty-three, permitting the establishment of mutual insurance companies.

Read first time, and placed on file for second reading.

MOTION.

Mr. Mordecai moved that Senate Bill No. 198 be taken up out of order and read the second time.

Pending discussion of the motion, Mr. Mordecai moved that the special order set for this hour, the consideration of Assembly Bill No. 403, be postponed thirty minutes.

Lost.

SPECIAL ORDER.

Assembly Bill No. 403—An Act to amend section six hundred and twenty-six of the Penal Code, relating to the preservation of game birds and animals, and providing punishment for the unlawful taking, killing, and transportation thereof.

Read third time.

PREVIOUS QUESTION.

Mr. Alford moved the previous question, seconded by Messrs. O'Keefe and Emeric.

The question being, "Shall the main question be now put?"

The ayes and noes were demanded by Messrs. Alford, Shanahan, and Bledsoe.

The roll was called, and the previous question ordered by the following vote:

AYES—Messrs. Alford, Anderson, Androus, Barker, Bennett of Santa Clara, Bulla, Carlson, Chipman, Curtis, Drees, Duckworth, Emeric, Finlayson, Godchaux, Hendrickson, Hurley, Hutson, Jacobsen, Kahn, Kerns, LaRue, Lynch, Mordecai, Owen, Pendleton, Perkins, Pueschel, Raw, Schroebel, Simpson, Sims, Taggart, Talbott, Taylor, Tindall, Wade, and Mr. Speaker—37.

NOES—Messrs. Adams, Barlow, Bennett of Orange, Blakeley, Bledsoe, Boyce, Bretz, Brownlie, Buckley, Burke, Casterline, Conway, Dodge, Duffy, Gallagher, Johnson of Humboldt, Kennedy, Luttringer, McCauley, McElroy, McGowan, Mack, Marks, Marston, Matthews of San Benito, Miller, O'Neill, Sargent, Schlesinger, Shanahan, Standart, Thomas of Nevada, Thomas of Santa Clara, and Vann—34.

CALL OF THE HOUSE.

Mr. Shanahan moved a call of the house, seconded by Messrs. Kennedy and Brownlie.

So ordered.

The roll was called, and the following members answered to their names:

Messrs. Adams, Alford, Anderson, Androus, Barker, Barlow, Bennett of Santa Clara, Bennett of Orange, Blakeley, Bledsoe, Boyce, Bretz, Brownlie, Buckley, Bulla, Burke, Carlson, Casterline, Chipman, Conway, Curtis, Dodge, Drees, Duckworth, Duffy, Durst, Emeric, Finlayson, Gallagher, Godchaux, Hendrickson, Hurley, Hutson, Jacobs, Jacobsen, Johnson of Humboldt, Johnson of Santa Clara, Kennedy, Kahn, Kerns, LaRue, Luttringer, Lynch, McCauley, McElroy, McGowan, Mack, Marks, Marston, Matthews of San Benito, Miller, Mordecai, O'Neill, Owen, Pendleton, Perkins, Pueschel, Raw, Sargent, Schlesinger, Schroebel, Shanahan, Simpson, Sims, Standart, Taggart, Talbott, Taylor, Thomas of Nevada, Thomas of Santa Clara, Tindall, Vann, Wade, and Mr. Speaker.

The following members: Messrs. Cusick, Gately, Hamilton, and O'Keefe, were absent without leave, and the Speaker directed the Sergeant-at-Arms to bring the absent members before the bar of the House.

Mr. Kahn in the chair.

Mr. Cusick was brought before the bar of the House and excused.

Mr. Alford moved that further proceedings under the call of the House be dispensed with.

Lost.

Mr. Gately was brought before the bar of the House and excused.

Mr. Burke moved that further proceedings under the call of the House be dispensed with.

So ordered.

Assembly Bill No. 403—An Act to amend section six hundred and twenty-six of the Penal Code, relating to the preservation of game birds and animals, and providing punishment for the unlawful taking, killing, and transportation thereof.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Alford, Anderson, Androus, Barker, Bennett of Santa Clara, Bledsoe, Boyce, Bretz, Bulla, Carlson, Chipman Curtis, Drees, Duckworth, Durst, Emeric, Finlayson, Godchaux, Hendrickson, Hutson, Jacobs, Jacobsen, Johnson of Humboldt, Johnson of Santa Clara, Kerns, Lynch, Marston, Mathews of Tehama, Matthews of San Benito, Mordecai, O'Keefe, Owen, Pendleton, Perkins, Pueschel, Raw, Schroebel, Simpson, Sims, Taggart, Talbott, Taylor, Tindall, Wade, and Mr. Speaker—45

NOES—Messrs. Adams, Barlow, Bennett of Orange, Blakeley, Brownlie, Buckley, Burke, Casterline, Conway, Cusick Dodge, Duffy, Gallagher, Gately, Hurley, Kennedy, Kahn, LaRue, Luttringer, McCauley, McElroy, McGowan, Mack, Marks, Miller, O'Neill, Sargent, Schlesinger, Shanahan, Standart, Thomas of Nevada, Thomas of Santa Clara, and Vann—33.

Title read and approved.

NOTICE OF RECONSIDERATION.

Mr. Boyce gave notice that on the next legislative day he will move a reconsideration of the vote whereby Assembly Bill No. 403 was passed.

MOTION.

The question recurred on the motion to take up Assembly Bill No. 198 out of order.

Lost.

RESOLUTION.

Resolved, That the State Printer be and he is hereby directed to have printed three hundred extra copies of Assembly Bill No. 774, and the Sergeant-at-Arms is hereby directed to cause one of such copies to be laid on the desk of each member.

Adopted.

MOTION.

Mr. Blakeley moved that Assembly Bill No. 239, as reported back with committee amendments, be printed and placed upon the desks of members.

So ordered.

REPORT OF JOINT COMMITTEE.

ASSEMBLY CHAMBER, SACRAMENTO, February 15, 1893.

MR. SPEAKER: Your Joint Committee on Ways and Means, and Public Expenditures and Accounts, to whom was referred the election contest expenses in the matter of F. W. Leonhard vs. H. B. M. Miller, beg leave to report that they have listened to sworn testimony and fully investigated the same, and therefore recommend the adoption of the following resolution:

Resolved, That the State Controller be and is hereby directed to draw his warrant for the sum of eight hundred and thirty-one dollars and forty cents ($831 40), in favor of H. B. M. Miller, payable out of the Contingent Fund of the Assembly.

Also.

Resolved, That the Controller be and is hereby directed to draw his warrants for the sum of three hundred and seventy-five dollars ($375), in favor of E J. Rogers, attorney for F. W. Leonhard, and for the sum of four hundred and fifty-one dollars and seventy cents ($451 70), in favor of F. W. Leonhard, all payable out of the Contingent Fund of the Assembly.

W. P. MATHEWS,
Chairman Committee on Ways and Means.
J. H. MATTHEWS,
Chairman Committee on Public Expenditures and Accounts.

Mr. Schlesinger moved to amend Resolution No. 1 as follows:

By striking out the words "eight hundred and thirty-one dollars and forty cents," and insert in lieu thereof the words "eleven hundred and six dollars and forty cents"

Also: Amend Resolution No. 2, by striking out "three hundred and seventy-five dollars," and insert "five hundred dollars"

Mr. Pendleton moved that the hour of recess be extended ten minutes.

So ordered.

Upon the amendment the ayes and noes were demanded by Messrs. Bledsoe, Thomas of Santa Clara, and Matthews of San Benito.

RECESS.

Pending announcement of the roll call, the hour of recess having arrived, the Speaker pro tem. declared recess until two o'clock P. M.

REASSEMBLED.

The Assembly reassembled at two o'clock P. M.

Speaker Gould in the chair.

Quorum present.

AMENDMENT.

The Speaker announced the vote on the amendment to the report of the Committee on Public Expenditures and Accounts to be as follows:

AYES—Messrs Alford, Anderson, Androus, Barker, Bennett of Santa Clara, Blakeley, Boyce, Brownlie, Buckley, Burke, Carlson, Casterline, Chipman, Conway, Curtis, Cusick, Duckworth, Durst, Emeric, Finlayson, Gallagher, Gately, Hendrickson, Johnson of Santa Clara, Kennedy, Lynch, McCauley, McGowan, Mack, Marks, Matthews of San Benito, O'Keefe, Owen, Pendleton, Perkins, Pueschel, Sargent, Schlesinger, Schroebel, Shanahan, Simpson, Standart, Taylor, and Thomas of Nevada—44

NOES—Messrs Adams, Barlow, Bennett of Orange, Bledsoe, Bulla, Dodge, Drees, Duffy, Hurley, Hutson, Jacobs, Jacobsen, Johnson of Humboldt, Kahn, Kerns, LaRue, Luttringer, McElroy, Marston, Mordecai, O'Neill, Raw, Sims, Taggart, Talbott, Thomas of Santa Clara, Tindall, Vann, Wade, and Mr. Speaker—30.

MOTION OF RECONSIDERATION.

Mr. Matthews of San Benito moved a reconsideration of the vote whereby the amendment was adopted.

The ayes and noes were demanded by Messrs. Matthews of San Benito, Bledsoe, and Thomas of Santa Clara.

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

AYES—Messrs. Bledsoe, Hurley, Hutson, Jacobs, Johnson of Humboldt, Kahn, Kerns, LaRue, Luttringer, Mathews of Tehama, Matthews of San Benito, Thomas of Santa Clara, Vann, Wade, and Mr. Speaker—15.

NOES—Messrs Adams, Anderson, Androus, Barker, Barlow, Bennett of Santa Clara, Bennett of Orange, Boyce, Bretz, Brownlie, Buckley, Bulla, Burke, Carlson, Casterline, Chipman, Curtis, Cusick, Dodge, Drees, Duckworth, Duffy, Durst, Finlayson, Gallagher, Gately, Godchaux, Hendrickson, Jacobsen, Johnson of Santa Clara, Kennedy, Lynch, McGowan, Mack, Marks, Marston, O'Keefe, Owen, Pendleton, Perkins, Pueschel, Raw, Sargent, Schlesinger, Schroebel, Shanahan, Simpson, Sims, Standart, Talbott, Taylor, Thomas of Nevada, and Tindall—53

ADOPTION OF AMENDED REPORT.

The question recurring upon the the adoption of the report as amended.

The ayes and noes were demanded by Messrs. Shanahan, Miller, and Thomas of Santa Clara.

The roll was called, and the report as amended adopted by the following vote:

AYES—Messrs. Anderson, Androus, Barker, Bennett of Santa Clara, Blakeley, Boyce, Bretz, Brownlie, Buckley, Bulla, Burke, Carlson, Casterline, Chipman, Cusick, Drees, Duckworth, Durst, Finlayson, Gallagher, Gately, Godchaux, Hendrickson, Kennedy, Lynch, McGowan, Mack, Marks, Marston, O'Keefe, O'Neill, Owen, Pendleton, Perkins, Pueschel, Sargent, Schlesinger, Schroebel, Shanahan, Simpson, Standart, Talbott, Taylor, and Thomas of Nevada—44.

NOES—Messrs Adams, Barlow, Bennett of Orange, Bledsoe, Dodge, Duffy, Hurley, Hutson, Jacobs, Jacobsen, Johnson of Humboldt, Kahn, Kerns, LaRue, Luttringer, McElroy, Mathews of Tehama, Matthews of San Benito, Raw, Sims, Thomas of Santa Clara, Tindall, Vann, Wade, and Mr. Speaker—25

INTRODUCTION OF BILL.

By Mr. Durst: Assembly Bill No. 787—An Act amendatory of and supplemental to an Act entitled "An Act to define the boundary and provide for the government of Levee District No. 2 of Sutter County," passed March 23, 1876, in relation to the election of officers for said district, funding the floating debt, and refunding the funded debt thereof.

Referred to Committee on Swamp and Overflowed Lands.

SPECIAL ORDER.

Assembly Constitutional Amendment No. 14—A resolution proposing to the people of the State of California an amendment to the Constitution, repealing sections twenty-two and twenty-three of article twelve of said Constitution, relating to the Railroad Commission, and adding to article four of said Constitution a new section, to be known and numbered as section thirty-six, relating to railroad freights and fares.

Mr. Godchaux offered a substitute, and moved that the same be printed.

So ordered.

Mr. Godchaux moved that the further consideration of Assembly Constitutional Amendment No. 14 be made a special order for next Tuesday at two o'clock P. M.

So ordered.

MOTIONS.

Mr. Wade, on his motion, was allowed to withdraw certain petitions relative to the State Viticultural Commission.

Mr. Bretz moved that the special order set for this hour, the consideration of Assembly Bill No. 18, be postponed until to-morrow at two o'clock P. M.

So ordered.

SPECIAL FILE.

Assembly Bill No. 192—An Act to provide for the building and furnishing of three cottages for use as residences of the Resident Physician and two Assistant Physicians at the Napa State Asylum for the Insane, and making an appropriation therefor.

Passed on file.

Assembly Bill No. 366—An Act making an appropriation for the erection of an additional building for the State Normal School at San José.

Passed on file.

Assembly Bill No. 2—An Act making an appropriation to pay the deficiencies in the appropriation for costs and expenses of suits in which the State is a party in interest, for the fortieth, forty-first, forty-second, and forty-third fiscal years.

Passed on file.

Assembly Bill No. 36—An Act to appropriate money for the survey, location, and construction of a free wagon road from the town of Mariposa, in Mariposa County, to the Yosemite Valley.

Passed on file.

Assembly Bill No. 720—An Act authorizing the State Controller and State Treasurer to transfer from the State School Fund to the State School Land Fund the sum of one hundred and eighty-nine thousand four hundred and twenty-six dollars and fifty-eight cents.

Read second time, ordered engrossed and to a third reading.

Assembly Bill No. 469—An Act to pay the claim of Mary M. Springer, the widow and heir of Thomas A. Springer, late State Printer, deceased.

Read second time.

MOTION.

Mr. Pendleton moved that the Assembly resolve itself into Committee of the Whole, with the Speaker in the chair, for the purpose of considering Assembly Bill No. 469.

So ordered.

IN COMMITTEE OF THE WHOLE.

Speaker Gould in the chair.

Assembly Bill No. 469 was considered in Committee of the Whole.

IN ASSEMBLY.

Speaker Gould in the chair.

REPORT OF THE COMMITTEE OF THE WHOLE.

The Speaker stated the report of the Committee of the Whole, as follows:

GENTLEMEN: The Committee of the Whole have had under consideration Assembly Bill No. 469—An Act to pay the claim of Mary M Springer, the widow and heir of Thomas A. Springer, late State Printer, deceased—and now report and recommend that the same be re-referred to Committee on Ways and Means, and to retain its place on the file.

Report adopted.

LEAVE OF ABSENCE.

Mr. Emeric was granted leave of absence for the day.

SPECIAL FILE—(RESUMED).

Assembly Bill No. 737—An Act to provide for the payment of interest on the outstanding bonds of the State of California, held in trust for the University Fund and State School Fund; to continue in force so much of an Act entitled "An Act to provide for the payment of the funded indebtedness of the State of California, and to contract a funded debt for that purpose," approved April 2, 1870, as is not in conflict with this Act; to repeal an Act of the Legislature of the State of California, approved March 4, 1881, entitled "An Act to appropriate money to reimburse the University of California for moneys heretofore appropriated to the Endowment Fund thereof, which moneys have, by mistake, been withheld therefrom and appropriated to other State expenses," and making an appropriation to pay the interest on said outstanding bonds from January 1 to July 1, 1893.

Read first time, and placed on file for second reading.

MOTION.

Mr. Miller moved that the special order, the consideration of Assembly Bill No. 352, set for two o'clock P. M., be postponed until two o'clock P. M. to-morrow.

So ordered.

SPECIAL FILE—(RESUMED).

Assembly Bill No. 483—An Act making an appropriation to pay the deficiency in the appropriation for additional improvements for the Southern California State Asylum for the Insane and Inebriates.

Read first time, and placed on file for second reading.

Assembly Bill No. 506—An Act to provide for additional improvements at the Reform School for Juvenile Offenders, located at Whittier, in the county of Los Angeles, and State of California, and to make an appropriation for the same.

Read first time, and placed on file for second reading.

Assembly Bill No. 99—An Act to appropriate two hundred and sixty-one thousand four hundred and fifty dollars for the erection of an Administration Building for the Mendocino State Asylum for the Insane, to complete the female ward, to purchase furniture and furnish the buildings erected and to be erected by the Directors of said asylum, to construct a plant for lighting said buildings, to improve the grounds thereof, to purchase live stock and agricultural implements to be used for asylum purposes, to construct a carpenter shop and morgue thereon, to furnish the bakery, to construct a dam to furnish a water supply to said asylum, for fencing the ground and constructing yard fencing, for constructing a sewer system, for purchasing laundry machinery and kitchen furniture, to appropriate money therefor, and provide for the expenditure of the same.

Read first time, and placed on file for second reading.

Assembly Bill No. 482—An Act making an appropriation for the erection of additional buildings and improvements for the Southern California State Asylum for the Insane and Inebriates.

Read first time, and placed on file for second reading.

Assembly Bill No. 688—An Act making an appropriation from the State School Book Fund, to supply the deficiency in the present appropriation from the General Fund, for compiling State school text-books, for the forty-fourth fiscal year.

Read first time, and placed on file for second reading.

Assembly Bill No. 319—An Act appropriating the sum of twenty thousand dollars for the erection and construction of a sewer for the State Insane Asylum at Agnews, to appropriate money therefor, and to provide for the expenditure of the same.

Read first time, and placed on file for second reading.

Senate Bill No. 132—An Act to appropriate money for the completion of the building of the Preston School of Industry at Ione, and for furnishing and equipping the same.

Read first time, and placed on file for second reading.

Assembly Bill No. 231—An Act to appropriate money for the completion of the building of the Preston School of Industry at Ione, and for furnishing and equipping the same.

Passed on file.

Assembly Bill No. 484—An Act making an appropriation to pay for the management and maintenance of the Southern California State Asylum for the Insane and Inebriates for the forty-fourth fiscal year.

Re-referred to Committee on Ways and Means, on motion of Mr. Lynch.

Senate Bill No. 5—An Act providing for the selection, condemnation,

and purchase of a suitable site, and the erection thereon of a State building, in San Francisco, and making an appropriation therefor.

Read first time, and placed on file for second reading.

Assembly Bill No. 206—An Act to provide furniture for and furnishing the California Home for the Care and Training of Feeble-Minded Children, at Glen Ellen, Sonoma County, California, and making an appropriation therefor.

Read first time, and placed on file for second reading.

Assembly Bill No. 207—An Act to provide for the erection of an additional wing to the main building of the California Home for the Care and Training of Feeble-Minded Children, at Glen Ellen, Sonoma County, California, for the female department of said institution, and to appropriate money therefor.

Read first time, and placed on file for second reading.

Assembly Bill No. 208—An Act to provide for the improvement of the grounds of the California Home for the Care and Training of Feeble-Minded Children, at Glen Ellen, Sonoma County, California, and to appropriate money therefor.

Read first time, and placed on file for second reading.

Senate Bill No. 177—An Act to provide for the erection of an additional wing to the main building of the California Home for the Care and Training of Feeble-Minded Children, at Glen Ellen, Sonoma County, California, for the female department of said institution, and to appropriate money therefor.

Read first time, and placed on file for second reading.

GENERAL FILE—THIRD READING OF BILLS.

Assembly Bill No. 169—An Act to cede jurisdiction to the United States over certain lands.

Passed on file.

Assembly Bill No. 158—An Act to amend section two thousand six hundred and fifty-three of the Political Code, relating to the levy of road tax.

Passed on file.

Assembly Bill No. 270—An Act to establish a Naval Battalion, to be attached to the National Guard of California.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Alford, Anderson, Androus, Barker, Bennett of Santa Clara, Blakeley, Boyce, Brownlie, Buckley, Bulla, Burke, Carlson, Casterline, Chipman, Conway, Curtis, Dodge, Drees, Duffy, Durst, Finlayson, Gallagher, Gately, Godchaux, Hendrickson, Hutson, Jacobsen, Johnson of Humboldt, Kennedy, Kahn, Kerns, LaRue, Luttringer, Lynch, McCauley, McElroy, McGowan, Mack, Marston, Mathews of Tehama, Miller, Mordecai, O'Keefe, O'Neill, Owen, Pendleton, Pueschel, Sargent, Schlesinger, Schroebel, Shanahan, Simpson, Sims, Taggart, Talbott, Taylor, Thomas of Nevada, Tindall, Vann, and Mr Speaker—60

NOES—Messrs Adams, Barlow, Bennett of Orange, Bledsoe, Bretz, Jacobs, Matthews of San Benito, Thomas of Santa Clara, and Wade—9

Title read and approved.

Mr. Kennedy moved that the bill be immediately transmitted to the Senate.

So ordered.

Assembly Bill No. 82—An Act to amend sections one thousand three hundred and three, one thousand three hundred and twenty-three, one thousand three hundred and sixty-five, one thousand three hundred and

eighty-eight, one thousand four hundred and thirty-nine, one thousand five hundred and sixteen, one thousand five hundred and seventeen, one thousand five hundred and thirty-six, one thousand five hundred and forty-five, one thousand five hundred and forty-seven, 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 fifty-two, one thousand five hundred and fifty-three, one thousand five hundred and fifty-four, one thousand five hundred and fifty-seven, one thousand five hundred and fifty-eight, one thousand five hundred and sixty-five, one thousand five hundred and ninety-two, one thousand five hundred and ninety-seven, one thousand five hundred and ninety-eight, one thousand five hundred and ninety-nine, and one thousand six hundred and eighteen, and to repeal sections one thousand five hundred and eighteen, one thousand five hundred and nineteen, one thousand five hundred and twenty-two, one thousand five hundred and twenty-three, one thousand five hundred and twenty-four, 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-three, one thousand five hundred and thirty-seven, one thousand five hundred and thirty-eight, one thousand five hundred and thirty-nine, one thousand five hundred and forty, one thousand five hundred and forty-one, one thousand five hundred and forty-two, one thousand five hundred and forty-three, one thousand five hundred and forty-four, one thousand five hundred and forty-nine, and one thousand five hundred and fifty-six, and to add four new sections, to be known and designated as sections one thousand five hundred and forty-six, one thousand five hundred and fifty-four and one half, one thousand five hundred and ninety-two, and one thousand five hundred and ninety-seven and one half of an Act of the Legislature of the State of California entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1873, all relating to estates of deceased persons.

Passed on file.

MOTION.

Mr. Miller moved to take up Senate messages.

So ordered.

MESSAGES FROM THE SENATE.

SENATE CHAMBER, SACRAMENTO, February 16, 1893.

MR. SPEAKER: I am directed to inform your honorable body that the Senate, on the fifteenth day of February, 1893, passed Assembly Bill No 271—An Act to amend sections seven hundred and seventy-eight and seven hundred and eighty-two of the Political Code of the State of California, relating to the printing and sale of the reports of the Supreme Court of the said State of California; and to repeal sections seven hundred and seventy-nine, seven hundred and eighty, and seven hundred and eighty-one of said Political Code

Also: Assembly Bill No 96—An Act to add a new section to the Political Code, to be numbered three thousand eight hundred and nineteen, relating to the payment of taxes under protest, and the right of action to recover taxes so paid

Also: Substitute for Senate Bill No 71—An Act to prevent deception in the manufacture and sale of imitation butter, and to appropriate money for its enforcement

Also: Senate Bill No. 155—An Act to add a new section to the Penal Code, to be known and numbered section six hundred and fifty-five, relating to dealing in options

F. J. BRANDON, Secretary.
By R. SHAW, Assistant.

Also:

SENATE CHAMBER, SACRAMENTO, February 16, 1893

MR. SPEAKER: I am directed to inform your honorable body that the Senate, on this day, passed Assembly Bill No 142—An Act regulating the hours of labor in saw mills, shingle mills, shake mills, and logging camps.

Also: Assembly Bill No 127—An Act appropriating four thousand dollars to pay for the system of heating and ventilating established in the Training Department of the State Normal School at San José, California

Also: Assembly Bill No 4—An Act to amend section fifty-three of the Penal Code of California, relating to intimidating, corrupting, deceiving, or defrauding electors

F J. BRANDON, Secretary
By R. SHAW, Assistant.

Also:

SENATE CHAMBER, SACRAMENTO, February 16, 1893

MR SPEAKER I am directed to inform your honorable body that the Senate, on this day, passed Senate Bill No. 144—An Act to provide for additional improvements and repairs at the Napa State Asylum for the Insane, and making an appropriation therefor.

F. J. BRANDON, Secretary.
By R. SHAW, Assistant.

Also:

SENATE CHAMBER, SACRAMENTO, February 16, 1893.

MR. SPEAKER: I am directed to inform your honorable body that the Senate, on this day, passed Senate Bill No 364—An Act to amend an Act entitled "An Act to amend an Act entitled 'An Act to provide for Police Courts in cities of thirty thousand and under one hundred thousand inhabitants, and to provide for officers thereof,' approved March 18, 1885, and to provide for Clerks of Police Courts in cities of twenty-six thousand and under fifty thousand inhabitants," approved March 31, 1891, by inserting a new section, to be numbered six and one half, providing for prosecuting attorneys of Police Courts in cities having more than thirty thousand and under fifty thousand inhabitants, and prescribing the duties and regulating the compensation of such prosecuting attorneys.

F. J. BRANDON, Secretary.
By R. SHAW, Assistant.

Assembly Bills Nos. 271, 96, 142, 127, and 4 ordered to enrollment.

Substitute for Senate Bill No. 71 and Senate Bill No. 155 referred to Committee on Agriculture.

Senate Bill No. 144 referred to Committee on State Hospitals.

MOTION.

Mr. Miller moved that Senate Bill No. 364 be substituted on the file for Assembly Bill No. 352, and be read the first time.

So ordered.

FIRST READING OF BILL.

Senate Bill No. 364—An Act to amend an Act entitled "An Act to amend an Act entitled 'An Act to provide for Police Courts in cities of thirty thousand and under one hundred thousand inhabitants, and to provide for officers thereof,' approved March 18, 1885, and to provide for Clerks of Police Courts in cities of twenty-six thousand and under fifty thousand inhabitants," approved March 31, 1891, by inserting a new section, to be numbered six and one half, providing for prosecuting attorneys of Police Courts in cities having more than thirty thousand and under fifty thousand inhabitants, and prescribing the duties and regulating the compensation of such prosecuting attorneys.

Read first time, and placed on file for second reading.

REPORT OF STANDING COMMITTEE.

ON SWAMP AND OVERFLOWED LANDS

ASSEMBLY CHAMBER, SACRAMENTO, February 16, 1893.

MR. SPEAKER: Your Committee on Swamp and Overflowed Lands, to whom was referred Assembly Bill No. 54—An Act to prevent the overflow of streams of water and washes, and to confine them to their usual channels.

Also: Assembly Bill No 659—An Act amendatory of an Act to provide for the organization and government of levee districts created for the protection of lands from overflow of innavigable running streams of water, and to confine innavigable running streams to a fixed channel.

Also Assembly Bill No. 573—An Act supplemental to an Act entitled "An Act to provide for the organization and government of levee districts created for the protection of lands from overflow of innavigable running streams to a fixed channel," approved March 10, 1891, and to provide for the examination, approval, and confirmation of proceedings for the issue and sale of bonds issued under the provisions of said Act

Have had the same under consideration, and respectfully report the same back, and recommend that indorsed substitute bill take the place of all three bills named, and we hereby return it without recommendation.

PUESCHEL, Chairman

NOTICE.

Mr. Pueschel gave notice that he will on to-morrow offer a resolution to amend Rule II of the Standing Rules of the Assembly, by inserting in the order of business a section to be numbered ten and one half, relative to the suspension of the constitutional provision regarding the consideration of bills on file:

Amend Rule II of the Standing Rules of the Assembly by adding thereto, under the head of Order of Business, a rule, to be numbered X½, to the effect that all bills on the file may, on Friday of each week, be called up as a special order immediately upon the reassembling of the House after recess, and may be passed to the several readings under a suspension of the constitutional provision, and a motion to suspend such provision shall be in order, such suspension being reached on a call of the roll, each member calling up any one bill holding a place on the file.

THIRD READING OF BILLS.

Assembly Bill No. 83—An Act to amend sections one thousand seven hundred and sixty-eight, one thousand seven hundred and seventy, one thousand seven hundred and seventy-seven, one thousand seven hundred and eighty-eight, and one thousand seven hundred and eighty-nine, and repealing sections one thousand seven hundred and seventy-eight, 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-six, and one thousand seven hundred and eighty-seven of an Act of the Legislature of the State of California entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1873, all relating to the guardianship of the persons and estates of minors and incompetents, and adding a new section to said Code of Civil Procedure, to be known and designated as section one thousand seven hundred and seventy-one and one half, also relating to the guardianship of the persons and estates of minors and incompetents.

Passed on file.

Assembly Bill No. 125—An Act to increase the number of Judges of the Superior Court of the county of Santa Clara, and to provide for the appointment of an additional Judge, and to fix his compensation.

Passed on file.

Assembly Bill No. 428—An Act to amend sections five hundred and twenty-seven, five hundred and thirty-one, and five hundred and thirty-two of the Political Code, relating to public printing, and the duties of the Superintendent of State Printing.

Read third time, and passed by the following vote:

AYES—Messrs Adams, Alford, Anderson, Androus, Barker, Barlow, Bennett of Santa Clara, Bennett of Orange, Bledsoe, Boyce, Bretz, Brownlie, Buckley, Bulla, Burke, Carlson, Casterline, Chipman, Conway, Dodge, Duckworth, Durst, Finlayson, Gallagher, Gately, Godchaux, Hendrickson, Hurley, Hutson, Jacobs, Johnson of Humboldt, Kennedy, Kerns, Luttringer, Lynch, McCauley, McElroy, McGowan, Mack, Marks, Marston, Matthews of San Benito, Miller, O'Keefe, Owen, Pueschel, Sargent, Schlesinger, Schroebel, Shanahan, Simpson, Sims, Standart, Taggart, Talbott, Taylor, Thomas of Nevada, Thomas of Santa Clara, Tindall, Vann, Wade, and Mr. Speaker—62.

NOES—None

Title read and approved.

RESOLUTION.

By Mr. Bennett of Santa Clara:

Resolved, That the Clerk of the Committee on Military Affairs be allowed to accompany the Committee on Military Affairs to Los Angeles and San Diego

Adopted.

REPORTS OF STANDING COMMITTEES.

ON HOMESTEAD AND LAND MONOPOLY.

ASSEMBLY CHAMBER, SACRAMENTO, February 15, 1893.

MR. SPEAKER: Your Committee on Homestead and Land Monopoly, to whom was referred Assembly Bill No. 739—An Act to amend sections one thousand two hundred and forty, one thousand two hundred and forty-one, and one thousand two hundred and forty-three of the Political Code of the State of California, relating to homestead exemptions—have had the same under consideration, and respectfully report the same back, and recommend that it do pass

GATELY, Chairman.

ON RETRENCHMENT.

ASSEMBLY CHAMBER, SACRAMENTO, February 14, 1893.

MR. SPEAKER: Your Committee on Retrenchment, to whom was referred Assembly Bill No 689—An Act to amend section three hundred and sixty-eight of the Political Code, relative to appointments by the Governor—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

MARKS, Chairman.

INTRODUCTION OF BILL.

By Mr. Duckworth: Assembly Bill No. 788—An Act appropriating money to pay the expense of transporting, insuring, and installing of a California exhibit in the woman's building of the World's Columbian Exposition.

Referred to Committee on Agriculture.

Mr. Sims moved that Assembly Bill No. 428 be immediately transmitted to the Senate.

So ordered.

THIRD READING OF BILLS.

Assembly Bill No. 416—An Act authorizing the Superintendent of State Printing to have prepared and printed an index to all the laws of California, 1850–1893.

Passed on file.

Assembly Bill No. 447—An Act exempting agricultural, horticultural, viticultural, and pastoral occupations from license taxation.

Passed on file.

Assembly Bill No. 276—An Act entitled an Act to amend section two thousand six hundred and eighty-four of the Political Code.

Passed on file.

Assembly Bill No. 298—An Act to amend an Act entitled "An Act creating a Board of Bank Commissioners, and prescribing their duties and powers," approved March 30, 1878.

Passed on file.

Senate Bill No. 267—An Act to amend an Act entitled "An Act to establish a School of Industry, to provide for the maintenance and management of the same, and to make an appropriation therefor," approved March 11, 1889.

Read third time, and passed by the following vote:

AYES—Messrs. Adams, Anderson, Androus, Barker, Barlow, Bennett of Orange, Bledsoe, Boyce, Bretz, Brownlie, Burke, Carlson, Casterline, Chipman, Conway, Drees, Duckworth, Duffy, Durst, Finlayson, Gallagher, Godchaux, Jacobs, Jacobsen, Johnson of Humboldt, Johnson of Santa Clara, Kerns, LaRue, Luttringer, Lynch, McCauley, McElroy, McGowan, Mack, Marks, Marston, Mathews of Tehama, Miller, Mordecai, O'Keefe, O'Neill, Pendleton, Perkins, Sargent, Schroebel, Shanahan, Simpson, Sims, Standart, Taggart, Talbott, Thomas of Nevada, Thomas of Santa Clara, Tindall, Vann, Wade, and Mr. Speaker—57.

NOES—None.

Title read and approved.

MOTION.

Mr. Mathews of Tehama moved to take up Governor's message.

So ordered.

MESSAGE FROM THE GOVERNOR.

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA,
SACRAMENTO, February 16, 1893

To the Assembly of the State of California

I desire to call your attention to some measures which I think deserve your prompt and careful attention To the present time bills have been introduced in the Legislature calling for appropriations which, including the General Appropriation Bill, will amount to sixteen million dollars. It is my desire that every just claim against the State, and every appropriation for necessary expenses in conducting the State institutions, should be allowed. The experience of the Board of Examiners, and other State officials, in dealing with the various unliquidated claims against the State, has convinced every one of them of the pressing necessity of legislation to carry into effect the provisions of section six of article twenty of the Constitution, relative to suits against the State It is a well-known fact that the time of past Legislatures, and of the Board of Examiners, has been very largely consumed in the examination of doubtful claims against the State, many of which involve difficult questions of law and fact The report of the Board of Examiners, laid before you at this session, shows that a very large number of claims have been examined by the Board, and as to many of them, it had been unable to either approve or reject, it being impossible to make such a thorough examination as would result in exact justice to the claimant, and at the same time protect the interest of the State I see no reason why claims against the State should stand upon any different footing, at least as to the manner of examination and adjustment, from claims against private individuals. The State ought always to be willing, and it is manifestly to her interest, that such claims should be passed upon by the ordinary process of law. In fact, the exemption of the State from suit, though generally regarded as a privilege, is, in my judgment, decidedly injurious to her interests in many respects, especially the right to plead the statute of limitations. As the law now stands, claims which would be regarded as stale if presented to a private individual, may and constantly are presented over and over again to the Legislature

At different times the Legislature has passed Acts authorizing individuals to sue the State If the principle in those Acts is good, it ought to be extended so as to apply to all cases which may be brought within its scope

My attention has been called to Senate Bill No 401 and Assembly Bill No. 374, which authorize suits against the State for all claims not allowed by the Board of Examiners. I have carefully examined these bills, and am of the opinion that if made the law, the interests of all legitimate claimants will be thereby promoted and the true interests of the State thoroughly guarded

DEFICIENCIES.

It is customary to insert a clause in the General Appropriation Bill whereby officers and employés of the State are prohibited from creating a deficiency in excess of the appropriation, except in cases of actual necessity, and only then upon the unanimous consent, first obtained, of the Board of Examiners. It has been found to work most admirably, and in the interest of the State, so far as it applies But there should be a general law to the same intent An inspection of the file shows that Senate Bill No. 502 and Assembly Bill No 550 have been introduced, and are intended to cover this point The State needs all the protection that such a law affords, and I urge the passage of the measures mentioned above

EXEMPTION FROM EXAMINATION.

My attention has been called to the fact that many bills have been introduced, making appropriations for various purposes, exempting the same from the provisions of section six hundred and seventy-two of the Political Code, which means that immediately upon the passage of these bills by the Legislature, the State Controller shall draw his warrant for the amount therein named, and the State Treasurer shall pay the same, and that they shall not pass the scrutiny of the Board of Examiners, the same as provided by law in all other cases I look upon this principle as an exceedingly vicious one, and recommend to your honorable bodies that no appropriation having this clause in the bill should receive your sanction

COYOTES

At the last session of the Legislature a law was passed providing for the payment of the sum of five dollars out of the State Treasury for each coyote destroyed. No one at that time had an idea that it would prove such a burden upon the taxpayers of the State. The last quarterly report of the State Controller shows that there have been paid out during that quarter over fifty thousand dollars for coyote scalps. It is fair to presume that during the next two fiscal years the State will be called upon to pay out over four hundred thousand dollars, and the amount may reach half a million, for this purpose I recommended in my message to your honorable bodies that the law be repealed, and Senate Bill No 77 and Assembly Bill No. 87 have been introduced by some of your honorable members looking to such repeal.

In this connection, I desire to say that as I consider the fifty-cent limit still binding upon me, I most earnestly recommend that you consider the amount that will necessarily be paid out in pursuance of the provisions of this law, if permitted to stand, as a part of the necessary expenses of the State, and that the amount above named be considered in excess of the appropriations which you are called upon to make I am convinced that the State has paid, and will continue to pay, for scalps taken without this State If a bounty is to be paid, it should be largely reduced in amount, and greater safeguards thrown around the proofs required as a guard against the possibility of fraud. The Board of Examiners is helpless If a claim presented is correct in form, it must be allowed, for all evidence is destroyed before the claim is presented to the Board.

PUBLIC BUILDING IN SAN FRANCISCO

Senate Bill No. 5 has already passed the Senate, and is now before the Assembly. This bill authorizes the appropriation of three hundred thousand dollars for the erection of a public building in San Francisco, for the accommodation of the various State officers and employés located in that city. The idea of concentrating these officers in some one building is certainly worthy of favorable consideration, first, on account of the convenience to the people of the State, as it is almost impossible for any one not very familiar with San Francisco to expect to find all of them in much short of a week's time; again, the rent for this purpose is simply enormous, as it amounts to over two thousand dollars per month. If the State is to pay twenty-four thousand dollars a year for rent, it becomes a grave question whether it is an economical proposition or not, especially as it is presumed that all State officers should be at the State Capitol, where abundant room could easily be supplied. But, as a matter of convenience and economy, there should be some relief in some direction. It has occurred to me that, with a moderate appropriation, good and sufficient accommodations could be provided in the new building now being erected by the State Board of Harbor Commissioners The location is central, convenient, and eminently proper. One hundred thousand dollars ought to be sufficient to provide accommodations for every purpose, with the possible exception of that of the Supreme Court of the State, the location of which ought probably to remain nearer the New City Hall I ask your very careful consideration to this proposition

In view of the fact that at least eleven million dollars will be required for the maintenance of the various State offices and institutions during the next two years, and that at least eight hundred thousand dollars will be required to put the several uncom-

pleted public institutions in condition for successful operation, and especially in view of the enormous amount of appropriations asked for, I do most earnestly urge that appropriations for the absolute necessities of the State should be first considered and allowed before those of a general character.

H. H. MARKHAM, Governor.

THIRD READING OF BILLS.

Senate Bill No. 93—An Act to amend sections two and five of "An Act to provide for the maintenance and support of the public parks heretofore created within the various cities, and cities and counties, of the State, and amend the existing Acts in relation thereto," approved March 14, 1889.

Read third time, and passed by the following vote:

AYES—Messrs Adams, Alford, Anderson, Androus, Barker, Barlow, Bennett of Santa Clara, Bennett of Orange, Blakeley, Bledsoe, Boyce, Buckley, Bulla, Burke, Carlson, Chipman, Conway, Curtis, Cusick, Dodge, Duckworth, Duffy, Durst, Finlayson, Gallagher, Gately, Hurley, Hutson, Jacobs, Johnson of Humboldt, Kennedy, Kahn, Kerns, LaRue, Luttringer, Lynch, Marks, Marston, Mathews of Tehama, Matthews of San Benito, Miller, Mordecai, O'Keefe, O'Neill, Owen, Pendleton, Pueschel, Raw, Sargent, Schroebel, Simpson, Sims, Standart, Talbott, Taylor, Thomas of Santa Clara, Tindall, Vann, Wade, and Mr. Speaker—62.

NOES—None

Title read and approved.

Senate Bill No. 346—An Act to provide a system of street improvement bonds to represent certain assessments for the cost of street work and improvement within municipalities, and also for the payment of such bonds.

Read third time, and passed by the following vote:

AYES—Messrs. Adams, Anderson, Barker, Barlow, Bennett of Santa Clara, Bennett of Orange, Blakeley, Bledsoe, Boyce, Buckley, Bulla, Burke, Carlson, Casterline, Chipman, Conway, Cusick, Dodge, Duckworth, Duffy, Durst, Finlayson, Gallagher, Hurley, Hutson, Jacobs, Johnson of Humboldt, Kerns, LaRue, Luttringer, Lynch, McGowan, Marks, Miller, Mordecai, O'Keefe, O'Neill, Owen, Pendleton, Perkins, Schlesinger, Schroebel, Simpson, Sims, Standart, Taggart, Talbott, Thomas of Nevada, Thomas of Santa Clara, Tindall, Vann, Wade, and Mr. Speaker—54

NOES—None.

Title read and approved.

Mr. Matthews of San Benito moved that Assembly Bill No. 575 be replaced on the file and be read the first time.

So ordered.

FIRST READING OF BILL.

Assembly Bill No. 575—An Act to amend sections sixteen, eighteen, nineteen, twenty-four, twenty-six, and twenty-nine of an Act entitled "An Act to establish a State Reform School for Juvenile Offenders, and to make an appropriation therefor," approved March 11, 1889.

Read first time, and placed on file for second reading.

INTRODUCTION OF BILL.

By Mr. Dodge: Assembly Bill No. 789—An Act making an appropriation to pay the deficiency in the appropriation for the State's portion of the salaries of Judges of the Superior Court for the forty-fourth fiscal year.

Referred to Committee on Ways and Means.

MOTIONS.

Mr. Finlayson moved that a session be held this evening for the first reading of bills.

Mr. Mordecai moved as a substitute that an evening session be held for the second reading of bills.

ADJOURNMENT.

Pending consideration of the motion, at four o'clock and twenty minutes P. M., on motion of Mr. Schlesinger, the Assembly adjourned.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Friday, February 17, 1893.

The Assembly met pursuant to adjournment.

Speaker Gould in the chair.

The roll was called, and the following members answered to their names:

Messrs. Adams, Alford, Anderson, Androus, Barker, Barlow, Bennett of Santa Clara, Bennett of Orange, Blakeley, Bledsoe, Bretz, Brownlie, Buckley, Bulla, Burke, Carlson, Casterline, Chipman, Conway, Curtis, Cusick, Dodge, Drees, Duckworth, Duffy, Durst, Emeric, Finlayson, Gallagher, Gately, Godchaux, Hendrickson, Hurley, Hutson, Jacobs, Johnson of Humboldt, Kennedy, Kahn, Kerns, LaRue, Luttringer, Lynch, McGowan, Marks, Marston, Mathews of Tehama, Matthews of San Benito, Miller, Mordecai, O'Keefe, O'Neill, Owen, Pendleton, Perkins, Pueschel, Raw, Schlesinger, Shanahan, Simpson, Sims, Standart, Taggart, Talbott, Taylor, Thomas of Nevada, Thomas of Santa Clara, Tindall, Vann, Wade, and Mr. Speaker.

Quorum present.

PRAYER.

Prayer by the Chaplain, Rev. H. W. Conry:

COMMUNICATION.

The Speaker had read the following communication:

EUFAULA, ALABAMA, February 11, 1893.

To the honorable Members of the Assembly

As a devoted sister of your esteemed colleague, Edward B. Price, let me tender to you my sincere and deepest gratitude for the kind and tender manner in which you laid his precious body to rest, and "When Jesus comes to make up his jewels," may you each be gathered to Him on high.

Sorrowingly and respectfully,

MRS. GEO. M. JORDAN.

READING AND APPROVAL OF THE JOURNAL.

Pending the reading of the Journal of yesterday, Mr. Duckworth moved that the further reading be dispensed with.

So ordered.

Journal of Tuesday, February 13th, and Wednesday, February 14th, approved.

REPORTS OF STANDING COMMITTEES.

ON CORPORATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, February 17, 1893.

MR. SPEAKER: Your Committee on Corporations, to whom was referred Assembly Bill No. 552—An Act to amend an Act entitled "An Act in relation to foreign corporations," approved April 1, 1872.

Also. Assembly Bill No 656—An Act to amend section two thousand one hundred and sixty-two of the Civil Code

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

Also. Assembly Bill No 713—An Act to provide for the publication of semi-annual statements by corporations and persons engaged in the business of banking, and to repeal the Act approved April 1, 1876, entitled 'An Act concerning corporations and persons engaged in the business of banking"—have had the same under consideration, and respectfully report the same back without recommendation.

ALFORD, Chairman

ON VINICULTURE, VITICULTURE, AND HORTICULTURE

ASSEMBLY CHAMBER, SACRAMENTO, February 17, 1893

MR. SPEAKER. Your Committee on Viniculture, Viticulture, and Horticulture, to whom was referred Assembly Bill No. 721—An Act to amend section two of an Act amendatory of an Act entitled "An Act to amend an Act entitled 'An Act to protect and promote the horticultural interests of the State,'" approved March 14, 1881, approved March 19, 1889; approved March 31, 1891—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

HUTSON, Chairman.

ON CONSTITUTIONAL AMENDMENTS.

ASSEMBLY CHAMBER, SACRAMENTO, February 17, 1893

MR SPEAKER. Your Committee on Constitutional Amendments, to whom was referred Assembly Constitutional Amendment No 27—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, amending article eighteen thereof, relative to amending and revising the Constitution

Also. Assembly Constitutional Amendment No. 29—Proposing to the people of the State an amendment to section one of article thirteen of the Constitution, relative to exemptions from taxation—have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

SCHLESINGER, Chairman.

ON ATTACHÉS AND EMPLOYÉS

ASSEMBLY CHAMBER, SACRAMENTO, February 17, 1893

MR SPEAKER: Your Committee on Attachés and Employés, to whom was referred the following resolutions:

By Mr. Anderson:

Resolved, That H. M. Woods be and he is hereby appointed Assistant Enrolling Clerk, at the same per diem as paid other Assistant Enrolling Clerks, payable out of the Contingent Fund of the Assembly

Have had the same under consideration, and respectfully report the same back, and recommend that it do pass

Also: By Mr. Cusick:

Resolved, That Joseph Currington be and is hereby appointed Assistant Engrossing Clerk, at a salary of five dollars per diem, to be paid out of the appropriation for the contingent expenses of the Assembly.

Advise that it be amended to read:

Resolved, That Joseph Currington be and is hereby appointed Assistant Enrolling Clerk, at a salary of five dollars per diem, to be paid out of the appropriation for the contingent expenses of the Assembly.

And, in the amended form, respectfully report the same back, and recommend that it do pass

HURLEY, Chairman.

INTRODUCTION OF BILLS.

The following bills were introduced, read by title, and referred to committees, as follows:

By Mr. Bulla: Assembly Bill No. 790—An Act to amend section five of an Act entitled "An Act amendatory of and supplemental to an Act

entitled 'An Act to provide for the organization and government of irrigation districts, and to provide for the acquisition of water and other property, and for the distribution of water thereby for irrigation purposes,' approved March, 1887, and providing for a change of the boundaries of irrigation districts by excluding other lands therefrom," approved February 16, 1889, in reference to excluding lands from districts where no bonds have been issued.

Referred to Committee on Irrigation.

By Mr. Vann: Assembly Bill No. 791—An Act to amend section two thousand six hundred and forty-one of the Political Code, relating to the powers and duties of highway officers.

Referred to Committee on Roads and Highways.

By Mr. Anderson: Assembly Bill No. 792—An Act to protect and promote the horticultural, viticultural, and forestry interests of this State.

Referred to Committee on Viniculture, Viticulture, and Horticulture, and also Forestry.

By Mr. Finlayson: Assembly Bill No. 793—An Act to prevent overcharges for services by railroad corporations, and to better secure investments in such corporations.

Referred to Committee on Corporations.

By Mr. Standart: Assembly Bill No. 794—An Act making an appropriation to pay the deficiency in the appropriation for arresting criminals without the State for the forty-third fiscal year.

Referred to Committee on Ways and Means.

RESOLUTION.

By Mr. Conway:

Resolved, That a fine of two dollars be imposed on any member not answering at roll call on and after Monday, February 20, 1893, unless such member shall have been excused on the previous day.

Mr. Alford moved to amend by adding, as follows:

Or upon such day that the member fails to answer such roll call

Mr. Schlesinger moved to lay the amendment on the table.

Lost.

Amendment lost.

Resolution adopted.

MOTION.

In accordance with previous notice given, Mr. Pueschel moved that the standing rules of the Assembly be amended as follows:

Amend Rule II of the Standing Rules of the Assembly by adding thereto, under the head of Order of Business, a rule, to be numbered XI½, to the effect that all bills on the file may, on Friday of each week, be called up as a special order immediately upon the reassembling of the House after recess, and may be passed to the several readings under a suspension of the constitutional provision, and a motion to suspend such provision shall be in order, such suspension being reached on a call of the roll, each member calling up any one bill holding a place on the file.

Mr. Lynch offered the following as a substitute:

Resolved, That the rules be suspended, and that on Tuesday, February 21st, after the reading of the Journal, the roll be called and each member be allowed to call up one bill, with the consent of the author, which shall be placed on the special file, *provided*,

that if twelve members object, such bill shall not be so taken up, but in that case the member may call up another bill with the consent of the author, *and provided further*, that any member, instead of calling up an Assembly bill to be placed on the special file, may call up a Senate bill identical with such bill

Mr. Wade moved that the consideration of the amendments be made a special order for next Monday at two o'clock P. M.

So ordered.

Mr. Buckley moved that Assembly Bill No. 675 be substituted for Assembly Bill No. 521 on this day's file.

So ordered.

INTRODUCTION OF BILL.

By Mr. Taggart: Assembly Bill No. 795—An Act authorizing the incurring of indebtedness and issuance of bonds therefor by cities, towns, and municipal corporations incorporated under the laws of this State, for the construction of waterworks, sewers, buildings, breakwaters, seawalls, embankments, and all necessary public improvements, or for the purchase of land, or for any purpose whatever, and to repeal all portions of Acts in conflict therewith; providing, that proceedings for the issuance of bonds commenced under any prior Act shall in nowise be affected by this Act, but shall in all respects be finished and completed according to the Act under which such proceedings have been commenced.

Referred to Committee on Municipal Corporations.

REPORT OF STANDING COMMITTEE.

ON JUDICIARY.

ASSEMBLY CHAMBER, SACRAMENTO, February 17, 1893.

MR SPEAKER: Your Committee on Judiciary, to whom was referred Assembly Bill No. 643—An Act to amend sections one thousand seven hundred and forty-eight, one thousand eight hundred and forty-nine, and one thousand seven hundred and sixty-four of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, relating to guardian and ward.

Also: Assembly Bill No. 705—An Act to amend an Act entitled "An Act creating a Board of Bank Commissioners, and prescribing their duties and powers," approved March 30, 1878, relating to location of the office of Bank Commissioners.

Have had the same under consideration, and respectfully report the same back, and recommend that the authors thereof be allowed to withdraw them

Also: Assembly Bill No 174—An Act to amend section three thousand six hundred and twenty-nine of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, and amended March 7, 1881, relating to revenue and taxation

Also: Assembly Bill No. 738—An Act to provide for the adjustment of the indebtedness and assets between any county that has been created, or may hereafter be created, and the county or counties from the territory of which such new county may be created.

Have had the same under consideration, and respectfully report the same back, and recommend that they do not pass.

Also: Assembly Bill No. 663—An Act entitled an Act to regulate the practice of veterinary medicine and surgery in the State of California—have had the same under consideration, and respectfully report the same back, and recommend that it be referred to the State Hospitals Committee

Also: Assembly Bill No. 751—An Act to amend section one thousand five hundred and thirty-six, section one thousand five hundred and thirty-seven, section one thousand five hundred and thirty-eight, section one thousand five hundred and forty-two, section one thousand five hundred and forty-three, and section one thousand five hundred and forty-five of an Act of the Legislature of the State of California entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1873, all relating to estates of deceased persons—have had the same under consideration, and respectfully report the same back without recommendation.

SHANAHAN, Chairman.

Mr. Luttringer, on his motion, was allowed to withdraw Assembly Bill No. 643.

Assembly Bill No. 663 re-referred to Committee on State Hospitals.

SPECIAL FILE.

Assembly Bill No. 192—An Act to provide for the building and furnishing of three cottages for use as residences of the Resident Physician and two Assistant Physicians at the Napa State Asylum for the Insane, and making an appropriation therefor.

Passed on file.

Assembly Bill No. 366—An Act making an appropriation for the erection of an additional building for the State Normal School at San José.

Passed on file.

Assembly Bill No. 2—An Act making an appropriation to pay the deficiencies in the appropriation for costs and expenses of suits in which the State is a party in interest, for the fortieth, forty-first, forty-second, and forty-third fiscal years.

Passed on file.

Assembly Bill No. 36—An Act to appropriate money for the survey, location, and construction of a free wagon road from the town of Mariposa, in Mariposa County, to the Yosemite Valley.

Passed on file.

Assembly Bill No. 720—An Act authorizing the State Controller and State Treasurer to transfer from the State School Fund to the State School Land Fund the sum of one hundred and eighty-nine thousand four hundred and twenty-six dollars and fifty-eight cents.

Passed on file.

Assembly Bill No. 469—An Act to pay the claim of Mary M. Springer, the widow and heir of Thomas A. Springer, late State Printer, deceased.

Passed on file.

Assembly Bill No. 737—An Act to provide for the payment of interest on the outstanding bonds of the State of California, held in trust for the University Fund and the State School Fund; to continue in force so much of an Act entitled "An Act to provide for the payment of the funded indebtedness of the State of California, and to contract a funded debt for that purpose," approved April 2, 1870, as is not in conflict with this Act; to repeal an Act of the Legislature of the State of California, approved March 4, 1881, entitled "An Act to appropriate money to reimburse the University of California for moneys heretofore appropriated to the Endowment Fund thereof, which moneys have, by mistake, been withheld therefrom and appropriated to other State expenses, and making an appropriation to pay the interest on said outstanding bonds from January 1 to July 1, 1893.

Read second time.

Mr. Duckworth moved to amend as follows:

By striking from the title therefrom and including the words "to continue in force so much," in line three, to and including the words "in conflict with this Act," in line seven; also, strike out the word "expenses," in line twelve, and insert in lieu of said last word the word "purposes."

Adopted.

Mr. Dodge moved that Assembly Bill No. 674 be substituted for Assembly Bill No. 247 on this day's file.

So ordered.

Assembly Bill No. 483—An Act making an appropriation to pay the

deficiency in the appropriation for additional improvements for the Southern California State Asylum for the Insane and Inebriates.

Read second time.

Assembly Bill No. 506—An Act to provide for additional improvements at the Reform School for Juvenile Offenders, located at Whittier, in the county of Los Angeles, and State of California, and to make an appropriation for the same.

Read second time.

Committee substitute, as follows:

COMMITTEE SUBSTITUTE FOR ASSEMBLY BILL No. 506.

An Act to provide for additional improvements at the Reform School for Juvenile Offenders, located at Whittier, in the county of Los Angeles, and State of California, and to make an appropriation for the same.

The People of the State of California, represented in Senate and Assembly, do enact as follows

SECTION 1. The sum of one hundred and seventy-eight thousand four hundred dollars, or so much thereof as may be necessary, is appropriated out of the moneys in the State Treasury not otherwise appropriated, to be paid to the Trustees of the Reform School for Juvenile Offenders, located at Whittier, in the county of Los Angeles, and State of California, to be by them expended as follows:

For the construction and erection of the following buildings and improvements to be made upon the lands belonging to the State at Whittier, aforesaid, and appertaining to said school, and furnishing and equipping the same, the following amounts, as follows, to wit: For Commissary's warehouse and office, bakery, and kitchen, to be constructed south of and adjoining the Administration Building, and to be connected therewith by a covered way, for cow and hay barn, for buildings and furnishings for girls' department, including two buildings for general purposes, dormitories, etc., and one building for instruction in trades and employments, for shelter buildings, for additions to electric light plant

For paying architect's fees and for supervision of construction.

For purchase of fruit trees for planting the lands.

For purchase of water and distributing the same.

For purchase of books and current periodicals for the library of the boys' department for the forty-fifth and forty-sixth fiscal years.

For purchase of books and current periodicals for the library of the girls' department for the forty-fifth and forty-sixth fiscal years

SEC 2 The Controller of State is hereby authorized and directed to draw his warrants for said amounts upon the demand of the Trustees of the said school, and the State Treasurer is hereby authorized and directed to pay the same.

SEC. 3. This Act shall take effect and be in force from and after its passage.

Adopted.

Assembly Bill No. 99—An Act to appropriate two hundred and sixty-one thousand four hundred and fifty dollars for the erection of an Administration Building for the Mendocino State Asylum for the Insane, to complete the female ward, to purchase furniture and furnish the buildings erected and to be erected by the Directors of said asylum, to construct a plant for lighting said buildings, to improve the grounds thereof, to purchase live stock and agricultural implements to be used for asylum purposes, to construct a carpenter shop and morgue thereon, to furnish the bakery, to construct a dam to furnish a water supply to said asylum, for fencing the ground and constructing yard fencing, for constructing a sewer system, for purchasing laundry machinery and kitchen furniture, to appropriate money therefor, and provide for the expenditure of the same.

Read second time.

Committee substitute, as follows:

COMMITTEE SUBSTITUTE FOR ASSEMBLY BILL No. 99

An Act to appropriate one hundred thousand dollars for the Mendocino State Asylum, to complete the female ward, to purchase furniture and furnish the buildings erected and to be erected by the Directors of said asylum, to construct a plant for lighting

said buildings, to improve the grounds thereof, to purchase live stock and agricultural implements to be used for asylum purposes, to construct a carpenter shop and morgue thereon, to furnish the bakery, to construct a dam to furnish a water supply to said asylum, for fencing the ground and constructing a sewer system, for purchasing laundry machinery and kitchen furniture, to appropriate money therefor, and provide for the expenditure of the same

The People of the State of California, represented in Senate and Assembly, do enact as follows:

SECTION 1 There is hereby appropriated out of any money in the State Treasury not otherwise appropriated, the sum of one hundred thousand dollars, to be paid to the order of the Directors of the Mendocino State Asylum for the Insane, for the completion of the female ward building now being erected by the Directors of said insane asylum; for the purpose of purchasing furniture and furnishing buildings which have been heretofore erected by the Directors of said asylum, and which may be hereafter erected under the provisions of this Act; to construct a plant for lighting said buildings, and purchase the necessary machinery therefor, to improve the grounds of said asylum, to purchase live stock and agricultural implements to be used for asylum purposes, to construct a carpenter shop and morgue thereon, to furnish the bakery, to construct a dam to furnish a water supply to said asylum; for fencing the ground and constructing yard fencing; for constructing a sewer system; for purchasing laundry machinery and kitchen furniture.

SEC. 2. Such sums as are used for building purposes shall be expended pursuant to the provisions of an Act entitled "An Act to establish a branch insane asylum for the insane of the State of California at Ukiah, to be known as the Mendocino State Insane Asylum, and appropriating money therefor," approved February twentieth, eighteen hundred and eighty-nine, and "An Act to regulate contracts on behalf of the State in relation to erections and buildings," approved March twenty-third, eighteen hundred and seventy-six

SEC 3 The State Board of Examiners shall examine, audit, and allow all demands arising under this Act and the said Acts herein mentioned; and the State Controller shall thereupon draw his warrant therefor, payable out of the General Fund, and the State Treasurer is hereby ordered to pay such warrants

SEC 4. The amount herein appropriated may be drawn in one sum, or in such sums as the Board of Directors of said insane asylum may desire

SEC 5 *This Act shall take effect from and after its passage.*

Adopted.

Assembly Bill No. 482—An Act making an appropriation for the erection of additional buildings and improvements for the Southern California State Asylum for the Insane and Inebriates.

Read second time.

Committee substitute, as follows:

COMMITTEE SUBSTITUTE FOR ASSEMBLY BILL No. 482.

An Act making an appropriation for the erection of additional buildings and improvements for the Southern California State Asylum for the Insane and Inebriates

The People of the State of California, represented in Senate and Assembly, do enact as follows

SECTION 1 The sum of one hundred and seventeen thousand five hundred dollars is hereby appropriated out of any money in the State Treasury not otherwise appropriated, to be paid to the Trustees of the Southern California State Asylum for the Insane and Inebriates, as follows: For the erection of a ward building, for the construction of drainage ditches, for the erection of a pumping station for the disposal of sewage, for grading grounds, preparing and planting to orchard and ornamental shrubbery, and for making roads and walks, for the building of a stable, for the purchase of live stock, vehicles, and agricultural implements, for the building of a wall inclosing yard for patients, and for the construction of a building over reservoir

SEC 2 The Controller of the State is hereby authorized and directed to draw his warrant for said amount as the work shall progress, in favor of the Board of Trustees of said Southern California State Asylum for the Insane and Inebriates, upon their requisition for the same, and the Treasurer is hereby directed to pay said warrants.

SEC 3 This Act shall take effect immediately.

Adopted.

Assembly Bill No. 688—An Act making an appropriation from the State School Book Fund, to supply the deficiency in the present appropriation from the General Fund, for compiling State school textbooks, for the forty-fourth fiscal year.

Read second time.

Assembly Bill No. 319—An Act appropriating the sum of twenty thousand dollars for the erection and construction of a sewer for the State Insane Asylum at Agnews, to appropriate money therefor, and to provide for the expenditure of the same.

Read second time.

Senate Bill No. 132—An Act to appropriate money for the completion of the building of the Preston School of Industry at Ione, and for furnishing and equipping the same.

Read second time.

Committee amendment, as follows:

Amend by striking out in section one, line one of printed bill, the words "two hundred and twenty-five," and inserting in lieu thereof the words "one hundred and forty-five."

Adopted.

MOTION.

Mr. Lynch moved that the Assembly resolve itself into Committee of the Whole, with the Speaker in the chair, for the purpose of considering Assembly Bills Nos. 737, 483, 506, 99, 482, 688, 319, and Senate Bill No. 132.

So ordered.

IN COMMITTEE OF THE WHOLE.

Speaker Gould in the chair.

Assembly Bills Nos. 737, 483, 506, 99, 482, 688, 319, and Senate Bill No. 132 were considered in Committee of the Whole.

IN ASSEMBLY.

Speaker Gould in the chair.

REPORT OF THE COMMITTEE OF THE WHOLE.

The Speaker stated the report of the Committee of the Whole, as follows:

GENTLEMEN: The Committee of the Whole have had under consideration Assembly Bill No. 737—An Act to provide for the payment of interest on the outstanding bonds of the State of California, held in trust for the University Fund and the State School Fund; to continue in force so much of an Act entitled "An Act to provide for the payment of the funded indebtedness of the State of California, and to contract a funded debt for that purpose," approved April 2, 1870, as is not in conflict with this Act; to repeal an Act of the Legislature of the State of California, approved March 4, 1881, entitled "An Act to appropriate money to reimburse the University of California for moneys heretofore appropriated to the Endowment Fund thereof, which moneys have, by mistake, been withheld therefrom and appropriated to other State expenses," and making an appropriation to pay the interest on said outstanding bonds from January 1 to July 1, 1893.

Also: Assembly Bill No. 483—An Act making an appropriation to pay the deficiency in the appropriation for additional improvements for the Southern California State Asylum for the Insane and Inebriates

Also: Assembly Bill No. 506—An Act to provide for additional improvements at the Reform School for Juvenile Offenders, located at Whittier, in the county of Los Angeles, and State of California, and to make an appropriation for the same.

Also: Assembly Bill No. 99—An Act to appropriate two hundred and sixty-one thousand four hundred and fifty dollars for the erection of an Administration Building for the Mendocino State Asylum for the Insane, to complete the female ward, to purchase furniture and furnish the buildings erected and to be erected by the Directors of said asylum, to construct a plant for lighting said buildings, to improve the grounds thereof, to purchase live stock and agricultural implements to be used for asylum purposes, to construct a carpenter shop and morgue thereon, to furnish the bakery, to construct a

dam to furnish a water supply to said asylum, for fencing the ground and constructing yard fencing, for constructing a sewer system, for purchasing laundry machinery and kitchen furniture, to appropriate money therefor, and provide for expenditure of the same.

Also: Assembly Bill No 482—An Act making an appropriation for the erection of additional buildings and improvements for the Southern California State Asylum for the Insane and Inebriates.

Also: Assembly Bill No. 688—An Act making an appropriation from the State School Book Fund to supply the deficiency in the present appropriation from the General Fund for compiling State school text-books, for the forty-fourth fiscal year.

Also. Assembly Bill No 319—An Act appropriating the sum of twenty thousand dollars for the erection and construction of a sewer for the State Insane Asylum at Agnews, to appropriate money therefor, and to provide for the expenditure of the same.

Also. Senate Bill No. 132—An Act to appropriate money for the completion of the building of the Preston School of Industry at Ione, and for furnishing and equipping the same

And now report progress, and recommend that the same do pass, except that Assembly Bill No. 737, Assembly Bill No. 99, Assembly Bill No. 482, and Senate Bill No. 132, do pass as amended.

Assembly Bills Nos. 737, 483, 506, 99, 482, 688, and 319 ordered engrossed and to a third reading.

Senate Bill No. 132 ordered to a third reading.

MOTION.

Mr. Anderson moved that the further consideration of the special file be passed until to-morrow.

So ordered.

THIRD READING OF BILLS.

Assembly Bill No. 169—An Act to cede jurisdiction to the United States over certain lands.

Passed on file.

Assembly Bill No. 158—An Act to amend section two thousand six hundred and fifty-three of the Political Code, relating to the levy of road tax.

Passed on file.

Assembly Bill No. 82—An Act to amend sections one thousand three hundred and three, one thousand three hundred and twenty-three, one thousand three hundred and sixty-five, one thousand three hundred and eighty-eight, one thousand four hundred and thirty-nine, one thousand five hundred and sixteen, one thousand five hundred and seventeen, one thousand five hundred and thirty-six, one thousand five hundred and forty-five, one thousand five hundred and forty-seven, 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 fifty-two, one thousand five hundred and fifty-three, one thousand five hundred and fifty-four, one thousand five hundred and fifty-seven, one thousand five hundred and fifty-eight, one thousand five hundred and sixty-five, one thousand five hundred and ninety-two, one thousand five hundred and ninety-seven, one thousand five hundred and ninety-eight, one thousand five hundred and ninety-nine, and one thousand six hundred and eighteen, and to repeal sections one thousand five hundred and eighteen, one thousand five hundred and nineteen, one thousand five hundred and twenty-two, one thousand five hundred and twenty-three, one thousand five hundred and twenty-four, 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-three, one thousand five hundred and thirty-seven, one thousand five hundred and thirty-eight, one thousand five hundred and thirty-nine, one thousand five hundred and forty, one thousand five hundred and forty-one, one thousand five hundred and forty-two, one thousand five hundred and forty-three, one thousand five hundred and forty-four, one thousand five hundred and forty-nine, and one thousand five hundred and fifty-six, and to add four new sections, to be known and designated as sections one thousand five hundred and forty-six, one thousand five hundred and fifty-four and one half, one thousand five hundred and ninety-two, and one thousand five hundred and ninety-seven and one half, of an Act of the Legislature of the State of California entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1873, all relating to estates of deceased persons.

Passed on file.

Assembly Bill No. 83—An Act to amend sections one thousand seven hundred and sixty-eight, one thousand seven hundred and seventy, one thousand seven hundred and seventy-seven, one thousand seven hundred and eighty-eight, and one thousand seven hundred and eighty-nine, and repealing sections one thousand seven hundred and seventy-eight, 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-six, and one thousand seven hundred and eighty-seven of an Act of the Legislature of the State of California entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1873, all relating to the guardianship of the persons and estates of minors and incompetents, and adding a new section to said Code of Civil Procedure, to be known and designated as section one thousand seven hundred and seventy-one and one half, also relating to the guardianship of the persons and estates of minors and incompetents.

Passed on file.

Assembly Bill No. 125—An Act to increase the number of Judges of the Superior Court of the county of Santa Clara, and to provide for the appointment of an additional Judge, and to fix his compensation.

Passed on file.

Assembly Bill No. 416—An Act authorizing the Superintendent of State Printing to have prepared and printed an index to all the laws of California, 1850–1893.

Read third time. and passed by the following vote:

AYES—Messrs Adams, Anderson, Barker, Barlow, Bennett of Santa Clara, Bennett of Orange, Blakeley, Bledsoe, Bretz, Buckley, Bulla, Burke, Carlson, Chipman, Conway, Curtis, Cusick, Dodge, Drees, Duckworth, Duffy, Durst, Finlayson, Gallagher, Godchaux, Hurley, Hutson, Jacobs, Johnson of Humboldt, Johnson of Santa Clara, Kahn, Luttringer, Lynch, McGowan, Marston, Mathews of Tehama, Matthews of San Benito, Miller, Mordecai, O'Keefe, O'Neill, Owen, Pendleton, Perkins, Raw, Schlesinger, Simpson, Sims, Taggart, Talbott, Taylor, Thomas of Nevada, Thomas of Santa Clara, Vann, Wade, and Mr. Speaker—56.

NOES—None.

Title read and approved.

Assembly Bill No. 447—An Act exempting agricultural, horticultural, viticultural, and pastoral occupations from license taxation.

Passed on file, on motion of Mr. Owen.

Assembly Bill No. 276—An Act entitled an Act to amend section two thousand six hundred and eighty-four of the Political Code.

Passed on file.

Assembly Bill No. 298—An Act to amend an Act entitled "An Act creating a Board of Bank Commissioners, and prescribing their duties and powers," approved March 30, 1878.

Passed on file.

Assembly Bill No. 296—An Act to amend sections thirty-eight to fifty-three, inclusive, of an Act approved March 31, 1891, adding those sections to "An Act to provide for work upon streets, alleys, lanes, courts, places, and sidewalks, and for the construction of sewers within municipalities," approved March 18, 1885.

Passed on file.

Substitute for Assembly Bill No. 167—An Act providing for the destruction of ground squirrels and other destructive crop pests on all lands owned or claimed within the limits of the State of California.

Passed on file.

Assembly Bill No. 377—An Act to establish what shall constitute lawful fences within the State of California.

Passed on file.

Assembly Bill No. 277—An Act entitled an Act to prevent the sale of short-weight rolls of butter.

Passed on file.

Assembly Bill No. 265—An Act to provide for payment of the claim of C. C. Rochford.

Passed on file.

Assembly Bill No. 90—An Act to prevent deception in the manufacture and sale of butter and of cheese, and to appropriate money for its enforcement.

Passed on file.

Assembly Bill No. 117—An Act to provide for the planting, maintenance, and care of shade trees upon streets, lanes, alleys, courts, and places within municipalities, and of hedges upon the lines thereof; also, for the eradication of certain weeds within city limits.

Passed on file.

SECOND READING OF BILLS.

Assembly Bill No. 262—An Act to amend sections one thousand one hundred and eighty-six, one thousand one hundred and eighty-seven, one thousand one hundred and eighty-eight, one thousand one hundred and ninety, one thousand one hundred and ninety-two, one thousand three hundred and fifty-seven, one thousand three hundred and fifty-eight, one thousand three hundred and fifty-nine, 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 sixty-three, one thousand three hundred and sixty-four, and one thousand three hundred and sixty-five of the Political Code, and to add nineteen new sections thereto, to be numbered one thousand three hundred and sixty-six, one thousand three hundred and sixty-seven, one thousand three hundred and sixty-eight, one thousand three hundred and sixty-nine, one thousand three hundred and seventy, one thousand three hundred and seventy-one, one thousand three hundred and seventy-two, one thousand three hundred and seventy-three, one thou-

sand three hundred and seventy-four, one thousand three hundred and seventy-five, one thousand three hundred and seventy-six, one thousand three hundred and seventy-seven, one thousand three hundred and seventy-eight, one thousand three hundred and seventy-nine, one thousand three hundred and eighty, one thousand three hundred and eighty-one, one thousand three hundred and eighty-two, one thousand three hundred and eighty-three, and one thousand three hundred and eighty-four, all in relation to the conduct of elections in this State.

Passed on file.

Assembly Bill No. 188—An Act to amend an Act entitled "An Act to form agricultural districts, to provide for the formation of agricultural associations therein, and for the management and control of the same by the State, and to repeal so much of an Act entitled 'An Act to form agricultural districts, to provide for the formation of agricultural associations therein, and for the management and control of the same by the State,'" approved March 20, 1891, by amending sections one, eleven, and twelve.

Ordered engrossed and to a third reading.

Assembly Bill No 87—An Act to repeal an Act entitled "An Act fixing a bounty on coyote scalps," approved March 31, 1891.

Read second time.

Mr. Owen moved the following as a substitute.

SUBSTITUTE FOR ASSEMBLY BILL No. 466.

An Act to amend sections two, four, and five of an Act entitled "An Act fixing a bounty on coyote scalps," approved March 31, 1891

The People of the State of California, represented in Senate and Assembly, do enact as follows

SECTION 1 Any person who shall kill and destroy any coyote or coyotes in any county in this State after the passage of this Act, shall be paid a bounty of five dollars ($5) out of the general funds in the State Treasury for each coyote so destroyed

SEC. 2 Any person who may kill and destroy a coyote as provided in the last section, must go before any Notary Public, or the County Clerk of the county in which the coyote is destroyed, and present the scalp, containing the ears and nose of the coyote destroyed, to such officer, and make and subscribe to an affidavit showing the time and place that such animal was killed, which scalp and affidavit must be deposited with the Clerk of the Board of Supervisors of the county in which such coyote was killed.

SEC 3 The Board of Supervisors of each county of the State shall, quarterly, determine the number of scalps deposited with the Clerk of such Board during the preceding quarter, and by whom, and shall give to each person who may have deposited scalps a certificate, certified by its Clerk, showing the number of scalps deposited by such person, and the sum due him at the rate of five dollars ($5) for each scalp; such certificate must be presented to the Controller of the State, who shall draw his warrant on the General Fund in the State Treasury for the sum named therein in favor of the person entitled thereto

SEC 4. When the certificate named in the last section is directed to be drawn, the Board of Supervisors shall, at the same time, and in its presence, cause the scalps to be destroyed by fire.

SEC. 5 No bounty shall be paid for any scalp unless presented within one month after the coyote is killed

SEC 6 This Act shall take effect and be in force from and after its passage

LEAVE OF ABSENCE.

Mr. Emeric was granted leave of absence until Monday.

RECESS.

Pending discussion of the motion, the hour of recess having arrived, the Speaker declared recess until two o'clock P. M.

REASSEMBLED.

The Assembly reassembled at two o'clock P. M.
Speaker Gould in the chair.
Quorum present

INTRODUCTION OF BILLS.

The following bills were introduced, read by title, and referred to committees, as follows:

By Committee on Ways and Means: Assembly Bill No. 796—An Act making appropriations for the support of the government of the State of California for the forty-fifth and forty-sixth fiscal years.

Referred to Committee on Ways and Means, and ordered printed.

By Mr. Mathews of Tehama: Assembly Bill No. 797—An Act to provide for an appropriation for the contingent expenses of the Assembly.

Mr. Mathews moved that the bill be read the first time.

So ordered.

FIRST READING OF BILL.

Assembly Bill No. 797—An Act to provide for an appropriation for the contingent expenses of the Assembly.

Read first time, and placed on file for second reading.

ASSEMBLY BILL No. 87

The question being on the pending substitute to Assembly Bill No. 87—An Act to repeal an Act entitled "An Act fixing a bounty on coyote scalps," approved March 31, 1891.

Mr. Bennett of Santa Clara moved to amend the substitute as follows:

By striking out of sections one and three, lines two and five, the words "five dollars," and inserting the following: "three dollars."

Lost.

The question recurring on the substitute, the ayes and noes were demanded by Messrs. Bledsoe, Barlow, and Matthews of San Benito.

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

AYES—Messrs Adams, Alford, Anderson, Barlow, Bennett of Orange, Blakeley, Bledsoe, Bretz, Carlson, Casterline, Chipman, Curtis, Duffy, Durst, Hutson, Jacobs, Johnson of Humboldt, Johnson of Santa Clara, Kahn, Kerns, LaRue, McGowan, Marks, Marston, Matthews of San Benito, Mordecai, O'Keefe, Owen, Perkins, Pueschel, Raw, Schlesinger, Schroebel, Shanahan, Talbott, Taylor, Thomas of Santa Clara, Tindall, Vann, Wade, and Mr Speaker—41.

NOES—Messrs. Barker, Bennett of Santa Clara, Boyce, Brownlie, Buckley, Bulla, Conway, Cusick, Dodge, Duckworth, Finlayson, Gallagher, Gately, Hendrickson, Hurley, Luttringer, Mack, Mathews of Tehama, O'Neill, Pendleton, Sargent, Simpson, Standart, and Thomas of Nevada—24

MOTION OF RECONSIDERATION.

Mr. Kahn moved to reconsider the vote whereby the substitute was adopted.

Mr. Owen moved to lay the motion on the table.

So ordered.

Mr. Finlayson moved to take the motion from the table.

Mr. Shanahan moved to indefinitely postpone the motion.

The ayes and noes were demanded by Messrs. Shanahan, Adams, and Blakeley.

The roll was called, and, pending announcement of the vote, Mr. Kahn moved a call of the House, seconded by Messrs. Duckworth and Hurley.

Lost.

The vote was announced to be as follows:

AYES—Messrs. Adams, Alford, Anderson, Androus, Barlow, Bennett of Orange, Blakeley, Bledsoe, Bretz, Carlson, Casterline, Chipman, Cusick, Duffy, Durst, Hutson, Jacobs, Johnson of Humboldt, Johnson of Santa Clara, Kennedy, Kerns, LaRue, McGowan, Marston, Matthews of San Benito, Mordecai, O'Keefe, Owen, Perkins, Pueschel, Raw, Schroebel, Shanahan, Talbott, Taylor, Thomas of Santa Clara, Tindall, Vann, Wade, and Mr Speaker—40.

NOES—Messrs. Barker, Bennett of Santa Clara, Boyce, Brownlie, Buckley, Bulla, Conway, Curtis, Dodge, Duckworth, Finlayson, Gallagher, Gately, Hendrickson, Hurley, Kahn, Luttringer, Lynch, Mack, Marks, Mathews of Tehama, O'Neill, Pendleton, Sargent, Schlesinger, Simpson, Standart, and Thomas of Nevada—28.

AMENDMENTS.

Committee amendments to Assembly Bill No. 87, as follows:

Amend by striking out in line one, after the word "sections," of the title, the number "three," and insert the number "two."

Adopted.

Also: After the word "scalps," in the second line of the title, insert "approved March 31, 1891."

Adopted.

Also: Amend by adding a new section, as follows:
"SEC. 6. This Act shall take effect and be in force from and after its passage."

Adopted.

Mr. Mathews of Tehama moved to amend as follows:

By striking out of section one, line two, the words "five dollars," and inserting the words "two dollars and fifty cents."

Mr. Finlayson moved to amend the amendment as follows:

By striking out "two dollars and fifty cents" and inserting in lieu thereof "two and one half cents."

The ayes and noes were demanded by Messrs. Bledsoe, Schlesinger, and Owen.

The roll was called, and the amendment lost by the following vote:

AYES—Messrs. Bennett of Santa Clara, Boyce, Brownlie, Buckley, Conway, Duckworth, Finlayson, Gately, Godchaux, Hendrickson, Kahn, Luttringer, Mack, Marks, Mathews of Tehama, O'Neill, Sargent, Simpson, and Standart—19.

NOES—Messrs. Adams, Alford, Anderson, Androus, Barker, Barlow, Bennett of Orange, Blakeley, Bledsoe, Bretz, Bulla, Burke, Carlson, Casterline, Chipman, Curtis, Cusick, Dodge, Duffy, Durst, Gallagher, Hurley, Hutson, Jacobs, Johnson of Humboldt, Kennedy, Kerns, LaRue, Lynch, McGowan, Marston, Matthews of San Benito, Miller, Mordecai, O'Keefe, Owen, Perkins, Pueschel, Raw, Schlesinger, Schroebel, Shanahan, Talbott, Taylor, Thomas of Nevada, Thomas of Santa Clara, Tindall, Vann, Wade, and Mr. Speaker—50.

The question recurred on the amendment offered by Mr. Mathews.

The ayes and noes were demanded by Messrs. Mathews of Tehama, Simpson, and Dodge.

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

AYES—Messrs. Androus, Bennett of Santa Clara, Boyce, Brownlie, Buckley, Bulla, Carlson, Conway, Curtis, Cusick, Dodge, Duckworth, Durst, Finlayson, Gallagher, Godchaux, Hendrickson, Hurley, Kennedy, Kahn, Luttringer, Lynch, Mack, Marks, Mathews of Tehama, O'Keefe, O'Neill, Pendleton, Raw, Sargent, Schlesinger, Simpson, Standart, Talbott, Thomas of Nevada, and Tindall—36.

NOES—Messrs Adams, Alford, Anderson, Barker, Barlow, Bennett of Orange, Blakeley, Bledsoe, Bretz, Burke, Casterline, Chipman, Duffy, Gately, Hutson, Jacobs, Johnson of Humboldt, Johnson of Santa Clara, Kerns, LaRue, McGowan, Marston, Matthews of San Benito, Miller, Mordecai, Owen, Perkins, Pueschel, Schroebel, Shanahan, Taylor, Thomas of Santa Clara, Vann, Wade, and Mr. Speaker—35.

Mr. Mathews of Tehama moved to amend as follows:

By striking out of section three, line five, the words "five dollars," and inserting the following: "two dollars and fifty cents."

Adopted.

Mr. Alford moved to amend by adding a new section thereto, to read as follows:

SEC. 6 Any person who shall present to the Board of Supervisors of any county, as hereinbefore provided, or shall bring from without this State any coyote scalps, either attached to or separated from the pelt, or shall have in his possession any living coyote for a longer term than one week, except for the purpose of public exhibition in a menagerie or museum, shall be guilty of a misdemeanor.

Adopted.

MOTION OF RECONSIDERATION.

Mr. Boyce moved to reconsider the vote whereby Assembly Bill No. 403 was on yesterday passed.

Lost.

RECESS.

Mr. Lynch moved that there be a recess of five minutes.

So ordered.

REASSEMBLED.

On reassembling the Committee on Education was granted leave of absence for the remainder of the afternoon.

Messrs. Taggart, Sims, and Drees were granted leave of absence until Monday.

RESOLUTION.

By Mr. Curtis:

Resolved, That a committee of four, from the Committee on Public Buildings and Grounds (without a clerk), be granted leave of absence to visit the State Normal School at Los Angeles, San Bernardino Asylum, and Whittier School, at Whittier, Cal.

Adopted.

INTRODUCTION OF BILL.

By Mr. Godchaux: Assembly Bill No. 798—An Act to amend sections seven and nine of an Act entitled "An Act authorizing certain corporations to act as executor and in other capacities, and to provide for and regulate the administration of trusts by such corporation," approved April 6, 1891, relating to securities to be deposited with the Treasurer of State.

Referred to Committee on Judiciary.

MOTION OF RECONSIDERATION.

Mr. Carlson moved to reconsider the vote whereby the first amendment of Mr. Mathews to Assembly Bill No. 87 was adopted.

Mr. Bledsoe moved that the consideration of the motion be postponed until four o'clock P. M.

Lost.

Mr. Bledsoe moved that the special order set for this hour, the consideration of Senate Bill No. 364, be postponed until four o'clock P. M.

Lost.

SPECIAL ORDERS.

Senate Bill No. 364—An Act to amend an Act entitled "An Act to amend an Act entitled 'An Act to provide for Police Courts in cities of thirty thousand and under one hundred thousand inhabitants, and to provide for officers thereof,' approved March 18, 1885, and to provide for Clerks of Police Courts in cities of twenty-six thousand and under fifty thousand inhabitants," approved March 31, 1891, by inserting a new section, to be numbered six and one half, providing for prosecuting attorneys of Police Courts in cities having more than thirty thousand and under fifty thousand inhabitants, and prescribing the duties and regulating the compensation of such prosecuting attorneys.

Read second time, and to a third reading.

Assembly Bill No. 18—An Act to provide for the incorporation of mutual fire insurance companies, and define their powers and duties.

Passed on file.

MOTION OF RECONSIDERATION.

The question recurred on the pending motion to reconsider the vote whereby the first amendment of Mr. Mathews to Assembly Bill No. 87 was adopted.

CALL OF THE HOUSE.

Mr. Mordecai moved a call of the House, seconded by Messrs. Shanahan and Bledsoe.

So ordered.

The roll was called, and the following members answered to their names:

Messrs Adams, Alford, Anderson, Androus, Barker, Barlow, Bennett of Santa Clara, Bennett of Orange, Blakeley, Bledsoe, Boyce, Bretz, Brownlie, Buckley, Bulla, Burke, Carlson, Casterline, Chipman, Conway, Curtis, Cusick, Dodge, Duckworth, Duffy, Durst, Finlayson, Gately, Godchaux, Hendrickson, Hurley, Hutson, Jacobs, Johnson of Humboldt, Johnson of Santa Clara, Kennedy, Kahn, Kerns, LaRue, Luttringer, Lynch, McGowan, Mack, Marks, Marston, Mathews of Tehama, Matthews of San Benito, Miller, Mordecai, O'Keefe, O'Neill, Owen, Pendleton, Perkins, Pueschel, Raw, Schlesinger, Schroebel, Shanahan, Simpson, Staudart, Talbott, Taylor, Thomas of Nevada, Thomas of Santa Clara, Vann, Wade, and Mr. Speaker.

Mr. Pendleton moved that further proceedings under the call of the House be dispensed with.

So ordered.

MOTION OF RECONSIDERATION.

Upon the motion of reconsideration, the ayes and noes were demanded by Messrs. Bledsoe, Mordecai, and Owen.

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

AYES—Messrs. Adams, Alford, Barlow, Bennett of Orange, Blakeley, Bledsoe, Bretz, Burke, Carlson, Casterline, Dutty, Hutson, Jacobs, Johnson of Humboldt, Johnson of Santa Clara, Kerns, LaRue, McGowan, Marston, Matthews of San Benito, Miller, Mordecai, Owen, Perkins, Pueschel, Schroebel, Shanahan, Taylor, Thomas of Santa Clara, Vann, and Mr. Speaker—31

NOES—Messrs. Anderson, Androus, Barker, Bennett of Santa Clara, Boyce, Brownlie, Buckley, Bulla, Chipman, Conway, Cusick, Dodge, Duckworth, Durst, Finlayson, Gallagher, Gately, Godchaux, Hendrickson, Hurley, Kennedy, Kahn, Luttringer, Lynch, Mack, Marks, Mathews of Tehama, O'Keefe, O'Neill, Pendleton, Raw, Sargent, Schlesinger, Simpson, Standart, Talbott, Thomas of Nevada, and Wade—38.

Assembly Bill No. 87 ordered engrossed and to a third reading.

RESOLUTION.

By Mr. O'Keefe:

Resolved, That Senate Bill No 364 presents a case of urgency, as that term is used in section fifteen of article four of the Constitution, and the provisions of that section requiring that the bill shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the third time and placed upon its passage.

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

AYES—Messrs Adams, Alford, Anderson, Androus, Barker, Barlow, Bennett of Santa Clara, Bennett of Orange, Blakeley, Bledsoe, Boyce, Bretz, Brownlie, Buckley, Bulla, Burke, Carlson, Casterline, Chipman, Conway, Cusick, Dodge, Duffy, Durst, Finlayson, Gallagher, Gately, Hendrickson, Hurley, Hutson, Jacobs, Johnson of Humboldt, Kennedy, Kahn, Kerns, Luttringer, Lynch, McGowan, Mack, Marks, Marston, Matthews of San Benito, Miller, Mordecai, O'Keefe, O'Neill, Pendleton, Perkins, Pueschel, Raw, Schlesinger, Schroebel, Shanahan, Simpson, Standart, Talbott, Taylor, Thomas of Nevada, Thomas of Santa Clara, Vann, Wade, and Mr Speaker—62.

NOES—None.

THIRD READING OF BILL.

Senate Bill No. 364—An Act to amend an Act entitled "An Act to amend an Act entitled 'An Act to provide for Police Courts in cities of thirty thousand and under one hundred thousand inhabitants, and to provide for officers thereof,' approved March 18, 1885, and to provide for Clerks of Police Courts in cities of twenty-six and under fifty thousand inhabitants," approved March 31, 1891, by inserting a new section, to be numbered six and one half, providing for prosecuting attorneys of Police Courts in cities having more than thirty thousand and under fifty thousand inhabitants, and prescribing the duties and regulating the compensation of such prosecuting attorneys.

Read third time, and passed by the following vote:

AYES—Messrs Adams, Alford, Anderson, Androus, Barker, Barlow, Bennett of Santa Clara, Bennett of Orange, Bledsoe, Boyce, Bretz, Brownlie, Buckley, Bulla, Carlson, Casterline, Chipman, Conway, Cusick, Dodge, Duffy, Durst, Finlayson, Gallagher, Gately, Hendrickson, Hurley, Hutson, Jacobs, Johnson of Humboldt, Johnson of Santa Clara, Kennedy, Lynch, Marston, Matthews of San Benito, Miller, Mordecai, O'Keefe, O'Neill, Owen, Pendleton, Perkins, Pueschel, Schlesinger, Schroebel, Simpson, Standart, Talbott, Taylor, Thomas of Nevada, Thomas of Santa Clara, Vann, Wade, and Mr. Speaker—55

NOES—None.

Title read and approved.

Mr. Miller moved that the bill be immediately transmitted to the Senate.

So ordered.

MOTION.

Mr. Bretz moved that the special order set for this hour, the consideration of Assembly Bill No. 18, be postponed until next Tuesday at two o'clock P. M.

So ordered.

LEAVE OF ABSENCE.

Mr. Bretz was granted leave of absence until Monday at two o'clock P. M.

MOTION.

Mr. Vann moved to take up Senate messages.

So ordered.

MESSAGES FROM THE SENATE.

SENATE CHAMBER, SACRAMENTO, February 17, 1893.

MR. SPEAKER: I am directed to inform your honorable body that the Senate, on the sixteenth day of February, passed Senate Bill No. 349—An Act to change and permanently locate the boundary lines between the counties of Glenn and Colusa.

Also: Senate Bill No. 613—An Act to amend section seven hundred and seventeen of an Act entitled "An Act to establish a Civil Code," approved March 21, 1872, relating to leases of agricultural lands.

F. J. BRANDON, Secretary.
By R. SHAW, Assistant.

Also:

SENATE CHAMBER, SACRAMENTO, February 17, 1893.

MR. SPEAKER: I am directed to inform your honorable body that the Senate, on the sixteenth day of February, passed Senate Bill No 48—An Act to cede jurisdiction to the United States over certain lands.

Also: Senate Bill No. 652—An Act to amend section four thousand and eighty-five of the Political Code, relating to the improvement of navigable streams and the protection of lands adjacent thereto, and to repeal an Act entitled "An Act to provide for the organization of levee districts created for the protection of lands from overflow of innavigable running streams of water, and to confine innavigable running streams to a fixed channel."

Also: Senate Bill No 632—An Act quitclaiming to the successors in interest of Sallie C. Perry all claim of the State of California in that certain tract of land in the City and County of San Francisco, known as "City Slip Lot No. 116," and empowering and directing the Governor to execute a deed of quitclaim therefor to said successors in interest of said Sallie C. Perry.

F J. BRANDON, Secretary.
By R. SHAW, Assistant.

Also:

SENATE CHAMBER, SACRAMENTO, February 17, 1893.

MR. SPEAKER: I am directed to inform your honorable body that the Senate, on the fourteenth day of February, passed Senate Bill No. 149—An Act to amend section two of an Act entitled "An Act to establish free public libraries and reading-rooms," approved April 26, 1880, to enable the Trustees to fix the amount of taxes to be raised therefor, and to provide the manner of levying and collecting the same, to authorize the City Treasurer to pay out the same on order of the Trustees, to fix term of office of Trustees, and to provide the manner of their election, in cities of less than one hundred thousand population

F. J. BRANDON, Secretary.
By R. SHAW, Assistant

Senate Bill No. 613 referred to Committee on Agriculture.

Senate Bill No. 48 referred to Committee on Federal Relations.

Senate Bill No. 632 referred to Committee on Commerce and Navigation.

MOTION.

Mr. Vann moved that Senate Bill No. 349 be substituted for Assembly Bill No. 461, and be read the first time.

So ordered.

FIRST READING OF BILL.

Senate Bill No. 349—An Act to change and permanently locate the boundary lines between the counties of Glenn and Colusa.

Read first time, and placed on file for second reading.

MOTION.

Mr. Androus moved that Senate Bill No. 652 be substituted on the file for Assembly Bill No. 55, and be read the first time.

So ordered.

FIRST READING OF BILL.

Senate Bill No. 652—An Act to amend section four thousand and eighty-five of the Political Code, relating to the improvement of navigable streams and the protection of lands adjacent thereto, and to repeal an Act entitled "An Act to provide for the organization of levee districts created for the protection of lands from overflow of innavigable running streams of water, and to confine innavigable running streams to a fixed channel."

Read first time, and placed on file for second reading.

SUBSTITUTION.

By direction of the Speaker, Senate Bill No. 149 was substituted on the file for Assembly Bill No. 152.

RESOLUTION.

By Mr. Mordecai:

Resolved, That a sub-committee from the State Hospitals Committee, to consist of G. W. Mordecai, W. P. Mathews, and C. W Tindall, are hereby granted leave of absence from twelve o'clock M., Saturday, February 18th, to twelve o'clock M., Monday, February 20th, for the purpose of visiting the Napa Insane Asylum

Adopted.

INTRODUCTION OF BILLS.

The following bills were introduced, read by title, and referred to committees, as follows:

By Mr. Finlayson: Assembly Bill No. 799—An Act to regulate railroads, and railroad corporations, and other common carriers in this State, and to provide for and define the powers and duties of a Board of Railroad Commissioners in relation to the same, and to prevent and punish extortion and unjust discrimination in the rates charged for the transportation of passengers and freights on railroads in this State, and to prescribe a mode of procedure and rules of evidence in relation thereto.

Referred to Committees on Corporations and Judiciary.

By Mr. Sargent: Assembly Bill No. 800—An Act to provide for the

establishment, maintenance, and support of a bureau, to be known as the State Mining Bureau, and for the appointment and duties of a Board of Trustees, to be known as the Board of Trustees of the State Mining Bureau, who shall have the direction, management, and control of said State Mining Bureau, and to provide for the appointment, duties, and compensation of a State Mineralogist, who shall perform the duties of his office under the control, direction, and supervision of the Board of Trustees of the State Mining Bureau.

Referred to Committee on Mines and Mining.

Mr. Lynch moved to adjourn.

Lost.

By Mr. Schlesinger: Assembly Bill No. 801—An Act to amend section forty-nine of an Act of the Legislature of the State of California entitled "An Act for the relief of insolvent debtors, for the protection of creditors, and for the punishment of fraudulent debtors," approved April 16, 1880.

Referred to Committee on Judiciary.

By Mr. McGowan: Assembly Bill No. 802—An Act to pay the claim of Thomas Curtin, or his heirs, against the State of California, and making an appropriation therefor.

Referred to Committee on Claims.

RESOLUTION.

By Mr. Taylor:

WHEREAS, The Assembly, on yesterday, intended to appropriate and allow Mr. H. B. M. Miller the sum of seven hundred and fifty dollars for attorney's fees, in addition to his expenses, in the election contest of Leonhard vs Miller, and whereas, by a clerical error of the clerk in making—drafting amendment to the resolution allowing said sum, the resolution as so amended provided for only six hundred and fifty dollars; now, therefore, be it

Resolved, That the Controller be and he is hereby directed to draw his warrant on the State Treasurer for the sum of one hundred dollars, in favor of H. B. M. Miller, to rectify said error, said amount to be paid out of the appropriation for the contingent expenses of the Assembly.

Adopted.

MOTION.

Mr. Shanahan moved that Senate Bill No. 632 be substituted on the file for Assembly Bill No. 675, and be read the first time.

So ordered.

FIRST READING OF BILL.

Senate Bill No. 632—An Act quitclaiming to the successors in interest of Sallie C. Perry all claim of the State of California in that certain tract of land in the City and County of San Francisco, known as "City Slip Lot No. 116," and empowering and directing the Governor to execute a deed of quitclaim therefor to said successors in interest of said Sallie C. Perry.

Read first time, and placed on file for second reading.

SECOND READING OF BILLS.

Assembly Bill No. 232—An Act for the regulation of the practice of medicine and surgery in the State of California, and for the appointment of a Board of Medical Examiners in the matter of said regulation.

Passed on file.

Assembly Bill No. 402—An Act providing for appeals from orders of the Board of Supervisors forming or refusing to form reclamation or swamp land districts, setting off lands from such districts, or including lands in such districts, or consolidating swamp land or reclamation districts.

Read second time.

Mr. Blakeley moved to amend the enacting clause of the bill so as to read as follows:

The People of the State of California, represented in Senate and Assembly, do enact as follows.

Adopted.

Ordered engrossed and to a third reading.

MOTION.

Mr. Boyce moved that Assembly Bill No. 317 be substituted on the file for Assembly Bill No. 419, and be read the second time.

So ordered.

SECOND READING OF BILL.

Assembly Bill No. 317—An Act for the relief of Patrick Creighton.

Read second time, ordered engrossed and to a third reading.

REPORT OF STANDING COMMITTEE.

ON ENGROSSMENT

ASSEMBLY CHAMBER, SACRAMENTO, February 17, 1893

MR SPEAKER: Your Committee on Engrossment beg leave to report that the following Assembly Bills have been correctly engrossed:

Assembly Bill No. 2—An Act relative to making an appropriation to pay the deficiencies in the appropriation for costs and expenses of suits in which the State is a party in interest, for the fortieth, forty-first, forty-second, and forty-third fiscal years.

Also, Assembly Bill No. 36—An Act to appropriate money for the survey, location, and construction of a free wagon road from the town of Mariposa, in Mariposa County, to the Yosemite Valley.

Also Assembly Bill No. 82—An Act to amend sections one thousand three hundred and three, one thousand three hundred and twenty-three, one thousand three hundred and sixty-five, one thousand three hundred and eighty-eight, one thousand four hundred and thirty-nine, one thousand five hundred and sixteen, one thousand five hundred and nineteen, one thousand five hundred and thirty-six, one thousand five hundred and forty-five, one thousand five hundred and forty-seven, 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 fifty-two, one thousand five hundred and fifty-three, one thousand five hundred and fifty-four, one thousand five hundred and fifty-seven, one thousand five hundred and fifty-eight, one thousand five hundred and sixty-five, one thousand five hundred and ninety-one, one thousand five hundred and ninety-seven, one thousand five hundred and ninety-eight, one thousand five hundred and ninety-nine, one thousand six hundred and eighteen, and to repeal sections one thousand five hundred and eighteen, one thousand five hundred and nineteen, one thousand five hundred and twenty-two, one thousand five hundred and twenty-three, one thousand five hundred and twenty-four, 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-three, one thousand five hundred and thirty-seven, one thousand five hundred and thirty-eight, one thousand five hundred and thirty-nine, one thousand five hundred and forty, one thousand five hundred and forty-one, one thousand five hundred and forty-two, one thousand five hundred and forty-three, one thousand five hundred and forty-four, one thousand five hundred and forty-nine, one thousand five hundred and fifty-six, and to add four new sections, to be known and designated as sections one thousand five hundred and forty-six, one thousand five hundred and fifty-four and one half, one thousand five hundred and ninety-two, and one thousand five hundred and ninety-seven and one half of the Code of Civil Procedure.

Also: Assembly Bill No. 276—An Act entitled an Act to amend section two thousand six hundred and eighty-four of the Political Code

Also: Assembly Bill No. 298—An Act to amend "An Act creating a Board of Bank Commissioners, and prescribing their duties and powers," approved March 30, 1878.

Also: Assembly Bill No 352—An Act to amend an Act entitled "An Act to provide for Police Courts in cities of thirty thousand and under one hundred thousand inhabitants."

Also: Assembly Bill No. 8—An Act to provide for the incorporation of mutual insurance companies, and define their powers and duties.

KENNEDY, Chairman.

MOTION.

Mr. Johnson of Santa Clara moved that Assembly Bill No. 392 be substituted on the file for Assembly Bill No. 233, and be read the second time.

So ordered.

SECOND READING OF BILL.

Assembly Bill No. 392—An Act to amend section seven hundred and twenty-six of the Code of Civil Procedure, and to add a new section thereto, to be known as section seven hundred and twenty-nine, relating to actions for the foreclosure of mortgages.

Read second time.

Committee amendment, as follows:

Amend by striking out the word "may" after the word "appointment," in line four, section two, of printed bill, and in place thereof insert the word "shall."

Adopted.

Ordered engrossed and to a third reading.

ADJOURNMENT.

At four o'clock and forty-five minutes P. M., on motion of Mr. Johnson of Santa Clara, the Assembly adjourned.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Saturday, February 18, 1893.

The Assembly met pursuant to adjournment.

Speaker Gould in the chair.

The roll was called, and the following members answered to their names:

Messrs Adams, Alford, Anderson, Androus, Barker, Barlow, Bennett of Santa Clara, Bennett of Orange, Blakeley, Bledsoe, Boyce, Brownlie, Buckley, Bulla, Burke, Carlson, Casterline, Chipman, Conway, Cusick, Dodge, Duffy, Durst, Finlayson, Gately, Godchaux, Hurley, Hutson, Jacobs, Johnson of Humboldt, Kennedy, Kahn, Kerns, Luttringer, Lynch, Mack, Marks, Marston, Mathews of Tehama, Matthews of San Benito, Miller, Mordecai, O'Keefe, O'Neill, Owen, Perkins, Pueschel, Schlesinger, Schroebel, Shanahan, Simpson, Standart, Talbott, Taylor, Thomas of Nevada, Thomas of Santa Clara, Tindall, Vann, Wade, and Mr Speaker.

Quorum present.

LEAVE OF ABSENCE.

Messrs. Duckworth and Hendrickson were granted leave of absence until Monday.

PRAYER.

Prayer by the Chaplain, Rev. H. W. Conry.

READING AND APPROVAL OF THE JOURNAL.

Pending the reading of the Journal of yesterday, Mr. Bennett of Santa Clara moved that the further reading be dispensed with.

So ordered.

Journals of Thursday, February 16th, and Friday, February 17th, approved.

PETITIONS.

By Mr. Dodge: Resolutions of the Council of the City of Oakland, protesting against the passage of the bill providing for the establishment of cotton and cordage mills at the Folsom State Prison.

Referred to Committee on State Prisons and Reformatory Institutions.

By Speaker Gould: From Bar Association of San Francisco, favoring the Intermediate Appellate Court system.

Referred to Committee on Judiciary.

By Mr. Hurley: From employés engaged in the manufacture of cordage, protesting against the passage of the bill establishing a cordage factory at the Folsom State Prison.

Referred to Committee on State Prisons and Reformatory Institutions.

LEAVE OF ABSENCE.

Messrs. Miller and Taylor were granted leave of absence from twelve o'clock M. to-day until Wednesday morning.

REPORTS OF STANDING COMMITTEES.

ON CORPORATIONS

ASSEMBLY CHAMBER, SACRAMENTO, February 18, 1893.

MR. SPEAKER: Your Committee on Corporations, to whom was referred Assembly Bill No 763—An Act to amend section three hundred and sixty-one of the Civil Code of the State of California, relating to the consolidation of corporations, and to repeal section four hundred and seventy-three of the Civil Code—have had the same under consideration, and, having amended the same, respectfully report the same back, and recommend that it do pass as amended.

Also: Assembly Bill No 773—An Act creating a Board of Commissioners of the Building and Loan Associations, and prescribing their duties and powers—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

Also: Assembly Bill No. 479—An Act to provide for the payment to the State of California by fire, marine, accident, or life, or other insurance companies doing business in said State, of an annual tax upon their corporate franchises, or business done in said State, of one per centum upon the gross amount of premiums annually received by said companies, and providing for the payment thereof; and for annual sworn returns of such premiums received, and for the punishment of failure to make and execute such returns, and for the institution of actions for the collection and payment of such tax—have had the same under consideration, and respectfully report the same back, and recommend that it be referred to the Judiciary Committee.

Also: Senate Bill No. 166—An Act authorizing the formation of county mutual insurance companies, regulating the transaction of their business, and defining the duties of the officers thereof—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

ALFORD, Chairman.

Assembly Bill No. 479 re-referred to Committee on Judiciary.

ON CLAIMS

ASSEMBLY CHAMBER, SACRAMENTO, February 18, 1893

MR SPEAKER: Your Committee on Claims, to whom was referred Assembly Bill No 79—An Act entitled an Act to pay the claim of J W Sibole.

Also, Assembly Bill No 91—An Act making an appropriation to pay Charles Phipps, for services rendered as assistant to the Secretary of the State Board of Examiners, from February 15, 1891, to March 21, 1891.

Also: Assembly Bill No 181—An Act entitled "An Act to appropriate moneys to pay the claim of W D Crow for the advertising of the San Francisco Depot Act."

Have had the same under consideration, and respectfully report the same back, and recommend that they do not pass

Also: Assembly Bill No. 266—An Act to appropriate money to pay the claim of George J. Mothersole, for labor performed and expenses incurred in roofing the Napa State Asylum for the Insane under a written contract.

Also: Assembly Bill No 267—An Act to appropriate money to pay the claim of Enoch N Strout, for services rendered as Reclamation Land Commissioner, under "An Act to provide for the funding of the indebtedness of the reclamation and levee districts of this State," approved March 30, 1872

Also, Assembly Bill No 332—An Act for the relief of Charles F. Wells, and to appropriate money therefor.

Also: Assembly Bill No 604—An Act appropriating money to pay the claims of John Mullan, for services rendered by him for this State.

Also: Assembly Bill No 729—An Act appropriating money to pay the claims of H. P. Dyer, E F. Dyer, C A Granger, Gaston Goldsmith, and P. Reddy

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass

BURKE, Chairman.

Assembly Bills Nos. 79, 91, 181, 266, 267, 332, 604, and 729 re-referred to Committee on Ways and Means.

ON AGRICULTURE.

ASSEMBLY CHAMBER, SACRAMENTO, February 17, 1893

MR SPEAKER: Your Committee on Agriculture, to whom was referred Assembly Bill No 760—An Act to promote bee culture—have had the same under consideration, and respectfully report the same back without recommendation

Also: Senate Bill No. 210—An Act to regulate the disposition of the hides of cattle killed or slaughtered in the State of California, and to provide a penalty for a violation of the provisions of this Act—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended by the committee.

Also: Assembly Bill No 673—An Act to amend section seven hundred and seventeen of an Act entitled "An Act to establish a Civil Code," approved March 21, 1872, relating to leases of agricultural lands—have had the same under consideration, and respectfully report the same back without recommendation

Also: Assembly Bill No. 698—An Act entitled an Act to prevent deception in the sale of cheese—have had the same under consideration, and respectfully report the same back, and recommend that it do not pass.

LARUE, Chairman

ON SWAMP AND OVERFLOWED LANDS.

ASSEMBLY CHAMBER, SACRAMENTO, February 18, 1893

MR SPEAKER: Your Committee on Swamp and Overflowed Lands, to whom was referred Assembly Bill No 205—An Act to amend the Political Code, in relation to the reclamation of swamp and overflowed and other lands, and to provide for works of drainage and reclamation too expensive to be constructed by reclamation districts organized under section —— of said Code—have had the same under consideration, and respectfully report the same back without recommendation

Also: Assembly Bill No 304—An Act to amend section three thousand four hundred and ninety-one of the Political Code, relating to the election of Trustees of reclamation districts.

Also: Assembly Bill No. 755—An Act to amend sections three thousand four hundred and eighty-one and three thousand four hundred and eighty-two of the Political Code, relating to the division of swamp land districts.

Also: Assembly Bill No 756—An Act to add a new section to the Political Code, to be known and designated as section three thousand four hundred and ninety-three and one half, relating to suits to determine the validity of assessments in reclamation districts.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass

PUESCHEL, Chairman

ON LABOR AND CAPITAL

ASSEMBLY CHAMBER, SACRAMENTO, February 16, 1893.

MR SPEAKER: Your Committee on Labor and Capital, to whom was referred Assembly Bill No. 670—An Act to repeal an Act to establish and support a Bureau of Labor Statistics, approved March 3, 1883—have had the same under consideration, and respectfully report the same back, and recommend that it do not pass.

Also: Senate Bills Nos 215, 217, 184, and 74—have had the same under consideration, and respectfully report the same back, and recommend that they do pass

CONWAY, Chairman

ON JUDICIARY

ASSEMBLY CHAMBER, SACRAMENTO, February 18, 1893

MR. SPEAKER: Your Committee on Judiciary, to whom was referred Assembly Bill No 106—An Act to amend section one thousand four hundred and two of the Civil Code, relating to the distribution of the community property upon the death of the husband—have had the same under consideration, and respectfully report the same back, and recommend that it do not pass

Also: Assembly Bill No 761—An Act to repeal an Act entitled "An Act regulating fees and mileage in criminal cases in the county of Nevada," approved March 23, 1876—have had the same under consideration, and respectfully report the same back, and recommend that it be referred to the Committee on County and Township Governments.

Also: Assembly Bill No 750—An Act to amend section three hundred and forty-eight of the Code of Civil Procedure, relating to limitation of actions

Also: Assembly Bill No 772—An Act to amend an Act entitled "An Act to establish a Civil Code," approved March 21, 1872, and to add a new section thereto, to be numbered section one thousand six hundred and seventy-seven, relating to unlawful contracts

Also: Senate Bill No 186—An Act to amend section one thousand four hundred and forty-four of the Code of Civil Procedure, in relation to appraisements of estates of deceased persons

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass

Also Assembly Bill No 702—An Act to amend an Act entitled "An Act to organize and define the powers of the Board of Railroad Commissioners," by amending section five thereof, relating to the location of the office of said Commissioners

Also: Assembly Bill No. 703—An Act to amend section six hundred and thirty-one of the Political Code, relating to the location of the office of Insurance Commissioner

Also: Assembly Bill No 704—An Act to amend an Act entitled "An Act to provide for the management of the Yosemite Valley and the Mariposa Big Tree Grove," approved April 15, 1880, in relation to the location of the place of business of said Commissioners.

Have had the same under consideration, and respectfully report the same back, and recommend that they be referred to the Ways and Means Committee

SHANAHAN, Chairman

Assembly Bill No. 761 re-referred to Committee on County and Township Governments.

Assembly Bills Nos. 702, 703, and 704 re-referred to Committee on Ways and Means.

ON COMMERCE AND NAVIGATION.

ASSEMBLY CHAMBER, SACRAMENTO, February 18, 1893

MR SPEAKER: Your Committee on Commerce and Navigation, to whom was referred Assembly Bill No 753—An Act to repeal an Act entitled "An Act to declare Lake Earl, in Del Norte County, navigable"—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

GODCHAUX, Chairman

ON MUNICIPAL CORPORATIONS

ASSEMBLY CHAMBER, SACRAMENTO, February 18, 1893

MR. SPEAKER: Your Committee on Municipal Corporations, to whom was referred Assembly Bill No 707—An Act to amend sections two, three, and twenty-four of an Act entitled "An Act to provide for work upon streets, lanes, alleys, courts, places, and sidewalks, and for the construction of sewers within municipalities," approved March 17, 1885—have had the same under consideration, and respectfully report the same back with amendments and recommend its passage as amended

BUCKLEY, Chairman

ON STATE HOSPITALS.

ASSEMBLY CHAMBER, SACRAMENTO, February 18, 1893.

MR SPEAKER: Your Committee on State Hospitals, to whom was referred Assembly Bill No. 663—An Act to regulate the practice of veterinary medicine and surgery in the State of California—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

MORDECAI, Chairman.

ON WAYS AND MEANS.

ASSEMBLY CHAMBER, SACRAMENTO, February 17, 1893.

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred Senate Bill No 160—An Act making an appropriation to pay the claim of "The California Spirit of the Times," for advertising the election proclamation in the forty-second fiscal year

Also: Substitute for Assembly Bill No. 514—An Act for the relief of Michael Denzer, for personal injuries received by him, through the falling of a stand of seats maintained by the State, under control of the State Agricultural Society.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

Also: Assembly Bill No 560—An Act appropriating money for the relief of E. W. Melvin, his heirs or assigns.

Also: Assembly Bill No 593—An Act to pay the claim of John McGrath against the State of California, and making an appropriation therefor.

Also: Assembly Bill No. 603—An Act to pay the claim of Maurice Sheehan against the State of California, and making an appropriation therefor.

Also: Assembly Bill No 665—An Act to pay the claim of A. J. Bourn against the State of California, and making an appropriation therefor

Also: Assembly Bill No. 226—An Act appropriating money to pay the claim of W. H. Murray, his heirs or assigns.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass as amended

Also: Assembly Bill No. 734—An Act providing an appropriation for the purpose of completing and preserving Sutter's Fort

Also. Assembly Bill No 614—An Act for the relief of J F. Chapman & Co for damage sustained through the loss of coal from Fremont Street wharf in the City and County of San Francisco.

Also: Assembly Bill No. 640—An Act entitled an Act to appropriate money to pay the claim of Patrick Begley for the construction of a sewer along Dwight Way, in front of the lands of the Deaf and Dumb Asylum at Berkeley, California, which work was performed and material furnished under a contract with George Smith, Superintendent of Streets of the town of Berkeley, his authority having been acquired under the general street law of this State, and approved by the State Board of Examiners.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

W. P. MATHEWS, Chairman.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, February 17, 1893.

MR. SPEAKER. Your Committee on Ways and Means had under consideration Assembly Bills Nos. 165 and 166, making appropriations to pay the salary of Deputy Commissioner of Immigration and Commissioner of Immigration, and report the same back, with the recommendation that they do not pass.

The law authorizing the creation of these two offices expressly states that their salaries must be paid from fees collected by them. It also provides that all moneys collected by the Commission of Immigration shall constitute an especial fund, to be designated as the Leprosy Fund, and that no such account of salary and office expenses shall be audited in excess of the amount of Leprosy Funds on hand, and no liability shall accrue to the State for any deficiency relating thereto.

In 8th Sawyer, page 640, the Circuit Court held that the fees could not be collected A Commission of Immigration mandamused John P. Dunn The case of P. S. Forrester vs John P. Dunn was heard in Department One of the Supreme Court, September 1, 1884. The Court, after citing the law, says "It is apparent, from the reading of the Act, that it is not the intention of the Legislature that the salary and office expenses of the Commissioner should be paid out of any money in the treasury, being the excess of moneys collected beyond salary and office expenses prior to the passage of the Act of March 15, 1883, but that the salary and office expenses of the Commissioner, after that Act went into effect, should be paid only out of the funds made up from fees collected, fines, etc, which were required by its terms to be paid into the treasury, without any deduction for salary and office expenses The petitioner took office April 1, 1883, after the amendatory law went into operation, and, as we construe the laws, can, at most, only claim to be paid his salary, etc, out of the moneys paid into the treasury after March 15, 1883."

The Commissioner accepted an appointment October 10, 1885, knowing that the Court had held that the collection of fees was unconstitutional, and that no other provision had been made for the payment of his salary. Your committee is therefore of the opinion that the Commissioner of Immigration has no valid claim against the State.

W. P MATHEWS, Chairman.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, February 17, 1893

MR SPEAKER. Your Committee on Ways and Means, to whom was referred Assembly Bill No. 469—An Act to pay the claim of Mary M Springer, the widow and heir of Thomas A. Springer, late State Printer, deceased—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

W. P. MATHEWS, Chairman.

ON MUNICIPAL CORPORATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, February 18, 1893.

MR. SPEAKER: Your Committee on Municipal Corporations, to whom was referred Assembly Bill No 580—An Act to authorize cities operating under a charter framed under the provisions of section eight, article eleven, of the Constitution, to surrender such charter and reorganize under the general municipal laws of the State of California, relating to municipal corporations of the class to which such city and county, city, or town may belong—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

BUCKLEY, Chairman

MESSAGE FROM THE SENATE.

SENATE CHAMBER, SACRAMENTO, February 17, 1893

MR. SPEAKER: I am directed to inform your honorable body that the Senate, on this day, passed Senate Bill No. 401—An Act to authorize suits against the State, and regulating the procedure therein.

F. J. BRANDON, Secretary.
By R. SHAW, Assistant.

MOTION.

Mr. Anderson moved that Senate Bill No. 401 be substituted on the file for Assembly Bill No. 374, and be read the first time.

So ordered.

FIRST READING OF BILL.

Senate Bill No. 401—An Act to authorize suits against the State, and regulating the procedure therein.

Read first time, and placed on file for second reading.

MESSAGE FROM THE SENATE.

SENATE CHAMBER, SACRAMENTO, February 18, 1893

MR. SPEAKER: I am directed to inform your honorable body that the Senate, on the seventeenth day of February, passed Senate Bill No 7—An Act to authorize Boards of Health and Health Officers in towns, cities, counties, and cities and counties, in this State, to appoint Inspectors of Plumbing and Drainage in such towns, cities, counties, and cities and counties, and to provide for the compensation, and to define the duties of such Inspectors

Also: Senate Bill No. 101—An Act making an appropriation to pay the claim of D Jordan, as approved by State Board of Examiners

Also: Senate Bill No. 250—An Act appropriating money to pay the claim of W H Murray, his heirs or assigns

Also: Senate Bill No. 220—An Act to amend section three hundred and seventy-four of the Penal Code, relating to crimes against the public health.

F. J BRANDON, Secretary
By R SHAW, Assistant

Senate Bill No. 7 referred to Committee on Municipal Corporations.

Senate Bills Nos. 101 and 250 referred to Committee on Claims.

MOTION.

Mr. Bennett of Santa Clara moved that Senate Bill No. 220 be substituted on the file for Assembly Bill No. 250, and be read the first time.

So ordered.

FIRST READING OF BILL.

Senate Bill No. 220—An Act to amend section three hundred and seventy-four of the Penal Code, relating to crimes against the public health.

Read first time, and placed on file for second reading.

INTRODUCTION OF BILLS.

The following bills were introduced, read by title, and referred to committees, as follows:

By Mr. Kahn: Assembly Bill No. 803—An Act making an appropriation to pay the deficiency in the appropriation for expenses of Supreme Court, under section forty-seven, Code of Civil Procedure, for forty-second fiscal year.

Referred to Committee on Ways and Means.

Also: Assembly Bill No. 804—An Act to amend section three thousand eight hundred and eighty-one of the Political Code, relating to errors, etc., on assessment roll, and the corrections thereof.

Referred to Committee on Judiciary.

By Mr. Mathews of Tehama: Assembly Bill No. 805—An Act to amend sections three thousand seven hundred and thirteen and three thousand six hundred and ninety-six of the Political Code, relating to the levy of taxes.

Referred to Committee on Ways and Means.

By Mr. Standart: Assembly Bill No. 806—An Act to repeal the Act of March 7, 1883, entitled "An Act to provide for the submission of proposed amendments to the Constitution of the State of California to the qualified electors for their approval."

Referred to Committee on Judiciary.

By Mr. Finlayson: Assembly Bill No. 807—An Act to provide for the redemption of lands sold for any State, county, municipal, irrigation district, or other district tax or assessment.

Referred to Committee on Judiciary.

By Mr. Casterline: Assembly Bill No. 808—An Act to validate proceedings for the reorganization or incorporation of municipal corporations taken since the passage of the Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883, and also since the passage of the Act entitled "An Act to provide for the classification of municipal corporations," approved March 2, 1883.

Referred to Committee on Municipal Corporations.

By Mr. Godchaux: Assembly Bill No. 809—An Act authorizing corporations and persons engaged in the slaughtering and packing business to issue certificates and warehouse receipts on their own products while in their custody and control.

Referred to Committee on Corporations.

REPORT OF STANDING COMMITTEE.

ON ENGROSSMENT.

ASSEMBLY CHAMBER, SACRAMENTO, February 18, 1893.

MR. SPEAKER: Your Committee on Engrossment report that the following Assembly Bills have been correctly engrossed:

Assembly Bill No. 296—An Act to amend sections thirty-eight to fifty-three, inclusive, of an Act approved March 31, 1891.

Also: Substitute for Assembly Bill No. 167—An Act providing for the destruction of ground squirrels.

Also. Assembly Bill No. 377—An Act to establish what shall constitute lawful fences within the State of California

Also: Assembly Bill No 277—An Act entitled an Act to prevent the sale of short-weight rolls of butter.

Also: Assembly Bill No. 265—An Act to provide for payment of the claim of C. C. Rochford.

Also: Assembly Bill No 90—An Act to prevent deception in the manufacture and sale of imitation butter, and to appropriate money for its enforcement

KENNEDY Chairman.

ASSEMBLY JOINT RESOLUTION.

By Mr. Conway: Assembly Joint Resolution No. 25—Relative to the erection and construction of the new Post Office building in the City and County of San Francisco, State of California.

Referred to Committee on Federal Relations.

RESOLUTION.

By Mr. Mathews of Tehama:

Resolved, That the Controller of State be and he is hereby authorized to draw his warrant, payable out of the appropriation for the contingent expenses of the Assembly, in favor of W. P. Mathews, Chairman of the Special Joint Committee appointed to investigate the Home of the Adult Blind, for the sum of one hundred and seventy-one dollars and forty cents, pay as mileage for—

One member of the committee	$18 20
Mileage for Clerk Hawkins	18 20
Services of the Clerk 27 days	135 00
Total	$171 40

And the State Treasurer is hereby authorized to pay the same.

Adopted.

MOTION.

Mr. Burke moved that the report of the Committee on Attachés and Employés, submitted on yesterday, be taken up.

So ordered.

REPORT OF STANDING COMMITTEE.

ON ATTACHÉS AND EMPLOYÉS.

ASSEMBLY CHAMBER, SACRAMENTO, February 17, 1893

MR SPEAKER: Your Committee on Attachés and Employés, to whom was referred the following resolutions

By Mr. Anderson:

Resolved, That H. M. Woods be and he is hereby appointed Assistant Enrolling Clerk, at the same per diem as paid other Assistant Enrolling Clerks, payable out of the Contingent Fund of the Assembly

Have had the same under consideration, and respectfully report the same back, and recommend that it do pass

Also: By Mr. Cusick:

Resolved, That Joseph Currington be and he is hereby appointed Assistant Engrossing Clerk, at a salary of five dollars per diem, to be paid out of the appropriation for the contingent expenses of the Assembly.

Advise that it be amended to read.

Resolved, That Joseph Currington be and he is hereby appointed Assistant Enrolling Clerk, at a salary of five dollars per diem, to be paid out of the appropriation for the contingent expenses of the Assembly.

And, in the amended form, respectfully report the same back, and recommend that it do pass.

HURLEY, Chairman

Mr. Anderson moved to amend by providing that the per diem of H. M. Woods be five dollars.

Adopted.

Report as amended adopted.

RESOLUTION.

By Mr. Godchaux:

Resolved, That a sub-committee of four be appointed by the Chairman of the Committee on Commerce and Navigation from such committee, together with the Clerk, for the purpose of visiting the harbor of San Francisco and inspecting the so-called Belt Railroad therein, and under the supervision of the Board of State Harbor Commissioners; also, for the purpose of taking such testimony as may be furnished such sub-committee in relation thereto. hereby granted leave of absence until Monday at noon.

Mr. Bledsoe moved that the resolution be referred to the Committee on Public Expenditures and Accounts.

Lost.

Mr. Conway moved to amend by striking out the words, "together with the Clerk."

Adopted.

Mr. Schlesinger moved to amend by striking out the words "also, for the purpose of taking such testimony as may be furnished such sub-committee in relation thereto."

Adopted.

Upon the resolution as amended the ayes and noes were demanded by Messrs Bledsoe, Jacobs, and Bennett of Santa Clara.

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

AYES—Messrs. Alford, Anderson, Androus, Barker, Barlow, Bennett of Santa Clara, Bennett of Orange, Blakeley, Boyce, Brownlie, Buckley, Bulla, Burke, Carlson, Casterline, Chipman, Conway, Dufly, Durst, Finlayson, Gately, Godchaux, Kennedy, Luttringer, Lynch, McGowan, Mack, Marks, Marston, Mathews of Tehama, Miller, Mordecai, O'Keefe, Perkins, Pueschel, Sargent, Schlesinger, Simpson, Talbott, Taylor, Thomas of Nevada, and Thomas of Santa Clara—41.

NOES—Messrs. Adams, Bledsoe, Dodge, Hurley, Jacobs, Johnson of Humboldt, Kahn, Matthews of San Benito, Owen, Shanahan, Vann, Wade, and Mr. Speaker—13.

MOTIONS.

Mr. Anderson moved that the State Printer be allowed to deliver printed bills following No. 774 in regular order.

So ordered.

Mr. Kennedy moved that Senate Bill No. 116 be re-referred to Committee on Corporations, and that Assembly Bill No. 629, introduced by him, take the place on file occupied by Senate Bill No. 116.

So ordered.

Mr. Mathews of Tehama moved that Senate Bill No. 134 be taken up out of order, and read the second time.

So ordered.

SECOND READING OF BILL.

Senate Bill No. 134—An Act to establish a uniform system of mine bell signals, to be used in all the mines operated in the State of California, and for the protection of miners.

Read second time, and ordered to a third reading.

MOTION.

Mr. O'Keefe moved that Senate Bill No. 9 be taken up out of order, and read the second time.

So ordered.

SECOND READING OF BILL.

Senate Bill No. 9—An Act to declare certain tide lands public grounds, and granting the same to the county of San Mateo, in trust for the use of the public.

Read second time, and ordered to a third reading.

MOTION.

Mr. Bennett of Santa Clara moved that Assembly Bill No. 694 be substituted on file for Assembly Bill No. 124, and be read the first time.

So ordered.

FIRST READING OF BILL.

Assembly Bill No. 694—An Act to insure preference in appointment, employment, and retention therein, in the public service of the State of California, and municipalities, villages, and counties of the State of California, to ex-Union soldiers of the late war.

Read first time, and placed on file for second reading.

LEAVE OF ABSENCE.

Mr Kahn was granted leave of absence until Monday.

MOTION.

Mr. Dodge moved that Assembly Bill No. 315 be substituted on the file for Assembly Bill No. 32, and be read the first time.

So ordered.

FIRST READING OF BILL.

Assembly Bill No. 315—An Act appropriating the sum of fifteen thousand dollars to defray the costs and expenses, and for the employment of associate counsel therein, of suits and legal proceedings to be commenced and prosecuted by the Attorney-General in the name of the People of the State of California to quiet the title to and for the recovery of the possession of the Oakland waterfront, San Antonio Creek and its bays and estuaries, and the Alameda waterfront.

Read first time, and placed on file for second reading.

MOTIONS.

Mr. Shanahan moved that Assembly Bills Nos. 432, 433, 434, and 435 be taken up out of order, considered, and placed on the special file.

Lost.

Mr. Thomas of Nevada moved to take up the second reading file.

Lost.

INTRODUCTION OF BILLS.

The following bills were introduced, read by title, and referred to committees, as follows:

By Mr. Thomas of Nevada: Assembly Bill No. 810—An Act to add a new section to the Civil Code of the State of California, to be numbered section one thousand four hundred and nine, defining water measurement.

Referred to Committee on Mines and Mining Interests.

By Mr. Sargent: Assembly Bill No. 811—An Act to amend section one thousand four hundred and twenty-six of the Political Code, relating to the appointment of members of the Board of Regents of the University of California.

Referred to Committee on Education.

SPECIAL FILE.

Assembly Bill No. 192—An Act to provide for the building and furnishing of three cottages for use as residences of the Resident Physician and two Assistant Physicians at the Napa State Asylum for the Insane, and making an appropriation therefor.

Passed on file.

Assembly Bill No. 366—An Act making an appropriation for the erection of an additional building for the State Normal School at San José.

Passed on file.

Assembly Bill No. 2—An Act making an appropriation to pay the deficiencies in the appropriation for costs and expenses of suits in which the State is a party in interest, for the fortieth, forty-first, forty-second, and forty-third fiscal years.

Read third time, and passed by the following vote:

AYES—Messrs. Adams, Alford, Androus, Barker, Barlow, Bennett of Santa Clara, Bennett of Orange, Blakeley, Boyce, Brownlie, Buckley, Bulla, Burke, Carlson, Casterline, Chipman, Conway, Cusick, Dodge, Duffy, Durst, Finlayson, Gately, Godchaux, Hurley, Hutson, Jacobs, Johnson of Humboldt, Kennedy, Kahn, Kerns, Luttringer, Lynch, McGowan, Mack, Marks, Marston, Matthews of San Benito, O'Keefe, O'Neill, Perkins, Pueschel, Sargent, Schlesinger, Schroebel, Shanahan, Simpson, Standart, Talbott, Taylor, Thomas of Santa Clara, Tindall, Vann, Wade, and Mr. Speaker—55.

NOES—Mr. Bledsoe—1.

Title read and approved.

Assembly Bill No. 36—An Act to appropriate money for the survey, location, and construction of a free wagon road from the town of Mariposa, in Mariposa County, to the Yosemite Valley.

Passed on file.

Assembly Bill No. 720—An Act authorizing the State Controller and State Treasurer to transfer from the State School Fund to the State

School Land Fund the sum of one hundred and eighty-nine thousand four hundred and twenty-six dollars and fifty-eight cents.

Passed on file.

Assembly Bill No. 469—An Act to pay the claim of Mary M. Springer, the widow and heir of Thomas A. Springer, late State Printer, deceased.

Passed on file.

Assembly Bill No. 737—An Act to provide for the payment of interest on the outstanding bonds of the State of California, held in trust for the University Fund and the State School Fund; to continue in force so much of an Act entitled "An Act to provide for the payment of the funded indebtedness of the State of California, and to contract a funded debt for that purpose," approved April 2, 1870, as is not in conflict with this Act; to repeal an Act of the Legislature of the State of California, approved March 4, 1881, entitled "An Act to appropriate money to reimburse the University of California for moneys heretofore appropriated to the Endowment Fund thereof, which moneys have, by mistake, been withheld therefrom and appropriated to other State expenses," and making an appropriation to pay the interest on said outstanding bonds from January 1 to July 1, 1893.

Passed on file.

Assembly Bill No. 483—An Act making an appropriation to pay the deficiency in the appropriation for additional improvements for the Southern California State Asylum for the Insane and Inebriates.

Passed on file.

Assembly Bill No. 506—An Act to provide for additional improvements at the Reform School for Juvenile Offenders, located at Whittier, in the county of Los Angeles, and State of California, and to make an appropriation for the same.

Passed on file.

Assembly Bill No. 99—An Act to appropriate two hundred and sixty-one thousand four hundred and fifty dollars for the erection of an Administration Building for the Mendocino State Asylum for the Insane, to complete the female ward, to purchase furniture and furnish the buildings erected and to be erected by the Directors of said asylum, to construct a plant for lighting said buildings, to improve the grounds thereof, to purchase live stock and agricultural implements to be used for asylum purposes, to construct a carpenter shop and morgue thereon, to furnish the bakery, to construct a dam to furnish a water supply to said asylum, for fencing the ground and constructing yard fencing, for constructing a sewer system, for purchasing laundry machinery and kitchen furniture, to appropriate money therefor, and provide for the expenditure of the same

Passed on file.

Assembly Bill No. 482—An Act making an appropriation for the erection of additional buildings and improvements for the Southern California State Asylum for the Insane and Inebriates.

Passed on file.

Assembly Bill No. 688—An Act making an appropriation from the State School Book Fund to supply the deficiency in the present appropriation from the General Fund, for compiling State school text-books, for the forty-fourth fiscal year.

Passed on file.

Assembly Bill No. 319—An Act appropriating the sum of twenty thousand dollars for the erection and construction of a sewer for the State Insane Asylum at Agnews, to appropriate money therefor, and to provide for the expenditure of the same.

Passed on file.

Senate Bill No. 132—An Act to appropriate money for the completion of the building of the Preston School of Industry at Ione, and for furnishing and equipping the same.

Read third time, and passed by the following vote:

AYES—Messrs. Adams, Alford, Anderson, Androus, Barker, Barlow, Bennett of Santa Clara, Bennett of Orange, Blakeley, Bledsoe, Boyce, Brownlie, Buckley, Bulla, Burke, Carlson, Casterline, Chipman, Conway, Cusick, Dodge, Duffy, Durst, Finlayson, Gately, Godchaux, Hurley, Hutson, Jacobs, Johnson of Humboldt, Johnson of Santa Clara, Kennedy, Kahn, Kerns, Luttringer, Lynch, McGowan, Mack, Marks, Marston, Matthews of San Benito, Mordecai, O'Keefe, O'Neill, Perkins, Pueschel, Sargent, Schlesinger, Schroebel, Shanahan, Simpson, Standart, Talbott, Taylor, Thomas of Nevada, Tindall, Vann, Wade, and Mr. Speaker—59.

NOES—Mr. Thomas of Santa Clara—1

Title read and approved.

SECOND READING OF BILLS.

Assembly Bill No. 231—An Act to appropriate money for the completion of the building of the Preston School of Industry at Ione, and for furnishing and equipping the same.

Passed on file.

Assembly Bill No. 484—An Act making an appropriation to pay for the management and maintenance of the Southern California State Asylum for the Insane and Inebriates for the forty-fourth fiscal year.

Passed on file.

Senate Bill No. 5—An Act providing for the selection, condemnation, and purchase of a suitable site, and the erection thereon of a State building, in San Francisco, and making an appropriation therefor.

Read second time, and on motion of Mr. Schlesinger, further consideration was passed on file.

Assembly Bill No. 206—An Act to provide furniture for and furnishing the California Home for the Care and Training of Feeble-Minded Children, at Glen Ellen, Sonoma County, California, and making an appropriation therefor.

Passed on file.

Assembly Bill No. 207—An Act to provide for the erection of an additional wing to the main building of the California Home for the Care and Training of Feeble-Minded Children, at Glen Ellen, Sonoma County, California, for the female department of said institution, and to appropriate money therefor.

Passed on file.

Assembly Bill No. 208—An Act to provide for the improvement of the grounds of the California Home for the Care and Training of Feeble-Minded Children, at Glen Ellen, Sonoma County, California, and to appropriate money therefor.

Passed on file.

Senate Bill No. 177—An Act to provide for the erection of an additional wing to the main building of the California Home for the Care and Training of Feeble-Minded Children, at Glen Ellen, Sonoma County,

California, for the female department of said institution, and to appropriate money therefor.

Read second time.

Committee amendments, as follows:

COMMITTEE AMENDMENT NO. 1

Amend the title to read as follows:

"An Act to provide for the erection of an additional wing to the main building of the California Home for the Care and Training of Feeble-Minded Children at Glen Ellen, Sonoma County, California, for the female department of said institution, to furnish the same, and to improve the grounds, and to appropriate money therefor."

Adopted.

COMMITTEE AMENDMENT NO. 2.

Amend section one by striking out in line one of the printed bill the words "one hundred and nineteen thousand four hundred and fifty," and insert in lieu thereof the words "ninety-eight thousand"

Adopted.

COMMITTEE AMENDMENT NO. 3.

In section one, line five of the printed bill, after the word "institution" and before the word "one," insert the following: "and to furnish the same, and to improve the grounds."

Adopted.

MOTION.

Mr. Hurley moved that the Assembly resolve itself into Committee of the Whole, with the Speaker in the chair, for the purpose of considering Senate Bill No. 177.

So ordered.

IN COMMITTEE OF THE WHOLE.

Speaker Gould in the chair.

Senate Bill No. 177 was considered in Committee of the Whole.

IN ASSEMBLY.

Speaker Gould in the chair.

REPORT OF THE COMMITTEE OF THE WHOLE.

The Speaker stated the report of the Committee of the Whole, as follows:

GENTLEMEN: The Committee of the Whole have had under consideration Senate Bill No 177—An Act to provide for the erection of an additional wing to the main building of the California Home for the Care and Training of Feeble-Minded Children, at Glen Ellen, Sonoma County, California, for the female department of said institution, and to appropriate money therefor—and now report, and recommend that the same do pass.

Bill ordered to a third reading.

MOTION.

Mr. Anderson moved that the Assembly Constitutional Amendments be passed on file.

So ordered.

THIRD READING OF BILLS.

Assembly Bill No. 169—An Act to cede jurisdiction to the United States over certain lands.

Passed on file.

Assembly Bill No. 158—An Act to amend section two thousand six hundred and fifty-three of the Political Code, relating to the levy of road tax.

Passed on file.

Assembly Bill No. 82—An Act to amend sections one thousand three hundred and three, one thousand three hundred and twenty-three, one thousand three hundred and sixty-five, one thousand three hundred and eighty-eight, one thousand four hundred and thirty-nine, one thousand five hundred and sixteen, one thousand five hundred and seventeen, one thousand five hundred and thirty-six, one thousand five hundred and forty-five, one thousand five hundred and forty-seven, 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 fifty-two, one thousand five hundred and fifty-three, one thousand five hundred and fifty-four, one thousand five hundred and fifty-seven, one thousand five hundred and fifty-eight, one thousand five hundred and sixty-five, one thousand five hundred and ninety-two, one thousand five hundred and ninety-seven, one thousand five hundred and ninety-eight, one thousand five hundred and ninety-nine, and one thousand six hundred and eighteen, and to repeal sections one thousand five hundred and eighteen, one thousand five hundred and nineteen, one thousand five hundred and twenty-two, one thousand five hundred and twenty-three, one thousand five hundred and twenty-four, 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-three, one thousand five hundred and thirty-seven, one thousand five hundred and thirty-eight, one thousand five hundred and thirty-nine, one thousand five hundred and forty, one thousand five hundred and forty-one, one thousand five hundred and forty-two, one thousand five hundred and forty-three, one thousand five hundred and forty-four, one thousand five hundred and forty-nine, and one thousand five hundred and fifty-six, and to add four new sections, to be known and designated as sections one thousand five hundred and forty-six, one thousand five hundred and fifty-four and one half, one thousand five hundred and ninety-two, and one thousand five hundred and ninety-seven and one half, of an Act of the Legislature of the State of California entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1873, all relating to estates of deceased persons.

Read third time, and passed by the following vote:

AYES—Messrs Adams, Anderson, Androus, Barlow, Bennett of Santa Clara, Bennett of Orange, Blakeley, Bledsoe, Buckley, Bulla, Burke, Carlson, Casterline, Chipman, Conway, Cusick, Dodge, Durst, Finlayson, Godchaux, Hurley, Hutson, Jacobs, Johnson of Humboldt, Johnson of Santa Clara, Kennedy, Kahn, Kerns, Luttringer, Lynch, McGowan, Mack, Marks, Marston, Matthews of San Benito, Miller, Mordecai, O'Keefe, O'Neill, Owen, Perkins, Pueschel, Sargent, Schlesinger, Schroebel, Simpson, Standart, Talbott, Taylor, Thomas of Nevada, Thomas of Santa Clara, Tindall, Wade, and Mr. Speaker—54

NOES—None

Title read and approved.

Assembly Bill No. 83—An Act to amend sections one thousand seven hundred and sixty-eight, one thousand seven hundred and seventy, one thousand seven hundred and seventy-seven, one thousand seven hundred and eighty-eight, and one thousand seven hundred and eighty-nine, and repealing sections one thousand seven hundred and seventy-eight, 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-six, and one thousand seven hundred and eighty-seven of an Act of the Legislature of the State of California entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1873, all relating to the guardianship of the persons and estates of minors and incompetents, and adding a new section to said Code of Civil Procedure, to be known and designated as section one thousand seven hundred and seventy-one and one half, also relating to the guardianship of the persons and estates of minors and incompetents.

Read third time, and passed by the following vote:

AYES—Messrs. Adams, Alford, Anderson, Barker, Barlow, Bennett of Santa Clara, Bennett of Orange, Blakeley, Bledsoe, Buckley, Bulla, Burke, Carlson, Casterline, Chipman, Cusick, Dodge, Durst, Finlayson, Godchaux, Hurley, Hutson, Jacobs, Johnson of Humboldt, Kennedy, Kerns, Luttringer, Lynch, McGowan, Mack, Marks, Marston, Mathews of Tehama, Matthews of San Benito, Mordecai, O'Keefe, Owen, Perkins, Pueschel, Sargent, Schlesinger, Simpson, Standart, Talbott, Taylor, Thomas of Nevada, Thomas of Santa Clara, Tindall, Vann, Wade, and Mr. Speaker—51.

NOES—None.

Title read and approved.

INTRODUCTION OF BILL.

By Mr. Dodge: Assembly Bill No. 812—An Act to amend an Act entitled "An Act giving consent of the State of California to the reservation of certain lands by Congress," approved March 14, 1891.

Referred to Committee on Federal Relations.

LEAVE OF ABSENCE.

Mr. Durst was granted leave of absence until Tuesday at two o'clock P. M.

Mr. Blakeley was granted leave of absence for the remainder of the day.

Mr. Barlow was granted leave of absence until Monday at two o'clock P. M.

MOTIONS.

Mr. McGowan moved that Assembly Bill No. 284 be substituted on the file for Assembly Bill No. 285.

So ordered.

Mr. Finlayson moved that Assembly Concurrent Resolution No. 2 be made a special order for Thursday at three o'clock and thirty minutes P. M.

So ordered.

Mr. Schlesinger moved that Assembly Bill No. 354 be substituted on file for Assembly Bill No. 234.

So ordered.

RECESS.

The hour of recess having arrived, the Speaker declared recess until two o'clock P. M.

REASSEMBLED.

The Assembly reassembled at two o'clock P. M.
Speaker Gould in the chair.
Quorum present.

MOTION.

Mr. Mathews of Tehama moved to take up the first reading file.

Mr. Shanahan moved to amend that Assembly Bills Nos. 432, 433, 434, and 435 be made a special order for Monday at two o'clock P. M.

Lost.

Motion lost.

LEAVE OF ABSENCE.

Messrs. Marks, O'Neill, Raw, and Conway were granted leave of absence until Monday morning.

REPORT OF STANDING COMMITTEE.

ON EDUCATION.

ASSEMBLY CHAMBER, SACRAMENTO, February 18, 1893.

MR. SPEAKER: Your Committee on Education, to whom was referred Assembly Bill No. 16—An Act to amend section one thousand five hundred and seventy-seven of the Political Code of the State of California, relating to school districts

Also: Assembly Bill No 57—An Act to provide for the establishment of high schools in the State of California.

Also: Assembly Bill No 129—An Act to amend an Act entitled "An Act to establish a Political Code," by amending section six hundred and eighty thereof.

Also: Assembly Bill No. 157—An Act to amend an Act entitled "An Act to establish a Political Code," approved March 20, 1891, by amending section one thousand five hundred and forty-three of the Political Code, relating to the disbursement of public school funds.

Also: Assembly Bill No. 176—An Act authorizing school districts, cities, cities and counties, or incorporated towns in the State of California to furnish the pupils of their respective public schools with free use of school text-books

Also: Assembly Bill No. 524—An Act to amend sections one thousand five hundred and twenty, one thousand five hundred and twenty-one, one thousand five hundred and thirty-two, one thousand five hundred and thirty-three, one thousand five hundred and forty-three, one thousand five hundred and forty-nine, one thousand five hundred and fifty-one, one thousand five hundred and fifty-three, one thousand five hundred and sixty, one thousand five hundred and sixty-four, one thousand five hundred and sixty-five, one thousand five hundred and seventy-six, one thousand five hundred and seventy-seven, one thousand five hundred and eighty-one, one thousand five hundred and eighty-three, one thousand five hundred and ninety-three, one thousand five hundred and ninety-six, one thousand five hundred and ninety-nine, one thousand six hundred and two, one thousand six hundred and fourteen, one thousand six hundred and fifteen, 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 thirty-four, one thousand six hundred and thirty-six, one thousand six hundred and thirty-seven, one thousand six hundred and thirty-eight, one thousand six hundred and thirty-nine, one thousand six hundred and forty-nine, one thousand six hundred and fifty, one thousand six hundred and fifty-one, 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 eighty-seven, one thousand six hundred and ninety-six, one thousand six hundred and ninety-eight, one thousand six hundred and ninety-nine, one thousand seven hundred and twelve, one thousand seven hundred and fourteen, one thousand seven hundred and sixty-eight, 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-five, one thousand seven hundred and seventy-six, one thousand seven hundred and eighty-eight, one thousand seven hundred

and ninety, one thousand seven hundred and ninety-one, one thousand seven hundred and ninety-two, one thousand eight hundred and seventeen, one thousand eight hundred and thirty, one thousand eight hundred and thirty-three, one thousand eight hundred and thirty-five, one thousand eight hundred and thirty-six, one thousand eight hundred and fifty-seven, one thousand eight hundred and fifty-eight, one thousand eight hundred and seventy-seven, one thousand eight hundred and seventy-nine, one thousand eight hundred and eighty, one thousand eight hundred and eighty-two, one thousand eight hundred and eighty-three, one thousand eight hundred and eighty-five, one thousand five hundred and three of the Political Code; to add thereto four new sections, to be known and numbered as sections one thousand six hundred and three, one thousand six hundred and sixty-nine, one thousand six hundred and seventy, and one thousand six hundred and seventy-one; to repeal sections one thousand five hundred and sixty-one, one thousand seven hundred and fifty-seven, and one thousand seven hundred and sixty-nine of the Political Code, and also to repeal "An Act to authorize the establishment of county high schools, and provide for their support," approved March 10, 1891, and "An Act to provide for the establishment of high schools in the State of California," approved March 20, 1891, and all Acts and parts of Acts in conflict with the provisions of this Act.

Also: Assembly Bill No. 730—An Act to amend section one thousand five hundred and twenty-one of the Political Code of California, relating to the powers and duties of the State Board of Education.

Also: Assembly Bill No. 667—An Act to amend section one thousand five hundred and sixty-one of the Political Code, relating to the holding of teachers' institutes.

All relating to the public schools; and respectfully report the same back, with a committee substitute for them, and recommend the passage of the committee substitute, which is herewith transmitted.

SARGENT, Chairman.

Committee substitute ordered printed.

MOTION.

Mr. Finlayson moved that Assembly Bill No. 679 be substituted on the file for Assembly Constitutional Amendment No. 26.

So ordered.

THIRD READING OF BILLS.

Assembly Bill No. 125—An Act to increase the number of Judges of the Superior Court of the county of Santa Clara, and to provide for the appointment of an additional Judge, and to fix his compensation.

Passed on file.

Assembly Bill No. 447—An Act exempting agricultural, horticultural, viticultural, and pastoral occupations from license taxation.

Passed on file.

Assembly Bill No. 276—An Act entitled an Act to amend section two thousand six hundred and eighty-four of the Political Code.

Read third time, and passed on file.

Assembly Bill No. 298—An Act to amend an Act entitled "An Act creating a Board of Bank Commissioners, and prescribing their duties and powers," approved March 30, 1878.

Passed on file.

Assembly Bill No. 296—An Act to amend sections thirty-eight to fifty-three, inclusive, of an Act approved March 31, 1891, adding those sections to "An Act to provide for work upon streets, alleys, lanes, courts, places, and sidewalks, and for the construction of sewers within municipalities," approved March 18, 1885.

Passed on file.

Substitute for Assembly Bill No. 167—An Act providing for the destruction of ground squirrels and other destructive crop pests on all lands owned or claimed within the limits of the State of California.

Passed on file.

Assembly Bill No. 377—An Act to establish what shall constitute lawful fences within the State of California.

Passed on file.

Assembly Bill No. 277—An Act entitled an Act to prevent the sale of short-weight rolls of butter.

Passed on file.

Assembly Bill No. 265—An Act to provide for the payment of the claim of C. C. Rochford.

Passed on file.

Assembly Bill No. 90—An Act to prevent deception in the manufacture and sale of butter and of cheese, and to appropriate money for its enforcement.

Passed on file.

Assembly Bill No. 117—An Act to provide for the planting, maintenance, and care of shade trees upon streets, lanes, alleys, courts, and places within municipalities, and of hedges upon the lines thereof; also, for the eradication of certain weeds within city limits.

Passed on file.

Assembly Bill No. 188—An Act to amend an Act entitled "An Act to form agricultural districts, to provide for the formation of agricultural associations therein, and for the management and control of the same by the State, and to repeal so much of an Act entitled 'An Act to form agricultural districts, to provide for the formation of agricultural associations therein, and for the management and control of the same by the State,' approved March 20, 1891," by amending sections one, eleven, and twelve.

Passed on file.

Assembly Bill No. 466—An Act to amend sections three, four, and five of an Act entitled "An Act fixing a bounty on coyote scalps."

Passed on file.

Assembly Bill No. 402—An Act providing for appeals from orders of the Board of Supervisors forming or refusing to form reclamation or swamp land districts, setting off lands from such districts, or including lands in such districts, or consolidating swamp land or reclamation districts.

Passed on file.

Assembly Bill No. 317—An Act for the relief of Patrick Creighton.

Passed on file.

Assembly Bill No. 392—An Act to amend section seven hundred and twenty-six of the Code of Civil Procedure, and to add a new section thereto, to be known as section seven hundred and twenty-nine, relating to actions for the foreclosure of mortgages.

Passed on file.

MOTION.

Mr. Schlesinger moved to take up the first reading file.

So ordered.

FIRST READING OF BILLS.

Assembly Bill No. 582—An Act prohibiting the use of barbed wire fence on public lanes, streets, alleys, roads, or highways.

Read first time, and placed on file for second reading.

Mr. Schlesinger in the chair.

Assembly Bill No. 684—An Act to add eight new sections to an Act entitled "An Act to establish a Political Code," approved March 12, 1872, said new sections to be known, numbered, and designated as sections two thousand six hundred and ninety-six, two thousand six hundred and ninety-seven, two thousand six hundred and ninety-eight, two thousand six hundred and ninety-nine, two thousand seven hundred, two thousand seven hundred and one, two thousand seven hundred and two, and two thousand seven hundred and three, respectively, all relating to laying out and constructing drains, canals, ditches, and other works to drain public roads.

Read first time, and placed on file for second reading.

Assembly Bill No. 696—An Act to establish a California State Raisin Growers, Packers, and Brokers' Association, and prescribing the powers thereof.

Read first time, and placed on file for second reading.

Assembly Bill No. 647—An Act to add a new section to the Political Code, to be numbered section three thousand eight hundred and eighteen, in relation to the cancellation of tax sales to the State.

Read first time, and placed on file for second reading.

Assembly Bill No. 386—An Act to amend section three thousand eight hundred and eighty-one of the Political Code, relating to errors, etc., on assessment roll, and the corrections thereof.

Read first time, and placed on file for second reading.

INTRODUCTION OF BILLS.

The following bills were introduced, read by title, and referred to committees, as follows:

By Mr. Mathews of Tehama: Assembly Bill No. 813—An Act making an appropriation to pay the deficiency in the appropriation for the transportation of prisoners for the forty-fourth fiscal year.

Referred to Committee on Ways and Means.

Also: Assembly Bill No. 814—An Act making an appropriation to pay the deficiency in the appropriation for the transportation of insane for the forty-fourth fiscal year.

Referred to Committee on Ways and Means.

FIRST READING OF BILLS—(RESUMED).

Assembly Bill No. 508—An Act amendatory of chapter three, of title four, of the Code of Civil Procedure, relative to phonographic reporters.

Read first time, and placed on file for second reading.

Assembly Bill No. 457—An Act to amend section two hundred and seventy-four of an Act entitled "An Act to establish a Code of Civil Procedure," with reference to the compensation of phonographic reporters for Superior Courts.

Read first time, and placed on file for second reading.

Assembly Bill No. 535—An Act to amend section two hundred and seventy-four of an Act entitled "An Act to establish a Code of Civil Procedure," with reference to the compensation of phonographic reporters for Superior Courts.

Read first time, and placed on file for second reading.

Assembly Bill No. 564—An Act amendatory of chapter three, title four, of the Code of Civil Procedure, relative to phonographic reporters.

Read first time, and placed on file for second reading.

Senate Bill No. 55—An Act to amend section one thousand one hundred and seven of the Civil Code of the State of California.

Read first time, and placed on file for second reading.

Assembly Bill No. 308—An Act to amend the Political Code, changing the boundary line between the counties of Yolo and Sacramento.

Read first time, and placed on file for second reading.

Assembly Bill No. 480—An Act to amend an Act entitled "An Act to provide for the organization and government of irrigation districts, and to provide for the acquisition of water and other property, and for the distribution of water thereby for irrigation purposes," approved March 7, 1887, and to enable and empower irrigation districts to sell or rent, or otherwise dispose of, their surplus water.

Read first time, and placed on file for second reading.

Assembly Bill No. 518—An Act supplemental to an Act entitled "An Act to provide for the organization and government of irrigation districts, and to provide for the acquisition of water and other property, and for the distribution of water thereby for irrigation purposes," approved March 7, 1887, by the creation of a State Board of Irrigation, and by defining the powers and prescribing the duties thereof, and by providing for the printing of bonds issued by virtue of said Act.

Read first time, and placed on file for second reading.

Assembly Bill No. 638—An Act to amend an Act entitled "An Act to provide for the organization and government of irrigation districts, and to provide for the acquisition of water and other property, and for the distribution of water thereby for irrigation purposes," approved March 7, 1887, by amending sections thirteen and seventeen thereof.

Read first time, and placed on file for second reading.

Senate Bill No. 36—An Act to amend an Act entitled "An Act to provide for the completion of all unfinished county, city, city and county, towns, and township buildings in the several counties, cities and counties, cities, and towns throughout the State of California," approved March 11, 1891.

Read first time, and placed on file for second reading.

Assembly Bill No. 679—An Act providing for primary elections in the State of California.

Read first time, and placed on file for second reading.

Assembly Bill No. 726—An Act to amend section two hundred and seventy-two of the Penal Code, relative to the licensing of children in theatrical exhibitions.

Read first time, and placed on file for second reading.

Assembly Bill No. 557—An Act to add sections two thousand five hundred and forty-three and two thousand five hundred and forty-four to the Civil Code.

Read first time, and placed on file for second reading.

Assembly Bill No. 486—An Act to require banks or banking corporations doing business in this State to make and publish a sworn report, showing the actual financial condition of the bank making such report, on the first Monday of March, at twelve o'clock M., of each year.

Read first time, and placed on file for second reading.

Assembly Bill No. 617—An Act providing for the dissolution of certain corporations doing a banking business.

Read first time, and placed on file for second reading.

Assembly Bill No. 589—An Act entitled an Act to establish a uniform rate of wages per day in the State of California, for doing assessment work on mining locations.

Read first time, and placed on file for second reading.

Assembly Bill No. 538—An Act prohibiting the burial of the dead within the corporate limits of any incorporated city, or city and county, of over fifty thousand inhabitants, from and after the thirty-first day of December, A. D. 1895.

Read first time, and placed on file for second reading.

Assembly Bill No. 264—An Act providing for the sale of railroad and other franchises in municipalities, and fixing the time when certain acts of the governing bodies thereof, relative to franchises, shall take effect.

Read first time, and placed on file for second reading.

Senate Bill No. 122—An Act entitled an Act to appropriate money to pay the claims of McGowan & Butler for building retaining walls to "The Mendocino State Asylum for the Insane," for grading and terracing the grounds thereof, and for constructing a drainage and sewer system in and about the buildings, which work was performed on and material furnished said asylum under contracts with the Board of Directors of said asylum.

Read first time, and placed on file for second reading.

Senate Bill No. 6—An Act to appropriate money for the erection of a State Hospital for Lepers.

Read first time, and placed on file for second reading.

Assembly Bill No. 517—An Act to amend an Act of the Legislature of the State of California entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, by adding thereto five new sections, to be known as Sections 539*a*, 539*b*, 539*c*, 539*d*, and 539*e*, in chapter four, of part two, title seven, concerning "attachments," as follows.

Read first time, and placed on file for second reading.

Assembly Bill No. 686—An Act entitled an Act to amend section one thousand one hundred and eighty-nine of the Civil Code of the State of California, relating to proof and acknowledgment of instruments.

Read first time, and placed on file for second reading.

Assembly Bill No. 706—An Act to amend an Act entitled "An Act to create and establish a State Board of Horticulture, and appropriate money for the expenses thereof," approved March 13, 1883, relating to the location of the office of the State Board of Horticulture.

Read first time, and placed on file for second reading.

Assembly Bill No. 708—An Act establishing a Commission for the revision of the codes and laws of California, prescribing their duties, fixing their compensation, and making an appropriation.

Re-referred to Committee on Ways and Means.

Senate Bill No. 219—An Act to provide for the appointment of guardians of children maintained in any orphans' home or orphans' asylum in this State.

Read first time, and placed on file for second reading.

Senate Bill No. 218—An Act to amend section two hundred and twenty-four of the Civil Code, regarding the adoption of children.

Read first time, and placed on file for second reading.

Assembly Bill No. 156—An Act to amend section one thousand five hundred and ninety-seven of the Code of Civil Procedure of this State, relating to specific performance of contracts made by decedents during their lifetime.

Read first time, and placed on file for second reading.

Assembly Bill No. 682—An Act to amend section seventy-one of the Code of Civil Procedure, relating to the duties and compensation of Judges of Superior Courts.

Read first time, and placed on file for second reading.

Senate Bill No. 302—An Act to amend section three thousand eight hundred and eighty-one of the Political Code, relating to errors, etc., on assessment roll, and the correction thereof.

Read first time, and placed on file for second reading.

Assembly Bill No. 105—An Act to create a State Board of Funeral Directors, to prescribe its powers and duties, to regulate the practice of undertaking and funeral direction, and to more effectually protect the people against contagious diseases.

Read first time, and placed on file for second reading.

Assembly Bill No. 40—An Act to tax gifts, legacies, and collateral inheritances in certain cases.

Read first time, and placed on file for second reading.

Assembly Bill No. 251—An Act to amend an Act of the Legislature of the State of California, entitled "An Act for the relief of insolvent debtors, for the protection of creditors, and for the punishment of fraudulent debtors," approved April 16, 1880, by adding one new section thereto, to be known as Section 6*a*, providing for qualification to vote for assignee; to amend section fifteen of said Act, providing for election of assignee; and to amend section fifty-five of said Act, touching fraudulent preferences and transfers.

Read first time, and placed on file for second reading.

Assembly Bill No. 611—An Act in relation to and prescribing conditions upon which certain foreign insurance companies may transact insurance business in the State of California.

Read first time, and placed on file for second reading.

Assembly Bill No. 203—An Act to amend section three thousand and nine of the Political Code of the State of California, relating to the appointment of certain officers and employés by the Board of Health of the City and County of San Francisco.

Read first time, and placed on file for second reading.

Assembly Bill No. 690—An Act to repeal "An Act for the promotion of the viticultural industries of the State," approved April 15, 1880.

Read first time, and placed on file for second reading.

Assembly Bill No. 236—An Act to amend an Act entitled "An Act to provide for the organization and government of irrigation districts, and to provide for the acquisition of water and other property, and for the distribution of water thereby for irrigation purposes," approved March 7, 1887, by amending sections fifteen and thirty thereof.

Read first time, and placed on file for second reading.

Assembly Bill No. 728—An Act to amend section three thousand and

five of the Political Code, and providing for the appointment of a Board of Health for the City and County of San Francisco.

Read first time, and placed on file for second reading.

Assembly Bill No 714—An Act relating to the erection, construction, and repairs of public buildings in this State, and in any of the counties, cities and counties, cities, towns, and townships thereof.

Read first time, and placed on file for second reading.

Assembly Bill No. 715—An Act to prevent persons, corporations, or companies discriminating against employés.

Read first time, and placed on file for second reading.

Assembly Bill No. 615—An Act to provide for the establishment and maintenance, under the direction of the Bureau of Labor Statistics, of free public employment offices.

Read first time, and placed on file for second reading.

Assembly Bill No. 94—An Act to amend sections three hundred and seven, three hundred and twelve, and three hundred and fourteen of the Civil Code.

Read first time, and placed on file for second reading.

Assembly Bill No. 410—An Act to amend section two thousand one hundred and sixty-eight of the Civil Code, relating to common carriers.

Read first time, and placed on file for second reading.

Assembly Bill No. 59—An Act to amend section three hundred and sixty-two of the Civil Code, relating to amending articles of incorporation.

Read first time, and placed on file for second reading.

RESOLUTION.

By Mr. Alford:

Resolved, That Mrs. Carrie Murray be and she is hereby appointed Assistant Journal Clerk of the Assembly, at a per diem of eight dollars, payable out of the Contingent Fund of the Assembly.

Referred to Committee on Attachés and Employés.

FIRST READING OF BILLS—(RESUMED).

Assembly Bill No. 367—An Act prescribing the qualification of Presidents, Directors, officers, and employés of corporations, and providing a penalty for corporations willfully violating its provisions.

Read first time, and placed on file for second reading.

Assembly Bill No. 490—An Act to declare arrangements, contracts, agreements, trusts, or combinations in restraint of trade and production unlawful, and fix the penalty therefor.

Read first time, and placed on file for second reading.

Assembly Bill No. 697—An Act relating to the operation of railroads.

Read first time, and placed on file for second reading.

Assembly Bill No. 716—An Act to compel corporations to have as their chief representatives citizens of the United States.

Read first time, and placed on file for second reading.

Senate Bill No. 538—An Act to repeal an Act entitled "An Act concerning corporations and persons engaged in the business of banking," approved April 1, 1876.

Read first time, and placed on file for second reading.

Assembly Bill No. 58—An Act to provide for the punishment of persons, copartnerships, or corporations forming pools, trusts, and combines, and mode of procedure and rules of evidence in such cases.

Read first time, and placed on file for second reading.

Assembly Bill No. 424—An Act for the better protection of the stockholders in corporations doing business in the State of California, formed for any purpose whatsoever.

Read first time, and placed on file for second reading.

Assembly Bill No. 451—An Act to declare what constitutes insurance companies, and to define their duties, and to provide for an annual statement of their business.

Read first time, and placed on file for second reading.

Assembly Bill No. 393—An Act to amend section seven hundred and ninety of an Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883.

Read first time, and placed on file for second reading.

Assembly Bill No. 691—An Act relating to treasurers, their deputies and clerks, in counties, and cities and counties, having a population of two hundred thousand inhabitants or over.

Read first time, and placed on file for second reading.

Assembly Bill No. 351—An Act to amend section eight hundred and sixty-two of an Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883.

Read first time, and placed on file for second reading.

Assembly Bill No. 199—An Act amending section four of an Act entitled "An Act to establish a uniform system of county and township governments," approved March 31, 1891, adding to said Act new sections, to be known and designated, respectively, as sections numbers one hundred and twenty-one and one half and one hundred and fifty-four and one half, amending sections three thousand six hundred and fifty, three thousand six hundred and seventy-one, three thousand six hundred and seventy-three, three thousand six hundred and seventy-eight, three thousand seven hundred and thirty, three thousand seven hundred and thirty-one, three thousand seven hundred and thirty-four, three thousand seven hundred and fifty-three, three thousand seven hundred and fifty-six, three thousand seven hundred and sixty-three, three thousand seven hundred and sixty-eight, three thousand seven hundred and seventy-nine, three thousand eight hundred and four, three thousand eight hundred and sixteen, three thousand eight hundred and seventeen, three thousand eight hundred and ninety-eight, and three thousand nine hundred of the Political Code of the State of California, and adding to said Political Code new sections, to be known and designated, respectively, as sections numbers three thousand seven hundred and thirty-nine and three thousand eight hundred and nineteen, for the purpose of providing for the assessment of property for taxation, and the collection, accounting, and paying over of the taxes of cities and municipal corporations by county officers.

Read first time, and placed on file for second reading.

Assembly Bill No. 200—An Act to provide for the assessment of property for taxation, and the collection, accounting, and paying over of the taxes of cities and municipal corporations by county officers.

Read first time, and placed on file for second reading.

Assembly Bill No. 382—An Act to amend section four hundred and eighty-seven of the Penal Code, relating to what constitutes grand larceny.

Read first time, and placed on file for second reading.

Assembly Bill No. 477—An Act making an appropriation for the payment of the claim of A. L. Rhodes for his services as counsel for the plaintiffs in an action entitled "The County of Santa Clara vs. The Southern Pacific Railroad Company," and other actions, in the Circuit Court of the United States, Ninth Circuit, District of California, and in the Supreme Court of the United States, brought for the collection of delinquent taxes assessed upon the property of railroad companies.

Read first time, and placed on file for second reading.

Senate Bill No. 103—An Act to amend section one thousand seven hundred and sixty-three of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, relating to serving notice of application for letters of guardianship on insane and incompetent persons.

Read first time, and placed on file for second reading.

Senate Bill No. 209—An Act amending sections one thousand five hundred and seventy-seven and one thousand five hundred and seventy-eight of the Code of Civil Procedure, relating to mortgages and leases in certain cases.

Read first time, and placed on file for second reading.

Assembly Bill No. 85—An Act to amend section six hundred and thirty-one of an Act of the Legislature of the State of California entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1873, relating to a waiver of a trial by jury; and to add two new sections to said Code, to be known and designated as section two hundred and forty-eight, relating to the fees of grand and trial jurors, and section six hundred and twenty, relating to the time and manner of demanding a trial by jury.

Read first time, and placed on file for second reading.

Assembly Bill No. 713—An Act to prevent dispensers of water from overcharging consumers for water and water connections.

Read first time, and placed on file for second reading.

Assembly Bill No. 749—An Act to establish a committee on legislation, advisory to the Legislature.

Read first time, and placed on file for second reading.

Assembly Bill No. 664—An Act to amend sections six and eight of an Act approved March 19, 1889, entitled "An Act authorizing the incurring of indebtedness by cities, towns, and municipal corporations, incorporated under the laws of this State, for the construction of waterworks, sewers, and all necessary public improvements, or for any purpose whatever, and to repeal the Act approved March 9, 1885, entitled 'An Act to authorize municipal corporations of the fifth class, containing more than three thousand and less than ten thousand inhabitants, to obtain waterworks;' also, to repeal an Act approved March 15, 1887, entitled 'An Act authorizing the incurring of indebtedness by cities, towns, and municipal corporations incorporated under the laws of this State.'"

Read first time, and placed on file for second reading.

MOTION.

Mr. Gately moved that Assembly Bill No. 731 be substituted on file for Assembly Bill No. 306, and be read the first time.

So ordered.

FIRST READING OF BILLS—(RESUMED).

Assembly Bill No. 731—An Act directing the State Board of Harbor Commissioners to construct a certain portion of the harbor embankment, or seawall, of the port of San Francisco.

Read first time, and placed on file for second reading.

Assembly Bill No. 155—An Act to provide for opening, extending, widening, straightening, or closing up, in whole or in part, any street, square, lane, alley, court, or place within municipalities, and to condemn and acquire all land and property necessary or convenient for such purposes.

Read first time, and placed on file for second reading.

Assembly Bill No. 581—An Act to amend section five hundred and one of the Civil Code, relating to street railways.

Read first time, and placed on file for second reading.

Assembly Bill No. 730—An Act to amend section one thousand five hundred and twenty-one of the Political Code of California, relating to the powers and duties of the State Board of Education.

Read first time, and placed on file for second reading.

Assembly Bill No. 724—An Act to enable school districts in or including cities of the fifth class to issue bonds for the purpose of raising money for certain purposes, and to repeal an Act approved March 31, 1891, entitled "An Act to enable cities of the fifth class to issue bonds for the purpose of raising money to purchase school lots, and for building or purchasing one or more school houses, and supplying the same with furniture, necessary apparatus, and improving the grounds, and for liquidating any indebtedness already incurred for such purposes."

Read first time, and placed on file for second reading.

Senate Bill No. 149—An Act to amend sections two, five, seven, and ten of an Act entitled "An Act to establish free public libraries and reading-rooms," approved April 26, 1880, to enable the Trustees to fix the amount of taxes to be raised therefor, and to provide the manner of levying and collecting the same, to authorize the City Treasurer to pay out the same on order of the Trustees, to fix term of office of Trustees, and to provide the manner of their election, in cities of less than one hundred thousand population.

Read first time, and placed on file for second reading.

Assembly Bill No. 54—An Act to prevent the overflow of streams of water and washes, and to confine them to their usual channels.

Read first time, and placed on file for second reading.

Assembly Bill No. 573—An Act supplemental to an Act entitled "An Act to provide for the organization and government of levee districts created for the protection of lands from overflow of innavigable running streams of water, and to confine innavigable running streams to a fixed channel," approved March 10, 1891, and to provide for the examination, approval, and confirmation of proceedings for the issue and sale of bonds issued under the provisions of said Act.

Read first time, and placed on file for second reading.

Assembly Bill No. 659—An Act amendatory of "An Act to provide for the organization and government of levee districts created for the protection of lands from overflow of innavigable running streams of water, and to confine innavigable running streams to a fixed channel," approved March 10, 1891.

Read first time, and placed on file for second reading.

Assembly Bill No. 739—An Act to amend sections one thousand two hundred and forty, one thousand two hundred and forty-one, and one thousand two hundred and forty-three of the Civil Code of the State of California, relating to homestead exemptions.

Read first time, and placed on file for second reading.

RESOLUTION.

By Mr. Alford:

Resolved, That Mrs Carrie Murray be and she is hereby appointed Assistant Journal Clerk of the Assembly, at a per diem of six dollars, payable out of the Contingent Fund of the Assembly.

Adopted.

FIRST READING OF BILLS—(RESUMED).

Assembly Bill No. 689—An Act to amend section three hundred and sixty-eight of the Political Code, relating to appointments by the Governor.

Read first time, and placed on file for second reading.

Assembly Bill No. 552—An Act to amend an Act entitled "An Act in relation to foreign corporations," approved April 1, 1872.

Read first time, and placed on file for second reading.

Assembly Bill No. 656—An Act to amend section two thousand one hundred and sixty-two of the Civil Code.

Read first time, and placed on file for second reading.

Assembly Bill No. 743—An Act to provide for the publication of semi-annual statements by corporations and persons engaged in the business of banking, and to repeal the Act approved April 1, 1876, entitled "An Act concerning corporations and persons engaged in the business of banking."

Read first time, and placed on file for second reading.

Assembly Bill No. 721—An Act to amend section two of an Act amendatory of an Act entitled "An Act to amend an Act entitled 'An Act to protect and promote the horticultural interest of the State,' approved March 14, 1881;" approved March 19, 1889; approved March 31, 1891.

Read first time, and placed on file for second reading.

Assembly Bill No. 705—An Act to amend an Act entitled "An Act creating a Board of Bank Commissioners, and prescribing their duties and powers," approved March 30, 1878, relating to location of the office of Bank Commissioners.

Read first time, and placed on file for second reading.

Assembly Bill No. 174—An Act to amend section three thousand six hundred and twenty-nine of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, and amended March 7, 1881, relating to revenue and taxation.

Read first time, and placed on file for second reading.

Assembly Bill No. 738—An Act to provide for the adjustment of the indebtedness and assets between any county that has been created, or may hereafter be created, and the county or counties from the territory of which such new county may be created.

Read first time, and placed on file for second reading.

Assembly Bill No. 751—An Act to amend section one thousand five hundred and thirty-six, section one thousand five hundred and thirty-seven, section one thousand five hundred and thirty-eight, section one thousand five hundred and forty-two, section one thousand five hundred and forty-three, and section one thousand five hundred and forty-five of an Act of the Legislature of the State of California entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1873, all relating to estates of deceased persons.

Read first time, and placed on file for second reading.

MOTION.

Mr. Androus moved to adjourn until eleven o'clock A. M. Monday. Lost.

ADJOURNMENT.

At three o'clock and fifteen minutes P. M., on motion of Mr. Vann, the Assembly adjourned.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Monday, February 20, 1893

The Assembly met pursuant to adjournment.

Speaker Gould in the chair.

The roll was called, and the following members answered to their names:

Messrs Adams, Alford, Anderson, Androus, Barker, Barlow, Bennett of Santa Clara, Bennett of Orange, Blakeley, Bledsoe, Bretz, Brownlie, Buckley, Bulla, Burke, Carlson, Casterline, Chipman, Conway, Cusick, Dodge, Drees, Duffy, Durst, Emeric, Finlayson, Gately, Hurley, Hutson, Jacobs Johnson of Humboldt, Johnson of Santa Clara, Kennedy, Kahn, Kerns, Luttringer, Lynch, Mack, Marks, Marston, Matthews of San Benito, Mordecai, O'Keefe, O'Neill, Owen, Pendleton, Perkins, Pueschel, Sargent, Schlesinger, Schroebel, Shanahan, Simpson, Sims, Standart, Taggart, Talbott, Thomas of Nevada, Thomas of Santa Clara, Tindall, Vann, Wade, and Mr. Speaker

Quorum present.

LEAVE OF ABSENCE.

The special committee investigating charges against Attorney-General Hart was granted leave of absence for the day.

The members from San Francisco not answering roll call were granted leave of absence for one hour.

Messrs. Drees and Duckworth were granted leave of absence until two o'clock P. M.

PRAYER.

Prayer by the Chaplain, Rev. H. W. Conry.

READING OF THE JOURNAL.

Pending the reading of the Journal of Saturday, Mr. Pendleton moved that further reading be dispensed with.

So ordered.

REPORT OF STANDING COMMITTEE.

ON FISH AND GAME.

ASSEMBLY CHAMBER, SACRAMENTO, February 20, 1893

MR. SPEAKER: Your Committee on Fish and Game, to whom was referred Senate Bill No. 221—An Act to make an appropriation to pay the claim of Henry Hogan, for services rendered for the State Board of Fish Commissioners, as special attorney therefor during the year 1890—have had the same under consideration, and respectfully report the same back, and recommend that it be re-referred to Committee on Ways and Means.

EMERIC, Chairman.

Senate Bill No. 221 re-referred to Committee on Ways and Means.

INTRODUCTION OF BILLS.

The following bills were introduced, read by title, and referred to committees, as follows:

By Mr. Finlayson: Assembly Bill No. 815—An Act to add a new article to chapter one, of title two, part three, of the Political Code of the State of California, to be known and designated as article four, and to add six new sections, to be known and designated as sections one thousand and seventy-five, one thousand and seventy-six, one thousand and seventy-seven, one thousand and seventy-eight, one thousand and seventy-nine, and one thousand and eighty, relative to county, city, and city and county Boards of Election Commissioners.

Referred to Committee on Apportionment and Election Laws.

Also: Assembly Bill No. 816—An Act to amend an Act entitled "An Act to establish a Penal Code," approved February 14, 1872, and to amend section nine hundred and six thereof, relating to grand juries.

Referred to Committee on Judiciary.

By Mr. Kerns: Assembly Bill No. 817—An Act to appropriate money to pay the claim of John A. Johnson.

Referred to Committee on Claims.

By Mr. Barker: Assembly Bill No. 818—An Act to create a State Advisory Highway Committee.

Referred to Committee on Roads and Highways.

By Mr. Anderson: Assembly Bill No. 819—An Act to amend sections four hundred and nine and four hundred and ten of the Political Code.

Referred to Committee on Judiciary.

SPECIAL FILE.

Assembly Bill No. 192—An Act to provide for the building and furnishing of three cottages for use as residences of the Resident Physician and two Assistant Physicians at the Napa State Asylum for the Insane, and making an appropriation therefor.

Passed on file.

Assembly Bill No. 366—An Act making an appropriation for the erection of an additional building for the State Normal School at San José.

Passed on file.

Assembly Bill No. 36—An Act to appropriate money for the survey, location, and construction of a free wagon road from the town of Mariposa, in Mariposa County, to the Yosemite Valley.

MOTION.

Mr. Marston moved that the further consideration of Assembly Bill No. 36 be made a special order for to-morrow, immediately after the reading of the Journal.

So ordered.

SPECIAL FILE—(RESUMED).

Assembly Bill No. 720—An Act authorizing the State Controller and State Treasurer to transfer from the State School Fund to the State School Land Fund the sum of one hundred and eighty-nine thousand four hundred and twenty-six dollars and fifty-eight cents.

Passed on file.

Assembly Bill No. 469—An Act to pay the claim of Mary M. Springer, the widow and heir of Thomas A. Springer, late State Printer, deceased.

Passed on file.

Assembly Bill No. 737—An Act to provide for the payment of interest on the outstanding bonds of the State of California, held in trust for the University Fund and the State School Fund; to continue in force so much of an Act entitled "An Act to provide for the payment of the funded indebtedness of the State of California, and to contract a funded debt for that purpose," approved April 2, 1870, as is not in conflict with this Act; to repeal an Act of the Legislature of the State of California, approved March 4, 1881, entitled "An Act to appropriate money to reimburse the University of California for moneys heretofore appropriated to the Endowment Fund thereof, which moneys have, by mistake, been withheld therefrom and appropriated to other State expenses," and making an appropriation to pay the interest on said outstanding bonds from January 1 to July 1, 1893.

Passed on file.

Assembly Bill No. 483—An Act making an appropriation to pay the deficiency in the appropriation for additional improvements for the Southern California State Asylum for the Insane and Inebriates.

Passed on file.

Assembly Bill No. 506—An Act to provide for additional improvements at the Reform School for Juvenile Offenders, located at Whittier, in the county of Los Angeles, and State of California, and to make an appropriation for the same.

Passed on file.

Assembly Bill No. 99—An Act to appropriate two hundred and sixty-one thousand four hundred and fifty dollars for the erection of an Administration Building for the Mendocino State Asylum for the Insane, to complete the female ward, to purchase furniture and furnish the buildings erected and to be erected by the Directors of said asylum, to construct a plant for lighting said buildings, to improve the grounds

thereof, to purchase live stock and agricultural implements to be used for asylum purposes, to construct a carpenter shop and morgue thereon, to furnish the bakery, to construct a dam to furnish a water supply to said asylum, for fencing the ground and constructing yard fencing, for constructing a sewer system, for purchasing laundry machinery and kitchen furniture, to appropriate money therefor, and provide for the expenditure of the same.

Passed on file.

Assembly Bill No. 482—An Act making an appropriation for the erection of additional buildings and improvements for the Southern California State Asylum for the Insane and Inebriates.

Passed on file.

Assembly Bill No. 688—An Act making an appropriation from the State School Book Fund, to supply the deficiency in the present appropriation from the General Fund, for compiling State school text-books, for the forty-fourth fiscal year.

Passed on file.

Assembly Bill No. 319—An Act appropriating the sum of twenty thousand dollars for the erection and construction of a sewer for the State Insane Asylum at Agnews, to appropriate money therefor, and to provide for the expenditure of the same.

Passed on file.

Assembly Bill No. 231—An Act to appropriate money for the completion of the building of the Preston School of Industry at Ione, and for furnishing and equipping the same.

Passed on file.

Assembly Bill No. 484—An Act making an appropriation to pay for the management and maintenance of the Southern California State Asylum for the Insane and Inebriates, for the forty-fourth fiscal year.

Passed on file.

Senate Bill No. 5—An Act providing for the selection, condemnation, and purchase of a suitable site, and the erection thereon of a State building, in San Francisco, and making an appropriation therefor.

Passed on file

Assembly Bill No. 206—An Act to provide furniture for and furnishing the California Home for the Care and Training of Feeble-Minded Children, at Glen Ellen, Sonoma County, California, and making an appropriation therefor.

Passed on file.

Assembly Bill No. 207—An Act to provide for the erection of an additional wing to the main building of the California Home for the Care and Training of Feeble-Minded Children, at Glen Ellen, Sonoma County, California, for the female department of said institution, and to appropriate money therefor.

Passed on file.

Assembly Bill No. 208—An Act to provide for the improvement of the grounds of the California Home for the Care and Training of Feeble-Minded Children, at Glen Ellen, Sonoma County, California, and to appropriate money therefor.

Passed on file.

Senate Bill No. 177—An Act to provide for the erection of an additional wing to the main building of the California Home for the Care and Training of Feeble-Minded Children, at Glen Ellen, Sonoma

County, California, for the female department of said institution, and to appropriate money therefor.

Read third time, and passed by the following vote:

AYES—Messrs. Adams, Anderson, Androus, Barker, Bennett of Santa Clara, Bennett of Orange, Blakeley, Bledsoe, Brownlie, Bulla, Carlson, Casterline, Chipman, Conway, Cusick, Dodge, Duffy, Emeric, Finlayson, Hurley, Hutson, Jacobs, Johnson of Humboldt, Kahn, Kerns, Luttringer, Lynch, Marks, Marston, Matthews of San Benito, Mordecai, O'Keefe, O'Neill, Owen, Pendleton, Perkins, Sargent, Shanahan, Simpson, Standart, Thomas of Nevada, Vann, Wade, and Mr. Speaker—44

NOES—Mr. Thomas of Santa Clara—1.

Title read and approved.

BILL WITHDRAWN.

Mr. Emeric, on his motion, was allowed to withdraw Assembly Bill No. 149.

SPECIAL FILE—(RESUMED).

Assembly Bill No. 734—An Act providing an appropriation for the purpose of completing and preserving Sutter's Fort.

Read first time, and placed on file for second reading.

INTRODUCTION OF BILLS.

The following bills were introduced, read by title, and referred to committees, as follows:

By Mr. Kahn: Assembly Bill No. 820—An Act entitled an Act to amend sections three thousand seven hundred and forty-six, three thousand seven hundred and fifty-six, three thousand seven hundred and fifty-eight, and three thousand seven hundred and sixty-four of the Political Code, relating to the collection of property taxes.

Referred to Committee on Judiciary.

Also: Assembly Bill No. 821—An Act making an appropriation to pay for the transportation of children to the Reform School for Juvenile Offenders for the forty-third and forty-fourth fiscal years.

Referred to Committee on State Prisons and Reformatory Institutions.

SPECIAL FILE—(RESUMED).

Assembly Bill No. 165—An Act to appropriate the sum of thirteen thousand seven hundred and twenty-two dollars and twenty cents to pay the salary of the Commissioner of Immigration from October 10, 1885, to March 16, 1889.

Read first time, and placed on file for second reading.

Assembly Bill No. 166—An Act to appropriate the sum of two thousand five hundred dollars to pay the salary of the Deputy Commissioner of Immigration from August 1, 1883, to October 1, 1885.

Read first time, and placed on file for second reading.

Assembly Bill No. 797—An Act to provide for an appropriation for the contingent expenses of the Assembly.

Read second time.

MOTION.

Mr. Mordecai moved that the Assembly resolve itself into Committee of the Whole, with the Speaker in the chair, for the purpose of considering Assembly Bill No. 797.

So ordered.

IN COMMITTEE OF THE WHOLE.

Speaker Gould in the chair.

Assembly Bill No. 797 was considered in Committee of the Whole.

IN ASSEMBLY.

Speaker Gould in the chair.

REPORT OF THE COMMITTEE OF THE WHOLE.

The Speaker stated the report of the Committee of the Whole, as follows:

GENTLEMEN: Your Committee of the Whole have had under consideration Assembly Bill No. 797—An Act to provide for an appropriation for the contingent expenses of the Assembly—and now report progress, and recommend that the same do pass.

SPECIAL FILE—(RESUMED).

Assembly Constitutional Amendment No. 20—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, amending section one of article four thereof, relative to the Legislative Department.

Mr. Bledsoe moved the consideration of Assembly Constitutional Amendment No. 20 be made the special order for this afternoon at two o'clock P. M.

So ordered.

Assembly Bill No. 679—An Act providing for primary elections in the State of California.

Read second time.

COMMITTEE SUBSTITUTE FOR ASSEMBLY BILL No 679.

An Act providing for primary elections in this State.

The People of the State of California, represented in Senate and Assembly, do enact as follows:

SECTION 1. The committee or body authorized by the rules or customs of a political party to call primary elections of or for said party within any county, city and county, city, or town, shall, upon the filing with the President or Secretary of such committee a written petition signed by at least fifty electors, members of such party, cause the Secretary of such committee to give notice (in ample time to carry into effect the provisions of this Act), by publication, in one or more newspapers in general circulation in such county, city and county, city, or town, or by posters posted in conspicuous places therein. Said publication or posting shall give notice to all members of such party that those who desire the nomination of such party for the various offices to be filled at the forthcoming election, including candidates for the County Central Committee or delegates to conventions, shall present their names to the Secretary, together with the necessary fee, as fixed by said committee, not later than a certain day to be fixed by said committee, designating the office for which said person desires the nomination, or for the position of committeeman or delegate. After the expiration of the day so fixed, the Secretary shall cause to be printed a ballot, of uniform size, kind, and quality, containing the names of the various candidates arranged alphabetically, under the designation of the various offices for which they are, respectively, candidates, indicating therein the number of candidates to be voted for opposite the title of each office mentioned. All tickets shall

be numbered consecutively, and the number shall correspond with the number on the stub, which shall be attached to said ballot. All ballots shall be bound in stub books of such number as may be directed, suitable for the district for which it is to be used. The committee may make such further provisions relating to said ballots as may be deemed advisable, *providing always*, that each ballot shall contain the number of the ticket, and a place for the elector voting the same to write his name in. The name of the elector shall be written on the ticket by the elector himself, and shall be his signature, and any person who shall willfully sign a name of any elector other than his own on any such ticket shall be guilty of forgery, and on conviction thereof, shall be subject to the penalty provided therefor; and the ticket shall be so arranged and folded that it will display the name of the person voting the same, and the number of the ticket, and not its contents, and so that portion of the ticket containing name and number may be removed from the ticket without defacing the ticket.

SEC. 2. The Secretary shall then cause to be mailed, postpaid, not later than a certain day, to be fixed by said committee, to each member of such party, whose name appears on the list of such party, and also on the last printed Great Register, and none others, one of these tickets, and shall write on the stub of such ticket, which shall be by him retained, the name of the person to whom said ticket has been mailed or presented personally. Any member of the party to whom a ticket has not been mailed or given, may apply in person for, and receive personally and not otherwise, his ticket from the Secretary, or he may apply through the mail therefor, when the same must be sent to him through the mail. The envelope inclosing said ticket shall be addressed to the person at the Post Office address as indicated in such Great Register, or to the address as changed under the provisions of section twelve hereof. Ample time shall be given after mailing the ballot by the Secretary, to enable the elector to receive, mark, and remail the same to the Secretary or Assistant Secretary, as herein provided.

SEC. 3. In any city, or county, or city and county, or town, where, in the judgment of the County Committee, the number of electors are too numerous to be included in one district for the convenient canvassing of such ballots when returned, the said committee shall divide said city, city and county, or county into different districts, and to that end may adopt Assembly or Senatorial districts, or adopt other subdivisions, as they deem advisable. Within each of such districts shall be appointed an Assistant Secretary, and a room or place therein shall be designated as the place where all ballots for such district shall be received and canvassed, and all envelopes inclosing ballots sent from the Secretary shall contain, in addition to the ballot, a postpaid envelope, properly addressed to the Secretary or the Assistant Secretary of the district where such person so addressed resides, in which envelope the elector is to inclose his ballot after the same has been marked. All envelopes used in returning ballots shall be made of such color and material and so addressed that they may be plainly distinguished from all other letters, in order that the United States postal authorities may be able to comply with all directions relating thereto, and the words "Ballot Envelope" shall be written or printed on such envelopes.

SEC. 4. On each ballot shall be plainly printed a notice giving the latest date (which date shall be fixed by the Central Committee) at which any ballot can be deposited in the United States mail, and the date shall be fixed so that each elector shall have a reasonable time after the receipt of his ballot in which to mark and mail it to the Secretary. And it shall be the duty of the Secretary to see that all members of the party whose names appear on the party list and on the last printed Great Register receive tickets personally or through the mail within the time fixed by said committee. Every ballot shall have a space to the right of every name placed thereon, in which to make a cross (X), which shall indicate that the person writing the same, in ink or with a pencil, votes for the person whose name is opposite to said cross (X) or mark so made. In case of loss or destruction of such ticket the elector may apply to the Secretary for a new ticket, and the Secretary shall cancel the number on the stub of the ticket so lost or destroyed, and place over the number so erased the number of the new ballot. The Secretary must require an affidavit of the facts of the loss or destruction of such ballot before issuing the new one. Any false representations made to obtain a new ballot shall be a felony.

SEC. 5. The Central Committee shall fix the time when the ballots shall be removed from the Post Office or delivered by the postal authorities, and shall fix the place to which the ballots shall be taken to be opened and canvassed. The call for the primary election must contain the time and place, as aforesaid.

SEC. 6. No room or place shall be designated as the place for the reception and canvassing of such ballots unless the same is of such capacity that a reasonable number of persons may be accommodated therein (in such a way that the ballot-box shall be in their open view), and each candidate whose name appears on said ballots shall be entitled to at least one representative bystander in every room in which ballots are being received and canvassed, to the exclusion of all persons, excepting the Secretary and Inspectors, two of whom shall be appointed by the committee to act, without pay, *provided, however*, that a two-thirds majority of all the local candidates of the county may designate the Inspectors, who shall have charge over and supervision in receiving and canvassing said ballots, in conjunction with the Secretary or Assistant Secretary, during the time ballots are being received and canvassed, and shall, together with the Secretary or Assistant Secretary, constitute the Primary Election Board.

SEC. 7. In all places where there exists a free United States postal delivery system, said Secretary shall direct the postal authorities when to deliver all letters containing

ballots, and inclosed in envelopes marked "Ballot Envelope," and the time so fixed shall be on the day fixed for canvassing ballots, and immediately before the hour for opening and canvassing the same. The Secretary shall make the necessary arrangements with the United States postal authorities for the retention in the Post Office of such letters until the time fixed for their delivery; *provided, however*, that in any case the postal authorities are unable to comply with the provisions of this section, then the provisions of section eight of this Act shall be followed.

SEC. 8. In sparsely settled districts, or where there is no postal delivery, or when the postal authorities are unable to carry out the provisions in section seven of this Act, the Central Committee must provide a box at the Post Office, which box must be locked and sealed in such manner that the envelopes containing ballots may be placed therein, but cannot be removed therefrom without breaking the seal, and direct that all letters containing ballots, as aforesaid, shall be placed therein, and retained until the time fixed for opening and canvassing said ballots, when the box containing said ballots may be received by the Secretary or Assistant Secretary from the Post Office, in the presence of the bystanders and candidates, or representatives of candidates, and taken immediately to the place fixed for opening and canvassing the said ballots. If the postal authorities refuse to permit a box into which these marked envelopes have been deposited by the postal authorities, as they are received at the Post Office, to be removed from the Post Office, then the Secretary shall provide another box into which he shall direct the postal authorities to place all such letters. And it shall be a felony to willfully remove any of said ballots from the Post Office at any time before the time fixed for their removal.

SEC. 9. After the reception of the box containing such ballots at the place fixed to canvass the same, the Election Board shall cause the ballot-box to be opened in public, and in the presence of the bystanders. The letters containing the ballots shall then be taken out and counted, and shall thereafter be opened, but not the ballot therein contained, and the Secretary shall check off the names on the Great Register, as they are read from the ballot, and mark them "voted" as they are opened, *provided*, the signature of the ballot agrees with the name on the stub from which the ticket was taken; if it does not the ballot shall be rejected. The name and number shall thereupon be removed from the ballot, the ballot being so arranged that this can be done, and the ballot shall then be replaced in the ballot-box. After the ballots are all returned to the ballot-box, the names and numbers having been removed therefrom, the Election Board must then proceed to take the ballots out of the ballot-box one at a time, and to open and canvass the ballots publicly, one by one, in the presence of the bystanders, and announce the result of the same, openly and aloud, keeping a tally list thereof.

SEC. 10. The ballots, as soon as all the names marked thereon as voted for are read, and a record thereof made, must be strung on a string by one of the Inspectors, and must not thereafter be examined by any person (they may be examined by the Central Committee, however, in case of contest or recount); but as soon as all are counted must be carefully sealed in a strong envelope, and directed to the Secretary of the committee, at the office of the committee, and delivered by the Board to the Secretary, with the tally list, showing fully the result of such canvass, who shall preserve the same. After the election for which said primary election was held the ballots may be destroyed.

SEC. 11. No person shall be furnished a ticket or be allowed to vote whose name does not appear on the last printed Great Register.

SEC. 12. Any elector who has changed his Post Office address or residence since the Great Register was printed, may apply in person or by letter to the Secretary of his party and have the address and residence changed to accord with such change, at any time before the day for mailing the ballots to the electors, but not afterwards.

SEC. 13. To enable the Secretary to properly classify the electors, with reference to the party to which they may belong, the committeeman from each ward or precinct, together with such members of the party as may be designated by the Central Committee, shall make out a list of all electors residing in his or their ward or precinct, belonging to their party. The names of such electors thus classified shall be placed on said list, giving the Great Register number and residence of each person. All persons whose names appear on such enrollment or list shall be considered a member of such party, and entitled to tickets and all notices emanating from the Secretary as herein provided for. To assist the Secretary in making such lists, all electors are hereby directed to notify the Secretary of the party to which he may be belong. Any elector whose name is not on said list, and who failed to so notify the Secretary before the expiration of the time for sending ballots to electors, shall not complain that no ballot was sent to him, and any elector knowingly and willfully causing his name to be put on the list of more than one political party, shall be guilty of a felony. Every elector may challenge the name of any person on said list, by making affidavit, that according to his best information and belief, the person challenged belongs to a political party different from that on the list of which his name appears. Upon filing said affidavit with the Secretary, the Secretary shall give notice to said elector thus challenged, that he must, within ten days from the date of the service on him of said notice, file an affidavit that he does belong to the party on whose list his name appears, and that his name does not appear on the list of any other party. If within ten days after the service of said notice said affidavit is not filed, his name will be erased from the said list.

SEC. 14. Any elector who shall vote under the provisions of this Act more than one ticket, or shall forward to the Secretary of more than one political party a ballot, or shall falsely represent himself to be any person different than himself, to enable him to vote,

or shall attempt to do so at any primary election, shall be guilty of a felony, and on conviction thereof shall be punished by imprisonment in the penitentiary not less than one nor more than five years, and shall thereafter be disfranchised and disqualified from holding any office under the laws of this State.

SEC. 15. The Secretary of any political party shall, on demand, furnish to the Secretary of any other political party a true copy of the list of all electors belonging to the party which he represents, as they appear on the list of said party, and if it should appear that the name of any elector appears on more than one list as belonging to more than one party, it shall be the duty of the Secretary of each party on whose list such name appears to erase the same and to forthwith notify such elector that his name has been removed from the list and placed as doubtful, and to enable him to be placed on any list he shall be required to make affidavit, clearly showing the party to which he does belong, and his name shall not be placed on any list unless such affidavit is so furnished. The Secretary or Assistant Secretary of any party who shall willfully refuse to place on said list any name when directed so to do by the provisions of this Act, or who shall erase, remove, or cancel any name, or who shall fraudulently place any name on said list not entitled to be placed thereon, or shall in any manner fraudulently doctor up or change said list, or who shall willfully refuse to furnish any ballot to any one entitled thereto, shall be guilty of a felony, and shall be punished by imprisonment in the State Prison not less than one nor more than five years The Secretary or any Assistant Secretary may be removed and a new one appointed at any time by the Central Committee

SEC. 16. Every elector shall have the privilege of having his name erased from the list of any party at any time he may desire, and of having it placed on the list of any other party; and the Secretary of the party on whose list such elector's name appears, shall, on demand of such elector, furnish him with a certificate that his name has been canceled on said list, *provided, however*, the party on whose list he may desire to have his name placed may require him to subscribe and swear to such test as may be provided by the Central Committee of the party on whose list he may desire to place his name.

SEC 17. It shall be a felony to counterfeit or fraudulently publish, print, circulate, or use any ballots or envelopes as provided herein.

SEC. 18. The Central Committeemen of any political party elected, as herein provided, shall be called together by the Chairman of the committee under which the primary election was held immediately after the canvassing of the vote. When so assembled the committee shall be and constitute a party convention, with all the powers and duties appertaining to conventions, and also all rights, powers, and privileges, as provided by the laws of this State. Said convention shall certify as its candidates for office those persons elected under the primary law hereby established, and shall be and constitute a convention for all the purposes mentioned in and required by the provisions of section one thousand one hundred and eighty-seven of the Political Code of this State.

SEC 19. Any public question may be submitted to the party voters upon said ballots, or a primary election may be called exclusively for the submission of questions of public or party interest at any time, according to the provisions of this Act

SEC. 20 The President, Secretary, and Assistant Secretaries of any political party, and all Inspectors while acting as such, shall be and they are hereby authorized to administer oaths in any and all cases where, by the provisions of this Act, an oath may be administered or is required.

SEC 21 Any person found guilty of violating any of the provisions of this Act in any Court of competent jurisdiction, shall, in addition to the penalty provided therefor, be removed from any office which he may then hold, and shall thereafter be disfranchised and forever debarred from holding any office of honor or profit under the laws of this State.

Adopted.

AMENDMENTS.

Mr. Finlayson moved to amend the substitute, as follows:

By inserting the word "general" before the word "election," in line nine, section one.

Adopted.

Also:

By inserting after the word "county," on line ten, section one, the following: "city and county, city, or town."

Adopted.

Also:

By inserting the word "the" before the word "portion," in line twenty-nine, section one.

Adopted.

Also:

By inserting the word "town" after the words "city and county" and before the words "or county," line four, section three

Adopted.

Also:

By inserting the word "two" before the word "inspectors," on line six, section six, and by striking out the words "two of whom," on the same line, and inserting the word "who."

Adopted.

Also:

By striking out the word "local," on line eight, section six, and by inserting after the word "candidates," on the same line, the words "for nomination," and striking out, on the same line, the words "of the county."

Adopted.

Also:

By adding a new section, to be numbered section twenty-two, as follows:
"SEC. 22. This Act shall take effect immediately."

Adopted.

Bill ordered engrossed and to a third reading.

EXCUSED.

Mr. Lynch was excused from serving on the Hart investigation committee.

APPOINTMENT.

The Speaker appointed Mr. Simpson in place of Mr. Lynch.

REPORTS OF STANDING COMMITTEES.

ON ENGROSSMENT

ASSEMBLY CHAMBER, SACRAMENTO, February 20, 1893

MR. SPEAKER: Your Committee on Engrossment beg leave to report that the following Assembly Bills have been correctly engrossed:

Assembly Bill No. 117—An Act to provide for the maintenance and care of shade trees upon streets, lanes, alleys, courts, and places within municipalities, and of hedges upon the lines thereof; also, for the eradication of certain weeds within city limits.

Also: Assembly Bill No. 720—An Act authorizing the State Controller and State Treasurer to transfer from the State School Fund to the State School Land Fund the sum of one hundred and eighty-nine thousand four hundred and twenty-six dollars and fifty-eight cents.

KENNEDY, Chairman

ON FORESTRY.

ASSEMBLY CHAMBER, SACRAMENTO, February 20, 1893.

MR SPEAKER: Your Committee on Forestry, to whom was referred Assembly Bill No. 727—have had the same under consideration, and respectfully report the same back, and recommend that it do pass, with amendment attached hereto in reference to line three, section six.

BROWNLIE, Chairman

SPECIAL FILE—(RESUMED).

Assembly Constitutional Amendment No. 4—A resolution to propose to the people of the State of California an amendment to and pro-

viding for the repeal of sections twenty-two and twenty-three of article twelve of the Constitution, relative to a Board of Railroad Commissioners.

Mr Shanahan moved that the consideration of Assembly Constitutional Amendment No. 4 be made the special order for this afternoon at two o'clock and thirty minutes P. M.

So ordered.

Assembly Constitutional Amendment No. 12—A resolution proposing to the people of the State of California an amendment to section seventeen, article one, of the Constitution of the State of California.

Passed on file.

Assembly Constitutional Amendment No. 22—A resolution proposing to the people of the State of California an amendment to section three of article eleven of the Constitution of the State of California, relating to the formation of new counties.

Passed on file.

REPORT OF STANDING COMMITTEE.

ON WAYS AND MEANS.

ASSEMBLY CHAMBER, SACRAMENTO, February 20, 1893.

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred Substitute for Assembly Bill No. 449—An Act to provide for the payment of the principal and interest due on certain Controller's warrants drawn on the War Loan Fund of the State Treasury, and making an appropriation therefor

Also: Assembly Bill No. 777—An Act making an appropriation to pay the deficiencies in the appropriation for costs and expenses of suits in which the State is a party in interest, for the thirty-fifth, thirty-sixth, thirty-seventh, thirty-eighth, thirty-ninth, and fortieth fiscal years

Also: Assembly Bill No. 704—An Act to amend an Act entitled "An Act to provide for the management of the Yosemite Valley and the Mariposa Big Tree Grove," approved April 15, 1880, in relation to the location of the place of business of said Commissioners

Also: Assembly Bill No 702—An Act to amend an Act entitled "An Act to organize and define the powers of the Board of Railroad Commissioners," by amending section five thereof, relating to the location of the office of said Commissioners.

Also: Assembly Bill No. 729—An Act appropriating money to pay the claims of H. P. Dyer, E F Dyer, C A Granger, Gaston Goldsmith, and P. Reddy.

Also. Assembly Bill No. 747—An Act making an appropriation for the relief of M. Southmayd, and others, in caring for and preserving the perishable property of the State of California

Also Assembly Bill No. 64—An Act to appropriate money for the support of persons in indigent circumstances afflicted with incurable diseases

Also: Senate Bill No. 113—An Act to appropriate money to prevent the introduction of contagious diseases

Also: Assembly Bill No 604—An Act appropriating money to pay the claims of John Mullan for services rendered by him for this State.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

Also: Senate Bill No. 22—An Act to provide for the completion and equipment of the Deaf and Dumb and Blind Asylum, and to make an appropriation therefor—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

Also: Assembly Bill No. 708—An Act establishing a commission for the revision of the codes and laws of California, prescribing their duties, fixing their compensation, and making an appropriation—have had the same under consideration, and respectfully report the same back, and recommend that it do not pass.

W. P. MATHEWS, Chairman.

SPECIAL FILE—(RESUMED).

Senate Constitutional Amendment No. 14—Proposing to the people of the State of California an amendment to the Constitution, relating to the formation of new counties.

Mr. Alford moved that the consideration of Senate Constitutional Amendment No. 14 be made the special order for to-morrow at twelve o'clock M.

So ordered.

Assembly Constitutional Amendment No. 7—An Act to amend section one of article thirteen of the Constitution.

Mr. Owen moved that the consideration of Assembly Constitutional Amendment No. 7 be made the special order for to-morrow at three o'clock and thirty minutes P. M.

So ordered.

Mr. Matthews of San Benito moved that the remaining Assembly Constitutional Amendments be passed on file.

So ordered.

GENERAL FILE—THIRD READING OF BILLS.

Assembly Bill No. 169—An Act to cede jurisdiction to the United States over certain lands.

Passed on file.

Assembly Bill No. 158—An Act to amend section two thousand five hundred and three of the Political Code, relating to the levy of road tax.

Passed on file.

Assembly Bill No. 125—An Act to increase the number of Judges of the Superior Court of the county of Santa Clara, and to provide for the appointment of an additional Judge, and to fix his compensation.

Passed on file.

Assembly Bill No. 447—An Act exempting agricultural, horticultural, viticultural, and pastoral occupations from license taxation.

Passed on file.

Assembly Bill No. 276—An Act entitled an Act to amend section two thousand six hundred and eighty-four of the Political Code.

Read third time, and passed by the following vote:

AYES—Messrs Adams, Anderson, Androus, Barker, Bennett of Santa Clara, Bennett of Orange, Bledsoe, Bretz, Brownlie, Bulla, Carlson, Casterline, Chipman, Conway, Cusick, Dodge, Duffy, Emeric, Gately, Hurley, Jacobs, Johnson of Humboldt, Johnson of Santa Clara, Kennedy, Kerns, Luttringer, Lynch, Marks, Marston, Matthews of San Benito, Mordecai, O'Keefe, O'Neill, Owen, Pendleton, Perkins, Pueschel, Schlesinger, Schroebel, Shanahan, Standart, Taggart, Talbott, Thomas of Santa Clara, Vann, Wade, and Mr. Speaker—47.

NOES—None

Title read and approved.

Assembly Bill No. 298—An Act to amend an Act entitled "An Act creating a Board of Bank Commissioners, and prescribing their duties and powers," approved March 30, 1878.

Read third time, and passed by the following vote:

AYES—Messrs. Adams, Alford, Anderson, Androus, Barker, Bennett of Santa Clara, Bennett of Orange, Blakeley, Bledsoe, Brownlie, Bulla, Carlson, Casterline, Chipman, Conway, Cusick, Dodge, Duffy, Emeric, Finlayson, Gately, Hurley, Jacobs, Johnson of Humboldt, Johnson of Santa Clara, Kennedy, Kerns, Luttringer, Lynch, Marks, Marston, Matthews of San Benito, Mordecai, O'Keefe, O'Neill, Owen, Pendleton, Pueschel, Sargent, Schlesinger, Shanahan, Standart, Taggart, Talbott, Thomas of Santa Clara, Vann, Wade, and Mr. Speaker—48.

NOES—Mr. Bretz—1.

Title read and approved.

MOTION.

Mr. Schlesinger moved to take up Assembly Concurrent Resolution No. 5.

So ordered.

ASSEMBLY CONCURRENT RESOLUTION No. 5.

Assembly Concurrent Resolution No. 5—Relative to Golden Gate Park Commissioners.

Mr. Pendleton moved to amend as follows:

Strike out the word "ten" and insert "three;" also, strike out the word "five" and insert "three."

Lost.

Upon the resolution the ayes and noes were demanded by Messrs. Bledsoe, Vann, and Matthews of San Benito.

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

AYES—Messrs. Alford, Anderson, Androus, Barker, Bennett of Santa Clara, Bretz, Brownlie, Carlson, Chipman, Conway, Cusick, Duffy, Finlayson, Gately, Johnson of Santa Clara, Kennedy, Kerns, Lynch, Marks, Marston, O'Keefe, O'Neill, Pendleton, Perkins, Pueschel, Schlesinger, Schroebel, Shanahan, Standart, Talbott, and Thomas of Nevada—32.

NOES—Messrs. Adams, Bennett of Orange, Bledsoe, Bulla, Casterline, Dodge, Hurley, Hutson, Jacobs, Johnson of Humboldt, Luttringer, Matthews of San Benito, Mordecai, Owen, Sargent, Thomas of Santa Clara, Vann, Wade, and Mr. Speaker—19.

APPOINTMENT OF COMMITTEE.

In accordance with Assembly Concurrent Resolution No. 5, the Speaker appointed Messrs. Brownlie, Pendleton, Schlesinger, Marks, and O'Keefe the committee on the part of the Assembly.

THIRD READING OF BILLS.

Assembly Bill No. 296—An Act to amend sections thirty-eight to fifty-three, inclusive, of an Act approved March 31, 1891, adding those sections to an Act to provide for work upon streets, alleys, lanes, courts, places, and sidewalks, and for the construction of sewers within municipalities, approved March 18, 1885.

Read third time, and passed by the following vote:

AYES—Messrs Adams, Anderson, Androus, Barker, Bennett of Santa Clara, Bennett of Orange, Blakeley, Bledsoe, Bretz, Brownlie, Bulla, Conway, Cusick, Dodge, Drees, Duffy, Durst, Emeric, Finlayson, Gately, Hurley, Hutson, Jacobs, Johnson of Humboldt, Johnson of Santa Clara, Luttringer, Lynch, Marks, Marston, Matthews of San Benito, Mordecai, O'Keefe, Owen, Pendleton, Pueschel, Sargent, Schlesinger, Schroebel, Standart, Taggart, Talbott, Thomas of Santa Clara, Vann, Wade, and Mr. Speaker—45.

NOES—None.

Title read and approved.

MOTION.

Mr. Pendleton moved that Assembly Bill No. 296 be immediately transmitted to the Senate.

So ordered.

RESOLUTION.

By Mr. Mordecai:

Resolved, That on and after Saturday, February 25th, all clerks of standing committees, except the clerks of the Ways and Means, Judiciary, County and Township Governments, Engrossment, and Corporations Committees, be dispensed with.

Referred to Committee on Public Expenditures and Accounts.

THIRD READING OF BILLS.

Substitute for Assembly Bill No. 167—An Act providing for the destruction of ground squirrels and other destructive crop pests on all lands owned or claimed within the limits of the State of California.

Passed on file.

Assembly Bill No. 377—An Act to establish what shall constitute lawful fences within the State of California.

Read third time, and passed on file.

REPORT OF STANDING COMMITTEE.

ON ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, February 20, 1893

MR. SPEAKER: Your Committee on Enrollment beg leave to report that the following bill has been correctly enrolled: Assembly Bill No 4—An Act to amend section fifty-three of the Penal Code of California, relating to intimidating, corrupting, deceiving, or defrauding electors—and was presented to the Governor February 18, 1893, at eleven o'clock A. M.

O'NEILL, Chairman.

THIRD READING OF BILLS—(RESUMED).

Assembly Bill No. 277—An Act entitled an Act to prevent the sale of short-weight rolls of butter.

Read third time, and passed by the following vote:

AYES—Messrs Adams, Alford, Anderson, Androus, Barker, Barlow, Bennett of Santa Clara, Bennett of Orange, Blakeley, Bledsoe, Bretz, Brownlie, Buckley, Bulla, Burke, Casterline, Chipman, Conway, Cusick, Dodge, Duffy, Finlayson, Gately, Hendrickson, Hurley, Jacobs, Johnson of Humboldt, Johnson of Santa Clara, Kennedy, Kerns, Lynch, McGowan, Marks, Marston, Matthews of San Benito, Mordecai, O'Keefe, O'Neill, Owen, Perkins, Pueschel, Sargent, Schlesinger, Schroebel, Shanahan, Standart, Taggart, Talbott, Thomas of Nevada, Thomas of Santa Clara, Vann, Wade, and Mr. Speaker—53.

NOES—None.

Title read and approved.

Assembly Bill No. 265—An Act to provide for payment of the claim of C. C. Rochford.

Read third time, and passed by the following vote:

AYES—Messrs. Adams, Anderson, Androus, Barker, Barlow, Bennett of Santa Clara, Bennett of Orange, Brownlie, Buckley, Bulla, Burke, Casterline, Chipman, Conway, Cusick, Dodge, Drees, Duffy, Emeric, Finlayson, Gatelev, Hendrickson, Hurley, Hutson, Jacobs, Johnson of Humboldt, Kennedy, Kerns, Luttringer, McGowan, Marks, Marston, Matthews of San Benito, Mordecai, O'Keefe, O'Neill, Owen, Pendleton, Perkins, Pueschel, Sargent, Schlesinger, Schroebel, Shanahan, Sims, Standart, Taggart, Talbott, Thomas of Nevada, Thomas of Santa Clara, and Vann—52.

NOES—Messrs. Bledsoe, Bretz, Wade, and Mr. Speaker—4.

Title read and approved.

Assembly Bill No. 90—An Act to prevent deception in the manufacture and sale of butter and of cheese, and to appropriate money for its enforcement.

Read third time, and passed by the following vote:

AYES—Messrs. Adams, Alford, Androus, Barker, Barlow, Bennett of Orange, Blakeley, Bledsoe, Bretz, Buckley, Bulla, Burke, Carlson, Casterline, Chipman, Conway, Cusick, Dodge, Drees, Dufty, Finlayson, Gately, Hendrickson, Hurley, Hutson, Jacobs, Johnson of Humboldt, Kerns, Luttringer, McGowan, Marks, Marston, O'Keefe, O'Neill, Owen, Pendleton, Perkins, Pueschel, Sargent, Schlesinger, Shanahan, Sims, Standart, Taggart, Talbott, Thomas of Santa Clara, Vann, and Wade—48

NOES—Messrs. Anderson, Bennett of Santa Clara, and Mr. Speaker—3.

Title read and approved.

Assembly Bill No. 117—An Act to provide for the planting, maintenance, and care of shade trees upon streets, lanes, alleys, courts, and places within municipalities, and of hedges upon the lines thereof; also, for the eradication of certain weeds within city limits.

Read third time, and passed by the following vote:

AYES—Messrs. Adams, Alford, Anderson, Androus, Barker, Barlow, Bennett of Santa Clara, Bennett of Orange, Blakeley, Buckley, Bulla, Burke, Carlson, Casterline, Conway, Cusick, Dodge, Drees, Duffy, Emeric, Finlayson, Gately, Hendrickson, Hurley, Hutson, Jacobs, Johnson of Humboldt, Kerns, Luttringer, Lynch, McGowan, Marks, Marston, Matthews of San Benito, Mordecai, Pendleton, Perkins, Pueschel, Sargent, Schlesinger, Shanahan, Sims, Standart, Taggart, Talbott, Thomas of Nevada, Thomas of Santa Clara, Vann, and Mr. Speaker—49

NOES—Messrs Bledsoe, Bretz, and Wade—3

Title read and approved.

RECESS.

The hour of recess having arrived, the Speaker declared recess until two o'clock P. M.

REASSEMBLED.

The Assembly reassembled at two o'clock P. M.

Speaker Gould in the chair.

Quorum present.

RECONSIDERATION.

Mr. Finlayson moved that the vote whereby Assembly Bill No. 679 was ordered to engrossment be reconsidered.

So ordered.

Mr. Finlayson moved to reconsider the vote whereby the first amendment to Committee Substitute for Assembly Bill No. 679 was adopted.

So ordered.

Mr. Finlayson, on his motion, was allowed to withdraw the amendment.

Bill ordered engrossed and to a third reading.

RESOLUTION.

By Mr. O'Keefe:

WHEREAS, On the eighteenth day of February, at the hour of six o'clock, ex-Judge S. C Hastings, one of the energetic pioneers and honored citizens of our State, passed calmly over the river of life to the shores of eternity beyond. He had identified himself with the building up of this great State, and by his kindness, generosity, and virtue endeared himself to all He has done much to advance the cause of education, and the institution which bears his name speaks volumes in this direction; therefore, be it

Resolved, That when this House adjourns, it does so out of respect to the memory of the deceased ex-Judge S. C. Hastings.

Adopted by a unanimous rising vote.

INTRODUCTION OF BILLS.

The following bills were introduced, read by title, and referred to committees, as follows:

By Mr. Boyce: Assembly Bill No. 822—An Act to amend section three and section thirteen of an Act entitled "An Act to promote drainage," approved March 15, 1885.

Referred to Committee on Water Rights and Drainage.

Also: Assembly Bill No. 823—An Act to define and extend the jurisdiction of the Board of State Harbor Commissioners in and over Channel Street and other basins and canals in the City and County of San Francisco.

Referred to Committee on Commerce and Navigation.

MOTION.

Mr. Dodge moved that the protests and communications relative to the establishment of a cordage factory at Folsom State Prison be transmitted from the Chairman of the Committee on State Prisons and Reformatory Institutions to the Committee on Ways and Means.

So ordered.

QUESTION OF PRIVILEGE.

Mr. Gately arose to a question of privilege, in reference to an article in the San Francisco "Chronicle" of this day, which he characterized as being untrue and false in every respect.

INTRODUCTION OF BILLS.

The following bills were introduced, read by title, and referred to committees, as follows:

By Mr. O'Neill: Assembly Bill No. 824—An Act to amend section four thousand one hundred and four of the Political Code of the State of California, relating to officers of townships.

Referred to Committee on County and Township Governments.

Also: Assembly Bill No. 825—An Act authorizing Boards of Trustees, or other legislative authorities of municipal corporations owning public waterworks, to fix rates for water furnished, and to enforce the payment of the same.

Referred to Committee on Municipal Corporations.

By Committee on Ways and Means: Assembly Bill No. 826—An Act to provide for the erection and construction of offices, rooms, and apartments in the general ferry and passenger depot now under course of construction at or near the foot of Market Street, in the City and County of San Francisco, for the accommodation of certain persons, officers, and commissions of the State of California now having their offices and quarters in said City and County of San Francisco, and making an appropriation to carry out the provisions of this Act.

Referred to Committee on Commerce and Navigation.

By Mr. Schroebel: Assembly Bill No. 827—An Act to amend section twenty-five of the Political Code.

Referred to Committee on County and Township Governments.

By Mr. Chipman: Assembly Bill No. 828—An Act to provide for the

furnishing of a residence for the Governor of California, and to appropriate money therefor.

Referred to Committee on Public Buildings and Grounds.

By Mr. Cusick: Assembly Bill No. 829—An Act for the relief of Agnes Lynch, and to appropriate money therefor.

Referred to Committee on Claims.

By Mr. Conway: Assembly Bill No. 830—An Act to add two new sections to the Penal Code, said sections to be known, numbered, and designated as sections three hundred and forty-four and three hundred and forty-five, and included in chapter twelve, part one, title nine, of said Penal Code, relating to and defining the duties and liabilities of laundrymen.

Referred to Committee on Labor and Capital.

By Mr. Mordecai: Assembly Bill No. 831—An Act concerning the duties of Assessors and Treasurers.

Referred to Committee on Agriculture.

By Mr. Gately: Assembly Bill No. 832—An Act entitled an Act to enable persons who have expended money for the transportation of convict or insane persons to recover the same.

Referred to Committee on State Prisons and Reformatory Institutions.

By Mr. Cusick: Assembly Bill No. 833—An Act to provide for the appointment of three additional deputies by County Recorders of cities and counties of more than one hundred thousand population.

Referred to Committee on Municipal Corporations.

MOTIONS.

Mr. Schlesinger moved that Assembly Bill No. 264 be substituted on the file for Assembly Bill No. 401.

So ordered.

Mr. Kennedy moved that Senate Bill No. 166 be substituted on the file for Assembly Bill No. 629, and be read the first time.

So ordered.

FIRST READING OF BILL.

Senate Bill No. 166—An Act authorizing the formation of county mutual insurance companies, regulating the transaction of their business, and defining the duties of the officers thereof.

Read first time, and placed on file for second reading.

INTRODUCTION OF BILL.

The following bill was introduced, read by title, and referred to committee, as follows:

By Mr. Brownlie: Assembly Bill No. 834—An Act for the relief of Emile Martinoni, for personal injuries sustained by him, caused by his being shot by a police officer in pursuit of a thief.

Referred to Committee on Claims.

MOTION.

Mr. Shanahan moved that the special order set for this hour, the consideration of Assembly Constitutional Amendment No. 4, be postponed until three o'clock P. M.

So ordered.

SPECIAL ORDERS.

The special order set for this hour, the consideration of the pending following amendments to the standing rules of the Assembly, was taken up.

In accordance with previous notice given, Mr. Pueschel moved that the standing rules of the Assembly be amended as follows:

Amend Rule II of the standing rules of the Assembly by adding thereto, under the head of Order of Business, a rule, to be numbered X½, to the effect that all bills on the file may, on Friday of each week, be called up as a special order immediately upon the reassembling of the House after recess, and may be passed to the several readings under a suspension of the constitutional provision, and a motion to suspend such provision shall be in order, such suspension being reached on a call of the roll, each member calling up any one bill holding a place on the file.

Mr. Lynch offered the following as a substitute:

Resolved, That the rules be suspended, and that on Tuesday, February 21st, after the reading of the Journal, the roll be called, and each member be allowed to call up one bill, with the consent of the author, which shall be placed on the special file, *provided*, that if twelve members object, such bill shall not be so taken up, but in that case the member may call up another bill with the consent of the author; *and provided further*, that any member, instead of calling up an Assembly bill to be placed on the special file, may call up a Senate bill identical with such bill.

Mr. Lynch moved to amend the substitute, as follows:

By striking out the words "the roll shall be called," and inserting the following instead: "the names of the members shall be drawn by lot by the Clerk."

Mr. Lynch moved to lay the subject-matter on the table.

So ordered.

RESOLUTIONS.

By Mr. Pueschel:

WHEREAS, The time for the final adjournment of the present Legislature is rapidly approaching, and the few remaining days are scarcely sufficient for the proper consideration of the regular appropriation bills; and whereas, the numerous measures of county division are without doubt being made subjects of paramount interest, and to a considerable extent hampering other legislation, and whereas, it is to the interest of every member and his constituency, whether they be favorable to or against county division, to have all such measures disposed of at once, therefore, be it

Resolved, That the following county division bills now pending in the Assembly shall be taken up for consideration, and not to exceed forty minutes shall be given for discussion on each county division bill, said forty minutes to be equally divided between those favoring and opposing each measure, as per the following resolution.

Resolved, That on Tuesday, February 21st, after Senate file, Senate Bills Nos. 131 and 198, and Assembly Bills Nos. 280, 356, and 396 present a case of urgency, as that term is used in section fifteen of article four of the Constitution, and the provisions of that section requiring that the bills shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bills be read the first, second, and third times, and placed upon their passage.

Mr. O'Keefe moved to lay the resolution on the table.

The ayes and noes were demanded by Messrs. Shanahan, Carlson, and Pueschel.

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

AYES—Messrs Burke, Dodge, Duffy, Hendrickson, Hurley, Hutson, Johnson of Humboldt, Lynch, O'Keefe, Owen, Thomas of Santa Clara, and Wade—12

NOES—Messrs Adams, Alford, Anderson, Androus, Barker, Barlow, Bennett of Santa Clara, Bennett of Orange, Blakeley, Boyce, Bretz, Brownlie, Buckley, Bulla, Carlson, Casterline, Chipman, Conway, Cusick, Drees, Emeric, Finlayson, Gately, Jacobs, Johnson of Santa Clara, Kennedy, Kerns, Luttringer, McGowan, Marks, Marston, Matthews of San Benito, Mordecai, O'Neill, Pendleton, Perkins, Pueschel, Sargent, Schlesinger, Schroebel, Shanahan, Sims, Standart, Taggart, Talbott, Thomas of Nevada, Vann, and Mr Speaker—48

AMENDMENT.

Mr. Lynch moved to amend the resolutions by striking out in the last resolution the words "Tuesday, February 21st," and inserting in lieu thereof the words "February 24th."

Adopted.

RESOLUTIONS ADOPTED.

The question recurring on the adoption of the resolutions as amended. the same were adopted.

INTRODUCTION OF BILLS.

The following bills were introduced, read by title, and referred to committees, as follows.

By Mr. Buckley: Assembly Bill No. 835—An Act to improve the park at San Francisco known as the "South Park."

Referred to Committee on Municipal Corporations.

By Mr. Bretz: Assembly Bill No. 836—An Act to amend section seven hundred and sixty-four of an Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883, relative to the powers of the Board of Trustees of cities of the fifth class.

Referred to Committee on Municipal Corporations.

By Mr. Lynch: Assembly Bill No. 837—An Act defining the northern boundary of the county of San Diego, and the southern boundary of the county of San Bernardino.

Referred to Committee on Counties and County Boundaries.

Mr. Lynch in the chair.

By Mr. Taylor: Assembly Bill No. 838—An Act for the protection of travelers on railroad trains.

Referred to Committee on Corporations.

REPORTS OF STANDING COMMITTEES.

ON STATE HOSPITALS

ASSEMBLY CHAMBER, SACRAMENTO, February 20, 1893.

MR. SPEAKER: G W. Mordecai, W. P. Mathews, and C. W. Tindall, members of the State Hospitals Committee, beg leave to report that they visited the Napa Insane Asylum, and traveled, in going to and from that institution, one hundred and twenty-two miles, for which they are each entitled to the sum of twelve dollars and twenty cents ($12 20) as mileage.

Resolved, That G W. Mordecai, W P. Mathews, and C. W. Tindall be allowed the sum of twelve dollars and twenty cents each, as mileage for said trip, and that the State Controller be authorized to draw his warrant for the sums specified on the Contingent Expense Fund of the Assembly.

Referred to Committee on Public Expenditures and Accounts.

ON ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, February 20, 1893.

MR SPEAKER: Your Committee on Enrollment beg leave to report that the following bills have been correctly enrolled: Assembly Bills Nos 75, 142, 312, 96, 271, 127, and 269—and were presented to the Governor February 20, 1893, at two o'clock and fifteen minutes P. M.

O'NEILL, Chairman

MOTION.

Mr. Shanahan moved to take up Senate messages.
So ordered.

MESSAGES FROM THE SENATE.

SENATE CHAMBER, SACRAMENTO, February 20, 1893.

MR. SPEAKER: I am directed to inform your honorable body that the Senate, on the sixteenth day of February, passed Assembly Bill No 8—An Act to promote the purity of elections by regulating the conduct thereof, and to support the privilege of free suffrage by prohibiting certain acts and practices in relation thereto, and providing for the punishment thereof.

F. J. BRANDON, Secretary.
By R. SHAW, Assistant.

Assembly Bill No. 8 ordered to enrollment.
Also:

SENATE CHAMBER, SACRAMENTO, February 20, 1893

MR. SPEAKER: I am directed to inform your honorable body that the Senate, on the eighteenth day of February, passed Assembly Bill No. 45—An Act amendatory of and supplemental to an Act entitled "An Act to create a Police Court in and for the City and County of San Francisco, State of California," approved March 5, 1889, and providing for an additional department, to be known as Department No 4, and the appointment of a suitable person to act as Judge of said Court.

F. J. BRANDON, Secretary.
By R. SHAW, Assistant.

Assembly Bill No. 45 ordered to enrollment.

SPECIAL ORDER.

Assembly Constitutional Amendment No. 20—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, amending section one of article four thereof, relative to the Legislative Department.

Mr. Matthews of San Benito moved to amend, as follows:

By striking out "25" and inserting "50."

Lost.

Mr. Wade moved to amend, as follows:

By striking out the word "five," in line sixteen, and inserting in lieu of same the words "twenty-five."

Mr. Bledsoe moved to substitute the amendment, as follows:

By striking out of line sixteen the words "five per centum," and inserting the following: "ten per centum."

Mr. Alford moved that the further consideration of Assembly Constitutional Amendment No. 20 be made the special order for to-morrow at eleven o'clock A. M.

Lost.

Substitute adopted.

Mr. Bledsoe moved that the further consideration of Assembly Constitutional Amendment No. 20 be made the special order for to-morrow at three o'clock P. M.

So ordered.

ASSEMBLY CONSTITUTIONAL AMENDMENT.

By Mr. Taggart: Assembly Constitutional Amendment No. 30—A resolution to propose to the people of the State of California an amendment to section seven of article nine of the Constitution of the State of California, by increasing the number of members constituting the State Board of Education, by adding thereto the President and Professor of Pedagogics of the University of California.

Referred to Committee on Constitutional Amendments.

INTRODUCTION OF BILL.

The following bill was introduced, read by title, and referred to committee, as follows:

By Mr. Gould: Assembly Bill No. 839—An Act to provide for the preparation, printing, and distribution of a volume expository of the resources of California, at the World's Columbian Exposition at Chicago, and appropriating money therefor.

Referred to Committee on Public Printing.

ASSEMBLY JOINT RESOLUTION.

By Mr. Alford: Assembly Joint Resolution No. 26—Relative to the mining and river interests of the State.

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

AYES—Messrs. Adams, Alford, Anderson, Barker, Barlow, Bennett of Santa Clara, Bennett of Orange, Bledsoe, Boyce, Bretz, Buckley, Bulla, Burke, Carlson, Casterline, Chipman, Conway, Cusick, Dodge, Drees, Duffy, Emeric, Finlayson, Hendrickson, Hurley, Hutson, Jacobs, Kennedy, Kerns, Luttringer, Lynch, McGowan, Marks, Marston, Matthews of San Benito, O'Keefe, O'Neill, Pendleton, Pueschel, Raw, Sargent, Schlesinger, Schroebel, Shanahan, Sims, Standart, Talbott, Thomas of Nevada, Vann, Wade, and Mr. Speaker—51

NOES—None.

MOTION.

Mr. Alford moved that Assembly Joint Resolution No. 26 be immediately transmitted to the Senate.

So ordered.

INTRODUCTION OF BILLS.

The following bills were introduced, read by title, and referred to committees, as follows:

By Mr. Dodge: Assembly Bill No. 840—An Act entitled an Act concerning county government.

Referred to Committee on County and Township Governments.

By Mr. Carlson: Assembly Bill No. 841—An Act supplemental to an Act entitled "An Act to provide for the organization and government of irrigation districts, and to provide for the acquisition of water and other property, and for the distribution of water thereby for irrigation purposes," approved March 7, 1887, providing for the disorganization of irrigation districts.

Referred to Committee on Irrigation.

Also: Assembly Bill No. 842—An Act supplemental to an Act entitled "An Act to provide for the organization and government of irrigation districts, and to provide for the acquisition of water and other property,

and for the distribution of water thereby for irrigation purposes," approved March 7, 1887, providing for reducing the bonded indebtedness thereof.

Referred to Committee on Irrigation.

By Mr. Kennedy: Assembly Bill No. 843—An Act to enable the State of California to purchase the right to make, use, and vend a patented improvement in a composition for protection of piles.

Referred to Committee on Commerce and Navigation.

RESOLUTION.

By Mr. Anderson:

Resolved, That Assembly Bill No. 700 presents a case of urgency, as that term is used in section fifteen of article four of the Constitution, and the provisions of that section requiring that the bill shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the second and third times, and placed upon its passage.

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

AYES—Messrs Adams, Alford, Anderson, Androus, Barker, Barlow, Bennett of Santa Clara, Bennett of Orange, Blakeley, Bledsoe, Boyce, Bretz, Brownlie, Buckley, Bulla, Burke, Carlson, Casterline, Chipman, Conway, Cusick, Dodge, Drees, Duffy, Emeric, Finlayson, Hendrickson, Hurley, Hutson, Jacobs, Johnson of Humboldt, Johnson of Santa Clara, Kennedy, Kerns, Luttringer, Lynch, McGowan, Marks, Marston, Matthews of San Benito, Mordecai, O'Keefe, O'Neill, Pendleton, Perkins, Pueschel, Raw, Sargent, Schlesinger, Schroebel, Shanahan, Sims, Standart, Taggart, Talbott, Thomas of Santa Clara, Vann, Wade, and Mr. Speaker—59.

NOES—None.

SECOND READING OF BILL.

Assembly Bill No. 700—An Act to provide for the revision of certain books of the State series of school text-books, for the compilation of an additional book of said series, and for the continued publication of the same; and to authorize and direct the use for these purposes of the money accumulated in the State School Book Fund.

Read second time.

MOTION.

Mr. Anderson moved that the Assembly resolve itself into Committee of the Whole, with the Speaker in the chair, for the purpose of considering Assembly Bill No. 700.

So ordered.

IN COMMITTEE OF THE WHOLE.

Speaker Gould in the chair.

Assembly Bill No. 700 was considered in Committee of the Whole.

IN ASSEMBLY.

Speaker Gould in the chair.

REPORT OF THE COMMITTEE OF THE WHOLE.

The Speaker stated the report of the Committee of the Whole, as follows:

GENTLEMEN: The Committee of the Whole have had under consideration Assembly Bill No. 700—An Act to provide for the revision of certain books of the State series of

school text-books, for the compilation of an additional book of said series, and for the continued publication of the same; and to authorize and direct the use for these purposes of the money accumulated in the State School Book Fund—and now report, and recommend that the same do pass.

Bill considered engrossed, and to a third reading.

THIRD READING OF BILL.

Assembly Bill No. 700—An Act to provide for the revision of certain books of the State series of school text-books, for the compilation of an additional book of said series, and for the continued publication of the same; and to authorize and direct the use for these purposes of the money accumulated in the State School Book Fund.

Read third time, and passed by the following vote:

AYES—Messrs. Adams, Alford, Anderson, Androus, Barker, Barlow, Bennett of Santa Clara, Bennett of Orange, Blakeley, Bledsoe, Boyce, Bretz, Brownlie, Buckley, Bulla, Burke, Carlson, Casterline, Chipman, Conway, Cusick, Dodge, Drees, Duffy, Finlayson, Gately, Hendrickson, Hurley, Hutson, Jacobs, Johnson of Humboldt, Kennedy, Kerns, Luttringer, Lynch, McGowan, Marks, Marston, Matthews of San Benito, Mordecai, O'Keefe, O'Neill, Owen, Pendleton, Perkins, Raw, Sargent, Schlesinger, Schroebel, Shanahan, Sims, Standart, Taggart, Talbott, Thomas of Santa Clara, Vann, Wade, and Mr. Speaker—58

NOES—None.

Title read and approved.

MOTIONS.

Mr. Anderson moved that Assembly Bill No. 700 be immediately transmitted to the Senate.

So ordered.

Mr. Shanahan moved that the special order set for this hour, the consideration of Assembly Constitutional Amendment No. 4, be postponed until to-morrow, immediately after reading of the Journal.

So ordered.

Mr. Shanahan moved that Assembly Bills Nos. 432, 433, 434, and 435 be taken up out of order and considered.

Pending the motion, Mr. Marks moved to adjourn.

The ayes and noes were demanded by Messrs. Dodge, Carlson, and Shanahan.

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

AYES—Messrs. Cusick, Marks, O'Neill, Pueschel, and Vann—5.

NOES—Messrs. Adams, Alford, Barlow, Bennett of Santa Clara, Bennett of Orange, Blakeley, Bledsoe, Boyce, Bretz, Brownlie, Buckley, Bulla, Burke, Carlson, Casterline, Chipman, Conway, Dodge, Duffy, Finlayson, Gately, Hendrickson, Hurley, Hutson, Jacobs, Johnson of Humboldt, Kennedy, Kerns, Luttringer, Lynch, McGowan, Marston, Matthews of San Benito, Mordecai, O'Keefe, Owen, Pendleton, Perkins, Sargent, Schlesinger, Schroebel, Shanahan, Sims, Standart, Taggart, Talbott, Thomas of Nevada, Thomas of Santa Clara, Wade, and Mr. Speaker—50.

The question recurring on the motion, the ayes and noes were demanded by Messrs. Shanahan, Marks, and Schlesinger.

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

AYES—Messrs Alford, Anderson, Barker, Blakeley, Buckley, Bulla, Burke, Casterline, Chipman, Conway, Cusick, Dodge, Drees, Duffy, Finlayson, Gately, Hendrickson, Hurley, Hutson, Kennedy, Kerns, Luttringer, Lynch, McGowan, Marston, Mordecai, O'Keefe, Owen, Perkins, Pueschel, Schlesinger, Schroebel, Shanahan, Sims, Standart, Taggart, Thomas of Nevada, Thomas of Santa Clara, Vann, and Wade—40

NOES—Messrs. Adams, Barlow, Bennett of Orange, Bledsoe, Boyce, Bretz, Brownlie, Carlson, Johnson of Humboldt, Marks, Matthews of San Benito, O'Neill, Raw, Sargent, and Mr. Speaker—15.

SECOND READING OF BILLS.

Assembly Bill No. 432—An Act to amend section two hundred and ninety-one of the Civil Code, relating to the articles of incorporation of railroad, wagon road, and telegraph corporations.

Read second time, ordered engrossed and to a third reading.

Assembly Bill No. 433—An Act to amend section two hundred and ninety-three of the Civil Code, relating to railroad, wagon road, and telegraph corporations.

Read second time, ordered engrossed and to a third reading.

Assembly Bill No. 434—An Act to amend section four hundred and fifty-six of the Civil Code, relating to the borrowing of money and the issuance of bonds by railroad corporations.

Read second time, ordered engrossed and to a third reading.

Assembly Bill No. 435—An Act to provide for the consolidation of railroad corporations organized under the laws of the State of California, with railroad corporations organized under the laws of any other State or Territory, or both.

Read second time, ordered engrossed and to a third reading.

Committee amendment, as follows:

Amend by adding on line one in section four, after the word "brought," the word "by," and in line three, section four, after the word "as" and before the word "against," the words "by and "

Adopted.

Bill ordered engrossed and to a third reading.

INTRODUCTION OF BILL.

The following bill was introduced, read by title, and referred to committee, as follows:

By Mr. Dodge: Assembly Bill No. 844—An Act to add a new section to the Civil Code, to be known as section four hundred and sixty, relating to the merging and consolidation of competing and parallel railroad corporations and companies.

Referred to Committee on Corporations.

PETITION.

By Mr. Schlesinger: From grape growers and wine makers of Alameda County, requesting that the State Viticultural Commission be maintained.

Referred to Committee on Viniculture, Viticulture, and Horticulture.

MOTION.

Mr. Schlesinger moved to adjourn.

Lost.

ADJOURNMENT.

At four o'clock and forty-five minutes P. M., on motion of Mr. Schlesinger, the Assembly adjourned.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Tuesday, February 21, 1893.

The Assembly met pursuant to adjournment.

Speaker Gould in the chair.

The roll was called, and the following members answered to their names:

Messrs. Adams, Alford, Anderson, Androus, Barker, Barlow, Bennett of Santa Clara, Bennett of Orange, Blakeley, Bledsoe, Boyce, Bretz, Brownlie, Buckley, Bulla, Burke, Carlson, Casterline, Chipman, Conway, Cusick, Dodge, Drees, Duffy, Durst, Emeric, Finlayson, Gately, Godchaux, Hendrickson, Hurley, Hutson, Jacobs, Johnson of Humboldt, Johnson of Santa Clara, Kennedy, Kerns, Luttringer, Lynch, McGowan, Marks, Marston, Matthews of San Benito, Miller, Mordecai, O'Keefe, O'Neill, Owen, Pendleton, Perkins, Pueschel, Raw, Schlesinger, Schroebel, Shanahan, Sims, Standart, Taggart, Talbott, Taylor, Thomas of Nevada, Thomas of Santa Clara, Vann, Wade, and Mr Speaker.

Quorum present.

PRAYER.

Prayer by the Chaplain, Rev. H. W. Conry.

LEAVE OF ABSENCE.

The Hart investigating committee was granted leave of absence until Thursday, at twelve o'clock M.

READING OF THE JOURNAL.

Pending the reading of the Journal of yesterday, Mr. Bennett of Santa Clara moved that the further reading be dispensed with.

So ordered.

AMENDMENT TO JOURNAL.

By order of the Speaker the Journal of Friday, February 17th, was amended by striking out of section one, line one, of Committee Substitute for Assembly Bill No. 506, on page six of said Journal, after the words "one hundred," the words "and seventy-eight thousand four hundred," making the line read: "The sum of one hundred thousand dollars."

PETITION.

By Mr. Dodge: From citizens of Alameda County, protesting against the bills establishing a jute mill and a cordage mill at the Folsom State Prison.

Referred to Committee on Ways and Means.

REPORTS OF STANDING COMMITTEES.

ON PUBLIC MORALS.

ASSEMBLY CHAMBER, SACRAMENTO, February 21, 1893

MR. SPEAKER: Your Committee on Public Morals, to whom was referred Assembly Bill No. 776—An Act to license all persons dealing in cigarettes—have had the same under consideration, and respectfully report the same back, and recommend the adoption of the committee substitute herewith reported.

BLEDSOE, Chairman

ON JUDICIARY.

ASSEMBLY CHAMBER, SACRAMENTO, February 21, 1893.

MR. SPEAKER: Your Committee on Judiciary, to whom was referred Assembly Bill No. 63—An Act relating to estrays.

Also: Assembly Bill No. 779—An Act to amend section three thousand seven hundred and sixty-six of the Political Code, relating to the publication of lists of delinquent State and county taxes

Also: Assembly Bill No 757—An Act to amend section four hundred and twelve of the Code of Civil Procedure, relating to service of summons on persons residing out of the State, and in other cases

Also: Assembly Bill No. 758—An Act to amend section seven hundred and thirty-eight of the Code of Civil Procedure, relating to actions affecting title to real estate.

Also: Assembly Bill No. 759—An Act to add a new section to the Code of Civil Procedure, relating to proceedings affecting the title to real estate, to be known as section seven hundred and fifty

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

Also: Assembly Bill No. 485—An Act to amend an Act entitled "An Act to establish a Political Code," approved March 12, 1872, by adding thereto a new section, to be numbered and designated as section three thousand eight hundred and sixty-three, relating to percentages and commissions on poll taxes

Also: Assembly Bill No 479—An Act to provide for the payment to the State of California by fire, marine, accident, or life, or other insurance companies doing business in said State, of an annual tax upon their corporate franchises, or business done in said State, of one per centum upon the gross amount of premiums annually received by said companies, and providing for the payment thereof, and for annual sworn returns of such premiums received, and for the punishment of failure to make and execute such returns, and for the institution of actions for the collection and payment of such tax.

Have had the same under consideration, and respectfully report the same back, and recommend that they do not pass.

SHANAHAN, Chairman.

ON MINES AND MINING.

ASSEMBLY CHAMBER, SACRAMENTO, February 20, 1893.

MR. SPEAKER: Your Committee on Mines and Mining, to whom was referred Assembly Bill No. 450—An Act to encourage the reduction of base and refractory low grade gold, silver, and other metallic ores in the State of California—have had the same under consideration, and respectfully report the same back, and recommend that it do pass with the accompanying amendments.

Also: Senate Bill No 50—An Act to amend the Civil Code by adding thereto two sections, to be known as sections one thousand four hundred and twenty-four and one thousand four hundred and twenty-five, being title nine, part four, division two of said Code, concerning the manner of conducting the business of hydraulic mining—have had the same under consideration, and respectfully report the same back, and recommend that it do pass, and Assembly Bill No 95, being identical therewith, be considered withdrawn, and not placed on file

STANDART, Chairman.

ON APPORTIONMENT AND ELECTION LAWS.

ASSEMBLY CHAMBER, SACRAMENTO, February 21, 1893.

MR SPEAKER: Your Committee on Apportionment and Election Laws, to whom was referred Assembly Bill No 781—An Act to amend section one thousand and eighty-three of the Political Code of the State of California, defining the qualifications and disabilities of electors—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended

FINLAYSON, Chairman.

ON CLAIMS.

ASSEMBLY CHAMBER, SACRAMENTO, February 21, 1893.

MR SPEAKER: Your Committee on Claims, to whom was referred Senate Bill No. 101—An Act making an appropriation to pay the claim of D Jordan, as approved by the State Board of Examiners—have had the same under consideration, and respectfully report the same back, and recommend that it do pass

BURKE, Chairman.

Senate Bill No. 101 re-referred to Committee on Ways and Means.

ON MUNICIPAL CORPORATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, February 21, 1893.

MR. SPEAKER. Your Committee on Municipal Corporations, to whom was referred Assembly Bill No 672—An Act to provide for furnishing assistants to the Coroner of each city, or city and county, having one hundred thousand or more inhabitants, and providing the mode in which such assistants shall be appointed and designated, and establishing the compensation and prescribing the duties of such assistants—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

Also: Assembly Bill No 598—An Act relating to surveys of cities, towns, villages, and additions thereto, and providing for recording of maps and plats of such surveys

Also: Assembly Bill No. 559—An Act to amend section four of an Act entitled "An Act authorizing the incurring of indebtedness by cities, towns, or municipal corporations incorporated under the laws of this State," approved March 15, 1887

Also. Assembly Bill No 556—An Act to repeal an Act entitled "An Act to provide for the laying out, opening, extending, widening, straightening, or closing up, in whole or in part, any street, square, lane, alley, court, or place within municipalities, and to condemn and acquire any and all land and property necessary or convenient for that purpose," approved March 6, 1889.

Have had the same under consideration, and respectfully report the same back without recommendation

Also: Assembly Bill No 795—An Act authorizing the incurring of indebtedness, and issuance of bonds therefor, by cities, towns, and municipal corporations incorporated under the laws of this State; for the construction of waterworks, sewers, buildings, breakwaters, seawalls, embankments, and all necessary public improvements, or for the purchase of land, or for any purpose whatever, and to repeal all portions of Acts in conflict therewith; providing, that proceedings for the issuance of bonds commenced under any prior Act shall in nowise be affected by this Act, but shall in all respects be finished and completed according to the Act under which such proceedings have been commenced—have had the same under consideration, and respectfully report the same back, and recommend that it be re-referred to Judiciary Committee.

Also· Assembly Bill No 472—An Act creating an additional section to article six, of chapter seven, of an Act entitled "An Act to provide for the organization, incorporation, and government of municipal incorporations," approved March 13, 1883—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

BUCKLEY, Chairman

Assembly Bill No. 795 re-referred to Committee on Judiciary.

MOTION.

Mr. Bledsoe moved that Assembly Bills Nos. 539, 24, 25, and 515 be made a special order for Friday, February 24th, at three o'clock and thirty minutes P. M.

So ordered.

SPECIAL ORDERS.

Mr. Marston moved that the special order set for this hour, the consideration of Assembly Bill No. 36, be postponed until next Thursday at two o'clock P. M.

So ordered.

Assembly Constitutional Amendment No. 4—A resolution to propose to the people of the State of California an amendment to and providing for the repeal of sections twenty-two and twenty-three of article twelve of the Constitution, relative to a Board of Railroad Commissioners.

Passed on file until two o'clock P. M.

SPECIAL FILE.

Assembly Bill No. 192—An Act to provide for the building and furnishing of three cottages for use as residences of the Resident Physician and two Assistant Physicians at the Napa State Asylum for the Insane, and making an appropriation therefor.

Passed on file.

Assembly Bill No. 366—An Act making an appropriation for the erection of an additional building for the State Normal School at San José, California.

Passed on file.

Assembly Bill No. 720—An Act authorizing the State Controller and State Treasurer to transfer from the State School Fund to the State School Land Fund the sum of one hundred and eighty-nine thousand four hundred and twenty-six dollars and fifty-eight cents.

Mr. Mordecai in the chair.

Read third time, and passed by the following vote:

AYES—Messrs. Adams, Anderson, Androus, Barker, Barlow, Bennett of Santa Clara, Bennett of Orange, Blakeley, Bledsoe, Boyce, Bretz, Brownlie, Buckley, Bulla, Burke, Carlson, Chipman, Conway, Cusick, Dodge, Drees, Durst, Emeric, Finlayson, Gallagher, Godchaux, Hendrickson, Hurley, Hutson, Jacobs, Johnson of Humboldt, Kennedy, Kerns, Luttringer, Lynch, McGowan, Marks, Marston, Matthews of San Benito, Miller, Mordecai, O'Neill, Owen, Pendleton, Perkins, Raw, Schlesinger, Standart, Taggart, Talbott, Taylor, Thomas of Nevada, Thomas of Santa Clara, Vann, and Wade—55.

NOES—None.

Title read and approved.

RESOLUTION.

By Mr. Finlayson:

Resolved by the Assembly, That the Secretary of the State Agricultural Society be and he is hereby authorized and directed to place at the hands of the special committee on memorial services commemorative of the death of James G. Blaine, a sufficient number of chairs belonging to the State, and now in charge of himself, such chairs to be used by said committee in the Assembly Chamber on the twenty-second day of February, A. D. 1893.

Adopted.

SPECIAL FILE.

Assembly Bill No. 469—An Act to pay the claim of Mary M. Springer, the widow and heir of Thomas A. Springer, late State Printer, deceased.

Committee amendments, as follows:

AMENDMENT No. 1

Amend by striking out all of section three.

Adopted.

AMENDMENT No. 2.

Amend section four by striking out the figure "4" and inserting the figure "3" in lieu thereof

Adopted.

Bill ordered engrossed and to a third reading.

REPORT OF STANDING COMMITTEE.

ON WAYS AND MEANS.

ASSEMBLY CHAMBER, SACRAMENTO, February 21, 1893.

MR SPEAKER. Your Committee on Ways and Means, to whom was referred Assembly Bill No 324—An Act to provide for planting a row of trees around the Capitol grounds.

Also: Assembly Bill No. 326—An Act authorizing the State Board of Capitol Commissioners to appoint two extra employés for the Capitol grounds, in addition to the number now employed, and making an appropriation for payment of their services for the remainder of the forty-fourth fiscal year.

Also. Assembly Bill No. 342—An Act making an appropriation to pay the claim of the Evening Express Company, Los Angeles, California.

Also: Assembly Bill No. 701—An Act to provide for a topographical survey and map of the State of California, and appropriating money to pay for the same.

Also: Assembly Bill No. 794—An Act making an appropriation to pay the deficiency in the appropriation for arresting criminals without the State for the forty-third fiscal year.

Also: Senate Bill No 221—An Act to make an appropriation to pay the claim of Henry Hogan, for services rendered for the State Board of Fish Commissioners as special attorney therefor during the year 1890.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

Also: Assembly Bill No 596—An Act creating a State Board of Public Works—and herewith report the same back with a substitute, with the recommendation that the substitute do pass.

Also: Assembly Bill No. 526—An Act to pay the claim of I. N Brock against the State of California, and making an appropriation therefor

Also. Assembly Bill No. 527—An Act to pay the claim of Abraham Winans against the State of California, and making an appropriation therefor

Also: Assembly Bill No. 624—An Act to pay the claim of John H. Van Saun against the State of California, and making an appropriation therefor.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass as amended.

W. P. MATHEWS, Chairman.

SPECIAL FILE—(RESUMED).

Assembly Bill No. 737—An Act to provide for the payment of interest on the outstanding bonds of the State of California, held in trust for the University Fund and the State School Fund; to continue in force so much of an Act entitled "An Act to provide for the payment of the funded indebtedness of the State of California, and to contract a funded debt for that purpose," approved April 2, 1870, as is not in conflict with this Act; to repeal an Act of the Legislature of the State of California, approved March 4, 1881, entitled "An Act to appropriate money to reimburse the University of California for moneys heretofore appropriated to the Endowment Fund thereof, which moneys have, by mistake, been withheld therefrom and appropriated to other State expenses," and making an appropriation to pay the interest on said outstanding bonds from January 1 to July 1, 1893.

Passed on file.

Assembly Bill No. 483—An Act making an appropriation to pay the deficiency in the appropriation for additional improvements for the Southern California State Asylum for the Insane and Inebriates.

Passed on file.

Assembly Bill No. 506—An Act to provide for additional improvements at the Reform School for Juvenile Offenders, located at Whittier, in the county of Los Angeles, and State of California, and to make an appropriation for the same.

Passed on file.

Assembly Bill No 99—An Act to appropriate two hundred and sixty-one thousand four hundred and fifty dollars for the erection of an Administration Building for the Mendocino State Asylum for the Insane, to complete the female ward, to purchase furniture and furnish the buildings erected and to be erected by the Directors of said asylum, to construct a plant for lighting said buildings, to improve the grounds thereof, to purchase live stock and agricultural implements to be used for asylum purposes, to construct a carpenter shop and morgue thereon, to furnish the bakery, to construct a dam to furnish a water supply to said asylum, for fencing the ground and constructing yard fencing, for constructing a sewer system, for purchasing laundry machinery and kitchen furniture, to appropriate money therefor, and provide for the expenditure of the same.

Passed on file.

Assembly Bill No. 482—An Act making an appropriation for the erection of additional buildings and improvements for the Southern California State Asylum for the Insane and Inebriates.

Passed on file.

Assembly Bill No. 688—An Act making an appropriation from the State School Book Fund, to supply the deficiency in the present appropriation from the General Fund, for compiling State school text-books, for the forty-fourth fiscal year.

Passed on file.

Assembly Bill No. 319—An Act appropriating the sum of twenty-thousand dollars for the erection and construction of a sewer for the State Insane Asylum at Agnews, to appropriate money therefor, and to provide for the expenditure of the same.

Passed on file.

Assembly Bill No. 231—An Act to appropriate money for the completion of the building of the Preston School of Industry at Ione, and for furnishing and equipping the same.

Passed on file.

Assembly Bill No. 484—An Act making an appropriation to pay for the management and maintenance of the Southern California State Asylum for the Insane and Inebriates for the forty-fourth fiscal year.

Read first time, and placed on file for second reading.

MOTION.

Mr. Vann moved that Senate Bill No. 349 be made a special order to follow the other county division bills heretofore made special orders.

So ordered.

SPECIAL FILE—(RESUMED).

Senate Bill No. 5—An Act providing for the selection, condemnation, and purchase of a suitable site, and the erection thereon of a State building, in San Francisco, and making an appropriation therefor.

Passed on file.

Speaker Gould in the chair.

MOTION.

Mr. Sims moved that Assembly Bill No. 438 be substituted for Assembly Bill No. 206.

Also: That Assembly Bill No. 368 be substituted for Assembly Bill No. 207.

Also: That Assembly Bill No. 208 be substituted for Assembly Bill No. 216.

Lost.

SPECIAL FILE—(RESUMED).

Assembly Bill No. 206—An Act to provide furniture for and furnishing the California Home for the Care and Training of Feeble-Minded Children, at Glen Ellen, Sonoma County, California, and making an appropriation therefor.

Passed on file.

Assembly Bill No. 207—An Act to provide for the erection of an additional wing to the main building of the California Home for the

Care and Training of Feeble-Minded Children, at Glen Ellen, Sonoma County, California, for the Female Department of said institution, and to appropriate money therefor.

Passed on file.

Assembly Bill No. 208—An Act to provide for the improvement of the grounds of the California Home for the Care and Training of Feeble-Minded Children, at Glen Ellen, Sonoma County, California, and to appropriate money therefor.

Passed on file.

Assembly Bill No. 734—An Act providing an appropriation for the purpose of completing and preserving Sutter's Fort.

Read second time.

MOTION.

Mr. Matthews of San Benito moved that the Assembly resolve itself into Committee of the Whole, with the Speaker in the chair, for the purpose of considering Assembly Bill No. 734.

So ordered.

IN COMMITTEE OF THE WHOLE.

Speaker Gould in the chair.

Assembly Bill No. 734 was considered in Committee of the Whole.

IN ASSEMBLY.

Speaker Gould in the chair.

REPORT OF THE COMMITTEE OF THE WHOLE.

The Speaker stated the report of the Committee of the Whole, as follows:

GENTLEMEN. The Committee of the Whole have had under consideration Assembly Bill No. 734—An Act providing an appropriation for the purpose of completing and preserving Sutter's Fort—and now report, and recommend that the same do pass.

Bill ordered engrossed and to a third reading.

SPECIAL FILE—(RESUMED).

Assembly Bill No. 165—An Act to appropriate the sum of thirteen thousand seven hundred and twenty-two dollars and twenty cents to pay the salary of the Commissioner of Immigration from October 10, 1885, to March 16, 1889.

Read second time.

Assembly Bill No. 166—An Act to appropriate the sum of two thousand five hundred dollars to pay the salary of the Deputy Commissioner of Immigration from August 1, 1883, to October 1, 1885.

Read second time.

Mr. Schlesinger moved that the further consideration of Assembly Bills Nos. 165 and 166 be passed on file.

So ordered.

Assembly Bill No. 797—An Act to provide for an appropriation for the contingent expenses of the Assembly.

Passed on file.

Assembly Bill No. 679—An Act providing for primary elections in the State of California.

Passed on file.

Assembly Bill No. 777—An Act making an appropriation to pay the deficiencies in the appropriation for costs and expenses of suits in which the State is a party in interest, for the thirty-fifth, thirty-sixth, thirty-seventh, thirty-eighth, thirty-ninth, and fortieth fiscal years.

Read first time, and placed on file for second reading.

ASSEMBLY CONSTITUTIONAL AMENDMENT No. 12

A resolution proposing to the people of the State of California an amendment to section seventeen, article one, of the Constitution of the State of California.

Resolved by the Assembly, the Senate concurring, That the Legislature of the State of California, at its regular session, commencing on the second day of January, A. D. one thousand eight hundred and ninety-three, two thirds of all the members elected to each house concurring, hereby propose that section seventeen of article one of the Constitution of said State be amended so as to read as follows:

Section 17 Foreigners of the white race, or of African descent, eligible to become citizens of the United States under the naturalization laws thereof, while bona fide residents of this State, shall have the same rights in respect to the acquisition, possession, enjoyment, transmission, and inheritance of all property, other than real estate, as native born citizens, *provided*, that such aliens owning real estate at the time of the adoption of this amendment may remain such owners; *and provided further*, that the Legislature may, by statute, provide for the disposition of real estate which shall hereafter be acquired by such aliens by descent or devise.

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

AYES—Messrs. Adams, Alford, Anderson, Androus, Barker, Barlow, Bennett of Orange, Blakeley, Bledsoe, Bretz, Brownlie, Bulla, Burke, Carlson, Casterline, Chipman, Conway, Cusick, Dodge, Drees, Emeric, Finlayson, Gately, Hendrickson, Hurley, Hutson, Jacobs, Johnson of Humboldt, Johnson of Santa Clara, Kennedy, Kerns, Luttringer, Lynch, McGowan, Marks, Marston, Matthews of San Benito, Mordecai, O'Keefe, O'Neill, Owen, Perkins, Pueschel, Raw, Schroebel, Shanahan, Sims, Taggart, Talbott, Taylor, Vann, Wade, and Mr. Speaker—55.

NOES—Messrs. Bennett of Santa Clara, Godchaux, Pendleton, Schlesinger, and Thomas of Nevada—5.

RESOLUTION.

By Mr. Shanahan:

Resolved, That the rules be suspended, and that the following Assembly bills, viz.: No. 139 (No 94 on file), No. 235 (No 95 on file), No. 666 (No. 133 on file), No. 170 (No. 134 on file), No. 512 (No. 260 on file), No. 141 (No. 286 on file), No 637 (No. 287 on file), No. 480 (No 338 on file), No. 518 (No 339 on file), and No 638 (No. 340 on file) be taken up out of order and read the second time.

The ayes and noes were demanded by Messrs. Shanahan, Blakeley, and Bretz.

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

AYES—Messrs Alford, Anderson, Barker, Blakeley, Bretz, Carlson, Casterline, Chipman, Drees, Duffy, Emeric, Gately, Hutson, Luttringer, Mordecai, Owen, Pendleton, Raw, Schroebel, Shanahan, Sims, Standart, and Mr. Speaker—23.

NOES—Messrs Adams, Barlow, Bennett of Santa Clara, Bennett of Orange, Bledsoe, Boyce, Brownlie, Buckley, Bulla, Burke, Conway, Cusick, Finlayson, Godchaux, Hendrickson, Hurley, Jacobs, Johnson of Humboldt, Kennedy, Kerns, Lynch, McGowan, Marks, Marston, Matthews of San Benito, Miller, O'Keefe, O'Neill, Perkins, Schlesinger, Taggart, Thomas of Nevada, Vann, and Wade—34

SPECIAL ORDER.

SENATE CONSTITUTIONAL AMENDMENT No 14.

A resolution proposing to the people of the State of California an amendment to section three of article eleven of the Constitution of the State of California, relating to the formation of new counties.

Resolved by the Senate, the Assembly concurring, That the Legislature of the State of California, at its regular session, commencing on the second day of January, A. D.

eighteen hundred and ninety-three, two thirds of the members elected to each of the two houses voting in favor thereof, hereby propose that section three of article eleven of the Constitution of the State of California be amended to read as follows.

Section 3. The Legislature, by general and uniform laws, may provide for the formation of new counties; *provided, however*, that no new county shall be established which shall reduce any county to a population of less than eight thousand, nor shall a new county be formed containing a less population than five thousand, nor shall any line thereof pass within five miles of the county seat of any county proposed to be divided Every county which shall be enlarged or created from territory taken from any other county or counties, shall be liable for a just proportion of the existing debts and liabilities of the county or counties from which such territory shall be taken

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

AYES—Messrs Adams, Alford, Anderson, Androus, Barker, Barlow, Bennett of Santa Clara, Bennett of Orange, Blakeley, Bledsoe, Boyce, Bretz, Brownlie, Bulla, Burke, Carlson, Casterline, Chipman, Conway, Cusick, Dodge, Drees, Emeric, Finlayson, Gately, Godchaux, Hendrickson, Hurley, Hutson, Jacobs, Johnson of Humboldt, Kennedy, Kerns, Luttringer, Lynch, McGowan, Marks, Marston, Matthews of San Benito, Miller, Mordecai, O'Keefe, O'Neill, Owen, Pendleton, Perkins, Pueschel, Raw, Schlesinger, Schroebel, Sims, Standart, Taggart, Taylor, Thomas of Nevada, Vann, Wade, and Mr. Speaker—59

NOES—None.

SPECIAL FILE—(RESUMED).

Assembly Constitutional Amendment No. 22—A resolution proposing to the people of the State of California an amendment to section three of article eleven of the Constitution of the State of California, relating to the formation of new counties.

Passed on file.

Assembly Constitutional Amendment No. 11—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, amending section nine of article thirteen thereof, relative to the election of a State Board of Equalization.

Committee amendments, as follows:

AMENDMENT No 1

On line two, printed amendment, after the word "the" and before the word "general," insert the word "first."

Adopted.

AMENDMENT No. 2.

On printed lines three and four strike out the words "in the year eighteen hundred and ninety-eight, and at each gubernatorial election," and in place thereof insert "after the adoption of this amendment, and at each general election every four years."

Adopted.

AMENDMENT No. 3.

On printed line six strike out the following words "The Controller of State shall be ex officio member of the Board."

Adopted.

AMENDMENT No 4

On line seventeen, printed amendment, after the word "the" and before the word "State," strike out the word "present."

Adopted.

AMENDMENT No. 5.

After the word "equalization," on printed line eighteen, insert "elected in 1894"

Adopted.

SPECIAL FILE—(RESUMED).

Assembly Constitutional Amendment No. 1—An Act to submit to the people of the State of California an amendment to section one, article thirteen, of the Constitution of the State of California.

Passed on file.

REPORTS OF STANDING COMMITTEES.

ON ENGROSSMENT

ASSEMBLY CHAMBER, SACRAMENTO, February 21, 1893

MR. SPEAKER: Your Committee on Engrossment beg leave to report that the following Assembly Bills have been correctly engrossed.

Assembly Bill No. 737—An Act to provide for the payment of the interest on outstanding bonds of the State of California held in trust for the University Fund and the State School Fund

Also: Assembly Bill No. 483—An Act making an appropriation to pay the deficiency in the appropriation for additional improvements for the Southern California State Asylum for the Insane and Inebriates

Also: Substitute for Assembly Bill No 506—An Act to provide for additional improvements at the Reform School for Juvenile Offenders located at Whittier

Also: Substitute for Assembly Bill No. 99—An Act to appropriate two hundred and sixty-one thousand four hundred and fifty dollars for the erection of an Administration Building for the Mendocino State Asylum for the Insane

Also. Substitute for Assembly Bill No. 482—An Act making an appropriation for the erection of additional buildings and improvements for the Southern California State Asylum for the Insane and Inebriates.

Also: Assembly Bill No. 688—An Act making an appropriation from the State School Book Fund to supply the deficiency in the present appropriation from the General Fund for compiling State school text-books for the forty-fourth fiscal year

Also: Assembly Bill No. 319—An Act appropriating the sum of twenty thousand dollars for the erection and construction of a sewer for the State Insane Asylum at Agnews.

Also. Assembly Bill No. 188—An Act to amend an Act to form agricultural districts, and to provide for the formation of agricultural associations.

Also: Assembly Bill No. 466—An Act to amend sections three, four, and five of an Act entitled "An Act fixing a bounty on coyote scalps."

Also: Assembly Bill No. 402—An Act providing for appeals from orders of the Board of Supervisors forming or refusing to form reclamation or swamp land districts.

Also: Assembly Bill No. 317—An Act for the relief of Patrick Creighton.

Also: Assembly Bill No 392—An Act to amend section seven hundred and twenty-six of the Code of Civil Procedure, and to add a new section thereto, to be known as section seven hundred and twenty-nine, relating to actions for the foreclosure of mortgages.

KENNEDY, Chairman.

ON IRRIGATION.

ASSEMBLY CHAMBER, SACRAMENTO, February 21, 1893

MR. SPEAKER: Your Committee on Irrigation, to whom was referred Assembly Bill No. 56—An Act to provide for the organization and government of districts already supplied with water for domestic and irrigation purposes, or either, and to provide for the acquisition of additional supplies of water when necessary, and to provide for the regulation and use of such water.

Also: Assembly Bill No 201—An Act to amend an Act entitled "An Act amendatory of and supplemental to an Act entitled 'An Act to provide for the organization and government of irrigation districts, and to provide for the acquisition of water and other property, and for the distribution of water thereby for irrigation purposes,' approved March 7, 1887, and providing for a change of the boundaries of irrigation districts, by excluding other lands therefrom," approved February 16, 1889, relating to the exclusion of lands therefrom.

Also Assembly Bill No 329—An Act supplemental to an Act entitled "An Act to provide for the organization and government of irrigation districts, and to provide for the acquisition of water and other property, and for the distribution of water thereby for irrigation purposes," approved March 7, 1887, and to provide for the disorganization of irrigation districts, formed or organized under said Act, in the matter of levying and collecting of taxes for building or completing any system of irrigation works therein, or for any further expense in repairing or improving the same, or for any other purpose, expending any further money, seeking to establish a system of irrigation therein, to provide for the election of officers, regulating their salaries, prescribing their duties, authorizing the sale and conveyance of the property and effects of such district, and providing for the final disorganization of districts organized under said Act.

Also: Assembly Bill No. 790—An Act to amend section five of an Act entitled "An Act amendatory of and supplemental to an Act entitled 'An Act to provide for the

organization and government of irrigation districts, and to provide for the acquisition of water and other property, and for the distribution of water thereby for irrigation purposes,' approved March, 1887, and 'providing for a change of the boundaries of irrigation districts, by excluding other lands therefrom,'" approved February 16, 1889, in reference to excluding lands from districts where no bonds have been issued

Have had the same under consideration, and respectfully report the same back without recommendation

CARLSON, Chairman.

SPECIAL FILE.

Assembly Constitutional Amendment No. 26—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, relative to the duties of county officers and their terms of office.

Read, and passed on file.

Assembly Constitutional Amendment No. 25—A resolution to propose to the people of the State of California an amendment to the Constitution of said State, amending article eleven thereof, by adding a new section thereto, to be known as section number twenty, relating to the government of counties, cities, and towns.

Passed on file.

MOTION.

Mr. Anderson moved that Assembly Bill No. 66 be substituted on the file for Assembly Constitutional Amendment No. 24.

So ordered.

RECESS.

The hour of recess having arrived, the Speaker declared recess until two o'clock P. M.

REASSEMBLED.

The Assembly reassembled at two o'clock P. M.

Speaker Gould in the chair.

Quorum present.

LEAVE OF ABSENCE.

Mr. Pendleton was granted leave of absence for the remainder of the day.

SPECIAL SENATE FILE—THIRD READING OF BILLS.

Senate Bill No. 9—An Act to declare certain tide lands public grounds, and granting the same to the county of San Mateo, in trust for the use of the public.

Read third time, and passed by the following vote:

AYES—Messrs. Adams, Anderson, Androus, Barker, Barlow, Bennett of Santa Clara, Bennett of Orange, Bledsoe, Bretz, Bulla, Carlson, Casterline, Chipman, Dodge, Drees, Durst, Finlayson, Gately, Godchaux, Hutson, Johnson of Humboldt, Kerns, Lynch McGowan, Marston, Matthews of San Benito, Mordecai, O'Keefe, O'Neill, Owen, Perkins, Raw, Schlesinger, Shanahan, Sims, Standart, Talbott, Thomas of Nevada, Thomas of Santa Clara, Vann, Wade, and Mr. Speaker—42

NOES—None.

Title read and approved.

MOTION.

Mr. O'Keefe moved that Senate Bill No. 9 be immediately transmitted to the Senate.

So ordered.

Senate Bill No. 134—An Act to establish a uniform system of mine

bell signals, to be used in all the mines operated in the State of California, and for the protection of miners.

Read third time, and passed by the following vote:

AYES—Messrs Adams, Alford, Anderson, Androus, Barker, Barlow, Bennett of Santa Clara, Bennett of Orange, Blakeley, Bledsoe, Boyce, Bretz, Brownlie, Buckley, Bulla, Burke, Carlson, Casterline, Chipman, Conway, Cusick, Dodge, Drees, Durst, Finlayson, Gately, Godchaux, Hendrickson, Hutson, Jacobs, Johnson of Humboldt, Johnson of Santa Clara, Kennedy, Kerns, Lynch, McGowan, Marks, Marston, Matthews of San Benito, Mordecai, O'Keefe, O'Neill, Perkins, Raw, Schlesinger, Shanahan, Sims, Standart, Taggart, Taylor, Thomas of Nevada, Thomas of Santa Clara, Vann, Wade, and Mr Speaker—55.

NOES—None

Title read and approved.

MOTION.

Mr. Thomas of Nevada moved that Senate Bill No. 134 be immediately transmitted to the Senate.

So ordered.

SPECIAL SENATE FILE—SECOND READING OF BILLS.

Senate Bill No. 632—An Act quitclaiming to the successors in interest of Sallie C. Perry all claim of the State of California in that certain tract of land in the City and County of San Francisco, known as "City Slip Lot No. 116," and empowering and directing the Governor to execute a deed of quitclaim therefor to said successors in interest of said Sallie C. Perry.

Read second time, and ordered to a third reading.

Senate Bill No. 11—An Act to amend section sixty of an Act entitled "An Act for the relief of insolvent debtors, for the protection of creditors, and for the punishment of fraudulent debtors." approved April 16, 1880, relating to setting apart exempt property for the use and benefit of the insolvent, and also a homestead, and providing for giving notice of the hearing of the application therefor.

Read second time, and ordered to a third reading.

Senate Bill No. 20—An Act to amend section one thousand three hundred and sixty-eight of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1873, relating to estates of deceased persons.

Read second time, and ordered to a third reading.

Senate Bill No. 229—An Act to compel savings banks to publish a sworn statement of all unclaimed deposits.

Read second time, and ordered to a third reading.

Senate Bill No. 1—An Act requiring city, city and county, or town authorities to exact and require from persons or corporations seeking permission and authority to lay railroad tracks through streets, or public highways, of any incorporated city, city and county, or town, a satisfactory promise and undertaking to permit and allow mail carriers in the employ of the United States Government at all times, while engaged in the actual discharge of duty, to ride on the cars of such railroad without paying fare, and to make such promise and undertaking a condition precedent to the granting of such permission and authority by such governing Board.

Read second time, and ordered to a third reading.

Senate Bill No. 200—An Act providing for the presentation and cancellation of unlocated school land warrants of the State of California, issued under the Act of the State of California, approved May 3, 1852,

providing for the disposal of the five hundred thousand acres of land donated to the State of California by the Government of the United States, and authorizing the Controller of this State to draw his warrant on the State Treasurer for the sum of two dollars per acre in favor of any bona fide owner and holder of any such land warrant, for every acre represented by any such land warrant.

Read second time, and ordered re-referred to Committee on Ways and Means, the bill to retain its place on file.

Senate Bill No. 174—An Act fixing the price and conditions of sale at which jute goods shall be sold by the State.

Read second time, and passed on file.

Senate Bill No. 214—An Act to amend an Act entitled "An Act to establish and support a Bureau of Labor Statistics," approved March 3, 1883.

Read second time, and ordered to a third reading.

Senate Bill No. 174—An Act fixing the price and conditions of sale at which jute goods shall be sold by the State.

Mr. Raw moved to amend, as follows:

By striking out of section one, line four, the word "exclusive," and inserting the word "inclusive"

Lost.

Bill ordered to a third reading.

Senate Bill No. 80—An Act to provide for increasing the efficiency of paid fire departments within municipalities in the State of California.

Read second time.

Mr. Conway moved to amend, as follows:

Add to section one of this Act, at the close of said section, the following: "not to exceed fifty thousand dollars per annum. All officers, members, and employés appointed or employed under the power conferred by this Act shall receive the same salaries as are or may be by law allowed to like officers, members, and employés within said municipality, except foremen, who may be paid not exceeding one hundred and twenty-five dollars per month each, and hosemen and hook and ladder men, who may be paid not exceeding seventy-five dollars per month each No company organized or maintained under the power conferred by this Act shall have a greater number of officers, members, or employés than do or may by law constitute a company within said municipality."

Pending consideration of the amendment, the further consideration of the bill was ordered passed on file.

Senate Bill No. 131—An Act to form Riverside County, classify it, define its boundaries, provide for its organization, and the appointment, election of officers, the location of county seat by election, and the adjustment and fulfillment of certain rights and obligations arising between such county and certain other counties.

Passed on file.

Senate Bill No. 198—An Act to create the county of Madera, to define the boundaries thereof, to determine the county seat, and to provide for its organization and election of officers, and to classify said county.

Passed on file.

Senate Bill No. 569—An Act to add a new section to the Penal Code of the State of California, to be known as and numbered section three hundred and twenty-seven, in regard to lotteries.

Read second time, and ordered to a third reading.

Senate Bill No. 47—An Act to amend an Act entitled "An Act to prevent hunting and shooting on private inclosed grounds, and the destruction of growing timber on private grounds in certain counties in the State."

Read second time.

Mr. Shanahan moved to strike out the enacting clause.

The ayes and noes were demanded by Messsrs. Boyce, Shanahan, and Vann.

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

AYES—Messrs. Adams, Alford, Anderson, Androus, Barlow, Bennett of Orange, Blakeley, Boyce, Brownlie, Buckley, Bulla, Burke, Casterline, Chipman, Conway, Cusick, Dodge, Drees, Duffy, Durst, Finlayson, Gateley, Hendrickson, Hurley, Hutson, Kennedy, Luttringer, McGowan, Marks, Marston, Matthews of San Benito, Miller, O'Keefe, O'Neill, Owen, Perkins, Pueschel, Raw, Schlesinger, Schroebel, Shanahan, Sims, Standart, Talbott, Taylor, Thomas of Santa Clara, Vann, and Wade—47.

NOES—Messrs. Barker, Bennett of Santa Clara, Bledsoe, Bretz, Emeric, Godchaux, Jacobs, Kerns, Mordecai, and Mr. Speaker—10.

SPECIAL ORDER.

Assembly Constitutional Amendment No. 14—A resolution proposing to the people of the State of California an amendment to the Constitution, repealing sections twenty-two and twenty-three of article twelve of said Constitution, relating to the Railroad Commission, and adding to article four of said Constitution a new section, to be known and numbered as section thirty-six, relating to railroad freights and fares.

Mr. Godchaux offered the following substitute, which was adopted:

SUBSTITUTE FOR ASSEMBLY CONSTITUTIONAL AMENDMENT No. 14

A resolution proposing an amendment to the Constitution of the State of California, repealing sections twenty-two and twenty-three of article twelve of said Constitution, relating to the Railroad Commission, its powers and duties, and adding a new section to article four of said Constitution, to be numbered section thirty-six, relating to railroad freights and fares

Resolved by the Senate, the Assembly concurring, That the Legislature of the State of California, at its thirtieth session, commencing on the second day of January, A. D. eighteen hundred and ninety-three, two thirds of all the members elected to each house of said Legislature voting in favor thereof, hereby propose that sections twenty-two and twenty-three of article twelve of the Constitution of the State of California be repealed, and that article four of said Constitution be amended by adding to said article a new section, to be numbered section thirty-six

SECTION 1. Section twenty-two of article twelve of the Constitution of the State of California is hereby repealed.

SEC. 2 Section twenty-three of article twelve of the Constitution of the State of California is hereby repealed.

SEC. 3. Article four of the Constitution of the State of California is hereby amended by adding to said article a new section, to be numbered section thirty-six, said new section to read as follows:

Section 36. The Legislature shall have the power, and it shall be its duty, to establish rates of charges for the transportation of passengers and freight by all railroads operated or doing business in this State, as common carriers, and to enact such laws as may be necessary for the enforcement and carrying into effect of such rates; *provided, however*, that the Legislature shall have no power to prescribe rates of charges for the transportation of passengers on any railroad or system of railroads whose gross annual earnings are more than four thousand dollars a mile, to exceed three cents per mile, *and provided further*, that the Legislature shall have no power to prescribe the rates of charges for the transportation of freight on any railroad or system of railroads whose gross annual earnings are more than four thousand dollars a mile, to exceed the rates specified by the "California Distance Tariff," as in this section hereinafter set forth Until the Legislature shall prescribe such rates as aforesaid, or in the event that any such prescribed rates shall from any cause become inoperative, the rates of charges for the transportation of passengers on all railroads in this State whose gross annual earnings are more than four thousand dollars a mile, shall be not to exceed three cents per mile, and the charges for the transportation of freight by any such railroads shall be not to exceed the rates specified in the following distance tariff, hereby designated as the 'California Distance Tariff," to wit:

CALIFORNIA DISTANCE TARIFF

This distance tariff shall be applicable to local traffic between all stations in the State of California now established or that may hereafter be established. The classifications of property provided for in this distance tariff are based upon the "Western Classification," and the rules governing the same adopted and issued by the Western Classification Committee, of which J T Ripley was Chairman, and which took effect January first, eighteen hundred and ninety-three, to which said classification reference is hereby made; *provided, however*, that no rule or rules governing said Western Classification providing for any change, modifications, or additions to the classifications mentioned in this distance tariff shall have any application hereto.

Distances	Merchandise—Rate per 100 Pounds, in Cents.				Carloads of Not Less than Minimum Named in Classification, nor More than Marked Capacity of Car—Rate per 100 Pounds, in Cents.										Live Stock in Carloads—Rate per 100 Pounds, in Cents.		
	First Class	Second Class	Third Class	Fourth Class	Fifth Class	Class A	Class B	Class C	Class D	Class E	Lumber, Lath, and Shingles	Salt, Lime, Cement, and Stucco	Coal	Wheat, Flour, Flaxseed, Castor Beans, Broom-corn Seed, and Beans	Barley, Corn, Rye, Mill Stuffs, Oats, and Chops	Stone and Brick (common or pressed), Sand, Clay (common)	Horses and Mules	Cattle and Hogs (Single Deck Cars, as to Hogs)	Sheep (Single Deck Cars)
5 miles and under	3¼	3¾	3¾	3¼	3	3	3	3	3	3	3	3	2½	2½	2½	2½	3	3	5
10 miles and over 5 miles	4½	4	4	4	3½	4	3½	3	3	3	3	3	2½	2¼	2½	2½	4	4	5
15 miles and over 10 miles	8	7	6	5	4	5	4	3½	3	3	3	3	3	3	2½	2½	4	5	6
20 miles and over 15 miles	12	10	9	7	5	6	5	4	3	3	3	4	3	3	3	3	5	6	6
25 miles and over 20 miles	15	12	11	8	6	7	6	5	4	4	4	5	3½	3½	3½	3	6	6	7
30 miles and over 25 miles	18	14	13	9	7	8	6½	5½	4½	3½	4½	5½	3½	3½	4	3½	6	7	7
35 miles and over 30 miles	20	16	14	11	8	9	7	6	5	3½	4½	6	3½	3½	5	3½	7	7	8
40 miles and over 35 miles	22	18	16	13	8	9	7	6	5	3½	4½	6	3½	3½	5	3½	7	8	8
45 miles and over 40 miles	24	19	17	14	9	10	8	7	6	4	5	6	4	4	5	4	8	8	9
50 miles and over 45 miles	25	20	18	15	10	11	8	7	6	4	5	7	4	4	5	4	8	8	9
55 miles and over 50 miles	27	22	19	16	11	12	9	8	6	4	5	7	4	4	5	4	9	9	10
60 miles and over 55 miles	28	23	20	17	12	13	9	8	6	5	6	7	4	4	6	4	9	9	10
65 miles and over 60 miles	30	24	21	18	13	14	10	8	7	5	6	8	5	5	6	5	10	9	11
70 miles and over 65 miles	32	25	22	18	13	14	10	9	7	5	6	8	5	5	6	5	10	10	11
75 miles and over 70 miles	33	26	23	19	14	15	11	9	7	5½	7	8½	5	7½	6½	5½	11	10	12
80 miles and over 75 miles	35	28	24	19	14	15	11	9	7	5½	7	8½	5	7½	6½	5½	11	10	12
85 miles and over 80 miles	37	29	25	20	15	16	12	10	8	6	7	9	5	7½	6½	5½	12	11	13
90 miles and over 85 miles	38	30	26	21	16	18	13	10	8	6	8	9	6	8	7	6	12	11	13
95 miles and over 90 miles	39	31	27	21	16	18	13	11	8	6	8	9	6	8	7	6	13	11	14
100 miles and over 95 miles	40	32	28	22	17	19	14	11	8	7	9	10	6	9	8	6½	14	12	15
105 miles and over 100 miles	41	33	29	23	18	20	14	11	9	7	9	10	6	9	8	6½	14	12	15
110 miles and over 105 miles	42	34	30	24	19	21	15	12	9	7	10	11	6	9	8	6½	14	12	15
115 miles and over 110 miles	43	35	31	25	20	22	16	12	9	7	10	11	7	10	8	7	15	13	16
120 miles and over 115 miles	44	36	32	26	21	23	16	13	10	8	10	11	7	10	8	7	15	13	16
125 miles and over 120 miles	45	36	32	26	21	23	17	13	10	8	11	12	7	10	9	7	16	14	17
130 miles and over 125 miles	46	37	33	27	22	24	17	13	10	8	11	12	7	10	9	7	16	14	17
135 miles and over 130 miles	47	38	33	27	22	24	18	14	10	8	11	12	7	10	9	7	16	14	17

140 miles and over 135 miles	48	39	34	28	23	25	18	14	11	8	11	12	8	10	9	7½	16	14	18	
145 miles and over 140 miles	49	39	34	28	23	25	19	14	11	9	12	13	8	10	9	7½	17	15	18	
150 miles and over 145 miles	50	40	35	29	24	26	19	15	11	9	12	13	8	10	9	7½	17	15	19	
155 miles and over 150 miles	51	40	35	29	24	26	19	15	11	9	12	13	8	11	10	7½	17	15	19	
160 miles and over 155 miles	52	41	36	30	25	27	20	15	11	9	12	13	8	11	10	7½	18	16	20	
165 miles and over 160 miles	53	42	37	30	25	27	20	16	11	9	12	13	8	11	10	7½	18	16	20	
170 miles and over 165 miles	54	43	38	31	26	28	21	16	12	10	13	14	8½	11	10	8	18	16	20	
175 miles and over 170 miles	55	44	39	32	27	29	22	17	12	10	13	14	8½	11	10	8	19	17	21	
180 miles and over 175 miles	56	44	39	32	27	29	22	17	12	10	13	14	8½	11	10	8	19	17	21	
185 miles and over 180 miles	57	45	40	33	28	30	22	17	12	10	13	14	8½	12	11	8	19	17	21	
190 miles and over 185 miles	58	46	40	33	28	30	23	18	12	10	13	14	8½	12	11	8	19	17	21	
195 miles and over 190 miles	59	47	41	34	29	31	23	18	13	11	14	15	9	12	11	9	20	18	22	
200 miles and over 195 miles	60	48	42	35	30	32	24	19	13	11	14	15	9	12	11	9	20	18	22	
210 miles and over 200 miles	62	50	43	36	31	33	25	20	14	12	15	16	9½	12½	11½	9½	21	19	23	
220 miles and over 210 miles	64	51	44	37	32	34	26	21	14	12	15	16	9½	12½	11½	9½	21	19	23	
230 miles and over 220 miles	65	52	45	38	33	35	27	21	15	12	16	16	10	13	11½	9½	21	19	23	
240 miles and over 230 miles	66	53	46	39	34	36	28	22	15	13	16	17	10	13	12	10	22	20	24	
250 miles and over 240 miles	68	54	47	40	35	37	29	23	16	13	17	17	10½	13½	12	10	22	20	24	
260 miles and over 250 miles	69	55	48	41	36	38	30	24	16	13	17	17	10½	13½	12	10	22	20	24	
270 miles and over 260 miles	70	56	49	42	37	39	31	24	16	14	17	18	11	14	12½	10	23	21	25	
280 miles and over 270 miles	72	58	50	43	38	40	31	25	17	14	18	18	11	14	12½	10½	23	21	25	
290 miles and over 280 miles	73	59	51	44	39	41	32	25	17	14	18	18	11½	14½	12½	11	23	21	25	
300 miles and over 290 miles	75	60	52	45	40	43	33	26	18	15	19	19	12	15	13	11	24	22	26	
310 miles and over 300 miles	76	61	53	46	41	44	33	26	18	15	19	19	12	15	13	11	24	22	26	
320 miles and over 310 miles	78	62	54	47	42	45	34	27	18½	15½	20	19½	12½	15	13	11	25	22	26	
330 miles and over 320 miles	80	64	55	48	43	46	34	27	19	16	21	20	13	15½	13½	11½	25	22	27	
340 miles and over 330 miles	81	65	56	49	44	47	35	28	19	16	21	20	13	15½	13½	11½	26	23	27	
350 miles and over 340 miles	83	66	57	50	45	48	36	28	19½	16½	21	21	13½	16	14	12	27	23	28	
360 miles and over 350 miles	84	67	58	51	46	49	36	29	19½	16½	21	21	13½	16	14	12	27	23	28	
370 miles and over 360 miles	85	68	59	52	47	50	37	29	20	17	22	21½	14	16	14	12	27	23	28	
380 miles and over 370 miles	87	70	60	53	48	51	38	30	20½	17½	22	22	14½	16½	14½	12½	28	24	29	
390 miles and over 380 miles	89	71	60	53	48	51	38	30	21	18	23	22	15	16½	14½	12½	28	24	29	
400 miles and over 390 miles	90	72	61	54	49	52	39	31	21	18	23	23	15	17	15	13	29	24	30	
410 miles and over 400 miles	91	73	61	54	49	52	39	31	21	18	23	23	15	17	15	13	29	24	30	
420 miles and over 410 miles	92	74	62	55	50	53	40	31	21½	18½	23½	23	15½	17½	15½	13	30	25	31	
430 miles and over 420 miles	94	75	63	56	51	54	41	32	22	19	24	24	15½	18	16	13½	31	25	32	
440 miles and over 430 miles	95	76	64	57	52	55	41	32	22	19	24	24	15½	18	16	13½	31	25	32	
450 miles and over 440 miles	97	77	65	58	53	56	42	33	22½	19½	24½	25	16	18½	16½	14	32	26	33	
460 miles and over 450 miles	98	78	66	59	54	57	42	33	22½	19½	24½	25	16	18½	16½	14	32	26	33	
470 miles and over 460 miles	100	79	67	59	54	57	43	34	23	20	25	26	16	19	17	14	33	27	34	
480 miles and over 470 miles	101	80	68	60	55	58	43	34	23	20	25	26	16½	19	17	14½	33	27	34	
490 miles and over 480 miles	102	81	68	60	55	58	43	34	23½	20½	25½	26½	16½	19½	17½	14½	33	27	34	
500 miles and over 490 miles	103	82	69	61	56	59	44	35	24	21	26	27	17	20	18	15	34	28	35	
510 miles and over 500 miles	104	83	70	62	57	60	44	35	24	21	26	27	17	20	18	15	34	28	35	
520 miles and over 510 miles	106	84	71	63	58	61	45	36	24½	21½	26½	27½	17½	20½	18½	15½	34	28	36	

Distances	Merchandise—Rate per 100 Pounds, in Cents.				Carloads of Not Less than Minimum Named in Classification, nor More than Marked Capacity of Car—Rate per 100 Pounds, in Cents											Live Stock in Carloads—Rate per 100 Pounds, in Cents		
	First Class	Second Class	Third Class	Fourth Class	Fifth Class	Class A	Class B	Class C	Class D	Class E	Lumber, Lath, and Shingles	Salt, Lime, Cement, and Stucco	Coal	Wheat, Flour, Flaxseed, Castor Beans, Broom-corn Seed, and Beans	Barley, Rye, Oats, Corn, Mill Stuffs, and Chops	Stone and Brick (common or pressed), Sand, Clay (common)	Horses and Mules	Cattle and Hogs (Single Deck Cars, as to Hogs)	Sheep (Single Deck Cars)
530 miles and over 520 miles	107	85	71	63	58	61	45	36	25	22	27	28	17½	20½	18½	15½	35	29	37
540 miles and over 530 miles	108	86	72	64	59	62	46	37	25	22	27	28	18	21	19	16	35	29	37
550 miles and over 540 miles	109	87	73	65	60	63	47	37½	25½	22½	27½	29	18	21½	19½	16	36	30	38
560 miles and over 550 miles	110	88	73	65	60	63	47	38	25½	22½	27½	29	18	21½	19½	16	36	30	38
570 miles and over 560 miles	112	89	74	66	61	64	48	38½	26	23	28	29½	18½	22	20	16½	36	30	39
580 miles and over 570 miles	113	90	75	67	62	65	49	39	26	23	28	30	18½	22	20	16½	37	30	39
590 miles and over 580 miles	114	91	76	68	63	66	49	39½	26½	23½	28½	30½	18½	22½	20½	16½	37	31	39
600 miles and over 590 miles	115	92	77	69	64	67	50	40	27	24	29	31	19	23	21	17	38	31	40
610 miles and over 600 miles	116	93	78	70	65	68	50	40	27	24	29	31	19	23	21	17	38	31	40
620 miles and over 610 miles	117	94	79	71	66	69	51	40½	27	24	29½	31	19½	23½	21½	17	38	32	41
630 miles and over 620 miles	119	95	80	72	67	70	52	41	27½	24½	29½	31½	20	24	22	17½	39	32	42
640 miles and over 630 miles	120	96	80	72	67	70	52	41½	27½	24½	30	31½	20	24	22	17½	39	32	42
650 miles and over 640 miles	121	97	81	73	68	71	53	42	28	25	30½	32	20½	24½	22½	18	40	33	43
660 miles and over 650 miles	122	98	81	73	68	71	53	42	28	25	30½	32	20½	24½	22½	18	40	33	43
670 miles and over 660 miles	123	99	82	74	69	72	54	42½	28	25	31	32	21	25	23	18	40	33	43
680 miles and over 670 miles	124	100	83	75	70	73	55	43	28½	25½	31	32½	21	25	23	18½	40	33	44
690 miles and over 680 miles	125	100	83	75	70	73	55	43½	28½	25½	31	32½	21	25½	23½	18½	41	34	44
700 miles and over 690 miles	126	101	84	76	71	74	56	44	29	26	31½	33	21½	26	24	19	41	34	45
710 miles and over 700 miles	127	101	84	76	71	74	56	44	29	26	31½	33	21½	26	24	19	41	34	45
720 miles and over 710 miles	128	102	85	77	72	75	56	44½	29½	26	32	33½	22	26½	24½	19	42	35	46
730 miles and over 720 miles	129	103	85	77	72	75	57	45	29½	26½	32	34	22	27	25	19½	42	35	47
740 miles and over 730 miles	130	104	86	78	73	76	57	45½	30	26½	32½	34	22½	27	25	19½	42	35	47
750 miles and over 740 miles	131	105	87	79	74	77	58	46	30	27	33	34½	23	27½	25½	20	43	36	48
760 miles and over 750 miles	132	106	87	79	74	77	58	46	30	27	33	34½	23	27½	25½	20	43	36	48
770 miles and over 760 miles	132	106	88	80	75	78	58	46½	30½	27	33	35	23	28	26	20	43	36	49
780 miles and over 770 miles	133	107	88	80	75	78	59	47	30½	27½	33½	35	23½	28	26	20½	43	36	49
790 miles and over 780 miles	134	108	89	81	76	79	59	47½	31	27½	33½	35½	23½	28½	26½	20½	44	37	49

800 miles and over 790 miles	135	108	90	81	76	80	60	48	31	28	34	36	24	29	27	21	44	37	50
810 miles and over 800 miles	135	109	90	82	77	81	60	48	31	28	34	36	24	29	27	21	44	37	50
820 miles and over 810 miles	136	110	91	82	77	81	61	48½	31½	28	34	36	24	29½	27½	21	45	38	51
830 miles and over 820 miles	137	110	92	83	78	82	61	49	31½	28½	34½	36½	24½	30	28	21½	45	38	51
840 miles and over 830 miles	138	111	92	83	78	82	61	49½	31½	28½	34½	36½	24½	30	28	21½	45	38	52
850 miles and over 840 miles	139	111	93	84	79	83	62	50	32	29	35	37	25	30½	28½	22	46	39	53
860 miles and over 850 miles	139	112	93	84	79	83	62	50	32	29	35	37	25	30½	28½	22	46	39	53
870 miles and over 860 miles	140	112	94	85	80	84	62	50½	32	29	35	37	25	31	29	22	46	39	53
880 miles and over 870 miles	141	113	95	85	80	84	63	50½	32½	29½	35½	37½	25½	31	29	22½	46	39	54
890 miles and over 880 miles	142	114	95	86	81	85	63	51	32½	29½	35½	37½	25½	31½	29½	22½	47	40	54
900 miles and over 890 miles	143	114	96	86	81	85	64	51	33	30	36	38	26	32	30	23	47	40	55
910 miles and over 900 miles	144	115	97	87	82	86	64	51	33	30	36	38	26	32	30	23	47	40	55
920 miles and over 910 miles	145	115	98	87	82	86	64	51½	33	30	36	38	26	32½	30½	23	48	41	56
930 miles and over 920 miles	145	116	99	87	82	86	64	51½	33½	30½	36½	38½	26½	33	31	23½	48	41	57
940 miles and over 930 miles	146	116	100	88	83	87	65	52	33½	30½	36½	38½	26½	33	31	23½	48	41	57
950 miles and over 940 miles	147	117	101	88	83	87	65	52	34	31	37	39	27	33½	31½	24	49	41	58
960 miles and over 950 miles	148	117	102	89	84	88	65	52	34	31	37	39	27	33½	31½	24	49	42	58
970 miles and over 960 miles	148	118	103	89	84	88	65	52½	34½	31½	37½	39½	27½	34	32	24	49	42	59
980 miles and over 970 miles	149	119	104	89	84	88	66	52½	34½	31½	37½	39½	27½	34	32	24½	50	42	59
990 miles and over 980 miles	150	120	105	90	85	89	66	53	35	32	38	40	28	34½	32½	25	50	42	60
1,000 miles and over 990 miles	150	120	105	90	85	89	66	53	35	32	38	40	28	35	33	25	50	42	60

RULES GOVERNING SHIPMENT OF LIVE STOCK BY THE CARLOAD.

MINIMUM WEIGHTS—Horses and mules, cattle, hogs, and sheep shall be way-billed at the following minimum weights per car, subject to correction to actual weight at destination, but in no case less than the following minimum weights:

	Horses and Mules	Cattle and Hogs (S D)	Sheep (S. D)
Cars 27 feet 6 inches long, inside measurement	17,700	16,800	10,000
Cars 28 feet long, inside measurement	18,000	17,100	10,200
Cars 28 feet 6 inches long, inside measurement	18,400	17,500	10,400
Cars 29 feet long, inside measurement	18,800	17,900	10,600
Cars 29 feet 6 inches long, inside measurement	19,000	18,000	10,800
Cars 30 feet long, inside measurement	19,400	18,400	11,000
Cars 30 feet 6 inches long, inside measurement	19,700	18,700	11,200
Cars 31 feet long, inside measurement	20,000	19,000	11,400
Cars 31 feet 6 inches long, inside measurement	20,300	19,300	11,500
Cars 32 feet long, inside measurement	20,600	19,600	11,700
Cars 32 feet 6 inches long, inside measurement	20,900	19,900	11,800
Cars 33 feet long, inside measurement	21,200	20,100	12,000
Cars 33 feet 6 inches long, inside measurement	21,600	20,500	12,200
Cars 34 feet long, inside measurement	21,800	20,700	12,300
Cars 34 feet 6 inches long, inside measurement	22,200	21,100	12,400
Cars 35 feet long, inside measurement	22,600	21,500	12,600
Cars 35 feet 6 inches long, inside measurement	22,900	21,800	12,800
Cars 36 feet long, inside measurement	23,200	22,000	13,000

ADDITIONAL RULES.

1 Railroads shall be considered independently in computing distances; *except, however*, that a system of railroads consisting of leased, operated, or independent roads controlled under a common management, although working under different charters, shall be considered and treated as one road, and the distances shall be computed over the shortest operated line composed of two or more of said roads.

2 When any rate herein named conflicts with the Western Classification aforesaid, this tariff shall govern as to such rate

3 MINIMUM CHARGES.—Single shipments of one or more classes will be charged for at actual weight at tariff rates, subject to a minimum charge of twenty-five cents for the entire consignment or shipment for a distance of five hundred miles or less, and fifty cents for all distances over five hundred miles

Mr. Shanahan moved the following as a substitute to the substitute:

ASSEMBLY CONSTITUTIONAL AMENDMENT No. 4.

A resolution to propose to the people of the State of California an amendment to and providing for the repeal of sections twenty-two and twenty-three of article twelve of the Constitution, relative to a Board of Railroad Commissioners

Resolved by the Assembly, the Senate concurring, That the Legislature of the State of California, at its twenty-ninth session, commencing January fifth, eighteen hundred and ninety-one, two thirds of all the members elected to each of the two houses of said Legislature voting in favor thereof, hereby propose that sections twenty-two and twenty-three of article twelve of the Constitution of the State of California be amended so as to read as follows:

SECTION 1. Section twenty-two is hereby amended so as to read as follows:

Section 22. This section is repealed

SEC. 2. Section twenty-three is hereby amended so as to read as follows:

Section 23. This section is repealed.

Mr. Shanahan, on his motion, was allowed to withdraw his substitute.

Mr. Bledsoe moved to amend the substitute by inserting after the word "rates," in line seven, section eight, the following:

For the transportation on all railroads in the State of California, owned or controlled by any corporation or corporations, or individuals, or the lessee or lessees, grantee or grantees, assignee or assignees, successor or successors, of any corporation or corporations which have or any individuals who have, at any time prior to the first day of Jan-

uary, 1893, been aided in constructing railroads by any grant or grants of land, bonds, moneys, guaranty, or other valuable gifts or loans to it or them by the United States Government, the State of California, or any municipal corporation within the State of California.

Pending consideration of the amendment, Mr. Bledsoe moved that the further consideration be made a special order for Thursday at eleven o'clock A. M.

Lost.

Amendment lost.

MOTIONS.

Mr. Wade moved that when the Assembly adjourns, it do so until to-morrow at two o'clock P. M.

Lost.

Mr. Boyce moved that when the Assembly adjourns, it do so until Thursday, at ten o'clock A. M.

So ordered.

AMENDMENT.

Mr. Hurley moved to amend the substitute as follows:

By striking out of the first line of the preamble the words "Senate and Assembly concurring," and inserting the following, "Assembly and Senate concurring."

Adopted.

Mr. Finlayson moved to amend the substitute as follows:

By inserting after the word "Legislature," line four, page two, the following: "or a State Board of Railroad Commissioners created under an Act of the Legislature, and subject to its control."

Lost.

RESOLUTION.

Mr. Bulla gave notice that on the next legislative day he would move that the rules of the Assembly be amended as follows:

WHEREAS, With the present burdened condition of the Assembly file, it will be absolutely impossible to reach in regular order many of the most important measures, which should by all means have consideration at this session; and whereas, the practice of advancing bills upon the file at the personal solicitation of members frequently does injustice to and sets back equally as important measures of members who may be absent and not able to be heard, therefore, be it

Resolved, That the Speaker cause the roll to be called upon Thursday, the twenty-third inst., and upon the call of each member's name he may, without debate, name one bill or measure of which he is the author which he wishes taken up for early consideration. The bills or measures so named to be placed upon and known as the urgency file, and that evening sessions be held commencing Thursday evening, February twenty-third, for the special consideration of the bills on said file, *provided*, that where two or more bills are dependent upon each other the author thereof may have them placed upon said file and considered together.

REPORT OF STANDING COMMITTEE.

ON WAYS AND MEANS.

ASSEMBLY CHAMBER, SACRAMENTO, February 21, 1893.

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred Senate Bill No 101—An Act making an appropriation to pay the claim of D Jordan, as approved by the State Board of Examiners—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

W. P. MATHEWS, Chairman.

MOTION.

Mr. Bledsoe moved that the further consideration of Assembly Constitutional Amendment No. 14 be made a special order for Thursday, at eleven o'clock A. M.

So ordered.

ADJOURNMENT.

At five o'clock and thirty minutes P. M., on motion of Mr. Hurley, the Assembly adjourned.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Thursday, February 23, 1893.

The Assembly met pursuant to adjournment.

Speaker Gould in the chair.

The roll was called, and the following members answered to their names:

Messrs. Adams, Alford, Anderson, Androus, Barker, Barlow, Bennett of Santa Clara, Bennett of Orange, Blakeley, Bledsoe, Boyce, Bretz, Brownlie, Bulla, Burke, Carlson, Casterline, Chipman, Conway, Cusick, Dodge, Drees, Duffy, Durst, Emeric, Finlayson, Gallagher, Gately, Godchaux, Hendrickson, Hurley, Hutson, Jacobs, Jacobsen, Johnson of Humboldt, Johnson of Santa Clara, Kennedy, Kahn, Kerns, LaRue, Luttringer, Lynch, McCauley, McElroy, Mack, Marks, Marston, Mathews of Tehama, Matthews of San Benito, Miller, Mordecai, O'Keefe, O'Neill, Owen, Pendleton, Perkins, Pueschel, Raw, Sargent, Schlesinger, Schroebel, Shanahan, Simpson, Sims, Standart, Taggart, Talbott, Taylor, Thomas of Nevada, Thomas of Santa Clara, Tindall, Vann, Wade, and Mr Speaker.

Quorum present.

LEAVE OF ABSENCE.

Mr. Duckworth was granted leave of absence for the day.

PRAYER.

Prayer by the Chaplain, Rev. H. W. Conry.

READING AND APPROVAL OF THE JOURNAL.

Pending the reading of the Journal of Tuesday, Mr. Bennett of Santa Clara moved that the further reading be dispensed with.

So ordered.

Journals of Saturday, February 18th, and Monday, February 20th, approved.

REPORT OF STANDING COMMITTEE.

ON ROADS AND HIGHWAYS.

ASSEMBLY CHAMBER, SACRAMENTO, February 23, 1893.

MR SPEAKER Your Committee on Roads and Highways, to whom was referred Assembly Bill No 818—An Act to create a State Advisory Highway Committee—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

Also Assembly Bill No. 791—An Act to amend section two thousand six hundred and forty-one of the Political Code, relating to the powers and duties of highway officers—have had the same under consideration, and respectfully report the same back, and recommend that it do not pass.

DUFFY, Chairman.

MESSAGES FROM THE SENATE.

SENATE CHAMBER, SACRAMENTO, February 21, 1893.

MR. SPEAKER: I am directed to inform your honorable body that the Senate, on the sixteenth day of February, passed Committee Substitute for Senate Bill No. 383—An Act to add a new section to the Code of Civil Procedure of the State of California, to be numbered section one thousand two hundred and three, relating to liens of mechanics and others.

F J BRANDON, Secretary.
By R. SHAW, Assistant.

Committee Substitute for Senate Bill No. 383 referred to Committee on Judiciary.

Also:

SENATE CHAMBER. SACRAMENTO, February 21, 1893.

MR. SPEAKER I am directed to inform your honorable body that the Senate, on the seventeenth day of February, passed Substitute for Senate Bill No 120—An Act to appropriate one hundred thousand dollars for the Mendocino State Asylum, to complete the Female Ward, to purchase furniture, and furnish the buildings erected and to be erected by the Directors of said asylum, to construct a plant for lighting said buildings, to improve the grounds thereof; to purchase live stock and agricultural implements to be used for asylum purposes; to construct a carpenter shop and morgue thereon, to furnish the bakery; to construct a dam to furnish a water supply to said asylum; for fencing the ground, and constructing a sewer system, for purchasing laundry machinery and kitchen furniture, to appropriate money therefor, and provide for the expenditure of the same.

Also Committee Substitute for Senate Bill No. 481—An Act making an appropriation for the erection of additional buildings and improvements for the Southern California State Asylum for the Insane and Inebriates.

F. J BRANDON, Secretary.
By R. SHAW, Assistant.

MOTIONS.

Mr. Tindall moved that Substitute for Senate Bill No. 120 be substituted on the file for Assembly Bill No. 99.

So ordered.

Mr. Lynch moved that Senate Bill No. 481 be substituted on the file for Assembly Bill No. 482.

So ordered.

AMENDMENT TO RULES.

In accordance with notice given, Mr. Bulla moved to amend the rules as follows:

WHEREAS, With the present burdened condition of the Assembly file, it will be absolutely impossible to reach in regular order many of the most important measures, which should by all means have consideration at this session; and whereas, the practice of advancing bills upon the file at the personal solicitation of members frequently does injustice to and sets back equally as important measures of members who may be absent, and not able to be heard, therefore, be it

Resolved, That the Speaker cause the roll to be called upon Thursday, the twenty-third inst., and upon the call of each member's name he may, without debate, name one bill or measure of which he is the author which he wishes taken up for early consideration, the bills or measure so named to be placed upon and known as the urgency file, and that evening sessions be held, commencing Thursday evening, February twenty-third, for the special consideration of the bills on said file; *provided*, that when two or more bills are dependent upon each other the author thereof may have them placed upon said file and considered together.

Mr. Adams moved to amend, as follows:

By striking out the words "of which he is the author."

Adopted.

Mr. Lynch moved to amend, as follows:

By inserting in line eight, after the word "one," the word "Assembly"

Mr. Anderson moved to amend the amendment, as follows:

By inserting the words "bill or substitute for Senate bill."

Adopted.

Amendment as amended adopted.

Resolution as amended adopted.

LEAVE OF ABSENCE.

Mr. Bledsoe was excused until eleven o'clock A. M.

Mr. Chipman was excused until two o'clock P. M.

REPORT OF STANDING COMMITTEE.

ON COMMERCE AND NAVIGATION.

ASSEMBLY CHAMBER, SACRAMENTO, February 23, 1893.

MR. SPEAKER: Your Committee on Commerce and Navigation, to whom was referred Assembly Bill No. 532—An Act authorizing the State Board of Harbor Commissioners to grant for a limited period of time to persons or corporations the right to run and operate street cars, between the hours of six A. M and seven P M of each day, for the carriage of passengers, and collect tolls therefor, over and upon any railroad upon State lands, and lands within their jurisdiction, along the exterior waterfront line of the City and County of San Francisco—have had the same under consideration, and respectfully report the same back, and recommend that it do not pass.

GODCHAUX, Chairman.

UNFINISHED BUSINESS.

Assembly Bill No. 18—An Act to provide for the incorporation of mutual fire insurance companies, and define their powers and duties.

Read third time.

MOTION.

Mr. Bretz moved that a select committee of one be appointed by the Speaker to amend Assembly Bill No. 18, as follows:

AMENDMENT No. 1.

Strike out section two and insert in lieu thereof the following:

SEC. 2 Such persons must prepare articles of incorporation, setting forth:

1. The name of the incorporation.

2. The purpose for which it is formed under this Act.

3 The place where its principal business office is to be located.
4 The term for which it is to exist, not to exceed fifty years.
5. The number of its Directors, or Trustees which shall not be less than five nor more than eleven, and the names and residences of those who are appointed for the first year, upon filing the articles of incorporation in the office of the County Clerk of the county in which its principal business office is to be located, and a copy thereof, certified by the County Clerk, with the Secretary of State; the Secretary of State must issue to the corporation, over the Great Seal of the State, a certificate that the copy of the articles containing the required statement of facts has been filed in his office, and thereupon the persons signing the articles, and their associates and successors, shall be a body politic and corporate by the name stated in the certificate, and for the term of fifty years, unless it is in the articles of incorporation otherwise stated.

Adopted.

AMENDMENT No. 2.

In line four, section three, strike out the word "ten," and insert in lieu thereof "twenty."

Adopted.

AMENDMENT No. 3.

In section three, line eight, strike out the words "capital stock," and insert in lieu thereof the word "assets."

Adopted.

AMENDMENT No. 4.

In section three, line nine, strike out the words "of the organization of the company," and insert in lieu thereof the words "after the issuance of the certificate provided for in section nine of this Act, and."

Adopted.

AMENDMENT No. 5.

Strike out section six, and insert in lieu thereof the following:
"SEC 6. Corporations formed under this Act must at all times after the commencement of business and receipt of premiums, have on hand cash and premium notes or other assets which shall in the aggregate be equal in value to fifty per cent of the unearned premiums of all policies in force, to be used as and for reinsurance in case of dissolution, insolvency, or retirement from business."

Adopted.

AMENDMENT No. 6.

Strike out section seven, and insert in lieu thereof the following:
"SEC 7 In estimating the reinsurance fund provided for in section six, premium notes shall be taken at their face value."

Adopted.

AMENDMENT No. 7.

In line two, section eight, strike out the words "stockholders and."

Adopted.

AMENDMENT No. 8.

Strike out section nine, and insert in lieu thereof the following:
"SEC. 9. Upon the request of the Directors of any corporation formed under this Act, the Commissioner shall ascertain if such corporation has received the cash and notes required by section three of this Act, and if it has, such Commissioner must forthwith issue his certificate to said corporation, authorizing it to conduct business under this Act, and to issue policies, and the same may be used in evidence for or against said corporation"

Adopted.

AMENDMENT No. 9.

Add to section ten, at the end thereof, the following words: "by returning the unearned premium thereof."

Adopted.

AMENDMENT No. 10

Strike out all of line three, in section sixteen, after the first word, and strike out the first word of line four, section sixteen.

Adopted.

AMENDMENT No. 11.

Strike out section eighteen, and insert in lieu thereof the following.
"SEC. 18. Corporations organized under this Act shall not be required to comply with any of the requirements of existing insurance laws of this State, except as provided by this Act"

Adopted.

AMENDMENT No. 12.

Amend Assembly Bill No 18, as follows: Strike out section nineteen, and change "section twenty" to read "section nineteen."

Adopted.

APPOINTMENT OF COMMITTEE.

Mr. Bretz was appointed such committee to make said amendments.

REPORT OF SELECT COMMITTEE.

ASSEMBLY CHAMBER, SACRAMENTO, February 23, 1893.

MR. SPEAKER Your select committee, to whom was referred Assembly Bill No. 18—An Act to provide for the incorporation of mutual fire insurance companies, and define their powers and duties—with instructions to amend in accordance with the action of the House, would respectfully report that the instructions of the House have been carried out, and amendments numbers one, two, three, four, five, six, seven, eight, nine, ten, eleven, and twelve have been made in pursuance to the orders and directions of the Assembly.

BRETZ, Committee.

Report adopted.

MOTION.

Mr. Bretz moved that the further consideration of Assembly Bill No. 18 be made a special order for Saturday at eleven o'clock A. M.

So ordered.

UNFINISHED BUSINESS—(RESUMED).

Assembly Constitutional Amendment No 20—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, amending section one of article four thereof, relative to the Legislative Department.

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

AYES—Messrs. Adams, Androus, Barlow, Bennett of Santa Clara, Bennett of Orange, Blakeley, Bledsoe, Boyce, Bretz, Brownlie, Bulla, Burke, Carlson, Casterline, Dodge, Drees, Finlayson, Hurley, Hutson, Jacobsen, Johnson of Humboldt, Kahn, Kerns, Lynch, McCauley, Marks, Miller, Owen, Schroebel, Shanahan, Taggart, Talbott, Taylor, Thomas of Nevada, Thomas of Santa Clara, Tindall, and Vann—37

NOES—Messrs. Alford, Anderson, Barker, Conway, Cusick, Duffy, Durst, Emeric, Gately, Godchaux, Hendrickson, Jacobs, LaRue, Luttringer, McElroy, McGowan, Marston, Mathews of Tehama, Matthews of San Benito, Mordecai, O'Keefe, O'Neill, Pendleton, Perkins, Raw, Sargent, Schlesinger, Simpson, Sims, Standart, Wade, and Mr. Speaker—31.

MOTION.

Mr. Finlayson moved that he be allowed to introduce a bill under the provisions of the Constitution requiring the consent of two thirds of the members.

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

AYES—Messrs Adams, Alford, Anderson, Androus, Barker, Barlow, Bennett of Santa Clara, Bennett of Orange, Blakeley, Bledsoe, Boyce, Brownlie, Bulla, Burke, Carlson, Conway, Cusick, Dodge, Drees, Duffy, Durst, Emeric, Finlayson, Gately, Godchaux, Hendrickson, Hurley, Hutson, Jacobs, Johnson of Humboldt, Kahn, Kerns, LaRue, Luttringer, Lynch, McCauley, McElroy, McGowan, Mack, Marks, Marston, Mathews of Tehama, Matthews of San Benito, Miller, O'Keefe, O'Neill, Owen, Perkins, Pueschel, Schlesinger, Schroebel, Shanahan, Simpson, Sims, Standart, Talbott, Thomas of Santa Clara, Tindall, Vann, Wade, and Mr Speaker—61.

NOES—None

INTRODUCTION OF BILL.

The following bill was introduced, read by title, and referred to committee, as follows:

By Mr. Finlayson. Assembly Bill No. 845—An Act for the relief of Robert B. Young for extra work done upon the administration and factory buildings of the Reform School for Juvenile Offenders at Whittier, and to make an appropriation for the same.

Referred to Committee on Claims.

LEAVE OF ABSENCE.

Mr. Buckley was granted leave of absence for the day.

UNFINISHED BUSINESS—(RESUMED).

Assembly Constitutional Amendment No. 7—An Act to amend section one of article thirteen of the Constitution.

Committee amendment, as follows:

In lines eight and nine of the printed amendment, strike out the words "or municipal corporation," and in place thereof insert "township, city and county, or city or town"

Adopted.

Mr. Finlayson moved to substitute the resolution as follows:

SUBSTITUTE FOR ASSEMBLY CONSTITUTIONAL AMENDMENT No. 7

A resolution proposing an amendment to the Constitution of the State of California, by adding a new section to article thirteen of the said Constitution, to be numbered section twelve and three fourths (12¾), relating to revenue and taxation

Resolved by the Assembly, the Senate concurring, That the Legislature of the State of California, at its thirtieth session, commencing on the second day of January, A D eighteen hundred and ninety-three, two thirds of all the members elected to each house of said Legislature voting in favor thereof, hereby propose that article thirteen of said Constitution be amended by adding to said article a new section, to be numbered section twelve and three fourths, to read as follows

SEC 12¾. Fruit and nut-bearing trees under the age of four years from the time of planting in orchard form, and grapevines under the age of three years from the time of planting in vineyard form, shall be exempt from taxation, and nothing in this article shall be construed as subjecting such trees and grapevines to taxation

Adopted.

MOTION.

Mr. Alford moved that the further consideration of Assembly Constitutional Amendment No. 7 be made a special order for to-morrow at eleven o'clock A. M.

So ordered.

Mr. Bretz was granted leave of absence for the day.

SPECIAL ORDER.

Assembly Constitutional Amendment No. 14—A resolution proposing to the people of the State of California an amendment to the Constitution, repealing sections twenty-two and twenty-three of article twelve of said Constitution, relating to the Railroad Commission, and adding to article four of said Constitution a new section, to be known and numbered as section thirty-six, relating to railroad freights and fares.

Mr. Shanahan offered the following two substitutes for the resolution:

SUBSTITUTE NO. 1.

A resolution to propose to the people of the State of California an amendment to the Constitution of the State of California, repealing sections twenty-two and twenty-three of article twelve of the Constitution, relative to a Board of Railroad Commissioners

Resolved by the Assembly, the Senate concurring, That the Legislature of the State of California, at its thirtieth session, commencing on the second day of January, one thousand eight hundred and ninety-three, two thirds of all the members elected to each of the two houses of said Legislature voting in favor thereof, hereby propose that sections twenty-two and twenty-three of article twelve of the Constitution of the State of California be repealed.

SECTION 1. Section twenty-two of article twelve of the Constitution of the State of California is hereby repealed.

SEC. 2. Section twenty-three of article twelve of the Constitution of the State of California is hereby repealed.

SUBSTITUTE NO. 2.

A resolution proposing an amendment to the Constitution of the State of California, by adding a new section to article four of said Constitution, to be numbered section thirty-six, relating to railroad freights and fares.

Resolved by the Assembly, the Senate concurring, That the Legislature of the State of California, at its thirtieth session, commencing on the second day of January, A D. eighteen hundred and ninety-three, two thirds of all the members elected to each house of said Legislature voting in favor thereof, hereby propose that article four of the Constitution of the State of California be amended, by adding to said article a new section, to be numbered section thirty-six.

SECTION 1. Article four of the Constitution of the State of California is hereby amended, by adding to said article a new section, to be numbered section thirty-six, said new section to read as follows:

Section 36. The Legislature shall have the power, and it shall be its duty, to establish rates of charges for the transportation of passengers and freight by all railroads operated or doing business in this State, as common carriers, and to enact such laws as may be necessary for the enforcement and carrying into effect of such rates; *provided, however*, that the Legislature shall have no power to prescribe rates of charges for the transportation of passengers on any railroad or system of railroads whose gross annual earnings are more than four thousand dollars a mile, to exceed three cents per mile; *and provided further*, that the Legislature shall have no power to prescribe the rates of charges for the transportation of freight on any railroad or system of railroads whose gross annual earnings are more than four thousand dollars a mile, to exceed the rates specified by the "California Distance Tariff," as in this section hereinafter set forth Until the Legislature shall prescribe such rates as aforesaid, or in the event that any such prescribed rates shall from any cause become inoperative, the rates of charges for the transportation of passengers on all railroads in this State whose gross annual earnings are more than four thousand dollars a mile, shall be not to exceed three cents per mile, and the charges for the transportation of freight by any such railroads shall be not to exceed the rates specified in the following distance tariff, hereby designated as the "California Distance Tariff," to wit:

CALIFORNIA DISTANCE TARIFF.

This distance tariff shall be applicable to local traffic between all stations in the State of California now established, or that may hereafter be established The classifications of property provided for in this distance tariff are based upon the "Western Classification," and the rules governing the same adopted and issued by the Western Classification Committee, of which J. T Ripley was Chairman, and which took effect January first, eighteen hundred and ninety-three, to which said classification reference is hereby made; *provided, however,* that no rule or rules governing said Western Classification providing for any change, modifications, or additions to the classifications mentioned in this distance tariff shall have any application hereto.

Distances	Merchandise—Rate per 100 Pounds, in Cents				Carloads of Not Less than Minimum Named in Classification, nor More than Marked Capacity of Car—Rate per 100 Pounds, in Cents										Live Stock in Carloads—Rate per 100 Pounds, in Cents		
	First Class	Second Class	Third Class	Fourth Class	Fifth Class	Class A	Class B	Class C	Class D	Class E	Lumber, Lath, and Shingles	Salt, Lime, Cement, and Stucco	Coal	Wheat, Flour, Flaxseed, Castor Beans, Broom-corn Seed, and Beans	Barley, Rye, Oats, Corn, Mill stuffs, and Chops	Stone and Brick (common or pressed), Sand, Clay (common)	Horses and Mules	Cattle and Hogs (Single Deck Cars, as to Hogs)	Sheep (Single Deck Cars)
5 miles and under	3¼	3¼	3¼	3¼	3	3	3	3	3	3	3	3	2½	2½	2½	2½	3	4	5
10 miles and over 5 miles	4½	4	4	4	3½	4	3½	3½	3	3	3	3	2½	2½	2½	2½	4	4	5
15 miles and over 10 miles	8	7	6	5	4	5	4	3½	3	3	3	3	3	3	3	2½	4	5	6
20 miles and over 15 miles	12	10	9	7	5	6	5	4	3	3	3	4	3	3	3	2½	5	6	6
25 miles and over 20 miles	15	12	11	8	6	7	6	5	4	4	3	5	3½	3½	3	3	6	6	7
30 miles and over 25 miles	18	14	13	9	7	8	6½	5½	4½	4	4	5½	4	3½	3½	3	6	7	7
35 miles and over 30 miles	20	16	14	11	8	9	7	6	5	4½	4½	6	4½	4	3½	3½	7	7	8
40 miles and over 35 miles	22	18	16	13	8	9	7	6	5	4½	4½	6	5	4	3½	3½	7	8	8
45 miles and over 40 miles	24	19	17	14	9	10	8	7	6	4	5	6	5	4	4	3½	8	8	9
50 miles and over 45 miles	25	20	18	15	10	11	8	7	6	4	5	7	5	4	5	4	8	8	9
55 miles and over 50 miles	27	22	19	16	11	12	9	8	6	4	5	7	5	4	5	4	9	9	10
60 miles and over 55 miles	28	23	20	17	12	13	9	8	6	5	6	7	5	4	6	4	9	9	10
65 miles and over 60 miles	30	24	21	18	13	14	10	8	7	5	6	8	5	5	6	5	10	9	11
70 miles and over 65 miles	32	25	22	18	13	14	10	9	7	5	6	8	5	5	6	5	10	10	11
75 miles and over 70 miles	33	26	23	19	14	15	11	9	7	5½	7	8½	5	5	7	5½	11	10	12
80 miles and over 75 miles	35	28	24	19	14	15	11	9	7	5½	7	8½	5	5	7	5½	11	10	12
85 miles and over 80 miles	37	29	25	20	15	16	12	10	8	6	7	9	5	5	7	5½	12	11	13
90 miles and over 85 miles	38	30	26	21	16	18	13	10	8	6	8	9	6	6	8	6	12	11	13
95 miles and over 90 miles	39	31	27	21	16	18	13	11	8	6	8	9	6	6	8	6	13	11	14
100 miles and over 95 miles	40	32	28	22	17	19	14	11	8	7	9	10	6	6	9	6½	14	12	15
105 miles and over 100 miles	41	33	29	23	18	20	14	11	9	7	9	10	6	6	9	6½	14	12	15
110 miles and over 105 miles	42	34	30	24	19	21	15	12	9	7	10	11	6	6	9	6½	14	12	15
115 miles and over 110 miles	43	35	31	25	20	22	16	12	9	7	10	11	7	7	10	7	15	13	16
120 miles and over 115 miles	44	36	32	26	21	23	16	13	10	8	10	11	7	7	10	7	15	13	16
125 miles and over 120 miles	45	36	32	26	21	23	17	13	10	8	11	12	7	7	10	9	16	14	17
130 miles and over 125 miles	46	37	33	27	22	24	17	13	10	8	11	12	7	7	10	9	16	14	17
135 miles and over 130 miles	47	38	33	27	22	24	18	14	10	8	11	12	7	7	10	9	16	14	17

140 miles and over 135 miles	48	39	34	28	23	25	18	14	11	8	11	12	8	10	9	7½	16	14	18
145 miles and over 140 miles	49	39	34	28	23	25	19	14	11	9	12	13	8	10	9	7½	17	15	18
150 miles and over 145 miles	50	40	35	29	24	26	19	15	11	9	12	13	8	10	9	7½	17	15	19
155 miles and over 150 miles	51	40	35	29	24	26	19	15	11	9	12	13	8	11	10	7½	17	15	19
160 miles and over 155 miles	52	41	36	30	25	27	20	15	11	9	12	13	8	11	10	7½	18	16	20
165 miles and over 160 miles	53	42	37	30	25	27	20	16	11	9	12	13	8	11	10	7½	18	16	20
170 miles and over 165 miles	54	43	38	31	26	28	21	16	12	10	13	14	8½	11	10	8	18	16	20
175 miles and over 170 miles	55	44	39	32	27	29	22	17	12	10	13	14	8½	11	10	8	19	17	21
180 miles and over 175 miles	56	44	39	32	27	29	22	17	12	10	13	14	8½	11	10	8	19	17	21
185 miles and over 180 miles	57	45	40	33	28	30	22	17	12	10	13	14	8½	12	11	8	19	17	21
190 miles and over 185 miles	58	46	40	33	28	30	23	18	12	10	13	14	8½	12	11	8	19	17	21
195 miles and over 190 miles	59	47	41	34	29	31	23	18	13	11	14	15	9	12	11	9	20	18	22
200 miles and over 195 miles	60	48	42	35	30	32	24	19	13	11	14	15	9	12	11	9	20	18	22
210 miles and over 200 miles	62	50	43	36	31	33	25	20	14	12	15	16	9½	12½	11½	9½	21	19	23
220 miles and over 210 miles	64	51	44	37	32	34	26	21	14	12	15	16	9½	12½	11½	9½	21	19	23
230 miles and over 220 miles	65	52	45	38	33	35	27	21	15	12	16	16	10	13	11½	9½	21	19	23
240 miles and over 230 miles	66	53	46	39	34	36	28	22	15	13	16	17	10	13	12	10	22	20	24
250 miles and over 240 miles	68	54	47	40	35	37	29	23	16	13	17	17	10½	13½	12	10	22	20	24
260 miles and over 250 miles	69	55	48	41	36	38	30	24	16	13	17	17	10½	13½	12	10	22	20	24
270 miles and over 260 miles	70	56	49	42	37	39	31	24	16	14	17	18	11	14	12½	10	23	21	25
280 miles and over 270 miles	72	58	50	43	38	40	31	25	17	14	18	18	11	14	12½	10½	23	21	25
290 miles and over 280 miles	73	59	51	44	39	41	32	25	17	14	18	18	11½	14½	12½	11	23	21	25
300 miles and over 290 miles	75	60	52	45	40	43	33	26	18	15	19	19	12	15	13	11	24	22	26
310 miles and over 300 miles	76	61	53	46	41	44	33	26	18	15	19	19	12	15	13	11	24	22	26
320 miles and over 310 miles	78	62	54	47	42	45	34	27	18½	15½	20	19½	12½	15	13	11	25	22	26
330 miles and over 320 miles	80	64	55	48	43	46	34	27	19	16	21	20	13	15½	13½	11½	25	22	27
340 miles and over 330 miles	81	65	56	49	44	47	35	28	19	16	21	20	13	15½	13½	11½	26	23	27
350 miles and over 340 miles	83	66	57	50	45	48	36	28	19½	16½	21	21	13½	16	14	12	27	23	28
360 miles and over 350 miles	84	67	58	51	46	49	36	29	19½	16½	21	21	13½	16	14	12	27	23	28
370 miles and over 360 miles	85	68	59	52	47	50	37	29	20	17	22	21½	14	16	14	12	27	23	28
380 miles and over 370 miles	87	70	60	53	48	51	38	30	20½	17½	22	22	14½	16½	14½	12½	28	24	29
390 miles and over 380 miles	89	71	60	53	48	51	38	30	21	18	23	22	15	16½	14½	12½	28	24	29
400 miles and over 390 miles	90	72	61	54	49	52	39	31	21	18	23	23	15	17	15	13	29	24	30
410 miles and over 400 miles	91	73	61	54	49	52	39	31	21	18	23	23	15	17	15	13	29	24	30
420 miles and over 410 miles	92	74	62	55	50	53	40	31	21½	18½	23½	23	15½	17½	15½	13	30	25	31
430 miles and over 420 miles	94	75	63	56	51	54	41	32	22	19	24	24	15½	18	16	13½	31	25	32
440 miles and over 430 miles	95	76	64	57	52	55	41	32	22	19	24	24	15½	18	16	13½	31	25	32
450 miles and over 440 miles	97	77	65	58	53	56	42	33	22½	19½	24½	25	16	18½	16½	14	32	26	33
460 miles and over 450 miles	98	78	66	59	54	57	42	33	22½	19½	24½	25	16	18½	16½	14	32	26	33
470 miles and over 460 miles	100	79	67	59	54	57	43	34	23	20	25	26	16	19	17	14	33	27	34
480 miles and over 470 miles	101	80	68	60	55	58	43	34	23	20	25	26	16½	19	17	14½	33	27	34
490 miles and over 480 miles	102	81	68	60	55	58	43	34	23½	20½	25½	26½	16½	19½	17½	14½	33	27	34
500 miles and over 490 miles	103	82	69	61	56	59	44	35	24	21	26	27	17	20	18	15	34	28	35
510 miles and over 500 miles	104	83	70	62	57	60	44	35	24	21	26	27	17	20	18	15	34	28	35
520 miles and over 510 miles	106	84	71	63	58	61	45	36	24½	21½	26½	27½	17½	20½	18½	15½	34	28	36

Distances.	Merchandise—Rate per 100 Pounds, in Cents.				Carloads of Not Less than Minimum Named in Classification, nor More than Marked Capacity of Car—Rate per 100 Pounds, in Cents											Live Stock in Carloads—Rate per 100 Pounds, in Cents		
	First Class	Second Class	Third Class	Fourth Class	Fifth Class	Class A	Class B	Class C	Class D	Class E	Lumber, Lath, and Shingles	Salt, Lime, Cement, and Stucco	Coal	Wheat, Flour, Flaxseed, Castor Beans, Broomcorn Seed, and Beans	Barley, Rye, Oats, Corn, Mill Stuffs, and Chops	Stone and Brick (common or pressed), Sand, Clay (common)	Horses and Mules	Cattle and Hogs (Single Deck Cars, as to Hogs)	Sheep (Single Deck Cars)
530 miles and over 520 miles	107	85	71	63	58	61	45	36	25	22	27	28	17½	20½	18½	15½	35	29	37
540 miles and over 530 miles	108	86	72	64	59	62	46	37	25	22	27	28	18	21	19	16	35	29	37
550 miles and over 540 miles	109	87	73	65	60	63	47	37½	25½	22½	27½	29	18	21½	19½	16	36	30	38
560 miles and over 550 miles	110	88	73	65	60	63	47	38	25½	22½	27½	29	18	21½	19½	16	36	30	38
570 miles and over 560 miles	112	89	74	66	61	64	48	38½	26	23	28	29½	18½	22	20	16½	36	30	39
580 miles and over 570 miles	113	90	75	67	62	65	49	39	26	23	28	30	18½	22	20	16½	37	30	39
590 miles and over 580 miles	114	91	76	68	63	66	49	39½	26½	23½	28½	30½	18½	22½	20½	16½	37	31	39
600 miles and over 590 miles	115	92	77	69	64	67	50	40	27	24	29	31	19	23	21	17	38	31	40
610 miles and over 600 miles	116	93	78	70	65	68	50	40	27	24	29	31	19	23	21	17	38	31	40
620 miles and over 610 miles	117	94	79	71	66	69	51	40½	27	24	29½	31	19½	23½	21½	17	38	32	41
630 miles and over 620 miles	119	95	80	72	67	70	52	41	27½	24½	29½	31½	20	24	22	17½	39	32	42
640 miles and over 630 miles	120	96	80	72	67	70	52	41½	27½	24½	30	31½	20	24	22	17½	39	32	42
650 miles and over 640 miles	121	97	81	73	68	71	53	42	28	25	30½	32	20½	24½	22½	18	40	33	43
660 miles and over 650 miles	122	98	81	73	68	71	53	42	28	25	30½	32	20½	24½	22½	18	40	33	43
670 miles and over 660 miles	123	99	82	74	69	72	54	42½	28	25	31	32	21	25	23	18	40	33	43
680 miles and over 670 miles	124	100	83	75	70	73	55	43	28½	25½	31	32½	21	25	23	18½	40	33	44
690 miles and over 680 miles	125	100	83	75	70	73	55	43½	28½	25½	31	32½	21	25½	23½	18½	41	34	44
700 miles and over 690 miles	126	101	84	76	71	74	56	44	29	26	31½	33	21½	26	24	19	41	34	45
710 miles and over 700 miles	127	101	84	76	71	74	56	44	29	26	31½	33	21½	26	24	19	41	34	45
720 miles and over 710 miles	128	102	85	77	72	75	56	44½	29½	26	32	33½	22	26½	24½	19	42	35	46
730 miles and over 720 miles	129	103	85	77	72	75	57	45	29½	26½	32	34	22	27	25	19½	42	35	47
740 miles and over 730 miles	130	104	86	78	73	76	57	45½	30	26½	32½	34	22½	27	25	19½	42	35	47
750 miles and over 740 miles	131	105	87	79	74	77	58	46	30	27	33	34½	23	27½	25½	20	43	36	48
760 miles and over 750 miles	132	106	87	79	74	77	58	46	30	27	33	34½	23	27½	25½	20	43	36	48
770 miles and over 760 miles	132	106	88	80	75	78	58	46½	30½	27	33	35	23	28	26	20	43	36	49
780 miles and over 770 miles	133	107	88	80	75	78	59	47	30½	27½	33½	35	23½	28	26	20½	43	36	49
790 miles and over 780 miles	134	108	89	81	76	79	59	47½	31	27½	33½	35½	23½	28½	26½	20½	44	37	49

800 miles and over 790 miles	135	108	90	81	76	80	60	48	31	28	34	36	24	29	27	21	44	37	50
810 miles and over 800 miles	135	109	90	82	77	81	60	48	31	28	34	36	24	29	27	21	44	37	50
820 miles and over 810 miles	136	110	91	82	77	81	61	48½	31½	28	34	36	24	29½	27½	21	45	38	51
830 miles and over 820 miles	137	110	92	83	78	82	61	49	31½	28½	34½	36½	24½	30	28	21½	45	38	51
840 miles and over 830 miles	138	111	92	83	78	82	61	49½	31½	28½	34½	36½	24½	30	28	21½	45	38	52
850 miles and over 840 miles	139	111	93	84	79	83	62	50	32	29	35	37	25	30½	28½	22	46	39	53
860 miles and over 850 miles	139	112	93	84	79	83	62	50	32	29	35	37	25	30½	28½	22	46	39	53
870 miles and over 860 miles	140	112	94	85	80	84	62	50½	32	29	35	37	25	31	29	22	46	39	53
880 miles and over 870 miles	141	113	95	85	80	84	63	50½	32½	29½	35½	37½	25½	31	29	22½	46	39	54
890 miles and over 880 miles	142	114	95	86	81	85	63	51	32½	29½	35½	37½	25½	31½	29½	22½	47	40	54
900 miles and over 890 miles	143	114	96	86	81	85	64	51	33	30	36	38	26	32	30	23	47	40	55
910 miles and over 900 miles	144	115	97	87	82	86	64	51	33	30	36	38	26	32	30	23	47	40	55
920 miles and over 910 miles	145	115	98	87	82	86	64	51½	33	30	36	38	26	32½	30½	23	48	41	56
930 miles and over 920 miles	145	116	99	87	82	86	64	51½	33½	30½	36½	38½	26½	33	31	23½	48	41	57
940 miles and over 930 miles	146	116	100	88	83	87	65	52	33½	30½	36½	38½	26½	33	31	23½	48	41	57
950 miles and over 940 miles	147	117	101	88	83	87	65	52	34	31	37	39	27	33½	31½	24	49	41	58
960 miles and over 950 miles	148	117	102	89	84	88	65	52	34	31	37	39	27	33½	31½	24	49	42	58
970 miles and over 960 miles	148	118	103	89	84	88	65	52½	34½	31½	37½	39½	27½	34	32	24	49	42	59
980 miles and over 970 miles	149	119	104	89	84	88	66	52½	34½	31½	37½	39½	27½	34	32	24½	50	42	59
990 miles and over 980 miles	150	120	105	90	85	89	66	53	35	32	38	40	28	34½	32½	25	50	42	60
1,000 miles and over 990 miles	150	120	105	90	85	89	66	53	35	32	38	40	28	35	33	25	50	42	60

RULES GOVERNING SHIPMENT OF LIVE STOCK BY THE CARLOAD.

MINIMUM WEIGHTS.—Horses and mules, cattle, hogs, and sheep shall be way-billed at the following minimum weights per car, subject to correction to actual weight at destination, but in no case less than the following minimum weights:

	Horses and Mules	Cattle and Hogs (S D)	Sheep (S D)
Cars 27 feet 6 inches long, inside measurement	17,700	16,800	10,000
Cars 28 feet long, inside measurement	18,000	17,100	10,200
Cars 28 feet 6 inches long, inside measurement	18,400	17,500	10,400
Cars 29 feet long, inside measurement	18,800	17,900	10,600
Cars 29 feet 6 inches long, inside measurement	19,000	18,000	10,800
Cars 30 feet long, inside measurement	19,400	18,400	11,000
Cars 30 feet 6 inches long, inside measurement	19,700	18,700	11,200
Cars 31 feet long, inside measurement	20,000	19,000	11,400
Cars 31 feet 6 inches long, inside measurement	20,300	19,300	11,500
Cars 32 feet long, inside measurement	20,600	19,600	11,700
Cars 32 feet 6 inches long, inside measurement	20,900	19,900	11,800
Cars 33 feet long, inside measurement	21,200	20,100	12,000
Cars 33 feet 6 inches long, inside measurement	21,600	20,500	12,200
Cars 34 feet long, inside measurement	21,800	20,700	12,300
Cars 34 feet 6 inches long, inside measurement	22,200	21,100	12,400
Cars 35 feet long, inside measurement	22,600	21,500	12,600
Cars 35 feet 6 inches long, inside measurement	22,900	21,800	12,800
Cars 36 feet long, inside measurement	23,200	22,000	13,000

ADDITIONAL RULES.

1. Railroads shall be considered independently in computing distances; *except, however*, that a system of railroads consisting of leased, operated, or independent roads controlled under a common management, although working under different charters, shall be considered and treated as one road, and the distances shall be computed over the shortest operated line composed of two or more of said roads

2 *When any rate herein named conflicts with the Western Classification aforesaid*, this tariff shall govern as to such rate.

3. MINIMUM CHARGES.—Single shipments of one or more classes will be charged for at actual weight at tariff rates, subject to a minimum charge of twenty-five cents for the entire consignment or shipment for a distance of five hundred miles or less, and fifty cents for all distances over five hundred miles

POINT OF ORDER.

Mr. Bledsoe raised a point of order that under the rules the two motions to substitute were out of order, in that two substitutes cannot be offered for the same bill at the same time.

The Speaker ruled the point of order well taken.

APPEAL FROM DECISION.

From which decision Mr. Shanahan appealed to the Assembly, seconded by Messrs. Finlayson and Wade.

The question being, "Shall the decision of the Chair stand as the judgment of the Assembly?"

The ayes and noes were demanded by Messrs. Bledsoe, Alford, and Bennett of Santa Clara.

The roll was called, and the decision of the Chair sustained by the following vote:

AYES—Messrs Adams, Alford, Anderson, Androus, Barlow, Bennett of Santa Clara, Bennett of Orange, Blakeley, Bledsoe, Brownlie, Bulla, Burke, Carlson, Casterline, Conway, Curtis, Dodge, Duckworth, Duffy, Durst, Emeric, Gallagher, Gately, Godchaux, Hendrickson, Hurley, Jacobs, Jacobsen, Johnson of Humboldt, Kennedy, Kahn, Kerns, Luttringer, Lynch, McGowan, Mack, Marks, Marston, Matthews of San Benito, Mordecai,

O'Keefe, O'Neill, Owen, Pendleton, Perkins, Schlesinger, Schroebel, Simpson, Sims, Standart, Taggart, Talbott, Thomas of Santa Clara, and Tindall—54.

NOES—Messrs Finlayson, Hutson, McElroy, Miller, Sargent, Shanahan, Taylor, Vann, and Wade—9.

RECESS.

The hour of recess having arrived, the Speaker declared recess until two o'clock P. M.

REASSEMBLED.

The Assembly reassembled at two o'clock P. M.
Speaker Gould in the chair.
Quorum present.

LEAVE OF ABSENCE.

Mr. Bennett of Santa Clara was excused until two o'clock and thirty minutes P. M.

REPORTS OF STANDING COMMITTEES.

ON ENROLLMENT

ASSEMBLY CHAMBER, SACRAMENTO, February 21, 1893.

MR. SPEAKER Your Committee on Enrollment beg leave to report that the following bills have been correctly enrolled. Assembly Bills Nos. 8 and 45, and were presented to the Governor February 21, 1893, at two o'clock and thirty minutes P. M.

O'NEILL, Chairman.

ON MILITARY AFFAIRS.

ASSEMBLY CHAMBER, SACRAMENTO, February 23, 1893.

MR SPEAKER. Your Committee on Military Affairs, to whom permission was granted to visit San Diego, Los Angeles, Fresno, and Stockton, beg leave to report as follows: That they have visited all companies located in the above-named places, and have made careful and critical inspections, and have found the discipline and soldierly conduct of the officers and men excellent and worthy of high praise With the exception of one at Los Angeles, we found the armories poorly adapted to the purposes for which they are used. We recommend that armories be erected by the State as far as possible, as it will be a saving in large sums of money now paid for rents.

The arms in many cases are in poor condition, having been a long time in use, but as these are received from the General Government under the law of Congress, nothing can be done by the State in bettering their condition. We find that not more than forty per cent of the arms now in the hands of the National Guard are serviceable.

The uniforms are in bad condition, and should be renewed immediately. The appropriations asked for by the Adjutant-General for the maintenance of the National Guard should be allowed, as we are satisfied they are as low as the demands for an efficient military organization will warrant. In many instances the officers and enlisted men are compelled to furnish out of their private means funds for maintenance of their organizations. We found the company of the Naval Battalion at San Diego made a very creditable appearance, and is entitled to the kindly consideration of the people of the State.

Your committee respectfully recommend the adoption of the following

Resolved, That the Controller of the State be and he is hereby directed to draw his warrant upon the appropriation for the contingent expenses of the Assembly in favor of C. D McCauley, for the sum of four hundred and ninety-three dollars and sixty cents ($493 60), for the purpose of paying to Messrs. McCauley, McElroy, Jacobsen, and A. Norton, Clerk, each one hundred and twenty-three dollars and forty cents ($123 40), for mileage due them upon their visit to San Diego, Los Angeles, Fresno, and Stockton, and return, under the resolution heretofore adopted

McCAULEY, Chairman.

Referred to Committee on Mileage.

ON APPORTIONMENT AND ELECTION LAWS.

ASSEMBLY CHAMBER, SACRAMENTO, February 23, 1893.

MR. SPEAKER Your Committee on Apportionment and Election Laws, to whom was referred Assembly Bill No 815—An Act to add a new article to chapter one, of title two, part three, of the Political Code of the State of California, to be known and designated

as article four, and to add six new sections, to be known and designated as sections one thousand and seventy-five, one thousand and seventy-six, one thousand and seventy-seven, one thousand and seventy-eight, one thousand and seventy-nine, and one thousand and eighty, relative to County, City, and City and County Boards of Election Commissioners—have had the same under consideration, and respectfully report the same back, and recommend that the same be referred to the Committee on Judiciary.

FINLAYSON, Chairman

ON STATE PRISONS AND REFORMATORY INSTITUTIONS.

ASSEMBLY CHAMBER, SACRAMENTO, February 23, 1893

MR. SPEAKER: Your Committee on State Prisons and Reformatory Institutions, to whom was referred Assembly Bill No 752—An Act to authorize the appointment of a Commission by the Governor for the purpose of selecting and suggesting a permanent site and location for an additional State Prison—would respectfully report the same back, and recommend its passage.

Also: Assembly Bill No. 746—An Act to provide for the working of certain convicts upon the public roads in the State.

Having had the bill under consideration, we would respectfully recommend that the author thereof be permitted to withdraw the same.

H. H. JOHNSON, Chairman.

ON SWAMP AND OVERFLOWED LANDS.

ASSEMBLY CHAMBER, SACRAMENTO, February 23, 1893.

MR. SPEAKER: Your Committee on Swamp and Overflowed Lands, to whom was referred Assembly Bill No 787—An Act amendatory of and supplementary to an Act to define the boundary, and provide for the government of Levee District No 2 of Sutter County, passed March 23, 1876, in relation to the election of officers for said district, funding the floating debt, and refunding the funded debt thereof—have had the same under consideration, and respectfully report the same back, and recommend that it do pass

PUESCHEL, Chairman.

REPORT OF JOINT COMMITTEE ON MEMORIAL SERVICES IN MEMORY OF THE LATE JAMES G. BLAINE.

SENATE CHAMBER, SACRAMENTO, February 23, 1893.

MR. SPEAKER: The joint committee appointed in accordance with the following resolution:

Resolved by the Assembly, the Senate concurring, That a special time be set apart for a memorial address to be delivered in joint session of the Senate and Assembly in honor of the memory, life, and services of the Hon. James G. Blaine, and that a committee of six, three to be appointed by the President of the Senate and three by the Speaker of the Assembly, be appointed to select the time of and speaker on such occasion

Respectfully reports as follows:

In compliance with previous arrangements of the joint committee, memorial services commemorative of the death of James G. Blaine were held in the Assembly Chamber at ten o'clock and thirty minutes A M. Wednesday, February 22, 1893 (Washington's Birthday), the Senate and Assembly meeting in joint convention.

The Speaker's and Clerks' desks were draped in mourning

Hon. R B Carpenter, President pro tem. of the Senate, presided.

The following programme, deemed by the committee appropriate to the occasion, was rendered.

1. Funeral March (*Chopin*), by the orchestra. Entrance of Senators, Assemblymen, and State officers.

2 Reading and adoption of memorial resolutions

The joint committee presented the following resolutions, which were read by Hon. F. G. Finlayson, Chairman of the Joint Committee:

WHEREAS, The people of California have heard with profound regret the announcement of the death of that illustrious American citizen, the Hon. James G. Blaine; therefore, be it

Resolved, That the members of the Legislature of this commonwealth, in joint convention assembled, do express their sense of the National loss sustained and their estimate of the private character and public service of the peerless statesman in this tribute to his memory. James G Blaine was the ideal American statesman. His mental grasp of public questions was unequaled, and his sympathies, like his patriotism, were ever broad and responsive. In thirty-seven years of almost continuous public life, embracing, in its measure, the duties of a legislator in the State of Maine, service in both houses of Congress, and positions in the Cabinet of the United States. His

consistent and able support of every leading proposition tending to the advancement of this country to the highest position among the renowned nations of the world, won for him a recognition reserved only for the greatest of men Diligent study, ample resources of intellect, and above all, an alert sense of patriotism, enabled him to comprehend, long before the clay was removed from the eyes of other statesmen, that unrestricted immigration from Asia to this land would inevitably degrade American labor on the Pacific Coast, and with the ready courage of his conviction, he fought in the minority for the industrial supremacy of the Caucasian race His superb service, rendered in that recent struggle for human civilization, will ever be remembered by a grateful people in California Voicing the sentiments of the people of California, we express our profound regret over the loss of this illustrious American statesman, and express the hope that his example of fidelity to free institutions will speak to future generations.

To the family of the lamented statesman, we tender sincere sympathy in their bereavement, and as an expression of our feeling, it is directed that a copy of the memorial be transmitted to Mrs Blaine.

Mr. Dodge moved the adoption of the resolutions by a rising vote.

So ordered.

The President of the Joint Convention thereupon declared the resolutions adopted by unanimous vote.

3. "Not Dead, but Sleepeth" (*White*), bass solo, by W. H Kinross; male chorus of eighteen members from the Sacramento Choral Society, accompanied by the orchestra.

4. Invocation. Rabbi J Leonard Levy, of the Congregation B'nai Israel, Sacramento, was introduced and delivered the invocation, as follows.

Almighty God and Father! Thou art the first, and Thou art the last, and beside Thee there is no God Wherever we turn our eyes, or bid our thoughts take flight, there art Thou, here in Thy majesty, there in Thy power, everywhere in Thy love Whether we gaze, adoringly, on the heavens, fretted with golden fire, or on the tiny blade of grass, seeking the sun's rays and the refreshing breezes; whether we stand amazed by the vast ocean, when its angry waves are lashed into a fury by the tempest, or by the purling brook, on whose bosom plays the dainty ripple; whether we listen overawed to the far-resounding peal of the thunder, or to the gentle rustling of the leaves when the southern zephyr "makes the trees clap their hands," whether we contemplate the forest giant, adorned with a crown of foliage, or the tiny petal of the rose, begemmed with the glistening dewdrop, or whether we feel Thy presence in public and private joys and sorrows, we are always impressed that Thou alone art God, that Thou art forever the same, that Thy years end not, that with Thee, majesty, power, and love are eternal.

Contrasting these, Thy infinite qualities, with the transient character of man's days on earth, we are led to ask, "Lord, what is man that Thou art mindful of him, the Son of Man that Thou takest heed of him?" On the side of his physical nature he is like the beasts that perish, but on the side of his spiritual nature, since he partakes of Thy divine essence, he is little less than the angel, endowed with aspirations and longings, yearnings, and desires, that indicate that he is not wholly of this earth.

Lord God! we invoke Thy help that these cravings be rightly directed. We pray that more and more our natures be awakened to the force of the reasonable hope of that life, when, divested of our earthly bodies, we shall awaken in Thy presence, perhaps to see the deeds done in our days of nature in their right light, perhaps to analyze the motives with which we performed them.

We recognize that there is also an immortality on earth for Thy children, O God We feel that it largely depends on man himself whether his name be inscribed on shifting sand or on imperishable marble, that it depends on us alone, and upon the right use made of our faculties and the means at our disposal, whether, when we lie in the silent grave, when the tombstone has crumbled into dust as our bodies, and the grass thereabouts has withered, and the banks of flowers faded—whether our names be forgotten on the tongues of men, whether, like balloons with which children play, death makes a puncture in us and, falling into nothingness, we be entirely gone forever—or whether we shall have gotten for ourselves a name which death cannot touch, which age cannot impair, which clouds cannot conceal, nor storms blight.

Help us, O God, to strive for this immortality on earth, even as we desire eternal life with Thee Send us Thy light and Thy truth, and may they restrain our selfish passions and inspire us with generous sentiments Teach us to feel that the elixir of eternal life is a specific composed of benevolence, sincerity, and unselfishness, to be used not only towards those of our own creed, race, and position, but towards all men, for we are all Thy children

We thank Thee for this hope within our breasts, and for the possibility of its fulfillment We thank Thee for the many examples which Thou hast furnished us in the form of illustrious men and women, by contemplating and imitating whom we feel that Thou wilt suffer our hopes to be realized.

It was because in our judgment our departed brother, in honor of whose memory we are here assembled to-day, was graced with noble qualities that we admired him—that we praised him living and treasure his memory dead Yet we know, O God, that Thou dost expect more, if this demonstration of affection is to be more than a sterile tribute

We know that Thou wouldst have us become inspired with his devotion, and we therefore beseech Thee to aid us to love what he loved, to struggle and fight for what he

defended, to seek and strive for this great nation, to set America above our chief joy As he was in all things actuated by a pure love of our country, as he was inspired with a deep and earnest longing to see her traditions honored, her institutions supported, and her people united, so, O God, may we be moved by like loyalty, integrity, and patriotism. Into Thy safe-keeping we commit his spirit, in the full and certain hope that his righteousness will bring an exceeding great reward.

Thou who healest the broken-hearted and bindest up their wounds, send Thy heavenly comfort to those who mourn Be a father to the orphan, and a protector to the widow from the garden of whose existence the fairest tree has been plucked. Fill the hearts of all mourners with love and reverence of Thee to serve Thee with a perfect heart, so that when it shall please Thee to call them unto Thee their end shall be peace.

We ask Thy blessing on all assembled here to-day They are all Thy children, and for all we ask Thy fatherly protection and benediction

And bless our own land. May the hopes of all her founders and servants be realized. May her citizens recognize that National prosperity, without moral nobility, is as a gem in the forehead of a skull, that righteousness alone exalts a nation May liberty continue to be our presiding genius; not liberty to do wrong unpunished, but liberty to listen to the voice of conscience, liberty to choose Thee, O God, for our master; liberty to excel in truth, purity, honor, integrity, virtue, duty. May America ever be the land of the brave and the home of the free. May this great fabric never fall. Cleanse all the administrations of National affairs May those in office be upright, hating deceit. May legislators unselfishly and patriotically serve their country, and not their own ends. Take under Thy protection the President of the United States, and those dear to him, and all who administer the public affairs of this vast commonwealth, the Governor, and officers of this State and city, that through them order may be preserved, and peace, right, and liberty be fostered. Lord! hasten the day of blessed promise, when men shall truly regard each other as brothers, when hand shall meet hand in friendship, and heart speak to heart in love; when swords shall be beaten into plowshares, and spears into pruning-hooks; when there shall be learned no more war; when shadows of ignorance, and superstition, and hatred shall have fled, and the bright light of knowledge, religion, and love shall illuminate men's minds, when all shall acknowledge Thee as the One Common God and Father, Thou who art One and Thy Name, the One and Eternal God! Amen.

5. "Traumerei" (*Schuman*), by the orchestra

6. Memorial poem.

Ruth E. Newland, M D., was introduced, and delivered the memorial poem, as follows:

FATE.

The Ladder of Life found a resting place
  Against the Ship of State;
At the foot of the ladder stood a tiny child
  Awaiting the Angel of Fate.
His little hand had taken hold
  Of the first round of the ladder of life,
To climb to the top with steps so bold
  Midst greed, and gain, and strife
The years went by, and a sturdy boy
  Had climbed one third of the way;
His eyes were shining with peaceful joy,
  His lips said, "The honors will pay."
The years rolled on, 'twas a manly form
  That had gained a round or two;
He had battled with life through every storm,
  With every honor in view.
He had gained the deck of the Ship of State,
  His hand turned the wheel to steer
The ship from the rocks of destiny's fate,
  But his eyes were honest and clear.
He saw in the future his country's fame
  Among the nations of earth,
He saw among these a statesman's name,
  And fate had given it birth.
He started again the ladder to climb
  With hand firm, honest, and strong;
And said, "The last round, I will gain it in time,
  And mount it midst pæans of song
From my countrymen's lips, they'll never forget
  The work I've been trying to do,
And the Sun of my Life will never set
  Till I've carried my life's work through"
At the foot of the ladder stood the Angel of Fate,
  And she said, "It can never be;
The last round of the ladder comes too late
  To thy hand, my charge, for thee.

The one for thy hand is not for this earth—
It is not of the Ladder of Time;
It will be touched in glory with Eternity's birth
When the Celestial Hills you climb"
'Twas a sad old man that heard those words,
For avarice, and greed, and gain
Had kept his hand from gaining that round—
This is the "Life of James G. Blaine."

The Last Round of the Ladder

Then the Angel of Fate winged her flight to Heaven,
And stood at the Golden Gate
To open it wide to a soul forgiven
Of sin; and there to await
The coming of him who her charge had been
Since a babe in his cradle had lain.
The question was asked, "Who will be seen
When he enters?" "It is James G Blaine."
I wish to be there to welcome him home,
To give him his just and due,
To our home in bliss we wish him to come,
For he has been good and true.
The question was asked, "While living on earth
Can you tell the work he has done?"
"Oh, yes, for he was given the name at his birth—
The name of America's Son"
He has never failed in his upward flight
From the first round of the Ladder of Life;
To battle for truth, to battle for right,
He has always been first in the strife.
His life was a gem of clear whiteness,
He was gentle, and kind, and true;
His life has been lived with steel brightness
In all he's been trying to do.
I saw him first as a gentle child
At the foot of the Ladder of Life,
I have sheltered him midst tempests wild
Of greed, and gain, and strife;
I have been by his side as he touched each round,
In climbing the Ladder of Fame;
I have kissed his brow when I heard the sound
Of each groan of anguish and shame.
When the roar of the cannon, of shot and shell,
Told of conflict, of war, and of strife,
The heart of the statesman in his bosom did swell,
Then his country had need that his life
Should be spent in the work of political toil
With tongue, pen, and soul in the van,
He ne er failed in duty, he ne'er did embroil.
But was ever the peace-making man.
I have stood by his side when each feather in wing
Seemed to quiver with anguish and sorrow;
I have turned aside malice, and have taken the sting,
And have whispered, "Just wait till the morrow."
Of closing his life, to see him walk in
At the entrance when the gates open wide,
When those glorious forms with no taint of sin
Walk in glory close by his side.
That heavenly throng of angels so bright
Will each stand with close-folded wings—
Will be mute with surprise in the realms of light,
And the seraphs will all cease to sing,
For a soul has come from the "Sorrowful Star,"
Has come home to the bosom of God
They have heard of that life midst its tumult and war,
And the straight path of duty he trod;
Then we'll give him a welcome, we will open the gate,
Each harp will be ready and sweet—
For the one to precede him is the Angel of Fate,
With laurels to lay at his feet.
But one of them all to his touch will be given,
It seems with earth's memories rife;
It has come to his hand midst the glories of heaven,
It's the "Last Round of the Ladder of Life."

7. "Sleep On, Beloved" (*Bliss*), by the chorus (unaccompanied).
8 Memorial address.

Hon. G. G. Goucher, Senator, of Fresno, was introduced, and delivered the memorial address, as follows:

MR PRESIDENT AND FELLOW-COUNTRYMEN: We are gathered here to lay upon the grave of James G. Blaine a fresh garland of glory, plucked from the warm hearts of seventy million Americans.

In tendering this tribute to the illustrious dead, we have honored ourselves in selecting a day that commemorates him who "was first in war, first in peace, and first in the hearts of his countrymen." The stricken procession of unsheltered heads, bowed forms, and tear-stained faces of other Americans in Pennsylvania, in Maine, in the District of Columbia, has not passed unobserved by the great-hearted host who populate the Golden State. Divested of partisan jealousy, we have assembled at the bier of a great statesman, and from this solemn presence and consecrated spot we send across the rivers, the mountains, and the valleys to the confines of the roaring Atlantic assurances of our sympathy and announcement of our sadness.

Over our own hearts the sable, hovering pinions of sorrow have been spread, and their black shadows have eclipsed the California sunshine in our breasts.

We discover in the conclusion of such a sacred message to our Eastern brethren the silent summons to return our minds to this occasion and this place. Surprising, yet pleasing, is the discovery that when our minds concentrate again upon this occasion and its cause, the desolating touch of sadness and sorrow begins to flee under the pursuit of a strange enjoyment. This feeling cannot be analyzed except through the reenforcement which comparison may afford.

None can stand on the seashore and watch the distant incoming waves, their dancing crests sparkling in the jewels that seem kisses stamped there by the tender and softened light of the stars, without feeling happiness in the thought that such beauty will come rolling and smiling shoreward forever.

None can gaze upon the hillsides through the sweetened air of springtime and see the manifold bloom that a great God has unfolded, like a gorgeous carpet, without the entrancing reflection that such vision is to be repeated through countless centuries.

None can look upward to the sublime heavens and feast his soul upon the distant diamonds, that seem like angels' eyes, without rejoicing in the knowledge that this shining coronet belongs to all time and all generations.

Inspired by these feelings that captivate the heart and command the intellect, it is appropriate to seek their relatives in history.

Whenever peril, from either within or without, has appeared against our country, the emergency has always sent out in freedom's vanguard the man or the men for the hour. We have had our Warren, and our Washington; we have had our Lawrence, and our Sumter; we have had our Patrick Henry, and our Harry Lee, we have had our Winfield Scott, and our Farragut, we have had our Grant, our Sherman, and our Sheridan, and also our Webster, our Clay, and our Calhoun.

Yet, to no heart pulsating on our soil has ever come inconsolable sorrow that these men lived, or that in the fullness of their years and their honors they bowed to heaven's decree and died.

In her great and matchless names we may see the supreme safety of the Stars and Stripes, and the unbroken ramparts that stand eternal guard around the Union of the States.

We may then appropriately feel that, in tendering our tribute to the great dead, we are but lifting their names to an immortal station in the cloudless sky of our Nation's love.

We may upon such occasion take selfish payment for our own action in the reward for which reason furnishes security that the uncounted generations yet hidden behind the future's mystic curtains, will ever turn their patriot eyes upon the name we are humbly striving to distinguish to-day.

No Nation can sustain itself without some source of patriotism which inspires the young people of the land.

When the true American statesman, in the evening of his impaired strength, turns his failing eyes toward the temple of American liberty, and feels the stronger beating of his dying heart, his patriotic hope will always gather about it the raiment which falls as gently as a snowflake and as welcome as a sunbeam from the shining names of his country's fallen and buried guides.

Without the name and record of Washington how could we teach our boys the inspiring lesson which has sent our flag like the rainbow of promise before all liberty-loving people on earth?

Without Captain Lawrence how could we explain to our growing sons the story that no flag can fall which is supported by salutation coming through the frosts of death as they seek to seal and lock the lips?

Without Marion how could we hope that young American eyes would open like full moons as their memory lifts the great story of his sacrifices into a monument forever dedicated to the cause of freedom?

Without Webster and Clay, Calhoun and Corwin, Lincoln and Sumner, Benton and Douglas, where will we go to arouse the sleeping eloquence of the romping and smiling children, now our thoughtless heirs, yet soon to be our dignified successors?

And to-day let us find enjoyment in the knowledge that James Gillespie Blaine has

risen above death to the sublime station from whence his brilliant qualities and his untiring devotion to the American Union will always send a blessing down to electrify the young American and to persuade him to noble action.

To the constellation of great Americans we must now consent to send its newest, if not, indeed, its best and brightest jewel. There let that name live, shedding the stimulating rays of its own deserving upon the growing millions which are to lead this nation upward and onward to undying fame.

Some time in tamer hours it may be proper to recall the fact that Mr. Blaine was born in West Brownsville, Washington County, Pennsylvania, on January 31, 1830. Certainly it is not inappropriate to say that the Irish people, whose blood and brawn have been brave and free on every field that has heard the voice of freedom for a thousand years, furnished Mr. Blaine his honored parentage. But when he was born his country was the world, and his relatives were the decent inhabitants of all civilized countries.

Mr. Blaine's education was like his superb ambition. It was broad, expansive, and completely American.

What satisfied so many minds was but the budding of hope in his. His fine literary inclination led him to journalism, and journalism led him to his long-loved State of Maine. His remarkable talent for successful discussion upon great National problems enticed him into the noisy and active battle of politics, and there he soon became the leading knight, whose banner always measured the course of march, and whose clarion voice always sounded reviving music to the sinking hopes of his followers.

Naturally he was sent to Congress, and there he found a wider field for his unrivaled powers, and, as easily as he had conquered in smaller stations, he won his triumphs in the new and greater.

The marked features of his Congressional career are in the brilliant and dashing method of winning victory from apparently hopeless conditions. He was the triumphant Alexander of political campaigns, the unequaled Bonaparte of debate; yet he was ever the hero of mercy to a fallen cause or a beaten antagonist.

Some there are who embrace the very excess of celebration in the hour of triumph, but Blaine was too tender of the feelings of those whom his victories had prostrated to ever smile in their presence at his own successes.

Thus it was an open way for him to stand a welcome visitor at the hearts of his adversaries. Beyond the confines of our beloved country his name became a symbol of fear to those who meant us harm. In foreign countries he excited mingled surprise and admiration in the ranks of those trained and veteran diplomats whose opinions are worthy of quotation. To Gladstone and Salisbury at London, to Bismarck and Caprivi at Berlin, to Gortchakoff at St. Petersburg, and to Andrassy at Vienna, he introduced the fresh and lustrous vigor of diplomacy, which came with a glittering shield and polished helmet from the West.

All Americans have been proud to concede that Blaine was one of the most ardent lovers of America that any generation produced. But some have doubted whether his great heart was endowed with that sentiment and poesy which go out like the bubbling waters of a crystal spring to our famous fellow-countrymen. An insight to his heart in this regard is afforded by the beautiful closing words which Blaine uttered in memory of his friend, the lamented Garfield.

I quote them now because they uncover the tender heart that lay within the breast of James G. Blaine:

"Masterful in his mortal weakness, he became the center of a nation's love, enshrined in the prayers of a world. But all the love and all the sympathy could not share with him his suffering. He trod the wine press alone. With unfaltering front he faced death. With unfailing tenderness he took leave of life. Above the demoniac hiss of the assassin's bullet he heard the voice of God. With simple resignation he bowed to the divine decree.

"As the end drew near, his early craving for the sea returned. The stately mansion of power had been to him the wearisome hospital of pain, and he begged to be taken from his prison walls, from its oppressive, stifling air, from its homelessness and its hopelessness. Gently, silently, the love of a great people bore the pale sufferer to the longed-for healing of the sea—to live or to die, as God should will, within sight of its heaving billows, within sound of its manifold voices. With wan, fevered face tenderly lifted to the cooling breeze, he looked out wistfully upon the ocean's changing wonders; on its fair sails, whitening in the morning light, on its restless waves, rolling shoreward, to break and die beneath the noonday sun, on the red clouds of evening, arching low to the horizon; on the serene and shining pathway of the stars. Let us think that his dying eyes read a mystic meaning which only the rapt and parting soul may know. Let us believe that in the silence of the receding world he heard the great waves breaking on a farther shore, and felt already upon his wasted brow the breath of the eternal morning."

In conclusion, let us remember that Blaine's great soul, like Garfield's, has floated above into the eternal rewards that fall upon good men's heads, in that union which is around the throne of God.

Like Garfield, he has left the pains of earth for a glorious destiny. Like the name of Garfield, his name has ascended to the zenith of American fame, and there it will shine forever, inspiring the flower of American manhood to hasten to the front on that broad and splendid highway which leads to the best permanent progress for the American Union.

9 "Rest, Spirit, Rest" (*White*), by the chorus and orchestra
10. Benediction.

Rabbi J. Leonard Levy delivered the benediction, as follows.

May the spirit of God be with you all. May the services of to-day leave with you an abiding influence. May the example of our heroic and patriotic brother arouse within you a purer and more elevated love of our native land. May God bless you and keep you. May God cause His face to shine upon you and be gracious unto you. May God cause His face to shine upon you and give you peace. Amen!

11. "Solitude" (*Czibulka*), by the orchestra.

FINLAYSON, Chairman
LYNCH.
BUCKLEY.
MAHER
FLINT
GESFORD

LEAVE OF ABSENCE.

Mr. Miller was excused for thirty minutes.

MOTION.

Mr. Sargent moved that the Committee Substitute for Assembly Bills Nos. 16, 57, 129, 157, 176, 524, 667, and 730 be substituted on the special file for Assembly Bill No. 231 (No. 28 on the file).

SPECIAL SENATE FILE—THIRD READING OF BILLS.

Senate Bill No. 632—An Act quitclaiming to the successors in interest of Sallie C. Perry all claim of the State of California in that certain tract of land in the City and County of San Francisco, known as "City Slip Lot No. 116," and empowering and directing the Governor to execute a deed of quitclaim therefor to said successors in interest of said Sallie C. Perry.

Read third time, and passed by the following vote:

AYES—Messrs. Adams, Alford, Androus, Barker, Barlow, Bennett of Santa Clara, Bennett of Orange, Boyce, Brownlie, Bulla, Carlson, Casterline, Chipman, Conway, Curtis, Cusick, Dodge, Duckworth, Duffy, Durst, Emeric, Finlayson, Gately, Godchaux, Hendrickson, Hurley, Hutson, Jacobs, Jacobsen, Johnson of Humboldt, Kennedy, Kahn, Kerns, LaRue, Luttringer, Lynch, McCauley, McGowan, Mack, Marks, Marston, Matthews of San Benito, Mordecai, O'Keefe, O'Neill, Perkins, Pueschel, Raw, Sargent, Schroebel, Simpson, Standart, Taggart, Taylor, Tindall, Wade, and Mr Speaker—57

NOES—Messrs. Bledsoe, Thomas of Santa Clara, and Vann—3.

Title read and approved.

Mr. Kahn in the chair.

Senate Bill No. 11—An Act to amend section sixty of an Act entitled "An Act for the relief of insolvent debtors, for the protection of creditors, and for the punishment of fraudulent debtors," approved April 16, 1880, relating to setting apart exempt property for the use and benefit of the insolvent, and also a homestead, and providing for giving notice of the hearing of the application therefor.

Read third time, and passed by the following vote:

AYES—Messrs. Adams, Alford, Anderson, Androus, Barlow, Bennett of Santa Clara, Bledsoe, Brownlie, Burke, Carlson, Casterline, Conway, Curtis, Cusick, Dodge, Duckworth, Duffy, Durst, Finlayson, Gallagher, Gately, Godchaux, Hendrickson, Hurley, Hutson, Jacobs, Jacobsen, Johnson of Humboldt, Kennedy, Kahn, Kerns, LaRue, Luttringer, Lynch, McCauley, McElroy, Mack, Marks, Marston, Mathews of Tehama, Matthews of San Benito, O'Keefe, O'Neill, Pendleton, Perkins, Pueschel, Raw, Sargent, Schlesinger, Schroebel, Shanahan, Simpson, Standart, Taggart, Taylor, Thomas of Santa Clara, Tindall, Vann, Wade, and Mr. Speaker—60.

NOES—None

Title read and approved.

Senate Bill No. 20—An Act to amend section one thousand three hundred and sixty-eight of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1873, relating to estates of deceased persons.

Read third time, and passed by the following vote:

AYES—Messrs. Adams, Anderson, Androus, Barker, Barlow, Bennett of Santa Clara, Bennett of Orange, Blakeley, Bledsoe, Burke, Carlson, Casterline, Conway, Curtis, Cusick, Dodge, Drees, Duckworth, Duffy, Durst, Gallagher, Gately, Godchaux, Hendrickson, Hurley, Hutson, Jacobs, Jacobsen, Johnson of Humboldt, Johnson of Santa Clara, Kennedy, Kahn, Kerns, LaRue, Luttringer, Lynch, McCauley, McElroy, McGowan, Mack, Marston, Matthews of San Benito, Miller, O'Keefe, O'Neill, Owen, Pendleton, Perkins, Pueschel, Raw, Schlesinger, Schroebel, Shanahan, Simpson, Standart, Taggart, Taylor, Thomas of Nevada, Thomas of Santa Clara, Tindall, Vann, and Wade—62

NOES—None.

Title read and approved.

Senate Bill No. 229—An Act to compel savings banks to publish a sworn statement of all unclaimed deposits.

Passed on file, on motion of Mr. Pendleton.

Senate Bill No. 1—An Act requiring city, city and county, or town authorities to exact and require from persons or corporations seeking permission and authority to lay railroad tracks through streets, or public highways, of any incorporated city, city and county, or town, a satisfactory promise and undertaking to permit and allow mail carriers in the employ of the United States Government at all times, while engaged in the actual discharge of duty, to ride on the cars of such railroad without paying fare, and to make such promise and undertaking a condition precedent to the granting of such permission and authority by such governing Board.

Read third time, and passed by the following vote:

AYES—Messrs. Adams, Anderson, Androus, Barker, Barlow, Bennett of Santa Clara, Bennett of Orange, Blakeley, Bledsoe, Boyce, Burke, Carlson, Casterline, Curtis, Cusick, Dodge, Drees, Duckworth, Duffy, Durst, Finlayson, Gallagher, Gately, Godchaux, Hendrickson, Hurley, Hutson, Jacobs, Jacobsen, Johnson of Humboldt, Kennedy, Kahn, LaRue, Luttringer, Lynch, McElroy, McGowan, Mack, Marston, Matthews of San Benito, Miller, O'Keefe, O'Neill, Owen, Pendleton, Perkins, Pueschel, Raw, Sargent, Schlesinger, Schroebel, Shanahan, Simpson, Standart, Taggart, Thomas of Nevada, Thomas of Santa Clara, Tindall, Vann, and Wade—60

NOES—None

Title read and approved.

Senate Bill No. 174—An Act fixing the price and conditions of sale at which jute goods shall be sold by the State.

Read third time, and passed by the following vote:

AYES—Messrs. Adams, Anderson, Androus, Barlow, Bennett of Orange, Bledsoe, Bulla, Burke, Carlson, Casterline, Chipman, Conway, Cusick, Dodge, Drees, Duffy, Durst, Finlayson, Gately, Godchaux, Hendrickson, Hurley, Hutson, Jacobs, Jacobsen, Johnson of Santa Clara, Kahn, Kerns, LaRue, Luttringer, Lynch, McCauley, McElroy, Mack, Marston, Matthews of San Benito, Miller, O'Keefe, O'Neill, Owen, Perkins, Sargent, Schlesinger, Schroebel, Shanahan, Simpson, Sims, Taggart, Talbott, Taylor, Thomas of Nevada, Thomas of Santa Clara, Tindall, Vann, Wade, and Mr. Speaker—55.

NOES—Mr. Raw—1.

Title read and approved.

Senate Bill No. 214—An Act to amend an Act entitled "An Act to establish and support a Bureau of Labor Statistics," approved March 3, 1883.

Read third time.

MOTION.

Mr. Matthews of San Benito moved that a select committee of one be appointed by the Speaker to amend Senate Bill No. 214, as follows:

In section one, line eight, strike out the words "and county of San Francisco," and insert the word "Sacramento"

Adopted.

APPOINTMENT OF COMMITTEE.

Mr. Matthews of San Benito was appointed such committee to make said amendment.

REPORT OF SELECT COMMITTEE.

ASSEMBLY CHAMBER, SACRAMENTO. February 23, 1893.

MR SPEAKER: Your select committee, to whom was referred Senate Bill No. 214—An Act to amend an Act entitled "An Act to establish and support a Bureau of Labor Statistics," approved March 3, 1883—with instructions to amend in accordance with the action of the House, would respectfully report that the instructions of the House have been carried out.

J. H. MATTHEWS, Committee.

Report adopted.

SPECIAL SENATE FILE—(RESUMED).

Senate Bill No. 569—An Act to add a new section to the Penal Code of the State of California, to be known as and numbered section three hundred and twenty-seven, in regard to lotteries.

Passed on file, on motion of Mr. Burke.

REPORT OF STANDING COMMITTEE.

ON CLAIMS.

ASSEMBLY CHAMBER, SACRAMENTO, February 23, 1893.

MR. SPEAKER: Your Committee on Claims, to whom was referred Senate Bill No. 250—An Act appropriating money to pay the claim of W. H. Murray, his heirs or assigns—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

BURKE, Chairman.

Senate Bill No. 250 re-referred to Committee on Ways and Means.

Speaker Gould in the chair.

SPECIAL SENATE FILE—SECOND READING OF BILLS.

Senate Bill No. 80—An Act to provide for increasing the efficiency of paid fire departments within municipalities in the State of California.

The question being on the pending amendment of Mr. Conway, as follows:

Add to section one of this Act, at the close of said section, the following: "not to exceed fifty thousand dollars per annum. All officers, members, and employés appointed or employed under the power conferred by this Act, shall receive the same salaries as are or may be by law allowed to like officers, members, and employés within said municipality, except foremen, who may be paid not exceeding one hundred and twenty-five dollars per month each, and hosemen and hook and ladder men, who may be paid not exceeding seventy-five dollars per month each. No company organized or maintained under the power conferred by this Act shall have a greater number of officers, members, or employés than do or may by law constitute a company within said municipality."

Mr. Kahn moved to lay the amendment on the table.

The ayes and noes were demanded by Messrs. Dodge, Kahn, and Alford.

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

AYES—Messrs. Adams, Alford, Barker, Barlow, Bennett of Orange, Bledsoe, Bulla, Casterline, Dodge, Drees, Duckworth, Emeric, Finlayson, Gately, Godchaux, Hendrickson, Hurley, Hutson, Jacobs, Johnson of Humboldt, Johnson of Santa Clara, Kahn, Kerns, McCauley, McElroy, Marks, Marston, Mathews of Tehama, Matthews of San Benito, Mordecai, O'Keefe, Owen, Perkins, Schroebel, Shanahan, Simpson, Sims, Taggart, Talbott, Taylor, Thomas of Nevada, Thomas of Santa Clara, Tindall, Vann, Wade, and Mr Speaker—46

NOES—Messrs Blakeley, Boyce, Brownlie, Burke, Carlson, Chipman, Conway, Cusick, Duffy, Durst, Gallagher, Kennedy, Lattue, Luttringer, McGowan, Mack, Miller, O'Neill, Pueschel, Sargent, and Schlesinger—21.

NOTICE OF RECONSIDERATION.

Mr. Taylor gave notice that on the next legislative day he will move a reconsideration of the vote whereby the motion to lay on the table was carried.

REPORT OF STANDING COMMITTEE.

ON ENGROSSMENT.

ASSEMBLY CHAMBER, SACRAMENTO, February 23, 1893

MR. SPEAKER Your Committee on Engrossment begs leave to report that the following Assembly Bills have been correctly engrossed:

Assembly Bill No. 797—An Act to provide for an appropriation for the contingent expenses of the Assembly.

Also: Committee Substitute for Assembly Bill No. 679—An Act providing for primary elections in this State.

KENNEDY, Chairman.

SPECIAL SENATE FILE—SECOND READING OF BILLS—(RESUMED).

Senate Bill No. 62—An Act to amend section two thousand six hundred and ninety-one of the Political Code of the State of California, relating to roads and highways.

Read second time, and ordered to a third reading.

Mr. Sargent in the chair.

Senate Bill No. 401—An Act to authorize suits against the State, and regulating the procedure therein.

Read second time, and ordered to a third reading.

Senate Bill No. 393—An Act to facilitate the disposition of business in the Superior Court of Fresno County, by the appointment and election of a third Judge of said Court.

Read second time, and ordered to a third reading.

Substitute for Senate Bill No. 137—An Act to establish a Board of Parole Commissioners for the parole of and government of paroled prisoners.

Read second time, and ordered to a third reading.

Senate Bill No. 220—An Act to amend section three hundred and seventy-four of the Penal Code, relating to crimes against the public health.

Read second time, and ordered to a third reading.

Senate Bill No. 76—An Act to amend an Act entitled "An Act to

regulate the practice of pharmacy and sale of poisons in the State of California," approved March 11, 1891.

Read second time, and ordered to a third reading.

Senate Bill No. 382—An Act authorizing the allowance, settlement, and payment of claims of counties against the State.

Read second time, and ordered to a third reading.

Senate Bill No. 166—An Act authorizing the formation of county mutual insurance companies, regulating the transaction of their business, and defining the duties of the officers thereof.

Read second time.

Mr. Bledsoe moved to amend lines eleven, twelve, thirteen, fourteen, fifteen, sixteen, seventeen, and eighteen, section six, of printed bill, so as to read as follows:

Examine witnesses, and who shall make their award in writing to the Superior Court by which they were appointed, said award to be thereupon subject to the approval of said Superior Court, and if the said award be approved by said Superior Court, after a hearing of all parties interested therein, said decision shall be final in all respects, as between said insured and said company. The said committee of reference shall be allowed the sum of three dollars per day for each day's service so rendered, and the sum of ten cents per mile for every mile necessarily traveled by them in the discharge of such duties, which allowances shall be paid by the claimant and the company in equal proportions.

Adopted.

Mr. Duckworth moved to amend as follows:

By striking out of section five all of line six after the word "evidence," and all of lines seven and eight, and inserting the following. "He shall also, at the time of effecting such insurance, pay in cash at least fifty per cent of the premium charges."

Lost.

Also:

Amend by adding to section fifteen the words "All companies formed under the provisions of this Act shall report to the Insurance Commissioner of California at the same time and in the same manner as other corporations conducting the business of insurance in this State are required to report under the general laws They shall be governed in all things by the general laws of this State relating to insurance corporations"

Pending consideration of the amendment, the time for considering the special Senate file having expired, consideration of the general file was ordered resumed.

Speaker Gould in the chair.

MOTION.

Mr. Mathews of Tehama moved that Assembly Bill No. 797 be taken up out of order, and read the third time.

So ordered.

THIRD READING OF BILL.

Assembly Bill No. 797—An Act to provide for an appropriation for the contingent expenses of the Assembly.

Read third time, and passed by the following vote:

AYES—Messrs. Adams, Alford, Anderson, Barker, Barlow, Bennett of Santa Clara, Bennett of Orange, Bledsoe, Bulla, Casterline, Chipman, Conway, Cusick, Dodge, Drees, Duckworth, Duffy, Durst, Emeric, Finlayson, Gallagher, Godchaux, Hendrickson, Hurley, Hutson, Jacobs, Johnson of Humboldt, Kennedy, Kahn, Kerns, LaRue, Lynch, McCauley, McElroy, Mack, Marston, Mathews of Tehama, Matthews of San Benito,

Mordecai, O'Keefe, Owen, Pendleton, Pueschel, Raw, Schlesinger, Schroebel, Shanahan, Simpson, Sims, Standart, Taggart, Talbott, Taylor, Thomas of Santa Clara, Tindall, Vann, Wade, and Mr Speaker—58.
NOES—Mr Sargent—1.

Title read and approved.

MOTIONS.

Mr. Mathews moved that Assembly Bill No. 797 be immediately transmitted to the Senate.

So ordered.

Mr. Bledsoe moved that the further consideration of Assembly Constitutional Amendment No. 14 be made a special order for this day, at four o'clock and thirty minutes P. M.

Lost.

Mr. Kahn moved that the consideration of Assembly Bill No. 36 be made a special order immediately after the consideration of Assembly Constitutional Amendment No. 2.

So ordered.

SPECIAL ORDER.

Assembly Constitutional Amendment No. 2—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, relative to revenue and taxation.

The Judiciary Committee offered the following Committee Substitute for Assembly Constitutional Amendment No. 2:

COMMITTEE SUBSTITUTE FOR ASSEMBLY CONSTITUTIONAL AMENDMENT No. 2.

A resolution to propose to the people of the State of California an amendment to the Constitution of the State, relative to revenue and taxation.

Resolved, That the Legislature of the State of California, at its regular thirtieth session, commencing on the second day of January, A. D. eighteen hundred and ninety-three, two thirds of all the members elected to each of the two houses of said Legislature voting in favor thereof, hereby propose that article thirteen of the Constitution of the State of California be amended to read as follows.

ARTICLE 13—REVENUE AND TAXATION.

SECTION 1. The Legislature shall provide for the levying of taxes and raising of revenue, and the collection of the same, in the manner which it deems to be just, subject, however, to the provisions of this article.

SEC. 2 All taxes shall be uniform upon the same class of subjects within the territorial limits of the authority levying the tax, and shall be levied and collected, and assessments made under general laws.

SEC 3 Land, and the improvements thereon, shall be separately assessed Cultivated and uncultivated land of the same quality, and similarly situated, shall be assessed at the same value.

SEC 4 Every tract of land containing more than six hundred and forty acres, and which has been sectionized by the United States Government, shall be assessed, for the purposes of taxation, by sections or fractions of sections. The Legislature shall provide by law for the assessment, in small tracts, of all lands not sectionized by the United States Government.

SEC 5 The word property, for the purposes of taxation, is hereby declared to include moneys, credits, bonds, stocks, dues, franchises, notes, mortgages, evidences of indebtedness, solvent debts, and everything capable of transfer or ownership. Growing crops, property used exclusively for public schools, and such as may belong to the United States, this State, or to any county or township, city and county, or city or town, within this State, shall be exempt from taxation. The Legislature may, in its discretion, provide for a reduction from the value of any property of the debts due from the owner of the property.

SEC. 6. The power of taxation shall never be surrendered or suspended by any grant or contract to which the State shall be a party.

SEC 7. The Legislature shall have the power to provide by law for the payment of all taxes on real property by installments.

SEC. 8. The Legislature shall by law require each taxpayer in this State to make and deliver to the County Assessor annually a statement, under oath, setting forth specifically all the real and personal property owned by such taxpayer, or in his possession, or under his control, at twelve o'clock M., on the first Monday of March

SEC 9. A State Board of Equalization, consisting of one member from each Congressional District in this State, shall be elected by the qualified electors of their respective districts, at the first general election to be held after the adoption of this amendment, and at each general election every four years thereafter, whose term of office shall be four years, whose duty it shall be to equalize the valuation of the taxable property in the several counties of the State for the purpose of taxation The Boards of Supervisors of the several counties of the State shall constitute Boards of Equalization for their respective counties, whose duty it shall be to equalize the valuation of the taxable property in the county for the purpose of taxation; *provided*, such State and County Boards of Equalization are hereby authorized and empowered, under such rules of notice as the State Board may prescribe as to the action of the State Board, to increase or lower the entire assessment roll, or any assessment contained therein, so as to equalize the assessment of the property contained in said assessment roll, and make the assessment conform to the true value in money of the property contained in said roll; *provided*, that no Board of Equalization shall raise any mortgage, deed of trust, contract, or other obligation by which a debt is secured, money, or solvent credits, above its face value. The State Board of Equalization elected in eighteen hundred and ninety-four shall continue in office until their successors, as herein provided for, shall be elected and shall qualify

SEC 10. All property, except as hereinafter in this section provided, shall be assessed in the county, city and county, town, township, or district in which it is situated, in the manner prescribed by law, the roadway, roadbed, track, rolling stock, snowsheds, bridges, moles, wharves, and the franchise other than a franchise acquired under the laws of the United States, of all railroads operated in this State, other than street railroads, shall be assessed by the State Board of Equalization, at their actual value, and the same shall be apportioned by said Board to the counties, and cities and counties, in which railroads are operated, in proportion to the length of the railroad operated therein, respectively, and the amount thereof so apportioned by said Board to any county, or city and county, shall be apportioned by the Board of Supervisors or other governing Board or Boards of such county, or city and county, to the cities, towns, townships, and districts thereof in which said railroads are operated, in proportion to the length of the railroads operated therein respectively. All taxes levied by or under the authority of the laws of this State, shall constitute liens upon the property above mentioned in this section, at the same time, in the same manner, and with the same effect as upon other kinds of property, and the taxes upon the property above mentioned in this section shall become due and delinquent at the same time, respectively, as taxes upon other kinds of property. The State Board of Equalization shall file in the office of the Controller of State the assessment rolls or books of the property in this section above mentioned; and he shall give notice, in the manner prescribed by law, of said assessments, and of the time when the State and county taxes levied thereupon will become due and delinquent; and said taxes shall be paid to the Treasurer of State. Delinquent taxes upon such property shall be collected in the manner prescribed by law.

SEC 11. Income taxes may be assessed to and collected from persons, corporations, joint-stock associations, or companies resident or doing business in this State, or any one or more of them, in such cases and amounts, and in such manner as shall be prescribed by law.

SEC 12. The Legislature shall pass all laws necessary to carry out the provisions of this article.

Adopted.

MOTION.

Mr. Finlayson moved that the further consideration of Assembly Constitutional Amendment No. 2 be made a special order for next Monday at three o'clock and thirty minutes P. M.

So ordered.

RESOLUTION.

By Mr. Schlesinger:

Resolved, That J. J. Kennedy be added to the joint committee to visit Golden Gate Park.

Adopted.

MOTION.

Mr. Miller moved to be allowed to introduce a bill under the provisions of the Constitution requiring the consent of two thirds of the members.

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

AYES—Messrs. Adams, Alford, Anderson, Androus, Barlow, Bennett of Orange, Bledsoe, Brownlie, Bulla, Burke, Casterline, Chipman, Conway, Curtis, Cusick, Dodge, Drees, Duckworth, Duffy, Durst, Finlayson, Gallagher, Godchaux, Hendrickson, Jacobs, Jacobsen, Johnson of Humboldt, Kennedy, Kahn, Kerns, Luttringer, Lynch, McElroy, McGowan, Mack, Marks, Marston, Matthews of San Benito, Miller, Mordecai, O'Keefe, Owen, Pendleton, Perkins, Pueschel, Raw, Schlesinger, Schroebel, Simpson, Sims, Standart, Talbott, Taylor, Thomas of Santa Clara, Tindall, Vann, Wade, and Mr. Speaker—58

NOES—Mr O'Neill—1.

INTRODUCTION OF BILL.

The following bill was introduced, read by title, and referred to committee, as follows:

By Mr. Miller: Assembly Bill No. 846—An Act providing for the removal of human remains from cemeteries in cities having a population of more than five thousand and not exceeding one hundred thousand.

Referred to Committee on State Hospitals.

SPECIAL ORDER.

Assembly Bill No. 36—An Act to appropriate money for the survey, location, and construction of a free wagon road from the town of Mariposa, in Mariposa County, to the Yosemite Valley.

Read third time.

CALL OF THE HOUSE.

Pending announcement of the vote, Mr. Kahn moved a call of the House, seconded by Messrs. Marks and Brownlie.

So ordered.

The roll was called, and the following members answered to their names:

Messrs. Adams, Alford, Anderson, Androus, Barker, Barlow, Bennett of Santa Clara, Bennett of Orange, Bledsoe, Boyce, Brownlie, Bulla, Burke, Carlson, Casterline, Chipman, Conway, Curtis, Cusick, Dodge, Drees, Duckworth, Durst, Emeric, Finlayson, Gallagher, Godchaux, Hendrickson, Hurley, Hutson, Jacobs, Jacobsen, Johnson of Humboldt, Johnson of Santa Clara, Kahn, Kerns, LaRue, Luttringer, Lynch, McCauley, McElroy, McGowan, Mack, Marks, Marston, Mathews of Tehama, Matthews of San Benito, Miller, Mordecai, O'Keefe, O'Neill, Owen, Pendleton, Perkins, Pueschel, Raw, Sargent, Schroebel, Shanahan, Simpson, Sims, Standart, Taggart, Talbott, Taylor, Thomas of Santa Clara, Tindall, Vann, Wade, and Mr Speaker.

Mr. Kahn moved that further proceedings under the call of the House be dispensed with.

So ordered.

ASSEMBLY BILL No. 36.

The Speaker announced the vote on the passage of Assembly Bill No. 36 to be as follows:

AYES—Messrs. Alford, Anderson, Androus, Barker, Bennett of Santa Clara, Blakeley, Bledsoe, Brownlie, Burke, Carlson, Casterline, Chipman, Conway, Curtis, Cusick, Drees, Duckworth, Durst, Emeric, Gallagher, Gately, Godchaux, Hendrickson, Jacobsen, Johnson of Humboldt, Johnson of Santa Clara, Kennedy, Kahn, Lynch, McGowan,

Mack, Marks, Marston, Mathews of Tehama, Miller, Mordecai, Owen, Pendleton, Pueschel, Raw, Schlesinger, Schroebel, Standart, Talbott, Taylor, Tindall, and Mr. Speaker—47.

NOES—Messrs. Adams, Barlow, Bennett of Orange, Boyce, Bulla, Dodge, Finlayson, Hurley, Hutson, Jacobs, Kerns, Luttringer, McCauley, McElroy, Matthews of San Benito, O'Keefe, O'Neill, Perkins, Shanahan, Simpson, Sims, Taggart, Thomas of Santa Clara, Vann, and Wade—26.

Title read and approved.

MOTION.

Mr. Marston moved that Assembly Bill No. 36 be immediately transmitted to the Senate.

So ordered.

REPORT OF STANDING COMMITTEE.

ON WAYS AND MEANS.

ASSEMBLY CHAMBER, SACRAMENTO, February 23, 1893.

MR SPEAKER: Your Committee on Ways and Means, to whom was referred Assembly Bill No 20—An Act making an appropriation for the construction of a seawall, thoroughfare, and piers, in the harbor of San Diego—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

Also: Senate Bill No 250—An Act appropriating money to pay the claim of W. H. Murray, his heirs or assigns—have had the same under consideration, and respectfully report the same back, and recommend that it do pass, and that it be substituted for Assembly Bill No. 226, No. 421 on the second reading Assembly file of February 23d

Also: Assembly Bill No 458—An Act to provide for the construction and furnishing of an additional school building for the use of the State Normal School at Los Angeles, California, and to appropriate money therefor—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

W. P. MATHEWS, Chairman

SPECIAL FILE—THIRD READING OF BILLS.

Assembly Bill No. 192—An Act to provide for the building and furnishing of three cottages for use as residences of the Resident Physician and two Assistant Physicians at the Napa State Asylum for the Insane, and making an appropriation therefor.

Mr. Wade, on his motion, was allowed to withdraw the bill.

Assembly Bill No. 366—An Act making an appropriation for the erection of an additional building for the State Normal School at San José.

Passed on file.

Assembly Bill No. 469—An Act to pay the claim of Mary M. Springer, the widow and heir of Thomas A. Springer, late State Printer, deceased.

Passed on file.

Assembly Bill No. 737—An Act to provide for the payment of interest on the outstanding bonds of the State of California, held in trust for the University Fund and the State School Fund; to continue in force so much of an Act entitled "An Act to provide for the payment of the funded indebtedness of the State of California, and to contract a funded debt for that purpose," approved April 2, 1870, as is not in conflict with this Act; to repeal an Act of the Legislature of the State of California, approved March 4, 1881, entitled "An Act to appropriate money to reimburse the University of California for moneys heretofore appropriated to the Endowment Fund thereof, which moneys have, by mistake, been withheld therefrom and appropriated to other State

expenses," and making an appropriation to pay the interest on said outstanding bonds from January 1 to July 1, 1893.

Read third time, and passed by the following vote:

AYES—Messrs. Adams, Alford, Anderson, Androus, Barker, Barlow, Bennett of Santa Clara, Bennett of Orange, Bledsoe, Boyce, Brownlie, Bulla, Burke, Carlson, Casterline, Chipman, Conway, Curtis, Dodge, Drees, Durst, Finlayson, Gallagher, Hendrickson, Hurley, Jacobs, Johnson of Santa Clara, Kahn, Lynch, McElroy, Mack, Marks, Miller, Mordecai, O'Keefe, Owen, Pendleton, Perkins, Raw, Sargent, Schlesinger, Schroebel, Shanahan, Sims, Talbott, Taylor, Thomas of Santa Clara, Tindall, Vann, Wade, and Mr. Speaker—51.

NOES—None

Title read and approved.

MOTION.

Mr. Miller moved that Assembly Bill No. 356, as amended in committee, be printed and laid upon the members' desks.

So ordered.

SPECIAL FILE—THIRD READING OF BILLS—(RESUMED).

Assembly Bill No. 483—An Act making an appropriation to pay the deficiency in the appropriation for additional improvements for the Southern California State Asylum for the Insane and Inebriates.

Read third time, and passed by the following vote:

AYES—Messrs Adams, Alford, Anderson, Androus, Barker, Barlow, Bennett of Santa Clara, Bennett of Orange, Boyce, Burke, Carlson, Casterline, Chipman, Conway, Curtis, Dodge, Drees, Durst, Emeric, Finlayson, Gallagher, Hendrickson, Hurley, Jacobs, Johnson of Santa Clara, Kennedy, Kahn, Kerns, Lynch, McCauley, McElroy, Mack, Marks, Miller, Mordecai, O'Keefe, Owen, Pendleton, Perkins, Schroebel, Simpson, Sims, Talbott, Taylor, Thomas of Santa Clara, Tindall, Vann, and Wade—48.

NOES—Mr. Bledsoe—1.

Title read and approved.

REPORT OF STANDING COMMITTEE.

ON MINES AND MINING.

ASSEMBLY CHAMBER, SACRAMENTO, February 23, 1893.

MR SPEAKER: Your Committee on Mines and Mining, to whom was referred Assembly Bill No 810—An Act to add a new section to the Civil Code of the State of California, to be numbered section one thousand four hundred and nine, defining water measurement—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

Also: Assembly Bill No. 800—An Act to provide for the establishment, maintenance, and support of a bureau, to be known as the State Mining Bureau, and for the appointment and duties of a Board of Trustees, to be known as the Board of Trustees of the State Mining Bureau, who shall have the supervision of said State Mining Bureau, and to provide for the appointment, duties, and compensation of a State Mineralogist, who shall perform the duties of his office subject to the approval and under the supervision of the Board of Trustees of the State Mining Bureau—have had the same under consideration, and respectfully report the same back with a substitute, and recommend that the committee substitute do pass.

MACK, for Chairman.

MOTIONS.

Mr. Bulla moved that Assembly Bill No. 370 be re-referred to the Committee on County and Township Governments.

So ordered.

Mr. Wade moved to take up Senate messages.

So ordered.

MESSAGES FROM THE SENATE.

SENATE CHAMBER, SACRAMENTO, February 23, 1893.

MR SPEAKER: I am directed to inform your honorable body that the Senate, on this day, passed Assembly Bill No. 797—An Act to provide for an appropriation for the contingent expenses of the Assembly.

F. J. BRANDON, Secretary
By R. SHAW, Assistant.

Ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, February 21, 1893.

MR. SPEAKER: I am directed to inform your honorable body that the Senate, on the twenty-first day of February, refused to pass Assembly Bill No. 60—An Act amending section one thousand two hundred and seven of the Civil Code of the State of California, approved March 12, 1872, relating to proof and acknowledgment of instruments

F. J BRANDON, Secretary
By A. D. BOWEN, Assistant.

Also:

SENATE CHAMBER, SACRAMENTO, February 21, 1893

MR. SPEAKER: I am directed to inform your honorable body that the Senate, on the twenty-first day of February, passed Senate Bill No. 19—An Act to amend section one thousand two hundred and forty-three of the Penal Code of the State of California, relative to the stay of the execution of the judgment in criminal cases pending an appeal to the Supreme Court.

Also: Senate Bill No. 40—An Act directing the State Board of Harbor Commissioners to construct a certain portion of the harbor embankment, or seawall, of the port of San Francisco

Also: Senate Bill No. 445—An Act to add a new section to the Penal Code, to be numbered five hundred and thirty-eight, relating to misrepresentations as to circulation, by proprietors of newspapers and periodicals, for the purpose of obtaining patronage.

F. J BRANDON, Secretary
By A. D. BOWEN, Assistant

Senate Bill No. 19 referred to Committee on Judiciary.

Senate Bill No. 40 referred to Committee on Commerce and Navigation.

Senate Bill No. 445 referred to Committee on Public Morals.

Also:

SENATE CHAMBER, SACRAMENTO, February 23, 1893

MR. SPEAKER: I am directed to inform your honorable body that the Senate, on this day, passed Senate Bill No 281—An Act making an appropriation to pay the deficiency in the appropriation for the support of the Reform School for Juvenile Offenders at Whittier for the forty-third and forty-fourth fiscal years.

Also: Senate Bill No. 283—An Act to provide for the purchase of Supreme Court reports.

Also: Senate Bill 201—An Act to provide for certain improvements in the State Insane Asylum at Stockton, California, and making an appropriation therefor

Also: Senate Bill No. 96—An Act to provide for the construction and furnishing of an additional school building for the use of the State Normal School at Los Angeles, California, and to appropriate money therefor.

F. J. BRANDON, Secretary
By R. SHAW, Assistant.

Senate Bill No. 281 referred to Committee on Ways and Means.

Senate Bill No. 283 referred to Committee on Judiciary.

Senate Bill No. 201 referred to Committee on State Hospitals.

Senate Bill No. 96 placed on special Assembly file, on motion of Mr. Mathews of Tehama.

Also:

SENATE CHAMBER, SACRAMENTO, February 23, 1893

MR. SPEAKER: I am directed to inform your honorable body that the Senate, on this day, passed Senate Bill No 492—An Act in relation to the care and improvement of the State Capitol grounds, and making an appropriation therefor.

Also: Senate Bill No. 602—An Act making an appropriation to pay for the transportation of children to the State Reform School for Juvenile Offenders, for the forty-third fiscal year

Also: Senate Bill No. 205—An Act to provide for the payment, by the Board of Directors of the State Insane Asylum, at Stockton, California, of certain sums of money, for the paving of California Street, in the city of Stockton, county of San Joaquin, State of California, opposite the State Insane Asylum at Stockton, California, and for the construction of a concrete sidewalk along said street.

Also: Senate Bill No. 603—An Act making an appropriation for payment of transportation of children to the State Reform School for Juvenile Offenders, for the forty-fourth fiscal year.

F. J. BRANDON, Secretary
By R. SHAW, Assistant.

Senate Bills Nos. 492, 602, 205, and 603 referred to Committee on Ways and Means.

Also:

SENATE CHAMBER, SACRAMENTO, February 23, 1893.

MR. SPEAKER: I am directed to inform your honorable body that the Senate, on the twentieth day of February, 1893, passed Senate Bill No 641—An Act to amend sections two, three, and twenty-four of an Act entitled "An Act to provide for work upon streets, lanes, alleys, courts, places, and sidewalks, and for the construction of sewers within municipalities," approved March 17, 1885.

F. J. BRANDON, Secretary.
By R. SHAW, Assistant.

Senate Bill No. 641 referred to Committee on Municipal Corporations.

Also:

SENATE CHAMBER, SACRAMENTO, February 23, 1893.

MR. SPEAKER: I am directed to inform your honorable body that the Senate, on this day, passed Substitute for Senate Bill No 232—An Act to provide for the payment of advertising "Notice to all Chinese persons in the State of California," and to make an appropriation therefor.

Also: Substitute for Senate Bill No. 231—An Act to provide for the payment of advertising the funded debt, and make an appropriation therefor.

Also: Substitute for Senate Bill No 239—An Act to provide for the payment for advertising the San Francisco Depot Act, and make an appropriation therefor.

F. J. BRANDON, Secretary.
By A. D. BOWEN, Assistant.

Also:

SENATE CHAMBER, SACRAMENTO, February 23, 1893.

MR. SPEAKER: I am directed to inform your honorable body that the Senate, on this day, passed Senate Bill No. 479—An Act making an appropriation to pay for the management and maintenance of the Southern California State Asylum for the Insane and Inebriates for the forty-fourth fiscal year.

Also: Senate Bill No 480—An Act making an appropriation to pay the deficiency in the appropriation for additional improvements for the Southern California State Asylum for the Insane and Inebriates.

Also: Senate Bill No 309—An Act to provide for planting a row of trees around the Capitol grounds, and to make an appropriation therefor

Also: Senate Bill No. 224—An Act making an appropriation for the construction of a cement floor in the basement of the State Normal School building at Chico.

F. J. BRANDON, Secretary.
By R. SHAW, Assistant.

Also:

SENATE CHAMBER, SACRAMENTO, February 23, 1893.

MR. SPEAKER: I am directed to inform your honorable body that the Senate, on this day, passed Senate Bill No. 204—An Act to provide for certain improvements at the State Insane Asylum at Stockton, California, and making an appropriation therefor.

Also, Senate Bill No 320—An Act making an appropriation for the construction of a sewer for the State Insane Asylum at Agnews, and to provide for the expenditure of the same.

Also: Senate Bill No. 202—An Act to provide for the purchase of apparatus and appliances for the protection of the buildings and property of the State Insane Asylum at Stockton, California, and making an appropriation therefor.

Also: Senate Bill No 107—An Act to appropriate money for the purpose of sending an expert to foreign countries to collect and import into this State parasites and predaceous insects.

F. J. BRANDON, Secretary.
By R. SHAW, Assistant.

Substitute for Senate Bill No. 232, Substitute for Senate Bill No. 231, Substitute for Senate Bill No. 239, Senate Bills Nos. 479, 480, 309, 224, 204, 320, 202, and 107 referred to Committee on Ways and Means.

NOTICE OF RECONSIDERATION.

Mr. Lynch gave notice that on the next legislative day he will move a reconsideration of the vote whereby Assembly Bill No. 483 was passed.

RECESS.

Mr. Lynch moved to take a recess until seven o'clock and thirty minutes P. M.

So ordered.

EVENING SESSION.

The Assembly reassembled at seven o'clock and thirty minutes P. M. Speaker Gould in the chair.

Quorum present.

MOTION.

Mr. Shanahan moved to adjourn.

Lost.

REPORT OF STANDING COMMITTEE.

ON WAYS AND MEANS.

ASSEMBLY CHAMBER, SACRAMENTO, February 23, 1893.

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred Assembly Bill No. 67—An Act to provide for the purchase of a residence for the Governor of the State of California, and to appropriate money therefor—have had the same under consideration, and respectfully report the same back without recommendation.

W. P. MATHEWS, Chairman.

MOTION.

Mr. Duckworth moved to suspend Rule 72.

Lost.

URGENCY FILE.

In accordance with the rule adopted this day the Speaker directed the roll to be called for members to select bills to be placed upon the urgency file. The roll was called, and the following bills set opposite the names of members calling them up were placed on said file:

Mr. Adams, Assembly Constitutional Amendment No. 29.
Mr. Alford, Assembly Bill No. 402.
Mr. Anderson, Assembly Bill No. 67.
Mr. Androus, Assembly Bill No. 56.
Mr. Barker, Assembly Bill No. 235.
Mr. Barlow, Assembly Bill No. 193.
Mr. Bennett of Santa Clara, Assembly Bill No. 694.
Mr. Bennett of Orange, Assembly Bill No. 473.
Mr. Blakeley, Assembly Bill No. 239.
Mr. Bledsoe, Assembly Bill No. 365.
Mr. Boyce, Assembly Bill No. 727.

Mr. Bretz, Assembly Bill No. 19.
Mr. Brownlie, Assembly Bill No. 729.
Mr. Buckley, Assembly Bill No. 264.
Mr. Bulla, Assembly Bill No. 81.
Mr. Burke, Assembly Bill No. 540.
Mr. Carlson, Assembly Bill No. 20.
Mr. Casterline, Assembly Bill No. 248.
Mr. Chipman, Assembly Bill No. 477.
Mr. Conway, Assembly Bill No. 715.
Mr. Curtis, Assembly Bill No. 586.
Mr. Cusick, Assembly Bill No. 543.
Mr. Dodge, Assembly Bill No. 614.
Mr. Drees, Assembly Bill No. 393.
Mr. Duckworth, Assembly Bill No. 654.
Mr. Durst, Assembly Bill No. 787.
Mr. Emeric, Assembly Bill No. 300.
Mr. Finlayson, Assembly Bill No. 42.
Mr. Gallagher, Assembly Bill No. 203.
Mr. Gately, Assembly Bill No. 731.
Mr. Godchaux, Assembly Bill No. 707.
Mr. Hendrickson, Assembly Bill No. 369.
Mr. Hurley, Assembly Bill No. 581.
Mr. Hutson, Assembly Bill No. 63.
Mr. Jacobs, Assembly Bill No. 513.
Mr. Jacobsen, Assembly Bill No. 724.
Mr. Johnson of Humboldt, Assembly Bill No. 630.
Mr. Johnson of Santa Clara, Assembly Bill No. 354.
Mr. Kennedy, Assembly Bill No. 408.
Mr. Kahn, Assembly Bill No. 726.
Mr. Kerns, Assembly Bill No. 85.
Mr. LaRue, Assembly Bill No. 244.
Mr. Luttringer, Assembly Bill No. 663.
Mr. Lynch, Assembly Bill No. 184.
Mr. McElroy, Assembly Bill No. 674.
Mr. McGowan, Assembly Bill No. 284.
Mr. Mack, Assembly Bill No. 666.
Mr. Marks, Assembly Bill No. 305.
Mr. Marston, Assembly Bill No. 246.
Mr. Mathews of Tehama, Assembly Bill No. 550.
Mr. Matthews of San Benito, Assembly Bill No. 575.
Mr. Miller, Assembly Bill No. 350.
Mr. Mordecai, Assembly Bill No. 696.
Mr. O'Keefe, Assembly Bill No. 108.
Mr. O'Neill, Assembly Bill No. 236.
Mr. Owen, Assembly Bill No. 467.
Mr. Pendleton, Assembly Bill No. 313.
Mr. Perkins, Assembly Bill No. 272.
Mr. Pueschel, Assembly Bill No. 307.
Mr. Raw, Assembly Bill No. 512.
Mr. Sargent, Assembly Bill No. 373.
Mr. Schlesinger, Assembly Bill No. 611.
Mr. Shanahan, Assembly Bills Nos. 432, 433, 434, and 435.
Mr. Simpson, Assembly Bill No. 191.

Mr. Sims, Assembly Bill No. 368.
Mr. Taggart, Assembly Bill No. 219.
Mr. Taylor, Assembly Bill No. 604.
Mr. Thomas of Nevada, Assembly Bill No. 691.
Mr. Thomas of Santa Clara, Assembly Bill No. 391.
Mr. Tindall, Assembly Bill No. 665.
Mr. Vann, Assembly Bills Nos. 595 and 596.

The Assembly then proceeded to consider the urgency file.

Assembly Constitutional Amendment No. 29—Proposing to the people of the State an amendment to section one of article thirteen of the Constitution, relative to exemption from taxation.

Mr. Adams moved that the further consideration of Assembly Constitutional Amendment No. 29 be made a special order for Monday at three o'clock and thirty minutes P. M.

So ordered.

Assembly Bill No. 402—An Act providing for appeals from orders of the Board of Supervisors forming or refusing to form reclamation or swamp land districts, setting off lands from such districts, or including lands in such districts, or consolidating swamp land or reclamation districts.

Read third time, and passed by the following vote:

AYES—Messrs. Adams, Anderson, Androus, Barker, Barlow, Bennett of Santa Clara, Bennett of Orange, Blakeley, Buckley, Bulla, Burke, Carlson, Casterline, Chipman, Conway, Curtis, Cusick, Dodge, Drees, Durst, Finlayson, Gallagher, Gately, Godchaux, Hendrickson, Hurley, Hutson, Jacobs, Jacobsen, Johnson of Humboldt, Johnson of Santa Clara, Kennedy, Kerns, McGowan, Mack, Marks, Marston, Matthews of San Benito, Miller, O'Keefe, Pendleton, Perkins, Pueschel, Raw, Schlesinger, Shanahan, Simpson, Sims, Standart, Taggart, Taylor, Thomas of Nevada, Thomas of Santa Clara, Tindall, Vann, Wade, and Mr. Speaker—57.
NOES—Mr. Sargent—1.

Title read and approved.

Assembly Bill No. 67—An Act to provide for the purchase of a residence for the Governor of the State of California, and to appropriate money therefor.

Read first time, and placed on file for second reading.

Assembly Bill No. 56—An Act to provide for the organization and government of districts already supplied with water for domestic and irrigation purposes, or either, and to provide for the acquisition of additional supplies of water when necessary, and to provide for the regulation and use of such water.

Read first time, and placed on file for second reading.

Assembly Bill No. 235—An Act supplemental to an Act entitled "An Act to provide for the organization and government of irrigation districts, and to provide for the acquisition of water and other property, and for the distribution of water thereby for irrigation purposes," approved March 7, 1887, providing for reducing the bonded indebtedness thereof.

Read second time.

Mr. Carlson moved to amend, as follows:

In line six of section four by striking out the word "thereof," and inserting in place thereof the word "thereby."

Adopted.

Ordered engrossed and to a third reading.

Assembly Bill No. 193—An Act to provide for the incorporation, operation, and management of coöperative associations.

Read second time, ordered engrossed and to a third reading.

Assembly Bill No. 694—An Act to insure preference in appointment, employment, and retention therein, in the public service of the State of California, and municipalities, villages, and counties of the State of California, to ex-Union soldiers of the late war.

Read second time, ordered engrossed and to a third reading.

Assembly Bill No. 473—An Act to increase the revenue by the taxation of incomes.

Read second time, ordered engrossed and to a third reading.

Assembly Bill No. 239—An Act to create the county of Kings, to define the boundaries thereof, to fix the county seat thereof, and to provide for its organization and election of officers, and to classify said county.

Passed on file, on motion of Mr. Blakeley.

Assembly Bill No. 365—An Act to provide for the transfer of certain moneys from one county to another, when a new county has been formed and organized.

Read second time.

Mr. Vann moved to amend, as follows:

By inserting in section two, line one, after the word "road," the words "or school."

Adopted.

Ordered engrossed, and to a third reading.

Assembly Bill No. 727—An Act to amend sections three, five, six, and ten of an Act entitled "An Act to provide for the maintenance and support of the public parks heretofore created within the various cities, and cities and counties, of the State, and to amend the existing Acts in relation thereto," approved March 14, 1889.

Read first time, and placed on file for second reading.

Assembly Bill No. 19—An Act to amend "An Act to establish a Civil Code," approved March 21, 1872, by adding a new section thereto, to be numbered four hundred and thirty-two, relating to fire and marine insurance.

Read second time, ordered engrossed and to a third reading.

Assembly Bill No. 729—An Act appropriating money to pay the claims of H. P. Dyer, E. F. Dyer, C. A. Granger, Gaston Goldsmith, and P. Reddy.

Read first time, and placed on file for second reading.

Assembly Bill No. 264—An Act providing for the sale of railroad and other franchises in municipalities, and fixing the time when certain Acts of the governing bodies thereof, relative to franchises, shall take effect.

Read second time.

Committee amendments, as follows:

Amend section one, line eleven, of printed bill, by striking out the words "one or more," and inserting the following words: "not more than two."

Adopted.

Also:

Amend section two of printed bill by striking out the entire section, and numbering the remaining sections accordingly.

Adopted.

Ordered engrossed and to a third reading.

Assembly Bill No. 81—An Act to amend sections three thousand seven hundred and sixty-five, three thousand seven hundred and seventy-three, three thousand seven hundred and seventy-eight, three thousand seven hundred and eighty, three thousand seven hundred and eighty-one, three thousand seven hundred and eighty-five, three thousand seven hundred and eighty-eight, and three thousand eight hundred and seventeen; and to repeal sections three thousand seven hundred and seventy-four, three thousand seven hundred and seventy-five, three thousand seven hundred and seventy-six, three thousand seven hundred and seventy-seven, three thousand seven hundred and seventy-nine, three thousand seven hundred and eighty-two, three thousand seven hundred and eighty-three, three thousand seven hundred and eighty-four, and three thousand eight hundred and eighteen of an Act of the Legislature of the State of California entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the sale of real property for delinquent taxes, and the redemption and resale of such property; and to add a new section thereto, to be known and designated as section three thousand eight hundred and one, also relating to the sale of real property for delinquent taxes.

Read second time.

Committee amendments, as follows:

AMENDMENT No. 1

In title, after the words "three thousand seven hundred and eighty-eight," insert "section three thousand eight hundred and sixteen."

Adopted.

AMENDMENT No. 2.

Amend as follows: After the word "taxes" and before the words "section one" add the following: "The People of the State of California, represented in Senate and Assembly, do enact as follows"

Adopted.

AMENDMENT No. 3.

After the word "office," on line eight, section two, printed bill, insert the following words: "*provided*, that when the said taxes amount to the sum of three hundred dollars or more, upon any piece of property, the State may bring suit against the owner of said property for the collection of said taxes and costs, as provided in section three thousand eight hundred and ninety-nine of this Code."

Adopted.

AMENDMENT No. 4.

In line three, section ten of printed bill, strike out the following words: "gold or silver coin," and insert in place thereof "lawful money of the United States."

Adopted.

AMENDMENT No. 5.

In line eight, section fourteen of the printed bill, strike out from and inclusive of the word "it," to and including the word "property," in line eleven.

Adopted.

AMENDMENT No 6.

After the word "incumbrances," on line five of section fifteen of the printed bill, insert the following· "except when the land is owned by the United States or this State, in which case it is prima facie evidence of the right of possession, accrued as of the date of the deed to the State."

Adopted.

AMENDMENT No. 7.

After the word "sale" on line number ten, section sixteen, add the following:

"SEC. 17. Section thirty-eight hundred and sixteen of the Political Code of the State of California is hereby amended so as to read as follows.

"Section 3816. Whenever property sold to the State, pursuant to the provisions of this chapter, shall be redeemed as herein provided, the moneys received on account of such redemption shall be distributed as follows. The original and all subsequent taxes, and all percentages and penalties paid in redemption, except as hereinafter provided, shall be apportioned between the State and county in the same proportion that the State tax bears to the county tax; the five per cent additional, and the money received for delinquent poll tax, shall be paid to the county; the percentage allowed for the collection of the delinquent poll tax shall be paid to the Collector, and the costs to the parties entitled thereto. The County Treasurers shall keep an accurate account of all money paid in redemption of property sold to the State, and shall, on the first Monday of June in each year, make a detailed report, verified by his affidavits, of each account, year for year, to the Controller of State, in such form as the Controller may desire. Whenever the State shall receive from the Tax Collector any grant of property so sold for taxes, the same shall be recorded, at the request of the County Treasurer, free of charge, by the County Recorder, and shall be immediately reported by the County Treasurer to the State Board of Equalization."

Also: Make "section seventeen" read "section eighteen"

Adopted.

AMENDMENT No. 8.

After the word "therefor," in line forty-one of section eighteen of the printed bill, add the following:

"SEC. 19. Section three thousand eight hundred and ninety-nine of the Political Code of the State of California is hereby amended to read as follows:

"The Controller may, at any time after a delinquent list has been delivered to a Collector, direct such Collector not to proceed in the collections of any tax on said list amounting to three hundred dollars, further than to offer for sale but once to the State, any property upon which such tax is a lien. Upon such direction, the Collector, after offering the property for sale once, if the taxes which are a lien upon such property are not then and there paid by the owner or person in interest, the Collector must make out and deliver to the Controller a certified copy of the entries upon the delinquent list relative to such tax, and the Tax Collector, or the Controller, in case the Tax Collector refuses or neglects for fifteen days after being directed to bring suit for collection by the Controller, may proceed by civil action in the proper Court, and in the name of the people of the State of California, to collect such tax and costs."

Adopted.

AMENDMENT No. 9.

Make "section eighteen" in the printed bill read "section twenty;" make "section nineteen" in printed bill read "section twenty-one;" make "section twenty" in printed bill read "section twenty-two."

Adopted.

Bill ordered engrossed and to a third reading.

Assembly Bill No. 540—An Act to provide for the publication of legal notices.

Read second time,

Mr. Burke moved to amend, as follows:

By adding the word "legal," after the word "all," in section one

Adopted.

Also: Amend by adding the words "summons, orders, and decrees," after the word "notices," in section one, line one

Adopted.

Also: Amend by adding the words "daily or weekly," after the word "issued," in section one, and line two.

Adopted.

Also: Amend by adding the word "news," after the word "legal," in section one, line two.

Adopted.

Also: By striking out the balance of section one.

Adopted.

Bill ordered engrossed and to a third reading.

Assembly Bill No. 20—An Act making an appropriation for the construction of a seawall, thoroughfare, and piers, in the harbor of San Diego.

Read first time, and placed on file for second reading.

Assembly Bill No. 248—An Act to amend section three thousand eight hundred and four of the Political Code, so as to provide for the refunding of double and erroneous assessments of taxes, and to relieve land owners from the effect of illegal tax sales.

Read second time.

Committee amendment, as follows:

Strike out all of lines fourteen, fifteen, and sixteen of the printed bill, and in place thereof insert: "such part of the tax refunded, as may have been paid by the County Treasurer into the State Treasury, shall be regarded as an amount due the county from the State, and shall be deducted in the next settlement had by the county with the Controller, such deduction to be made in the manner that other deductions are made, as provided in section three thousand eight hundred and seventy-one of the Political Code of this State."

Adopted.

Bill ordered engrossed and to a third reading.

MOTIONS.

Mr. Adams, on his motion, was allowed to place Assembly Bill No. 722 on the urgency file.

Mr. Kennedy moved to adjourn.

Lost.

Mr. Schlesinger moved to adjourn.

Lost.

URGENCY FILE—(RESUMED).

Assembly Bill No. 477—An Act making an appropriation for the payment of the claim of A. L. Rhodes for his services as counsel for the plaintiff in an action entitled "The County of Santa Clara vs. The Southern Pacific Railroad Company," and other actions, in the Circuit Court of the United States, Ninth Circuit, District of California, and

in the Supreme Court of the United States, brought for the collection of delinquent taxes assessed upon the property of railroad companies.

Read second time.

Committee amendment, as follows:

In section two of the printed bill strike out all of lines three, four, five, and six.

Adopted.

MOTION.

Mr. Pendleton moved that the Assembly resolve itself into Committee of the Whole, with the Speaker in the chair, for the purpose of considering Assembly Bill No. 477.

So ordered.

IN COMMITTEE OF THE WHOLE.

Speaker Gould in the chair.

Assembly Bill No. 477 was considered in Committee of the Whole.

IN ASSEMBLY.

Speaker Gould in the chair.

REPORT OF THE COMMITTEE OF THE WHOLE.

The Speaker stated the report of the Committee of the Whole, as follows:

GENTLEMEN: The Committee of the Whole have had under consideration Assembly Bill No. 477—and now report and recommend that the same do pass.

MOTION.

Mr. Dodge gave notice that on the next legislative day he will move to amend the rules as follows:

Resolved, That discussion on all questions, resolutions, or bills be limited to thirty minutes, at the expiration of which time the same shall be voted upon.

ADJOURNMENT.

At nine o'clock and forty minutes P. M., on motion of Mr. Hurley, the Assembly adjourned.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Friday, February 24, 1893.

The Assembly met pursuant to adjournment.

Speaker Gould in the chair.

The roll was called, and the following members answered to their names:

Messrs. Adams, Alford, Anderson, Androus, Barker, Barlow, Bennett of Santa Clara, Bennett of Orange, Blakeley, Bledsoe, Boyce, Bretz, Brownlie, Buckley, Bulla, Burke, Carlson, Casterline, Chipman, Conway, Curtis, Cusick, Dodge, Drees, Duckworth, Duffy, Durst, Emeric, Finlayson, Gallagher, Gately, Godchaux, Hendrickson, Hurley, Hutson, Jacobs, Jacobsen, Johnson of Humboldt, Kennedy, Kahn, Kerns, LaRue, Luttringer, Lynch, McCauley, McElroy, McGowan, Mack, Marks, Marston, Mathews of Tehama, Matthews of San Benito, Miller, Mordecai, O'Keefe, Owen, Pendleton, Perkins, Pueschel, Raw, Schlesinger, Schroebel, Shanahan, Simpson, Sims, Standart, Taggart, Talbott, Taylor, Thomas of Nevada, Thomas of Santa Clara, Tindall, Vann, Wade, and Mr. Speaker

Quorum present.

PRAYER.

Prayer by the Chaplain, Rev. H. W. Conry.

READING AND APPROVAL OF THE JOURNAL.

Pending the reading of the Journal of yesterday, Mr. Bennett of Santa Clara moved that the further reading be dispensed with.

So ordered.

Journal of Tuesday, February 21st, approved.

MOTION.

Mr. Schlesinger moved that Assembly Bill No. 539 be stricken from the file.

So ordered.

REPORTS OF STANDING COMMITTEES.

ON FEDERAL RELATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, February 24, 1893.

MR. SPEAKER: Your Committee on Federal Relations, to whom was referred Assembly Joint Resolution No. 25—Relative to the erection and construction of the new Post Office building in the City and County of San Francisco, State of California—have had the same under consideration, and respectfully report the same back, and recommend that the same be adopted.

Also: Assembly Bill No. 812—An Act to amend an Act entitled "An Act giving consent of the State of California to the reservation of certain lands by Congress," approved March 14, 1891.

Also: Senate Bill No. 48—An Act to cede jurisdiction to the United States over certain lands.

Also: Assembly Bill No. 678—An Act to cede jurisdiction to the United States over certain lands.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

SIMS, Chairman.

ON PUBLIC MORALS.

ASSEMBLY CHAMBER, SACRAMENTO, February 24, 1893

MR. SPEAKER: Your Committee on Public Morals, to whom was referred Senate Bill No. 445—An Act to add a new section to the Penal Code, to be numbered five hundred

and thirty-eight, relating to misrepresentation as to circulation by proprietors of newspapers and periodicals, for the purpose of obtaining patronage—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

BLEDSOE, Chairman.

ON AGRICULTURE

ASSEMBLY CHAMBER, SACRAMENTO, February 24, 1893.

MR. SPEAKER: Your Committee on Agriculture, to whom was referred Substitute for Senate Bill No 71—An Act to prevent deception in the manufacture and sale of imitation butter, and to appropriate money for its enforcement—have had the same under consideration, and respectfully report the same back, and recommend that it do pass

LARUE, Chairman.

Ordered on file.

SUB-COMMITTEE ON COMMERCE AND NAVIGATION.

SENATE CHAMBER, SACRAMENTO, February 23, 1893.

MR. SPEAKER: Messrs. E Godchaux, J. McGowan, J. E. Buckley, and W T. Boyce, being a sub-committee of the Committee on Commerce and Navigation, having been authorized to visit San Francisco under the following resolution, viz.:

Resolved, That a sub-committee of four be appointed by the Chairman of the Committee on Commerce and Navigation from such committee, together with the Clerk, for the purpose of visiting the harbor of San Francisco and inspecting the so-called Belt Railroad therein, and under the supervision of the Board of State Harbor Commissioners; also, for the purpose of taking such testimony as may be furnished such sub-committee in relation thereto, hereby granted leave of absence until Monday at noon.

Beg leave to report that they visited San Francisco and inspected the Belt Railroad line of San Francisco, and traveled in going to and from that place one hundred and sixty-eight miles, for which they are each entitled to the sum of sixteen dollars and eighty cents as mileage.

Resolved, That E. Godchaux, J McGowan, W. T. Boyce, and J. E. Buckley be allowed the sum of sixteen dollars and eighty cents each, as mileage for said trip, and that the State Controller be authorized to draw his warrant in favor of E. Godchaux for sixty-seven dollars and twenty cents, the sum specified, on the appropriation for the contingent expenses of the Assembly.

BUCKLEY,
BOYCE,
McGOWAN,
GODCHAUX,
Sub-Committee on Commerce and Navigation.

Referred to Committee on Mileage.

ON PUBLIC PRINTING.

ASSEMBLY CHAMBER, SACRAMENTO, February 24, 1893.

MR. SPEAKER: Your Committee on Public Printing, to whom was referred Assembly Bill No. 741—have had the same under consideration, and respectfully report the same back, and recommend that it be re-referred to the Committee on Ways and Means.

HENDRICKSON, Chairman.

Assembly Bill No. 741 re-referred to Committee on Ways and Means.

MESSAGES FROM THE SENATE.

SENATE CHAMBER, SACRAMENTO, February 23, 1893.

MR. SPEAKER: I am directed to inform your honorable body that the Senate, on this day, passed Assembly Bill No 634—An Act making an appropriation to pay the deficiency in the appropriation for the restoration and preservation of fish in the waters of the State for the forty-second and the forty-third fiscal years.

Also. Assembly Bill No 195—An Act to abolish the State Drainage Construction Fund, and directing the transfer of any balance remaining therein to the General Fund

Also: Assembly Bill No. 186—An Act to amend section three thousand eight hundred and sixty-eight of the Political Code, relating to the report of County Auditors

Also: Assembly Bill No. 153—An Act to amend section six and section eight of an Act approved March 19, 1889, entitled "An Act authorizing the incurring of indebtedness by cities, town, and municipal corporations, incorporated under the laws of this State,

for the construction of waterworks, sewers, and all necessary public improvements, or for any purpose whatever," and to repeal the Act approved March 9, 1885, entitled "An Act to authorize municipal corporations of the fifth class, containing more than three thousand and less than ten thousand inhabitants, to obtain waterworks;" also, to repeal an Act approved March 15, 1887, entitled "An Act authorizing the incurring of indebtedness by cities, towns, and municipal corporations incorporated under the laws of this State"

Also: Assembly Bill No. 635—An Act making an appropriation to pay the deficiency in the appropriation for support and maintenance of State hatcheries for the forty-second and forty-third fiscal years.

Also: Assembly Bill No 282—An Act making an appropriation to pay the deficiency in the appropriation provided by an Act entitled "An Act to establish a School of Industry, to provide for the maintenance and management of the same, and to make an appropriation therefor," approved March 11, 1889

Also: Assembly Bill No 281—An Act to provide for paying for improving that portion of Tenth Street lying between L and N Streets, in the city of Sacramento, adjoining the State Capitol grounds, and for sundry work to the Capitol sidewalk and grounds, and making an appropriation therefor.

Also: Assembly Bill No 459—An Act making an appropriation to pay the deficiency in the appropriation for expenses of Supreme Court, under section forty-seven, Code of Civil Procedure, for forty-first fiscal year

F. J BRANDON, Secretary.
By R. SHAW, Assistant.

Also:

SENATE CHAMBER, SACRAMENTO, February 23, 1893

MR. SPEAKER: I am directed to inform your honorable body that the Senate, on this day, passed Assembly Bill No. 146—An Act making an appropriation to pay the deficiency in the appropriation for postage, expressage, telegraphing, and contingent expenses, State Board of Examiners, for the forty-fourth fiscal year.

Also: Assembly Bill No. 126—An Act appropriating the sum of ten thousand dollars for supplying a system of heating and ventilating the State Normal School building at San José, California

Also: Assembly Bill No 627—An Act to provide for the redemption and payment of certain funded debt bonds of this State, together with interest thereon, making an appropriation therefor, and authorizing the State Controller and State Treasurer to transfer the sum of one hundred and twenty thousand dollars from the General Fund to the Interest and Sinking Fund to carry out the provisions of this Act.

F. J. BRANDON, Secretary.
By R. SHAW, Assistant.

Also:

SENATE CHAMBER, SACRAMENTO, February 23, 1893

MR SPEAKER: I am directed to inform your honorable body that the Senate, on this day, passed Assembly Bill No. 31—An Act to amend section one hundred and fifty-nine and one half of the Penal Code, making it a misdemeanor to advertise to obtain or procure a divorce or nullity of marriage

Also. Assembly Bill No. 270—An Act to establish a Naval Battalion, to be attached to the National Guard of California

Also: Assembly Bill No 241—An Act to amend section three thousand eight hundred and sixty-six of the Political Code, relating to settlements with the Controller, and payments into the State Treasury

Also. Assembly Bill No 287—An Act to amend an Act entitled "An Act to authorize the Common Council, Board of Trustees, or other governing body of any incorporated city or town, other than cities of the first class, to refund its indebtedness, issue bonds therefor, and provide for the payment of the same," approved March 15, 1883.

F. J. BRANDON, Secretary.
By R. SHAW, Assistant.

Also:

SENATE CHAMBER, SACRAMENTO, February 23, 1893.

MR SPEAKER I am directed to inform your honorable body that the Senate, on this day, passed Assembly Bill No 128—An Act appropriating the sum of three thousand five hundred dollars for completing and furnishing the training department building of the State Normal School at San José, California.

Also. Assembly Bill No 1—An Act making an appropriation to pay the deficiency for stationery, fuel, lights, and supplies for the Legislature and State officers for the forty-second fiscal year

Also: Assembly Bill No 460—An Act making an appropriation for the payment of an indebtedness created or to be incurred by the Surveyor-General in transcribing records and plat books in his office

Also: Assembly Bill No 500—An Act fixing the salary of the Janitor of the State Capitol building, defining his duties, and making an appropriation therefor.

F. J BRANDON, Secretary
By R. SHAW, Assistant.

Assembly Bills Nos. 634, 195, 186, 153, 635, 282, 281, 459, 146, 126, 627, 31, 270, 241, 287, 128, 1,460, and 500 ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, February 23, 1893

MR SPEAKER: I am directed to inform your honorable body that the Senate, on this day, passed Assembly Bill No 100 (as amended in Senate)—An Act to change the name of the Mendocino State Asylum for the Insane to Mendocino Asylum.

F. J. BRANDON, Secretary
By R. SHAW, Assistant

SENATE AMENDMENT CONCURRED IN.

The question being on concurring in the Senate amendment to Assembly Bill No. 100.

The roll was called, and the amendment concurred in by the following vote:

AYES—Messrs. Adams, Alford, Anderson, Androus, Barker, Barlow, Bennett of Santa Clara, Bennett of Orange, Bledsoe, Buckley, Bulla, Burke, Casterline, Chipman, Conway, Curtis, Cusick, Dodge, Drees, Duckworth, Duffy, Durst, Finlayson, Gallagher, Hendrickson, Hurley, Hutson, Jacobs, Johnson of Humboldt, Kahn, Kerns, LaRue, Luttringer, Lynch, McCauley, McElroy, McGowan, Mack, Marks, Marston, Miller, O'Keefe, O'Neill, Owen, Pendleton, Perkins, Pueschel, Raw, Schlesinger, Shanahan, Sims, Standart, Taggart, Talbott, Thomas of Nevada, Thomas of Santa Clara, Tindall, Vann, Wade, and Mr. Speaker—60.

NOES—None.

RESOLUTION.

By Mr. Tindall:

Resolved, That Luke Kavanagh be and he is hereby allowed the sum of eighty dollars for services as shorthand reporter to Committee on Elections, and the Controller is hereby directed to draw his warrant for said sum, to be paid out of the Contingent Fund of the Assembly.

Referred to Committee on Public Expenditures and Accounts.

MOTION.

Mr. Duffy moved that the rules be suspended. and that the substitute offered by the Committee on Roads and Highways for Assembly Bills Nos. 177, 194, 409, 463, and 511 be read the second time, ordered printed and engrossed, and placed on special file.

So ordered.

Assembly Bill No. 177—An Act to amend section two thousand six hundred and forty-six of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the powers and duties of highway officers, and to provide for the construction, maintenance, and improvements of highways by contract let out to the lowest bidder.

Read second time.

Assembly Bill No. 194—An Act to amend section two thousand six hundred and forty-five of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the powers and duties of highway officers, and to provide for the construction, maintenance, and improvements of highways by contract let out to the lowest bidder.

Read second time.

Assembly Bill No. 409—An Act to amend section two thousand six hundred and thirty-three, Political Code, and amend sections two thousand six hundred and forty-one, two thousand six hundred and forty-

two, two thousand six hundred and forty-three, two thousand six hundred and forty-five, and two thousand six hundred and fifty-two. and to repeal section two thousand six hundred and forty-six of an Act entitled "An Act to amend sections two thousand six hundred and forty-one, two thousand six hundred and forty-two, two thousand six hundred and forty-three, two thousand six hundred and forty-five, two thousand six hundred and forty-six, two thousand six hundred and fifty-two, and to repeal section two thousand six hundred and forty-four of an Act entitled 'An Act to establish a Political Code,' approved March 12, 1872, relating to the powers and duties of highway officers, and to provide for the construction, maintenance, and improvements of highways by contract let out to the lowest bidder;" and to provide for the appointment of Road Overseers for the various road districts within counties of this State; and to authorize Boards of Supervisors to let contracts for improving and building roads to the lowest bidder.

Read second time.

Assembly Bill No. 463—An Act to amend section two thousand six hundred and thirty-three, Political Code, and amend sections two thousand six hundred and forty-one, two thousand six hundred and forty-two, two thousand six hundred and forty-three, two thousand six hundred and forty-five, and two thousand six hundred and fifty-two, and to repeal section two thousand six hundred and forty-six of an Act entitled "An Act to amend sections two thousand six hundred and forty-one, two thousand six hundred and forty-two, two thousand six hundred and forty-three, two thousand six hundred and forty-five, two thousand six hundred and fifty-two, and to repeal section two thousand six hundred and forty-four of an Act entitled 'An Act to establish a Political Code,' approved March 12, 1872, relating to the powers and duties of highway officers, and to provide for the construction, maintenance, and improvements of highways by contract let out to the lowest bidder;" and to provide for the appointment of Road Overseers for the various road districts within counties of this State; and to authorize Boards of Supervisors to let contracts for improving and building roads to the lowest bidder.

Read second time.

Assembly Bill No. 511—An Act to amend sections two thousand six hundred and forty-two, two thousand six hundred and forty-three, two thousand six hundred and forty-five, two thousand six hundred and forty-six, of the Political Code, relating to roads and highways.

Read second time.

COMMITTEE SUBSTITUTE FOR ASSEMBLY BILLS Nos. 177, 194, 409, 463, AND 511

An Act to amend section two thousand six hundred and thirty-three, Political Code, and amend sections two thousand six hundred and forty-one, two thousand six hundred and forty-two, two thousand six hundred and forty-three, two thousand six hundred and forty-five, and two thousand six hundred and fifty-two, and to repeal section two thousand six hundred and forty-six of an Act entitled "An Act to amend sections two thousand six hundred and forty-one, two thousand six hundred and forty-two, two thousand six hundred and forty-three, two thousand six hundred and forty-five, two thousand six hundred and forty-six, two thousand six hundred and fifty-two, and to repeal section two thousand six hundred and forty-four of an Act entitled 'An Act to establish a Political Code,' approved March 12, 1872, relating to the powers and duties of highway officers, and to provide for the construction, maintenance, and improvements of highways by contract let out to the lowest bidder;" and to provide for the appointment of Road Overseers for the various road districts within counties of this State; and to authorize Boards of Supervisors to let contracts for improving and building roads to the lowest bidder.

The People of the State of California, represented in Senate and Assembly, do enact as follows:

SECTION 1. Section twenty-six hundred and thirty-three of the Political Code is hereby amended to read as follows:

2633. Any owner or occupant of land adjoining a highway not less than three rods wide, may plant trees in and along said highway on the side contiguous to his land. They must be set in regular rows, at a distance of at least twenty feet from each other, and not more than six feet from the boundary of the highway. If the highway is more than eighty feet wide, the row must not be less than six nor more than twelve feet from the boundary of the highway, *provided*, if, in the judgment of the Board of Supervisors, the whole width of such road is needed for use for roads, the whole thereof may be so used. Every person, whether the owner of the reversion or another, who digs up, cuts down, or willfully injures or destroys any tree growing upon any highway, unless done with the written permission of the Road Commissioners, shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine of not less than ten nor more than one hundred dollars, or by imprisonment in the county jail not to exceed ten days, or by both such fine and imprisonment.

SEC. 2. Section twenty-six hundred and forty-one of said Act is hereby amended to read as follows:

2641. The Boards of Supervisors of the several counties shall divide their respective counties into suitable road districts, and may change the boundaries thereof, and each Supervisor shall be ex officio Road Commissioner of the several road districts in his supervisor district, and shall see that all orders of the Board of Supervisors pertaining to the roads in his district are properly executed, *provided*, when in any county the members of the Board of Supervisors thereof are not elected by districts, it shall be the duty of such Board, by proper order, to be entered in its records, to divide such county into supervisor districts to correspond with the number of members of such Board, and to assign to each member thereof one of such districts, of which he shall be such Road Commissioner, *provided*, that no member of the Board of Supervisors shall receive any compensation for any services whatsoever performed by him or required of him under any of the provisions of this chapter, other than his salary or per diem and mileage as a Supervisor.

SEC. 3. Section twenty-six hundred and forty-two of said Act is hereby amended to read as follows:

2642. The Board of Supervisors shall, when, in their judgment, the same is advisable, appoint Road Overseers for the several road districts in their county. Whenever a petition is filed with said Board, signed by a majority of the taxpayers whose names appear upon the assessment roll, residents of the district, praying for the appointment of a certain person as Road Overseer of such district, it shall be the duty of the Supervisors to make such appointment. Whenever a petition is presented to such Board, signed by a majority of the taxpayers of any district, whose names appear upon the assessment roll, praying for the removal of the Road Overseer therein, thereupon the Board of Supervisors shall make an order removing such Road Overseer, and thereafter he shall cease to act as such; or such Road Overseer may be removed when, in the judgment of the Board of Supervisors, such removal seems advisable. It shall be the duty of the Clerk of the Board of Supervisors to at once notify, by mail, each person so appointed of his appointment, who shall, within ten days thereafter, give the official bond required by said Board, and take the usual oath of office. A certificate, attested by said Clerk of said Board under seal, that the appointment has been made, the oath of office taken, and the official bond filed and approved, shall constitute a commission, and authorize the person named therein and holding the same to discharge the duties of Road Overseer for his district. The bond shall be approved by the Board of Supervisors making such appointment.

SEC. 4. Section twenty-six hundred and forty-three of said Act is hereby amended so as to read as follows:

2643. The Boards of Supervisors of the several counties of the State shall have general supervision over the roads within their respective counties. They must by proper ordinance—

1. Cause to be surveyed, viewed, laid out, recorded, opened, and worked such highways as are necessary to public convenience, as in this chapter provided.

2. Cause to be recorded as highways such roads as have become such by usage or abandonment to the public. Also all such streets and roads as have been or may be declared such under section seventeen hundred and sixty-four of the Code of Civil Procedure.

3. Abolish or abandon such as are not necessary.

4. Contract, agree for, purchase, or otherwise acquire the right of way over private property for the use of public highways, and for that purpose institute, or require the District Attorney to institute, proceedings under title seven, part three, of the Code of Civil Procedure, and to pay therefor from the District Road Fund of the particular district.

5. Levy a property tax for road purposes.

6. Cause to be erected and maintained on the highways they may designate guide posts properly inscribed.

7. Cause the road tax, collected each year, to be apportioned to the several road districts entitled thereto, and kept by the Treasurer in separate funds.

8. Audit all claims of the funds of the respective road districts, when required to pay for work, or improvements thereon.

9. In their discretion, they may provide for the establishment of gates on the public highways, in certain cases, to avoid the necessity of building road fences, and prescribe rules and regulations for closing the same, and penalties for violating said rules, *provided*, that the expense for the erection and maintenance of such gates shall, in all cases, be borne by the party or parties for whose immediate benefit the same shall be ordered.

10 For the purpose of watering roads in any part of the county, the Supervisors may erect and maintain waterworks, and for such purpose may purchase or lease real or personal property. The costs for such waterworks, and the watering of said roads, may be charged to the General County Fund, the General Road Fund, and the District Fund of the district or districts benefited.

11 In their discretion, they may advertise for bids to grade, turnpike, gravel, or sprinkle any road or roads in any road district, which contract shall be let to the lowest responsible bidder; *provided*, the Board may reject any or all bids, whenever it shall appear to them that the same are too high. The advertisement for such bids shall specify the road or roads upon which such work is to be done, the kind, character, and extent of the same, so as to plainly indicate to bidders the work to be bid for, and shall, when in their judgment the same is necessary, cause the County Surveyor to survey and furnish a profile of the proposed work, showing cuts, fills, and grade, as fully as practicable, which profile shall be open to inspection at the office of the Board of Supervisors. When such work is completed the same shall be inspected by the Board of Supervisors, or by a committee of the Board, appointed by the Chairman to inspect and report upon the same, and no payment shall be paid for such work until the same has been inspected and accepted by the Board or such committee; *provided*, the Board may, in their discretion, advance not to exceed thirty per cent of the amount of such contract after the work is at least half completed. No bid shall be awarded to a person not a qualified elector of the county. Such advertisements for bids shall be in such newspaper as the Board may designate, and be published for the period of at least two weeks, and notice of such letting shall also be posted by the Road Overseer in three conspicuous places in the district where such work is to be done, for at least ten days before the day set for opening said bids and awarding contracts. Bids shall be inclosed in a sealed envelope, directed to the Clerk of the Board of Supervisors, and shall be indorsed across the face of the envelope: "Bids for Road Work, —— District," giving name of the proper district.

Section two thousand six hundred and forty-six of said Act is hereby repealed.

SEC. 5 Section twenty-six hundred and forty-five of said Act is hereby amended to read as follows:

2645. Road Overseers, under the direction and supervision of the Road Commissioners, and pursuant to orders of the Board of Supervisors, must:

1. Take charge of the highways within their respective districts, and shall employ all men, teams, watering carts, and all help necessary to do the work in their respective districts when the same is not let by contract, *provided*, no Road Overseer shall be interested, directly or indirectly, in any contract or work to be done in the road district under his charge and control.

2 Keep them clear from obstructions, and in good repair, and destroy or cause to be destroyed, at least once a year, all thistles, Mexican cockleburs of any kind, and all noxious weeds growing or being on any portion of the public highway or public roads in their respective districts

3 Cause banks to be graded, bridges and causeways to be made when necessary, keep the same in good repair, and renew them when destroyed

4. Make quarterly reports, under oath, of the number of days they have been employed during the preceding three months, the number of days' labor performed on the roads and highways in their respective districts, by whom performed, and the wages paid per day, filing therewith a receipt or receipts signed by each or all persons who have performed labor, stating the number of days of labor performed, and the amount received for the same; also, the amount and value of the materials, and kind thereof

5. Receive for their services from money in the treasury belonging to their road districts, a sum not to exceed three dollars per day for each day's service performed by him, and not to exceed one hundred and fifty days in any one year, to be audited and ordered paid by the Board of Supervisors; Road Overseers shall receive fifteen per cent on all moneys collected by them as road poll tax; *provided*, they shall have first paid into the County Treasury the sum of all moneys collected, and no per diem for the time spent in making collections shall be allowed said Road Overseers.

SEC. 6. Section twenty-six hundred and fifty-two of said Act is hereby amended so as to read as follows:

2652. The Board of Supervisors may, annually, at any regular meeting held between the first days of January and March of each year, levy upon each male person over twenty-one and under fifty-five years of age found in each road district during the time for the collection of road poll taxes for that year, excepting all persons who were honorably discharged from service in the Army or Navy of the United States at any time between the first day of April, in the year of our Lord one thousand eight hundred and sixty-one, and the first day of December, in the year of our Lord one thousand eight hundred and sixty-five, an annual road poll tax not exceeding three dollars; and every such person not above excepted, in a road district, who has not paid the same in some

other district, must pay the amount of road poll tax so levied, *provided*, that the Board of Supervisors may, by ordinance, provide that any person may work out his poll tax so levied under such commutation rules as may be established by the Board of Supervisors, and such work to be done under the direction of the Road Overseer or Road Commissioner.

The Board of Supervisors shall fix by ordinance the time during which all persons liable for road poll tax may, at their option, perform such labor The Road Overseer or Road Commissioner shall give each person performing such labor a certificate thereof. At the expiration of the time fixed by the Board for the performance of such labor, said poll tax shall be due from every person liable, as aforesaid, not holding a certificate that he has performed such labor, and shall be collected by the various Road Overseers, or Road Commissioners when there is no Road Overseer in their respective districts, and in the same manner that State poll taxes are collected For the purpose of collecting road poll taxes every Road Overseer, or, in case there be no Road Overseer, the Road Commissioner, is hereby invested with the same powers and authority as the collector of State poll taxes, and all the remedies given by law for the collection of State poll taxes shall apply to and be in force for the collection of road poll taxes. Road poll tax receipts in blank, signed and numbered in the same manner that other poll tax receipts are signed and numbered, shall be delivered by the Auditor of the county to each person charged with the collection of road poll taxes, on or before the first Monday of March of each year, and he shall be charged with the amount of such road poll tax receipts delivered to him, and be credited with those returned, and shall settle with the Auditor, and pay over the amounts collected, in the manner provided in section three thousand eight hundred and fifty-three of this Code. A sum not exceeding thirty-five per cent of all road poll taxes so collected may be apportioned to the General Road Fund, and the balance shall be apportioned to the several districts of the county equally.

SEC. 7. All Acts and parts of Acts in conflict with this Act are hereby repealed.

SEC 8 This Act shall take effect and be in force from and after its passage

Adopted.

Committee substitute ordered engrossed and to a third reading.

MOTION.

Mr. Sims moved that Assembly Bill No. 216 be substituted on the file for Assembly Bill No. 206.

So ordered.

UNFINISHED BUSINESS.

Substitute for Assembly Constitutional Amendment No. 14—A resolution proposing to the people of the State of California an amendment to the Constitution, repealing sections twenty-two and twenty-three of article twelve of said Constitution, relating to the Railroad Commission, and adding to article four of said Constitution a new section, to be known and numbered as section thirty-six, relating to railroad freights and fares.

Mr. Barlow moved the following substitute for Substitute for Assembly Constitutional Amendment No. 14:

A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by adding a new section to article four of said Constitution, to be known and numbered as section thirty-six, relating to railroad freights and fares.

Resolved by the Assembly, the Senate concurring, That the Legislature of the State of California, at its thirtieth session, commencing on the second day of January, A. D. one thousand eight hundred and ninety-three, two thirds of all the members elected to each house of said Legislature voting in favor thereof, hereby propose that article four of the Constitution of the State of California be amended, by adding to said article a new section, to be known and numbered as section thirty-six, and to read as follows:

SEC 36 The assessed value of the franchise (other than Federal), roadway, road-bed, rails, rolling stock, or other property, of each and every railroad in part or wholly within this State, as annually fixed and approved by the State Board of Equalization, or other legal authority, shall be and constitute the basis of value thereof in the determination by the Railroad Commission, or other authorized body, in establishing the rates of freight and fares which shall be charged by each railroad company for the transportation of persons and property over the lines of such railroad in this State In adjusting and establishing the charges for such transportation service, the Railroad

Commission, or other authorized body, shall establish rates of fare and freight, which shall yield an annual revenue of eight per cent over and above the cost of actual and necessary repairs, taxes, and operating expenses It shall be the duty of the Railroad Commissioners, or other authorized body, to examine the books and accounts of each railroad company operating in this State, at the end of each fiscal year, and if upon such examination it shall appear that a greater net amount than eight per cent has been realized during such fiscal year by any railroad company operating in this State, then, and in that case, such Railroad Commissioners shall notify the State Controller and the State Treasurer of such excess, and the amount thereof, and the State Treasurer shall immediately make a written demand upon such railroad company for the amount of such excess, and it shall be the duty of such railroad company to pay the same over to such Treasurer upon such demand being made Upon the receipt by the Treasurer of the amount of such excess, he shall turn the same into the General Fund of the State for the use and benefit of the people. Upon the refusal or neglect of any such railroad company to pay such excess as herein provided, the State Treasurer shall notify the Attorney-General thereof, who shall immediately commence proper legal proceedings to enforce the collections of such excess for the benefit of the people of this State. In lieu of the examination of the books herein provided for, the Railroad Commission may, at the end of each fiscal year, demand from any railroad company owning or operating any railroad within this State, a detailed report of its business and earnings during such fiscal year, which detailed report shall be made within thirty days from the date of such demand, and shall be verified by the affidavit of not less than two of the principal officers of any of such railroad companies, and if it shall be proven by such report or otherwise, that the Railroad Commission, or other authorized body, had established the rates of freights and fares on any such railroad for such fiscal year below a rate necessary to pay the eight per cent per annum net income, as herein provided, then, and in that case, the Railroad Commission, or other legal authority by law provided, shall establish rates on such railroad for the ensuing fiscal year as will make up for any deficiency during the previous year.

MOTIONS.

Mr. Barlow moved that the substitute be printed, and that its consideration be made a special order for to-morrow at three o'clock and thirty minutes P. M.

Lost.

Mr. Barlow moved that the substitute be printed, and that its consideration be made a special order for to-morrow at eleven o'clock and fifteen minutes A. M.

The ayes and noes were demanded by Messrs. Adams, Barlow, and Bennett of Orange.

Pending roll call, Mr. Hurley moved a call of the House, seconded by Messrs. Schroebel and Bledsoe.

Lost.

LEAVE OF ABSENCE.

Mr. Bretz was granted leave of absence for the day.

MOTION.

Pending announcement of the roll call, Mr. Schlesinger moved a call of the House, seconded by Messrs. Bledsoe and Hurley.

Lost.

SUBSTITUTE FOR ASSEMBLY CONSTITUTIONAL AMENDMENT No. 14.

The Speaker announced the motion of Mr. Barlow carried by the following vote:

AYES—Messrs. Adams, Anderson, Androus, Barker, Barlow, Bennett of Santa Clara, Bennett of Orange, Bretz, Bulla, Burke, Carlson, Casterline, Chipman, Cusick, Dodge, Durst, Hutson, Jacobs, Jacobsen, Kerns, Lynch, McGowan, Mack, Marks, O'Keefe, Owen, Pendleton, Perkins, Raw, Standart, Talbott, Thomas of Nevada, Thomas of Santa Clara, Vann, and Wade—35

NOES—Messrs. Alford, Bledsoe, Boyce, Buckley, Curtis, Duckworth, Emeric, Finlayson, Gallagher, Gately, Godchaux, Hendrickson, Hurley, Johnson of Humboldt, Kahn, LaRue, Luttringer, McCauley, McElroy, Marston, Mathews of Tehama, Matthews of San Benito, Mordecai, O'Neill, Pueschel, Schlesinger, Schroebel, Shanahan, Simpson, Sims, Taggart, Taylor, Tindall, and Mr. Speaker—33.

UNFINISHED BUSINESS—(RESUMED).

Assembly Constitutional Amendment No. 4—A resolution to propose to the people of the State of California an amendment to and providing for the repeal of sections twenty-two and twenty-three of article twelve of the Constitution, relative to a Board of Railroad Commissioners.

Passed on file.

SPECIAL ORDER.

SUBSTITUTE FOR ASSEMBLY CONSTITUTIONAL AMENDMENT No. 7.

A resolution proposing an amendment to the Constitution of the State of California, by adding a new section to article thirteen of the said Constitution, to be numbered section twelve and three fourths (12¾), relating to revenue and taxation.

Resolved by the Assembly, the Senate concurring, That the Legislature of the State of California, at its thirtieth session, commencing on the second day of January, A. D eighteen hundred and ninety-three, two thirds of all the members elected to each house of said Legislature voting in favor thereof, hereby propose that article thirteen of said Constitution be amended by adding to said article a new section, to be numbered section twelve and three fourths, to read as follows:

SEC 12¾ Fruit and nut-bearing trees under the age of four years from the time of planting in orchard form, and grapevines under the age of three years from the time of planting in vineyard form, shall be exempt from taxation, and nothing in this article shall be construed as subjecting such trees and grapevines to taxation.

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

AYES—Messrs Adams, Alford, Anderson, Androus, Barker, Bennett of Santa Clara, Bennett of Orange, Blakeley, Bledsoe, Boyce, Buckley, Bulla, Burke, Carlson, Casterline, Chipman, Conway, Cusick, Dodge, Drees, Duckworth, Duffy, Durst, Finlayson, Gallagher, Gately, Godchaux, Hendrickson, Hurley, Hutson, Jacobs, Jacobsen, Johnson of Humboldt, Kahn, Kerns, Luttringer, Lynch, McElroy, McGowan, Mack, Marks, Marston, Mathews of Tehama, Matthews of San Benito, Mordecai, O'Keefe, O'Neill, Owen, Pendleton, Perkins, Pueschel, Raw, Sargent, Schlesinger, Schroebel, Simpson, Sims, Standart, Talbott, Taylor, Thomas of Nevada, Thomas of Santa Clara, Tindall, Vann, Wade, and Mr. Speaker—66.

NOES—None.

RECONSIDERATION.

Mr. Lynch moved to reconsider the vote whereby Assembly Bill No. 483 was passed.

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

AYES—Messrs Adams, Anderson, Androus, Barker, Barlow, Bennett of Santa Clara, Bennett of Orange, Boyce, Buckley, Burke, Carlson, Casterline, Chipman, Conway, Curtis, Cusick, Dodge, Drees, Duckworth, Duffy, Durst, Emeric, Finlayson, Gallagher, Gately, Godchaux, Hendrickson, Hurley, Hutson, Jacobs, Jacobsen, Johnson of Humboldt, Kahn, Kerns, Luttringer, Lynch, McElroy, McGowan, Mack, Marks, Marston, Mathews of Tehama, Matthews of San Benito, Miller, Mordecai, O'Keefe, O'Neill, Owen, Pendleton, Perkins, Pueschel, Raw, Sargent, Schlesinger, Schroebel, Simpson, Sims, Taggart, Talbott, Taylor, Thomas of Nevada, Thomas of Santa Clara, Tindall, Vann, Wade, and Mr. Speaker—65.

NOES—Mr. Bledsoe—1

The question being on the final passage of Assembly Bill No 483.

MOTION.

Mr. Lynch moved that Senate Bill No. 480 be substituted on the file for Assembly Bill No. 483.

So ordered.

REPORTS OF STANDING COMMITTEES.

ON WAYS AND MEANS.

ASSEMBLY CHAMBER, SACRAMENTO, February 21, 1893.

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred Senate Bill No 480—have had the same under consideration, and report the same back with a recommendation that it do pass, and that it be substituted for Assembly Bill No. 483.

Also: Senate Bill No 320—have had the same under consideration, and respectfully report the same back, and recommend that it do pass, and be substituted for Assembly Bill No. 319.

W. P. MATHEWS, Chairman.

So ordered.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, February 23, 1893.

MR. SPEAKER: Your Committee on Ways and Means begs leave to submit the following report concerning the amount of appropriations recommended:

The General Appropriation Bill, according to estimates made by the committee, foots up in round numbers $4,461,490. To this must be added not less than $300,000 for the coyote scalp bounty, which is the lowest estimate possible, even if the law should be amended reducing the bounty by one half Other estimates are as follows: For orphans, half orphans, etc, $560,000, for aged persons in indigent circumstances, $510,000, for inmates in Veterans' Home, $60,000; for School Fund estimates, $4,114,558.

If the committee's estimates are accepted, the following represents the aggregate amount of the appropriations necessary to defray the expenses of the State government for the forty-fifth and forty-sixth fiscal years·

Total General Fund estimates	$5,891,490 00
School Fund estimates	4,114,558 00
Total	$10,006,048 00

The Controller's estimates for the same purpose aggregate $9,775,448; but he did not include certain necessary appropriations, which have been recommended by the committee, as follows:

Support Viticultural Commission	$30,000 00
Salaries State Library officials	15,360 00
Military	3,500 00
Maintenance Mendocino Asylum	70,000 00
Maintenance Southern California Asylum	50,000 00
Maintenance Whittier Reform School	160,000 00
Maintenance Preston Reform School	70,000 00
Total	$398,860 00

With these necessary appropriations added to the Controller's estimates, we have an aggregate of $10,174,308

The committee, in determining its estimates, cut out certain appropriations required by law which will not be necessary if certain pending legislation is enacted. It is not safe to reckon on reducing the expenditures in this manner, however, and it is probable that the calculations ought to be based on the Controller's estimates.

Your committee is of the opinion that it will be necessary to appropriate, in round numbers, $800,000, for new buildings We have recommended an appropriation of $120,000 to pay the outstanding indebtedness, and of $68,325 to pay interest on outstanding bonds held in trust for the benefit of the State School and University Funds. We have also recommended sundry appropriations, aggregating in round numbers $400,000, swelling the grand total to $11,562,633. In making the tax levy, a deficiency that now exists in the General Fund, and which amounts in round numbers to $250,000, must be provided for. The tax levy must therefore be large enough to raise a revenue of $11,812,633.

The following recapitulation will give a definite idea of the aggregate amount of the appropriations necessary, if the recommendations of your committee are adopted·

General Fund estimates in General Appropriation Bill	$6,059,750 00
School Fund	4,114,558 00
New buildings	800,000 00
To refund debt	120,000 00
To pay interest	68,325 00
Sundry appropriations	400,000 00
Deficiency in General Fund	250,000 00
Total	$11,812,633 00

The assessable property of the State in 1892 amounted to $1,275,816,228 There is a permanent tax of 1 cent for the support of the University. A tax levy of 49 cents, after

deducting the 9½ per cent for delinquencies, etc., as provided by law, will raise for two years $11,315,214 14 It will thus be seen that the amount of appropriations already recommended exceeds the amount that can be raised by a 50-cent tax levy by nearly $500,000.

Your committee earnestly calls attention to the fact that, in order to keep the appropriations within the 50-cent limit, it will be necessary to cut down appropriations already recommended favorably by nearly $500,000, and it will also be necessary to defeat all measures involving appropriations not approved by this committee.

W. P. MATHEWS, Chairman

ON PUBLIC EXPENDITURES AND ACCOUNTS.

ASSEMBLY CHAMBER, SACRAMENTO, February 23, 1893.

MR SPEAKER Your Committee on Public Expenditures and Accounts, to whom was referred Assembly resolution relative to the discharge of all Standing Committee Clerks, have given the subject careful consideration, and beg leave to report that in the opinion of your committee that the services of the following-named attaches be dispensed with, and their names erased from the payroll of the Assembly after the twenty-fifth day of February, 1893:

Clara J Bledsoe, Clerk Committee on Public Morals, J. J Breen, Clerk Committee on Roads and Highways, George S Boyce, Clerk Committee on Chinese Immigration and Emigration; James T. Culler, Clerk Committee on Water Rights and Drainage; Peter J. Cotter, Clerk Committee on Agriculture; W M J Delaney, Clerk Committee on Crimes and Penalties; Charles O. Davis, Clerk Committee on Mines and Mining, Ed. Flynn, Clerk Committee on Labor and Capital; M. C. Giry, Clerk Committee on Commerce and Navigation, E B Gallagher, Clerk Committee on Internal Improvements; Mrs. J. Hunter, Clerk Committee on Apportionment and Election Laws, George F. Hatton, Clerk Committee on Swamp and Overflowed Lands; Blanche Hood, Clerk Committee on Elections and Privileges, R. Henry, Clerk to San Francisco Delegation; Anna Keene, Clerk Committee on Fish and Game; J V. Long, Clerk Committee on Mileage; George W. Lewis, Clerk Committee on Federal Relations, J H Lawrence, Clerk Committee on State Prisons; J. J McDonald, Clerk Committee on Forestry; J. J. Maloney, Clerk Committee on Retrenchment, John H McClure, Clerk Committee on State Hospitals, James J. McCarthy, Clerk Committee on Public Printing, Douglas McGriff, Clerk Committee on State Library; A Norton, Clerk Committee on Military Affairs; T S. Nagle, Clerk Committee on Attachés and Employés; John Ruddick, Clerk Committee on Homestead and Land Monopoly; R. B. Stolder, Clerk Committee on Yosemite Valley and Mariposa Big Trees, L A Sargent, Clerk Committee on Education; Mrs. J. M. Shively, Clerk Committee on Public Lands; P H Thompson, Clerk Committee on Viniculture, Viticulture, and Horticulture; John W Wilcox, Clerk Committee on Public Buildings and Grounds.

Also: We further recommend that the services of the following-named persons be dispensed with after the twenty-fifth day of February, 1893

Joseph N. Vera, Sergeant-at-Arms to Committee on Counties and County Boundaries; Joseph Clancy, Assistant Clerk, Nora Andrews, Typewriter; Mrs Anna Taylor, Assistant Clerk Committee on State Prisons; Milo C Ayres, Messenger Committee on County and Township Governments, Joseph Mansfield, Assistant Sergeant-at-Arms and Messenger; M Marks, Sergeant-at-Arms to Special Committee, E P. Beaton, Clerk Special Committee, Ben S Wood, Assistant Clerk to Sergeant-at-Arms, Miss M L. Crawford, Assistant File Clerk; F. B. Cronin, Assistant File Clerk, Miss Eva O'Neil, Assistant Engrossing Clerk

All of which is most respectfully submitted.

J H. MATTHEWS, Chairman.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, February 23, 1893

MR. SPEAKER: Your Committee on Public Expenditures and Accounts respectfully recommend that the committee clerks retained after the twenty-fifth day of February, 1893, be required to perform the clerical duties for one or more committees, and respectfully submit the following grouping:

That the Clerk of the Committee on Corporations also act as Clerk for the following committees: Agriculture, Apportionment and Election Laws, Attachés and Employés, Chinese Immigration and Emigration, Public Lands, Public Morals, and Viniculture, Viticulture, and Horticulture.

That the Clerk of the Committee on Counties and County Boundaries also act as Clerk for the following committees Claims, Commerce and Navigation, Constitutional Amendments, Crimes and Penalties, Public Printing, Retrenchment, and Water Rights and Drainage.

That the Clerk of the Committee on County and Township Governments also act as Clerk for the following committees Education, Elections and Privileges, Federal Relations, Fish and Game, Roads and Highways, Rules and Regulations, Yosemite Valley and Mariposa Grove of Big Trees

That the Clerk of the Committee on Municipal Corporations also act as Clerk for the

following committees: Forestry, Homestead and Land Monopoly, Internal Improvements, Irrigation, State Prisons and Reformatory Institutions, and State Hospitals.

That the Clerk of the Committee on Public Expenditures and Accounts also act as Clerk for the following committees: Labor and Capital, Mileage, Military Affairs, Mines and Mining Interests, State Library, and Swamp and Overflowed Lands

J. H. MATTHEWS, Chairman.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, February 23, 1893.

MR. SPEAKER. Your Committee on Public Expenditures and Accounts, to whom was referred Assembly Bill No 769—An Act relative to the insurance of property belonging to the State—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

Also Senate Bill No. 314—An Act authorizing the State Board of Capitol Commissioners to appoint two extra employés for the Capitol grounds, in addition to the number now employed, and making an appropriation for payment of their services for the remainder of the forty-fourth fiscal year—have had the same under consideration, and respectfully report the same back, and recommend that it do not pass.

J H. MATTHEWS, Chairman

Senate Bill No. 314 re-referred to Committee on Ways and Means.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, February 23, 1893.

MR SPEAKER: Your Committee on Public Expenditures and Accounts, to whom was referred Assembly resolution relative to the traveling expenses of the State Hospitals Committee, beg leave to report that they have had the same under consideration, and recommend the adoption of the following resolution:

Resolved, That G. W Mordecai, W P Mathews, and C. W. Tindall be allowed the sum of twelve dollars and twenty cents each, as mileage for said trip, and that the State Controller be authorized to draw his warrant for the sums specified on the Contingent Expense Fund of the Assembly.

J. H. MATTHEWS, Chairman.

Adopted.

ON ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, February 24, 1893.

MR SPEAKER: Your Committee on Enrollment beg leave to report that the following bill has been correctly enrolled: Assembly Bill No 797—and was presented to the Governor February 24, 1893, at eleven o'clock and twenty minutes A. M.

O'NEILL, Chairman.

ON ENGROSSMENT.

ASSEMBLY CHAMBER, SACRAMENTO, February 24, 1893

MR SPEAKER: Your Committee on Engrossment beg leave to report that the following Assembly Bills have been correctly engrossed:

Assembly Bill No 432—An Act to amend section two hundred and ninety-one of the Civil Code, relating to the articles of incorporation of wagon road and telegraph corporations.

Also: Assembly Bill No 433—An Act to amend section two hundred and ninety-three of the Civil Code, relating to railroad, wagon road, and telegraph corporations.

Also: Assembly Bill No 434—An Act to amend section four hundred and fifty-six of the Civil Code, relating to the borrowing of money and the issuance of bonds by railroad corporations

Also: Assembly Bill No. 435—An Act to provide for the consolidation of railroad corporations organized under the laws of the State of California, with railroad corporations organized under the laws of any other State or Territory, or both

Also: Assembly Bill No 469—An Act to pay the claim of Mary M. Springer, the widow and heir of Thomas A. Springer, late State Printer, deceased

Also Assembly Bill No. 734—An Act providing an appropriation for the purpose of completing and preserving Sutter's Fort

KENNEDY, Chairman.

ON PUBLIC PRINTING.

ASSEMBLY CHAMBER, SACRAMENTO, February 24, 1893.

MR SPEAKER: Your Committee on Public Printing, to whom was referred Assembly Bill No 839—An Act to provide for the preparation, printing, and distribution of a volume expository of the resources of California, at the World's Columbian Exposition at Chicago, and appropriating money therefor—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

HENDRICKSON, Chairman.

Assembly Bill No. 839 re-referred to Committee on Ways and Means.

MOTIONS.

Mr. Androus moved that Assembly Bill No. 506 be re-referred to Committee on Ways and Means, to retain its place on file.

So ordered.

Mr. Alford moved that Assembly Constitutional Amendment No. 7 be immediately transmitted to the Senate.

So ordered.

SPECIAL FILE.

Assembly Bill No. 366—An Act making an appropriation for the erection of an additional building for the State Normal School at San José.

Passed on file.

Assembly Bill No. 469—An Act to pay the claim of Mary M. Springer, the widow and heir of Thomas A. Springer, late State Printer, deceased.

Read third time, and passed by the following vote:

AYES—Messrs. Adams, Anderson, Barker, Barlow, Bennett of Santa Clara, Bennett of Orange, Blakeley, Buckley, Bulla, Carlson, Casterline, Chipman, Conway, Cusick, Dodge, Drees, Duckworth, Durst, Finlayson, Gallagher, Gately, Godchaux, Hendrickson, Hurley, Hutson, Jacobs, Jacobsen, Kahn, Kerns, Luttringer, Lynch, McCauley, McElroy, McGowan, Mack, Marks, Marston, Matthews of San Benito, Miller, Mordecai, O'Keefe, O'Neill, Owen, Pendleton, Perkins, Pueschel, Schlesinger, Schroebel, Shanahan, Simpson, Sims, Standart, Taggart, Talbott, Thomas of Santa Clara, Tindall, Vann, and Wade—58.

NOES—Messrs. Bledsoe, Sargent, and Mr. Speaker—3.

Title read and approved.

Mr. Taggart moved that Assembly Bill No. 469 be immediately transmitted to the Senate.

So ordered.

Senate Bill No. 480—An Act making an appropriation to pay the deficiency in the appropriation for additional improvements for the Southern California State Asylum for the Insane and Inebriates.

Read first time, and placed on file for second reading.

Senate Bill No. 120—An Act to appropriate two hundred and sixty-one thousand four hundred and fifty dollars for the erection of an administration building for the Mendocino State Asylum for the Insane, to complete the female ward, to purchase furniture and furnish the buildings erected and to be erected by the Directors of said asylum, to construct a plant for lighting said buildings, to improve the grounds thereof, to purchase live stock and agricultural implements to be used for asylum purposes, to construct a carpenter shop and morgue thereon, to furnish the bakery, to construct a dam to furnish a water supply to said asylum, for fencing the ground and constructing yard fencing, for constructing a sewer system, for purchasing laundry machinery and kitchen furniture, to appropriate money therefor, and provide for the expenditure of the same.

Read first time, and placed on file for second reading.

Senate Bill No. 481—An Act making an appropriation for the erection of additional buildings and improvements for the Southern California State Asylum for the Insane and Inebriates.

Read first time, and placed on file for second reading.

Assembly Bill No. 688—An Act making an appropriation from the

State School Book Fund, to supply the deficiency in the present appropriation from the General Fund, for compiling State school text-books, for the forty-fourth fiscal year.

Read third time, and passed by the following vote:

AYES—Messrs Adams, Anderson, Barker, Barlow, Bennett of Santa Clara, Bennett of Orange, Boyce, Buckley, Carlson, Casterline, Chipman, Conway, Cusick, Dodge, Drees, Duckworth, Durst, Finlayson, Gallagher, Hendrickson, Hurley, Hutson, Jacobs, Jacobsen, Johnson of Humboldt, Kahn, Kerns, LaRue, Luttringer, Lynch, McCauley, McElroy, McGowan, Mack, Marks, Marston, Matthews of San Benito, Miller, Mordecai, O'Keefe, O'Neill, Owen, Pendleton, Perkins, Pueschel, Sargent, Shanahan, Simpson, Sims, Taggart, Talbott, Taylor, Thomas of Santa Clara, Tindall, Vann, Wade, and Mr. Speaker—57.

NOES—None.

Title read and approved.

Senate Bill No. 320—An Act making an appropriation for the construction of a sewer for the State Insane Asylum at Agnews, and to provide for the expenditure of the same.

Read first time, and placed on file for second reading.

Assembly Bill No. 730—An Act to amend section one thousand five hundred and twenty-one of the Political Code of California, relating to the powers and duties of the State Board of Education.

Read second time.

Assembly Bill No. 16—An Act to amend section one thousand five hundred and seventy-seven of the Political Code of the State of California, relating to school districts.

Read first time, and placed on file for second reading.

Assembly Bill No. 57—An Act to provide for the establishment of high schools in the State of California.

Read first time, and placed on file for second reading.

Assembly Bill No. 129—An Act to amend an Act entitled "An Act to establish a Political Code," by amending section six hundred and eighty thereof.

Read first time, and placed on file for second reading.

Assembly Bill No. 176—An Act authorizing school districts, cities, cities and counties, or incorporated towns in the State of California, to furnish the pupils of their respective public schools with free use of school text-books.

Read first time, and placed on file for second reading.

Assembly Bill No. 524—An Act to amend sections one thousand five hundred and twenty, one thousand five hundred and twenty-one, one thousand five hundred and thirty-two, one thousand five hundred and thirty-three, one thousand five hundred and forty-three, one thousand five hundred and forty-nine, one thousand five hundred and fifty-one, one thousand five hundred and fifty-three, one thousand five hundred and sixty, one thousand five hundred and sixty-four, one thousand five hundred and sixty-five, one thousand five hundred and seventy-six, one thousand five hundred and seventy-seven, one thousand five hundred and eighty-one, one thousand five hundred and eighty-three, one thousand five hundred and ninety-three, one thousand five hundred and ninety-six, one thousand five hundred and ninety-nine, one thousand six hundred and two, one thousand six hundred and fourteen, one thousand six hundred and fifteen, 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 thirty-four, one thousand six hundred and thirty-six,

one thousand six hundred and thirty-seven, one thousand six hundred and thirty-eight, one thousand six hundred and thirty-nine, one thousand six hundred and forty-nine, one thousand six hundred and fifty, one thousand six hundred and fifty-one, 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 eighty-seven, one thousand six hundred and ninety-six, one thousand six hundred and ninety-eight, one thousand six hundred and ninety-nine, one thousand seven hundred and twelve, one thousand seven hundred and fourteen, one thousand seven hundred and sixty-eight, 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-five, one thousand seven hundred and seventy-six, one thousand seven hundred and eighty-eight, one thousand seven hundred and ninety, one thousand seven hundred and ninety-one, one thousand seven hundred and ninety-two, one thousand eight hundred and seventeen, one thousand eight hundred and thirty, one thousand eight hundred and thirty-three, one thousand eight hundred and thirty-five, one thousand eight hundred and thirty-six, one thousand eight hundred and fifty-seven, one thousand eight hundred and fifty-eight, one thousand eight hundred and seventy-seven, one thousand eight hundred and seventy-nine, one thousand eight hundred and eighty, one thousand eight hundred and eighty-two, one thousand eight hundred and eighty-three, one thousand eight hundred and eighty-five, and one thousand five hundred and three of the Political Code; to add thereto four new sections, to be known and numbered as sections one thousand six hundred and three, one thousand six hundred and sixty-nine, one thousand six hundred and seventy, and one thousand six hundred and seventy-one; to repeal sections one thousand five hundred and sixty-one, one thousand seven hundred and fifty-seven, and one thousand seven hundred and sixty-nine of the Political Code; and also to repeal "An Act to authorize the establishment of county high schools, and provide for their support," approved March 10, 1891, and "An Act to provide for the establishment of high schools in the State of California," approved March 20, 1891, and all Acts and parts of Acts in conflict with the provisions of this Act.

Read first time, and placed on file for second reading.

Assembly Bill No. 667—An Act to amend section one thousand five hundred and sixty-one of the Political Code, relating to the holding of Teachers' Institutes.

Read first time, and placed on file for second reading.

Assembly Bill No. 157—An Act to amend an Act entitled "An Act to establish a Political Code," approved March 20, 1891, by amending section one thousand five hundred and forty-three of the Political Code, relating to the disbursement of public school funds.

Read first time, and placed on file for second reading.

Assembly Bill No. 484—An Act making an appropriation to pay for the management and maintenance of the Southern California State Asylum for the Insane and Inebriates for the forty-fourth fiscal year.

Passed on file.

Senate Bill No. 5—An Act providing for the selection, condemnation

and purchase of a suitable site, and the erection thereon of a State building, in San Francisco, and making an appropriation therefor.

Passed on file.

Assembly Bill No. 216—An Act to add a new section to an Act of the Legislature of the State of California entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1873, in relation to the distribution of the estates of deceased persons, to be known as section one thousand six hundred and seventy.

Read second time, ordered engrossed and to a third reading.

Assembly Bill No. 207—An Act to provide for the erection of an additional wing to the main building of the California Home for the Care and Training of Feeble-Minded Children, at Glen Ellen, Sonoma County, California, for the Female Department of said institution, and to appropriate money therefor.

Passed on file.

Assembly Bill No. 208—An Act to provide for the improvement of the grounds of the California Home for the Care and Training of Feeble-Minded Children, at Glen Ellen, Sonoma County, California, and to appropriate money therefor.

Passed on file.

Assembly Bill No. 734—An Act providing an appropriation for the purpose of completing and preserving Sutter's Fort.

Read third time, and passed by the following vote:

AYES—Messrs. Alford, Anderson, Androus, Barker, Bennett of Santa Clara, Bulla, Burke, Carlson, Casterline, Chipman, Conway, Curtis, Cusick, Dodge, Duckworth, Durst, Finlayson, Gallagher, Gately, Hendrickson, Hutson, Jacobsen, Johnson of Humboldt, Luttringer, Marks, Marston, Matthews of San Benito, Miller, Mordecai, O'Keefe, O'Neill, Owen, Pendleton, Perkins, Raw, Schlesinger, Schroebel, Simpson, Taggart, Taylor, Thomas of Nevada, Vann, Wade, and Mr Speaker—44.

NOES—Messrs Adams, Barlow, Bennett of Orange, Bledsoe, Boyce, Buckley, Drees, Duffy, Hurley, Jacobs, Kerns, LaRue, McCauley, McElroy, Sims, Standart, Talbott, Thomas of Santa Clara, and Tindall—19

Title read and approved.

REPORT OF STANDING COMMITTEE.

ON STATE HOSPITALS.

ASSEMBLY CHAMBER, SACRAMENTO, February 24, 1893.

MR SPEAKER: Your Committee on State Hospitals, to whom was referred Senate Bill No. 144—An Act to provide for additional improvements and repairs at the Napa State Asylum for the Insane, and making appropriation therefor

Also: Senate Bill No 201—An Act to provide for certain improvements in the State Insane Asylum at Stockton, and making appropriation therefor

Also: Assembly Bill No. 159—An Act to provide for additional repairs at the Napa State Asylum for the Insane, and making an appropriation therefor.

Have had the same under consideration, and respectfully report the same back, and recommend that they be referred to the Committee on Ways and Means.

MORDECAI, Chairman.

Senate Bills Nos. 144, and 201, and Assembly Bill No. 159 re-referred to Committee on Ways and Means.

LEAVE OF ABSENCE.

Mr. Wade was granted leave of absence for to-morrow.

SPECIAL FILE—(RESUMED).

Assembly Bill No. 165—An Act to appropriate the sum of thirteen thousand seven hundred and twenty-two dollars and twenty cents to pay the salary of the Commissioner of Immigration from October 10, 1885, to March 16, 1889.

Passed on file.

Assembly Bill No. 166—An Act to appropriate the sum of two thousand five hundred dollars to pay the salary of the Deputy Commissioner of Immigration, from August 1, 1883, to October 1, 1885.

Passed on file.

Assembly Bill No. 679—An Act providing for primary elections in the State of California.

Read third time.

Pending the calling of the roll, Mr. Shanahan moved for a new roll call.

So ordered.

RECESS.

Pending roll call, the hour of recess having arrived, the Speaker declared recess until two o'clock P. M.

REASSEMBLED.

The Assembly reassembled at two o'clock P. M.

Speaker Gould in the chair.

Quorum present.

MOTION.

Mr. Finlayson moved that Assembly Bill No. 679 be re-referred to the Committee on Judiciary, with instructions to report it back to-morrow morning, the bill to retain its place on the file.

So ordered.

ELECTION CONTEST EXPENSE BILLS.

Mr. Tindall presented the following bills of expenses incurred in the matter of the election contest of Decourtieux vs. McGowan for Member of the Assembly:

Expense Bill of James McGowan

Expenses of James McGowan in contested election case of A Decourtieux vs J. McGowan for the office of Member of Assembly from the Forty-fourth Assembly District:

Reporter's fees	$471 00
Typewriter copy and copying	41 00
Serving subpœnas and mileage of witnesses	172 00
Services of men investigating and finding witnesses	201 00
Incidental expenses	90 00
Attorneys' fees to Dorn & Dorn and Theodore Savage	1,500 00
Fifteen witnesses, six days, at $2 per day	180 00
Nine witnesses, five days, at $2 per day	90 00
Eleven witnesses, four days, at $2 per day	88 00
Nineteen witnesses, one day, at $2 per day	38 00
Expenses to Sacramento	105 00
Justice's fees, taking testimony	50 00
Total	$3,026 00

Expense Bill of Armond Decourtieux

Expenses incurred by Armond Decourtieux in the matter of the contest of election of James McGowan as Member of the Assembly of the State of California, from the Forty-fourth Assembly District of said State:

Thos. J. and Andrew Clunie, attorneys' fees as attorneys for contestant	$1,250 00
Clement Bennett, official reporter appointed by Justices Low and Gray, before whom testimony was taken	471 00
Justices' fees	50 00
Notarial fees	6 50
Certified copies, statement, etc.	13 50
Serving subpœnas and mileage of witnesses	132 25
Typewriting, statement, and citations	27 75
Services of men watching ballots, etc.	162 50
Witness fees, seventeen witnesses, five days, at $2 per diem	170 00
Witness fees, thirteen witnesses, four days, at $2 per diem	104 00
Witness fees, five witnesses, seven days, at $2 per diem	70 00
Witness fees, ten witnesses, one day, at $2 per diem	20 00
Expenses to Sacramento, railroad fare, etc	90 00
Total	$2,567 00

Mr. Tindall offered the following resolutions:

Resolved, That the sum of three thousand and twenty-six dollars be and the same is hereby allowed to James McGowan, for expenses incurred by him in the contested election of Armond Decourtieux vs. James McGowan, for the office of Member of the Assembly of the State of California from the Forty-fourth Assembly District, payable out of the Contingent Fund of the Assembly, and the State Controller is hereby directed to draw his warrant in favor of said James McGowan for said amount upon the Contingent Fund of the Assembly, and the Treasurer is hereby directed to pay the same.

Also

Resolved, That the sum of two thousand five hundred and sixty-seven dollars and fifty cents be and the same is hereby allowed to Armond Decourtieux, for expenses incurred by him in the contested election of Armond Decourtieux vs. James McGowan, for the office of Member of the Assembly of the State of California from the Forty-fourth Assembly District of said State, payable out of the Contingent Fund of the Assembly, and the State Controller is hereby directed to draw his warrant in favor of said Armond Decourtieux for said amount upon the Contingent Fund of the Assembly, and the Treasurer is hereby directed to pay the same.

Referred to Committee on Ways and Means.

LEAVE OF ABSENCE.

Mr. Emeric was granted leave of absence until Wednesday morning.

REPORT OF STANDING COMMITTEE.

ON FISH AND GAME.

ASSEMBLY CHAMBER, SACRAMENTO, February 24, 1893

MR SPEAKER: Your Committee on Fish and Game, to whom was referred Assembly Bill No. 732—An Act for the protection of fish—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

Also: Assembly Bill No. 681—An Act to provide for the destruction of seals and sea lions, and to authorize a bounty to be given by the State to encourage such destruction, to any person who shall kill a seal or sea lion in the waters of the State of California—have had the same under consideration, and respectfully report the same back without recommendation.

EMERIC, Chairman.

SPECIAL SENATE FILE—THIRD READING OF BILLS.

Senate Bill No. 229—An Act to compel savings banks to publish a sworn statement of all unclaimed deposits.

Passed on file.

Senate Bill No. 214—An Act to amend an Act entitled "An Act to establish and support a Bureau of Labor Statistics," approved March 3, 1883.

Passed on file.

Senate Bill No. 569—An Act to add a new section to the Penal Code of the State of California, to be known as and numbered section three hundred and twenty-seven, in regard to lotteries.

Read third time.

Mr. Finlayson moved to strike out the enacting clause.

So ordered.

SENATE BILL No. 80.

Mr. Taylor moved to take from the table the motion to amend Senate Bill No. 80—An Act to provide for increasing the efficiency of paid fire departments within municipalities in the State of California.

The ayes and noes were demanded by Messrs. Kahn, McElroy, and Matthews of San Benito.

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

AYES—Messrs. Adams, Alford, Barlow, Bennett of Santa Clara, Bennett of Orange, Boyce, Brownlie, Buckley, Bulla, Burke, Carlson, Casterline, Chipman, Conway, Curtis, Cusick, Drees, Duckworth, Dufty, Durst, Finlayson, Gallagher, Hendrickson, Hutson, Jacobs, Kennedy, Kerns, LaRue, Luttringer, McGowan, Mack, Marston, Miller, O'Keefe, O'Neill, Pendleton, Pueschel, Raw, Sargent, Schlesinger, Shanahan, Simpson, Standart, Taylor, and Thomas of Nevada—44

NOES—Messrs Dodge, Emeric, Gately, Godchaux, Hurley, Jacobsen, Kahn, McElroy, Marks, Mathews of Tehama, Matthews of San Benito, Mordecai, Perkins, Schroebel, Sims, Taggart, Thomas of Santa Clara, Tindall, Vann, Wade, and Mr Speaker—21.

The question recurred on the third reading of Senate Bill No. 80.

Mr. Kahn moved to strike out the enacting clause.

Mr. Duckworth moved that the further consideration of the motion be made a special order for Monday at eleven o'clock A. M.

Lost.

PREVIOUS QUESTION.

Mr. Finlayson moved the previous question, seconded by Messrs. O'Keefe and Schlesinger.

The question being, "Shall the main question be now put?" it was so ordered.

The question being on the motion to strike out the enacting clause.

The ayes and noes were demanded by Messrs. Hurley, Pendleton, and Miller.

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

AYES—Messrs. Adams, Alford, Barker, Barlow, Bennett of Orange, Bledsoe, Bulla, Dodge, Drees, Emeric, Finlayson, Gately, Godchaux, Hendrickson, Hurley, Jacobsen, Johnson of Humboldt, Kahn, Lynch, McCauley, McElroy, Marks, Mathews of Tehama, Matthews of San Benito, Mordecai, O'Keefe, Owen, Perkins, Schroebel, Shanahan, Simpson, Sims, Standart, Taggart, Talbott, Thomas of Santa Clara, Tindall, Vann, Wade, and Mr Speaker—40.

NOES—Messrs Anderson, Androus, Bennett of Santa Clara, Blakeley, Boyce, Bretz, Brownlie, Buckley, Burke, Carlson, Casterline, Chipman, Conway, Curtis, Cusick, Duckworth, Durst, Gallagher, Hutson, Jacobs, Kennedy, Kerns, LaRue, Luttringer, McGowan, Mack, Marston, Miller, O'Neill, Pendleton, Pueschel, Raw, Sargent, Schlesinger, Taylor, and Thomas of Nevada—36.

SPECIAL SENATE FILE—THIRD READING OF BILLS—(RESUMED.)

Senate Bill No. 62—An Act to amend section two thousand six hundred and ninety-one of the Political Code of the State of California, relating to roads and highways.

Read third time, and passed by the following vote:

AYES—Messrs Adams, Alford, Anderson, Androus, Barker, Barlow, Bennett of Santa Clara, Bennett of Orange, Blakeley, Bledsoe, Bretz, Buckley, Bulla, Burke, Carlson, Casterline, Chipman, Dodge, Drees, Duckworth, Emeric, Finlayson, Gallagher, Godchaux, Hendrickson, Hurley, Hutson, Jacobs, Jacobsen, Johnson of Humboldt, Kahn, Kerns, LaRue, Luttringer, Lynch, McCauley, McElroy, Mack, Marston, Mathews of Tehama, Matthews of San Benito, Miller, O'Keefe, O'Neill, Owen, Pendleton, Perkins, Pueschel, Raw, Schlesinger, Schroebel, Simpson, Sims, Standart, Taggart, Talbott, Thomas of Santa Clara, Tindall, Vann, Wade, and Mr. Speaker—61.

NOES—Messrs. Conway, Cusick, and Gately—3

Title read and approved.

Senate Bill No. 401—An Act to authorize suits against the State, and regulating the procedure therein.

Read third time, and passed by the following vote:

AYES—Messrs Adams, Alford, Anderson, Barker, Barlow, Bennett of Santa Clara, Bennett of Orange, Blakeley, Bledsoe, Bretz, Bulla, Burke, Carlson, Dodge, Drees, Duckworth, Durst, Finlayson, Gallagher, Gateley, Godchaux, Hendrickson, Hurley, Jacobs, Jacobsen, Johnson of Humboldt, Kahn, Kerns, Luttringer, Lynch, McElroy, Mack, Marks, Mathews of Tehama, Matthews of San Benito, Miller, Owen, Pendleton, Perkins, Pueschel, Sargent, Schlesinger, Schroebel, Shanahan, Simpson, Sims, Standart, Talbott, Thomas of Santa Clara, Tindall, Vann, Wade, and Mr Speaker—53

NOES—Mr Raw—1.

Title read and approved.

Senate Bill No. 393—An Act to facilitate the disposition of business in the Superior Court of Fresno County, by the appointment and election of a third Judge of said Court.

Read third time, and passed by the following vote:

AYES—Messrs Adams, Alford, Anderson, Androus, Barker, Barlow, Bennett of Santa Clara, Bennett of Orange, Blakeley, Bledsoe, Boyce, Bretz, Buckley, Bulla, Carlson, Casterline, Chipman, Conway, Curtis, Dodge, Drees, Duckworth, Duffy, Durst, Emeric, Finlayson, Gallagher, Hendrickson, Hurley, Jacobs, Jacobsen, Johnson of Humboldt, Kahn, Kerns, Luttringer, Lynch, McCauley, McElroy, McGowan, Mack, Marks, Marston, Matthews of San Benito, Miller, Mordecai, O'Keefe, Owen, Pendleton, Perkins, Pueschel, Raw, Sargent, Schlesinger, Schroebel, Shanahan, Sims, Standart, Taggart, Talbott, Taylor, Thomas of Nevada, Thomas of Santa Clara, Tindall, Vann, Wade, and Mr. Speaker—66.

NOES—None.

Title read and approved.

SPECIAL ORDERS.

Committee Substitute for Senate Bill No. 131—An Act to create the county of Riverside, classify it, define its boundaries, provide for its organization, and the appointment, election of officers, the location of county seat by election, and the adjustment and fulfillment of certain rights and obligations arising between such county and certain other counties.

Read second time.

Mr. Lynch moved to amend section fifteen to read as follows:

"The said county of Riverside shall form a part of Senatorial District No. 40."

The ayes and noes were demanded by Messrs. Anderson, Duckworth, and Barker.

The roll was called, and the amendment lost by the following vote:

AYES—Messrs. Bretz, Bulla, Conway, Cusick, Drees, Duffy, Hurley, Jacobsen, Kennedy, Kahn, Lynch, Mack, Mathews of Tehama, Matthews of San Benito, O'Neill, Pendleton, Taggart, Thomas of Santa Clara, Vann, and Mr. Speaker—20.

NOES—Messrs. Adams, Alford, Anderson, Androus, Barker, Barlow, Bennett of Santa Clara, Bennett of Orange, Blakeley, Boyce, Brownlie, Buckley, Carlson, Casterline, Chipman, Curtis, Dodge, Duckworth, Durst, Emeric, Finlayson, Gallagher, Gately, Hendrickson, Hutson, Jacobs, Johnson of Humboldt, Kerns, Luttringer, McCauley, McElroy, McGowan, Marks, Marston, Miller, Mordecai, O'Keefe, Owen, Perkins, Pueschel, Raw, Sargent, Schlesinger, Schroebel, Shanahan, Simpson, Sims, Standart, Talbott, Taylor, Thomas of Nevada, Tindall, and Wade—53

Mr. Lynch moved to amend, as follows:

By striking out of section two, line sixteen, after the word "meridian," down to and including the word "west," on line eighteen, and inserting the following: "Thence south to the present northerly line of San Diego County, thence westerly along said line to its intersection with the northeasterly boundary line of the Rancho San Jacinto Nuevo, thence following the northerly line of said rancho to its intersection with the easterly line of township three south, of range three west; thence north along said township line to the southeast corner of section twelve, township two south, of range three west; thence west five miles to the southwest corner of section eight, in township two south, of range three west."

Lost.

Mr. Lynch moved to amend by striking out all of sections eight and nine.

Lost.

Bill ordered to a third reading.

MOTION.

Mr. Anderson moved that the further consideration of Committee Substitute for Senate Bill No. 131 be made a special order for to-morrow at eleven o'clock A. M.

So ordered.

LEAVE OF ABSENCE.

Mr. Godchaux was granted leave of absence until Monday morning.

SPECIAL ORDERS—(RESUMED).

Senate Bill No. 198—An Act to create the county of Madera, to define the boundaries thereof, to determine the county seat, and to provide for its organization and election of officers, and to classify said county.

Read second time.

Mr. Jacobsen moved to amend, as follows:

By striking out of section two, lines eleven and twelve, the words "San Joaquin River; thence following up the middle of said river to the point of beginning," and inserting the following: "third standard line south of Mount Diablo base line, thence running east on said line to the point of beginning."

Lost.

Also:

Amend by striking out of section five, line one, the words "six months," and inserting the following: "sixty days."

Lost.

Also:

Amend section six by inserting after the word "Act," on line three, the following: "And who were qualified electors at the general election held in the year eighteen hundred and ninety-two, in the territory comprising the proposed county of Madera."

Lost.

Bill ordered to a third reading.

MOTION.

Mr. Mordecai moved that the further consideration of Senate Bill No. 198 be made a special order for to-morrow at eleven o'clock and thirty minutes A. M.

So ordered.

SPECIAL ORDERS—(RESUMED).

Assembly Bill No. 280—An Act to form San Antonio County, classify it, define its boundaries, provide for its organization and the appointment and election of officers, the location of county seat by election, and the adjustment and fulfillment of certain rights and obligations arising between such new county and certain other counties.

Read second time.

Committee amendment, as follows:

Amend section two, line nine, printed bill, by striking therefrom all of said line after the word "south," and all of line ten down to and including line twenty-one, and substitute in lieu thereof the following, viz: "to the northern boundary of the Jarupa Rancho; thence westerly along the north boundary of the Jarupa Rancho to the northwest corner of said rancho; thence south along the west boundary of Jarupa Rancho to the quarter corner on the west line of section ten, in township three south, of range seven west; thence west to the center of section seven in township three south, of range seven west; thence south to the quarter corner on the south line of section nineteen, in township three south, of range seven west; thence west to the intersection with the eastern boundary of El Cañon de Santa Ana Rancho, thence southerly along the eastern boundary of said rancho to intersection with the boundary line between Orange and San Bernardino Counties, thence southeasterly along the southern boundary of San Bernardino County to the place of beginning, all of said townships and ranges being from San Bernardino base and meridian."

Mr. Finlayson moved to substitute the committee amendment, as follows:

Amend section two by striking out all of said section, and inserting in lieu thereof the following.

"SEC. 2. The boundaries of San Antonio County shall be as follows: Beginning at a point on the Orange County line, at the southwest corner of township two south, range nine west; thence north on the township line between ranges nine and ten west to the north line of township three north, range nine west; thence east along the north line of said township three to the southeast corner of section thirty-one, township four, range six west, thence south to the northern boundary of the Jarupa Rancho; thence westerly along the north boundary of the Jarupa Rancho to the northwest corner of said rancho; thence south along the western boundary of said Jarupa Rancho to the quarter corner on the west line of section ten, in township three south, of range seven west; thence west to the center of section seven, township three south, range seven west; thence south to the quarter corner on the south line of section nineteen, township three south, range seven west; thence west to the intersection with the eastern boundary of El Cañon de Santa Ana Rancho, thence southerly along the eastern boundary of said rancho to the intersection with the boundary line between Orange and San Bernardino Counties,

thence southeasterly along the southern boundary of San Bernardino County to the place of beginning, all of said townships and ranges being from the San Bernardino base and meridian"

Mr. Hurley moved to take a recess until seven o'clock and thirty minutes P. M.

Lost.

Substitute lost.

Committee amendment adopted.

Mr. Finlayson moved to amend section nine, as follows:

By adding at the end thereof the following "If the vote at such election in favor of a separate county government shall be less than two thirds of the entire vote cast, then this Act shall become void, and said county shall not be created"

Lost.

Also:

Amend section six by adding at the end thereof the following: "*provided*, that the boundaries of the election precincts of Azusa, Glendora, Covina, and Puente, as now constituted, shall not be changed; and if at the election to be held in pursuance of this Act, a majority of the qualified electors voting at said election in said precincts of Azusa, Glendora, Covina, or Puente, shall vote against a separate county government, then such of said precincts as shall so vote against a separate county government shall, upon said vote being declared, be considered as excluded from the boundaries of said county of San Antonio, and the vote of said excluded precincts for county officers shall not be considered."

The ayes and noes were demanded by Messrs. Pendleton, Finlayson, and Simpson.

The roll was called, and the amendment lost by the following vote:

AYES—Messrs. Barker, Bennett of Santa Clara, Burke, Finlayson, Hutson, Jacobs, Jacobsen, Kahn, Kerns, Lynch, Matthews of San Benito, O'Keefe, Pendleton, Schlesinger, and Simpson—15.

NOES—Messrs. Adams, Alford, Anderson, Androus, Barlow, Bennett of Orange, Blakeley, Bledsoe, Boyce, Brownlie, Buckley, Carlson, Casterline, Chipman, Conway, Curtis, Cusick, Drees, Duckworth, Duffy, Durst, Gallagher, Gately, Hendrickson, Hurley, Johnson of Humboldt, Kennedy, Luttringer, McCauley, McGowan, Mack, Marks, Marston, Miller, Mordecai, Owen, Perkins, Pueschel, Raw, Sargent, Schroebel, Sims, Standart, Taylor, Thomas of Nevada, Tindall, Vann, Wade, and Mr. Speaker—49.

Bill ordered engrossed and to a third reading.

MOTION.

Mr. Anderson moved that the further consideration of Assembly Bill No. 280 be made a special order for Monday, at three o'clock and thirty minutes P. M.

So ordered.

Mr. Alford moved to adjourn.

Lost.

RECESS.

At five o'clock and thirty minutes P. M., on motion of Mr. Hurley, recess was taken until seven o'clock and thirty minutes P. M.

EVENING SESSION.

The Assembly reassembled at seven o'clock and thirty minutes P. M.

Speaker Gould in the chair.

Quorum present.

MOTIONS.

Mr. Barlow moved that Assembly Bill No. 772, on the urgency file, be now read the first time.

So ordered.

Mr. Standart moved that Assembly Bill No. 449 be placed on the special file.

So ordered.

LEAVE OF ABSENCE.

The Committee on Ways and Means was granted leave of absence for the evening.

MOTION.

Mr. Miller moved that Assembly Bill No. 356 be made a special order to follow the special orders set for to-morrow at eleven o'clock A. M.

The ayes and noes were demanded by Messrs. Mathews of Tehama, Kahn, and Thomas of Nevada.

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

AYES—Messrs. Anderson, Androus, Barker, Blakeley, Brownlie, Conway, Cusick, Duckworth, Duffy, Durst, Marks, Marston, Miller, O'Neill, Owen, Sargent, Sims, and Talbott—18.

NOES—Messrs. Adams, Barlow, Bennett of Santa Clara, Bennett of Orange, Bulla, Curtis, Finlayson, Gately, Hendrickson, Hurley, Hutson, Jacobs, Jacobsen, Johnson of Humboldt, Kahn, Luttringer, McCauley, McElroy, Mathews of Tehama, Matthews of San Benito, Pendleton, Pueschel, Raw, Schlesinger, Simpson, Thomas of Nevada, Thomas of Santa Clara, Tindall, Wade, and Mr Speaker—30.

LEAVE OF ABSENCE.

The Committee on Claims was granted leave of absence for the evening.

URGENCY FILE.

Assembly Bill No. 772—An Act to amend an Act entitled "An Act to establish a Civil Code," approved March 21, 1872, and to add a new section thereto, to be numbered section one thousand six hundred and seventy-seven, relating to unlawful contracts.

Read first time, and placed on file for second reading.

Assembly Bill No. 715—An Act to prevent persons, corporations, or companies discriminating against employés.

Read second time, ordered engrossed and to a third reading.

LEAVE OF ABSENCE.

The Committee on Judiciary was granted leave of absence for the evening.

MOTION.

Mr. Taylor moved to suspend Rule 72.

Lost.

URGENCY FILE—(RESUMED).

Assembly Bill No. 586—An Act regulating the practice of architecture in the State of California.

Read second time.

Bill re-referred to Committee on Judiciary, to retain its place on the file.

Assembly Bill No. 543—An Act regulating the sale of the lands uncovered by the recession of the waters of inland lakes, and unsegregated swamp and overflowed lands.

Read second time.

COMMITTEE SUBSTITUTE FOR ASSEMBLY BILL No. 543.

An Act regulating the sale of the lands uncovered by the recession or drainage of the waters of inland lakes, and unsegregated swamp and overflowed lands, and validating sales and surveys heretofore made.

The People of the State of California, represented in Senate and Assembly, do enact as follows:

SECTION 1. Any person desiring to purchase any of the lands uncovered by the recession or drainage of the waters of inland lakes, and inuring to the State by virtue of her sovereignty, or the swamp and overflowed lands not segregated by the United States, shall make an application therefor to the Surveyor-General of the State, which application shall be accompanied by applicant's affidavit that he is a citizen of the United States, or has declared his intention to become such, a resident of this State, of lawful age, that he desires to purchase such lands (describing the same by legal subdivisions, or by metes and bounds if the legal subdivisions are unknown) under the provisions of this Act, that he desires to purchase the same for his own use and benefit, and for the use and benefit of no other person or persons whomsoever, and that he has made no contract or agreement to sell the same, and that he does not own any State lands which, together with that now sought to be purchased, exceeds six hundred and forty acres.

SEC. 2. Upon the filing of said application, the Surveyor-General, when the land has not been sectionized, shall authorize the County Surveyor of the county where the whole or the greater portion of the land lies, to survey the same, who shall make an actual survey thereof, at the expense of the applicant, establishing four corners to each quarter section, and connecting the same with a United States survey; and he must, within thirty days, file with the Surveyor-General a copy, under oath, of his field notes and plat, and a statement, under oath, showing whether or not the land is occupied by any actual settler.

SEC. 3. If the surveyor thus authorized shall fail to make his return to the Surveyor-General within the time specified in the preceding section, the Surveyor-General may designate another person to make the said survey.

SEC. 4. No application to purchase land under this Act shall be approved by the Surveyor-General until the expiration of ninety days from the filing thereof in his office, and meanwhile the land shall be subject to the adverse claim of any actual settler who has resided thereon when the said application was filed.

SEC. 5. The swamp and overflowed lands designated in this Act shall be sold and patented at the same price, and on the same terms and manner of payment as at present provided for swamp and overflowed lands. All moneys received for said swamp and overflowed lands shall be paid into the Swamp Land Fund of the county in which the lands are situated, and shall be treated and disposed of in the manner as moneys arising from the sale of segregated swamp and overflowed lands. If any of the lands are suitable for cultivation without reclamation, such lands shall be sold only to actual settlers in tracts not exceeding three hundred and twenty acres. Lands uncovered by the recession or drainage of the waters of inland lakes shall be sold at two dollars and fifty cents per acre, upon the same terms of payment as for swamp and overflowed land. All moneys derived from the sale of such uncovered lands shall be paid into the School Fund of the county where the land lies.

SEC. 6. Any of the lands designated in this Act, which, by reason of periodical overflow, need and are susceptible of reclamation, may be reclaimed by the formation of districts, in the same manner and subject to all of the provisions of law regulating the reclamation of swamp and overflowed lands, *provided*, that the Board of Supervisors of the county in which the lands, or the greater part thereof, are situated, must first determine, upon proper petition presented therefor, by the holders of the title, or evidence of title, representing one half or more of any body of such land, that such reclamation is necessary and feasible.

SEC. 7. When land has been sold under this Act, no contest shall be maintained against the purchaser on the ground that the land is not of the character stated in the application.

SEC. 8. All uncanceled certificates of purchase and patents heretofore issued, and payments heretofore made, for any lands as swamp and overflowed lands, which lands

belong to any of the classes described in section one of this Act, whether or not such lands were segregated or sectionized, shall, for all purposes, be valid, and shall have the same force and effect as if such lands had been at all times subject to sale as swamp and overflowed lands; *provided, however*, that any and all contests now existing between settlers and holders of certificates of purchase shall not be affected by the provisions of this Act

SEC 9. All plats of any of the lands described in section one of this Act, which have been heretofore made under authority of the United States Surveyor-General, and which plats designate the same as swamp and overflowed lands, shall be deemed valid and effectual as surveys of such lands from and after the date thereof.

SEC 10 This Act shall take effect from and after its passage.

Adopted.

Bill ordered engrossed and to a third reading.

Assembly Bill No. 614—An Act for the relief of J. F. Chapman & Co., for damage sustained through the loss of coal from Fremont Street Wharf, in the City and County of San Francisco.

Read first time, and placed on file for second reading.

Assembly Bill No 393—An Act to amend section seven hundred and ninety of an Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883.

Read second time, and ordered engrossed and to a third reading.

Assembly Bill No. 654—An Act making an appropriation to pay the claim of Major José Ramon Pico for expenses incurred in recruiting and maintaining military companies.

Read second time.

Mr. Duckworth moved the following substitute for Assembly Bill No. 654:

SUBSTITUTE FOR ASSEMBLY BILL No. 654.

An Act to pay the claim of Major José Ramon Pico, and making an appropriation therefor.

The People of the State of California, represented in Senate and Assembly, do enact as follows:

SECTION 1 The sum of eight thousand one hundred and eleven dollars and fifteen cents is hereby appropriated out of any moneys in the State Treasury not otherwise appropriated, to pay the claim of Major José Ramon Pico.

SEC 2 The Controller of State is hereby directed to draw his warrant in favor of Major José Ramon Pico, or his assigns, in the sum of eight thousand one hundred and eleven dollars and fifteen cents, and the State Treasurer is directed to pay the same, and the direction herein is hereby exempted from the provisions of section six hundred and seventy-two of the Political Code

SEC. 3. This Act shall take effect immediately.

Adopted.

MOTION.

Mr. Duckworth moved that the Assembly resolve itself into Committee of the Whole, with the Speaker in the chair, for the purpose of considering Assembly Bill No. 654.

So ordered.

IN COMMITTEE OF THE WHOLE.

Speaker Gould in the chair.

Assembly Bill No. 654 was considered in Committee of the Whole.

IN ASSEMBLY.

Speaker Gould in the chair.

REPORT OF THE COMMITTEE OF THE WHOLE.

The Speaker stated the report of the Committee of the Whole as follows:

GENTLEMEN: The Committee of the Whole have had under consideration Assembly Bill No. 654—An Act making an appropriation to pay the claim of Major José Ramon Pico for expenses incurred in recruiting and maintaining military companies—and now report, and recommend that the same do pass.

Bill ordered engrossed and to a third reading.

MOTION.

In accordance with notice given, Mr. Dodge moved to amend the rules, as follows:

Resolved, That discussion on all questions, resolutions, or bills be limited to thirty minutes, at the expiration of which time the same shall be voted upon

The ayes and noes were demanded by Messrs. Alford, Luttringer, and Hurley.

The roll was called, and the amendment lost by the following vote:

AYES—Messrs. Bennett of Santa Clara, Bennett of Orange, Blakeley, Brownlie, Carlson, Conway, Dodge, Drees, Duckworth, Durst, Kahn, McCauley, McElroy, McGowan, Perkins, Pueschel, Raw, Sargent, Standart, Taggart, Talbott, and Wade—22

NOES—Messrs Alford, Bledsoe, Casterline, Chipman, Curtis, Duffy, Gallagher, Gately, Hamilton, Hurley, Hutson, Jacobs, Jacobsen, Johnson of Humboldt, Kennedy, Luttringer, Marks, Marston, Matthews of San Benito, O'Neill, Owen, Schlesinger, Schroebel, Taylor, Thomas of Santa Clara, Vann, and Mr Speaker—27.

URGENCY FILE—(RESUMED).

Assembly Bill No. 787—An Act amendatory of and supplementary to an Act entitled "An Act to define the boundary and provide for the government of Levee District No. 2, of Sutter County," passed March 23, 1876, in relation to the election of officers for said district, funding the floating debt, and refunding the funded debt thereof.

Read first time, and placed on file for second reading.

Assembly Bill No. 300—An Act to amend an Act entitled "An Act to provide for the restoration and preservation of fish in the waters of this State," approved April 2, 1870, by adding thereto an additional section, numbered section twelve, relative to the better protection of fish placed in streams for the purpose of propagation.

Read second time.

Committee amendments, as follows:

AMENDMENT No. 1.

Amend by adding "section twelve" to first line as per printed bill.

Adopted.

AMENDMENT No. 2.

Amend by adding the words "Board of" in front of the words "Fish Commissioners," on first line as per printed bill.

Adopted.

Further consideration of bill postponed, and ordered passed on file.

Assembly Bill No. 42—An Act to define labor corporations, and to provide for the incorporation, organization, and government thereof, and, as a part of the government thereof, to provide for the regulation of disputes to which labor corporations may be parties, by referring the same to a Board of Conciliation or Arbitration.

Read second time, ordered engrossed and to a third reading.

Assembly Bill No. 203—An Act to amend section three thousand and nine of the Political Code of the State of California, relating to the appointment of certain officers and employés by the Board of Health of the City and County of San Francisco.

Read second time.

Mr. Kahn moved to amend as follows:

By striking out of lines four and five the words "who shall be practical plumbers, who have passed a satisfactory examination before the Board of Health."

Adopted.

The question being, "Shall the bill be ordered engrossed and to a third reading?"

The ayes and noes were demanded by Messrs. Gallagher, Chipman, and Casterline.

The roll was called, and the bill refused engrossment and a third reading by the following vote:

AYES—Messrs Alford, Bennett of Santa Clara, Blakeley, Buckley, Carlson, Casterline, Chipman, Curtis, Drees, Durst, Gately, Hamilton, Hutson, Johnson of Humboldt, Kennedy, McGowan, and Marston—17.

NOES—Messrs. Adams, Barker, Bledsoe, Conway, Cusick, Duckworth, Gallagher, Hurley, Jacobs, Kahn, Luttringer, McElroy, Marks, Matthews of San Benito, O'Neill, Owen, Perkins, Raw, Sargent, Schlesinger, Standart, Taggart, Talbott, Taylor, Thomas of Santa Clara, Vann, Wade, and Mr. Speaker—28.

Assembly Bill No. 731—An Act directing the State Board of Harbor Commissioners to construct a certain portion of the harbor embankment, or seawall, of the port of San Francisco.

Read second time, ordered engrossed and to a third reading.

Mr. Kahn in the chair.

Assembly Bill No. 707—An Act to amend sections two, three, and twenty-four of an Act entitled "An Act to provide for work upon streets, lanes, alleys, courts, places, and sidewalks, and for the construction of sewers within municipalities," approved March 17, 1885.

Read first time, and placed on file for second reading.

Assembly Bill No. 369—An Act to authorize the Justices of the Supreme Court to appoint a Librarian for said Court, and fixing a salary.

Read second time.

Committee amendment, as follows:

On line one of section two of printed bill, strike out the word "fifteen," and insert in lieu thereof the word "twelve"

Adopted.

Bill ordered engrossed and to a third reading.

Assembly Bill No. 581—An Act to amend section five hundred and one of the Civil Code, relating to street railways.

Read second time.

Committee amendment, as follows:

Amend section one, line nine of printed bill, by inserting after the word "fare" the following words "or otherwise," also, same section, line eleven, after the word "offense," strike out the balance of the section.

Adopted.

Bill ordered engrossed and to a third reading.

Assembly Bill No. 63—An Act relating to estrays.

Read first time, and placed on file for second reading.

Assembly Bill No. 513—An Act to prevent the spread of contagious or infectious diseases among domestic animals.

Read second time, ordered engrossed and to a third reading.

Assembly Bill No. 724—An Act to enable school districts in or including cities of the fifth class to issue bonds for the purpose of raising money for certain purposes, and to repeal an Act approved March 31, 1891, entitled "An Act to enable cities of the fifth class to issue bonds for the purpose of raising money to purchase school lots, and for building or purchasing one or more school houses, and supplying the same with furniture, necessary apparatus, and improving the grounds, and for liquidating any indebtedness already incurred for such purposes."

Read second time.

Mr. Jacobsen moved to amend, as follows:

By striking out of section one, line two, the words "includes such city," and inserting the following: "embraces territory, a portion of which is without such city of the fifth class."

Adopted.

Also:

Amend section three by inserting on line five, after the word "day," the following: "not less than six hours."

Adopted.

Also:

Amend by striking out section four and inserting the following:

"SEC. 4. Such election shall be held in all respects as nearly as practicable in conformity with the general election law; *provided*, that no particular form of ballot shall be required, excepting the words to appear on the ballots, which shall be 'Bond—Yes,' or 'Bond—No" Nor shall any informalities not amounting to fraud in conducting such election invalidate the same."

Adopted.

Also:

Amend by striking out of section five, line twelve, the words "book of the city," and inserting the following: "of the property in such school district."

Adopted.

Also:

Amend by striking out of section seven, line one, the words "must not bear a greater rate of interest than eight per cent, said interest to be payable annually, and said bonds must be sold in the manner prescribed by the Board of Supervisors, but for not less than par," and insert the following "must be payable in gold coin of the United States; must be signed by the President of the Board of Supervisors, and countersigned by the Clerk of the county, who must affix the county seal thereto; must not bear a greater rate of interest than eight per cent, said interest to be payable semi-annually in like gold coin, and said bonds must be sold in the manner prescribed by the Board of Supervisors, but for not less than par in gold coin of the United States"

Adopted.

Also:

Amend by striking out of section ten the words "All Acts and parts of Acts in conflict with this Act are hereby repealed," and inserting the following: "The Act approved March 31, 1891, entitled 'An Act to enable cities of the fifth class to issue bonds for the purpose of raising money to purchase school lots, and for building or purchasing one or more school houses, and supplying the same with furniture, necessary apparatus, and improving the grounds, and for liquidating any indebtedness already incurred for such purposes,' is hereby repealed."

Adopted.

Bill ordered engrossed and to a third reading.

Assembly Bill No. 630—An Act requiring every corporation doing business in this State to pay their employés, and each of them, at least once in each and every month, the wages earned by such employé; to define the duties of the Labor Commissioner, and the District Attorneys of the several counties of this State in enforcing this Act; to limit the defenses which may be set up by such corporations to assignments of wages, set-off, or counter claims, or the absence of such employé at the time of making payment, and in case of such absence the wages are payable upon demand; to prohibit assignments of wages for the purpose of evading the provisions of this Act, and agreements to accept wages at longer periods than as herein provided as a condition of employment; to fix a penalty for this violation of the provisions of this Act by such corporation, and to provide for the disposition of any fines recovered from corporations violating the same.

Read second time, ordered engrossed and to a third reading.

Mr. Taylor moved to suspend Rule 72.

Lost.

Assembly Bill No. 354—An Act to amend certain sections of the Political Code, relative to the Board of Health.

Read second time.

Committee amendments, as follows:

AMENDMENT No. 1.

On line one, section one of printed bill, insert the words "section one."

Adopted.

AMENDMENT No 2.

On line one, section two of printed bill, insert the words "section two"

Adopted.

AMENDMENT No. 3.

On line one, section three of printed bill, insert the words "section three."

Adopted.

AMENDMENT No. 4.

On line one, section four of printed bill, insert the words "section four."

Adopted.

Bill ordered engrossed and to a third reading.

Assembly Bill No. 408—An Act to amend chapter seven, article ten, section nine hundred and ninety-six of the Political Code, by adding a new division, providing for filling vacancies not otherwise provided for.

Read second time.

COMMITTEE SUBSTITUTE FOR ASSEMBLY BILL No. 408.

An Act to amend chapter seven, article ten, section nine hundred and ninety-six of the Political Code, by adding a new division, providing for filling vacancies not otherwise provided for

The People of the State of California, represented in Senate and Assembly, do enact as follows:

SECTION 1. Section nine hundred and ninety-six of the Political Code of the State of California is hereby amended by adding a new division, to be known as eleven, to section nine hundred and ninety-six, article ten, chapter seven, to be known and numbered as division eleven.

Section nine hundred and ninety-six shall read as follows:

Section 996. Vacancies, how they occur:

1. The death of the incumbent
2. His insanity, found upon a Commission of Lunacy, issued to determine the fact
3. His resignation
4. His removal from office
5. His ceasing to be an inhabitant of the State, or if the office be local, of the district, county, city, or township for which he was chosen or appointed, or within which the duties of his office are required to be discharged.
6. His absence from the State without permission of the Legislature beyond the period allowed by law
7. His ceasing to discharge the duties of his office for the period of three consecutive months, except when prevented by sickness, or when absent from the State by permission of the Legislature
8. His conviction of a felony, or of any offense involving a violation of his official duties
9. His refusal or neglect to file his official oath or bond within the time prescribed.
10. The decision of a competent tribunal declaring void his election or appointment,
11. When an appointive power has been superseded, or has ceased to exist, that appointed an incumbent, and an incumbent has served a constitutional, legal, or an unexpired term of four years, then and thereupon a vacancy shall exist, and the Governor shall forthwith appoint a successor or successors to the office thus made vacant.

SEC. 2. All Acts or parts of Acts in conflict with this Act are hereby repealed.

SEC. 3. This Act shall take effect from and after its passage.

Adopted.

Bill ordered engrossed and to a third reading.

Assembly Bill No. 726—An Act to amend section two hundred and seventy-two of the Penal Code, relative to the licensing of children in theatrical exhibitions.

Read second time, ordered engrossed and to a third reading.

Assembly Bill No. 85—An Act to amend section six hundred and thirty-one of an Act of the Legislature of the State of California entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1873, relating to a waiver of a trial by jury; and to add two new sections to said Code, to be known and designated as section two hundred and forty-eight, relating to the fees of grand and trial jurors; and section six hundred and twenty, relating to the time and manner of demanding a trial by jury.

Read second time.

Committee amendments, as follows:

AMENDMENT No. 1.

After the word "jurors," in line four of printed bill, and before the word "attending," in line five, insert "in civil cases."

Adopted.

AMENDMENT No 2

Strike out the word "in," in line five, and insert in place thereof "or."

Adopted.

AMENDMENT No. 3.

On line five, strike out the words "one and fifty hundredths," and insert the word "two" in place thereof.

Adopted.

Mr. Bulla moved to amend, as follows:

By striking out of section one, line four, the word "ten," and inserting "fifteen" in lieu thereof.

Adopted.

Bill ordered engrossed and to a third reading.

Assembly Bill No. 244—An Act to provide for the compensation of the Chief and Captain of Police and police officers in cities in the State of California containing not less than ten thousand and not exceeding thirty thousand inhabitants.

Read second time.

Committee amendments, as follows:

Amend the title by changing the word "thirty" to the word "twenty-five."

Adopted.

Also:

Amend section one, line two of the printed bill, by changing the word "thirty" to the word "twenty-five."

Adopted.

Bill ordered engrossed and to a third reading.

Assembly Bill No. 663—An Act entitled an Act to regulate the practice of veterinary medicine and surgery in the State of California.

Read second time, ordered engrossed and to a third reading.

Assembly Bill No. 184—An Act to reinstate and reënact section three thousand five hundred and seventy-three of the Political Code, relating to public lands.

Read second time.

Mr. Lynch moved to substitute, as follows:

An Act to amend section three thousand five hundred and seventy-three of the Political Code, relating to public lands

The People of the State of California, represented in Senate and Assembly, do enact as follows.

SECTION 1. Section thirty-five hundred and seventy-three of the Political Code is hereby amended to read as follows:

3573. All applications made prior to March twenty-fourth, eighteen hundred and seventy, for the purchase of lands under the provisions of "An Act to provide for the management and sale of lands belonging to the State," approved March twenty-eighth, eighteen hundred and sixty-eight, if there was not, on the twenty-fourth day of March, eighteen hundred and seventy, two or more applicants for the purchase of, or conflicts between claimants of, the same land, where the purchase has been completed and patent issued, are valid, although the affidavits on which such applications were based are neither in form nor substance in compliance with the provisions of such Act.

SEC. 2. This Act shall take effect from and after its passage.

Bill ordered engrossed and to a third reading.

Assembly Bill No. 674—An Act quitclaiming to the successors in interest of James Bowman all claim of the State of California in that certain tract of land in the City and County of San Francisco, known as "Water Lot No. 415," and empowering and directing the Governor to execute a deed of quitclaim therefor to said successors in interest of said James Bowman.

Read second time, ordered engrossed and to a third reading.

Assembly Bill No. 284—An Act for the relief of George Dougherty.

Read second time, ordered engrossed and to a third reading.

Assembly Bill No. 666—An Act supplemental to an Act entitled "An Act to provide for the organization and government of irrigation districts, and to provide for the acquisition of water and other property, and for the distribution of water thereby for irrigation purposes," approved March 7, 1887, providing for the abandonment of operations by irrigation districts, and for their disorganization upon the discharge of all outstanding obligations.

Read second time.

AMENDMENTS.

By Mr. Mack: Amendments to Assembly Bill No. 666—An Act supplemental to an Act entitled "An Act to provide for the organization and government of irrigation districts, and to provide for the acquisition of water and other property, and for the distribution of water thereby for irrigation purposes," approved March 7, 1887, providing for the abandonment of operations by irrigation districts, and for their disorganization upon the discharge of all outstanding obligations.

AMENDMENT No. 1.

Amend section one by striking out of line five of the printed bill the words "commonly known as the Wright Law."

Adopted.

AMENDMENT No. 2.

Amend section one, line six of the printed bill, by striking out the word "taxpayers" and inserting the words "assessment-payers" instead thereof.

Adopted.

AMENDMENT No. 3.

Amend section two, line two of the printed bill, by striking out the words "two thirds" and inserting instead thereof the words "three fifths."

Adopted.

AMENDMENT No. 4.

Amend section two, line five of the printed bill, by striking out the words "two thirds" and inserting instead thereof the words "three fifths."

Adopted.

AMENDMENT No. 5.

Amend section two, line thirteen of the printed bill, by striking out the word "taxes" and inserting instead thereof the word "assessments."

Adopted.

AMENDMENT No. 6.

Amend section two by striking out the word "disorganizing," in line sixteen of the printed bill, and in lieu thereof inserting the words "abandoning operations."

Adopted.

AMENDMENT No. 7.

Amend section six, line fifteen of the printed bill, by striking out the word "taxpayer" and inserting instead thereof the words "assessment-payer."

Adopted.

AMENDMENT No. 8.

Amend section six, line sixteen of the printed bill, by striking out the word "taxes" and inserting instead thereof the word "assessments."

Adopted.

Bill ordered engrossed and to a third reading.

Assembly Bill No. 305—An Act to amend section one thousand two hundred and ten of the Code of Civil Procedure, relating to reentry upon real property.

Read second time, ordered engrossed and to a third reading.

Assembly Bill No. 246—An Act to enfranchise the women citizens of the State, and prescribing their qualifications as electors.

Read second time, ordered engrossed and to a third reading.

Assembly Bill No. 550—An Act to prohibit the creation of debts against the State in excess of appropriations made by law, except in cases of actual necessity, and on consent of the Board of Examiners.

Read second time, ordered engrossed and to a third reading.

Mr. Burke moved to adjourn.

Lost.

Assembly Bill No. 575—An Act to amend sections sixteen, eighteen, nineteen, twenty-four, twenty-six, and twenty-nine of an Act entitled "An Act to establish a State Reform School for Juvenile Offenders, and to make an appropriation therefor," approved March 11, 1889.

Read second time, and passed on file.

Assembly Bill No. 350—An Act to enfranchise the women citizens of this State, and prescribing their qualifications as electors.

Read second time, ordered engrossed and to a third reading.

Assembly Bill No. 696—An Act to establish a California State Raisin Growers, Packers, and Brokers' Association, and prescribing the powers thereof.

Read second time, ordered engrossed and to a third reading.

Assembly Bill No. 108—An Act to amend sections two hundred and four, two hundred and five, two hundred and six, and two hundred and eight of the Code of Civil Procedure.

Read second time.

Committee amendments, as follows:

In line nine, section one, printed bill, strike out the letter "a" after the word "until," and add the letter "s" to the word "list" in same line.

Adopted.

Also:

In line seventeen, printed bill, insert the words "counties and" after the word "in."

Adopted.

Also:

In line six, section two, strike out the word 'mental," and in place thereof insert the word "natural."

Adopted.

Also:

Strike out all of section three, and make section four read section three.

Adopted.

Ordered engrossed and to a third reading.

Mr. Standart moved to adjourn.

Lost.

Assembly Bill No. 236—An Act to amend an Act entitled "An Act to provide for the organization and government of irrigation districts, and to provide for the acquisition of water and other property, and for the distribution of water thereby for irrigation purposes," approved March 7, 1887, by amending sections fifteen and thirty thereof.

Committee amendments, as follows:

Amend by striking out all of line forty-six of section one, after the word "purchaser;" also, by striking out all of lines forty-seven and forty-eight, of section one; also, by striking out the words "by levy of assessments therefor" from line forty-nine of section one

Adopted.

Also:

Amend by inserting after the word "fraud," on line three, section two, and within brackets, the following words: "or prepayment of taxes."

Adopted.

Bill ordered engrossed and to a third reading.

ADJOURNMENT.

At nine o'clock and forty minutes P. M., on motion of Mr. Standart, the Assembly adjourned.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Saturday, February 25, 1893.

The Assembly met pursuant to adjournment.

Speaker Gould in the chair.

The roll was called, and the following members answered to their names:

Messrs. Adams, Alford, Anderson, Androus, Barker, Barlow, Bennett of Santa Clara, Bennett of Orange, Blakeley, Bledsoe, Boyce, Bretz, Brownlie, Buckley, Bulla, Burke, Carlson, Casterline, Chipman, Conway, Curtis, Cusick, Dodge, Drees, Duckworth, Duffy, Durst, Finlayson, Gallagher, Gately, Hamilton, Hendrickson, Hurley, Hutson, Jacobs, Jacobsen, Johnson of Humboldt, Johnson of Santa Clara, Kennedy, Kahn, Kerns, La-Rue, Luttringer, Lynch, McCauley, McElroy, McGowan, Mack, Marks, Marston, Mathews of Tehama, Matthews of San Benito, Mordecai, O'Keefe, O'Neill, Owen, Pendleton, Perkins, Pueschel, Raw, Sargent, Schlesinger, Schroebel, Shanahan, Simpson, Sims, Standart, Taggart, Talbott, Taylor, Thomas of Nevada, Thomas of Santa Clara, Tindall, Vann, Wade, and Mr. Speaker.

Quorum present.

LEAVE OF ABSENCE.

Messrs. Bennett of Santa Clara, Miller, and Kahn were granted leave of absence for the day.

The Ways and Means Committee was granted leave to sit this day.

PRAYER.

Prayer by the Chaplain, Rev. H. W. Conry.

READING AND APPROVAL OF THE JOURNAL.

Pending the reading of the Journal of yesterday, Mr. Schlesinger moved that the further reading be dispensed with.

So ordered.

Journal of Thursday, February 23d, approved.

REPORTS OF STANDING COMMITTEES.

ON PUBLIC BUILDINGS AND GROUNDS.

ASSEMBLY CHAMBER, SACRAMENTO, February 25, 1893.

MR. SPEAKER: Your Committee on Public Buildings and Grounds, to whom was referred Assembly Bill No. 586—An Act relating to the practice of architecture in the State of California—have had the same under consideration, have amended the same, and report it back, with the recommendation that it pass as amended.

Also: Assembly Bill No. 828—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

CURTIS, Chairman.

Assembly Bill No. 828 re-referred to Committee on Ways and Means.

ON EDUCATION.

ASSEMBLY CHAMBER, SACRAMENTO, February 25, 1893.

MR SPEAKER: Your Committee on Education, to whom was referred Assembly Bill No 811—An Act to amend section one thousand four hundred and twenty-six of the Political Code, relating to the appointment of members of the Board of Regents of the University of California.

Also: Assembly Bill No. 744—An Act to amend section one thousand six hundred and sixty-eight of the Political Code.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass

Also: Assembly Bill No. 735—An Act to provide for the free distribution of the State series of school text-books to enrolled pupils of the public schools and other public institutions.

Also: Assembly Constitutional Amendment No. 16—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, relative to the free distribution of State text-books to the common schools of the State of California.

Have had the same under consideration, and respectfully report the same back, and recommend that they do not pass.

SARGENT, Chairman.

ON CORPORATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, February 24, 1893

MR. SPEAKER: Your Committee on Corporations, to whom was referred Assembly Bill No. 838—An Act for the protection of travelers on railroad trains

Also: Assembly Bill No 844—An Act to add a new section to the Civil Code, to be known as section four hundred and sixty, relating to the merging and consolidation of competing and parallel railroad corporations and companies.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

Also: Assembly Bill No 793—An Act to prevent overcharges for services by railroad corporations, and to better secure investments in such corporations

Also. Assembly Bill No 436—An Act to provide for the formation of corporations authorized to insure country school houses and churches, and all property situated on the farm of any farmer, horticulturist, or gardener, and to loan its accumulated surplus to policy holders

Have had the same under consideration, and respectfully report the same back without recommendation.

ALFORD, Chairman.

ON CRIMES AND PENALTIES.

ASSEMBLY CHAMBER, SACRAMENTO, February 24, 1893.

MR. SPEAKER: Your Committee on Crimes and Penalties, to whom was referred Assembly Bill No 606—An Act regulating the location of manufactories for the manufacture of giant powder, gun powder, blasting powder, or any explosive substance, the storage of explosives, and providing a penalty therefor—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

Also: Assembly Bill No 516—An Act to prevent the illegal wearing of the badge of any incorporated society for the prevention of cruelty to animals in this State—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

Also: Assembly Bill No. 740—An Act to regulate out-door advertising—have had the same under consideration, and respectfully report the same back, and recommend that it do not pass

Also: Assembly Bill No. 778—An Act to amend section two hundred and eighteen of the Political Code of this State, in relation to train wrecking and the punishment thereof—have had the same under consideration, and respectfully report the same back, and recommend that it do pass with the following amendment: By striking out the words "five years," in section two hundred and eighteen, and substituting therefor the words "ten years"

LUTTRINGER, Chairman.

ON JUDICIARY.

ASSEMBLY CHAMBER, SACRAMENTO, February 24, 1893.

MR. SPEAKER: Your Committee on Judiciary, to whom was referred Assembly Bill No. 815—An Act to add a new article to chapter one, of title two, part three, of the Political Code of the State of California, to be known and designated as article four, and to add six new sections, to be known and designated as sections one thousand and seventy-five, one thousand and seventy-six, one thousand and seventy-seven, one thousand and seventy-eight, one thousand and seventy-nine, and one thousand and eighty, relative to county, city, and city and county Boards of Election Commissioners—have had the same under consideration, and respectfully report the same back, and recommend that it do pass

Also: Assembly Bill No 785—An Act to amend section three thousand four hundred and ninety-three of the Civil Code, relating to private remedies for public nuisances—have had the same under consideration, and respectfully report the same back, and recommend that it do not pass.

SHANAHAN, Chairman.

ON MILEAGE.

ASSEMBLY CHAMBER, SACRAMENTO, February 25, 1893.

MR. SPEAKER: Your Committee on Mileage, to whom was referred the report of the Sub-Committee on Commerce and Navigation, and the following resolution:

Resolved, That E Godchaux, J. McGowan, W T. Boyce, and J. E. Buckley be allowed the sum of sixteen dollars and eighty cents each, as mileage for said trip, and that the State Controller be authorized to draw his warrant in favor of E. Godchaux for sixty-seven dollars and twenty cents, the sum specified, on the appropriation for the contingent expenses of the Assembly.

Have had the same under consideration, and respectfully report the same back, and recommend the adoption of the resolution

DREES, Chairman.

Adopted.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, February 25, 1893.

MR. SPEAKER Your Committee on Mileage, to whom was referred the report of the Committee on Military Affairs, and the following resolution

Resolved, That the Controller of the State be and he is hereby directed to draw his warrant upon the appropriation for the contingent expenses of the Assembly, in favor of C D McCauley, for the sum of four hundred and ninety-three dollars and sixty cents ($493 60), for the purpose of paying to Messrs. McCauley, McElroy, Jacobsen, and A. Norton, Clerk, each one hundred and twenty-three dollars and forty cents ($123 40), for mileage due them upon their visit to San Diego, Los Angeles, Fresno, and Stockton, and return, under the resolution heretofore adopted

Have had the same under consideration, and respectfully report the same back, and recommend its adoption.

DREES, Chairman

Adopted.

ON AGRICULTURE.

ASSEMBLY CHAMBER, SACRAMENTO, February 25, 1893.

MR. SPEAKER: Your Committee on Agriculture, to whom was referred Senate Bill No. 613—An Act to amend section seven hundred and seventeen of an Act entitled "An Act to establish a Civil Code," approved March 21, 1872, relating to leases of agricultural lands—have had the same under consideration, and respectfully report the same back, and recommend that it do pass

LARUE, Chairman.

ON COUNTY AND TOWNSHIP GOVERNMENTS.

ASSEMBLY CHAMBER, SACRAMENTO, February 24, 1893

MR. SPEAKER: Your Committee on County and Township Governments, to whom was referred Assembly Bill No. 693—An Act relating to the sale of wines and liquors, and the maintenance of saloons and places where wines and liquors are sold—have had the same under consideration, and have amended the same, and respectfully report the same back, and recommend that it do pass as amended.

Also: Assembly Bill No. 742—An Act to encourage the establishment of county, and city and county, reform schools for the correction, care, and maintenance of juvenile offenders, and to provide State aid, and appropriate money therefor—have had the same under consideration, and respectfully report the same back, and recommend that it be referred to Committee on State Prisons and Reformatory Institutions

Also: Assembly Bill No 761—An Act to repeal an Act entitled "An Act regulating fees and mileage in criminal cases in the county of Nevada," approved March 23, 1876—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

SCHROEBEL, Chairman.

Assembly Bill No. 742 re-referred to Committee on State Prisons and Reformatory Institutions.

ON CONSTITUTIONAL AMENDMENTS

ASSEMBLY CHAMBER, SACRAMENTO, February 25, 1893.

MR. SPEAKER: Your Committee on Constitutional Amendments, to whom was referred Assembly Constitutional Amendment No 31—A resolution to propose to the people of the State of California an amendment to section seven of article nine of the Constitution of the State of California, by increasing the number of members constituting the State Board of Education, by adding thereto the President and Professor of Pedagogics of the University of California—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

SCHLESINGER, Chairman.

MOTION.

Mr. Thomas of Nevada moved that Assembly Bill No. 761 be read the first time.

So ordered.

FIRST READING OF BILL.

Assembly Bill No. 761—An Act to repeal an Act entitled "An Act regulating fees and mileage in criminal cases in the county of Nevada," approved March 23, 1876.

Read first time, and placed on file for second reading.

MOTIONS.

Mr. Thomas of Nevada moved that the further consideration of Assembly Bill No. 761 be made a special order for Tuesday at three o'clock and thirty minutes P. M.

So ordered.

Mr. McCauley moved that Assembly Bill No. 693 be read the first time.

So ordered.

FIRST READING OF BILL.

Assembly Bill No. 693—An Act relating to the sales of wines and liquors, and the maintenance of saloons and places where wines and liquors are sold.

Read first time, and placed on file for second reading.

REPORT OF STANDING COMMITTEE.

ON FORESTRY.

ASSEMBLY CHAMBER, SACRAMENTO, February 24, 1893

MR. SPEAKER. Your Committee on Forestry, to whom was referred Senate Bill No. 199—have had the same under consideration, and respectfully report the same back, and recommend that it do pass, with amendments attached thereto, and be referred to Committee on Ways and Means

Also: Assembly Bill No. 542—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

BROWNLIE, Chairman.

Senate Bill No. 199 and Assembly Bill No. 542 re-referred to Committee on Ways and Means.

MESSAGE FROM THE SENATE.

SENATE CHAMBER SACRAMENTO February 24, 1893.

MR. SPEAKER: I am directed to inform your honorable body that the Senate, on this day, passed Assembly Bill No 21, as amended in Senate—An Act entitled an Act to amend section two thousand nine hundred and fifty-five of the Civil Code.

F. J. BRANDON, Secretary.
By R. SHAW, Assistant.

SENATE AMENDMENT CONCURRED IN.

The question being, "Shall the Assembly concur in Senate amendment to Assembly Bill No. 21?"

The roll was called, and the Senate amendment concurred in by the following vote:

AYES—Messrs. Anderson, Androus, Barker, Bennett of Santa Clara, Blakeley, Boyce, Buckley, Bulla, Burke, Carlson, Casterline, Chipman, Conway, Curtis, Cusick, Drees, Duckworth, Duffy, Durst, Finlayson, Gallagher, Gately, Hamilton, Hurley, Jacobs, Johnson of Humboldt, Kennedy, Lynch, McCauley, Mack, Marks, Owen, Pendleton, Perkins, Pueschel, Raw, Sargent, Simpson, Sims, Standart, Taggart, Talbott, Taylor, Thomas of Santa Clara, Vann, and Wade—44.

NOES—Messrs. Adams, Alford, Barlow, Bennett of Orange, Bretz, Brownlie, Hendrickson, Hutson, Jacobsen, Kerns, Luttringer, McElroy, Marston, Matthews of San Benito, Mordecai, O'Keefe, Schlesinger, Schroebel, Shanahan, Thomas of Nevada, and Mr. Speaker—21.

MOTION.

Mr. Mathews of Tehama moved that he be allowed to introduce three bills under the provisions of the Constitution requiring the consent of two thirds of the members.

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

AYES—Messrs. Adams, Alford, Anderson, Androus, Barker, Barlow, Bennett of Santa Clara, Bennett of Orange, Blakeley, Bledsoe, Boyce, Bretz, Brownlie, Buckley, Bulla, Burke, Carlson, Casterline, Chipman, Conway, Curtis, Dodge, Drees, Duckworth, Dufty, Durst, Finlayson, Gallagher, Gately, Hamilton, Hendrickson, Hurley, Hutson, Jacobs, Jacobsen, Johnson of Humboldt, Johnson of Santa Clara, Kennedy, Kahn, Kerns, LaRue, Lynch, McCauley, McElroy, McGowan, Mack, Marks, Marston, Mathews of Tehama, Matthews of San Benito, Mordecai, O'Keefe, O'Neill, Owen, Pendleton, Perkins, Pueschel, Raw, Schlesinger, Schroebel, Sims, Standart, Taggart, Talbott, Taylor, Thomas of Santa Clara, Tindall, Vann, Wade, and Mr. Speaker—70.

NOES—None

INTRODUCTION OF BILLS.

The following bills were introduced and read by title:

By Mr. Mathews of Tehama: Assembly Bill No. 847—An Act to repeal an Act entitled "An Act to provide for the erection at San Quentin State Prison, a building for the accommodation of the insane prisoners, and making appropriation therefor," approved March 19, 1889.

Also: Assembly Bill No. 848—An Act making an appropriation to pay the deficiency in the appropriation for the pay of officers and clerks of the Assembly.

Also: Assembly Bill No. 849—An Act making an appropriation to pay the deficiency in the appropriation for the per diem and mileage of the Assembly for the thirtieth session.

RESOLUTION.

By Mr. Mathews of Tehama:

Resolved, That Assembly Bills Nos. 847, 848, and 849 present cases of urgency, as that term is used in section fifteen of article four of the Constitution, and the provisions of that section requiring that the bills shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bills be read the first, second, and third times, and placed upon their passage.

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

AYES—Messrs Adams, Anderson, Androus Barlow, Bennett of Santa Clara, Bennett of Orange, Bledsoe, Boyce, Bretz, Brownlie, Buckley, Bulla, Burke, Carlson, Casterline, Chipman, Conway, Cusick, Dodge, Drees, Duckworth, Duffy, Durst, Finlayson, Gallagher, Gately, Hamilton, Hendrickson, Hurley, Hutson, Jacobs, Jacobsen, Johnson of Humboldt, Johnson of Santa Clara, Kahn, Kerns, LaRue, Lynch, McCauley, McElroy, McGowan, Mack, Marks, Marston, Mathews of Tehama, Matthews of San Benito, O'Keefe, O'Neill, Owen, Pendleton, Perkins, Pueschel, Raw, Schlesinger, Schroebel, Simpson, Sims, Standart, Taggart, Talbott, Thomas of Santa Clara, Tindall, Vann, Wade, and Mr Speaker—65.

NOES—None

FIRST AND SECOND READING OF BILLS.

Assembly Bill No. 847—An Act to repeal an Act entitled "An Act to provide for the erection at San Quentin State Prison, a building for the accommodation of the insane prisoners, and making an appropriation therefor," approved March 19, 1889.

Read first and second times, considered engrossed, and ordered to a third reading.

Assembly Bill No. 848—An Act making an appropriation to pay the deficiency in the appropriation for the pay of officers and clerks of the Assembly.

Read first and second times.

Assembly Bill No. 849—An Act making an appropriation to pay the deficiency in the appropriation for the per diem and mileage of the Assembly for the thirtieth session.

Read first and second times.

MOTION.

Mr. Mathews of Tehama moved that the Assembly go into Committee of the Whole, with the Speaker in the chair, for the purpose of considering Assembly Bills Nos. 848 and 849.

So ordered.

IN COMMITTEE OF THE WHOLE.

Speaker Gould in the chair.

Assembly Bills Nos. 848 and 849 were considered in Committee of the Whole.

IN ASSEMBLY.

Speaker Gould in the chair.

REPORT OF THE COMMITTEE OF THE WHOLE.

The Speaker stated the report of the Committee of the Whole, as follows:

GENTLEMEN: The Committee of the Whole have had under consideration Assembly Bills Nos. 848 and 849—and now report, and recommend that the same do pass.

Assembly Bills Nos. 848 and 849 considered engrossed and ordered to a third reading.

MESSAGES FROM THE SENATE.

SENATE CHAMBER, SACRAMENTO, February 24, 1893.

MR. SPEAKER: I am directed to inform your honorable body that the Senate, on the fifteenth day of February, 1893, passed Senate Bill No. 105—An Act to prevent the use of false trade descriptions in the sale of goods, and to provide a punishment therefor.

F. J. BRANDON, Secretary.
By R. SHAW, Assistant.

Senate Bill No. 105 referred to Committee on Crimes and Penalties.

Also:

SENATE CHAMBER, SACRAMENTO, February 24, 1893.

MR. SPEAKER: I am directed to inform your honorable body that the Senate, on this day, adopted Assembly Concurrent Resolution No. 14—Relative to petitioning and requesting the Supreme Court of the United States to hear and determine the action now before said Court, in which the State of California is plaintiff in error, and the San Pablo and Tulare Railroad is defendant in error.

F. J. BRANDON, Secretary.
By R. SHAW, Assistant.

Assembly Concurrent Resolution No. 14 ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, February 25, 1893.

MR. SPEAKER: I am directed to inform your honorable body that the Senate, on the sixteenth day of February, 1893, passed Substitute for Senate Bill No. 389—An Act to provide for the appointment, duties, and compensation of a Debris Commissioner, and to make an appropriation to be expended under his directions in the discharge of his duties as such Commissioner.

F. J. BRANDON, Secretary
By R. SHAW, Assistant.

Substitute for Senate Bill No. 389 referred to Committee on Mines and Mining.

Also:

SENATE CHAMBER, SACRAMENTO, February 25, 1893.

MR. SPEAKER: I am directed to inform your honorable body that the Senate, on the twenty-fourth day of February, 1893, passed Senate Bill No. 547—An Act to provide for the publication of semi-annual statements by corporations and persons engaged in the business of banking, and to repeal the Act approved April 1, 1876, entitled "An Act concerning corporations and persons engaged in the business of banking."

Also: Senate Bill No. 555—An Act to amend section seven hundred and twenty-six of

the Code of Civil Procedure, and to add a new section thereto, to be known as section seven hundred and twenty-nine, relating to actions for the foreclosure of mortgages.

Also: Substitute for Senate Bill No. 359—An Act to regulate the fees of County Clerks in estates of deceased persons, of minors, and of incompetent persons.

F. J. BRANDON, Secretary.
By R. SHAW, Assistant.

Senate Bill No. 547 referred to Committee on Corporations.

Senate Bill No. 359 referred to Committee on Judiciary.

MOTIONS.

Mr. Pendleton moved that Senate Bill No. 555 be substituted on the file for Assembly Bill No. 392.

So ordered.

Mr. Bretz moved that the special order set for this hour, the consideration of Assembly Bill No. 18—An Act to provide for the incorporation of mutual fire insurance companies, and define their powers and duties—be postponed until Monday at eleven o'clock A. M.

So ordered.

Mr. Lynch moved that the second special order set for this hour, the consideration of Committee Substitute for Senate Bill No. 131, be postponed until Monday at three o'clock and thirty minutes P. M.

Lost.

LEAVE OF ABSENCE.

The Committee on Agriculture was granted leave of absence until after the recess hour.

Mr. Mathews of Tehama in the chair.

SPECIAL ORDER.

Committee Substitute for Senate Bill No. 131—An Act to create the county of Riverside, classify it, define its boundaries, provide for its organization, and the appointment, election of officers, the location of county seat by election, and the adjustment and fulfillment of certain rights and obligations arising between such county and certain other counties.

Read third time, and passed by the following vote:

AYES—Messrs. Adams, Alford, Anderson, Androus, Barker, Barlow, Bennett of Santa Clara, Bennett of Orange, Blakeley, Bledsoe, Boyce, Bretz, Brownlie, Buckley, Bulla, Burke, Carlson, Casterline, Chipman, Curtis, Dodge, Drees, Duckworth, Durst, Finlayson, Gallagher, Gately, Hendrickson, Hutson, Jacobs, Johnson of Humboldt, Johnson of Santa Clara, Kerns, LaRue, Luttringer, Lynch, McCauley, McElroy, McGowan, Mack, Marks, Marston, Mordecai, O'Keefe, Owen, Pendleton, Perkins, Pueschel, Raw, Sargent, Schlesinger, Schroebel, Shanahan, Simpson, Sims, Standart, Talbott, Taylor, Thomas of Nevada, Thomas of Santa Clara, Tindall, and Wade—62.

NOES—Messrs. Conway, Cusick, Duffy, Hamilton, Hurley, Jacobsen, Kennedy, Kahn, Mathews of Tehama, Matthews of San Benito, O'Neill, Taggart, Vann, and Mr. Speaker—14

Title read and approved.

NOTICE OF RECONSIDERATION.

Mr. Lynch gave notice that on the next legislative day he will move a reconsideration of the vote whereby Committee Substitute for Senate Bill No. 131 was passed.

MOTIONS.

Mr. Hurley moved that the special orders set for this hour—the consideration of Assembly Constitutional Amendment No. 14 and Assembly Constitutional Amendment No. 4—be postponed until Monday at four o'clock and thirty minutes P. M.

So ordered.

Mr. Jacobs moved that Assembly Bill No. 188 be taken up out of order, and read the third time.

So ordered.

THIRD READING OF BILL.

Assembly Bill No. 188—An Act to amend an Act entitled "An Act to form agricultural districts, to provide for the formation of agricultural associations therein, and for the management and control of the same by the State, and to repeal so much of an Act entitled 'An Act to form agricultural districts, to provide for the formation of agricultural associations therein, and for the management and control of the same by the State,'" approved March 20, 1891, by amending sections one, eleven, and twelve.

Read third time, and passed by the following vote:

AYES—Messrs Adams, Alford, Anderson, Androus, Barker, Barlow, Bennett of Santa Clara, Bennett of Orange, Blakeley, Bledsoe, Boyce, Bretz, Brownlie, Buckley, Bulla, Burke, Casterline, Chipman, Conway, Curtis, Cusick, Dodge, Drees, Duffy, Durst, Finlayson, Gately, Hamilton, Hendrickson, Hurley, Hutson, Jacobs, Johnson of Humboldt, Johnson of Santa Clara, Kennedy, Kahn, Kerns, LaRue, Luttringer, Lynch, McCauley, McElroy, McGowan, Marks, Marston, Mathews of Tehama, Matthews of San Benito, Mordecai, O'Keefe, O'Neill, Owen, Pendleton, Pueschel, Raw, Sargent, Schroebel, Shanahan, Simpson, Sims, Standart, Taggart, Talbott, Taylor, Thomas of Nevada, Thomas of Santa Clara, Tindall, and Wade—66.

NOES—None.

Title read and approved.

MOTION.

Mr. Jacobs moved that Assembly Bill No. 188 be immediately transmitted to the Senate.

So ordered.

SPECIAL ORDER.

Senate Bill No. 198—An Act to create the county of Madera, to define the boundaries thereof, to determine the county seat, and to provide for its organization and election of officers, and to classify said county.

Read third time, and passed by the following vote:

AYES—Messrs Adams, Anderson, Androus, Barker, Bennett of Santa Clara, Bennett of Orange, Blakeley, Boyce, Bretz, Brownlie, Buckley, Bulla, Burke, Carlson, Casterline, Chipman, Conway, Curtis, Cusick, Dodge, Drees, Duckworth, Duffy, Durst, Finlayson, Gallagher, Gately, Hendrickson, Hurley, Hutson, Jacobs, Johnson of Santa Clara, Kennedy, Kahn, Kerns, LaRue, Luttringer, McCauley, McGowan, Mack, Marks, Marston, Matthews of San Benito, Mordecai, O'Keefe, O'Neill, Owen, Pendleton, Perkins, Pueschel, Raw, Sargent, Schlesinger, Schroebel, Shanahan, Simpson, Standart, Talbott, Taylor, Thomas of Nevada, Tindall, Wade, and Mr. Speaker—63.

NOES—Messrs Alford, Barlow, Bledsoe, Hamilton, Jacobsen, Johnson of Humboldt, Lynch, McElroy, Mathews of Tehama, Sims, Thomas of Santa Clara, and Vann—12

Title read and approved.

Speaker Gould in the chair.

MOTION.

Mr. Matthews of San Benito moved to take up the report submitted yesterday of the Committee on Public Expenditures and Accounts.

So ordered.

ON PUBLIC EXPENDITURES AND ACCOUNTS.

ASSEMBLY CHAMBER, SACRAMENTO, February 23, 1893

MR. SPEAKER. Your Committee on Public Expenditures and Accounts, to whom was referred Assembly resolution relative to the discharge of all Standing Committee Clerks, have given the subject careful consideration, and beg leave to report that in the opinion of your committee that the services of the following-named attachés be dispensed with, and their names erased from the payroll of the Assembly after the twenty-fifth day of February, 1893.

Clara J. Bledsoe, Clerk Committee on Public Morals, J. J Breen, Clerk Committee on Roads and Highways; George S. Boyce, Clerk Committee on Chinese Immigration and Emigration, James T. Culler, Clerk Committee on Water Rights and Drainage; Peter J. Cotter, Clerk Committee on Agriculture; W M J. Delaney, Clerk Committee on Crimes and Penalties; Charles O. Davis, Clerk Committee on Mines and Mining; Ed Flynn, Clerk Committee on Labor and Capital; M. C. Gury, Clerk Committee on Commerce and Navigation; E B. Gallagher, Clerk Committee on Internal Improvements, Mrs J. Hunter, Clerk Committee on Apportionment and Election Laws; George F. Hatton, Clerk Committee on Swamp and Overflowed Lands; Blanche Hood, Clerk Committee on Elections and Privileges, R Henry, Clerk to San Francisco Delegation; Anna Keene, Clerk Committee on Fish and Game; J. V. Long, Clerk Committee on Mileage; George W. Lewis, Clerk Committee on Federal Relations, J. H. Lawrence, Clerk Committee on State Prisons; J. J McDonald, Clerk Committee on Forestry; J. J. Maloney, Clerk Committee on Retrenchment; John H. McClure, Clerk Committee on State Hospitals; James J. McCarthy, Clerk Committee on Public Printing: Douglas McGriff, Clerk Committee on State Library; A. Norton, Clerk Committee on Military Affairs; T. S. Nagle, Clerk Committee on Attachés and Employés; John Ruddick, Clerk Committee on Homestead and Land Monopoly, R B Stolder, Clerk Committee on Yosemite Valley and Mariposa Big Trees; L A Sargent, Clerk Committee on Education; Mrs. J. M. Shively, Clerk Committee on Public Lands; P H Thompson, Clerk Committee on Viniculture, Viticulture, and Horticulture; John W. Wilcox, Clerk Committee on Public Buildings and Grounds

Also: We further recommend that the services of the following-named persons be dispensed with after the twenty-fifth day of February, 1893:

Joseph N. Vera, Sergeant-at-Arms to Committee on Counties and County Boundaries; Joseph Clancy, Assistant Clerk, Nora Andrews, Typewriter; Mrs Annie Taylor, Assistant Clerk Committee on State Prisons, Milo C Ayres, Messenger Committee on County and Township Governments; Joseph Mansfield, Assistant Sergeant-at-Arms and Messenger; M. Marks, Sergeant-at-Arms to Special Committee; E P Beaton, Clerk Special Committee, Ben S. Wood, Assistant Clerk to Sergeant-at-Arms, Miss M. L. Crawford, Assistant File Clerk; F. B. Cronin, Assistant File Clerk; Miss Eva O'Neil, Assistant Engrossing Clerk.

All of which is most respectfully submitted.

J. H. MATTHEWS, Chairman

Mr. Matthews of San Benito moved to amend by omitting the name of J. J. McCarthy, the Clerk of the Committee on Public Printing.

Adopted.

MOTION.

Mr. Tindall moved that the further consideration of the report be made a special order for Saturday, March 4th.

The ayes and noes were demanded by Messrs. Jacobsen, Dodge, and Matthews of San Benito.

Pending roll call, Mr. Mathews of Tehama moved a call of the House, seconded by Messrs. Bulla and Jacobsen.

The ayes and noes were demanded by Messrs. Boyce, Brownlie, and Marks.

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

AYES—Messrs. Androus, Barker, Bledsoe, Bulla, Dodge, Durst, Finlayson, Hutson, Jacobsen, Johnson of Humboldt, Kerns, Lynch, Mathews of Tehama, Matthews of San Benito, Mordecai, Pueschel, Sims, Taggart, Thomas of Santa Clara, Vann, Wade, and Mr. Speaker—22.

NOES—Messrs. Adams, Alford, Anderson, Barlow, Bennett of Santa Clara, Bennett of Orange, Blakeley, Boyce, Brownlie, Buckley, Burke, Carlson, Casterline, Chipman, Conway, Curtis, Cusick, Drees, Duckworth, Gallagher, Gately, Hamilton, Hendrickson, Hurley, Johnson of Santa Clara, Kennedy, Luttringer, McCauley, McElroy, McGowan, Mack, Marks, Marston, Miller, O'Keefe, Owen, Pendleton, Raw, Sargent, Schlesinger, Schroebel, Shanahan, Simpson, Standart, Talbott, Taylor, Thomas of Nevada, and Tindall—48.

CONSIDERATION OF REPORT POSTPONED.

The Speaker announced the vote on the motion of Mr. Tindall carried by the following vote:

AYES—Messrs. Anderson, Barker, Bennett of Santa Clara, Blakeley, Boyce, Brownlie, Buckley, Burke, Carlson, Casterline, Chipman, Conway, Curtis, Cusick, Drees, Gallagher, Gately, Hendrickson, Hurley, Johnson of Santa Clara, Kennedy, Luttringer, McCauley, McGowan, Mack, Marks, Marston, Miller, O'Keefe, Sargent, Schlesinger, Schroebel, Standart, Talbott, Taylor, Thomas of Nevada, and Tindall—37.

NOES—Messrs. Adams, Alford, Androus, Barlow, Bennett of Orange, Bledsoe, Bulla, Dodge, Duckworth, Durst, Finlayson, Hamilton, Hutson, Jacobsen, Johnson of Humboldt, Kerns, Lynch, McElroy, Mathews of Tehama, Matthews of San Benito, Mordecai, Owen, Pendleton, Pueschel, Raw, Shanahan, Sims, Thomas of Santa Clara, Vann, Wade, and Mr. Speaker—31.

RECESS.

The hour of recess having arrived, the Speaker declared recess until two o'clock P. M.

REASSEMBLED.

The Assembly reassembled at two o'clock P. M.

Speaker Gould in the chair.

Quorum present.

MOTIONS.

Mr. Mordecai moved that Senate Bill No. 198 be immediately transmitted to the Senate.

So ordered.

Mr. Pendleton moved that Senate Bill No. 555 be taken up out of order and read the first time.

So ordered.

FIRST READING OF BILL.

Senate Bill No. 555—An Act to amend section seven hundred and twenty-six of the Code of Civil Procedure, and to add a new section thereto, to be known as section seven hundred and twenty-nine, relating to actions for the foreclosure of mortgages.

Read first time, and placed on file for second reading.

LEAVE OF ABSENCE.

The Hart Investigating Committee was granted leave of absence for the afternoon.

SPECIAL SENATE FILE—THIRD READING OF BILLS.

Senate Bill No. 229—An Act to compel savings banks to publish a sworn statement of all unclaimed deposits.

Passed on file, on motion of Mr. Pendleton.

Senate Bill No. 214—An Act to amend an Act entitled "An Act to establish and support a Bureau of Labor Statistics," approved March 3, 1893.

CALL OF THE HOUSE.

Pending roll call, Mr. Boyce moved a call of the House, seconded by Messrs. Cusick and Hurley.

The roll was called, and the following members answered to their names:

Messrs. Adams, Anderson, Barker, Barlow, Bennett of Santa Clara, Bennett of Orange, Bledsoe, Boyce, Buckley, Bulla, Burke, Carlson, Casterline, Chipman, Conway, Curtis, Cusick, Dodge, Drees, Duckworth, Duffy, Durst, Gallagher, Gately, Hamilton, Hurley, Hutson, Jacobs, Johnson of Humboldt, Johnson of Santa Clara, Kennedy, Kahn, LaRue, Luttringer, Lynch, McCauley, McElroy, McGowan, Mack, Marks, Marston, Matthews of San Benito, Miller, Mordecai, O'Neill, Owen, Pendleton, Perkins, Pueschel, Raw, Sargent, Schlesinger, Schroebel, Shanahan, Simpson, Sims, Standart, Taggart, Talbott, Taylor, Thomas of Nevada, Thomas of Santa Clara, Tindall, Vann, Wade, and Mr. Speaker.

The following members: Messrs. Alford, Blakeley, Brownlie, Finlayson, Hendrickson, and Jacobsen, were absent without leave, and the Sergeant-at-Arms was directed to bring them before the bar of the House.

Mr. Pendleton moved that further proceedings under the call of the House be dispensed with.

So ordered.

SENATE BILL No. 214.

The Speaker declared the passage of Senate Bill No. 214 by the following vote:

AYES—Messrs Adams, Anderson, Androus, Barlow, Bennett of Santa Clara, Bennett of Orange, Boyce, Brownlie, Buckley, Burke, Carlson, Casterline, Chipman, Conway, Cusick, Dodge, Duckworth, Duffy, Durst, Gallagher, Gately, Hamilton, Hurley, Johnson of Santa Clara, Kennedy, Kahn, Kerns, Luttringer, Lynch, McCauley, McElroy, McGowan, Mack, Marks, Marston, Matthews of San Benito, Miller, O'Keefe, O'Neill, Owen, Pendleton, Perkins, Pueschel, Sargent, Schlesinger, Shanahan, Simpson, Sims, Standart, Talbott, Taylor, Thomas of Nevada, Thomas of Santa Clara, and Vann—54.

NOES—Messrs Alford, Bledsoe, Bulla, Curtis, Drees, Hutson, Jacobs, Johnson of Humboldt, LaRue, Mordecai, Raw, Schroebel, Tindall, Wade, and Mr. Speaker—15

Title read and approved.

NOTICE OF RECONSIDERATION.

Mr. Kahn gave notice that on the next legislative day he will move a reconsideration of the vote whereby Senate Bill No. 214 was passed.

SPECIAL SENATE FILE—(RESUMED).

Substitute for Senate Bill No. 137—An Act to establish a Board of Parole Commissioners for the parole of and government of paroled prisoners.

Mr. Bledsoe moved to strike out the enacting clause.

Pending the motion, Mr. Shanahan moved that the consideration of the bill be passed on file.

So ordered.

Senate Bill No. 220—An Act to amend section three hundred and seventy-four of the Penal Code, relating to crimes against the public health.

Read third time, and passed by the following vote:

AYES—Messrs. Adams, Alford, Anderson, Androus, Barker, Barlow, Bennett of Santa Clara, Bennett of Orange, Bledsoe, Boyce, Buckley, Burke, Carlson, Casterline, Curtis, Cusick, Dodge, Drees, Duckworth, Duffy, Durst, Finlayson, Hamilton, Hurley, Hutson, Jacobs, Johnson of Humboldt, Johnson of Santa Clara, Kerns, LaRue, Luttringer, McCauley, McElroy, McGowan, Mack, Marks, Marston, Matthews of San Benito, Miller, Mordecai, O'Neill, Owen, Perkins, Pueschel, Raw, Sargent, Schroebel, Simpson, Standart, Taggart, Talbott, Taylor, Thomas of Nevada, Thomas of Santa Clara, Tindall, and Mr Speaker—56.

NOES—Mr. Bulla—1.

Title read and approved.

Senate Bill No. 76—An Act to amend an Act entitled "An Act to regulate the practice of pharmacy and sale of poisons in the State of California," approved March 11, 1891.

Read third time.

MOTION.

Mr. Raw moved that a select committee of one be appointed by the Speaker to amend Senate Bill No. 76, as follows:

Amend in line ten by striking out the words "San Francisco," and insert therefor the word "Sacramento."

Lost.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Adams, Alford, Anderson, Androus, Barlow, Bennett of Orange, Boyce, Buckley, Bulla, Carlson, Casterline, Conway, Dodge, Drees, Duckworth, Duffy, Durst, Finlayson, Gallagher, Gately, Hamilton, Hurley, Hutson, Jacobs, Johnson of Humboldt, Johnson of Santa Clara, Kerns, LaRue, Luttringer, McCauley, McElroy, McGowan, Mack, Marks, Marston, Mordecai, O'Neill, Owen, Perkins, Pueschel, Raw, Sargent, Schlesinger, Schroebel, Sims, Talbott, Taylor, Thomas of Santa Clara, Vann, and Mr. Speaker—49.

NOES—Messrs Bledsoe, Lynch, Matthews of San Benito, and Taggart—4

Title read and approved.

LEAVE OF ABSENCE.

Messrs. Burke and Gallagher were granted leave of absence until Monday noon.

REPORT OF STANDING COMMITTEE.

ON AGRICULTURE.

ASSEMBLY CHAMBER, SACRAMENTO, February 25, 1893

MR. SPEAKER: Your Committee on Agriculture, to whom was referred Assembly Bill No 788—An Act appropriating money to pay the expense of transporting, insuring, and installing of a California's exhibit in the Woman's Building of the World's Columbian Exposition—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

LARUE, Chairman.

Assembly Bill No. 788 re-referred to Committee on Ways and Means.

SPECIAL SENATE FILE—(RESUMED).

Senate Bill No. 382—An Act authorizing the allowance, settlement, and payment of claims of counties against the State.

Read third time.

MOTION.

Mr. Finlayson moved that a select committee of one be appointed by the Speaker to amend Senate Bill No. 382, as follows:

Add the following words to end of section one: "*provided, however*, that the moneys thus retained shall be paid into the County Treasury, and shall be the property of such county."

So ordered.

APPOINTMENT OF COMMITTEE.

Mr. Finlayson was appointed such committee to make said amendment.

REPORT OF SELECT COMMITTEE.

ASSEMBLY CHAMBER, SACRAMENTO, February 25, 1893.

MR. SPEAKER. Your select committee, to whom was referred Senate Bill No. 382, with instructions to amend in accordance with the action of the House, would respectfully report that the instructions of the House have been carried out.

FINLAYSON, Committee.

Adopted.

SPECIAL SENATE FILE—SECOND READING OF BILLS.

Senate Bill No. 166—An Act authorizing the formation of county mutual insurance companies, regulating the transaction of their business, and defining the duties of the officers thereof.

Passed on file, on motion of Mr. Bledsoe.

Senate Bill No. 384—An Act to amend an Act entitled "An Act to establish a Penal Code," approved February 14, 1872, by adding a new section to said Penal Code, to be known and numbered as section six hundred and seventy-nine, relating to the coercion or compulsion of persons seeking employment.

Read second time, and ordered to a third reading.

Senate Bill No. 652—An Act to amend section four thousand and eighty-five of the Political Code, relating to the improvement of innavigable streams and the protection of land adjacent thereto.

Read second time.

Mr. Androus moved to amend, as follows:

By striking out of title the word "navigable," and inserting the word "innavigable" in lieu thereof.

Adopted.

Also:

Amend line two of section two, after the word "innavigable," by inserting the word "running."

Adopted.

Bill ordered to a third reading.

Senate Bill No. 274—An Act to amend sections one thousand nine hundred and twelve, one thousand nine hundred and forty-two, one thousand nine hundred and fifty-nine, one thousand nine hundred and seventy-three, one thousand nine hundred and eighty-two, one thousand nine hundred and eighty-four, one thousand nine hundred and ninety, one thousand nine hundred and ninety-two, two thousand and

three, two thousand and four, two thousand and twenty-seven, and two thousand and ninety-four, and to add three new sections, to be known as one thousand nine hundred and twenty-three, one thousand nine hundred and forty-five, and one thousand nine hundred and eighty-one, all of the Political Code of the State of California, and relating to the National Guard.

Read second time, and ordered to a third reading.

Senate Bill No. 55—An Act to amend section one thousand one hundred and seven of the Civil Code of the State of California.

Read second time, and ordered to a third reading.

Senate Bill No. 36—An Act to amend an Act entitled "An Act to provide for the completion of all unfinished county, city, city and county, towns, and township buildings in the several counties, cities and counties, cities, and towns throughout the State of California," approved March 11, 1891.

Read second time, and ordered to a third reading.

Senate Bill No. 122—An Act entitled an Act to appropriate money to pay the claims of McGowan & Butler for building retaining walls to "The Mendocino State Asylum for the Insane," for grading and terracing the grounds thereof, and for constructing a drainage and sewer system in and about the buildings, which work was performed on and material furnished said asylum under contracts with the Board of Directors of said asylum.

Read second time.

Senate Bill No. 6—An Act to appropriate money for the erection of a State Hospital for Lepers.

Refused a second reading.

MOTION.

Mr. Anderson moved that the Assembly resolve itself into Committee of the Whole, with the Speaker in the chair, for the purpose of considering Senate Bill No. 122.

So ordered.

IN COMMITTEE OF THE WHOLE.

Speaker Gould in the chair.

Senate Bill No. 122 was considered in Committee of the Whole.

IN ASSEMBLY.

Speaker Gould in the chair.

REPORT OF THE COMMITTEE OF THE WHOLE.

The Speaker stated the report of the Committee of the Whole, as follows:

GENTLEMEN: The Committee of the Whole have had under consideration Senate Bill No 122—An Act entitled an Act to appropriate money to pay the claims of McGowan & Butler for building retaining walls to "The Mendocino State Asylum for the Insane," for grading and terracing the grounds thereof, and for constructing a drainage and sewer system in and about the buildings, which work was performed on and material furnished said asylum under contracts with the Board of Directors of said asylum—and now report, and recommend that the same do pass

Bill ordered to a third reading.

SPECIAL SENATE FILE—(RESUMED).

Senate Bill No. 219—An Act to provide for the appointment of guardians of children maintained in any orphans' home or orphans' asylum in this State.

Read second time, and ordered to a third reading.

Senate Bill No. 218—An Act to amend section two hundred and twenty-four of the Civil Code, regarding the adoption of children.

Read second time.

Committee amendments, as follows:

AMENDMENT No 1.

On line nine strike out the word "one," after the word "than," and in place thereof insert "two "

Adopted.

AMENDMENT No. 2.

On lines eleven and twelve strike out the words "ten dollars a month," and in the place thereof insert "a reasonable sum."

Adopted.

AMENDMENT No. 3.

On line twelve strike out the word "year," and in place thereof insert "time, if able so to do."

Adopted.

Bill ordered to a third reading.

Senate Bill No. 302—An Act to amend section three thousand eight hundred and eighty-one of the Political Code, relating to errors, etc., on assessment roll, and the corrections thereof.

Passed on file, on motion of Mr. Dodge.

Senate Bill No. 538—An Act to repeal an Act entitled "An Act concerning corporations and persons engaged in the business of banking," approved April 1, 1876.

Refused a second reading.

Senate Bill No. 103—An Act to amend section one thousand seven hundred and sixty-three of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, relating to serving notice of application for letters of guardianship on insane and incompetent persons.

Read second time, and ordered to a third reading.

APPROVAL OF JOURNAL.

The Journal of Friday, February 24th, approved.

RESOLUTION.

By Mr. Taggart:

Resolved, That Assembly Bill No. 219 presents a case of urgency, as that term is used in section fifteen of article four of the Constitution, and the provisions of that section requiring that the bill shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the second and third times, and placed upon its passage.

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

AYES—Messrs. Adams, Alford, Anderson, Barker, Barlow, Bennett of Santa Clara, Bennett of Orange, Bulla, Carlson, Casterline, Conway, Dodge, Drees, Duckworth, Durst, Finlayson, Hamilton, Hurley, Hutson, Jacobs, Johnson of Humboldt, Johnson of Santa Clara, Kahn, Kerns, Lynch, McCauley, McElroy, Mack, Marks, Marston, Mathews of Tehama, Matthews of San Benito, Miller, Mordecai, O'Neill, Owen, Perkins, Tueschel, Sargent, Shanahan, Sims, Standart, Taggart, Talbott, Taylor, Thomas of Nevada, Thomas of Santa Clara, and Tindall—48

NOES—Messrs. Androus, Bledsoe, Boyce, Brownlie, Buckley, Duffy, Gately, Kennedy, Raw, Vann, and Mr. Speaker—11.

RESOLUTION.

By Mr. McCauley:

Resolved, That the Judiciary Committee of this Assembly is hereby instructed to investigate the necessity of framing a law which will settle the question of the length of time which must necessarily elapse between the occurring of a vacancy and the date of calling an election to fill such vacancy, under the provisions of the present election law; and further, that in the event of finding such legislation necessary, said committee is also instructed to report to this House a bill covering the question involved.

Adopted.

MOTION.

Mr. Kerns moved that the Committee Substitute for Assembly Bill No. 373 be printed and laid upon the members' desks.

So ordered.

REPORT OF SPECIAL COMMITTEE.

ASSEMBLY CHAMBER, SACRAMENTO, February 25, 1893.

MR. SPEAKER: Your committee on memorial services in commemoration of the death of Hon. James G Blaine, respectfully report that under and in pursuance of the action of the Assembly, and in conjunction with the Senate committee, certain debts, as evidenced by the bills hereunto attached, were contracted, viz.:

Carriage hire	$5 00
Printing	16 25
Music	160 00
Decorating	25 00
Cleaning Assembly Chamber, etc.	15 00
Postage, etc.	10 00
Chairs—removal, handling, and expressing same	25 00
Total	$256 25

The item for chairs, removal, handling, and expressing same, was originally for fifty dollars, but the committee considered that the sum of twenty-five dollars was a fair and considerate sum therefor, hence the same was reduced as herein reported, and ask that the action of your committee therein be indorsed.

Your committee also recommend the adoption of the following resolution, viz.:

Resolved, That the Controller is hereby directed to draw his warrant in favor of Mr. Finlayson, upon the appropriation for the contingent expenses of the Assembly, for the sum of one hundred and twenty-eight dollars and twelve and one half cents ($128 12½), said sum being for one half of the amount as contracted by your committee.

FINLAYSON, Chairman

Referred to Committee on Public Expenditures and Accounts.

MOTION.

Mr. Conway moved that he be allowed to introduce a bill under the provision of the Constitution requiring the consent of two thirds of the members present.

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

AYES—Messrs. Adams, Alford, Anderson, Androus, Barker, Barlow, Bennett of Santa Clara, Bennett of Orange, Bledsoe, Boyce, Brownlie, Buckley, Bulla, Carlson, Casterline, Conway, Curtis, Cusick, Dodge, Drees, Duckworth, Duffy, Durst, Gately, Hamilton, Hurley, Jacobs Jacobsen, Johnson of Humboldt, Johnson of Santa Clara, Kennedy, Kerns, LaRue, Luttringer, Lynch, McCauley, McGowan, Mack, Marks, Marston, Mathews of Tehama, Matthews of San Benito, Mordecai, Perkins, Pueschel, Sargent, Schlesinger, Schroebel, Shanahan, Standart, Taggart, Talbott, Thomas of Nevada, Thomas of Santa Clara, Tindall, Vann, and Mr Speaker—57

NOES—None.

INTRODUCTION OF BILL.

The following bill was introduced, read by title, and referred to committee, as follows:

By Mr. Conway: Assembly Bill No. 850—An Act to amend section one thousand six hundred and fourteen, title two, of the Penal Code, in relation to the government of prisoners sentenced to terms of imprisonment in county jails.

Referred to Committee on State Prisons and Reformatory Institutions.

UNFINISHED BUSINESS.

Assembly Bill No. 356—An Act to create the county of Bidwell, establish the boundaries, to provide for its organization, and to provide for the payment of such proportion of the indebtedness of Butte County as may be equitably chargeable to Bidwell County.

The question being on the second reading of the bill.

The ayes and noes were demanded by Messrs. Thomas of Nevada, Tindall, and Mathews of Tehama.

The roll was called, and the bill refused a second reading by the following vote:

AYES—Messrs Adams, Anderson, Barker, Barlow, Bennett of Orange, Bledsoe, Boyce, Brownlie, Carlson, Casterline, Duckworth, Duffy, Durst, Johnson of Humboldt, Johnson of Santa Clara, Kennedy, LaRue, McCauley, McGowan, Marks, Marston, O'Neill, Owen, Perkins, Raw, Schroebel, Shanahan, Talbott, Taylor, Thomas of Santa Clara, and Vann—31.

NOES—Messrs Alford, Androus, Bennett of Santa Clara, Bulla, Conway, Cusick, Dodge, Drees, Finlayson, Gately, Hamilton, Hurley, Hutson, Jacobs, Jacobsen, Kerns, Luttringer, Lynch, Mack, Mathews of Tehama, Matthews of San Benito, Miller, Mordecai, Pueschel, Sargent, Schlesinger, Sims, Standart, Taggart, Thomas of Nevada, Tindall, and Mr Speaker—32

NOTICE OF RECONSIDERATION.

Mr. Miller gave notice that on the next legislative day he will move a reconsideration of the vote whereby Assembly Bill No. 356 was refused a second reading.

UNFINISHED BUSINESS—(RESUMED).

Assembly Bill No. 396—An Act to create the county of Santa Ynez, to establish the boundaries thereof, and to provide for its organization.

Read second time, ordered engrossed, and to a third reading.

Mr. Talbott moved that the further consideration of Assembly Bill No. 396 be made a special order for Tuesday at three o'clock and thirty minutes P. M.

So ordered.

Assembly Bill No. 24—An Act to create the county of Putnam, to establish the boundaries thereof, to determine the county seat, and to provide for its organization and election of officers.

Passed on file.

Assembly Bill No. 25—An Act to create the county of Buena Vista, to establish the boundaries thereof, to determine the county seat, and to provide for its organization and election of officers.

Passed on file.

Assembly Bill No. 515—An Act to create the county of San Jacinto, to define the boundaries thereof, to provide for its organization, and to determine the location of the county seat by election.

Passed on file.

Senate Bill No. 349—An Act to change and permanently locate the boundary lines between the counties of Glenn and Colusa.

PREVIOUS QUESTION.

Mr. McCauley moved the previous question, seconded by Messrs. Sargent and Jacobsen.

The question being, "Shall the main question be now put?" it was so ordered.

Senate Bill No. 349 read the second time and ordered to a third reading.

MOTIONS.

Mr. Vann moved that the further consideration of Senate Bill No. 349 be made a special order for Tuesday, at three o'clock and thirty minutes P. M.

So ordered.

Mr. Pueschel moved to take a recess until seven o'clock and thirty minutes P. M.

Mr. Alford moved to adjourn.

Mr. McCauley moved as a substitute that when the Assembly adjourns it do so until Monday at ten o'clock A. M.

So ordered.

SPECIAL FILE.

Assembly Bill No. 366—An Act making an appropriation for the erection of an additional building for the State Normal School at San José.

Passed on file.

Mr. Alford moved to adjourn.

Lost.

LEAVE OF ABSENCE.

Messrs. McCauley and Durst were granted leave of absence until Monday at eleven o'clock and thirty minutes A. M.

Mr. Raw was excused for the remainder of the day.

Mr. Taggart was granted leave of absence until Monday at two o'clock P. M.

SPECIAL FILE—(RESUMED).

Senate Bill No. 480—An Act making an appropriation to pay the deficiency in the appropriation for additional improvements for the Southern California State Asylum for the Insane and Inebriates.

Read second time.

Substitute for Senate Bill No. 120—An Act to appropriate one hundred thousand dollars for the Mendocino State Asylum to complete the female ward; to purchase furniture, and furnish the buildings erected and to be erected by the Directors of said asylum; to construct a plant for lighting said buildings; to improve the grounds thereof; to purchase live stock and agricultural implements to be used for asylum purposes; to construct a carpenter shop and morgue thereon; to furnish the bakery; to construct a dam to furnish a water supply to said asylum; for fencing the ground, and constructing a sewer system; for purchasing laundry machinery and kitchen furniture; to appropriate money therefor, and provide for the expenditure of the same.

Read second time.

Committee Substitute for Senate Bill No. 481—An Act making an appropriation for the erection of additional buildings and improvements for the Southern California State Asylum for the Insane and Inebriates.

Read second time.

Senate Bill No. 320—An Act appropriating the sum of twenty thousand dollars for the erection and construction of a sewer for the State Insane Asylum at Agnews, to appropriate money therefor, and to provide for the expenditure of the same.

Read second time.

MOTION.

Mr. Lynch moved that the Assembly resolve itself into Committee of the Whole, with the Speaker in the chair, for the purpose of considering Senate Bills Nos. 480, 120, 481, and 320.

So ordered.

IN COMMITTEE OF THE WHOLE.

Speaker Gould in the chair.

Senate Bills Nos. 480, 120, 481, and 320 were considered in Committee of the Whole.

IN ASSEMBLY.

Speaker Gould in the chair.

REPORT OF THE COMMITTEE OF THE WHOLE.

The Speaker stated the report of the Committee of the Whole, as follows:

GENTLEMEN: The Committee of the Whole have had under consideration Senate Bills Nos. 480, 120, 481, and 320, and now report, and recommend that the same do pass.

Senate Bills Nos. 480, 120, 481, and 320 ordered to a third reading.

ADJOURNMENT.

At four o'clock and forty minutes P. M., on motion of Mr. Sargent, the Assembly adjourned.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Monday, February 27, 1893.

The Assembly met pursuant to adjournment.

Speaker Gould in the chair.

The roll was called, and the following members answered to their names:

Messrs Adams, Alford, Anderson, Androus, Barker, Barlow, Bennett of Santa Clara, Bennett of Orange, Blakeley, Bledsoe, Boyce, Bretz, Buckley, Bulla, Carlson, Casterline, Chipman, Conway, Curtis, Cusick, Dodge, Drees, Duckworth, Duffy, Durst, Finlayson, Gately, Godchaux, Hamilton, Hurley, Hutson, Jacobs, Jacobsen, Johnson of Humboldt, Johnson of Santa Clara, Kahn, Kerns, LaRue, Luttringer, Lynch, McElroy, McGowan, Mack, Marks, Marston, Mathews of Tehama, Matthews of San Benito, Miller, Mordecai, O'Keefe, O'Neill, Owen, Perkins, Pueschel, Raw, Sargent, Schlesinger, Schroebel, Shanahan, Simpson, Sims, Standart, Talbott, Taylor, Thomas of Nevada, Thomas of Santa Clara, Vann, Wade, and Mr. Speaker.

Quorum present.

LEAVE OF ABSENCE.

Mr. Tindall was granted leave of absence for the day.

PRAYER.

Prayer by the Chaplain, Rev. H. W. Conry.

READING AND APPROVAL OF THE JOURNAL.

Pending the reading of the Journal of Saturday, Mr. Bennett of Santa Clara moved that the further reading be dispensed with.

So ordered.

Journal of Saturday, February 25th, approved.

REPORTS OF STANDING COMMITTEES.

ON WAYS AND MEANS.

ASSEMBLY CHAMBER, SACRAMENTO, February 25, 1893

MR SPEAKER: Your Committee on Ways and Means, to whom was referred Assembly Bill No 669—An Act to provide for the appointment of a Board of Colton Hall Trustees, and for the acquisition of the Colton Hall property, and providing for an appropriation for the preservation, protection, and improvement of said property—have had the same under consideration, and respectfully report the same back without recommendation.

Also: Committee Substitute for Assembly Bill No 506—An Act to provide for additional improvements at the Reform School for Juvenile Offenders, located at Whittier, in the county of Los Angeles, and State of California, and to make an appropriation for the same—have had the same under consideration, and respectfully report the same back, and recommend that it be restored to its place on file without amendment

Also: Assembly Bill No. 554—An Act to pay the claim of Cornelius Lynch, and to appropriate money therefor—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

Also: Senate Bill No 309—An Act for planting a row of trees around the Capitol grounds, and make an appropriation therefor—have had the same under consideration, and respectfully report the same back, and recommend that it do pass, and that it be substituted on the file for Assembly Bill No. 324, with which it is identical.

Also. Senate Bill No. 602—An Act making an appropriation to pay for the transportation of children to the State Reform School for Juvenile Offenders, for the forty-third fiscal year.

Also: Committee Substitute for Senate Bill No 231—An Act to provide for the payment of advertising the funded debt, and to make an appropriation therefor.

Also: Committee Substitute for Senate Bill No. 232—An Act to provide for the payment of advertising "Notice to all Chinese persons in the State of California," and to make an appropriation therefor.

Also: Committee Substitute for Senate Bill No 239—An Act to provide for the payment for advertising the San Francisco Depot Act, and to make an appropriation therefor.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass

Also: Assembly Bill No. 839—An Act to provide for the preparation, printing, and distribution of a volume expository of the resources of California, at the World's Columbian Exposition at Chicago, and appropriating money therefor—have had the same under consideration, and respectfully report the same back, and recommend that it do pass

W. P. MATHEWS, Chairman.

LEAVE OF ABSENCE.

Mr. Bledsoe was excused until noon.

REPORTS OF STANDING COMMITTEES—(RESUMED).

ON WAYS AND MEANS.

ASSEMBLY CHAMBER, SACRAMENTO, February 25, 1893.

MR. SPEAKER: Your Committee on Ways and Means submitted a report on February 24th, in which it was shown in detail that the amount of appropriations already recommended exceeds the amount that can be raised by a fifty-cent tax levy by nearly five hundred thousand dollars

Your committee desires to supplement that report with the statement that the estimates made therein did not include one hundred and forty-one thousand four hundred and thirty-five dollars for the Interest and Sinking Fund for the forty-fifth fiscal year, and a similar amount for the forty-sixth fiscal year It will thus be seen that if appropriations already recommended are made the amount that a tax levy of fifty cents will produce will be exceeded by nearly eight hundred thousand dollars

W. P. MATHEWS, Chairman.

ON ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, February 25, 1893

MR. SPEAKER: Your Committee on Enrollment beg leave to report that the following bills have been correctly enrolled: Assembly Bills Nos 459, 460, 634, 635, and 500—and were presented to the Governor February 25, 1893, at three o'clock P. M.

O'NEILL, Chairman.

RESOLUTION.

By Mr. Alford:

Resolved, That a committee of three be appointed to purchase and cause to be erected at the head of the grave of the late Hon. E. B. Price, in the State plat at Sacramento, a monument, at a cost not exceeding twelve hundred dollars The State Controller is hereby directed to withhold the sum of twelve hundred dollars of the Assembly Contingent Fund, and draw his warrant in favor of the members of said committee for such purposes for said amount, and the State Treasurer is hereby ordered to pay said amount out of said fund

Referred to Committee on Ways and Means.

MOTION.

Mr. Kerns moved that the consideration of Assembly Constitutional Amendment No. 11 be made a special order for this day at three o'clock and thirty minutes P. M.

So ordered.

UNFINISHED BUSINESS.

Assembly Bill No. 24—An Act to create the county of Putnam, to establish the boundaries thereof, to determine the county seat, and to provide for its organization and election of officers.

Passed on file.

Assembly Bill No. 25—An Act to create the county of Buena Vista, to establish the boundaries thereof, to determine the county seat, and to provide for its organization and election of officers.

Passed on file.

Assembly Bill No. 515—An Act to create the county of San Jacinto, to define the boundaries thereof, to provide for its organization, and to determine the location of the county seat by election.

Passed on file.

SPECIAL FILE.

Assembly Bill No 366—An Act making an appropriation for the erection of an additional building for the State Normal School at San José.

Passed on file.

Senate Bill No. 480—An Act making an appropriation to pay the deficiency in the appropriation for additional improvements for the Southern California State Asylum for the Insane and Inebriates.

Read third time, and passed by the following vote:

AYES—Messrs Adams, Alford, Anderson, Androus, Barker, Barlow, Bennett of Santa Clara, Bennett of Orange, Blakeley, Bulla, Carlson, Casterline, Conway, Curtis, Cusick, Dodge, Drees, Duckworth, Finlayson, Gately, Godchaux, Hamilton, Hurley, Hutson, Jacobs, Jacobsen, Johnson of Humboldt, Johnson of Santa Clara, Kahn, Kerns, Luttringer, Lynch, McElroy, McGowan, Mack, Marks, Marston, Mathews of Tehama, Matthews of San Benito, Miller, Mordecai, O'Keefe, O'Neill, Perkins, Raw, Schlesinger, Schroebel, Simpson, Standart, Talbott, Taylor, Thomas of Santa Clara, Vann, Wade, and Mr Speaker—55

NOES—None.

Title read and approved

Committee Substitute for Assembly Bill No. 506—An Act to provide for additional improvements at the Reform School for Juvenile Offenders, located at Whittier, in the county of Los Angeles, and State of California, and to make an appropriation for the same.

Read third time, and passed by the following vote:

AYES—Messrs. Adams, Anderson, Androus, Barker, Barlow, Bennett of Santa Clara, Bennett of Orange, Bulla, Carlson, Casterline, Conway, Curtis, Cusick, Dodge, Drees, Duckworth, Finlayson, Gately, Godchaux, Hamilton, Hurley, Hutson, Jacobs, Johnson of Humboldt, Johnson of Santa Clara, Kahn, Kerns, Luttringer, Lynch, McElroy, McGowan, Mack, Marks, Mathews of Tehama, Matthews of San Benito, Miller, O'Keefe, O'Neill, Owen, Perkins, Schroebel, Standart, Talbott, Taylor, Thomas of Nevada, Thomas of Santa Clara, Vann, Wade, and Mr. Speaker—49

NOES—None.

Title read and approved.

Substitute for Senate Bill No. 120—An Act to appropriate one hundred thousand dollars for the Mendocino State Asylum to complete the female ward; to purchase furniture, and furnish the buildings erected and to be erected by the Directors of said asylum; to construct a plant for lighting said buildings; to improve the grounds thereof; to purchase live stock and agricultural implements to be used for asylum purposes; to construct a carpenter shop and morgue thereon; to furnish the bakery; to construct a dam to furnish a water supply to said asylum; for fencing

the ground, and constructing a sewer system; for purchasing laundry machinery and kitchen furniture; to appropriate money therefor, and provide for the expenditure of the same.

Read third time, and passed by the following vote:

AYES—Messrs. Adams, Alford, Anderson, Barker, Barlow, Bennett of Santa Clara, Bennett of Orange, Bretz, Bulla, Carlson, Casterline, Chipman, Conway, Curtis, Cusick, Dodge, Drees, Duckworth, Finlayson, Gately, Godchaux, Hamilton, Hurley, Hutson, Jacobs, Johnson of Humboldt, Johnson of Santa Clara, Kahn, Kerns, Luttringer, Lynch, McElroy, Marks, Marston, Matthews of San Benito, Mordecai, O'Keefe, O'Neill, Owen, Perkins, Schroebel, Simpson, Standart, Talbott, Thomas of Nevada, Thomas of Santa Clara, Vann, Wade, and Mr. Speaker—49.

NOES—None.

Title read and approved.

Committee Substitute for Senate Bill No. 481—An Act making an appropriation for the erection of additional buildings and improvements for the Southern California State Asylum for the Insane and Inebriates.

Read third time, and passed by the following vote:

AYES—Messrs. Adams, Alford, Anderson, Barker, Barlow, Bennett of Santa Clara, Bennett of Orange, Bretz, Bulla, Carlson, Casterline, Chipman, Conway, Cusick, Dodge, Drees, Duckworth, Finlayson, Godchaux, Hamilton, Hurley, Hutson, Jacobs, Johnson of Humboldt, Johnson of Santa Clara, Kahn, Kerns, Luttringer, Lynch, McElroy, Mack, Marks, Marston, Matthews of San Benito, Mordecai, O'Keefe, O'Neill, Owen, Perkins, Schroebel, Shanahan, Simpson, Standart, Talbott, Taylor, Thomas of Nevada, Thomas of Santa Clara, Vann, Wade, and Mr Speaker—50.

NOES—None.

Title read and approved.

REPORT OF STANDING COMMITTEE.

ON ENGROSSMENT.

ASSEMBLY CHAMBER, SACRAMENTO, February 27, 1893.

MR. SPEAKER: Your Committee on Engrossment beg leave to report that the following Assembly Bill has been correctly engrossed: Assembly Bill No. 18.

DUFFY, for Chairman

SPECIAL FILE—(RESUMED).

Senate Bill No. 320—An Act making an appropriation for the construction of a sewer for the State Insane Asylum at Agnews, and to provide for the expenditure of the same.

Read third time, and passed by the following vote.

AYES—Messrs. Adams, Alford, Anderson, Androus, Barker, Barlow, Bennett of Santa Clara, Bennett of Orange, Blakeley, Bretz, Bulla, Carlson, Casterline, Chipman, Conway, Curtis, Cusick, Dodge, Drees, Duckworth, Duffy, Durst, Finlayson, Gately, Godchaux, Hamilton, Hurley, Hutson, Jacobs, Johnson of Humboldt, Johnson of Santa Clara, Kahn, Kerns, Luttringer, Lynch, Mack, Marks, Marston, Matthews of San Benito, Miller, Mordecai, O'Keefe, O'Neill, Owen, Perkins, Pueschel, Schroebel, Shanahan, Simpson, Standart, Taylor, Thomas of Nevada, Thomas of Santa Clara, Vann, Wade, and Mr. Speaker—55.

NOES—None.

Title read and approved.

RESOLUTION.

By Mr. Kahn:

Resolved, That the author, or some other member in his behalf, shall explain the nature of every bill before roll call on its final passage.

Adopted.

MOTION.

Mr. Lynch moved that Senate Bills Nos. 480, 120, 481, 320, and Assembly Bill No. 506 be immediately transmitted to the Senate.

So ordered.

SPECIAL FILE—(RESUMED).

Assembly Bill No. 730—An Act to amend section one thousand five hundred and twenty-one of the Political Code of California, relating to the powers and duties of the State Board of Education.

Passed on file.

Assembly Bill No. 16—An Act to amend section one thousand five hundred and seventy-seven of the Political Code of the State of California, relating to school districts.

Read second time.

Assembly Bill No. 57—An Act to provide for the establishment of high schools in the State of California.

Read second time.

Assembly Bill No. 129—An Act to amend an Act entitled "An Act to establish a Political Code," by amending section six hundred and eighty thereof.

Read second time.

Assembly Bill No. 176—An Act authorizing school districts, cities, cities and counties, or incorporated towns in the State of California to furnish the pupils of their respective public schools with free use of school text-books.

Read second time.

Assembly Bill No. 524—An Act to amend sections one thousand five hundred and twenty, one thousand five hundred and twenty-one, one thousand five hundred and thirty-two, one thousand five hundred and thirty-three, one thousand five hundred and forty-three, one thousand five hundred and forty-nine, one thousand five hundred and fifty-one, one thousand five hundred and fifty-three, one thousand five hundred and sixty, one thousand five hundred and sixty-four, one thousand five hundred and sixty-five, one thousand five hundred and seventy-six, one thousand five hundred and seventy-seven, one thousand five hundred and eighty-one, one thousand five hundred and eighty-three, one thousand five hundred and ninety-three, one thousand five hundred and ninety-six, one thousand five hundred and ninety-nine, one thousand six hundred and two, one thousand six hundred and fourteen, one thousand six hundred and fifteen, 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 thirty-four, one thousand six hundred and thirty-six, one thousand six hundred and thirty-seven, one thousand six hundred and thirty-eight, one thousand six hundred and thirty-nine, one thousand six hundred and forty-nine, one thousand six hundred and fifty, one thousand six hundred and fifty-one, 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 eighty-seven, one thousand six hundred and ninety-six, one thousand six hundred and ninety-eight, one thousand six hundred and ninety-nine, one thousand seven hundred and twelve,

one thousand seven hundred and fourteen, one thousand seven hundred and sixty-eight, 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-five, one thousand seven hundred and seventy-six, one thousand seven hundred and eighty-eight, one thousand seven hundred and ninety, one thousand seven hundred and ninety-one, one thousand seven hundred and ninety-two, one thousand eight hundred and seventeen, one thousand eight hundred and thirty, one thousand eight hundred and thirty-three, one thousand eight hundred and thirty-five, one thousand eight hundred and thirty-six, one thousand eight hundred and fifty-seven, one thousand eight hundred and fifty-eight. one thousand eight hundred and seventy-seven, one thousand eight hundred and seventy-nine, one thousand eight hundred and eighty, one thousand eight hundred and eighty-two, one thousand eight hundred and eighty-three, one thousand eight hundred and eighty-five, and one thousand five hundred and three of the Political Code; to add thereto four new sections, to be known and numbered as sections one thousand six hundred and three, one thousand six hundred and sixty-nine, one thousand six hundred and seventy, one thousand six hundred and seventy-one; to repeal sections one thousand five hundred and sixty-one, one thousand seven hundred and fifty-seven, and one thousand seven hundred and sixty-nine of the Political Code; and also to repeal "An Act to authorize the establishment of county high schools, and provide for their support," approved March 10, 1891, and "An Act to provide for the establishment of high schools in the State of California," approved March 20, 1891, and all Acts and parts of Acts in conflict with the provisions of this Act.

Read second time.

Assembly Bill No. 667—An Act to amend section one thousand five hundred and sixty-one of the Political Code, relating to the holding of Teachers' Institutes.

Read second time.

Assembly Bill No. 157—An Act to amend an Act entitled "An Act to establish a Political Code," approved March 20, 1891, by amending section one thousand five hundred and forty-three of the Political Code, relating to the disbursement of public school funds.

Read second time.

The Committee on Education offered the following Committee Substitute for Assembly Bills Nos. 16, 57, 129, 157, 176, 524, 667, and 730.

Act to amend sections fifteen hundred and twenty, fifteen hundred and twenty-one, fifteen hundred and thirty-two, fifteen hundred and thirty-three, fifteen hundred and forty-three, fifteen hundred and fifty-one, fifteen hundred and fifty-three, fifteen hundred and sixty, fifteen hundred and sixty-one, fifteen hundred and sixty-four, fifteen hundred and sixty-five, fifteen hundred and seventy-six, fifteen hundred and seventy-seven, fifteen hundred and eighty-one, fifteen hundred and eighty-three, fifteen hundred and ninety-three, fifteen hundred and ninety-six, fifteen hundred and ninety-nine, sixteen hundred and two, sixteen hundred and fourteen, sixteen hundred and fifteen, sixteen hundred and seventeen, sixteen hundred and nineteen sixteen hundred and twenty, sixteen hundred and twenty-one, sixteen hundred and thirty-four, sixteen hundred and thirty-six, sixteen hundred and thirty-seven, sixteen hundred and thirty-eight, sixteen hundred and thirty-nine, sixteen hundred and fifty, sixteen hundred and fifty-one, sixteen hundred and sixty-two, sixteen hundred and sixty-three, sixteen hundred and sixty-five, sixteen hundred and sixty-six, sixteen hundred and eighty-seven, sixteen hundred and ninety-six, sixteen hundred and ninety-eight, sixteen hundred and ninety-nine, seventeen hundred and twelve, seventeen hundred and thirteen, seventeen hundred and fourteen, seventeen hundred and sixty-eight, seventeen hundred and seventy, seventeen hundred and seventy-one, seventeen hundred and seventy-two, seventeen hundred and seventy-five, seven-

teen hundred and seventy-six, seventeen hundred and eighty-seven, seventeen hundred and eighty-eight, seventeen hundred and ninety, seventeen hundred and ninety-one, seventeen hundred and ninety-two, seventeen hundred and ninety-three, eighteen hundred and seventeen, eighteen hundred and thirty, eighteen hundred and thirty-three, eighteen hundred and thirty-five, eighteen hundred and thirty-six, eighteen hundred and fifty-seven, eighteen hundred and fifty-eight, eighteen hundred and sixty-one, eighteen hundred and seventy-four, eighteen hundred and seventy-seven, eighteen hundred and seventy-nine, eighteen hundred and eighty, eighteen hundred and eighty-two, eighteen hundred and eighty-three, fifteen hundred and three of the Political Code; to add thereto three new sections, to be known and numbered as sections sixteen hundred and sixty-nine, sixteen hundred and seventy, and sixteen hundred and seventy-one, to repeal sections seventeen hundred and fifty-seven and seventeen hundred and sixty-nine of the Political Code, all relating to the public schools, and also to repeal "An Act to authorize the establishment of county high schools, and provide for their support," approved March 10, 1891, and "An Act to provide for the establishment of high schools in the State of California," approved March 20, 1891, and all Acts and parts of Acts in conflict with the provisions of this Act.

The People of the State of California, represented in Senate and Assembly, do enact as follows:

SECTION 1. Section one thousand five hundred and twenty of the Political Code is hereby amended to read as follows:

1520. The Board shall meet at the call of the Secretary, and not less than twice in each year.

SEC. 2. Section one thousand five hundred and twenty-one of the Political Code is hereby amended to read as follows:

1521. The powers and duties of the Board are as follows:

First—To adopt rules and regulations, not inconsistent with the laws of this State, for its own government, and for the government of the public schools and district school libraries.

Second—To grant Educational Diplomas of two grades, valid throughout the State for the period of six years, as follows:

1. High School, authorizing the holder to teach in any primary or grammar school, and in any high school in which said holder is not required to teach languages other than the English.

2. Grammar School, authorizing the holder to teach in any primary or grammar school.

Third—To grant Life Diplomas of two grades, valid throughout the State, as follows:

1. High School; authorizing the holder to teach in any primary or grammar school, and in any high school in which said holder is not required to teach languages other than the English.

2. Grammar School; authorizing the holder to teach in any primary or grammar school.

Fourth—Except as provided in section one thousand five hundred and three of this Code, diplomas may be issued only to such persons as have held for one year and who still hold, a valid city, city and county, or county certificate corresponding in grade to the grade of the diploma applied for, and who shall furnish satisfactory evidence of having had a successful experience in teaching of at least five years, when applying for an Educational Diploma, and of at least ten years when applying for a Life Diploma. Every application must be accompanied to the State Board of Education by a certified copy of a resolution adopted by at least a four-fifths vote of all the members composing a City or County Board of Education, recommending that the diploma be granted, and also by an affidavit of the applicant specifically setting forth the places in which and the dates between which said applicant has taught, and that said applicant has taught a part of each year for five or ten calendar years, respectively. The five or ten years need not be consecutive years; but the aggregate experience must be at least thirty-five months for an Educational and seventy months for a Life Diploma, and in either case the applicant must have had twenty-one months' experience in the public schools of California. The application must also be accompanied by a fee of two dollars, for the purpose of defraying the expense of issuing the diploma.

Fifth—To revoke or suspend for immoral or unprofessional conduct, or for evident unfitness for teaching, Life Diplomas or Educational Diplomas heretofore issued, or that may hereafter be issued; and to adopt such rules for the revocation of diplomas as they may deem expedient or necessary.

Sixth—To have done by the State Printer, or other officer having the management of the State printing, any printing required by it, *provided*, that all orders for printing shall first be approved by the State Board of Examiners.

Seventh—To adopt and use, in authentication of its acts, an official seal.

Eighth—To keep a record of its proceedings.

Ninth—To designate some educational monthly journal as the official organ of the Department of Public Instruction. One copy of the journal so designated shall be furnished by the County Superintendent to the Clerk of each Board of District Trustees, to be placed by him in the district library. The County Superintendent of Schools shall draw his warrant semi-annually in favor of the publishers of such school journal, for a sum not exceeding one dollar and fifty cents ($1 50) per district, for each school year, and charge the same to the Library Fund of the district, *provided*, that the publishers of

such journal shall be required to file an affidavit with the Superintendent of Public Instruction, on or before the tenth day of each month, stating that they had mailed one copy of said journal to the Clerk of each school district in the State. It is hereby made the duty of the Clerk of each Board of District Trustees, and the Secretary of each Board of Education, to place each number of such journal in the school library of his district, on or before the end of the month in which such number was issued.

SEC 3 Section one thousand five hundred and thirty-two of the Political Code is hereby amended to read as follows:

1532. It is the duty of the Superintendent of Public Instruction:

First—To superintend the schools of this State.

Second—To report to the Governor, on or before the fifteenth day of September preceding each regular session of the Legislature, a statement of the condition of the State Normal Schools and other educational institutions supported by the State, and of the public schools.

Third—To accompany his report with tabular statements, showing the number of school children in the State, the number attending public school, and the average attendance, the number attending private schools, and the number not attending schools; the amount of State School Fund apportioned, and the sources from which derived, the amount raised by county and district taxes, or from other sources of revenue, for school purposes, and the amount expended for salaries of teachers, for building school houses, for district school libraries, and for incidental expenses.

Fourth—To apportion the State School Fund, and to furnish an abstract of such apportionment to the State Controller, the State Board of Examiners, and to the County Auditors, County Treasurers, and County Superintendents of the several counties of the State.

Fifth—To draw his order on the Controller in favor of each County Treasurer for school moneys apportioned to the county.

Sixth—To prepare, have printed, and furnish all officers charged with the administration of the laws relating to the public schools, and to teachers, such blank forms and books as may be necessary to the discharge of their duties, including blank teachers' certificates to be used by County Boards of Education.

Seventh—To have the laws relating to the public schools printed in pamphlet form, and to supply school officers and school libraries with one copy each

Eighth—To visit the several orphan asylums to which State appropriations are made, and examine into the course of instruction therein

Ninth—To visit the schools in different counties, and inquire into their condition; and the actual traveling expenses thus incurred (*provided*, that they do not exceed fifteen hundred dollars per annum) shall be allowed, audited, and paid out of the General Fund in the same manner as other claims are audited and paid

Tenth—To authenticate with his official seal all drafts or orders drawn by him, and all papers and writings issued from his office.

Eleventh—To have bound, at the State Bindery, all valuable school reports, journals, and documents in his office, or hereafter received by him

Twelfth—To report to the Controller, on or before the tenth day of July of each year, the total number of children in the State between the ages of five and seventeen years, as shown by the latest reports of the County Superintendents on file in his office

Thirteenth—To deliver over, at the expiration of his term of office, on demand, to his successor, all property, books, documents, maps, records, reports, and other papers belonging to his office, or which may have been received by him for the use of his office.

SEC 4 Section one thousand five hundred and thirty-three of the Political Code is hereby amended to read as follows

1533 He shall have power to call, biennially, a Convention of the County and City Superintendents, to assemble at such time and place as he shall deem most convenient, for the discussion of questions pertaining to the supervision and administration of the public schools, the laws relating thereto, and such other subjects affecting the welfare and interest of the public schools as shall properly be brought before it It is hereby made the duty of all County and City Superintendents to attend and take part in the proceedings of such Convention when it is called. The actual expenses of the County Superintendents attending the Convention shall be allowed by the Board of Supervisors, and paid out of the same fund as the salary of the County Superintendents is paid; the actual expenses of the City Superintendents attending the Convention shall be allowed and paid out of the same fund as the salary of such City Superintendents is paid.

SEC 5. Section one thousand five hundred and forty-three of the Political Code is hereby amended to read as follows

1543 It is the duty of the County Superintendent of each county:

First—To superintend the schools of his county.

Second—1 To apportion the school moneys to each school district as provided in section one thousand eight hundred and fifty-eight of this Code at least four times a year. For this purpose he may require of the County Auditor a report of the amount of all school moneys on hand to the credit of the several School Funds of the county not already apportioned; and it is hereby made the duty of the Auditor to furnish such report when so required; and whenever an excess of money has accumulated to the credit of a school district by reason of a large census roll and a small attendance, beyond a reasonable amount necessary to maintain a school for eight months in such district for the year, the Superintendent of Schools shall place said excess of money to the credit of the unapportioned school funds of the county, and shall apportion the same as other school funds are apportioned.

2. If in any school district there has been an average daily attendance of only five or a number of pupils less than five, during the whole school year, the superintendent shall at once suspend the district, and report the fact to the Board of Supervisors at their next meeting. The Board of Supervisors, upon receiving such report from the Superintendent, shall declare the district lapsed, and shall attach the territory thereof to one or more of the adjoining school districts in such manner as may by them be deemed most convenient for the residents of said lapsed district

3. When any district has been declared lapsed, the Board of Supervisors shall sell or otherwise dispose of the property thereto belonging, and shall place the proceeds of such sale to the credit of the district. Thereupon the Superintendent shall determine all outstanding indebtedness of said lapsed district, and shall draw his requisition upon the County Auditor in payment thereof. Any balance of moneys remaining to the credit of said lapsed district shall be transferred by the Superintendent to the unapportioned school funds of the county, and shall be apportioned as other school funds are apportioned. Should there not be sufficient funds to the credit of the lapsed district to liquidate all of the outstanding indebtedness thereof, the Superintendent shall draw his requisition upon the County Auditor pro rata for the several claims

Third—1. On the order of the Board of School Trustees, to draw his requisition upon the County Auditor for all necessary expenses against the School Fund of any district, or of any city or town which has not a Board of Education. The requisitions must be drawn in the order in which the orders therefor are filed in his office. Each requisition must specify the purpose for which it is drawn, but no requisition shall be drawn unless the money is in the fund to pay it, and no requisition shall be drawn upon the order of the Board of School Trustees against the funds of any district, except for teachers' salaries, unless such order is accompanied by an itemized bill showing the separate items and the price of each, in payment for which the order is drawn, nor shall any requisition for teachers' salaries be drawn unless the order shall state the monthly salary of the teacher, and name the months for which such salary is due. Upon the receipt of such requisition the Auditor shall draw his warrant upon the County Treasurer in favor of the parties for the amount stated in such requisition

2. On the order of the Board of Education of any city having a Board of Education, the County Superintendent shall draw his requisition upon the County Auditor in favor of the City Treasurer of said city for all State and county moneys, and for all other moneys apportioned by the said Superintendent to said city. Upon the presentation of said requisition the County Auditor shall draw his warrant upon the County Treasurer in favor of the Treasurer of said city for the amount stated in said requisition. It shall be the duty of the County Treasurer to pay the amount stated in the warrant of the County Auditor to the Treasurer of said city; and it shall be the duty of the Treasurer of said city to receive and safely keep all moneys so received, and to pay the same out upon the order of the Board of Education of said city, which order must be issued by said Board of Education, as provided in division (1) one of this subdivision of section one thousand five hundred and forty-three of the Political Code.

Fourth—To keep, open to the inspection of the public, a register of requisitions, showing the fund upon which the requisitions have been drawn, the number thereof, in whose favor, and for what purpose they were drawn, and also a receipt from the person to whom the requisition was delivered

Fifth—To visit and examine each school in his county at least once in each year. For every school not so visited the Board of Supervisors must, on proof thereof, deduct ten dollars from his salary.

Sixth—To preside over Teachers' Institutes held in his county, and to secure the attendance thereat of lecturers competent to instruct in the art of teaching, and to report to the County Board of Education the names of all teachers in the county who fail to attend regularly the sessions of the Institute, to enforce the course of study, the use of text-books, and the rules and regulations for the examination of teachers prescribed by the proper authority.

Seventh—He shall have power to issue, if he deem it proper to do so, temporary certificates valid until the next semi-annual meeting of the County Board of Education, to persons holding certificates of like grade granted in other counties, cities or cities and counties, or upon any certificates or diplomas upon which County Boards are empowered to grant certificates without examination, as specified in section seventeen hundred and seventy-five, *provided*, that no person shall be entitled to receive such temporary certificate more than once in the same county

Eighth—To distribute all laws, reports, circulars, instructions, and blanks which he may receive for the use of school officers.

Ninth—To keep in his office the reports of the Superintendent of Public Instruction.

Tenth—To keep a record of his official acts, and of all the proceedings of the County Board of Education, including a record of the standing, in each study, of all applicants examined, which shall be open to the inspection of any applicant or his authorized agent

Eleventh—Except in incorporated cities having Boards of Education, to pass upon and approve or reject all plans for school houses. To enable him to do so, all Boards of Trustees, before adopting any plans for school buildings, must submit the same to the County Superintendent for his approval

Twelfth—To appoint Trustees to fill all vacancies, to hold until the first day of July succeeding such appointment; when new districts are organized, to appoint Trustees for the same, who shall hold office until the first day of July next succeeding their appoint-

ment. In case of the failure of the Trustees to employ a janitor, as provided in section sixteen hundred and seventeen, subdivision seventh, of this Code, he shall appoint a janitor, who shall be paid out of the School Fund of the district Should the Board of School Trustees of any district fail or refuse to issue an order for the compensation for such service, the Superintendent is hereby authorized to issue, without such order, his requisition upon the County School Fund apportioned to such district.

Thirteenth—To make reports, when directed by the Superintendent of Public Instruction showing such matters relating to the public schools in his county as may be required of him.

Fourteenth—To preserve carefully all reports of school officers and teachers, and, at the close of his official term, deliver to his successor all records, books, documents, and papers belonging to the office, taking a receipt for the same, which will be filed in the office of the County Clerk.

Fifteenth—The County Superintendent shall, unless otherwise provided by law, in the month of July of each year, grade each school, and a record thereof shall be made in a book to be kept by the County Superintendent in his office for this purpose And no teacher holding a certificate below the grade of said school shall be employed to teach the same

SEC. 6. Section one thousand five hundred and fifty-one of the Political Code is hereby amended to read as follows.

1551. Every School Superintendent in this State must, on or before the first day of July in each year, report to the Superintendent of Public Instruction, and to the Board of Supervisors of his county, the number of children therein between the ages of five and seventeen years, as appears by the latest returns of the Census Marshals on file in his office It shall be the duty of every County Superintendent to inquire and ascertain whether the boundaries of the school districts in his county are definitely and plainly described in the records of the Boards of Supervisors, and to keep in his office a full and correct transcript of such boundaries In case the boundaries of districts are conflicting, or incorrectly described, he shall report such fact to the Board of Supervisors, and the Board of Supervisors shall immediately take such steps as are necessary to change, harmonize, and clearly define them. The County Superintendent, if he deem it necessary for the guidance of School Census Marshals, may order the description of the district boundaries printed in pamphlet form, and pay for the same out of the County School Fund.

SEC. 7 Section one thousand five hundred and fifty-three of the Political Code is hereby amended to read as follows:

1553. No School Superintendent, who receives an annual salary of fifteen hundred dollars or more, must follow the profession of teaching, or any other vocation that can conflict with his duties as Superintendent; but those receiving less than fifteen hundred dollars per annum may teach in the public schools of this State

SEC 8 Section one thousand five hundred and sixty of the Political Code is hereby amended to read as follows.

1560 The Superintendent of every county in which there are twenty or more school districts, and of every city and county in the State, must hold at least one Teachers' Institute in each year; and every teacher employed in a public school in the county must attend such Institute, and participate in its proceedings, *provided*, that cities employing seventy or more teachers may have a separate Institute, to meet at least once a year, the sessions to be of not less than three nor more than five days; *and provided further*, that teachers attending such City Institute shall not be required to attend the County Institute The expenses of such City Institutes, not exceeding two hundred dollars annually, shall be paid from the special school funds of said city

SEC 9 Section one thousand five hundred and sixty-one of the Political Code is hereby amended to read as follows·

1561. In any county in which there are less than twenty school districts, the County Superintendent may, in his discretion, hold an Institute, when directed by the County Board of Education, he shall hold an Institute not oftener than once a year, at such time and place as the Board may direct.

SEC. 10 Section one thousand five hundred and sixty-four of the Political Code is hereby amended to read as follows·

1564 The County Superintendent must keep an accurate account of the actual expenses of said Institute, with vouchers for the same, and draw his requisition upon the County Auditor, who shall draw his warrant on the unapportioned County School Fund to pay said amount, *provided*, that such amount must not exceed two hundred dollars for any one year.

SEC 11. Section one thousand five hundred and sixty-five of the Political Code is hereby amended to read as follows.

1565 Except for a temporary certificate, and except as provided in subdivision second of section one thousand five hundred and three of the Political Code, every applicant for a teachers' certificate, or for the renewal of a certificate, except temporary, upon presenting his application, shall pay to the County Superintendent a fee of two dollars, to be by him immediately deposited with the County Treasurer, to the credit of a fund to be known as the Teachers' Institute and Library Fund All funds so credited shall be drawn out only upon the requisition of the County Superintendent of Schools upon the County Auditor, who shall draw his warrant in payment of the services of instructors in the County Teachers' Institute; *provided*, they be not teachers in the public schools of the county in which such Institute is held, and for the purchase of books for a

library for the use of the teachers of the county. At least fifty per cent of the Teachers' Institute and Library Fund shall be expended for books. The County Superintendent shall take charge of the teachers' library, prepare a catalogue of its contents, and keep a correct record of books taken therefrom and returned thereto.

SEC. 12. Section one thousand five hundred and seventy-six of the Political Code is hereby amended to read as follows:

1576. Every city or incorporated town, unless subdivided by the legislative authority thereof, shall constitute a separate school district, which shall be governed by the Board of Education or Board of School Trustees of such city or incorporated town; *provided*, that whenever a city or town shall be incorporated the Board of Supervisors of the county may annex thereto, for school purposes only, the remainder, or any part of the remainder, of the district or districts from which such city or incorporated town was organized, whenever a majority of the heads of families residing therein, as shown by the last preceding school census, shall petition for such annexation; *and provided further*, that the Board of Supervisors may include more territory than the remainder of the district or districts from which the city or incorporated town was organized, whenever a petition for such purpose is presented to them, signed by a majority of the heads of families, as shown by the last preceding school census, residing in such additional territory. When said remainder or part thereof, or said additional outside territory, has been annexed to said city or incorporated town, it shall be deemed a part of said city or incorporated town for the purpose of holding the general municipal election, and shall form one or more election precincts, as may be determined by the legislative authority of said city or incorporated town, the qualified electors of which shall vote only for the Board of Education, or the Board of School Trustees, and such outside territory shall be deemed to be a part of said city or incorporated town for all matters connected with the School Department thereof, for the annual levying and collecting of the property tax for the School Funds of said city or incorporated town; and for all purposes specified in sections one thousand eight hundred and eighty to one thousand eight hundred and eighty-eight of this Code, inclusive.

SEC. 13. Section one thousand five hundred and seventy-seven of the Political Code is hereby amended to read as follows:

1577. *First*—No new school district shall be formed at any other time than between the first day of December and the fifth day of April, nor at that time unless the parents or guardians of at least fifteen census children, residents of such proposed new district, and residing at a greater distance than two miles by a traveled road from the public school house in the district in which said parents or guardians reside, present a petition to the Superintendent of Schools, setting forth the boundaries of the new district asked for; *provided*, that the provision requiring that the petitioners shall reside a distance of more than two miles by a traveled road from the said public school house may be dispensed with when the petition shall be signed by the parents or guardians of fifty or more census children, residents of a district containing more than three hundred census children.

Second—The boundaries of a school district, except as provided in section one thousand five hundred and fifty-one of the Political Code, shall be changed only between the first day of January and the first day of April in any year, and then only when at least ten heads of families residing in the districts affected by the proposed change of boundaries shall present to the Superintendent of Schools a petition setting forth the changes of boundaries desired, and the reasons for the same, *provided*, that two or more districts lying contiguous may, at any time, be united to constitute but one district, whenever a petition signed by a majority of the heads of families residing in each of said districts shall be presented to the Superintendent of Schools.

Third—Joint districts—that is, districts lying partly in one county and partly in another—may be formed at any time between the first day of December and the fifth day of April in any year, whenever a petition signed by the parents or guardians of at least fifteen census children, residents of such proposed joint district and residing at a greater distance than two miles by a traveled road from any public school house, shall be presented to the Superintendent of each county affected by the proposed formation of the joint district, *and provided further*, that the provision requiring that the petitioners shall reside a distance of more than two miles by a traveled road from any public school house may be dispensed with when the petition shall be signed by the parents or guardians of fifty or more census children, residents of districts any one of which contains more than three hundred census children. All the provisions relative to the formation of joint districts shall be by concurrent action of the Superintendent and the Board of Supervisors of each county affected.

Fourth—The children residing in any newly formed district in any district whose boundaries have been changed, or in any joint district, shall be permitted to attend the school in the district or districts from which the newly formed district was constituted until the first day of July next succeeding the formation or change.

Fifth—Whenever a district shall be united with a municipality, or with another district, all funds belonging to said district shall be transferred by requisition of the Superintendent of the county upon the County Auditor, to the municipality or district with which said district is united.

SEC. 14. Section one thousand five hundred and eighty-one of the Political Code is hereby amended to read as follows:

1581. After the making of an order by the Board of Supervisors, creating a new district, the school must be opened therein not later than the second Monday of September in the year in which the order was made, otherwise, said order shall be null and void.

SEC. 15. Section one thousand five hundred and eighty-three of the Political Code is hereby amended to read as follows.

1583 Whenever a district lies partly in one county and partly in another, the County Superintendent must apportion to such district such proportion of the school money to which such district is entitled, as the number of school census children residing in that portion of the district situated in his county bears to the whole number of school census children in the whole district. The text-books to be used, and the rules governing the school in such district, shall be those adopted by the Board of Education of the county in which the school house in said joint district is located. The Trustees and teachers of joint districts shall make to the Superintendents of each county in which the district is located, the reports which other Trustees and teachers are required to make, and also the number of pupils attending the school from each county. The teacher in such joint district shall not be required to hold a certificate in both counties

SEC. 16 Section one thousand five hundred and ninety-three of the Political Code is hereby amended to read as follows

1593 An election for School Trustees must be held in each school district on the first Friday of June of each year, at the district school house, if there is one, and if there is none, at the place to be designated by the Board of Trustees

1 The number of School Trustees for any school district, except where City Boards are otherwise authorized by law, shall be three. No person shall be deemed ineligible to the office of Trustee on account of sex

2 In new school districts the School Trustees shall be elected on the first Friday of June subsequent to the formation of the district, to hold office for one, two, and three years, respectively, from the first day of July next succeeding their election.

3. When a vacancy occurs from any of the causes specified in section nine hundred and ninety-six of this Code, the Superintendent shall appoint a suitable person to fill such vacancy, until the first day of July next succeeding the appointment, and a party shall be elected at the next June election to hold office for the remainder of the term.

4. Except as provided in subdivisions two and three of this section, one Trustee shall be elected annually, to hold office for three years, or until his successor shall be elected and qualified

SEC 17 Section one thousand five hundred and ninety-six of the Political Code is hereby amended to read as follows:

1596 Trustees must appoint one Inspector and two Judges of Election, if none are so appointed, or if those appointed are not present at the time for opening the polls, the electors present may appoint them, and they shall conduct the election

SEC 18. Section one thousand five hundred and ninety-nine of the Political Code is hereby amended to read as follows:

1599 The voting must be by ballot (without reference to the General Election Law in regard to nominations, form of ballot, or manner of voting), which shall be handed by the elector voting to the Inspector, who shall then, in his presence, deposit the same in the ballot-box, and the Judges shall enter the elector's name on the poll list.

SEC 19 Section one thousand six hundred and two of the Political Code is hereby amended to read as follows

1602 The officers of election must publicly canvass the votes immediately after closing the polls, and make, sign, and deliver certificates of election to the person or persons elected, which must, with the oath of office of the person so elected attached, be forwarded to the County Superintendent of Schools, and filed in his office.

SEC 20. Section one thousand six hundred and fourteen of the Political Code is hereby amended to read as follows

1614 *First*—Vacancies in the office of School Trustee are caused by the happening of any of the events specified in section nine hundred and ninety-six of the Political Code, or by failure to elect, as provided in section one thousand five hundred and ninety-three of this Code

Second—When a School Trustee resigns, his resignation must be sent in writing to the County Superintendent of Schools

SEC 21. Section one thousand six hundred and fifteen of the Political Code is hereby amended to read as follows

1615. *First*—When a new district is organized, such of the Trustees of the old district as reside within the boundaries of the new shall be Trustees of the new district until the expiration of the time for which they were elected

Second—When joint districts are formed, three Trustees shall be elected at the June election next succeeding the formation thereof, to hold office for one, two, and three years, respectively, from the first day of July next succeeding their election The terms of the Trustees in the districts uniting to form the joint district shall expire on the formation of said joint district, and the Superintendent of the county in which lies the district having the greater number of census children shall appoint two Trustees, and the Superintendent of the county in which the other district lies shall appoint one Trustee, to hold office until the first day of July next succeeding the formation of the joint district.

SEC. 22 Section one thousand six hundred and seventeen of the Political Code is hereby amended to read as follows

1617. The powers and duties of Trustees of school districts, and of Boards of Education in cities, are as follows.

First—To prescribe and enforce rules, not inconsistent with law or those prescribed by the State Board of Education, for their own government and government of schools,

and to transact their business at regular or special meetings called for such purpose, notice of which shall be given each member

Second—To manage and control the school property within their districts, and to pay all moneys collected by them, from any source whatever, for school purposes, into the County Treasury, to be placed to the credit of the special fund of their districts

Third—To purchase text-books of the State series for the use of pupils whose parents are unable to purchase them, school furniture, including organs and pianos, and apparatus, and such other things as may be necessary for the use of schools, *provided*, that except in incorporated cities having Boards of Education, they purchase such books and apparatus only as have been adopted by the County Board of Education

Fourth—To rent, furnish, repair, and insure the school property of their respective districts.

Fifth—When directed by a vote of their district, to build school houses or to purchase or sell school lots

Sixth—To make, in the name of the district, conveyances on all property belonging to the district, and sold by them.

Seventh—To employ the teachers, and, excepting in incorporated cities having Boards of Education, immediately notify the Superintendent of Schools, in writing, of such employment, naming the grade of certificate held by the teachers employed, also, to employ janitors and other employés of the schools; to fix and order paid their compensation, unless the same be otherwise prescribed by law, *provided*, that no Board of Trustees shall enter into any contract with such employé to extend beyond the thirtieth day of June next ensuing

Eighth—To suspend and expel pupils for misconduct

Ninth—To exclude from schools children under six years of age; *provided*, that in cities and towns in which the kindergarten has been adopted, or may hereafter be adopted, as a part of the public primary schools, children may be admitted to such kindergarten classes at the age of four years

Tenth—To enforce in schools the course of study and the use of text-books prescribed and adopted by the proper authority

Eleventh—To appoint District Librarians, and enforce the rules prescribed for the government of district libraries.

Twelfth—To exclude from school and school libraries all books, publications, or papers of a sectarian, partisan, or denominational character

Thirteenth—To furnish books for the children of parents unable to purchase them; the books so furnished to belong to the school district, and to be kept in the district school library when not in use

Fourteenth—To keep a register, open to the inspection of the public, of all children applying for admission and entitled to be admitted into the public schools, and to notify the parents or guardians of such children when vacancies occur, and receive such children into the schools in the order in which they are registered

Fifteenth—To permit children from other districts to attend the schools of their district only upon the consent of the Trustees of the district in which such children reside; *provided*, that should the Trustees of the district in which children, whose parents or guardians desire them to attend in other districts, reside, refuse to grant their consent, the parents or guardians of such children may appeal to the County Superintendent, and his decision shall be final.

Sixteenth—On or before the first day of April in each year to appoint a School Census Marshal, and notify the Superintendent of Schools thereof, *provided*, that in any city, or city and county the appointment of all School Census Marshals shall be subject to the approval of the City Superintendent of Schools.

Seventeenth—To make an annual report, on or before the first day of July, to the Superintendent of Schools, in the manner and form, and on the blanks prescribed by the Superintendent of Public Instruction

Eighteenth—To make a report, whenever required, directly to the Superintendent of Public Instruction, of the text-books used in their schools

Nineteenth—To visit every school in their district at least once in each term, and examine carefully into its management, condition and wants. This clause to apply to each and every member of the Board of Trustees

Twentieth—Boards of Trustees may, and upon a petition signed by a majority of the heads of families resident in the district, as shown by the last preceding school census, must, call meetings of the qualified electors of the district for determining or changing the location of the school house, or for consultation in regard to any litigation in which the district may be engaged, or be likely to become engaged, or in regard to any affairs of the district. Such meetings shall be called by posting three notices in public places, one of which shall be in a conspicuous place on the school house, for not less than ten days previous to the time for which the meeting shall be called, which notices shall specify the purposes for which said meeting shall be called, and no other business shall be transacted at such meetings. District meetings shall be organized by choosing a Chairman from the electors present, and the District Clerk shall be clerk of the meeting, and shall enter the minutes thereof on the records of the district. A meeting so called shall be competent to instruct the Board of Trustees.

1. In regard to the location or change of location of the school house, or the use of the same for other than school purposes; *provided*, that in no case shall the school house be used for purposes which necessitate the removal of any school desks, or other school furniture.

2. In regard to the sale and purchase of school sites

3. In regard to prosecuting, settling, or compromising any litigation in which the district may be engaged, or be likely to become engaged, and may vote money, not exceeding one hundred dollars in any one year, for any of these purposes, in addition to any amount which may be raised by the sale of district school property, and the insurance of property destroyed by fire; *provided*, that the proceeds of the insurance of the library and apparatus shall be paid into the Library Fund. All funds raised by the sale of school property may be disposed of by direction of a district meeting. District meetings may be adjourned from time to time, as found necessary, and all votes instructing the Board of Trustees shall be taken by ballot, or by ayes and noes vote, as the meeting may determine. The Board of Trustees shall, in all cases, be bound by the instructions of the district meeting in regard to the subjects mentioned in this section, *provided*, that the vote in favor of changing the location of the school house shall be two thirds of all the electors voting at said meeting upon the proposition to change the location.

SEC. 23. Section one thousand six hundred and nineteen of the Political Code is hereby amended to read as follows:

1619. *First*—The Boards of School Trustees and City Boards of Education must maintain all the schools established by them for an equal length of time during the year, and as far as practicable, with equal rights and privileges.

Second—When in any district it is necessary for the convenience of the residents of said district that the school therein should be maintained a part of the year in one portion of the district, and a part of the year in another portion of the district, the aggregate of the time the school has been maintained in the different portions of the district shall be considered in estimating the time for which a school has been maintained in the district during the school year.

SEC. 24. Section one thousand six hundred and twenty of the Political Code is hereby amended to read as follows:

1620. Writing and drawing paper, pens, inks, blackboards, blackboard rubbers, crayons, and lead and slate pencils, and other necessary supplies for the use of the schools, must be furnished under the direction of the City Boards of Education and Boards of School Trustees, and charges therefor must be audited and paid as other claims against the County School Fund of their districts are audited and paid.

SEC. 25. Section one thousand six hundred and twenty-one of the Political Code is hereby amended to read as follows:

1621. The Boards of School Trustees and City Boards of Education must use the school moneys received from the State and county apportionments exclusively for the support of schools for that school year, until at least an eight months' school has been maintained. If at the end of any year during which an eight months' school has been maintained, there is an unexpended balance, it may be used for the payment of claims against the district outstanding, or it may be used for the year succeeding. Any balance remaining on hand at the end of any school year in which school has not been maintained eight months, shall be reapportioned by the Superintendent of Schools as other moneys are apportioned; *provided*, that if a district has been prevented from maintaining a school for eight months in any year in consequence of fire, flood, prevailing epidemic, or other cause, which may, upon investigation by the Superintendent of the county, be determined to be a good and sufficient one, said balance shall not be reapportioned.

SEC. 26. Section one thousand six hundred and thirty-four of the Political Code is hereby amended to read as follows:

1634. It is the duty of the Census Marshal:

First—To take annually, between the fifteenth and thirtieth days of April, inclusive, a census of all children, including the children of Indian parents who pay taxes, or who are not living in the tribal relation, under seventeen years of age, who were residents of his district on said fifteenth day of April.

Second—To report the results of his labors to the Superintendent of Schools (or to the Board of Education, in cities), on or before the tenth day of May in each year.

Third—He shall visit each habitation, home, residence, domicile, or place of abode in his district, and, by actual observation and interrogation, enumerate the census children of the same.

Fourth—Before entering upon the discharge of his duties as such, the Census Marshal must qualify and file his oath of office in the office of the Superintendent of Schools.

SEC. 27. Section one thousand six hundred and thirty-six of the Political Code is hereby amended to read as follows:

1636. His report must be made under oath, upon blanks furnished by the Superintendent of Public Instruction, and must show

First—The number, age, sex, color, and nationality of the children listed.

Second—The names of the parents or guardians of said children, arranged alphabetically, except in cities of the first class. In all cities the number and street of residence must be given.

Third—Such other facts as the Superintendent of Public Instruction may designate.

Fourth—The Census Marshal shall have power to administer oaths to parents and guardians.

Fifth—If at any time the Superintendent of Schools has reason to believe that a correct census of the district has not been taken, he must have it corrected, and, if necessary for the purpose, he may appoint a Census Marshal, and have the census of the district retaken. Should the Board of Education or Board of School Trustees of said city

or district refuse to issue an order for the compensation of said Marshal for his services, the Superintendent is hereby authorized to issue his requisition therefor against the County Fund of such city or district without such order.

SEC. 28. Section one thousand six hundred and thirty-seven of the Political Code is hereby amended to read as follows:

1637. He must include in his report all children who are absent attending institutions of learning, and whose parents or guardians are residents of the district; he must also include as census children the children of Indian parents who pay taxes, and of Indian parents who are not living in the tribal relation; he must also include all orphan children absent from the district in orphan asylums, whose guardians reside in the district, and every half orphan absent in asylums, whose surviving parent or guardian resides in the district; he must also include all native born Chinese children

SEC. 29. Section one thousand six hundred and thirty-eight of the Political Code is hereby amended to read as follows

1638. He must not include in his report children who are attending institutions of learning, or such benevolent institutions as deaf and dumb, blind, and orphan asylums in his district whose parents or guardians do not reside therein.

SEC. 30. Section one thousand six hundred and thirty-nine of the Political Code is hereby amended to read as follows

1639. The compensation of Census Marshal must be audited and paid as other claims upon the School Fund of the district are audited and paid, *provided*, such compensation shall not exceed six dollars per day for time actually and necessarily employed; *and provided further*, that in no case shall the compensation be computed at a per capita sum, nor shall any order for such compensation be drawn by the Trustees of any district, or by any Board of Education, until they shall have been notified by the Superintendent that the report of the Census Marshal has been approved by him. In case the report should not be approved by the Superintendent, the Census Marshal shall not be entitled to receive any compensation

SEC. 31. Section one thousand six hundred and fifty of the Political Code is hereby amended to read as follows:

1650. It is the duty of the Clerk:

First—To call meetings of the Board at the request of two members, and to act as Clerk of the Board, and keep a record of its proceedings, and an accurate account of the receipts and expenditures of school moneys.

Second—To keep his records and accounts open to the inspection of the electors of the district, in suitable books provided by the Board of School Trustees for that purpose.

Third—To place the monthly journal designated as the official organ of the Department of Public Instruction in the school district library each month; and if he fails to receive it regularly, to immediately notify the publishers of such fact.

Fourth—To perform such other duties as may be prescribed by the Board.

SEC. 32. Section one thousand six hundred and fifty-one of the Political Code is hereby amended to read as follows:

1651. The Clerk of each district must, under the direction of the Board of Trustees, provide all school supplies authorized by this chapter, keep the school house in repair during the time school is taught therein, and exercise a general care and supervision over the school premises and school property during the vacations of the school.

SEC. 33. Section one thousand six hundred and sixty-two of the Political Code is hereby amended to read as follows:

1662. Every school, unless otherwise provided by law, must be open for the admission of all children between six and twenty-one years of age residing in the district, and the Board of School Trustees, or City Board of Education, have power to admit adults and children not residing in the district, whenever good reasons exist therefor. Trustees shall have the power to exclude children of filthy or vicious habits, or children suffering from contagious or infectious diseases, and also to establish separate schools for Indian children and for children of Mongolian or Chinese descent. When such separate schools are established, Indian, Chinese, or Mongolian children must not be admitted into any other school; *provided*, that in cities and towns in which the kindergarten has been adopted, or may hereafter be adopted, as part of the public primary schools, children may be admitted to such kindergarten classes at the age of four years.

SEC. 34. Section one thousand six hundred and sixty-three of the Political Code is hereby amended to read as follows:

1663. 1. All schools, unless otherwise provided by law, must be divided into primary and grammar grades. The County Board of Education must, except in incorporated cities having Boards of Education, on or before the first day of July, prescribe the course of study in each grade for the ensuing year

2. Except in incorporated cities having Boards of Education, the County Board of Education shall require that promotions, upon written examinations or otherwise, in each of said courses, shall take place at stated periods, at least once in each school year. It shall also provide for conferring diplomas at the end of the course of study in the grammar grade for those who satisfactorily pass the required examination.

3. The County Board of Education may amend and change, subject to section sixteen hundred and sixty-five, either of the above courses of study, whenever necessary.

SEC. 35. Section sixteen hundred and sixty-five of the Political Code is hereby amended to read as follows:

1665. Instruction must be given in the following branches, in the several grades in which each may be required, viz: Reading, writing, orthography, arithmetic, geography,

grammar, history of the United States, elements of physiology and hygiene, with special instruction as to the nature of alcoholic drinks and narcotics and their effects upon the human system; vocal music, elementary bookkeeping, industrial drawing, and civil government; *provided*, that instruction in physiology and hygiene, elementary bookkeeping and civil government, may be oral, no text-books in these subjects being required to be purchased by the pupils; *provided further*, that the Board of Education of any county may, in districts having less than one hundred census children, confine the pupils to the studies of reading, orthography, arithmetic, grammar, geography, history, penmanship, and elementary bookkeeping, until they have a practical knowledge of these subjects.

SEC. 36. Section one thousand six hundred and sixty-six of the Political Code is hereby amended to read as follows

1666. Other studies may be authorized by the Board of Education of any county, city, or city and county, but no such studies shall be pursued to the neglect or exclusion of the studies in the preceding section specified.

SEC. 37. Section one thousand six hundred and eighty-seven of the Political Code is hereby amended to read as follows.

1687. *In all schools having more than two teachers, beginners shall be taught by* teachers who have had at least two years' experience, or by Normal School graduates, and in cities such teachers shall rank, in point of salary, with those of the assistant teachers in the highest grade in the grammar schools; and in no case shall Boards of Education or Boards of School Trustees draw orders for the salary of any teacher in violation of this provision, nor shall any Superintendent draw any requisition for the salary of any teacher in violation thereof.

SEC. 38. Section one thousand six hundred and ninety-six of the Political Code is hereby amended to read as follows

1696. Every teacher in the public schools must:

First—Before assuming charge of a school, file his or her certificate with the Superintendent of Schools; *provided*, that when any teacher so employed is the holder of a California State Normal School diploma, accompanied by the certificate of the State Board of Education, as provided in subdivision third, of section one thousand five hundred and three, of the Political Code, an Educational or a Life Diploma of California, upon presentation thereof to the Superintendent, he shall record the name of said holder in a book provided for that purpose in his office, and the holder of said diploma shall thereupon be absolved from the provisions of this subdivision.

Second—Before taking charge of a school, and one week before closing a term of school, notify the County Superintendent of such fact, naming the day of opening or closing. Boards of Education and Boards of School Trustees must in every case give to the teacher a notice of at least two weeks of their intention to close the term of school under their charge. No Superintendent shall draw any requisition for the last month's salary of any teacher until said teacher has filed with him the notice required by this subdivision.

Third—Enforce the course of study, the use of the legally authorized text-books, and the rules and regulations prescribed for schools.

Fourth—Hold pupils to a strict account for their conduct on the way to or from school, on the playgrounds, or during recess; suspend, for good cause, any pupil from the school, and report such suspension to the Board of School Trustees or City Board of Education for review. If such action is not sustained by them, the teacher may appeal to the County Superintendent, whose decision shall be final.

Fifth—Keep a State School Register, in which shall be left, at the close of the term, a report showing programme of recitations, classification, and grading of all pupils who have attended school at any time during the school year. The Superintendent shall in no case draw a requisition in favor of the teacher, until the teacher has filed with him a certificate from the Clerk of the Board of School Trustees to the effect that the provisions of this subdivision have been complied with.

Sixth—Make an annual report to the County Superintendent at the time and in the manner and on the blanks prescribed by the Superintendent of Public Instruction. Any teacher who shall end any school term before the close of the school year, shall make a report to the County Superintendent immediately after the close of such term, and any teacher who may be teaching any school at the end of the school year, shall, in his or her annual report, include all statistics for the entire school year, notwithstanding any previous report for a part of the year. The Superintendent of Schools shall in no case draw a requisition for the salary of any teacher for the last month of the school term, until the report required by this subdivision has been filed, and by him approved.

Seventh—Make such other reports as may be required by the Superintendent of Public Instruction, County Superintendent, Board of School Trustees, or City Board of Education.

SEC. 39. Section one thousand six hundred and ninety-eight of the Political Code is hereby amended to read as follows:

1698. In case of the dismissal of any teacher before the expiration of any oral or written contract entered into between such teacher and Board of Trustees, for alleged unfitness or incompetence, or violation of rules, the teacher may appeal to the School Superintendent, and if the Superintendent decides that the removal was made without good cause, the teacher so removed must be reinstated, and shall be entitled to compensation for the time lost during the pending of the appeal.

SEC 40 Section one thousand six hundred and ninety-nine of the Political Code is hereby amended to read as follows:

1699. *First*—Any teacher whose salary is withheld may appeal to the Superintendent of Public Instruction, who shall thereupon require the Superintendent of Schools to investigate the matter and present the facts thereof to him. The judgment of the Superintendent of Public Instruction shall be final, and upon receiving it the Superintendent of Schools, if the judgment is in favor of the teacher, shall, in case the Trustees refuse to issue an order for said withheld salary, issue his requisition in favor of said teacher.

Second—Should any teacher employed by a Board of School Trustees for a specified time, leave the school before the expiration of such time, without the consent of the Trustees, in writing, said teacher shall be deemed guilty of unprofessional conduct, and the Board of Education of the county are authorized, upon receiving notice of such fact, to suspend the certificate of such teacher for the period of one year; should said teacher be the holder of an Educational or a Life Diploma, the Superintendent of Schools shall report the delinquency of the teacher to the State Board of Education, who are thereupon authorized to suspend said diploma for the period of one year.

SEC. 41. Section one thousand seven hundred and twelve of the Political Code is hereby amended to read as follows:

1712. *First*—The Board of School Trustees and the City Board of Education in any city must expend the Library Fund, together with such moneys as may be added thereto by donation, in the purchase of school apparatus and books for a school library, including books for supplementary work, and no warrant shall be drawn by the Superintendent of Schools upon the order of any Board of Trustees against the Library Fund of any district unless such order is accompanied by an itemized bill, showing the books and apparatus, and the price of each, in payment of which the order is drawn, and unless such books and apparatus have been adopted by the County, or City, or City and County Board of Education, all orders of the Trustees and of Boards of Education for books or apparatus must in every case be submitted to the Superintendent of Schools of the county, or city, or city and county, respectively, for his approval, before said books or apparatus shall be purchased.

Second—The Trustees of each district shall cause each book now in their District School Library, or that may hereafter be placed in said library, to be stamped on the fly leaf, on the title page, and on each one hundredth page of the book, with the words "Department of Public Instruction, State of California, —— County, —— District Library," and the County Superintendent is hereby authorized and instructed to procure such stamp for each district in his county, and to pay for the same out of the County School Fund of such district

SEC 42. Section one thousand seven hundred and thirteen of the Political Code is hereby amended to read as follows:

1713. Except in cities not divided into school districts, the Library Fund shall consist of not less than five or more than ten per cent of the County School Fund annually apportioned to the district; *provided*, that should ten per cent exceed fifty dollars, fifty dollars only shall be apportioned to the district; *and provided further*, that the School Trustees of each district in the county shall, in the month of July in each year, notify the Superintendent of the county as to what amount they desire to be apportioned for their respective districts for the year

SEC. 43 Section one thousand seven hundred and fourteen of the Political Code is hereby amended to read as follows:

1714 In cities not divided into school districts, the Library Fund shall consist of a sum not to exceed fifty dollars for every one thousand children or fraction thereof of five hundred or more, between the ages of five and seventeen years, annually taken from the City or County School Fund apportioned to the city. The Superintendent shall apportion the Library Fund in cities not divided into districts among the several schools in proportion to the average number of children belonging to each school.

SEC. 44 Section one thousand seven hundred and sixty-eight of the Political Code is hereby amended to read as follows.

1768. *First*—Except in any city and county, there shall be a County Board of Education, which shall consist of the County Superintendent of Schools and of four other members, appointed by the Board of Supervisors of the county.

Second—Of the members appointed by the Board of Supervisors at least two shall always be experienced teachers, holding not lower than grammar grade certificates in full force and effect

Third—At their last regular meeting preceding the first day of July, in the year eighteen hundred and ninety-three, the Board of Supervisors shall appoint two members, at least one of whom shall be an experienced teacher, to serve on said Board of Education for the period of one year, and also two persons, at least one of whom shall be an experienced teacher, to serve on said Board of Education for the period of two years; and thereafter, each and every year, the Board of Supervisors, at the last regular meeting preceding the first day of July, shall appoint two persons, at least one of whom shall be an experienced teacher, to serve on said Board of Education for the period of two years

Fourth—If the Board of Supervisors of any county refuse or neglect to appoint members of the County Board of Education, as provided in subdivision three of this section, it shall be the duty of the County Superintendent to appoint them Should a vacancy occur at any time in the County Board of Education, it shall be the duty of the Board of Supervisors to appoint a party to fill such vacancy.

Fifth—The members of the County Board of Education, elected or appointed, shall qualify within ten days after receiving notice of their election or appointment.

Sixth—The County Board of Education shall organize on the first meeting subsequent to the first day of July in each year, by electing one of their number President of the Board. The County Superintendent shall be ex officio Secretary of the Board.

Seventh—For the transaction of business three members shall constitute a quorum; but no teacher's certificate shall be issued, renewed, or revoked, nor shall any books or apparatus be adopted, except by an affirmative vote of at least three members of the Board. On the call of any member, the ayes and nays shall be taken upon any proposition, and the vote shall be recorded in the minutes of the Board

SEC. 45. Section one thousand seven hundred and seventy of the Political Code is hereby amended to read as follows

1770. *First*—Each County Board of Education shall meet semi-annually, at such time as they may determine. Special meetings may be called by the Superintendent whenever in his judgment the exigencies of the schools may require them to be held. Upon the request of any three members, in writing, the Superintendent shall call a special meeting. Notice of all semi-annual meetings shall be given by the Secretary at least ten days prior to the time of meeting; and no business shall be transacted at a special meeting, except as provided in subdivision second of this section, other than such as may be specified in the call of the Secretary.

Second—Examination of applicants for teachers' certificates shall be held only at the semi-annual meetings of the Board. Certificates upon credentials may be granted, and certificates may be renewed at any meeting of the Board

Third—The Board of Supervisors shall allow to each member of the County Board of Education a compensation of five dollars per day for his services, and the same rate of mileage as is allowed to the members of the Board of Supervisors of the county The Secretary shall be allowed the sum of five dollars per day for the actual time that the Board may be in session; said compensation of the members of the Board, and of the Superintendent, shall be payable out of the same fund and in the same manner as the salary of the Superintendent of Schools is paid.

Fourth—All expenses for printing required by the County Board of Education, and all incidental expenses incurred for stationery or other purposes in the performance of their duties, shall be audited and paid as other claims against the General Fund of the county are paid

SEC. 46. Section one thousand seven hundred and seventy-one of the Political Code is hereby amended to read as follows.

1771. County Boards of Education have power:

First—To adopt rules and regulations, not inconsistent with the laws of this State, for their own government

Second—To prescribe and enforce rules for the examination of teachers.

Third—To examine applicants, and to prescribe a standard of proficiency which will entitle the person examined to a certificate, and to grant certificates of three grades, valid throughout the county, except as provided in section seventeen hundred and seventy-five, as follows:

1. High School, valid for six years, authorizing the holder to teach in any high school, grammar grade, or primary school, *provided*, that holders of grammar school course certificates shall be entitled to receive high school certificates in lieu thereof

2. Grammar grade, valid for six years, authorizing the holder to teach any grammar grade or primary school.

3 Primary; valid for two years, authorizing the holder to teach any primary school.

Also, to grant special certificates, valid for six years, which shall entitle the holder to teach such special branches as may be required by City or County Boards of Education.

Fourth—To prescribe and enforce the use of a uniform series of text-books, and a course of study in the public schools, and to adopt a list of books and apparatus for district school libraries.

Fifth—To revoke or suspend, for immoral or unprofessional conduct, or evident unfitness for teaching, the certificates granted by them

Sixth—To keep a record of its proceedings

Seventh—To issue diplomas of graduation from any of the public schools of the county, except in incorporated cities having Boards of Education, which diplomas shall be designed by the Superintendent of Public Instruction and distributed as other blanks from his office Diplomas shall be issued only to pupils who have passed an examination prescribed by the County Board of Education. Such diplomas shall be signed by the President and Secretary of the County Board, and by the Principal of the school

Eighth—To adopt and use, in authentication of its acts, an official seal; and to have such printing done as may be necessary in the discharge of their duties.

Ninth—All examination papers for teachers' certificates shall be kept on file in the office of the Superintendent of Schools for at least one year, and shall be open for the inspection of applicants or their authorized agents.

SEC. 47. Section seventeen hundred and seventy-two of the Political Code is hereby amended to read as follows:

1772 Except as provided in section seventeen hundred and seventy-five, certificates shall be granted only to those who have passed a satisfactory examination in all the studies prescribed by the County Board of Education; *provided*, that applicants for primary county certificates shall be required to pass an examination only in arithmetic, grammar, geography, composition, history of the United States, orthography, defining,

penmanship, reading, methods of teaching, school law, industrial drawing, physiology, civil government, elementary bookkeeping and vocal music.

SEC. 48. Section one thousand seven hundred and seventy-five of the Political Code is hereby amended to read as follows:

1775. *First*—The Board may also, without examination, grant county certificates of either the grammar or the primary grade to the holders of Life Diplomas of other States, Nevada, Oregon, and Washington State Educational Diplomas, San Francisco Normal class diplomas, when recommended by the Superintendent of Public Schools of said city; California State University diplomas, when recommended by the Faculty of the University, State Normal School diplomas of other States, grammar grade certificates of any county, city, or city and county of California; and county certificates of the high school grade to holders of California State University diplomas when recommended by the Faculty of the University; and to graduates of any other institution in the United States which the State Board of Education of this State shall have recommended as being of the same rank as the State University of California, when the diploma of graduation from said institution shall be accompanied by a recommendation from the Faculty thereof, showing that the holder of the diploma has had academic and professional training equivalent to that required by the State University. The general conditions on which such recommendations may be accepted by the County Boards of Education as fulfilling these requirements shall be prescribed by the State Board of Education.

Second—Whenever any holder of a diploma from the State University shall present to the State Board of Education satisfactory evidence of having had two years' successful experience as a teacher subsequent to graduation, accompanied by a recommendation from the Faculty of the State University, showing that said graduate has completed the prescribed course in the Pedagogical Department of the State University, the State Board of Education shall grant to the holder of said University diploma a document signed by the President and Secretary of the State Board, showing such fact, and the said diploma, accompanied by said document of the State Board attached thereto, shall become a permanent certificate of qualification to teach in any primary, grammar, or high school in the State; valid until such time as the said document shall be revoked by said State Board of Education, for any of the causes shown in subdivision four of section one thousand seven hundred and ninety-one

Third—The Board may, without examination, renew unexpired certificates previously granted by said Board; such renewed certificates to remain valid for the same length of time for which new certificates may be granted; and the grammar grade and primary certificates issued or renewed by the County Board of Education shall entitle the holders thereof to teach in any city or district school in the county, in grades corresponding to the grades of their certificates, *provided*, that in cities having special departments in their schools, holders of credentials mentioned above may be examined by the City Board of Examination in the special studies of such department County Boards of Education may issue, upon proper examination or credentials, special certificates in any special branches taught in the schools of the county. All certificates must be issued upon the blank forms prepared for the purpose by the Superintendent of Public Instruction.

SEC. 49. Section one thousand seven hundred and seventy-six of the Political Code is hereby amended to read as follows.

1776 Any member of a County Board of Education or of a City Board of Examination who shall, except in the regular course of study in the public schools, teach any classes where pupils are given special instruction to prepare them for passing examination to obtain teachers' certificates, or who shall give special instruction to any person preparing for examination to obtain a teacher's certificate, shall be deemed guilty of a misdemeanor, and, upon conviction thereof, his office shall be declared vacant No certificate shall be issued to any applicant who has received special instructions when preparing for examination from any member of a County Board of Education, or of a City Board of Examination.

SEC 50. Section one thousand seven hundred and eighty-seven of the Political Code is hereby amended to read as follows:

1787. In every city, or city and county of the first, second, or third class, having a Board of Education, there may be a City Board of Examination.

SEC. 51 Section one thousand seven hundred and eighty-eight of the Political Code is hereby amended to read as follows.

1788. Each City Board of Examination shall consist of the City Superintendent of Schools, and four other members, residents of such city, all of whom shall be experienced teachers, elected by the City Board of Education, and holding office for two years.

SEC 52. Section one thousand seven hundred and ninety of the Political Code is hereby amended to read as follows.

1790 The City Board of Examination must meet and hold examinations for the granting of teachers' certificates semi-annually, at such times as they may determine. They may also hold monthly meetings for the transaction of such business as may come before them. Special meetings may be called by the City Superintendent when in his judgment the same are necessary, and on the request in writing of any three members of the Board, the City Superintendent shall call a special meeting No business shall be transacted at any special meeting except such as is indicated in the call therefor, and of all special meetings, due notice shall be given to each member of the Board The place of meeting shall be designated by the Chairman. All meetings of the City

Board of Examination shall be public, and the record of their proceedings shall be kept in the office of the City Superintendent of Schools

SEC. 53. Section one thousand seven hundred and ninety-one of the Political Code is hereby amended to read as follows.

1791. Each City Board of Examination has power:

First—To adopt rules and regulations, not inconsistent with the laws of this State, for its own government and for the examination of teachers.

Second—To examine applicants, and to prescribe a standard of proficiency which will entitle the person examined to receive: (1) a high school certificate, valid for six years, and authorizing the holder to teach any primary, grammar, or high school in such city; (2) a city certificate, grammar grade, valid for six years, authorizing the holder to teach any primary or grammar school in such city; (3) a city certificate, primary grade, valid for two years, authorizing the holder to teach any primary school in such city They shall report the result of the examination to the City Board of Education; and said Board of Education shall thereupon issue to the successful candidates the certificates to which they shall be entitled

Third—To recommend applicants for special certificates, valid for a period not to exceed six years, upon such special studies as may be authorized by the City Board of Education of such city

Fourth—For immoral or unprofessional conduct, profanity, intemperance, or evident unfitness for teaching, to recommend to the City Board of Education the revocation of any certificates previously granted by said Board of Education in such city, or city and county

SEC 54 Section one thousand seven hundred and ninety-two of the Political Code is hereby amended to read as follows:

1792 City or City and County Boards of Examination may also recommend the granting of city certificates, and the renewal thereof, in the manner provided for the granting and renewal of county certificates by the County Board of Education in section one thousand seven hundred and seventy-five of this Code.

SEC. 55 Section one thousand seven hundred and ninety-three of the Political Code is hereby amended to read as follows:

1793. The holders of city certificates are eligible to teach in the cities in which such certificates were granted, in schools of grades corresponding to the grades of such certificates, and when elected shall be dismissed only for insubordination or other causes, as mentioned in section seventeen hundred and ninety-one of this Act, duly ascertained and approved by the Board of Education of said cities; and City Superintendents of public schools, elected by City Boards of Education, shall be elected for a term of four years; and said City Boards of Education shall have full power to fix the salary of all employés. The holders of special city certificates are eligible to teach the special studies mentioned in their certificates in all the schools in the city in which such certificates were granted

SEC. 56. Section one thousand eight hundred and seventeen of the Political Code is hereby amended to read as follows:

1817. The County Superintendent of each county having a population of less than two hundred thousand inhabitants must, on or before the first regular meeting of the Board of Supervisors, in September in each year, furnish the Supervisors and the Auditor, respectively, an estimate, in writing, of the minimum amount of County School Fund needed for the ensuing year This amount he must compute as follows:

First—He must ascertain, in the manner provided for in subdivisions one and two of section eighteen hundred and fifty-eight, the total number of teachers for the county.

Second—He must calculate the amount required to be raised at five hundred dollars per teacher. From this amount he must deduct the total amount of State apportionments, less ten per cent, received by the county for the next preceding school year, and the remainder shall be the minimum amount of County School Fund needed for the ensuing year; *provided*, that if this amount is less than sufficient to raise a sum equal to six dollars for each census child in the county, then the minimum amount shall be such a sum as will be equal to six dollars for each census child in the county.

SEC. 57 Section one thousand eight hundred and thirty of the Political Code is hereby amended to read as follows:

1830. The Board of School Trustees of any district may, prior to the fifteenth day of August in any year, when in their judgment it is advisable, call an election, and submit to the electors of the district the question whether a tax shall be raised to furnish additional school facilities for the district, or to maintain any school in such district, or for building one or more school houses, or for any two or all of these purposes, *provided*, that where a tax has been collected for the purpose of building a school house, and the erection of said school house shall not have been commenced within two years from the time said tax was collected, the custodian of said money shall return the same to the parties from whom said tax was collected

SEC 58 Section one thousand eight hundred and thirty-three of the Political Code is hereby amended to read as follows:

1833 The election shall be conducted in conformity to the provisions of sections one thousand five hundred and ninety-six, one thousand five hundred and ninety-seven, one thousand five hundred and ninety-eight, one thousand five hundred and ninety-nine, one thousand six hundred, and one thousand six hundred and one of the Political Code; *provided, that no particular form of ballot shall be required, nor shall any informalities* in conducting such election invalidate the same, if the election shall have been otherwise fairly conducted.

SEC. 59. Section one thousand eight hundred and thirty-five of the Political Code is hereby amended to read as follows.

1835. If the majority of the votes cast upon the question of the tax levy are "Tax—Yes," the officers of the election must certify the fact to the Board of School Trustees

SEC. 60. Section one thousand eight hundred and thirty-six of the Political Code is hereby amended to read as follows.

1836. The Board of School Trustees, upon receipt of a certificate of such fact, must report the same to the Board of Supervisors, stating the amount of money to be raised

SEC. 61. Section one thousand eight hundred and fifty-seven of the Political Code is hereby amended to read as follows:

1857. No Assessor, Tax Collector, City, City and County, or County Treasurer must charge or receive any fees or compensation whatever for assessing, collecting, receiving, keeping, or disbursing any school moneys, but the whole moneys collected must be paid to the City, City and County, or County Treasurer; *provided*, that said Assessor or Tax Collector, for services rendered in the collection of poll taxes, shall receive the sum of fifteen per cent of the collections.

SEC. 62. Section one thousand eight hundred and fifty-eight of the Political Code is hereby amended to read as follows:

1858. All State school moneys apportioned by the Superintendent of Public Instruction must be apportioned to the several counties in proportion to the number of school census children, as shown by the returns of the School Census Marshals of the preceding school year, *provided*, that Indian children whose parents are on Government reservations, or are living in the tribal relation, and Mongolian children not native born, shall not be included in the apportionment list. The School Superintendent in each county must apportion all State and county school moneys as follows:

First—He must ascertain the number of teachers each district is entitled to by calculating one teacher for every seventy school census children, or fraction thereof, not less than twenty school census children, as shown by the next preceding school census, *provided*, that all children in any asylum and not attending the public schools, of whom the authorities of said asylum are the guardians, shall not be included in making the estimate of the number of teachers to which the district in which the asylum is located is entitled.

Second—He must ascertain the total number of teachers for the county, by adding together the number of teachers assigned to the several districts.

Third—Five hundred dollars shall be apportioned to each district for every teacher assigned to it; *provided*, that to districts having ten and less than twenty school census children, shall be apportioned four hundred dollars, *provided further*, that to districts having over seventy school census children and a fraction of less than twenty, there shall be apportioned twenty dollars for each census child in said fraction.

Fourth—All school money remaining on hand after apportioning to the districts the moneys provided for in subdivision three of this section, must be apportioned to the several districts in proportion to the average daily attendance in each district during the preceding school year. Census children, wherever mentioned in this chapter, shall be construed to mean those between the ages of five and seventeen years.

Fifth—Whenever, in any school year, prior to the receipt by the counties, cities, or cities and counties of this State, of their State, County, or City School Fund, the school districts or cities shall not have sufficient money to their credit to pay the lawful demands against them, the County, City, or City and County Superintendent shall give the Treasurer of said county, city, or city and county, an estimate of the amount of school money that will next be paid into the County, City, or City and County Treasury, stating the amount to be apportioned to each district. Upon the receipt of such estimate, it shall be the duty of the Treasurer of said county, city, or city and county, to transfer from any fund not immediately needed to pay claims against it, to the proper School Fund, an amount not to exceed ninety per cent of the amount estimated by the Superintendent, and he shall immediately notify the Superintendent of the amount so transferred. The funds so transferred to the School Fund shall be re-transferred by the Treasurer to the fund from which they were taken, from the first money paid into the School Fund after the transfer.

SEC. 63. Section one thousand eight hundred and sixty-one is hereby amended to read as follows

1861. The State School Fund must be used for no other purpose than the payment of the salaries of teachers of primary and grammar schools

SEC. 64. Section one thousand eight hundred and seventy-four of the Political Code is hereby amended to read as follows:

1874. In the adoption of text-books, all County, City, and City and County Boards of Education shall be governed by the following rules:

First—Any books hereafter adopted as a part of a uniform series of text-books must be continued in use for not less than four years

Second—No change of text-books must be made at any other time than in the months of May or June of the year in which the change is made, and no changes shall be made to take effect till the beginning of the school term commencing after the thirtieth day of June of that year; and no books other than those published by the State shall be adopted by the Board of Education of any county, city, city and county, or be used as text-books in any of the public schools of this State in the subjects of reading, orthography, English grammar, arithmetic, geography, United States history, physiology, and civil government.

Third—At least sixty days' notice of any proposed change in text-books must be given by publication in a newspaper of general circulation, published in the county, if there be one, in which such change is to be made If there be no newspaper published in the county, then such publication shall be made in any newspaper having a general circulation in the county. A copy of the newspaper containing such publication, with such notice marked, must, immediately after the first publication thereof, be by the Secretary of the Board transmitted to the State Board of Education, and the same, when received, must be filed by the Secretary of said State Board. Said notice shall state what text-books it is proposed to change; that sealed bids or proposals will be received by the Board for furnishing books to replace them, the place where and the day and hour when all bids or proposals will be opened, and that the Board reserves the right to reject any and all bids or proposals. Said notice shall be published in such newspaper as often as the same shall be issued after the first publication thereof

Fourth—At the time and place specified in said notice, the Board shall meet and publicly open and read all of the bids or proposals which have been received by them, and shall make their awards thereon within ten days thereafter.

Fifth—Said bids or proposals must be accompanied by sample copies of the books proposed to be furnished, together with a statement of the wholesale and retail price at which the publisher agrees to furnish each book within the county, or at San Francisco, during the full time for which said books are to be adopted

Sixth—If no satisfactory bids or proposals are received, then the books already in use may continue in use until changed, as herein provided

Seventh—The publisher or publishers whose proposals shall be accepted, must enter into a written contract with the Board of Education making the award, and shall give a good and sufficient bond in a reasonable sum, to be fixed by the Board of Education, for the faithful performance thereof. Publishers of books already in use may bid under the provisions of this section as well as others, and such bids, if satisfactory, may be accepted by the Board.

Eighth—High schools shall be exempt from the provisions of this section.

Ninth—Nothing in this Act shall conflict with any provision of law relating to the State series of text-books, nor shall anything be construed to permit the adoption of any text-books upon any subject covered by the State series of books.

SEC. 65. Section one thousand eight hundred and seventy-seven of the Political Code is hereby amended to read as follows

1877. All printing or binding required under this chapter, except as provided in subdivision eight of section one thousand seven hundred and seventy-one, must be executed by the State Printer, in the form and manner and at the prices of other State printing, and be paid for in like manner.

SEC. 66. Section one thousand eight hundred and seventy-nine of the Political Code is hereby amended to read as follows

1879. The offering of any valuable thing to any member of a Board of Education or Board of School Trustees, with the intent thereby to influence his action in regard to the granting of any teacher's certificate, the appointment of any teacher, Superintendent, or other officer or employé, the adoption of any text-book, or the making of any contract to which the Board of Education of which he is a member shall be a party, or the acceptance by any member of a Board of Education or Board of School Trustees of any valuable thing, with corrupt intent, shall be a misdemeanor, punishable as by law provided. Any person may be compelled to testify in any lawful investigation or judicial proceeding against any person who may be charged with any offense described in this section Any contract or appointment obtained from a Board of Education or Board of School Trustees by corrupt means shall be void

SEC. 67. Section one thousand eight hundred and eighty of the Political Code is hereby amended to read as follows:

1880 The Board of Trustees of any school district, may, when in their judgment it is advisable, and must, upon petition of a majority of the heads of families residing in the district, call an election and submit to the electors of the district whether the bonds of such district shall be issued and sold for the purpose of raising money for purchasing school lots, for building or purchasing one or more school houses, for insuring the same, for supplying the same with furniture and necessary apparatus, for improving the grounds, and for liquidating any indebtedness already incurred for said purposes.

SEC 68. Section one thousand eight hundred and eighty-two of the Political Code is hereby amended to read as follows:

1882 Such notice must contain:

1. The time and place of holding such election.
2. The names of the Inspector and Judges to conduct the same.
3 The hours during the day in which the polls will be open.
4. The amount and denomination of the bonds, the rate of interest, and the number of years, not exceeding ten, the whole or any part of said bonds are to run

SEC. 69 Section eighteen hundred and eighty-three of the Political Code is hereby amended to read as follows:

1883. Such election shall be conducted in conformity to the provisions of sections one thousand five hundred and ninety-six, one thousand five hundred and ninety-seven, one thousand five hundred and ninety-eight, one thousand five hundred and ninety-nine, one thousand six hundred, one thousand six hundred and one, and one thousand eight hundred and thirty-four, except that the words to appear upon the ballots shall be "Bonds—Yes" or "Bonds—No."

SEC. 70 Section one thousand five hundred and three of the Political Code is hereby amended to read as follows:

1503 *First*—The Board of Trustees of each State Normal School, upon the recommendation of the Faculty, may issue to those pupils who worthily complete the full course of study and training prescribed, a diploma of graduation.

Second—Said diploma shall entitle the holder thereof to a grammar grade certificate from any City, City and County, or County Board of Education in the State, without the payment of any fee.

Third—Whenever any City, City and County, or County Board of Education shall present to the State Board of Education a recommendation showing that the holder of a Normal School diploma has had a successful experience of two years in the public schools of this State subsequent to the granting of such diploma, the State Board of Education shall grant to the holder thereof a document signed by the President and Secretary of the State Board, showing such fact, the said diploma accompanied by said document of the State Board attached thereto, shall become a permanent certificate of qualification to teach in any primary or grammar school in the State, valid until such time as the said diploma may be revoked, as provided in subdivision thirteen of section fourteen hundred and eighty-nine of this Code.

Fourth—Upon presentation of the diploma and document referred to in subdivision third of this section to any City, City and County, or County Superintendent of Schools, said Superintendent shall record the name of the holder thereof in a book provided for that purpose in his office, and the holder thereof shall thenceforth be absolved from the requirement of subdivision first of section sixteen hundred and ninety-six of this Code.

Fifth—Said diploma of graduation from any Normal School in this State when accompanied by a certificate, granted by the Faculty of the State University, showing that the holder thereof, subsequent to receiving said diploma, has successfully completed the prescribed course of instruction in the Pedagogical Department of the State University, shall entitle the holder to a high school certificate, authorizing the holder to teach in any primary or grammar school, and in any high school in this State, except those in which the holder would be required to teach languages other than the English

SEC. 71 There is hereby added to the Political Code of the State of California three new sections, to be known and numbered as sections one thousand six hundred and sixty-nine, one thousand six hundred and seventy, and one thousand six hundred and seventy-one Said sections shall read as follows:

Section 1669. High schools may be established and maintained in the manner provided in sections one thousand six hundred and seventy and one thousand six hundred and seventy-one of the Political Code

Section 1670 *First*—Any city, incorporated town, or school district having a population of one thousand inhabitants or more, may, by a majority vote of the qualified electors voting at the election held for the purpose of determining the establishment and maintenance of such high school, establish and maintain a high school at the expense of such city, incorporated town, or school district.

Second—Whenever a majority of the heads of families, as shown by the last preceding school census, in any city, incorporated town, or school district, having one thousand or more inhabitants, shall unite in a petition to the Board of Education, or Board of School Trustees of said city, incorporated town, or school district, for the establishing and maintaining of a high school therein, said Board of Education or Board of School Trustees shall petition the County Superintendent of Schools to call an election in said city, incorporated town, or school district, for the determination of the question.

Third—Within twenty days after receiving said petition from said Board of Education or Board of School Trustees, the County Superintendent of Schools shall call an election therein for the determination of the question, and shall appoint three qualified electors thereof to conduct said election. Said election shall be called by posting notice thereof in five of the most public places in said city, incorporated town, or school district, and by publication in a daily or weekly paper therein, if there be one, for not less than fifteen days Said election shall be conducted in the manner prescribed for conducting school elections. The ballots at such elections shall contain the words "For High School,' and the voter shall write or print after said words on his ballot the word "Yes" or the word "No." It shall be the duty of said election officers to report the result of said election to the County Superintendent of Schools within ten days subsequent to the holding thereof

Fourth—When a majority in each district, as shown by the last preceding school census, of the heads of families residing in two or more school districts in the same county shall unite in a petition to the County Superintendent of Schools for the establishing and maintaining of a union high school district, he shall, within twenty days after receiving said petition, call an election for the determination of the question, and shall appoint three qualified electors in each of the districts petitioning to conduct the election therein. Said election shall be held separately and simultaneously at the public school house in each of the districts petitioning, and shall be called by posting notices thereof in three of the most public places in each district, one of which places shall be the public school house in each district, at least ten days before said election Said election shall be conducted by the officers appointed for that purpose, in the manner provided by law for conducting school elections The ballots at such election in each district shall contain the words "For the Union High School," and the voter shall write or print after said words on his ballot the word "Yes" or the word "No." It shall be the duty of the said election officers in each district to canvass the vote at said election, and

report the result to the County Superintendent of Schools within five days subsequent to the holding of said election.

Fifth—If a majority of the votes cast in the election provided for in subdivision three of this section in said city, incorporated town, or school district shall be in favor of establishing and maintaining a high school therein, it shall be the duty of the County Superintendent to call a meeting of the Board of Education or Board of School Trustees of said city, incorporated town, or school district, within fifteen days after receiving the returns of the election held therein, by giving at least ten days' notice, in writing, to every member of said Board of Education or Board of School Trustees The Board of Education or Board of School Trustees shall, at said meeting, determine the location and the name of the high school.

Sixth—If a majority of the votes cast in the districts petitioning for a union high school shall, in the aggregate, be in favor of establishing and maintaining a union high school therein, the County Superintendent shall, within fifteen days after receiving the returns of the election held therein, direct the Board of School Trustees in each of said districts to call a meeting of the qualified electors of their respective districts, in the manner provided in subdivision twenty of section sixteen hundred and seventeen of the Political Code. At said meeting the qualified electors shall in each district select three representatives The representatives so chosen shall meet in conjunction with the County Superintendent of Schools at a time and place to be named by the Superintendent, for the purpose of determining the location and name of the union high school At such meeting the Superintendent shall be the Chairman, and shall be entitled to vote and participate in all its proceedings No change of location of any high school, when once established, shall be made except upon a petition to the County Superintendent of Schools, signed by two thirds of the heads of families of the high school district, and then only in accordance with all of the provisions for the original location of the school as contained in subdivisions five and six of this section.

Seventh—In any city, incorporated town, or school district which shall have established a high school, the Board of Education or Board of School Trustees shall constitute the High School Board, and shall have the management and control of said high school.

Eighth—In union high school districts the High School Board shall be composed of the Clerks of the Boards of Trustees of the respective districts uniting; *provided*, that should the union high school district consist of but two school districts, the Union High School Board shall be composed of the Boards of Trustees of both said districts.

Ninth—The Union High School Board shall meet within ten days subsequent to the locating and naming of the union high school by the parties selected for that purpose, and shall organize by electing a President and a Clerk from their own number, to serve until the second Saturday of July next succeeding their election; and thereafter the Board shall meet and organize in the same manner on the second Saturday of July of each and every year.

Tenth—The respective High School Boards shall hold regular monthly meetings at the high school building, at such time as may be provided in the rules and regulations adopted by them for their own government Special meetings may be held at the call of the President of the respective Boards Upon the request, in writing, signed by a majority of any Board, the President of said Board shall call a meeting thereof. Of all special meetings of any Board the members thereof shall have at least two days' notice issued and served by the Clerk thereof. At special meetings no business shall be transacted other than as specified in the call therefor

Eleventh—The powers and duties of the High School Boards shall be such as are now, or may hereafter be assigned by law to Boards of Education or Boards of School Trustees, including the provisions of sections one thousand eight hundred and eighty to one thousand eight hundred and eighty-eight, inclusive, of the Political Code, relating to the voting and issuance of bonds, except as otherwise provided in this section.

Twelfth—The course of studies for the respective high schools shall be prepared by the High School Board, and, except in cities and incorporated towns, shall be subject to the approval of the County Board of Education Said course of study shall embrace a period of not less than three years, and it shall be such as will prepare graduates therein for admission into the State University. The text-books to be used shall be adopted by the High School Board, subject to the same restriction as is provided for the adoption of the course of study. The State series shall be used in grades and classes for which they may be adapted

Thirteenth—Graduates of the grammar schools shall be admitted to the high schools without examination Other applicants of the high school district may be admitted in accordance with such rules as may be prescribed by the High School Board. The High School Board may admit pupils not residing in any high school district, upon the payment of such tuition fees as they may deem proper, and all moneys collected from this source shall be paid into the fund provided for the support of the high school

Fourteenth—In any city, incorporated town, school district, or union high school district which shall have voted to establish and maintain a high school, it shall be the duty of the High School Board therein to furnish to the authorities whose duty it is to levy taxes, on or before the second Monday of September, an estimate of the cost of purchasing a suitable lot, of procuring plans and specifications, and erecting a suitable building, of furnishing the same, and of fencing and ornamenting the grounds for the accommodation of the school, and of conducting the school for the school year It shall be the duty of said Board, each and every year thereafter, to present to said

authorities, on or before the second Monday of September, an estimate of the amount of money required for conducting the school for the school year.

Fifteenth—When such estimate shall have been made, it shall be the duty of the authorities in said city, incorporated town, school district or union high school district, to levy a special tax upon all of the taxable property of said city, incorporated town, school district, or union high school district, sufficient to raise the amount required by said High School Board, as shown by said estimate Said tax shall be computed, entered upon the tax roll, and collected in the same manner as other taxes are computed, entered, and collected.

Sixteenth—Should the High School Board of any city, incorporated town, school district, or union high school district refuse or neglect to make the estimate provided for in subdivision fourteen of this section, it shall be the duty of the Superintendent of Schools, upon the petition of five qualified electors thereof, to make such estimate.

Seventeenth—Should the authorities whose duty it is to levy the tax, as provided in subdivision fifteen of this section, refuse or neglect to make the levy provided for, it shall be the duty of the County Auditor to make such levy, and add it to the tax roll of said city, incorporated town, school district, or union high school district

Eighteenth—All moneys collected from the levy of the tax provided for by this section shall be paid in cities and incorporated towns into the treasury thereof, to the credit of the High School Fund; and said moneys shall be paid out by the Treasurers of said cities or towns upon the warrants of the High School Board, signed by the President and Clerk thereof.

Nineteenth—All moneys collected from said levy in school districts, or union high school districts, shall be paid into the County Treasury to the credit of the District High School Fund, or the Union High School Fund, respectively, and shall be paid out on the order of the High School Board, signed by the President and Clerk thereof, as other school moneys are paid out

Twentieth—Nothing in this section shall be construed as preventing all of the school districts in any county from uniting to form one or more county high schools; *provided*, that when any city, incorporated town, school district, or union high school district, shall vote to maintain a high school, such territory shall be exempt from taxation to support a county high school; *and provided further*, that when any city, incorporated town, school district, or union high school district, shall establish a high school, prior to the submission of the proposition to establish a county high school, the electors of such city, incorporated town, school district, or union high school district, shall be excluded from voting upon said proposition

Twenty-first—When the boundaries of school districts shall for any cause be changed, such change shall not affect the high school district

Twenty-second—Any school district adjacent to a high school district may be admitted to said high school district by action of the Board of Supervisors of the county, upon such terms as may be agreed upon between the Trustees of the school district seeking admission, and the High School Board, whenever a majority of the heads of families, as shown by the last preceding school census, shall present to said Board of Supervisors a petition for such annexation, accompanied by a petition signed by a majority of the members composing the High School Board of the district to which admission is desired.

Twenty-third—When the average daily attendance of pupils in any high school during the whole of any school year, after the first school year, shall be ten, or less than ten, the Superintendent of Schools shall suspend the school in said district, and shall report the fact to the Board of Supervisors. Upon receiving such report from the Superintendent, the Board of Supervisors shall declare the high school lapsed, and shall cause the property thereof to be sold. All moneys received from the sale of the property of the high school district, and all moneys in the treasury to the credit of said high school, shall be distributed by the County Superintendent to the districts composing the high school district, in proportion to the assessed valuation of property in said district.

Twenty-fourth—When, in consequence of distance or of convenience in traveling, it is more convenient for pupils residing in any high school district to attend the high school in another high school district, the High School Board of the latter district may admit such pupils to the high school in their district The High School Board in the district in which such pupils reside, shall, upon demand, give to the High School Board of the district in which such pupils attend, a warrant upon the fund of their district in payment of the tuition of said pupils, equal to the amount charged for the tuition of non-resident pupils, as provided in subdivision thirteen of this section

Twenty-fifth—(1) When a majority of the heads of families residing in two or more adjacent districts, not in the same county, shall unite in a petition to the County Superintendents of their respective counties for the establishing and maintaining of a joint union high school district, it shall be the duty of said Superintendent, within twenty days after receiving said petition, to call an election in the district or districts in his county petitioning, for the purpose of determining the question, and appoint three qualified electors in each district petitioning, to conduct the election therein. Said election shall be called and conducted in all respects as specified in subdivision fourth of this section, and the result thereof shall be reported by the election officers in each district to the Superintendents of the counties in which the districts are situated, within five days subsequent to the holding of said election

(2) If a majority of the votes cast in the district shall, in the aggregate, be in favor of establishing a joint union high school, the County Superintendent in each county shall, within fifteen days after receiving the returns of the election, direct the Board of

Trustees in the district or districts, in his respective county, to call a meeting of the qualified electors, as provided in subdivision sixth of this section. At said meeting the qualified electors in each district shall select represenatives, as provided in said subdivision. The representatives so chosen shall meet at a time and place, to be agreed upon among themselves, for the purpose of determining the location and name of the school.

(3) The Joint Union High School Board shall be composed as provided in subdivision eighth of this section, and their powers and duties shall be such as are specified in this section for Union High School Boards, *provided*, that the estimate provided for in subdivision fourteenth of this section shall be furnished to the authorities in each of the counties in which the districts uniting are situated, *and provided further*, that the portion of such estimate to be raised in each district shall be in proportion to the taxable property therein, as shown by the last preceding assessment roll thereof

(4) All the provisions relative to the levy and collection of the tax necessary to raise the amount estimated as provided, shall apply to the levy and collection of the tax for joint union high schools, *provided*, that the amount collected in each district shall be paid into the treasury of the county in which said district is located, to the credit of a fund to be known as the Joint Union High School Fund, and shall be paid out as provided in subdivision nineteenth of this section.

1671 *First*—There may be established in any county in this State, one or more county high schools; *provided*, that at any general or special election held in said county after the passage of this Act, a majority of all the votes cast at such election, upon the proposition to establish a high school, shall be in favor of establishing and maintaining such county high school or schools at the expense of said county.

Second—The Board of Supervisors, at any general election to be held in any county after the passage of this Act, upon the presentation of a petition signed by fifty or more qualified electors, taxpayers of said county, must submit the question of establishing and maintaining a county high school to the qualified electors thereof. The Board of Supervisors, if they deem it expedient, may order a special election for such purpose. Said election shall be conducted in the manner prescribed by law for conducting elections. The ballots at such election shall contain the words "For County High School;" and the voter shall write or print thereafter on the ballot the word "Yes" or the word "No."

Third—If the majority of all the votes cast on the proposition to establish a county high school are in the affirmative, it shall be the duty of the Board of Supervisors, within thirty days after canvassing said vote, to locate the school in some suitable and convenient place in said county. The Board of Supervisors shall also estimate the cost of purchasing a suitable lot, erecting a building, and furnishing the same, for the accommodation of such school, together with the cost of conducting such school for the next twelve months; *provided*, that the High School Board may rent suitable rooms for the accommodation of the school. If rooms can be obtained in public school buildings in the place in which said school shall be located, such rooms shall be given the preference.

Fourth—When such estimate shall have been made, the Board of Supervisors shall thereupon proceed to levy a special tax upon all of the assessable property of the county, except as provided in subdivision twentieth of section one thousand six hundred and seventy of the Political Code, sufficient to raise the amount estimated as necessary for the purchasing of a lot, procuring plans and specifications, erecting a building, furnishing the same, fencing and ornamenting the grounds, and the cost of running said school for the following twelve (12) months. Said tax shall be computed, entered on the tax roll, and collected in the same manner as other taxes are computed, entered, and collected, and the amount so collected shall be deposited in the County Treasury, and be known and designated as the County High School Fund, and shall be drawn from the treasury as other moneys so appropriated are drawn.

Fifth—When the Board of Supervisors shall have properly provided and completed the building, together with the necessary fencing of the lot so purchased, they shall cause the same to be deeded to the County Board of Education, who shall hold the same in trust for the county.

Sixth—It shall be the duty of the County Board of Education to furnish to the Board of Supervisors, annually, an estimate of the amount of money needed to pay all of the necessary expenses of running said school; to adopt the necessary text-books (the State series shall be used in grades and classes for which they are adapted), to adopt and enforce a course of study for said schools, to employ suitable teachers, janitors, and other employés, and discharge such employés when deemed advisable by them; and to do any and all other things necessary to the proper conduct of the school. The course of study shall be such as will, when it is completed by the student, fit him for admission to the University of California.

Seventh—It shall be the duty of the Board of Supervisors to include in their annual tax levy the amount estimated by the County Board of Education as needed to pay the expenses of conducting the county high school: and such amount, when collected and paid into the County Treasury, shall be known as the "County High School Fund," and may be drawn therefrom in the following manner, for the purpose of defraying the expenses of conducting said county high school: The County Board of Education shall draw their order on the County Superintendent of Schools, in the manner and form provided by law for School District Trustees drawing orders on their District School Funds, and the County Superintendent shall draw his requisition on the Auditor, who shall draw his warrant on the County Treasurer in favor of the person or persons

to whom the amount called for in such requisition is due All orders, requisitions, and warrants drawn on the "County High School Fund," in all other respects, except as specified in this Act, shall be subject to the law governing school districts.

Eighth—In case the qualified electors of any county deem it expedient to establish and maintain more than one county high school, then such additional school or schools may be established and maintained in the manner prescribed in this Act for establishing and maintaining a county high school.

Ninth—All high schools shall be open for the admission of graduates holding diplomas from the county grammar schools of the county, and to all pupils of the county who can pass the examination for admission. The examination for admission shall be conducted by the County Board of Education and the Principal of the county high school.

Tenth—All proceedings for the establishment of county and union high schools had prior to the passage and approval of this Act, are hereby validated and declared legal; and said high schools shall continue, under the provisions of the law under which they were established, until the first day of July, one thousand eight hundred and ninety-three; thereafter they shall be conducted in accordance with the provisions of this Act.

SEC. 72. Sections one thousand seven hundred and fifty-seven and one thousand seven hundred and sixty-nine; and also "An Act to authorize the establishment of county high schools, and provide for their support," approved March the tenth, one thousand eight hundred and ninety-one, and "An Act to provide for the establishment of high schools in the State of California," approved March the twentieth, one thousand eight hundred and ninety-one, and Acts or parts of Acts in conflict with the provisions of this Act, are hereby repealed

SEC. 73. This Act shall take effect and be in force from and after its passage.

Read and adopted.

MOTION.

Mr. Drees moved that the further consideration of the committee substitute be made a special order for to-morrow morning immediately after Senate messages.

So ordered.

RESOLUTION.

By Mr. Shanahan:

Resolved, That ten thousand copies of Assembly Bill No. 8, as amended, be printed for distribution, and that the State Printer be and he is hereby authorized to print the same.

Adopted.

SPECIAL ORDER.

Assembly Bill No. 18—An Act to provide for the incorporation of mutual fire insurance companies, and define their powers and duties.

MOTIONS.

Mr. Duckworth moved that a select committee of one be appointed by the Speaker to amend Assembly Bill No. 18, as follows:

Amend by adding to section eight, line three, the words "the amount of."

Lost.

Mr. Duckworth moved that a committee be appointed by the Speaker to amend Assembly Bill No. 18, as follows:

Amend by adding to section nine, line two, after the word "Commissioner," the following: "of Insurance."

So ordered.

APPOINTMENT OF COMMITTEE.

Mr. Duckworth was appointed such committee to make said amendment.

REPORT OF SELECT COMMITTEE.

ASSEMBLY CHAMBER, SACRAMENTO, February 27, 1893.

MR SPEAKER: Your select committee, to whom was referred Assembly Bill No. 18—An Act to provide for the incorporation of mutual fire insurance companies, and define their powers and duties—with instructions to amend in accordance with the action of the House, would respectfully report that the instructions of the House have been carried out.

DUCKWORTH, Committee.

Report adopted.

MOTIONS.

Mr. Duckworth moved that a select committee of one be appointed by the Speaker to amend Assembly Bill No. 18, as follows:

Amend by striking out all of section eighteen and inserting the following: "Corporations organized under this Act shall be required to comply with all the requirements of existing insurance laws of this State"

Lost.

Mr. Shanahan moved that a select committee of one be appointed by the Speaker to amend Assembly Bill No. 18, as follows:

Amend by inserting in section nine, line three, the words "of Insurance," after the word "Commissioner."

So ordered.

APPOINTMENT OF COMMITTEE.

Mr. Shanahan was appointed such committee to make said amendment.

REPORT OF SELECT COMMITTEE.

ASSEMBLY CHAMBER, SACRAMENTO, February 27, 1893.

MR. SPEAKER: Your select committee, to whom was referred Assembly Bill No. 18, with instructions to amend in accordance with the action of the House, would respectfully report that the instructions of the House have been carried out.

SHANAHAN, Committee

Report adopted.

MOTION.

Mr. Simpson moved that a select committee of one be appointed by the Speaker to amend Assembly Bill No. 18, as follows:

Amend by striking out of section eight, line three, the last word, "to," and inserting in lieu thereof the word "for."

So ordered.

APPOINTMENT OF COMMITTEE.

Mr. Simpson was appointed such committee to make said amendment.

REPORT OF SELECT COMMITTEE.

ASSEMBLY CHAMBER, SACRAMENTO, February 27, 1893.

MR SPEAKER: Your select committee of one, to whom was referred Assembly Bill No 18, with instructions to amend—has had the same under consideration, and respectfully report the same back, amended as per instructions.

SIMPSON, Committee.

Report adopted.

MOTION.

Mr. Shanahan moved that the further consideration of Assembly Bill No. 18 be made a special order for three o'clock and thirty minutes P. M. to-morrow.

So ordered.

REPORTS OF STANDING COMMITTEES.

ON MUNICIPAL CORPORATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, February 25, 1893.

MR. SPEAKER: Your Committee on Municipal Corporations, to whom was referred Assembly Bill No 762—An Act providing for the adjustment, settlement, and payment of any indebtedness existing against any city or municipal corporation at the time of exclusion of territory therefrom, and the division of the property thereof—have had the same under consideration, and respectfully report the same back, and recommend that it do pass, and also recommend that Assembly Bill No 762 be read the first time, and placed upon the Assembly urgency file

Also: Senate Bill No 641—An Act to amend sections two, three, and twenty-four of an Act entitled "An Act to provide for work upon streets, lanes, alleys, courts, places, and sidewalks, and for the construction of sewers within municipalities," approved March 17, 1885—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

Also: Assembly Concurrent Resolution No 17—Approving the amendments to the charter of the city of San Diego, in San Diego County, California, voted for and ratified by the qualified electors of said city at the general election held therein on the eighth day of November, 1892—have had the same under consideration, and respectfully report the same back, and recommend that it be adopted.

BUCKLEY, Chairman

ON PUBLIC BUILDINGS AND GROUNDS.

ASSEMBLY CHAMBER, SACRAMENTO, February 27, 1893.

MR. SPEAKER: Your Committee on Public Buildings and Grounds, to whom was referred Assembly Bill No 621—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

CURTIS, Chairman.

Assembly Bill No. 621 re-referred to Committee on Ways and Means.

MOTION.

Mr. Buckley moved that Assembly Bill No. 762 be read the first time.

So ordered.

FIRST READING OF BILL.

Assembly Bill No. 762—An Act providing for the adjustment, settlement, and payment of any indebtedness existing against any city or municipal corporation at the time of exclusion of territory therefrom, and the division of the property thereof.

Read first time, and placed on file for second reading.

REPORT OF SPECIAL COMMITTEE.

MR SPEAKER Your special committee, consisting of four members of the Committee on Public Buildings and Grounds, who were directed by this House to visit various State institutions, beg leave to report that they visited the State Reform School at Whittier, and found it in splendid condition, so far as its management is concerned, but crowded to its full capacity, requiring, in the near future, that additional buildings shall be erected. Also visited the State Normal School situated at Los Angeles, and found it well conducted, and a credit to the State and to its Board of Directors Also visited the State Insane Asylum at San Bernardino, and found the building well constructed and most pleasantly located

Your committee also visited the Catholic Orphan Asylum in Los Angeles, which, though not a State institution, we deemed worthy of a visit from your committee, because of the fact that the State provides for the care and maintenance of the orphans and half orphans housed there. We found the entire building a model of neatness and in every way a credit to its management and an honor to the State, containing and caring for four hundred and twenty children ranging from one to twelve years of age.

In conclusion, your committee feel that the State, while appropriating large sums of money for the various educational and charitable institutions, can derive the satisfaction of knowing that it is well applied and intelligently expended, and that no taxpayer can have cause to object to these expenditures for the maintenance of our less fortunate people, and for the education of the youth of our State.

We deem it necessary that the appropriation asked for the Whittier Reform School and the Normal School in Los Angeles, also the asylum of San Bernardino, should be allowed.

CURTIS, Chairman.

RESOLUTION.

By Mr. Curtis:

Resolved, That John M. Curtis, J. G. Gallagher, J. M. LaRue, and S. J. Duckworth, the special committee of the Committee on Public Buildings and Grounds, who were directed to visit the State Reform School at Whittier, also the State Normal School at Los Angeles; also the State Insane Asylum at San Bernardino, be allowed the following sums as mileage:

Number of miles traveled, 1,266.

John M. Curtis	$126 60
J. G. Gallagher	126 60
J. M. LaRue	126 60
S. J. Duckworth	126 60

And the Controller of State is hereby directed to draw his warrant on the Contingent Fund of the Assembly in their favor, and the State Treasurer is hereby directed to pay the same.

CURTIS, Chairman

Referred to Committee on Public Expenditures and Accounts.

REPORT OF STANDING COMMITTEE.

ON ENGROSSMENT.

ASSEMBLY CHAMBER, SACRAMENTO, February 27, 1893.

MR SPEAKER: Your Committee on Engrossment beg leave to report that the following Assembly Bills have been correctly engrossed. Assembly Bill No. 235—An Act supplemental to an Act entitled "An Act to provide for the organization and government of irrigation districts, and to provide for the acquisition of water and other property, and for the distribution of water thereby for irrigation purposes," approved March 7, 1887, providing for reducing the bonded indebtedness thereof.

Also: Assembly Bill No. 193—An Act to provide for incorporation, operation, and management of cooperative associations

Also: Assembly Bill No 694—An Act to insure preference in appointment, employment, and retention therein, in the public service of the State of California, and municipalities, villages, and counties of the State of California, to ex-Union soldiers of the late war.

Also: Substitute for Assembly Bills Nos 177, 194, 409, 463, and 511—An Act to amend section two thousand six hundred and thirty-three, Political Code, and amend sections two thousand six hundred and forty-one, two thousand six hundred and forty-two, two thousand six hundred and forty-three, two thousand six hundred and forty-five, and two thousand six hundred and fifty-two, and to repeal section two thousand six hundred and forty-six of an Act entitled "An Act to amend sections two thousand six hundred and forty-one, two thousand six hundred and forty-two, two thousand six hundred and forty-three, two thousand six hundred and forty-five, two thousand six hundred and forty-six, two thousand six hundred and fifty-two, and to repeal section two thousand six hundred and forty-four of an Act entitled 'An Act to establish a Political Code,' approved March 12, 1872, relating to the powers and duties of highway officers, and to provide for the construction, maintenance, and improvements of highways by contract let out to the lowest bidder;" and to provide for the appointment of Road Overseers for the various road districts within counties of this State; and to authorize Boards of Supervisors to let contracts for improving and building roads to the lowest bidder.

CONWAY, for Chairman.

SPECIAL FILE.

Assembly Bill No. 484—An Act making an appropriation to pay for the management and maintenance of the Southern California State Asylum for the Insane and Inebriates for the forty-fourth fiscal year.

Passed on file.

Senate Bill No. 5—An Act providing for the selection, condemnation, and purchase of a suitable site, and the erection thereon of a State building, in San Francisco, and making an appropriation therefor.

Passed on file.

Assembly Bill No. 216—An Act to add a new section to an Act of the Legislature of the State of California entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1873, in relation to the distribution of the estate of deceased persons, to be known as section one thousand six hundred and seventy.

Passed on file.

Assembly Bill No. 207—An Act to provide for the erection of an additional wing to the main building of the California Home for the Care and Training of Feeble-Minded Children, at Glen Ellen, Sonoma County, California, for the Female Department of said institution, and to appropriate money therefor.

Passed on file.

Assembly Bill No. 208—An Act to provide for the improvement of the grounds of the California Home for the Care and Training of Feeble-Minded Children, at Glen Ellen, Sonoma County, California, and to appropriate money therefor.

Passed on file.

Assembly Bill No. 165—An Act to appropriate the sum of thirteen thousand seven hundred and twenty-two dollars and twenty cents to pay the salary of the Commissioner of Immigration, from October 10, 1885, to March 16, 1889.

Passed on file.

Assembly Bill No. 166—An Act to appropriate the sum of two thousand five hundred dollars to pay the salary of the Deputy Commissioner of Immigration from August 1, 1883, to October 1, 1885.

Passed on file.

Assembly Bill No. 679—An Act providing for primary elections in the State of California.

Passed on file.

Assembly Bill No. 777—An Act making an appropriation to pay the deficiencies in the appropriation for costs and expenses of suits in which the State is a party in interest, for the thirty-fifth, thirty-sixth, thirty-seventh, thirty-eighth, thirty-ninth, and fortieth fiscal years.

Read second time.

MOTION.

Mr. Wade moved that the Assembly resolve itself into Committee of the Whole, with the Speaker in the chair, for the purpose of considering Assembly Bill No. 777.

So ordered.

IN COMMITTEE OF THE WHOLE.

Speaker Gould in the chair.

Assembly Bill No. 777 was considered in Committee of the Whole.

IN ASSEMBLY.

Speaker Gould in the chair.

REPORT OF THE COMMITTEE OF THE WHOLE.

The Speaker stated the report of the Committee of the Whole, as follows:

GENTLEMEN: The Committee of the Whole have had under consideration Assembly Bill No. 777—An Act making an appropriation to pay the deficiencies in the appropriation for costs and expenses of suits in which the State is a party in interest, for the thirty-fifth, thirty-sixth, thirty-seventh, thirty-eighth, thirty-ninth, and fortieth fiscal years—and now report, and recommend that the same do pass.

Bill ordered engrossed and to a third reading.

SPECIAL FILE—(RESUMED).

Assembly Bill No 747—An Act making an appropriation for the relief of N. Southmayd, and others, in caring for and preserving the perishable property of the State of California.

Read first time, and placed on file for second reading.

Assembly Bill No. 794—An Act making an appropriation to pay the deficiency in the appropriation for arresting criminals without the State for the forty-third fiscal year.

Read first time, and placed on file for second reading.

Senate Bill No. 96—An Act to provide for the construction and furnishing of an additional school building for the use of the State Normal School at Los Angeles, California, and to appropriate money therefor.

Read first time, and placed on file for second reading.

Assembly Bill No. 458—An Act to provide for the construction and furnishing of an additional school building for the use of the State Normal School at Los Angeles, California, and to appropriate money therefor.

Passed on file.

Substitute for Assembly Bills Nos. 177, 194, 409, 463, and 511—An Act to amend section two thousand six hundred and thirty-three, Political Code, and amend sections two thousand six hundred and forty-one, two thousand six hundred and forty-two, two thousand six hundred and forty-three, two thousand six hundred and forty-five, and two thousand six hundred and fifty-two, and to repeal section two thousand six hundred and forty-six of an Act entitled "An Act to amend sections two thousand six hundred and forty-one, two thousand six hundred and forty-two, two thousand six hundred and forty-three, two thousand six hundred and forty-five, two thousand six hundred and forty-six, two thousand six hundred and fifty-two, and to repeal section two thousand six hundred and forty-four of an Act entitled 'An

Act to establish a Political Code,' approved March 12, 1872, relating to the powers and duties of highway officers, and to provide for the construction, maintenance, and improvements of highways by contract let out to the lowest bidder;" and to provide for the appointment of Road Overseers for the various road districts within counties of this State; and to authorize Boards of Supervisors to let contracts for improving and building roads to the lowest bidder.

Read third time.

Mr. Simpson moved that further consideration of the bill be made a special order for this afternoon at three o'clock and thirty minutes P. M.

So ordered.

Assembly Bill No. 449—An Act to pay the claim of J. N. Cardoza, also the claim of Farmer & Hoxie, and also the claim of D. M. Davison, their heirs or assigns, for military services in defending the eastern frontier against the attacks of the Indians.

Read first time, and placed on file for second reading.

Assembly Constitutional Amendment No. 22—A resolution proposing to the people of the State of California an amendment to section three of article eleven of the Constitution of the State of California, relating to the formation of new counties.

Passed on file.

Assembly Constitutional Amendment No. 1—An Act to submit to the people of the State of California an amendment to section one, article thirteen, of the Constitution of the State of California.

Passed on file.

Assembly Constitutional Amendment No. 26—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, relative to the duties of county officers and their terms of office.

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

AYES—Messrs. Adams, Barlow, Bennett of Orange, Bretz, Curtis, Drees, Lynch, McCauley, McElroy, Marston, Pendleton, Pueschel, Raw, Sims, Standart, Talbott, Taylor, Thomas of Nevada, Thomas of Santa Clara, and Vann—20.

NOES—Messrs. Alford, Anderson, Barker, Bennett of Santa Clara, Boyce, Buckley, Bulla, Casterline, Conway, Cusick, Dodge, Duffy, Durst, Finlayson, Gallagher, Gately, Hamilton, Hendrickson, Hurley, Hutson, Jacobs, Johnson of Santa Clara, Kennedy, Kerns, LaRue, Luttringer, Mack, Marks, Matthews of San Benito, Miller, O'Keefe, O'Neill, Owen, Schlesinger, Simpson, Wade, and Mr Speaker—37.

Assembly Constitutional Amendment No. 25—A resolution to propose to the people of the State of California an amendment to the Constitution of said State, amending article eleven thereof, by adding a new section thereto, to be known as section number twenty, relating to the government of counties, cities, and towns.

Committee amendment, as follows:

Amend by inserting the word "fifty" in the place of word "ten," on the second line of the printed copy.

Adopted.

Resolution ordered reprinted, to retain its place on file.

Assembly Bill No. 66—An Act to pay the Claim of George Nelson against the State of California.

Read second time.

Committee amendment, as follows:

Amend by striking out "$4,000" in line one, printed bill, and insert "$2.000"

Adopted.
Also:

Amend by adding to section one, the following: "The claim herein shall be exempt from the provisions of section six hundred and seventy-two of the Political Code of the State of California, and said claim shall not be required to be presented for action by the Board of Examiners"

RECESS.

Pending discussion of the amendment, the hour of recess having arrived, the Speaker declared recess until two o'clock P. M.

REASSEMBLED.

The Assembly reassembled at two o'clock P. M.
Speaker Gould in the chair.
Quorum present.

LEAVE OF ABSENCE.

Mr. Bledsoe was excused until four o'clock P. M.

REPORT OF STANDING COMMITTEE.

ON CLAIMS.

ASSEMBLY CHAMBER, SACRAMENTO, February 25, 1893.

MR SPEAKER: Your Committee on Claims, to whom was referred Assembly Bill No. 765—An Act making an appropriation to pay the claim of Chas L. Wilson, for reward for the arrest of Joe Foster for stage robbery committed November, 1876, conviction of said Joe Foster having been prevented by his death, caused by wounds inflicted in making his arrest—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

Also: Assembly Bill No 501—An Act providing for the payment of the claim of William Saunders, for services rendered to the State, and to repeal an Act entitled "An Act for the relief of William Saunders," approved April 1, 1876—have had the same under consideration, and respectfully report the same back without recommendation.

Also: Assembly Bill No. 845—An Act for the relief of Robert B. Young, for extra work done upon the administration and factory buildings of the Reform School for Juvenile Offenders at Whittier, and to make an appropriation for the same—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

Also: Assembly Bill No. 528—An Act to pay the widow of W. S Moffat, deceased, the claims of said deceased husband, for services rendered as member of the Constitutional Convention, and for claims assigned to him by members of said Constitutional Convention, and appropriating money to pay the same—have had the same under consideration, and respectfully report the same back, and recommend that it do not pass

BURKE, Chairman.

Assembly Bills Nos. 765, 501, 845, and 528 re-referred to Committee on Ways and Means.

SPECIAL SENATE FILE.

Senate Bill No. 229—An Act to compel savings banks to publish a sworn statement of all unclaimed deposits.
Read third time.

MOTION.

Mr. Pendleton moved that a select committee of one be appointed by the Speaker to amend Senate Bill No. 229, as follows:

By inserting in line five, section one of printed bill, after the word "Commissioners," the words "a sworn statement showing."

Also: In line twelve, section one, by inserting after the word "weeks," the words "the cost of such publications to be paid pro rata out of said unclaimed deposits."

Also: By inserting in line thirteen, section one, after the word "affect," the words "the deposit made by or in the name of any person known, to the said Cashier or Secretary, to be living."

So ordered.

APPOINTMENT OF COMMITTEE.

Mr. Pendleton was appointed such committee to make said amendments.

REPORT OF SELECT COMMITTEE.

ASSEMBLY CHAMBER, SACRAMENTO, February 25, 1893.

MR. SPEAKER: Your select committee, to whom was referred Senate Bill No. 229—An Act to compel savings banks to publish a sworn statement of all unclaimed deposits—with instructions to amend in accordance with the action of the House, would respectfully report that the instructions of the House have been carried out.

PENDLETON, Committee.

Report adopted.

REPORT OF STANDING COMMITTEE.

ON WAYS AND MEANS.

ASSEMBLY CHAMBER, SACRAMENTO, February 27, 1893.

MR SPEAKER. Your Committee on Ways and Means, to whom was referred Assembly Bill No. 788—An Act appropriating money to pay the expense of transporting, insuring, and installing of a California exhibit in the Woman's Building of the World's Columbian Exposition.

Also: Assembly Bill No. 542—An Act making an appropriation for the payment of certain salary due Allen Kelly, as Executive Officer of the State Board of Forestry.

Also: Senate Bill No. 200—An Act providing for presentation and cancellation of unlocated school land warrants of the State of California.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

Also: Senate Bill No 199—An Act to repeal an Act entitled "An Act to create a State Board of Forestry, and to provide for expenses thereof"—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

W. P. MATHEWS, Chairman.

SPECIAL SENATE FILE—(RESUMED).

Substitute for Senate Bill No. 137—An Act to establish a Board of Parole Commissioners for the parole of and government of paroled prisoners.

Passed on file.

Senate Bill No. 382—An Act authorizing the allowance, settlement, and payment of claims of counties against the State.

Passed on file.

Senate Bill No. 384—An Act to amend an Act entitled "An Act to establish a Penal Code," approved February 14, 1872, by adding a new section to said Penal Code, to be known and numbered as section six

hundred and seventy-nine, relating to the coercion or compulsion of persons seeking employment.

Read third time, and passed by the following vote:

AYES—Messrs Adams, Anderson, Androus, Barker, Barlow, Bennett of Santa Clara, Bennett of Orange, Blakeley, Boyce, Bretz, Brownlie, Buckley, Bulla, Burke, Carlson, Conway, Curtis, Cusick, Dodge, Drees, Duckworth, Duffy, Durst, Finlayson, Gallagher, Gately, Hamilton, Hendrickson, Hurley, Hutson, Jacobs, Johnson of Humboldt, Johnson of Santa Clara, Kennedy, Kerns, Luttringer, McElroy, McGowan, Mack, Marks, Marston, Matthews of San Benito, Miller, O'Keefe, Owen, Pendleton, Perkins, Pueschel, Schlesinger, Shanahan, Simpson, Taylor, Thomas of Nevada, Thomas of Santa Clara, Vann, Wade, and Mr. Speaker—57.

NOES—Mr Raw—1

Title read and approved.

Senate Bill No. 652—An Act to amend section four thousand and eighty-five of the Political Code, relating to the improvement of innavigable streams, and the protection of land adjacent thereto.

Passed on file.

Senate Bill No. 274—An Act to amend sections one thousand nine hundred and twelve, one thousand nine hundred and forty-two, one thousand nine hundred and fifty-nine, one thousand nine hundred and seventy-three, one thousand nine hundred and eighty-two, one thousand nine hundred and eighty-four, one thousand nine hundred and ninety, one thousand nine hundred and ninety-two, two thousand and three, two thousand and four, two thousand and twenty-seven, and two thousand and ninety-four, and to add three new sections, to be known as one thousand nine hundred and twenty-three, one thousand nine hundred and forty-five, and one thousand nine hundred and eighty-one, all of the Political Code of the State of California, and relating to the National Guard.

Read third time.

MOTION.

Mr. Shanahan moved that the Assembly resolve itself into Committee of the Whole, with the Speaker in the chair, for the purpose of considering Senate Bill No. 274.

So ordered.

IN COMMITTEE OF THE WHOLE.

Speaker Gould in the chair.

Senate Bill No. 274 was considered in Committee of the Whole.

IN ASSEMBLY.

Speaker Gould in the chair.

REPORT OF THE COMMITTEE OF THE WHOLE.

The Speaker stated the report of the Committee of the Whole, as follows:

GENTLEMEN: The Committee of the Whole have had under consideration Senate Bill No. 274, and now report, and recommend that the same do pass.

Report adopted.

SPECIAL SENATE FILE—(RESUMED).

Senate Bill No. 274—An Act to amend sections one thousand nine hundred and twelve, one thousand nine hundred and forty-two, one thousand nine hundred and fifty-nine, one thousand nine hundred and seventy-three, one thousand nine hundred and eighty-two, one thousand nine hundred and eighty-four, one thousand nine hundred and ninety, one thousand nine hundred and ninety-two, two thousand and three, two thousand and four, two thousand and twenty-seven, and two thousand and ninety-four, and to add three new sections, to be known as one thousand nine hundred and twenty-three, one thousand nine hundred and forty-five, and one thousand nine hundred and eighty-one, all of the Political Code of the State of California, and relating to the National Guard.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Alford, Anderson, Barker, Bennett of Santa Clara, Blakeley, Boyce, Brownlie, Buckley, Bulla, Burke, Carlson, Casterline, Chipman, Conway, Cusick, Dodge, Drees, Duckworth, Duffy, Durst, Finlayson, Gallagher, Gately, Godchaux, Hamilton, Hendrickson, Hutson, Jacobsen, Johnson of Humboldt, Johnson of Santa Clara, Kennedy, Kahn, Kerns, LaRue, Luttringer, Lynch, McCauley, McElroy, McGowan, Mack, Marks, Mathews of Tehama, Miller, Mordecai, O'Keefe, O'Neill, Owen, Pendleton, Perkins, Sargent, Schlesinger, Schroebel, Shanahan, Simpson, Sims, Standart, Talbott, Taylor, Thomas of Nevada, Wade, and Mr Speaker—61.

NOES—Messrs Adams, Barlow, Bennett of Orange, Bretz, Jacobs, Marston, Matthews of San Benito, Thomas of Santa Clara, and Vann—9.

Title read and approved.

Senate Bill No. 55—An Act to amend section one thousand one hundred and seven of the Civil Code of the State of California.

Read third time, and refused passage by the following vote:

AYES—Messrs. Androus, Bennett of Santa Clara, Bretz, Buckley, Bulla, Burke, Carlson, Conway, Dodge, Drees, Duffy, Finlayson, Gallagher, Godchaux, Hamilton, Hutson, Kennedy, McCauley, McGowan, Shanahan, and Simpson—21.

NOES—Messrs. Adams, Alford, Anderson, Barker, Barlow, Bennett of Orange, Boyce, Casterline, Chipman, Cusick, Duckworth, Durst, Gately, Hendrickson, Hurley, Jacobs, Johnson of Santa Clara, Luttringer, Marks, Marston, Matthews of San Benito, Miller, O'Keefe, O'Neill, Owen, Pendleton, Perkins, Raw, Sargent, Schlesinger, Schroebel, Sims, Standart, Talbott, Thomas of Santa Clara, Vann, and Wade—37.

NOTICE OF RECONSIDERATION.

Mr. Wade gave notice that on the next legislative day he will move a reconsideration of the vote whereby Senate Bill No. 55 was refused passage.

SPECIAL SENATE FILE—(RESUMED).

Senate Bill No. 36—An Act to amend an Act entitled "An Act to provide for the completion of all unfinished county, city, city and county, towns, and township buildings in the several counties, cities and counties, cities, and towns throughout the State of California," approved March 11, 1891.

Read third time.

MOTION.

Mr. Kennedy moved that a select committee of one be appointed by the Speaker to amend Senate Bill No. 36, as follows:

Amend by adding after the word "alterations," in line twenty-five of section one, the words "except for roofs."

So ordered.

APPOINTMENT OF COMMITTEE.

Mr. Kennedy was appointed such committee to make said amendment.

REPORT OF SELECT COMMITTEE.

ASSEMBLY CHAMBER, SACRAMENTO, February 27, 1893.

MR. SPEAKER: Your select committee, to whom was referred Senate Bill No. 36, with instructions to amend in accordance with the action of the House, would respectfully report that the instructions of the House have been carried out

KENNEDY, Committee

Report adopted.

SPECIAL SENATE FILE—(RESUMED).

Senate Bill No. 122—An Act entitled an Act to appropriate money to pay the claims of McGowan & Butler for building retaining walls to "The Mendocino State Asylum for the Insane," for grading and terracing the grounds thereof, and for constructing a drainage and sewer system in and about the buildings, which work was performed on and material furnished said asylum under contracts with the Board of Directors of said asylum.

Read third time.

MOTION.

Mr. Dodge moved that a select committee of one be appointed by the Speaker to amend Senate Bill No. 122, as follows:

Amend by striking out section three, and renumbering section four to read section three.

Pending consideration of the motion, Mr. Shanahan moved that the bill be passed on file.

So ordered.

SPECIAL SENATE FILE—(RESUMED).

Senate Bill No. 219—An Act to provide for the appointment of guardians of children maintained in any orphans' home, or orphans' asylum in this State.

Read third time.

MOTION.

Mr. Shanahan moved that a select committee of one be appointed by the Speaker to amend Senate Bill No. 219, as follows:

Amend by inserting in line ten, after word "child," and before word "under," the words "without good cause therefor being shown."

So ordered.

APPOINTMENT OF COMMITTEE.

Mr. Shanahan was appointed such committee to make said amendment.

REPORT OF SELECT COMMITTEE.

ASSEMBLY CHAMBER, SACRAMENTO, February 27, 1893.

MR. SPEAKER: Your select committee, to whom was referred Senate Bill No. 219, with instructions to amend in accordance with the action of the House, would respectfully report that the instructions of the House have been carried out.

SHANAHAN, Committee.

Report adopted.

SPECIAL SENATE FILE—(RESUMED).

Senate Bill No. 218—An Act to amend section two hundred and twenty-four of the Civil Code, regarding the adoption of children.

Passed on file.

Mr. Vann moved to take up Senate Bill No. 382.

So ordered.

Senate Bill No. 382—An Act authorizing the allowance, settlement, and payment of claims of counties against the State.

Read third time, and passed by the following vote:

AYES—Messrs. Adams, Anderson, Androus, Barker, Barlow, Bennett of Santa Clara, Bennett of Orange, Blakeley, Boyce, Bretz, Brownlie, Buckley, Bulla, Burke, Carlson, Casterline, Conway, Curtis, Cusick, Dodge, Drees, Duckworth, Duffy, Durst, Finlayson, Gallagher, Godchaux, Hamilton, Hendrickson, Hurley, Hutson, Jacobsen, Johnson of Humboldt, Johnson of Santa Clara, McCauley, McGowan, Marks, Marston, Matthews of San Benito, Miller, O'Keefe, O'Neill, Owen, Pendleton, Perkins, Pueschel, Sargent, Schlesinger, Schroebel, Shanahan, Simpson, Sims, Standart, Talbott, Taylor, Thomas of Nevada, Thomas of Santa Clara, Vann, Wade, and Mr. Speaker—60

NOES—None

Title read and approved.

RECONSIDERATION.

Mr. Miller moved to reconsider the vote whereby Assembly Bill No. 356—An Act to create the county of Bidwell, establish the boundaries, to provide for its organization, and to provide for the payment of such proportion of the indebtedness of Butte County as may be equitably chargeable to Bidwell County—was refused a second reading.

The ayes and noes were demanded by Messrs. Thomas of Nevada, Dodge, and Brownlie.

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

AYES—Messrs Anderson, Barker, Blakeley, Bledsoe, Boyce, Bretz, Brownlie, Buckley, Carlson, Casterline, Chipman, Conway, Curtis, Cusick, Duffy, Durst, Gallagher, Johnson of Santa Clara, Kennedy, LaRue, Luttringer, McCauley, McGowan, Marks, Marston, Miller, Mordecai, O'Keefe, O'Neill, Owen, Perkins, Raw, Sargent, Schroebel, Shanahan, Simpson, Talbott, Taylor, Thomas of Santa Clara, and Vann—40.

NOES—Messrs Adams, Barlow, Bennett of Santa Clara, Bennett of Orange, Bulla, Burke, Dodge, Drees, Finlayson, Gately, Godchaux, Hamilton, Hendrickson, Hurley, Jacobs, Jacobsen, Johnson of Humboldt, Kahn, Kerns, Lynch, McElroy, Mack, Mathews of Tehama, Matthews of San Benito, Pendleton, Pueschel, Schlesinger, Sims, Standart, Thomas of Nevada, Wade, and Mr. Speaker—32

SPECIAL ORDER.

Assembly Constitutional Amendment No. 2—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, relative to revenue and taxation.

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

AYES—Messrs. Barker, Bennett of Santa Clara, Blakeley, Boyce, Brownlie, Burke, Carlson, Conway, Finlayson, Gallagher, Hurley, Hutson, Kennedy, Kahn, Kerns, Luttringer, McCauley, McGowan, Miller, O'Keefe, Pendleton, Pueschel, Shanahan, Talbott, Taylor, Thomas of Santa Clara, and Vann—27.

NOES—Messrs. Adams, Alford, Anderson, Androus, Barlow, Bennett of Orange, Bledsoe, Bretz, Buckley, Casterline, Chipman, Cusick, Dodge, Drees, Duckworth, Duffy, Durst, Gately, Godchaux, Hamilton, Hendrickson, Jacobs, Jacobsen, Johnson of Humboldt, Johnson of Santa Clara, McElroy, Marks, Marston, Mathews of Tehama, Matthews of San Benito, Mordecai, O'Neill, Owen, Perkins, Raw, Schlesinger, Schroebel, Simpson, Sims, Thomas of Nevada, Wade, and Mr. Speaker—42

SPECIAL ORDER.

ASSEMBLY CONSTITUTIONAL AMENDMENT No. 29.

Proposing to the people of the State an amendment to section one of article thirteen of the Constitution, relative to exemptions from taxation.

The Legislature of the State of California, at its thirtieth session, commencing on the first Monday after the first day of January, eighteen hundred and ninety-three, two thirds of all the members elected to each of the two houses of said Legislature voting in favor thereof, hereby propose that section one of article thirteen of the Constitution of the State of California be amended so as to read as follows:

ARTICLE XIII.

SECTION 1. 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. The word "property," as used in this article and section, is hereby declared to include moneys, credits, bonds, stocks, dues, franchises, and all other matters and things, real, personal, and mixed, capable of private ownership; *provided*, that growing crops, property used exclusively for public schools, and such as may belong to the United States, this State, or to any county or municipal corporation within this State, shall be exempt from taxation The Legislature may provide, except in the case of credits secured by mortgage or trust deed, for a reduction from credits of debts due to bona fide residents of this State, and the Legislature may provide by law for a general exemption from taxation of the personal property of all taxpayers to the amount of five hundred dollars each.

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

AYES—Messrs. Adams, Alford, Anderson, Androus, Barker, Barlow, Bennett of Santa Clara, Bennett of Orange, Blakeley, Bledsoe, Boyce, Bretz, Brownlie, Buckley, Carlson, Casterline, Chipman, Conway, Cusick, Dodge, Drees, Durst, Finlayson, Gallagher, Gately, Godchaux, Hamilton, Hendrickson, Hurley, Hutson, Jacobs, Jacobsen, Johnson of Humboldt, Johnson of Santa Clara, Kennedy, Kahn, Kerns, Luttringer, Lynch, McCauley, McElroy, Mack, Marks, Marston, Mathews of Tehama, Matthews of San Benito, Miller, O'Keefe, O'Neill, Pendleton, Perkins, Pueschel, Schlesinger, Schroebel, Shanahan, Simpson, Sims, Standart, Talbott, Taylor, Thomas of Nevada, Thomas of Santa Clara, Vann, Wade, and Mr. Speaker—64.

NOES—None.

MOTION.

Mr. Hurley moved that the special order set for this hour—the consideration of Assembly Constitutional Amendments Nos. 14 and 4—be postponed until to-morrow at eleven o'clock A. M.

So ordered.

REPORT OF STANDING COMMITTEE.

ON ENGROSSMENT.

ASSEMBLY CHAMBER, SACRAMENTO, February 27, 1893.

MR. SPEAKER: Your Committee on Engrossment begs leave to report that the following Assembly Bills have been correctly engrossed: Nos 473, 365, 19, 264, 81, 540, 248, 477, 100, 216, and 280.

KENNEDY, Chairman.

MOTION.

Mr. Kahn moved to reconsider the vote whereby Senate Bill No. 214 was passed, and that the motion thereby be postponed until to-morrow.

So ordered.

SPECIAL ORDER.

Assembly Bill No. 280—An Act to form San Antonio County, classify it, define its boundaries, provide for its organization and the appointment and election of officers, the location of county seat by election, and the adjustment and fulfillment of certain rights and obligations arising between such new county and certain other counties.

Read third time, and passed by the following vote:

AYES—Messrs. Adams, Alford, Anderson, Androus, Barker, Barlow, Bennett of Santa Clara, Bennett of Orange, Blakeley, Boyce, Bretz, Brownlie, Buckley, Carlson, Casterline, Conway, Curtis, Cusick, Drees, Duckworth, Duffy, Durst, Gallagher, Gately, Hendrickson, Hurley, Hutson, Jacobs, Johnson of Santa Clara, Kennedy, LaRue, Luttringer, McCauley, McGowan, Mack, Marks, Matthews of San Benito, Miller, Mordecai, O'Keefe, O'Neill, Perkins, Raw, Sargent, Schroebel, Simpson, Sims, Standart, Taylor, Thomas of Nevada, Thomas of Santa Clara, Vann, Wade, and Mr. Speaker—54.

NOES—Messrs. Bledsoe, Bulla, Dodge, Finlayson, Hamilton, Jacobsen, Johnson of Humboldt, Kerns, Lynch, McElroy, Marston, Mathews of Tehama, Pendleton, and Schlesinger—14.

Title read and approved.

MOTION.

Mr. Androus moved that Senate Bill No. 280 be immediately transmitted to the Senate.

So ordered.

NOTICE OF RECONSIDERATION.

Mr. Simpson gave notice that on the next legislative day he will move a reconsideration of the vote whereby Assembly Bill No. 280 was this day passed.

MOTION.

Mr. Vann moved that the special order—the consideration of Senate Bill No. 349—be postponed until to-morrow at three o'clock and thirty minutes P. M.

So ordered.

RECESS.

At five o'clock and twenty minutes P. M., on motion of Mr. Schlesinger, the Assembly took a recess until seven o'clock and thirty minutes P. M.

EVENING SESSION.

The Assembly reassembled at seven o'clock and thirty minutes P. M. Speaker Gould in the chair.

Quorum present.

LEAVE OF ABSENCE.

Mr. Kahn was excused for the evening.

The Committee on Claims was granted leave to sit this evening.

URGENCY FILE.

Under the rule Mr. McCauley placed upon the urgency file Assembly Bill No. 693, and Speaker Gould Assembly Bill No. 781.

Assembly Bill No. 467—An Act to create a special commission for the purpose of examining and reporting to the thirty-first session of the Legislature on the Torrens Land Transfer Act of Australia, and to appropriate money therefor.

Read second time.

Assembly Bill No. 313—An Act making an appropriation to pay Cyrus Lyon the sum of one thousand dollars for the capture of Anastacio Garcia, in 1855.

Read second time.

MOTION.

Mr. Pendleton moved that the Assembly resolve itself into Committee of the Whole, with the Speaker in the chair, for the purpose of considering Assembly Bills Nos. 467 and 313.

So ordered.

IN COMMITTEE OF THE WHOLE.

Speaker Gould in the chair.

Assembly Bills Nos. 467 and 313 were considered in Committee of the Whole.

IN ASSEMBLY.

Speaker Gould in the chair.

REPORT OF THE COMMITTEE OF THE WHOLE.

The Speaker stated the report of the Committee of the Whole, as follows:

GENTLEMEN The Committee of the Whole have had under consideration Assembly Bill No. 467—An Act to create a special commission for the purpose of examining and reporting to the thirty-first session of the Legislature on the Torrens Land Transfer Act of Australia, and to appropriate money therefor

Also: Assembly Bill No. 313—An Act making an appropriation to pay Cyrus Lyon the sum of one thousand dollars for the capture of Anastacio Garcia, in 1855.

And now report, and recommend that the same do pass.

Assembly Bills Nos. 467 and 313 ordered engrossed and to a third reading.

URGENCY FILE—(RESUMED).

Assembly Bill No. 272—An Act to amend section one thousand eight hundred and eighty-one of the Civil Code of Procedure, relating to witnesses.

Read second time.

Speaker pro tem. Mathews in the chair.

Committee amendments, as follows:

In title strike out the word "Civil," preceding the word "Code," and insert the word "Civil" after the word "of."

Adopted.

Also:

Amend line fourteen of printed bill by inserting the word "stenographer" after the word "Secretary," and strike out the word "his" before the word "clerk."

Adopted.

Bill ordered engrossed and to a third reading.

Assembly Bill No. 307—An Act to amend section one thousand two hundred and thirty-eight of the Code of Civil Procedure of the State of California, concerning the right of eminent domain.

Read second time.

Committee amendment, as follows:

Amend by inserting in line thirty-six of printed bill, after the word "canal," the words "reservoirs, dams;" on same line, after the word "supplying," insert "and storing," on line thirty-seven, after the word "generating," insert "and transmitting," on line thirty-nine, after the word "light," insert "or heat;" after the last word on line thirty-nine, insert "thirteen electric light lines."

Adopted.

REPORT OF STANDING COMMITTEE.

THE SAN FRANCISCO DELEGATION

ASSEMBLY CHAMBER, SACRAMENTO, February 27, 1893.

MR. SPEAKER. The San Francisco Delegation, to whom was referred Senate Bill No. 8—An Act to provide for the appointment of Health Inspectors and Market Inspectors in each municipality of this State having one hundred thousand inhabitants and over—and report the same back and recommend that it do pass.

KENNEDY, Chairman.

Also:

THE SAN FRANCISCO DELEGATION—MAJORITY REPORT.

ASSEMBLY CHAMBER, SACRAMENTO, February 27, 1893.

MR. SPEAKER: The San Francisco Delegation, to whom was referred Senate Bill No. 182—An Act to amend section three thousand and nine of the Political Code, relating to the appointment of certain officers and employés by the Board of Health of the City and County of San Francisco—respectfully report the same back, and recommend that it do pass.

KENNEDY, Chairman.
GALLAGHER.
McGOWAN.
HENDRICKSON
LUTTRINGER
BUCKLEY
CURTIS
CUSICK.
CONWAY.

THE SAN FRANCISCO DELEGATION—MINORITY REPORT.

ASSEMBLY CHAMBER, SACRAMENTO, February 27, 1893

MR. SPEAKER: The undersigned, members of the San Francisco Delegation, respectfully recommend that Senate Bill No. 182—An Act to amend section three thousand and nine of the Political Code, relating to the appointment of certain officers and employés by the Board of Health of the City and County of San Francisco—do not pass

KAHN
BURKE.
MARKS.

URGENCY FILE—(RESUMED).

Assembly Bill No. 512—An Act to amend an Act amendatory of and supplemental to an Act entitled "An Act to provide for the organization and government of irrigation districts, and to provide for the acquisition of water and other property, and for the distribution of water thereby for irrigation purposes," approved March 7, 1887, providing for the exclusion of certain lands within any such district, approved February 16, 1889.

Read second time.

Mr. Pueschel moved to amend, as follows:

Amend section five by striking out from and including the word "provided," on line sixty-five, to and including the word "works," on line seventy-two, inclusive, of the

printed bill, and inserting instead thereof the following: "*provided*, that it shall be the duty of said Board to so order, upon petition therefor as aforesaid, that all lands so petitioned to be excluded from said district, shall be excluded therefrom which cannot be irrigated from, or which are not susceptible to, or would not, by reason of being permanently devoted to uses other than agricultural, horticultural, viticultural, or grazing, be directly benefited by the actual irrigation of the same from a common source, or by the same system of works with the other lands of said district, or from the source selected, chosen, or provided, or the system adopted for the irrigation of the lands of said district, or which are already irrigated or entitled to be irrigated from another source, or by another system of irrigation works, but no lands included within the limits of any city or town, or which shall have been subdivided into town lots or blocks shall be excluded under the provisions of this Act, and no lands irrigated or entitled to be irrigated from another source, or by another system of irrigation works, shall be excluded under the provisions of this Act, unless the same were so irrigated, or the right under which the same are entitled to be irrigated, acquired by the owner of the land, or his predecessor in interest in the ownership of such right before the passage of this Act, or before the organization of the district, or the issuance and sale, or other disposition of bonds thereby, and if such right shall have been acquired from, or exist against any incorporated company or association, then not without the consent of such company or association, and no system of irrigation other than a gravity source of supply shall be deemed a system of irrigation works within the meaning of this Act. The Board of Directors may refuse to exclude any lands under the provisions of this Act, if the petition for the exclusion thereof be filed more than four months after the passage of this Act, or after the organization of any district thereafter organized, and the adoption of its system of works, and survey and location of its main canal, flume, ditch, pipe, or other conduit"

Adopted.

Bill ordered engrossed and to a third reading.

Assembly Bill No. 373—An Act to amend an Act entitled "An Act creating a Board of Bank Commissioners, and prescribing their duties and powers," approved March 30, 1878, and amended March 10, 1887.

Read second time, ordered engrossed and to a third reading.

Assembly Bill No. 611—An Act in relation to and prescribing conditions upon which certain foreign insurance companies may transact insurance business in the State of California.

Read second time, ordered engrossed and to a third reading.

Mr. Schlesinger moved to reconsider the vote whereby Assembly Bill No. 611 was ordered to engrossment and a third reading.

So ordered.

Assembly Bill No. 611—An Act in relation to and prescribing conditions upon which certain foreign insurance companies may transact insurance business in the State of California.

Committee amendments, as follows:

AMENDMENT No 1.

In section one, line one, after the word "foreign," insert the word "fire," in section three, line one, after the word "foreign," insert the word "fire;" in section four, line two, after the word "foreign," insert the word "fire," in section five, line one, after the word "foreign," insert the word "fire;" also, same section, line five, after the word "foreign," insert the word "fire;" also, same section, line fourteen, after the word "foreign," insert the word "fire," in section seven, line one, after the word "foreign," insert the word "fire;" also, same section, line three, after the word "doing," insert the word "fire"

Adopted.

AMENDMENT No. 2.

In section nine strike out the word "sixty" after the word "effect," and insert instead thereof the words "one hundred and twenty."

Adopted.

Bill ordered engrossed and to a third reading.

Assembly Bill No. 432—An Act to amend section two hundred and

ninety-one of the Civil Code, relating to the articles of incorporation of railroad, wagon road, and telegraph corporations.

Passed on file.

Assembly Bill No. 433—An Act to amend section two hundred and ninety-three of the Civil Code, relating to railroad, wagon road, and telegraph corporations.

Passed on file.

Assembly Bill No. 434—An Act to amend section four hundred and fifty-six of the Civil Code, relating to the borrowing of money and the issuance of bonds by railroad corporations.

Passed on file.

Assembly Bill No. 435—An Act to provide for the consolidation of railroad corporations organized under the laws of the State of California, with railroad corporations organized under the laws of any other State or Territory, or both.

Passed on file.

Assembly Bill No. 191—An Act to amend an Act entitled "An Act to establish a Political Code," approved March 12, 1872, by amending section seven hundred and ninety-one of said Code, relating to the appointment and number of Notaries Public in the several counties of this State.

Read second time.

Committee amendment, as follows:

After the word "convenience," on last line of section one, add the following: "except that in counties, and cities and counties of the first class, the number shall not exceed sixty."

Adopted.

Bill ordered engrossed and to a third reading.

Assembly Bill No. 368—An Act granting to the Board of Supervisors of Sonoma County, California, right of way through the lands of the California Home for the Care and Training of Feeble-Minded Children, to enable said Board of Supervisors to change the location of the public highway now traversing said lands.

Read second time, ordered engrossed and to a third reading.

Assembly Bill No. 219—An Act to amend section three thousand seven hundred and forty-six of an Act entitled "An Act to amend section three thousand seven hundred and forty-six of an Act entitled 'An Act to establish a Political Code,' approved March 12, A. D. 1872," and approved March 31, A. D. 1891.

Read second time, ordered engrossed and to a third reading.

Assembly Bill No. 604—An Act appropriating money to pay the claims of John Mullan, for services rendered by him for this State.

Read first time, and placed on file for second reading.

Assembly Bill No. 691—An Act relating to Treasurers, their deputies and clerks, in counties, and cities and counties, having a population of two hundred thousand inhabitants or over.

Read second time, ordered engrossed and to a third reading.

Assembly Bill No. 391—An Act to enfranchise the women citizens of this State, and prescribing their qualifications as electors.

Read second time, ordered engrossed and to a third reading.

Assembly Bill No 665—An Act to pay the claim of A. J. Bourn against the State of California, and making an appropriation therefor.

Read first time, and placed on file for second reading.

Assembly Bill No. 595—An Act to provide for the organization of a government of drainage districts, for the levy, equalization, and collection of assessments therein, for the construction and maintenance of canals and other drainage works to secure the lands of such districts from overflow, and conferring powers and imposing duties upon the State Board of Public Works in relation to such drainage districts.

Read second time.

Committee amendments, as follows:

AMENDMENT No 1.

Amend by adding after the word "thereof," page two, line thirty-seven of the printed bill:

"The said Board of Supervisors shall then certify to the State Board of Public Works the description of boundaries as finally determined and ordered, and shall request said State Board of Public Works to prepare the plans, specifications, and estimates of the system of drainage for said drainage district."

It shall be the duty of the State Board of Public Works, on receipt of said certificate, to devise, plan, and estimate the cost of works necessary for said drainage district, such as canals, sluices, and cuts for the control of water, channel enlargements, artificial water-ways and cuts, and every other class and kind of work that will be necessary to reduce, prevent, or control the inundation of the land of the district; *provided, however*, that the works planned by the State Board of Public Works for drainage purposes for such district shall be such as will not injure the usefulness of navigable waters as commercial highways. The State Board of Public Works shall also make, or cause to be made, all surveys and examinations necessary to devise, plan, locate, and estimate the cost of these works, and shall also make, or cause to be made, all surveys and examinations to determine the amount of water-ways which should be provided in different portions of the district for the passage and control of all waters. The State Board of Public Works and its agents and employés shall have the right to enter upon any land to make surveys, and may locate the necessary drainage works, and the line for any canal or canals, and the necessary branches for the same, on any lands that may be deemed best for such location.

As soon as the plans and estimates of cost of the drainage works of the drainage district are completed by the State Board of Public Works, they shall transmit a certified copy of the same to the Board of Supervisors requesting such plans.

Adopted.

AMENDMENT No. 2.

Amend by striking out section twelve, on page seven of the printed bill.

Adopted.

AMENDMENT No. 3.

Amend by renumbering the several sections from section thirteen to section thirty.

Adopted.

AMENDMENT No. 4

Amend by striking out the word "appointed," on line three of section eleven, and insert in lieu thereof the word "appointment."

Adopted.

Mr. Anderson offered the following amendments:

In section three, line three, strike out the words "State Board" and insert the word "Commissioner."

Adopted.

Also:

On same line, after the word "on," strike out the word "its," and insert the word "line

Adopted.

Also:

Amend section three, page two, line two, on printed bill, by striking out "Board," and inserting "Commissioner."

Adopted.
Also:

Amend section three, committee amendment, by striking out the words "State Board" wherever they occur, and inserting the word "Commissioner," also, on the numbered line thirteen, committee amendment, strike out the word "its," and insert "his."

Adopted.
Also:

Amend page five, printed bill, section seven, line two, by striking out the words "State Board," and substituting the word "Commissioners."

Adopted.
Also:

Amend page six, section seven, line seven, by striking out the words "State Board," and inserting "Commissioner."

Adopted.
Also:

Amend page seven, printed bill, section eleven, line two, by striking out the words "State Board" and inserting "Commissioner."

Adopted.
Also:

On page eight, printed bill, section thirteen, lines four and five, amend by striking out "State Board" in each line and inserting "Commissioners."

Adopted.
Also:

Amend page eight, printed bill, section seventeen, in lines three, ten, eleven, thirteen and nineteen, by striking out the words "State Board," and inserting in each line in lieu thereof the word "Commissioner."

Adopted.
Also:

Amend page twelve, printed bill, section twenty-four, line four and line twenty-two, by striking out the words "State Board," and in lieu thereof inserting the word "Commissioner" on each of the lines.

Adopted.
Also:

Amend page thirteen, printed bill, section twenty-seven, line four, by striking out all of the section after the word "law," in line four.

Adopted.
Also:

Amend title by striking out on line six the words "State Board," and inserting in lieu thereof the word "Commissioners."

Adopted.
Bill ordered engrossed and to a third reading.

Assembly Bill No. 596—An Act creating a State Board of Public Works, defining their duties and powers, prescribing their compensation, and making an appropriation.

Read first time, and placed on file for second reading.

Under the rule Mr. Talbott placed on the urgency file Assembly Bill No. 202.

Assembly Bill No. 693—An Act relating to the sale of wines and liquors, and the maintenance of saloons and places where wines and liquors are sold.

Read second time.

Committee amendments, as follows:

Amend section one of printed bill by striking out the word "fifty," and inserting in lieu thereof the words "one hundred."

Adopted.

Also:

Amend section two, line three of printed bill, by striking out the word "fifty," and inserting in its stead the words "one hundred."

Adopted.

Mr. Wade moved to strike out the enacting clause.

The ayes and noes were demanded by Messrs. McCauley, O'Neill, and Johnson of Santa Clara.

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

AYES—Messrs. Adams, Alford, Barlow, Bennett of Santa Clara, Bennett of Orange, Bretz, Bulla, Carlson, Casterline, Conway, Cusick, Dodge, Drees, Durst, Finlayson, Gallagher, Hendrickson, Hurley, Jacobs, Johnson of Humboldt, Johnson of Santa Clara, Kerns, Luttringer, Lynch, McCauley, Marston, Mathews of Tehama, Miller, O'Keefe, Owen, Perkins, Raw, Schlesinger, Simpson, Sims, Standart, Taggart, Talbott, Taylor, Thomas of Santa Clara, Vann, and Wade—42.

NOES—Messrs. Boyce, Brownlie, Burke, Curtis, Gately, Godchaux, Hutson, LaRue, McElroy, McGowan, Marks, Mordecai, and O'Neill—13.

NOTICE OF RECONSIDERATION.

Mr. McCauley gave notice that on the next legislative day he will move a reconsideration of the vote whereby the enacting clause of Assembly Bill No. 596 was stricken out.

URGENCY FILE RESUMED.

Assembly Bill No. 781—An Act to amend section one thousand and eighty-three of the Political Code of the State of California, defining the qualifications and disabilities of electors.

Read first time, and placed on file for second reading.

Assembly Bill No. 122—An Act to appropriate ten thousand dollars for the purpose of sending an expert to foreign countries to collect and import into this State parasites and predaceous insects.

Read second time.

Mr. Drees moved to strike out the enacting clause.

The ayes and noes were demanded by Messrs. Talbott, Finlayson, and Matthews of San Benito.

The roll was called, and the motion lost by the following vote.

AYES—Messrs. Adams, Barlow, Buckley, Conway, Curtis, Dodge, Drees, Gallagher, Gately, Godchaux, Hurley, Hutson, Jacobs, Jacobsen, Luttringer, McCauley, McElroy,

Marks, Marston, Mathews of Tehama, Matthews of San Benito, Raw, Schlesinger, Sims, Thomas of Santa Clara, Vann, and Wade—27.

NOES—Messrs Alford, Anderson, Androus, Barker, Bennett of Santa Clara, Bennett of Orange, Blakeley, Bretz, Bulla, Burke, Carlson, Casterline, Cusick, Durst, Finlayson, Hendrickson, Johnson of Humboldt, Johnson of Santa Clara, Kerns, LaRue, McGowan, Mack, Miller, Mordecai, O'Keefe, O'Neill, Owen, Pendleton, Perkins, Pueschel, Simpson, Standart, Taggart, Talbott, Taylor, and Mr. Speaker—36.

Mr. Bulla moved to amend, as follows:

By striking out of section one, lines four and five, the words "State Board of Horticulture," and in section two, line two, strike out the word "Board" and insert the following in section one, lines four and five: "University of California;" and in section two, line two, insert the word "University"

Adopted.

MOTION.

Mr. Pendleton moved that the Assembly resolve itself into Committee of the Whole, with the Speaker pro tem. in the chair, for the purpose of considering Assembly Bill No. 122.

So ordered.

IN COMMITTEE OF THE WHOLE.

Speaker pro tem. Mathews in the chair.

Assembly Bill No. 122 was considered in Committee of the Whole.

IN ASSEMBLY.

Speaker pro tem. Mathews in the chair.

REPORT OF THE COMMITTEE OF THE WHOLE.

The Speaker pro tem. stated the report of the Committee of the Whole, as follows:

GENTLEMEN: The Committee of the Whole have had under consideration Assembly Bill No. 122, and now report, and recommend that the same do pass as amended.

Mr. Hurley moved to amend, as follows:

By striking out of section one, line one, the word "ten," and inserting the following: "four"

Mr. Alford moved the previous question, seconded by Messrs. Durst and Bennett of Santa Clara.

The question being, "Shall the main question be now put?" it was so ordered.

Upon the amendment the ayes and noes were demanded by Messrs. Hurley, Talbott, and Pendleton.

The roll was called, and the amendment lost by the following vote:

AYES—Messrs Adams, Barlow, Dodge, Drees, Gately, Godchaux, Hurley, Hutson, Jacobs, LaRue, Luttringer, McCauley, McElroy, Marston, Mathews of Tehama, Matthews of San Benito, Raw, Schlesinger, Thomas of Santa Clara, Vann, and Wade—21.

NOES—Messrs Alford, Anderson, Androus, Barker, Bennett of Santa Clara, Bennett of Orange, Blakeley, Burke, Carlson, Casterline, Chipman, Conway, Cusick, Durst, Finlayson, Gallagher, Hendrickson, Jacobsen, Johnson of Humboldt, Johnson of Santa Clara, Kennedy, Kerns, Lynch, McGowan, Marks, Miller, Mordecai, O'Keefe, O'Neill, Owen, Pendleton, Perkins, Simpson, Standart, Taggart, Talbott, Taylor, and Mr. Speaker—37.

Mr. Hurley moved to adjourn.

Lost.

Assembly Bill No. 122 ordered engrossed and to a third reading.

ADJOURNMENT.

At nine o'clock and fifty minutes P. M., on motion of Mr. Alford, the Assembly adjourned.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Tuesday, February 28, 1893.

The Assembly met pursuant to adjournment.

Speaker Gould in the chair.

The roll was called, and the following members answered to their names:

Messrs. Adams, Alford, Anderson, Androus, Barker, Barlow, Bennett of Santa Clara, Bennett of Orange, Blakeley, Bledsoe, Boyce, Bretz, Brownlie, Buckley, Bulla, Burke, Carlson, Casterline, Chipman, Conway, Curtis, Cusick, Dodge, Drees, Duckworth, Duffy, Durst, Finlayson, Gallagher, Gately, Godchaux, Hamilton, Hendrickson, Hurley, Hutson, Jacobs, Jacobsen, Johnson of Humboldt, Johnson of Santa Clara, Kennedy, Kahn, Kerns, LaRue, Luttringer, Lynch, McCauley, McElroy, McGowan, Mack, Marks, Marston, Mathews of Tehama, Matthews of San Benito, Miller, Mordecai, O'Keefe, O'Neill, Owen, Pendleton, Perkins, Pueschel, Raw, Sargent, Schlesinger, Schroebel, Shanahan, Simpson, Sims, Standart, Taggart, Talbott, Taylor, Thomas of Nevada, Thomas of Santa Clara, Tindall, Vann, Wade, and Mr. Speaker.

Quorum present.

PRAYER.

Prayer by the Chaplain, Rev. H. W. Conry.

READING OF THE JOURNAL.

Pending the reading of the Journal of yesterday, Mr. Bennett of Santa Clara moved that the further reading be dispensed with.

So ordered.

LEAVE OF ABSENCE.

Messrs. Bennett of Santa Clara and Blakeley were granted leave of absence for the morning.

PETITION.

By Mr. Androus: From citizens of Los Angeles County, favoring school and municipal suffrage for women.

REPORTS OF STANDING COMMITTEES.

ON WAYS AND MEANS.

ASSEMBLY CHAMBER, SACRAMENTO, February 27, 1893.

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred itemized bills of election contest expenses and attorneys' fees in the case of Decourtieux vs. McGowan; also, resolutions authorizing the payment of $2,567 50 to contestant and $3,026 to contestee, have had the same under consideration, and report the same back amended as follows:

For Contestant.

Attorney's fees	$650 00
Reporter's fees	200 00
Notarial fees	6 50
Certified copies, statement, etc	13 50
Serving subpœnas	22 50
Typewriting and citations	27 75
Per diem for witnesses	250 00
Total	$1,170 25

For Contestee.

Attorney's fees	$750 00
Reporter's fees	200 00
Typewriting, etc.	41 00
Serving subpœnas, etc.	11 00
Per diem for witnesses	229 00
Per diem for witnesses	38 00
Total	$1,269 00

Your committee recommends that the said resolutions, amended in accordance with the said bill of cost, be adopted.

W. P MATHEWS, Chairman.

RESOLUTIONS.

By Mr. Tindall:

Resolved, That the sum of one thousand one hundred and seventy dollars and twenty-five cents be and the same is hereby allowed to Armond Decourtieux, for expenses incurred by him in the contested election of Armond Decourtieux vs. James McGowan, for the office of Member of the Assembly of the State of California from the Forty-fourth Assembly District of said State, payable out of the Contingent Fund of the Assembly, and the State Controller is hereby directed to draw his warrant in favor of said Armond Decourtieux for said amount upon the Contingent Fund of the Assembly, and the Treasurer is hereby directed to pay the same.

Also:

Resolved, That the sum of one thousand two hundred and sixty-nine dollars be and the same is hereby allowed to James McGowan, for expenses incurred by him in the contested election of Armond Decourtieux vs James McGowan, for the office of Member of the Assembly for the State of California, from the Forty-fourth Assembly District, payable out of the Contingent Fund of the Assembly, and the State Controller is hereby directed to draw his warrant in favor of said James McGowan for said amount, upon the Contingent Fund of the Assembly, and the Treasurer is hereby directed to pay the same.

Resolutions adopted.

REPORTS OF STANDING COMMITTEES—(RESUMED).

ON WAYS AND MEANS.

ASSEMBLY CHAMBER, SACRAMENTO, February 28, 1893.

MR SPEAKER: Your Committee on Ways and Means, to whom was referred Assembly Bill No. 204—An Act to authorize the State Board of Agriculture to build a Machinery Hall addition to the State Agricultural and Industrial Exhibition building, on the State Capitol grounds, to improve the surroundings of said building, and to appropriate money therefor—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended

Also: Senate Bill No 201—An Act to provide for certain improvements in the State Insane Asylum at Stockton, California, and making an appropriation therefor.

Also Senate Bill No 202—An Act to provide for the purchase of apparatus and appliances for the protection of the buildings and property of the State Insane Asylum at Stockton, California, and making an appropriation therefor

Also Senate Bill No 204—An Act to provide for certain improvements at the State Insane Asylum at Stockton, California, and making an appropriation therefor

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

Also: Senate Bill No 205—An Act to provide for the payment by the Board of Directors of the State Insane Asylum at Stockton, California, of certain sums of money for the paving of California Street, in the city of Stockton, county of San Joaquin, State of California, opposite the State Insane Asylum at Stockton, California, and for the construction of a concrete sidewalk along said street—have had the same under consideration, and respectfully report the same back, and recommend that it do not pass.

Also: Senate Bill No. 479—An Act making an appropriation to pay for the management and maintenance of the Southern California State Asylum for the Insane and Inebriates for the forty-fourth fiscal year.

Also: Senate Bill No. 281—An Act making an appropriation to pay the deficiency in the appropriation for the support of the Reform School for Juvenile Offenders at Whittier for the forty-third and forty-fourth fiscal years.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass as amended.

Also: Senate Bill No. 603—An Act making an appropriation for payment of transportation of children to the State Reform School for Juvenile Offenders for the forty-fourth fiscal year.

Also: Assembly Bill No 242—An Act appropriating two hundred and fifty thousand dollars for the erection of buildings for the use of affiliated and other departments of the University of California.

Also: Assembly Bill No 803—An Act making an appropriation to pay the deficiency in the appropriation for expenses of Supreme Court, under section forty-seven, Code of Civil Procedure, for forty-second fiscal year.

Also: Assembly Bill No 805—An Act to amend sections three thousand seven hundred and thirteen and three thousand six hundred and ninety-six of the Political Code, relating to the levy of taxes

Also: Assembly Bill No. 813—An Act making an appropriation to pay the deficiency in the appropriation for the transportation of prisoners for the forty-fourth fiscal year.

Also. Assembly Bill No. 814—An Act making an appropriation to pay the deficiency in the appropriation for the transportation of insane for the forty-fourth fiscal year.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

W. P. MATHEWS, Chairman.

ON ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, February 27, 1893.

MR. SPEAKER: Your Committee on Enrollment beg leave to report that the following bills have been correctly enrolled: Assembly Bills Nos. 126, 128, 281, 282, 31, and 627—and were presented to the Governor February 27, 1893, at three o'clock and fifteen minutes P. M.

O'NEILL, Chairman.

ON AGRICULTURE.

ASSEMBLY CHAMBER, SACRAMENTO, February 27, 1893.

MR. SPEAKER: Your Committee on Agriculture, to whom was referred Senate Bill No 155—An Act to add a new section to the Penal Code, to be known and numbered section six hundred and fifty-five, relating to dealing in options—have had the same under consideration, and a majority respectfully report the same back, and recommend that it do pass.

VANN.
O'NEILL.
OWENS.
JACOBS.

A minority report back without recommendation.

PERKINS.
DUFFY.

Also: Assembly Bill No. 786—An Act to amend section eight of an Act entitled "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," approved March 23, 1876—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

LARUE, Chairman

ON JUDICIARY.

ASSEMBLY CHAMBER, SACRAMENTO, February 28, 1893.

MR. SPEAKER: Your Committee on Judiciary, to whom was referred Committee Substitute for Assembly Bill No. 679—An Act providing for primary elections in this State—have had the same under consideration, and respectfully report the same back. A majority recommend that it do not pass, and a minority that it do pass.

SHANAHAN, Chairman.

ON COMMERCE AND NAVIGATION.

ASSEMBLY CHAMBER, SACRAMENTO, February 28, 1893.

MR. SPEAKER. Your Committee on Commerce and Navigation, to whom was referred Assembly Bill No. 843—An Act to enable the State of California to purchase the right to make, use, and vend a patented improvement in a composition for protecting piles—have had the same under consideration, and respectfully report the same back, and recommend that it be re-referred to Committee on Ways and Means without recommendation.

Also: Senate Bill No. 40—An Act directing the State Board of Harbor Commissioners to construct a certain portion of the harbor embankment, or seawall, of the port of San Francisco—have had the same under consideration, and respectfully report the same back, and recommend that it be substituted for Assembly Bill No. 731, both being identical.

GODCHAUX, Chairman.

Assembly Bill No. 843 re-referred to Committee on Ways and Means.

ON CLAIMS.

ASSEMBLY CHAMBER, SACRAMENTO, February 27, 1893.

MR. SPEAKER: Your Committee on Claims, to whom was referred Assembly Bill No. 829—An Act for the relief of Agnes Lynch, and to appropriate money therefor

Also. Assembly Bill No 766—An Act making an appropriation to pay the claim of Charles L. Wilson, for reward for the arrest and conviction of Thomas Brown for stage robbery committed November 13, 1876

Also: Assembly Bill No 817—An Act appropriating money to pay the claim of John A. Johnson

Also. Assembly Bill No 834—An Act for the relief of Emile Martinoni for personal injuries sustained by him, caused by his being shot by a police officer in pursuit of a thief.

Also· Assembly Bill No. 645—An Act to pay the claim of A. G. Lafferty against the State of California, for supplies furnished in fitting out Company A, First Battalion of Mountaineers

Have had the same under consideration, and respectfully report the same back without recommendation.

BURKE, Chairman.

Assembly Bills Nos. 766, 834, 829, 817, and 645 re-referred to Committee on Ways and Means.

ON COUNTY AND TOWNSHIP GOVERNMENTS.

ASSEMBLY CHAMBER, SACRAMENTO, February 28, 1893.

MR. SPEAKER: Your Committee on County and Township Governments, to whom was referred Assembly Bill No. 774—hereby report back a substitute for the same, with a recommendation that it do pass, and respectfully recommend that said substitute be placed on the "urgency file."

SCHROEBEL, Chairman.

ON STATE PRISONS AND REFORMATORY INSTITUTIONS.

ASSEMBLY CHAMBER, SACRAMENTO, February 28, 1893.

MR SPEAKER· Your Committee on State Prisons and Reformatory Institutions, to whom was referred Assembly Bill No. 850—An Act to amend section one thousand six hundred and fourteen, title two, of the Penal Code, in relation to the government of prisoners sentenced to terms of imprisonment in county jails—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

Also· Assembly Bill No. 742—An Act to encourage the establishment of county, and city and county reform schools for the correction, care, and maintenance of juvenile offenders, and to provide State aid, and appropriate money therefor—have had the same under consideration, and respectfully report the same back, and recommend that it do pass, and also recommend that the same be read the first time, and placed upon the Assembly urgency file.

H. H. JOHNSON, Chairman.

Assembly Bill No. 742 re-referred to Committee on Ways and Means.

ON LABOR AND CAPITAL.

ASSEMBLY CHAMBER, SACRAMENTO, February 28, 1893.

MR SPEAKER: Your Committee on Labor and Capital, to whom was referred Assembly Bill No 780—An Act fixing the number of hours that shall constitute a legal day's labor, and providing the punishment for a violation thereof—have had the same under consideration, and respectfully report the same back, and recommend that the author be allowed to withdraw the same

Also Assembly Bill No 770—An Act relating to the employment of laborers and mechanics by the Government of the State of California, or of any county, city, or town of the State, by any contractor or sub-contractor—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

CONWAY, Chairman.

ON SWAMP AND OVERFLOWED LANDS.

ASSEMBLY CHAMBER, SACRAMENTO, February 27, 1893.

MR. SPEAKER: Your Committee on Swamp and Overflowed Lands, to whom was referred Assembly Bill No. 578—An Act to amend section three thousand five hundred and seventy-two of an Act entitled "An Act to establish a Political Code," approved March 12, 1872—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

PUESCHEL, Chairman.

ON MUNICIPAL CORPORATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, February 28, 1893

MR SPEAKER: Your Committee on Municipal Corporations, to whom was referred Assembly Bill No 671—An Act to authorize and empower the Board of Supervisors of any city, or city and county having more than one hundred thousand inhabitants, to close up and cause to be closed any city cemetery or cemeteries, and to purchase another cemetery or cemeteries—have had the same under consideration, and respectfully report the same back, and recommend that it do not pass.

Also: Assembly Bill No 825—An Act authorizing Boards of Trustees or other legislative authorities of municipal corporations owning public waterworks, to fix rates for water furnished, and to enforce the payment of the same.

Also: Assembly Bill No. 836—An Act to amend section seven hundred and sixty-four of an Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883, relative to the powers of the Board of Trustees of cities of the fifth class.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

Also: Assembly Bill No. 808—An Act to validate proceedings for the reorganization or incorporation of municipal corporations taken since the passage of the Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883; and also since the passage of the Act entitled "An Act to provide for the classification of municipal corporations," approved March 2, 1883—have had the same under consideration, and respectfully report the same back, and recommend that the same be re-referred to the Committee on Judiciary

Also: Assembly Bill No. 318—An Act to authorize the Assessors of counties, and cities and counties, having over two hundred and fifty thousand inhabitants, to appoint deputies, and to fix their salaries and compensation

Also: Assembly Bill No 833—An Act to provide for the appointment of three additional deputies by County Recorders of cities and counties of more than one hundred thousand population.

Have had the same under consideration, and respectfully report the same back without recommendation.

BUCKLEY, Chairman.

Assembly Bill No. 808 re-referred to Committee on Judiciary.

REPORT OF SPECIAL COMMITTEE TO VISIT GOLDEN GATE PARK.

ASSEMBLY CHAMBER, SACRAMENTO, February 28, 1893.

MR. SPEAKER: Your special committee, consisting of J. Brownlie, J. J. Kennedy, J. M. Marks, J. T. O'Keefe, C. W Pendleton, and Bert Schlesinger, heretofore appointed to visit Golden Gate Park at San Francisco, under a resolution to that effect, beg leave to report that they have visited San Francisco and inspected Golden Gate Park, and traveled in going to and from that place one hundred and sixty-eight miles, for which they are each entitled to the sum of sixteen dollars and eighty cents as mileage

Resolved, That J. Brownlie, J. J. Kennedy, J. M. Marks, J. T. O'Keefe, C W. Pendleton, and Bert Schlesinger be allowed the sum of sixteen dollars and eighty cents each, as mileage for said trip, and that the State Controller be authorized to draw his warrant in favor of J Brownlie for one hundred dollars and eighty cents on the appropriation for the contingent expenses of the Assembly.

PENDLETON, for Chairman.

Referred to Committee on Public Expenditures and Accounts.

MESSAGES FROM THE SENATE.

SENATE CHAMBER, SACRAMENTO, February 27, 1893.

MR. SPEAKER: I am directed to inform your honorable body that the Senate, on the twenty-fifth day of February, 1893, passed Substitute for Committee Substitute for Senate Bills Nos 157, 372, 373, and 441—An Act to amend sections two thousand six

hundred and thirty-three, two thousand six hundred and forty-one, two thousand six hundred and forty-three, and two thousand six hundred and forty-five, and to repeal section two thousand six hundred and forty-six of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the powers and duties of highway officers

Also. Senate Bill No. 211—An Act to provide for the publication of the State Blue Book, or Roster.

Also Assembly Bill No 427, as amended—An Act making an appropriation to pay the deficiency in the appropriation for the transportation of prisoners for the forty-third fiscal year.

Also: Substitute for Assembly Bill No 144—An Act to prohibit prize fighting.

F. J BRANDON, Secretary.
By R. SHAW, Assistant.

Substitute for Committee Substitute for Senate Bills Nos. 157, 372, 373, and 441 referred to Committee on Roads and Highways.

Senate Bill No. 211 referred to Committee on Ways and Means.

Substitute for Assembly Bill No. 144 ordered to enrollment.

Speaker Gould in the chair.

CONCURRENCE REFUSED.

The question being, "Shall the Assembly concur in Senate amendment to Assembly Bill No. 427?"

The roll was called, and the Assembly refused to concur by the following vote:

AYES—None.

NOES—Messrs Adams, Alford, Anderson, Androus, Barlow, Bennett of Santa Clara, Bennett of Orange, Bledsoe, Bretz, Brownlie, Buckley, Bulla, Burke, Carlson, Casterline, Chipman, Conway, Curtis, Cusick, Dodge, Duckworth, Duffy, Durst, Finlayson, Hendrickson, Hurley, Hutson, Jacobs, Jacobsen, Johnson of Humboldt, Johnson of Santa Clara, Kahn, Kerns, LaRue, Luttringer, Lynch, McCauley, McElroy, McGowan, Mack, Marks, Marston, Mathews of Tehama, Matthews of San Benito, Miller, O'Keefe, O'Neill, Owen, Pendleton, Perkins, Pueschel, Raw, Sargent, Schroebel, Simpson, Sims, Standart, Taggart, Talbott, Taylor, Thomas of Nevada, Thomas of Santa Clara, Tindall, Vann, Wade, and Mr. Speaker—66

MESSAGES FROM THE SENATE.

SENATE CHAMBER, SACRAMENTO, February 27, 1893

MR SPEAKER I am directed to inform your honorable body that the Senate, on the twenty-fifth day of February, 1893, respectfully refused passage to Assembly Bill No. 84—An Act to authorize the husband or wife, or next of kin, of a deceased person, to collect and receive of any bank any deposit in such bank when the same does not exceed the sum of five hundred dollars.

F. J. BRANDON, Secretary.
By R. SHAW, Assistant.

Also:

SENATE CHAMBER, SACRAMENTO, February 27, 1893.

MR SPEAKER: I am directed to inform your honorable body that the Senate, on this day, passed Senate Bill No. 669—An Act to amend section five hundred and thirty-seven of the Penal Code, and to add a new section thereto, to be known and designated as section five hundred and thirty-eight, relating to the removal, sale, or subsequent incumbrance of mortgaged chattels

Also: Senate Bill No 287—An Act to add a new section to the Civil Code, to be numbered section one hundred and thirty-one, relative to divorces

Also: Senate Bill No 109—An Act providing for the prevention of pools, trusts, and conspiracies to control prices, and as to evidence and prosecution in such cases, and to provide penalties for the violation thereof

Also· Senate Bill No 438—An Act making it unlawful to refuse admission to places of amusement

F J BRANDON, Secretary.
By R. SHAW, Assistant.

Senate Bills Nos. 287, 109, and 438 referred to Committee on Public Morals.

MOTION.

Mr. Simpson moved that Senate Bill No. 669 be substituted on the file for Assembly Bill No. 446, and be read the first time.

So ordered.

FIRST READING OF BILL.

Senate Bill No. 669—An Act to amend section five hundred and thirty-seven of the Penal Code, and to add a new section thereto, to be known and designated as section five hundred and thirty-eight, relating to the removal, sale, or subsequent incumbrance of mortgaged chattels.

Read first time, and placed on file for second reading.

MESSAGE FROM THE SENATE.

SENATE CHAMBER, SACRAMENTO, February 27, 1893.

MR. SPEAKER: I am directed to inform your honorable body that the Senate, on the twenty-seventh day of February, 1893, adopted Assembly Joint Resolution No 10, as amended in Senate—Relating to the refunding of moneys to certain settlers on Government lands in Fresno, Monterey, and San Benito Counties.

Also: Assembly Joint Resolution No. 7—Relative to the election of United States Senators.

Also: Assembly Joint Resolution No 9—Relative to foreign immigration to the United States.

Also: Assembly Joint Resolution No. 11—Relative to a public building at Eureka.

Also: Assembly Joint Resolution No 17—Relative to the examination or survey of the waters of the river system tributary to the bay of San Francisco.

Also. Assembly Joint Resolution No. 19—Relative to a public building at Visalia

F. J. BRANDON, Secretary.
By R SHAW, Assistant

Assembly Joint Resolutions Nos. 7, 9, 11, 17, and 19 ordered to enrollment.

SENATE AMENDMENT CONCURRED IN.

The question being, "Shall the Assembly concur in Senate amendment to Assembly Joint Resolution No. 10?"

The roll was called, and the Senate amendment concurred in by the following vote:

AYES—Messrs. Adams, Anderson, Androus, Barker, Barlow, Bennett of Santa Clara, Bennett of Orange, Blakeley, Bledsoe, Boyce, Bretz, Brownlie, Buckley, Bulla, Burke, Carlson, Chipman, Conway, Curtis, Cusick, Dodge, Drees, Duffy, Finlayson, Gately, Godchaux, Hurley, Hutson, Jacobs, Johnson of Humboldt, Kerns, Luttringer, Lynch, McElroy, McGowan, Mack, Marks, Marston, Mathews of Tehama, Matthews of San Benito, O'Neill, Owen, Perkins, Pueschel, Sargent, Schlesinger, Schroebel, Shanahan, Simpson, Sims, Standart, Taggart, Talbot, Thomas of Nevada, Thomas of Santa Clara, Tindall, Vann, Wade, and Mr. Speaker—59.

NOES—None.

MESSAGE FROM THE SENATE.

SENATE CHAMBER, SACRAMENTO, February 27, 1893.

MR. SPEAKER: I am directed to inform your honorable body that the Senate, on this day, passed Assembly Bill No. 426, as amended in Senate—An Act making an appropriation to pay the deficiency in the appropriation for the transportation of insane for the forty-third fiscal year.

Also. Assembly Bill No 71—An Act to prevent deception in the manufacture and sale of imitation butter, and to appropriate money for its enforcement.

Also: Assembly Bill No. 69—An Act to amend section one thousand six hundred and sixty-eight of an Act of the Legislature of the State of California entitled "An Act to establish a Code of Civil Procedure," relating to proceedings for the distribution of the estates of deceased persons.

Also: Assembly Bill No 112—An Act to amend section one hundred and sixty-four of the Civil Code of the State of California, relating to conveyances of real property by married women, and limiting the time in which to commence actions for recovery of community property by husbands.

Also. Assembly Bill No 227—An Act entitled an Act to pay the claim of Sands W. Forman for services as Secretary of the State Board of Forestry, and appropriating the sum of three hundred and seventy-five dollars to pay such claim.

F. J. BRANDON, Secretary
By R. SHAW, Assistant.

Assembly Bills Nos. 71, 69, 112, and 227 ordered to enrollment.

CONCURRENCE REFUSED.

The question being, "Shall the Assembly concur in Senate amendment to Assembly Bill No. 426?"

The roll was called, and the Assembly refused to concur by the following vote:

AYES—Mr. Gallagher—1.

NOES—Messrs Adams, Alford, Anderson, Barlow, Bennett of Santa Clara, Bennett of Orange, Bledsoe, Bretz, Buckley, Bulla, Burke, Carlson, Casterline, Chipman, Conway, Curtis, Cusick, Dodge, Drees, Duckworth, Duffy, Durst, Gately, Godchaux, Hamilton, Hendrickson, Hurley, Hutson, Jacobsen, Johnson of Humboldt, Johnson of Santa Clara, Kerns, Luttringer, Lynch, McElroy, Mack, Marks, Marston, Mathews of Tehama, Matthews of San Benito, Miller, O'Keefe, Perkins, Pueschel, Raw, Sargent, Schlesinger, Schroebel, Shanahan, Simpson, Sims, Standart, Taggart, Talbott, Thomas of Nevada, Thomas of Santa Clara, Wade, and Mr. Speaker—58.

MOTION.

Mr. Lynch moved that the special orders set for this hour—the consideration of Assembly Constitutional Amendments Nos. 14 and 4—be postponed until after the consideration of Senate messages.

So ordered.

MESSAGE FROM THE SENATE.

SENATE CHAMBER, SACRAMENTO, February 28, 1893.

MR. SPEAKER: I am directed to inform your honorable body that the Senate, on the twenty-seventh day of February, passed Senate Bill No 463—An Act directing the State Prison Directors of the State of California to employ at least twenty prisoners in the construction of roads to the State Prison at San Quentin.

Also: Senate Bill No 405—An Act granting the right of way and station grounds to the Southern California Railway Company over a portion of the asylum grounds in the county of San Bernardino

F. J. BRANDON, Secretary.
By R. SHAW, Assistant.

Senate Bill No. 463 referred to Committee on State Prisons and Reformatory Institutions.

MOTION.

Mr. Lynch moved that Senate Bill No. 405 be substituted on file for Assembly Bill No. 415, and be read the first time, and placed on the Senate special file.

So ordered.

FIRST READING OF BILL.

Senate Bill No. 405—An Act granting the right of way and station grounds to the Southern California Railway Company over a portion of the asylum grounds in the county of San Bernardino.

Read first time, and placed on file for second reading.

MESSAGE FROM THE SENATE.

SENATE CHAMBER, SACRAMENTO, February 28, 1893.

MR. SPEAKER: I am directed to inform your honorable body that the Senate, on the twenty-seventh day of February, 1893, passed Senate Bill No 286—An Act to amend section one hundred and seventy of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, relating to the disqualifications of Judges.

Also: Senate Bill No. 363—An Act to amend section three hundred and ninety-eight of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, relative to the transfer of causes where Judge is disqualified

Also: Senate Bill No 165—An Act to amend section one thousand two hundred and one of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, relating to the compensation of attorneys

Also: Senate Bill No 342—An Act to amend section one thousand two hundred and sixty-one of an Act entitled "An Act to establish a Civil Code," approved March 21, 1872, relating to heads of families

F J BRANDON, Secretary.
By R. SHAW, Assistant.

Senate Bills Nos. 286, 363, and 165 referred to Committee on Judiciary.

MOTION.

Mr. Miller moved that Senate Bill No. 342 be substituted on the file for Assembly Bill No. 353, and be read the first time.

So ordered.

FIRST READING OF BILL.

Senate Bill No. 342—An Act to amend section one thousand two hundred and sixty-one of an Act entitled "An Act to establish a Civil Code," approved March 21, 1872, relating to heads of families.

Read first time, and placed on file for second reading.

SPECIAL ORDER.

Assembly Constitutional Amendment No. 14—A resolution proposing to the people of the State of California an amendment to the Constitution, repealing sections twenty-two and twenty-three of article twelve of said Constitution, relating to the Railroad Commission, and adding to article four of said Constitution a new section, to be known and numbered as section thirty-six, relating to railroad freights and fares.

Mr. Shanahan moved that Assembly Constitutional Amendment No. 14 be passed on file temporarily, and that Assembly Constitutional Amendment No. 4, the next special order, be considered.

Mr. Lynch moved the previous question, seconded by Messrs. Schlesinger and Casterline.

The question being, "Shall the main question be now put?"

Lost.

Upon the motion of Mr. Shanahan, the ayes and noes were demanded by Messrs. Schlesinger, Bledsoe, and Shanahan.

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

AYES—Messrs. Adams, Barker, Barlow, Bennett of Santa Clara, Bennett of Orange, Boyce, Bretz, Buckley, Burke, Carlson, Casterline, Conway, Curtis, Drees, Duffy, Gallagher, Hamilton, Hutson, Jacobs, Jacobsen, Kennedy, Kerns, Luttringer, McCauley, McGowan, Mack, Marks, Marston, Matthews of San Benito, Miller, O'Keefe, Perkins, Pueschel, Sargent, Shanahan, Sims, Standart, Taggart, Taylor, Thomas of Santa Clara, Tindall, Vann, and Wade—43.

NOES—Messrs Alford, Anderson, Androus, Bledsoe, Brownlie, Bulla, Chipman, Cusick, Dodge, Duckworth, Durst, Gately, Godchaux, Hendrickson, Hurley, Johnson of Humboldt, Johnson of Santa Clara, Kahn, Lynch, McElroy, Mordecai, O'Neill, Owen, Pendleton, Raw, Schlesinger, Schroebel, Simpson, and Mr. Speaker—29.

ASSEMBLY CONSTITUTIONAL AMENDMENT No. 4.

A resolution to propose to the people of the State of California an amendment to and providing for the repeal of sections twenty-two and twenty-three of article twelve of the Constitution, relative to a Board of Railroad Commissioners.

Resolved by the Assembly, the Senate concurring, That the Legislature of the State of California, at its twenty-ninth session, commencing January fifth, one thousand eight hundred and ninety-one, two thirds of all the members elected to each of the two houses of said Legislature voting in favor thereof, hereby propose that sections twenty-two and twenty-three of article twelve of the Constitution of the State of California be amended so as to read as follows

SECTION 1 Section twenty-two is hereby amended so as to read as follows:

Section 22 This section is repealed

SEC. 2. Section twenty-three is hereby amended so as to read as follows:

Section 23. This section is repealed.

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

AYES—Messrs. Adams, Alford, Androus, Barlow, Bennett of Santa Clara, Bennett of Orange, Bledsoe, Boyce, Bretz, Brownlie, Buckley, Bulla, Burke, Carlson, Casterline, Conway, Cusick, Dodge, Drees, Dufty, Finlayson, Gallagher, Gately, Godchaux, Hamilton, Hendrickson, Hurley, Hutson, Jacobs, Jacobsen, Johnson of Humboldt, Johnson of Santa Clara, Kennedy, Kahn, Kerns, Luttringer, Lynch, McCauley, McElroy, McGowan, Mack, Marks, Marston, Matthews of San Benito, Mordecai, O'Keefe, O'Neill, Pendleton, Perkins, Pueschel, Sargent, Schlesinger, Schroebel, Shanahan, Simpson, Sims, Taggart, Talbott, Taylor, Thomas of Nevada, Thomas of Santa Clara, Tindall, Wade, and Mr Speaker—64

NOES—Messrs. Anderson, Barker, Chipman, Duckworth, Durst, Owen, Raw, Standart, and Vann—9.

MOTION.

Mr. Wade moved that Assembly Constitutional Amendment No. 4 be immediately transmitted to the Senate.

So ordered.

ASSEMBLY CONSTITUTIONAL AMENDMENT.

Assembly Constitutional Amendment No. 14—A resolution proposing to the people of the State of California an amendment to the Constitution, repealing sections twenty-two and twenty-three of article twelve of said Constitution, relating to the Railroad Commission, and adding to article four of said Constitution a new section, to be known and numbered as section thirty-six, relating to railroad freights and fares.

The question being on the pending substitute offered by Mr. Barlow.

RECESS.

Pending discussion of the substitute, the hour of recess having arrived, the Speaker declared recess until two o'clock P. M.

REASSEMBLED.

The Assembly reassembled at two o'clock P. M.

Speaker Gould in the chair.

Quorum present.

MOTION.

Mr. Barlow moved that the further consideration of Assembly Constitutional Amendment No. 14 be made a special order immediately after the special orders set for this day at three o'clock and thirty minutes P. M.

So ordered.

AMENDMENT.

Mr. Anderson moved to amend, as follows:

Amend section twelve, line eighteen, of Assembly Bill No. 595, by striking out the word "they," and insert in lieu thereof the word "he."

Adopted.

MOTION.

Mr. Sargent moved that the consideration of Substitute for Assembly Bills Nos. 16, 57, 129, 157, 176, 524, 667, and 730 be made a special order for to-morrow at three o'clock and thirty minutes P. M.

So ordered.

RESOLUTION.

By Mr. Schroebel:

Resolved, That Committee Substitute for Assembly Bill No 774 be printed and laid upon the members' desks.

Adopted.

MOTION.

Mr. Duckworth moved to suspend Rule 61, in order that he might be allowed to make a motion of reconsideration.

So ordered.

NOTICE OF RECONSIDERATION.

Mr. Duckworth gave notice that on the next legislative day he will move a reconsideration of the vote whereby Assembly Bill No. 538 was refused a second reading.

LEAVE OF ABSENCE.

The Hart Investigating Committee was granted leave to sit this afternoon.

SPECIAL SENATE FILE—THIRD READING OF BILLS.

Senate Bill No. 229—An Act to compel savings banks to publish a sworn statement of all unclaimed deposits.

Passed on file.

Substitute for Senate Bill No. 137—An Act to establish a Board of Parole Commissioners for the parole of and government of paroled prisoners.

Passed on file.

Senate Bill No. 652—An Act to amend section four thousand and eighty-five of the Political Code, relating to the improvement of innavigable streams, and the protection of land adjacent thereto.

Read third time.

Mr. Mordecai in the chair.

The roll was called, and the bill passed by the following vote:

AYES—Messrs Adams, Alford, Androus, Barker, Barlow, Bennett of Santa Clara, Bennett of Orange, Blakeley, Bledsoe, Boyce, Bretz, Buckley, Bulla, Burke, Carlson, Casterline, Chipman, Conway, Curtis, Cusick, Dodge, Drees, Duckworth, Duffy, Durst, Finlayson, Gallagher, Godchaux, Hamilton, Hendrickson, Hurley, Hutson, Jacobs,

Jacobsen, Johnson of Humboldt, Johnson of Santa Clara, Kerns, LaRue, Luttringer, McCauley, McElroy, Marston, Matthews of San Benito, Miller, Mordecai, O'Keefe, Owen, Pendleton, Perkins, Pueschel, Raw, Schroebel, Shanahan, Standart, Taggart, Talbott, Thomas of Nevada, Thomas of Santa Clara, Vann, and Wade—60.

NOES—Mr. Sargent—1.

Title read and approved.

Senate Bill No. 36—An Act to amend an Act entitled "An Act to provide for the completion of all unfinished county, city, city and county, towns, and township buildings in the several counties, cities and counties, cities and towns throughout the State of California," approved March 11, 1891.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Adams, Anderson, Androus, Barker, Barlow, Bennett of Orange, Bledsoe, Bretz, Buckley, Bulla, Burke, Carlson, Casterline, Chipman, Conway, Curtis, Cusick, Dodge, Drees, Duffy, Durst, Finlayson, Godchaux, Hamilton, Hendrickson, Hurley, Jacobs, Jacobsen, Johnson of Humboldt, Johnson of Santa Clara, Kerns, LaRue, Luttringer, Lynch, McCauley, McElroy, Marston, Matthews of San Benito, Mordecai, O'Keefe, O'Neill, Owen, Pueschel, Sargent, Schroebel, Standart, Taggart, Thomas of Santa Clara, Vann, and Wade—50.

NOES—None.

Title read and approved.

Mr. Conway moved that Senate Bill No. 36 be immediately transmitted to the Senate.

So ordered.

Senate Bill No. 122—An Act entitled an Act to appropriate money to pay the claims of McGowan & Butler for building retaining walls to "The Mendocino State Asylum for the Insane," for grading and terracing the grounds thereof, and for constructing a drainage and sewer system in and about the buildings, which work was performed on and material furnished said asylum under contracts with the Board of Directors of said asylum.

Mr. Dodge, on his motion, was allowed to withdraw his pending amendment.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Adams, Anderson, Androus, Barker, Barlow, Bennett of Santa Clara, Bennett of Orange, Blakeley, Buckley, Bulla, Burke, Carlson, Casterline, Conway, Curtis, Cusick, Dodge, Drees, Duffy, Durst, Finlayson, Gallagher, Hamilton, Hendrickson, Jacobs, Jacobsen, Johnson of Santa Clara, Kerns, LaRue, Luttringer, Lynch, McCauley, McElroy, Marston, Matthews of San Benito, Mordecai, O'Keefe, O'Neill, Perkins, Sargent, Schlesinger, Schroebel, Shanahan, Standart, Taggart, Talbott, Thomas of Santa Clara, Vann, and Wade—49.

NOES—Mr. Bledsoe—1.

RECONSIDERATION.

Mr. Wade moved to reconsider the vote whereby Senate Bill No. 55—An Act to amend section one thousand one hundred and seven of the Civil Code of the State of California—was refused passage.

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

AYES—Messrs Alford, Anderson, Androus, Bennett of Santa Clara, Boyce, Buckley, Bulla, Burke, Carlson, Curtis, Cusick, Dodge, Drees, Duckworth, Durst, Finlayson, Gallagher, Godchaux, Hendrickson, Hurley, Jacobs, Kennedy, Kerns, LaRue, Lynch, Marks, Mordecai, O'Keefe, Perkins, Schlesinger, Schroebel, Shanahan, Sims, Standart, Talbott, Taylor, Thomas of Nevada, Vann, and Wade—39

NOES—Messrs Adams, Barlow, Bennett of Orange, Bledsoe, Bretz, Casterline, Jacobsen, Johnson of Santa Clara, Luttringer, McElroy, Matthews of San Benito, O'Neill, Raw, and Sargent—14

SPECIAL SENATE FILE—(RESUMED).

Senate Bill No. 55—An Act to amend section one thousand one hundred and seven of the Civil Code of the State of California.

Passed on file.

Senate Bill No. 219—An Act to provide for the appointment of guardians of children maintained in any orphans' home or orphans' asylum in this State.

Passed on file.

Senate Bill No. 218—An Act to amend section two hundred and twenty-four of the Civil Code, regarding the adoption of children.

Read third time, and passed by the following vote:

AYES—Messrs Anderson, Androus, Barker, Barlow, Bennett of Santa Clara, Bennett of Orange, Bledsoe, Boyce, Bretz, Buckley, Bulla, Burke, Carlson, Casterline, Chipman, Dodge, Drees, Duffy, Durst, Finlayson, Gallagher, Godchaux, Hamilton, Hurley, Jacobs, Kennedy, Kerns, LaRue, Luttringer, Lynch, McCauley, McElroy, Marston, Mordecai, Owen, Perkins, Schlesinger, Schroebel, Shanahan, Sims, Standart, Talbott, Thomas of Santa Clara, Vann, and Wade—45.

NOES—None.

Title read and approved.

Mr. Finlayson moved that Senate Bill No. 218 be immediately transmitted to the Senate.

So ordered.

Senate Bill No. 103—An Act to amend section one thousand seven hundred and sixty-three of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, relating to serving notice of application for letters of guardianship on insane and incompetent persons.

Read third time, and refused passage by the following vote:

AYES—Messrs. Burke and Carlson—2.

NOES—Messrs. Adams, Alford, Anderson, Androus, Barker, Bennett of Santa Clara, Bennett of Orange, Blakeley, Bledsoe, Boyce, Bretz, Brownlie, Buckley, Bulla, Casterline, Conway, Cusick, Dodge, Drees, Duffy, Durst, Finlayson, Gallagher, Gately, Godchaux, Hamilton, Hendrickson, Hurley, Hutson, Jacobs, Johnson of Santa Clara, Kerns, LaRue, Luttringer, Lynch, McCauley, McElroy, McGowan, Marks, Miller, Mordecai, O'Keefe, Owen, Perkins, Pueschel, Raw, Sargent, Schlesinger, Schroebel, Shanahan, Sims, Standart, Talbott, Thomas of Santa Clara, Vann, and Wade—56.

REPORT OF STANDING COMMITTEE.

ON ENGROSSMENT.

ASSEMBLY CHAMBER, SACRAMENTO, February 28, 1893.

MR. SPEAKER: Your Committee on Engrossment beg leave to report that the following Assembly Bills have been correctly engrossed:

Assembly Bill No. 715—An Act to prevent persons, corporations, or companies discriminating against employés.

Also: Assembly Bill No. 18—An Act to prevent persons, corporations, or companies discriminating against employés.

KENNEDY, Chairman.

SPECIAL SENATE FILE—(RESUMED).

Senate Bill No. 200—An Act providing for the presentation and cancellation of unlocated school land warrants of the State of California, issued under the Act of the State of California, approved May 3, 1852, providing for the disposal of the five hundred thousand acres of land donated to the State of California by the Government of the United

States, and authorizing the Controller of this State to draw his warrant on the State Treasurer for the sum of two dollars per acre in favor of any bona fide owner and holder of any such land warrant for every acre represented by any such land warrant.

Mr. Lynch moved that the bill be passed on file.

Lost.

Read third time, and refused passage by the following vote:

AYES—Messrs. Anderson, Androus, Barker, Blakeley, Carlson, Casterline, Chipman, Durst, Godchaux, Hamilton, Hendrickson, Hutson, Jacobs, Kennedy, LaRue, Luttringer, McCauley, Mack, Mathews of Tehama, Miller, Mordecai, O'Keefe, Pendleton, Sargent, Standart, Taggart, Taylor, and Wade—28.

NOES—Messrs Adams, Barlow, Bennett of Orange, Bledsoe, Boyce, Bretz, Brownlie, Buckley, Conway, Cusick, Dodge, Drees, Finlayson, Gallagher, Gately, Hurley, Jacobsen, Johnson of Humboldt, Johnson of Santa Clara, Lynch, McElroy, Marks, Marston, O'Neill, Perkins, Pueschel, Raw, Schlesinger, Shanahan, Simpson, Sims, Thomas of Nevada, Thomas of Santa Clara, Tindall, Vann, and Mr. Speaker—36.

NOTICE OF RECONSIDERATION.

Mr. Shanahan gave notice that on the next legislative day he will move a reconsideration of the vote whereby Senate Bill No. 200 was refused passage.

Speaker Gould in the chair.

RECONSIDERATION.

Mr. McCauley moved to reconsider the vote whereby the enacting clause of Assembly Bill No. 693 was stricken out.

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

AYES—Messrs Alford, Anderson, Androus, Boyce, Brownlie, Burke, Carlson, Chipman, Conway, Curtis, Cusick, Duckworth, Durst, Gallagher, Gately, Godchaux, Hamilton, Hendrickson, Hutson, Jacobsen, Johnson of Santa Clara, Kennedy, LaRue, Luttringer, McCauley, McElroy, McGowan, Marks, Marston, Miller, Mordecai, O'Keefe, O'Neill, Pueschel, Raw, Sargent, Schlesinger, Schroebel, Talbott, Taylor, Thomas of Nevada, and Tindall—42

NOES—Messrs. Adams, Barker, Barlow, Bennett of Santa Clara, Bennett of Orange, Bledsoe, Bretz, Buckley, Bulla, Casterline, Dodge, Drees, Finlayson, Hurley, Jacobs, Johnson of Humboldt, Kerns, Lynch, Mack, Mathews of Tehama, Owen, Perkins, Shanahan, Simpson, Sims, Standart, Taggart, Thomas of Santa Clara, Vann, and Wade—30.

SPECIAL ORDERS.

Assembly Bill No. 761—An Act to repeal an Act entitled "An Act regulating fees and mileage in criminal cases in the county of Nevada," approved March 23, 1876.

Read second time, ordered engrossed and to a third reading.

Assembly Bill No. 396—An Act to create the county of Santa Ynez, to establish the boundaries thereof, and to provide for its organization.

Passed on file.

Mr Bretz moved that the special order set for this hour—the consideration of Assembly Bill No. 18—be postponed until to-morrow at three o'clock and thirty minutes P. M.

So ordered.

NOTICE OF RECONSIDERATION.

Mr Mathews of Tehama gave notice that on the next legislative day he will move a reconsideration of the vote whereby the Assembly refused to concur in Senate amendments to Assembly Bills Nos. 426 and 427

MOTION.

Mr. Anderson moved that the special order set for this hour—the consideration of Assembly Bill No. 396—be postponed until three o'clock and thirty minutes P. M. to-morrow.

So ordered.

SPECIAL ORDER.

Senate Bill No. 349—An Act to change and permanently locate the boundary lines between the counties of Glenn and Colusa.

Read third time, and passed by the following vote:

AYES—Messrs. Adams, Alford, Anderson, Androus, Barker, Barlow, Bennett of Santa Clara, Bennett of Orange, Blakeley, Bledsoe, Brownlie, Buckley, Bulla, Burke, Carlson, Casterline, Conway, Curtis, Cusick, Dodge, Drees, Durst, Finlayson, Gallagher, Gately, Hamilton, Hendrickson, Hurley, Hutson, Jacobs, Jacobsen, Johnson of Humboldt, Johnson of Santa Clara, Kerns, LaRue, Luttringer, Lynch, McCauley, McElroy, McGowan, Mack, Marks, Marston, Mathews of Tehama, Matthews of San Benito, Miller, Mordecai, O'Keefe, O'Neill, Owen, Pendleton, Perkins, Pueschel, Raw, Sargent, Schroebel, Simpson, Sims, Standart, Taggart, Thomas of Nevada, Thomas of Santa Clara, Vann, Wade, and Mr. Speaker—65.

NOES—None.

Title read and approved.

RESOLUTION.

By Mr. Lynch:

Resolved, That Assembly Bill No. 839 presents a case of urgency, as that term is used in section fifteen of article four of the Constitution, and the provisions of that section requiring that the bill shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the first, second, and third times, and placed upon its passage.

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

AYES—Messrs. Adams, Anderson, Androus, Barker, Barlow, Bennett of Santa Clara, Bennett of Orange, Blakeley, Bledsoe, Boyce, Brownlie, Bulla, Burke, Carlson, Casterline, Chipman, Curtis, Cusick, Dodge, Drees, Durst, Finlayson, Gallagher, Gately, Godchaux, Hamilton, Hendrickson, Hutson, Jacobs, Jacobsen, Johnson of Humboldt, Johnson of Santa Clara, Kahn, LaRue, Luttringer, Lynch, McCauley, McElroy, McGowan, Mack, Marks, Marston, Mathews of Tehama, O'Keefe, Owen, Pendleton, Perkins, Pueschel, Raw, Schlesinger, Schroebel, Shanahan, Simpson, Sims, Standart, Talbott, Thomas of Nevada, Tindall, Wade, and Mr. Speaker—60

NOES—Messrs. Matthews of San Benito, Sargent, and Thomas of Santa Clara—3.

ASSEMBLY BILL No. 839.

Assembly Bill No. 839—An Act to provide for the preparation, printing, and distribution of a volume expository of the resources of California, at the World's Columbian Exposition at Chicago, and appropriating money therefor.

Read first and second times.

MOTION.

Mr. Lynch moved that the Assembly resolve itself into Committee of the Whole, with the Speaker in the chair, for the purpose of considering Assembly Bill No. 839.

So ordered.

IN COMMITTEE OF THE WHOLE.

Speaker Gould in the chair.

Assembly Bill No. 839 was considered in Committee of the Whole.

IN ASSEMBLY.

Speaker Gould in the chair.

REPORT OF THE COMMITTEE OF THE WHOLE.

The Speaker stated the report of the Committee of the Whole, as follows:

GENTLEMEN: The Committee of the Whole have had under consideration Assembly Bill No. 839—An Act to provide for the preparation, printing, and distribution of a volume expository of the resources of California, at the World's Columbian Exposition at Chicago, and appropriating money therefor—and now report, and recommend that the same do pass.

Bill considered engrossed and ordered to a third reading.

THIRD READING OF BILL.

Assembly Bill No. 839—An Act to provide for the preparation, printing, and distribution of a volume expository of the resources of California, at the World's Columbian Exposition at Chicago, and appropriating money therefor.

Read third time, and passed by the following vote:

AYES—Messrs. Adams, Alford, Anderson, Androus, Barker, Barlow, Bennett of Santa Clara, Bennett of Orange, Blakeley, Boyce, Brownlie, Buckley, Burke, Carlson, Casterline, Chipman, Conway, Curtis, Cusick, Dodge, Drees, Duckworth, Emeric, Finlayson, Gallagher, Gately, Godchaux, Hamilton, Jacobsen, Johnson of Humboldt, Kennedy, Kahn, Kerns, Luttringer, Lynch, McCauley, McElroy, McGowan, Mack, Marks, Marston, Mathews of Tehama, Miller, O'Keefe, O'Neill, Owen, Pendleton, Perkins, Pueschel, Raw, Schlesinger, Schroebel, Sims, Standart, Taggart, Talbott, Taylor, Tindall, Vann, Wade, and Mr. Speaker—60.

NOES—Messrs. Bledsoe, Jacobs, Johnson of Santa Clara, Matthews of San Benito, Sargent, and Thomas of Santa Clara—6.

Title read and approved.

MOTIONS.

Mr. Lynch moved that Assembly Bill No. 839 be immediately transmitted to the Senate.

So ordered.

Mr. Anderson moved that Senate Bill No. 349 be immediately transmitted to the Senate.

So ordered.

SPECIAL ORDER.

Assembly Constitutional Amendment No. 14—A resolution proposing to the people of the State of California an amendment to the Constitution, repealing sections twenty-two and twenty-three of article twelve of said Constitution, relating to the Railroad Commission, and adding to article four of said Constitution a new section, to be known and numbered as section thirty-six, relating to railroad freights and fares.

Pending consideration of the pending substitute, Mr. Matthews of San Benito moved to take a recess until seven o'clock and thirty minutes P. M.

So ordered.

EVENING SESSION.

The Assembly reassembled at seven o'clock and thirty minutes P. M.
Mr. Conway was elected Chairman.
Quorum present.

MOTION.

Mr. Lynch moved that a select committee of one be appointed by the Chairman to amend Assembly Bill No. 848—An Act making an appropriation to pay the deficiency in the appropriation for the pay of officers and clerks of the Assembly—as follows:

Amend by striking out of section one, line one, the words "three hundred and thirty-five," and inserting the following: "thirteen hundred and fifty."

So ordered.

APPOINTMENT OF COMMITTEE.

Mr. Lynch was appointed such committee to make said amendments.

REPORT OF SELECT COMMITTEE.

ASSEMBLY CHAMBER, SACRAMENTO, February 28, 1893.

MR. CHAIRMAN: Your select committee, to whom was referred Assembly Bill No. 848, with instructions to amend in accordance with the action of the House, would respectfully report that the instructions of the House have been carried out.

LYNCH, Committee.

Report adopted.

MOTION.

Mr. Lynch moved that a select committee of one be appointed by the Chairman to amend Assembly Bill No. 849—An Act making an appropriation to pay the deficiency in the appropriation for the per diem and mileage of the Assembly for the thirtieth session, as follows:

Amend by striking out of section one, line one, the words "twelve hundred," and inserting the following: "three hundred and thirty-five."

So ordered.

APPOINTMENT OF COMMITTEE.

Mr. Lynch was appointed such committee to make said amendments.

REPORT OF SELECT COMMITTEE.

ASSEMBLY CHAMBER, SACRAMENTO, February 28, 1893.

MR. CHAIRMAN: Your select committee, to whom was referred Assembly Bill No 849, with instructions to amend in accordance with the action of the House, would respectfully report that the instructions of the House have been carried out.

LYNCH, Committee.

Report adopted.
Speaker pro tem. Mathews in the chair.

URGENCY FILE.

Assembly Bill No. 772—An Act to amend an Act entitled "An Act to establish a Civil Code," approved March 21, 1872, and to add a new

section thereto, to be numbered section one thousand six hundred and seventy-seven, relating to unlawful contracts.

Read second time, ordered engrossed and to a third reading.

Assembly Bill No. 67—An Act to provide for the purchase of a residence for the Governor of California, and to appropriate money therefor.

Read second time, and passed on file.

Assembly Bill No. 56—An Act to provide for the organization and government of districts already supplied with water for domestic and irrigation purposes, or either, and to provide for the acquisition of additional supplies of water when necessary, and to provide for the regulation and use of such water.

Read second time, ordered engrossed and to a third reading.

Assembly Bill No. 235—An Act supplemental to an Act entitled "An Act to provide for the organization and government of irrigation districts, and to provide for the acquisition of water and other property, and for the distribution of water thereby for irrigation purposes," approved March 7, 1887, providing for reducing the bonded indebtedness thereof.

Read third time, and passed by the following vote:

AYES—Messrs. Adams, Alford, Anderson, Barker, Bennett of Santa Clara, Bennett of Orange, Blakeley, Boyce, Brownlie, Buckley, Burke, Carlson, Casterline, Chipman, Conway, Curtis, Cusick, Drees, Duckworth, Gallagher, Hurley, Jacobs, Johnson of Humboldt, Johnson of Santa Clara, Kerns, Luttringer, McGowan, Marks, Marston, Matthews of San Benito, Miller, O'Keefe, O'Neill, Owen, Pendleton, Perkins, Pueschel, Schlesinger, Shanahan, Standart, Taggart, Thomas of Santa Clara, Vann, and Mr. Speaker—43.

NOES—Messrs. Bledsoe, Bretz, LaRue, McElroy, Mathews of Tehama, and Wade—6.

Title read and approved.

NOTICE OF RECONSIDERATION.

Mr. Alford gave notice that on the next legislative day he will move a reconsideration of the vote whereby Assembly Bill No. 235 was passed.

URGENCY FILE—(RESUMED).

Assembly Bill No. 193—An Act to provide for incorporation, operation, and management of coöperative associations.

Passed on file.

Assembly Bill No. 694—An Act to insure preference in appointment, employment, and retention therein, in the public service of the State of California, and municipalities, villages, and counties of the State of California, to ex-Union soldiers of the late war.

Passed on file.

Assembly Bill No. 473—An Act to increase the revenue by the taxation of incomes.

Read third time, and passed by the following vote:

AYES—Messrs. Adams, Alford, Androus, Bennett of Santa Clara, Bennett of Orange, Bledsoe, Bretz, Buckley, Bulla, Burke, Carlson, Casterline, Conway, Dodge, Finlayson, Gallagher, Hurley, Jacobs, Jacobsen, Johnson of Humboldt, Johnson of Santa Clara, Kahn, Kerns, Luttringer, Mack, Marston, Matthews of San Benito, Miller, O'Keefe, O'Neill, Pueschel, Schlesinger, Schroebel, Shanahan, Simpson, Taggart, Taylor, Thomas of Santa Clara, Tindall, Vann, and Mr. Speaker—41.

NOES—Messrs. Anderson, Barker, Brownlie, Chipman, Curtis, Cusick, Drees, Duffy, Durst, Godchaux, Hendrickson, Hutson, Lynch, McElroy, McGowan, Marks, Mathews of Tehama, Pendleton, Perkins, Sargent, Standart, and Wade—22.

Title read and approved.

Mr. Bennett of Orange moved that Assembly Bill No. 473 be immediately transmitted to the Senate.

So ordered.

Mr. Bennett of Santa Clara moved to take up Assembly Bill No. 694.

So ordered.

Assembly Bill No. 694—An Act to insure preference in appointment, employment, and retention therein, in the public service of the State of California, and municipalities, villages, and counties of the State of California, to ex-Union soldiers of the late war.

Read third time.

PREVIOUS QUESTION.

Mr. Durst moved the previous question, seconded by Messrs. Schlesinger and Alford.

The question being, "Shall the main question be now put?"

So ordered.

Pending roll call, Mr. Bledsoe moved a call of the House, seconded by Messrs. Schlesinger and Bennett of Santa Clara.

Lost.

The Speaker pro tem. declared the bill lost by the following vote:

AYES—Messrs. Adams, Anderson, Androus, Barker, Barlow, Bennett of Santa Clara, Bennett of Orange, Blakeley, Bledsoe, Bretz, Buckley, Burke, Carlson. Casterline, Chipman, Conway, Dodge, Durst, Gallagher, Gately, Hendrickson, Johnson of Humboldt, Kennedy, Kahn, Luttringer, Lynch, McElroy, McGowan, Miller, O'Keefe, Owen, Pendleton, Perkins, Schlesinger, Shanahan, Simpson, Taylor, Vann, Wade, and Mr Speaker—40.

NOES—Messrs. Alford, Boyce, Brownlie, Bulla, Curtis, Cusick, Drees, Duffy, Finlayson, Godchaux, Hurley, Hutson, Jacobs, Kerns, LaRue, McCauley, Mack, Marks, Marston, Mathews of Tehama, Matthews of San Benito, O'Neill, Pueschel, Raw, Sargent, Schroebel, Thomas of Santa Clara, and Tindall—28

Mr. Barlow moved to take up Assembly Bill No. 193.

So ordered.

Assembly Bill No. 193—An Act to provide for incorporation, operation, and management of coöperative associations.

Read third time, and passed by the following vote.

AYES—Messrs Adams, Alford, Androus, Barker, Barlow, Bennett of Santa Clara, Bennett of Orange, Blakeley, Bledsoe, Boyce, Bretz, Buckley, Bulla, Burke, Carlson, Casterline, Conway, Cusick, Dodge, Duffy, Finlayson, Gately, Hurley, Jacobs, Jacobsen, Johnson of Humboldt, Johnson of Santa Clara, Kennedy, Kerns, Marston, Matthews of San Benito, Miller, O'Keefe, O'Neill, Perkins, Shanahan, Standart, Taylor, Thomas of Santa Clara, Vann, Wade, and Mr. Speaker—42.

NOES—Messrs. Anderson, Brownlie, Chipman, Drees, Durst, Godchaux, Hendrickson, Hutson, LaRue, Luttringer, Lynch, McCauley, McGowan, Marks, Mathews of Tehama, Pueschel, Raw, Schlesinger, Simpson, Taggart, and Tindall—21

Title read and approved.

Mr. Barlow moved that Assembly Bill No. 193 be immediately transmitted to the Senate.

So ordered.

Assembly Bill No. 239—An Act to create the county of Kings, to define the boundaries thereof, to fix the county seat thereof, and to provide for its organization and election of officers, and to classify said county.

The question being on the second reading of the bill.

The ayes and noes were demanded by Messrs. Alford, Simpson, and Hurley.

The roll was called, and the bill ordered read the second time by the following vote:

AYES—Messrs. Adams, Anderson, Barker, Barlow, Bennett of Santa Clara, Bennett of Orange, Blakeley, Bledsoe, Boyce, Bretz, Brownlie, Carlson, Casterline, Chipman, Conway, Curtis, Cusick, Duffy, Durst, Gallagher, Gately, Johnson of Humboldt, Kennedy, Luttringer, McCauley, McGowan, Marks, Miller, O'Keefe, O'Neill, Raw, Sargent, Shanahan, Standart, Taggart, Taylor, and Vann—37.

NOES—Messrs Alford, Buckley, Bulla, Burke, Dodge, Drees, Finlayson, Godchaux, Hendrickson, Hurley, Hutson, Jacobs, Jacobsen, Johnson of Santa Clara, Kahn, Kerns, LaRue, Lynch, McElroy, Marston, Mathews of Tehama, Matthews of San Benito, Owen, Perkins, Pueschel, Schlesinger, Simpson, Sims, Thomas of Santa Clara, Tindall, Wade, and Mr. Speaker—32.

Assembly Bill No. 239—An Act to create the county of Kings, to define the boundaries thereof, to fix the county seat thereof, and to provide for its organization and election of officers, and to classify said county.

Read second time.

Mr. Blakeley moved to amend, as follows:

By striking out of section two, lines six, seven, eight, nine, ten, and eleven, the words "eighteen miles; thence east to the northeast corner of section three, in township twenty-one south, of range twenty-three east, Mount Diablo base and meridian; thence south to the southeast corner of section thirty-four, in township twenty-one south, of range twenty-three east, of Mount Diablo base and meridian; thence east to the northeast corner of section four, in township twenty-two south, of range twenty-four east, Mount Diablo base and meridian, thence south eighteen miles," and inserting the following: "nine miles to the southeast corner of section sixteen, in township nineteen south, range twenty-three east, Mount Diablo base and meridian, thence west three miles, to the southeast corner of section thirteen, township nineteen south, range twenty-two east, Mount Diablo base and meridian; thence south nine miles, to the southeast corner of township twenty south, range twenty-two east, Mount Diablo base and meridian; thence west to the northeast corner of township twenty-one south, range twenty-two east, Mount Diablo base and meridian; thence south twenty-four miles."

Adopted.

Bill ordered engrossed and to a third reading.

REPORT OF STANDING COMMITTEE.

ON ENGROSSMENT.

ASSEMBLY CHAMBER, SACRAMENTO, February 27, 1893

MR. SPEAKER: Your Committee on Engrossment beg leave to report that the following Assembly Bills have been correctly engrossed: Committee Substitute for Assembly Bill No 543, Assembly Bills Nos. 393, 654, 42, 731, 369, 581, 513, 724, 630, and 354, Committee Substitute for Assembly Bill No. 408, Assembly Bills Nos 726, 85, 244, 184, 674, 284, 666, 305, 246, 550, 350, 696, 108, and 236.

KENNEDY, Chairman.

URGENCY FILE.

Under the rule, Mr. Standart was allowed to place Assembly Bill No. 593 on the urgency file.

Assembly Bill No. 593—An Act to pay the claim of John McGrath against the State of California, and making an appropriation therefor.

Read first time, and placed on file for second reading.

Assembly Bill No. 365—An Act to provide for the transfer of certain moneys from one county to another, when a new county has been formed and organized.

Read third time, and passed by the following vote:

AYES—Messrs. Adams, Alford, Anderson, Barker, Barlow, Bennett of Santa Clara, Bennett of Orange, Blakeley, Bledsoe, Bretz, Buckley, Bulla, Burke, Carlson, Chipman, Curtis, Cusick, Dodge, Drees, Durst, Finlayson, Gallagher, Gately, Hurley, Hutson,

Jacobs, Jacobsen, Johnson of Humboldt, Kahn, Kerns, Luttringer, Lynch, McElroy, McGowan, Marks, Marston, Mathews of Tehama, Matthews of San Benito, O'Keefe, O'Neill, Owen, Perkins, Raw, Standart, Taggart, Taylor, Thomas of Santa Clara, Tindall, Vann, and Wade—50.

NOES—None.

Title read and approved.

Mr. Jacobs moved to adjourn.

Lost.

Assembly Bill No. 727—An Act to amend sections three, five, six, and ten of an Act entitled "An Act to provide for the maintenance and support of the public parks heretofore created within the various cities, and cities and counties of the State, and to amend the existing Act in relation thereto," approved March 14, 1889.

Read second time.

Committee amendment, as follows:

Insert after the word "extent," section six, line three, "to any one party and the lease herefor shall be unassignable, nor shall any portion of such park be leased to any street or other railroad company."

Adopted.

Mr. Kennedy moved to amend, as follows:

By inserting on line one, before the words "section three," the words "section one," also, by adding on line eleven, page two, before the words "section five," the words "section two," also, by adding on line seven, page two, before the words "section six," the words "section three," also, by adding on line fifteen, page two, before the words "section ten," "section four"

Adopted.

Bill ordered engrossed and to a third reading.

Assembly Bill No. 19—An Act to amend "An Act to establish a Civil Code," approved March 21, 1872, by adding a new section thereto, to be numbered four hundred and thirty-two, relating to fire and marine insurance.

Passed on file.

Assembly Bill No. 729—An Act appropriating money to pay the claims of H. P. Dyer, E. F. Dyer, C. A. Granger, Gaston Goldsmith, and P. Reddy.

Read second time.

MOTION.

Mr. Lynch moved that the Assembly resolve itself into Committee of the Whole, with the Speaker pro tem. in the chair, for the purpose of considering Assembly Bill No. 729.

So ordered.

IN COMMITTEE OF THE WHOLE.

Speaker pro tem. Mathews in the chair.

Assembly Bill No. 729 was considered in Committee of the Whole.

IN ASSEMBLY.

Speaker pro tem. Mathews in the chair.

REPORT OF THE COMMITTEE OF THE WHOLE.

The Speaker pro tem. stated the report of the Committee of the Whole, as follows:

GENTLEMEN: The Committee of the Whole have had under consideration Assembly Bill No. 729—and now report, and recommend that the same do pass.

Bill ordered engrossed and to a third reading.

URGENCY FILE.

Assembly Bill No. 81—An Act to amend sections three thousand seven hundred and sixty-five, three thousand seven hundred and seventy-three, three thousand seven hundred and seventy-eight, three thousand seven hundred and eighty, three thousand seven hundred and eighty-one, three thousand seven hundred and eighty-five, three thousand seven hundred and eighty-eight, and three thousand eight hundred and seventeen; and to repeal sections three thousand seven hundred and seventy-four, three thousand seven hundred and seventy-five, three thousand seven hundred and seventy-six, three thousand seven hundred and seventy-seven, three thousand seven hundred and seventy-nine, three thousand seven hundred and eighty-two, three thousand seven hundred and eighty-three, three thousand seven hundred and eighty-four, and three thousand eight hundred and eighteen of an Act of the Legislature of the State of California entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the sale of real property for delinquent taxes, and the redemption and resale of such property; and to add a new section thereto, to be known and designated as section three thousand eight hundred and one, also relating to the sale of real property for delinquent taxes.

Read third time, and passed by the following vote:

AYES—Messrs. Adams, Alford, Anderson, Androus, Barker, Bennett of Santa Clara, Bennett of Orange, Bledsoe, Boyce, Bretz, Brownlie, Buckley, Bulla, Burke, Carlson, Casterline, Chipman, Conway, Curtis, Dodge, Drees, Duckworth, Durst, Finlayson, Gallagher, Hendrickson, Hurley, Hutson, Jacobs, Jacobsen, Johnson of Humboldt, Johnson of Santa Clara, Kahn, Kerns, Luttringer, Lynch, McElroy, Marks, Marston, Mathews of Tehama, Matthews of San Benito, Miller, O'Keefe, O'Neill, Perkins, Pueschel, Raw, Sargent, Schlesinger, Simpson, Taggart, Talbott, Taylor, Thomas of Santa Clara, Vann, Wade, and Mr. Speaker—57.
NOES—None.

Title read and approved.

Assembly Bill No. 264—An Act providing for the sale of railroad and other franchises in municipalities, and fixing the time when certain Acts of the governing bodies thereof, relative to franchises, shall take effect.

Read third time, and passed by the following vote:

AYES—Messrs Adams, Alford, Anderson, Androus, Bennett of Santa Clara, Bennett of Orange, Blakeley, Bledsoe, Boyce, Bretz, Buckley, Bulla, Burke, Carlson, Casterline, Chipman, Conway, Curtis, Cusick, Dodge, Drees, Duckworth, Durst, Finlayson, Gallagher, Hurley, Hutson, Jacobs, Johnson of Humboldt, Kennedy, Kahn, Luttringer, Lynch, Marks, Marston, Mathews of Tehama, Matthews of San Benito, Miller, O'Keefe, O'Neill, Perkins, Pueschel, Raw, Sargent, Schlesinger, Simpson, Taggart, Talbott, Thomas of Santa Clara, Vann, Wade, and Mr. Speaker—52.
NOES—None.

Title read and approved.

Mr. Finlayson moved that Assembly Bill No. 264 be immediately transmitted to the Senate.

So ordered.

ADJOURNMENT.

At nine o'clock and fifty minutes P. M., on motion of Mr. Matthews of San Benito, the Assembly adjourned.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Wednesday, March 1, 1893.

The Assembly met pursuant to adjournment.

Speaker Gould in the chair.

The roll was called, and the following members answered to their names:

Messrs. Adams, Alford, Anderson, Androus, Barker, Barlow, Bennett of Santa Clara, Bennett of Orange, Blakeley, Bledsoe, Boyce, Bretz, Brownlie, Buckley, Bulla, Burke, Carlson, Casterline, Chipman, Conway, Curtis, Cusick, Dodge, Drees, Duckworth, Duffy, Durst, Emeric, Finlayson, Gallagher, Gately, Godchaux, Hamilton, Hendrickson, Hurley, Hutson, Jacobs, Jacobsen, Johnson of Humboldt, Johnson of Santa Clara, Kennedy, Kahn, Kerns, LaRue, Luttringer, Lynch, McCauley, McElroy, McGowan, Mack, Marks, Marston, Mathews of Tehama, Matthews of San Benito, Miller, Mordecai, O'Keefe, O'Neill, Owen, Pendleton, Perkins, Pueschel, Raw, Sargent, Schlesinger, Schroebel, Shanahan, Simpson, Sims, Standart, Taggart, Talbott, Taylor, Thomas of Nevada, Thomas of Santa Clara, Tindall, Vann, Wade, and Mr. Speaker.

Quorum present.

PRAYER.

Prayer by the Chaplain, Rev. H. W. Conry.

READING AND APPROVAL OF THE JOURNAL.

Pending the reading of the Journal of yesterday, Mr. Bennett of Santa Clara moved that the further reading be dispensed with.

So ordered.

Journal of Monday, February 27th, approved.

REPORTS OF STANDING COMMITTEES.

ON ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, February 28, 1893.

MR SPEAKER: Your Committee on Enrollment beg leave to report that the following bills have been correctly enrolled: Assembly Bill No 195—An Act to abolish the State Drainage Construction Fund, and directing the transfer of any balance remaining therein to the General Fund—and was presented to the Governor February 28, 1893, at eleven o'clock and thirty minutes A M.

Also: Assembly Bill No. 287—An Act to amend an Act entitled "An Act to authorize the Common Council, Board of Trustees, or other governing body of any incorporated city or town, other than cities of the first class, to refund its indebtedness, issue bonds therefor, and provide for the payment of the same," approved March 15, 1883.

Also: Assembly Bill No 270—An Act to establish a Naval Battalion, to be attached to the National Guard of California.

Also: Assembly Bill No 241—An Act to amend section three thousand eight hundred and sixty-six of the Political Code, relating to settlements with the Controller, and payments into the State Treasury.

Also: Assembly Bill No 146—An Act making an appropriation to pay the deficiency in the appropriation for postage, expressage, telegraphing, and contingent expenses, State Board of Examiners, for the forty-fourth fiscal year.

Also Assembly Bill No 153—An Act to amend section six and section eight of an Act approved March 19, 1889, entitled "An Act authorizing the incurring of indebtedness by cities, towns, and municipal corporations, incorporated under the laws of this State, for the construction of waterworks, sewers, and all necessary public improvements, or for any purpose whatever," and to repeal the Act approved March 9, 1885, entitled "An Act to authorize municipal corporations of the fifth class, containing more than three thousand and less than ten thousand inhabitants, to obtain waterworks;" also, to repeal an Act approved March 15, 1887, entitled "An Act authorizing the incurring of indebtedness by cities, towns, and municipal corporations incorporated under the laws of this State"

Also: Assembly Bill No 186—An Act to amend section three thousand eight hundred and sixty-eight of the Political Code, relating to the report of County Auditors

Also: Assembly Bill No. 1—An Act making an appropriation to pay the deficiency for stationery fuel, lights, and supplies for the Legislature and State officers for the forty-second fiscal year

And were presented to the Governor February 28, 1893, at eleven o'clock and thirty minutes A. M.

O'NEILL, Chairman.

ON PUBLIC MORALS.

ASSEMBLY CHAMBER, SACRAMENTO, March 1, 1893

MR. SPEAKER: Your Committee on Public Morals, to whom was referred Senate Bill No. 438—An Act making it unlawful to refuse admission to places of amusement—have had the same under consideration, and we find that under the law, as it now stands, no person conducting himself in a lawful manner can be legally excluded from any place of amusement, who presents a valid ticket of admission thereto, and any person so excluded has a right of action for damages. Therefore, the only effect of the passage of Senate Bill No. 438 would be to encumber the statute books with unnecessary legislation, and we respectfully report the same back, and recommend that it do not pass

Also, Senate Bill No 287—An Act to add a new section to the Civil Code, to be numbered section one hundred and thirty-one, relative to divorces

Also Senate Bill No. 109—An Act providing for the prevention of pools, trusts, and conspiracies to control prices, and as to evidence and prosecution in such cases, and to provide penalties for the violation thereof

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

BLEDSOE, Chairman.

ON MINES AND MINING.

ASSEMBLY CHAMBER, SACRAMENTO, February 28, 1893

MR. SPEAKER Your Committee on Mines and Mining, to whom was referred Substitute for Senate Bill No 389—An Act to provide for the appointment, duties, and compensation of a Debris Commissioner, and to make an appropriation to be expended under his directions in the discharge of his duties as such Commissioner—have had the same under consideration, and respectfully report the same back, and recommend that same do pass.

HAMILTON, Chairman.

ON JUDICIARY.

ASSEMBLY CHAMBER, SACRAMENTO, March 1, 1893.

MR SPEAKER Your Committee on Judiciary, to whom was referred Committee Substitute for Senate Bill No. 383—An Act to add a new section to the Code of Civil Procedure of the State of California, to be numbered section twelve hundred and three, relating to liens of mechanics and others—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended

SHANAHAN, Chairman.

ON STATE HOSPITALS

ASSEMBLY CHAMBER, SACRAMENTO, March 1, 1893.

MR SPEAKER: Your Committee on State Hospitals, to whom was referred Assembly Bill No 846—An Act providing for the removal of human remains from cemeteries in cities having a population of more than five thousand, and not exceeding one hundred thousand—have had the same under consideration, and respectfully report the same back without recommendation.

MORDECAI, Chairman.

ON PUBLIC EXPENDITURES AND ACCOUNTS.

ASSEMBLY CHAMBER, SACRAMENTO, March 1, 1893.

MR. SPEAKER: Your Committee on Public Expenditures and Accounts, to whom was referred Assembly resolution relative to the expenses of the special committee on memorial services, have had the same under consideration, and recommend the adoption of the following resolution·

Resolved, That the Controller is hereby directed to draw his warrant in favor of Mr. Finlayson, upon the appropriation for the contingent expenses of the Assembly, for the sum of one hundred and twenty-eight dollars and twelve and one half cents ($128 12½), said sum being for one half of the amount as contracted by your committee

Also: Having carefully investigated into the following accounts.

Jan. 31—To bill rendered, ice	$3 45
Feb. 28—To bill rendered, ice	9 25
Feb. 18—To bill rendered, call of House, hack hire	2 00
Feb. 24—To bill rendered, call of House, hack hire	2 00
Jan 31—To lock and key, Taylor's desk	1 50
Feb. 15—To washing towels	3 00
Feb 28—To bill rendered, carpet	5 50
Feb. 10—To lock and key, Conway's desk	1 50
Total	$27 20

Recommend the adoption of the following resolution.

Resolved, That the Controller be and he is hereby directed to draw his warrant in favor of Thomas E. Healy, for the sum of twenty-seven dollars and twenty cents, out of the Contingent Fund of the Assembly.

J. H. MATTHEWS, Chairman.

Adopted.

MESSAGES FROM THE GOVERNOR.

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA, SACRAMENTO, February 23, 1893.

To the Assembly of the State of California.

I have the honor to inform your honorable body that I have approved Assembly Bills Nos. 8, 45, 269, 312, 127, and 4.

H. H. MARKHAM, Governor.

Also:

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA, SACRAMENTO, February 24, 1893.

To the Assembly of the State of California·

I have the honor to inform your honorable body that I have approved Assembly Bills Nos. 50 and 797.

H. H. MARKHAM, Governor.

Also:

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA, SACRAMENTO, February 28, 1893.

To the Assembly of the State of California·

I have the honor to inform your honorable body that I have approved Assembly Bills Nos. 459, 460, 634, 500, 635, 126, 128, 31, 281, 627, 282, 96, 186, and 241.

H H. MARKHAM, Governor.

MESSAGES FROM THE SENATE.

SENATE CHAMBER, SACRAMENTO, February 28, 1893.

MR. SPEAKER. I am directed to inform your honorable body that the Senate, on this day, passed Assembly Bill No. 688—An Act making an appropriation from the State School Book Fund, to supply the deficiency in the present appropriation from the General Fund, for compiling State school text-books for the forty-fourth fiscal year.

Also: Substitute for Senate Bill No. 233—An Act to provide for the payment for the advertising of the constitutional amendments. and to make an appropriation therefor.

Also: Senate Bill No. 507—An Act making an appropriation for the payment of certain salary due Allen Kelly. as Executive Officer of the State Board of Forestry

Also: Senate Bill No 506—An Act to amend sections three hundred and sixty-four and six hundred and fifty-four of the Political Code, relating to the Board of Examiners, and to add a new section thereto, to be known as section six hundred and eighty-five of the Political Code, providing for the appointment of a clerk by said Board, and making an appropriation for his salary.

F. J BRANDON, Secretary.
By R. SHAW, Assistant.

Assembly Bill No. 688 ordered to enrollment.

Senate Bills Nos. 233 and 507 referred to Committee on Ways and Means.

MOTION.

Mr. Tindall moved that Senate Bill No. 506 be substituted on the file for Assembly Bill No. 549, and be read the first time.

So ordered.

FIRST READING OF BILL.

Senate Bill No. 506—An Act to amend sections three hundred and sixty-four and six hundred and fifty-four of the Political Code, relating to the Board of Examiners, and to add a new section thereto, to be known as section six hundred and eighty-five of the Political Code, providing for the appointment of a clerk by said Board, and making an appropriation for his salary.

Read first time, and placed on file for second reading.

Also:

SENATE CHAMBER, SACRAMENTO, February 28, 1893.

MR SPEAKER: I am directed to inform your honorable body that the Senate, on the twenty-seventh day of February, 1893, concurred in the Assembly amendment to Senate Bill No 382—An Act authorizing the allowance, settlement, and payment of claims of counties against the State.

F. J. BRANDON, Secretary.
By R. SHAW, Assistant

Also:

SENATE CHAMBER, SACRAMENTO, February 28, 1893.

MR SPEAKER: I am directed to inform your honorable body that the Senate, on this day, passed Assembly Bill No 36—An Act to appropriate money for the survey, location, and construction of a free wagon road from the town of Mariposa, in Mariposa County, to the Yosemite Valley.

Also. Assembly Bill No. 720—An Act authorizing the State Controller and State Treasurer to transfer from the State School Fund to the State School Land Fund the sum of one hundred and eighty-nine thousand four hundred and twenty-six dollars and fifty-eight cents.

Also Substitute for Assembly Constitutional Amendment No 7—A resolution proposing an amendment to the Constitution of the State of California, by adding a new section to article thirteen of said Constitution, to be numbered section twelve and three fourths (12¾), relating to revenue and taxation.

F J. BRANDON, Secretary.
By R. SHAW, Assistant.

Assembly Bills Nos. 36 and 720, and Substitute for Assembly Constitutional Amendment No. 7 ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, February 28, 1893.

MR. SPEAKER: I am directed to inform your honorable body that the Senate, on this day, passed Assembly Bill No. 214, as amended in Senate—An Act to amend section one thousand two hundred and six of the Code of Civil Procedure, relating to certain liens for salaries and wages, and to persons preferred in cases of executions and attachments.

Also. Assembly Bill No 213, as amended in Senate—An Act to amend section one thousand two hundred and five of the Code of Civil Procedure, relating to certain liens for salaries and wages, and to persons preferred in estates of deceased persons.

Also Assembly Bill No. 212, as amended in Senate—An Act to amend section one thousand two hundred and four of the Code of Civil Procedure, relating to certain liens for salaries and wages, and to persons preferred on assignments for benefit of creditors.

Also: Assembly Bill No. 113, as amended in Senate—An Act requiring the recording of maps of cities, towns, additions to cities or towns, or subdivisions of lands into small lots or tracts for the purposes of sale, and providing a penalty for the selling or offering for sale any lots or tracts in cities, towns, additions to cities, towns, subdivisions, or additions thereto, before such maps are filed and recorded.

Also: Assembly Bill No. 37, title amended in Senate—An Act to amend an Act entitled "An Act to establish a Penal Code," approved February 14, 1872, by amending section three hundred and ninety-seven thereof, relating to penalty for selling liquor to habitual or common drunkards, and Indians

F. J. BRANDON, Secretary.
By R. SHAW, Assistant.

The question being, "Shall the Assembly concur in Senate amendment to Assembly Bill No. 214?"

The roll was called, and the Senate amendment concurred in by the following vote:

AYES—Messrs Adams, Anderson, Barker, Barlow, Bennett of Santa Clara, Bennett of Orange, Bledsoe, Brownlie, Buckley, Bulla, Burke, Chipman, Conway, Curtis, Cusick, Dodge, Drees, Duckworth, Duffy, Emeric, Finlayson, Godchaux, Hamilton, Hendrickson, Hurley, Hutson, Jacobs, Johnson of Humboldt, Johnson of Santa Clara, Kennedy, Kahn, Kerns, LaRue, Luttringer, Lynch, McCauley, McElroy, McGowan, Mack, Marks, Marston, Mathews of Tehama, Matthews of San Benito, Miller, O'Keefe, O'Neill, Owen, Pendleton, Perkins, Pueschel, Sargent, Simpson, Sims, Standart, Taggart, Talbott, Taylor, Thomas of Nevada, Thomas of Santa Clara, Tindall, Vann, Wade, and Mr. Speaker—63.
NOES—None.

Ordered to enrollment.

The question being, "Shall the Assembly concur in Senate amendment to Assembly Bill No. 213?"

The roll was called, and the Senate amendment concurred in by the following vote:

AYES—Messrs Adams, Anderson, Androus, Barker, Barlow, Bledsoe, Bretz, Brownlie, Buckley, Burke, Conway, Cusick, Dodge, Drees, Duckworth, Duffy, Durst, Emeric, Finlayson, Godchaux, Hamilton, Hendrickson, Hurley, Hutson, Jacobs, Johnson of Humboldt, Kahn, Kerns, LaRue, Luttringer, Lynch, McCauley, McElroy, McGowan, Mack, Marks, Marston, Mathews of Tehama, Matthews of San Benito, Miller, O'Keefe, O'Neill, Owen, Pendleton, Perkins, Pueschel, Raw, Schroebel, Simpson, Sims, Standart, Taggart, Talbott, Taylor, Thomas of Nevada, Thomas of Santa Clara, Vann, Wade, and Mr. Speaker—59.
NOES—None.

Ordered to enrollment.

The question being, "Shall the Assembly concur in Senate amendment to Assembly Bill No. 212?"

The roll was called, and the Senate amendment concurred in by the following vote:

AYES—Messrs. Adams, Anderson, Barker, Barlow, Bennett of Santa Clara, Bledsoe, Boyce, Brownlie, Buckley, Bulla, Burke, Carlson, Dodge, Drees, Duckworth, Duffy, Durst, Emeric, Finlayson, Godchaux, Hamilton, Hendrickson, Hurley, Hutson, Jacobs, Johnson of Humboldt, Johnson of Santa Clara, Kennedy, Kahn, Kerns, LaRue, McCauley, McElroy, McGowan, Mack, Marks, Marston, Mathews of Tehama, Matthews of San Benito, Miller, O'Keefe, O'Neill, Owen, Pendleton, Perkins, Raw, Shanahan, Simpson, Sims, Standart, Taggart, Talbott, Thomas of Nevada, Thomas of Santa Clara, Vann, Wade, and Mr Speaker—59.
NOES—None.

Ordered to enrollment.

The question being, "Shall the Assembly concur in Senate amendment to Assembly Bill No. 113?"

The roll was called, and the Senate amendment concurred in by the following vote:

AYES—Messrs. Adams, Anderson, Barker, Barlow, Bennett of Santa Clara, Blakeley, Bledsoe, Brownlie, Buckley, Bulla, Burke, Carlson, Conway, Cusick, Dodge, Drees, Duffy, Durst, Emeric, Finlayson, Gallagher, Godchaux, Hamilton, Hendrickson, Hurley, Hutson, Jacobs, Johnson of Humboldt, Johnson of Santa Clara, Kennedy, Kahn, Kerns, Luttringer, Lynch, McCauley, McElroy, McGowan, Mack, Marks, Marston, Mathews of Tehama, Matthews of San Benito, Miller, Mordecai, O'Keefe, O'Neill, Pendleton, Perkins, Raw, Sargent, Schroebel, Shanahan, Simpson, Sims, Standart, Taggart, Talbott, Taylor, Thomas of Nevada, Thomas of Santa Clara, Vann, Wade, and Mr. Speaker—63.
NOES—None.

Ordered to enrollment.

The question being, "Shall the Assembly concur in Senate amendment to Assembly Bill No. 37?"

The roll was called, and the Senate amendment concurred in by the following vote:

AYES—Messrs. Adams, Anderson, Barker, Barlow, Bennett of Santa Clara, Bennett of Orange, Blakeley, Bledsoe, Bretz, Buckley, Burke, Carlson, Conway, Cusick, Dodge, Duffy, Durst, Finlayson, Gallagher, Godchaux, Hamilton, Hendrickson, Hurley, Hutson, Jacobs, Johnson of Humboldt, Johnson of Santa Clara, Kennedy, Kahn, Kerns, LaRue, Luttringer, Lynch, McCauley, McElroy, Mack, Marks, Marston, Matthews of San Benito, O'Keefe, O'Neill, Owen, Pendleton, Perkins, Raw, Sargent, Schroebel, Sims, Standart, Taggart, Taylor, Thomas of Nevada, Thomas of Santa Clara, Wade, and Mr. Speaker—56.

NOES—None.

Ordered to enrollment.

MESSAGES FROM THE SENATE—(RESUMED).

SENATE CHAMBER, SACRAMENTO, February 28, 1893.

MR. SPEAKER: I am directed to inform your honorable body that the Senate, on this day, passed Senate Bill No 331—An Act to appropriate money for the erection of a monument in the Court-house grounds, Santa Rosa, California, in memory of the late General M G Vallejo

Also. Senate Bill No. 230—An Act to amend section three thousand five hundred and seventy three of the Political Code, relating to public lands

Also: Senate Bill No. 428—An Act to repeal section one thousand and ninety-three of an Act entitled "An Act to establish a Civil Code," approved March 21, 1872, relating to conveyances by married women.

F. J. BRANDON, Secretary
By R. SHAW, Assistant.

Senate Bill No. 428 referred to Committee on Judiciary.

MOTION.

Mr. Sims moved that Senate Bill No. 331 be substituted on the file for Assembly Bill No. 438, and be read the first time.

So ordered.

FIRST READING OF BILL.

Senate Bill No. 331—An Act to appropriate money for the erection of a monument in Golden Gate Park, in the city of San Francisco, or in the Court-house grounds, Santa Rosa, California, in memory of the late General M. G. Vallejo.

Read first time.

Bill ordered referred to Committee on Ways and Means.

MOTION.

Mr. Lynch moved that Senate Bill No. 230 be substituted on the file for Assembly Bill No. 184, and be read the first time, and placed upon the Senate special file.

So ordered.

FIRST READING OF BILL.

Senate Bill No. 230—An Act to reinstate and reënact section three thousand five hundred and seventy-three of the Political Code, relating to public lands.

Read first time, and placed on file for second reading.

MESSAGES FROM THE SENATE—(RESUMED).

SENATE CHAMBER, SACRAMENTO, February 28, 1893.

MR. SPEAKER: I am directed to inform your honorable body that the Senate, on this day, passed Senate Bill No. 430—An Act to amend sections one thousand four hundred and twenty-six, one thousand four hundred and twenty-seven, and one thousand four hundred and fifty-two of an Act entitled "An Act to establish a Penal Code," adopted February 14, 1872, relating to the manner of commencing actions before a Justice's or Police Court for a public offense.

Also: Senate Bill No 429—An Act to amend section nine hundred and forty-four of an Act entitled "An Act to establish a Penal Code," adopted February 14, 1872, relating to indictments for offenses triable in Justices' or Police Courts.

Also: Senate Bill No. 115—An Act to amend section three hundred and sixty-two of the Civil Code, relating to amending articles of incorporation.

Also: Senate Bill No. 351—An Act to add a new section to the Political Code, to be known and designated as section three thousand four hundred and ninety-three and one half, relating to suits to determine the validity of assessments in reclamation districts.

Also: Senate Bill No. 64—An Act to amend section nine hundred and eighty-seven of the Penal Code of the State of California, relating to the appointment of counsel in criminal cases, and providing for their compensation.

F. J. BRANDON, Secretary.
By R. SHAW, Assistant.

Senate Bills Nos. 430, 429, and 64 referred to Committee on Judiciary.

Senate Bill No. 351 referred to Committee on Swamp and Overflowed Lands.

MOTION.

Mr. Sims moved that Senate Bill No. 115 be substituted on the file for Assembly Bill No. 59, and be read the first time.

So ordered.

FIRST READING OF BILL.

Senate Bill No. 115—An Act to amend section three hundred and sixty-two of the Civil Code, relating to amending articles of incorporation.

Read first time, and placed on file for second reading.

MESSAGES FROM THE SENATE—(RESUMED).

SENATE CHAMBER, SACRAMENTO, February 28, 1893.

MR SPEAKER: I am directed to inform your honorable body that the Senate, on this day, adopted Assembly Joint Resolution No. 26—Relative to the mining and river interests of the State.

F. J. BRANDON, Secretary.
By R. SHAW, Assistant.

MOTION.

Mr. Dodge moved to be allowed to introduce a bill under the provisions of the Constitution requiring the consent of two thirds of the members.

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

AYES—Messrs. Adams, Anderson, Androus, Barker, Barlow, Bennett of Santa Clara, Bennett of Orange, Bledsoe, Bretz, Buckley, Burke, Carlson, Casterline, Chipman, Conway, Curtis, Cusick, Dodge, Drees, Duckworth, Duffy, Durst, Emeric, Finlayson, Gallagher, Gately, Godchaux, Hendrickson, Hurley, Jacobsen, Johnson of Humboldt, Johnson of Santa Clara, Kennedy, Kahn, Kerns, Luttringer, Lynch, Mack, Marston, Mathews of Tehama, Matthews of San Benito, Miller, Mordecai, O'Keefe, Pendleton, Perkins, Pueschel, Raw, Sargent, Schlesinger, Sims, Standart, Talbott, Taylor, Thomas of Nevada, Thomas of Santa Clara, Vann, Wade, and Mr. Speaker—59.

NOES—None.

INTRODUCTION OF BILL.

The following bill was introduced, and read by title.

By Mr. Dodge: Assembly Bill No. 851—An Act to amend section two

thousand six hundred and seven of the Political Code of the State of California, relating to the exemption of State property from assessment by municipal and county governments.

Read first time, and placed on file for second reading.

REPORTS OF STANDING COMMITTEES.

ON STATE PRISONS AND REFORMATORY INSTITUTIONS.

ASSEMBLY CHAMBER, SACRAMENTO, March 1, 1893.

MR SPEAKER: Your Committee on State Prisons and Reformatory Institutions, to whom was referred Senate Bill No 463—An Act directing the State Prison Directors of the State of California to employ at least twenty prisoners in the construction of roads to the State Prison at San Quentin—have had the same under consideration, and respectfully report the same back, and recommend that it do pass

H H. JOHNSON, Chairman.

ON PUBLIC BUILDINGS AND GROUNDS

ASSEMBLY CHAMBER, SACRAMENTO, March 1, 1893.

MR SPEAKER. Your Special Committee on Public Buildings and Grounds, to whom was referred the investigation of the charges preferred against the contractors of the Home of the Feeble-Minded at Glen Ellen, Sonoma County, herewith submit the inclosed report—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

CURTIS, Chairman.

Report of Special Committee.

MR SPEAKER: Your special committee which, in connection with a similar committee from the Senate, were appointed and directed to investigate certain charges made relating to the construction of some of the buildings at the Home for the Care and Training of the Feeble-Minded, located at Glen Ellen, Sonoma County, beg leave to submit the following report:

Your committee visited the premises at Glen Ellen, and proceeded at once to inspect and thoroughly examine the buildings in question; that thereafter, at regularly appointed meetings, and in pursuance to the issuance of subpœnas, witnesses whom, in the judgment of your committee, were material to aid in determining the charges, appeared and gave testimony, which testimony accompanies this report, and among whom were the following: George W. Gibbs, Trustee; F. W. Lougee, Trustee; and Hon A P. Overton, Trustee, and Chairman of the Building Committee, together with being a practical builder, and all of whom are men of sterling integrity and business capacity.

In addition to the foregoing witnesses, we examined Victor Hoffmann, Jr, the complaining witness, though laboring under some disadvantage in doing so, inasmuch as he refused to answer some of the questions propounded, and which were, in the judgment of your committee, relevant, that we might the better reach the bottom of the charges, and in this connection we are constrained to say, and we do hereby disapprove of said last named witness' manner and general conduct before said committee, the same being discourteous and disrespectful.

Your committee finds, as follows:

First—That the charges made to the Controller of State by said Victor Hoffmann, Jr., were not founded in fact, and are not borne out by the testimony, but, on the contrary, in the opinion of your committee, is the result of animus.

Second—That the testimony of all the witnesses goes to show that the building is constructed in accordance with the specifications, with only slight changes, and which were made with and by the authority of the Board of Trustees, said changes being of no advantage to the contractor nor detriment to the State, and which changes, under the circumstances, are allowed by law

Third—We have inspected the buildings, and find that the State may well congratulate itself upon having a building as cheaply and as well constructed as any of like character in the State, either public or private.

Fourth—Answering the charges set forth by Victor Hoffmann, Jr, to wit that the specifications were forged, with the view to serve the purpose of the contractor, beg to say, your committee, together with the Controller, compared the alleged forged specifications with the original which was filed with the Controller, and find the charge without foundation, the two being indentical and exact copies, and no changes or erasures appearing

Fifth—Your committee having duly and carefully considered the charges set forth in said complaint, and the testimony taken in connection therewith, conclude that there is not a scintilla of evidence to warrant any of the said charges, the testimony to the contrary being conclusive, and we therefore freely and fully exonerate the contractor from any and all charges set forth.

We submit herewith a copy of the charges, together with the report of the expert sent to inspect the premises at Glen Ellen, by the Controller; also, a copy of the transcript of the testimony taken before the committee

All of which is respectfully submitted.

CURTIS, Chairman,
TAGGART,
BENNETT,
Assembly Committee.
EVERETT, Chairman,
SEYMOUR,
BIGGY,
Senate Committee.

REPORT OF SPECIAL COMMITTEE.

ASSEMBLY CHAMBER, SACRAMENTO, February 27, 1893

MR. SPEAKER: Your special committee appointed to visit the Golden Gate Park, and confer with the Park Commissioners relative to improvements in course of progress, contemplated improvements, and proposed amendments to the law now governing said park, beg leave to report that we visited the park in company with said Commissioners, Messrs. Stow and Hammond, on February 26, 1893.

It is needless to say that the management of the park, both from an artistic and financial view, is all that the most progressive and intelligent citizen could fairly demand The most scrupulous care is invariably taken by the Commissioners, that the public money intrusted to them by the law is expended to accomplish results pleasing and satisfactory to even the most exacting taxpayer.

In proof of these conclusions we have only to cite the facts that the books of the Commissioners have on many occasions been subjected to a most scrutinizing research, with only conclusions complimentary to the Commissioners revealed, and that upon the investigation of the expenditures of the public money it was found that the work done received less money than similar work when done for private purposes

We gladly avail ourselves of this opportunity to testify to the disinterested regard, prompt and energetic attention, and painstaking care with which Messrs Hammond, Stow, and Austin have discharged the duties of their office, and we commend them most highly for the zeal they have displayed in the work of their office

It may be truly said that under the present management many new and attractive features and permanent improvements have been added. The park has become now, under the policy of the present capable Commissioners, a beauty spot, where toiling labor can rest in the struggle of life to view the beautiful scenes of nature, where the overburdened humanity of our great city can breathe pure air, enjoy the songs of birds, revel captives to the sweet strains of music, and where, free from labor's annoyance, can be obtained the healthful and ennobling influences of a life in close communion with nature in her most entrancing forms.

Senate Bill No 572, introduced by Senator Maher, and Assembly Bill No. 727, introduced by Assemblyman Kennedy, are designed to amend the present law so as to allow needed changes in the management and government of the park. It is first proposed to add the word "musicians" to the present law, so as to allow the payment of a claim for music furnished. It must not be implied from this demand for a change in the law that it is the intention of the Commissioners to pay for all the services rendered by musicians. On the contrary, the public pay but a pittance of the money now expended for music. Nearly the whole sum for such service is paid by a few of the street railway companies, under a contract most advantageous to the public.

It is also proposed to empower the Commissioners to enter into leases, except to railroad companies, with the term thereof not to exceed ten years. The reasons for such a change are obvious Under the proposed law leases more to the advantage of public interest can be made. It is contemplated to further amend the law so that additional safeguards can be made.

The object of section four of the bills referred to is to establish a minimum and maximum rate of a levy of "not less than six nor more than ten cents upon each one hundred dollars assessed valuation of taxable property." This is a wise provision, and is desired to enable the Board of Supervisors to give the needed funds for the improvement of the park.

We heartily indorse the proposed changes, and trust that the Legislature will aid the present Commissioners in their most beneficial work by the enactment of the bills referred to.

As Golden Gate Park is situated near the largest city in the State, as the people of the whole State take a most decided interest in it, and many visitors from all parts of our State enjoy the benefits, as its growth and development have made it an institution grand enough to be claimed by the whole State, we respectfully suggest that the State should make a liberal and generous appropriation for the park.

KENNEDY, Chairman.
BROWNLIE.
PENDLETON
SCHLESINGER.
O'KEEFE.
MARKS.

RESOLUTIONS.

By Mr. Finlayson:

Resolved, That Assembly Joint Resolution No 26 be immediately transmitted to the Governor, with instructions to affix his seal thereto and telegraph same to the President of the United States, in accordance with the terms of said resolution, and that the expense thereof be paid out of the Assembly Contingent Fund.

Adopted.

By Mr. Anderson:

Resolved, That the Superintendent of State Printing be and he is hereby directed to have prepared and printed, immediately after the adjournment of the thirtieth session of the Legislature *sine die*, an index to all bills, joint and concurrent resolutions, and constitutional amendments introduced in the Assembly during the present session; the index to be alphabetically arranged by authors and topics, on a plan similar to the one followed in the "Index to Bills introduced during the twenty-seventh, twenty-eighth, and twenty-ninth sessions," and to be printed on paper similar in size and quality to that for printing Assembly bills Four hundred and eighty copies of said index shall be printed, and one copy shall be mailed to each member of the Senate and Assembly. The sum of one hundred and twenty-five dollars is hereby directed to be paid to the Superintendent of State Printing out of the appropriation for the contingent expenses of the Assembly, for the compilation of and postage on the aforesaid index, and the Controller of State is hereby directed to draw his warrant for said sum, payable to the Superintendent of State Printing, out of the appropriation for the contingent expenses of the Assembly.

Referred to Committee on Public Expenditures and Accounts.

ASSEMBLY CONCURRENT RESOLUTION.

By Mr. Simpson:

Resolved by the Assembly, the Senate concurring, That Frank P. Boynton, a member of the School Board of Pasadena School District in Los Angeles County, be and he is hereby permitted leave of absence for the period of eight months from the fifteenth day of March, 1893

Adopted.

MOTIONS.

Mr. Simpson moved that the resolution be immediately transmitted to the Senate.

So ordered.

Mr. Sims moved that Assembly Bill No. 613 be substituted on the file for Assembly Bill No. 207.

So ordered.

QUESTION OF PRIVILEGE.

Mr. Finlayson, on a question of privilege, stated that it appears from the record that he was the author of Assembly Constitutional Amendment No. 7, whereas, Mr. Owen was such author, and is entitled to all the credit as such.

RECONSIDERATION.

Mr. Mathews of Tehama moved to reconsider the vote whereby the Assembly refused to concur in Senate amendment to Assembly Bill No. 427.

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

AYES—Messrs. Adams, Alford, Anderson, Androus, Barker, Barlow, Bennett of Santa Clara, Bennett of Orange, Bretz, Buckley, Bulla, Burke, Casterline, Cusick, Dodge, Drees, Duckworth, Duffy, Emeric, Finlayson, Gately, Godchaux, Hamilton, Hendrickson, Hur-

ley, Jacobs, Jacobsen, Kahn, Kerns, Luttringer, McCauley, McElroy, Marks, Marston, Mathews of Tehama, Miller, Mordecai, O'Keefe, O'Neill, Perkins, Pueschel, Raw, Schlesinger, Simpson, Talbott, Taylor, Thomas of Nevada, Thomas of Santa Clara, Tindall, Vann, Wade, and Mr. Speaker—52.

NOES—None

SENATE AMENDMENT CONCURRED IN.

The question being, "Shall the Assembly concur in Senate amendment to Assembly Bill No. 427?"

The roll was called, and the Senate amendment concurred in by the following vote:

AYES—Messrs Adams, Alford, Anderson, Barker, Barlow, Bennett of Santa Clara, Blakeley, Boyce, Bretz, Bulla, Burke, Casterline, Cusick, Dodge, Drees, Duckworth, Duffy, Durst, Emeric, Finlayson, Gallagher, Godchaux, Hendrickson, Hurley, Hutson, Jacobs, Jacobsen, Kennedy, Kahn, Luttringer, McElroy, Mack, Marks, Marston, Mathews of Tehama, Mordecai, O'Keefe, O'Neill, Owen, Perkins, Pueschel, Raw, Schroebel, Standart, Talbott, Thomas of Nevada, Thomas of Santa Clara, Vann, Wade, and Mr Speaker—50.

NOES—Mr. Bledsoe—1.

MOTION.

Mr. Bennett of Santa Clara moved that Assembly Bill No. 242 be substituted on the file for Assembly Bill No. 366.

So ordered.

RECONSIDERATION.

Mr. Duckworth moved to reconsider the vote whereby Senate Bill No. 538 was refused a second reading.

So ordered.

MOTION.

Mr. Duckworth moved that the further consideration of Senate Bill No. 538 be made a special order for to-morrow at three o'clock and thirty minutes P. M.

So ordered.

REPORT OF STANDING COMMITTEE.

ON WAYS AND MEANS.

ASSEMBLY CHAMBER, SACRAMENTO, March 1, 1893.

MR SPEAKER: Your Committee on Ways and Means, to whom was referred Assembly Bill No. 742—An Act to encourage the establishment of county, and city and county reform schools for the correction, care, and maintenance of juvenile offenders, and to provide State aid, and appropriate money therefor

Also: Assembly Bill No 741—An Act making an appropriation for editing the manuscript of the State Mineralogist for the two years ending September 15, 1892.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

W. P. MATHEWS, Chairman.

MOTION.

Mr. Hurley moved that Assembly Bill No. 742, reported from the Ways and Means Committee, be read the first time, and be made a case of urgency.

So ordered.

FIRST READING OF BILL.

An Act to encourage the establishment of county, and city and county reform schools for the correction, care, and maintenance of juvenile offenders, and to provide State aid, and appropriate money therefor.

Read first time, and placed on the urgency file.

RESOLUTION.

By Mr. Duckworth:

Resolved, That Committee Substitute for Assembly Bill No. 774 presents a case of urgency, as that term is used in section fifteen of article four of the Constitution, and the provisions of that section requiring that the bill shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the first, second, and third times, and placed upon its passage.

MOTION.

Mr. Duckworth moved that the consideration of the resolution be made a special order for to-morrow at three o'clock and thirty minutes P. M.

So ordered.

RESOLUTION.

By Mr. Duckworth:

Resolved, That Assembly Bill No. 788 presents a case of urgency, as that term is used in section fifteen of article four of the Constitution, and the provisions of that section requiring that the bill shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the first, second, and third times, and placed upon its passage.

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

AYES—Messrs Alford, Anderson, Barker, Bennett of Santa Clara, Boyce, Bretz, Brownlie, Buckley, Bulla, Burke, Carlson, Casterline, Chipman, Conway, Curtis, Cusick, Dodge, Drees, Duckworth, Durst, Finlayson, Gallagher, Gately, Godchaux, Hendrickson, Jacobsen, Johnson of Humboldt, Kennedy, Kahn, Kerns, Luttringer, Lynch, McElroy, McGowan, Mack, Marks, Marston, Miller, Mordecai, O'Keefe, Owen, Perkins, Pueschel, Schlesinger, Schroebel, Shanahan, Simpson, Sims, Standart, Taggart, Talbott, Tindall, Vann, and Mr. Speaker—54

NOES—Messrs. Adams, Bledsoe, Duffy, Emeric, Hutson, Jacobs, Matthews of San Benito, O'Neill, Thomas of Santa Clara, and Wade—10.

ASSEMBLY BILL No. 788.

Assembly Bill No. 788—An Act appropriating money to pay the expense of transporting, insuring, and installing of a California exhibit in the Woman's Building of the World's Columbian Exposition.

Read first and second times.

MOTION.

Mr. Duckworth moved that the Assembly resolve itself into Committee of the Whole, with the Speaker in the chair, for the purpose of considering Assembly Bill No. 788.

So ordered.

IN COMMITTEE OF THE WHOLE.

Speaker Gould in the chair.

Assembly Bill No. 788 was considered in Committee of the Whole.

IN ASSEMBLY.

Speaker Gould in the chair.

REPORT OF THE COMMITTEE OF THE WHOLE.

The Speaker stated the report of the Committee of the Whole, as follows:

GENTLEMEN: The Committee of the Whole have had under consideration Assembly Bill No. 788—and now report, and recommend that the same do pass.

Bill considered engrossed, and ordered to a third reading.

THIRD READING OF BILL.

Assembly Bill No. 788—An Act appropriating money to pay the expense of transporting, insuring, and installing of a California exhibit in the Woman's Building of the World's Columbian Exposition.

Read third time, and passed by the following vote:

AYES—Messrs. Adams, Anderson, Barker, Barlow, Bennett of Santa Clara, Bennett of Orange, Boyce, Bretz, Brownlie, Buckley, Bulla, Burke, Carlson, Casterline, Chipman, Curtis, Cusick, Dodge, Drees, Duckworth, Durst, Emeric, Gallagher, Gately, Godchaux, Hendrickson, Jacobsen, Johnson of Humboldt, Kahn, Kerns, LaRue, Luttringer, McGowan, Mack, Marks, Marston, Miller, Mordecai, O'Keefe, Owen, Pendleton, Perkins, Schlesinger, Schroebel, Shanahan, Simpson, Sims, Standart, Taggart, Talbott, Taylor, Thomas of Nevada, Tindall, Vann, Wade, and Mr. Speaker—57.

NOES—Messrs. Bledsoe, Finlayson, Hutson, Jacobs, McCauley, Matthews of San Benito, O'Neill, Raw, and Thomas of Santa Clara—9.

Title read and approved.

MOTION.

Mr. Duckworth moved that Assembly Bill No. 788 be immediately transmitted to the Senate.

So ordered.

UNFINISHED BUSINESS.

Assembly Bill No. 24—An Act to create the county of Putnam, to establish the boundaries thereof, to determine the county seat, and to provide for its organization and election of officers.

Refused second reading.

Assembly Bill No. 25—An Act to create the county of Buena Vista, to establish the boundaries thereof, to determine the county seat, and to provide for its organization and election of officers.

Refused second reading.

Assembly Bill No. 515—An Act to create the county of San Jacinto, to define the boundaries thereof, to provide for its organization, and to determine the location of the county seat by election.

Refused second reading.

NOTICE OF RECONSIDERATION.

Mr. Pendleton gave notice that on the next legislative day he will move a reconsideration of the vote whereby Assembly Bill No. 24, Assembly Bill No. 25, and Assembly Bill No. 515 were refused second reading.

UNFINISHED BUSINESS—(RESUMED).

Assembly Bill No. 356—An Act to create the county of Bidwell, establish the boundaries, to provide for its organization, and to provide for the payment of such proportion of the indebtedness of Butte County as may be equitably chargeable to Bidwell County.

The question being, "Shall the bill be read a second time?"

The ayes and noes were demanded by Messrs. Miller, Owen, and Brownlie.

The roll was called, and the bill ordered read the second time by the following vote:

AYES—Messrs. Anderson, Barker, Barlow, Bennett of Orange, Bledsoe, Boyce, Bretz, Brownlie, Buckley, Carlson, Casterline, Chipman, Conway, Curtis, Cusick, Duckworth, Durst, Gallagher, LaRue, McGowan, Marks, Marston, Miller, O'Keefe, O'Neill, Owen, Perkins, Raw, Sargent, Schroebel, Shanahan, Talbott, Taylor, and Vann—34.

NOES—Messrs. Bennett of Santa Clara, Bulla, Burke, Dodge, Drees, Finlayson, Gately, Godchaux, Hamilton, Hendrickson, Hurley, Hutson, Jacobs, Jacobsen, Johnson of Humboldt, Kahn, Kerns, Lynch, McElroy, Mack, Mathews of Tehama, Matthews of San Benito, Pueschel, Schlesinger, Simpson, Sims, Standart, Taggart, Thomas of Nevada, Thomas of Santa Clara, Tindall, Wade, and Mr. Speaker—33.

SECOND READING OF BILL.

Assembly Bill No. 356—An Act to create the county of Bidwell, establish the boundaries, to provide for its organization, and to provide for the payment of such proportion of the indebtedness of Butte County as may be equitably chargeable to Bidwell County.

Read second time.

Committee amendments, as follows:

Amend by striking out all of line eighteen after the word "thereof," all of lines nineteen, twenty, twenty-one, twenty-two, twenty-three, twenty-four, twenty-five, and twenty-six of section two, and insert in their place the words "to a point one half mile south of the township line dividing townships eighteen and nineteen north, of range three east, of Mount Diablo base and meridian; thence west along the east and west one half section line of sections four, five, and six in said township eighteen north, range three east, to the township line dividing township eighteen north, range two east, from township eighteen north, three east; thence north on the township line dividing townships eighteen, nineteen, and twenty north, range two east, from townships eighteen, nineteen, and twenty north, range three east, to the fourth standard parallel north; thence west eleven chains more or less to the southwest corner of township twenty-one north, range three east, thence north on the township line dividing townships twenty-one and twenty-two north, range two east, from townships twenty-one and twenty-two north, range three east, to the center of."

Adopted.

Also:

By striking out the words "a majority," on line two, section eleven, and insert in their place the word "two thirds."

Adopted.

Also:

Amend by striking out the words "a majority," on line one, section eighteen, and in their place insert the words "two thirds."

Adopted.

Also:

Amend by striking out all of line four after the word "Butte," all of line five, all of line six, the first two words of line seven, and the words "of the balance" of said line seven, all of section twenty.

Adopted.

The question being, "Shall the bill be ordered engrossed and to a third reading?"

The ayes and noes were demanded by Messrs. Alford, Standart, and Mack.

The roll was called, and the bill ordered engrossed and to a third reading by the following vote:

AYES—Messrs Anderson, Androus, Barker, Barlow, Bennett of Orange, Blakeley, Bledsoe, Boyce, Bretz, Brownlie, Buckley, Carlson, Casterline, Chipman, Conway, Curtis, Cusick, Duckworth, Duffy, Durst, Gallagher, Johnson of Santa Clara, Kennedy, LaRue, McCauley, McGowan, Marks, Marston, Miller, Mordecai, O'Neill, Owen, Perkins, Raw, Sargent, Schroebel, Shanahan, Talbott, and Taylor—39

NOES—Messrs Adams, Alford, Bennett of Santa Clara, Bulla, Burke, Dodge, Emeric, Finlayson, Gately, Godchaux, Hendrickson, Hutson, Jacobs, Jacobsen, Johnson of Humboldt, Kerns, Lynch, McElroy, Mack, Mathews of Tehama, Matthews of San Benito, Pendleton, Pueschel, Schlesinger, Simpson, Sims, Standart, Taggart, Thomas of Nevada, Thomas of Santa Clara, Tindall, Vann, Wade, and Mr. Speaker—34.

RECESS.

The hour of recess having arrived, the Speaker declared recess until two o'clock P. M.

REASSEMBLED.

The Assembly reassembled at two o'clock P. M.

Speaker Gould in the chair.

Quorum present.

LEAVE TO SIT.

The Hart Investigating Committee was granted leave to sit this afternoon.

REPORT OF STANDING COMMITTEE.

ON ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, March 1, 1893.

MR. SPEAKER. Your Committee on Enrollment beg leave to report that Assembly Concurrent Resolution No. 14—Relating to petitioning and requesting the Supreme Court of the United States to hear and determine the action now before said Court, in which the State of California is plaintiff in error, and the San Pablo and Tulare Railroad Company, is defendant in error—has been correctly enrolled, and was presented to the Governor March 1, 1893, at eleven o'clock and thirty minutes A. M.

O'NEILL, Chairman.

SPECIAL SENATE FILE—THIRD READING OF BILLS.

Senate Bill No. 229—An Act to compel savings banks to publish a sworn statement of all unclaimed deposits.

Read third time, and passed by the following vote:

AYES—Messrs. Adams, Anderson, Androus, Barker, Barlow, Bennett of Santa Clara, Bennett of Orange, Bledsoe, Boyce, Bretz, Brownlie, Buckley, Bulla, Burke, Carlson, Casterline, Chipman, Conway, Dodge, Drees, Duckworth, Duffy, Emeric, Gately, Jacobsen, Johnson of Humboldt, Johnson of Santa Clara, Kerns, Lynch, McCauley, McElroy, Mack, Marks, Matthews of San Benito, Miller, O'Keefe, O'Neill, Owen, Pendleton, Perkins, Raw, Schroebel, Shanahan, Simpson, Taggart, Talbott, Taylor, Thomas of Nevada, Thomas of Santa Clara, Vann, and Mr. Speaker—51.

NOES—Messrs. Cusick, Durst, Godchaux, Hurley, Hutson, Jacobs, LaRue, Luttringer, McGowan, Marston, Sargent, Schlesinger, Standart, and Wade—14

Title read and approved.

NOTICE OF RECONSIDERATION.

Mr. Gately gave notice that on the next legislative day he will move a reconsideration of the vote whereby Senate Bill No. 229 was passed.

SPECIAL SENATE FILE—(RESUMED).

Substitute for Senate Bill No. 137—An Act to establish a Board of Parole Commissioners for the parole of and government of paroled prisoners.

Mr. Bledsoe, on his motion, was allowed to withdraw his pending motion to strike out the enacting clause.

Bill ordered to a third reading.

Senate Bill No. 55—An Act to amend section one thousand one hundred and seven of the Civil Code of the State of California.

Passed on file.

Senate Bill No. 219—An Act to provide for the appointment of guardians of children maintained in any orphans' home or orphans' asylum in this State.

Read third time, and passed by the following vote:

AYES—Messrs Adams, Anderson, Androus, Barker, Barlow, Bennett of Santa Clara Bennett of Orange, Bledsoe, Boyce, Brownlie, Buckley, Bulla, Burke, Carlson, Casterline, Chipman, Conway, Curtis, Cusick, Dodge, Drees, Duckworth, Duffy, Durst, Emeric Finlayson, Gately, Hamilton, Hendrickson, Hurley, Jacobs, Jacobsen, Johnson of Humboldt, Johnson of Santa Clara, LaRue, Lynch, McElroy, McGowan, Marks, Matthews of San Benito, Miller, O'Keefe, O'Neill, Owen, Perkins, Pueschel, Raw, Schlesinger, Shanahan, Standart, Taggart, Talbott, Taylor, Thomas of Nevada, Thomas of Santa Clara, Vann, Wade, and Mr. Speaker—58

NOES—None.

Title read and approved.

MOTIONS.

Mr. Finlayson moved that Senate Bill No. 219 be immediately transmitted to the Senate.

So ordered.

Mr. Schlesinger moved to take up Senate Bill No. 101 (No. 431 on the special Senate file).

So ordered.

FIRST READING OF BILL.

Senate Bill No. 101—An Act making an appropriation to pay the claim of D. Jordan, as approved by the State Board of Examiners.

Read first time, and placed on file for second reading.

SPECIAL SENATE FILE—(RESUMED)—SECOND READING OF BILL.

Senate Bill No. 166—An Act authorizing the formation of county mutual insurance companies, regulating the transaction of their business, and defining the duties of the officers thereof.

The question being on the pending amendment of Mr. Duckworth.

Lost.

Mr. Duckworth moved to amend as follows:

By striking out of section one, lines two and three, the words "own property of not less than twenty-five thousand dollars ($25,000)," and inserting the following: "own unincumbered real property, situate in the State of California, of the value of not less than two hundred and fifty thousand dollars ($250,000)."

Lost.

Also:

At end of section four add the following: "Every holder of a policy of such insurance shall be a member of the corporation. He shall be liable to the corporation for his pro rata share of all losses and damages by fire sustained by the other members, and his pro rata share of the expenses of the management of the business of such corporation, and shall also be bound and subject to the by-laws thereof."

Lost.

Also:

Amend by striking out all of section ten.

Lost.

Also:

At the end of section twelve add the following: "Said statement shall be under the oath of the President or Secretary, and shall also be filed in the office of the Insurance Commissioner. And if it appear therefrom, or by an examination of the business of said company, which can be made at any time by the Insurance Commissioner, that said company is insolvent, said Commissioner shall thereupon direct said company to discontinue issuing policies, and to wind up its business, until said Commissioner becomes satisfied that said company is solvent and able to pay its losses and debts in full as they fall due."

Lost.

Also:

Amend by striking out all of section fourteen

Lost.

Mr. Duckworth moved to strike out the enacting clause.

Lost.

Bill ordered to a third reading.

REPORT OF STANDING COMMITTEE.

ON ENGROSSMENT.

ASSEMBLY CHAMBER, SACRAMENTO, March 1, 1893.

MR. SPEAKER: Your Committee on Engrossment beg leave to report that the following Assembly Bills have been correctly engrossed: Assembly Bills Nos. 18, 21, 369, 777, 467, 313, 272, 307, 512, 373, 611, 191, 368, and 219.

KENNEDY, Chairman.

SPECIAL SENATE FILE—(RESUMED).

Senate Bill No. 302—An Act to amend section three thousand eight hundred and eighty-one of the Political Code, relating to errors, etc., on assessment roll, and the corrections thereof.

Read second time.

The question being, "Shall the bill be ordered to a third reading?"

Lost.

Senate Bill No. 209—An Act amending sections one thousand five hundred and seventy-seven and one thousand five hundred and seventy-eight of the Code of Civil Procedure, relating to mortgages and leases in certain cases.

Passed on file.

Senate Bill No. 149—An Act to amend sections two, five, seven, and ten of an Act entitled "An Act to establish free public libraries and reading-rooms," approved April 26, 1880, to enable the Trustees to fix the

amount of taxes to be raised therefor, and to provide the manner of levying and collecting the same, to authorize the City Treasurer to pay out the same on order of the Trustees, to fix term of office of Trustees, and to provide the manner of their election, in cities less than one hundred thousand population.

Read second time, and ordered to a third reading.

Senate Bill No. 50—An Act to amend the Civil Code by adding thereto two sections, to be known as sections one thousand four hundred and twenty-four and one thousand four hundred and twenty-five, being title nine, part four, division two of said Code, concerning the manner of conducting business of hydraulic mining.

Read second time.

Mr. Durst moved to amend as follows:

By striking out all of lines four, five, and six after the words "section one thousand four hundred and twenty-four," and inserting the following: "It shall be lawful to carry on, within this State, quartz, placer, drift, and hydraulic mining, *providing, however*, that hydraulic mining shall not be conducted at any point where the same will, directly or indirectly, occasion damage to the navigable rivers of this State, or the tributaries thereof, or the farming lands and cities thereon, or adjoining thereto, *and provided, also*, that such hydraulic mining shall not be carried on at any point or place, by any person, company, or corporation, until it shall have been determined that mining by the hydraulic method may be carried on at said points or place without damage to said rivers and lands, by the Debris Commission, appointed and acting under authority of the Congress of the United States, and permission therefor given by said Commission, as provided by Act of Congress."

Consideration of amendment pending.

SPECIAL ORDERS.

Substitute for Assembly Bills Nos. 16, 57, 129, 157, 176, 524, 667, and 730—An Act to amend sections one thousand five hundred and twenty, one thousand five hundred and twenty-one, one thousand five hundred and thirty-two, one thousand five hundred and thirty-three, one thousand five hundred and forty-three, one thousand five hundred and fifty-one, one thousand five hundred and fifty-three, one thousand five hundred and sixtv, one thousand five hundred and sixty-one, one thousand five hundred and sixty-four, one thousand five hundred and and sixty-five, one thousand five hundred and seventy-six, one thousand five hundred and seventy-seven, one thousand five hundred and eighty-one, one thousand five hundred and eighty-three, one thousand five hundred and ninety-three, one thousand five hundred and ninety-six, one thousand five hundred and ninety-nine, one thousand six hundred and two, one thousand six hundred and fourteen, one thousand six hundred and fifteen, 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 thirty-four, one thousand six hundred and thirty-six, one thousand six hundred and thirty-seven, one thousand six hundred and thirty-eight, one thousand six hundred and thirty-nine, one thousand six hundred and fifty, one thousand six hundred and fifty-one, 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 eighty-seven, one thousand six hundred and ninety-six, one thousand six hundred and ninety-eight, one thousand six hundred and ninety-nine, one thousand seven hundred and twelve, one thousand seven hundred and

thirteen, one thousand seven hundred and fourteen, one thousand seven hundred and sixty-eight, 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-five, one thousand seven hundred and seventy-six, 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 seven hundred and ninety-two, one thousand seven hundred and ninety-three, one thousand eight hundred and seventeen, one thousand eight hundred and thirty, one thousand eight hundred and thirty-three, one thousand eight hundred and thirty-five, one thousand eight hundred and thirty-six, one thousand eight hundred and fifty-seven, one thousand eight hundred and fifty-eight, one thousand eight hundred and sixty-one, one thousand eight hundred and seventy-four, one thousand eight hundred and seventy-seven, one thousand eight hundred and seventy-nine, one thousand eight hundred and eighty, one thousand eight hundred and eighty-two, one thousand eight hundred and eighty-three, one thousand five hundred and three of the Political Code; to add thereto three new sections, to be known and numbered as sections one thousand six hundred and sixty-nine, one thousand six hundred and seventy, and one thousand six hundred and seventy-one; to repeal sections one thousand seven hundred and fifty-seven and one thousand seven hundred and sixty-nine of the Political Code, all relating to the public schools; and also to repeal "An Act to authorize the establishment of county high schools, and provide for their support," approved March 10, 1891, and "An Act to provide for the establishment of high schools in the State of California," approved March 20, 1891, and all Acts and parts of Acts in conflict with the provisions of this Act.

Mr Sims moved to amend, as follows:

By striking out of section fifty-six, lines eleven and twelve, printed bill, the words "less ten per cent, received by the county for the next preceding school year"

Adopted.

Also:

Amend by striking out of section seventy, lines seven and eight, printed bill, the words "without the payment of any fee."

Adopted.

Also:

Amend by striking out of section eleven, line five, printed bill, the words "except temporary."

Adopted.

Mr. Bledsoe moved to amend, as follows:

By adding to section twenty-four, line seven, after the word "paid," the following words: "*provided*, that all such school supplies must be purchased from the lowest bidder, after giving notice that bids for such supplies will be received"

Lost.

Also:

Amend by striking out of section sixty-two, line eleven, the words "seventy school census children," and inserting the following: "sixty school census children"

Lost.

Ordered engrossed and to a third reading.

Assembly Bill No. 18—An Act to provide for the incorporation of mutual fire insurance companies, and define their powers and duties.

The roll was called, and the bill passed by the following vote:

AYES—Messrs Adams, Anderson, Androus, Barlow, Bennett of Santa Clara, Bennett of Orange, Bledsoe, Boyce, Bretz, Brownlie, Buckley, Burke, Casterline, Conway, Curtis, Drees, Duckworth, Durst, Finlayson, Gallagher, Hendrickson, Hurley, Hutson, Jacobsen, Johnson of Humboldt, Johnson of Santa Clara, Kennedy, Kerns, Luttringer, McGowan, Marks, Matthews of San Benito, Miller, O'Keefe, O'Neill, Owen, Pendleton, Sargent, Schlesinger, Shanahan, Talbott, Taylor, Thomas of Santa Clara, Tindall, Vann, Wade, and Mr. Speaker—47.

NOES—Messrs Barker, Carlson, Chipman, Cusick, Dodge, Emeric, Gately, Jacobs, Kahn, LaRue, McCauley, McElroy, Marston, Perkins, Pueschel, Schroebel, Simpson, Standart, and Taggart—19.

Title read and approved.

NOTICE OF RECONSIDERATION.

Mr. Duckworth gave notice that on the next legislative day he will move a reconsideration of the vote whereby Assembly Bill No. 18 was passed.

REPORT OF STANDING COMMITTEE.

ON ENGROSSMENT.

ASSEMBLY CHAMBER, SACRAMENTO, March 1, 1893.

MR. SPEAKER: Your Committee on Engrossment beg leave to report that the following Assembly Bills have been correctly engrossed: Assembly Bills Nos. 691, 391, 595, and 122.

KENNEDY, Chairman.

THE CAMINETTI MINING BILL.

The Speaker announced the receipt of the following telegram from Washington, D. C., sent by Hon. A. Caminetti, a member of Congress from this State:

WASHINGTON, D. C., March 1, 1893.

To Hon. F. H. GOULD, *Speaker of Assembly.*

The President signed my mining bill this morning.

A. CAMINETTI.

SPECIAL ORDER.

Assembly Bill No. 396—An Act to create the county of Santa Ynez, to establish the boundaries thereof, and to provide for its organization.

Read third time, and passed by the following vote:

AYES—Messrs Adams, Anderson, Androus, Barker, Barlow, Bennett of Santa Clara, Bennett of Orange, Bledsoe, Bretz, Brownlie, Buckley, Bulla, Carlson, Casterline, Chipman, Conway, Curtis, Cusick, Dodge, Drees, Durst, Emeric, Gately, Hendrickson, Hurley, Hutson, Jacobs, Johnson of Humboldt, Johnson of Santa Clara, Kahn, Kerns, LaRue, Luttringer, McCauley, McGowan, Marks, Marston, Matthews of San Benito, Miller, Mordecai, O'Keefe, O'Neill, Owen, Pendleton, Perkins, Pueschel, Raw, Sargent, Schlesinger, Schroebel, Shanahan, Simpson, Sims, Standart, Taggart, Talbott, Taylor, Thomas of Nevada, Tindall, Vann, Wade, and Mr. Speaker—62

NOES—Messrs. Alford, Burke, Finlayson, Gallagher, Godchaux, Jacobsen, McElroy, Mathews of Tehama, and Thomas of Santa Clara—9.

Title read and approved.

MOTIONS.

Mr. Talbott moved that Assembly Bill No. 396 be immediately transmitted to the Senate.

So ordered.

Mr. Lynch moved that Assembly Bill No. 674 be taken up out of order and read the third time.

So ordered.

THIRD READING OF BILL.

Assembly Bill No. 674—An Act quitclaiming to the successors in interest of James Bowman all claim of the State of California in that certain tract of land in the City and County of San Francisco, known as "Water Lot No. 415," and empowering and directing the Governor to execute a deed of quitclaim therefor to said successors in interest of said James Bowman.

Read third time, and passed by the following vote:

AYES—Messrs. Adams, Alford, Anderson, Androus, Barker, Barlow, Bennett of Santa Clara, Bennett of Orange, Bledsoe, Bretz, Buckley, Bulla, Burke, Carlson, Casterline, Conway, Dodge, Drees, Duckworth, Durst, Gallagher, Gately, Godchaux, Hendrickson, Hurley, Hutson, Jacobs, Jacobsen, Johnson of Humboldt, Kerns, LaRue, Luttringer, Lynch, McCauley, McElroy, Marks, Marston, Matthews of San Benito, Miller, O'Keefe, O'Neill, Owen, Pendleton, Perkins, Pueschel, Sargent, Schlesinger, Shanahan, Simpson, Sims, Standart, Taggart, Thomas of Nevada, Thomas of Santa Clara, Tindall, Vann, Wade, and Mr. Speaker—58.

NOES—None.

Title read and approved.

Mr. Lynch moved that Assembly Bill No. 674 be immediately transmitted to the Senate.

So ordered.

RECONSIDERATION.

Mr. Sargent moved to reconsider the vote whereby Substitute for Assembly Bills Nos. 16, 57, 129, 157, 176, 524, 667, and 730 was ordered engrossed and to a third reading.

So ordered.

AMENDMENT.

Mr. Sargent moved to amend, as follows:

By inserting on page forty-three of the printed bill, line two hundred and six, the word "section," before the figures '1671."

Adopted.

Substitute ordered engrossed and to a third reading.

MOTION.

Mr. Sargent moved that the further consideration of the substitute be made a special order for Friday, at three o'clock and thirty minutes P. M.

So ordered.

LEAVE OF ABSENCE.

Mr. Emeric was granted leave of absence until to-morrow morning.

RECONSIDERATION.

Mr. Shanahan moved to reconsider the vote whereby Senate Bill No. 200 was refused passage.

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

AYES—Messrs Adams, Alford, Anderson, Androus, Barker, Barlow, Bennett of Santa Clara, Bennett of Orange, Blakeley, Bledsoe, Boyce, Bretz, Brownlie, Buckley, Bulla, Burke, Carlson, Casterline, Chipman, Conway, Curtis, Cusick, Dodge, Drees, Durst, Finlayson, Gallagher, Gately, Godchaux, Hendrickson, Hurley, Jacobs, Jacobsen, Johnson of Humboldt, Kahn, Kerns, LaRue, Luttringer, McCauley, McElroy, McGowan, Mack, Marks, Marston, Mathews of Tehama, Matthews of San Benito, Miller, Mordecai, O'Keefe, O'Neill, Owen, Pendleton, Raw, Sargent, Schlesinger, Shanahan, Simpson, Sims, Standart, Taggart, Talbott, Taylor, Thomas of Nevada, Thomas of Santa Clara, Vann, Wade, and Mr Speaker—67.

NOES—None.

MOTION.

Mr. Shanahan moved to place the bill upon its final passage.

So ordered.

THIRD READING OF BILL.

Senate Bill No. 200—An Act providing for the presentation and cancellation of unlocated school land warrants of the State of California, issued under the Act of the State of California, approved May 3, 1852, providing for the disposal of the five hundred thousand acres of land donated to the State of California by the Government of the United States, and authorizing the Controller of this State to draw his warrant on the State Treasurer for the sum of two dollars per acre in favor of any bona fide owner and holder of any such land warrant for every acre represented by any such land warrant.

The roll was called, and the bill passed by the following vote:

AYES—Messrs Alford, Anderson, Barker, Bennett of Santa Clara, Blakeley, Bledsoe, Boyce, Bretz, Brownlie, Buckley, Bulla, Burke, Carlson, Casterline, Chipman, Conway, Curtis, Cusick, Dodge, Drees, Durst, Finlayson, Gallagher, Gately, Godchaux, Hendrickson, Hurley, Hutson, Jacobs, Jacobsen, Johnson of Humboldt, Kennedy, Kahn, Kerns, LaRue, Luttringer, Lynch, McElroy, McGowan, Mack, Marks, Marston, Mathews of Tehama, Matthews of San Benito, Miller, Mordecai, O'Keefe, O'Neill, Owen, Pendleton, Perkins, Pueschel, Sargent, Schlesinger, Shanahan, Simpson, Sims, Standart, Taggart, Talbott, Taylor, Thomas of Nevada, Tindall, and Wade—64.

NOES—Messrs Barlow, Bennett of Orange, Vann, and Mr Speaker—4.

Title read and approved.

NOTICE OF RECONSIDERATION.

Mr. Lynch gave notice that on the next legislative day he will move a reconsideration of the vote whereby Senate Bill No. 200 was passed.

CASES OF URGENCY.

Assembly Bill No 847—An Act to repeal an Act to provide for the erection at San Quentin State Prison a building for the accommodation of the insane prisoners, and making an appropriation therefor, approved March 19, 1889

Read third time, and passed by the following vote:

AYES—Messrs. Adams, Alford, Anderson, Barker, Barlow, Bennett of Santa Clara, Bennett of Orange, Blakeley, Bledsoe, Boyce, Bretz, Brownlie, Buckley, Bulla, Burke, Carlson, Casterline Chipman, Conway Curtis, Cusick, Dodge, Drees, Durst, Finlayson, Gallagher, Gately, Godchaux, Hendrickson, Hurley, Hutson, Jacobs, Jacobsen, Johnson

of Humbodt, Johnson of Santa Clara, Kahn, LaRue, Luttringer, McCauley, McElroy, McGowan, Mack, Marks, Marston, Mathews of Tehama, Matthews of San Benito, Miller, Mordecai, O'Neill, Owen, Perkins, Pueschel, Raw, Sims, Standart, Taggart, Talbott, Taylor, Tindall, Vann, Wade, and Mr Speaker—62.

NOES—None.

Title read and approved.

Assembly Bill No. 848—An Act making an appropriation to pay the deficiency in the appropriation for the pay of officers and clerks of the Assembly.

Read third time, and passed by the following vote:

AYES—Messrs. Adams, Alford, Anderson, Barker, Barlow, Bennett of Santa Clara, Bennett of Orange, Blakeley, Bledsoe, Boyce, Bretz, Brownlie, Buckley, Bulla, Burke, Carlson, Conway, Dodge, Drees, Duckworth, Durst, Finlayson, Gallagher, Gately, Godchaux, Hendrickson, Hurley, Hutson, Jacobs, Jacobsen, Johnson of Humboldt, Kennedy, Kahn, Kerns, Luttringer, Lynch, McCauley, McElroy, McGowan, Mack, Marks, Marston, Mathews of Tehama, Matthews of San Benito, Miller, Mordecai, O'Neill, Owen, Pendleton, Perkins, Pueschel, Raw, Sargent, Standart, Taggart, Talbott, Thomas of Santa Clara, Vann, Wade, and Mr. Speaker—60

NOES—None.

Title read and approved.

Assembly Bill No. 849—An Act making an appropriation to pay the deficiency in the appropriation for the per diem and mileage of the Assembly for the thirtieth session.

Read third time, and passed by the following vote:

AYES—Messrs. Adams, Alford, Anderson, Androus, Barlow, Bennett of Santa Clara, Bennett of Orange, Blakeley, Bledsoe, Boyce, Bretz, Brownlie, Buckley, Bulla, Burke, Carlson, Chipman, Conway, Curtis, Cusick, Dodge, Duckworth, Durst, Finlayson, Gately, Godchaux, Hendrickson, Hurley, Hutson, Jacobs, Jacobsen, Johnson of Humboldt, Kennedy, Kahn, Kerns, Luttringer, Lynch, McCauley, McElroy, McGowan, Mack, Marks, Marston, Mathews of Tehama, Matthews of San Benito, Miller, Mordecai, O'Keefe, Owen, Pendleton, Perkins, Pueschel, Raw, Sargent, Schroebel, Standart, Taggart, Talbott, Taylor, Thomas of Santa Clara, Tindall, Vann, Wade, and Mr. Speaker—63.

NOES—None.

Title read and approved.

MOTIONS.

Mr. Mathews of Tehama moved that Assembly Bills Nos. 847, 848, and 849 be immediately transmitted to the Senate.

So ordered.

Mr. Hurley moved that the consideration of Assembly Constitutional Amendment No. 14 be made a special order immediately after Senate messages to-morrow.

So ordered.

Mr. Alford moved to take up Assembly Bill No. 258.

So ordered.

SECOND READING OF BILL.

Assembly Bill No. 258—An Act to amend an Act entitled "An Act to establish a Civil Code of the State of California," passed March 21, 1872, by adding a new section thereto, to be numbered as section four hundred and four, concerning foreign corporations.

Read second time, ordered engrossed and to a third reading.

RECESS.

On motion of Mr. Kennedy, recess was taken until seven o'clock and thirty minutes P. M.

EVENING SESSION.

The Assembly reassembled at seven o'clock and thirty minutes P. M. Speaker Gould in the chair.
Quorum present.

MOTION.

Mr. Bennett of Santa Clara moved to take up Senate messages.
So ordered.

MESSAGES FROM THE SENATE.

SENATE CHAMBER, SACRAMENTO, March 1, 1893

MR. SPEAKER: I am directed to inform your honorable body that the Senate, on this day, passed Senate Bill No. 4—An Act to establish and provide for an Industrial School for Girls, and make appropriations therefor.

Also: Senate Bill No. 741—An Act making an appropriation to pay for the transportation of children to the Reform School for Juvenile Offenders, for the forty-third and forty-fourth fiscal years.

Also: Senate Bill No. 732—An Act making an appropriation to pay the deficiency in the appropriation for salary of Secretary of State Board of Examiners, for the forty-second fiscal year.

Also: Senate Bill No 705—An Act making an appropriation to pay the deficiency in the appropriation for the State's portion of salaries of Judges of the Superior Court, for the forty-fourth fiscal year.

F. J. BRANDON, Secretary.
By R. SHAW, Assistant.

Senate Bills Nos. 4, 741, 732, and 705 referred to Committee on Ways and Means.

Also:

SENATE CHAMBER, SACRAMENTO, March 1, 1893.

MR SPEAKER I am directed to inform your honorable body that the Senate, on this day, passed Senate Bill No. 742—An Act making an appropriation to pay the deficiency in the appropriation for the transportation of prisoners for the forty-fourth fiscal year.

Also. Assembly Bill No. 737—An Act to provide for the payment of interest on the outstanding bonds of the State of California, held in trust for the University Fund and the State School Fund, to repeal an Act of the Legislature of the State of California, approved March 4, 1881, entitled "An Act to appropiate money to reimburse the University of California for moneys heretofore appropriated to the Endowment Fund thereof, which moneys have, by mistake, been withheld therefrom and appropriated to other State purposes," and making an appropriation to pay the interest on said outstanding bonds from January 1 to July 1, 1893.

F J. BRANDON, Secretary.
By R. SHAW, Assistant.

Senate Bill No. 742 referred to Committee on Ways and Means.
Assembly Bill No. 737 ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, March 1, 1893

MR. SPEAKER: I am directed to inform your honorable body that the Senate, on this day, passed Senate Bill No. 601—An Act making an appropriation to pay for lithographing Chinese certificates, under the provisions of an Act to prohibit the coming of Chinese persons into the State, approved March 20, 1891.

Also: Senate Bill No. 722—An Act making an appropriation to pay the deficiency in the appropriation for arresting criminals without the State for the forty-third fiscal year.

Also: Senate Bill No. 743—An Act making an appropriation to pay the deficiency in the appropriation for the transportation of insane for the forty-fourth fiscal year.

Also. Senate Bill No 658—An Act making an appropriation for editing the manuscript of the State Mineralogist for the two years ending September 15, 1892.

F. J BRANDON, Secretary.
By R. SHAW, Assistant.

Senate Bills Nos. 601, 722, 743, and 658 referred to Committee on Ways and Means.

Also:

SENATE CHAMBER, SACRAMENTO, March 1, 1893.

MR SPEAKER: I am directed to inform your honorable body that the Senate, on this day, adopted Assembly Constitutional Amendment No. 12—A resolution proposing to the people of the State of California an amendment to section seventeen, article one of the Constitution of the State of California.

F. J BRANDON, Secretary
By R. SHAW, Assistant

Assembly Constitutional Amendment No. 12 ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, March 1, 1893

MR SPEAKER: I am directed to inform your honorable body that the Senate, on this day, *struck the enacting clause from Assembly Bill No. 82*—An Act to amend section one thousand three hundred and three, section one thousand three hundred and twenty-three, section one thousand three hundred and sixty-five, section one thousand three hundred and eighty-eight, section one thousand four hundred and thirty-nine, section one thousand five hundred and sixteen, section one thousand five hundred and seventeen, section one thousand five hundred and thirty-six, section one thousand five hundred and forty-five, section one thousand five hundred and forty-seven, section one thousand five hundred and forty-eight, section one thousand five hundred and fifty, section one thousand five hundred and fifty-one, section one thousand five hundred and fifty-two, section one thousand five hundred and fifty-three, section one thousand five hundred and fifty-four, section one thousand five hundred and fifty-seven, section one thousand five hundred and fifty-eight, section one thousand five hundred and sixty-five, section one thousand five hundred and ninety-two, section one thousand five hundred and ninety-seven, section one thousand five hundred and ninety-eight, section one thousand five hundred and ninety-nine, and section one thousand six hundred and eighteen, and to repeal section one thousand five hundred and eighteen, section one thousand five hundred and nineteen, section one thousand five hundred and twenty-two, section one thousand five hundred and twenty-three, section one thousand five hundred and twenty-four, section one thousand five hundred and twenty-six, section one thousand five hundred and twenty-nine, section one thousand five hundred and thirty, section one thousand five hundred and thirty-one, section one thousand five hundred and thirty-two, section one thousand five hundred and thirty-three, section one thousand five hundred and thirty-seven, section one thousand five hundred and thirty-eight, section one thousand five hundred and thirty-nine, section one thousand five hundred and forty, section one thousand five hundred and forty-one, section one thousand five hundred and forty-two, section one thousand five hundred and forty-three, section one thousand five hundred and forty-four, section one thousand five hundred and forty-nine, and section one thousand five hundred and fifty-six, and to add four new sections, to be known and designated as section one thousand five hundred and forty-six, section one thousand five hundred and fifty-four and one half, section one thousand five hundred and ninety-two, and section one thousand five hundred and ninety-seven and one half of an Act of the Legislature of the State of California entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1873, all relating to estates of deceased persons

Also, Assembly Bill No. 83—An Act to amend sections one thousand seven hundred and sixty-eight, one thousand seven hundred and seventy, one thousand seven hundred and seventy-seven, one thousand seven hundred and eighty-eight, and one thousand seven hundred and eighty-nine, and repealing sections one thousand seven hundred and seventy-eight, 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-six, and one thousand seven hundred and eighty-seven of an Act of the Legislature of the State of California entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1873, all relating to the guardianship of the persons and estates of minors and incompetents, and adding a new section to said Code of Civil Procedure, to be known and designated as section one thousand seven hundred and seventy-one and one half, also relating to the guardianship of the persons and estates of minors and incompetents.

F J BRANDON, Secretary.
By R SHAW, Assistant.

URGENCY FILE.

Assembly Bill No. 540—An Act to provide for the publication of legal notices.

Read third time.

MOTION.

Mr. Burke moved that a select committee of one be appointed by the Speaker to amend Assembly Bill No. 540, as follows:

Amend section one, line one, printed bill, by inserting the words "or other notices" after the word "decrees."
Also: Amend by inserting the words "or other" after the word "legal," in section one, line three

So ordered.

APPOINTMENT OF COMMITTEE.

Mr. Burke was appointed such committee to make said amendments.

REPORT OF SELECT COMMITTEE.

ASSEMBLY CHAMBER, SACRAMENTO, March 1, 1893.

MR. SPEAKER: Your select committee, to whom was referred Assembly Bill No. 540, with instructions to amend in accordance with the action of the House, would respectfully report that the instructions of the House have been carried out.

BURKE, Committee.

Report adopted.

URGENCY FILE—(RESUMED).

Assembly Bill No. 20—An Act making an appropriation for the construction of a seawall, thoroughfare, and piers in the harbor of San Diego.

Read second time.

Committee amendment, as follows:

Amend by striking out on line one of section one the words "two hundred thousand," and inserting in lieu thereof the words "one hundred and fifty thousand"

Adopted.

MOTION.

Mr. Carlson moved that the Assembly resolve itself into Committee of the Whole, with the Speaker in the chair, for the purpose of considering Assembly Bill No. 20.

So ordered.

IN COMMITTEE OF THE WHOLE.

Speaker Gould in the chair.

Assembly Bill No. 20 was considered in Committee of the Whole.

IN ASSEMBLY.

Speaker Gould in the chair.

REPORT OF THE COMMITTEE OF THE WHOLE.

The Speaker stated the report of the Committee of the Whole, as follows:

GENTLEMEN: The Committee of the Whole have had under consideration Assembly Bill No. 20—An Act making an appropriation for the construction of a seawall, thoroughfare, and piers in the harbor of San Diego, and now report, and recommend that the same do pass as amended.

Bill ordered engrossed and to a third reading.

RESOLUTION.

By Mr. Finlayson:

Resolved by the Assembly, the Senate concurring, That the Legislature of the State of California do and it hereby does extend congratulations to the Hon. A. Caminetti, Representative in Congress, upon the successful enactment of the bill commonly known as the Caminetti Bill, concerning mining and river interests in the State of California.

Resolved, further, That a copy of these resolutions be certified by the Clerk, and forwarded to the Hon. A. Caminetti.

Adopted.

NOTICE TO AMEND RULES.

Mr. Lynch gave notice that upon the next legislative day he will move to amend section two of the standing rules of the Assembly so as to read as follows:

II.

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. Messages from the Senate.
9. Motions and Resolutions.
10. Business on the Special File.
11. Special Orders of the Day
12. Business on the General File and Third Reading File.
13. Unfinished business of the preceding day.

Also: Amend the standing rules by making a new section thereto, to be numbered eighty-six, to read as follows, to wit.

"When any proposition is made an order for any special hour or day, and for any reason the same is not called up for consideration at that time, the same shall remain a special order for the next meeting day, at the same hour, or as soon thereafter as the House shall convene."

MOTION.

Mr. Taggart moved to take up Assembly Bill No. 219.

So ordered.

THIRD READING OF BILL.

Assembly Bill No. 219—An Act to amend section three thousand seven hundred and forty-six of an Act entitled "An Act to amend section three thousand seven hundred and forty-six of an Act entitled 'An Act to establish a Political Code,' approved March 12, A. D. 1872," and approved March 31, A. D. 1891.

Read third time, and passed on file until to-morrow evening.

REPORT OF STANDING COMMITTEE.

ON APPORTIONMENT AND ELECTION LAWS.

ASSEMBLY CHAMBER, SACRAMENTO, March 1, 1893.

MR SPEAKER: Your Committee on Apportionment and Election Laws beg leave to report as follows: Whereas, there are a number of bills relating to the election laws of this State reported back by said committee; and whereas, all bills relative to the election laws and the right of suffrage directly affect the interests of all the people of the State, and are of prime importance to the citizens, property owners, and residents of the commonwealth; therefore your committee recommend the adoption of the following resolution.

Resolved, That all bills relating to the election laws, or the right of suffrage, be placed upon a special urgency file, and be considered every day from three o'clock and thirty minutes P. M. to three o'clock and forty-five minutes P. M. until disposed of.

FINLAYSON, Chairman.
SIMPSON.
SIMS
THOMAS.
HENDRICKSON

MOTION.

Mr. Kennedy moved that Assembly Bill No. 578 be substituted on file for Assembly Bill No. 408.

So ordered.

REPORT OF STANDING COMMITTEE.

ON PUBLIC EXPENDITURES AND ACCOUNTS.

ASSEMBLY CHAMBER, SACRAMENTO, March 1, 1893.

MR. SPEAKER: Your Committee on Public Expenditures and Accounts, to whom was referred Assembly resolution relative to the expenses of the Special Committee on Public Buildings and Grounds, have had the same under consideration, and recommend the adoption of the following resolution:

Resolved, That John M. Curtis, J. G. Gallagher, J. M. LaRue, and S. J. Duckworth, the special committee of the Committee on Public Buildings and Grounds, who were directed to visit the State Reform School at Whittier; also State Normal School at Los Angeles; also the State Insane Asylum at San Bernardino, be allowed the following sums as mileage:

Number of miles traveled, 1,266.

John M. Curtis	$126 60
J. G. Gallagher	126 60
J. M. LaRue	126 60
S. J. Duckworth	126 60

And the Controller of State is hereby directed to draw his warrant on the Contingent Fund of the Assembly in their favor, and the State Treasurer is hereby directed to pay the same

Also. Assembly resolution relative to traveling expenses of special committee to visit Golden Gate Park—have had the same under consideration, and recommend the adoption of the following resolution:

Resolved, That J. Brownlie, J. J. Kennedy, J. M. Marks, J. T. O'Keefe, C. W. Pendleton, and Bert Schlesinger be allowed the sum of sixteen dollars and eighty cents each as mileage for trip to Golden Gate Park, and that the Controller be and he is hereby directed to draw his warrant for one hundred dollars and eighty cents, in favor of J. Brownlie, on the appropriation for the contingent expenses of the Assembly.

J. H. MATTHEWS, Chairman.

Report adopted.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 1, 1893.

MR SPEAKER: Your Committee on Public Expenditures and Accounts, to whom was referred Assembly resolution relative to the payment of eighty dollars to Luke Kavanagh for services rendered as shorthand reporter to Committee on Elections, beg leave to report that they have had the same under consideration, and recommend the adoption of the following resolution:

Resolved, That Luke Kavanagh be allowed the sum of forty dollars for services as shorthand reporter to Committee on Elections, and the Controller is hereby directed to draw his warrant for the same, to be paid out of the Contingent Fund of the Assembly.

J. H. MATTHEWS, Chairman.

Report adopted.

URGENCY FILE—(RESUMED).

Assembly Bill No. 248—An Act to amend section three thousand eight hundred and four of the Political Code, so as to provide for the refunding of double and erroneous assessments of taxes, and to relieve land owners from the effect of illegal tax sales.

Read third time, and passed by the following vote:

AYES—Messrs Adams, Alford, Anderson, Barker, Barlow, Blakeley, Bledsoe, Boyce, Buckley, Bulla, Burke, Carlson, Casterline, Conway, Cusick, Dodge, Duckworth, Durst, Finlayson, Gallagher, Gately, Godchaux, Hendrickson, Hurley, Hutson, Johnson of Humboldt, Kennedy, Luttringer, McCauley, McGowan, Marston, Matthews of San Benito, Miller, Mordecai, O'Keefe, O'Neill, Pendleton, Perkins, Pueschel, Sargent, Schlesinger, Shanahan, Simpson, Standart, Talbott, Taylor, Thomas of Santa Clara, Vann, and Wade—49

NOES—Mr Speaker—1.

Title read and approved.

Assembly Bill No. 477—An Act making an appropriation for the payment of the claim of A. L. Rhodes for his services as counsel for the plaintiffs in an action entitled "The County of Santa Clara vs. The Southern Pacific Railroad Company," and other actions, in the Circuit Court of the United States, Ninth Circuit, District of California, and in the Supreme Court of the United States, brought for the collection of delinquent taxes assessed upon the property of railroad companies.

Read third time, and passed by the following vote:

AYES—Messrs. Adams, Alford, Anderson, Barker, Barlow, Boyce, Brownlie, Buckley, Bulla, Burke, Carlson, Casterline, Chipman, Conway, Cusick, Dodge, Drees, Duckworth, Durst, Finlayson, Gallagher, Gately, Hendrickson, Jacobs, Kennedy, Luttringer, Lynch, McGowan, Marks, Matthews of San Benito, Miller, Mordecai, O'Keefe, Pendleton, Pueschel, Sargent, Schlesinger, Schroebel, Shanahan, Simpson, Standart, Talbott, Taylor, Thomas of Nevada, and Vann—45.

NOES—Messrs Bledsoe, Godchaux, Marston, O'Neill, Thomas of Santa Clara, Wade, and Mr. Speaker—7.

Title read and approved.

NOTICE OF RECONSIDERATION.

Mr. Shanahan gave notice that on the next legislative day he will move a reconsideration of the vote whereby Assembly Bill No. 248 was passed.

MOTION.

Mr. Anderson moved that Assembly Bill No. 477 be immediately transmitted to the Senate.

So ordered.

URGENCY FILE—(RESUMED).

Assembly Bill No. 715—An Act to prevent persons, corporations, or companies discriminating against employés.

Read third time, and passed on file.

Assembly Bill No. 586—An Act regulating the practice of architecture in the State of California.

Passed on file.

Committee Substitute for Assembly Bill No. 543—An Act regulating the sale of the lands uncovered by the recession or drainage of the waters of inland lakes, and unsegregated swamp and overflowed lands, and validating sales and surveys heretofore made.

Read third time, and passed by the following vote:

AYES—Messrs. Adams, Alford, Anderson, Bennett of Santa Clara, Blakeley, Bledsoe, Boyce, Brownlie, Buckley, Bulla, Burke, Carlson, Casterline, Chipman, Conway, Cusick, Dodge, Drees, Duckworth, Durst, Gallagher, Godchaux, Hendrickson, Hurley, Jacobs, Jacobsen, Johnson of Humboldt, Johnson of Santa Clara, Kennedy, LaRue, Luttringer, Lynch, McCauley, McGowan, Mack, Marks, Marston, Miller, O'Keefe, O'Neill, Owen, Pendleton, Perkins, Pueschel, Sargent, Schlesinger, Simpson, Taggart, Talbott, Taylor, and Thomas of Nevada—52.

NOES—Messrs. Barlow, Finlayson, Matthews of San Benito, Vann, Wade, and Mr. Speaker—6.

Title read and approved.

Mr. Kennedy moved that the bill be immediately transmitted to the Senate.

So ordered.

Assembly Bill No. 614—An Act for the relief of J. F. Chapman & Co.,

for damage sustained through the loss of coal from Fremont Street wharf, in the City and County of San Francisco.

Read second time.

MOTION.

Mr. Dodge moved that the Assembly resolve itself into Committee of the Whole, with the Speaker in the chair, for the purpose of considering Assembly Bill No. 614.

So ordered.

IN COMMITTEE OF THE WHOLE.

Speaker Gould in the chair.

Assembly Bill No. 614 was considered in Committee of the Whole.

IN ASSEMBLY.

Speaker Gould in the chair.

REPORT OF THE COMMITTEE OF THE WHOLE.

The Speaker stated the report of the Committee of the Whole, as follows:

GENTLEMEN: The Committee of the Whole have had under consideration Assembly Bill No 614—An Act for the relief of J. F. Chapman & Co. for damages sustained through the loss of coal from Fremont Street wharf, in the City and County of San Francisco—and now report the same back without action.

Under the rule, Mr. Schroebel placed Assembly Bill No 810 on the urgency file.

Assembly Bill No. 810—An Act to add a new section to the Civil Code of the State of California, to be numbered section one thousand four hundred and nine, defining water measurement.

Read first time, and placed on file for second reading.

Assembly Bill No. 393—An Act to amend section seven hundred and ninety of an Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883.

Read third time, and passed by the following vote:

AYES—Messrs Adams, Alford, Anderson, Barker, Barlow, Bennett of Santa Clara, Bennett of Orange, Bledsoe, Boyce, Bretz, Brownlie, Buckley, Bulla, Burke, Carlson, Casterline, Chipman, Conway, Curtis, Cusick, Dodge, Drees, Duckworth, Durst, Finlayson, Gately, Hendrickson, Hurley, Hutson, Jacobs, Jacobsen, Johnson of Humboldt, Johnson of Santa Clara, Kennedy, Kahn, Kerns, Luttringer, McElroy, McGowan, Marks, Marston, Matthews of San Benito, Miller, Mordecai, O'Keefe, O'Neill, Owen, Pendleton, Perkins, Sargent, Schlesinger, Simpson, Standart, Taggart, Talbott, Taylor, Tindall, Vann, Wade, and Mr. Speaker—60.

NOES—None

Title read and approved.

Assembly Bill No. 654—An Act making an appropriation to pay the claim of Major José Ramon Pico for expenses incurred in recruiting and maintaining military companies.

Read third time, and passed by the following vote:

AYES—Messrs Adams, Alford, Anderson, Barker, Barlow, Bennett of Santa Clara, Bennett of Orange, Blakeley, Boyce, Bretz, Brownlie, Buckley, Bulla, Carlson, Casterline, Chipman, Conway, Curtis, Cusick, Drees, Duckworth, Durst, Gallagher, Gately Hendrickson, Hurley, Johnson of Santa Clara, Kennedy, Kerns, LaRue, Luttringer

McCauley, McGowan, Mack, Marks, Marston, Matthews of San Benito, Miller, O'Keefe, O'Neill, Owen, Pendleton, Perkins, Pueschel, Raw, Sargent, Schlesinger, Shanahan, Simpson, Standart, Taggart, Talbott, Taylor, Vann, and Mr. Speaker—55.

NOES—Messrs Bledsoe, Hutson, Jacobs, McElroy, Mathews of Tehama, Mordecai, Thomas of Santa Clara, and Wade—8.

Title read and approved.

Mr. Duckworth moved that Assembly Bill No. 654 be immediately transmitted to the Senate.

So ordered.

Mr. Curtis moved to take up Assembly Bill No. 586.

So ordered.

Assembly Bill No. 586—An Act regulating the practice of architecture in the State of California.

Committee amendment, as follows:

Amend by striking out the preamble.

Adopted.

Bill ordered engrossed and to a third reading.

Mr. Mack moved to take up Assembly Bill No. 666.

So ordered.

Assembly Bill No. 666—An Act supplemental to an Act entitled "An Act to provide for the organization and government of irrigation districts, and to provide for the acquisition of water and other property, and for the distribution of water thereby for irrigation purposes," approved March 7, 1887, providing for the abandonment of operations by irrigation districts, and for their disorganization upon the discharge of all outstanding obligations.

Read third time.

MOTION.

Mr. Mack moved that a select committee of one be appointed by the Speaker to amend Assembly Bill No. 666, as follows:

Amend title by adding thereto, after the words "outstanding obligations," in the last line of the title of the printed bill, the words "and dividing irrigation districts into classes for the purposes of this Act."

Also: Amend section one by inserting before the word "whenever," line one of section one of the printed bill, the following:

"For the purposes of this Act, irrigation districts are divided into three classes, as follows: The first class shall include all those districts whose area, at the time of their organization, comprised less than one hundred and forty thousand acres, the second class shall include all those districts whose area, at the time of their organization, comprised over one hundred and forty thousand acres and less than one hundred and sixty-five thousand acres; the third class shall include all those districts whose area is over one hundred and sixty-five thousand acres; and no district of the first or third class, having a bonded indebtedness, shall be entitled to take advantage of the provisions of this Act."

Also: Amend section one by inserting after the words "eighteen hundred and eighty-seven," in line five of section one of the printed bill, the words "commonly known as the Wright Law, and entitled to disorganize under this Act"

Also: Amend section two by inserting after the word "operations," in line sixteen of section two of the printed bill, the word "by."

Also: Amend section four by inserting after the word "due," on line six of section four of the printed bill, the words "and any moneys thereafter remaining shall be immediately applied to the redemption of the outstanding bonded indebtedness of said district or invested in the manner provided in section thirty-four of said Wright Law."

So ordered.

APPOINTMENT OF COMMITTEE.

Mr. Mack was appointed such committee to make said amendments.

REPORT OF SELECT COMMITTEE.

ASSEMBLY CHAMBER, SACRAMENTO, March 1, 1893.

MR. SPEAKER: Your select committee, to whom was referred Assembly Bill No 666—An Act supplemental to an Act entitled "An Act to provide for the organization and government of irrigation districts, and to provide for the acquisition of water and other property, and for the distribution of water thereby for irrigation purposes," approved March 7, 1887, providing for the abandonment of operations by irrigation districts, and for their disorganization upon the discharge of all outstanding obligations—with instructions to amend in accordance with the action of the House, would respectfully report that the instructions of the House have been carried out.

MACK, Committee.

Report adopted.

URGENCY FILE—(RESUMED).

Assembly Bill No. 787—An Act amendatory of and supplementary to an Act entitled "An Act to define the boundary and provide for the government of Levee District No. 2 of Sutter County," passed March 23, 1876, in relation to the election of officers for said district, funding the floating debt, and refunding the funded debt thereof.

Read second time, ordered engrossed and to a third reading.

Assembly Bill No. 300—An Act to amend an Act entitled "An Act to provide for the restoration and preservation of fish in the waters of this State," approved April 2, 1870, by adding thereto an additional section, numbered section twelve, relative to the better protection of fish placed in streams for the purpose of propagation.

Passed on file.

ADJOURNMENT.

At nine o'clock and forty minutes P. M., on motion of Mr. Cusick, the Assembly adjourned.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Thursday, March 2, 1893.

The Assembly met pursuant to adjournment.

Speaker Gould in the chair.

The roll was called, and the following members answered to their names:

Messrs. Adams, Alford, Anderson, Androus, Barker, Barlow, Bennett of Santa Clara, Bennett of Orange, Blakeley, Bledsoe, Boyce, Bretz, Brownlie, Buckley, Bulla, Burke, Carlson, Casterline, Chipman, Conway, Curtis, Cusick, Dodge, Drees, Duckworth, Duffy, Durst, Finlayson, Gallagher, Gately, Godchaux, Hendrickson, Hurley, Hutson, Jacobs, Jacobsen, Johnson of Humboldt, Johnson of Santa Clara, Kennedy, Kahn, Kerns, LaRue, Luttringer, Lynch, McCauley, McElroy, McGowan, Mack, Marks, Marston, Mathews of Tehama, Matthews of San Benito, Miller, Mordecai, O'Keefe, O'Neill, Owen, Pendleton, Perkins, Pueschel, Raw, Sargent, Schlesinger, Schroebel, Shanahan, Simpson, Sims, Standart, Taggart, Talbott, Taylor, Thomas of Nevada, Thomas of Santa Clara, Tindall, Vann, Wade, and Mr. Speaker.

Quorum present.

PRAYER.

Prayer by the Chaplain, Rev. H. W. Conry.

READING AND APPROVAL OF THE JOURNAL.

Pending the reading of the Journal of yesterday, Mr. Schlesinger moved that the further reading be dispensed with.

So ordered.

Journal of Tuesday, February 28th, approved.

PETITIONS.

By Mr. Anderson: Resolutions of the Board of Trustees of Sacramento City, protesting against the passage of Senate Bill No. 50, relative to hydraulic mining.

By Mr. Durst: Resolutions of the Board of Supervisors of Yuba County, protesting against the passage of Senate Bill No. 50, relative to hydraulic mining.

REPORT OF STANDING COMMITTEE.

ON ROADS AND HIGHWAYS.

ASSEMBLY CHAMBER, SACRAMENTO, March 1, 1893

MR. SPEAKER: Your Committee on Roads and Highways, to whom was referred Substitute for Committee Substitute for Senate Bills Nos 157, 372, 373, and 441—An Act to amend sections two thousand six hundred and thirty-three, two thousand six hundred and forty-one, two thousand six hundred and forty-three, and two thousand six hundred and forty-five, and to repeal section two thousand six hundred and forty-six of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the powers and duties of highway officers—have had the same under consideration, and respectfully report the same back, and recommend that it do pass

DUFFY, Chairman.

Speaker pro tem. Mathews in the chair.

MOTION.

Mr. Anderson moved that Assembly Bill No. 571 be taken up out of order and read the second time.

So ordered.

SECOND READING OF BILL.

Assembly Bill No. 571—An Act to amend section one hundred and three of the Code of Civil Procedure of the State of California, relating to Justices' Courts.

Read second time.

Mr. Bulla moved to amend, as follows:

Strike out the word "Supreme" on line eighteen of section one, and insert the word "Superior"

Adopted.

Committee amendment, as follows:

On line fifteen of printed bill, strike out the word "four," and in place thereof insert the word "two"

Adopted.

Also:

On line twenty of printed bill, strike out the word "and" after the word "city," and insert the word "or."

Adopted.

Bill ordered engrossed and to a third reading.

MOTION.

Mr. Matthews of San Benito moved that Assembly Bill No. 514 be taken up out of order and read the first time, and be placed on the special file.

So ordered.

FIRST READING OF BILL.

Assembly Bill No. 514—An Act for the relief of Michael Denzer, for personal injuries received by him through the falling of a stand of seats maintained by the State, under control of the State Agricultural Society.

Read first time, and placed on file for second reading.

REPORT OF STANDING COMMITTEE.

ON JUDICIARY

ASSEMBLY CHAMBER, SACRAMENTO, March 2, 1893.

MR SPEAKER: Your Committee on Judiciary, to whom was referred Assembly Bill No 178—An Act to authorize and require the State of California to secure the title to or right of way over, that certain wagon road in Sacramento and El Dorado Counties, leading from the city of Sacramento to Lake Tahoe, and to keep the same in repair—have had the same under consideration, and respectfully report the same back, with the substitute therefor, without recommendation

SHANAHAN, Chairman.

MOTION.

Mr. Raw moved that Assembly Bill No. 178 be taken up and read the first time.

So ordered.

FIRST READING OF BILL.

Assembly Bill No. 178—An Act to authorize and require the State of California to secure the title to or right of way over that certain wagon road in Sacramento and El Dorado Counties, leading from the city of Sacramento to Lake Tahoe, and to keep the same in repair.

Read first time, and placed on file for second reading.

REPORTS OF STANDING COMMITTEES.

ON JUDICIARY.

ASSEMBLY CHAMBER, SACRAMENTO, March 2, 1893

MR. SPEAKER—Your Committee on Judiciary, to whom was referred Assembly Bill No 107—An Act to amend section one hundred and three of the Code of Civil Procedure, relating to Justices' Courts and to Justices

Also Assembly Bill No 110—An Act to amend section one thousand two hundred and seventy of the Civil Code, relating to the power of testamentary disposition

Also, Assembly Bill No 111—An Act to amend section one thousand four hundred and one of the Civil Code, relating to the distribution of the community property on the death of the wife

Also: Assembly Bill No. 238—An Act relating to certain contracts for the conditional sale, lease, or hire of railroad and street railway equipment and rolling stock, and providing for the recording thereof.

Also: Assembly Bill No. 249—An Act to amend section one hundred and ninety-four of the Code of Civil Procedure of the State of California, relating to jurors.

Also: Assembly Bill No 299—An Act to amend section one thousand two hundred and thirty-eight of the Code of Civil Procedure, relating to eminent domain

Also: Assembly Bill No. 468—An Act to amend section four thousand four hundred and forty-five of the Political Code of California, relating to bonds.

Also: Assembly Bill No. 519—An Act to amend section one thousand three hundred and fifty of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, relating to executors.

Also: Assembly Bill No 541—An Act to amend section three hundred and ninety-eight of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, relative to the transfer of causes where Judge is disqualified.

Also: Assembly Bill No 607—An Act entitled an Act to amend section seven hundred and ninety-one of the Political Code of the State of California, relating to the appointment and number of Notaries Public in the several counties of said State.

Also: Assembly Bill No. 668—An Act to enable railroad companies to complete their railroads.

Also: Assembly Bill No. 5—An Act defining estrays, and providing for the taking up and sale of the same, and the disposition of the proceeds arising from such sale.

Also: Assembly Bill No. 11—An Act to prevent frauds upon travelers.

Also: Assembly Bill No. 12—An Act defining estray animals, and providing for the care and disposition of same.

Also: Assembly Bill No 33—An Act to amend section one thousand one hundred and eighty-three of the Code of Civil Procedure

Also: Assembly Bill No. 38—An Act to amend an Act entitled "An Act to establish a Penal Code," approved February 14, 1872, by amending section one thousand three hundred and twenty-nine thereof, relating to the payment of expenses of witnesses in criminal cases

Also: Assembly Bill No. 676—An Act to amend section one thousand eight hundred and eighty of the Code of Civil Procedure of the State of California, relating to witnesses.

Also: Assembly Bill No 687—An Act to amend section two hundred of an Act entitled "An Act to establish a Code of Civil Procedure of the State of California," approved March 11, 1872, relating to exemption from jury duty

Also: Assembly Bill No 692—An Act to amend section one thousand six hundred and sixteen of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, relating to compensation of executors and administrators of estates of deceased persons.

Also Assembly Bill No. 723—An Act to amend section three hundred and fifty-nine, entitled "An Act to establish a Civil Code," approved March 21, 1872, relating to corporations and the increase and diminution of the capital stock, and the creation, increase, and diminution of the bonded indebtedness thereof

Also: Assembly Bill No. 725—An Act to amend section one thousand one hundred and eighty-three of the Code of Civil Procedure of the State ef California, relating to the liens of mechanics and others upon real property.

Also: Assembly Bill No. 745—An Act to amend sections eight, nine, twelve, seventeen, forty-eight, and fifty-five of an Act of the Legislature of the State of California entitled "An Act for the relief of insolvent debtors, for the protection of creditors, and for the punishment of fraudulent debtors," approved April 16, 1880

Also: Assembly Bill No. 748—An Act to amend sections six, eight, nine, twelve, seventeen, forty-eight, and fifty-five of an Act of the Legislature of the State of California entitled "An Act for the relief of insolvent debtors, for the protection of creditors, and for the punishment of fraudulent debtors," approved April 16, 1880, and to add a new section thereto, to be numbered section sixty-three of said Act.

Also: Assembly Bill No. 768—An Act to amend section one thousand two hundred and fourteen of an Act entitled "An Act to establish a Civil Code," approved March 21, 1872, relating to the recording of conveyances

Also: Assembly Bill No 795—An Act authorizing the incurring of indebtedness and issuance of bonds therefor by cities, towns, and municipal corporations incorporated under the laws of this State, for the construction of waterworks, sewers, buildings, breakwaters, seawalls, embankments, and all necessary public improvements, or for the purchase of land, or for any purpose whatever, and to repeal all portions of Acts in conflict therewith; providing that proceedings for the issuance of bonds commenced under any prior Act shall in nowise be affected by this Act, but shall in all respects be finished and completed according to the Act under which such proceedings have been commenced.

Also: Assembly Bill No. 798—An Act to amend sections seven and nine of an Act entitled "An Act authorizing certain corporations to act as executor and in other capacities, and to provide for and regulate the administration of trusts by such corporation," approved April 6, 1891, relating to securities to be deposited with the Treasurer of State.

Also. Assembly Bill No. 799—An Act to regulate railroads, and railroad corporations, and other common carriers in this State, and to provide for and define the powers and duties of a Board of Railroad Commissioners in relation to the same, and to prevent and punish extortion and unjust discrimination in the rates charged for the transportation of passengers and freights on railroads in this State, and to prescribe a mode of procedure and rules of evidence in relation thereto.

Also: Assembly Bill No 801—An Act to amend section forty-nine of an Act of the Legislature of the State of California entitled "An Act for the relief of insolvent debtors, for the protection of creditors, and for the punishment of fraudulent debtors," approved April 16, 1880.

Also: Assembly Bill No 804—An Act to amend section three thousand eight hundred and eighty-one of the Political Code, relating to errors, etc., on assessment roll, and the correction thereof.

Also: Assembly Bill No. 806—An Act to repeal the Act of March 7, 1883, entitled "An Act to provide for the submission of proposed amendments to the Constitution of the State of California to the qualified electors for their approval."

Also: Assembly Bill No 807—An Act to provide for the redemption of lands sold for any State, county, municipal, irrigation district, or other district tax or assessment.

Also: Assembly Bill No. 808—An Act to validate proceedings for the reorganization or incorporation of municipal corporations taken since the passage of the Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883; and also since the passage of the Act entitled "An Act to provide for the classification of municipal corporations," approved March 2, 1883.

Also: Assembly Bill No. 816—An Act to amend an Act entitled "An Act to establish a Penal Code," approved February 14, 1872, and to amend section nine hundred and six thereof, relating to Grand Juries.

Also: Assembly Bill No 819—An Act to amend sections four hundred and nine and four hundred and ten of the Political Code

Also: Assembly No 820—An Act entitled an Act to amend sections three thousand seven hundred and forty-six, three thousand seven hundred and fifty-six, three thousand seven hundred and fifty-eight, and three thousand seven hundred and sixty-four of the Political Code, relating to the collection of property taxes.

Also: Assembly Constitutional Amendment No 3—Proposed amendment to article thirteen of the Constitution, relative to revenue and taxation.

Also Assembly Constitutional Amendment No 6—A proposal to amend article thirteen of the Constitution, relative to revenue and taxation

Also: Assembly Constitutional Amendment No 10—To propose to the people of the State an amendment to the Constitution of the State, relating to the exemption of fruit trees and vines from taxation.

Also Assembly Constitutional Amendment No. 13—A resolution to propose to the people of the State of California an amendment to section one of article thirteen of the Constitution of the State of California

Also: Assembly Constitutional Amendment No. 15—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, amending sections one and nine, and repealing sections four and five of article thirteen thereof, relative to revenue and taxation

Also: Assembly Constitutional Amendment No. 17—Relative to the Judicial Department.

Also: Assembly Constitutional Amendment No 23—Relative to proposing to the people of the State of California an amendment to the Constitution of the State, relative to revenue and taxation

Have had the same under consideration, and respectfully report the same back without recommendation.

Also: Senate Bill No 19—An Act to amend section one thousand two hundred and forty-three of the Penal Code of the State of California, relative to the stay of the execution of the judgment in criminal cases pending an appeal to the Supreme Court.

Also: Senate Bill No 191—An Act to amend section four hundred and ten of the Code of Civil Procedure, relative to the manner of serving summons and complaint.

Also Senate Bill No 283—An Act to provide for the purchase of Supreme Court reports

Also Senate Bill No. 286—An Act to amend section one hundred and seventy of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, relating to the disqualifications of Judges

Also Senate Bill No 359—An Act to regulate the fees of County Clerks in estates of deceased persons, of minors, and of incompetent persons

Also. Senate Bill No 363—An Act to amend section three hundred and ninety-eight of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, relative to the transfer of causes where Judge is disqualified.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

SHANAHAN, Chairman.

ON SWAMP AND OVERFLOWED LANDS.

ASSEMBLY CHAMBER, SACRAMENTO, March 1, 1893.

MR. SPEAKER. Your Committee on Swamp and Overflowed Lands, to whom was referred Senate Bill No 351—An Act to add a new section to the Political Code, to be known and designated as section three thousand four hundred and ninety-three and one half, relating to suits to determine the validity of assessments in reclamation districts—have had the same under consideration, and respectfully report the same back, and recommend that it do pass

PUESCHEL, Chairman.

ON WAYS AND MEANS.

ASSEMBLY CHAMBER, SACRAMENTO, March 2, 1893

MR SPEAKER Your Committee on Ways and Means, to whom was referred Senate Bill No. 331—An Act to appropriate money for the erection of a monument in Golden Gate Park, in the city of San Francisco, or in the Court-house grounds, Santa Rosa, California, in memory of the late General M G Vallejo—have had the same under consideration, and respectfully report the same back, and recommend that it do not pass

Also: Senate Bill No 211—An Act to provide for the publication of the State Blue Book, or Roster.

Also: Substitute for Senate Bill No. 233—An Act to provide for the payment for the advertising of the constitutional amendments, and to make an appropriation therefor.

Also: Senate Bill No 507—An Act making an appropriation for the payment of certain salary due Allen Kelly, as Executive Officer of the State Board of Forestry

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

W P MATHEWS, Chairman.

ON COMMERCE AND NAVIGATION.

ASSEMBLY CHAMBER, SACRAMENTO, March 2, 1893.

MR. SPEAKER: Your Committee on Commerce and Navigation, to whom was referred Assembly Bill No 826—An Act to provide for the erection and construction of offices, rooms, and apartments in the general ferry and passenger depot now under course of construction at or near the foot of Market Street, in the City and County of San Francisco, for the accommodation of certain persons, officers, and Commissions of the State of California now having their offices and quarters in said City and County of San Francisco, and making an appropriation to carry out the provisions of this Act—have had the same under consideration, and respectfully report the same back, and recommend that it do not pass.

GODCHAUX, Chairman

Assembly Bill No. 826 re-referred to Committee on Ways and Means.

ON CLAIMS.

ASSEMBLY CHAMBER, SACRAMENTO, March 1, 1893

MR SPEAKER: Your Committee on Claims, to whom was referred Assembly Bill No. 644—An Act appropriating money to pay the claim of B. McMahon & Son—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

BURKE, Chairman

Assembly Bill No. 644 re-referred to Committee on Ways and Means.

ON COUNTY AND TOWNSHIP GOVERNMENTS.

ASSEMBLY CHAMBER, SACRAMENTO, March 2, 1893.

MR SPEAKER. Your Committee on County and Township Governments, to whom was referred Assembly Bill No 49—An Act to provide and regulate the manner of making payment of fees, commissions, percentage, and other compensation for official services, and of fines, penalties, and the like imposed—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

Also: Assembly Bill No. 824—An Act to amend section four thousand one hundred and four of the Political Code of the State of California, relating to officers of townships—have had the same under consideration, and respectfully report the same back, and recommend that it do not pass.

SCHROEBEL, Chairman.

MESSAGES FROM THE SENATE.

SENATE CHAMBER, SACRAMENTO, March 1, 1893.

MR SPEAKER: I am directed to inform your honorable body that the Senate, on this day, concurred in the Assembly amendments to Senate Bill No 218—An Act to amend section two hundred and twenty-four of the Civil Code, regarding the adoption of children.

F. J BRANDON, Secretary
By R. SHAW, Assistant

Also:

SENATE CHAMBER, SACRAMENTO, March 1, 1893.

MR. SPEAKER: I am directed to inform your honorable body that the Senate, on the twenty-fifth day of February, 1893, adopted Senate Joint Resolution No. 25—A resolution memorializing the Attorney-General and the Secretary of the Interior of the United States of America to locate one of the United States prisons, provided for by an Act of Congress, March 3, 1891, within the State of California.

Also: On the twenty-eighth day of February, 1893, adopted Senate Constitutional Amendment No. 16—A resolution to propose to the people of the State of California an amendment to article thirteen of the Constitution, section one, in relation to revenue and taxation.

F. J. BRANDON, Secretary.
By R. SHAW, Assistant.

Senate Joint Resolution No. 25 referred to Committee on Federal Relations.

Senate Constitutional Amendment No. 16 referred to Committee on Judiciary.

Also:

SENATE CHAMBER, SACRAMENTO, March 2, 1893.

MR. SPEAKER: I am directed to inform your honorable body that the Senate, on the first day of March, 1893, passed Committee Substitute for Senate Bill No. 358—An Act to regulate the sale of imitation olive oil, and to repeal an Act entitled "An Act to regulate the sale of olive oil," approved March 10, 1891.

Also: Senate Bill No. 671—An Act to amend section one thousand and eighty-three of the Political Code of the State of California, defining the qualifications and disabilities of electors.

Also: Substitute for Senate Bill No. 35—An Act to provide and regulate the manner of receiving and paying fees, commissions, percentages, and other compensation for official services, in cities, and cities and counties having a population of over one hundred thousand inhabitants, and prescribing the duties of officers with reference thereto.

Also: Senate Bill No. 390—An Act to amend section six hundred and eighty-three of the Code of Civil Procedure of the State of California, relating to the return on execution.

F. J. BRANDON, Secretary.
By R. SHAW, Assistant.

Committee Substitute for Senate Bill No. 358 referred to Committee on Viniculture, Viticulture, and Horticulture.

Senate Bill No. 390 referred to Committee on Judiciary.

MOTION.

Mr. Thomas of Santa Clara moved that Senate Bill No. 671 be substituted on the file for Assembly Bill No. 781, and be read the first time.

So ordered.

FIRST READING OF BILL.

Senate Bill No. 671—An Act to amend section one thousand and eighty-three of the Political Code of the State of California, defining the qualifications and disabilities of electors.

Read first time, and placed on file for second reading.

MOTION.

Mr. Schlesinger moved that Substitute for Senate Bill No. 35 be taken up and read the first time.

So ordered.

FIRST READING OF BILL.

Substitute for Senate Bill No. 35—An Act to provide and regulate the manner of receiving and paying fees, commissions, percentages, and

other compensation for official services, in cities, and cities and counties having a population of over one hundred thousand inhabitants, and prescribing the duties of officers with reference thereto.

Read first time, and placed on file for second reading.

MESSAGE FROM THE SENATE.

SENATE CHAMBER, SACRAMENTO, March 2, 1893.

MR SPEAKER: I am directed to inform your honorable body that the Senate, on the first day of March, 1893, passed Senate Bill No 354—An Act to create a special commission for the purpose of examining and reporting to the thirty-first session of the Legislature on the Torrens Land Transfer Act of Australia, and making an appropriation therefor.

Also: Senate Bill No. 332—An Act to authorize the acquisition by donation of a site or sites for camps of instruction for the National Guard of the State of California, and to improve the same.

Also: Assembly Bill No. 90—An Act to prevent deception in the manufacture and sale of imitation butter, and to appropriate money for its enforcement.

F J. BRANDON, Secretary.
By R. SHAW, Assistant.

Assembly Bill No. 90 ordered to enrollment.

MOTION.

Mr. Owen moved that Senate Bill No. 354 be substituted on the file for Assembly Bill No. 467, and be read the first time.

So ordered.

FIRST READING OF BILL.

Senate Bill No. 354—An Act to create a special commission for the purpose of examining and reporting to the thirty-first session of the Legislature on the Torrens Land Transfer Act of Australia, and making an appropriation therefor.

Read first time, and placed on file for second reading.

MOTION.

Mr. Adams moved to take up Senate Bill No. 332, and be read the first time.

So ordered.

FIRST READING OF BILL.

Senate Bill No. 332—An Act to authorize the acquisition by donation of a site or sites for camps of instruction for the National Guard of the State of California, and to improve the same.

Read first time, and placed on file for second reading.

MESSAGE FROM THE SENATE.

SENATE CHAMBER, SACRAMENTO, March 2, 1893.

MR SPEAKER: I am directed to inform your honorable body that the Senate, on the first day of March, 1893, passed Senate Bill No. 38—An Act to appropriate money for the support of persons in indigent circumstances afflicted with incurable diseases.

Also: Senate Bill No. 689—An Act to provide for the appointment of a Board of Colton Hall Trustees, and for the acquisition of the Colton Hall property, and providing for an appropriation for the preservation, protection, and improvement of said property.

Also. Senate Bill No. 504—An Act to amend section six hundred and thirty-three of

an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relative to conditions precedent to right to act as insurance agent or solicitor.

Also: Senate Bill No. 470—An Act to amend section three hundred and fifty-nine entitled "An Act to establish a Civil Code," approved March 21, 1872, relating to corporations and the increase and diminution of the capital stock, and the creation, increase, and diminution of the bonded indebtedness thereof.

F. J. BRANDON, Secretary.
By R. SHAW, Assistant

Senate Bill No. 689 ordered on file.

Senate Bill No. 470 referred to Committee on Corporations.

MOTION.

Mr. Matthews of San Benito moved that Senate Bill No. 38 be substituted on the file for Assembly Bill No. 64, and be read the first time.

So ordered.

FIRST READING OF BILL.

Senate Bill No. 38—An Act to appropriate money for the support of persons in indigent circumstances afflicted with incurable diseases.

Read first time, and placed on file for second reading.

MOTION.

Mr. Schlesinger moved that Senate Bill No. 504 be substituted on the file for Assembly Bill No. 612, and be read the first time.

So ordered.

FIRST READING OF BILL.

Senate Bill No. 504—An Act to amend Section 633 of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relative to conditions precedent to right to act as insurance agent or solicitor.

Read first time, and placed on file for second reading.

MESSAGE FROM THE SENATE.

SENATE CHAMBER, SACRAMENTO, March 2, 1893.

MR. SPEAKER. I am directed to inform your honorable body that the Senate, on the first day of March, 1893, concurred in the Assembly amendment to Senate Bill No 652—An Act to amend section four thousand and eighty-five of the Political Code, relating to the improvement of innavigable streams, and the protection of lands adjacent thereto, and to repeal an Act entitled "An Act to provide for the organization of levee districts created for the protection of lands from overflow of innavigable running streams of water, and to confine innavigable running streams to a fixed channel."

F. J BRANDON, Secretary
By R. SHAW, Assistant

Speaker Gould in the chair.

MOTION.

In accordance with notice given, Mr. Lynch moved to amend the rules of the Assembly.

Pending consideration of the proposed amendment, the special order of the hour was taken up.

SPECIAL ORDER.

Assembly Constitutional Amendment No. 14—A resolution proposing to the people of the State of California an amendment to the Constitution, repealing sections twenty-two and twenty-three of article twelve of said Constitution, relating to the Railroad Commission, and adding to article four of said Constitution a new section, to be known and numbered as section thirty-six, relating to railroad freights and fares.

The question being on the pending substitute of Mr. Barlow.

Mr. Standart moved to indefinitely postpone the subject-matter.

Lost.

Mr. Lynch moved that the discussion relative to the question conclude at twelve o'clock and twenty minutes P. M.

So ordered.

Upon the substitute the ayes and noes were demanded by Messrs. Barlow, Vann, and Thomas of Santa Clara.

The roll was called, and the substitute refused adoption by the following vote:

AYES—Messrs Adams, Anderson, Barlow, Bennett of Santa Clara, Bennett of Orange, Bretz, Casterline, Dodge, Durst, Hutson, Jacobsen, Johnson of Humboldt, Johnson of Santa Clara, Kerns, Miller, O'Keefe, Owen, Perkins, Sargent, Standart, Talbott, Thomas of Santa Clara, and Vann—23.

NOES—Messrs. Alford, Barker, Bledsoe, Brownlie, Buckley, Bulla, Burke, Carlson, Chipman, Conway, Curtis, Cusick, Drees, Duckworth, Duffy, Finlayson, Gallagher, Gately, Godchaux, Hendrickson, Hurley, Jacobs, Kennedy, Kahn, Luttringer, Lynch, McCauley, McElroy, McGowan, Mack, Marks, Marston, Mathews of Tehama, Matthews of San Benito, Mordecai, O'Neill, Pendleton, Pueschel, Raw, Schlesinger, Schroebel, Shanahan, Simpson, Sims, Taggart, Taylor, Thomas of Nevada, Tindall, Wade, and Mr. Speaker—50.

The question recurred on the Substitute for Assembly Constitutional Amendment No. 14—A resolution proposing an amendment to the Constitution of the State of California, repealing sections twenty-two and twenty-three of article twelve of said Constitution, relating to the Railroad Commission, its powers and duties, and adding a new section to article four of said Constitution, to be numbered section thirty-six, relating to railroad freights and fares.

MOTION.

Mr. Alford moved that the hour of recess be extended ten minutes.

So ordered.

PREVIOUS QUESTION.

Mr. Alford moved the previous question, seconded by Messrs. Schlesinger and Lynch.

The question being, "Shall the main question be now put?"

So ordered.

CALL OF THE HOUSE.

Pending roll call, Mr. Shanahan moved a call of the House, seconded by Messrs. Schlesinger and Godchaux.

So ordered.

The roll was called, and the following members answered to their names:

Messrs. Adams, Alford, Anderson, Androus, Barker, Barlow, Bennett of Santa Clara, Bennett of Orange, Blakeley, Bledsoe, Boyce, Bretz, Brownlie, Buckley, Bulla, Burke, Carlson, Chipman, Conway, Curtis, Cusick, Dodge, Duckworth, Duffy, Durst, Finlayson, Gallagher, Gately, Godchaux, Hendrickson, Hurley, Hutson, Jacobs, Jacobsen, Johnson of Humboldt, Johnson of Santa Clara, Kennedy, Kahn, Kerns, LaRue, Luttringer, Lynch, McCauley, McElroy, McGowan, Mack, Marks, Marston, Mathews of Tehama, Matthews of San Benito, Miller, Mordecai, O'Keefe, O'Neill, Owen, Pendleton, Perkins, Pueschel, Raw, Sargent, Schlesinger, Schroebel, Shanahan, Simpson, Sims, Standart, Taggart, Talbott, Taylor, Thomas of Nevada, Thomas of Santa Clara, Tindall, Vann, Wade, and Mr Speaker.

The following members, Messrs. Casterline and Hamilton, were absent without leave, and the Sergeant-at-Arms was directed to bring them before the bar of the House.

Mr. Duckworth moved that further proceedings under the call of the House be dispensed with.

Lost.

Mr. Duckworth moved that further proceedings under the call of the House be dispensed with.

So ordered.

SUBSTITUTE FOR ASSEMBLY CONSTITUTIONAL AMENDMENT No 14.

The Speaker declared the resolution defeated by the following vote:

Ayes—Messrs. Adams, Alford, Bledsoe, Boyce, Bretz, Brownlie, Buckley, Bulla, Burke, Conway, Curtis, Cusick, Drees, Duffy, Finlayson, Gallagher, Gately, Godchaux, Hendrickson, Hurley, Hutson, Jacobs, Jacobsen, Johnson of Humboldt, Johnson of Santa Clara, Kennedy, Kahn, Kerns, LaRue, Luttringer, McCauley, McElroy, McGowan, Mack, Marks, Marston, Mathews of Tehama, Matthews of San Benito, Mordecai, O'Neill, Pueschel, Sargent, Schlesinger, Schroebel, Sims, Taggart, Talbott, Taylor, Thomas of Nevada, Thomas of Santa Clara, Tindall, and Mr. Speaker—52.

Noes—Messrs. Anderson, Androus, Barker, Barlow, Bennett of Santa Clara, Bennett of Orange, Blakeley, Carlson, Casterline, Chipman, Dodge, Duckworth, Durst, Lynch, Miller, O'Keefe, Owen, Pendleton, Perkins, Raw, Shanahan, Simpson, Standart, Vann, and Wade—25.

NOTICE OF RECONSIDERATION.

Mr. Shanahan gave notice that on the next legislative day he will move a reconsideration of the vote whereby Substitute for Assembly Constitutional Amendment No. 14 was refused adoption.

RECESS.

The hour of recess having arrived, the Speaker declared recess until two o'clock P. M.

REASSEMBLED.

The Assembly reassembled at two o'clock P. M.

Speaker Gould in the chair.

Quorum present.

REPORT OF SPECIAL COMMITTEE.

Mr Speaker: Your committee to whom was referred the following resolution, to wit:

Resolved, That a committee of five be appointed by the Speaker of the Assembly to investigate the charges made through the columns of the San Francisco "Chronicle" against Assemblyman H. H Johnson

Beg leave to report as follows:

On calling the committee to order, Messrs. McPike and Clunie appeared as counsel for Assemblyman H. H Johnson, and Messrs. Richards and Shortridge appeared as counsel for J W Rea.

Your committee has given the matter the most careful and exhaustive consideration, having allowed the widest margin in the examination of witnesses and admission of testimony, and have listened to arguments in the premises.

From such investigation and consideration we find:

That the charge made by J. W. Rea against Assemblyman H. H. Johnson, that he offered to sell his vote for one hundred dollars, in the matter of the Railroad Commission and other subjects, and to secure the votes of other members of the Assembly for a like consideration, has not been substantiated by the evidence adduced, such evidence not being sufficient to remove from the minds of your committee all reasonable doubts as to the truth of said charge.

That the testimony in support of said charge seems to have been largely biased by business connections, or political affiliations, to such an extent that it has not brought with it the weight of conviction.

That sufficient motive seems to have been lacking on the part of Johnson in the offer charged, and the probability small that an offer to include others in such a transaction would have been made without communication with or acquaintance of such persons.

That the charge so made was malicious, inasmuch as said J. W. Rea testified that the same would not have been made but for the fact that certain acts of said Rea as Railroad Commissioner were about to come before the Legislature for consideration; and we find that it was for the purpose of intimidating the said Johnson and members of the Assembly that such charge was made, and not for the purpose of bringing the guilty to judgment.

Wherefore, in view of the circumstances surrounding said charge, the personal and political bias in the character of the testimony by which said charge was sought to be substantiated, the malice shown in the bringing of such charge by the said J. W. Rea, the apparent lack of sufficient motive, and improbability of such action on the part of Assemblyman H. H. Johnson, your committee, sitting not only as judges, but in a capacity similar to that of a jury sworn to render an impartial verdict, where the life or liberty of an individual was at stake, and valuing reputation at little less than either, and bound to give the defendant the benefit of any reasonable doubt, find that Assemblyman H. H. Johnson did not offer to sell his vote to said J. W. Rea for one hundred dollars, or for any other consideration, in the matter of the Railroad Commission and other subjects, nor did he offer to secure the vote of any other member of the Assembly for or in behalf of said J. W. Rea, or for any purpose whatever.

MORDECAI, Chairman
BULLA.
HURLEY.
HENDRICKSON

MOTION.

Mr. Shanahan moved that the consideration of the report be made a special order for to-morrow at three o'clock and thirty minutes P. M.

So ordered.

SPECIAL SENATE FILE—THIRD READING OF BILLS.

Substitute for Senate Bill No. 137—An Act to establish a Board of Parole Commissioners for the parole of and government of paroled prisoners.

Read third time.

The question being on the final passage of the bill.

PREVIOUS QUESTION.

Mr. Lynch moved the previous question, seconded by Messrs. Schlesinger and Brownlie.

The question being, "Shall the main question be now put?"

So ordered.

SUBSTITUTE FOR SENATE BILL No. 137.

The roll was called, and the bill refused passage by the following vote:

AYES—Messrs Anderson, Androus, Barker, Barlow, Bennett of Santa Clara, Boyce, Brownlie, Buckley, Casterline, Chipman, Conway, Cusick, Durst, Gately, Jacobsen, Johnson of Santa Clara, Luttringer, Lynch, McCauley, McGowan, Marks, Marston, Matthews of San Benito, Miller, Pendleton, Sargent, Shanahan, and Thomas of Nevada—28.

NOES—Messrs Adams, Bennett of Orange, Blakeley, Bledsoe, Bretz, Bulla, Burke, Carlson, Curtis, Dodge, Drees, Duckworth, Duffy, Finlayson, Hendrickson, Hurley, Hutson, Jacobs, Johnson of Humboldt, Kennedy, Kerns, LaRue, McElroy, Mack, Mordecai, O'Keefe, O'Neill, Perkins, Raw, Schlesinger, Simpson, Sims, Standart, Taggart, Talbott, Taylor, Thomas of Santa Clara, Tindall, Vann, Wade, and Mr Speaker—41.

LEAVE OF ABSENCE.

Mr. Kahn was granted leave of absence for the afternoon.

NOTICE OF RECONSIDERATION.

Mr. Duckworth gave notice that on the next legislative day he will move a reconsideration of the vote whereby Substitute for Senate Bill No. 137 was refused passage.

Mr. Lynch in the chair.

REPORT OF STANDING COMMITTEE.

ON ENGROSSMENT.

ASSEMBLY CHAMBER, SACRAMENTO, March 2, 1893.

MR SPEAKER: Your Committee on Engrossment beg leave to report that the following Assembly Bills have been correctly engrossed

Assembly Bill No 761—An Act to repeal an Act entitled "An Act regulating fees and mileage in criminal cases in the county of Nevada," approved March 23, 1876.

Also: Assembly Bill No 772—An Act to amend an Act entitled "An Act to establish a Civil Code."

Also: Assembly Bill No. 56—An Act to provide for the organization and government of districts already supplied with water for domestic and irrigation purposes, or either, and to provide for the acquisition of additional supplies of water when necessary, and to provide for the regulation and use of such water.

Also: Assembly Bill No. 239—An Act to create the county of Kings, to define the boundaries thereof, to fix the county seat thereof, and to provide for its organization and election of officers, and to classify said county

Also: Assembly Bill No 727—An Act to amend sections three, five, six, and ten of an Act entitled "An Act to provide for the maintenance and support of the public parks heretofore created within the various cities, and cities and counties of the State, and to amend the existing Acts in relation thereto,' approved March 14, 1889

Also: Assembly Bill No 729—An Act appropriating money to pay the claims of H. P. Dyer, E F. Dyer, C. A. Granger, Gaston Goldsmith, and P. Reddy.

KENNEDY, Chairman.

SPECIAL SENATE FILE—(RESUMED).

Senate Bill No. 55—An Act to amend section one thousand one hundred and seven of the Civil Code of the State of California.

Read third time, and refused passage by the following vote:

AYES—Messrs Androus, Bennett of Santa Clara, Bulla, Burke, Carlson, Dodge, Duckworth, Finlayson, Jacobsen, Kennedy, Lynch, Perkins, Simpson, Sims, Taylor, and Wade—16.

NOES—Messrs. Adams, Barker, Barlow, Bennett of Orange, Blakeley, Bledsoe, Boyce, Bretz, Brownlie, Buckley, Casterline, Chipman, Conway, Curtis, Cusick, Drees, Duffy, Durst, Gallagher, Godchaux, Hurley, Hutson, Jacobs, Johnson of Humboldt, Johnson of Santa Clara, Kerns, LaRue, Luttringer, McCauley, McElroy, McGowan, Mack, Marks, Marston, Matthews, of San Benito, Miller, O'Keefe, O'Neill, Owen, Pendleton, Raw, Sargent, Schlesinger, Shanahan, Standart, Taggart, Thomas of Nevada, Thomas of Santa Clara, Tindall, and Vann—50.

NOTICE OF RECONSIDERATION.

Mr. Shanahan gave notice that on the next legislative day he will move a reconsideration of the vote whereby Senate Bill No. 55 was refused passage.

QUESTION OF PRIVILEGE.

Mr. Finlayson arose to a question of privilege, and stated that Mr. Emeric was unable to be present to vote on the adoption of Substitute for Assembly Constitutional Amendment No. 14, because of the fact that he is confined to his bed, suffering from a dangerous illness.

SPECIAL SENATE FILE—(RESUMED).

Senate Bill No. 166—An Act authorizing the formation of county mutual insurance companies, regulating the transaction of their business, and defining the duties of the officers thereof.

Read third time, and passed by the following vote:

AYES—Messrs Adams, Anderson, Androus, Barlow, Bennett of Santa Clara, Bennett of Orange, Blakeley, Bledsoe, Boyce, Bretz, Brownlie, Buckley, Bulla, Burke, Casterline, Curtis, Dodge, Drees, Duckworth, Duffy, Finlayson, Gallagher, Hendrickson, Hurley, Jacobsen, Johnson of Humboldt, Kennedy, Kerns, Lynch, McCauley, McElroy, McGowan, Mack, Marks, Marston, Matthews of San Benito, Miller, O'Keefe, O'Neill, Pendleton, Perkins, Sargent, Schlesinger, Schroebel, Shanahan, Simpson, Sims, Standart, Talbott, Taylor, Thomas of Santa Clara, Tindall, Vann, and Wade—54.

NOES—Messrs. Barker, Carlson, Cusick, Godchaux, LaRue Luttringer, Mordecai, Pueschel, Raw, and Taggart—10

Title read and approved.

NOTICE OF RECONSIDERATION.

Mr. Duckworth gave notice that on the next legislative day he will move a reconsideration of the vote whereby Senate Bill No. 166 was passed.

SPECIAL SENATE FILE—(RESUMED).

Senate Bill No. 149—An Act to amend sections two, five, seven, and ten of an Act entitled "An Act to establish free public libraries and reading-rooms," approved April 26, 1880, to enable the Trustees to fix the amount of taxes to be raised therefor, and to provide the manner of levying and collecting the same, to authorize the City Treasurer to pay out the same on order of the Trustees, to fix term of office of Trustees, and to provide the manner of their election, in cities of less than one hundred thousand population.

Read third time, and passed by the following vote:

AYES—Messrs. Adams, Anderson, Androus, Barker, Barlow, Bennett of Santa Clara, Bennett of Orange, Boyce, Bretz, Brownlie, Buckley, Bulla, Burke, Carlson, Conway, Dodge, Drees, Duckworth, Duffy, Durst, Finlayson, Gallagher, Gately, Godchaux, Hendrickson, Hutson, Jacobs, Johnson of Humboldt, Kennedy, Kerns, LaRue, Luttringer, Lynch, McCauley, McElroy, McGowan, Mack, Marks, Marston, O'Keefe, Owen, Pendleton, Perkins, Pueschel, Sargent, Schlesinger, Schroebel, Shanahan, Simpson, Sims, Standart, Taggart, Talbott, Taylor, Thomas of Nevada, and Tindall—56

NOES—Messrs Bledsoe, Thomas of Santa Clara, Vann, and Wade—4.

Title read and approved.

SECOND READING OF BILLS.

Senate Bill No. 209—An Act amending sections one thousand five hundred and seventy-seven and one thousand five hundred and seventy-eight of the Code of Civil Procedure, relating to mortgages and leases in certain cases.

Passed on file.

Senate Bill No. 50—An Act to amend the Civil Code by adding thereto two sections, to be known as sections one thousand four hundred and twenty-four and one thousand four hundred and twenty-five, being title nine, part four, division two of said Code, concerning the manner of conducting the business of hydraulic mining.

Speaker Gould in the chair.

The question being on the pending amendment of Mr. Durst.

PREVIOUS QUESTION.

Mr. Thomas of Nevada moved the previous question, seconded by Messrs. Shanahan and Johnson.

The question being, "Shall the main question be now put?"

So ordered.

Upon the amendment the ayes and noes were demanded by Messrs. Thomas, Schlesinger, and Johnson of Santa Clara.

The roll was called, and the amendment lost by the following vote:

AYES—Messrs. Adams, Anderson, Barlow, Bennett of Santa Clara, Bennett of Orange, Casterline, Chipman, Durst, Jacobs, Miller, Mordecai, Owen, Thomas of Santa Clara, Vann, and Wade—15

NOES—Messrs. Androus, Blakeley, Blesdoe, Boyce, Brownlie, Buckley, Bulla, Burke, Carlson, Conway, Curtis, Cusick, Dodge, Drees, Duckworth, Duffy, Finlayson, Gallagher, Gately, Hendrickson, Huley, Hutson, Johnson of Humboldt, Johnson of Santa Clara, Kennedy, Kerns, Luttringer, Lynch, McCauley, McElroy, McGowan, Mack, Marks, Marston, Matthews of San Benito, O'Keefe, O'Neill, Pendleton, Perkins, Pueschel, Raw, Sargent, Schlesinger, Shanahan, Simpson, Sims, Standart, Taggart, Talbott, Taylor, Thomas of Nevada, Tindall, and Mr. Speaker—53.

MOTION.

Mr. Thomas of Nevada moved to suspend the rules, to continue the consideration of the bill.

So ordered.

The question being, "Shall the bill be ordered to a third reading?"

So ordered.

PROTEST.

Mr. Owen entered a protest, as follows:

I protest against the action of the House on the passage of Senate Bill No. 50 for the following reasons: that the ruling of the House shutting off discussion without a full and fair hearing, which the important nature of the bill demands, is unfair and against public interest.

THIRD READING OF BILL.

The question being, "Shall the bill be read the third time?"

So ordered.

Senate Bill No. 50—An Act to amend the Civil Code by adding thereto two sections, to be known as sections one thousand four hundred and twenty-four and one thousand four hundred and twenty-five, being title nine, part four, division two of said Code, concerning the manner of conducting the business of hydraulic mining.

Read third time.

Mr. Schlesinger moved the previous question, seconded by Messrs. Sargent and Thomas of Nevada.

The question being, "Shall the main question be now put?"

So ordered.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Anderson, Androus, Blakeley, Bledsoe, Boyce, Brownlie, Buckley, Burke, Carlson, Casterline, Conway, Curtis, Cusick, Drees, Duffy, Finlayson, Gallagher, Gately, Hendrickson, Hurley, Hutson, Johnson of Humboldt, Johnson of Santa Clara, Kennedy, Kerns, Luttringer, Lynch, McCauley, McElroy, McGowan, Mack, Marks, Marston, Mathews of Tehama, Matthews of San Benito, O'Keefe, O'Neill, Pendleton, Pueschel, Raw, Sargent, Schlesinger, Schroebel, Shanahan, Simpson, Sims, Standart, Taggart, Talbott, Taylor, Thomas of Nevada, Tindall, and Mr. Speaker—54

NOES—Messrs Adams, Barker, Barlow, Bennett of Santa Clara, Bennett of Orange, Bretz, Bulla, Chipman, Dodge, Duckworth, Durst, Jacobs, Miller, Mordecai, Owen, Perkins, Thomas of Santa Clara, Vann, and Wade—19

Title read and approved.

NOTICE OF RECONSIDERATION.

Mr. Anderson gave notice that on the next legislative day he will move a reconsideration of the vote whereby Senate Bill No. 50 was passed.

MOTION.

Mr. Blakeley moved that the consideration of Assembly Bill No. 239 be made a special order for to-morrow, at three o'clock and thirty minutes P. M.

So ordered.

REPORT OF STANDING COMMITTEE.

ON COUNTY AND TOWNSHIP GOVERNMENTS

ASSEMBLY CHAMBER, SACRAMENTO, March 2, 1893.

MR. SPEAKER: Your Committee on County and Township Governments, to whom was referred Assembly Bills Nos. 39, 74, 80, 115, 119, 147, 209, 252, 279, 289, 334, 346, 347, 355, 358, 359, 360, 370, 414, 418, 454, 536, 537, 545, 548, 565, 591, 592, 594, 616, 620, 636, 652, 685, 695, 718, 722, 754, 764, 771, 783, 827, and 840—have had the same under consideration, and respectfully report a substitute for all of said bills, and recommend that the said substitute do pass.

SCHROEBEL, Chairman.

Substitute ordered printed.

SPECIAL ORDER.

Assembly Bill No. 774—An Act to amend an Act entitled "An Act to establish a uniform system of county and township governments," approved March 31, 1891, by amending sections fifty-seven, sixty, eighty, ninety-three, one hundred and eleven, one hundred and twelve, one hundred and twenty-three, one hundred and twenty-four, one hundred and twenty-six, one hundred and twenty-seven, one hundred and thirty, one hundred and thirty-one, one hundred and thirty-three, one hundred and thirty-four, one hundred and thirty-five, one hundred and fifty-one, one hundred and fifty-two, one hundred and fifty-four, one hundred and fifty-five, one hundred and sixty-four, one hundred and sixty-five, one hundred and sixty-six, one hundred and sixty-seven, one hundred and sixty-eight, one hundred and sixty-nine, one hundred and seventy, one hundred and seventy-one, one hundred and seventy-two, one hundred and seventy-three, one hundred and seventy-four, one hundred and seventy-five, one hundred and seventy-six, one hundred and seventy-seven, one hundred and seventy-eight, one hundred and seventy-nine, one hundred and eighty, one hundred and eighty-one, one hundred and eighty-two, one hundred and eighty-three,

one hundred and eighty-four, one hundred and eighty-five, one hundred and eighty-six, one hundred and eighty-seven, one hundred and eighty-eight, one hundred and eighty-nine, one hundred and ninety, one hundred and ninety-one, one hundred and ninety-two, one hundred and ninety-three, one hundred and ninety-four, one hundred and ninety-five, one hundred and ninety-six, one hundred and ninety-seven, one hundred and ninety-eight, one hundred and ninety-nine, two hundred, two hundred and one, two hundred and two, two hundred and three, two hundred and four, two hundred and five, two hundred and six, two hundred and seven, two hundred and eight, two hundred and nine, two hundred and ten, two hundred and eleven, two hundred and twelve, two hundred and thirteen, two hundred and fourteen, two hundred and fifteen, two hundred and sixteen thereof, and by repealing sections one hundred and six and one hundred and ten of said Act, and by renumbering sections one hundred and seven, one hundred and eight, and one hundred and nine of said Act, and designating them as sections one hundred and six, one hundred and seven, and one hundred and eight, respectively, and by adding two new sections to said Act, and numbering them sections one hundred and nine and one hundred and ten.

Read first time, and placed on file for second reading.

MOTION.

Mr. Finlayson moved to take up the resolution recommended for adoption by the Committee on Apportionment and Election Laws.

So ordered.

RESOLUTION.

Resolved, That all bills relating to the election laws, or the right of suffrage, be placed upon a special urgency file, and be considered every day from three o'clock and thirty minutes P. M. to three o'clock and forty-five minutes P. M. until disposed of.

Lost.

RESOLUTION.

By Mr. Bledsoe:

Resolved by the Assembly, the Senate concurring, That this Legislature do adjourn *sine die* on Thursday, March 9, 1893, at twelve o'clock and thirty minutes P. M.

Referred to Committee on Ways and Means.

SPECIAL ORDER.

Resolved, That Assembly Bill No. 774 presents a case of urgency, as that term is used in section fifteen of article four of the Constitution, and the provisions of that section requiring that the bill shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the first, second, and third times, and placed upon its passage.

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

AYES—Messrs. Adams, Alford, Anderson, Androus, Barker, Barlow, Bennett of Santa Clara, Bennett of Orange, Blakeley, Boyce, Brownlie, Buckley, Bulla, Burke, Carlson, Casterline, Chipman, Curtis, Dodge, Drees, Duckworth, Durst, Gallagher, Gately, Hendrickson, Hutson, Jacobs, Jacobsen, Johnson of Santa Clara, Kennedy, Kerns, Lynch, McCauley, McGowan, Mack, Marks, Marston, Mathews of Tehama, Miller,

O'Keefe, O'Neill, Owen, Pendleton, Perkins, Pueschel, Sargent, Schlesinger, Schroebel, Shanahan, Simpson, Sims, Standart, Taggart, Talbott, Taylor, Thomas of Nevada, Thomas of Santa Clara, Tindall, and Mr. Speaker—59.

NOES—Messrs. Bledsoe, Bretz, Finlayson, Hurley, Johnson of Humboldt, McElroy, Matthews of San Benito, Mordecai, Vann, and Wade—10

ASSEMBLY BILL No. 774.

An Act to amend an Act entitled "An Act to establish a uniform system of county and township governments," approved March 31, 1891, by amending sections fifty-seven, sixty, eighty, ninety-three, one hundred and eleven, one hundred and twelve, one hundred and twenty-three, one hundred and twenty-four, one hundred and twenty-six, one hundred and twenty-seven, one hundred and thirty, one hundred and thirty-one, one hundred and thirty-three, one hundred and thirty-four, one hundred and thirty-five, one hundred and fifty-one, one hundred and fifty-two, one hundred and fifty-four, one hundred and fifty-five, one hundred and sixty-four, one hundred and sixty-five, one hundred and sixty-six, one hundred and sixty-seven, one hundred and sixty-eight, one hundred and sixty-nine, one hundred and seventy, one hundred and seventy-one, one hundred and seventy-two, one hundred and seventy-three, one hundred and seventy-four, one hundred and seventy-five, one hundred and seventy-six, one hundred and seventy-seven, one hundred and seventy-eight, one hundred and seventy-nine, one hundred and eighty, one hundred and eighty-one, one hundred and eighty-two, one hundred and eighty-three, one hundred and eighty-four, one hundred and eighty-five, one hundred and eighty-six, one hundred and eighty-seven, one hundred and eighty-eight, one hundred and eighty-nine, one hundred and ninety, one hundred and ninety-one, one hundred and ninety-two, one hundred and ninety-three, one hundred and ninety-four, one hundred and ninety-five, one hundred and ninety-six, one hundred and ninety-seven, one hundred and ninety-eight, one hundred and ninety-nine, two hundred, two hundred and one, two hundred and two, two hundred and three, two hundred and four, two hundred and five, two hundred and six, two hundred and seven, two hundred and eight, two hundred and nine, two hundred and ten, two hundred and eleven, two hundred and twelve, two hundred and thirteen, two hundred and fourteen, two hundred and fifteen, two hundred and sixteen thereof, and by repealing sections one hundred and six and one hundred and ten of said Act, and by renumbering sections one hundred and seven, one hundred and eight, and one hundred and nine of said Act, and designating them as sections one hundred and six, one hundred and seven, and one hundred and eight, respectively, and by adding two new sections to said Act, and numbering them sections one hundred and nine and one hundred and ten.

Read second time.

COMMITTEE SUBSTITUTE FOR ASSEMBLY BILL No. 774

Introduced by Committee on County and Township Governments.

An Act to amend an Act entitled "An Act to establish a uniform system of county and township governments," approved March 31, 1891, by amending sections fifty-seven, one hundred and sixty-seven, one hundred and sixty-eight, one hundred and seventy-two, one hundred and eighty-six, and one hundred and ninety-seven thereof, relating to county officers.

The People of the State of California, represented in Senate and Assembly, do enact as follows:

SECTION 1. Section fifty-seven of said Act is hereby amended so as to read as follows:

Section 57. The officers of a county are a County Clerk, a Clerk of Board Supervisors, Sheriff, Jailer, Superior Court Bailiff, Recorder, Register of Deeds, Auditor, Treasurer, Tax Collector, District Attorney, Assessor, Coroner, Public Administrator, Superintendent of Schools, Surveyor, and Transcriber. Members of the Board of Supervisors, and such other officers as may be provided by law, *provided*, that in counties where the Board of Supervisors, by proper ordinance, may so elect, the duties of certain above-mentioned officers are hereby consolidated, as follows

Sheriff and Tax Collector, Sheriff, Jailer, and Superior Court Bailiff, Auditor and Recorder; County Clerk, Auditor, and Recorder, County Clerk and Clerk of Board Supervisors, County Clerk and Recorder; County Clerk and Auditor; the Recorder and Register of Deeds; Treasurer and Tax Collector; Public Administrator and Coroner; Transcriber and Assessor or Tax Collector; *provided, further*, that in counties where the duties of said officers have been, or may hereafter be, consolidated in either manner above designated, the Board of Supervisors thereof, by proper ordinance, may elect to separate the duties so consolidated, and reconsolidate them in any other manner above provided, and may separate said duties without reconsolidation, and provide that the duties of each office shall be performed by separate persons whenever in their discretion the public interest will be best subserved thereby, *and provided further*, that the Board of Supervisors in any county may, immediately after passage of this Act, appoint to fill the offices above created, one Register of Deeds, one Clerk of Board Supervisors, one Jailer, one Bailiff of the Superior Court, and one Transcriber, whose term of office shall expire on the first Monday in January, eighteen hundred and ninety-five, at twelve o'clock M., and said Board shall fix the amount of their official bonds; and when so appointed they shall perform the following duties, to wit:

REGISTER OF DEEDS.

The Register of Deeds must

1. Procure such books for records as the business of his office requires, but the orders for the same must first be obtained from the Board of Supervisors. He has the custody of and must keep all books and records in which instruments are transcribed or recorded.

2. Record without delay, separately, in large and well-bound separate books, in a fair hand, all the instruments, documents, and papers received by the Recorder for record, together with the acknowledgments, proofs, and certificates written upon or annexed to the same, with the plats, surveys, schedules, and other papers therein annexed in the order and after the time when the same was received for record, and must note at the foot of the record the exact time of its reception and the name of the person at whose request it was recorded, as shown by the Recorder's indorsement, and must add his certificate that the same is a correct record of the original instrument, document, or notice filed for record.

3. Keep in his office a book to be called "Certificates of Sale" of real estate sold under execution, or under order made in any judicial proceedings and filed with the Recorder.

4. Record, with the record of deeds, grants, and transfers, certified copies of final judgments or decrees partitioning or affecting the title or possession of real property received by the Recorder for record.

5. Immediately after an instrument or document has been recorded by him, he must indorse upon it the book and page in which it is recorded, and return it to the Recorder.

6. All books of record, maps, charts, and other papers in his office must, during office hours, be open for inspection by any person who may desire to inspect them, and may be inspected without charge; and he must arrange the books in his office in such suitable places as to facilitate their inspection.

CLERK OF BOARD SUPERVISORS

The Clerk of Board of Supervisors shall discharge such duties as are now provided by section twenty of said Act, approved March thirty-first, eighteen hundred and ninety-one.

JAILER.

The Jailer must

1. Take charge of and keep the county jail and the prisoners therein.

2. Receive all prisoners arrested by any peace officer of the county, and all sentenced to imprisonment by any magistrate.

3. Deliver any prisoner in the county jail to any Sheriff or Constable having authority to receive them.

4. Perform such other duties as may be required of him by law, or by the Board of Supervisors.

SUPERIOR COURT BAILIFF.

The Superior Court Bailiff must:

1. Attend all Courts, except Justices' and Police Courts, held within his county, and obey their lawful orders and directions.

2. Act as the crier of said Courts, call the parties and witnesses, and all other persons bound to appear at the Court, and make proclamation of the opening and adjournments of the Court, and of any other matter under its direction.

3. Preserve the peace, and maintain order in the Court.

4. Perform such other duties as may be required of him.

TRANSCRIBER

The Transcriber must

1. Transcribe for the County Assessor, and under his direction, into the assessment roll, State poll tax roll, road poll tax roll, military roll, all data furnished by the Assessor, and prepare indexes of said rolls and the reports which Assessors are or may be required to make, and fill in assessment blanks.

2. Write up for the County Tax Collector, and under his direction, all receipts for taxes which he is by law required to furnish

3. Prepare for the County Auditor, and under his direction, all reports, statements, and warrants, and compute the taxes in assessment roll, which he is now required by law to issue and make.

4. Prepare for the Treasurer, and under his direction, all statements which he is required to make.

And whenever such officers shall have been so appointed, and have filed their oaths of office, and official bonds, as prescribed by law, and shall have entered upon the discharge of their duties herein enumerated, then the Sheriff, the County Clerk, the Assessor, the Recorder, the Auditor, the Treasurer, and the Tax Collector, are hereby relieved of the duties herein imposed upon the officers so appointed, and the penalties for refusal or neglect to perform such duties by, and all allowances for expenses to, such appointed officers, shall be the same as are now by law imposed upon, and allowed to, the officers whose duty it would be to perform such duties if the appointment herein provided for had not been made; *provided, further*, that nothing in this Act shall be construed as compelling the Board of Supervisors of any county in this State to make such appointments, or any one thereof, and unless and until said appointment of such officers are made by the Board of Supervisors of any county in this State as hereinbefore provided, the duties of Sheriff, County Clerk, Assessor, Recorder, Auditor, Treasurer, and Tax Collector shall not be affected by the provisions of this Act, *provided, further*, that unless and until the Board of Supervisors of any county in this State appoint the officers to fill the offices hereby created, or separate the duties of said officers as hereinbefore provided, in any such county the duties of the offices of Sheriff, Superior Court Baliff, and Jailer, and of the offices of Recorder and Register of Deeds; and of the offices of County Clerk and Clerk of Board Supervisors; and of the offices of Assessor and Transcriber, are hereby consolidated.

SEC. 2 Section one hundred and sixty-seven of said Act is hereby amended so as to read as follows:

Section 167. In counties of the fifth class the county officers shall receive as compensation for the services required of them by law, or by virtue of their office, the following salaries, to wit:

1. County Clerk, six thousand dollars per annum.
2. Clerk of Board Supervisors, two thousand five hundred dollars per annum.
3. Sheriff, nine thousand dollars per annum, and such fees and mileage as are now or hereafter may be provided by law for all services done or performed in actions coming from another county, and for all criminal service necessarily performed outside of his county, and all necessary expenses incurred in arresting and conveying prisoners before a Court or to prison, and shall have such fees and reasonable expenses incurred in taking and keeping property seized under attachment or levied on under execution; *provided*, that the keeper's fees shall not exceed three dollars per day of twelve hours, except when it becomes necessary to keep a place of business open in the night, in which case he shall be allowed additional keeper's fees, to be fixed by the Court from which the writ issued under which the property was taken.
4. Jailer, one thousand two hundred dollars per annum.
5. Superior Court Baliff, one thousand eight hundred dollars per annum
6. Recorder, four thousand dollars per annum.
7. Register of Deeds, three thousand dollars per annum
8. Auditor, one thousand dollars per annum.
9. Treasurer, two thousand four hundred dollars per annum.
10. Tax Collector, fifteen hundred dollars per annum, and the fees for making and executing tax deeds.
11. District Attorney, thirty-six hundred dollars per annum.
12. Assessor, six thousand dollars per annum.
13. Coroner, such fees as are now or may hereafter be allowed by law.
14. Public Administrator, such fees as are now or may hereafter be allowed by law
15. Superintendent of Schools, eighteen hundred dollars per annum.
16. Surveyor, such fees as are now or may hereafter be allowed by law.
17. Transcriber, six thousand dollars per annum.
18. Justices of the Peace, such fees as are now or may hereafter be allowed by law.
19. Constable, such fees as are now or may hereafter be allowed by law
20. Supervisors seventy-five dollars per month, and ten cents per mile in traveling to and from the county seat, *provided*, mileage shall not be allowed oftener than once in each month, *provided further*, that the Superintendent of Schools, outside of his regular salary, shall be allowed his necessary traveling expenses, including mode of travel and hotel bills, in visiting public schools throughout the county, not exceeding three hundred dollars per annum, said amount to be allowed by the Board of Supervisors and paid as other county charges

SEC. 3 Section one hundred and sixty-eight of said Act is hereby amended so as to read as follows

Section 168. In counties of the sixth class county officers shall receive as compensation for the services required of them by law, or by virtue of their office, the following salaries, to wit:

1. County Clerk, three thousand dollars per annum
2. Clerk of Board Supervisors, one thousand two hundred dollars per annum
3. Sheriff, six thousand five hundred dollars per annum.
4. Jailer, ——— dollars per annum
5. Superior Court Bailiff, ——— dollars per annum
6. Recorder, two thousand five hundred dollars per annum
7. Register of Deeds, two thousand seven hundred dollars per annum.
8. Auditor, one thousand five hundred dollars per annum.
9. Treasurer, two thousand dollars per annum.
10. Tax Collector, two thousand dollars per annum
11. District Attorney, two thousand five hundred dollars per annum.
12. Assessor, three thousand dollars per annum
13. Coroner, five hundred dollars per annum
14. Public Administrator, nine hundred dollars per annum.
15. Superintendent of Public Schools, two thousand five hundred dollars per annum.
16. Surveyor, such fees as are now and may hereafter be allowed by law.
17. Transcriber, ——— dollars per annum.
18. Justices of the Peace, such fees as are now or may hereafter be allowed by law
19. Constables, such fees as are now or may hereafter be allowed by law, except that the Constable's mileage shall not exceed twenty-five cents per mile, counting one way only
20. Supervisors, five dollars per day, and twenty-five cents per mile in going from their residence to the county seat at each meeting of the Board
21. Whenever the duties of the County Clerk, County Recorder, County Assessor, County Auditor, County Treasurer, Sheriff, Superintendent of Schools, or the Tax Collector are too great to be performed by such officer, such officers may, respectively, by written appointment to be filed in the offices of the County Clerk and the County Auditor, appoint as many deputies as may be necessary for the due discharge of the duties of such office, and fix the salary of each of such deputies at a sum not exceeding one hundred dollars per month, excepting the chief deputy of the County Clerk, whose salary shall be one hundred and fifty dollars per month, which shall be paid by the county, *provided*, that the appointment of such deputies, or of either or of any thereo may be revoked by the Board of Supervisors whenever said Board shall be satisfied that the services of such deputy or deputies are no longer reasonably necessary to the due discharge of the duties of such office or offices.
22. Each county and township officer shall be responsible, on his official bond, for the official acts of each of his deputies, and may, at his own pleasure, revoke the appointment of any of said deputies.
23. In counties of this class there shall be an Assistant District Attorney, and a Deputy District Attorney, to be appointed by the District Attorney of said county, and to remain in office during the pleasure of the District Attorney thereof The salary of the Assistant District Attorney herein provided for is hereby fixed at the sum of eighteen hundred dollars per annum. The salary for the Deputy District Attorney herein provided for is hereby fixed at the sum of fifteen hundred dollars per annum. The salary of each of the officers herein provided for shall be paid in equal monthly installments, at the same time and in the same manner as the salaries of other county officers.

Sec. 4. Section one hundred and seventy-two of said Act is hereby amended so as to read as follows:

Section 172. In counties of the tenth class the county officers shall receive as compensation for the services required of them by law, or by virtue of their office, the following salaries, to wit:

1. The County Clerk, twenty-five hundred dollars per annum.
2. Clerk of Board Supervisors, thirty-six hundred dollars per annum.
3. The Sheriff, forty-five hundred dollars per annum
4. Jailer, twelve hundred dollars per annum.
5. Superior Court Bailiff, twenty-seven hundred dollars per annum
6. Recorder, two thousand dollars per annum.
7. Register of Deeds, forty-eight hundred dollars per annum.
8. Auditor, twelve hundred dollars per annum.
9. Treasurer, two thousand dollars per annum
10. Tax Collector, eighteen hundred dollars per annum.
11. District Attorney, two thousand four hundred dollars per annum.
12. Assessor, two thousand five hundred dollars per annum
13. Coroner, five hundred dollars per annum.
14. Public Administrator, six hundred dollars per annum
15. Superintendent of Schools, one thousand eight hundred dollars per annum
16. Surveyor, such fees as are now or may hereafter be allowed by law.
17. Transcriber, twelve thousand dollars per annum.
18. Justices of the Peace, such fees as are now or may hereafter be allowed by law, *provided*, that where certain Justices are engaged in the trial or examination of criminal cases, they shall receive for each day so engaged a sum not exceeding ten dollars.
19. Constable, such fees as are now or may hereafter be allowed by law, except that the

Constable's mileage shall not exceed fifteen cents for each mile traveled, going one way, in the discharge of the duties of his office, and actual railroad fare for prisoners.

20. The Supervisors, eight dollars per day, and twenty cents mileage in going from their residences to the county seat

SEC 5 Section one hundred and eighty-six of said Act is hereby amended so as to read as follows

Section 186 In counties of the twenty-fourth class, the county officers shall receive as compensation for the services required of them by law, or by virtue of their office, the following salaries, to wit:

1. County Clerk, fifteen hundred dollars per annum.
2. Clerk of Board Supervisors, fifteen hundred dollars per annum
3. Sheriff, thirty-five hundred dollars per annum.
4. Jailer, six hundred dollars per annum.
5. Superior Court Bailiff, nine hundred dollars per annum.
6. Recorder, fifteen hundred dollars per annum.
7. Register of Deeds, fifteen hundred dollars per annum
8. The Auditor, one thousand dollars per annum.
9. The Treasurer, two thousand dollars per annum.
10. The Tax Collector, one thousand dollars per annum.
11. The Assessor, two thousand five hundred dollars per annum
12. The District Attorney, two thousand dollars per annum.
13. The Coroner, such fees as are now or may hereafter be allowed by law
14. The Public Administrator, such fees as are now or may hereafter be allowed by law.
15. The Superintendent of Schools, one thousand eight hundred dollars per annum, and his necessary traveling expenses in visiting the various schools within his county; *provided*, he shall devote his entire time to the duties of said office
16. The Surveyor, such fees as are now or may hereafter be allowed by law.
17. Transcriber, twenty-four hundred dollars per annum, payable one hundred dollars per month for months of December, January, February, and March, and two hundred and fifty dollars for each of the other months of the year.
18. Justices of the Peace, such fees as are now or may hereafter be allowed by law; *provided*, that when the actual trial or examination of a criminal case shall exceed six hours' time, then said Justice shall receive fifty cents per hour for each additional hour actually engaged in the trial or examination
19. Constables, such fees as are now or may hereafter be allowed by law.
20. Supervisors, five hundred dollars each per annum.
21. The following fees are allowed to the officers hereinafter named for the performance of services required of them by law, as herein provided, and such officers may lawfully charge, demand, and receive, and must pay the amounts received into the treasury of the county, except where the officer is by law entitled to receive the fee collected for his own use and benefit All fees shall be payable only in gold and silver coin of the United States

SHERIFF'S FEES.

For serving summons, each defendant, one dollar For taking bond or undertaking, fifty cents Copies of writ or other paper, per folio, fifteen cents. Serving every notice, rule, or order, fifty cents. Serving subpœna, each witness, twenty-five cents. Attachment, one dollar and fifty cents. Levying execution, one dollar and fifty cents. Executing order of arrest, one dollar and fifty cents Executing order for delivery of personal property, one dollar and fifty cents Keeper's fees, to be allowed by Court, not exceeding, per day, three dollars. Attachment on vessel, one dollar and fifty cents. Care of vessel under attachment, all necessary expenses, allowed by Court, and, in addition, per day, three dollars For selling any boat, vessel, or tackle, apparel, or furniture thereof so attached, or other goods attached, and for advertising such sale, the same fees as on execution For advertising property for sale on execution, or under any judgment or order of sale, exclusive of cost of publication, one dollar Commissions on sale, two per cent on the first one thousand dollars, and one per cent on all sums above that amount. Commissions, without levy or sale, one and one half per cent on the first one thousand dollars, and one per cent on all over that sum Sheriff's deed, including acknowledgment, four dollars. Serving writ of possession or restitution, five dollars. Attendance on Court of record, per day, three dollars. For holding inquest or trial of right of property, including all service, except mileage, three dollars Arrest in criminal proceeding, two dollars Summoning a grand jury, six dollars Summoning a trial jury, three dollars; each additional juror, twenty cents For traveling, to be computed in all cases from the Court-house, to serve any summons and complaint, or any other process by which action or proceeding is commenced, notice, rule, order, subpœna, venire, attachment on property, or to levy an execution, or execute an order of arrest, or order for the delivery of personal property, writ of possession or restitution, to hold inquest or trial of right of property, or in bringing up a prisoner on writ of habeas corpus, for each mile necessarily traveled, in going only, twenty-five cents For traveling to serve any process in criminal cases, or for taking a prisoner from prison before a Court or magistrate, for each mile necessarily traveled, in going only, twenty cents. For taking a prisoner from the place of arrest to prison, or before a Court or magistrate, for each mile necessarily traveled, in going only, twenty-five cents; for each additional prisoner taken at the same time, fifteen cents. For executing every sentence of death, twenty dollars. For all services in Justices' Courts, the same fees as are allowed to Constables.

FEE BILL OF COUNTY CLERK

For entering suit in the registry, and making necessary entries during the progress of the suit to the final determination thereof, for first folio, fifty cents; for each subsequent folio, twenty-five cents For issuing every writ or process under seal, except the writ of habeas corpus, fifty cents. For issuing each subpœna for one or more witnesses, twenty-five cents. For filing each paper, twenty-five cents For entering each and every motion, order, rule, default, discontinuance, dismissal, or nonsuit, fifty cents. For entering every cause on the calendar and making copy thereof for bar, for each term of Court, fifty cents For taking justification thereto, fifty cents For taking testimony on justification to undertaking on bond, for each folio, fifteen cents. For acknowledgment, first name, fifty cents; each additional name, twenty-five cents. For indexing every suit, each name, ten cents For filing and entering papers on transfer of cases to other Courts, including certificate of order, two dollars For searching records or files of each year, except for suitors or their attorneys, fifty cents. For filing all papers on appeal from Justice's Court, for each case, three dollars All subsequent services on appeal at same rates as above provided for similar service. For issuing letters testamentary, administration, or guardianship, fifty cents For writing and posting each notice required, twenty-five cents For each notice of publication, in addition to the cost of publication, unless such notice is prepared by the petitioner or his attorney therein, fifty cents For calling and swearing every jury or venire, twenty-five cents For calling and swearing every jury to try cause, fifty cents. For receiving and entering verdict of jury, fifty cents For entering final judgment, first folio, one dollar; for each subsequent folio, twenty-five cents For making up and filing judgment roll, fifty cents. For each entry of judgment on docket, twenty-five cents For entering satisfaction or credit on docket, twenty-five cents. For administering oath or affirmation, twenty-five cents; for certifying same, twenty-five cents. For copy of any proceeding, record, or paper, per folio, fifteen cents For every certificate, under seal, fifty cents For issuing every commission to take testimony, one dollar. For writing down testimony of witness during trial, per folio, twenty-five cents For issuing execution or other final process, under seal, fifty cents. For copy of every decree, or order of sale of mortgaged property, for each folio, fifteen cents. For receiving and filing every remittitur from Supreme Court and accompanying papers, one dollar. For taking and approving each undertaking or bond, fifty cents. For recording wills or other papers, each folio, fifteen cents. Pension and naturalization papers, no charge For marriage license and affidavit, two dollars and fifty cents

RECORDER'S FEES.

For each instrument, per folio, fifteen cents For copies of record per folio, fifteen cents For indexing, each name, ten cents. For certificate, under seal, fifty cents. For discharge of instrument, on margin, fifty cents For searching record, each year, per name, twenty-five cents For abstract of title, each conveyance, fifty cents For recording maps, each course, ten cents. For figures and letters on maps, twenty-five cents For topography, each creek, river, road, or mountain, twenty-five cents For acknowledgment, per first name, fifty cents. For acknowledgment, each additional name, twenty-five cents For marriage license, one dollar. For official bond, one dollar. For building contracts, filed only, one dollar. For transcript in estray cases, etc, one dollar. For marks and brands, fifty cents For filing papers not for record, twenty-five cents For filing each instrument for record, twenty-five cents.

SEC. 6 Section one hundred and ninety-seven of said Act is hereby amended so as to read as follows:

Section 197. In counties of the thirty-fifth class, the county officers shall receive as compensation for the services required of them by law, or by virtue of their office, the following salaries, to wit:

1 County Clerk, two thousand four hundred dollars per annum; *provided*, that parties commencing actions in the Superior Court, except in probate cases, shall deposit eleven dollars with said Clerk, and upon the appearance in the action of the defendant or defendants, he or they must deposit five dollars with said Clerk, which amounts shall constitute the Clerk's fees in full in said action, and the whole thereof must be paid into the County Treasury, and in no case shall any rebate be made by the Clerk; and the fees for the filing of petition for letters of administration, testamentary, or guardianship shall be fifteen dollars, to be paid to the Clerk upon the filing thereof When the inventory and appraisement is offered for filing, and it appears therefrom that the value of the estate exceeds three thousand ($3,000), the Clerk shall, in addition to said deposit, demand and receive one dollar for each and every one thousand dollars in excess of three thousand dollars, which said fees shall constitute in full the Clerk's fees in such action or proceeding, and the whole thereof must be paid into the County Treasury, and in no case shall any rebate be made by the Clerk.

2. Clerk of Board Supervisors, four thousand dollars per annum.

3. Sheriff, five thousand five hundred dollars per annum.

4. Jailer, ——— dollars per annum

5 Superior Court Bailiff, ——— dollars per annum

6 The Recorder, one thousand five hundred dollars per annum, and the Recorder shall charge and collect for the use of the county, and pay into the County Treasury the fees collected as now provided by law, *provided*, that for recording every instrument,

paper, or notice, for each folio, fifteen cents, for indexing every instrument, paper, or notice, fifteen cents for each name indexed; for copies of any record or paper, per folio, twenty cents; for every entry of discharge of mortgage or other instrument on margin of record, or for entering credit thereon, or witnessing same and indexing same, fifty cents; and all fees collected by him shall be paid into the County Treasury for the use of the county

7. Register of Deeds, four thousand dollars per annum. The Register shall keep a book known as Miners' Record Book, and shall keep therein a record of all mining claims in the county brought to him to be recorded

8. The Auditor, eighteen hundred dollars per annum.

9 The Treasurer, one thousand six hundred dollars per annum

10. The Tax Collector, one thousand two hundred dollars per annum

11. The Assessor, three thousand two hundred dollars per annum.

12. The District Attorney, two thousand dollars per annum

13. The Coroner, such fees as are now or may hereafter be allowed by law.

14. The Public Administrator, such fees as are now or may hereafter be allowed by law.

15 The Superintendent of Schools, one thousand five hundred dollars per annum

16. The Surveyor, such fees as are now or may hereafter be allowed by law.

17. Transcriber, two thousand four hundred dollars per annum.

18 Justices of the Peace, such fees as are now or may hereafter be allowed by law, except for filing each paper he shall receive twenty cents, for issuing any writ or process by which suit is commenced, twenty-five cents, for entering every cause upon his docket, forty cents, for entering any final judgment, for the first folio, fifty cents; for each additional folio, fifteen cents; for taking or approving any bond or undertaking directed by law, twenty-five cents, for taking depositions, per folio, fifteen cents, for a copy of a judgment, order, docket, proceeding, or paper in his office, for each folio, fifteen cents; for entering judgment by confession and only on affidavit, one dollar and fifty cents, *and provided further*, that, at the option of the Justice of the Peace, the plaintiff shall give a good and sufficient bond for the costs of suit, on application for warrant of arrest. The provisions of this subdivision shall take effect from and after the date of approval of this Act.

19. Constable, such fees as are now or may hereafter be allowed by law.

20. Supervisors, six dollars per day for each day while in service of the county, and thirty cents per mile for traveling from residence to county seat.

SEC. 7. *All Acts and parts of Acts in conflict or inconsistent with the provisions of* this Act are hereby repealed.

SEC. 8. This Act shall take effect and be in force immediately from and after its passage.

Substitute adopted.

MOTION.

Mr. Mordecai moved that the further consideration of Assembly Bill No. 774 be made a special order for to-morrow, at three o'clock and thirty minutes P. M.

So ordered.

Mr. Tindall moved that Senate Bill No. 538 be recalled from the Senate.

So ordered.

Mr. Lynch moved the following substitute for the pending amendments to the rules offered by him yesterday:

1. Roll Call.
2. Prayer by 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. Messages from the Senate.
9. Unfinished Business.
10. Motions and Resolutions
11. Special orders of the day, *provided*, no such order shall be made for the morning hour.
12. Business on the Special File.
13. Business on the General File and Third Reading of Bills.

Also: Amend the standing rules by making a new section thereto, to be numbered eighty-six, to read as follows, to wit:

When any proposition is made an order for any special hour or day, and for any reason the same is not called up for consideration at that time, the same shall remain a special order for the next meeting day, at the same hour, or as soon thereafter as the House shall convene.

Laid over for one day.

RESOLUTION.

By Mr. Sargent:

Resolved, That Senate Concurrent Resolution No. 1 presents a case of extreme urgency, and that the rules be suspended, the resolution read, and placed upon its final passage.

Adopted.

Senate Concurrent Resolution No. 1—Relative to the distribution of duplicate copies of the California Statutes and Supreme Court Reports, now in the State Library, to the different County Law Libraries.

Read and adopted.

MOTION.

Mr. Lynch moved that Assembly Bill No. 54, Assembly Bill No. 573, and Assembly Bill No. 569 be taken up and read the second time.

So ordered.

SECOND READING OF BILLS.

Assembly Bill No. 54—An Act to prevent the overflow of streams of water and washes, and to confine them to their usual channels.

Read second time.

Assembly Bill No. 573—An Act supplemental to an Act entitled "An Act to provide for the organization and government of levee districts created for the protection of lands from overflow of innavigable running streams of water, and to confine innavigable running streams to a fixed channel," approved March 10, 1891, and to provide for the examination, approval, and confirmation of proceedings for the issue and sale of bonds issued under the provisions of said Act.

Read second time.

Assembly Bill No. 659—An Act amendatory of "An Act to provide for the organization and government of levee districts created for the protection of lands from overflow of innavigable running streams of water, and to confine innavigable running streams to a fixed channel," approved March 10, 1891.

Read second time.

SUBSTITUTE FOR ASSEMBLY BILLS Nos. 54, 573, AND 659

Introduced by Committee on Swamp and Overflowed Lands

An Act to provide for the organization and government of levee districts created for the protection of land from overflow of innavigable running streams of water, and arroyos subject to overflow in times of rain or melting snow.

The People of the State of California, represented in Senate and Assembly, do enact as follows

SECTION 1. Whenever a majority of freeholders, or of residents and taxpayers, or as many as fifty freeholders, or residents and taxpayers, owning lands or residing within a district injuriously affected by overflow from any innavigable running stream, or any arroyo or arroyos, in which water does or does not at all seasons of the year flow, liable to overflow by reason of heavy storms of rain or melting snow, or that will be benefited by the prevention of the overflow of any innavigable stream of running water, or from the overflow of an arroyo or arroyos, in which water does or does not at all seasons of the year flow, desire to provide for the overflow of any such stream or

arroyos, they may propose the organization of a district under the provisions of this Act, and when so organized, such district shall have the powers conferred, or that may hereafter be conferred, by law upon said levee districts

SEC. 2. A petition shall first be presented to the Board of Supervisors of the county in which the lands or the greatest portion thereof is situated, signed by the required number of freeholders of such proposed district, which petition shall set forth and particularly describe the proposed boundaries of such district, and shall pray that the same may be organized under the provisions of this Act. The petitioners must accompany the petition with a good and sufficient bond, to be approved by the said Board of Supervisors, in double the amount of the probable cost of organizing such district, conditioned that the bondsmen will pay all such costs in case said organization shall not be effected. Such petition shall be presented at a regular meeting of said Board, and the Board shall thereupon fix the time for the hearing of said petition, and said petition shall be published for at least two weeks before the time at which the same is to be heard, in some newspaper or newspapers designated by said Board, printed and published in the county where said petition is presented, and, also, a notice shall be published in connection with said petition, stating the time of the meeting at which said petition will be heard. At the time fixed for the hearing of such petition, said Board of Supervisors shall hear the same, and may adjourn such hearing from time to time, not exceeding four weeks in all, and on the final hearing may make such changes in the proposed boundaries as they may find to be proper, and shall establish and define such boundaries, *provided*, that said Board shall not modify said boundaries so as to except from the operation of this Act any territory within the boundaries of the district proposed by said petitioners, which may appear to said Board of Supervisors to be injuriously affected, or liable to be injuriously affected by the overflow of the stream of water in said district Said Board shall also make an order dividing said district into five divisions, as nearly equal in size as may be practicable, which shall be numbered, first, second, third, fourth, and fifth, and one Director shall be elected from each district. Said Board of Supervisors shall then give notice of an election to be held in such proposed district, for the purpose of determining whether or not the same shall be organized under the provisions of this Act. Such notice shall describe the boundaries so established, and shall designate a name for such proposed district, and said notice shall be published for at least three weeks prior to such election, in a newspaper published within said county; and if any portion of said proposed district lie within another county or counties, then said notice shall be published in a newspaper published within each of said counties Such notice shall require the electors to cast ballots which shall contain the words "Levee District—Yes," or "Levee District—No," or words equivalent thereto; and also the names of the persons to be voted for to fill the various elective offices hereinafter prescribed. No person shall be entitled to vote under the provisions of this Act, unless he shall possess all the qualifications required of electors under the general laws of this State; *provided*, that no lands already embraced in reclamation, levee, or protection districts shall be included in such boundaries

SEC. 3 Such election shall be conducted in accordance with the general election laws of the State; *provided*, that no particular form of ballot shall be required The said Board of Supervisors shall meet on the second Monday next succeeding such election, and proceed to canvass the votes cast thereat, and if upon such canvass it appear that at least a majority of all the votes cast are "Levee District—Yes," the said Board shall, by an order entered on their minutes, declare such territory duly organized as a levee district, under the name and style theretofore designated, and shall declare the persons receiving respectively the highest number of votes for such several offices to be duly elected to such offices. Said Board shall cause a copy of such order, duly certified, to be immediately filed for record in the office of the County Recorder of each county in which any portion of such lands are situated, and must also immediately forward a copy thereof to the Clerk of the Board of Supervisors of each of the counties in which any portion of such district may lie; and no Board of Supervisors of any county including any portion of such district shall, after the date of organization of such district, allow another district to be formed including any of the lands in such district, without the consent of the Board of Directors thereof, and from and after the date of such filing the organization of such district shall be complete, and the officers thereof shall be entitled to enter immediately upon the duties of their respective offices, upon qualifying in accordance with law, and shall hold such offices respectively for one year, or until their successors are elected and qualified. For the purposes of the election above provided for, the said Board of Supervisors must establish a convenient number of election precincts in said proposed district, and define the boundaries thereof, which said precincts may thereafter be changed by the Board of Directors of such district.

SEC 4 An election shall be held in such district one year from the first election held, as provided in the foregoing section, and on the same day each succeeding year thereafter, at which election a Board of five Directors for the district shall be elected. The five persons receiving the highest number of votes for the office of Director shall be elected thereto Within ten days after receiving their certificates of election, hereinafter provided for, such officers shall take and subscribe the official oath, and file the same in the office of the Board of Supervisors of such county Each member of said Board of Directors shall execute an official bond in the sum of five thousand dollars, which said bond shall be approved by the Judge of the Superior Court of said county where said organization was effected, and shall be recorded in the office of the County Recorder thereof, and filed with the Secretary of said Board. All official bonds herein

provided for shall be in the form prescribed by law for the official bonds of county officers.

SEC 5. Fifteen days before any election held under this Act subsequent to the organization of any district, the Secretary of the Board of Directors shall cause notices to be posted in three public places in each election precinct, of the time and place of holding the election, and shall also post a general notice of the same in the office of said Board, which shall be established and kept at some fixed place to be determined by said Board, specifying the polling places of each precinct Prior to the time for posting the notices, the Board must appoint for each precinct, from the electors thereof, one Inspector and two Judges, who shall constitute a Board of Election for such precinct If the Board fail to appoint a Board of Election, or the members appointed do not attend at the opening of the polls on the morning of election, the electors of the precinct present at that hour may appoint the Board, or supply the place of an absent member thereof The Board of Directors must, in its order appointing the Board of Election, designate the house or place within the precinct where the election must be held.

SEC. 6. The Inspector is Chairman of the Election Board, and may·

First—Administer all oaths required in the progress of an election.

Second—Appoint Judges and Clerks, if, during the progress of the election, any Judge or Clerk cease to act Any member of the Board of Election, or any Clerk thereof, may administer and certify oaths required to be administered during the progress of an election. The Board of Election for each precinct must, before opening the polls, appoint two persons to act as Clerks of the election Before opening the polls, each member of the Board and each Clerk must take and subscribe an oath to faithfully perform the duties imposed upon them by law. Any elector of the precinct may administer and certify such oath The polls must be opened one hour after sunrise on the morning of the election and be kept open until sunset, when the same must be closed The provisions of the Political Code concerning the form of ballots to be used shall not apply to elections held under this Act

SEC. 7. Voting may commence as soon as the polls are opened, and may be continued during all the time the polls remain open, and shall be conducted as nearly as practicable in accordance with the provisions of chapter nine, of title two, of part three, of the Political Code of this State. As soon as the polls are closed the Judges shall open the ballot-box and commence counting the votes; and in no case shall the ballot-box be removed from the room in which the election is held until all the ballots have been counted. The counting of ballots shall in all cases be public The ballots shall be taken out, one by one, by the Inspector, or one of the Judges, who shall open them and read aloud the names of each person contained therein, and the office for which every such person is voted for. Each Clerk shall write down each office to be filled, and the name of each person voted for for such office, and shall keep the number of votes by tallies as they are read aloud by the Inspector or Judge. The counting of votes shall be continued without adjournment until all have been counted.

SEC. 8 As soon as all the votes are read off and counted a certificate shall be drawn up on each of the papers containing the poll list and tallies, or attached thereto, stating the number of votes each one voted for has received, and designating the office to fill which he was voted for, which number shall be written in figures and in words at full length. Each certificate shall be signed by the Clerk, Judge, and the Inspector. One of said certificates, with the poll list and the tally paper to which it is attached, shall be retained by the Inspector, and preserved by him at least six months. The ballots shall be strung upon a cord or thread by the Inspector, during the counting thereof, in the order in which they are entered upon the tally lists by the Clerks, and said ballots, together with the other of said certificates, with the poll list and tally paper to which it is attached, shall be sealed by the Inspector in the presence of the Judges and Clerks, and indorsed "Election Returns of (naming the precinct) Precinct," and be directed to the Secretary of the Board of Directors, and shall be immediately delivered by the Inspector, or by some other safe and responsible carrier designated by said Inspector, to said Secretary, and the ballots shall be kept unopened for at least six months. If any person be of the opinion that the vote of any precinct has not been correctly counted, he may appear on the day appointed for the Board of Directors to open and canvass the returns and demand a recount of the vote of the precinct that is so claimed to have been incorrectly counted.

SEC 9. No list, tally paper, or certificate returned from any election shall be set aside or rejected for want of form if it can be satisfactorily understood. The Board of Directors must meet at its usual place of meeting on the first Monday after each election to canvass the returns If, at the time of meeting, the returns from each precinct in the district in which the polls were opened have been received, the Board of Directors must then and there proceed to canvass the returns; but if all the returns have not been received, the canvass must be postponed from day to day until all the returns have been received, or until six postponments have been had. The canvassing must be made in public, and by opening the returns and estimating the vote of the district for each person voted for, and declaring the result thereof

SEC 10. The Secretary of the Board of Directors must, as soon as the result is declared, enter in the records of such Board a statement of such result, which statement must show:

First—The whole number of votes cast in the district, and in each division of the district.

Second—The names of the persons voted for.

Third—The number of votes given in each precinct to each of such persons.

Fourth—The number of votes given in each division for the office of Director. The Board of Directors must declare elected the persons having the highest number of votes given for such office. The Secretary must immediately make out and deliver to such person a certificate of election, signed by him and authenticated with the seal of the Board. In case of a vacancy in the office of Director, the vacancy shall be filled by appointment by the Board of Supervisors of the county where the office of such Board of Directors is situated, from the division in which the vacancy occurred. A Director appointed as above provided shall hold his office until the next regular election for said district, and until his successor is elected and qualified.

SEC. 11. On the first Wednesday in the month next following their election, the Board of Directors shall meet and organize as a Board, elect a President from their number, and appoint a Secretary. The Board shall have power, and it shall be their duty to establish the channel of any innavigable stream, or any arroyo or arroyos in which water does or does not at all seasons of the year flow, liable to overflow by reason of heavy storms of rain or melting snow, or that will be benefited by the prevention of the overflow of any innavigable stream of running water, or from the overflow of any arroyo or arroyos in which water does or does not at all seasons of the year flow, within their district, to adopt and establish a system of works for the prevention of the overflow of any innavigable stream, or arroyo or arroyos, liable to overflow by heavy storms of rain or melting snow, or to make new channels for any such stream, streams, arroyo, or arroyos within their districts, to construct levees, deepen channels, or make new channels, and do all things necessary to prevent the overflow of any innavigable streams, arroyo, or arroyos subject to overflow, in which water does or does not at all seasons of the year flow in their district, and to repair and maintain the same. Said Board shall be also authorized to make and execute all necessary contracts, employ and appoint such agents, officers, and employés as may be required, and prescribe their duties, and to establish equitable by-laws, rules, and regulations necessary for the carrying on of the business here contemplated.

SEC. 12. The Board of Directors shall hold regular meetings at their office at such times as shall be determined upon by the by-laws regularly adopted by said Board of Directors, and such special meetings as may be required for the proper transaction of business; *provided*, that such regular meetings shall not be held oftener than once in each month, *and provided, also*, that all special meetings must be ordered by a majority of the Board. The order must be entered of record, and five days' notice thereof must be given by the Secretary to each member not joining in the order. The order must specify the business to be transacted, and none other than that specified must be transacted at such special meeting. All meetings of the Board must be public, and three members of the Board shall constitute a quorum for the transaction of business. On all questions requiring a vote there shall be a concurrence of at least three members of said Board. All records of the Board shall be open to the inspection of any elector during business hours. The Board and its agents and employés have the right to enter upon any land in the district to make surveys, and may locate the line of any river bed, levee, or other works necessary under the provisions of this Act, and said Board shall have the right to acquire, either by donation, purchase, or condemnation, any lands or other property necessary for the construction, use, maintenance, repair, and improvement of any works constructed or being constructed under the provisions of this Act. In case of condemnation the Board shall proceed in the name of the district, under the provisions of title seven of part three of the Code of Civil Procedure, and said provisions are hereby made applicable for that purpose. In case of purchase, the bonds of the district hereinafter provided for may be used, at their par value, in payment of the purchase price thereof. All property acquired under the provisions of this Act, by any district created hereunder, required in carrying out the provisions of this Act, is hereby declared to be a public use, subject to regulation and control of the State in the manner prescribed by law.

SEC. 13. The legal title to all property acquired under the provisions of this Act shall immediately and by operation of law vest in such district, and shall be held by such district in trust for, and is hereby dedicated and set apart to the uses and purpose set forth in this Act, and said Board is hereby authorized and empowered to hold, use, acquire, manage, occupy, and possess said property as herein provided.

SEC. 14. The said Board is hereby authorized and empowered to take conveyances of other assurances for all property acquired by it under the provisions of this Act, in the name of such levee district, to and for the uses and purposes herein expressed, and to institute and maintain any and all actions and proceedings, suits at law or in equity, necessary or proper in order to fully carry out the provisions of this Act, or to enforce, maintain, protect, or preserve any and all rights, privileges, and immunities created by this Act, or acquired in pursuance thereof. And in all Courts, actions, suits, or proceedings, the said Board may sue, appear, and defend in person or by attorneys, and in the name of such levee district.

SEC. 15. For the purpose of constructing the necessary levees, channels, or other things or appliances that may be deemed necessary to prevent the overflow of any innavigable stream of water, or any arroyo or arroyos in which water does or does not at all seasons of the year flow, liable to overflow by reason of heavy storms of rain or melting snow, or that will be benefited by the prevention of the overflow of any innavigable stream of running water, or from the overflow of an arroyo or arroyos in which water does or does not at all seasons of the year flow, and acquiring the necessary

property, rights of way, privileges, or otherwise carrying out the provisions of this Act, the Board of Directors of any such district must, as soon after such district has been organized as may be practicable, estimate and determine the amount of money necessary to be raised, and shall immediately thereupon call a special election, at which shall be submitted to the electors of such district possessing the qualifications prescribed by this Act, the question whether or not the bonds of said district shall be issued in the amount so determined; and notice of such election must be given by posting notices in three public places in each election precinct in said district for at least twenty days, and also by publication of said notice in some newspaper published in the county where the office of the Board of Directors of said district is required to be kept, once a week for at least three successive weeks. Such notices must specify the time of holding the election, the amount of bonds proposed to be issued, and said election must be held, and the result thereof determined and declared in all respects as nearly as practicable in conformity with the provisions of this Act governing the election of officers, *provided*, that no informalities in conducting such an election shall invalidate the same, if the election shall have been otherwise fairly conducted. At such election the ballots shall contain the words "Bonds—Yes," or "Bonds—No," or words equivalent thereto. If a majority of the votes cast are "Bonds—Yes," the Board of Electors shall immediately cause bonds in said amount to be issued. Said bonds shall be payable in lawful money of the United States, in installments, as follows, to wit: At the expiration of eleven years, not less than five per cent of said bonds, at the expiration of twelve years, not less than six per cent; at the expiration of thirteen years, not less than seven per cent; at the expiration of fourteen years, not less than eight per cent; at the expiration of fifteen years, not less than nine per cent, at the expiration of sixteen years, not less than ten per cent; at the expiration of seventeen years, not less than eleven per cent, at the expiration of eighteen years, not less than thirteen per cent, at the expiration of nineteen years, not less than fifteen per cent; and for the twentieth year, a percentage sufficient to pay off said bonds, and shall bear interest at the rate of six per cent per annum, payable semi-annually, on the first day of January and July of each year. The principal and interest shall be payable at the office of the County Treasurer of the county in which said levee district is situated. Said bonds shall be each of the denomination of not less than one hundred dollars, nor more than five hundred dollars, shall be negotiable in form, signed by the President and Secretary, and the seal of the Board of Directors shall be affixed thereto. They shall be numbered consecutively as issued, and bear date at the time of their issue. Coupons for the interest shall be attached to each bond, signed by the Secretary. Said bonds shall express on their face that they were issued by authority of this Act, stating its title and date of approval. The Secretary shall keep a record of the bonds sold, their number, the date of sale, the price received, and the name of the purchaser. Said Secretary shall, on the first Mondays of July and January of each year, file a copy of said record, duly certified, with the Board of Supervisors of the county in which said district was created.

SEC. 16. The Board may sell said bonds from time to time, in such quantities as may be necessary and most advantageous, to raise money for the construction of said canals and works, the acquisition of said property and rights, and otherwise to fully carry out the objects and purposes of this Act. Before making any sale the Board shall, at a meeting, by resolution, declare its intention to sell a specified amount of the bonds and the day, and hour, and place of such sale, and shall cause such resolution to be entered in the minutes, and notice of the same to be given by publication thereof at least twenty days, in a daily newspaper published at the county seat in which such district is located, and in any other newspaper, at their discretion. The notice shall state that sealed proposals will be received by the Board, at their office, for the purchase of the bonds, till the day and hour named in the resolution. At the time appointed, the Board shall open the proposals and award the purchase of the bonds to the highest responsible bidder, and may reject all bids, but said Board shall in no event sell any of the said bonds for less than ninety per cent of the face value thereof.

SEC. 17. Said bonds, and the interest thereon, shall be paid by revenue derived from any annual assessment upon the real property of the district; and all the real property in the district shall be and remain liable to be assessed for such payments as hereinafter provided.

SEC. 18. The Board of Directors must, between the first day of July and the first Monday of September of each year, make an assessment of all the property within the district subject to taxation under the laws of this State, and in the manner required to be done by the County Assessor of each county, except that the valuation of property must be made in such a manner as that the property most benefited by the improvements to be made shall bear the highest rate of valuation, each parcel of taxable property to be valued in accordance with the proportionate benefit receivable by reason of the works constructed or to be constructed, *provided*, that no tract of land shall be assessed at less rate than two dollars and a half per acre. Ten days before the first Monday of September of each year, said Board of Directors shall meet as a Board of Equalization, and remain in session for one week, or until all complaints regarding the assessment of property in the district shall have been heard, with powers and duties the same as required of the Board of Supervisors of each county, under the general laws of this State, when sitting as a Board of Equalization.

SEC. 19. The Board of Directors of each levee district within the county must, on or before the first regular meeting of the Board of Supervisors in September of each year,

furnish the Supervisors and Auditor of such county, respectively, an estimate, in writing of the amount of money required by such district for the payment of interest upon the bonds of the district for the ensuing year; and also the amount required to be applied upon the principal of said bonds. They must ascertain this amount by computing the whole amount of interest and principal due on all sold outstanding bonds of the district at the time such estimate shall be made They must also furnish, at the same time, to the Board of Supervisors, the corrected assessment roll of said levee district for that year, and the property so assessed by such Board of Directors shall be entered upon the assessment roll of the county by the County Assessor at the valuation fixed by the said Board of Directors, and to be taxed for levying purposes for such levee district.

SEC. 20. The Board of Supervisors of each county in which there shall be any levee district established under this Act, must annually, at the time of levying other county taxes, levy a tax upon each district, to be known as a levee district tax, for each of said districts, sufficient to cover the amount of expenditures necessary to pay the interest on the issued bonds of said district, and the amount required to be raised to be applied on the principal of said bonds, which amount the Supervisors must determine by deducting fifteen per cent from the equalized value of the last assessment roll of the property furnished to them by said Board of Directors within said district, and the amount required to be raised divided by the remainder of the assessment roll, which will fix the tax to be levied. But if a fraction of a cent occur, it must be taken as a full cent on each one hundred dollars If the Supervisors fail to levy the tax as herein provided, then the County Auditor must levy such tax and add it to the assessment roll All moneys derived from this tax in each district must be paid into the County Treasury of the county in which said district is situated to the credit of such Levee District Fund

SEC 21. The amount of such taxes so levied shall be entered upon the general assessment roll of said county, and shall be collected by the County Collector of such county at the same time and in the same manner as other county taxes are assessed and collected, and no County Assessor, Tax Collector, or County Treasurer must charge or receive any fees or compensation whatever, for collecting, receiving, keeping, or disbursing any of the levee district taxes, but the whole moneys collected must be paid to the County Treasurer

SEC. 22. The assessment upon real property is a lien against the property assessed, from and after the first Monday in March for any year, and such lien is not removed until the assessments are paid on the property sold for the payment thereof.

SEC. 23. Upon the presentation of the coupons due to the Treasurer, he shall pay the same from said Bond Fund Whenever, after ten years from the issuance of said bonds, said fund shall amount to the sum of one thousand dollars, the Board of Directors may direct the Treasurer to pay such an amount of said bonds not due, as the money in said fund will redeem, at the lowest value at which they may be offered for liquidation, after advertising for at least four weeks in some daily newspaper in each of the cities hereinbefore named, and in any other newspaper which said Board may deem advisable, for sealed proposals for the redemption of said bonds Said proposals shall be opened by the Board in open meeting, at a time to be named in the notice, and the lowest bid for said bonds must be accepted, *provided*, that no bond shall be redeemed at a rate above par. In case the bids are equal, the lowest numbered bond shall have the preference. In case none of the holders of said bonds shall desire to have the same redeemed, as herein provided for, said money shall be invested by the Treasurer, under the direction of the Board, in United States gold-bearing bonds, or the bonds of the State, which shall be kept in said Bond Fund, and may be used to redeem said district bonds whenever the holders thereof may desire

SEC. 24. After adopting a plan of said levees, channels, and works, the Board of Directors shall give notice by publication thereof, not less than twenty days in one newspaper published in each of the counties composing the district (*provided*, a newspaper is published therein), and in such other newspapers as they may deem advisable calling for bids for the construction of said work, or of any portion thereof. If less than the whole work is advertised, then the portion so advertised must be particularly described in such notice. Said notice shall set forth that plans and specifications can be seen at the office of the Board, and that the Board will receive sealed proposals therefor, and that the contract will be let to the lowest bidder, stating the time and place for opening said proposals, which, at the time and place appointed, shall be opened in public, and as soon as convenient thereafter the Board shall let said work, either in portions or as a whole, to the lowest responsible bidder, or they may reject any and all bids and readvertise for proposals, or may proceed to construct the work under their own superintendence, with the labor of the residents of the district. Contracts for the purchase of material shall be awarded to the lowest responsible bidder Any person or persons to whom a contract may be awarded shall enter into a bond, with good and sufficient sureties, to be approved by the Board, payable to said district for its use, for double the amount of contract price, conditioned for the faithful performance of said contract. The work shall be done under the direction and to the satisfaction of the engineer, and be approved by the Board.

SEC. 25. No claim against any such levee district shall be paid by the Treasurer until allowed by the Board of Directors, and only upon a warrant signed by the President of said Board, and countersigned by the Secretary, except the payment of interest coupons upon the bonds of said district, which, when due, shall be paid by the Treasurer upon presentation thereof

SEC 26. The cost and expense of purchasing and acquiring property and construct-

ing the works and improvements herein provided for, shall be wholly paid out of the Construction Fund. For the purpose of defraying the expenses of the organization of the district, and of the care, operation, management, and current expenses thereof, including salaries of officers and employés, and for the repair and improvement of such portions of any levee or channel, constructed by any district, the Board of Directors may, annually, levy assessments therefor, which said assessments shall be levied, collected, and disbursed as provided for the collection of assessments for the payment of the interest and principal of the bonds in this Act provided to be issued

SEC. 27. The Board of Directors shall each receive four dollars per day, and mileage at the rate of ten cents per mile, in attending meetings, and actual and necessary expenses paid while engaged in the official business under the order of the Board. The Board shall fix the compensation to be paid to the Secretary out of the fund belonging to the district; *provided*, that said Board shall, upon the petition of a majority of the freeholders within such district therefor, submit to the electors at any general election a schedule of salaries and fees to be paid hereunder. Such petition must be presented to the Board twenty days prior to a general election, and the result of such election shall be determined and declared in all respects as other elections are determined and declared under this Act. And thereafter such salaries and fees shall be paid, if changed, as fixed by such election

SEC. 28. No Director, nor any other officer named in this Act, shall in any manner be interested, directly or indirectly, in any contract awarded or to be awarded by the Board, or in the profits to be derived therefrom; and, for any violation of this provision, such officer shall be deemed guilty of a misdemeanor, and such conviction shall work a forfeiture of his office, and he shall be punished by a fine not exceeding five hundred dollars, or by imprisonment in the county jail not exceeding six months, or by both such fine and imprisonment.

SEC. 29. The Board of Directors may, at any time when in their judgment it may be advisable, and shall, if petitioned so to do by persons owning one half of the taxable property in valuation, as fixed by the last corrected assessment roll of the district, call a special election, and submit to the qualified electors of the district the question whether or not a special assessment shall be levied for the purpose of raising money, to be applied to any of the purposes provided for in this Act, *provided*, that there shall be but one election held for such purpose in any one year. Such election must be called upon the notice prescribed, and the same shall be held and the result thereof determined and declared in all respects in conformity with the provisions of section fifteen of this Act. The notices must specify the amount of money proposed to be raised, and the purpose for which it is intended to be used. At such election the ballots shall contain the words "Assessment—Yes," or "Assessment—No." If two thirds or more of the votes cast are "Assessment—Yes," the rate of assessment shall be ascertained by deducting fifteen per cent for anticipated delinquencies from the aggregate assessed value of the property in the district, as it appears on the assessment roll for the current year, and then dividing the sum voted by the remainder of such aggregate assessed value. The result of said election shall be certified by the President and Secretary of said Board of Directors to the Board of Supervisors of the county, and thereafter the said Board of Supervisors shall levy the tax, for the amount so voted, upon the taxable property of such district. And thereupon the Board of Supervisors shall authorize the Assessor and Auditor to insert the amount of such assessment upon the next assessment roll of said county; and such tax so levied shall be in all respects collected and paid over to the County Treasurer of the county, as provided in the assessment to be levied for the payment of interest upon the outstanding bonds of said district

SEC. 30. The Board of Directors of a levee district, now or hereafter organized under the provisions of this Act, may commence a special proceeding in and by which the proceedings of said Board and of said district, providing for and authorizing the issue and sale of the bonds of said district, whether said bonds or any of them have or have not then been sold, may be judicially examined, approved, and confirmed.

SEC. 31. The Board of Directors of the levee district shall file in the Superior Court of the county in which the lands of the district, or some portion thereof, are situated, a petition praying, in effect, that the proceedings aforesaid may be examined, approved, and confirmed by the Court. The petition shall state the facts showing the proceedings had for the issue and sale of said bonds, and shall state generally that the levee district was duly organized, and that the first Board of Directors was duly elected; but the petition need not state the facts showing such organization of the district, or the election of said first Board of Directors.

SEC. 32. The Court shall fix the time for the hearing of said petition, and shall order the Clerk of the Court to give and publish a notice of the filing of said petition. The notice shall be given and published in the same manner and for the same length of time that a notice of a special election provided for by said Act, to determine whether the bonds of said district shall be issued, is required to be given and published. The notice shall state the time and place fixed for the hearing of the petition, and the prayer of the petition, and that any person interested in the organization of said district, or in the proceedings for the issue or sale of said bonds, may, on or before the day fixed for the hearing of said petition, demur to or answer said petition. The petition may be referred to and described in said notice as the petition of the Board of Directors of ——— Levee District (giving its name), praying that the proceedings for the issue and sale of the bonds of said district may be examined, approved, and confirmed by said Court.

SEC 33 Any person interested in said district, or in the issue or sale of said bonds, may demur to or answer said petition. The provisions of the Code of Civil Procedure respecting the demurrer and the answer to a verified complaint, shall be applicable to a demurrer and answer to said petition The person so demurring to or answering said petition shall be the defendants to said special proceeding, and the Board of Directors shall be the plaintiff Every material statement of the petition not specifically controverted by the answer, must, for the purposes of said special proceeding, be taken as true, and each person failing to answer the petition shall be deemed to admit as true all the material statements of the petition. The rules of pleading and practice provided by the Code of Civil Procedure, which are not inconsistent with the provisions of this Act, are applicable to the special proceeding herein provided for. A motion for a new trial must be made upon the minutes of the Court The order granting a new trial must specify the issues to be reexamined on such new trial, and the findings of the Court upon the other issues shall not be affected by such order granting a new trial

SEC. 34 Upon the hearing of such special proceedings the Court shall have power and jurisdiction to examine and determine the legality and validity of, and approve and confirm each and all of the proceedings for the organization of said district, under the provisions of the said Act, from and including the petition for the organization of the district, and all other proceedings which may affect the legality or validity of said bonds, and the order for the sale, and the sale thereof. The Court, in inquiring into the regularity, legality, or correctness of said proceedings, must disregard any error, irregularity, or omission which does not affect the substantial rights of the parties to said special proceeding, and it may approve and confirm such proceedings in part, and disapprove and declare illegal or invalid other and subsequent parts of the proceedings The Court shall find and determine whether the notice of the filing of said petition has been duly given and published for the time and in the manner in this Act prescribed The costs of the special proceedings may be allowed and apportioned between all the parties, in the discretion of the Court

SEC. 35. An appeal from an order granting or refusing a new trial, or from the judgment, must be taken by the party aggrieved within ten days after the entry of said order or said judgment.

SEC 36 The Board of Directors or other officers of the district shall have no power to incur any debt or liability whatever, either by issuing bonds or otherwise, in excess of the express provisions of this Act, and any debt or liability incurred in excess of such express provisions, shall be and remain absolutely void.

SEC 37 If, at any time after its organization, the property owners in any levee district organized under the provisions of this Act, desire to disorganize, they may do so, in the manner following: Upon a petition being presented by three fifths of the property owners in such district to the Superior Court of the county in which any such district may be situated, or in case such district embraces land situated in two or more counties, then such petition may be presented to a Superior Court of either county in which any of the land in the district may be situate, which said petition shall in substance state the fact of such district organization, the character and estimated value of all property belonging to the district; that the petitioners constitute three fifths of the persons owning land in such district; that all debts and liabilities of every kind, owing or incurred by such district, have been paid, and that it is the desire of the petitioners that such district be disorganized. Upon filing any such petition with the Clerk of such Court, and on presentation thereof to a Judge thereof, he shall order a citation to issue to each of the holders of lands within such district, who have not signed such petition, requiring them, and each of them to appear and show cause why said district should not be disincorporated. The time in which such answer may be made, shall be the same, and service made in the same time and manner as is required by section —— of the Code of Civil Procedure of this State, regarding the service of summons in civil cases in the Superior Courts thereof If, after the time for answering has expired, any person or persons cited to appear, do or do not answer, the Court, upon a day fixed, shall hear and determine the matter presented in such petition, and if found to be in all respects true, shall render a decree in substance reciting the facts found to be true, and shall decree that such district be disorganized; that the property belonging to the district be sold, and the proceeds thereof be distributed to the owners of land in the district in the same proportion as the value thereof, as shown by the last district assessment roll of lands in the district, appearing as belonging to each owner, bears to the whole sum raised from such property, or such other equitable division as the Court may deem just and proper

SEC. 38 Any such decree may be appealed from to the Supreme Court in the same manner and in the same time as any other judgment rendered in a civil action within the original jurisdiction of said Court

SEC 39 When the time for an appeal has expired and no appeal has been taken the decree, if ordering a disorganization, shall be final, and thereafter said district shall cease to exist.

SEC 40 An Act entitled "An Act to provide for the organization of levee districts," approved March 10, 1891, is hereby repealed

SEC 41 This Act shall take effect from and after its passage.

Substitute adopted, ordered engrossed and to a third reading.

MOTION.

Mr. Barker moved that Committee Substitute for Senate Bills Nos. 231, 232, and 239 (Nos. 428, 429, and 430 on file), be now taken up out of order and read the first time.

Lost.

SPECIAL FILE.

Assembly Bill No. 242—An Act appropriating two hundred and fifty thousand dollars for the erection of buildings for the use of affiliated and other departments of the University of California.

Read first time, and placed on file for second reading.

Mr. Lynch moved that Senate Bill No. 479 be substituted on the file for Assembly Bill No. 484, and be read the first time.

So ordered.

Senate Bill No. 479—An Act making an appropriation to pay for the management and maintenance of the Southern California State Asylum for the Insane and Inebriates for the forty-fourth fiscal year.

Read first time, and placed on file for second reading.

Senate Bill No. 5—An Act providing for the selection, condemnation, and purchase of a suitable site, and the erection thereon of a State building, in San Francisco, and making an appropriation therefor.

MOTION.

Mr. Kennedy moved that the Assembly resolve itself into Committee of the Whole, with the Speaker in the chair, for the purpose of considering Senate Bill No. 5.

So ordered.

IN COMMITTEE OF THE WHOLE.

Speaker Gould in the chair.

Senate Bill No. 5 was considered in Committee of the Whole.

IN ASSEMBLY.

Speaker Gould in the chair.

REPORT OF THE COMMITTEE OF THE WHOLE.

The Speaker stated the report of the Committee of the Whole, as follows:

GENTLEMEN: The Committee of the Whole have had under consideration Senate Bill No 5—An Act providing for the selection, condemnation, and purchase of a suitable site, and the erection thereon of a State building, in San Francisco, and making an appropriation therefor—and now report, and recommend that the same do pass

THIRD READING OF BILL.

The question being, "Shall the bill be ordered to a third reading?"

So ordered.

The question being, "Shall the bill be read the third time?"

The ayes and noes were demanded by Messrs. Matthews of San Benito, Owen, and Vann.

The roll was called, and the bill ordered read the third time by the following vote:

AYES—Messrs. Adams, Alford, Androus, Barker, Barlow, Bennett of Santa Clara, Bledsoe, Boyce, Bretz, Brownlie, Buckley, Bulla, Burke, Carlson, Chipman, Conway, Drees, Duckworth, Durst, Gallagher, Gately, Godchaux, Hendrickson, Johnson of Santa Clara, Kennedy, Kerns, LaRue, Luttringer, Lynch, McCauley, McGowan, Mack, Marks, Marston, Miller, Mordecai, O'Keefe, O'Neill, Pendleton, Perkins, Pueschel, Sargent, Schlesinger, Schroebel, Simpson, Sims, Standart, Talbott, and Taylor—49.

NOES—Messrs. Bennett of Orange, Duffy, Hurley, Hutson, Jacobsen, Johnson of Humboldt, Mathews of Tehama, Matthews of San Benito, Owen, Thomas of Santa Clara, Vann, Wade, and Mr. Speaker—13

Senate Bill No. 5—An Act providing for the selection, condemnation, and purchase of a suitable site, and the erection thereon of a State building, in San Francisco, and making an appropriation therefor.

Read third time, and passed by the following vote:

AYES—Messrs Adams, Alford, Androus, Barker, Barlow, Bennett of Santa Clara, Blakeley, Boyce, Bretz, Brownlie, Buckley, Bulla, Burke, Carlson, Conway, Curtis, Drees, Duckworth, Durst, Gallagher, Gately, Godchaux, Hendrickson, Johnson of Santa Clara, Kennedy, Kerns, LaRue, Luttringer, Lynch, McCauley, McElroy, McGowan, Mack, Marks, Marston, Miller, O'Keefe, O'Neill, Owen, Pendleton, Perkins, Pueschel, Sargent, Schlesinger, Schroebel, Shanahan, Simpson, Sims, Standart, Talbott, and Taylor—51.

NOES—Messrs. Bennett of Orange, Bledsoe, Duffy, Hurley, Hutson, Jacobsen, Johnson of Humboldt, Mathews of Tehama, Matthews of San Benito, Thomas of Santa Clara, Vann, Wade, and Mr. Speaker—13

Title read and approved.

NOTICE OF RECONSIDERATION.

Mr. Owen gave notice that on the next legislative day he will move a reconsideration of the vote whereby Senate Bill No. 5 was passed.

MOTIONS OF RECONSIDERATION.

Mr. Pendleton moved to reconsider the vote whereby Assembly Bill No. 241, Assembly Bill No. 25, and Assembly Bill No. 515 were refused a second reading.

Mr. Pendleton moved that the consideration of the motion to reconsider be postponed until to-morrow.

So ordered.

Mr. Duckworth moved to reconsider the vote whereby Assembly Bill No. 18 was passed.

Mr. Duckworth moved that the consideration of the motion be postponed until to-morrow.

Lost.

Mr. Duckworth moved to reconsider the vote whereby Assembly Bill No. 18 was passed.

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

AYES—Messrs. Barker, Buckley, Chipman, Duckworth, McCauley, and Schroebel—6

NOES—Messrs. Adams, Alford, Anderson, Androus, Barlow, Bennett of Santa Clara, Bennett of Orange, Blakeley, Bledsoe, Bretz, Bulla, Burke, Carlson, Conway, Drees, Finlayson, Gallagher, Godchaux, Hendrickson, Hutson, Jacobsen, Johnson of Humboldt, Kennedy, Kerns, LaRue, Luttringer, Mack, Mathews of Tehama, Matthews of San Benito, Miller, O'Keefe, O'Neill, Owen, Sargent, Shanahan, Sims, Standart, Taggart, Talbott, Taylor, Thomas of Santa Clara, Tindall, Vann, Wade, and Mr. Speaker—45

Mr. Shanahan moved to reconsider the vote whereby Senate Bill No. 248 was passed.

Mr. Shanahan moved that the consideration of the motion be made a special order for to-morrow at three o'clock and thirty minutes P. M.

So ordered.

MOTIONS.

Mr. Taggart moved to take up Assembly Bill No. 219 out of order.

So ordered.

Mr. Taggart moved that a select committee of one be appointed by the Speaker to amend Assembly Bill No. 219, as follows.

Amend by striking out of section three, line one, the words "Monday in April," and inserting the following: "Day of July"

So ordered.

APPOINTMENT OF COMMITTEE.

Mr. Taggart was appointed such committee to make said amendments.

REPORT OF SELECT COMMITTEE.

ASSEMBLY CHAMBER, SACRAMENTO, March 2, 1893

MR. SPEAKER: Your select committee, to whom was referred Assembly Bill No 219, with instructions to amend in accordance with the action of the House, would respectfully report that the instructions of the House have been carried out.

TAGGART, Committee.

Report adopted.

LEAVE OF ABSENCE.

On motion of Mr. Duckworth, Mr. Thomas of Santa Clara was granted one week's leave of absence.

MOTION.

Mr. Bretz moved that Assembly Bill No. 18 be immediately transmitted to the Senate.

So ordered.

RECESS.

At five o'clock and thirty minutes P. M. the Speaker declared recess until seven o'clock and thirty minutes P. M.

EVENING SESSION.

The Assembly reassembled at seven o'clock and thirty minutes P. M. Speaker Gould in the chair.

Quorum present.

RESOLUTION.

By Mr. McCauley:

WHEREAS, The interests of the people of the State of California demand that the few remaining days of this session of the Assembly be devoted as closely as possible to the transaction of the large amount of business before this House, and whereas, it is absolutely necessary to the transaction of such business that fairly good order should at all times during business hours be maintained in this Assembly Chamber, and that members of this body should be allowed by their kind "friends," who are interested in the advancement of their own selfish schemes, to have at least the hours of the daily session at their disposal for the purpose of attending to the business of legislation; and whereas, experience up to this time has proven the absolute impossibility of successfully

lending one ear to the importunities of our "friends" of the lobby and the other to the business of this House, at the same time, with anything like satisfactory results; therefore, be it

Resolved, That the Sergeant-at-Arms of the Assembly be and he is hereby instructed to permit no person to come on the floor of the Assembly Chamber during the business hours of this body, unless accompanied by an Assemblyman, or by his express invitation. He will, at the hours of calling the House to order, request all such persons on the floor of the Assembly to at once retire, and he will, without exception, see that the request is promptly complied with, and be it further

Resolved, That this instruction to the Sergeant-at-Arms shall not be construed to apply to the wives, daughters, and sweethearts of members, nor to their lady friends who are not members of the third house

Adopted.

URGENCY FILE.

Assembly Bill No. 300—An Act to amend an Act entitled "An Act to provide for the restoration and preservation of fish in the waters of this State," approved April 2, 1870, by adding thereto an additional section, numbered section twelve, relative to the better protection of fish placed in streams for the purpose of propagation.

Passed on file.

Assembly Bill No. 42—An Act to define labor corporations, and to provide for the incorporation, organization, and government thereof, and, as a part of the government thereof, to provide for the regulation of disputes to which labor corporations may be parties, by referring the same to a Board of Conciliation or Arbitration.

Read third time, and passed on file.

Assembly Bill No. 731—An Act directing the State Board of Harbor Commissioners to construct a certain portion of the harbor embankment, or seawall, of the port of San Francisco.

Read third time.

Mr. Godchaux moved that Senate Bill No. 40 be substituted on the file for Assembly Bill No. 731, and be read the first time.

So ordered.

Senate Bill No. 40—An Act directing the State Board of Harbor Commissioners to construct a certain portion of the harbor embankment, or seawall, of the port of San Francisco.

Read first time, and placed on file for second reading.

Mr. Godchaux moved that Senate Bill No. 641 be substituted on the file for Assembly Bill No. 707, and be read the first time.

So ordered.

Senate Bill No. 641—An Act to amend sections two, three, and twenty-four of an Act entitled "An Act to provide for work upon streets, lanes, alleys, courts, places, and sidewalks, and for the construction of sewers within municipalities," approved March 17, 1885.

Read first time, and placed on file for second reading.

Assembly Bill No. 369—An Act to authorize the Justices of the Supreme Court to appoint a Librarian for said Court, and fixing a salary.

Passed on file.

Assembly Bill No. 581—An Act to amend section five hundred and one of the Civil Code, relating to street railways.

Read third time, and passed by the following vote:

AYES—Messrs. Adams, Alford, Anderson, Bennett of Santa Clara, Bennett of Orange, Bledsoe, Boyce, Bretz, Brownlie, Bulla, Burke, Casterline, Chipman, Conway, Dodge, Drees, Duffy, Finlayson, Gallagher, Gately, Gadchaux, Hendrickson, Hurley, Hutson,

Jacobs, Johnson of Humboldt, Johnson of Santa Clara, Kennedy, Kerns, LaRue, Luttringer, McCauley, McGowan, Mack, Marks, Matthews of San Benito, Mordecai, O'Keefe, Perkins, Pueschel, Raw, Schlesinger, Schroebel, Shanahan, Simpson, Sims, Standart, Taggart, Taylor, Thomas of Santa Clara, Tindall, Vann, Wade, and Mr. Speaker—54

NOES—Messrs Blakeley, Duckworth, Durst, Miller, O'Neill, and Owen—6

Title read and approved.

MOTION OF RECONSIDERATION.

Mr. Gately moved to reconsider the vote whereby Senate Bill No. 299 was passed.

Mr. Gately moved that the consideration of the motion be made a special order for to-morrow at four o'clock P. M.

So ordered.

MOTION.

Mr. Finlayson moved that Assembly Bill No. 679 be substituted on the file for Assembly Bill No. 42, and be read the third time.

So ordered.

Assembly Bill No. 679—An Act providing for primary elections in the State of California.

The roll was called, and the bill refused passage by the following vote:

AYES—Messrs. Alford, Barker, Bennett of Orange, Bledsoe, Brownlie, Bulla, Carlson, Duffy, Finlayson Hurley, Hutson, Jacobs, Johnson of Humboldt, Johnson of Santa Clara, Kennedy, Kerns, McCauley, Mordecai, Perkins, Shanahan, Thomas of Santa Clara, and Mr. Speaker—22.

NOES—Messrs. Adams, Anderson, Bennett of Santa Clara, Boyce, Bretz, Burke, Casterline, Chipman, Conway, Curtis, Dodge, Drees, Duckworth, Durst, Gallagher, Gately, Hendrickson, Jacobs, Luttringer, Lynch, McElroy, McGowan, Mack, Marks, Matthews of San Benito, Miller, O'Keefe, O'Neill, Pendleton, Pueschel, Raw, Sargent, Schlesinger, Simpson, Sims, Standart, Taggart, Talbott, Taylor, Thomas of Nevada, Tindall, Vann, and Wade—42.

Assembly Bill No. 63—An Act relating to estrays.

Read second time.

Mr. Raw moved to amend, as follows:

Amend section one, line two, by inserting the word "inclosed" before the word "premises," and strike out all of line two after the word "premises"

Adopted.

Bill ordered engrossed and to a third reading.

Assembly Bill No. 513—An Act to prevent the spread of contagious and infectious diseases among domestic animals.

Read third time, and passed by the following vote:

AYES—Messrs Adams, Anderson, Barker, Bennett of Santa Clara, Bennett of Orange, Bledsoe, Boyce, Bretz, Brownlie, Bulla, Burke, Carlson, Casterline, Chipman, Conway, Cusick, Dodge, Duffy, Durst, Gallagher, Gately, Godchaux, Hendrickson, Hurley, Hutson, Jacobs, Jacobsen, Johnson of Humboldt, Johnson of Santa Clara, Kerns, Luttringer, McElroy, McGowan, Mack, Marks, Matthews of San Benito, Mordecai, O'Keefe, O'Neill, Owen, Perkins, Pueschel, Sargent, Schlesinger, Schroebel, Shanahan, Simpson, Standart, Taggart, Talbott, Thomas of Santa Clara, Vann, Wade, and Mr Speaker—54.

NOES—None

Title read and approved.

Assembly Bill No. 724—An Act to enable school districts in or including cities of the fifth class to issue bonds for the purpose of raising money for certain purposes, and to repeal an Act approved March 31, 1891, entitled "An Act to enable cities of the fifth class to issue bonds

for the purpose of raising money to purchase school lots, and for building or purchasing one or more school houses, and supplying the same with furniture, necessary apparatus, and improving the grounds, and for liquidating any indebtedness already incurred for such purposes."

Read third time, and passed by the following vote:

AYES—Messrs. Adams, Barker, Bennett of Orange, Bledsoe, Boyce, Bretz, Brownlie, Bulla, Burke, Carlson, Cusick, Dodge, Drees, Duckworth, Durst, Finlayson, Gallagher, Gately, Godchaux, Hutson, Jacobs, Jacobsen, Johnston of Humboldt, Johnson of Santa Clara, Kennedy, McElroy, McGowan, Mack, Marks, Mordecai, O'Keefe, O'Neill, Pendleton, Perkins, Pueschel, Sargent, Schlesinger, Schroebel, Shanahan, Simpson, Standart, Taggart, Talbott, Thomas of Nevada, Vann, Wade, and Mr Speaker—47

NOES—Mr. Thomas of Santa Clara—1.

AMENDMENT TO TITLE.

Mr. Jacobsen moved to amend the title so as to read as follows:

An Act to enable school districts in cities of the fifth class, and school districts which embrace territory, a portion of which is within and a portion of which is without such cities of the fifth class, to issue bonds for the purpose of raising money to purchase school lots, and for building or purchasing one or more school houses, and supplying the same with furniture, necessary apparatus, and improving the grounds, and for liquidating any indebtedness already incurred for such purposes, and to repeal an Act approved March 31, 1891, entitled "An Act to enable cities of the fifth class to issue bonds for the purpose of raising money to purchase school lots, and for building or purchasing one or more school houses, and supplying the same with furniture, necessary apparatus, and improving the grounds, and for liquidating any indebtedness already incurred for such purposes"

Adopted.

Bill ordered reprinted, and to retain its place on file.

Assembly Bill No. 630—An Act requiring every corporation doing business in this State to pay their employés, and each of them, at least once in each and every month, the wages earned by such employé; to define the duties of the Labor Commissioner, and the District Attorneys of the several counties of this State, in enforcing this Act; to limit the defenses which may be set up by such corporations to assignments of wages, set-off, or counter claims, or the absence of such employé at the time of making payment, and in case of such absence the wages are payable upon demand; to prohibit assignments of wages for the purpose of evading the provisions of this Act, and agreements to accept wages at longer periods than as herein provided as a condition of employment; to fix a penalty for this violation of the provisions of this Act by such corporation, and to provide for the disposition of any fines recovered from corporations violating the same.

Read third time.

MOTION.

Mr. Bledsoe moved that a select committee of one be appointed by the Speaker to amend Assembly Bill No. 630, as follows:

Amend by striking out of section one, line three, the word "fifteen," and inserting the following: "thirty."

Also. Amend by striking out of section four, line four, the word "fifteen," and inserting the following: "thirty."

Also: Amend by striking out of section nine, line one, the words "section nine," and inserting the following: "section eight"

Also: Amend by striking out of section ten, line one, the words "section ten," and inserting the following: "section nine."

So ordered.

APPOINTMENT OF COMMITTEE.

Mr. Bledsoe was appointed such committee to make said amendments.

REPORT OF SELECT COMMITTEE.

ASSEMBLY CHAMBER, SACRAMENTO, March 2, 1893.

MR. SPEAKER: Your select committee, to whom was referred Assembly Bill No. 630—An Act requiring every corporation doing business in this State to pay their employés, and each of them, at least once in each and every month, the wages earned by such employé; to define the duties of the Labor Commissioner, and the District Attorneys of the several counties of this State, in enforcing this Act, to limit the defenses which may be set up by such corporations to assignments of wages, set-off, or counter claims, or the absence of such employé at the time of making payment, and in case of such absence the wages are payable upon demand, to prohibit assignments of wages for the purpose of evading the provisions of this Act, and agreements to accept wages at longer periods than as herein provided as a condition of employment; to fix a penalty for this violation of the provisions of this Act by such corporation, and to provide for the disposition of any fines recovered from corporations violating the same—with instructions to amend in accordance with the action of the House, would respectfully report that the instructions of the House have been carried out

BLEDSOE, Committee.

Report adopted.

MOTION.

Mr. Raw moved that a select committee of one be appointed by the Speaker to amend Assembly Bill No. 630, as follows:

Amend by striking out section five, and renumber the following sections accordingly.

Also: Amend section seven by adding in line two, after the word "States," the words "or sight drafts."

Also: Amend by striking out section six, and renumber the remaining sections accordingly.

So ordered.

APPOINTMENT OF COMMITTEE.

Mr. Raw was appointed such committee to make said amendments.

REPORT OF SELECT COMMITTEE.

ASSEMBLY CHAMBER, SACRAMENTO, March 2, 1893.

MR. SPEAKER: Your select committee, to whom was referred Assembly Bill No. 630—An Act requiring every corporation doing business in this State to pay their employés, and each of them, at least once in each and every month, the wages earned by such employé, to define the duties of the Labor Commissioner, and the District Attorneys of the several counties of this State, in enforcing this Act; to limit the defenses which may be set up by such corporations to assignments of wages, set-off, or counter claims, or the absence of such employé at the time of making payment, and in case of such absence the wages are payable upon demand, to prohibit assignments of wages for the purpose of evading the provisions of this Act, and agreements to accept wages at longer periods than as herein provided as a condition of employment; to fix a penalty for this violation of the provisions of this Act by such corporation, and to provide for the disposition of any fines recovered from corporations violating the same—with instructions to amend in accordance with the action of the House, would respectfully report that the instructions of the House have been carried out.

RAW, Committee

Report adopted.

Assembly Bill No. 354—An Act to amend certain sections of the Political Code, relative to the Board of Health.

Read third time, and passed by the following vote:

AYES—Messrs. Adams, Alford, Barker, Bennett of Santa Clara, Bennett of Orange, Bledsoe, Boyce, Bretz, Brownlie, Bulla, Burke, Carlson, Casterline, Chipman, Conway, Cusick, Dodge, Drees, Gallagher, Gately, Godchaux, Hendrickson, Hurley, Hutson,

Jacobsen, Johnson of Humboldt, Johnson of Santa Clara, Kennedy, Kerns, Luttringer, Lynch, McCauley, McGowan, Mack, Marks, Mathews of Tehama, Matthews of San Benito, Miller, Mordecai, O'Keefe, O'Neill, Owen, Pendleton, Perkins, Pueschel, Raw, Sargent, Schlesinger, Schroebel, Shanahan, Simpson, Standart, Taggart Talbott, Taylor, Thomas of Santa Clara, Vann, Wade, and Mr. Speaker—59.
NOES—Mr Durst—1.

Title read and approved.

Assembly Bill No. 578—An Act to amend section three thousand five hundred and seventy-two of an Act entitled "An Act to establish a Political Code," approved March 12, 1872.

Read second time, ordered engrossed and to a third reading.

Assembly Bill No. 726—An Act to amend section two hundred and seventy-two of the Penal Code, relative to the licensing of children in theatrical exhibitions.

Read third time, and passed by the following vote:

AYES—Messrs. Adams, Alford, Barker, Bennett of Orange, Bledsoe, Boyce, Bretz, Brownlie, Bulla, Burke, Carlson, Casterline, Chipman, Conway, Curtis, Cusick, Dodge, Drees, Durst, Finlayson, Gallagher, Gately, Godchaux, Hurley, Hutson, Jacobs, Jacobsen, Johnson of Humboldt, Kennedy, Kerns, LaRue, Luttringer, Lynch, McCauley, Mack, Marks, Mathews of Tehama, Matthews of San Benito, Mordecai, O'Keefe, O'Neill, Owen, Perkins, Pueschel, Raw, Schroebel, Shanahan, Simpson, Standart, Talbott, Thomas of Santa Clara, Tindall, Vann, Wade, and Mr. Speaker—55.
NOES—Mr. Sargent—1

Title read and approved.

Mr. Johnson of Santa Clara moved to adjourn.

Lost.

Assembly Bill No. 85—An Act to amend section six hundred and thirty-one of an Act of the Legislature of the State of California entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1873, relating to a waiver of a trial by jury; and to add two new sections to said Code, to be known and designated as section two hundred and forty-eight, relating to the fees of grand and trial jurors; and section six hundred and twenty, relating to the time and manner of demanding a trial by jury.

Read third time, and passed by the following vote.

AYES—Messrs. Adams, Alford, Anderson, Bennett of Santa Clara, Bennett of Orange, Bledsoe, Boyce, Bretz, Brownlie, Bulla, Burke, Carlson, Casterline, Conway, Curtis, Cusick, Dodge, Drees, Durst, Finlayson, Gallagher, Gately, Godchaux, Hendrickson, Hurley, Jacobs, Jacobsen, Johnson of Humboldt, Kennedy, Kerns, LaRue, Luttringer, Lynch, McCauley, Mack, Marks, Mathews of Tehama, Matthews of San Benito, Mordecai, O'Keefe, Owen, Pendleton, Perkins, Pueschel, Raw, Schlesinger, Schroebel, Shanahan, Simpson Standart, Taggart, Taylor, Thomas of Nevada, Tindall, Vann, and Mr. Speaker—56.
NOES—None

Title read and approved.

Assembly Bill No. 244—An Act to provide for the compensation of the Chief and Captain of Police and police officers in cities in the State of California containing not less than ten thousand and not exceeding thirty thousand inhabitants.

Read third time, and passed by the following vote·

AYES—Messrs. Adams, Alford, Anderson, Barker, Bennett of Santa Clara, Bledsoe, Bulla, Burke, Carlson, Casterline, Chipman, Conway, Cusick, Drees, Durst, Finlayson, Gallagher, Godchaux, Hendrickson, Hurley, Hutson, Jacobs, Jacobsen, Johnson of Humboldt, Kennedy, Kerns, LaRue, Luttringer, Lynch, McCauley, Mack, Marks, Mathews of Tehama, Matthews of San Benito, Mordecai, O'Keefe, O'Neill, Owen, Perkins, Pueschel, Sargent, Schroebel, Shanahan, Standart, Taggart, Talbott, Taylor, Thomas of Nevada, Thomas of Santa Clara, Tindall, Vann, Wade, and Mr. Speaker—53.
NOES—None.

Title read and approved.

Mr. LaRue moved that the bill be immediately transmitted to the Senate.

So ordered.

Assembly Bill No. 663—An Act entitled an Act to regulate the practice of veterinary medicine and surgery in the State of California.

Read second time.

Mr. Anderson moved to amend, as follows:

Amend section seven, line seven, by inserting the following after the last line in section seven: "Any veterinary in good standing in his own community, who has been practicing over ten years, shall not be included in this Act."

Lost.

Mr. Wade moved to amend, as follows:

By striking out the word "two" and figure "2" in section one, line two, and insert in lieu thereof the word "thirty."

Lost.

Bill ordered engrossed and to a third reading.

Mr. Vann moved to adjourn.

Lost.

Assembly Bill No. 284—An Act for the relief of George Dougherty.

Read third time, and passed by the following vote:

AYES—Messrs. Adams, Alford, Anderson, Bennett of Santa Clara, Bennett of Orange, Boyce, Bretz, Brownlie, Bulla, Burke, Carlson, Casterline, Chipman, Conway Curtis, Cusick, Durst, Gallagher, Gately, Hendrickson, Hurley, Jacobs, Jacobsen, Kennedy, Kerns, Luttringer, Lynch, McCauley, McElroy, McGowan, Mack, Miller, O'Keefe, Owen, Pendleton, Pueschel, Raw, Sargent, Schlesinger, Standart, Talbott, Taylor, Thomas of Nevada, Thomas of Santa Clara, Tindall, and Mr Speaker—45

NOES—Messrs Bledsoe, Dodge, Finlayson, Godchaux, Johnson of Humboldt, Mathews of Tehama, Matthews of San Benito, Shanahan, Vann, and Wade—10.

NOTICE OF RECONSIDERATION.

Mr. Hurley gave notice that on the next legislative day he will move a reconsideration of the vote whereby Assembly Bill No. 284 was passed.

Mr. Boyce moved to adjourn.

Lost.

Assembly Bill No. 666—An Act supplemental to an Act entitled "An Act to provide for the organization and government of irrigation districts, and to provide for the acquisition of water and other property, and for the distribution of water thereby for irrigation purposes," approved March 7, 1887, providing for the abandonment of operations by irrigation districts, and for their disorganization upon the discharge of all outstanding obligations.

Passed on file.

Assembly Bill No. 305—An Act to amend section one thousand two hundred and ten of the Code of Civil Procedure, relating to reëntry upon real property.

Read third time, and passed by the following vote:

AYES—Messrs. Adams, Alford, Anderson, Blakeley, Bledsoe, Boyce, Brownlie, Bulla, Burke, Carlson, Casterline, Conway, Curtis, Cusick, Dodge, Durst, Gallagher, Gately, Godchaux, Hendrickson, Hurley, Hutson, Jacobsen, Kennedy, Kerns, Luttringer, Lynch, McCauley, McGowan, Mack, Marks, Mordecai, O'Neill, Owen, Pendleton, Perkins, Sargent, Schlesinger, Schroebel, Simpson, Standart, Taggart, Talbott, Taylor, Thomas of Nevada, Thomas of Santa Clara, Tindall, Vann, Wade, and Mr. Speaker—50.

NOES—None

Title read and approved.

MOTION.

Mr. Alford moved to take up Senate Bill No. 455.
Lost.

ADJOURNMENT.

At ten o'clock and fifteen minutes P. M., on motion of Mr. Kennedy, the Assembly adjourned.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Friday, March 3, 1893.

The Assembly met pursuant to adjournment.
Speaker Gould in the chair.
The roll was called, and the following members answered to their names:

Messrs. Adams, Alford, Anderson, Androus, Barker, Barlow, Bennett of Santa Clara, Bennett of Orange, Blakeley, Bledsoe, Boyce, Bretz, Brownlie, Buckley, Bulla, Burke, Carlson, Casterline, Chipman, Conway, Curtis, Dodge, Drees, Duckworth, Duffy, Durst, Finlayson, Gallagher, Gately, Godchaux, Hendrickson, Hurley, Hutson, Jacobs, Johnson of Humboldt, Johnson of Santa Clara, Kennedy, Kahn, Kerns, LaRue, Luttringer, Lynch, McElroy, McGowan, Mack, Marks, Marston, Mathews of Tehama, Matthews of San Benito, Miller, Mordecai, O'Keefe, O'Neill, Owen, Pendleton, Perkins, Pueschel, Raw, Sargent, Schlesinger, Schroebel, Shanahan, Simpson, Sims, Standart, Taggart, Talbott, Taylor, Thomas of Nevada, Tindall, Vann, Wade, and Mr. Speaker

Quorum present.

PRAYER.

Prayer by the Chaplain, Rev. H. W. Conry.

READING AND APPROVAL OF THE JOURNAL.

Pending the reading of the Journal of yesterday, Mr. Taggart moved that the further reading be dispensed with.
So ordered.
Journal of Wednesday, March 1st, approved.

LEAVE OF ABSENCE.

Mr. McCauley was granted leave of absence for the morning.

REPORTS OF STANDING COMMITTEES.

ON CORPORATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, March 3, 1893.

MR. SPEAKER: Your Committee on Corporations, to whom was referred Senate Bill No. 470—An Act to amend section three hundred and fifty-nine of an Act entitled "An Act to establish a Civil Code," approved March 21, 1872, relating to corporations and the increase and diminution of the capital stock, and the creation, increase, and diminution of the bonded indebtedness thereof.

Also: Senate Bill No 547—An Act to provide for the publication of semi-annual statements by corporations and persons engaged in the business of banking, and to repeal the Act approved April 1, 1876, entitled "An Act concerning corporations and persons engaged in the business of banking"

Have had the same under consideration, and respectfully report the same back without recommendation.

ALFORD, Chairman.

ON ENROLLMENT

ASSEMBLY CHAMBER, SACRAMENTO, March 2, 1893.

MR. SPEAKER: Your Committee on Enrollment beg leave to report that the following Assembly Joint Resolutions have been correctly enrolled:

Assembly Joint Resolution No. 7—Relative to the election of United States Senators

Also: Assembly Joint Resolution No. 17—Relative to the examination or survey of the waters of the river system tributary to the bay of San Francisco.

Also: Assembly Joint Resolution No. 11—Relative to a public building at Eureka.

Also: Assembly Joint Resolution No. 19—Relative to a public building at Visalia.

Also: Assembly Joint Resolution No 9—Relative to foreign immigration to the United States.

And were presented to the Governor March 2, 1893, at three o'clock and thirty minutes P. M

O'NEILL, Chairman.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 2, 1893.

MR SPEAKER Your Committee on Enrollment beg leave to report that the following bills have been correctly enrolled.

Assembly Bill No 69—An Act to amend section one thousand six hundred and sixty-eight of an Act of the Legislature of the State of California entitled "An Act to establish a Code of Civil Procedure," relating to proceedings for the distribution of the estates of deceased persons.

Also. Assembly Bill No. 227—An Act amending sections one thousand five hundred and seventy-seven and one thousand five hundred and seventy-eight of the Code of Civil Procedure, relating to mortgages and leases in certain cases

Also· Assembly Bill No 71—An Act to amend an Act entitled "An Act to insure the better education of practitioners of dental surgery, and to regulate the practice of dentistry in the State of California," approved March 12, 1885.

Also: Assembly Bill No. 100—An Act to change the name of the Mendocino State Asylum for the Insane to Mendocino Asylum.

Also· Assembly Bill No. 112—An Act to amend section one hundred and sixty-four of the Civil Code of the State of California, relating to conveyances of real property by married women, and limiting the time in which to commence actions for recovery of community property by husbands.

And were presented to the Governor March 2, 1893, at three o'clock and thirty minutes P M.

O'NEILL, Chairman.

RESOLUTIONS.

By Mr. Curtis:

Resolved, That the report of the special committee which has investigated charges of Victor Hoffmann, etc, at the Home of the Feeble-Minded, Glen Ellen, Sonoma County, California, be accepted, and the said committee be discharged.

Adopted.

Also:

Resolved, That the report of the select joint committee, together with the testimony in the matter of the investigation of the construction of some of the buildings of the Home for the Feeble-Minded, at Glen Ellen, be printed and laid upon the desks of members.

Adopted.

RECESS.

At ten o'clock and twenty-five minutes A. M. the Speaker declared a recess for fifteen minutes.

REASSEMBLED.

The Assembly reassembled at ten o'clock and forty-five minutes A. M.

MESSAGES FROM THE SENATE.

SENATE CHAMBER, SACRAMENTO, March 2, 1893.

MR SPEAKER: I am directed to inform your honorable body that the Senate, on this day, passed Senate Bill No 627—An Act to authorize the Justices of the Supreme Court to appoint a Librarian for said Court, and fixing a salary.

Also: Senate Bill No. 347—An Act to establish a tax on collateral inheritances, bequests, and devises, to provide for its collection, and to direct the disposition of the proceeds

F. J. BRANDON, Secretary.
By R. SHAW, Assistant.

Senate Bill No. 347 referred to Committee on Judiciary.

MOTION.

Mr. Anderson moved that Senate Bill No. 627 be substituted on the file for Assembly Bill No. 369, and be read the first time.

So ordered.

FIRST READING OF BILL.

Senate Bill No. 627—An Act to authorize the Justices of the Supreme Court to appoint a Librarian for said Court, and fixing a salary.

Read first time, and placed on file for second reading.

MESSAGES FROM THE SENATE—(RESUMED).

SENATE CHAMBER, SACRAMENTO, March 2, 1893.

MR. SPEAKER: I am directed to inform your honorable body that the Senate, on the twenty-fifth day of February, 1893, passed Senate Bill No 635—An Act to provide for the redemption of unused transportation tickets, and to prevent frauds upon travelers.

F. J BRANDON, Secretary.
By R SHAW, Assistant.

Senate Bill No. 635 referred to Committee on Judiciary.

Also:

SENATE CHAMBER, SACRAMENTO, March 2, 1893

MR SPEAKER: I am directed to inform your honorable body that the Senate, on the twenty-third day of February, 1893, amended Assembly Concurrent Resolution No 7, and on the twenty-seventh day of February, 1893, respectfully refused to adopt said Assembly Concurrent Resolution No. 7, relative to investigating the Railroad Commissioners.

F. J. BRANDON, Secretary
By R. SHAW, Assistant

Also:

SENATE CHAMBER, SACRAMENTO, March 2, 1893.

MR. SPEAKER: I am directed to inform your honorable body that the Senate, pursuant to the request of the Assembly, herewith returns Senate Bill No 538—An Act to repeal an Act entitled "An Act concerning corporations and persons engaged in the business of banking," approved April 1, 1876.

F. J. BRANDON, Secretary.
By R. SHAW, Assistant.

Also:

SENATE CHAMBER, SACRAMENTO, March 2, 1893.

MR. SPEAKER: I am directed to inform your honorable body that the Senate, on this day, passed Assembly Bill No. 30—An Act entitled an Act to amend section fifteen of an Act entitled "An Act to provide for the formation, government, operation, and dissolution of sanitary districts in any part of the State for the construction of sewers and other sanitary purposes; the acquisition of property thereby; the calling and conducting of elections in such districts, the assessment, levy, collection, custody, and disbursement of taxes therein, the issuance and disposal of the bonds thereof, and the determination of their validity, and making provision for the payment of such bonds, and the disposal of their proceeds."

Also: Assembly Bill No. 276—An Act entitled an Act to amend section two thousand six hundred and eighty-four of the Political Code.

Also: Assembly Bill No 469—An Act to pay the claim of Mary M. Springer, the widow and heir of Thomas A. Springer, late State Printer, deceased.

Also: Assembly Bill No. 2—An Act making an appropriation to pay the deficiencies in the appropriation for costs and expenses of suits in which the State is a party in interest, for the fortieth, forty-first, forty-second, and forty-third fiscal years

F. J. BRANDON, Secretary.
By R. SHAW, Assistant.

Assembly Bills Nos. 30, 276, 469, and 2 ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, March 2, 1893.

MR. SPEAKER: I am directed to inform your honorable body that the Senate, on this day, passed Assembly Bill No 265—An Act to provide for payment of the claim of C. C. Rochford

Also: Assembly Bill No. 185—An Act to amend section three thousand seven hundred and seventy-three of the Political Code, relating to the sale of property for delinquent taxes.

Also: Senate Bill No. 774—An Act to repeal an Act entitled "An Act to provide for the erection at San Quentin State Prison a building for the accommodation of the insane prisoners, and making appropriation therefor," approved March 19, 1889.

F. J. BRANDON, Secretary.
By R. SHAW, Assistant.

Assembly Bills Nos. 265 and 185 ordered to enrollment.

Senate Bill No. 774 referred to Committee on Ways and Means.

Also:

SENATE CHAMBER, SACRAMENTO, March 3, 1893.

MR. SPEAKER I am directed to inform your honorable body that the Senate, on the second day of March, 1893, passed Senate Bill No. 60—An Act to amend section five hundred and thirty-seven of the Penal Code of the State of California, and to renumber said section, relating to defrauding proprietors or managers of hotels, inns, restaurants, boarding houses, and lodging houses.

Also: Senate Bill No. 631—An Act to enable school districts in or including cities of the fifth class to issue bonds for the purpose of raising money for certain purposes, and to repeal an Act approved March 31, 1891, entitled "An Act to enable cities of the fifth class to issue bonds for the purpose of raising money to purchase school lots, and for building or purchasing one or more school houses, and supplying the same with furniture, necessary apparatus, and improving the grounds, and for liquidating any indebtedness already incurred for such purposes."

Also: Senate Bill No. 284—An Act to amend sections fifty-five and sixty-eight, and for the repeal of section seventy-five of the Civil Code of the State of California, relating to the authentication of marriages

F. J. BRANDON, Secretary.
By R SHAW, Assistant.

Senate Bill No. 60 referred to Committee on Crimes and Penalties.

Senate Bill No. 631 ordered placed on file.

MOTIONS.

Mr. Anderson moved to suspend the rules, and that Senate Bill No. 284 be placed on the special file.

So ordered.

Mr. Anderson moved that the bill be read the first time.

So ordered.

FIRST READING OF BILL.

Senate Bill No. 284—An Act to amend sections fifty-five and sixty-eight, and for the repeal of section seventy-five of the Civil Code of the State of California, relating to the authentication of marriages.

Read first time, and placed on file for second reading.

LEAVE OF ABSENCE.

Mr. Simpson was granted leave of absence for the morning.

MESSAGES FROM THE SENATE—(RESUMED).

SENATE CHAMBER, SACRAMENTO, March 3, 1893.

MR. SPEAKER: I am directed to inform your honorable body that the Senate, on the first day of March, 1893, passed Senate Bill No 778—An Act making an appropriation for the contingent expenses of the Senate for the thirtieth session of the Legislature

F. J. BRANDON, Secretary
By R SHAW, Assistant.

RESOLUTION.

By Mr. Schlesinger:

Resolved, That Senate Bill No. 778 presents a case of urgency, as that term is used in section fifteen of article four of the Constitution, and the provisions of that section requiring that the bill shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the first, second, and third times and placed upon its passage.

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

AYES—Messrs Adams, Anderson, Androus, Barker, Barlow, Bennett of Santa Clara, Bennett of Orange, Blakeley, Bledsoe, Bretz, Brownlie, Bulla, Burke, Casterline, Chipman, Curtis, Dodge, Drees, Duckworth, Duffy, Durst, Finlayson, Gallagher, Godchaux, Hendrickson, Hurley, Hutson, Jacobs, Johnson of Humboldt, Johnson of Santa Clara, Kahn, Kerns, Lynch, McElroy, Mack, Marston, Mathews of Tehama, Matthews of San Benito, Miller, Mordecai, O'Keefe, O'Neill, Pendleton, Pueschel, Raw, Schlesinger, Shanahan, Sims, Standart, Taggart, Taylor, Thomas of Nevada, Tindall, Vann, Wade, and Mr Speaker—56

NOES—None

FIRST AND SECOND READING OF BILL.

Senate Bill No. 778—An Act making an appropriation for the contingent expenses of the Senate for the thirtieth session of the Legislature.

Read first and second times.

MOTION.

Mr. Anderson moved that the Assembly resolve itself into Committee of the Whole, with the Speaker in the chair, for the purpose of considering Senate Bill No. 778.

So ordered.

IN COMMITTEE OF THE WHOLE.

Speaker Gould in the chair.

Senate Bill No. 778 was considered in Committee of the Whole.

IN ASSEMBLY.

Speaker Gould in the chair.

REPORT OF THE COMMITTEE OF THE WHOLE.

The Speaker stated the report of the Committee of the Whole, as follows:

GENTLEMEN: The Committee of the Whole have had under consideration Senate Bill No. 778, and now report, and recommend that the same do pass.

Bill ordered to a third reading.

THIRD READING OF BILL.

Senate Bill No. 778—An Act making an appropriation for the contingent expenses of the Senate for the thirtieth session of the Legislature.

Read third time, and passed by the following vote:

AYES—Messrs. Adams, Anderson, Androus, Barker, Bennett of Santa Clara, Bennett of Orange, Bledsoe, Bretz, Brownlie, Bulla, Burke, Carlson, Casterline, Chipman, Conway, Curtis, Dodge, Drees, Duckworth, Duffy, Durst, Gallagher, Gately, Godchaux, Hendrickson, Hurley, Hutson, Johnson of Humboldt, Johnson of Santa Clara, Kerns, LaRue, Lynch, McElroy, Mack, Marston, Mathews of Tehama, Matthews of San Benito, Miller, Mordecai, O'Keefe, O'Neill, Pendleton, Perkins, Pueschel, Raw, Sargent, Schlesinger, Shanahan, Sims, Standart, Taggart, Taylor, Vann, Wade, and Mr Speaker—55
NOES—None.

Title read and approved.

MESSAGES FROM THE SENATE—(RESUMED).

SENATE CHAMBER, SACRAMENTO, March 3, 1893.

MR SPEAKER: I am directed to inform your honorable body that the Senate, on the second day of March, 1893, passed, as amended, Assembly Bill No. 848—An Act making an appropriation to pay the deficiency in the appropriation for the pay of officers and clerks of the Assembly.

Also: Assembly Bill No 849—An Act making an appropriation to pay the deficiency in the appropriation for the per diem and mileage of the Assembly for the thirtieth session

F. J. BRANDON, Secretary.
By R. SHAW, Assistant.

SENATE AMENDMENTS CONCURRED IN.

The question being, "Shall the Assembly concur in Senate amendment to Assembly Bill No. 848?"

The roll was called, and the Senate amendment concurred in by the following vote:

AYES—Messrs Adams, Alford, Anderson, Barker, Barlow, Bennett of Santa Clara, Bennett of Orange, Bledsoe, Brownlie, Burke, Carlson, Casterline, Chipman, Conway, Dodge, Drees, Duckworth, Duffy, Gallagher, Godchaux, Hendrickson, Hurley, Hutson, Jacobs, Johnson of Humboldt, Johnson of Santa Clara, Kerns, LaRue, Luttringer, Lynch, McElroy, McGowan, Mack, Marston, Mathews of Tehama, Matthews of San Benito, Miller, Mordecai, O'Keefe, O'Neill, Owen, Pendleton, Perkins, Pueschel, Raw, Sargent, Schlesinger, Shanahan, Sims, Standart, Taggart, Taylor, Thomas of Nevada, Vann, Wade, and Mr Speaker—56
NOES—None

Ordered to enrollment.

The question being, "Shall the Assembly concur in Senate amendment to Assembly Bill No. 849?"

The roll was called, and the Senate amendment concurred in by the following vote:

AYES—Messrs. Adams, Alford, Anderson, Barker, Bennett of Santa Clara, Bennett of Orange, Bledsoe, Brownlie, Bulla, Burke, Conway, Curtis, Drees, Durst, Gallagher, Godchaux, Hendrickson, Hurley, Hutson, Johnson of Humboldt, Johnson of Santa Clara, Kerns, LaRue, Luttringer, Lynch, McElroy, McGowan, Marston, Mathews of Tehama, Matthews of San Benito, Mordecai, O'Keefe, O'Neill, Pendleton, Perkins, Pueschel, Raw, Sargent, Schlesinger, Schroebel, Shanahan, Standart, Taggart, Taylor, Tindall, Vann, Wade, and Mr Speaker—48
NOES—None.

Ordered to enrollment.

MESSAGES FROM THE SENATE—(RESUMED).

SENATE CHAMBER, SACRAMENTO, March 3, 1893.

MR. SPEAKER: I am directed to inform your honorable body that the Senate, on the second day of March, 1893, appointed the following as a Committee of Conference on Assembly Bill No. 426—An Act making an appropriation to pay the deficiency in the appropriation for the transportation of insane for the forty-third fiscal year—viz.: Senators Berry, Maher, and Voorheis.

F. J. BRANDON, Secretary
By R. SHAW, Assistant.

MOTION.

Mr. Mathews of Tehama moved that the Speaker appoint a like Committee of Conference on Assembly Bill No. 426.

So ordered.

APPOINTMENT OF COMMITTEE.

The Speaker appointed as such committee Messrs. Mathews of Tehama, Lynch, and Gallagher.

MESSAGES FROM THE SENATE—(RESUMED).

SENATE CHAMBER, SACRAMENTO, March 3, 1893.

MR. SPEAKER: I am directed to inform your honorable body that the Senate, on the second day of March, 1893, respectfully refused to concur in the Assembly amendment to Senate Bill No. 214—An Act to amend an Act entitled "An Act to establish and support a Bureau of Labor Statistics," approved March 3, 1883.

And the following have been appointed as a Committee of Conference: Senators Maher, Simpson, and Ragsdale

F. J. BRANDON, Secretary.
By R. SHAW, Assistant

MOTION.

Mr. Conway moved that the Speaker appoint a like Committee of Conference on Senate Bill No. 214.

So ordered.

APPOINTMENT OF COMMITTEE.

The Speaker appointed as such committee Messrs. Matthews of San Benito, Conway, and Taggart.

REPORTS OF STANDING COMMITTEES.

ON CORPORATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, March 3, 1893

MR. SPEAKER: Your Committee on Corporations, to whom was referred Senate Bill No. 116—An Act to amend an Act entitled "An Act to establish a Civil Code," approved March 21, 1872, by adding a new section to said Civil Code, to be known as section four hundred and thirty-three, permitting the establishment of mutual insurance companies—have had the same under consideration, and respectfully report the same back without recommendation

ALFORD, Chairman

ON WAYS AND MEANS

ASSEMBLY CHAMBER, SACRAMENTO, March 3, 1893.

MR. SPEAKER: Your Committee on Way and Means, to whom was referred Senate Bill No. 742—An Act making an appropriation to pay the deficiency in the appropriation for the transportation of prisoners for the forty-fourth fiscal year

Also: Senate Bill No. 722—An Act making an appropriation to pay the deficiency in the appropriation for arresting criminals without the State for the forty-third fiscal year.

Also: Senate Bill No. 601—An Act making an appropriation to pay for lithographing Chinese certificates, under the provisions of an Act to prohibit the coming of Chinese persons into the State, approved March 20, 1891.

Also: Senate Bill No 658—An Act making an appropriation for editing the manuscript of the State Mineralogist for the two years ending September 15, 1892.

Also: Senate Bill No. 732—An Act making an appropriation to pay the deficiency in the appropriation for salary of Secretary of State Board of Examiners for the forty-second fiscal year.

Also: Senate Bill No. 705—An Act making an appropriation to pay the deficiency in the appropriation for the State's portion of salaries of Judges of the Superior Court for the forty-fourth fiscal year.

Also: Assembly Bill No. 826—An Act to provide for the erection and construction of offices, rooms, and apartments in the general ferry and passenger depot now under course of construction at or near the foot of Market Street, in the City and County of San Francisco, for the accommodation of certain persons, officers, and commissions of the State of California now having their offices and quarters in said City and County of San Francisco, and making an appropriation to carry out the provisions of this Act.

Also: Assembly Bill No 845—An Act for the relief of Robert B. Young for extra work done upon the administration and factory buildings of the Reform School for Juvenile Offenders at Whittier, and to make an appropriation for the same

Also: Assembly Bill No. 621—An Act making an appropriation for enlarging the fire-proof warehouse for the use of the State Printing Department.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass

Also: Senate Bill No. 144—An Act to provide for additional improvements and repairs at the Napa State Asylum for the Insane, and making an appropriation therefor—have had the same under consideration, and respectfully report the same back, and recommend that it do not pass.

W. P. MATHEWS, Chairman.

RESOLUTION.

By Mr. Matthews of San Benito:

Resolved, That Senate Bill No 38 (No 492 on file) presents a case of urgency, as that term is used in section fifteen of article four of the Constitution, and the provisions of that section requiring that the bill shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the second and third times, and placed upon its passage

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

AYES—Messrs. Adams, Alford, Androus, Barker, Bennett of Santa Clara, Blakeley, Bledsoe, Bretz, Brownlie, Bulla, Burke, Carlson, Casterline, Chipman, Conway, Dodge, Drees, Duckworth, Duffy, Durst, Finlayson, Gallagher, Hendrickson, Hurley, Hutson, Jacobs, Johnson of Humboldt, Johnson of Santa Clara, Kahn, LaRue, Luttringer, McElroy, McGowan, Mack, Marks, Marston, Matthews of San Benito, Miller, Mordecai, O'Keefe, Owen, Pendleton, Perkins, Pueschel, Raw, Sargent, Schlesinger, Shanahan, Sims, Standart, Taggart, Taylor, Thomas of Nevada, Vann, Wade, and Mr. Speaker—56.

NOES—None.

SECOND READING OF BILL.

Senate Bill No. 38—An Act to appropriate money to institutions supporting and maintaining aged persons in indigent circumstances afflicted with incurable diseases.

Read second time.

MOTION.

Mr. Matthews of San Benito moved that the Assembly resolve itself into Committee of the Whole, with the Speaker in the chair, for the purpose of considering Senate Bill No. 38.

So ordered.

IN COMMITTEE OF THE WHOLE.

Speaker Gould in the chair.

Senate Bill No. 38 was considered in Committee of the Whole.

IN ASSEMBLY.

Speaker Gould in the chair.

REPORT OF THE COMMITTEE OF THE WHOLE.

The Speaker stated the report of the Committee of the Whole, as follows.

GENTLEMEN. The Committee of the Whole have had under consideration Senate Bill No. 38, and now report, and recommend that the same do pass

Bill ordered to a third reading.

THIRD READING OF BILL.

Senate Bill No. 38—An Act to appropriate money to institutions supporting and maintaining aged persons in indigent circumstances afflicted with incurable diseases.

Read third time, and passed by the following vote:

AYES—Messrs. Adams, Alford, Anderson, Barker, Barlow, Bennett of Santa Clara, Bennett of Orange, Boyce, Bretz, Brownlie, Bulla, Burke, Carlson, Casterline, Conway, Drees, Duckworth, Duffy, Durst, Finlayson, Gallagher, Gately, Hendrickson, Hurley, Hutson, Jacobs, Johnson of Humboldt, Kahn, Kerns, LaRue, Luttringer, McElroy, McGowan, Mack, Marks, Marston, Matthews of San Benito, Miller, Mordecai, O'Keefe, Owen, Pendleton, Perkins, Pueschel, Schlesinger, Schroebel Sims, Standart, Taggart, Talbott, Tindall, Vann, Wade, and Mr Speaker—55

NOES—Messrs. Bledsoe and Sargent—2

Title read and approved.

COMMUNICATION.

The Speaker had read the following communication:

Mrs. I A. Conklin of San Francisco, wishes to express her *gratitude* to each and every member of this honorable body for their unlimited kindness shown to her during this session, in the sincere hope and earnest prayer that not one of them shall ever become an "*incurable.*"

March 3, 1893.

MOTIONS.

Mr. Mathews moved that the rules be suspended, and that the proposed substitute for the County Government Bill be not printed in the Journal.

So ordered.

Mr. Durst moved that Assembly Bill No. 139 be taken up out of order and read the second time.

So ordered.

SECOND READING OF BILL.

Assembly Bill No. 139—An Act to provide for the leasing and disposition of water for mechanical and other purposes by irrigation districts organized or to be organized under and pursuant to an Act entitled "An Act to provide for the organization and government of irrigation districts, and to provide for the acquisition of water and other property, and for the distribution of water thereby for irrigation purposes," approved March 7, 1887.

Read second time.

Committee amendment, as follows:

Amend by inserting the following words after the word "water," of the first line of the title: "for generation of power," also, by striking out the words "and other" from the second line of the title; also, by striking out the words "or other" from line seven of section one

Adopted.

Bill ordered engrossed and to a third reading.

MOTION.

Mr. Mathews of Tehama moved that Assembly Bill No. 349 be taken up out of order and read the second time.

So ordered.

Assembly Bill No. 349—An Act to amend sections one thousand one hundred and forty-two, one thousand one hundred and eighty-eight, one thousand one hundred and ninety-four, one thousand one hundred and ninety-seven, one thousand two hundred and three, one thousand two hundred and five, one thousand two hundred and eight, one thousand two hundred and fifty-seven, one thousand two hundred and sixty-four, and one thousand two hundred and sixty-five of the Political Code, in relation to elections within this State

Read second time.

Committee amendments, as follows:

AMENDMENT No 1

Amend section one thousand one hundred and eighty-eight, page two, line twelve of printed bill, as follows: Strike out the word "certificate" and insert in lieu thereof the word "paper"

Adopted.

AMENDMENT No 2.

Insert after the word "surname," line thirty-three, page four of the printed bill, the following "except that the names of candidates for the office of Elector for President and Vice-President shall be arranged in groups, as presented in the several certificates of nomination, and there shall be printed at the head of each group of Electors so nominated the political or party designation or principle represented by the said Electors, as 'Republican Electors,' or the like, in great primer title type, or its equivalent"

Adopted.

AMENDMENT No. 3.

Amend section seven to read as follows

Section one thousand two hundred and eight of the Political Code is hereby amended to read as follows:

1208 Any elector who declares under oath to the presiding election officer that he cannot read, or that, by reason of physical disability, he is unable to mark his ballot, shall, upon request, receive the assistance of two of the officers of election, of different political parties, in the marking thereof, to be chosen as follows. One by the Inspector then receiving the ballots, and the other by the Judge of the opposite political party which at the last election cast the highest number of votes throughout the State, and in the event there are more Judges than one of said party, then by the one of said Judges who shall be named by said Inspector. Neither of the persons appointed shall be of the same political party with the person appointing, nor shall either of said persons so making said appointments appoint the other for said purposes. Such officers shall thereafter give no information regarding the marking of said ballot. The oath of the elector shall be in the form of an affidavit, and shall be as follows

State of California, County of ——, Assembly District No ——, ss

——, first duly sworn, deposes and says that he cannot read, or by reason of physical disability, to wit, ——, he is unable to mark his ballot

Subscribed and sworn before me this —— day of ——, A D 18——.

Upon said affidavit shall be indorsed the appointment of the persons (with their names) to assist the elector in the marking of his ballot as aforesaid, which indorsement shall be signed by the officers of election making the appointments, said persons so appointed shall thereupon and before assisting said elector, take and subscribe the following oath

State of California, County of——, Assembly District No ——, —— Precinct, ——, ss

—— and ——being duly sworn, each for himself, says that he is one of the officers of election appointed to assist —— (here insert name of the elector) in marking his ballot, and that he will not give any information now or hereafter regarding the same

Subscribed and sworn before me, this —— day of ——, A. D. ——

————.

————.

Said affidavits may be sworn to before any officer of election competent to administer an oath, and the same with the indorsements thereon shall be returned to the County Clerk as provided in section one thousand two hundred and sixty-one of this Code. Lists of voters who have been assisted in marking their ballots shall be kept by the Clerks keeping the poll lists, and shall be returned and preserved as the poll lists are returned and preserved.

Adopted.

AMENDMENT No. 4

Amend section one thousand two hundred and fifty-seven, page six, line four, after the words "voted for," as follows: "At all elections where a general ticket and a municipal ticket are used, the canvass of the general tickets shall be completed before the canvass of the municipal ticket is commenced."

Adopted.

AMENDMENT No 5.

Strike out the words "a Judge of the Superior Court," line seven, section ten, page seven of printed bill, and insert in lieu thereof the following: "and in the event any contests have been commenced, then after said ballots have been opened and counted by the Superior Court in said contests, a Judge of the Superior Court of the county wherein said ballots were voted."

Adopted.

Mr. Finlayson moved to amend, as follows:

By inserting in the blank space in line fifteen of section one, the word "three."

Adopted.

Also:

Amend by adding a new section, as follows:

"SEC 11. This Act shall take effect immediately."

Adopted.

Bill ordered engrossed and to a third reading.

MOTION.

Mr. Thomas moved that Senate Bill No. 445 be taken up out of order, and read the first time.

So ordered.

FIRST READING OF BILL.

Senate Bill No. 445—An Act to add a new section to the Penal Code, to be numbered five hundred and thirty-eight, relating to misrepresentation as to circulation, by proprietors of newspapers and periodicals, for the purpose of obtaining patronage.

Read first time, and placed on file for second reading.

MOTION.

Mr. Taggart moved he be allowed to introduce a bill under the provisions of the Constitution requiring the consent of two thirds of the members.

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

AYES—Messrs Adams, Alford, Anderson, Androus, Barker, Barlow, Bennett of Santa Clara, Bennett of Orange, Blakeley, Bledsoe, Boyce, Bretz, Brownlie, Bulla, Burke, Carlson, Chipman, Conway, Dodge, Drees, Duckworth, Duffy, Durst, Finlayson, Gallagher, Gately, Godchaux, Hurley, Hutson, Jacobs, Johnson of Humboldt, Kennedy, Kahn, Kerns, Luttringer, Lynch, McCauley, McElroy, McGowan, Mack, Marks, Marston, Mathews, of Tehama, Matthews of San Benito, Mordecai, O'Keefe, O'Neill, Owen, Pendleton, Perkins, Raw, Sargent, Schlesinger, Schroebel, Shanahan, Simpson, Sims, Standart, Taggart, Talbott, Thomas of Nevada, Tindall, Wade, and Mr Speaker—65.
NOES—None.

INTRODUCTION OF BILL.

The following bill has been introduced, read by title, and referred to committee, as follows:

By Mr. Taggart: Assembly Bill No. 852—An Act confirming to the city of Oakland the possession, right of possession, and control of its water-front and tide lands, in inalienable trust for the public use and benefit.

MOTION.

Mr. Taggart moved that the bill be read the first time.
So ordered.

FIRST READING OF BILL.

Assembly Bill No. 852—An Act confirming to the city of Oakland the possession, right of possession, and control of its waterfront and tide lands, in inalienable trust for the public use and benefit.
Read first time, and ordered referred to the Alameda Delegation.

RECONSIDERATION.

Mr. Pendleton moved to reconsider the vote whereby Assembly Bill No. 24 was refused a second reading.
So ordered.

SECOND READING OF BILL.

Assembly Bill No. 24—An Act to create the county of Putnam, to establish the boundaries thereof, to determine the county seat, and to provide for its organization and election of officers.
Read second time, ordered engrossed and to a third reading.

RECONSIDERATION.

Mr. Pendleton moved to reconsider the vote whereby Assembly Bill No. 25 was refused a second reading.
So ordered.

SECOND READING OF BILL.

Assembly Bill No. 25—An Act to create the county of Buena Vista, to establish the boundaries thereof, to determine the county seat, and to provide for its organization and election of officers.
Read second time, ordered engrossed and to a third reading.

MOTION.

Mr. Standart moved to take up Senate Bill No. 658.
So ordered.

FIRST READING OF BILL.

Senate Bill No. 658—An Act making an appropriation for editing the manuscript of the State Mineralogist for the two years ending September 15, 1892.
Read first time, and placed on file for second reading.

MOTION.

Mr. Androus moved to take up Assembly Bill No. 53.
So ordered.

SECOND READING OF BILL.

Assembly Bill No. 53—An Act to amend an Act entitled "An Act to establish a State Reform School for Juvenile Offenders, and to make an appropriation therefor," approved March 11, 1889, by amending the title to said Act, and by amending sections one, four, seven, eight, nine, fourteen, fifteen, sixteen, seventeen, eighteen, nineteen, twenty, twenty-one, twenty-three, twenty-four, twenty-six, twenty-seven, twenty-eight, twenty-nine, and thirty thereof, and by adding four new sections thereto, to be numbered, respectively, Sections 16*a*, 16*b*, 16*c*, and 16*d*, relating to a change in the name of the institution and the rights and obligations of persons committed thereto, and of the powers and duties of the public officers thereof, and the manner and conditions under which commitments may be made thereto, and of the powers and duties of certain public officers in connection therewith, and generally relating to the State school located and established under the aforesaid Act, and now maintained by the State of California, at Whittier, in the county of Los Angeles, therein.

Read second time.

Committee amendments, as follows

AMENDMENT No. 1

Amend the title by striking out the word "four," in line five of said title in printed bill, and insert the word "three" in lieu thereof Further amend the title by striking out "16*d*" in line six of said title, so that it shall read "16*a*," 16*b*," and "16*c*"

Adopted.

AMENDMENT No 2

Amend section eight (section fifteen of amended Act), line five of printed bill, by striking out the word "eight," and substituting therefor the word "ten."

Adopted.

AMENDMENT No. 3.

Amend section nine, in lines two, three, four, and five, printed bill, so that it may read as follows:

SEC. 9 Section sixteen of said Act is hereby amended to read as follows:

Section 16 When any boy or girl between the ages of ten and eighteen years shall be found guilty by a Superior Court of any county in the State, and who, in the opinion of such Court, would be a fit subject for commitment to the said school, it shall be lawful for the said Court to suspend.

Adopted.

AMENDMENT No. 4

Further amend said section nine in line twelve, printed bill, by striking out the words "magistrate or."

Adopted.

AMENDMENT No. 5.

Further amend said section by striking out the words "and magistrate," in line seventeen; also, by striking out the words "or magistrate" when they occur in line nineteen.

Adopted.

AMENDMENT No. 6.

Amend further by striking out section ten entirely from line one to eight, inclusive

Adopted.

AMENDMENT No 7.

Amend section eleven in lines ten and eleven by striking out the words "magistrate or" when they occur.

Adopted.

AMENDMENT No. 8.

Amend section thirteen, lines five and six, printed bill, by striking out the words "magistrate or"

Adopted.

AMENDMENT No. 9

Amend said section by striking out the words "or magistrate" in line eight.

Adopted.

AMENDMENT No 10.

Amend section twenty, printed bill, by striking out all that portion commencing in line twenty-two with the words "all moneys paid by such counties," and ending in line thirty with the words "being so charged."

Adopted.

AMENDMENT No 11.

Amend section twenty-four of said bill by striking out in line eleven, printed bill, the word "Superintendent," and substituting in lieu thereof the word "Trustees"

Adopted.

Mr. Androus offered amendments, as follows:

AMENDMENT No. 1.

Amend by striking out of the committee amendment to section eight, line five of printed bill, the word "ten," and inserting the word "eight."

Adopted.

AMENDMENT No. 2

Amend by striking out of the committee amendment to section nine, line two, of printed bill, the word "ten," and inserting the word "eight."

Adopted.

AMENDMENT No. 3.

Amend section thirteen, line six, printed bill, by inserting the word "Court" before the word "by."

Adopted.

AMENDMENT No 4

Amend section fourteen in line five, printed bill, by inserting the word "Superior" before the word "Court."

Adopted.

AMENDMENT No. 5.

Amend section nineteen by adding to said section, the following: "All moneys paid by such counties under the provisions of this section into the State Treasury shall be placed in a fund, to be designated and known as the 'Whittier Reform School Fund,' for the use of said institution; *provided, however*, that no order shall be made by said Board of Trustees, charging any county with one half the cost of keeping in the institution any infant committed at the instance of his or her parent or guardian, or other protector, unless a certificate in writing is first produced, signed by the President of the Supervisors of such county, setting forth that the case is one in which the expense should be charged to the State and county, and also setting forth the reasons for their being charged."

Adopted.

AMENDMENT No. 6

Amend by striking out of section twenty-one, line four, the words "of competent jurisdiction," and inserting the following: the word "Superior" before the word "Court" on said line four.

Adopted.

Bill ordered engrossed and to a third reading.

MOTION OF RECONSIDERATION.

Mr. Hurley moved to reconsider the vote whereby Assembly Bill No. 284 was passed.

RECESS.

The roll was called, and pending announcement of the vote, the hour of recess having arrived, the Speaker declared recess until two o'clock P. M.

REASSEMBLED.

The Assembly reassembled at two o'clock P. M.

Speaker Gould in the chair.

Quorum present.

ASSEMBLY BILL No. 284.

The Speaker announced the vote, and declared lost by the following vote the motion to reconsider the vote whereby Assembly Bill No. 284 was passed:

AYES—Messrs Alford, Androus, Bennett of Santa Clara, Bledsoe, Boyce, Brownlie, Buckley, Conway, Curtis, Dodge, Drees, Durst, Godchaux, Hurley, Hutson, Johnson of Humboldt, Kahn, Kerns, LaRue, Luttringer, McElroy, Marks, Marston, Matthews of San Benito, Mordecai, O'Neill, Owen, Perkins, Schlesinger, Taggart, Wade, and Mr. Speaker—32

NOES—Messrs Adams, Barker, Barlow, Bennett of Orange, Blakeley, Bretz, Bulla, Burke, Carlson, Casterline, Duckworth, Duffy, Finlayson, Gately, Hendrickson, Jacobs, Johnson of Santa Clara, Lynch, McGowan, Mack, Miller, O'Keefe, Pendleton, Pueschel, Raw, Sargent, Schroebel, Simpson, Sims, Standart, Talbott, Taylor, Thomas of Nevada, Tindall, and Vann—35

WITHDRAWAL OF BILLS.

Mr. Dodge, on his motion, was allowed to withdraw Assembly Bills Nos. 29, 508, and 33.

MOTION.

Mr. Dodge moved that Senate Bill No. 22 be taken up out of order, and read the first time.

So ordered.

FIRST READING OF BILL.

Senate Bill No. 22—An Act to provide for the completion and equipment of the Deaf and Dumb and Blind Asylum, and to make an appropriation therefor.

Read first time, and placed on file for second reading.

LEAVE OF ABSENCE.

Mr. Johnson of Humboldt was granted leave of absence for the day.

MOTION.

Mr. McGowan moved that Assembly Bill No. 284 be immediately transmitted to the Senate.

So ordered.

SPECIAL SENATE FILE.

Senate Bill No. 209—An Act amending sections one thousand five hundred and seventy-seven and one thousand five hundred and seventy-eight of the Code of Civil Procedure, relating to mortgages and leases in certain cases.

Passed on file.

Mr. Taylor moved that Senate Bill No. 463 be substituted on the file for Senate Bill No. 71, and be read the first time.

So ordered.

Senate Bill No. 463—An Act directing the State Prison Directors of the State of California to employ at least twenty prisoners in the construction of roads to the State Prison at San Quentin.

Read first time, and placed on file for second reading.

Senate Bill No. 555—An Act to amend section seven hundred and twenty-six of the Code of Civil Procedure, and to add a new section thereto, to be known as section seven hundred and twenty-nine, relating to actions for the foreclosure of mortgages.

Read second time, and ordered to a third reading.

RECONSIDERATION.

Mr. Shanahan moved to reconsider the vote whereby the resolution proposing a substitute for Assembly Constitutional Amendment No. 14 was refused adoption.

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

AYES—Messrs. Adams, Alford, Androus, Barlow, Bennett of Orange, Bledsoe, Boyce, Bretz, Brownlie, Buckley, Bulla, Burke, Carlson, Conway, Curtis, Dodge, Finlayson, Gallagher, Gately, Godchaux, Hendrickson, Hurley, Hutson, Jacobs, Johnson of Humboldt, Johnson of Santa Clara, Kennedy, Kahn, Kerns, LaRue, Luttringer, McCauley, McElroy, Mack, Marks, Marston, Matthews of San Benito, Mordecai, O'Keefe, O'Neill, Perkins, Sargent, Schlesinger, Schroebel, Shanahan, Sims, Taggart, Taylor, Tindall, Vann, Wade, and Mr Speaker—52.

NOES—Messrs. Anderson, Barker, Bennett of Santa Clara, Blakeley, Casterline, Chipman, Duckworth, Durst, Lynch, McGowan, Muller, Owen, Pendleton, Raw, Simpson, Standart, and Talbott—18.

MOTION.

Mr. Shanahan moved that the consideration of Substitute for Assembly Constitutional Amendment No. 14 be made the first special order for this day at three o'clock and thirty minutes P. M.

So ordered.

SPECIAL SENATE FILE.

Senate Bill No. 669—An Act to amend section five hundred and thirty-seven of the Penal Code, and to add a new section thereto, to be known and designated as section five hundred and thirty-eight, relating to the removal, sale, or subsequent incumbrance of mortgaged chattels.

Read second time, and ordered to a third reading.

Senate Bill No. 405—An Act granting the right of way and station grounds to the Southern California Railway Company over a portion of the asylum grounds in the county of San Bernardino.

Read second time, and ordered to a third reading.

Senate Bill No. 342—An Act to amend section one thousand two hundred and sixty-one of an Act entitled "An Act to establish a Civil Code," approved March 21, 1872, relating to heads of families.

Read second time, and ordered to a third reading.

Senate Bill No. 506—An Act to amend sections three hundred and sixty-four and six hundred and fifty-four of the Political Code, relating to the Board of Examiners, and to add a new section thereto, to be known as section six hundred and eighty-five of the Political Code, providing for the appointment of a Clerk by said Board, and making an appropriation for his salary.

Read second time.

Mr. Mordecai moved to strike out the enacting clause.

PREVIOUS QUESTION.

Mr. Schlesinger moved the previous question, seconded by Messrs. Shanahan and Jacobsen.

The question being, "Shall the main question be now put?"

So ordered.

The question being on the motion to strike out, it was lost.

MOTION.

Mr. Duckworth moved that the Assembly resolve itself into Committee of the Whole, with the Speaker in the chair, for the purpose of considering Senate Bill No. 506.

So ordered.

IN COMMITTEE OF THE WHOLE.

Speaker Gould in the chair.

Senate Bill No. 506 was considered in Committee of the Whole.

IN ASSEMBLY.

Speaker Gould in the chair.

REPORT OF THE COMMITTEE OF THE WHOLE.

The Speaker stated the report of the Committee of the Whole, as follows:

GENTLEMEN: The Committee of the Whole have had under consideration Senate Bill No. 506—An Act to amend sections three hundred and sixty-four and six hundred and fifty-four of the Political Code, relating to the Board of Examiners, and to add a new section thereto, to be known as section six hundred and eighty-five of the Political Code, providing for the appointment of a Clerk by said Board, and making an appropriation for his salary—and now report, and recommend that the same do pass.

Bill ordered to a third reading.

SPECIAL SENATE FILE.

Senate Bill No. 230—An Act to amend section three thousand five hundred and seventy-three of the Political Code, relating to public lands.

Read second time, and ordered to a third reading.

Mr. Raw was excused for the afternoon.

Speaker pro tem. Mathews in the chair.

Senate Bill No. 115—An Act to amend section three hundred and sixty-two of the Civil Code, relating to amending articles of incorporation.

Read second time, and ordered to a third reading.

Senate Bill No. 101—An Act making an appropriation to pay the claim of D. Jordan, as approved by the State Board of Examiners.

Read second time.

MOTION.

Mr. Schlesinger moved that the Assembly resolve itself into Committee of the Whole, with the Speaker pro tem. in the chair, for the purpose of considering Senate Bill No. 101.

So ordered.

IN COMMITTEE OF THE WHOLE.

Speaker pro tem. Mathews in the chair.

Senate Bill No. 101 was considered in Committee of the Whole.

IN ASSEMBLY.

Speaker pro tem. Mathews in the chair.

REPORT OF THE COMMITTEE OF THE WHOLE.

The Speaker pro tem. stated the report of the Committee of the Whole, as follows:

GENTLEMEN: The Committee of the Whole have had under consideration Senate Bill No. 101, and now report, and recommend that the same do pass.

Bill ordered to a third reading.

SPECIAL SENATE FILE.

Senate Bill No. 538—An Act to repeal an Act entitled "An Act concerning corporations and persons engaged in the business of banking," approved April 1, 1876.

Read second time, and ordered engrossed and to a third reading.

MOTION.

Mr. Kahn moved that Committee Substitutes for Senate Bills Nos. 231, 232, and 239 be read the first time.

So ordered.

Committee Substitute for Senate Bill No. 231—An Act to provide for the payment of advertising the funded debt, and make an appropriation therefor.

Read first time, and placed on file for second reading.

Committee Substitute for Senate Bill No. 232—An Act to provide for the payment of advertising "Notice to all Chinese persons in the State of California," and to make an appropriation therefor.

Read first time, and placed on file for second reading.

Committee Substitute for Senate Bill No. 239—An Act to provide for the payment for advertising the San Francisco Depot Act, and make an appropriation therefor.

Read first time, and placed on file for second reading.

Senate Bill No. 671—An Act to amend section one thousand and

eighty-three of the Political Code of the State of California, defining the qualifications and disabilities of electors.

Read second time, and ordered to a third reading.

Substitute for Senate Bill No. 35—An Act to provide and regulate the manner of receiving and paying fees, commissions, percentages, and other compensation for official services, in cities, and cities and counties having a population of over one hundred thousand inhabitants, and prescribing the duties of officers with reference thereto.

Read second time, and ordered to a third reading.

Senate Bill No. 354—An Act to create a special Commission for the purpose of examining and reporting to the thirty-first session of the Legislature on the Torrens Land Transfer Act of Australia, and making an appropriation therefor.

Read second time.

MOTION.

Mr. Owen moved that the Assembly resolve itself into Committee of the Whole, with the Speaker pro tem. in the chair, for the purpose of considering Senate Bill No. 354.

So ordered.

IN COMMITTEE OF THE WHOLE.

Speaker pro tem. Mathews in the chair.

Senate Bill No. 354 was considered in Committee of the Whole.

IN ASSEMBLY.

Speaker pro tem. Mathews in the chair.

REPORT OF THE COMMITTEE OF THE WHOLE.

The Speaker pro tem. stated the report of the Committee of the Whole, as follows:

GENTLEMEN: The Committee of the Whole have had under consideration Senate Bill No. 354—An Act to create a special Commission for the purpose of examining and reporting to the thirty-first session of the Legislature on the Torrens Land Transfer Act of Australia, and making an appropriation therefor—and now report, and recommend that the same do pass.

Bill ordered to a third reading.

SPECIAL SENATE FILE.

Senate Bill No. 332—An Act to authorize the acquisition by donation of a site or sites for camps of instruction for the National Guard of the State of California, and to improve the same.

Read second time, and ordered to a third reading.

Senate Bill No. 504—An Act to amend section six hundred and thirty-three of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relative to conditions precedent to right to act as insurance agent or solicitor.

Read second time, and ordered to a third reading.

Senate Bill No. 40—An Act directing the State Board of Harbor Commissioners to construct a certain portion of the harbor embankment, or seawall, of the port of San Francisco.

Read second time, and ordered to a third reading.

Senate Bill No. 641—An Act to amend sections two, three, and twenty-four of an Act entitled "An Act to provide for work upon streets, lanes, alleys, courts, places, and sidewalks, and for the construction of sewers within municipalities," approved March 17, 1885.

Read second time.

The Committee on Municipal Corporations offered the following amendments:

Amend Senate Bill No. 641 so as to read as follows:

An Act to amend sections two, twenty-four, and thirty-seven of an Act entitled "An Act to provide for work upon streets, lanes, alleys, courts, places, and sidewalks, and for the construction of sewers within municipalities," approved March 18, 1885.

The People of the State of California, represented in Senate and Assembly, do enact as follows:

SECTION 1 That section two of an Act entitled "An Act to provide for work upon streets, lanes, alleys, courts, places and sidewalks, and for the construction of sewers within municipalities," approved March eighteenth, eighteen hundred and eighty-five, is hereby amended to read as follows:

Section 2. Whenever the public interest or convenience may require, the City Council is hereby authorized and empowered to order the whole or any portion, either in length or width, of the streets, avenues, lanes, alleys, courts, or places, of any such city graded or regraded, to the official grade, planked or replanked, paved or repaved, macadamized or remacadamized, graveled or regraveled, piled or repiled, capped or recapped, sewered or resewered, and to order sidewalks, manholes, culverts, cesspools, gutters, curbing, tunnels, and cross-walks to be constructed therein, or to order breakwaters, levees, or walls of rock, or other material, to protect the same from overflow or injury, and to order any other work to be done which shall be necessary to complete the whole or any portion of said streets, avenues, sidewalks, lanes, alleys, courts, or places; and it may order any of the said work to be improved; and also to order a sewer or sewers, with outlets for drainage or sanitary purposes, in, over, or through any right of way granted or obtained for such purpose, *provided*, that whenever the grade of a street, avenue, lane, alley, court, or place shall hereafter be changed, the petition of the owners of a majority of the feet fronting thereon asking for grading the same to the new grade shall be a condition precedent to the ordering of such grading to be done.

SEC 2 That section twenty-four of said Act is hereby amended to read as follows:

Section 24. The City Council of such city shall have full power and authority to construct sewers, gutters, and manholes, and provide for the cleaning of the same, and culverts or cesspools, or cross-walks, and sidewalks, or any portion of any sidewalk upon or in any street, avenue, lane, alley, court, or place in such city; and also for drainage purposes, over or through any right of way obtained or granted for such purposes, with necessary and proper outlet or outlets to the same, of such materials, in such a manner and upon such terms as it may be deemed proper. None of the work or improvements described in this section shall be stayed or prevented by any written, or any other remonstrance or objection, unless such Council deems proper.

SEC. 3. That section thirty-seven of said Act is hereby amended to read as follows:

Section 37. That said Act shall take effect and be in force immediately upon its passage, and all Acts and parts of Acts in conflict with this Act are hereby repealed, *and provided, however*, that any work or proceeding of the City Council commenced under the Act of which this is amendatory shall in nowise be affected thereby, but shall, in all respects, be finished and completed thereunder.

Adopted.

Bill ordered to a third reading.

MINORITY REPORT.

Mr. Bledsoe submitted a minority report in the matter of the charge made by one J. W. Rea against Assemblyman H. H. Johnson.

REPORT OF STANDING COMMITTEE.

ON ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO. March 3, 1893.

MR. SPEAKER: Your Committee on Enrollment beg leave to report that Assembly Substitute for Constitutional Amendment No. 7—A resolution proposing an amendment to the Constitution of the State of California, by adding a new section to article thirteen of the said Constitution, to be numbered section twelve and three fourths (12¾), relating to revenue and taxation—has been correctly enrolled.

Also: Assembly Joint Resolution No 10—Relating to the refunding of moneys to certain settlers on Government lands in Fresno, Monterey, and San Benito Counties.

Also Assembly Bill No. 36—An Act to appropriate money for the survey, location, and construction of a free wagon road from the town of Mariposa, in Mariposa County, to the Yosemite Valley

Also Assembly Bill No 21—An Act entitled an Act to amend section two thousand nine hundred and fifty-five of the Civil Code

Also Assembly Bill No 737—An Act to provide for the payment of interest on the outstanding bonds of the State of California, held in trust for the University Fund and the State School Fund; to repeal an Act of the Legislature of the State of California, approved March 4, 1881, entitled "An Act to appropriate money to reimburse the University of California for moneys heretofore appropriated to the Endowment Fund thereof, which moneys have, by mistake, been withheld therefrom and appropriated to other State purposes," and making an appropriation to pay the interest on said outstanding bonds from January 1 to July 1, 1893

Also: Assembly Bill No. 720—An Act authorizing the State Controller and State Treasurer to transfer from the State School Fund to the State School Land Fund the sum of one hundred and eighty-nine thousand four hundred and twenty-six dollars and fifty-eight cents

Also: Assembly Bill No 688—An Act making an appropriation from the State School Book Fund to supply the deficiency in the present appropriation from the General Fund for compiling State school text-books, for the forty-fourth fiscal year.

And were presented to the Governor March 3, 1893, at eleven o'clock and fifty minutes A M

O'NEILL, Chairman

SPECIAL ORDER.

Substitute for Assembly Constitutional Amendment No. 14—A resolution proposing to the people of the State of California an amendment to the Constitution, repealing sections twenty-two and twenty-three of article twelve of said Constitution, relating to the Railroad Commission, and adding to article four of said Constitution a new section, to be known and numbered as section thirty-six, relating to railroad freights and fares.

Mr. Shanahan moved the previous question, seconded by Messrs. Schlesinger and Lynch.

The question being, "Shall the main question be now put?"

So ordered.

Mr. Shanahan moved to reconsider the vote whereby the previous question was ordered.

So ordered.

Mr. Carlson offered the following substitute for Committee Substitute for Assembly Constitutional Amendment No. 14:

A resolution to propose to the people of the State of California an amendment to the Constitution of the State of California, by amending section fourteen of article one of said Constitution, relating to eminent domain

Resolved by the Assembly, the Senate concurring, That the Legislature of the State of California, at its thirtieth session, commencing on the second day of January, A. D. eighteen hundred and ninety-three, two thirds of all the members elected to each house of said Legislature voting in favor thereof, hereby propose that section fourteen of article one of the Constitution of the State of California be amended to read as follows:

Section 14. Private property shall not be taken or damaged for public use without just compensation having been first made to, or paid into Court, for the owner, and no right of way shall be appropriated to the use of any corporation, other than municipal and railroad, until full compensation therefor be first made in money, or ascertained and paid into Court for the owner, irrespective of any benefit from any improvement proposed by such corporation, except railroad and municipal, which compensation shall be ascertained by a jury, unless a jury be waived, as in other civil cases in a Court of record, as shall be prescribed by law Railroad and municipal corporations shall have the right to take, and secure such right of way for the use of such corporations, by paying into Court the value of such right of way as determined by the Superior Judge of the county wherein such right of way is taken, after an appraisal thereof by three appraisers, to be appointed as follows: One by the property owner, and one by the Superior Judge, which two are to select the third, and the decision of any two of said three appraisers shall be binding on the property owner, until finally settled by the compensation to be ascertained by a jury, unless a jury be waived, as in other civil cases

in a Court of record, but pending the ending of such condemnation proceedings, such municipal or railroad corporation shall have the right to take and secure immediate possession of such right of way as soon as such corporation shall have paid into Court in money the valuation placed on such right of way as hereinbefore provided.

Mr. Shanahan moved the previous question, seconded by Messrs. Schlesinger and Anderson.

The question being, "Shall the main question be now put?"

So ordered.

Upon the substitute of Mr. Carlson, the ayes and noes were demanded by Messrs. Carlson, Anderson, and Duckworth.

The roll was called, and the substitute lost by the following vote:

AYES—Messrs. Anderson, Androus, Bennett of Santa Clara, Brownlie, Casterline, Chipman, Curtis, Duckworth, Durst, McGowan, Marks, Owen, and Standart—13

NOES—Messrs Adams, Alford, Bennett of Orange, Bledsoe, Boyce, Buckley, Bulla, Burke, Carlson, Conway, Duffy, Finlayson, Gallagher, Gately, Godchaux, Hamilton, Hendrickson, Hurley, Hutson, Johnson of Santa Clara, Kennedy, Kahn, Kerns, LaRue, Luttringer, McCauley, McElroy, Mack, Marston, Mathews of Tehama, Matthews of San Benito, Mordecai, O'Neill, Pueschel, Schroebel, Shanahan, Simpson, Sims, Taggart, Tindall, and Mr. Speaker—41.

SUBSTITUTE FOR ASSEMBLY CONSTITUTIONAL AMENDMENT No. 14.

A resolution proposing an amendment to the Constitution of the State of California, repealing sections twenty-two and twenty-three of article twelve of said Constitution, relating to the Railroad Commission, its powers and duties, and adding a new section to article four of said Constitution, to be numbered section thirty-six, relating to railroad freights and fares.

Resolved by the Assembly, the Senate concurring, That the Legislature of the State of California, at its thirtieth session, commencing on the second day of January A. D. eighteen hundred and ninety-three, two thirds of all the members elected to each house of said Legislature voting in favor thereof, hereby propose that sections twenty-two and twenty-three of article twelve of the Constitution of the State of California be repealed, and that article four of said Constitution be amended by adding to said article a new section, to be numbered section thirty-six.

SECTION 1. Section twenty-two of article twelve of the Constitution of the State of California is hereby repealed.

SEC. 2 Section twenty-three of article twelve of the Constitution of the State of California is hereby repealed

SEC. 3. Article four of the Constitution of the State of California is hereby amended by adding to said article a new section, to be numbered section thirty-six, said new section to read as follows:

Section 36. The Legislature shall have the power, and it shall be its duty, to establish rates of charges for the transportation of passengers and freight by all railroads operated or doing business in this State, as common carriers, and to enact such laws as may be necessary for the enforcement and carrying into effect of such rates; *provided, however*, that the Legislature shall have no power to prescribe rates of charges for the transportation of passengers on any railroad or system of railroads whose gross annual earnings are more than four thousand dollars a mile, to exceed three cents per mile; *and provided further*, that the Legislature shall have no power to prescribe the rates of charges for the transportation of freight on any railroad or system of railroads whose gross annual earnings are more than four thousand dollars a mile, to exceed the rates specified by the "California Distance Tariff," as in this section hereinafter set forth. Until the Legislature shall prescribe such rates as aforesaid, or in the event that any such prescribed rates shall from any cause become inoperative, the rates of charges for the transportation of passengers on all railroads in this State whose gross annual earnings are more than four thousand dollars a mile, shall be not to exceed three cents per mile, and the charges for the transportation of freight by any such railroads shall be not to exceed the rates specified in the following distance tariff, hereby designated as the "California Distance Tariff," to wit.

CALIFORNIA DISTANCE TARIFF.

This distance tariff shall be applicable to local traffic between all stations in the State of California now established or that may hereafter be established. The classifications of property provided for in this distance tariff are based upon the "Western Classification," and the rules governing the same, adopted and issued by the Western Classification Committee, of which J. T. Ripley was Chairman, and which took effect January first, eighteen hundred and ninety-three, to which said classification reference is hereby made; *provided, however*, that no rule or rules governing said Western Classification providing for any change, modifications, or additions to the classifications mentioned in this distance tariff shall have any application hereto

Distances.	Merchandise—Rate per 100 Pounds, in Cents				Carloads of Not Less than Minimum Named in Classification, nor More than Marked Capacity of Car—Rate per 100 Pounds, in Cents										Live Stock in Carloads—Rate per 100 Pounds, in Cents.		
	First Class	Second Class	Third Class	Fourth Class	Fifth Class	Class A	Class B	Class C	Class D	Class E	Lumber, Lath, and Shingles	Salt, Lime, Cement, and Stucco	Coal	Wheat, Flour, Flaxseed, Castor Beans, Broomcorn Seed, and Beans	Barley, Rye, Corn, Mill Stuffs, Oats, and Chops	Stone and Brick (common or pressed), Sand, Clay (common)	Horses and Mules	Cattle and Hogs (Single Deck Cars, as to Hogs)	Sheep (Single Deck Cars)
5 miles and under	3¾	3¾	3¾	3¾	3	3	3	3	3	3	3	3	2½	2½	2½	2½	3	3	5
10 miles and over 5 miles	4½	4	4	4	3½	4	3½	3	3	3	3	3	2½	2½	2½	2½	4	4	5
15 miles and over 10 miles	8	7	6	5	4	5	4	3½	3	3	3	3	3	3	3	2½	4	4	6
20 miles and over 15 miles	12	10	9	7	5	6	5	4	3	3	3	4	3	3	3	3	5	5	6
25 miles and over 20 miles	15	12	11	8	6	7	6	5	4	3	3	5	3½	3½	3	3	6	6	7
30 miles and over 25 miles	18	14	13	9	7	8	6½	5½	4½	3½	4	5½	3½	4	3	3½	6	6	7
35 miles and over 30 miles	20	16	14	11	8	9	7	6	5	3½	4½	6	3½	4	3½	3½	7	7	8
40 miles and over 35 miles	22	18	16	13	8	9	7	6	5	3½	4½	6	4	5	4	3½	7	7	8
45 miles and over 40 miles	24	19	17	14	9	10	8	7	6	4	5	7	4	5	4	3½	8	8	9
50 miles and over 45 miles	25	20	18	15	10	11	8	7	6	4	5	7	4	6	5	4	8	8	9
55 miles and over 50 miles	27	22	19	16	11	12	9	8	6	4	5	7	4	6	5	4	9	9	10
60 miles and over 55 miles	28	23	20	17	12	13	9	8	6	5	6	7	4	6	5	4	9	9	10
65 miles and over 60 miles	30	24	21	18	13	14	10	8	7	5	6	8	5	7	6	5	10	9	11
70 miles and over 65 miles	32	25	22	18	13	14	10	9	7	5	6	8	5	7	6	5	10	10	11
75 miles and over 70 miles	33	26	23	19	14	15	11	9	7	5½	7	8½	5	7½	6½	5½	11	10	12
80 miles and over 75 miles	35	28	24	19	14	15	11	9	7	5½	7	8½	5	7½	6½	5½	11	10	12
85 miles and over 80 miles	37	29	25	20	15	16	12	10	8	6	7	9	5	7½	6½	5½	12	11	13
90 miles and over 85 miles	38	30	26	21	16	18	13	10	8	6	8	9	5	8	7	6	12	11	13
95 miles and over 90 miles	39	31	27	21	16	18	13	11	8	6	8	9	6	8	7	6	13	11	14
100 miles and over 95 miles	40	32	28	22	17	19	14	11	8	7	9	10	6	9	8	6½	14	12	15
105 miles and over 100 miles	41	33	29	23	18	20	14	11	9	7	9	10	6	9	8	6½	14	12	15
110 miles and over 105 miles	42	34	30	24	19	21	15	12	9	7	10	11	6	9	8	6½	14	12	15
115 miles and over 110 miles	43	35	31	25	20	22	16	12	9	7	10	11	7	10	8	7	15	13	16
120 miles and over 115 miles	44	36	32	26	21	23	16	13	10	8	10	11	7	10	8	7	15	13	16
125 miles and over 120 miles	45	36	32	26	21	23	17	13	10	8	11	12	7	10	9	7	16	14	17
130 miles and over 125 miles	46	37	33	27	22	24	17	13	10	8	11	12	7	10	9	7	16	14	17
135 miles and over 130 miles	47	38	33	27	22	24	18	14	10	8	11	12	7	10	9	7	16	14	17

140 miles and over 135 miles	48	39	34	28	23	25	18	14	11	8	11	12	8	10	9	7½	16	14	18
145 miles and over 140 miles	49	39	34	28	23	25	19	14	11	9	12	13	8	10	9	7½	17	15	18
150 miles and over 145 miles	50	40	35	29	24	26	19	15	11	9	12	13	8	10	9	7½	17	15	19
155 miles and over 150 miles	51	40	35	29	24	26	19	15	11	9	12	13	8	11	10	7½	17	15	19
160 miles and over 155 miles	52	41	36	30	25	27	20	15	11	9	12	13	8	11	10	7½	18	16	20
165 miles and over 160 miles	53	42	37	30	25	27	20	16	11	9	12	13	8	11	10	7½	18	16	20
170 miles and over 165 miles	54	43	38	31	26	28	21	16	12	10	13	14	8½	11	10	8	18	16	20
175 miles and over 170 miles	55	44	39	32	27	29	22	17	12	10	13	14	8½	11	10	8	19	17	21
180 miles and over 175 miles	56	44	39	32	27	29	22	17	12	10	13	14	8½	11	10	8	19	17	21
185 miles and over 180 miles	57	45	40	33	28	30	22	17	12	10	13	14	8½	12	11	8	19	17	21
190 miles and over 185 miles	58	46	40	33	28	30	23	18	12	10	13	14	8½	12	11	8	19	17	21
195 miles and over 190 miles	59	47	41	34	29	31	23	18	13	11	14	15	9	12	11	9	20	18	22
200 miles and over 195 miles	60	48	42	35	30	32	24	19	13	11	14	15	9	12	11	9	20	18	22
210 miles and over 200 miles	62	50	43	36	31	33	25	20	14	12	15	16	9½	12½	11½	9½	21	19	23
220 miles and over 210 miles	64	51	44	37	32	34	26	21	14	12	15	16	9½	12½	11½	9½	21	19	23
230 miles and over 220 miles	65	52	45	38	33	35	27	21	15	12	16	16	10	13	11½	9½	21	19	23
240 miles and over 230 miles	66	53	46	39	34	36	28	22	15	13	16	17	10	13	12	10	22	20	24
250 miles and over 240 miles	68	54	47	40	35	37	29	23	16	13	17	17	10½	13½	12	10	22	20	24
260 miles and over 250 miles	69	55	48	41	36	38	30	24	16	13	17	17	10½	13½	12	10	22	20	24
270 miles and over 260 miles	70	56	49	42	37	39	31	24	16	14	17	18	11	14	12½	10	23	21	25
280 miles and over 270 miles	72	58	50	43	38	40	31	25	17	14	18	18	11	14	12½	10½	23	21	25
290 miles and over 280 miles	73	59	51	44	39	41	32	25	17	14	18	18	11½	14½	12½	11	23	21	25
300 miles and over 290 miles	75	60	52	45	40	43	33	26	18	15	19	19	12	15	13	11	24	22	26
310 miles and over 300 miles	76	61	53	46	41	44	33	26	18	15	19	19	12	15	13	11	24	22	26
320 miles and over 310 miles	78	62	54	47	42	45	34	27	18½	15½	20	19½	12½	15	13	11	25	22	26
330 miles and over 320 miles	80	64	55	48	43	46	34	27	19	16	21	20	13	15½	13½	11½	25	22	27
340 miles and over 330 miles	81	65	56	49	44	47	35	28	19	16	21	20	13	15½	13½	11½	26	23	27
350 miles and over 340 miles	83	66	57	50	45	48	36	28	19½	16½	21	21	13½	16	14	12	27	23	28
360 miles and over 350 miles	84	67	58	51	46	49	36	29	19½	16½	21	21	13½	16	14	12	27	23	28
370 miles and over 360 miles	85	68	59	52	47	50	37	29	20	17	22	21½	14	16	14	12	27	23	28
380 miles and over 370 miles	87	70	60	53	48	51	38	30	20½	17½	22	22	14½	16½	14½	12½	28	24	29
390 miles and over 380 miles	89	71	60	53	48	51	38	30	21	18	23	22	15	16½	14½	12½	28	24	29
400 miles and over 390 miles	90	72	61	54	49	52	39	31	21	18	23	23	15	17	15	13	29	24	30
410 miles and over 400 miles	91	73	61	54	49	52	39	31	21	18	23	23	15	17	15	13	29	24	30
420 miles and over 410 miles	92	74	62	55	50	53	40	31	21½	18½	23½	23	15½	17½	15½	13	30	25	31
430 miles and over 420 miles	94	75	63	56	51	54	41	32	22	19	24	24	15½	18	16	13½	31	25	32
440 miles and over 430 miles	95	76	64	57	52	55	41	32	22	19	24	24	15½	18	16	13½	31	25	32
450 miles and over 440 miles	97	77	65	58	53	56	42	33	22½	19½	24½	25	16	18½	16½	14	32	26	33
460 miles and over 450 miles	98	78	66	59	54	57	42	33	22½	19½	24½	25	16	18½	16½	14	32	26	33
470 miles and over 460 miles	100	79	67	59	54	57	43	34	23	20	25	26	16	19	17	14	33	27	34
480 miles and over 470 miles	101	80	68	60	55	58	43	34	23	20	25	26	16½	19	17	14½	33	27	34
490 miles and over 480 miles	102	81	68	60	55	58	43	34	23½	20½	25½	26½	16½	19½	17½	14½	33	27	34
500 miles and over 490 miles	103	82	69	61	56	59	44	35	24	21	26	27	17	20	18	15	34	28	35
510 miles and over 500 miles	104	83	70	62	57	60	44	35	24	21	26	27	17	20	18	15	34	28	35
520 miles and over 510 miles	106	84	71	63	58	61	45	36	24½	21½	26½	27½	17½	20½	18½	15½	34	28	36

Distances	Merchandise—Rate per 100 Pounds, in Cents				Carloads of Not Less than Minimum Named in Classification, nor More than Marked Capacity of Car—Rate per 100 Pounds, in Cents										Live Stock in Carloads—Rate per 100 Pounds, in Cents.		
	First Class	Second Class	Third Class	Fourth Class	Fifth Class	Class A	Class B	Class C	Class D	Class E	Lumber, Lath, and Shingles	Salt, Lime, Cement, and Stucco	Coal	Wheat, Flour, Flaxseed, Castor Beans, Broomcorn Seed, and Beans	Barley, Rye, Oats, Corn, Mill Stuffs, and Chops	Stone and Brick (common or pressed), Sand, Clay (common)	Horses and Mules	Cattle and Hogs (Single Deck Cars, as to Hogs).	Sheep (Single Deck Cars)
530 miles and over 520 miles	107	85	71	63	58	61	45	36	25	22	27	28	17½	20½	18½	15½	35	29	37
540 miles and over 530 miles	108	86	72	64	59	62	46	37	25	22	27	28	18	21	19	16	35	29	37
550 miles and over 540 miles	109	87	73	65	60	63	47	37½	25½	22½	27½	29	18	21½	19½	16	36	30	38
560 miles and over 550 miles	110	88	73	65	60	63	47	38	25½	22½	27½	29	18	21½	19½	16	36	30	38
570 miles and over 560 miles	112	89	74	66	61	64	48	38½	26	23	28	29½	18½	22	20	16½	36	30	39
580 miles and over 570 miles	113	90	75	67	62	65	49	39	26	23	28	30	18½	22	20	16½	37	30	39
590 miles and over 580 miles	114	91	76	68	63	66	49	39½	26½	23½	28½	30½	18½	22	20½	16½	37	31	39
600 miles and over 590 miles	115	92	77	69	64	67	50	40	27	24	29	31	19	23	21	17	38	31	40
610 miles and over 600 miles	116	93	78	70	65	68	50	40	27	24	29	31	19	23	21	17	38	31	40
620 miles and over 610 miles	117	94	79	71	66	69	51	40½	27	24	29½	31	19½	23½	21½	17	38	32	41
630 miles and over 620 miles	119	95	80	72	67	70	52	41	27½	24½	29½	31½	20	24	22	17½	39	32	42
640 miles and over 630 miles	120	96	80	72	67	70	52	41½	27½	24½	30	31½	20	24	22	17½	39	32	42
650 miles and over 640 miles	121	97	81	73	68	71	53	42	28	25	30½	32	20½	24½	22½	18	40	33	43
660 miles and over 650 miles	122	98	81	73	68	71	53	42	28	25	30½	32	20½	24½	22½	18	40	33	43
670 miles and over 660 miles	123	99	82	74	69	72	54	42½	28	25	31	32	21	25	23	18	40	33	43
680 miles and over 670 miles	124	100	83	75	70	73	55	43	28½	25½	31	32½	21	25	23	18½	40	33	44
690 miles and over 680 miles	125	100	83	75	70	73	55	43½	28½	25½	31	32½	21	25½	23½	18½	41	34	44
700 miles and over 690 miles	126	101	84	76	71	74	56	44	29	26	31½	33	21½	26	24	19	41	34	45
710 miles and over 700 miles	127	101	84	76	71	74	56	44	29	26	31½	33	21½	26	24	19	41	34	45
720 miles and over 710 miles	128	102	85	77	72	75	56	44½	29½	26	32	33½	22	26½	24½	19	42	35	46
730 miles and over 720 miles	129	103	85	77	72	75	57	45	29½	26½	32	34	22	27	25	19½	42	35	47
740 miles and over 730 miles	130	104	86	78	73	76	57	45½	30	26½	32½	34	22½	27	25	19½	42	35	47
750 miles and over 740 miles	131	105	87	79	74	77	58	46	30	27	33	34½	23	27½	25½	20	43	36	48
760 miles and over 750 miles	132	106	87	79	74	77	58	46	30	27	33	34½	23	27½	25½	20	43	36	48
770 miles and over 760 miles	132	106	88	80	75	78	58	46½	30½	27	33	35	23	28	26	20	43	36	49
780 miles and over 770 miles	133	107	88	80	75	78	59	47	30½	27½	33½	35	23½	28	26	20½	43	36	49
790 miles and over 780 miles	134	108	89	81	76	79	59	47½	31	27½	33½	35½	23½	28½	26½	20½	44	37	49

800 miles and over 790 miles	135	108	90	81	76	80	60	48	31	28	34	36	24	29	27	21	44	37	50
810 miles and over 800 miles	135	109	90	82	77	81	60	48	31	28	34	36	24	29	27	21	44	37	50
820 miles and over 810 miles	136	110	91	82	77	81	61	48½	31½	28	34	36	24	29½	27½	21	45	38	51
830 miles and over 820 miles	137	110	92	83	78	82	61	49	31½	28½	34½	36½	24½	30	28	21½	45	38	51
840 miles and over 830 miles	138	111	92	83	78	82	61	49½	31½	28½	34½	36½	24½	30	28	21½	45	38	52
850 miles and over 840 miles	139	111	93	84	79	83	62	50	32	29	35	37	25	30½	28½	22	46	39	53
860 miles and over 850 miles	139	112	93	84	79	83	62	50	32	29	35	37	25	30½	28½	22	46	39	53
870 miles and over 860 miles	140	112	94	85	80	84	62	50½	32	29	35	37	25	31	29	22	46	39	53
880 miles and over 870 miles	141	113	95	85	80	84	63	50½	32½	29½	35½	37½	25½	31	29	22½	46	39	54
890 miles and over 880 miles	142	114	95	86	81	85	63	51	32½	29½	35½	37½	25½	31½	29½	22½	47	40	54
900 miles and over 890 miles	143	111	96	86	81	85	64	51	33	30	36	38	26	32	30	23	47	40	55
910 miles and over 900 miles	144	115	97	87	82	86	64	51	33	30	36	38	26	32	30	23	47	40	55
920 miles and over 910 miles	145	115	98	87	82	86	64	51½	33	30	36	38	26	32½	30½	23	48	41	56
930 miles and over 920 miles	145	116	99	87	82	86	64	51½	33½	30½	36½	38½	26½	33	31	23½	48	41	57
940 miles and over 930 miles	146	116	100	88	83	87	65	52	33½	30½	36½	38½	26½	33	31	23½	48	41	57
950 miles and over 940 miles	147	117	101	88	83	87	65	52	34	31	37	39	27	33½	31½	24	49	41	58
960 miles and over 950 miles	148	117	102	89	84	88	65	52	34	31	37	39	27	33½	31½	24	49	42	58
970 miles and over 960 miles	148	118	103	89	84	88	65	52½	34½	31½	37½	39½	27½	34	32	24	49	42	59
980 miles and over 970 miles	149	119	104	89	84	88	66	52½	34½	31½	37½	39½	27½	34	32	24½	50	42	59
990 miles and over 980 miles	150	120	105	90	85	89	66	53	35	32	38	40	28	34½	32½	25	50	42	60
1,000 miles and over 990 miles	150	120	105	90	85	89	66	53	35	32	38	40	28	35	33	25	50	42	60

CALL OF THE HOUSE.

The roll was called on the resolution proposing Substitute for Assembly Constitutional Amendment No. 14, and pending announcement of the vote Mr. Shanahan moved a call of the House, seconded by Messrs. Schlesinger and O'Keefe.

So ordered.

The roll was called, and the following members answered to their names:

Messrs. Adams, Alford, Anderson, Androus, Barker, Barlow, Bennett of Santa Clara, Bennett of Orange, Blakeley, Bledsoe, Boyce, Bretz, Brownlie, Buckley, Bulla, Burke, Carlson, Casterline, Chipman, Conway, Curtis, Dodge, Duckworth, Duffy, Durst, Emeric, Finlayson, Gallagher, Gately, Godchaux, Hamilton, Hendrickson, Hurley, Hutson, Jacobs, Jacobsen, Johnson of Santa Clara, Kennedy, Kahn, Kerns, LaRue, Luttringer, Lynch, McCauley, McElroy, McGowan, Mack, Marks, Marston, Mathews of Tehama, Matthews of San Benito, Miller, Mordecai, O'Keefe, O'Neill, Owen, Pendleton, Perkins, Pueschel, Sargent, Schlesinger, Schroebel, Shanahan, Simpson, Sims, Standart, Taggart, Talbott, Taylor, Tindall, Vann, Wade, and Mr. Speaker.

The following members: Messrs. Cusick, Drees, and Thomas of Nevada, were absent without leave, and the Sergeant-at-Arms was directed by the Speaker pro tem. to bring them before the bar of the House.

Mr. Duckworth moved that further proceedings under the call of the House be dispensed with.

Lost.

Mr. Thomas of Nevada was brought before the bar of the House and excused.

Mr. Standart moved that further proceedings under the call of the House be dispensed with.

Lost.

The Sergeant-at-Arms reported Mr. Cusick to be in his seat.

Mr. Duckworth moved that further proceedings under the call of the House be dispensed with.

Lost.

Mr. Burke moved that further proceedings under the call of the House be dispensed with.

Lost.

CALL OF THE HOUSE DISPENSED WITH.

Mr. Kahn moved that further proceedings under the call of the House be dispensed with.

So ordered.

CALL OF THE HOUSE.

Pending announcement of the vote on the resolution proposing Substitute for Assembly Constitutional Amendment No. 14, Mr. Bledsoe moved a call of the House, seconded by Messrs. Finlayson and Speaker Gould.

Mr. Emeric was excused from further attendance on the call of the House.

The roll was called, and the following members answered to their names:

Messrs. Adams, Alford, Anderson, Androus, Barker, Barlow, Bennett of Santa Clara, Bennett of Orange, Blakeley, Bledsoe, Boyce, Bretz, Brownlie, Buckley, Bulla, Burke, Carlson, Casterline, Chipman, Conway, Curtis, Cusick, Dodge, Duckworth, Duffy, Durst, Finlayson, Gallagher, Gately, Godchaux, Hamilton, Hendrickson, Hurley, Hutson,

Jacobs, Jacobsen, Johnson of Santa Clara, Kennedy, Kahn, Kerns, LaRue, Luttringer, Lynch, McCauley, McElroy, McGowan, Mack, Marks, Marston, Mathews of Tehama, Matthews of San Benito, Miller, Mordecai, O'Keefe, O'Neill, Owen, Pendleton, Perkins, Pueschel, Sargent, Schlesinger, Schroebel, Shanahan, Simpson, Sims, Standart, Taggart, Talbott, Taylor, Thomas of Nevada, Tindall, Vann, Wade, and Mr. Speaker.

CALL OF THE HOUSE DISPENSED WITH.

Mr. Finlayson moved that further proceedings under the call of the House be dispensed with.

So ordered.

SUBSTITUTE FOR ASSEMBLY CONSTITUTIONAL AMENDMENT No 14.

The Speaker pro tem. announced the vote, and declared the resolution proposing Substitute for Assembly Constitutional Amendment No. 14 adopted by the following vote:

AYES—Messrs. Adams, Alford, Bennett of Orange, Bledsoe, Boyce, Bretz, Brownlie, Buckley, Bulla, Burke, Conway, Curtis, Cusick, Duffy, Emeric, Finlayson, Gallagher, Gately, Godchaux, Hamilton, Hendrickson, Hurley, Hutson, Jacobs, Jacobsen, Johnson of Humboldt, Johnson of Santa Clara, Kennedy, Kahn, Kerns, LaRue, Luttringer, Lynch, McCauley, McElroy, McGowan, Mack, Marks, Marston, Mathews of Tehama, Matthews of San Benito, Mordecai, O'Keefe, O'Neill, Pueschel, Sargent, Schlesinger, Schroebel, Shanahan, Sims, Talbott, Taylor, Thomas of Nevada, Tindall, and Mr. Speaker—55.

NOES—Messrs. Anderson, Androus, Barker, Barlow, Bennett of Santa Clara, Blakeley, Carlson, Casterline, Chipman, Dodge, Duckworth, Durst, Miller, Owen, Pendleton, Perkins, Simpson, Standart, Taggart, Vann, and Wade—21.

REPORT OF SPECIAL COMMITTEE.

ASSEMBLY CHAMBER, SACRAMENTO, March 3, 1893

MR. SPEAKER Your special committee appointed for the purpose of inquiring into the official conduct and acts of W. H. H. Hart, Attorney-General of the State of California, and to report thereon to this Assembly, by impeachment or otherwise, submits the following report:

Your committee met on the day of its appointment, February 14, 1893, organized and took an adjournment to February 16, 1893, at which time the committee met, and, at the request of Attorney-General W. H. H. Hart, adjourned to meet on Monday, February 20, 1893. The committee consumed that day in taking testimony, then adjourned to meet the day following in San Francisco, when further testimony was taken, and has had sundry meetings since at Sacramento It now reports the following findings:

W. H. H. Hart, by virtue of his position as Attorney-General, and in that capacity, received in settlement of certain suits brought by the State of California against certain Harbor Commissioners in the following-named cases the following-named sums of money:

First—In the case of People vs Phillips, it appears from a stipulation on file that there was paid to him on July 25, 1891, $7,725 82. A portion of this money was paid by checks drawn by Cahn, Nickelsburg & Co, one dated July 23, 1891, and the other dated July 25, 1891 Both are indorsed by W. H. H Hart, and are marked paid August 3, 1891 The complaint of W H H Hart, filed in the Superior Court of San Francisco, states that the total sum was received August 30, 1891. It appears by the testimony that the sum of $3,862 91 was received by cashing certified checks on August 3, 1891, and that all of it was paid at least as early as August 30, 1891.

Second—In the case of People vs. Knight a certificate of deposit on the People's Home Savings Bank was delivered to W. H. H. Hart for $2,404 36 on October 24, 1892. This certificate was indorsed by W. H H Hart, and marked paid November 14, 1892 He admits the receipt of the money as of date of October 25, 1892.

Third—In the case of People vs. Blanding a stipulation is on file, dated August 1, 1891, stating that a sum of money had been paid by certain defendants, but without specifying the sum It appears, however, from the testimony of T. I. Bergin, that he delivered certificates of deposit for this sum to W H. H Hart in July, 1891, and we find, by calculation, that this sum was $6,601 56. The balance, $1,120, was paid to him November 25, 1892, by a certified check marked paid December 12, 1892

The committee examined the deputies of the Attorney-General, and his stenographer, but none of them knew, except in a general way, that this money had been paid, and some of them did not know that it had been paid at all. None of them could give any information where it was kept There is no safe in the office of the Attorney-General at either Sacramento or San Francisco, where the same could be kept. But there seems to

be a safe in the office formerly occupied by him at No. 230 Montgomery Street, San Francisco, now occupied by Nowlin & Fassett. To what extent Mr Hart still retains this office is not clearly shown.

The committee derived no assistance whatever from Mr. Hart. The committee made frequent attempts to secure his testimony, but he declined to testify. He refused, personally, to give the committee any information of the conduct of his office, or where this money was kept, if it was kept. Hence, the committee is compelled to draw such conclusions as his retention of this money for an unreasonable length of time, and his failure to account for its custody, justify.

The claim was made by his counsel that he was in doubt as to whether the money should be paid to the General Fund or the Harbor Commissioners' Funds. But both funds are kept in the State Treasury, and the Controller determines to what fund money should be paid, and if he errs in judgment, his error may be corrected. Mr. Hart made no attempt to pay this money into the State Treasury until an investigation into his conduct had commenced.

On May 31, 1892, the Controller addressed him a letter asking what had been done in relation to these and other suits, and containing this demand: "I was advised that, acting under this authority, you have compromised some of these suits, and are in receipt of moneys which should be paid into the State Treasury, as the present fiscal year closes on June 30th, prox., and immediately thereafter I make up my biennial report. I respectfully request that you make your settlement with the State as soon as possible, in order that these items may appear in their proper place in my forthcoming report." In an answer dated June 25, 1892, the Attorney-General stated the matter "had been settled as to one of the defendants, partially settled as to another, and nothing accomplished as to another." He also stated that it was claimed that the money had been paid to W. A. January and stolen by him; that it was also claimed that a portion of the money had been paid over to the successors of defendants; that investigation was being made of the Harbor Commissioners' books and the books of the express company to determine whether these contentions were true, and that, if true, the defendants claim that there is nothing due from them. He closed by stating that he claimed that the money, *when paid*, should go into the General Fund, but that the attorney for the Harbor Commission claimed that it should go into the Harbor Commissioners' Fund, and "we have agreed that as soon as the settlement is made, to submit this question to the Court, and we hope it can be done before long."

At this time, however, he had or should have had in his possession the sum of $14,327 38, as follows: In People vs. Phillips, $7,725 82, collected July 25, 1891; and People vs. Blanding, $6,601 56, collected at least as early as August 1, 1891. But he gave the Controller no information as to the receipt of this money other than as stated, and made no effort to comply with the demand of the Controller to pay over what he had collected.

It will be seen that he had retained for nearly a year the sum of $7,725 82 in the suit of People vs. Phillips, which had been fully settled, and the sum of $6,601 56 in the case of People vs Blanding, which had also been fully settled, in so far as it relates to the defendants paying that sum. The Controller made another demand February 6, 1893, and testified that he did not know of the specific amounts collected by the Attorney-General until he was served with the papers in the suit brought by Hart on February 7, 1893.

It also appears that there are no entries in any book, paper, or document of the Attorney-General's office showing the collection of this money or the amount collected. If he had died, his successor would have had no way of knowing, so far as any record of information in the office is concerned, where this money was, or that any money had ever been collected by him for the use of the State, as will be seen by the dates at which the certified checks and certificates of deposit were paid, that they were not cashed at the time received. What necessity there was for cashing a certificate of deposit, or certified check, and placing it in gold or currency, to be carried in the Attorney-General's pockets or placed in his safe, does not appear. If there was a doubt as to where the money should go, why did he cash the certificate? Why not preserve the certificates to be delivered to the officer entitled to receive them? Where the money has been during all the time it should have been in the State Treasury your committee have been unable to learn. It can scarcely be imagined that any sane man would carry around with him for over eighteen months a sum exceeding $14,000, or would place the same in an office safe occupied by others. If the law permits such a course, it is a great defect, and any officer who attempts to shield himself by such a flimsy suggestion offers the most convincing proof of his incapacity for a public trust. The fact that he retained this money on his person or in some private safe is not testified to by any witness, and the only evidence that it was retained in his safe was by the transcript of Court proceedings filed in evidence before this committee. He does not attempt to show where it was, and while the statement was made that at the proper time it would be shown that the money was in his safe, "the proper time" never arrived, and not a particle of evidence was produced to this effect.

It is certainly a strange spectacle for a man filling a public office to refuse to inform proper authority where public money has been kept. No officer who has charge of public funds should hesitate to give a statement as to the amounts collected, and in whose custody they have been.

In relation to the conduct of his office at the Capitol, we are forced by the evidence (see testimony of State officials and documents signed by them in evidence before this committee) that the same is marked by a degree of carelessness inexcusable; that the office has been closed a great portion of the time, and that great inconvenience to all of our State officials has resulted therefrom, that no confidence was had in the opinions obtained by the State officers from the person in charge of said office as First Deputy Attorney-General; that we are fully warranted by the evidence of others, and by his manner and appearance upon the witness stand before this committee, in coming to the conclusion that said deputy is not a fit or competent person to act as counsel to the State officers in the discharge of their official duties, that the interests of the great State of California demand a higher order of ability than is possessed by him; that expense to the State has resulted by his retention in said office; that all of these matters were brought to the attention and notice of Attorney-General Hart, and that he refused, and still refuses to make any change in said office; that our State officers are compelled, in order to protect the interests of the State and themselves in the discharge of their official duties, to employ private counsel, at large expense to themselves and the State, and for which state of affairs we think the Attorney-General entirely responsible.

We have endeavored to conduct this investigation in a fair and impartial manner, giving such weight and credence to the testimony adduced as, in our opinion, it was entitled to receive, and upon which we have based these findings, and this report, which we now submit, without recommendation, leaving to the combined wisdom of this Assembly the question as to whether other or further proceedings shall be taken in the premises.

W. P. MATHEWS, Chairman,
P. H. MACK,
JULIUS KAHN,
C. W. TINDALL,
C. M. SIMPSON,
Committee.

REPORT OF SELECT COMMITTEE.

ASSEMBLY CHAMBER, SACRAMENTO, March 3, 1893.

MR. SPEAKER: Your select committee on memorial services in commemoration of the death of Hon. James G. Blaine, respectfully report that the following debts, and none other, were incurred in carrying out said services, to wit.

Carriage hire	$5 00
Printing	16 25
Music	160 00
Decorating	25 00
Cleaning Assembly Chamber, etc.	15 00
Postage, etc.	10 00
Total	$231 25

In addition to the foregoing, the Sergeant-at-Arms, pursuant to a resolution adopted by the Assembly, contracted for the removal of certain chairs for which the person contracted with put in a bill for fifty dollars, but the Committee on Public Expenditures and Accounts, in accordance with the recommendation of your special committee, reported in favor of allowing but twenty-five dollars for such removal

The bills, other than said bill for removing chairs, have all been paid in full by your committee and receipts given therefor, which said receipts are hereunto attached and made a part of this report.

The person, William McLaughlin, who removed said chairs, refuses to accept less than fifty dollars for his services.

In all other respects your committee has performed all the duties pertaining thereto

Your committee returns to the Clerk of the Assembly with this report the sum of twenty-five dollars, being the sum allowed for payment of the claim of said William McLaughlin. Wherefore, your committee asks that this report and said sum of twenty-five dollars be received and accepted by the Assembly, and that it be discharged.

FINLAYSON, Chairman

NOTICE OF RECONSIDERATION.

Mr. Lynch gave notice that on the next legislative day he will move a reconsideration of the vote whereby the resolution proposing Substitute for Assembly Constitutional Amendment No. 14 was adopted.

REPORT OF STANDING COMMITTEE.

ON ENGROSSMENT.

ASSEMBLY CHAMBER, SACRAMENTO, March 3, 1893.

MR. SPEAKER: Your Committee on Engrossment beg leave to report that the following Assembly Bills have been correctly engrossed: Assembly Bills Nos. 214, 213, 212, 113, 37, 427, 356, Substitute for Assembly Bills Nos. 16, 57, 129, 157, 176, 524, 667, and 730; Assembly Bills Nos 258, 540, and 20, Substitute for Assembly Bill No. 586, Assembly Bills Nos. 666 787, and 571.

KENNEDY, Chairman.

RECESS.

At six o'clock P. M., on motion of Mr. Shanahan, recess was taken until eight o'clock P. M.

EVENING SESSION.

The Assembly reassembled at eight o'clock P. M.

Speaker Gould in the chair.

Quorum present.

MOTION.

Mr. Shanahan moved that all unconsidered special orders and notices of reconsiderations on this day's file be made special orders for to-morrow at three o'clock and thirty minutes P. M.

So ordered.

URGENCY FILE.

Mr. Mack moved to take up out of order Assembly Bill No. 666.

So ordered.

Assembly Bill No. 666—An Act supplemental to an Act entitled "An Act to provide for the organization and government of irrigation districts, and to provide for the acquisition of water and other property, and for the distribution of water thereby for irrigation purposes," approved March 7, 1887, providing for the abandonment of operations by irrigation districts, and for their disorganization upon the discharge of all outstanding obligations, and dividing irrigation districts into classes for the purposes of this Act.

Speaker pro tem. Mathews in the chair.

The question being on the passage of the bill.

Mr. Alford moved that the further consideration of Assembly Bill No. 666 be made a special order for to-morrow at eight o'clock P. M.

Mr. Hurley moved the previous question, seconded by Messrs. Boyce and Schlesinger.

The question being, "Shall the main question be now put?"

So ordered.

Motion lost.

The roll was called, and the bill passed by the following vote:

AYES—Messrs Anderson, Bennett of Santa Clara, Boyce, Brownlie, Buckley, Carlson, Casterline, Chipman, Conway, Curtis, Dodge, Duckworth, Duffy, Gallagher, Gately, Hurley, Hutson, Jacobs, Jacobsen, Johnson of Santa Clara, Kennedy, LaRue, Luttringer, Lynch, McElroy, McGowan, Mack, Marks, Marston, Mathews of Tehama, Mordecai, O'Keefe, O'Neill, Pendleton, Pueschel, Schlesinger, Schroebel, Shanahan, Sims, Standart, Taggart, Talbott, Thomas of Nevada, Tindall, and Wade—47.

NOES—Messrs. Adams, Alford, Androus, Barker, Barlow, Bennett of Orange, Bretz, Bulla, Burke, Durst, Finlayson, Godchaux, Hendrickson, Johnson of Humboldt, Kerns, Miller, Perkins, Simpson, Taylor, and Vann—20.

Title read and approved.

Mr. Shanahan moved that Assembly Bill No. 666 be immediately transmitted to the Senate.

So ordered.

Mr. Alford in the chair.

Mr. Sargent moved to adjourn.

Lost.

Assembly Bill No. 246—An Act to enfranchise the women citizens of the State, and prescribing their qualifications as electors.

Passed on file, on motion of Mr. Marston.

Assembly Bill No. 550—An Act to prohibit the creation of debts against the State in excess of appropriations made by law, except in cases of actual necessity and on consent of the Board of Examiners.

Read third time, and passed by the following vote:

AYES—Messrs Adams, Alford, Anderson, Androus, Barker, Barlow, Bennett of Santa Clara, Bledsoe, Boyce, Brownlie, Buckley, Bulla, Burke Carlson, Chipman, Conway, Curtis, Dodge, Duckworth, Duffy, Durst, Finlayson, Gallagher, Gately, Godchaux, Hendrickson, Hurley, Hutson, Jacobsen, Johnson of Humboldt, Johnson of Santa Clara, Kennedy, Kahn, Kerns, Luttringer, Lynch, McCauley, McElroy, Marks, Marston, Miller, Mordecai, O'Keefe, O'Neill, Owen, Pendleton, Raw, Schlesinger, Shanahan, Simpson, Sims, Standart, Taggart, Talbott, Taylor, Thomas of Nevada, Vann, Wade, and Mr. Speaker—61.

NOES—None.

Title read and approved.

Mr. Taylor moved that Assembly Bill No. 550 be immediately transmitted to the Senate.

So ordered.

Mr. Lynch moved that the consideration of his motion proposing to amend the rules be postponed until to-morrow.

So ordered.

Assembly Bill No. 575—An Act to amend sections sixteen, eighteen, nineteen, twenty-four, twenty-six, and twenty-nine of an Act entitled "An Act to establish a State Reform School for Juvenile Offenders, and to make an appropriation therefor," approved March 11, 1889.

Passed on file.

Assembly Bill No. 350—An Act to enfranchise the women citizens of this State, and prescribing their qualifications as electors.

Passed on file.

Assembly Bill No. 696—An Act to establish a California State Raisin Growers, Packers, and Brokers' Association, and prescribing the powers thereof.

Read third time, and passed by the following vote:

AYES—Messrs. Adams, Alford, Anderson, Androus, Barker, Bennett of Santa Clara, Bledsoe, Boyce, Bretz, Brownlie, Buckley, Bulla, Carlson, Casterline, Chipman, Conway, Dodge, Duckworth, Duffy, Durst, Finlayson, Gallagher, Gately, Hendrickson, Hutson, Jacobs, Jacobsen, Johnson of Humboldt, Johnson of Santa Clara, Kennedy, Kahn, Kerns, LaRue, Luttringer, Lynch, McElroy, McGowan, Mack, Marks, Marston, Miller, Mordecai, O'Keefe, O'Neill, Owen, Pendleton, Perkins, Raw, Sargent, Schroebel, Shanahan, Simpson, Sims, Standart, Taggart, Taylor, Vann, Wade, and Mr. Speaker—59.

NOES—None

Title read and approved.

ADJOURNMENT.

At ten o'clock and ten minutes P. M., on motion of Mr. Kahn, the Assembly adjourned.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Saturday, March 4. 1893.

The Assembly met pursuant to adjournment.

Speaker pro tem. Mathews in the chair.

The roll was called, and the following members answered to their names:

Messrs. Adams, Alford, Anderson, Androus, Barker, Barlow, Bennett of Santa Clara, Bennett of Orange, Blakeley, Bledsoe, Bretz, Brownlie, Buckley, Bulla, Burke, Carlson, Casterline, Chipman, Conway, Curtis, Cusick, Dodge, Drees, Duckworth, Duffy, Durst, Finlayson, Gallagher, Gately, Godchaux, Hendrickson, Hurley, Hutson, Jacobs, Jacobsen, Johnson of Humboldt, Johnson of Santa Clara, Kennedy, Kahn, Kerns, LaRue, Luttringer, Lynch, McCauley, McElroy, McGowan, Mack, Marks, Marston, Mathews of Tehama, Matthews of San Benito, Miller, Mordecai, O'Keefe, O'Neill, Owen, Pendleton, Perkins, Pueschel, Sargent, Schlesinger, Schroebel. Shanahan, Simpson, Sims, Standart, Taggart, Talbott, Taylor, Thomas of Nevada, Tindall, Vann, Wade, and Mr Speaker

Quorum present.

PRAYER.

Prayer by the Chaplain, Rev. H. W. Conry.

READING AND APPROVAL OF THE JOURNAL.

Pending the reading of the Journal of yesterday, Mr. Tindall moved that further reading be dispensed with.

So ordered.

Journal of Thursday, March 2d, approved.

QUESTION OF PRIVILEGE.

Mr. Drees, in a question of privilege, stated that yesterday he was called away on an important business mission, forgetting the fact that notice of reconsideration of Assembly Constitutional Amendment No. 14 would be called up. He had reached Port Costa when he was informed of the call of the House. He immediately returned, and regretted that his absence caused any delay to the business of the House, stating that he would have voted in favor of the Godchaux amendment had he been present.

REPORTS OF STANDING COMMITTEES.

ON VINICULTURE, VITICULTURE, AND HORTICULTURE.

ASSEMBLY CHAMBER, SACRAMENTO, March 3, 1893

MR. SPEAKER: Your Committee on Viniculture, Viticulture, and Horticulture, to whom was referred Senate Bill No. 358—An Act to regulate the sale of imitation olive oil, and

to repeal an Act entitled "An Act to regulate the sale of olive oil," approved March 10, 1891—have had the same under consideration, and respectfully report the same back, and recommend that it do pass

HUTSON, Chairman.

ON WAYS AND MEANS.

ASSEMBLY CHAMBER, SACRAMENTO, March 3, 1893.

MR SPEAKER: Your Committee on Ways and Means, to whom was referred Assembly Bill No. 817—An Act appropriating money to pay the claim of John A. Johnson.

Also: Senate Bill No. 4—An Act to establish and provide for an Industrial School for Girls, and make appropriations therefor.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

W. P. MATHEWS, Chairman

ON CRIMES AND PENALTIES.

ASSEMBLY CHAMBER, SACRAMENTO, March 2, 1893.

MR. SPEAKER: Your Committee on Crimes and Penalties, to whom was referred Senate Bill No. 105—An Act to prevent the use of false trade descriptions in the sale of goods, and to provide a punishment therefor—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

LUTTRINGER, Chairman.

ON MUNICIPAL CORPORATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, March 3, 1893.

MR. SPEAKER Your Committee on Municipal Corporations, to whom was referred Senate Bill No. 7—An Act to authorize Boards of Health and Health Officers in towns, cities, counties, and cities and counties, in this State, to appoint Inspectors of Plumbing and Drainage in such towns, cities, counties, and cities and counties, and to provide for the compensation, and to define the duties of such Inspectors—have had the same under consideration, and respectfully report the same back with amendments, and recommend its passage as amended.

BUCKLEY, Chairman

MOTION.

Mr. Simpson called up the report of the special committee appointed for the purpose of inquiring into the official conduct and acts of W. H. H. Hart, Attorney-General of the State of California, and to report thereon to this Assembly, by impeachment or otherwise.

Mr. Simpson moved that the consideration of the report be deferred until Monday.

So ordered.

REPORT OF COMMITTEE OF CONFERENCE.

ASSEMBLY CHAMBER, SACRAMENTO, March 4, 1893

MR. SPEAKER Your Committee of Conference, concerning Senate Bill No 214—An Act to amend an Act entitled "An Act to establish and support a Bureau of Labor Statistics," approved March 3, 1883—report that we have met a like committee of the Senate, consisting of Senators Maher, Ragsdale, and Simpson, and we report that the committee agreed upon and recommend the following: That the Assembly recede from its amendment by striking from section one, line eight of the printed bill, of February 23, 1893, the words "of Sacramento," and insert in lieu thereof the words "of San Francisco."

MATTHEWS,
CONWAY,
TAGGART,
MAHER,
RAGSDALE,
SIMPSON,
Conference Committee

REPORT ADOPTED.

The question being on the adoption of the report of the Committee of Conference.

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

AYES—Messrs. Adams, Alford, Barlow, Bennett of Santa Clara, Buckley, Bulla, Carlson, Conway, Curtis, Cusick, Dodge, Drees, Finlayson, Gallagher, Gately, Godchaux, Hendrickson, Hurley, Jacobs, Johnson of Santa Clara, Kennedy, Kahn, Kerns, Luttringer, Mack, Marston, Miller, Pendleton, Perkins, Simpson, Sims, Standart, Taggart, Thomas of Nevada, Tindall, and Wade—36.

NOES—Messrs. Anderson, Bennett of Orange, Bledsoe, Chipman, Duffy, Durst, Hutson, Johnson of Humboldt, LaRue, Lynch, McElroy, Mathews of Tehama, Mordecai, Owen, Schroebel, and Shanahan—16.

ASSEMBLY BILL No. 852

ASSEMBLY CHAMBER, SACRAMENTO, March 4, 1893.

MR. SPEAKER: The Alameda Delegation, to whom was referred Assembly Bill No. 852, have had the same under consideration, and hereby recommend that it do pass, and in connection therewith also recommend the adoption of the following resolution.

DODGE,
McELROY,
TAGGART,
BRETZ,
O'NEILL,
MILLER,
Alameda Delegation.

RESOLUTION.

By the Alameda Delegation:

Resolved, That Assembly Bill No. 852 presents a case of urgency, as that term is used in section fifteen of article four of the Constitution, and the provisions of that section requiring that the bill shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the first, second, and third times, and placed upon its passage

MESSAGE FROM THE GOVERNOR.

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA,
SACRAMENTO, March 2, 1893.

To the Assembly of the State of California:

I herewith return to your honorable body, without my approval, Assembly Bill No 142—An Act regulating the hours of labor in saw mills, shingle mills, shake mills, and logging camps—for the following reasons: That the bill is repugnant to that provision of the Constitution which prohibits the Legislature from passing a local law in any case where a general law can be made applicable. While this bill purports to be general in its terms, a careful examination of its provisions in the light of the Constitution and authorities, clearly satisfies me that it is emphatically local, or class legislation, in that it does not include the entire field of labor engaged in the industry to be affected by its provisions. For this reason I deem it clearly unconstitutional.

H. H. MARKHAM, Governor.

The question being, "Shall the bill become a law notwithstanding the objections of the Governor?"

MOTION.

Mr. Simpson moved to postpone the further consideration of the message until Monday.

Lost.

PREVIOUS QUESTION.

Mr. Mordecai moved the previous question, seconded by Messrs. Schlesinger and Lynch.

The question being, "Shall the main question be now put?"

So ordered.

CALL OF THE HOUSE.

The roll was called on the question whether the bill shall become a law, notwithstanding the objections of the Governor, and pending announcement of the vote Mr. Bledsoe moved a call of the House, seconded by Messrs. Bretz and Vann.

So ordered.

The roll was called, and the following members answered to their names:

Messrs. Adams, Alford, Anderson, Androus, Barker, Barlow, Bennett of Santa Clara, Bennett of Orange, Blakeley, Bledsoe, Boyce, Bretz, Brownlie, Buckley, Bulla, Burke, Casterline, Chipman, Conway, Curtis, Cusick, Dodge, Drees, Duckworth, Duffy, Durst, Finlayson, Gallagher, Gately, Godchaux, Hendrickson, Hurley, Hutson, Jacobs, Jacobsen, Johnson of Humboldt, Johnson of Santa Clara, Kennedy, Kahn, Kerns, LaRue, Luttringer, Lynch, McCauley, McElroy, McGowan, Mack, Marks, Marston, Mathews of Tehama, Matthews of San Benito, Miller, Mordecai, O'Keefe, O'Neill, Owen, Pendleton, Perkins, Pueschel, Sargent, Schlesinger, Schroebel, Shanahan, Simpson, Sims, Standart, Taggart, Talbott, Taylor, Thomas of Nevada, Tindall, Vann, Wade, and Mr Speaker

The following members, Messrs. Carlson and Hamilton, were absent without leave, and the Sergeant-at-Arms was directed to bring them before the bar of the House.

Mr. Lynch moved that further proceedings under the call of the House be dispensed with.

Lost.

Mr. Talbott moved that further proceedings under the call of the House be dispensed with.

Lost.

Mr. Bledsoe moved that further proceedings under the call of the House be dispensed with.

So ordered.

GOVERNOR'S VETO SUSTAINED.

The Speaker pro tem. announced the vote, and declared the veto of the Governor sustained by the following vote:

AYES—Messrs Adams, Alford, Barlow, Bennett of Santa Clara, Bennett of Orange, Boyce, Bretz, Brownlie, Buckley, Bulla, Burke, Conway, Cusick, Dodge, Drees, Duffy, Finlayson, Gallagher, Gately, Godchaux, Hendrickson, Hurley, Jacobs, Jacobsen, Johnson of Humboldt, Johnson of Santa Clara, Kennedy, Kerns, LaRue, Luttringer, McCauley, McElroy, McGowan, Marks, Marston, Miller, O'Neill, Owen, Pendleton, Pueschel, Sargent, Schlesinger, Schroebel, Simpson, Sims, Taylor, Tindall, and Vann—48

NOES—Messrs. Anderson, Androus, Barker, Blakeley, Bledsoe, Casterline, Chipman, Duckworth, Durst, Hutson, Kahn, Lynch, Mack, Mathews of Tehama, Matthews of San Benito, Mordecai, O'Keefe, Perkins, Shanahan, Standart, Taggart, Talbott, Thomas of Nevada, and Wade—25.

NOTICE OF RECONSIDERATION.

Mr. Bledsoe gave notice that on the next legislative day he will move a reconsideration of the vote whereby the veto of the Governor was sustained.

MESSAGES FROM THE GOVERNOR.

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA,
SACRAMENTO, March 3, 1893

To the Assembly of the State of California:

I have the honor to inform your honorable body that I have approved Assembly Bills Nos. 75, 287, 153, 270, 146, 1, 195, 71, 112, 227, 737, 720, 688, 69, and 100

H. H. MARKHAM, Governor.

Also:

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA,
SACRAMENTO, March 3, 1893.

To the Assembly of the State of California:

I herewith return to your honorable body, without my approval, Assembly Bill No. 271—An Act to amend section seven hundred and seventy-eight and seven hundred and eighty-two of the Political Code of the State of California, relating to the printing and sale of reports of the Supreme Court of said State of California, and repealing sections seven hundred and seventy-nine, seven hundred and eighty, and seven hundred and eighty-one of said Political Code, for the following reasons:

The bill provides that the State Printer must supply the demand for these volumes and sell them to any person applying for the same, at the cost of printing and binding. No appropriation is made for the purchase of material or to pay for the labor required. The money arising from their sale is to be paid into the General Fund of the State; and thus the appropriation for the State Printer will be depleted many thousands of dollars, which would naturally cause a deficiency in that appropriation, and thereby affect other State printing. By the terms of the present contract, the State is furnished with three hundred copies of each report without cost, from which it will be seen that the State gains nothing by the bill. If the State printed these volumes and distributed them six times a year, as that is the number of editions that will probably be required annually, it would cost the State a very large sum of money, unless the clause "at cost of printing and binding" could be construed to include the cost of the volumes which are distributed by the State; and if this construction were given to the term used, the price for which they could then be sold would be increased very largely over the present price per volume. In addition, the bill provides that the State Printer shall at all times keep on hand a sufficient number of volumes to supply the demand. The cost of every volume left unsold must be added to the cost of the volumes distributed by the State. I do not believe that the interests of the whole State would be subserved by this bill becoming a law; and I do not believe I am justified in giving life to a measure which is only for the pecuniary benefit of a small number of citizens, as I have information, which I believe to be reliable, that less than eight hundred lawyers of the State purchase these volumes. If that be true, the State must pay out from seven thousand to ten thousand dollars annually, that eight hundred attorneys may supply their libraries with the California Reports, possibly at a little reduced cost. I am satisfied that the volumes should be and can be sold to the attorneys of this State at a less price than they are at present, and I believe that a contract can be made at the expiration of the present one, if such a course is thought to be desirable, which will materially reduce the price to them. But if the reduction cannot be made, as there remains but one month's intermission between the termination of the present contract and the convening of the next session of the Legislature, if it is deemed to be in the interest of the State, the same steps could then be taken as now, and no harm result from the delay.

H. H. MARKHAM, Governor.

MOTION.

Mr. Simpson moved that the consideration of the Governor's message vetoing Assembly Bill No. 271 be made a special order for Monday at three o'clock and thirty minutes P. M.

So ordered.

RESOLUTIONS.

By Mr. Mordecai:

Resolved, That the Controller be and is hereby directed to draw his warrant on the Contingent Fund of the Assembly in favor of G. W. Mordecai, Chairman of the special committee to investigate the charges made by J. W. Rea against Assemblyman H. H. Johnson, for the sum of three thousand five hundred and seventy-two dollars and sixty cents ($3,572 60), the same being the expenses for mileage, witness fees, stenographer's services, etc., as per itemized bills attached.

Referred to Committee on Public Expenditures and Accounts.

By Mr. Alford:

Resolved, That Assemblyman Johnson be allowed the sum of two hundred dollars to defray his expenses in the matter of the investigation of the charges made against him by James W. Rea; and that his counsel, H. C. McPike, be allowed the sum of seven hundred and fifty dollars, the same payable out of the Contingent Fund of the Assembly, and the Controller is hereby authorized to draw his warrant for the same.

Referred to Committee on Ways and Means.

MESSAGES FROM THE SENATE.

SENATE CHAMBER, SACRAMENTO, March 3, 1893.

MR SPEAKER: I am directed to inform your honorable body that the Senate, on this day, passed Assembly Bill No. 700—An Act to provide for the revision of certain books of the State series of school text-books, for the compilation of an additional book of said series, and for the continued publication of the same; and to authorize and direct the use for these purposes of the money accumulated in the State School Book Fund.

F. J. BRANDON, Secretary.
By R. SHAW, Assistant.

Assembly Bill No. 700 ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, March 3, 1893.

MR SPEAKER: I am directed to inform your honorable body that the Senate, on the first day of March, 1893, passed Senate Bill No. 686—An Act entitled an Act to amend section one thousand one hundred and eighty-nine of the Civil Code of the State of California, relating to proof and acknowledgment of instruments

Also, On March 3, 1893, passed Senate Bill No 576—An Act making an appropriation for enlarging the fire-proof warehouse for use of the State Printing Department

Also: Substitute for Senate Bills Nos. 291, 183, and 123—An Act to provide for laying out, opening, extending, widening, straightening, diverging, curving, contracting, or closing up, in whole or in part, any street, square, lane, alley, court, or place within municipalities, or cities, and cities and counties of forty thousand inhabitants or over, and to condemn and acquire any and all land and property necessary or convenient for that purpose.

Also, Assembly Bill No. 734—An Act providing an appropriation for the purpose of completing and preserving Sutter's Fort

Also: Assembly Bill No. 296—An Act to amend sections thirty-eight to fifty-three, inclusive, of an Act approved March 31, 1891, adding those sections to an Act to provide for work upon streets, alleys, lanes, courts, places, and sidewalks, and for the construction of sewers within municipalities, approved March 18, 1885

Also, Assembly Concurrent Resolution No 18—Relative to granting Frank P. Boynton leave of absence.

F. J BRANDON, Secretary.
By R. SHAW, Assistant.

Senate Bill No. 686 referred to Committee on Judiciary.

Senate Bill No. 576 referred to Committee on Ways and Means.

Substitute for Senate Bills Nos. 291, 183, and 123 referred to Committee on Municipal Corporations.

Assembly Bills Nos. 734 and 296, and Assembly Concurrent Resolution No. 18 ordered to enrollment.

MOTION.

Mr. Kahn moved that one hundred and fifty copies of the testimony in the Hart investigation be ordered printed, and that a copy be placed upon each member's desk.

So ordered.

RESOLUTION.

By Mr. Kennedy:

Resolved, That Assembly Bill No. 850 presents a case of urgency, as that term is used in section fifteen of article four of the Constitution, and the provisions of that section requiring that the bill shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the first, second, and third times, and placed upon its passage

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

AYES—Messrs. Adams, Alford, Anderson, Androus, Barlow, Bennett of Santa Clara, Bennett of Orange, Blakeley, Bledsoe, Boyce, Bretz, Brownlie, Buckley, Bulla, Burke, Chipman, Conway, Curtis, Cusick, Dodge, Duckworth, Duffy, Durst, Finlayson, Gallagher,

Gately, Godchaux, Hendrickson, Hurley, Hutson, Jacobs, Jacobsen, Johnson of Humboldt, Johnson of Santa Clara, Kennedy, Kahn, Kerns, Lynch, McCauley, Mack, Marks, Marston, Mathews of Tehama, Matthews of San Benito, Mordecai, O'Keefe, Owen, Perkins, Pueschel, Sargent, Schlesinger, Schroebel, Shanahan, Simpson, Sims, Standart, Taggart, Talbott, Taylor, Thomas of Nevada, Tindall, Vann, and Wade—63.

NOES—None.

Assembly Bill No. 850—An Act to amend section one thousand six hundred and fourteen, title two of the Penal Code, in relation to the government of prisoners sentenced to terms of imprisonment in county jails.

Read the first and second time, considered engrossed, and ordered to a third reading.

Assembly Bill No. 850—An Act to amend section one thousand six hundred and fourteen, title two of the Penal Code, in relation to the government of prisoners sentenced to terms of imprisonment in county jails.

Read third time, and passed by the following vote:

AYES—Messrs. Adams, Alford, Anderson, Androus, Barker, Barlow, Bennett of Santa Clara, Bennett of Orange, Blakeley, Bledsoe, Boyce, Bretz, Brownlie, Buckley, Bulla, Burke, Casterline, Chipman, Conway, Curtis, Cusick, Dodge, Duckworth, Duffy, Durst, Finlayson, Gallagher, Gately, Godchaux, Hendrickson, Hurley, Hutson, Jacobs, Jacobsen, Johnson of Humboldt, Kennedy, Kahn, Kerns, Lynch, McCauley, McGowan, Mack, Marks, Marston, Mathews of Tehama, Miller, Mordecai, O'Keefe, Owen, Perkins, Sargent, Schlesinger, Schroebel, Simpson, Standart, Taylor, Tindall, Vann, and Wade—59

NOES—None.

Title read and approved.

MOTION.

Mr. Kennedy moved that Assembly Bill No. 850 be immediately transmitted to the Senate.

So ordered.

RESOLUTION.

By Mr. Simpson:

Resolved, That Substitute for Senate Bills Nos 157, 372, 373, and 441, also Assembly Bill No. 815, present cases of urgency, as that term is used in section fifteen of article four of the Constitution, and the provisions of that section requiring that the bills shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bills be read the first, second, and third times, and placed upon their passage

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

AYES—Messrs. Adams, Alford, Androus, Barker, Barlow, Bennett of Santa Clara, Bennett of Orange, Blakeley, Bledsoe, Boyce, Brownlie, Buckley, Bulla, Carlson, Casterline, Chipman, Conway, Curtis, Cusick, Dodge, Drees, Duckworth, Duffy, Durst, Finlayson, Gallagher, Gately, Godchaux, Hendrickson, Hurley, Jacobs, Jacobsen, Johnson of Humboldt, Kennedy, Luttringer, McCauley, McGowan, Mack, Marks, Mathews of Tehama, Matthews of San Benito, Miller, O'Keefe, O'Neill, Pendleton, Pueschel, Schlesinger, Schroebel, Shanahan, Simpson, Sims, Standart, Taggart, Talbott, Taylor, Tindall, and Vann—57.

NOES—Mr. Wade—1.

Substitute for Senate Bills Nos. 157, 372, 373, and 441—An Act to amend sections two thousand six hundred and thirty-three, two thousand six hundred and forty-one, two thousand six hundred and forty-three, and two thousand six hundred and forty-five, and to repeal section two thousand six hundred and forty-six of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the powers and duties of highway officers.

Read first, second, and third times, and passed by the following vote:

AYES—Messrs. Adams, Alford, Anderson, Barker, Barlow, Bennett of Orange, Bledsoe, Bretz, Brownlie, Bulla, Burke, Carlson, Casterline, Conway, Curtis, Cusick, Dodge, Drees, Duckworth, Duffy, Durst, Finlayson, Gallagher, Gately, Godchaux, Hendrickson, Hurley, Jacobs, Jacobsen, Johnson of Humboldt, Kennedy, Kerns, Luttringer, McCauley, McElroy, McGowan, Mack, Marks, Mathews of Tehama, Matthews of San Benito, Miller, Mordecai, O'Keefe, O'Neill, Owen, Pendleton, Pueschel, Schlesinger, Schroebel, Shanahan, Simpson, Sims, Standart, Taggart, Taylor, Thomas of Nevada, Tindall, Vann, and Wade—61.

NOES—None.

Title read and approved.

Assembly Bill No. 815—An Act to add a new article to chapter one, of title two, part three of the Political Code of the State of California, to be known and designated as article four, and to add six new sections, to be known and designated as sections one thousand and seventy-five, one thousand and seventy-six, one thousand and seventy-seven, one thousand and seventy-eight, one thousand and seventy-nine, and one thousand and eighty, relative to County, City, and City and County Boards of Election Commissioners.

Read the first and second time, considered engrossed, read third time, and passed by the following vote:

AYES—Messrs Adams, Alford, Barker, Barlow, Blakeley, Boyce, Bretz, Brownlie, Buckley, Bulla, Burke, Carlson, Casterline, Chipman, Conway, Curtis, Cusick, Dodge, Drees, Duckworth, Duffy, Durst Finlayson, Gallagher, Gately, Godchaux, Hendrickson, Hurley, Hutson, Jacobs, Jacobsen, Johnson of Humboldt, Kennedy, Kahn, LaRue, Luttringer, McCauley, McElroy, Marks, Marston, Mathews of Tehama, Mathews of San Benito, Mordecai, Owen, Pendleton, Pueschel, Schlesinger, Schroebel, Shanahan, Simpson, Sims, Standart, Taggart, Talbott, Taylor, Thomas of Nevada, Tindall, Vann, and Wade—59

NOES—None

Title read and approved.

MOTIONS.

Mr. Shanahan moved that Assembly Bill No. 815 be immediately transmitted to the Senate.

So ordered.

Mr. Taggart moved that Assembly Bill No. 219, having been read the first, second, and third times, be now placed on its final passage.

So ordered.

Assembly Bill No. 219—An Act to amend section three thousand seven hundred and forty-six of an Act entitled "An Act to amend section three thousand seven hundred and forty-six of an Act entitled 'An Act to establish a Political Code,' approved March 12, A. D. 1872," and approved March 31, A. D. 1891.

RECESS.

The roll was called, and pending announcement of the vote, the hour of recess having arrived, the Speaker pro tem. declared recess until two o'clock P. M.

REASSEMBLED.

The Assembly reassembled at two o'clock P. M.

Speaker pro tem. Mathews in the chair.

Quorum present.

RECONSIDERATION.

Pending announcement of the vote on the passage of Assembly Bill No. 815, Mr. Taggart moved to reconsider the vote whereby the bill was placed upon its final passage.

So ordered.

RESOLUTION.

By Mr. Duckworth:

Resolved, That the Assembly of California tenders to President Cleveland the best wishes of all its members for as successful an administration during the next four years as he, during his previous term, gave to the American people; be it further

Resolved, That the Speaker of the House be and he is hereby directed to cause the foregoing to be telegraphed to President Cleveland, and that the expenses incurred thereby be paid out of the Contingent Fund of the Assembly.

Adopted.

APPROVAL OF JOURNAL.

Journal of Friday, March 3d, approved.

MOTION.

Mr. Bulla moved to take up Senate Bill No. 96.

So ordered.

SECOND READING OF BILL.

Senate Bill No. 96—An Act to provide for the construction and furnishing of an additional school building for the use of the State Normal School at Los Angeles, California, and to appropriate money therefor.

Read second time.

MOTION.

Mr. Bulla moved that the Assembly resolve itself into Committee of the Whole, with the Speaker pro tem. in the chair, for the purpose of considering Senate Bill No. 96.

So ordered.

IN COMMITTEE OF THE WHOLE.

Speaker pro tem. Mathews in the chair.

Senate Bill No. 96 was considered in Committee of the Whole.

IN ASSEMBLY.

The Speaker pro tem. stated the report of the Committee of the Whole, as follows:

GENTLEMEN: The Committee of the Whole have had under consideration Senate Bill No. 96, and now report, and recommend that the same do pass.

Bill ordered to a third reading.

MOTION.

Mr. Simpson moved that Substitute for Senate Bills Nos. 157, 372, 373, and 441 be immediately transmitted to the Senate.

So ordered.

REPORT OF STANDING COMMITTEE.

ON ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, March 4, 1893

MR SPEAKER. Your Committee on Enrollment beg leave to report that the following bills have been correctly enrolled:

Assembly Bill No. 848—An Act making an appropriation to pay the deficiency in the appropriation for the pay of officers and clerks of the Assembly.

Also Assembly Bill No 849—An Act making an appropriation to pay the deficiency in the appropriation for the per diem and mileage of the Assembly for the thirtieth session.

And were presented to the Governor March 4, 1893, at eleven o'clock and thirty-five minutes A M

O'NEILL, Chairman.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 4, 1893

MR. SPEAKER: Your Committee on Enrollment beg leave to report that the following has been correctly enrolled: Assembly Constitutional Amendment No 12—A resolution proposing to the people of the State of California an amendment to section seventeen, article one of the Constitution of the State of California—and was presented to the Governor March 4, 1893, at eleven o'clock and fifteen minutes A. M.

O'NEILL, Chairman.

SPECIAL SENATE FILE—THIRD READING OF BILLS.

Senate Bill No. 555—An Act to amend section seven hundred and twenty-six of the Code of Civil Procedure, and to add a new section thereto, to be known as section seven hundred and twenty-nine, relating to actions for the foreclosure of mortgages.

Read third time, and passed by the following vote:

AYES—Messrs. Adams, Alford, Anderson, Androus, Barker, Barlow, Bennett of Santa Clara, Boyce, Brownlie, Buckley, Bulla, Carlson, Casterline, Chipman, Dodge, Drees, Duckworth, Duffy, Durst, Finlayson, Gallagher, Gately, Godchaux, Hendrickson, Hurley, Hutson, Jacobsen, Johnson of Humboldt, Kerns, Luttringer, Lynch, McGowan, Marks, Mathews of Tehama, Matthews of San Benito, Miller, Mordecai, O'Neill, Pendleton, Perkins, Pueschel, Sargent, Schlesinger, Simpson, Standart, Taggart, Talbott, Thomas of Nevada, Tindall, and Wade—51.

NOES—None.

Title read and approved.

Mr. Pendleton moved that Senate Bill No. 555 be immediately transmitted to the Senate.

So ordered.

Senate Bill No. 669—An Act to amend section five hundred and thirty-seven of the Penal Code, and to add a new section thereto, to be known and designated as section five hundred and thirty-eight, relating to the removal, sale, or subsequent incumbrance of mortgaged chattels.

Read third time, and passed by the following vote:

AYES—Messrs Adams, Alford, Anderson, Barker, Barlow, Bennett of Santa Clara, Bennett of Orange, Blakeley, Bledsoe, Boyce, Bretz, Brownlie, Buckley, Bulla, Carlson, Casterline, Conway, Dodge, Duckworth, Finlayson, Gallagher, Hamilton, Hutson, Jacobs, Jacobsen, Johnson of Humboldt, Kerns, LaRue, Luttringer, Lynch, McGowan, Marks, Marston, Mathews of Tehama, Mathews of San Benito, Miller, Mordecai, O'Neill, Owen, Pendleton, Perkins, Pueschel, Sargent, Schlesinger, Schroebel, Shanahan, Simpson, Taggart, Thomas of Nevada, Tindall, Vann, and Wade—52.

NOES—None

Title read and approved.

Mr. Pendleton moved that Senate Bill No. 669 be immediately transmitted to the Senate.

So ordered.

Messrs. Durst and Kahn were granted leave of absence until Monday morning.

Senate Bill No. 405—An Act granting the right of way and station grounds to the Southern California Railway Company over a portion of the asylum grounds in the county of San Bernardino.

Read third time, and passed by the following vote:

AYES—Messrs. Adams, Alford, Anderson, Barker, Barlow, Bennett of Santa Clara, Bennett of Orange, Blakeley, Boyce, Bretz, Buckley, Bulla, Carlson, Casterline, Chipman, Conway, Cusick, Dodge, Drees, Duckworth, Finlayson, Gallagher, Godchaux, Hamilton, Hendrickson, Hutson, Jacobs, Johnson of Humboldt, Johnson of Santa Clara, LaRue, Luttringer, Lynch, McCauley, Marks, Mathews of Tehama, Matthews of San Benito, Mordecai, O'Keefe, O'Neill, Owen, Pendleton, Perkins, Pueschel, Schlesinger, Schroebel, Shanahan, Simpson, Standart, Taggart, Talbott, Tindall, Vann, and Wade—53.

NOES—Messrs Bledsoe, McElroy, and Sargent—3

Title read and approved.

Senate Bill No. 342—An Act to amend section one thousand two hundred and sixty-one of an Act entitled "An Act to establish a Civil Code," approved March 21, 1872, relating to heads of families.

Read third time, and passed by the following vote:

AYES—Messrs. Adams, Alford, Anderson, Barker, Barlow, Bennett of Santa Clara, Bennett of Orange, Bledsoe, Bretz, Buckley, Bulla, Burke, Carlson, Casterline, Chipman, Conway, Curtis, Cusick, Dodge, Drees, Duckworth, Duffy, Finlayson, Gallagher, Gately, Godchaux, Hendrickson, Hurley, Hutson, Jacobs, Jacobsen, Johnson of Humboldt, Johnson of Santa Clara, Kerns, LaRue, Luttringer, Lynch, Mack, Marston, Mathews of Tehama, Miller, Mordecai, O'Neill, Owen, Pendleton, Perkins, Pueschel, Schlesinger, Shanahan, Simpson, Standart, Taggart, Talbott, Thomas of Nevada, Tindall, Vann, and Wade—57.

NOES—None.

Title read and approved.

Mr. McCauley was granted leave of absence until Monday at eleven o'clock and thirty minutes A. M.

Senate Bill No. 506—An Act to amend sections three hundred and sixty-four and six hundred and fifty-four of the Political Code, relating to the Board of Examiners, and to add a new section thereto, to be known as section six hundred and eighty-five of the Political Code, providing for the appointment of a clerk by said Board, and making an appropriation for his salary.

Read third time, and passed by the following vote:

AYES—Messrs Adams, Anderson, Androus, Barker, Barlow, Bennett of Santa Clara, Bennett of Orange, Boyce, Bulla, Carlson, Casterline, Chipman, Curtis, Dodge, Duckworth, Gallagher, Gately, Godchaux, Hendrickson, Jacobsen, Kerns, LaRue, Luttringer, Lynch, McGowan, Mack, Marks, Mathews of Tehama, Miller, O'Keefe, O'Neill, Owen, Pendleton, Perkins, Pueschel, Schlesinger, Shanahan, Simpson, Standart, Taggart, Talbott, Thomas of Nevada, Tindall, and Wade—44.

NOES—Messrs. Alford, Bledsoe, Brownlie, Buckley, Conway, Cusick, Drees, Duffy, Hamilton, Hurley, Hutson, Jacobs, Johnson of Humboldt, Johnson of Santa Clara, Kennedy, Marston, Matthews of San Benito, Sims, Vann, and Mr. Speaker—20

Title read and approved.

Mr. Simpson moved that Senate Bill No. 506 be immediately transmitted to the Senate.

So ordered.

Mr. Conway moved to suspend Rule 72.

Lost.

Senate Bill No. 230—An Act to amend section three thousand five hundred and seventy-three of the Political Code, relating to public lands.

Read third time, and passed by the following vote:

AYES—Messrs. Adams, Alford, Anderson, Androus, Barlow, Bennett of Orange, Blakeley, Boyce, Bretz, Brownlie, Buckley, Bulla, Carlson, Casterline, Chipman, Conway, Curtis, Cusick, Dodge, Duckworth, Gallagher, Godchaux, Hamilton, Hendrickson, Hurley, Jacobs, Jacobsen, Johnson of Santa Clara, Kennedy, LaRue, Luttringer, Lynch, McCauley, McGowan, Mack, Marks, Marston, Mathews of Tehama, Matthews of San Benito, Mordecai, O'Keefe, O'Neill, Pendleton, Pueschel, Sargent, Schlesinger, Shanahan, Sims, Taggart, Taylor, Thomas of Nevada, Tindall, and Vann—53

NOES—Messrs. Bledsoe and Hutson—2.

Title read and approved.

Mr. Lynch moved that Senate Bills Nos. 342, 405, and 230 be immediately transmitted to the Senate.

So ordered.

Senate Bill No. 115—An Act to amend section three hundred and sixty-two of the Civil Code, relating to amending articles of incorporation.

Read third time, and passed by the following vote:

AYES—Messrs. Adams, Alford, Anderson, Barlow, Bennett of Santa Clara, Bledsoe, Boyce, Bretz, Brownlie, Buckley, Bulla, Carlson, Casterline, Chipman, Conway, Cusick, Dodge, Drees, Duffy, Gallagher, Gately, Hamilton, Hendrickson, Hurley, Hutson, Jacobs, Jacobsen, Johnson of Humboldt, Kennedy, Kerns, LaRue, Luttringer, Lynch, McCauley, McGowan, Marston, Mathews of Tehama, Matthews of San Benito, O'Neill, Owen, Pendleton, Perkins, Pueschel, Sargent, Schlesinger, Shanahan, Sims, Standart, Taggart, Talbott, Taylor, Thomas of Nevada, Vann, and Wade—52.

NOES—None.

Title read and approved.

REPORTS OF STANDING COMMITTEES.

ON ENGROSSMENT.

ASSEMBLY CHAMBER, SACRAMENTO, March 4, 1893.

MR. SPEAKER: Your Committee on Engrossment beg leave to report that the following Assembly Bills have been correctly engrossed: Substitute for Assembly Bills No. 54, 573, and 659, and Assembly Bills Nos. 219, 63, 724, 630, 578, and 663.

KENNEDY, Chairman.

ON ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, March 4, 1893.

MR. SPEAKER. Your Committee on Enrollment beg leave to report that the following bill has been correctly enrolled: Assembly Bill No 90—An Act to prevent deception in the manufacture and sale of imitation butter, and to appropriate money for its enforcement—and was presented to the Governor March 4, 1893, at eleven o'clock and fifteen minutes A M.

O'NEILL, Chairman.

MOTION.

Mr. Hurley moved to suspend Rule 72 for the remainder of this day's session.

So ordered.

SPECIAL SENATE FILE.

Senate Bill No. 101—An Act making an appropriation to pay the claim of D. Jordan, as approved by the State Board of Examiners.

Read third time, and passed by the following vote:

AYES—Messrs. Adams, Alford, Anderson, Androus, Barker, Barlow, Bennett of Santa Clara, Bennett of Orange, Blakeley, Boyce, Brownlie, Buckley, Bulla, Carlson, Casterline, Conway, Cusick, Dodge, Drees, Duffy, Durst, Gallagher, Gately, Godchaux, Hamilton, Hendrickson, Hutson, Jacobs, Jacobsen, Johnson of Humboldt, Johnson of Santa Clara, Kennedy, Kerns, Luttringer, McCauley, McGowan, Marks, Marston, Miller, O'Neill, Owen, Pendleton, Perkins, Schlesinger, Schroebel, Shanahan, Simpson, Sims, Standart, Talbott, Taylor, Thomas of Nevada, Vann, and Mr Speaker—54.

NOES—Messrs. Bledsoe, Bretz, Finlayson, Hurley, Mathews of Tehama, Matthews of San Benito, Taggart, and Wade—8.

Title read and approved.

NOTICE OF RECONSIDERATION.

Mr. Gould gave notice that on the next legislative day he will move a reconsideration of the vote whereby Senate Bill No. 101 was passed.

RECONSIDERATION.

Mr. Bretz moved to reconsider the vote whereby Rule 72 was suspended.

The ayes and noes were demanded by Messrs. Bledsoe, Bretz, and Alford.

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

AYES—Messrs. Adams, Alford, Barlow, Bennett of Orange, Blakeley, Bledsoe, Bretz, Bulla, Carlson, Dodge, Drees, Finlayson, Hamilton, Hutson, Jacobs, Jacobsen, Johnson of Humboldt, Kerns, Mack, Marston, Matthews of San Benito, O'Keefe, Perkins, Pueschel, Schlesinger, Schroebel, Simpson, Sims, Taggart, Talbott, Tindall, Vann, Wade, and Mr Speaker—34.

NOES—Messrs. Anderson, Androus, Barker, Bennett of Santa Clara, Boyce, Brownlie, Buckley, Casterline, Chipman, Conway, Curtis, Cusick, Gallagher, Gately, Godchaux, Hendrickson, Hurley, Johnson of Santa Clara, Kennedy, Luttringer, Lynch, McCauley, McGowan, Marks, Mathews of Tehama, Miller, O'Neill, Pendleton, Sargent, Shanahan, Standart, Taylor, and Thomas of Nevada—33.

SPECIAL SENATE FILE.

Senate Bill No. 538—An Act to repeal an Act entitled "An Act concerning corporations and persons engaged in the business of banking," approved April 1, 1876.

Read third time, and passed by the following vote:

AYES—Messrs. Adams, Anderson, Androus, Barker, Barlow, Bennett of Santa Clara, Blakeley, Bulla, Carlson, Casterline, Chipman, Conway, Dodge, Drees, Duckworth, Duffy, Finlayson, Gallagher, Godchaux, Hamilton, Hurley, Jacobs, Johnson of Santa Clara, Kerns, McGowan, Mack, Marks, Marston, Mathews of Tehama, Matthews of San Benito, Miller, Mordecai, O'Keefe, Owen, Pendleton, Perkins, Pueschel, Sargent, Schlesinger, Schroebel, Simpson, Sims, Standart, Taggart, Talbott, Tindall, Vann, and Wade—48

NOES—Messrs. Bledsoe, Curtis, Gately, and McCauley—4.

Title read and approved.

Mr. Tindall moved that Senate Bill No. 538 be immediately transmitted to the Senate.

So ordered.

Senate Bill No. 671—An Act to amend section one thousand and eighty-three of the Political Code of the State of California, defining the qualifications and disabilities of electors.

Read third time, and passed by the following vote:

AYES—Messrs. Adams, Anderson, Androus, Barker, Barlow, Bennett of Santa Clara, Bledsoe, Boyce, Bretz, Brownlie, Buckley, Bulla, Carlson, Casterline, Chipman, Conway, Dodge, Drees, Duckworth, Duffy, Gallagher, Gately, Godchaux, Hamilton, Hendrickson,

Hurley, Jacobs, Johnson of Humboldt, Johnson of Santa Clara, Kerns, McCauley, McGowan, Mack, Marks, Marston, Mathews of Tehama, Matthews of San Benito, Mordecai, Owen, Pendleton, Perkins, Pueschel, Sargent, Schlesinger, Simpson, Sims, Standart, Taggart, Talbott, Taylor, Tindall, Vann, and Wade—53.

NOES—None.

Title read and approved.

SPECIAL ORDER.

The consideration of the following report set for this day was taken up:

ON PUBLIC EXPENDITURES AND ACCOUNTS.

ASSEMBLY CHAMBER, SACRAMENTO, February 23, 1893.

MR. SPEAKER: Your Committee on Public Expenditures and Accounts, to whom was referred Assembly resolution relative to the discharge of all Standing Committee Clerks, have given the subject careful consideration, and beg leave to report that, in the opinion of your committee, the services of the following-named attachés be dispensed with, and their names erased from the payroll of the Assembly after the fourth day of March, 1893:

Clara J. Bledsoe, Clerk Committee on Public Morals; J. J. Breen, Clerk Committee on Roads and Highways, George S. Boyce, Clerk Committee on Chinese Immigration and Emigration; James T. Culler, Clerk Committee on Water Rights and Drainage; Peter J. Cotter, Clerk Committee on Agriculture; W. M. J. Delaney, Clerk Committee on Crimes and Penalties, Charles O. Davis, Clerk Committee on Mines and Mining; Ed. Flynn, Clerk Committee on Labor and Capital; M. C. Gury, Clerk Committee on Commerce and Navigation; E. B. Gallagher, Clerk Committee on Internal Improvements, Mrs. J. Hunter, Clerk Committee on Apportionment and Election Laws, George F. Hatton, Clerk Committee on Swamp and Overflowed Lands; Blanche Hood, Clerk Committee on Elections and Privileges; R. Henry, Clerk to San Francisco Delegation, Anna Keene, Clerk to Committee on Fish and Game; J. V. Long, Clerk Committee on Mileage, George W. Lewis, Clerk Committee on Federal Relations; J. H. Lawrence, Clerk Committee on State Prisons; J. J. McDonald, Clerk Committee on Forestry; J. J. Maloney, Clerk Committee on Retrenchment; John H. McClure, Clerk Committee on State Hospitals; Douglas McGriff, Clerk Committee on State Library; A. Norton, Clerk Committee on Military Affairs; T. S. Nagle, Clerk Committee on Attachés and Employés; John Ruddick, Clerk Committee on Homestead and Land Monopoly; R. B. Stolder, Clerk Committee on Yosemite Valley and Mariposa Big Trees; L. A. Sargent, Clerk Committee on Education; Mrs. J. M. Shively, Clerk Committee on Public Lands; P. H. Thompson, Clerk Committee on Viniculture, Viticulture, and Horticulture; John W. Wilcox, Clerk Committee on Public Buildings and Grounds.

Also: We further recommend that the services of the following-named persons be dispensed with after the fourth day of March, 1893:

Joseph N. Vera, Sergeant-at-Arms to Committee on Counties and County Boundaries; Joseph Clancy, Assistant Clerk, Nora Andrews, Typewriter, Mrs. Anna Taylor, Assistant Clerk Committee on State Prisons; Milo C. Ayres, Messenger Committee on County and Township Governments; Joseph Mansfield, Assistant Sergeant-at-Arms and Messenger, M. Marks, Sergeant-at-Arms to Special Committee, E. P. Beaton, Clerk Special Committee; Ben S. Wood, Assistant Clerk to Sergeant-at-Arms, Miss M. L. Crawford, Assistant File Clerk, F. B. Cronin, Assistant File Clerk; Miss Eva O'Neill, Assistant Engrossing Clerk.

All of which is most respectfully submitted.

J. H. MATTHEWS, Chairman.

Mr. Kennedy moved to amend by omitting the names of Joseph Clancy and Miss Eva O'Neill, Assistant Engrossing Clerks.

Adopted.

Mr. Lynch moved to amend by omitting the name of Nora Andrews, Typewriter of the Committee on Ways and Means.

Adopted.

Report, as amended, adopted.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, February 23, 1893.

MR. SPEAKER: Your Committee on Public Expenditures and Accounts respectfully recommend that the Committee Clerks retained after the fourth day of March, 1893, be required to perform the clerical duties for one or more committees, and respectfully submit the following grouping:

That the Clerk of the Committee on Corporations also act as Clerk for the following

committees: Agriculture, Apportionment and Election Laws, Attachés and Employés, Chinese Immigration and Emigration, Public Lands, Public Morals, and Viniculture, Viticulture, and Horticulture.

That the Clerk of the Committee on Counties and County Boundaries also act as Clerk for the following committees: Claims, Commerce and Navigation, Constitutional Amendments, Crimes and Penalties, Public Printing, Retrenchment, and Water Rights and Drainage.

That the Clerk of the Committee on County and Township Governments also act as Clerk for the following committees Education, Election and Privileges, Federal Relations, Fish and Game, Roads and Highways, Rules and Regulations, Yosemite Valley and Mariposa Grove of Big Trees.

That the Clerk of the Committee on Municipal Corporations also act as Clerk for the following committees: Forestry, Homestead and Land Monopoly, Internal Improvements, Irrigation, State Prisons and Reformatory Institutions, and State Hospitals.

That the Clerk of the Committee on Public Expenditures and Accounts also act as Clerk for the following committees: Labor and Capital, Mileage, Military Affairs, Mines and Mining Interests, State Library, and Swamp and Overflowed Lands.

J. H. MATTHEWS, Chairman.

Adopted.

MOTION.

Mr. Taggart moved to take up Assembly Bill No. 219.

So ordered.

Assembly Bill No. 219—An Act to amend section three thousand seven hundred and forty-six of an Act entitled "An Act to amend section three thousand seven hundred and forty-six of an Act entitled 'An Act to establish a Political Code,' approved March 12, A. D. 1872," and approved March 31, A. D. 1891.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Adams, Alford, Anderson, Androus, Barlow, Bennett of Santa Clara, Bennett of Orange, Blakeley, Bledsoe, Boyce, Bretz, Buckley, Carlson, Casterline, Chipman, Conway, Dodge, Drees, Duckworth, Finlayson, Gallagher, Godchaux, Hamilton, Hendrickson, Hurley, Hutson, Jacobs, Johnson of Humboldt, Kerns, Luttringer, Lynch, Mack, Marks, Marston, Mathews of Tehama, Matthews of San Benito, Miller, Mordecai, O'Neill, Owen, Pendleton, Perkins, Pueschel, Sargent, Schlesinger, Simpson, Sims, Standart, Taggart, Talbott, Taylor, Vann, and Wade—53.

NOES—None.

Title read and approved.

SPECIAL ORDER.

Committee Substitute for Assembly Bill No. 774—An Act to amend an Act entitled "An Act to establish a uniform system of county and township governments," approved March 31, 1891, by amending sections fifty-seven, one hundred and sixty-seven, one hundred and sixty-eight, one hundred and seventy-two, one hundred and eighty-six, and one hundred and ninety-seven thereof, relating to county officers.

Mr. Bledsoe moved to amend as follows:

By adding to section one, line one hundred and one, the words: "*provided further*, that the provisions of this Act shall not apply to counties of the twelfth and nineteenth classes."

Mr. Mordecai moved to amend by excepting counties of the eighth class.

Mr. Schlesinger moved the previous question, seconded by Messrs. Kennedy and Pendleton.

The question being, "Shall the main question be now put?"

So ordered.

Pending amendments lost.

Bill considered engrossed and ordered to a third reading.

Committee Substitute for Assembly Bill No. 774—An Act to amend an Act entitled "An Act to establish a uniform system of county and township governments," approved March 31, 1891, by amending sections fifty-seven, one hundred and sixty-seven, one hundred and sixty-eight, one hundred and seventy-two, one hundred and eighty-six, and one hundred and ninety-seven thereof, relating to county officers.

Read third time, and passed by the following vote:

AYES—Messrs. Adams, Alford, Anderson, Androus, Barker, Barlow, Bennett of Santa Clara, Bennett of Orange, Blakeley, Boyce, Brownlie, Buckley, Bulla, Carlson, Casterline, Chipman, Conway, Cusick, Dodge, Drees, Duckworth, Finlayson, Gallagher, Gately, Godchaux, Hamilton, Hendrickson, Hurley, Jacobs, Johnson of Santa Clara, Kennedy, Kerns, LaRue, Luttringer, Lynch, McCauley, McGowan, Mack, Marks, Marston, Mathews of Tehama, Miller, O'Keefe, Owen, Pendleton, Perkins, Pueschel, Sargent, Schlesinger, Shanahan, Simpson, Standart, Taggart, Talbott, Taylor, Thomas of Nevada, and Tindall—57.

NOES—Messrs. Bledsoe, Bretz, Duffy, Hutson, Jacobsen, Johnson of Humboldt, Matthews of San Benito, O'Neill, Sims, and Wade—9.

Title read and approved.

SPECIAL ORDER.

Substitute for Assembly Bills Nos. 16, 57, 129, 157, 176, 524, 667, and 730—An Act to amend sections one thousand five hundred and twenty, one thousand five hundred and twenty-one, one thousand five hundred and thirty-two, one thousand five hundred and thirty-three, one thousand five hundred and forty-three, one thousand five hundred and fifty-one, one thousand five hundred and fifty-three, one thousand five hundred and sixty, one thousand five hundred and sixty-one, one thousand five hundred and sixty-four, one thousand five hundred and sixty-five, one thousand five hundred and seventy-six, one thousand five hundred and seventy-seven, one thousand five hundred and eighty-one, one thousand five hundred and eighty-three, one thousand five hundred and ninety-three, one thousand five hundred and ninety-six, one thousand five hundred and ninety-nine, one thousand six hundred and two, one thousand six hundred and fourteen, one thousand six hundred and fifteen, 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 thirty-four, one thousand six hundred and thirty-six, one thousand six hundred and thirty-seven, one thousand six hundred and thirty-eight, one thousand six hundred and thirty-nine, one thousand six hundred and fifty, one thousand six hundred and fifty-one, 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 eighty-seven, one thousand six hundred and ninety-six, one thousand six hundred and ninety-eight, one thousand six hundred and ninety-nine, one thousand seven hundred and twelve, one thousand seven hundred and thirteen, one thousand seven hundred and fourteen, one thousand seven hundred and sixty-eight, 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-five, one thousand seven hundred and seventy-six, 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 seven hundred and ninety-two, one thousand seven hundred and ninety-three, one thousand eight hundred and seventeen, one thousand eight hundred and thirty, one thousand eight hundred and thirty-three, one thousand eight hundred and thirty-five, one thousand eight hundred and thirty-six, one thousand eight hundred and fifty-seven, one thousand eight hundred and fifty-eight, one thousand eight hundred and sixty-one, one thousand eight hundred and seventy-four, one thousand eight hundred and seventy-seven, one thousand eight hundred and seventy-nine, one thousand eight hundred and and eighty, one thousand eight hundred and eighty-two, one thousand eight hundred and eighty-three, one thousand five hundred and three of the Political Code; to add thereto three new sections, to be known and numbered as sections one thousand six hundred and sixty-nine, one thousand six hundred and seventy, and one thousand six hundred and seventy-one; to repeal sections one thousand seven hundred and fifty-seven and one thousand seven hundred and sixty-nine of the Political Code, all relating to the public schools; and also to repeal "An Act to authorize the establishment of county high schools, and provide for their support," approved March 10, 1891, and "An Act to provide for the establishment of high schools in the State of California," approved March 20, 1891, and all Acts and parts of Acts in conflict with the provisions of this Act.

Read third time, and passed by the following vote:

AYES—Messrs Adams, Alford, Anderson, Barker, Barlow, Bennett of Santa Clara, Bennett of Orange, Bledsoe, Boyce, Bretz, Brownlie, Buckley, Bulla, Carlson, Casterline, Chipman, Cusick, Dodge, Drees, Duffy, Finlayson, Gallagher, Gately, Godchaux, Hamilton, Hutson, Jacobs, Jacobsen, Johnson of Humboldt, Johnson of Santa Clara, Kennedy, Kerns, LaRue, Luttringer, Lynch, McCauley, Mack, Marks, Marston, Mathews of Tehama, O'Keefe, O'Neill, Owen, Pendleton, Pueschel, Sargent, Schlesinger, Shanahan, Simpson, Sims, Standart, Taggart, Talbott, Taylor, Thomas of Nevada, Tindall, Vann, Wade, and Mr Speaker—59.

NOES—None.

Title read and approved.

MOTION.

Mr. Anderson moved to take up Senate Bill No. 492.

So ordered.

FIRST READING OF BILL.

Senate Bill No. 492—An Act in relation to the care and improvements of the State Capitol grounds, and making an appropriation therefor.

Read first time, and placed on file for second reading.

REPORTS OF STANDING COMMITTEES.

ON JUDICIARY

ASSEMBLY CHAMBER, SACRAMENTO, March 4, 1893.

MR SPEAKER: Your Committee on Judiciary, to whom was referred Senate Bill No 347—have had the same under consideration, and respectfully report the same back without recommendation.

SHANAHAN, Chairman.

ON WAYS AND MEANS.

ASSEMBLY CHAMBER, SACRAMENTO, March 4, 1893

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred Senate Bill No. 492—have had the same under consideration, and respectfully report the same back without recommendation

W. P. MATHEWS, Chairman.

MOTION.

Mr. Mordecai moved that the special order set for this hour, the consideration of report of special committee appointed to consider charges against Assemblyman H. H. Johnson, be postponed until Monday at three o'clock and thirty minutes P. M.

So ordered.

MOTION.

Mr. Jacobsen moved to take up Assembly Bill No. 724.

So ordered.

Assembly Bill No. 724—An Act to enable school districts in cities of the fifth class, and school districts which embrace territory, a portion of which is within and a portion of which is without such cities of the fifth class, to issue bonds for the purpose of raising money to purchase school lots, and for building or purchasing one or more school houses, and supplying the same with furniture, necessary apparatus, and improving the grounds, and for liquidating any indebtedness already incurred for such purposes, and to repeal an Act approved March 31, 1891, entitled "An Act to enable cities of the fifth class to issue bonds for the purpose of raising money to purchase school lots, and for building or purchasing one or more school houses, and supplying the same with furniture, necessary apparatus, and improving the grounds, and for liquidating any indebtedness already incurred for such purposes."

Read third time, and passed by the following vote:

AYES—Messrs Adams, Alford, Anderson, Barker, Barlow, Bennett of Santa Clara, Bennett of Orange, Blakeley, Bledsoe, Boyce, Bretz, Brownlie, Bulla, Carlson, Casterline, Chipman, Conway, Cusick, Dodge, Drees, Duffy, Finlayson, Gallagher, Gately, Godchaux, Hamilton, Hendrickson, Hutson, Jacobs, Jacobsen, Kennedy, Kerns, LaRue, Luttringer, McGowan, Mack, Marks, Marston, Mathews of Tehama, Miller, Mordecai, O'Keefe, O'Neill, Owen, Pendleton, Pueschel, Sargent, Schlesinger, Shanahan, Sims, Standart, Taggart, Talbott, Taylor, Thomas of Nevada, Vann, Wade, and Mr. Speaker—58.

NOES—None

Title read and approved.

MOTION.

Mr. Bledsoe moved that the minority report signed by himself in the matter of the investigation of the charges against Assemblyman H. H. Johnson be printed in the Journal.

Lost.

SPECIAL ORDER.

Assembly Bill No. 239—An Act to create the county of Kings, to define the boundaries thereof, to fix the county seat thereof, and to provide for its organization and election of officers, and to classify said county.

Read third time.

Pending announcement of the vote, Mr. Shanahan moved a call of the House.

Lost.

The Speaker pro tem. announced the vote, and declared the bill refused passage by the following vote:

AYES—Messrs. Adams, Anderson, Barker, Barlow, Bennett of Orange, Blakeley, Bretz, Buckley, Carlson, Chipman, Conway, Curtis, Cusick, Duckworth, Duffy, Gallagher,

Gately, Hamilton, Hutson, Johnson of Humboldt, Kennedy, Luttringer, Lynch, McCauley, McGowan, Mack, Marston, Miller, O'Neill, Pendleton, Sargent, Shanahan, Standart, Talbott, Taylor, Thomas of Nevada, Tindall, and Vann—38.

NOES—Messrs. Alford, Bennett of Santa Clara, Bledsoe, Boyce, Brownlie, Bulla, Casterline, Drees, Finlayson, Godchaux, Hendrickson, Hurley, Jacobs, Johnson of Santa Clara, Kerns, LaRue, Marks, Mathews of Tehama, Owen, Perkins, Pueschel, Schlesinger, Schroebel, Simpson, Sims, Taggart, Wade, and Mr. Speaker—28.

NOTICE OF RECONSIDERATION.

Mr. Mathews of Tehama gave notice that on the next legislative day he will move a reconsideration of the vote whereby Assembly Bill No. 239 was refused passage.

MOTION.

Mr. Shanahan moved that all unconsidered special orders and notices of reconsiderations on this day's file be made special orders for Monday at three o'clock and thirty minutes P. M.

So ordered.

ADJOURNMENT.

At four o'clock and forty minutes P. M., on motion of Mr. Gould, the Assembly adjourned until Monday at eleven o'clock and thirty minutes A. M.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Monday, March 6, 1893.

The Assembly met pursuant to adjournment.

Speaker Gould in the chair.

The roll was called, and the following members answered to their names:

Messrs. Adams, Alford, Anderson, Androus, Barker, Barlow, Bennett of Santa Clara, Bennett of Orange, Blakeley, Bledsoe, Boyce, Bretz, Brownlie, Bulla, Burke, Carlson, Casterline, Chipman, Conway, Curtis, Cusick, Dodge, Drees, Duckworth, Duffy, Durst, Finlayson, Gallagher, Gately, Godchaux, Hamilton, Hendrickson, Hurley, Hutson, Jacobs, Jacobsen, Johnson of Humboldt, Johnson of Santa Clara, Kahn, Kerns, LaRue, Luttringer, Lynch, McCauley, McElroy, McGowan, Mack, Marks, Marston, Mathews of Tehama, Matthews of San Benito, Miller, Mordecai, O'Keefe, O'Neill, Owen, Pendleton, Perkins, Sargent, Schlesinger, Schroebel, Shanahan, Simpson, Sims, Standart, Taggart, Talbott, Thomas of Nevada, Tindall, Vann, Wade, and Mr. Speaker.

Quorum present.

PRAYER.

Prayer by the Chaplain, Rev. H. W. Conry.

READING OF THE JOURNAL.

Pending the reading of the Journal of Saturday, Mr. Wade moved that further reading be dispensed with.

So ordered.

PETITIONS.

Messrs. Bledsoe, Tindall, Dodge, Sargent, and Vann presented petitions relative to the Uniform License Bill.

REPORTS OF STANDING COMMITTEES.

ON EDUCATION.

ASSEMBLY CHAMBER, SACRAMENTO, March 3, 1893.

MR. SPEAKER: Your Committee on Education, to whom was referred Assembly Bill No. 733—An Act to promote the practical study of the sciences in the high schools of California—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

SARGENT, Chairman.

Assembly Bill No. 733 re-referred to Committee on Ways and Means.

ON WAYS AND MEANS.

ASSEMBLY CHAMBER, SACRAMENTO, March 3, 1893.

MR SPEAKER. Your Committee on Ways and Means, to whom was referred Senate Bill No. 743—An Act making an appropriation to pay the deficiency in the appropriation for the transportation of insane for the forty-fourth fiscal year—have had the same under consideration, and respectfully report the same back, and recommend that it do pass, and that Assembly Bill No 814 (No. 29 on the file) be dropped, as the two bills are identical

W. P. MATHEWS, Chairman.

Mr. Mathews, on his motion, was allowed to withdraw Assembly Bill No. 814.

MOTION.

Mr Mathews of Tehama moved that Senate Bill No. 743 be read the first time.

So ordered.

FIRST READING OF BILL.

Senate Bill No. 743—An Act making an appropriation to pay the deficiency in the appropriation for the transportation of insane for the forty-fourth fiscal year.

Read first time, and placed on file for second reading.

REPORTS OF STANDING COMMITTEES—(RESUMED).

ON WAYS AND MEANS.

ASSEMBLY CHAMBER, SACRAMENTO, March 4, 1893.

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred Substitute for Senate Bill No 389—An Act to provide for the appointment, duties, and compensation of a Debris Commissioner, and to make an appropriation to be expended under his directions in the discharge of his duties as such Commissioner—have had the same under consideration, and respectfully report the same back, and recommend that it do pass

W P. MATHEWS, Chairman

MOTION.

Mr. Thomas of Nevada moved that Substitute for Senate Bill No. 389 be read the first time.

So ordered.

FIRST READING OF BILL.

Substitute for Senate Bill No. 389—An Act to provide for the appointment, duties, and compensation of a Debris Commissioner, and to make

an appropriation to be expended under his directions in the discharge of his duties as such Commissioner.

Read first time, and placed on file for second reading.

REPORTS OF STANDING COMMITTEES—(RESUMED).

ON WAYS AND MEANS

ASSEMBLY CHAMBER, SACRAMENTO, March 6, 1893.

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred Senate Bill No. 576—An Act making an appropriation for enlarging the fire-proof warehouse for the use of the State Printing Department

Also: Senate Bill No. 774—An Act to repeal an Act entitled "An Act to provide for the erection at San Quentin State Prison of a building for the accommodation of the insane prisoners, and making appropriations therefor," approved March 19, 1889

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass

W. P. MATHEWS, Chairman.

ON CRIMES AND PENALTIES.

ASSEMBLY CHAMBER, SACRAMENTO, March 4, 1893.

MR SPEAKER: Your Committee on Crimes and Penalties, to whom was referred Senate Bill No. 60—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

LUTTRINGER, Chairman.

LEAVE OF ABSENCE.

Mr. Buckley was granted leave of absence for the day.

MESSAGES FROM THE SENATE.

SENATE CHAMBER, SACRAMENTO, March 4, 1893

MR SPEAKER I am directed to inform your honorable body that the Senate, on this day, passed Senate Bill No 673—An Act to amend sections eight, nine, twelve, seventeen, forty-eight, and fifty-five of an Act of the Legislature of the State of California entitled "An Act for the relief of insolvent debtors, for the protection of creditors, and for the punishment of fraudulent debtors," approved April 16, 1880.

Also: Senate Bill No 404—An Act to amend section six hundred and seventy-nine of the Political Code, relating to the duties of the State Board of Examiners

Also: Senate Bill No 403—An Act to amend sections five hundred and thirty-one and five hundred and thirty-two of the Political Code, relating to public printing, and the duties of the Superintendent of State Printing.

Also: Senate Bill No 67—An Act to amend an Act relative to the non-insurance of property belonging to the State against risk of damage or destruction by fire, approved March 10, 1891.

F. J BRANDON, Secretary.
By R SHAW, Assistant

Senate Bill No. 673 referred to Committee on Judiciary.

Senate Bills Nos. 404 and 403 referred to Committee on Public Printing.

Senate Bill No. 67 referred to Committee on Ways and Means.

Also:

SENATE CHAMBER, SACRAMENTO, March 4, 1893

MR. SPEAKER: I am directed to inform your honorable body that the Senate, on this day passed Senate Bill No 269—An Act authorizing and providing for the erection and furnishing of armories for the National Guard of the State of California, and to issue bonds for the payment of the same, and providing for the payment of said bonds.

Also Senate Bill No 539—An Act to appropriate money to pay the claim of the Directors of the Women's Relief Corps Home at Evergreen, California

Also: Senate Bill No 222—An Act making an appropriation for the erection of an additional building for the State Normal School at Chico

F. J BRANDON, Secretary.
By R SHAW, Assistant

Senate Bills Nos. 269, 539, and 222 referred to Committee on Ways and Means.

Also:

SENATE CHAMBER, SACRAMENTO, March 4, 1893

MR. SPEAKER: I am directed to inform your honorable body that the Senate, on the first day of March, 1893, passed Substitute for Senate Bill No 434—An Act regulating the sale of the lands uncovered by the recession or drainage of the waters of inland lakes, and unsegregated swamp and overflowed lands, and validating sales and surveys heretofore made.

F. J. BRANDON, Secretary.
By R SHAW, Assistant

Substitute for Senate Bill No. 434 referred to Committee on Swamp and Overflowed Lands.

Also:

SENATE CHAMBER, SACRAMENTO, March 4, 1893

MR. SPEAKER: I am directed to inform your honorable body that the Senate, on this day, passed Senate Bill No. 775—An Act making an appropriation to pay the deficiency in the appropriation for per diem and mileage of the Lieutenant-Governor and Senators for the forty-fourth fiscal year

Also: Senate Bill No 776—An Act making an appropriation to pay the deficiency in the appropriation for pay of officers and clerks of the Senate for the forty-fourth fiscal year.

F. J. BRANDON, Secretary.
By R. SHAW, Assistant

RESOLUTION.

By Mr. Mathews of Tehama:

Resolved, That Senate Bills Nos 775 and 776 present cases of urgency, as that term is used in section fifteen of article four of the Constitution, and the provisions of that section requiring that the bills shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bills be read the first, second, and third times, and placed upon their passage.

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

AYES—Messrs. Adams, Alford, Anderson, Androus, Barker, Barlow, Bennett of Santa Clara, Bennett of Orange, Bledsoe, Boyce, Bretz, Brownlie, Bulla, Carlson, Casterline, Chipman, Conway, Cusick, Dodge, Drees, Duckworth, Duffy, Durst, Hendrickson, Hurley, Hutson, Jacobs, Johnson of Humboldt, Johnson of Santa Clara, Kahn, Kerns, Luttringer, Lynch, McCauley, McElroy, Marks, Marston, Mathews of Tehama, Matthews of San Benito, Miller, Mordecai, O'Neill, Owen, Pendleton, Perkins, Sargent, Schlesinger, Schroebel, Shanahan, Simpson, Taggart, Talbott, Thomas of Nevada, Tindall, Vann, Wade, and Mr. Speaker—57.

NOES—None.

FIRST AND SECOND READING OF BILLS.

Senate Bill No. 775—An Act making an appropriation to pay the deficiency in the appropriation for per diem and mileage of the Lieutenant-Governor and Senators for the forty-fourth fiscal year.

Read first and second times.

Senate Bill No. 776—An Act making an appropriation to pay the deficiency in the appropriation for pay of officers and clerks of the Senate for the forty-fourth fiscal year.

Read first and second times.

MOTION.

Mr. Schlesinger moved that the Assembly resolve itself into Committee of the Whole, with the Speaker in the chair, for the purpose of considering Senate Bills Nos. 775 and 776.

So ordered.

IN COMMITTEE OF THE WHOLE.

Speaker Gould in the chair.

Senate Bills Nos. 775 and 776 were considered in Committee of the Whole.

IN ASSEMBLY.

Speaker Gould in the chair.

REPORT OF THE COMMITTEE OF THE WHOLE.

The Speaker stated the report of the Committee of the Whole, as follows:

GENTLEMEN: The Committee of the Whole have had under consideration Senate Bills Nos. 775 and 776, and now report, and recommend that the same do pass.

THIRD READING OF BILLS.

Senate Bill No. 775—An Act making an appropriation to pay the deficiency in the appropriation for per diem and mileage of the Lieutenant-Governor and Senators for the forty-fourth fiscal year.

Read third time, and passed by the following vote:

AYES—Messrs Adams, Anderson, Androus, Barlow, Bennett of Santa Clara, Bennett of Orange, Bledsoe, Bretz, Brownlie, Burke, Carlson, Casterline, Conway, Curtis, Cusick, Dodge, Drees, Duckworth, Duffy, Durst, Finlayson, Godchaux, Hamilton, Hendrickson, Hurley, Hutson, Jacobs, Johnson of Humboldt, Johnson of Santa Clara, Kahn, Kerns, LaRue, Luttringer, Lynch, McCauley, McElroy, Mack, Marks, Marston, Mathews of Tehama, Matthews of San Benito, Miller, Mordecai, O'Keefe, Owen, Pendleton, Sargent, Schlesinger, Schroebel, Sims, Standart, Taggart, Thomas of Nevada, Tindall, Vann, Wade, and Mr. Speaker—57

NOES—None

Title read and approved.

Senate Bill No. 776—An Act making an appropriation to pay the deficiency in the appropriation for pay of officers and clerks of the Senate for the forty-fourth fiscal year.

Read third time, and passed by the following vote:

AYES—Messrs Adams, Anderson, Androus, Barker, Barlow, Bennett of Santa Clara, Bledsoe, Boyce, Bretz, Brownlie, Bulla, Burke, Carlson, Casterline, Conway, Curtis, Cusick, Dodge, Drees, Duckworth, Duffy, Durst, Finlayson, Gallagher, Godchaux, Hamilton, Hendrickson, Hurley, Hutson, Jacobs, Johnson of Humboldt, Kahn, Kerns, LaRue, Luttringer, McElroy, McGowan, Mack, Marks, Marston, Mathews of Tehama, Matthews of San Benito, Miller, Mordecai, O'Keefe, Owen, Pendleton Perkins, Schlesinger, Schroebel, Sims, Standart, Taggart, Talbott, Thomas of Nevada, Tindall, Vann, Wade, and Mr Speaker—59

NOES—None.

Title read and approved.

MOTIONS.

Mr. Mathews of Tehama moved to suspend the rules, and take up the following bills on the special file:

Assembly Bill No. 777 (No. 20 on file)—An Act making an appropriation to pay the deficiencies in the appropriation for costs and expenses of suits in which the State is a party in interest, for the thirty-fifth, thirty-sixth, thirty-seventh, thirty-eighth, thirty-ninth, and fortieth fiscal years.

Assembly Bill No. 803 (No. 26 on file)—An Act making an appropriation to pay the deficiency in the appropriation for expenses of Supreme Court, under section forty-seven, Code of Civil Procedure, for the forty-second fiscal year.

Senate Bill No. 231 (No. 499 on file)—An Act to provide for the payment of advertising the funded debt, and make an appropriation therefor.

Senate Bill No. 232 (No. 500 on file)—An Act to provide for the payment of advertising "Notice to all Chinese persons in the State of California," and to make an appropriation therefor.

Senate Bill No. 233 (No. 541 on file)—An Act to provide for the payment for the advertising of the constitutional amendments, and to make an appropriation therefor.

Senate Bill No. 239 (No. 501 on file)—An Act to provide for the payment for advertising the San Francisco Depot Act, and make an appropriation therefor.

Senate Bill No. 160 (No. 509 on file)—An Act making an appropriation to pay the claim of "The California Spirit of the Times," for advertising the election proclamation in the forty-second fiscal year.

Senate Bill No. 281 (No. 525 on file)—An Act making an appropriation to pay the deficiency in the appropriation for the support of the Reform School for Juvenile Offenders at Whittier, for the forty-third and forty-fourth fiscal years.

Senate Bill No. 507 (No. 542 on file), drop Assembly Bill No. 542 (No. 389 on file), which is identical—An Act making an appropriation for the payment of certain salary due Allen Kelly, as Executive Officer of the State Board of Forestry.

Senate Bill No. 601 (No. 549 on file)—An Act making an appropriation to pay for lithographing Chinese certificates, under the provisions of an Act to prohibit the coming of Chinese persons into the State, approved March 20, 1891.

Senate Bill No. 732 (No. 550 on file)—An Act making an appropriation to pay the deficiency in the appropriation for salary of Secretary of State Board of Examiners for the forty-second fiscal year.

Senate Bill No. 705 (No. 551 on file)—An Act making an appropriation to pay the deficiency in the appropriation for the State's portion of salaries of Judges of the Superior Court for the forty-fourth fiscal year.

Senate Bill No. 722 (No. 548 on file), drop Assembly Bill No. 794 (No. 22 on file), which is identical—An Act making an appropriation to pay the deficiency in the appropriation for arresting criminals without the State for the forty-third fiscal year.

Senate Bill No. 602 (No. 517 on file)—An Act making an appropriation to pay for the transportation of children to the State Reform School for Juvenile Offenders for the forty-third fiscal year.

Senate Bill No. 603 (No. 526 on file)—An Act making an appropriation for payment of transportation of children to the State Reform School for Juvenile Offenders for the forty-fourth fiscal year.

So ordered.

Mr. Bledsoe moved to reconsider the vote whereby the Governor's veto of Assembly Bill No. 142 was sustained.

Mr. Bledsoe moved that the consideration of the motion be made a special order for this day, at three o'clock and thirty minutes P. M.

So ordered.

THIRD READING OF BILL.

Assembly Bill No. 777—An Act making an appropriation to pay the deficiencies in the appropriation for costs and expenses of suits in which the State is a party in interest, for the thirty-fifth, thirty-sixth, thirty-seventh, thirty-eighth, thirty-ninth, and fortieth fiscal years.

Read third time, and passed by the following vote:

AYES—Messrs Adams, Alford, Anderson, Androus, Barker, Bennett of Santa Clara, Blakeley, Boyce, Brownlie, Bulla, Burke, Carlson, Casterline, Chipman, Conway, Cusick, Dodge, Drees, Duckworth, Duffy, Durst, Finlayson, Gallagher, Godchaux, Hendrickson, Hurley, Hutson, Jacobs, Johnson of Humboldt, Kahn, Kerns, Luttringer, Lynch, McCauley, McGowan, Mack, Marks, Marston, Mathews of Tehama, Matthews of San Benito, Miller, Mordecai, Owen, Pendleton, Perkins, Schlesinger, Schroebel, Sims, Standart, Taggart, Thomas of Nevada, Vann, Wade, and Mr Speaker—54

NOES—Mr Bledsoe—1.

Title read and approved.

FIRST READING OF BILLS.

Assembly Bill No. 803—An Act making an appropriation to pay the deficiency in the appropriation for expenses of Supreme Court, under section forty-seven, Code of Civil Procedure, for forty-second fiscal year.

Read first time, and placed on file for second reading.

Substitute for Senate Bill No. 233—An Act to provide for the payment for the advertising of the constitutional amendments, and to make an appropriation therefor.

Read first time, and placed on file for second reading.

SECOND READING OF BILLS.

Committee Substitute for Senate Bill No. 231—An Act to provide for the payment of advertising the funded debt, and make an appropriation therefor.

Read second time.

Committee Substitute for Senate Bill No. 232—An Act to provide for the payment of advertising "Notice to all Chinese persons in the State of California," and to make an appropriation therefor.

Read second time.

Committee Substitute for Senate Bill No. 239—An Act to provide for the payment for advertising the San Francisco Depot Act, and make an appropriation therefor.

Read second time.

MOTION.

Mr. Wade moved that the Assembly resolve itself into Committee of the Whole, with the Speaker in the chair, for the purpose of considering Substitute for Senate Bill No. 231, Substitute for Senate Bill No. 232, and Substitute for Senate Bill No. 239.

So ordered.

IN COMMITTEE OF THE WHOLE.

Speaker Gould in the chair.

Substitute for Senate Bill No. 231, Substitute for Senate Bill No. 232, and Substitute for Senate Bill No. 239 were considered in Committee of the Whole.

IN ASSEMBLY.

Speaker Gould in the chair.

REPORT OF THE COMMITTEE OF THE WHOLE.

The Speaker stated the report of the Committee of the Whole, as follows:

GENTLEMEN: The Committee of the Whole have had under consideration Substitute for Senate Bill No. 231, Substitute for Senate Bill No 232, and Substitute for Senate Bill No. 239, and now report, and recommend that the same do pass

Substitute for Senate Bill No. 232, and Substitute for Senate Bill No. 239, ordered to a third reading.

RECESS.

The hour of recess having arrived, the Speaker declared recess until two o'clock P. M.

REASSEMBLED.

The Assembly reassembled at two o'clock P. M.
Speaker Gould in the chair.
Quorum present.

SPECIAL SENATE FILE—THIRD READING OF BILLS.

Senate Bill No. 96—An Act to provide for the construction and furnishing of an additional school building for the use of the State Normal School at Los Angeles, California, and to appropriate money therefor.

Read third time, and passed by the following vote:

AYES—Messrs. Anderson, Androus, Barker, Bennett of Santa Clara, Bennett of Orange, Blakeley, Bledsoe, Boyce, Brownlie, Bulla, Burke, Carlson, Casterline, Curtis, Dodge, Gallagher, Godchaux, Hendrickson, Hurley, Hutson, Jacobs, Johnson of Humboldt, Johnson of Santa Clara, Kahn, Kerns, LaRue, Lynch, McCauley, Marks, Marston, Matthews of San Benito, Owen, Pendleton, Perkins, Sargent, Schlesinger, Simpson, Standart, Thomas of Nevada, Vann, Wade, and Mr Speaker—42.
NOES—None

Title read and approved.

Substitute for Senate Bill No. 35—An Act to provide and regulate the manner of receiving and paying fees, commissions, percentages, and other compensation for official services, in cities, and cities and counties having a population of over one hundred thousand inhabitants, and prescribing the duties of officers with reference thereto.

Read third time, and passed by the following vote:

AYES—Messrs Alford, Anderson, Barker, Barlow, Bennett of Santa Clara, Bennett of Orange, Bledsoe, Bulla, Burke, Carlson, Casterline, Conway, Cusick, Dodge, Finlayson, Gallagher, Gately, Godchaux, Hendrickson, Hurley, Jacobs, Jacobsen, Johnson of Humboldt, Johnson of Santa Clara, Kahn, Kerns, LaRue, Luttringer, Lynch, Marston, Matthews of San Benito, Miller, O'Neill, Pendleton, Perkins, Schlesinger, Simpson, Standart, Taggart, Talbott, Taylor, Thomas of Nevada, Vann, Wade, and Mr. Speaker—45
NOES—None.

Title read and approved.

Senate Bill No. 354—An Act to create a special Commission for the purpose of examining and reporting to the thirty-first session of the

Legislature on the Torrens Land Transfer Act of Australia, and making an appropriation therefor.

Read third time, and passed by the following vote:

AYES—Messrs Alford, Anderson, Androus, Barker, Barlow, Bennett of Santa Clara, Bennett of Orange, Bledsoe, Bulla, Burke, Carlson, Casterline, Conway, Cusick, Dodge, Drees, Durst, Finlayson, Gallagher, Gately, Godchaux, Hendrickson, Hurley, Hutson, Jacobs, Kahn, Kerns, LaRue, Luttringer, Lynch, McCauley, McGowan, Marks, Marston, Matthews of San Benito, Miller, O'Neill, Owen, Pendleton, Perkins, Sargent, Schlesinger, Simpson, Standart, Taggart, Talbott, Taylor, Thomas of Nevada, Tindall, Vann, Wade, and Mr. Speaker—52

NOES—None

Title read and approved.

Senate Bill No. 332—An Act to authorize the acquisition by donation of a site or sites for camps of instruction for the National Guard of the State of California, and to improve the same.

Read third time, and passed by the following vote:

AYES—Messrs Adams, Alford, Anderson, Androus, Barker, Barlow, Bennett of Santa Clara, Bennett of Orange, Boyce, Bretz, Bulla, Burke, Carlson, Casterline, Conway, Curtis, Cusick, Dodge, Drees, Duffy, Durst, Finlayson, Gallagher, Gately, Godchaux, Hendrickson, Hurley, Hutson, Jacobs, Johnson of Humboldt, Johnson of Santa Clara, Kahn, Kerns, LaRue, Luttringer, McCauley, McGowan, Mathews of Tehama, Miller, O'Neill, Pendleton, Perkins, Sargent, Schlesinger, Simpson, Sims, Standart, Taggart, Talbott, Taylor, Thomas of Nevada, Tindall, Vann, Wade, and Mr Speaker—55.

NOES—None

Title read and approved.

Senate Bill No. 504—An Act to amend section six hundred and thirty-three of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relative to conditions precedent to right to act as insurance agent or solicitor.

Read third time, and passed by the following vote:

AYES—Messrs Alford, Anderson, Barker, Barlow, Bennett of Santa Clara, Bledsoe, Boyce, Bulla, Burke, Carlson, Casterline, Chipman, Curtis, Cusick, Dodge, Drees, Duffy, Durst, Finlayson, Gately, Godchaux, Hendrickson, Hurley, Hutson, Jacobs, Johnson of Humboldt, Kahn, Kerns, Lynch, McElroy, McGowan, Marks, Marston, Mathews of Tehama, Matthews of San Benito, Miller, Mordecai, O'Keefe, O'Neill, Pendleton, Perkins, Sargent, Schlesinger, Schroebel, Shanahan, Sims, Standart, Taggart, Talbott, Thomas of Nevada, Tindall, Vann, Wade, and Mr Speaker—54.

NOES—None

Title read and approved.

Senate Bill No. 40—An Act directing the State Board of Harbor Commissioners to construct a certain portion of the harbor embankment, or seawall, of the port of San Francisco.

Read third time, and passed by the following vote:

AYES—Messrs Adams, Anderson, Androus, Bennett of Santa Clara, Bennett of Orange, Blakeley, Bledsoe, Boyce, Bretz, Brownlie, Bulla, Burke, Carlson, Chipman, Conway, Curtis, Cusick, Dodge, Drees, Duffy, Gallagher, Gately, Godchaux, Hurley, Jacobsen, Johnson of Humboldt, Johnson of Santa Clara, Kerns, Luttringer, McGowan, Mack, Marks, Marston, Miller, O'Keefe, O'Neill, Pendleton, Sargent, Schlesinger, Standart, Taggart, Talbott, Taylor, Thomas of Nevada, and Mr. Wade—45.

NOES—Messrs Barker, Durst, Hamilton, Hendrickson, Hutson, Jacobs, Kahn, LaRue, McElroy, Mathews of Tehama, Matthews of San Benito, Mordecai, Owen, Perkins, Schroebel, Simpson, Sims, Tindall, Vann, and Mr. Speaker—20

Title read and approved.

Mr. Hurley moved that Senate Bill No. 40 be immediately transmitted to the Senate.

So ordered.

Senate Bill No. 641—An Act to amend sections two, three, and twenty-four of an Act entitled "An Act to provide for work upon streets, lanes, alleys, courts, places, and sidewalks, and for the construction of sewers within municipalities," approved March 17, 1885.

Mr. Cusick moved that the bill be passed on file.

Lost.

Bill read third time, and passed by the following vote.

AYES—Messrs Adams, Alford, Anderson, Androus, Barker, Bennett of Santa Clara, Bennett of Orange, Bledsoe, Bretz, Bulla, Burke, Carlson, Casterline, Chipman, Conway, Curtis, Cusick, Dodge, Drees, Duffy, Durst, Finlayson, Gallagher, Gately, Godchaux, Hamilton, Hendrickson, Hurley, Hutson, Jacobs, Jacobsen, Johnson of Humboldt, Johnson of Santa Clara, Kahn, Kerns, LaRue, McCauley, McElroy, McGowan, Mack, Matthews of San Benito, Miller, Mordecai, O'Keefe, O'Neill, Owen, Pendleton, Sargent, Schlesinger, Schroebel, Simpson, Sims, Standart, Taggart, Talbott, Taylor, Thomas of Nevada, Vann, Wade, and Mr Speaker—60

NOES—None.

Title read and approved.

Mr. Taylor moved that Senate Bill No. 641 be immediately transmitted to the Senate.

So ordered.

SECOND READING OF BILLS.

Senate Bill No. 209—An Act amending sections one thousand five hundred and seventy-seven and one thousand five hundred and seventy-eight of the Code of Civil Procedure, relating to mortgages and leases in certain cases.

Read second time, and ordered to a third reading.

Senate Bill No. 627—An Act to authorize the Justices of the Supreme Court to appoint a Librarian for said Court, and fixing a salary.

Read second time, and ordered to a third reading.

Senate Bill No. 284—An Act to amend sections fifty-five and sixty-eight, and for the repeal of section seventy-five of the Civil Code of the State of California, relating to the authentication of marriages.

Read second time, and ordered to a third reading.

Senate Bill No. 116—An Act to amend an Act entitled "An Act to establish a Civil Code," approved March 21, 1872, by adding a new section to said Civil Code, to be known as section four hundred and thirty-three, permitting the establishment of mutual insurance companies.

Read second time, and ordered to a third reading.

Senate Bill No. 658—An Act making an appropriation for editing the manuscript of the State Mineralogist for the two years ending September 15, 1892.

Read second time.

MOTION.

Mr. Wade moved that the Assembly resolve itself into Committee of the Whole, with the Speaker in the chair, for the purpose of considering Senate Bill No. 658.

So ordered.

IN COMMITTEE OF THE WHOLE.

Speaker Gould in the chair.

Senate Bill No. 658 was considered in Committee of the Whole.

IN ASSEMBLY.

Speaker Gould in the chair.

REPORT OF THE COMMITTEE OF THE WHOLE.

The Speaker stated the report of the Committee of the Whole, as follows:

GENTLEMEN The Committee of the Whole have had under consideration Senate Bill No 658, and now report, and recommend that the same do pass.

Bill ordered to a third reading.

SECOND READING OF BILLS.

Senate Bill No. 445—An Act to add a new section to the Penal Code, to be numbered five hundred and thirty-eight, relating to misrepresentations as to circulation, by proprietors of newspapers and periodicals, for the purpose of obtaining patronage.

Read second time, and ordered to a third reading.

Senate Bill No. 463—An Act directing the State Prison Directors of the State of California to employ at least twenty prisoners in the construction of roads to the State Prison at San Quentin.

Read second time, and ordered to a third reading.

Senate Bill No. 22—An Act to provide for the completion and equipment of the Deaf and Dumb and Blind Asylum, and to make an appropriation therefor.

Read second time.

Committee amendments, as follows:

AMENDMENT No. 1

Amend by striking out in section one, line one, the words "ninety-one thousand five hundred and twenty," and inserting in lieu thereof the words "sixty-three thousand five hundred and twenty."

Adopted.

AMENDMENT No. 2.

Amend by striking out in section one all of line six.

Adopted.

AMENDMENT No. 3

Amend by striking out of section one, line eleven, the words "five hundred."

Adopted.

AMENDMENT No. 4.

Amend by striking out in section one all of lines twelve, thirteen, fourteen, and fifteen.

Adopted.

MOTION.

Mr. Dodge moved that the Assembly resolve itself into Committee of the Whole, with the Speaker in the chair, for the purpose of considering Senate Bill No. 22.

So ordered.

IN COMMITTEE OF THE WHOLE.

Speaker Gould in the chair.
Senate Bill No. 22 was considered in Committee of the Whole.

IN ASSEMBLY.

Speaker Gould in the chair.

REPORT OF THE COMMITTEE OF THE WHOLE.

The Speaker stated the report of the Committee of the Whole, as follows:

GENTLEMEN: The Committee of the Whole have had under consideration Senate Bill No 22, and now report, and recommend that the same do pass

Bill ordered to a third reading.

SECOND READING OF BILL.

Senate Bill No. 492—An Act in relation to the care and improvement of the State Capitol grounds, and making an appropriation therefor.
Read second time.

MOTION.

Mr. Anderson moved that the Assembly resolve itself into Committee of the Whole, with the Speaker in the chair, for the purpose of considering Senate Bill No. 492.
So ordered.

IN COMMITTEE OF THE WHOLE.

Speaker Gould in the chair.
Senate Bill No. 492 was considered in Committee of the Whole.

IN ASSEMBLY.

Speaker Gould in the chair.

REPORT OF THE COMMITTEE OF THE WHOLE.

The Speaker stated the report of the Committee of the Whole, as follows:

GENTLEMEN: The Committee of the Whole have had under consideration Senate Bill No 492, and now report, and recommend that the same do pass.

Bill ordered to a third reading.

FIRST READING OF BILLS.

Senate Bill No. 210—An Act to regulate the disposition of the hides of cattle killed or slaughtered in the State of California, and to provide a penalty for a violation of the provisions of this Act.
Read first time, and placed on file for second reading.

Senate Bill No. 215—An Act to amend section seven of the Civil Code of the State of California, relating to legal holidays and non-judicial days.

Read first time, and placed on file for second reading.

Senate Bill No. 217—An Act to amend section ten of the Political Code of the State of California, relating to legal holidays and non-judicial days.

Read first time, and placed on file for second reading.

Senate Bill No. 184—An Act to amend sections ten and one hundred and thirty-four of the Code of Civil Procedure of the State of California, relating to legal holidays and non-judicial days.

Read first time, and placed on file for second reading.

Senate Bill No. 74—An Act to amend an Act entitled "An Act to establish a Political Code," approved March 12, 1872, by adding a new section thereto, to be known as section three thousand two hundred and forty-five and one half, relating to the payment of persons employed under the provisions of section three thousand two hundred and forty-five of said Political Code.

Read first time, and placed on file for second reading.

Senate Bill No. 186—An Act to amend section one thousand four hundred and forty-four of the Code of Civil Procedure, in relation to appraisements of estates of deceased persons.

Read first time, and placed on file for second reading.

Senate Bill No. 160—An Act making an appropriation to pay the claim of "The California Spirit of the Times," for advertising the election proclamation in the forty-second fiscal year.

Read first time, and placed on file for second reading.

Senate Bill No. 113—An Act to appropriate money to prevent the introduction of contagious diseases.

Read first time, and placed on file for second reading.

Senate Bill No. 221—An Act to make an appropriation to pay the claim of Henry Hogan, for services rendered for the State Board of Fish Commissioners, as special attorney therefor during the year 1890.

Read first time, and placed on file for second reading.

Senate Bill No. 250—An Act appropriating money to pay the claim of W. H. Murray, his heirs or assigns.

Read first time, and placed on file for second reading.

Senate Bill No. 48—An Act to cede jurisdiction to the United States over certain lands.

Read first time, and placed on file for second reading.

Senate Bill No. 314—An Act authorizing the State Board of Capitol Commissioners to appoint two extra employés for the Capitol grounds, in addition to the number now employed, and making an appropriation for payment of their services for the remainder of the forty-fourth fiscal year.

Read first time, and placed on file for second reading.

Senate Bill No. 613—An Act to amend section seven hundred and seventeen of an Act entitled "An Act to establish a Civil Code," approved March 21, 1872, relating to leases of agricultural lands.

Read first time, and placed on file for second reading.

Senate Bill No. 309—An Act to provide for planting a row of trees around the Capitol grounds, and to make an appropriation therefor.

Read first time, and placed on file for second reading.

Senate Bill No. 602—An Act making an appropriation to pay for the

transportation of children to the State Reform School for Juvenile Offenders for the forty-third fiscal year.

Read first time, and placed on file for second reading.

Senate Bill No. 199—An Act to repeal an Act entitled "An Act to create a State Board of Forestry, and to provide for the expenses thereof," approved March 3, 1885, and the Act amendatory thereof, approved March 7, 1887.

Read first time, and placed on file for second reading.

Senate Bill No. 8—An Act to provide for the appointment of Health Inspectors and Market Inspectors in each municipality of this State having one hundred thousand inhabitants, and over that number; providing how such Inspectors shall be appointed and designated as officers of such municipality, and prescribing the duties and fixing the compensation of such Inspectors.

Read first time, and placed on file for second reading.

Senate Bill No. 182—An Act to amend section three thousand and nine of the Political Code of the State of California, relating to the appointment of certain officers and employés by the Board of Health of the City and County of San Francisco.

Read first time, and placed on file for second reading.

Senate Bill No. 201—An Act to provide for certain improvements in the State Insane Asylum at Stockton, California, and making an appropriation therefor.

Read first time, and placed on file for second reading.

Senate Bill No. 202—An Act to provide for the purchase of apparatus and appliances for the protection of the buildings and property of the State Insane Asylum at Stockton, California, and making an appropriation therefor.

Read first time, and placed on file for second reading.

Senate Bill No. 204—An Act to provide for certain improvements at the State Insane Asylum at Stockton, California, and making an appropriation therefor.

Read first time, and placed on file for second reading.

Senate Bill No. 205—An Act to provide for the payment, by the Board of Directors of the State Insane Asylum at Stockton, California, of certain sums of money, for the paving of California Street in the city of Stockton, county of San Joaquin, State of California, opposite the State Insane Asylum at Stockton, California, and for the construction of a concrete sidewalk along said street.

Read first time, and placed on file for second reading.

Senate Bill No. 281—An Act making an appropriation to pay the deficiency in the appropriation for the support of the Reform School for Juvenile Offenders at Whittier, for the forty-third and forty-fourth fiscal years.

Read first time, and placed on file for second reading.

Senate Bill No. 603—An Act making an appropriation for payment of transportation of children to the State Reform School for Juvenile Offenders for the forty-fourth fiscal year.

Read first time, and placed on file for second reading.

Senate Bill No. 155—An Act to add a new section to the Penal Code, to be known and numbered as section six hundred and fifty-five, relating to dealing in options.

Read first time, and placed on file for second reading.

Senate Bill No. 438—An Act making it unlawful to refuse admission to places of amusement.

Read first time, and placed on file for second reading.

Senate Bill No. 287—An Act to add a new section to the Civil Code, to be numbered section one hundred and thirty-one, relative to divorces.

Read first time, and placed on file for second reading.

Senate Bill No. 109—An Act providing for the punishment of pools, trusts, and conspiracies to control prices, and as to evidence and prosecution in such cases.

Read first time, and placed on file for second reading.

Committee Substitute for Senate Bill No. 383—An Act to add a new section to the Code of Civil Procedure of the State of California, to be numbered section one thousand two hundred and three, relating to liens of mechanics and others.

Read first time, and placed on file for second reading.

Senate Bill No. 19—An Act to amend section one thousand two hundred and forty-three of the Penal Code of the State of California, relative to the stay of the execution of the judgment in criminal cases pending an appeal to the Supreme Court.

Read first time, and placed on file for second reading.

Senate Bill No. 191—An Act to amend section four hundred and ten of the Code of Civil Procedure, relative to the manner of serving summons and complaints.

Read first time, and placed on file for second reading.

Senate Bill No. 283—An Act to provide for the purchase of Supreme Court reports.

Read first time, and placed on file for second reading.

Senate Bill No. 286—An Act to amend section one hundred and seventy of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, relating to the disqualifications of Judges

Read first time, and placed on file for second reading.

Substitute for Senate Bill No. 359—An Act to regulate the fees of County Clerks in estates of deceased persons, of minors, and of incompetent persons.

Read first time, and placed on file for second reading.

Senate Bill No. 363—An Act to amend section three hundred and ninety-eight of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, relative to the transfer of causes where Judge is disqualified.

Read first time, and placed on file for second reading.

Senate Bill No. 351—An Act to add a new section to the Political Code, to be known and designated as section three thousand four hundred and ninety-three and one half, relating to suits to determine the validity of assessments in reclamation districts.

Read first time, and placed on file for second reading.

Senate Bill No. 331—An Act to appropriate money for the erection of a monument in the Court-house grounds, Santa Rosa, California, in memory of the late General M. G. Vallejo.

Read first time, and placed on file for second reading.

Senate Bill No. 211—An Act to provide for the publication of the State Blue Book, or Roster.

Read first time, and placed on file for second reading.

Substitute for Senate Bill No. 233—An Act to provide for the payment for the advertising of the constitutional amendments, and to make an appropriation therefor.

Read first time, and placed on file for second reading.

Senate Bill No. 507—An Act making an appropriation for the payment of certain salary due Allen Kelly, as Executive Officer of the State Board of Forestry.

Read first time, and placed on file for second reading.

Senate Bill No. 689—An Act to provide for the appointment of a Board of Colton Hall Trustees, and for the acquisition of the Colton Hall property, and providing for an appropriation for the preservation, protection, and improvement of said property.

Read first time. and placed on file for second reading.

Senate Bill No. 470—An Act to amend section three hundred and fifty-nine, entitled "An Act to establish a Civil Code," approved March 21, 1872, relating to corporations, and the increase and diminution of the capital stock, and the creation, increase, and diminution of the bonded indebtedness thereof.

Read first time, and placed on file for second reading.

Senate Bill No. 547—An Act to provide for the publication of semi-annual statements by corporations and persons engaged in the business of banking, and to repeal the Act approved April 1, 1876, entitled "An Act concerning corporations and persons engaged in the business of banking."

Read first time, and placed on file for second reading.

Senate Bill No. 631—An Act to enable school districts in or including cities of the fifth class to issue bonds for the purpose of raising money for certain purposes, and to repeal an Act approved March 31, 1891, entitled "An Act to enable cities of the fifth class to issue bonds for the purpose of raising money to purchase school lots, and for building or purchasing one or more school houses, and supplying the same with furniture, necessary apparatus, and improving the grounds, and for liquidating any indebtedness already incurred for such purposes."

Read first time, and placed on file for second reading.

Senate Bill No. 742—An Act making an appropriation to pay the deficiency in the appropriation for the transportation of prisoners for the forty-fourth fiscal year.

Read first time, and placed on file for second reading.

Senate Bill No. 722—An Act making an appropriation to pay the deficiency in the appropriation for arresting criminals without the State for the forty-third fiscal year.

Read first time, and placed on file for second reading.

Senate Bill No. 601—An Act making an appropriation to pay for lithographing Chinese certificates, under the provisions of an Act to prohibit the coming of Chinese persons into the State, approved March 20, 1891.

Read first time, and placed on file for second reading.

Senate Bill No. 732—An Act making an appropriation to pay the deficiency in the appropriation for salary of Secretary of State Board of Examiners for the forty-second fiscal year.

Read first time, and placed on file for second reading.

Senate Bill No. 705—An Act making an appropriation to pay the

deficiency in the appropriation for the State's portion of salaries of Judges of the Superior Court for the forty-fourth fiscal year.

Read first time, and placed on file for second reading.

Senate Bill No. 144—An Act to provide for additional improvements and repairs at the Napa State Asylum for the Insane, and making an appropriation therefor.

Read first time, and placed on file for second reading.

Senate Bill No. 358—An Act to regulate the sale of imitation olive oil, and to repeal an Act entitled "An Act to regulate the sale of olive oil," approved March 10, 1891.

Read first time, and placed on file for second reading.

Senate Bill No. 4—An Act to establish and provide for an Industrial School for Girls, and make appropriations therefor.

Read first time, and placed on file for second reading.

Senate Bill No. 105—An Act to prevent the use of false trade descriptions in the sale of goods, and to provide a punishment therefor.

Read first time, and placed on file for second reading.

Senate Bill No. 7—An Act to authorize Boards of Health and Health Officers in towns, cities, counties, and cities and counties, in this State, to appoint Inspectors of Plumbing and Drainage in such towns, cities, counties, and cities and counties, and to provide for the compensation, and to define the duties of such Inspectors.

Read first time, and placed on file for second reading.

Senate Bill No. 347—An Act to establish a tax on collateral inheritances, bequests, and devises, to provide for its collection, and to direct the disposition of the proceeds.

Read first time, and placed on file for second reading.

SPECIAL ORDERS.

Assembly Bill No. 271—An Act to amend sections seven hundred and twenty-eight and seven hundred and eighty-two of the Political Code of the State of California, relating to the printing and sale of the reports of the Supreme Court of the said State of California, and to repeal sections seven hundred and seventy-nine, seven hundred and eighty, and seven hundred and eighty-one of the Political Code.

The question being, "Shall the bill become a law, notwithstanding the objections of the Governor?"

The roll was called, and the veto of the Governor sustained by the following vote:

AYES—Messrs Bledsoe and Shanahan—2

NOES—Messrs. Adams, Alford, Anderson, Androus, Barker, Barlow, Bennett of Santa Clara, Bennett of Orange, Blakeley, Boyce, Bretz, Bulla, Burke, Carlson, Casterline, Chipman, Conway, Curtis, Cusick, Dodge, Drees, Duffy, Gallagher, Gately, Hendrickson, Hurley, Hutson, Jacobs, Jacobsen, Johnson of Humboldt, Kahn, Kerns, Luttringer, Lynch, McElroy, McGowan, Mack, Marks, Marston, Mathews of Tehama, Matthews of San Benito, Mordecai, O'Keefe, O'Neill, Owen, Perkins, Raw, Sargent, Schlesinger, Schroebel, Simpson, Sims, Standart, Taggart, Talbott, Thomas of Nevada, Tindall, Wade, and Mr. Speaker—57

MOTION.

Mr. Mathews of Tehama moved that all bills passed this day be immediately transmitted to the Senate.

So ordered.

SPECIAL ORDER.

Consideration of report of special committee appointed to consider charges against Assemblyman H. H. Johnson.

The question being on the motion of Mr. Mordecai that the report be adopted.

Mr. Bledsoe moved the adoption of the minority report.

Mr. Schlesinger moved to dispense with the reading of the minority report.

Lost.

Minority report read.

CALL OF THE HOUSE.

Pending reading of the report, Mr. Mathews of Tehama moved a call of the House, seconded by Messrs. Alford and Kahn.

The roll was called, and the following members answered to their names:

Messrs. Adams, Alford, Anderson, Androus, Barker, Barlow, Bennett of Santa Clara, Bennett of Orange, Blakeley, Bledsoe, Bretz, Brownlie, Bulla, Burke, Carlson, Casterline, Chipman, Conway, Curtis, Cusick, Dodge, Drees, Duckworth, Duffy, Durst, Gallagher, Gately, Godchaux, Hamilton, Hurley, Hutson, Jacobs, Jacobsen, Johnson of Humboldt, Johnson of Santa Clara, Kahn, Kerns, LaRue, Luttringer, Lynch, McCauley, McElroy, McGowan, Mack, Marks, Marston, Mathews of Tehama, Matthews of San Benito, Miller, Mordecai, O'Keefe, O'Neill, Owen, Pendleton, Perkins, Raw, Sargent, Schlesinger, Schroebel, Shanahan, Simpson, Sims, Standart, Taggart, Talbott, Taylor, Thomas of Nevada, Tindall, Vann, Wade, and Mr Speaker.

Mr. Wade moved that further proceedings under the call of the House be dispensed with.

So ordered.

ADOPTION OF COMMITTEE REPORT.

The question being on the adoption of the minority report.

Lost.

The question recurred on the motion to adopt the report of the special investigating committee exonerating Assemblyman H. H. Johnson in the matter of the charges made against him by one James W. Rea.

Report adopted.

SPECIAL ORDER.

Consideration of the motion to reconsider the vote whereby Assembly Bill No. 248—An Act to amend section three thousand eight hundred and four of the Political Code, so as to provide for the refunding of double and erroneous assessments of taxes, and to relieve land owners from the effect of illegal tax sales—was passed.

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

AYES—Messrs. Adams, Anderson, Androus, Barker, Barlow, Bennett of Santa Clara, Bennett of Orange, Blakeley, Boyce, Bretz, Brownlie, Carlson, Conway, Curtis, Cusick, Dodge, Drees, Duckworth, Duffy, Durst, Finlayson, Gallagher, Gately, Godchaux, Hamilton, Hendrickson, Hurley, Hutson, Jacobs, Jacobsen, Johnson of Humboldt, Kahn, Luttringer, McCauley, McElroy, McGowan, Mack, Marston, Matthews of San Benito, Miller, Mordecai, O'Keefe, O'Neill, Owen, Pendleton, Perkins, Sargent, Schlesinger, Schroebel, Shanahan, Sims, Standart, Taggart, Talbott, Taylor, Thomas of Nevada, Tindall, Vann, Wade, and Mr. Speaker—60.

NOES—Messrs Bledsoe, Bulla, Burke, Johnson of Santa Clara, Kerns, and Marks—6.

MOTIONS.

Mr. Casterline moved that Assembly Bill No. 762 be substituted on the file for Assembly Bill No. 248.

So ordered.

Mr. Bledsoe moved that all unconsidered special orders and notices of reconsideration set for this hour be postponed until three o'clock and thirty minutes P. M. to-morrow.

Lost.

RECONSIDERATION.

Mr. Blakeley moved to reconsider the vote whereby Assembly Bill No. 239 was refused passage.

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

AYES—Messrs. Adams, Anderson, Barker, Barlow, Bennett of Orange, Blakeley, Boyce, Bretz, Brownlie, Carlson, Conway, Curtis, Cusick, Dodge, Drees, Duckworth, Duffy, Durst, Gallagher, Jacobsen, Johnson of Humboldt, Luttringer, McCauley, McGowan, Mack, Marston, Miller, Mordecai, O'Keefe, O'Neill, Pendleton, Perkins, Raw, Sargent, Shanahan, Standart, Taggart, Talbott, Taylor, Thomas of Nevada, and Vann—41

NOES—Messrs. Alford, Androus, Bledsoe, Bulla, Burke, Casterline, Finlayson, Gately, Godchaux, Hamilton, Hendrickson, Hurley, Hutson, Jacobs, Kahn, Kerns, McElroy, Marks, Mathews of Tehama, Matthews of San Benito, Owen, Schlesinger, Schroebel, Simpson, Sims, Tindall, Wade, and Mr. Speaker—28.

MOTION.

Mr. Shanahan moved that the further consideration of Assembly Bill No. 239 be made a special order for to-morrow at three o'clock and thirty minutes P. M.

So ordered.

SPECIAL ORDER.

Consideration of the motion to reconsider the vote whereby Senate Bill No. 229—An Act to compel savings banks to publish a sworn statement of all unclaimed deposits—was passed.

Mr. Gately moved that the special order be postponed until to-morrow at three o'clock and thirty minutes P. M.

Lost.

The roll was called, and the motion of reconsideration lost by the following vote:

AYES—Messrs Alford, Barker, Boyce, Brownlie, Burke, Conway, Cusick, Duffy, Finlayson, Gallagher, Gately, Godchaux, Hamilton, Hurley, Johnson of Santa Clara, Kahn, Luttringer, McGowan, Mack, Marston, Miller, O'Neill, Perkins, Raw, Sargent, Schlesinger, Schroebel, Standart, Talbott, Taylor, and Thomas of Nevada—31.

NOES—Messrs Adams, Anderson, Androus, Barlow, Bennett of Santa Clara, Bennett of Orange, Bledsoe, Bulla, Carlson, Casterline, Curtis, Dodge, Drees, Durst, Hendrickson, Hutson, Jacobs, Jacobsen, Johnson of Humboldt, Kerns, Lynch, McCauley, McElroy, Marks, Mathews of Tehama, Matthews of San Benito, Mordecai, O'Keefe, Owen, Pendleton, Shanahan, Simpson, Taggart, Tindall, Vann, Wade, and Mr. Speaker—37.

MOTION.

Mr. Pendleton moved that Senate Bill No. 229 be immediately transmitted to the Senate.

So ordered.

SPECIAL ORDER.

Assembly Bill No. 515—An Act to create the county of San Jacinto, to define the boundaries thereof, to provide for its organization, and to determine the location of the county seat by election.

Ordered stricken from the file.

Mr. Kahn in the chair.

Mr. Gould moved to reconsider the vote whereby Senate Bill No. 101 was passed.

The roll was called, and the motion of reconsideration lost by the following vote:

AYES—Messrs Barker, Blakeley, Bledsoe, Drees, Finlayson, Hurley, Jacobs, Mathews of Tehama, Matthews of San Benito, Wade, and Mr Speaker—12.

NOES—Messrs. Adams, Alford, Androus, Barlow, Bennett of Santa Clara, Bennett of Orange, Boyce, Bretz, Brownlie, Bulla, Burke, Carlson, Casterline, Conway, Curtis, Cusick, Dodge, Duffy, Durst, Gallagher, Gately, Hamilton, Hendrickson, Hutson, Jacobsen, Johnson of Humboldt, Johnson of Santa Clara, Kahn, Kerns, LaRue, Luttringer, McCauley, McElroy, McGowan, Mack, Marks, Marston, Miller, Mordecai, O'Keefe, O'Neill, Owen, Pendleton, Perkins, Raw, Sargent, Schlesinger, Shanahan, Simpson, Sims, Standart, Taggart, Talbott, Taylor, Thomas of Nevada, Tindall, and Vann—57.

RECESS.

At five o'clock and fifty-five minutes P. M., on motion of Mr. Mathews of Tehama, recess was taken until eight o'clock P. M.

EVENING SESSION.

The Assembly reassembled at eight o'clock P. M.

Speaker Gould in the chair.

Quorum present.

MOTION.

Mr. Shanahan moved that the consideration of Substitute for Senate Bills Nos. 137, 55, and 166, and Assembly Bill No. 142 be made a special order for to-morrow at three o'clock and thirty minutes P. M.

So ordered.

MOTION.

Mr. Owen moved that Assembly Bill No. 684 be read the second time, and placed on the urgency file.

So ordered.

SECOND READING OF BILL.

Assemby Bill No. 684—An Act to add eight new sections to an Act entitled "An Act to establish a Political Code," approved March 12, 1872, said new sections to be known, numbered, and designated as sections two thousand six hundred and ninety-six, two thousand six hundred and ninety-seven, two thousand six hundred and ninety-eight, two thousand six hundred and ninety-nine, two thousand seven hundred, two thousand seven hundred and one, two thousand seven hundred and two, and two thousand seven hundred and three, respectively, all relating to laying out and constructing drains, canals, ditches, and other works to drain public roads.

Read second time.

Committee amendment, as follows:

Amend section one, printed bill, by inserting in line four, after the word "freeholders," the words "of any one road district."

Adopted.

Bill ordered engrossed and to a third reading.

PETITION.

By Mr. Jacobsen: From citizens of Fresno, relative to the Uniform Liquor License Bill.

Mr. Wade had Senate Bill No. 144 placed on the urgency file.

APPOINTMENT.

The Speaker announced that he had this day appointed M. Marks as porter, vice W. C. Beal, resigned.

URGENCY FILE.

Assembly Bill No. 108—An Act to amend sections two hundred and four, two hundred and five, two hundred and six, and two hundred and eight of the Code of Civil Procedure.

Read third time, and passed by the following vote:

AYES—Messrs. Adams, Androus, Barlow, Bennett of Santa Clara, Bennett of Orange, Blakeley, Bledsoe, Boyce, Bretz, Burke, Carlson, Casterline, Chipman, Cusick, Duffy, Durst, Gallagher, Gately, Hurley, Jacobsen, Johnson of Humboldt, Johnson of Santa Clara, Kahn, Kerns, Luttringer, Lynch, McCauley, Marks, Mathews of Tehama, O'Keefe, O'Neill, Owen, Pendleton, Raw, Sargent, Schroebel, Sims, Tindall, Vann, Wade, and Mr. Speaker—41.

NOES—Mr. Matthews of San Benito—1.

Title read and approved.

Mr. O'Keefe moved that Assembly Bill No. 108 be immediately transmitted to the Senate.

So ordered.

Assembly Bill No. 236—An Act to amend an Act entitled "An Act to provide for the organization and government of irrigation districts, and to provide for the acquisition of water and other property, and for the distribution of water thereby for irrigation purposes," approved March 7, 1887, by amending sections fifteen and thirty thereof.

Read third time, and passed by the following vote:

AYES—Messrs. Adams, Androus, Barker, Barlow, Bennett of Santa Clara, Bennett of Orange, Blakeley, Bledsoe, Bretz, Brownlie, Carlson, Casterline, Chipman, Curtis, Cusick, Drees, Durst, Gallagher, Gately, Hurley, Jacobs, Jacobsen, Johnson of Santa Clara, Kerns, Luttringer, Lynch, McElroy, Marks, Mathews of Tehama, Matthews of San Benito, O'Keefe, O'Neill, Owen, Pendleton, Raw, Sargent, Schroebel, Standart, Taggart, Taylor, Tindall, Vann, Wade, and Mr. Speaker—44.

NOES—None.

Title read and approved.

Assembly Bill No. 313—An Act making an appropriation to pay Cyrus Lyon the sum of one thousand dollars for the capture of Anastacio Garcia, in 1855.

Read third time, and passed by the following vote:

AYES—Messrs. Adams, Androus, Barker, Barlow, Bennett of Santa Clara, Bennett of Orange, Blakeley, Boyce, Bretz, Brownlie, Carlson, Casterline, Conway, Curtis, Cusick,

Drees, Duffy, Durst, Gallagher, Gately, Hurley, Jacobs, Jacobsen, Johnson of Santa Clara, Kahn, Luttringer, Lynch, McGowan, Marks, Mathews of Tehama, Matthews of San Benito, O'Keefe, O'Neill, Owen, Pendleton, Perkins, Schroebel, Sims, Standart, Taggart, Taylor, Tindall, Vann, Wade, and Mr Speaker—45
NOES—Mr. Bledsoe—1.

Title read and approved.

Mr. Pendleton moved that Assembly Bill No. 313 be immediately transmitted to the Senate.

So ordered.

Assembly Bill No. 272—An Act to amend section one thousand eight hundred and eighty-one of the Code of Civil Procedure, relating to witnesses.

Read third time, and passed by the following vote:

AYES—Messrs Adams, Androus, Barker, Barlow, Bennett of Santa Clara, Bennett of Orange, Blakeley, Bledsoe, Boyce, Bretz, Brownlie, Burke, Carlson, Casterline, Chipman, Conway, Curtis, Cusick, Drees, Duffy, Durst, Gallagher, Gately, Jacobs, Jacobsen, Johnson of Humboldt, Johnson of Santa Clara, Kerns, Luttringer, Lynch, McElroy, McGowan, Mack, Marks, Mathews of Tehama, Matthews of San Benito, O'Keefe, Owen, Perkins, Raw, Sargent, Schroebel, Sims, Standart, Taggart, Taylor, Tindall, Vann, Wade, and Mr. Speaker—50
NOES—None.

Title read and approved.

Mr. Pendleton moved that Assembly Bill No. 313 be immediately transmitted to the Senate.

So ordered.

Assembly Bill No. 307—An Act to amend section one thousand two hundred and thirty-eight of the Code of Civil Procedure of the State of California, concerning the right of eminent domain

Read third time, and passed by the following vote:

AYES—Messrs. Adams, Androus, Barker, Barlow, Bennett of Santa Clara, Bennett of Orange, Bledsoe, Bretz, Burke, Carlson, Casterline, Chipman, Conway, Curtis, Cusick, Drees, Durst, Gallagher, Gately, Hurley, Hutson, Jacobs, Jacobsen, Johnson of Humboldt, Johnson of Santa Clara, Kerns, Luttringer, Lynch, McGowan, Mack, Marks, Mathews of Tehama, Matthews of San Benito, Owen, Perkins, Raw, Sargent, Schroebel, Sims, Standart, Taggart, Taylor, Tindall, Vann, Wade, and Mr. Speaker—46.
NOES—None.

Title read and approved.

Mr. Lynch moved that Assembly Bill No. 307 be immediately transmitted to the Senate.

So ordered.

Assembly Bill No. 512—An Act to amend an Act amendatory of and supplemental to an Act entitled "An Act to provide for the organization and government of irrigation districts, and to provide for the acquisition of water and other property, and for the distribution of water thereby for irrigation purposes," approved March 7, 1887, providing for the exclusion of certain lands within any such district, approved February 16, 1889.

Passed on file.

Assembly Bill No. 373—An Act to amend an Act entitled "An Act creating a Board of Bank Commissioners, and prescribing their duties and powers," approved March 30, 1878, and amended March 10, 1887.

Read third time, and passed on file.

Assembly Bill No. 611—An Act in relation to and prescribing conditions upon which certain foreign insurance companies may transact business in the State of California.

Read third time, and passed by the following vote:

AYES—Messrs. Adams, Androus, Barlow, Bennett of Santa Clara, Bennett of Orange, Bledsoe, Boyce, Bretz, Brownlie, Buckley, Carlson, Casterline, Chipman, Conway, Drees, Durst, Gallagher, Gately, Hurley, Hutson, Jacobs, Jacobsen, Johnson of Humboldt, Johnson of Santa Clara, Kahn, Kerns, Luttringer, McCauley, Mack, Marks, Mathews of Tehama, Matthews of San Benito, Mordecai, Owen, Pendleton, Perkins, Schroebel, Sims, Standart, Taggart, Taylor, Tindall, Vann, Wade, and Mr Speaker—45

NOES—Messrs. Cusick and Sargent—2.

Title read and approved.

Mr. Bretz moved that Assembly Bill No 611 be immediately transmitted to the Senate.

So ordered.

Assembly Bill No. 432—An Act to amend section two hundred and ninety-one of the Civil Code, relating to the articles of incorporation of railroad, wagon road, and telegraph corporations.

Passed on file.

Assembly Bill No. 433—An Act to amend section two hundred and ninety-three of the Civil Code, relating to railroad, wagon road, and telegraph corporations.

Passed on file.

Assembly Bill No. 434—An Act to amend section four hundred and fifty-six of the Civil Code, relating to the borrowing of money and the issuance of bonds by railroad corporations.

Passed on file.

Assembly Bill No. 435—An Act to provide for the consolidation of railroad corporations organized under the laws of the State of California with railroad corporations organized under the laws of any other State or Territory, or both.

Passed on file.

Assembly Bill No. 191—An Act to amend an Act entitled "An Act to establish a Political Code," approved March 12, 1872, by amending section seven hundred and ninety-one of said Code, relating to the appointment and number of Notaries Public in the several counties of this State.

Read third time.

MOTION.

Mr. Mathews of Tehama moved that a select committee of one be appointed by the Speaker to amend Assembly Bill No. 191, as follows:

Amend by striking out of section one, line five, the words "counties and," and inserting the following: "and counties," after the word "counties."

So ordered.

APPOINTMENT OF COMMITTEE.

Mr. Mathews of Tehama was appointed such committee to make said amendments.

REPORT OF SELECT COMMITTEE.

ASSEMBLY CHAMBER, SACRAMENTO, March 6, 1893.

MR SPEAKER: Your select committee, to whom was referred Assembly Bill No 191, with instructions to amend in accordance with the action of the House, would respectfully report that the instructions of the House have been carried out.

W. P. MATHEWS, Committee.

Report adopted.

URGENCY FILE—(RESUMED).

Assembly Bill No. 368—An Act granting to the Board of Supervisors of Sonoma County, California, right of way through the lands of the California Home for the Care and Training of Feeble-Minded Children, to enable said Board of Supervisors to change the location of the public highway now traversing said lands.

Read third time, and passed by the following vote:

AYES—Messrs. Adams, Anderson, Androus, Barker, Barlow, Bennett of Santa Clara, Bennett of Orange, Bledsoe, Boyce, Bretz, Brownlie, Buckley, Burke, Carlson, Casterline, Cusick, Drees, Durst, Gallagher, Gately, Hurley, Hutson Jacobs, Johnson of Humboldt, Johnson of Santa Clara, Kahn, Kerns, Luttringer, McCauley, McGowan, Mack, Marks, Mathews of Tehama, Matthews of San Benito, O'Keefe, O'Neill, Owen, Perkins, Sargent, Schroebel, Sims, Taggart, Taylor, Vann, Wade, and Mr. Speaker—46.

NOES—None.

Title read and approved.

Mr. Sims moved that Assembly Bill No. 368 be immediately transmitted to the Senate.

So ordered.

Assembly Bill No. 604—An Act appropriating money to pay the claims of John Mullan, for services rendered by him for this State.

Read second time.

MOTION.

Mr. Taylor moved that the Assembly resolve itself into Committee of the Whole, with the Speaker in the chair, for the purpose of considering Assembly Bill No. 604.

So ordered.

IN COMMITTEE OF THE WHOLE.

Speaker Gould in the chair.

Assembly Bill No. 604 was considered in Committee of the Whole.

IN ASSEMBLY.

Speaker Gould in the chair.

REPORT OF THE COMMITTEE OF THE WHOLE.

The Speaker stated the report of the Committee of the Whole, as follows:

GENTLEMEN. The Committee of the Whole have had under consideration Assembly Bill No. 604, and now report, and recommend that the same do pass.

Bill ordered engrossed and to a third reading.

URGENCY FILE—(RESUMED).

Assembly Bill No. 691—An Act relating to Treasurers, their Deputies and Clerks, in counties, and cities and counties having a population of two hundred thousand inhabitants or over.

Read third time, and passed by the following vote:

AYES—Messrs Adams, Anderson, Androus, Barker, Barlow, Bennett of Santa Clara, Bennett of Orange, Bledsoe, Boyce, Bretz, Brownlie, Buckley, Burke, Carlson, Casterline,

Chipman, Cusick, Drees, Duffy, Durst, Gately, Hurley, Hutson, Jacobs, Jacobsen, Johnson of Humboldt, Johnson of Santa Clara, Kahn, Kerns, Luttringer, Lynch, McCauley, McElroy, McGowan, Mack, Marks, Mathews of Tehama, Matthews of San Benito, O'Neill, Pendleton, Perkins, Schroebel, Sims, Taggart, Taylor, Tindall, Vann, Wade, and Mr Speaker—48

NOES—None.

Title read and approved.

Mr. Kahn moved that Assembly Bill No. 691 be immediately transmitted to the Senate.

So ordered.

Assembly Bill No. 391—An Act to enfranchise the women citizens of this State, and prescribing their qualifications as electors.

Passed on file.

Assembly Bill No. 665—An Act to pay the claim of A. J. Bourn against the State of California, and making an appropriation therefor.

Read second time.

Committee amendments, as follows:

Amend section one, in line one of printed bill, by striking out the words "ten thousand," and inserting in lieu thereof the words "fifteen hundred."

Adopted.

Also:

Amend section two, in line two of printed bill, by striking out the words "ten thousand," and inserting in lieu thereof the words "fifteen hundred."

Adopted.

MOTION.

Mr. Tindall moved that the Assembly resolve itself into Committee of the Whole, with the Speaker in the chair, for the purpose of considering Assembly Bill No. 665.

So ordered.

IN COMMITTEE OF THE WHOLE.

Speaker Gould in the chair.

Assembly Bill No. 665 was considered in Committee of the Whole.

IN ASSEMBLY.

Speaker Gould in the chair.

REPORT OF THE COMMITTEE OF THE WHOLE.

The Speaker stated the report of the Committee of the Whole, as follows:

GENTLEMEN: The Committee of the Whole have had under consideration Assembly Bill No 665—An Act to pay the claim of A. J Bourn against the State of California, and making an appropriation therefor—and now report, and recommend that the same do pass as amended.

Bill ordered engrossed and to a third reading.

URGENCY FILE—(RESUMED).

Assembly Bill No. 595—An Act to provide for the organization and government of drainage districts, for the levy, equalization, and collec-

tion of assessments therein, for the construction and maintenance of canals and other drainage works to secure the lands of such districts from overflow, and conferring powers and imposing duties upon the State Board of Public Works in relation to such drainage districts.

Read third time, and refused passage by the following vote:

AYES—Messrs. Adams, Anderson, Barker, Barlow, Bennett of Santa Clara, Bennett of Orange, Blakeley, Bretz, Brownlie, Carlson, Casterline, Chipman, Conway, Curtis, Cusick, Duffy, Gallagher, Hendrickson, Jacobsen, Kennedy, Kahn, Lynch, McElroy, Mack, Marks, Marston, O'Keefe, O'Neill, Owen, Raw, Sargent, Schlesinger, Shanahan, Standart, Taggart, Taylor, and Thomas of Nevada—37

NOES—Messrs. Bledsoe, Boyce, Buckley, Burke, Drees, Durst, Gately, Hamilton, Hurley, Hutson, Jacobs, Johnson of Humboldt, Johnson of Santa Clara, Kerns, Luttringer, McCauley, Mathews of Tehama, Matthews of San Benito, Mordecai, Pendleton, Perkins, Schroebel, Sims, Vann, Wade, and Mr. Speaker—26.

NOTICE OF RECONSIDERATION.

Mr. Vann gave notice that on the next legislative day he will move a reconsideration of the vote whereby Assembly Bill No. 595 was refused passage.

REPORT OF STANDING COMMITTEE.

ON JUDICIARY.

ASSEMBLY CHAMBER, SACRAMENTO, March 6, 1893.

MR. SPEAKER: Your Committee on Judiciary, to whom was referred Senate Bill No. 686—An Act to amend section three thousand and five of the Political Code, in relation to Boards of Health—have had the same under consideration, and respectfully report the same back without recommendation

SHANAHAN, Chairman.

ADJOURNMENT.

At ten o'clock and forty minutes P. M., on motion of Mr. Bledsoe, the Assembly adjourned.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Tuesday, March 7, 1893.

The Assembly met pursuant to adjournment.

Speaker Gould in the chair.

The roll was called, and the following members answered to their names:

Messrs Adams, Alford, Anderson, Androus, Barker, Barlow, Bennett of Santa Clara, Bennett of Orange, Blakeley, Bledsoe, Boyce, Bretz, Brownlie, Buckley, Bulla, Burke, Carlson, Casterline, Chipman, Conway, Curtis, Cusick, Dodge, Drees, Duffy, Durst, Finlayson, Gallagher, Gately, Godchaux, Hamilton, Hendrickson, Hurley, Hutson, Jacobs, Jacobsen, Johnson of Humboldt, Johnson of Santa Clara, Kennedy, Kahn, Kerns, LaRue, Luttringer, Lynch, McCauley, McElroy, McGowan, Mack, Marks, Marston, Mathews of Tehama, Matthews of San Benito, Miller, Mordecai, O'Keefe, O'Neill, Owen, Pendleton, Perkins, Pueschel, Raw, Sargent, Schlesinger, Schroebel, Shanahan, Simpson, Sims, Standart, Taggart, Talbott, Taylor, Thomas of Nevada, Tindall, Vann, Wade, and Mr. Speaker.

Quorum present.

LEAVE OF ABSENCE.

Mr. Duckworth was granted leave of absence for the day.

PRAYER.

Prayer by the Chaplain, Rev. H. W. Conry.

READING OF THE JOURNAL.

Pending the reading of the Journal of yesterday, Mr. Bennett of Santa Clara moved that further reading be dispensed with.

So ordered.

PETITIONS.

Messrs. Dodge, Adams, Durst, Blakeley, Bennett of Santa Clara, and Schroebel presented petitions relative to the Uniform Liquor License Bill.

REPORTS OF STANDING COMMITTEES.

ON JUDICIARY.

ASSEMBLY CHAMBER, SACRAMENTO, March 2, 1893.

MR. SPEAKER: Your Committee on Judiciary, to whom was referred Senate Bill No. 165—An Act to amend section one thousand two hundred and one of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, relating to the compensation of attorneys—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

Also: Senate Bill No. 635—An Act to provide for the redemption of unused transportation tickets, and to prevent frauds upon travelers—have had the same under consideration, and respectfully report the same back. A majority recommend that it do not pass, and a minority that it do pass.

Also: Assembly Bill No 851—An Act to amend section two thousand six hundred and seven of the Political Code of the State of California, relating to the exemption of State property from assessment by municipal and county governments—have had the same under consideration, and respectfully report the same back, and recommend that if do pass as amended.

SHANAHAN, Chairman

ON ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, March 6, 1893.

MR. SPEAKER: Your Committee on Enrollment beg leave to report that the following bills have been correctly enrolled.

Assembly Bill No. 276—An Act entitled an Act to amend section two thousand six hundred and eighty-four of the Political Code.

Also: Assembly Bill No. 144—An Act to prohibit prize fighting.

Also: Assembly Bill No. 212—An Act to amend section one thousand two hundred and four of the Code of Civil Procedure, relating to certain liens for salaries and wages, and to persons preferred on assignments for benefit of creditors

Also: Assembly Bill No. 213—An Act to amend section one thousand two hundred and five of the Code of Civil Procedure, relating to certain liens for salaries and wages, and to persons preferred in estates of deceased persons

Also: Assembly Bill No 214—An Act to amend section one thousand two hundred and six of the Code of Civil Procedure, relating to certain liens for salaries and wages, and to persons preferred in cases of executions and attachments.

Also: Assembly Bill No 469—An Act to pay the claim of Mary M Springer, the widow and heir of Thomas A. Springer, late State Printer, deceased

Also: Assembly Bill No. 2—An Act making an appropriation to pay the deficiencies in the appropriation for costs and expenses of suits in which the State is a party in interest, for the fortieth, forty-first, forty-second, and forty-third fiscal years.

Also: Assembly Bill No. 113—An Act requiring the recording of maps of cities, towns, additions to cities or towns, or subdivisions of lands into small lots or tracts for the purposes of sale, and providing a penalty for the selling or offering for sale any lots or tracts in cities, towns, additions to cities, towns, subdivisions, or additions thereto, before such maps are filed and recorded

Also: Assembly Bill No. 37—An Act to amend an Act entitled "An Act to establish a Penal Code," approved February 14, 1872, by amending section three hundred and

ninety-seven thereof, relating to penalty for selling liquor to habitual or common drunkards, and Indians

Also: Assembly Bill No 427—An Act making an appropriation to pay the deficiency in the appropriation for the transportation of prisoners for the forty-third fiscal year.

Also: Assembly Bill No. 700—An Act to provide for the revision of certain books of the State series of school text-books, for the compilation of an additional book of said series, and for the continued publication of the same, and to authorize and direct the use for these purposes of the money accumulated in the State School Book Fund.

Also: Assembly Bill No. 734—An Act providing an appropriation for the purpose of completing and preserving Sutter's Fort.

Also: Assembly Bill No. 185—An Act to amend section three thousand seven hundred and seventy-three of the Political Code, relating to the sale of property for delinquent taxes.

Also: Assembly Bill No. 30—An Act entitled an Act to amend section fifteen of an Act entitled "An Act to provide for the formation, government, operation. and dissolution of sanitary districts in any part of the State, for the construction of sewers and other sanitary purposes, the acquisition of property thereby; the calling and conducting of elections in such districts; the assessment, levy, collection, custody, and disbursement of taxes therein, the issuance and disposal of the bonds thereof, and the determination of their validity, and making provision for the payment of such bonds, and the disposal of their proceeds"

Also: Assembly No. 296—An Act to amend sections thirty-eight to fifty-three, inclusive, of an Act approved March 31, 1891, adding those sections to an Act to provide for work upon streets, alleys, lanes, courts, places, and sidewalks, and for the construction of sewers within municipalities, approved March 18, 1885.

Also: Assembly Bill No. 265—An Act to provide for payment of the claim of C. C. Rochford.

Also: Assembly Concurrent Resolution No 18—Relative to granting Frank P. Boynton a leave of absence.

And were presented to the Governor March 6, 1893, at four o'clock and twenty minutes P. M

O'NEILL, Chairman.

ON PUBLIC EXPENDITURES AND ACCOUNTS

ASSEMBLY CHAMBER, SACRAMENTO, March 7, 1893

MR SPEAKER: Your Committee on Public Expenditures and Accounts, to whom was referred Assembly resolution relative to the expenses incurred by the Rea vs. Johnson case, beg leave to report that they have had the same under consideration, and recommend the adoption of the following resolution:

Resolved, That the Controller be and is hereby directed to draw his warrant on the Contingent Fund of the Assembly in favor of G W Mordecai, Chairman of the special committee to investigate the charges made by J W. Rea against Assemblyman H H. Johnson, for the sum of three thousand five hundred and seventy-two dollars and sixty cents ($3,572 60), the same being the expenses for mileage, witness fees, stenographer's services, etc., as per itemized bills attached

B. O. MARSTON
D. J. JOHNSON
J. H MATTHEWS

Adopted.

ON STATE PRISONS AND REFORMATORY INSTITUTIONS.

ASSEMBLY CHAMBER, SACRAMENTO, March 6, 1893

MR SPEAKER: Your Committee on State Prisons and Reformatory Institutions, who were instructed by resolution of the Assembly to visit the State Prison at Folsom, have, in the performance of their duty, visited the premises, inspected every department of the prison, noted the character of improvements completed, as well as those in process of construction, interviewed officers, guards, and convicts, and have herein embodied a synopsis of the information obtained, and the possibilities as to the future of the institution.

From the information thus acquired, and through having access to the several reports of the State Prison Directors, we would most respectfully submit for your consideration the following report:

The State Prison at Folsom was first occupied by convicts in 1880, the first detachment being transferred from San Quentin to their new quarters in the month of July of that year.

There are now seven hundred and four convicts incarcerated there. This number reaches the limit of the present capacity of the prison Their ages range from seventeen to seventy-one years. The following table shows the respective ages of the convicts at present within the jurisdiction of the Folsom institution:

Under 21 years of age	74
Over 20, and under 31	310
Over 30, and under 41	211
Over 40, and under 51	75
Over 50 years of age	34

Character of Prison Quarters.

The buildings and cells are of granite, all of which was quarried upon the prison tract.

Within the last five years an additional wing to the original building has been constructed, which, when completed, will furnish cell room for three hundred additional convicts. This will be ready for occupation some time during the present year, making a total capacity of one thousand, which number is considered, by the best prison authorities, to be as many as can be successfully handled in any one prison

Unlike the State Prison at San Quentin, there is no outside wall inclosing the grounds. The convicts are worked and guarded from the posts, which form a cordon around the quarry

Employment, Discipline, and Sanitary Conditions.

The State owns a tract of five hundred acres of land, most of which is under cultivation, the principal productions being hay, vegetables, fruit, and grapes. The vineyard, orchard, and garden already furnish all the grapes and fruits necessary for the consumption of the prisoners, as well as onions, tomatoes, and most of the varieties of garden vegetables, and a supply of dried fruit, which is served to them in abundance during the season. The productive capacity of the farm will be increased when the dam and canal are completed, which will be during the present year. Then the entire tract will be irrigated.

For the past four years the entire force has been engaged in the construction of the dam, canal, and power-house, and clearing and improving the prison farm. To this outdoor exercise, wholesome diet, and the regular habits imposed, together with the fact that they are locked up before nightfall, may be attributed the excellent sanitary conditions. Besides escaping the miasmatic vapors of the early evening, which is a prime factor in causing the local diseases which prevail during a few months of the year, the thorough system of drainage contributes to the healthfulness of the place. A fall of one hundred feet, with an unlimited supply of water, carries away all material impurities It is a matter of record that the convicts are much healthier than the citizens residing in and about the neighborhood.

The statistics also show that the death rate is as low, if not lower, than that of any prison in the United States. There are now only three men in the hospital, and these are chronic invalids, who are suffering from the infirmities of old age

The actual work required of the convicts is nine hours per day during the summer months, and seven hours in the winter months, or a yearly average of eight hours

The entire guard force consists of forty men, of which number there are eleven night guards and twenty-nine day guards, of which latter division of the force there are five foremen, or unarmed guards, three of whom are on duty at the quarry and canal, and superintending the work upon the new cell building, and two in charge of the prison farm, leaving an actual armed day force of twenty-four men. It is suggested that, with the completion of the new cell building and contemplated increase of the number of inmates, a proportionate increase of the guard force will be necessary. But this is a matter which comes within the scope of the discretionary powers of the State Board of Prison Directors

Taking into consideration the fact that the convict working force is necessarily scattered from the quarries and immediate neighborhood of the prison, along down the canal for a distance of nearly a mile, the small number of escapes during the past five years is truly wonderful. Only five escapes during that period have occurred, and of that number four have been recaptured and returned to the prison The fifth is now serving a term in the penitentiary of a neighboring State, and when his term expires he will be returned to Folsom to finish his unexpired term. These facts are the best comment possible to be given as to the effective management.

Inquiries made of officers and attachés, as well as of convicts, elicit the fact that the discipline is admirably systematic and rigid No drunkenness is allowed among the officers, guards, or attachés. The slightest infraction of this rule insures the summary discharge of the offender

In noticing the dining-room and kitchen accommodations, it is shown at a glance that they are inadequate, even for the immediate needs of the prison, much less for the future requirements when the number shall have reached the maximum figure of one thousand. The appropriation for the power-house and officers and guards' quarters was inadequate, and the additional amount of $10,000 for the kitchen and dining-room presents a case of urgent necessity.

Cost of Maintenance.

An examination of the official reports of the Board of Directors for the last five years shows that the per capita per diem cost of maintenance of prisoners has been steadily decreasing From 56 cents per day in 1888 the cost has been reduced to $41\frac{35}{100}$ cents, which latter figure, based upon the number of convicts in the prison, is below the average throughout the United States, and much lower than any similar institution in this State. It is claimed by the Warden that the force of guards is out of proportion to the number of convicts, and that if there were one thousand convicts the increased number would reduce the ratio of expense That is to say, in the event of the number of prisoners being increased to one thousand, the increase of guard force would be less in proportion, while the official force would remain as it is now With the present number of convicts the payroll of the officers and guards amounts to about 45 per

cent of the entire cost of maintenance By increasing the number of convicts up to the proposed maximum, and, with a slight increase of the guard force, this might be reduced to 30 per cent, and the aggregate per capita cost of maintenance diminished.

Except in the matter of economy, even a less number than one thousand could be more successfully handled, as it is a matter of great importance—and one which will not escape the observation of those whose duties have enabled them to give attention to the subject—for the Warden to study the character of every prisoner under his charge, so that by personal observation he may gain a knowledge of their characteristics, and thus arrive at a rational conclusion as to the influences necessary to be brought to bear in order to reform those among them who are susceptible of reformation. In this connection, it is suggested that, in the near future, another prison should be constructed in some other locality

An Electric Plant.

The Board of Directors, at their meeting held on the 18th of February last, upon the completion of the power-house, let out a contract for an electric plant, to be constructed and placed in operation at a cost of $5,360. It will comprise twenty arc lamps of 2,000 candle-power each, for lighting the grounds outside the prison, and nine hundred incandescent lamps for the prison buildings and cells It is claimed that by this arrangement the chances of escape will be reduced to a minimum, the grounds being made as light as day. The plant will be in operation within ninety days

The Food.

It is due to the Warden and other officials in charge to state here that the fare of the prisoners is of a wholesome quality, and in quantity sufficient for their needs; and also to note that the careful personal observation given to the Commissary Department has much to do with the economical feature of the institution Practically, there is nothing wasted.

The Dam, Canal, and Power-House.

In May, 1888, the State Board of Prison Directors entered into a contract with the Folsom Water Power Company for the erection of a substantial dam of masonry across the American River six hundred yards above the prison, and the cutting of a canal to a point below This contract was the final solution and settlement of several previous contracts and consequent litigation covering a period of twenty years A full history of all these contracts is contained in the report of the Directors for 1890. The several contracts are given in detail in this report, which clearly sets forth the objects and the benefits which must inevitably accrue to the State. By the terms of this final contract made on the date above mentioned, the State agreed to furnish the labor for the construction of the dam and canal down to a point below the prison, the Folsom Water Power Company, on their part, agreeing to furnish all the material and machinery necessary to complete the work.

The Legislature of 1889 made an appropriation of $112,500 for the purpose of erecting a power-house and the purchase of the necessary water wheels, machinery, etc, to utilize the power which would result to the State from the water furnished by the canal.

The canal was cut somewhat larger than was originally intended, and, when finally completed, had a width of fifty-one feet on the top, forty-three feet on the bottom, and a depth of eight feet, with a grade of two feet seven inches to the mile

The power-house erected by the State is of granite, laid in cement, and is to-day the most substantial structure of the kind in America The power is generated by six 87-inch double Turbine wheels, and, with an 8-foot head of water in the canal, will produce 150 horse-power to each wheel—making 900 horse-power in all—which is somewhat in excess of the original calculation.

The maximum capacity of the canal is fifty per cent greater than the carrying capacity of the wheels, hence the surplus now unused will afford an abundance of power for three more wheels of the same pattern, whenever the State sees fit to increase the plant; in other words, a maximum capacity of 1,350 horse-power.

After passing through the power-house, the water is dropped into the canal and becomes the property of the Folsom Water Power Company, and will be carried thence in the canal of the same capacity to the town of Folsom, when it will be dropped into the American River, with a fall of eighty feet. This latter fall will generate from 10,000 to 12,000 horse-power

The dam and walls of the canal are massive almost beyond description, containing nearly three million cubic feet of stone masonry, all of which has been quarried, cut, and laid in cement by the convicts within the last four years

On the 12th of January, 1893, the water was turned into the canal for the first time, and the State was enabled to realize some of the benefits of its labor

In the power-house, the State has in operation a duplex 220 horse-power air compressor, from which the compressed air is carried in pipes to the quarries along the line of work where all the engines, drills, etc, formerly dependent upon steam as a motive power, are now operated by compressed air, thus eliminating fuel as an item of expense.

The State also has a large irrigating pump in operation, throwing water at the rate of one thousand gallons a minute, through a 12-inch steel pipe, to a reservoir on an adjacent hill two hundred feet above the level of the canal.

This flow of water is sufficient to irrigate the entire prison tract, besides furnishing water for domestic and other uses

A hydraulic pump and accumulator furnishes power to raise and lower the huge gates in the dam and power-house easily and speedily.

All the machinery is of the best and latest improved patterns. Like the dam and power-house, they are strong and massive in proportions.

An iron drill press, turning lathe, planer, and bolt-cutter comprise all the machinery now in operation.

The total horse-power now in use is about 250. leaving a surplus of 600 horse-power unused

In view of the immense cost for State institutions in the items of light and fuel for power purposes, it would seem that some way should be devised by the Legislature for utilizing this immense power for the purposes herein indicated Recent experiments made in the transmission of power by electricity long distances furnish a reasonable basis for an estimate that the Folsom Prison water power is capable of furnishing power and light for all the State institutions in Central California, or within a radius of one hundred and fifty miles.

A. W Von Schmidt, who is recognized as one of the most competent engineers on the Pacific Coast, in estimating its value on a basis of 600 horse-power, figures the actual value of the plant at $900,000. [See official report of 1888, page 77.]

When it is taken into consideration that the present developments reach 1,350 horse-power, it will be seen that its value, when properly utilized, must proportionately increase, thus reaching a figure of nearly two millions, which is perpetual for all time.

It will also be remembered that this property has been acquired by the work of a few hundred convicts under the well directed supervision of the Board of Directors and the Warden, and that it has been accomplished without competition with free labor of any description. Taking these facts (which are matters of record) under consideration, it would appear that they are entitled to the appreciative consideration and approval of the Legislature for competent management and effective work.

H. H JOHNSON, Chairman.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 6, 1893.

MR SPEAKER Your Committee on State Prisons and Reformatory Institutions, to whom was referred Assembly Bill No 821—An Act making an appropriation to pay for the transportation of children to the Reform School for Juvenile Offenders for the forty-third and forty-fourth fiscal years.

Also: Assembly Bill No. 832—An Act entitled an Act to enable persons who have expended money for the transportation of convict or insane persons to recover the same—have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

H. H. JOHNSON, Chairman.

Assembly Bill No. 821 re-referred to Committee on Ways and Means.

RULING.

The Speaker made the following ruling which, on motion of Mr. Anderson, was ordered printed in the Journal:

Mr. Anderson desires to amend the Journal in order to show that upon the question of the third reading of Senate Bill No 50 he endeavored to address the Chair, and the Chair ruled his discussion out of order. Shall the amendment be made?

In order to determine this question the history of the measure will have to be considered. On March 1st the bill was read second time, and an amendment offered by Mr Durst, an opponent of the bill, at which time Mr. Durst addressed the Assembly at length on his proposed amendment, and finally, by the intervention of a special order, further consideration was cut off until a subsequent time On March 2d the matter again came up, and Mr Durst took the floor in behalf of his amendment, addressed the Chair for the ten minutes allowed by the rules, and was cut off by a point of order. It is a well established rule of all parliamentary writers that advocates of a measure or amendment should be recognized first, opponents second, and thus alternating as nearly as may be, if the Chair has information sufficient to enable him so to do In accordance with this rule, Mr Thomas, who was known to be the opponent of the amendment was next recognized, who, instead of debating the question, moved the previous question, which was seconded by fully a dozen members, and the previous question was ordered by a very large majority The vote on the amendment was fifteen ayes and fifty-three noes The question then was, "Shall the bill be ordered to a third reading?" and at this juncture Mr. Anderson desired to discuss the bill. Mr Shanahan raised the point of order that the bill could not be discussed on this question, and that the previous question had been ordered. The Chair ruled his point of order well taken for both reasons

This being a Senate bill, the question of being ordered to a third reading was entirely a matter of form, which the Chair, during the whole session, has held, afforded only an opportunity for amendments, and a discussion upon them, and it is a well established parliamentary rule that, upon the ordering of the previous question to an amendment, all new amendments are cut off, and the House is brought to a vote, not only upon all pending amendments, but upon the main question; and if the order to a third reading be a question at all, that was the question then pending, and the Chair so ruled.

This ruling has been submitted by the Speaker to the President of the Senate, who fully agrees with the decision of the Chair.

The question then arising was, "Shall the bill be read a third time," which was so ordered, without discussion, or attempt to discuss, so far as the Chair knows, and had there been an attempt at discussion it would have been ruled out of order, as has been the ruling of the Chair throughout this session.

The question then arose upon the final passage of the bill. In accordance with the rule laid down above, the advocates of the measure were entitled to open the debate, and in accordance therewith, Mr. Schlesinger was recognized. Instead of choosing to discuss the merits of the bill, he moved the previous question, which was seconded instantly as before, leaving the Chair no discretion except to put the question, which was ordered by an almost unanimous vote. This brought the main proposition immediately to a vote, and the bill was passed by a majority of fifty-four ayes to nineteen noes. It would certainly seem, therefore, that whatever of haste or intolerance of debate existed, if there was such, was not due to any action of the Speaker, and as there is not a single instance in the Journal of this, or any preceding Legislature, where an entry of a similar character was made by the Minute Clerk, that if regard be had, either to justice or to precedent, such an amendment as is requested by the gentlemen from Sacramento should not be allowed.

I regret that my illness, which kept me out of the Chair the greater portion of Friday and all of Saturday, was such as to prevent an earlier consideration of this matter, but at this time, in deference to the minority in this question, I propose to submit the amendment to the House, and setting aside my own judgment in the matter, will permit the gentleman from Sacramento to make his motion to amend the Journal, as suggested by himself

Mr. Anderson stated that he was perfectly satisfied with the ruling, and therefore would not offer the amendment.

MESSAGE FROM THE SENATE.

SENATE CHAMBER, SACRAMENTO, March 6, 1893.

MR. SPEAKER: I am directed to inform your honorable body that the Senate, on the second day of March, 1893, passed Senate Bill No. 530—An Act to amend section three thousand four hundred and ninety-one of the Political Code, relating to the election of Trustees of reclamation districts.

Also: Senate Bill No 208—An Act relating to certain contracts for the conditional sale, lease, or hire of railroad and street railway equipment and rolling stock, and providing for the recording thereof

F. J. BRANDON, Secretary.
By R. SHAW, Assistant.

Senate Bill No. 208 referred to Committee on Judiciary.

MOTION.

Mr. Chipman moved that Senate Bill No. 530 be substituted on file for Assembly Bill No. 304, and be read the first time.

So ordered.

FIRST READING OF BILL.

Senate Bill No. 530—An Act to amend section three thousand four hundred and ninety-one of the Political Code, relating to the election of Trustees of reclamation districts.

Read first time, and placed on file for second reading.

MESSAGES FROM THE SENATE.

SENATE CHAMBER, SACRAMENTO, March 6, 1893.

MR. SPEAKER: I am directed to inform your honorable body that the Senate, on the second day of March, 1893, passed Senate Constitutional Amendment No. 15—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, relative to the exemption of fruit trees and vines from taxation.

Also: Senate Constitutional Amendment No. 17—A resolution proposing to the people of the State of California an amendment to section seven, article eleven of the Constitution of the State of California.

F. J. BRANDON, Secretary.
By R. SHAW, Assistant

Senate Constitutional Amendment No. 15 referred to Committee on Judiciary.

Mr. Kahn moved that Senate Constitutional Amendment No. 17 be placed at the head of the third reading special Senate file.

So ordered.

Also:

SENATE CHAMBER, SACRAMENTO, March 6, 1893

MR. SPEAKER: I am directed to inform your honorable body that the Senate, on this day, adopted Assembly Concurrent Resolution No 19—Relative to extending congratulations to the Hon. A. Caminetti, representative in Congress, upon the successful enactment of the bill commonly known as the Caminetti Bill, concerning mining and river interests in the State of California.

F. J. BRANDON, Secretary.
By R. SHAW, Assistant.

Assembly Concurrent Resolution No. 19 ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, March 4, 1893

MR. SPEAKER: I am directed to inform your honorable body that the Senate, on this day, passed Assembly Bill No 117, as amended in Senate—An Act to provide for the planting, maintenance, and care of shade trees upon streets, lanes, alleys, courts, and places within municipalities, and of hedges upon the lines thereof; also, for the eradication of certain weeds within city limits

Also: That the Senate on this day struck the enacting clause from Assembly Bill No. 143—An Act to regulate the rate of interest in this State

F. J. BRANDON, Secretary
By R. SHAW, Assistant.

SENATE AMENDMENT CONCURRED IN.

The question being, "Shall the Assembly concur in Senate amendment to Assembly Bill No. 117?"

The roll was called, and the Senate amendment concurred in by the following vote:

AYES—Messrs. Adams, Alford, Androus, Barker, Barlow, Bennett of Santa Clara, Bennett of Orange, Blakeley, Bledsoe, Buckley, Bulla, Burke, Carlson, Casterline, Chipman, Curtis, Cusick, Dodge, Drees, Duffy, Durst, Finlayson, Gallagher, Godchaux, Hendrickson, Hurley, Hutson, Jacobs, Johnson of Humboldt, Johnson of Santa Clara, Kennedy, Kahn, Kerns, LaRue, McCauley, McElroy, McGowan, Mack, Marks, Marston, Mathews of Tehama, Matthews of San Benito, O'Keefe, O'Neill, Owen, Pendleton, Perkins, Raw, Sargent, Schlesinger, Shanahan, Simpson, Sims, Standart, Taggart, Talbott, Taylor, Thomas of Nevada, Vann, Wade, and Mr. Speaker—60.

NOES—None

MESSAGES FROM THE SENATE—(RESUMED).

SENATE CHAMBER, SACRAMENTO, March 6, 1893

MR. SPEAKER: I am directed to inform your honorable body that the Senate, on the third day of March, 1893, adopted unanimously the report of the Conference Committee appointed on Assembly Bill No. 426—An Act making an appropriation to pay the deficiency in the appropriation for the transportation of insane for the forty-third fiscal year.

F. J. BRANDON, Secretary
By R. SHAW, Assistant.

REPORT OF COMMITTEE OF CONFERENCE.

ASSEMBLY CHAMBER, SACRAMENTO, March 6, 1893.

MR. SPEAKER: Your Committee of Conference concerning Assembly Bill No. 426—An Act making an appropriation to pay the deficiency in the appropriation for the transportation of insane for the forty-third fiscal year—report that we have met a like committee of the Senate, consisting of Senators Berry, Voorheis, and Maher, and we report that the committee agreed upon and recommend the following amendment:

In section one, first line of printed bill, strike out the word "one," and insert instead the word "two."

JOSEPH G GALLAGHER,
JOHN C LYNCH,
W P. MATHEWS,
Conference Committee.

The roll was called, and the report of the Committee of Conference adopted by the following vote:

AYES—Messrs Adams, Alford, Anderson, Barlow, Bennett of Santa Clara, Bennett of Orange, Bretz, Brownlie, Buckley, Bulla, Burke, Carlson, Casterline, Cusick, Dodge, Drees, Duffy, Durst, Finlayson, Gallagher, Godchaux, Hamilton, Hendrickson, Hurley, Hutson, Jacobs, Jacobsen, Johnson of Humboldt, Johnson of Santa Clara, Kennedy, Kahn, Kerns, LaRue, Lynch, McCauley, McElroy, McGowan, Mack, Marks, Marston, Mathews of Tehama, Matthews of San Benito, Mordecai, O'Keefe, O'Neill, Owen, Pendleton, Raw, Sargent, Schlesinger, Schroebel, Shanahan, Simpson, Standart, Taggart, Taylor, Tindall, Vann, Wade, and Mr Speaker—60

NOES—None.

Bill ordered to enrollment.

MESSAGES FROM THE SENATE—(RESUMED).

SENATE CHAMBER, SACRAMENTO, March 6, 1893.

MR. SPEAKER I am directed to inform your honorable body that the Senate, on the third day of March, 1893, passed Senate Bill No. 193—An Act to enfranchise the women citizens of this State, and prescribing their qualifications as electors.

F. J. BRANDON, Secretary.
By R. SHAW, Assistant.

MOTION.

Mr. Bulla moved that Senate Bill No. 193 be read the first time.

So ordered.

FIRST READING OF BILL.

Senate Bill No. 193—An Act to enfranchise the women citizens of this State, and prescribing their qualifications as electors.

Read first time, and placed on file for second reading.

MESSAGES FROM THE SENATE—(RESUMED).

SENATE CHAMBER, SACRAMENTO, March 6, 1893.

MR. SPEAKER: I am directed to inform your honorable body that the Senate, on the fourth day of March, 1893, passed Senate Substitute for Assembly Bill No 10—An Act in relation to reassessment of property, the equalization of the same, and the collection of taxes thereon in cases where a former assessment, made since 1882, is illegal or invalid, or where the proceedings for the collection of such taxes have been ineffectual by reason of error, irregularity, or invalidity, and such taxes have not been paid.

F. J BRANDON, Secretary.
By R. SHAW, Assistant.

MOTION.

Mr. Mathews of Tehama moved that the consideration of Senate Substitute for Assembly Bill No. 10 be made a special order for this day at two o'clock P. M.

Mr. Alford moved as a substitute that the bill be referred to the Committee on Judiciary, with instructions to report the same back to-morrow morning, and that the further consideration of the bill be made a special order for to-morrow at two o'clock P. M.

So ordered.

REPORTS OF STANDING COMMITTEES.

ON CLAIMS

ASSEMBLY CHAMBER, SACRAMENTO, March 7, 1893.

MR SPEAKER: Your Committee on Claims, to whom was referred Assembly Bill No. 719—An Act to pay the claim of C Schindler against the State of California—have had the same under consideration, and respectfully report the same back without recommendation.

BURKE, Chairman

Assembly Bill No. 719 re-referred to Committee on Ways and Means.

ON ENGROSSMENT.

ASSEMBLY CHAMBER, SACRAMENTO, March 7, 1893

MR. SPEAKER. Your Committee on Engrossment beg leave to report that the following Assembly Bills have been correctly engrossed: Assembly Bills Nos. 139, 349, 24, 25, and 53.

KENNEDY, Chairman.

RECONSIDERATION.

Mr. Vann moved to reconsider the vote whereby Assembly Bill No. 595 was refused passage.

The roll was called, and the motion of reconsideration carried by the following vote.

AYES—Messrs. Adams, Anderson, Androus, Barker, Barlow. Bennett of Santa Clara, Bennett of Orange, Blakeley, Bledsoe, Bretz, Brownlie, Buckley, Casterline, Chipman, Conway, Curtis, Cusick, Dodge, Finlayson, Gallagher, Hendrickson, Hurley, Jacobsen, Johnson of Humboldt, Kennedy, Kahn, Kerns, LaRue, Lynch McElroy, McGowan, Marks, Marston, O'Keefe, O'Neill, Owen, Pendleton, Perkins, Pueschel, Schlesinger, Standart, Talbott, Thomas of Nevada, Tindall, Vann, and Wade—46.

NOES—Messrs. Bulla, Durst, Hutson, Mathews of Tehama, Matthews of San Benito, and Mr. Speaker—6.

ASSEMBLY BILL No. 595

Assembly Bill No. 595—An Act to provide for the organization and government of drainage districts, for the levy, equalization, and collection of assessments therein, for the construction and maintenance of canals and other drainage works to secure the lands of such districts from overflow, and conferring powers and imposing duties upon the State Board of Public Works in relation to such drainage districts.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Adams, Alford, Anderson, Barker, Barlow, Bennett of Santa Clara, Bennett of Orange, Blakeley, Bretz, Bulla, Carlson, Casterline, Chipman, Conway, Curtis, Duffy, Finlayson, Gallagher, Hendrickson, Jacobsen, Johnson of Santa Clara, Kennedy, Kahn, McGowan, Mack, Marks, Marston, O'Keefe, Owen, Raw, Sargent, Schlesinger, Schroebel, Shanahan, Simpson, Standart, Taggart, Talbott, Taylor, Thomas of Nevada, Vann, and Wade—42

NOES—Messrs. Bledsoe, Brownlie, Buckley, Drees, Durst, Hamilton, Hurley, Hutson, Johnson of Humboldt, Kerns, LaRue, Lynch, McCauley, McElroy, Mathews of Tehama, Matthews of San Benito, Mordecai, O'Neill, Pendleton, Perkins, Sims, Tindall, and Mr. Speaker—23

Title read and approved.

Mr. Anderson moved that Assembly Bill No. 595 be immediately transmitted to the Senate.

So ordered.

SPECIAL ORDERS.

Assembly Bill No. 803—An Act making an appropriation to pay the deficiency in the appropriation for expenses of Supreme Court, under section forty-seven, Code of Civil Procedure, for forty-second fiscal year.

Read second time.

MOTION.

Mr. Kahn moved that the Assembly resolve itself into Committee of the Whole, with the Speaker in the chair, for the purpose of considering Assembly Bill No. 803.

So ordered.

IN COMMITTEE OF THE WHOLE.

Speaker Gould in the chair.

Assembly Bill No. 803 was considered in Committee of the Whole.

IN ASSEMBLY.

Speaker Gould in the chair.

REPORT OF THE COMMITTEE OF THE WHOLE.

The Speaker stated the report of the Committee of the Whole, as follows:

GENTLEMEN: The Committee of the Whole have had under consideration Assembly Bill No. 803—An Act making an appropriation to pay the deficiency in the appropriation for expenses of Supreme Court, under section forty-seven, Code of Civil Procedure, for the forty-second fiscal year—and now report, and recommend that the same be ordered engrossed and to a third reading

Bill ordered engrossed, and to a third reading.

SPECIAL ORDERS.

Committee Substitute for Senate Bill No. 231—An Act to provide for the payment of advertising the funded debt, and make an appropriation therefor.

Read third time, and passed by the following vote:

AYES—Messrs. Adams, Anderson, Barker, Barlow, Bennett of Santa Clara, Bennett of Orange, Bledsoe, Bretz, Brownlie, Buckley, Bulla, Burke, Carlson, Curtis, Dodge, Drees, Duffy, Finlayson, Godchaux, Hamilton, Hendrickson, Hutson, Jacobsen, Johnson of Humboldt, Johnson of Santa Clara, Kennedy, Kahn, Kerns, LaRue, Luttringer, Lynch, McGowan, Mack, Marks, Marston, Mathews of Tehama, Matthews of San Benito, O'Neill, Perkins, Raw, Shanahan, Simpson, Tindall, Wade, and Mr. Speaker—46.

NOES—None.

Title read and approved.

Committee Substitute for Senate Bill No. 232—An Act to provide for the payment of advertising "Notice to all Chinese persons in the State of California," and to make an appropriation therefor.

Read third time, and passed by the following vote.

AYES—Messrs. Adams, Androus, Barker, Barlow, Bennett of Santa Clara, Bennett of Orange, Bledsoe, Bretz, Brownlie, Buckley, Burke, Carlson, Curtis, Cusick, Dodge, Drees, Duffy, Durst, Finlayson, Gallagher, Godchaux, Hamilton, Hendrickson, Johnson of Humboldt, Johnson of Santa Clara, Kahn, Lynch, McGowan, Mack, Marks, Marston,

Mathews of Tehama, Matthews of San Benito, Mordecai, O'Keefe, O'Neill, Owen, Perkins, Raw, Schlesinger, Shanahan, Simpson, Sims, Taggart, Thomas of Nevada, Tindall, Wade, and Mr. Speaker—48.
NOES—None.

Title read and approved.

Substitute for Senate Bill No. 233—An Act to provide for the payment for the advertising of the constitutional amendments, and to make an appropriation therefor.

Read second time.

MOTION.

Mr. Lynch moved that the Assembly resolve itself into Committee of the Whole, with the Speaker in the chair, for the purpose of considering Substitute for Senate Bill No. 233.

So ordered.

IN COMMITTEE OF THE WHOLE.

Speaker Gould in the chair.

Substitute for Senate Bill No. 233 was considered in Committee of the Whole.

IN ASSEMBLY.

Speaker Gould in the chair.

REPORT OF THE COMMITTEE OF THE WHOLE.

The Speaker stated the report of the Committee of the Whole, as follows:

GENTLEMEN: The Committee of the Whole have had under consideration Substitute for Senate Bill No 233—An Act to provide for the payment for the advertising of the constitutional amendments, and to make an appropriation therefor—and now report, and recommend that the same do pass.

Bill ordered to a third reading.

SPECIAL ORDERS—(RESUMED).

Committee Substitute for Senate Bill No. 239—An Act to provide for the payments for advertising the San Francisco Depot Act, and make an appropriation therefor.

Read third time, and passed by the following vote:

AYES—Messrs Adams, Anderson, Androus, Barker, Barlow, Bennett of Santa Clara, Bennett of Orange, Bretz, Buckley, Bulla, Burke, Carlson, Casterline, Cusick, Dodge, Drees, Duffy, Durst, Finlayson, Gallagher, Godchaux, Hamilton, Hendrickson, Hutson, Jacobs, Jacobsen, Johnson of Humboldt, Johnson of Santa Clara, Kennedy, Kahn, Kerns, Lynch, McGowan, Mack, Marston, Mathews of Tehama, Matthews of San Benito, Miller, O'Keefe, O'Neill, Raw, Schlesinger, Simpson, Standart, Taggart, Talbott, Taylor, Thomas of Nevada, Tindall, Vann, Wade, and Mr. Speaker—52.
NOES—None.

Title read and approved.

Senate Bill No. 160—An Act making an appropriation to pay the claim of "The California Spirit of the Times," for advertising the election proclamation in the forty-second fiscal year.

Read second time.

Senate Bill No. 281—An Act making an appropriation to pay the

deficiency in the appropriation for the support of the Reform School for Juvenile Offenders at Whittier, for the forty-third and forty-fourth fiscal years.

Read second time.

Committee amendment, as follows:

Amend by striking out in section one, line one, after the word "and," the words "twenty-one," and inserting in lieu thereof the word "six."

Adopted.

Senate Bill No. 507—An Act making an appropriation for the payment of certain salary due Allen Kelly, as Executive Officer of the State Board of Forestry.

Read second time.

Senate Bill No. 601—An Act making an appropriation to pay for lithographing Chinese certificates, under the provisions of an Act to prohibit the coming of Chinese persons into the State, approved March 20, 1891.

Read second time.

Senate Bill No. 732—An Act making an appropriation to pay the deficiency in the appropriation for salary of Secretary of State Board of Examiners, for the forty-second fiscal year.

Read second time.

Senate Bill No. 705—An Act making an appropriation to pay the deficiency in the appropriation for the State's portion of salaries of Judges of the Superior Court for the forty-fourth fiscal year.

Read second time.

Senate Bill No. 722—An Act making an appropriation to pay the deficiency in the appropriation for arresting criminals without the State, for the forty-third fiscal year.

Read second time.

Senate Bill No. 602—An Act making an appropriation to pay for the transportation of children to the State Reform School for Juvenile Offenders, for the forty-third fiscal year.

Read second time.

Senate Bill No. 603—An Act making an appropriation for payment of transportation of children to the State Reform School for Juvenile Offenders, for the forty-fourth fiscal year.

Read second time.

MOTION.

Mr. Anderson moved that the Assembly resolve itself into Committee of the Whole, with the Speaker in the chair, for the purpose of considering Senate Bills Nos. 160, 281, 507, 601, 732, 705, 722, 602, and 603.

So ordered.

IN COMMITTEE OF THE WHOLE.

Speaker Gould in the chair.

Senate Bills Nos. 160, 281, 507, 601, 732, 705, 722, 602, and 603 were considered in Committee of the Whole.

IN ASSEMBLY.

Speaker Gould in the chair.

REPORT OF THE COMMITTEE OF THE WHOLE.

The Speaker stated the report of the Committee of the Whole, as follows:

GENTLEMEN: The Committee of the Whole have had under consideration Senate Bill No 160—An Act making an appropriation to pay the claim of "The California Spirit of the Times," for advertising the election proclamation in the forty-second fiscal year.

Also: Senate Bill No. 281—An Act making an appropriation to pay the deficiency in the appropriation for the support of the Reform School for Juvenile Offenders at Whittier, for the forty-third and forty-fourth fiscal years

Also: Senate Bill No 507—An Act making an appropriation for the payment of certain salary due Allen Kelly, as Executive Officer of the State Board of Forestry.

Also: Senate Bill No. 601—An Act making an appropriation to pay for lithographing Chinese certificates, under the provisions of an Act to prohibit the coming of Chinese persons into the State, approved March 20, 1891.

Also: Senate Bill No. 732—An Act making an appropriation to pay the deficiency in the appropriation for salary of Secretary of State Board of Examiners for the forty-second fiscal year.

Also: Senate Bill No 705—An Act making an appropriation to pay the deficiency in the appropriation for the State's portion of salaries of Judges of the Superior Court for the forty-fourth fiscal year.

Also: Senate Bill No. 722—An Act making an appropriation to pay the deficiency in the appropriation for arresting criminals without the State for the forty-third fiscal year.

Also: Senate Bill No. 602—An Act making an appropriation to pay for the transportation of children to the State Reform School for Juvenile Offenders for the forty-third fiscal year.

Also: Senate Bill No. 603—An Act making an appropriation for payment of transportation of children to the State Reform School for Juvenile Offenders for the forty-fourth fiscal year.

And now report, and recommend that the same do pass.

Senate Bills Nos. 160, 281, 507, 601, 732, 705, 722, 602, and 603 ordered to a third reading.

PETITIONS.

Messrs. Wade, Jacobs, and Owen presented petitions relative to the Uniform Liquor License Bill.

MOTION.

Mr. Durst moved that Assembly Bill No. 139 be taken up out of order, and read the third time.

So ordered.

THIRD READING OF BILL.

Assembly Bill No. 139—An Act to provide for the leasing and disposition of water for mechanical and other purposes by irrigation districts organized or to be organized under and pursuant to an Act entitled "An Act to provide for the organization and government of irrigation districts, and to provide for the acquisition of water and other property, and for the distribution of water thereby for irrigation purposes," approved March 7, 1887.

Read third time, and passed by the following vote:

AYES—Messrs. Adams, Anderson, Barker, Barlow, Bennett of Santa Clara, Bennett of Orange, Bledsoe, Bretz, Buckley, Bulla, Burke, Carlson, Casterline, Chipman, Dodge, Drees, Duffy, Durst, Gallagher, Godchaux, Hendrickson, Jacobs, Johnson of Humboldt, Johnson of Santa Clara, Kahn, Kerns, Lynch, McCauley, McGowan, Mack, Marston, O'Keefe, O'Neill, Owen, Perkins, Pueschel, Raw, Schlesinger, Sims, Standart, Taggart, Talbott, Thomas of Nevada, Tindall, Wade, and Mr. Speaker—46.

NOES—None.

Title read and approved.

Mr. Durst moved that Assembly Bill No. 139 be immediately transmitted to the Senate.

So ordered.

MOTION.

Mr. Standart moved that Assembly Bill No. 449 be taken up out of order, and read the second time.

So ordered.

SECOND READING OF BILL.

Assembly Bill No. 449—An Act to pay the claims of J. N. Cardoza, also the claim of Farmer & Hoxie, and also the claim of D. M. Davison, their heirs or assigns, for military services in defending the eastern frontier against the attacks of the Indians.

Read second time.

Committee Substitute for Assembly Bill No. 449, as follows:

An Act to provide for the payment of the principal and interest due on certain Controller's warrants drawn on the War Loan Fund of the State Treasury, and making an appropriation therefor

The People of the State of California, represented in Senate and Assembly, do enact as follows:

SECTION 1. The sum of sixteen hundred and ninety-seven dollars and sixty-six cents is hereby appropriated out of any money in the State Treasury not otherwise appropriated, to pay the principal and interest due on certain Controller's warrants drawn upon the War Loan Fund of the State Treasury, described as follows: Controller's warrant number one thousand and sixty, issued July twenty-third, one thousand eight hundred and fifty-three, for the sum of two hundred dollars, with legal interest thereon from date of issue to January twentieth, one thousand eight hundred and ninety-three; Controller's warrant number one thousand one hundred and eighty-one, issued July twenty-seventh, one thousand eight hundred and fifty-five, for the sum of one hundred and seventy dollars, with legal interest thereon from date of issue to January twentieth, one thousand eight hundred and ninety-three, and for the remaining balance due on Controller's warrant number one thousand one hundred and seventy-three, issued June twenty-second, one thousand eight hundred and fifty-five, as evidenced by the certificate issued by the State Treasurer August nineteenth, one thousand eight hundred and fifty-five, in the sum of fifteen dollars, with legal interest thereon from the date of issue of said certificate to January twentieth, one thousand eight hundred and ninety-three.

SEC. 2. The Controller of the State of California is hereby authorized and directed, upon the presentation to him of said Controller's warrants, and said certificate of unredeemed balance issued by the State Treasurer, to draw his warrant upon the State Treasurer for the amount due as principal and interest on each of said warrants and on said certificate, as provided in section one of this Act, and the Treasurer is authorized and directed to pay the same, the direction herein to the Controller and Treasurer is hereby expressly exempted from the provisions of section six hundred and seventy-two of the Political Code.

SEC. 3. This Act shall take effect and be in force from and after its passage.

Adopted.

MOTION.

Mr. Anderson moved that Assembly Bill No. 66 be taken up out of order.

So ordered.

SECOND READING OF BILL.

Assembly Bill No. 66—An Act to pay the claim of George Nelson against the State of California.

The question being on the pending amendment.

Lost.

MOTION.

Mr. Anderson moved that the Assembly resolve itself into Committee of the Whole, with the Speaker in the chair, for the purpose of considering Assembly Bills Nos. 449 and 66.

So ordered.

IN COMMITTEE OF THE WHOLE.

Speaker Gould in the chair.

Assembly Bills Nos. 449 and 66 were considered in Committee of the Whole.

IN ASSEMBLY.

Speaker Gould in the chair.

REPORT OF THE COMMITTEE OF THE WHOLE.

The Speaker stated the report of the Committee of the Whole, as follows:

GENTLEMEN: The Committee of the Whole have had under consideration Assembly Bill No. 449—An Act to pay the claim of J. N. Cardoza, also the claim of Farmer & Hoxie, and also the claim of D. M. Davison, their heirs or assigns, for military services in defending the eastern frontier against the attacks of the Indians.

Also: Assembly Bill No. 66—An Act to pay the claim of George Nelson against the State of California

And now report, and recommend that the same do pass.

Assembly Bills Nos. 449 and 66 ordered engrossed and to a third reading.

MOTION.

Mr. Finlayson moved that Assembly Bill No. 349 be taken up out of order, and read the third time.

So ordered.

THIRD READING OF BILL.

Assembly Bill No. 349—An Act to amend sections one thousand one hundred and forty-two, one thousand one hundred and eighty-eight, one thousand one hundred and ninety-four, one thousand one hundred and ninety-seven, one thousand two hundred and three, one thousand two hundred and five, one thousand two hundred and eight, one thousand two hundred and fifty-seven, one thousand two hundred and sixty-four, and one thousand two hundred and sixty-five of the Political Code, in relation to elections within this State.

Read third time, and passed by the following vote:

AYES—Messrs. Adams, Anderson, Androus, Barlow, Bennett of Santa Clara, Bennett of Orange, Blakeley, Bledsoe, Buckley, Bulla, Carlson, Casterline, Conway, Curtis, Cusick, Dodge, Drees, Duffy, Durst, Finlayson, Godchaux, Hendrickson, Hurley, Hutson, Jacobs, Johnson of Humboldt, Johnson of Santa Clara, Kahn, Kerns, Lynch, McElroy, McGowan, Mack, Marston, Matthews of San Benito, Miller, O'Neill, Owen, Pendleton, Perkins, Pueschel, Schlesinger, Shanahan, Sims, Taggart, Talbott, Thomas of Nevada, Tindall, Vann, and Mr. Speaker—49.

NOES—Messrs. Sargent and Wade—2.

Title read and approved.

Mr. Finlayson moved that Assembly Bill No. 349 be immediately transmitted to the Senate.

So ordered.

MOTION.

Mr. Carlson moved that Assembly Bill No. 141 be taken up out of order, and read the second time.

Lost.

UNFINISHED BUSINESS.

Mr. Johnson of Humboldt moved that Assembly Bill No. 381 be substituted on the file for Substitute for Assembly Bills Nos. 177, 194, 409, 463, and 511, and be read the second time.

So ordered.

Assembly Bill No. 381—An Act amending section two thousand six hundred and fifty-three of the Political Code of the State of California, in relation to roads and highways.

Read second time, ordered engrossed and to a third reading.

Assembly Constitutional Amendment No. 11—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, amending section nine of article thirteen thereof, relative to the election of a State Board of Equalization.

Passed on file.

SPECIAL FILE.

Assembly Bill No. 242—An Act appropriating two hundred and fifty thousand dollars for the erection of buildings for the use of affiliated and other departments of the University of California.

Read second time.

Committee amendment, as follows:

Amend by adding a new section, to be known as section two, and to read as follows. "SEC. 2. This Act shall take effect immediately on its passage."

Adopted.

Senate Bill No. 479—An Act making an appropriation to pay for the management and maintenance of the Southern California State Asylum for the Insane and Inebriates for the forty-fourth fiscal year.

Read second time.

Committee amendment, as follows:

Amend by striking out in section one, line one, after the words "the sum of," the words "twenty thousand," and insert in lieu thereof the words "seven thousand five hundred."

Adopted.

MOTION.

Mr. Bennett of Santa Clara moved that the Assembly resolve itself into Committee of the Whole, with the Speaker in the chair, for the purpose of considering Assembly Bill No. 242 and Senate Bill No. 479.

So ordered.

IN COMMITTEE OF THE WHOLE.

Speaker Gould in the chair.

Assembly Bill No. 242 and Senate Bill No. 479 were considered in Committee of the Whole.

IN ASSEMBLY.

Speaker Gould in the chair.

REPORT OF THE COMMITTEE OF THE WHOLE.

The Speaker stated the report of the Committee of the Whole, as follows:

GENTLEMEN. The Committee of the Whole have had under consideration Assembly Bill No. 242—An Act appropriating two hundred and fifty thousand dollars for the erection of buildings for the use of affiliated and other departments of the University of California.

Also: Senate Bill No. 479—An Act making an appropriation to pay for the management and maintenance of the Southern California State Asylum for the Insane and Inebriates for the forty-fourth fiscal year.

And now report, and recommend that the same do pass.

Assembly Bill No. 242 ordered engrossed and to a third reading.

Senate Bill No. 479 ordered to a third reading.

RECESS.

The hour of recess having arrived, the Speaker declared a recess until two o'clock P. M.

REASSEMBLED.

The Assembly reassembled at two o'clock P. M.

Speaker Gould in the chair.

Quorum present.

SPECIAL SENATE FILE—THIRD READING OF BILLS.

Senate Bill No. 209—An Act amending sections one thousand five hundred and seventy-seven and one thousand five hundred and seventy-eight of the Code of Civil Procedure, relating to mortgages and leases in certain cases.

Passed on file, on motion of Mr. Thomas.

Senate Bill No. 627—An Act to authorize the Justices of the Supreme Court to appoint a Librarian for said Court, and fixing a salary.

Read third time, and passed by the following vote:

AYES—Messrs. Adams, Alford, Anderson, Androus, Bennett of Santa Clara, Bennett of Orange, Boyce, Bretz, Brownlie, Buckley, Bulla, Burke, Casterline, Chipman, Conway, Curtis, Dodge, Drees, Duffy, Durst, Finlayson, Hamilton, Hendrickson, Hurley, Hutson, Jacobs, Kennedy, Luttringer, McGowan, Marks, Marston, Matthews of San Benito, Miller, O'Keefe, Pendleton, Perkins, Pueschel, Raw, Sargent, Simpson, Sims, Thomas of Nevada, Vann, and Mr Speaker—44.

NOES—Messrs Bledsoe, Schroebel, and Wade—3

Title read and approved.

Mr. Anderson moved that Senate Bill No. 627 be immediately transmitted to the Senate.

So ordered.

Senate Bill No. 284—An Act to amend sections fifty-five and sixty-eight, and for the repeal of section seventy-five of the Civil Code of the State of California, relating to the authentication of marriages.

Read third time.

Mr. Sargent moved the previous question, seconded by Messrs. Dodge and Tindall.

The question being, " Shall the main question be now put?"

So ordered.

The roll was called, and the bill refused passage by the following vote:

AYES—Messrs. Adams, Anderson, Bennett of Santa Clara, Blakeley, Boyce, Bretz, Carlson, Chipman, Conway, Curtis, Cusick, Duffy, Durst, Finlayson, Gallagher, Hendrickson, Jacobsen, Johnson of Humboldt, Lynch, McGowan, Marks, Miller, Mordecai, Pueschel, and Wade—25.

NOES—Messrs Alford, Androus, Barker, Bennett of Orange, Bledsoe, Brownlie, Buckley, Bulla, Burke, Casterline, Dodge, Drees, Gately, Godchaux, Hamilton, Hutson, Kahn, Kerns, LaRue, Luttringer, McCauley, McElroy, Mack, Marston, O'Keefe, O'Neill, Perkins, Sargent, Schlesinger, Schroebel, Shanahan, Simpson, Sims, Standart, Taggart, Talbott, Thomas of Nevada, Tindall, Vann, and Mr. Speaker—40.

NOTICE OF RECONSIDERATION.

Mr. Alford gave notice that on the next legislative day he will move a reconsideration of the vote whereby Senate Bill No. 284 was refused passage.

Senate Bill No. 116—An Act to amend an Act entitled "An Act to establish a Civil Code," approved March 21, 1872, by adding a new section to said Civil Code, to be known as section four hundred and thirty-three, permitting the establishment of mutual insurance companies.

Read third time, and refused passage by the following vote:

AYES—Messrs Gately, Godchaux, Hurley, Sargent, Sims, and Standart—6

NOES—Messrs. Alford, Anderson, Barker, Bennett of Orange, Bledsoe, Boyce, Bretz, Buckley, Bulla, Burke, Carlson, Casterline, Chipman, Conway, Curtis, Cusick, Dodge, Drees, Duffy, Durst, Finlayson, Gallagher, Hamilton, Hendrickson, Hutson, Jacobs, Jacobsen, Johnson of Humboldt, Johnson of Santa Clara, Kahn, Kerns, LaRue, Luttringer, McElroy, Mack, Marston, Mordecai, O'Keefe, O'Neill, Pendleton, Perkins, Pueschel, Schroebel, Shanahan, Simpson, Thomas of Nevada, Tindall, Wade, and Mr Speaker—48.

NOTICE OF RECONSIDERATION.

Mr. Pendleton gave notice that on the next legislative day he will move a reconsideration of the vote whereby Senate Bill No. 116 was refused passage.

Senate Bill No. 658—An Act making an appropriation for editing the manuscript of the State Mineralogist for the two years ending September 15, 1892.

Read third time, and passed by the following vote:

AYES—Messrs. Adams, Alford, Anderson, Androus, Barker, Bennett of Santa Clara, Bennett of Orange, Bretz, Bulla, Burke, Carlson, Casterline, Chipman, Conway, Curtis, Cusick, Dodge, Drees, Duffy, Durst, Gately, Godchaux, Hamilton, Hendrickson, Jacobsen, Johnson of Santa Clara, Kennedy, Kerns, Luttringer, McCauley, McGowan, Mack, Marks, Marston, Mordecai, O'Keefe, Pendleton, Perkins, Pueschel, Raw, Sargent, Schlesinger, Shanahan, Simpson, Sims, Standart, Taggart, Talbott, Taylor, Thomas of Nevada, Tindall, Vann, Wade, and Mr Speaker—53.

NOES—Messrs. Bledsoe, Boyce, Buckley, Finlayson, Hurley, Hutson, Jacobs, Johnson of Humboldt, LaRue, McElroy, O'Neill, and Schroebel—12.

Title read and approved.

Mr. Standart moved that Senate Bill No. 658 be immediately transmitted to the Senate.

So ordered.

Senate Bill No. 445—An Act to add a new section to the Penal Code, to be numbered five hundred and thirty-eight, relating to misrepre-

sentations as to circulation, by proprietors of newspapers and periodicals, for the purpose of obtaining patronage.

Read third time, and passed by the following vote:

AYES—Messrs Adams, Alford, Anderson, Adrous, Barker, Bennett of Orange, Bledsoe, Boyce, Brownlie, Buckley, Burke, Carlson, Casterline, Chipman, Conway, Cusick, Dodge, Drees, Duffy, Durst, Finlayson, Gallagher, Gately, Godchaux, Hamilton, Hendrickson, Hurley, Jacobs, Jacobsen, Johnson of Humboldt, Johnson of Santa Clara, Kennedy, Kerns, Luttringer, McCauley, McGowan, Mack, Marks, Marston, O'Keefe, Owen, Pueschel, Schlesinger, Shanahan, Simpson, Standart, Taggart, Taylor, Thomas of Nevada, Tindall, Vann, and Mr. Speaker—52

NOES—Messrs Curtis, Hutson, Pendleton, Sims, and Wade—5.

Title read and approved.

Mr. Alford moved that Senate Bill No. 445 be immediately transmitted to the Senate.

So ordered.

Senate Bill No. 463—An Act directing the State Prison Directors of the State of California to employ at least twenty prisoners in the construction of roads to the State Prison at San Quentin.

Read third time, and passed by the following vote:

AYES—Messrs. Alford, Anderson, Barker, Bennett of Santa Clara, Blakeley, Boyce, Brownlie, Buckley, Bulla, Carlson, Casterline, Chipman, Conway, Curtis, Cusick, Dodge, Drees, Duffy, Durst, Finlayson, Hendrickson, Hurley, Hutson, Jacobsen, Johnson of Santa Clara, Kennedy, Kahn, Kerns, LaRue, Luttringer, Lynch, McCauley, McGowan, Mack, Marks, Marston, Mathews of Tehama, Mathews of San Benito, Miller, O'Keefe, O'Neill, Owen, Pendleton, Perkins, Pueschel, Raw, Sargent, Schlesinger, Shanahan, Simpson, Sims, Standart, Taggart, Talbott, Thomas of Nevada, Tindall, Vann, and Mr Speaker—58.

NOES—Messrs. Adams, Bennett of Orange, Bledsoe, Burke, Hamilton, Jacobs, Johnson of Humboldt, McElroy, Taylor, and Wade—10.

Title read and approved.

Senate Bill No. 22—An Act to provide for the completion and equipment of the Deaf and Dumb and Blind Asylum, and to make an appropriation therefor.

Read third time, and passed by the following vote:

AYES—Messrs. Adams, Alford, Anderson, Androus, Barker, Bennett of Santa Clara, Bennett of Orange, Bledsoe, Boyce, Bretz, Brownlie, Bulla, Burke, Carlson, Casterline, Chipman, Dodge, Drees, Duffy, Durst, Hamilton, Hendrickson, Hurley, Hutson, Jacobsen, Johnson of Humboldt, Johnson of Santa Clara, Kahn, Kerns, LaRue, Luttringer, Lynch, McCauley, McElroy, McGowan, Mack, Marks, Mathews of Tehama, Matthews of San Benito, Miller, O'Keefe, O'Neill, Owen, Perkins, Raw, Sargent, Schlesinger, Shanahan, Simpson, Sims, Standart, Taggart, Talbott, Taylor, Thomas of Nevada, Tindall, Vann, Wade, and Mr Speaker—59

NOES—None.

Title read and approved.

Senate Bill No. 492—An Act in relation to the care and improvement of the State Capitol grounds, and making an appropriation therefor.

Read third time, and passed by the following vote:

AYES—Messrs. Adams, Alford, Anderson, Barker, Bennett of Santa Clara, Bennett of Orange, Blakeley, Bledsoe, Boyce, Bretz, Brownlie, Buckley, Bulla, Carlson, Casterline, Chipman, Conway, Curtis, Cusick, Dodge, Duffy, Durst, Godchaux, Hamilton, Hurley, Jacobs, Johnson of Humboldt, Johnson of Santa Clara, Kennedy, Kahn, Kerns, LaRue, Luttringer, Lynch, McGowan, Mack, Marks, Marston, Mathews of Tehama, Miller, O'Keefe, O'Neill, Owen, Pendleton, Perkins, Sargent, Schlesinger, Shanahan, Simpson, Sims, Standart, Taggart, Talbott, Taylor, Thomas of Nevada, Vann, Wade, and Mr Speaker—57.

NOES—Messrs. Hutson and Matthews of San Benito—2.

Title read and approved.

Mr. Dodge moved that Senate Bills Nos. 22 and 492 be immediately transmitted to the Senate.

So ordered.

SPECIAL ORDERS.

Assembly Bill No. 239—An Act to create the county of Kings, to define the boundaries thereof, to fix the county seat thereof, and to provide for its organization and election of officers, and to classify said county.

The roll was called, and the bill passed by the following vote:

AYES—Messrs Adams, Alford, Anderson, Barker, Bennett of Orange, Blakeley, Boyce, Bretz, Brownlie, Carlson, Chipman, Conway, Curtis, Cusick, Dodge, Duckworth, Duffy, Durst, Gallagher, Hamilton, Hutson, Johnson of Humboldt, Johnson of Santa Clara, Kennedy, Luttringer, McCauley, McElroy, McGowan, Mack, Marston, Miller, Mordecai, O'Keefe, O'Neill, Pendleton, Raw, Sargent, Shanahan, Standart, Taggart, Talbott, Taylor, Thomas of Nevada, Tindall, and Vann—45.

NOES—Messrs Bennett of Santa Clara, Bledsoe, Buckley, Bulla, Burke, Casterline, Drees, Finlayson, Gately, Godchaux, Hendrickson, Hurley, Jacobs, Kahn, Kerns, LaRue, Marks, Mathews of Tehama, Matthews of San Benito, Owen, Perkins, Schlesinger, Simpson, Sims, Wade, and Mr Speaker—26.

Title read and approved.

NOTICE OF RECONSIDERATION.

Mr. Alford gave notice that on the next legislative day he will move a reconsideration of the vote whereby Assembly Bill No. 239 was passed.

SPECIAL ORDER.

Consideration of the motion to reconsider the vote whereby Substitute for Senate Bill No. 137 was refused passage.

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

AYES—Messrs. Adams, Alford, Anderson, Androus, Barker, Barlow, Bennett of Santa Clara, Bennett of Orange, Bledsoe, Boyce, Brownlie, Buckley, Burke, Carlson, Casterline, Chipman, Curtis, Dodge, Duffy, Durst, Finlayson, Gallagher, Gately, Godchaux, Hamilton, Hendrickson, Hurley, Hutson, Jacobs, Jacobsen, Johnson of Santa Clara, Kennedy, Kahn, Kerns, Luttringer, Lynch, McGowan, Mack, Marks, Marston, Mathews of Tehama, Matthews of San Benito, Miller, O'Keefe, Owen, Perkins, Raw, Shanahan, Simpson, Sims, Standart, Taggart, Talbott, Taylor, Vann, and Mr. Speaker—56.

NOES—Messrs. Bulla, Drees, Johnson of Humboldt, LaRue, McElroy, Sargent, Tindall, and Wade—8.

Mr. Shanahan moved that Substitute for Senate Bill No. 137 be placed upon its passage.

So ordered.

Substitute for Senate Bill No. 137—An Act to establish a Board of Parole Commissioners for the parole of and government of paroled prisoners.

Read third time, and passed by the following vote:

AYES—Messrs Anderson, Androus, Barker, Barlow, Bennett of Santa Clara, Brownlie, Carlson, Casterline, Chipman, Conway, Curtis, Dodge, Drees, Duffy, Durst, Gallagher, Gately, Godchaux, Hamilton, Hurley, Hutson, Jacobsen, Johnson of Santa Clara, Kerns, Luttringer, Lynch, McCauley, McGowan, Mack, Marks, Marston, Mathews of Tehama, Matthews of San Benito, Miller, O'Neill, Owen, Pendleton, Raw, Shanahan, Simpson, Taggart, Talbott, Taylor, Tindall, Vann, and Mr. Speaker—46.

NOES—Messrs Adams, Bennett of Orange, Bledsoe, Boyce, Buckley, Bulla, Burke, Cusick, Hendrickson, Jacobs, Johnson of Humboldt, Kahn, LaRue, McElroy, Mordecai, O'Keefe, Schlesinger, and Wade—18

Title read and approved.

Mr. Shanahan moved that Substitute for Senate Bill No. 137 be immediately transmitted to the Senate.

So ordered.

Senate Bill No. 55—An Act to amend section one thousand one hundred and seven of the Civil Code of the State of California.

Ordered placed on file under the head of unfinished business.

Mr. Mathews of Tehama moved to reconsider the vote whereby Senate Bill No. 166 was passed.

Mr. Mathews moved to indefinitely postpone the motion.

So ordered.

Mr. Vann moved that Senate Bill No. 166 be immediately transmitted to the Senate.

So ordered.

Consideration of the motion to reconsider the vote whereby the Governor's veto of Assembly Bill No. 142 was sustained.

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

AYES—Messrs. Adams, Barlow, Bennett of Orange, Bledsoe, Boyce, Bretz, Brownlie, Buckley, Bulla, Carlson, Conway, Cusick, Dodge, Drees, Duffy, Gallagher, Godchaux, Hamilton, Hendrickson, Hurley, Jacobsen, Johnson of Humboldt, Kennedy, McElroy, McGowan, Marston, Miller, O'Neill, Schroebel, Talbott, Taylor, Tindall, and Vann—33.

NOES—Messrs. Anderson, Androus, Barker, Bennett of Santa Clara, Burke, Casterline, Chipman, Curtis, Durst, Hutson, Jacobs, Kahn, Kerns, LaRue, Lynch, Mack, Mathews of Tehama, Matthews of San Benito, Mordecai, O'Keefe, Pendleton, Perkins, Pueschel, Raw, Sargent, Schlesinger, Shanahan, Simpson, Standart, Taggart, Wade, and Mr. Speaker—32.

Mr. Bledsoe moved that the consideration of Assembly Bill No. 142 be made a special order for Thursday at three o'clock and thirty minutes P. M.

Lost.

Assembly Bill No. 142—An Act regulating the hours of labor in saw mills, shingle mills, shake mills, and logging camps.

The question being, "Shall the bill become a law, notwithstanding the objection of the Governor?"

Mr. Bledsoe moved a call of the House, seconded by Messrs. Jacobsen and Sargent.

Lost.

The roll was called, and the Governor's veto was sustained by the following vote.

AYES—Messrs. Adams, Alford, Bennett of Orange, Bledsoe, Boyce, Bretz, Buckley, Bulla, Carlson, Conway, Dodge, Drees, Duffy, Gallagher, Gately, Godchaux, Hendrickson, Hurley, Jacobs, Jacobsen, Johnson of Humboldt, Kennedy, Luttringer, McElroy, Mack, Marston, Miller, Owen, Sargent, Schroebel, Sims, Talbott, Taylor, and Tindall—34

NOES—Messrs. Anderson, Androus, Barker, Barlow, Bennett of Santa Clara, Blakeley, Casterline, Chipman, Curtis, Durst, Hamilton, Hutson, Johnson of Santa Clara, Kahn, Kerns, LaRue, Lynch, McCauley, McGowan, Mathews of Tehama, Matthews of San Benito, Mordecai, O'Keefe, O'Neill, Pendleton, Perkins, Pueschel, Raw, Schlesinger, Shanahan, Simpson, Standart, Taggart, Wade, and Mr. Speaker—35

MOTION.

Mr. Kahn moved to take up Senate messages.

Lost.

Mr. Taylor moved that the consideration of Assembly Bill No. 456 be made a special order for to-morrow at three o'clock and thirty minutes P. M.

Lost.

Mr. Bennett of Santa Clara moved that Senate Bill No. 4 be taken up out of order, and read the second time.

Lost.

RECESS.

At five o'clock and twenty minutes P. M., on motion of Mr. Mordecai, a recess was taken until seven o'clock and thirty minutes P. M.

EVENING SESSION.

The Assembly reassembled at seven o'clock and thirty minutes P. M. Speaker Gould in the chair.
Quorum present.

REPORT OF STANDING COMMITTEE.

ON MUNICIPAL CORPORATIONS

ASSEMBLY CHAMBER, SACRAMENTO, March 7, 1893.

MR. SPEAKER: Your Committee on Municipal Corporations, to whom was referred Substitute for Senate Bills Nos. 291, 183, and 123—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

BUCKLEY, Chairman.

FIRST READING OF BILL.

Substitute for Senate Bills Nos. 291, 183, and 123—An Act to provide for laying out, opening, extending, widening, straightening, diverging, curving, contracting, or closing up, in whole or in part, any street, square, lane, alley, court, or place within municipalities, or cities, and cities and counties of forty thousand inhabitants or over, and to condemn and acquire any and all land and property necessary or convenient for that purpose.

Read first time, and placed on file for second reading.

URGENCY FILE.

Assembly Bill No. 596—An Act creating a State Board of Public Works, defining their duties and powers, prescribing their compensation, and making an appropriation.

Read second time.

COMMITTEE SUBSTITUTE FOR ASSEMBLY BILL No. 596.

An Act creating a Commissioner of Public Works, defining his duties and powers, prescribing his compensation, and making appropriation.

The People of the State of California, represented in Senate and Assembly, do enact as follows:

SECTION 1. There is hereby created a Commissioner of Public Works, to be appointed by the Governor. Such Commissioner shall hold his office for the term of two years, from the first day of March, eighteen hundred and ninety-three, and until his successor shall be appointed and qualified, and all subsequent appointments shall be for the term of four years. In case of vacancy, occasioned by death, resignation, or otherwise, the Governor shall appoint his successor. Said officer, before entering upon the discharge of his duty, shall take and subscribe the official oath and execute an official bond in the sum of six thousand dollars, to be approved by the Governor, and filed and recorded in the office of the Secretary of State, as in the case of bonds of other State officials; such Commissioner shall receive a salary of four thousand dollars per annum, payable in monthly installments, and shall be allowed his actual traveling and other expenses incurred while in the performance of official duties.

SEC. 2. The office of said Commissioner shall be at the State Capitol, in the city of Sacramento.

SEC. 3. Such Commissioner shall appoint a Secretary, who shall hold office at the pleasure of the Commissioner, and until his successor is appointed, and who shall

receive a salary of one hundred and fifty dollars per month while actually employed. The Commissioner shall adopt a seal

SEC. 4 The Commissioner shall have the power to employ such engineers, surveyors, agents and persons as he deems necessary to carry out the provisions of this Act, or to perform any duties imposed by law upon said Commissioner, and to fix their compensation. The Commissioner shall perform such duties in the examination, supervision, and management of such public works, constructed or carried on by the State, or under State authority, or under any law of the State, as he may be directed to perform from time to time by law, and shall have such other powers as may be conferred upon him, and perform such other duties as may be hereafter imposed upon him by law.

SEC. 5 The sum of thirty thousand dollars is hereby appropriated out of any moneys in the State Treasury not otherwise appropriated, to pay the salaries and expenses of said Commissioner and his employés, and for such other purposes as may be necessary or proper for carrying out the purposes of this Act, or the provisions of any law imposing duties upon said Commissioner, and the Controller of State is hereby directed to draw his warrants therefor, and the Treasurer is directed to pay the same.

SEC. 6 This Act shall take effect immediately

Adopted.

MOTION.

Mr. Anderson moved that the Assembly resolve itself into Committee of the Whole, with the Speaker in the chair, for the purpose of considering Assembly Bill No. 596.

So ordered.

IN COMMITTEE OF THE WHOLE.

Speaker Gould in the chair.

Assembly Bill No. 596 was considered in Committee of the Whole.

IN ASSEMBLY.

Speaker Gould in the chair.

REPORT OF THE COMMITTEE OF THE WHOLE.

The Speaker stated the report of the Committee of the Whole, as follows:

GENTLEMEN: The Committee of the Whole have had under consideration Assembly Bill No. 596—An Act creating a State Board of Public Works, defining their duties and powers, prescribing their compensation, and making an appropriation—and now report, and recommend that the same do pass.

Bill ordered engrossed and to a third reading.

MOTION.

Mr. Lynch moved to take up Senate message.

So ordered.

MESSAGE FROM THE SENATE.

SENATE CHAMBER, SACRAMENTO, March 7, 1893.

MR. SPEAKER: I am directed to inform your honorable body that the Senate, on this day, passed the following resolution:

Resolved, That the Assembly be requested to return to the Senate, Senate Bill No. 434, sent to the Assembly this day through error.

F. J. BRANDON, Secretary.
By R. SHAW, Assistant.

MOTIONS.

Mr. Lynch moved that Senate Bill No. 434 be immediately transmitted to the Senate.

So ordered.

Mr. Pueschel moved that Assembly Bill No. 512 be taken up out of order, and read the third time.

So ordered.

THIRD READING OF BILL.

Assembly Bill No. 512—An Act to amend an Act amendatory of and supplemental to an Act entitled "An Act to provide for the organization and government of irrigation districts, and to provide for the acquisition of water and other property, and for the distribution of water thereby for irrigation purposes," approved March 7, 1887, providing for the exclusion of certain lands within any such district, approved February 16, 1889.

Read third time.

MOTION.

Mr. Pueschel moved that a select committee of one be appointed by the Speaker to amend Assembly Bill No. 512, as follows:

Amend section one, in the printed bill, as follows:

First—On page three, line fifty-three, after the word "thereof," insert the following: "the expenses of giving said notice and of the aforesaid proceeding shall be paid by the person or persons filing such petition."

Second—Strike out from and including the word "unless," on page three, line seventy-seven, down to and including the word "conduits," on line eighty-eight of page four, and in lieu thereof insert "from any district organized before the passage of this Act."

Third—On page four, line one hundred and eleven, strike out "for" and insert "of," and change "districts" to "district."

Fourth—Strike out all of sections fourteen and fifteen on pages six and seven.

So ordered.

APPOINTMENT OF COMMITTEE.

Mr. Pueschel was appointed such committee to make said amendments.

REPORT OF SELECT COMMITTEE.

ASSEMBLY CHAMBER, SACRAMENTO, March 7, 1893.

MR. SPEAKER: Your select committee, to whom was referred Assembly Bill No. 512, with instructions to amend in accordance with the action of the House, would respectfully report that the instructions of the House have been carried out.

PUESCHEL, Committee.

Report adopted.

URGENCY FILE.

Assembly Bill No. 762—An Act providing for the adjustment, settlement, and payment of any indebtedness existing against any city or municipal corporation at the time of exclusion of territory therefrom, and the division of the property thereof.

Read second time, ordered engrossed and to a third reading.

Assembly Bill No. 122—An Act to appropriate ten thousand dollars for the purpose of sending an expert to foreign countries to collect and import into this State parasites and predaceous insects.

Passed on file.

Assembly Bill No. 593—An Act to pay the claim of John McGrath against the State of California, and making an appropriation therefor.

Passed on file.

REPORT OF STANDING COMMITTEE.

ON SWAMP AND OVERFLOWED LANDS.

ASSEMBLY CHAMBER, SACRAMENTO, March 7, 1893.

MR. SPEAKER: Your Committee on Swamp and Overflowed Lands, to whom was referred Senate Bill No. 434—Regulating the sale of lands uncovered by the recession or drainage of the waters of inland lakes, and unsegregated swamp and overflowed lands, and validating sales and surveys heretofore made—have had the same under consideration, and respectfully report the same back, and recommend that same be returned to the Senate.

PUESCHEL, Chairman.

So ordered.

URGENCY FILE.

Assembly Bill No. 693—An Act relating to the sale of wines and liquors, and the maintenance of saloons and places where wines and liquors are sold.

The question being on the pending motion to strike out the enacting clause.

The ayes and noes were demanded by Messrs. Bledsoe, Miller, and Matthews of San Benito.

CALL OF THE HOUSE.

The roll was called, and pending announcement of the vote, Mr. McCauley moved a call of the House, seconded by Messrs. Sargent and LaRue.

So ordered.

The roll was called, and the following members answered to their names:

Messrs. Adams, Androus, Barker, Barlow, Bennett of Santa Clara, Bennett of Orange, Blakeley, Bledsoe, Boyce, Bretz, Brownlie, Buckley, Bulla, Burke, Carlson, Casterline, Chipman, Conway, Curtis, Cusick, Dodge, Drees, Duffy, Durst, Gallagher, Gately, Godchaux, Hendrickson, Hurley, Hutson, Jacobs, Johnson of Humboldt, Johnson of Santa Clara, Kennedy, Kahn, Kerns, LaRue, Luttringer, McCauley, McElroy, McGowan, Mack, Marks, Mathews of Tehama, Matthews of San Benito, Miller, Mordecai, O'Neill, Owen, Pendleton, Perkins, Pueschel, Raw, Sargent, Schlesinger, Schroebel, Simpson, Standart, Taggart, Talbott, Taylor, Tindall, Vann, Wade, and Mr. Speaker.

The following members: Messrs. Alford, Anderson, Finlayson, Hamilton, Jacobsen, Lynch, Marston, O'Keefe, Shanahan, Sims, and Thomas of Nevada, were absent without leave, and the Sergeant-at-Arms was directed to bring them before the bar of the House.

Mr. Wade moved that further proceedings under the call of the House be dispensed with.

Lost.

Messrs. Alford, Anderson, Finlayson, Hamilton, Jacobsen, Lynch, Marston, O'Keefe, Shanahan, and Thomas of Nevada were brought before the bar of the House and excused.

Mr. Wade moved that further proceedings under the call of the House be dispensed with.

So ordered.

ASSEMBLY BILL No. 693.

The Speaker announced the vote on the motion to strike out the enacting clause, and declared the motion carried by the following vote:

AYES—Messrs. Adams, Alford, Androus, Barker, Barlow, Bennett of Santa Clara, Bennett of Orange, Bledsoe, Bretz, Buckley, Bulla, Burke, Casterline, Dodge, Durst, Finlayson, Hendrickson, Hurley, Jacobs, Jacobsen, Johnson of Humboldt, Kahn, Kerns, Lynch, McElroy, Mack, Mathews of Tehama, Matthews of San Benito, O'Keefe, Owen, Pendleton, Perkins, Pueschel, Schlesinger, Shanahan, Simpson, Standart, Taggart, Talbott, Tindall, Vann, and Wade—42

NOES—Messrs. Anderson, Blakeley, Boyce, Brownlie, Chipman, Conway, Curtis, Cusick, Drees, Duffy, Gallagher, Gately, Godchaux, Hamilton, Hutson, Johnson of Santa Clara, Kennedy, LaRue, Luttringer, McCauley, McGowan, Marks, Marston, Miller, Mordecai, O'Neill, Raw, Sargent, Schroebel, Taylor, and Thomas of Nevada—31.

Mr. Carlson was excused from voting, on motion of Mr. Boyce.

Mr. Schlesinger was allowed, after the announcement of the vote, to change his vote from "No" to "Aye."

On motion of Mr. Shanahan, the Committee on Judiciary was granted leave of absence for the evening.

URGENCY FILE—(RESUMED).

Assembly Bill No. 742—An Act to encourage the establishment of county, and city and county reform schools for the correction, care, and maintenance of juvenile offenders, and to provide State aid, and appropriate money therefor.

Read second time.

Mr. Mathews of Tehama moved to amend, as follows:

By striking out of section one, line two, the word "reform," after the words "city and county," and inserting the following: "State."

Adopted.

Also:

Amend by striking out of section one, line eight, the word "and," after the words "city and county," and inserting the following: "or"

Adopted.

Also:

Amend section one, line eight, by inserting after the word "jointly," the words "or otherwise."

Adopted.

Also:

Amend by striking out of section two, line five, the word "reform."

Adopted.

Also:

Amend by striking out of section two, line ten, the word "reform"

Adopted.

Also:

Amend by inserting the following, to be known as section four

"All schools established under the provisions of this Act shall be called State Schools for Juvenile Offenders, and shall be subject to State control; *provided*, all officers and

employés of such schools shall be appointed by the Board of Supervisors of the county, or city and county within which such school is located."

Section five of this Act shall read:

"This Act shall take effect and be in force from and after its passage"

Adopted.

MOTION.

Mr. Mathews of Tehama moved that the Assembly resolve itself into Committee of the Whole, with the Speaker in the chair, for the purpose of considering Assembly Bill No. 742.

So ordered.

IN COMMITTEE OF THE WHOLE.

Speaker Gould in the chair.

Assembly Bill No. 742 was considered in Committee of the Whole.

IN ASSEMBLY.

Speaker Gould in the chair.

REPORT OF THE COMMITTEE OF THE WHOLE.

The Speaker stated the report of the Committee of the Whole, as follows:

GENTLEMEN: The Committee of the Whole have had under consideration Assembly Bill No. 742—An Act to encourage the establishment of county, and city and county reform schools for the correction, care, and maintenance of juvenile offenders, and to provide State aid, and to appropriate money therefor—and now report, and recommend that the same do pass as amended.

Bill ordered engrossed and to a third reading.

URGENCY FILE—(RESUMED).

Assembly Bill No. 810—An Act to add a new section to the Civil Code of the State of California, to be numbered section one thousand four hundred and nine, defining water measurement.

Read second time.

Mr. Mathews of Tehama moved to amend, as follows:

By striking out of section two the words "*provided*, that when boxes are used for measuring water having an opening or aperture exceeding one inch square, the pressure shall be measured from the center of the opening"

Adopted.

Bill ordered engrossed and to a third reading.

Senate Bill No. 144—An Act to provide for additional improvements and repairs at the Napa State Asylum for the Insane, and making an appropriation therefor.

Read second time.

MOTION.

Mr. Wade moved that the Assembly resolve itself into Committee of the Whole, with the Speaker in the chair, for the purpose of considering Senate Bill No. 144.

So ordered.

IN COMMITTEE OF THE WHOLE.

Speaker Gould in the chair.

Senate Bill No. 144 was considered in Committee of the Whole.

IN ASSEMBLY.

Speaker Gould in the chair.

REPORT OF THE COMMITTEE OF THE WHOLE.

The Speaker stated the report of the Committee of the Whole, as follows:

GENTLEMEN: The Committee of the Whole have had under consideration Senate Bill No. 144—An Act to provide for additional improvements and repairs at the Napa State Asylum for the Insane, and making an appropriation therefor—and now report, and recommend that the same do pass.

Bill ordered to a third reading.

URGENCY FILE—(RESUMED).

Assembly Bill No. 684—An Act to add eight new sections to an Act entitled "An Act to establish a Political Code," approved March 12, 1872, said new sections to be known, numbered, and designated as sections two thousand six hundred and ninety-six, two thousand six hundred and ninety-seven, two thousand six hundred and ninety-eight, two thousand six hundred and ninety-nine, two thousand seven hundred, two thousand seven hundred and one, two thousand seven hundred and two, and two thousand seven hundred and three, respectively, all relating to laying out and constructing drains, canals, ditches, and other works to drain public roads.

Passed on file.

Assembly Bill No. 772—An Act to amend an Act entitled "An Act to establish a Civil Code," approved March 21, 1872, and to add a new section thereto, to be numbered section one thousand six hundred and seventy-seven, relating to unlawful contracts.

Read third time, and passed by the following vote:

AYES—Messrs. Adams, Androus, Barker, Barlow, Bennett of Santa Clara, Bennett of Orange, Blakeley, Bledsoe, Boyce, Bretz, Brownlie, Buckley, Burke, Carlson, Casterline, Conway, Curtis, Cusick, Drees, Dufty, Gallagher, Gately, Godchaux, Hurley, Jacobs, Johnson of Humboldt, Kennedy, Kahn, Kerns, Luttringer, McGowan, Mack, Marston, Mathews of Tehama, Owen, Perkins, Pueschel, Sargent, Standart, Talbott, Taylor, Tindall, Vann, Wade, and Mr. Speaker—45

NOES—None.

Title read and approved.

Mr. Barlow moved that Assembly Bill No. 772 be immediately transmitted to the Senate.

So ordered.

Assembly Bill No. 67—An Act to provide for the purchase of a residence for the Governor of California, and to appropriate money therefor.

Passed temporarily on file.

Assembly Bill No. 56—An Act to provide for the organization and government of districts already supplied with water for domestic and irrigation purposes, or either, and to provide for the acquisition of additional supplies of water when necessary, and to provide for the regulation and use of such water.

Read third time, and passed by the following vote:

AYES—Messrs. Adams, Anderson, Androus, Barker, Barlow, Bennett of Santa Clara, Bennett of Orange, Blakeley, Bledsoe, Boyce, Bretz, Brownlie, Buckley, Burke, Carlson, Casterline, Chipman, Conway, Curtis, Cusick, Drees, Durst, Gallagher, Hurley, Jacobs, Johnson of Humboldt, Johnson of Santa Clara, Kennedy, Kahn, Kerns, Luttringer, McGowan, Mack, Marks, Marston, Mathews of Tehama, Owen, Pueschel, Raw, Sargent, Talbott, Taylor, Vann, Wade, and Mr. Speaker—45

NOES—Messrs. Duffy and Hutson—2.

Title read and approved.

Mr. Anderson moved to take up Assembly Bill No. 67.

So ordered.

Assembly Bill No. 67—An Act to provide for the purchase of a residence for the Governor of California, and to appropriate money therefor.

Read second time.

MOTION.

Mr. Anderson moved that the Assembly resolve itself into Committee of the Whole, with the Speaker in the chair, for the purpose of considering Assembly Bill No. 67.

So ordered.

IN COMMITTEE OF THE WHOLE.

Speaker Gould in the chair.

Assembly Bill No. 67 was considered in Committee of the Whole.

IN ASSEMBLY.

Speaker Gould in the chair.

REPORT OF THE COMMITTEE OF THE WHOLE.

The Speaker stated the report of the Committee of the Whole, as follows:

GENTLEMEN: The Committee of the Whole have had under consideration Assembly Bill No. 67, and now report, and recommend that the same do pass

Bill ordered engrossed, and to a third reading.

URGENCY FILE—(RESUMED).

Assembly Bill No. 727—An Act to amend sections three, five, six, and ten of an Act entitled "An Act to provide for the maintenance and support of the public parks heretofore created within the various cities, and cities and counties of the State, and to amend the existing Acts in relation thereto," approved March 14, 1889.

Read third time.

MOTION.

Mr. Kennedy moved that a select committee of one be appointed by the Speaker to amend Assembly Bill No. 727, as follows:

By striking out on line five of section three the word "ten," and substituting therefor the word "three"

So ordered.

APPOINTMENT OF COMMITTEE.

Mr. Kennedy was appointed such committee to make said amendments.

REPORT OF SELECT COMMITTEE.

ASSEMBLY CHAMBER, SACRAMENTO, March 7, 1893.

MR. SPEAKER. Your select committee, to whom was referred Assembly Bill No. 727, with instructions to amend in accordance with the action of the House, would respectfully report that the instructions of the House have been carried out.

KENNEDY, Committee.

Report adopted.

Assembly Bill No. 19—An Act to amend "An Act to establish a Civil Code," approved March 21, 1872, by adding a new section thereto, to be numbered four hundred and thirty-two, relating to fire and marine insurance.

Mr. Bretz moved that Assembly Bill No. 836 be substituted on the file for Assembly Bill No. 19, and be read the first time.

So ordered.

Assembly Bill No. 836—An Act to amend section seven hundred and sixty-four of an Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883, relative to the powers of the Board of Trustees of cities of the fifth class.

Read first time, and placed on file for second reading.

Assembly Bill No. 729—An Act appropriating money to pay the claims of H. P. Dyer, E. F. Dyer, C. A. Granger, Gaston Goldsmith, and P. Reddy.

Read third time, and passed by the following vote:

AYES—Messrs. Adams, Androus, Barker, Barlow, Bennett of Santa Clara, Bennett of Orange, Blakeley, Bledsoe, Boyce, Brownlie, Buckley, Burke, Carlson, Casterline, Chipman, Conway, Curtis, Cusick, Drees, Duffy, Durst, Gately, Godchaux, Hutson, Jacobs, Johnson of Humboldt, Johnson of Santa Clara, Kennedy, Kerns, Luttringer, McGowan, Mack, Marks, Marston, Mathews of Tehama, Perkins, Pueschel, Raw, Shanahan, Taggart, Talbott, Taylor, Thomas of Nevada, Wade, and Mr Speaker—45

NOES—None.

Title read and approved.

Mr. Kennedy moved that Assembly Bill No. 729 be immediately transmitted to the Senate.

So ordered.

ADJOURNMENT.

At ten o'clock and five minutes P. M., on motion of Mr. Blakeley, the Assembly adjourned.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Wednesday, March 8, 1893.

The Assembly met pursuant to adjournment.

Speaker Gould in the chair.

The roll was called, and the following members answered to their names:

Messrs. Adams, Alford, Anderson, Androus, Barker, Barlow, Bennett of Santa Clara, Bennett of Orange, Blakeley, Bledsoe, Boyce, Bretz, Brownlie, Buckley, Bulla, Burke, Carlson, Casterline, Chipman, Conway, Curtis, Cusick, Dodge, Drees, Duffy, Durst, Finlayson, Gallagher, Gately, Godchaux, Hamilton, Hendrickson, Hurley, Hutson, Jacobs, Jacobsen, Johnson of Humboldt, Johnson of Santa Clara, Kennedy, Kahn, Kerns, LaRue, Luttringer, Lynch, McCauley, McElroy, Mack, Marks, Marston, Mathews of Tehama, Matthews of San Benito, Miller, Mordecai, O'Keefe, O'Neill, Owen, Pendleton, Perkins, Pueschel, Raw, Sargent, Schlesinger, Schroebel, Shanahan, Simpson, Sims, Standart, Taggart, Talbott, Taylor, Thomas of Nevada, Tindall, Vann, Wade, and Mr. Speaker.

Quorum present.

PRAYER.

Prayer by the Chaplain, Rev. H. W. Conry.

READING OF THE JOURNAL.

Pending the reading of the Journal of yesterday, Mr. Bennett of Santa Clara moved that further reading be dispensed with.

So ordered.

LEAVE OF ABSENCE.

Messrs. Duckworth and Barlow were granted leave of absence for the day.

MESSAGES FROM THE SENATE.

SENATE CHAMBER, SACRAMENTO, March 7, 1893.

MR. SPEAKER: I am directed to inform you honorable body that the Senate, on the sixth day of March, 1893, passed Senate Bill No 729—An Act amendatory of and supplementary to an Act entitled "An Act to define the boundary and provide for the government of Levee District No. 2, of Sutter County," passed March 23, 1876, in relation to the election of officers for said district, funding the floating debt, and refunding the funded debt thereof

F. J. BRANDON, Secretary.
By R. SHAW, Assistant

Senate Bill No. 729 referred to Committee on Swamp and Overflowed Lands.

Also:

SENATE CHAMBER, SACRAMENTO, March 7, 1893

MR SPEAKER: I am directed to inform your honorable body that the Senate, on this day, passed a resolution that Substitute for Assembly Bill No. 543 be recalled from the Assembly for the purpose of reconsideration.

F. J. BRANDON, Secretary
By R SHAW, Assistant.

Mr. Lynch moved that Substitute for Assembly Bill No. 543 be returned to the Senate.

So ordered.

Also:

SENATE CHAMBER, SACRAMENTO, March 7, 1893.

MR. SPEAKER. I am directed to inform your honorable body that the Senate, on the sixth day of March, 1893, passed Senate Bill No. 615—An Act to pay the claim of I. N. Brock against the State of California, and making an appropriation therefor.

Also: Senate Bill No. 531—An Act appropriating money for the relief of E. W. Melvin, his heirs or assigns.

Also. Senate Bill No 551—An Act to pay the claim of John H. Van Saun against the State of California, and making an appropriation therefor.

Also: Senate Bill No 614—An Act to pay the claim of Abraham Winans against the State of California, and making an appropriation therefor.

Also Senate Bill No. 563—An Act to pay the claim of Maurice Sheehan against the State of California, and making an appropriation therefor

F. J. BRANDON, Secretary.
By R. SHAW, Assistant.

Senate Bill No. 615, Senate Bill No. 531, Senate Bill No. 551, Senate Bill No. 614, and Senate Bill No. 563 ordered on file.

Also:

SENATE CHAMBER, SACRAMENTO, March 7, 1893

MR. SPEAKER I am directed to inform your honorable body that the Senate, on the sixth day of March, 1893, passed Senate Bill No 552—An Act to pay the claim of John McGrath against the State of California, and making an appropriation therefor

Also: Senate Bill No 296—An Act for the relief of Charles F Wells, and to appropriate money therefor.

Also: Senate Bill No. 102—An Act to amend an Act entitled "An Act to establish a Political Code," adopted February 14, 1872, by adding a new section thereto, to be numbered section five hundred and ninety-three, relating to the destruction of trees growing upon highways.

Also Senate Bill No. 468—An Act to amend section four hundred and fifty-six of the Civil Code, relating to the powers of railroad corporations to borrow money.

F. J. BRANDON, Secretary.
By R. SHAW, Assistant.

Senate Bill No. 296, Senate Bill No. 102, Senate Bill No. 468 ordered on file.

Mr. Standart moved that Senate Bill No. 552 be substituted on the file for Assembly Bill No. 593, and be read the first time.

So ordered.

FIRST READING OF BILL.

Senate Bill No. 552—An Act to pay the claim of John McGrath against the State of California, and making an appropriation therefor.

Read first time, and placed on file for second reading.

Also:

SENATE CHAMBER, SACRAMENTO, March 7, 1893

MR SPEAKER: I am directed to inform your honorable body that the Senate, on the sixth day of March, 1893, passed Senate Bill No 457—An Act to amend an Act entitled "An Act to establish a Political Code," approved March 12, 1872, by amending section three thousand two hundred and forty-five, relating to eight hours being a legal day's work.

Also: Senate Bill No. 719—An Act to amend sections seven and nine of an Act entitled "An Act authorizing certain corporations to Act as executor and in other capacities, and to provide for and regulate the administration of trusts by such corporations," approved April 6, 1891, relating to securities to be deposited with the Treasurer of State.

F. J. BRANDON, Secretary.
By R. SHAW, Assistant.

Senate Bill No. 457 ordered on file.

Mr. Godchaux moved that Senate Bill No. 719 be substituted on the file for Assembly Bill No. 798, and be read the first time.

So ordered.

FIRST READING OF BILL.

Senate Bill No. 719—An Act to amend sections seven and nine of an Act entitled "An Act authorizing certain corporations to act as executor and in other capacities, and to provide for and regulate the administration of trusts by such corporations," approved April 6, 1891, relating to securities to be deposited with the Treasurer of State.

Read first time, and placed on file for second reading.

LEAVE TO SIT.

The Committee on Judiciary was granted leave to sit this day.

MOTION.

Mr. Owen moved that the following Senate Bills be substituted on the file for Assembly Bills, as follows, and they be read the first time:

Senate Bill No. 563 for Assembly Bill No. 603.
Senate Bill No. 614 for Assembly Bill No. 527.
Senate Bill No. 551 for Assembly Bill No. 624.
Senate Bill No. 615 for Assembly Bill No. 526.
Senate Bill No. 531 for Assembly Bill No. 560.

So ordered.

FIRST READING OF BILLS.

Senate Bill No. 563—An Act to pay the claim of Maurice Sheehan against the State of California, and making an appropriation therefor.

Read first time, and placed on file for second reading.

Senate Bill No. 614—An Act to pay the claim of Abraham Winans against the State of California, and making an appropriation therefor.

Read first time, and placed on file for second reading.

Senate Bill No. 551—An Act to pay the claim of John H. Van Saun against the State of California, and making an appropriation therefor.

Read first time, and placed on file for second reading.

Senate Bill No. 615—An Act to pay the claim of I. N. Brock against the State of California, and making an appropriation therefor.

Read first time, and placed on file for second reading.

Senate Bill No. 531—An Act appropriating money for the relief of E. W. Melvin, his heirs or assigns.

Read first time, and placed on file for second reading.

MESSAGES FROM THE SENATE.

SENATE CHAMBER, SACRAMENTO, March 7, 1893.

MR. SPEAKER: I am directed to inform your honorable body that the Senate, on this day, passed Committee Substitute for Assembly Bill No. 543—An Act regulating the sale of the lands uncovered by the recession of the waters of inland lakes, and unsegregated swamp and overflowed lands

Also: That the Senate concurred in the Assembly amendments to Senate Bill No. 641—An Act to amend sections two, three, and twenty-four of an Act entitled "An Act to provide for work upon streets, lanes, alleys, courts, places, and sidewalks, and for the construction of sewers within municipalities," approved March 17, 1885

Also: Senate Bill No. 229—An Act to compel savings banks to publish a sworn statement of all unclaimed deposits

Also: Passed Substitute for Senate Bill No. 13—An Act to create a State Board of

Funeral Directors, to prescribe its powers and duties, to regulate the practice of undertaking and funeral direction, in cities, and towns, and cities and counties having a population of five thousand inhabitants or over, and to more effectually protect the people against contagious diseases.

F J. BRANDON, Secretary.
By R. SHAW, Assistant.

Mr. O'Keefe moved that Substitute for Senate Bill No. 13 be read the first time.

So ordered.

FIRST READING OF BILL.

Committee Substitute for Senate Bill No. 13—An Act to create a State Board of Funeral Directors, to prescribe its powers and duties, to regulate the practice of undertaking and funeral direction, in cities, and towns, and cities and counties having a population of five thousand inhabitants or over, and to more effectually protect the people against contagious diseases.

Read first time, and placed on file for second reading.

Also:

SENATE CHAMBER, SACRAMENTO, March 7, 1893.

MR. SPEAKER: I am directed to inform your honorable body that the Senate, on the third day of March, 1893, passed Senate Bill No. 730—An Act granting unto Lake County, State of California, that certain body of water situated within the territorial limits of said county, known as Clear Lake, together with that portion of the outlet of said lake situated within the territorial limits of said county, known as Cache Creek

Also, Senate Bill No. 381—An Act to amend section six hundred and thirty-six of an Act entitled "An Act to establish a Penal Code," approved April 11, 1872, relating to fish and game

Also: Senate Bill No 156—An Act to amend section one thousand and ninety-four of "An Act to establish a Political Code," approved March 12, 1872, approved March 20, 1889, relating to elections.

Also: Senate Bill No. 604—An Act to amend section three hundred and thirty-three of the Political Code, relating to the printing of public reports

F J. BRANDON, Secretary.
By R. SHAW, Assistant.

Senate Bills Nos. 381, 156, and 604 ordered on file.

Mr. Matthews of San Benito moved that Senate Bill No. 730 be read the first time.

So ordered.

FIRST READING OF BILL.

Senate Bill No. 730—An Act granting unto Lake County, State of California, that certain body of water situated within the territorial limits of said county, known as Clear Lake, together with that portion of the outlet of said lake situated within the territorial limits of said county, known as Cache Creek.

Read first time, and placed on file for second reading.

Also:

SENATE CHAMBER, SACRAMENTO, March 7, 1893.

MR. SPEAKER I am directed to inform your honorable body that the Senate, on this day, passed as amended, Assembly Bill No 138—An Act to amend an Act entitled "An Act to provide for the organization and government of irrigation districts, and to provide for the acquisition of water and other property, and for the distribution of water thereby for irrigation purposes," approved March 7, 1887, by amending section seventeen thereof

F J. BRANDON, Secretary.
By R SHAW, Assistant.

SENATE AMENDMENTS CONCURRED IN.

The question being, "Shall the Assembly concur in Senate amendments to Assembly Bill No. 138?"

The roll was called, and the Senate amendments concurred in by the following vote:

AYES—Messrs Adams, Anderson, Androus, Barker, Bennett of Santa Clara, Bennett of Orange, Blakeley, Bledsoe, Bretz, Carlson, Casterline, Chipman, Cusick, Dodge, Drees, Duffy, Durst, Finlayson, Godchaux, Hendrickson, Hurley, Jacobs, Johnson of Humboldt, Johnson of Santa Clara, Kahn, Kerns, LaRue, Mack, Marks, Marston, Matthews of San Benito, O'Keefe, O'Neill, Owen, Pendleton, Perkins, Pueschel, Raw, Schlesinger, Shanahan, Simpson, Sims, Standart, Taggart, Taylor, Thomas of Nevada, Vann, Wade, and Mr. Speaker—49.

NOES—None.

Assembly Bill No. 138 ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, March 7, 1893.

MR. SPEAKER: I am directed to inform your honorable body that the Senate, on the seventh day of March, 1893, passed Assembly Bill No. 847—An Act to repeal an Act entitled "An Act to provide for the erection at San Quentin State Prison a building for the accommodation of insane prisoners, and making appropriation therefor," approved March 19, 1889.

Also: Assembly Bill No. 654—An Act making an appropriation to pay the claim of Major José Ramon Pico for expenses incurred in recruiting and maintaining military companies.

Also: Assembly Bill No. 788—An Act appropriating money to pay the expense of transporting, insuring, and installing of a California exhibit in the Woman's Building of the World's Columbian Exposition

Also. Assembly Bill No. 403, as amended in Senate—An Act to amend section six hundred and twenty-six of the Penal Code, relating to the preservation of game birds and animals, and providing punishment for the unlawful taking, killing, and transportation thereof.

F. J. BRANDON, Secretary.
By R. SHAW, Assistant.

Assembly Bill No. 847, Assembly Bill No. 654, and Assembly Bill No. 788 ordered to enrollment.

MOTION.

Mr. Godchaux moved that the consideration of Senate amendments to Assembly Bill No. 403 be made a special order for to-morrow immediately after Senate messages.

So ordered.

Also:

SENATE CHAMBER, SACRAMENTO, March 7, 1893.

MR. SPEAKER: I am directed to inform your honorable body that the Senate, on the seventh day of March, 1893, passed Assembly Bill No 402—An Act providing for appeals from orders of the Board of Supervisors forming or refusing to form reclamation or swamp land districts, setting off lands from such districts, or including lands in such districts, or consolidating swamp land or reclamation districts.

Also: Assembly Bill No 277—An Act entitled an Act to prevent the sale of short-weight rolls of butter.

Also: Assembly Bill No. 245—An Act entitled an Act to pay the claim of Sands W. Forman, for services as Secretary of the State Board of Forestry, and appropriating the sum of three hundred and seventy-five dollars to pay such claim.

Also: Assembly Bill No 674—An Act quitclaiming to the successors in interest of James Bowman all claim of the State of California in that certain tract of land in the City and County of San Francisco, known as "Water Lot No 415," and empowering and directing the Governor to execute a deed of quitclaim therefor to said successors in interest of said James Bowman.

F. J BRANDON, Secretary
By R SHAW, Assistant.

Assembly Bills Nos. 402, 277, 245, and 674 ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, March 7, 1893

MR SPEAKER I am directed to inform your honorable body that the Senate, on the seventh day of March, 1893, passed Assembly Bill No. 839—An Act to provide for the preparation, printing, and distribution of a volume expository of the resources of California, at the World's Columbian Exposition at Chicago, and appropriating money therefor

Also Assembly Bill No 307—An Act to amend section one thousand two hundred and thirty-eight of the Code of Civil Procedure of the State of California, concerning the right of eminent domain

Also Assembly Bill No. 416—An Act authorizing the Superintendent of State Printing to have prepared and printed an index to all the laws of California, 1850–1893.

Also Assembly Bill No. 193—An Act to provide for incorporation, operation, and management of cooperative associations.

F. J. BRANDON, Secretary.
By R. SHAW, Assistant.

Assembly Bills Nos. 839, 307, 416, and 193 ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, March 7, 1893.

MR SPEAKER: I am directed to inform your honorable body that the Senate, on the seventh day of March, 1893, passed Assembly Bill No. 477—An Act making an appropriation for the payment of the claim of A L. Rhodes for his services as counsel for the plaintiffs in an action entitled "The County of Santa Clara vs. The Southern Pacific Railroad Company," and other actions, in the Circuit Court of the United States, Ninth Circuit, District of California, and in the Supreme Court of the United States, brought for the collection of delinquent taxes assessed upon the property of railroad companies.

Also. Senate Bill No 27—An Act to amend section one thousand four hundred and twenty-six of the Political Code, relating to the appointment of members of the Board of Regents of the University of California.

F. J. BRANDON, Secretary.
By R. SHAW, Assistant.

Assembly Bill No. 477 ordered to enrollment.
Senate Bill No. 27 ordered on file.

Also:

SENATE CHAMBER, SACRAMENTO, March 8, 1893.

MR. SPEAKER. I am directed to inform your honorable body that the Senate, on the sixth day of March, 1893, passed Senate Bill No. 655—An Act to pay the claim of Dr. M. Gardner against the State of California, and making an appropriation therefor.

Also. Senate Bill No. 714—An Act to provide for the filling up or draining of lots upon which there is stagnant water or offensive substances, and providing for collection of costs of the same

Also Senate Bill No 661—An Act to amend section three thousand six hundred and ninety-six of the Political Code, relating to the duties of the State Board of Equalization.

Also Senate Bill No 334—An Act to provide for the working of certain convicts upon the public roads in the State

F. J. BRANDON, Secretary.
By R. SHAW, Assistant.

Senate Bills Nos. 655, 661, and 334 ordered on file.

MOTION.

Mr. Bulla moved that Senate Bill No. 714 be read the first time.
So ordered.

FIRST READING OF BILL.

Senate Bill No. 714—An Act to provide for the filling up or draining of lots upon which there is stagnant water or offensive substances, and providing for collection of costs of the same.

Read first time, and placed on file for second reading.

MESSAGES FROM THE SENATE—(RESUMED).

SENATE CHAMBER, SACRAMENTO, March 8, 1893.

MR. SPEAKER: I am directed to inform your honorable body that the Senate, on the seventh day of March, 1893, passed Senate Bill No. 147—An Act to amend an Act approved February 28, 1887, entitled "An Act to amend an Act to appropriate money for the support of aged persons in indigent circumstances residing in the Home of the Veterans' Home Association, approved March 7, 1883," providing for an increase in the annual appropriation therefor, and changing the time for the payment thereof

Also: Senate Bill No. 598—An Act to provide for the establishment, maintenance, and support of a bureau, to be known as the State Mining Bureau, and for the appointment and duties of a Board of Trustees, to be known as the Board of Trustees of the State Mining Bureau, who shall have the supervision of said State Mining Bureau, and to provide for the appointment, duties, and compensation of a State Mineralogist, who shall perform the duties of his office subject to the approval and under the supervision of the Board of Trustees of the State Mining Bureau.

Also: Senate Bill No. 44—An Act to amend section six hundred and thirty-five of the Penal Code of the State of California, in relation to violations of the fish laws

F. J. BRANDON, Secretary.
By R. SHAW, Assistant

Senate Bill No. 147 referred to Committee on Ways and Means.
Senate Bill No. 44 ordered on file.

MOTION.

Mr. Standart moved that Senate Bill No. 598 be read the first time.
So ordered.

FIRST READING OF BILL.

Senate Bill No. 598—An Act to provide for the establishment, maintenance, and support of a bureau, to be known as the State Mining Bureau, and for the appointment and duties of a Board of Trustees, to be known as the Board of Trustees of the State Mining Bureau, who shall have the direction, management, and control of said State Mining Bureau, and to provide for the appointment, duties, and compensation of a State Mineralogist, who shall perform the duties of his office under the control, direction, and supervision of the Board of Trustees of the State Mining Bureau.

Read first time, and placed on file for second reading.

MESSAGES FROM THE SENATE—(RESUMED).

SENATE CHAMBER, SACRAMENTO, March 8, 1893

MR. SPEAKER: I am directed to inform your honorable body that the Senate, on the ninth day of January, 1893, passed Senate Concurrent Resolution No 1—Relating to duplicate copies of the Statutes and Supreme Court Reports.

F. J. BRANDON, Secretary.
By R. SHAW, Assistant

Ordered on file.

Also:

SENATE CHAMBER, SACRAMENTO, March 8, 1893.

MR. SPEAKER: I am directed to inform your honorable body that the Senate, on the fourth day of March, 1893, passed Senate Constitutional Amendment No. 18—To propose to the people of the State an amendment to the Constitution of the State, relative to the Judiciary Department.

F. J. BRANDON, Secretary.
By R. SHAW, Assistant

Ordered on file.

RESOLUTION.

By Mr. Sargent:

Resolved, That Assembly Bill No. 585 presents a case of urgency, as that term is used in section fifteen of article four of the Constitution, and the provisions of that section requiring that the bill shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the first, second, and third times, and placed upon its passage.

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

AYES—Messrs Adams, Alford, Anderson, Androus, Barker, Barlow, Bennett of Santa Clara, Bennett of Orange, Bledsoe, Boyce, Bretz, Brownlie, Bulla, Burke, Chipman, Conway, Curtis, Dodge, Drees, Duffy, Durst, Gately, Godchaux, Hamilton, Hendrickson, Hurley, Jacobs, Jacobsen, Johnson of Humboldt, Kennedy, Kahn, Kerns, LaRue, Luttringer, Lynch, McElroy, Mack, Marks, Marston, Matthews of San Benito, O'Keefe, Owen, Pendleton, Perkins, Raw, Sargent, Schlesinger, Schroebel, Shanahan, Sims, Standart, Taggart, Talbott, Taylor, Thomas of Nevada, Tindall, Wade, and Mr Speaker—57.
NOES—None.

Assembly Bill No. 585—An Act to amend section one thousand five hundred and two of the Political Code, respecting Normal Schools.

Read second time, considered engrossed, read third time, and passed by the following vote:

AYES—Messrs. Adams, Alford, Anderson, Barker, Bennett of Santa Clara, Bennett of Orange, Bledsoe, Boyce, Brownlie, Bulla, Chipman, Conway, Curtis, Dodge, Drees, Duffy, Durst, Gately, Godchaux, Hamilton, Hendrickson, Hurley, Hutson, Jacobs, Jacobsen, Johnson of Santa Clara, Kennedy, Kahn, Kerns, LaRue, Luttringer, McCauley, McElroy, Mack, Marks, Marston, Matthews of San Benito, Miller, O'Neill, Owen, Perkins, Pueschel, Sargent, Schlesinger, Shanahan, Sims, Standart, Taggart, Taylor, Wade, and Mr Speaker—51.
NOES—None.

Title read and approved.

Mr. Sargent moved that Assembly Bill No. 585 be immediately transmitted to the Senate.

So ordered.

REPORT OF STANDING COMMITTEE.

ON JUDICIARY.

ASSEMBLY CHAMBER, SACRAMENTO, March 8, 1893

MR. SPEAKER: Your Committee on Judiciary, to whom was referred Senate Committee Substitute for Assembly Bill No 10—An Act in relation to reassessment of property, the equalization of the same, and the collection of taxes thereon, in cases where a former assessment made since 1882 is illegal or invalid, or where the proceedings for the collection of such taxes have been ineffectual by reason of error, irregularity, or invalidity, and such taxes have not been paid—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

SHANAHAN, Chairman.

RESOLUTION.

By Mr. Taylor:

Resolved, That Assembly Bill No 538 presents a case of urgency, as that term is used in section fifteen of article four of the Constitution, and the provisions of that section requiring that the bill shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the first, second, and third times, and placed upon its passage.

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

AYES—Messrs Adams, Alford, Anderson, Barker, Barlow, Bennett of Santa Clara, Bennett of Orange, Bledsoe, Boyce, Bretz, Bulla, Casterline, Chipman, Conway, Curtis, Dodge Drees, Duffy, Durst, Finlayson, Gallagher, Gately, Hamilton, Hurley, Hutson, Jacobs Jacobsen, Johnson of Humboldt, Kennedy, Kahn, Kerns, Lynch, McElroy, Mack, Marks, Marston, Matthews of San Benito, Miller, O'Keefe, O'Neill, Owen, Pendleton, Perkins, Pueschel, Raw, Schlesinger, Shanahan, Simpson, Sims, Taggart, Talbott, Taylor, Tindall, Wade, and Mr. Speaker—55.
NOES—None.

Assembly Bill No. 538—An Act prohibiting the burial of the dead within the corporate limits of any incorporated city, or city and county, of over fifty thousand inhabitants, from and after the thirty-first day of December, A. D. 1895.

Read second time.

Committee amendments, as follows:

Amend the title by changing the word "fifty" to the words "two hundred"

Adopted.

Also:

Amend section one, line four of the printed bill, by changing the word "fifty" to the words "two hundred."

Adopted.

Also:

Amend section one, line nine of the printed bill, by adding after the word "adjudge" the following words: "*provided, however*, that the provisions of this Act shall not apply to present owners of lots or plots within such cemeteries."

Adopted.

Bill ordered engrossed and to a third reading.

Mr. Taylor moved that the further consideration of Assembly Bill No. 538 be made a special order for to-morrow, at three o'clock and thirty minutes P. M.

So ordered.

SPECIAL ORDERS.

Assembly Bill No. 803—An Act making an appropriation to pay the deficiency in the appropriation for expenses of Supreme Court, under section forty-seven, Code of Civil Procedure, for forty-second fiscal year.

Passed on file.

Substitute for Senate Bill No. 233—An Act to provide for the payment for the advertising of the constitutional amendments, and to make an appropriation therefor.

Read third time, and passed by the following vote:

AYES—Messrs Adams, Anderson, Barlow, Bennett of Orange, Blakeley, Bledsoe, Boyce, Bretz, Brownlie, Buckley, Burke, Casterline, Chipman, Conway, Dodge, Drees, Duffy, Durst, Gallagher, Gately, Hamilton, Hendrickson, Hurley, Hutson, Jacobs, Jacobsen, Johnson of Humboldt, Johnson of Santa Clara, Kennedy, Kahn, Kerns, LaRue, Luttringer, McCauley, Marston, Matthews of San Benito, Miller, O'Keefe, O'Neill, Perkins, Schroebel, Simpson, Sims, Standart, Taggart, Taylor, Tindall, Wade, and Mr. Speaker—49.

NOES—None.

Title read and approved.

Senate Bill No. 160—An Act making an appropriation to pay the claim of "The California Spirit of the Times," for advertising the election proclamation in the forty-second fiscal year.

Read third time, and passed by the following vote:

AYES—Messrs Alford, Anderson, Barker, Barlow, Bennett of Santa Clara, Bennett of Orange, Boyce, Burke, Casterline, Conway, Dodge, Drees, Duffy, Durst, Gallagher, Gately, Hamilton, Hendrickson, Jacobs, Jacobsen, Johnson of Humboldt, Johnson of Santa Clara, Kahn, Kerns, LaRue, Luttringer, McElroy, Marston, Matthews of San Benito, Miller, O'Keefe, Perkins, Pueschel, Raw, Sims, Standart, Taggart, Talbott, Taylor, Thomas of Nevada, Tindall, Wade, and Mr. Speaker—43.

NOES—Messrs Bledsoe, O'Neill, and Schroebel—3.

Title read and approved.

REPORTS OF STANDING COMMITTEES.

ON FEDERAL RELATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, March 8, 1893.

MR. SPEAKER: Your Committee on Federal Relations, to whom was referred Senate Joint Resolution No. 25—Memorializing the Attorney-General and the Secretary of the Interior of the United States of America to locate one of the United States prisons, provided for by an Act of Congress, March 3, 1891, within the State of California—have had the same under consideration, and respectfully report the same back, and recommend that the same be adopted.

SIMS, Chairman.

ON SWAMP AND OVERFLOWED LANDS.

ASSEMBLY CHAMBER, SACRAMENTO, March 8, 1893.

MR. SPEAKER: Your Committee on Swamp and Overflowed Lands, to whom was referred Senate Bill No. 729—An Act amendatory of and supplementary to an Act entitled "An Act to define the boundary and provide for the government of Levee District No. 2, of Sutter County," passed March 23, 1876, in relation to the election of officers for said district, funding the floating debt, and refunding the funded debt thereof—have had the same under consideration, and respectfully report the same back, and recommend that the same do pass.

PUESCHEL, Chairman

MOTION.

Mr. Durst moved that Senate Bill No. 729 be substituted on the file for Assembly Bill No. 787, and be read the first time.

So ordered.

FIRST READING OF BILL.

Senate Bill No. 729—An Act amendatory of and supplementary to an Act entitled "An Act to define the boundary and provide for the government of Levee District No. 2, of Sutter County," passed March 23, 1876, in relation to the election of officers for said district, funding the floating debt, and refunding the funded debt thereof.

Read first time, and placed on file for second reading.

SPECIAL ORDERS—(RESUMED).

Senate Bill No. 281—An Act making an appropriation to pay the deficiency in the appropriation for the support of the Reform School for Juvenile Offenders, at Whittier, for the forty-third and forty-fourth fiscal years.

Passed on file.

Senate Bill No. 507—An Act making an appropriation for the payment of certain salary due Allen Kelly, as Executive Officer of the State Board of Forestry.

Read third time, and passed by the following vote:

AYES—Messrs. Adams, Alford, Anderson, Barker, Barlow, Bennett of Santa Clara, Bennett of Orange, Blakeley, Brownlie, Buckley, Bulla, Carlson, Casterline, Chipman, Conway, Curtis, Dodge, Duffy, Gallagher, Godchaux, Hamilton, Hendrickson, Jacobs, Jacobsen, Kerns, McGowan, Mack, Marks, Marston, Miller, Mordecai, O'Keefe, Owen, Perkins, Pueschel, Sargent, Simpson, Taylor, Thomas of Nevada, Wade, and Mr. Speaker—41.

NOES—Messrs Bledsoe, Boyce, Drees, Hurley, Hutson, Johnson of Humboldt, Johnson of Santa Clara, Luttringer, McElroy, Matthews of San Benito, O'Neill, Raw, Schroebel, Talbott, Tindall, and Vann—16.

Title read and approved.

REPORT OF STANDING COMMITTEE.

ON ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, March 8, 1893.

MR. SPEAKER. Your Committee on Enrollment beg leave to report that the following Concurrent Resolution has been correctly enrolled. Assembly Concurrent Resolution No 19—Relative to extending congratulations to the Hon. A. Caminetti, Representative in Congress, upon the successful enactment of the bill commonly known as the Caminetti Bill, concerning mining and river interests in the State of California—and was presented to the Governor March 8, 1893, at eleven o'clock and ten minutes A M

O'NEILL, Chairman.

SPECIAL ORDERS—(RESUMED).

Senate Bill No. 601—An Act making an appropriation to pay for lithographing Chinese certificates, under the provisions of an Act to prohibit the coming of Chinese persons into the State, approved March 20, 1891.

Read third time, and passed by the following vote:

AYES—Messrs. Adams, Alford, Anderson, Barker, Barlow, Bennett of Orange, Bledsoe, Bulla, Burke, Carlson, Casterline, Chipman, Conway, Curtis, Dodge, Drees, Gallagher, Godchaux, Hamilton, Hendrickson, Hutson, Jacobs, Johnson of Humboldt, Kahn, Kerns, Luttringer, Lynch, McCauley, McElroy, McGowan, Mack, Marston, Mathews of San Benito, Miller, O'Keefe, O'Neill, Pueschel, Raw, Sargent, Schlesinger, Schroebel, Simpson, Taggart, Taylor, Thomas of Nevada, Tindall, Vann, Wade, and Mr. Speaker—49.
NOES—None

Title read and approved.

Senate Bill No. 281—An Act making an appropriation to pay the deficiency in the appropriation for the support of the Reform School for Juvenile Offenders, at Whittier, for the forty-third and forty-fourth fiscal years.

Read third time, and passed by the following vote:

AYES—Messrs. Adams, Alford, Anderson, Androus, Barker, Barlow, Bennett of Santa Clara, Bennett of Orange, Blakeley, Brownlie, Buckley, Bulla, Burke, Carlson, Casterline, Chipman, Conway, Curtis, Dodge, Drees, Duffy, Gallagher, Godchaux, Hamilton, Hendrickson, Hutson, Jacobs, Jacobsen, Johnson of Humboldt, Kahn, Kerns, Luttringer, McElroy, Mack, Marston, Mathews of Tehama, Matthews of San Benito, O'Keefe, Owen, Pendleton, Perkins, Pueschel, Raw, Sargent, Schlesinger, Schroebel, Simpson, Taggart, Taylor, Thomas of Nevada, Tindall, Vann, Wade, and Mr. Speaker—54.
NOES—Mr Bledsoe—1.

Title read and approved.

Senate Bill No. 732—An Act making an appropriation to pay the deficiency in the appropriation for salary of Secretary of State Board of Examiners, for the forty-second fiscal year.

Read third time, and passed by the following vote:

AYES—Messrs. Adams, Alford, Anderson, Androus, Barker, Barlow, Bennett of Santa Clara, Bennett of Orange, Blakeley, Buckley, Bulla, Burke, Carlson, Casterline, Chipman, Conway, Dodge, Drees, Duffy, Durst, Gallagher, Godchaux, Hamilton, Hendrickson, Hutson, Jacobs, Jacobsen, Johnson of Humboldt, Johnson of Santa Clara, Kahn, McCauley, Mack, Marston, Mathews of Tehama, Matthews of San Benito, O'Keefe, O'Neill, Pendleton, Perkins, Pueschel, Raw, Sargent, Schlesinger, Simpson, Taggart, Talbott, Taylor, Thomas of Nevada, Vann, Wade, and Mr. Speaker—51.
NOES—Mr. Bledsoe—1.

Title read and approved.

RESOLUTION.

By Mr. Curtis:

Resolved, That Senate Bill No 333 be placed upon the urgency file.

Adopted.

SPECIAL ORDERS—(RESUMED).

Senate Bill No. 705—An Act making an appropriation to pay the deficiency in the appropriation for the State's portion of salaries of Judges of the Superior Court, for the forty-fourth fiscal year.

Read third time, and passed by the following vote·

AYES—Messrs Adams, Alford, Anderson, Androus, Barker, Barlow, Bennett of Santa Clara, Blakeley, Bledsoe, Brownlie, Bulla, Carlson, Casterline, Chipman, Conway, Curtis, Dodge, Drees, Duffy, Durst, Gallagher, Gately, Godchaux, Hamilton, Hendrickson, Hutson, Jacobs, Jacobsen, Johnson of Humboldt, Kennedy, Luttringer, McElroy, Mack, Marston, Mathews of Tehama, Matthews of San Benito, Miller, Mordecai, O'Keefe, O'Neill, Perkins, Pueschel, Raw, Sargent, Schlesinger, Simpson, Taggart, Talbott, Thomas of Nevada, Tindall, Vann, Wade, and Mr. Speaker—53.

NOES—None.

Title read and approved.

Senate Bill No. 722—An Act making an appropriation to pay the deficiency in the appropriation for arresting criminals without the State, for the forty-third fiscal year.

Read third time, and passed by the following vote:

AYES—Messrs. Adams, Alford, Anderson, Androus, Barker, Barlow, Bennett of Santa Clara, Bennett of Orange, Buckley, Bulla, Casterline, Chipman, Conway, Dodge, Drees, Duffy, Durst, Gallagher, Gately, Godchaux, Hamilton, Hendrickson, Hutson, Jacobs, Jacobsen, Johnson of Humboldt, Johnson of Santa Clara, Kennedy, Kahn, Luttringer, Mack, Marston, Mathews of Tehama, Matthews of San Benito, O'Keefe, O'Neill, Pendleton, Raw, Schlesinger, Simpson, Standart, Taggart, Talbott, Taylor, Tindall, Vann, Wade, and Mr Speaker—48.

NOES—Messrs. Bledsoe and McElroy—2.

Title read and approved.

Senate Bill No. 602—An Act making an appropriation to pay for the transportation of children to the State Reform School for Juvenile Offenders, for the forty-third fiscal year.

Read third time, and passed by the following vote:

AYES—Messrs. Adams, Alford, Anderson, Androus, Barker, Barlow, Bennett of Santa Clara, Bennett of Orange, Bledsoe, Bretz, Bulla, Casterline, Conway, Curtis, Dodge, Drees, Duffy, Durst, Gallagher, Gately, Godchaux, Hamilton, Hendrickson, Hutson, Jacobsen, Johnson of Humboldt, Johnson of Santa Clara, Kahn, Kerns, Luttringer, McElroy, Mack, Mathews of Tehama, Matthews of San Benito, Mordecai, O'Keefe, O'Neill, Pendleton, Perkins, Sargent, Simpson, Standart, Taggart, Talbott, Taylor, Thomas of Nevada, Tindall, Vann, Wade, and Mr. Speaker—50.

NOES—None

Title read and approved.

REPORT OF STANDING COMMITTEE.

ON ENGROSSMENT.

ASSEMBLY CHAMBER, SACRAMENTO, March 8, 1893.

MR. SPEAKER Your Committee on Engrossment beg leave to report that the following Assembly Bills have been correctly engrossed: Assembly Bills Nos. 684, 191, 604, and 665.

KENNEDY, Chairman.

SPECIAL ORDERS—(RESUMED).

Senate Bill No. 603—An Act making an appropriation for payment of transportation of children to the State Reform School for Juvenile Offenders, for the forty-fourth fiscal year.

Read third time, and passed by the following vote:

AYES—Messrs Adams, Anderson, Androus. Barker. Barlow, Bennett of Santa Clara, Bennett of Orange, Blakeley, Bledsoe, Bretz, Bulla, Casterline. Chipman, Conway, Curtis, Cusick, Dodge, Duffy, Durst, Gallagher, Gately, Godchaux, Hamilton, Hendrickson, Hutson, Jacobs, Jacobsen, Johnson of Humboldt, Johnson of Santa Clara, Kennedy, Kahn, Kerns, Luttringer, Lynch, McCauley, McElroy, Mack, Marks, Marston, Mathews of Tehama, Matthews of San Benito, O'Keefe, O'Neill, Perkins, Raw, Sargent, Schlesinger, Simpson, Sims, Standart, Taggart, Talbott, Taylor, Tindall, Vann, Wade, and Mr. Speaker—57

NOES—None.

Title read and approved.

RESOLUTION.

By Mr. Curtis:

Resolved, That Senate Bill No. 576 on file be placed on urgency file (warehouse for State Printing Department).

Adopted.

UNFINISHED BUSINESS.

Assembly Constitutional Amendment No. 11—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, amending section nine of article thirteen thereof, relative to the election of a State Board of Equalization.

Passed on file.

Senate Bill No. 55—An Act to amend section one thousand one hundred and seven of the Civil Code of the State of California.

Passed on file.

SPECIAL FILE.

Assembly Bill No. 242—An Act appropriating two hundred and fifty thousand dollars for the erection of buildings for the use of affiliated and other departments of the University of California.

Passed on file.

Senate Bill No. 479—An Act making an appropriation to pay for the management and maintenance of the Southern California State Asylum for the Insane and Inebriates, for the forty-fourth fiscal year.

Read third time, and passed by the following vote:

AYES—Messrs. Adams, Alford, Anderson, Androus, Barker, Barlow, Bennett of Santa Clara, Bennett of Orange, Blakeley, Bledsoe, Boyce, Bretz, Buckley, Bulla, Burke, Carlson, Casterline, Chipman, Conway, Curtis, Dodge, Drees, Duffy, Durst, Gallagher, Gately, Godchaux, Hamilton, Hendrickson, Hurley, Hutson, Jacobs, Jacobsen, Johnson of Humboldt, Kennedy, Kerns, LaRue, Lynch, McGowan, Mack, Marston, Matthews of San Benito, Mordecai, O'Keefe, Owen, Pendleton, Perkins, Raw, Sargent, Schlesinger, Simpson, Sims, Standart, Taggart, Talbott, Thomas of Nevada, Tindall, Vann, Wade, and Mr. Speaker—60.

NOES—None.

Title read and approved.

MOTION.

Mr. Mathews of Tehama asked leave to introduce a bill under the provisions of the Constitution requiring the consent of two thirds of the members.

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

AYES—Messrs. Adams, Alford, Anderson, Barker, Barlow, Bennett of Santa Clara, Bennett of Orange, Blakeley, Bledsoe, Bretz, Buckley, Bulla, Burke, Carlson, Casterline, Chipman, Conway, Curtis, Dodge, Drees, Duffy, Durst, Gallagher, Gately, Godchaux, Hamilton, Hendrickson, Hurley, Hutson, Jacobs, Johnson of Humboldt, Johnson of

Santa Clara, Kahn, Kerns, LaRue, Luttringer, Lynch, McGowan, Mack, Marston, Mathews of Tehama, Matthews of San Benito, Mordecai, O'Keefe, O'Neill, Pendleton, Perkins, Raw, Schlesinger, Schroebel, Sims, Standart, Taggart, Talbott, Taylor, Thomas of Nevada, Tindall, Vann, Wade, and Mr. Speaker—60.

NOES—Mr. Sargent—1.

INTRODUCTION OF BILL.

By Mr. Mathews of Tehama: Assembly Bill No. 853—An Act to provide for the appropriation for the contingent expenses of the Assembly.

FIRST READING OF BILL.

Assembly Bill No. 853—An Act to provide for the contingent expenses of the Assembly.

Read first time, and placed on file for second reading.

SPECIAL FILE—(RESUMED).

Assembly Bill No. 216—An Act to add a new section to an Act of the Legislature of the State of California entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1873, in relation to the distribution of the estate of deceased persons, to be known as section one thousand six hundred and seventy.

Read third time, and passed by the following vote:

AYES—Messrs. Anderson, Androus, Barker, Barlow, Bennett of Santa Clara, Bennett of Orange, Blakeley, Bledsoe, Buckley, Bulla, Carlson, Casterline, Conway, Curtis, Dodge, Drees, Durst, Gallagher, Gately, Godchaux, Hamilton, Hutson, Jacobs, Jacobsen, Johnson of Humboldt, Johnson of Santa Clara, Kerns, LaRue, Luttringer, Lynch, McCauley, McElroy, McGowan, Mack, Marks, Marston, Mathews of Tehama, Matthews of San Benito, Mordecai, O'Neill, Pendleton, Perkins, Raw, Schroebel, Shanahan, Sims, Standart, Talbott, Tindall, Vann, Wade, and Mr. Speaker—52.

NOES—None.

Title read and approved.

Mr. Sims moved that Assembly Bill No. 216 be immediately transmitted to the Senate.

So ordered.

Assembly Bill No. 613—An Act to amend an Act entitled "An Act to protect agriculture, and to prevent the trespassing of animals upon private property," approved March 22, 1872.

Read second time.

Committee substitute, as follows:

An Act entitled "An Act in relation to fence and pound district in the county of Sonoma," approved March 2, 1872.

The People of the State of California, represented in Senate and Assembly, do enact as follows:

SECTION 1. Section one of said Act is hereby amended to read as follows.

Section 1. Upon a petition of the majority of the electors of Sonoma County, or upon the petition of a majority of the electors of any Supervisor district in the county, or upon the petition of the owners of a tract of not less than two thousand acres of land, the Supervisors of Sonoma County must declare the county, or the district, or the tract of land, as the case may be, a fenced district, if such is the prayer of the petition, or a pound district, if such is the prayer of the petition. This Act shall be in force from and after its passage.

Adopted.

Bill ordered engrossed and to a third reading.

Assembly Bill No. 208—An Act to provide for the improvement of

the grounds of the California Home for the Care and Training of Feeble-Minded Children, at Glen Ellen, Sonoma County, California, and to appropriate money therefor.

Passed on file.

Assembly Bill No. 165—An Act to appropriate the sum of thirteen thousand seven hundred and twenty-two dollars and twenty cents to pay the salary of the Commissioner of Immigration from October 10, 1885, to March 16, 1889.

Passed on file.

Assembly Bill No. 166—An Act to appropriate the sum of two thousand five hundred dollars to pay the salary of the Deputy Commissioner of Immigration from August 1, 1883, to October 1, 1885.

Passed on file.

Assembly Bill No. 747—An Act making an appropriation for the relief N. Southmayd, and others, in caring for and preserving the perishable property of the State of California.

Read second time.

MOTION.

Mr. Lynch moved that the Assembly resolve itself into Committee of the Whole, with the Speaker in the chair, for the purpose of considering Assembly Bill No. 747.

So ordered.

IN COMMITTEE OF THE WHOLE.

Speaker Gould in the chair.

Assembly Bill No. 747 was considered in Committee of the Whole.

IN ASSEMBLY.

Speaker Gould in the chair.

REPORT OF THE COMMITTEE OF THE WHOLE.

The Speaker stated the report of the Committee of the Whole, as follows:

GENTLEMEN: The Committee of the Whole have had under consideration Assembly Bill No 747, and now report, and recommend that the same do pass.

Bill ordered engrossed and to a third reading.

Assembly Bill No. 794—An Act making an appropriation to pay the deficiency in the appropriation for arresting criminals without the State, for the forty-third fiscal year.

Stricken from the file, on motion of Mr. Standart.

Assembly Bill No. 458—An Act to provide for the construction and furnishing of an additional school building for the use of the State Normal School at Los Angeles, California, and to appropriate money therefor.

Stricken from the file, on motion of Mr. Bulla.

Assembly Bill No. 449—An Act to pay the claim of J. N. Cardoza, also the claim of Farmer & Hoxie, and also the claim of D. M. Davison, their heirs or assigns, for military services in defending the eastern frontier against the attacks of the Indians.

Passed on file.

Assembly Bill No. 204—An Act to authorize the State Board of Agriculture to build a machinery hall addition to the State Agricultural and Industrial Exhibition building, on the State Capitol grounds, to improve the surroundings of said building, and to appropriate money therefor.

Read first time, and placed on file for second reading.

Assembly Bill No. 805—An Act to amend sections three thousand seven hundred and thirteen and three thousand six hundred and ninety-six of the Political Code, relating to the levy of taxes.

Read first time, and placed on file for second reading.

Assembly Bill No. 813—An Act making an appropriation to pay the deficiency in the appropriation for the transportation of prisoners, for the forty-fourth fiscal year.

Read first time, and placed on file for second reading.

RECESS.

The hour of recess having arrived, the Speaker declared a recess until two o'clock P. M.

REASSEMBLED.

The Assembly reassembled at two o'clock P. M.

Speaker Gould in the chair.

Quorum present.

APPROVAL OF JOURNAL.

The Journals of Saturday, March 4th, and Monday, March 6th were approved.

LEAVE OF ABSENCE.

Mr. Perkins was granted leave of absence until three o'clock this day.

SPECIAL ORDER.

Senate Committee Substitute for Assembly Bill No. 10—An Act in relation to reassessment of property, the equalization of the same, and the collection of taxes thereon, in cases where a former assessment, made since 1882, is illegal or invalid, or where the proceedings for the collection of such taxes have been ineffectual by reason of error, irregularity, or invalidity, and such taxes have not been paid.

Read first time, and placed on file for second reading.

MOTIONS.

Mr. Mathews of Tehama moved that the further consideration of Senate Committee Substitute for Assembly Bill No. 10 be made a special order for to-morrow, at two o'clock P. M.

So ordered.

Mr. Finlayson moved that Assembly Bill No. 799 be taken up out of order, read the first time, and further consideration be made a special order for to-morrow, at three o'clock and thirty minutes P. M.

So ordered.

FIRST READING OF BILL.

Assembly Bill No. 799—An Act to regulate railroads and railroad corporations and other common carriers in this State, and to provide for and define the powers and duties of a Board of Railroad Commissioners in relation to the same, and to prevent and punish extortion and unjust discrimination in the rates charged for the transportation of passengers and freights on railroads in this State, and to prescribe a mode of procedure and rules of evidence in relation thereto.

Read first time, and placed on file for second reading.

SPECIAL SENATE FILE—THIRD READING OF BILLS.

Senate Bill No. 209—An Act amending sections one thousand five hundred and seventy-seven and one thousand five hundred and seventy-eight of the Code of Civil Procedure, relating to mortgages and leases in certain cases.

Passed on file.

SENATE CONSTITUTIONAL AMENDMENT No. 17.

A resolution proposing to the people of the State of California an amendment to section seven, article eleven, of the Constitution of the State of California.

Resolved by the Senate, the Assembly concurring, That the Legislature of the State of California, at its regular session, commencing on the second day of January, A D one thousand eight hundred and ninety-three, two thirds of all the members elected to each house concurring, hereby propose that section seven of article eleven of the Constitution of said State be amended so as to read as follows:

SECTION 7. City and county governments may be merged and consolidated into one municipal government, with one set of officers, and may be incorporated under general laws providing for the incorporation and organization of corporations for municipal purposes. The provisions of this Constitution applicable to cities, and also those applicable to counties, so far as not inconsistent or prohibited to cities, shall be applicable to such consolidated government.

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

AYES—Messrs Adams, Alford, Anderson, Androus, Barker, Barlow, Bennett of Santa Clara, Bennett of Orange, Blakeley, Bledsoe, Boyce, Brownlie, Buckley, Bulla, Burke, Carlson, Casterline, Chipman, Conway, Cusick, Dodge, Drees, Duffy, Durst, Gately, Godchaux, Hamilton, Hendrickson, Hurley, Hutson, Jacobs, Jacobsen, Johnson of Humboldt, Johnson of Santa Clara, Kennedy, Kahn, Kerns, LaRue Luttringer, Lynch, McCauley, McElroy, McGowan, Mack, Marks, Marston, Matthews of San Benito, Miller, Mordecai, O'Keefe, Owen, Pendleton, Raw, Schlesinger, Schroebel, Simpson, Sims, Standart, Taggart, Talbott, Taylor, Thomas of Nevada, Tindall, Vann, Wade, and Mr. Speaker—65.

NOES—Messrs. Bretz, Curtis, and Sargent—3.

MOTIONS.

Mr. Blakeley moved to reconsider the vote whereby Assembly Bill No. 239 was passed.

Mr. Alford moved that the consideration of the motion be made a special order for to-morrow, at four o'clock P. M.

Mr. Anderson moved to amend by fixing the time at three o'clock and thirty minutes P. M. this day.

The ayes and noes were demanded by Messrs. Anderson, Talbott, and Blakeley.

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

AYES—Messrs. Adams, Anderson, Androus, Barker, Barlow, Bennett of Orange, Blakeley, Boyce, Bretz, Brownlie, Carlson, Chipman, Conway, Curtis, Cusick, Duffy, Durst, Gallagher, Hamilton, Hutson, Jacobsen, Johnson of Humboldt, Johnson of Santa Clara, Kennedy, Kahn, Kerns, LaRue, Luttringer, Lynch, McCauley, McElroy, McGowan, Mack, Marston, Miller, Mordecai, O'Keefe, O'Neill, Pendleton, Raw, Sargent, Standart, Taggart, Talbott, Taylor, Thomas of Nevada, Tindall, Vann, and Mr. Speaker—49

NOES—Messrs. Alford, Bennett of Santa Clara, Bledsoe, Buckley, Bulla, Burke, Casterline, Dodge, Drees, Emeric, Finlayson, Gately, Godchaux, Hendrickson, Hurley, Jacobs, Marks, Matthews of San Benito, Owen, Pueschel, Schlesinger, Schroebel, Simpson, Sims, and Wade—25.

SPECIAL SENATE FILE—SECOND READING OF BILLS.

Senate Bill No. 210—An Act to regulate the disposition of the hides of cattle killed or slaughtered in the State of California, and to provide a penalty for a violation of the provisions of this Act.

Read second time.

Committee amendment, as follows:

Strike out of section one, line five, the word "fifteen," and insert the following: "ten."

Adopted.

Mr. Standart moved to amend by striking out all of section three, and to renumber section four to read "section three."

Adopted.

Bill ordered to a third reading.

Senate Bill No. 215—An Act to amend section seven of the Civil Code of the State of California, relating to legal holidays and non-judicial days.

Read second time, and ordered to a third reading.

Senate Bill No. 217—An Act to amend section ten of the Political Code of the State of California, relating to legal holidays and non-judicial days.

Read second time, and ordered to a third reading.

Senate Bill No. 184—An Act to amend sections ten and one hundred and thirty-four of the Code of Civil Procedure of the State of California, relating to legal holidays and non-judicial days.

Read second time, and ordered to a third reading.

Senate Bill No. 74—An Act to amend an Act entitled "An Act to establish a Political Code," approved March 12, 1872, by adding a new section thereto, to be known as section three thousand two hundred and forty-five and one half, relating to the payment of persons employed under the provisions of section three thousand two hundred and forty-five of said Political Code.

Read second time, and ordered to a third reading.

Senate Bill No. 186—An Act to amend section one thousand four hundred and forty-four of the Code of Civil Procedure, in relation to appraisements of estates of deceased persons.

Read second time, and ordered to a third reading.

Senate Bill No. 113—An Act to appropriate money to prevent the introduction of contagious diseases.

Read second time.

Committee amendment, as follows:

Amend printed bill, section one, line one, by striking out the words "fifty thousand," after the words "the sum," and inserting therefor the words "twenty-five thousand"

Adopted.

MOTION.

Mr. Anderson moved that the Assembly resolve itself into Committee of the Whole, with the Speaker in the chair, for the purpose of considering Senate Bill No. 113.

So ordered.

IN COMMITTEE OF THE WHOLE.

Speaker Gould in the chair.

Senate Bill No. 113 was considered in Committee of the Whole.

IN ASSEMBLY.

Speaker Gould in the chair.

REPORT OF THE COMMITTEE OF THE WHOLE.

The Speaker stated the report of the Committee of the Whole, as follows:

GENTLEMEN: The Committee of the Whole have had under consideration Senate Bill No. 113, and now report, and recommend that the same do pass.

Bill ordered to a third reading.

Senate Bill No. 221—An Act to make an appropriation to pay the claim of Henry Hogan, for services rendered for the State Board of Fish Commissioners, as special attorney therefor during the year 1890.

Read second time.

Senate Bill No. 250—An Act appropriating money to pay the claim of W. H. Murray, his heirs, or assigns.

Read second time.

MOTION.

Mr. Wade moved that the Assembly resolve itself into Committee of the Whole, with the Speaker in the chair, for the purpose of considering Senate Bill No. 221 and Senate Bill No. 250.

So ordered.

IN COMMITTEE OF THE WHOLE.

Speaker Gould in the chair.

Senate Bill No. 221 and Senate Bill No. 250 were considered in Committee of the Whole.

IN ASSEMBLY.

Speaker Gould in the chair.

REPORT OF THE COMMITTEE OF THE WHOLE.

The Speaker stated the report of the Committee of the Whole, as follows:

GENTLEMEN: The Committee of the Whole have had under consideration Senate Bill No. 221, also, Senate Bill No. 250, and now report, and recommend that the same do pass.

Senate Bill No. 221 and Senate Bill No. 250 ordered to a third reading.

Senate Bill No. 48—An Act to cede jurisdiction to the United States over certain lands.

Read second time.

Mr. Finlayson moved to amend by striking out all of section one, and inserting the following:

SECTION 1 That exclusive jurisdiction be and is hereby ceded to the United States over and within all the territory owned by the United States and included within the limits of the Pacific Branch National Home for Disabled Volunteer Soldiers; also, to a tract of land in the village of Santa Monica, belonging to said branch, to be used for bathing purposes; also, to land granted to said branch for a reservoir and other waterworks, all in Los Angeles County, State of California, all of which are particularly described in three several deeds from John P. Jones and Arcadia B. DeBaker to the National Home for Disabled Volunteer Soldiers, each dated March third, eighteen hundred and eighty-eight, and recorded, respectively, in book four hundred and five of deeds, at pages fourteen, thirty-two, and thirty-six of the records in the office of the County Recorder of said county of Los Angeles; also, to such lot of land, not exceeding thirty acres, as may be used as a cemetery, adjacent to the lands of the Pacific Branch National Home for Disabled Volunteer Soldiers, also in the county of Los Angeles, and such other lands within said county as may be hereafter acquired by said Pacific Branch National Home for Disabled Volunteer Soldiers, *provided, however*, that nothing in this Act shall be construed or held as a concession of the right of the State to serve civil and criminal process within said territory, in suits or prosecutions for or on account of rights acquired, obligations incurred, or crimes committed in said State outside said cession and Soldiers' Home, and the right to levy and collect taxes on railroads, bridges, or other corporations, their franchises and property, on said Soldiers' Home, and their right to levy and collect taxes on the personal property of any person, company, or corporation, who may be permitted or allowed to engage in or pursue any business, trade, or calling upon such cession or Soldiers' Home, for private gain, all of which said rights embraced in this provision being saved to the State.

Adopted.

Also:

Amend by adding a new section, to be known as section two, to read as follows.
"SEC. 2. This Act shall be in force and take effect from and after its passage."

Adopted.

Bill ordered to a third reading.

Senate Bill No. 314—An Act authorizing the State Board of Capitol Commissioners to appoint two extra employés for the Capitol grounds, in addition to the number now employed, and making an appropriation for payment of their services for the remainder of the forty-fourth fiscal year.

Read second time.

MOTION.

Mr. Vann moved that the Assembly resolve itself into Committee of the Whole, with the Speaker in the chair, for the purpose of considering Senate Bill No. 314.

So ordered.

IN COMMITTEE OF THE WHOLE.

Speaker Gould in the chair.

Senate Bill No. 314 was considered in Committee of the Whole.

IN ASSEMBLY.

Speaker Gould in the chair.

REPORT OF THE COMMITTEE OF THE WHOLE.

The Speaker stated the report of the Committee of the Whole, as follows:

GENTLEMEN: The Committee of the Whole have had under consideration Senate Bill No 314, and now report, and recommend that the same do not pass.

Bill ordered to a third reading.

Senate Bill No. 613—An Act to amend section seven hundred and seventeen of an Act entitled "An Act to establish a Civil Code," approved March 21, 1872, relating to leases of agricultural lands.

Read second time, and ordered to a third reading.

Senate Bill No. 309—An Act to provide for planting a row of trees around the Capitol grounds, and to make an appropriation therefor.

Read second time.

Senate Bill No. 199—An Act to repeal an Act entitled "An Act to create a State Board of Forestry, and to provide for the expenses thereof," approved March 3, 1885. and the Act amendatory thereof, approved March 7, 1887.

Read second time.

Committee amendments, as follows:

AMENDMENT No. 1.

Amend the title after the words "eighteen hundred and eighty-seven," line four, by inserting "and to make an appropriation for the maintenance and preservation of the property of said Board of Forestry."

Adopted.

AMENDMENT No. 2.

Amend section two so as to read: "all the real and personal property of the said Board, on or before the first day of July, eighteen hundred and ninety-three, shall be assigned, made over, and transferred to the Agricultural Department of the University of California"

Adopted.

AMENDMENT No. 3.

There is hereby appropriated the sum of four thousand dollars out of any money in the State Treasury not otherwise appropriated, payable to the Agricultural Department of the University of California, for the support, maintenance, and preservation of the experimental stations of the State Board of Forestry, and the Controller is hereby directed to draw his warrant for the same.

Adopted.

AMENDMENT No. 4.

This Act shall take effect from and after July first, eighteen hundred and ninety-three.

Adopted.

MOTION.

Mr. Lynch moved that the Assembly resolve itself into Committee of the Whole, with the Speaker in the chair, for the purpose of considering Senate Bills Nos. 309 and 199.

So ordered.

IN COMMITTEE OF THE WHOLE.

Speaker Gould in the chair.

Senate Bills Nos. 309 and 199 were considered in Committee of the Whole.

IN ASSEMBLY.

Speaker Gould in the chair.

REPORT OF THE COMMITTEE OF THE WHOLE.

The Speaker stated the report of the Committee of the Whole, as follows:

GENTLEMEN: The Committee of the Whole have had under consideration Senate Bill No 309, also, Senate Bill No. 199, as amended, and now report, and recommend that the same do pass.

Senate Bill No. 309 and Senate Bill No. 199 ordered to a third reading.

Senate Bill No. 8—An Act to provide for the appointment of Health Inspectors and Market Inspectors in each municipality of this State having one hundred thousand inhabitants, and over that number; providing how such Inspectors shall be appointed and designated as officers of such municipality, and prescribing the duties and fixing the compensation of such Inspector.

Read second time.

Mr. Kennedy moved to amend by adding a new section, to be known as section four, and to read as follows:

SEC 4. The Board of Health for such city and city and county shall consist of the Mayor of said city, or city and county, who shall be ex officio President, and four other persons, who must be physicians in good standing, all of whom must reside in said city, or city and county The physicians as aforesaid shall be appointed by the Board of Supervisors of said city and county, two from each of the two leading political parties, on or before the last Monday in June, eighteen hundred and ninety-three, and every two years thereafter The term of office of each member so appointed shall be two years, commencing on the first Monday in July, eighteen hundred and ninety-three, and every two years thereafter. Any vacancy in the office in any such Board of Health, from whatever cause, must be filled by the same power which made the original appointment, but any person so appointed to fill any vacancy shall hold office only for the respective unexpired term

Lost.

Bill ordered to a third reading.

Senate Bill No. 182—An Act to amend section three thousand and nine of the Political Code of the State of California, relating to the appointment of certain officers and employés by the Board of Health of the City and County of San Francisco.

Read second time, and ordered to a third reading.

Senate Bill No. 201—An Act to provide for certain improvements in the State Insane Asylum at Stockton, California, and making an appropriation therefor.

Read second time.

Senate Bill No. 202—An Act to provide for the purchase of apparatus and appliances for the protection of the buildings and property of the State Insane Asylum at Stockton, California, and making an appropriation therefor.

Read second time.

Senate Bill No. 204—An Act to provide for certain improvements at the State Insane Asylum at Stockton, California, and making an appropriation therefor.

Read second time.

Senate Bill No. 205—An Act to provide for the payment, by the Board of Directors of the State Insane Asylum at Stockton, California, of certain sums of money, for the paving of California Street, in the city of Stockton, county of San Joaquin, State of California, opposite the State Insane Asylum at Stockton, California, and for the construction of a concrete sidewalk along said street.

Read second time.

MOTION.

Mr. Wade moved that the Assembly resolve itself into Committee of the Whole, with the Speaker in the chair, for the purpose of considering Senate Bills Nos. 201, 202, 204, and 205.

So ordered.

IN COMMITTEE OF THE WHOLE.

Speaker Gould in the chair.

Senate Bills Nos. 201, 202, 204, and 205 were considered in Committee of the Whole.

IN ASSEMBLY.

Speaker Gould in the chair.

REPORT OF THE COMMITTEE OF THE WHOLE.

The Speaker stated the report of the Committee of the Whole, as follows:

GENTLEMEN: The Committee of the Whole have had under consideration Senate Bills Nos. 201, 202, and 204, and now report, and recommend that the same do pass.
Also: Senate Bill No. 205, and recommend that the same do not pass.

Senate Bills Nos. 201, 202, 204, and 205 ordered to a third reading.

Senate Bill No. 155—An Act to add a new section to the Penal Code, to be known and numbered section six hundred and fifty-five, relating to dealing in options.

Read second time, and ordered to a third reading.

Senate Bill No. 438—An Act making it unlawful to refuse admission to places of amusement.

Read second time.

Mr. LaRue moved to amend, as follows:

Amend section one, line six, by inserting the following: "or who has been ruled off for cause," after the word "conduct."

Adopted.

Mr. Schlesinger moved to reconsider the vote whereby the amendment was adopted.

So ordered.

Amendment lost.

Mr. LaRue moved to strike out the enacting clause.

So ordered.

SPECIAL ORDER.

Consideration of the motion to reconsider the vote whereby Assembly Bill No. 239 was passed.

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

AYES—Messrs. Alford, Bennett of Santa Clara, Bledsoe, Buckley, Burke, Dodge, Finlayson, Godchaux, Hendrickson, Hurley, Jacobs, Kahn, Marks, Matthews of San Benito, Owen, Pueschel, Schlesinger, Schroebel, Simpson, Sims, and Mr. Speaker—21.

NOES—Messrs. Adams, Anderson, Barlow, Bennett of Orange, Blakeley, Boyce, Bretz, Brownlie, Bulla, Carlson, Chipman, Conway, Curtis, Cusick, Drees, Duffy, Durst, Gallagher, Hamilton, Hutson, Jacobsen, Johnson of Santa Clara, Kennedy, Kerns, LaRue, Luttringer, Lynch, McCauley, McElroy, McGowan, Mack, Miller, Mordecai, O'Keefe, O'Neill, Pendleton, Raw, Sargent, Shanahan, Standart, Taggart, Talbott, Taylor, Thomas of Nevada, Tindall, Vann, and Wade—47.

Mr. Anderson moved that Assembly Bill No. 239 be immediately transmitted to the Senate.

So ordered.

RECONSIDERATION.

Mr. Pendleton moved to reconsider the vote whereby Senate Bill No. 166 was refused passage.

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

AYES—Messrs. Adams, Bennett of Santa Clara, Blakeley, Boyce, Burke, Carlson, Casterline, Chipman, Conway, Curtis, Cusick, Dodge, Drees, Durst, Gallagher, Gately, Hamilton, Hendrickson, Hurley, Hutson, Jacobs, Johnson of Santa Clara, Kahn, Kerns, LaRue, Luttringer, Lynch, McCauley, McGowan, Mack, Marks, Miller, O'Keefe, O'Neill, Owen, Pendleton, Perkins, Sargent, Shanahan, Simpson, Sims, Taylor, Tindall, Vann, and Wade—45.

NOES—Messrs. Alford, Barker, Barlow, Bennett of Orange, Bledsoe, Bretz, Buckley, Bulla, Emeric, Godchaux, Jacobsen, Johnson of Humboldt, McElroy, Mordecai, Pueschel, Schlesinger, and Mr. Speaker—17.

Senate Bill No. 116—An Act to amend an Act entitled "An Act to establish a Civil Code," approved March 21, 1872, by adding a new section to said Civil Code, to be known as section four hundred and thirty-three, permitting the establishment of mutual insurance companies.

The roll was called on the passage of the bill.

CALL OF THE HOUSE.

Pending announcement of the vote, Mr. Pendleton moved a call of the House, seconded by Messrs. Sargent and Lynch.

So ordered.

The roll was called, and the following members answered to their names:

Messrs. Adams, Alford, Anderson, Androus, Barker, Barlow, Bennett of Santa Clara, Bennett of Orange, Blakeley, Bledsoe, Boyce, Bretz, Brownlie, Buckley, Bulla, Burke, Carlson, Casterline, Chipman, Conway, Curtis, Cusick, Dodge, Drees, Duffy, Durst, Emeric, Finlayson, Gallagher, Gately, Godchaux, Hamilton, Hendrickson, Hurley, Hutson, Jacobs, Jacobsen, Johnson of Humboldt, Johnson of Santa Clara, Kahn, Kerns, LaRue, Luttringer, Lynch, McCauley, McElroy, McGowan, Mack, Marks, Marston, Mathews of Tehama, Miller, Mordecai, O'Keefe, O'Neill, Owen, Pendleton, Perkins, Pueschel, Raw, Sargent, Schlesinger, Schroebel, Shanahan, Simpson, Sims, Standart, Taggart, Talbott, Taylor, Thomas of Nevada, Tindall, Vann, Wade, and Mr Speaker.

The following members: Messrs. Kennedy, and Matthews of San Benito, were absent without leave, and the Sergeant-at-Arms was directed to bring them before the bar of the House.

Mr. Pendleton moved that further proceedings under the call of the House be dispensed with.

So ordered.

SENATE BILL No. 116.

The Speaker announced the vote, and declared the bill passed by the following vote:

AYES—Messrs. Anderson, Androus, Bennett of Santa Clara, Blakeley, Boyce, Brownlie, Buckley, Burke, Casterline, Chipman, Conway, Curtis, Drees, Gallagher, Gately, Hamilton, Hendrickson, Hutson, Johnson of Santa Clara, Kennedy, Kerns, Luttringer, Lynch, McCauley, McGowan, Mack, Marks, Marston, Miller, O'Keefe, O'Neill, Owen, Pendleton, Pueschel, Raw, Sargent, Shanahan, Sims, Standart, Taylor, Thomas of Nevada, Tindall, and Wade—43

NOES—Messrs Adams, Alford, Barker, Barlow, Bennett of Orange, Bledsoe, Bretz, Bulla, Carlson, Cusick, Dodge, Duffy, Durst, Emeric, Finlayson, Godchaux, Hurley, Jacobs, Jacobsen, Johnson of Humboldt, Kahn, LaRue, McElroy, Mathews of Tehama, Mordecai, Perkins, Schlesinger, Schroebel, Simpson, Taggart, Talbott, Vann, and Mr. Speaker—33.

Title read and approved.

Mr. Sims moved that Senate Bill No. 116 be immediately transmitted to the Senate.

So ordered.

RESOLUTION.

By Mr. Shanahan:

Resolved, That Assembly Bills Nos. 757, 758, and 759 present cases of urgency, as that term is used in section fifteen of article four of the Constitution, and the provisions of that section requiring that the bills shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bills be each read the first, second, and third times, and placed upon their passage.

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

AYES—Messrs. Adams, Alford, Anderson, Androus, Barker, Barlow, Bennett of Orange, Blakeley, Bretz, Buckley, Carlson, Casterline, Conway, Curtis, Dodge, Drees, Duffy, Durst, Finlayson, Gallagher, Gately, Godchaux, Hamilton, Hendrickson, Hurley, Hutson, Jacobs, Jacobsen, Kennedy, Kahn, Kerns, LaRue, Luttringer, Mack, Marks, Marston, Mathews of Tehama, Miller, Mordecai, O'Keefe, Owen, Perkins, Pueschel, Schlesinger, Schroebel, Shanahan, Simpson, Sims, Standart, Taggart, Talbott, Taylor, Tindall, Vann, Wade, and Mr Speaker—56

NOES—Messrs Bledsoe, McElroy, and Raw—3

SECOND READING OF BILLS.

Assembly Bill No. 757—An Act to amend section four hundred and twelve of the Code of Civil Procedure, relating to service of summons on persons residing out of the State, and in other cases.

Read second time, considered engrossed and ordered to a third reading.

Assembly Bill No. 758—An Act to amend section seven hundred and thirty-eight of the Code of Civil Procedure, relating to actions affecting title to real estate.

Read second time, considered engrossed and ordered to a third reading.

Assembly Bill No. 759—An Act to add a new section to the Code of Civil Procedure, relating to proceedings affecting the title to real estate, to be known as section seven hundred and fifty.

Read second time, considered engrossed and ordered to a third reading.

THIRD READING OF BILLS.

Assembly Bill No. 757—An Act to amend section four hundred and twelve of the Code of Civil Procedure, relating to service of summons on persons residing out of the State, and in other cases.

Read third time, and passed by the following vote:

AYES—Messrs. Alford, Anderson, Androus, Barker, Barlow, Bennett of Santa Clara, Bennett of Orange, Buckley, Bulla, Carlson, Casterline, Chipman, Dodge, Duffy, Durst, Emeric, Gallagher, Gately, Godchaux, Hamilton, Hendrickson, Hurley, Jacobsen, Kennedy, Kahn, Kerns, LaRue, Luttringer, Marks, Marston, Mathews of Tehama, O'Neill, Pendleton, Perkins, Pueschel, Sargent, Shanahan, Simpson, Standart, Talbott, Taylor, Thomas of Nevada, Tindall, Vann, Wade, and Mr. Speaker—46.
NOES—Messrs Bledsoe, McCauley, and Miller—3.

Title read and approved.

Assembly Bill No. 758—An Act to amend section seven hundred and thirty-eight of the Code of Civil Procedure, relating to actions affecting title to real estate.

Read third time, and passed by the following vote:

AYES—Messrs Alford, Anderson, Androus, Barker, Barlow, Bennett of Santa Clara, Buckley, Burke, Carlson, Casterline, Chipman, Conway, Curtis, Dodge, Duffy, Durst, Emeric, Gately, Godchaux, Hamilton, Hendrickson, Hutson, Jacobs, Jacobsen, Johnson of Humboldt, Kahn, Kerns, LaRue, Luttringer, McElroy, McGowan, Marston, Mathews of Tehama, Miller, O'Keefe, O'Neill, Perkins, Pueschel, Sargent, Schlesinger, Schroebel, Shanahan, Standart, Taggart, Talbott, Thomas of Nevada, Vann, Wade, and Mr. Speaker—49.
NOES—Mr. Bledsoe—1.

Title read and approved.

Assembly Bill No. 759—An Act to add a new section to the Code of Civil Procedure, relating to proceedings affecting the title to real estate, to be known as section seven hundred and fifty.

Read third time.

MOTION.

Mr. Shanahan moved that a select committee of one be appointed by the Speaker to amend Assembly Bill No. 759, as follows:

Amend by striking out of section one the figure "2," and insert the figures "750."

So ordered.

APPOINTMENT OF COMMITTEE.

Mr. Shanahan was appointed such committee to make said amendments.

REPORT OF SELECT COMMITTEE.

ASSEMBLY CHAMBER, SACRAMENTO, March 8, 1893.

MR. SPEAKER Your select committee, to whom was referred Assembly Bill No. 759, with instructions to amend in accordance with the action of the House, would respectfully report that the instructions of the House have been carried out.

SHANAHAN, Committee.

Report adopted.

MOTION.

Mr. Shanahan moved that the further consideration of Assembly Bill No. 759 be made a special order for to-morrow, immediately after the reading of the Journal.

So ordered.

REPORT OF STANDING COMMITTEE.

ON WAYS AND MEANS.

ASSEMBLY CHAMBER, SACRAMENTO, March 7, 1893.

MR SPEAKER: Your Committee on Ways and Means, to whom was referred Assembly Bill No. 796—An Act making appropriations for the support of the government of the State of California for the forty-fifth and forty-sixth fiscal years—have had the same under consideration, and respectfully report the same back and recommend that it do pass as amended.

W. P. MATHEWS, Chairman.

MOTION.

Mr. Mathews of Tehama moved that Assembly Bill No. 796 be read the first time, and that the further consideration of the bill be made a special order for to-morrow, immediately after Senate messages.

So ordered.

FIRST READING OF BILL.

Assembly Bill No. 796—An Act making appropriations for the support of the government of the State of California for the forty-fifth and forty-sixth fiscal years.

Read first time, and placed on file for second reading.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 7, 1893.

MR SPEAKER: Your Committee on Ways and Means, to whom was referred Assembly Bill No. 677—An Act appropriating money for the purchase of land for the Industrial Home of Mechanical Trades for the Adult Blind—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

W. P. MATHEWS, Chairman.

MOTION.

Mr. Mathews of Tehama moved that Assembly Bill No. 677 be read the first time.

So ordered.

FIRST READING OF BILL.

Assembly Bill No. 677—An Act appropriating money for the purchase of land for the Industrial Home of Mechanical Trades for the Adult Blind.

Read first time, and placed on file for second reading.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 7, 1893.

MR. SPEAKER, Your Committee on Ways and Means, to whom was referred Senate Bill No. 67—An Act to amend an Act relative to the non-insurance of property belonging to the State against risk of damage or destruction by fire, approved March 10, 1891—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

W. P. MATHEWS, Chairman.

Speaker pro tem. Mathews in the chair.

MOTIONS.

Mr. Gould moved that Assembly Bill No. 796, as amended in committee, be printed and laid upon the desks of members.

So ordered.

Mr. Gould moved that Assembly Bill No. 141 be taken up out of order, and read the second time.

So ordered.

SECOND READING OF BILL.

Assembly Bill No. 141—An Act to amend an Act entitled "An Act to provide for the organization and government of irrigation districts, and to provide for the acquisition of water and other property, and for the distribution of water thereby for irrigation purposes," approved March 7, 1887, by amending sections three, four, eleven, twelve, thirty-six and thirty-seven thereof, and by repealing section forty-one thereof.

Read second time.

Mr. Gould moved to amend, as follows:

By inserting after the word appurtenances, in line twenty of section four, on page four, the following. "and to contract for or purchase from individuals or corporations, water rights, water certificates, or agreements, for the delivery to said district, either within or outside of its boundaries, for distribution therein, either through the canals and works of said district, or from such contractor, such quantities of water at such times, places, rates of compensation or rentals, and for such period of time as may be specified in such certificates or agreements. Said Board of Directors shall have the right, in the name of the district represented by them, to guarantee the payment of the rentals reserved by the terms of such certificates or agreements. In case of such purchase or contract, the bonds of the district hereinafter provided for may be used at their par value in payment"

Adopted.

Also:

Amend section six by inserting the word "and" after the word "management" in line five thereof, and by striking out of said line, after the word "repair," the words "and improvements."

Adopted.

Also:

Amend by inserting after the word "employés" in section six, line six, on page five, the following "and of paying the annual rentals reserved to individuals or corporations, granting to the district water right certificates, or agreements for the delivery of water to it, in accordance with the terms of said contract."

Adopted.

Also:

Amend by striking out of section five, in lines fourteen and fifteen, page five, the words "the said Treasurer shall set aside and reserve from the sale of bonds, a sum sufficient to pay interest thereon for the first year."

Adopted.

Bill ordered engrossed and to a third reading.

MOTION.

Mr. Gould moved that Senate Bills Nos. 742 and 743 be placed on the special file.

So ordered.

RESOLUTION.

By Mr. Gately:

Resolved, That Assembly Bill No. 732 presents a case of urgency, as that term is used in section fifteen of article four of the Constitution, and the provisions of that section requiring that the bill shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the first, second, and third times, and placed upon its passage.

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

AYES—Messrs. Adams, Alford, Androus, Barker, Barlow, Boyce, Brownlie, Buckley, Bulla, Casterline, Chipman, Conway, Curtis, Dodge, Drees, Duffy, Durst, Finlayson, Gallagher, Gately, Hamilton, Hendrickson, Hurley, Hutson, Jacobsen, Johnson of Santa Clara, Kennedy, Kahn, Kerns, Luttringer, Lynch, McCauley, McElroy, McGowan, Mack, Marston, Mathews of Tehama, Matthews of San Benito, Miller, Mordecai, O'Keefe, O'Neill, Owen, Pendleton, Perkins, Sargent, Schlesinger, Schroebel, Simpson, Standart, Taggart, Talbott, Taylor, Thomas of Nevada, Tindall, Vann, and Wade—57.

NOES—Messrs. Bennett of Orange, Bledsoe, Jacobs, and Johnson of Humboldt—4.

NOTICE OF RECONSIDERATION.

Mr. Barlow gave notice that on the next legislative day he will move a reconsideration of the vote whereby the enacting clause was stricken from Senate Bill No. 438.

FIRST AND SECOND READING OF BILL.

Assembly Bill No. 732—An Act for the protection of fish.

Read first and second times.

Committee amendments, as follows:

Amend by striking out of section one, line three, all after the word "State;" also, line four and all of line five down to and including the word "elsewhere."

Adopted.

Also:

Amend by striking out of section one, line seven, the words "one hundred," and inserting the following: the word "ten."

Adopted.

Also:

Amend by striking out of section one, line six, the words "five hundred," and inserting the following: the word "twenty."

Adopted.

Also:

Amend by striking out of section one, line six, the words "in default."

Adopted.

Bill ordered engrossed and to a third reading.

MOTION.

Mr. O'Keefe moved that Assembly Bill No. 104 be taken up out of order, and read the second time, and that further consideration of the bill be made a special order for to-morrow, at four o'clock P. M.

So ordered.

SECOND READING OF BILL.

Assembly Bill No. 104—An Act to amend section one hundred and seventy-two of the Civil Code, relating to the control, management, and disposition of community property.

Read second time.

Committee amendment, as follows:

On line five strike out the word "but," and insert "*provided, however*, that."

Adopted.

Bill ordered engrossed and to a third reading.

RESOLUTION.

By Mr. Conway:

Resolved, That Assembly Bill No. 713 presents a case of urgency, as that term is used in section fifteen of article four of the Constitution, and the provisions of that section requiring that the bill shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the second and third times, and placed upon its passage.

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

AYES—Messrs. Adams, Alford, Androus, Barlow, Bennett of Santa Clara, Bennett of Orange, Blakely, Boyce, Brownlie, Buckley, Bulla, Burke, Carlson, Casterline, Chipman, Conway, Curtis, Dodge, Drees, Duffy, Durst, Gallagher, Gately, Godchaux, Hamilton, Hendrickson, Hurley, Hutson, Jacobsen, Kennedy, Kahn, Kerns, LaRue, Luttringer, Lynch, McCauley, McElroy, Mack, Marks, Marston, Mathews of Tehama, Matthews of San Benito, Miller, Mordecai, O'Keefe, O'Neill, Perkins, Pueschel, Schlesinger, Schroebel, Shanahan, Simpson, Sims, Standart, Talbott, Taylor, Thomas of Nevada, Tindall, and Wade—59.

NOES—Messrs. Barker, Bledsoe, Jacobs, McGowan, and Raw—5.

FIRST AND SECOND READING OF BILL.

Assembly Bill No. 713—An Act to prevent dispensers of water from overcharging consumers for water and water connections.

Read first and second times, considered engrossed, and ordered to a third reading.

THIRD READING OF BILL.

Assembly Bill No. 713—An Act to prevent dispensers of water from overcharging consumers for water and water connections.

Read third time, and passed by the following vote:

AYES—Messrs. Adams, Alford, Androus, Barker, Bennett of Santa Clara, Bennett of Orange, Blakeley, Bledsoe, Boyce, Brownlie, Buckley, Bulla, Burke, Carlson, Casterline, Conway, Curtis, Dodge, Drees, Duffy, Durst, Finlayson, Godchaux, Hamilton, Hendrickson, Hurley, Hutson, Jacobs, Jacobsen, Johnson of Humboldt, Kennedy, Kahn, LaRue, Luttringer, Lynch, McElroy, McGowan, Mack, Marks, Marston, Mathews of Tehama, Matthews of San Benito, Miller, Mordecai, O'Keefe, O'Neill, Owen, Pendleton, Perkins, Pueschel, Raw, Schroebel, Shanahan, Simpson, Sims, Standart, Taggart, Talbott, Taylor, Thomas of Nevada, Tindall, and Wade—62.

NOES—Mr. Sargent—1.

Title read and approved.

RECESS.

At five o'clock and twenty minutes P. M., on motion of Mr. Matthews of San Benito, recess was taken until seven o'clock and thirty minutes.

EVENING SESSION.

The Assembly reassembled at seven o'clock and thirty minutes P. M. Speaker Gould in the chair.

Quorum present.

RESOLUTION.

By Mr. Simpson:

Resolved, That each member is allowed to select one bill to be placed upon the urgency file, and that for said purpose the Clerk shall call the roll, commencing at the foot thereof.

Adopted.

MOTION.

Mr. Wade moved that the calling of the roll be deferred until to-morrow evening.

So ordered.

URGENCY FILE.

Assembly Bill No. 540—An Act to provide for the publication of legal notices.

Read third time, and passed by the following vote:

AYES—Messrs. Anderson, Androus, Barker, Bennett of Santa Clara, Blakeley, Boyce, Brownlie, Buckley, Bulla, Burke, Carlson, Chipman, Conway, Curtis, Cusick, Dodge, Drees, Gallagher, Gately, Godchaux, Hamilton, Hendrickson, Hurley, Hutson, Jacobs, Jacobsen, Johnson of Santa Clara, Kennedy, Kahn, Kerns, LaRue, Luttringer, Lynch, McCauley, McGowan, Mack, Marks, Marston, Mathews of Tehama, Matthews of San Benito, Miller, Mordecai, O'Keefe, O'Neill, Owen, Pendleton, Schroebel, Sims, Standart, Taggart, Taylor, Thomas of Nevada, Tindall, Wade, and Mr. Speaker—55

NOES—Messrs Adams, Barlow, Bennett of Orange, Bledsoe, Bretz, and Vann—6.

Title read and approved.

Mr. O'Keefe moved that Assembly Bill No. 540 be immediately transmitted to the Senate.

So ordered.

Assembly Bill No. 20—An Act making an appropriation for the construction of a seawall, thoroughfare, and piers, in the harbor of San Diego.

Read third time, and passed by the following vote:

AYES—Messrs. Adams, Anderson, Androus, Barker, Barlow, Bennett of Santa Clara, Bennett of Orange, Blakeley, Bledsoe, Boyce, Bretz, Brownlie, Buckley, Bulla, Burke, Carlson, Casterline, Chipman, Conway, Curtis, Cusick, Dodge, Drees, Durst, Gallagher, Gately, Godchaux, Hamilton, Hendrickson, Hutson, Jacobs, Jacobsen, Johnson of Humboldt, Johnson of Santa Clara, Kennedy, Kerns, LaRue, Luttringer, Lynch, McGowan, Mack, Marks, Marston, Miller, Mordecai, O'Keefe, O'Neill, Perkins, Pueschel, Raw, Sims, Standart, Taggart, Taylor, Thomas of Nevada, Tindall, Vann, and Wade—58.

NOES—Messrs. Hurley, Kahn, McCauley, McElroy, Matthews of San Benito, Schroebel, Simpson, and Mr. Speaker—8.

Title read and approved.

Mr. Carlson moved that Assembly Bill No. 20 be immediately transmitted to the Senate.

So ordered.

Mr. Conway moved that Assembly Bill No. 714 be substituted on the file for Assembly Bill No. 715, and be read the second time.

So ordered.

Assembly Bill No. 714—An Act relating to the erection, construction, and repairs of public buildings in this State, and in any of the counties, cities and counties, cities, towns, and townships thereof.

Read second time, ordered engrossed and to a third reading

Assembly Bill No. 586—An Act regulating the practice of architecture in the State of California.

Read third time.

PREVIOUS QUESTION.

Mr. Schlesinger moved the previous question, seconded by Messrs. Brownlie and Boyce.

The question being, "Shall the main question be now put?"

So ordered.

The roll was called, and the bill refused passage by the following vote:

AYES—Messrs. Anderson, Boyce, Brownlie, Buckley, Carlson, Casterline, Chipman, Conway, Durst, Gately, Hurley, Luttringer, McCauley, McElroy, McGowan, Marks, Marston, Miller, Owen, Schlesinger, Taylor, Thomas of Nevada, and Mr Speaker—23.

NOES—Messrs. Adams, Alford, Androus, Barker, Barlow, Bennett of Orange, Bledsoe, Bretz, Bulla, Burke, Curtis, Drees, Duffy, Godchaux, Hamilton, Hendrickson, Hutson, Jacobs, Jacobsen, Johnson of Humboldt, Kerns, Matthews of San Benito, Mordecai, O'Keefe, Perkins, Raw, Sargent, Simpson, Sims, Standart, Taggart, Tindall, Vann, and Wade—34

NOTICE OF RECONSIDERATION.

Mr. Curtis gave notice that on the next legislative day he will move a reconsideration of the vote whereby Assembly Bill No. 586 was refused passage.

MOTION OF RECONSIDERATION.

Mr. Alford moved to reconsider the vote whereby Senate Bill No. 284 was refused passage.

Mr. Alford moved that the consideration of the motion be made a special order for to-morrow at four o'clock P. M.

So ordered.

REPORT OF STANDING COMMITTEE.

ON ENGROSSMENT.

ASSEMBLY CHAMBER, SACRAMENTO, March 8, 1893.

MR. SPEAKER: Your Committee on Engrossment beg leave to report that the following Assembly Bills have been correctly engrossed. Assembly Bills Nos. 803, 449, 66, 381, and 242.

BROWNLIE, for Chairman.

URGENCY FILE—(RESUMED).

Assembly Bill No. 614—An Act for the relief of J. F. Chapman & Co., for damage sustained through the loss of coal from Fremont Street wharf, in the City and County of San Francisco.

MOTION.

Mr. Dodge moved that the Assembly resolve itself into Committee of the Whole, with the Speaker in the chair, for the purpose of considering Assembly Bill No. 614.

So ordered.

IN COMMITTEE OF THE WHOLE.

Speaker Gould in the chair.

Assembly Bill No. 614 was considered in Committee of the Whole.

IN ASSEMBLY.

Speaker Gould in the chair.

REPORT OF THE COMMITTEE OF THE WHOLE.

The Speaker stated the report of the Committee of the Whole, as follows:

GENTLEMEN: The Committee of the Whole have had under consideration Assembly Bill No. 614—An Act for the relief of J. F. Chapman & Co, for damage sustained through the loss of coal from Fremont Street wharf, in the City and County of San Francisco—and now report, and recommend that the same do pass.

Bill ordered engrossed and to a third reading.

REPORT OF STANDING COMMITTEE.

ON ENGROSSMENT.

ASSEMBLY CHAMBER, SACRAMENTO, March 8, 1893.

MR. SPEAKER: Your Committee on Engrossment beg leave to report that the following Assembly Bill has been correctly engrossed. Assembly Bill No. 742—An Act to encourage the establishment of county, and city and county reform schools for the correction, care, and maintenance of juvenile offenders, and to provide State aid and appropriate money therefor.

CONWAY, for Chairman.

URGENCY FILE—(RESUMED).

Assembly Bill No. 300—An Act to amend an Act entitled "An Act to provide for the restoration and preservation of fish in the waters of this State," approved April 2, 1870, by adding thereto an additional section, numbered section twelve, relative to the better protection of fish placed in streams for the purpose of propagation.

Committee amendments, as follows:

Amend by adding "section twelve" to first line as per printed bill.

Adopted.

Also:

Amend by adding the words "Board of" in front of the words "Fish Commissioners," on first line as per printed bill.

Adopted.

Also:

Amend by striking out after the words "all cases," on line nine, the remainder of the line, including lines ten and eleven as per printed bill, and inserting in lieu the following: "Every person who takes, catches, or kills any fish in any waters that have been posted by the State Board of Fish Commissioners is guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine of not less than twenty dollars, or more than one hundred dollars, or imprisonment in the county jail not exceeding twenty days, or by both such fine and imprisonment, for each offense."

Adopted.

Mr. Thomas of Nevada moved to amend, as follows:

By inserting after the title the words: "The People of the State of California, represented in Senate and Assembly, do enact as follows."

Lost.

NOTICE OF RECONSIDERATION.

Mr. Talbott gave notice that on the next legislative day he will move a reconsideration of the vote whereby Senate Bill No. 116 was passed.

Assembly Bill No. 63—An Act relating to estrays.

Read third time, and passed by the following vote:

AYES—Messrs Adams, Alford, Anderson, Androus, Barker, Barlow, Bennett of Santa Clara, Bennett of Orange, Blakeley, Bledsoe, Boyce, Bretz, Buckley, Bulla, Burke,

Carlson, Casterline, Cusick, Dodge, Drees, Durst, Gallagher, Gately, Godchaux, Hamilton, Hendrickson, Hurley, Hutson, Jacobs, Jacobsen, Johnson of Humboldt, Kahn, Kerns, LaRue, Luttringer, McCauley, McElroy, McGowan, Marston, Mordecai, O'Neill, Pendleton, Perkins, Raw, Sargent, Schlesinger, Shanahan, Sims, Standart, Taggart, Talbott, Taylor, Tindall, Vann, and Mr Speaker—54

NOES—None.

Title read and approved.

Mr. Androus was excused for the remainder of the evening.

Mr. Hutson moved that Assembly Bill No. 63 be immediately transmitted to the Senate.

So ordered.

REPORT OF STANDING COMMITTEE.

ON ENGROSSMENT.

ASSEMBLY CHAMBER, SACRAMENTO, March 8, 1893.

MR. SPEAKER: Your Committee on Engrossment beg leave to report that the following Assembly Bills have been correctly engrossed: Assembly Bills Nos. 596, 512, and 762.

KENNEDY, Chairman.

AMENDMENT.

Mr. Kahn moved to amend Assembly Bill No. 141, in the hands of the Engrossing Clerk, by inserting in Amendment No. 4, after the word "reserve," the words "from the money realized."

Adopted.

MOTION.

Mr. Schroebel moved that Assembly Bill No. 74 be taken up out of order and read the first time, and made a special order for to-morrow morning, immediately after reading Senate messages.

So ordered.

FIRST READING OF BILL.

Assembly Bill No. 74—An Act to amend section one hundred and sixty-five of an Act entitled "An Act to establish a uniform system of county and township governments," approved March 31, 1891.

Read first time, and placed on file for second reading.

RESOLUTION.

By Mr. Schlesinger:

Resolved, That the Secretary of State be and he is hereby directed to deliver to the Chief Clerk eighty-one copies of "History of Political Conventions in California," the same to be distributed to the members of this Assembly, also, to furnish a copy of the Constitutional Debates to each member desiring the same.

Adopted.

URGENCY FILE—(RESUMED).

Assembly Bill No. 578—An Act to amend section three thousand five hundred and seventy-two of an Act entitled "An Act to establish a Political Code," approved March 12, 1872.

Read third time, and passed by the following vote:

AYES—Messrs Anderson, Bennett of Santa Clara, Blakeley, Boyce, Brownlie, Buckley, Bulla, Burke, Carlson, Casterline, Chipman, Conway, Dodge, Durst, Gallagher, Godchaux, Hamilton, Hendrickson, Hutson, Jacobsen, Johnson of Humboldt, Johnson of Santa

Clara, Kennedy, Kahn, Kerns, LaRue, Luttringer, McCauley, McElroy, Mack, Marks, Marston, O'Keefe, O'Neill, Owen, Perkins, Pueschel, Schlesinger, Standart, Taggart, Talbott, Taylor, Tindall, Wade, and Mr. Speaker—45.

NOES—Messrs. Adams, Barlow, Bennett of Orange, Bledsoe, Bretz, Sargent, and Vann—7.

Title read and approved.

Mr. Kennedy moved that Assembly Bill No. 578 be immediately transmitted to the Senate.

So ordered.

Assembly Bill No. 630—An Act requiring every corporation doing business in this State to pay their employés, and each of them, at least once in each and every month, the wages earned by such employé; to define the duties of the Labor Commissioner, and the District Attorneys of the several counties of this State, in enforcing this Act; to limit the defenses which may be set up by such corporations to assignments of wages, set-off, or counter claims, or the absence of such employé at the time of making payment, and in case of such absence the wages are payable upon demand; to prohibit assignments of wages for the purpose of evading the provisions of this Act, and agreements to accept wages at longer periods than as herein provided as a condition of employment; to fix a penalty for this violation of the provisions of this Act by such corporation, and to provide for the disposition of any fines recovered from corporations violating the same.

Read third time, and passed by the following vote:

AYES—Messrs. Adams, Anderson, Barlow, Bennett of Santa Clara, Bennett of Orange, Bledsoe, Boyce, Bretz, Brownlie, Buckley, Bulla Burke, Carlson, Casterline, Chipman, Conway, Dodge, Drees, Duffy, Durst, Gallagher, Gately, Godchaux, Hamilton, Hendrickson, Hurley, Jacobs, Jacobsen, Johnson of Humboldt, Johnson of Santa Clara, Kahn, Kerns, LaRue, Luttringer, Lynch, McCauley, McElroy, McGowan, Marks, Marston, Matthews of San Benito, O'Keefe, O'Neill, Perkins, Pueschel, Sargent, Schroebel, Sims, Taggart, Taylor, Tindall, Vann, Wade, and Mr. Speaker—54.

NOES—Messrs. Barker, Owen, and Standart—3.

Title read and approved.

MOTION.

Mr. Tindall moved that Assembly Bill No. 630 be immediately transmitted to the Senate.

So ordered.

REPORT OF STANDING COMMITTEE.

ON ENGROSSMENT.

ASSEMBLY CHAMBER, SACRAMENTO, March 8, 1893.

MR SPEAKER: Your Committee on Engrossment beg leave to report that the following Assembly Bills have been correctly engrossed: Assembly Bills Nos. 67, 138, 117, and 426.

KENNEDY, Chairman.

URGENCY FILE—(RESUMED).

Assembly Bill No. 663—An Act entitled an Act to regulate the practice of veterinary medicine and surgery in the State of California.

Read third time.

PREVIOUS QUESTION.

Mr. Kennedy moved the previous question, seconded by Messrs. Schlesinger and Bennett of Santa Clara.

The question being, "Shall the main question be now put?"

So ordered.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Adams, Alford, Barker, Barlow, Bennett of Santa Clara, Bennett of Orange, Boyce, Bretz, Brownlie, Buckley, Bulla, Burke, Carlson, Casterline, Conway, Cusick, Dodge, Drees, Duffy, Durst, Gallagher, Gately, Godchaux, Hamilton, Hendrickson, Hurley, Hutson, Jacobsen, Johnson of Humboldt, Johnson of Santa Clara, Kennedy, Kahn, Kerns, LaRue, Luttringer, Lynch, McCauley, McElroy, McGowan, Mack, Marks, Marston, Miller, Mordecai, O'Keefe, O'Neill, Perkins, Pueschel, Raw, Sargent, Schlesinger, Schroebel, Shanahan, Sims, Standart, Talbott, Taylor, Thomas of Nevada, Tindall, Vann, and Mr. Speaker—61.

NOES—Messrs. Bledsoe, Jacobs, Matthews of San Benito, Taggart, and Wade—5.

Title read and approved.

Mr. Drees moved that Assembly Bill No. 633 be immediately transmitted to the Senate.

So ordered.

Mr. Johnson of Santa Clara moved to adjourn.

Lost.

Assembly Bill No. 246—An Act to enfranchise the women citizens of the State, and prescribing their qualifications as electors.

Read third time.

Mr. Marston moved to pass the bill on file.

Lost.

MOTION.

Mr. Bulla moved that a select committee of one be appointed by the Speaker to amend Assembly Bill No. 246, as follows:

Amend by striking out of section one, line two, the word "eleven," and insert the following: "two."

So ordered.

APPOINTMENT OF COMMITTEE.

Mr. Bulla was appointed such committee to make said amendment.

REPORT OF SELECT COMMITTEE.

ASSEMBLY CHAMBER, SACRAMENTO, March 8, 1893.

MR SPEAKER: Your select committee, to whom was referred Assembly Bill No. 246, with instructions to amend in accordance with the action of the House, would respectfully report that the instructions of the House have been carried out.

BULLA, Committee.

Report adopted.

Mr. McElroy moved that the bill be indefinitely postponed.

The ayes and noes were demanded by Messrs. Bledsoe, Vann, and McElroy.

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

AYES—Messrs. Alford, Anderson, Boyce, Brownlie, Buckley, Conway, Cusick, Durst, Gately, Godchaux, Hamilton, Hendrickson, Hurley, Hutson, Jacobs, Kennedy, Luttringer, McCauley, McElroy, Marks, Mordecai, O'Neill, Pendleton, Sargent, Schlesinger, Sims, Standart, Taylor, and Thomas of Nevada—29.

NOES—Messrs. Adams, Barlow, Bennett of Santa Clara, Bennett of Orange, Blakeley, Bledsoe, Bretz, Bulla, Burke, Carlson, Casterline, Chipman, Curtis, Dodge, Drees, Duffy, Finlayson, Gallagher, Jacobsen, Kahn, Kerns, LaRue, McGowan, Mack, Marston, Matthews of San Benito, Miller, O'Keefe, Owen, Perkins, Pueschel, Schroebel, Simpson, Taggart, Talbott, Tindall, Vann, Wade, and Mr. Speaker—39.

Mr. Bledsoe moved that the further consideration of the bill be made a special order for to-morrow, at three o'clock and thirty minutes P. M.

Mr. Pendleton moved to adjourn.

Lost.

Assembly Bill No. 575—An Act to amend sections sixteen, eighteen, nineteen, twenty-four, twenty-six, and twenty-nine of an Act entitled "An Act to establish a State Reform School for Juvenile Offenders, and to make an appropriation therefor," approved March 11, 1889.

Bill ordered engrossed and to a third reading.

Mr. McElroy moved to adjourn.

Lost.

COMMUNICATION.

The Speaker read the following telegram, which was ordered printed in the Journal:

SAN JOSÉ, CAL., March 8, 1893.

To SPEAKER GOULD *and the Santa Clara County Delegation*:

The San José Chamber of Commerce urges you and the body over which you have the honor to preside to compel the railroads to pay their taxes, and no compromise.

HENRY FRENCH, Chairman of Committee.

MOTIONS.

Mr. Miller moved that Senate Bill No. 193 be substituted on the file for Assembly bill No. 350, and be read the second time.

So ordered.

Senate Bill No. 193—An Act to enfranchise the women citizens of this State, and prescribing their qualifications as electors.

Read second time, and ordered to a third reading.

Mr. Bennett of Orange moved to adjourn.

Lost.

Assembly Bill No. 512—An Act to amend an Act amendatory of and supplemental to an Act entitled "An Act to provide for the organization and government of irrigation districts, and to provide for the acquisition of water and other property, and for the distribution of water thereby for irrigation purposes," approved March 7, 1887, providing for the exclusion of certain lands within any such district, approved February 16, 1889.

The roll was called, and the bill passed by the following vote:

AYES—Messrs Anderson, Bennett of Santa Clara, Boyce, Brownlie, Buckley, Bulla, Carlson, Casterline, Chipman, Conway, Cusick, Dodge, Drees, Duffy, Durst, Gallagher, Gately, Hendrickson, Hurley, Hutson, Jacobs, Kennedy, Kahn, Luttringer, McGowan, Mack, Marks, Mordecai, O'Keefe, O'Neill, Pendleton, Perkins, Pueschel, Raw, Sargent, Schlesinger, Schroebel, Shanahan, Simpson, Sims, Taggart, Talbott, Thomas of Nevada, Tindall, and Wade—45.

NOES—Messrs. Adams, Alford, Barlow, Bennett of Orange, Burke, Finlayson, Kerns, LaRue, McCauley, Matthews of San Benito, Vann, and Mr Speaker—12.

Title read and approved.

NOTICE OF RECONSIDERATION.

Mr. Mordecai gave notice that on the next legislative day he will move a reconsideration of the vote whereby Assembly Bill No. 512 was passed.

ADJOURNMENT.

At eleven o'clock and fifteen minutes P. M., on motion of Mr. Schlesinger, the Assembly adjourned.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Thursday, March 9, 1893.

The Assembly met pursuant to adjournment.

Speaker Gould in the chair.

The roll was called, and the following members answered to their names:

Messrs Adams, Alford, Anderson, Androus, Barker, Barlow, Bennett of Santa Clara, Bennett of Orange, Blakeley, Bledsoe, Bretz, Brownlie, Buckley, Bulla, Burke, Carlson, Casterline, Chipman, Conway, Curtis, Cusick, Dodge, Drees, Duffy, Durst, Finlayson, Gallagher, Gately, Godchaux, Hamilton, Hendrickson, Hurley, Hutson, Jacobs, Jacobsen, Johnson of Humboldt, Johnson of Santa Clara, Kennedy, Kahn, Kerns, LaRue, Luttringer, Lynch, McCauley, McElroy, Mack, Marks, Marston, Mathews of Tehama, Matthews of San Benito, Miller, Mordecai, O'Keefe, O'Neill, Owen, Pendleton, Perkins, Pueschel, Raw, Sargent, Schlesinger, Schroebel, Shanahan, Simpson, Sims, Standart, Taggart, Talbott, Taylor, Thomas of Nevada, Tindall, Vann, Wade, and Mr. Speaker.

Quorum present.

PRAYER.

Prayer by the Chaplain, Rev. H. W. Conry.

READING AND APPROVAL OF THE JOURNAL.

Pending the reading of the Journal of yesterday, Mr. Bennett of Santa Clara moved that further reading be dispensed with.

So ordered.

Journal of Tuesday, March 7th, approved.

LEAVE OF ABSENCE.

Mr. Duckworth was granted leave of absence for the day.

MOTION.

Mr. Anderson moved that Assembly Bill No. 66 be taken up out of order, and read the third time.

So ordered.

THIRD READING OF BILL.

Assembly Bill No. 66—An Act to pay the claim of George Nelson against the State of California.

Read third time, and passed by the following vote:

AYES—Messrs. Adams, Anderson, Androus, Barker, Barlow, Bennett of Santa Clara, Bennett of Orange, Bulla, Burke, Casterline, Chipman, Conway, Cusick, Dodge, Drees, Duffy, Durst, Finlayson, Godchaux, Hamilton, Hendrickson, Hurley, Hutson, Jacobs, Johnson of Humboldt, Kerns, LaRue, Lynch, Mack, Marston, Mathews of Tehama, Matthews of San Benito, O'Keefe, Owen, Perkins, Pueschel, Sargent, Schlesinger, Schroebel, Shanahan, Simpson, Sims, Taggart, Thomas of Nevada, Tindall, Vann, Wade, and Mr. Speaker—48.

NOES—Mr Bledsoe—1

Title read and approved.

Mr. Anderson moved that Assembly Bill No. 66 be immediately transmitted to the Senate.

So ordered.

MOTION.

Mr. Simpson moved that Assembly Bill No. 191 be taken up out of order, and placed on its passage.

So ordered.

Assembly Bill No. 191—An Act to amend an Act entitled "An Act to establish a Political Code," approved March 12, 1872, by amending section seven hundred and ninety-one of said Code, relating to the appointment and number of Notaries Public in the several counties of this State.

The roll was called, and the bill passed by the following vote:

AYES—Messrs Adams, Androus, Barker, Barlow, Bennett of Santa Clara, Bennett of Orange, Bledsoe, Bretz, Bulla, Burke, Casterline, Chipman, Conway, Dodge, Drees, Duffy, Durst, Godchaux, Hamilton, Hurley, Hutson, Jacobs, Johnson of Humboldt, Kahn, Kerns, LaRue, Lynch, Mack, Marks, Marston, Mathews of Tehama, Matthews of San Benito, O'Keefe, Owen, Pueschel, Raw, Sargent, Schlesinger, Schroebel, Shanahan, Simpson, Sims, Standart, Taggart, Taylor, Thomas of Nevada, Vann, Wade, and Mr. Speaker—49.

NOES—None

Title read and approved.

Mr. Simpson moved that Assembly Bill No. 191 be immediately transmitted to the Senate.

So ordered.

MOTION.

Mr. Owen moved that Senate Bill No. 655 be taken up out of order, and read the first time.

So ordered.

FIRST READING OF BILL.

Senate Bill No. 655—An Act to pay the claim of Dr. M. Gardner against the State of California, and making an appropriation therefor.

Read first time, and placed on file for second reading.

REPORT OF STANDING COMMITTEE.

ON JUDICIARY.

ASSEMBLY CHAMBER, SACRAMENTO, March 9, 1893.

MR SPEAKER: Your Committee on Judiciary, to whom was referred Senate Bill No. 64—An Act to amend section nine hundred and eighty-seven of the Penal Code of the State of California, relating to the appointment of counsel in criminal cases, and providing for their compensation.

Also, Senate Bill No. 390—An Act to amend section six hundred and eighty-three of the Code of Civil Procedure of the State of California, relating to the return on execution.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

Also: Senate Bill No. 208—An Act relating to certain contracts for the conditional sale, lease, or hire of railroad and street railway equipment and rolling stock, and providing for the recording thereof

Also, Senate Bill No. 428—An Act to repeal section one thousand and ninety-three of an Act entitled "An Act to establish a Civil Code," approved March 21, 1872, relating to conveyances by married women.

Also Senate Bill No. 429—An Act to amend section nine hundred and forty-four of an Act entitled "An Act to establish a Penal Code," adopted February 14, 1872, relating to indictments for offenses triable in Justices' or Police Courts

Also, Senate Bill No. 430—An Act to amend sections one thousand four hundred and twenty-six, one thousand four hundred and twenty-seven, and one thousand four hundred and fifty-two of an Act entitled "An Act to establish a Penal Code," adopted February 14, 1872, relating to the manner of commencing actions before a Justice or Police Court for a public offense.

Also Senate Bill No 673—An Act to amend sections eight, nine, twelve, seventeen, forty-eight, and fifty-five of an Act of the Legislature of the State of California entitled "An Act for the relief of insolvent debtors, for the protection of creditors, and for the punishment of fraudulent debtors," approved April 16, 1880

Also: Senate Constitutional Amendment No. 15—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, relative to the exemption of fruit trees and vines from taxation

Also: Senate Constitutional Amendment No. 16—An Act providing to have submitted to the people an amendment to article thirteen of the Constitution, section one, in relation to revenue and taxation

Have had the same under consideration, and respectfully report the same back without recommendation

SHANAHAN, Chairman

MESSAGES FROM THE SENATE.

SENATE CHAMBER, SACRAMENTO, March 8, 1893.

MR. SPEAKER I am directed to inform your honorable body that the Senate, on this day, refused to adopt Assembly Constitutional Amendment No. 29—Proposing to the people of the State an amendment to section one of article thirteen of the Constitution, relative to exemptions from taxation.

Also: Adopted Assembly Joint Resolution No 4—Relating to the free and unlimited coinage of silver.

F J. BRANDON, Secretary
By R. SHAW, Assistant.

Assembly Joint Resolution No. 4 ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, March 8, 1893.

MR. SPEAKER: I am directed to inform your honorable body that the Senate, on the seventh day of March, 1893, passed Assembly Bill No. 18—An Act to provide for the incorporation of mutual fire insurance companies, and define their powers and duties.

Also: On this day respectfully refused passage to Assembly Bill No. 280—An Act to form San Antonio County, classify it, define its boundaries, provide for its organization, and the appointment and election of officers, the location of county seat by election, and the adjustment and fulfillment of certain rights and obligations arising between such new county and certain other counties.

F. J. BRANDON, Secretary.
By R. SHAW, Assistant

Assembly Bill No. 18 ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, March 8, 1893

MR SPEAKER I am directed to inform your honorable body that the Senate, on this day, amended and passed Assembly Bill No 365—An Act to provide for the transfer of certain moneys from one county to another, when a new county has been formed and organized

Also Assembly Bill No. 9—An Act to amend section four hundred and ten of the Code of Civil Procedure, relative to the serving of summons and complaint—was withdrawn by Senator Seymour.

F. J. BRANDON, Secretary.

SENATE AMENDMENT CONCURRED IN.

The question being, "Shall the Assembly concur in Senate amendment to Assembly Bill No. 365?"

The roll was called, and the Senate amendment concurred in by the following vote:

AYES—Messrs. Adams, Alford, Anderson, Androus, Barker, Bennett of Santa Clara, Bennett of Orange, Blakeley, Bledsoe, Bretz, Buckley, Bulla, Burke, Cusick, Dodge, Drees, Duffy, Durst, Godchaux, Hamilton, Hendrickson, Hurley, Hutson, Jacobs, Jacobsen, Johnson of Humboldt, Johnson of Santa Clara, Kahn, Kerns, LaRue, Mack, Marks, Marston, Mathews of Tehama, Matthews of San Benito, Miller, O'Keefe, O'Neill, Pendleton, Perkins, Pueschel, Raw, Sargent, Schlesinger, Schroebel, Shanahan, Sims, Standart, Taggart, Thomas of Nevada, Tindall, Vann, Wade, and Mr Speaker—54.

NOES—None

Assembly Bill No. 365 ordered to enrollment.

SENATE MESSAGES—(RESUMED).

SENATE CHAMBER, SACRAMENTO, March 8, 1893.

MR SPEAKER: I am directed to inform your honorable body that the Senate, on this day, passed Senate Bill No 748—An Act to amend section seven hundred and sixty-four of an Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883, relative to the powers of the Board of Trustees of cities of the fifth class.

Also: Senate Bill No 606—An Act to pay the claim of A. J. Bourn against the State of California, and making an appropriation therefor

Also: Senate Bill No. 553—An Act to amend section one thousand two hundred and twenty-two of the Code of Civil Procedure of the State of California, in relation to judgments in cases of contempt, and providing for appeals therefrom.

F. J. BRANDON, Secretary.

Senate Bill No. 748 ordered on file.

Senate Bill No. 606 referred to Committee on Ways and Means.

MOTION.

Mr. Sargent moved that Senate Bill No. 553 be read the first time.

So ordered.

FIRST READING OF BILL.

Senate Bill No. 553—An Act to amend section one thousand two hundred and twenty-two of the Code of Civil Procedure of the State of California, in relation to judgment in cases of contempt, and providing for appeals therefrom.

Read first time, and placed on file for second reading.

SENATE MESSAGES—(RESUMED).

SENATE CHAMBER, SACRAMENTO, March 8, 1893

MR SPEAKER: I am directed to inform your honorable body that the Senate, on the sixth day of March, 1893, passed Senate Bill No. 607—An Act to provide for furnishing assistants to the Coroner of each city, or city and county having one hundred thousand or more inhabitants, and providing the mode in which such assistants shall be appointed and designated, and establishing the compensation and prescribing the duties of such assistants.

F. J. BRANDON, Secretary.
By R. SHAW, Assistant.

MOTION.

Mr. Burke moved that Senate Bill No. 607 be read the first time.

So ordered.

FIRST READING OF BILL.

Senate Bill No. 607—An Act to provide for furnishing assistants to the Coroner of each city, or city and county, having one hundred thousand or more inhabitants, and providing the mode in which such assistants shall be appointed and designated, and establishing the compensation and prescribing the duties of such assistants.

Read first time, and placed on file for second reading.

SENATE MESSAGES—(RESUMED).

SENATE CHAMBER, SACRAMENTO, March 8, 1893

MR. SPEAKER: I am directed to inform your honorable body that the Senate, on this day, passed Senate Bill No. 141—An Act to retire teachers of the public schools of the State of California upon partial pay

F J BRANDON, Secretary.
By R. SHAW, Assistant

MOTION.

Mr. Kahn moved that Senate Bill No. 141 be read the first time.
So ordered.

FIRST READING OF BILL.

Senate Bill No. 141—An Act to retire teachers of the public schools of the State of California upon partial pay.
Read first time, and placed on file for second reading.

SENATE MESSAGES—(RESUMED).

SENATE CHAMBER, SACRAMENTO, March 9, 1893.

MR SPEAKER. I am directed to inform your honorable body that the Senate, on the eighth day of March, 1893, passed Senate Joint Resolution No 26—Asking of Congress to cede to the State of California the island in the bay of San Francisco, known as Yerba Buena, or "Goat Island," to be used by said State solely for general railroad terminal purposes

F. J BRANDON, Secretary.
By R. SHAW, Assistant.

Senate Joint Resolution No. 26 referred to Committee on Federal Relations.
Also:

SENATE CHAMBER, SACRAMENTO, March 9, 1893.

MR. SPEAKER: I am directed to inform your honorable body that the Senate, on the third day of March, 1893, adopted Senate Concurrent Resolution No 9—Relative to proceedings of Blaine memorial.
Also: On the fourth day of March, 1893, adopted Senate Concurrent Resolution No. 10—Relative to adjournment *sine die*

F. J BRANDON, Secretary.
By R SHAW, Assistant.

Senate Concurrent Resolution No. 9 read and adopted.
Senate Concurrent Resolution No. 10 referred to Committee on Ways and Means.
Also:

SENATE CHAMBER, SACRAMENTO, March 9, 1893.

MR. SPEAKER: I am directed to inform your honorable body that the Senate, on the ninth day of March, 1893, adopted Senate Constitutional Amendment No 20—To propose to the people of the State of California an amendment to the Constitution of the State, amending section one of article four thereof, relative to the Legislative Department
Also: Senate Constitutional Amendment No. 21—To propose to the people of the State of California an amendment to the Constitution of the State, amending section twenty-two of article four thereof, relative to the power of the Legislature to grant aid to corporations.

F. J BRANDON, Secretary.
By R. SHAW, Assistant.

Senate Constitutional Amendments Nos. 20 and 21 ordered placed on third reading file.
Also:

SENATE CHAMBER, SACRAMENTO, March 9. 1893.

MR. SPEAKER: I am directed to inform your honorable body that the Senate, on the eighth day of March, 1893, passed Senate Bill No. 104—An Act to amend sections one thousand five hundred and ninety-six, one thousand five hundred and ninety-nine, and one thousand six hundred and two of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, and to add a new section thereto, to be numbered section one thousand six hundred and three, relating to the election of School Trustees
Also· Senate Bill No. 328—An Act to amend section two thousand six hundred and seven of the Political Code of the State of California, relating to the exemption of State property from assessment by municipal and county governments.

F. J BRANDON, Secretary.
By R. SHAW, Assistant.

WITHDRAWAL OF BILL.

Mr. Sargent, on his motion, the author consenting, was allowed to withdraw Senate Bill No. 104.

MOTION.

Mr. Dodge moved that Senate Bill No. 328 be read the first time.
So ordered.

FIRST READING OF BILL.

Senate Bill No. 328—An Act to amend section two thousand six hundred and seven of the Political Code of the State of California, relating to the exemption of State property from assessment by municipal and county governments.
Read first time, and placed on file for second reading.

MOTION.

Mr. Standart moved that Assembly Bill No. 449 be taken up out of order, and read the third time.
So ordered.

THIRD READING OF BILL.

Assembly Bill No. 449—An Act to pay the claim of J. N. Cardoza, also the claim of Farmer & Hoxie, and also the claim of D. M. Davison, their heirs or assigns, for military services in defending the eastern frontier against the attacks of the Indians.
Read third time, and passed by the following vote:

AYES—Messrs. Adams, Alford, Anderson, Androus, Barker, Barlow, Bennett of Santa Clara, Bennett of Orange, Buckley, Bulla, Curtis, Cusick, Dodge, Drees, Durst, Gallagher Gately, Godchaux, Hendrickson, Hurley, Jacobs, Johnson of Humboldt, Johnson of Santa Clara, Kerns, Luttringer, Lynch, McCauley, Mack, Marks, Marston, Miller, Mordecai, O'Keefe, O'Neill, Owen, Pendleton, Perkins, Pueschel, Sargent, Schlesinger, Shanahan, Simpson, Sims, Standart, Taylor, Thomas of Nevada, Tindall, Vann, Wade, and Mr. Speaker—50.
NOES—Messrs. Bledsoe, Kahn, and Schroebel—3.

Title read and approved.
Mr. Standart moved that Assembly Bill No. 449 be immediately transmitted to the Senate.
So ordered.

SPECIAL ORDERS.

Assembly Bill No. 803—An Act making an appropriation to pay the deficiency in the appropriation for expenses of Supreme Court, under section forty-seven, Code of Civil Procedure, for forty-second fiscal year.
Read third time, and passed by the following vote:

AYES—Messrs. Adams, Anderson, Barlow, Bennett of Santa Clara, Bennett of Orange, Blakeley, Bretz, Buckley, Bulla, Casterline, Chipman, Conway, Curtis, Cusick, Dodge, Drees, Duffy, Durst, Gately, Godchaux, Hamilton, Hendrickson, Hurley, Hutson, Johnson of Santa Clara, Kennedy, Kahn, Kerns, Mack, Marks, Marston, O'Keefe, O'Neill, Owen, Pendleton, Perkins, Schlesinger, Schroebel, Simpson, Sims, Standart, Taylor, Thomas of Nevada, Tindall, Wade, and Mr. Speaker—46
NOES—Messrs. Androus, Bledsoe, Jacobs, McCauley, and Raw—5

Title read and approved.

Senate Bill No. 742—An Act making an appropriation to pay the deficiency in the appropriation for the transportation of prisoners, for the forty-fourth fiscal year.

Read second time.

Senate Bill No. 743—An Act making an appropriation to pay the deficiency in the appropriation for the transportation of insane, for the forty-fourth fiscal year.

Read second time.

MOTION.

Mr. Lynch moved that the Assembly resolve itself into Committee of the Whole, with the Speaker in the chair, for the purpose of considering Senate Bill No. 742 and Senate Bill No. 743.

So ordered.

IN COMMITTEE OF THE WHOLE.

Speaker Gould in the chair.

Senate Bill No. 742 and Senate Bill No. 743 were considered in Committee of the Whole.

IN ASSEMBLY.

Speaker Gould in the chair.

REPORT OF THE COMMITTEE OF THE WHOLE.

The Speaker stated the report of the Committee of the Whole, as follows:

GENTLEMEN. The Committee of the Whole have had under consideration Senate Bill No. 742 and Senate Bill No. 743, and now report, and recommend that the same do pass

Senate Bills Nos. 742 and 743 ordered to a third reading.

Assembly Bill No. 403—An Act to amend section six hundred and twenty-six of the Penal Code, relating to the preservation of game birds and animals, and providing punishment for the unlawful taking, killing, and transportation thereof.

The question being, "Shall the Assembly concur in Senate amendments to Assembly Bill No. 403?"

Mr. Alford moved to strike out the enacting clause.

Lost.

The roll was called, and the Senate amendments concurred in by the following vote:

AYES—Messrs. Adams, Alford, Anderson, Barker, Barlow, Bennett of Santa Clara, Bennett of Orange, Bledsoe, Brownlie, Buckley, Bulla, Burke, Carlson, Casterline, Chipman, Conway, Cusick, Dodge, Drees, Duffy, Gately, Godchaux, Hamilton, Hendrickson, Hutson, Johnson of Humboldt, Johnson of Santa Clara, Kennedy, Kahn, Kerns, Lynch, McCauley, McElroy, Mack, Marks, Miller, Mordecai, O'Neill, Owen, Pendleton, Perkins, Raw, Schlesinger, Shanahan, Simpson, Taggart, Taylor, Tindall, Vann, and Wade—51.

NOES—Messrs. Bretz, Jacobsen, Schroebel, and Mr. Speaker—4.

Assembly Bill No. 403 ordered to enrollment.

Assembly Bill No. 796—An Act making appropriations for the support of the government of the State of California, for the forty-fifth and forty-sixth fiscal years.

Passed on file.

Assembly Bill No. 677—An Act appropriating money for the purchase of land for the Industrial Home of Mechanical Trades for the Adult Blind.

Read second time.

Mr. Dodge moved to amend, as follows:

Amend by inserting the words "thereon westerly," after the word "distant," on line five, in section one, and by inserting the words "the northerly line of," after the word "with," on line six, section one

Adopted.

MOTION.

Mr. Dodge moved that the Assembly resolve itself into Committee of the Whole, with the Speaker in the chair, for the purpose of considering Assembly Bill No. 677.

So ordered.

IN COMMITTEE OF THE WHOLE.

Speaker Gould in the chair.

Assembly Bill No. 677 was considered in Committee of the Whole.

IN ASSEMBLY.

Speaker Gould in the chair.

REPORT OF THE COMMITTEE OF THE WHOLE.

The Speaker stated the report of the Committee of the Whole, as follows:

GENTLEMEN: The Committee of the Whole have had under consideration Assembly Bill No. 677, and now report, and recommend that the same do pass.

Bill ordered engrossed and to a third reading.

Assembly Bill No. 759—An Act to add a new section to the Code of Civil Procedure, relating to proceedings affecting the title to real estate, to be known as section seven hundred and fifty.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Adams, Alford, Anderson, Barker, Barlow, Bennett of Santa Clara, Bennett of Orange, Bledsoe, Buckley, Bulla, Burke, Casterline, Conway, Cusick, Dodge, Drees, Duffy, Durst, Gately, Godchaux, Hamilton, Hendrickson, Hurley, Hutson, Jacobs, Johnson of Humboldt, Kennedy, Kahn, Kerns, Lynch, McElroy, Marston, Matthews of San Benito, O'Keefe, O'Neill, Schlesinger, Shanahan, Simpson, Standart, Taggart, Talbott, Taylor, Thomas of Nevada, Tindall, Vann, and Mr. Speaker—46

NOES—None.

Title read and approved.

Mr. Shanahan moved that Assembly Bills Nos. 757, 758, and 759 be immediately transmitted to the Senate.

So ordered.

REPORT OF STANDING COMMITTEE.

ON ENGROSSMENT

ASSEMBLY CHAMBER, SACRAMENTO, March 9, 1893.

MR SPEAKER: Your Committee on Engrossment have examined and found correctly engrossed Assembly Bill No 714

CONWAY, for Chairman.

SPECIAL ORDERS—(RESUMED).

Assembly Bill No. 74—An Act to amend section one hundred and sixty-five of an Act entitled "An Act to establish a uniform system of county and township governments," approved March 31, 1891.

Read second time.

The Committee on County and Township Governments offered a substitute (the County Government Bill), entitled "An Act to establish a uniform system of county and township governments."

Substitute as printed was read and adopted.

Mr. Bledsoe moved to amend the substitute, as follows:

By inserting the following, after line forty-two, in section one hundred and seventy-four, page eighty-seven:
"43. The District Attorney, two thousand dollars per annum "

Adopted.

The committee offered the following amendments to the substitute:

AMENDMENT No 1

On page thirteen, printed bill, at the end of line two hundred and twenty-eight, add the following: "and also in a newspaper of general circulation, published at the county seat "

Mr. Alford moved to substitute, as follows:

By striking out of section twenty-three, lines two hundred and twenty-seven and two hundred and twenty-eight, the words "published in the city, town, or village nearest to property affected," and inserting the following: "of general circulation, to be selected by the Board of Supervisors."

Adopted.

AMENDMENT No. 2.

On page twenty-three, line five, of section sixty, of printed bill, strike out the word "herein," and insert the word "hereinbefore "

Adopted.

AMENDMENT No 3.

On page forty, in section one hundred and thirty-nine, strike out all of lines eight, nine, ten, eleven, and twelve

Adopted.

AMENDMENT No. 4.

On page eighty-seven, between lines forty-two and forty-three, insert the following:
"8 The District Attorney, twenty-four hundred dollars per annum."

Lost.

AMENDMENT No. 5.

On pages one hundred and two and one hundred and three, strike out lines two hundred and seventy-five to two hundred and ninety-nine, inclusive.

Adopted.

AMENDMENT No. 6.

On pages one hundred and ten and one hundred and eleven, strike out all of lines one hundred and ninety-nine to two hundred and twenty-four, inclusive.

Adopted.

AMENDMENT No. 7.

On page one hundred and twenty-seven, line eighteen, of section one hundred and eighty-four, strike out all after the word "Surveyor," down to and including the word "labor," on line twenty, and insert the following: "such fees as are now or may hereafter be allowed by law."

Adopted.

AMENDMENT No. 8.

On page one hundred and thirty-three, after line one hundred and forty-six, add the following.

"16. The provisions of this section, so far as it relates to fees, shall take effect and be in force from and after the passage of this Act."

Adopted.

AMENDMENT No 10.

On page one hundred and seventy-four, after the word "Surveyor," in line one hundred and ninety-six, strike out the balance of subdivision twelve down to and including line two hundred and nineteen, and insert the following "such fees as are now or may hereafter be allowed by law."

Adopted.

AMENDMENT No. 11.

On page one hundred and eighty-two, line one hundred and thirty-eight, strike out the word "fifty," and insert in lieu thereof the words "one hundred"

Adopted.

AMENDMENT No. 13.

On page one hundred and eighty-nine, strike out all of subdivision sixteen of section two hundred and ten, in lines twenty-five, twenty-six, and twenty-seven, and insert in lieu thereof the following:

"16 When the fees earned by the County Clerk and the County Recorder in any one month are more than the amount of his salary, then the said County Clerk and County Recorder shall be allowed to retain one half of such fees which are over and above the amount of his salary for his own use"

Adopted.

AMENDMENT No. 14.

On page one hundred and eighty-nine, line four, section two hundred and eleven, strike out all after the word "annum," down to and including the word "Clerk," on line seven

Adopted.

AMENDMENT No. 15.

On page one hundred and sixty-two, line one hundred and thirty-eight, strike out the word "fifty," and insert in lieu thereof the words "one hundred."

Adopted.

AMENDMENT No. 16.

Page forty-one, section one hundred and forty-four, amend by striking out in line one the words "prepare all plans and specifications and"

Also Amend in line three by striking out the words "plans and specifications"

Mr. Lynch in the chair.

Mr. Gould moved that the hour of recess be extended five minutes.

So ordered.

Amendment adopted.

MOTION.

Mr. Gould moved that the further consideration of the substitute be made a special order for to-morrow, immediately after Senate messages.

So ordered.

RECESS.

The hour of recess having arrived, the Speaker declared recess until two o'clock P. M.

REASSEMBLED.

The Assembly reassembled at two o'clock P. M.
Speaker Gould in the chair.
Quorum present.

MOTION.

Mr. Schroebel moved that the following Assembly Bills be withdrawn, and stricken from the file: Assembly Bills Nos. 39, 80, 115, 119, 147, 209, 252, 279, 289, 334, 348, 347, 355, 358, 359, 360, 370, 414, 418, 454, 536, 537, 545, 548, 565, 591, 592, 594, 616, 620, 636, 652, 685, 695, 718, 722, 754, 764, 771, 783, 827, and 840, they having been embodied in the Omnibus County Government Bill, now known as Substitute for Assembly Bill No. 74.
So ordered.

RESOLUTION.

By Mr. Lynch:

Resolved, That Assembly Bill No 853 presents a case of urgency, as that term is used in section fifteen of article four of the Constitution, and the provisions of that section requiring that the bill shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the second and third times, and placed upon its passage.

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

AYES—Messrs. Adams, Anderson, Barker, Barlow, Bennett of Santa Clara, Bennett of Orange, Bledsoe, Boyce, Bretz, Brownlie, Buckley, Bulla, Burke, Casterline, Chipman, Conway, Drees, Duckworth, Durst, Finlayson, Gately, Hamilton, Hendrickson, Hutson, Jacobs, Jacobsen, Johnson of Humboldt, Kahn, Kerns, LaRue, Lynch, McElroy, McGowan, Mack, Marston, Mathews of Tehama, Matthews of San Benito, Mordecai, O'Keefe, O'Neill, Owen, Perkins, Pueschel, Sargent, Schlesinger, Schroebel, Simpson, Sims, Standart, Taggart, Taylor, Thomas of Nevada, Tindall, Vann, Wade, and Mr. Speaker—56.
NOES—None.

SECOND READING OF BILL.

Assembly Bill No. 853—An Act to provide for the appropriation for the contingent expenses of the Assembly.
Read second time.

MOTION.

Mr. Lynch moved that the Assembly resolve itself into Committee of the Whole, with the Speaker in the chair, for the purpose of considering Assembly Bill No. 853.
So ordered.

IN COMMITTEE OF THE WHOLE.

Speaker Gould in the chair.
Assembly Bill No. 853 was considered in Committee of the Whole.

IN ASSEMBLY.

Speaker Gould in the chair.

REPORT OF THE COMMITTEE OF THE WHOLE.

The Speaker stated the report of the Committee of the Whole, as follows:

GENTLEMEN: The Committee of the Whole have had under consideration Assembly Bill No. 853, and now report, and recommend that the same do pass.

Bill considered engrossed, and ordered to a third reading.

THIRD READING OF BILL.

Assembly Bill No. 853—An Act to provide for the appropriation for the contingent expenses of the Assembly.

Read third time, and passed by the following vote:

AYES—Messrs. Adams, Anderson, Androus, Barker, Barlow, Bennett of Santa Clara, Bennett of Orange, Blakeley, Bledsoe, Boyce, Buckley, Bulla, Burke, Casterline, Chipman, Dodge, Drees, Duffy, Durst, Finlayson, Gately, Godchaux, Hamilton, Hendrickson, Hurley, Hutson, Jacobs, Johnson of Humboldt, Kahn, Kerns, LaRue, Lynch, McElroy, McGowan, Marston, Mathews of Tehama, Matthews of San Benito, Mordecai, O'Neill, Perkins, Sargent, Schlesinger, Schroebel, Shanahan, Simpson, Sims, Standart, Taggart, Talbott, Taylor, Thomas of Nevada, Tindall, Vann, Wade, and Mr. Speaker—55

NOES—None.

Title read and approved.

MOTION.

Mr. Schlesinger moved that Assembly Bill No. 853 be immediately transmitted to the Senate.

So ordered.

SPECIAL ORDER.

Senate Substitute for Assembly Bill No. 10—An Act in relation to reassessment of property, the equalization of the same, and the collection of taxes thereon, in cases where a former assessment, made since 1882, is illegal or invalid, or where the proceedings for the collection of such taxes have been ineffectual by reason of error, irregularity, or invalidity, and such taxes have not been paid.

Read second time.

Committee amendments, as follows:

AMENDMENT No. 1.

On line eleven of the printed bill, strike out the word "general," before the word "tax," also, strike out the word "levy," after the word "tax," and in place thereof insert the word "levies"

AMENDMENT No. 2.

On line twelve of the printed bill, strike out the word "in," before the word "which," and in place thereof insert the word "for."

AMENDMENT No. 3.

On line one, of section two of the printed bill, strike out the words "in the year eighteen hundred and ninety-three"

Mr. Finlayson offered the following substitute for the committee amendments and section one of the bill:

SECTION 1. Every assessment of property made after the year one thousand eight hundred and seventy-nine which is invalid, or may hereafter be adjudged to be, by

reason of any illegality, invalidity, or irregularly declared or existing in the assessment of such property, or in the mode provided for the assessment thereof, shall be remade and the property reassessed and equalized for each year for which such assessment is invalid as aforesaid, and for the year for which the assessment of such property was invalid as aforesaid, and such reassessment and equalization shall be made by the same officers and Boards, at the same time or times, as are now prescribed by law for the assessment and equalization of property, of the same classes or kinds as the property which hereby is required to be reassessed The assessment and equalized assessment of such property shall be entered on the several assessment rolls or books in the same manner that assessments of such property are or were required by law to be entered for the year or years during which such reassessments shall be made. And there is hereby levied for State purposes the same rates of taxation for each of such respective years as were heretofore levied upon such property for each of said years for said State purposes.

Mr. Kahn in the chair.

Mr. Gould moved that debate on the substitute do now close.

So ordered.

Upon the substitute, the ayes and noes were demanded by Messrs. Schlesinger, Jacobsen, and Bledsoe.

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

AYES—Messrs. Adams, Alford, Barker, Barlow, Bennett of Orange, Bledsoe, Boyce, Bretz, Brownlie, Buckley, Burke, Casterline, Conway, Cusick, Dodge, Drees, Emeric, Finlayson, Gallagher, Gately, Godchaux, Hendrickson, Hurley, Hutson, Jacobs, Jacobsen, Johnson of Humboldt, Johnson of Santa Clara, Kennedy, Kahn, Kerns, Luttringer, McCauley, McElroy, Mack, Marks, Marston, Matthews of San Benito, Mordecai, O'Neill, Pueschel, Schlesinger, Schroebel, Shanahan, Sims, Taylor, Tindall, Vann, Wade, and Mr Speaker—50.

NOES—Messrs. Anderson, Androus, Bennett of Santa Clara, Blakeley, Bulla, Carlson, Duckworth, Durst, Hamilton, Lynch, Mathews of Tehama, Miller, O'Keefe, Owen, Perkins, Raw, Sargent, Simpson, Taggart, and Thomas of Nevada—20.

RECESS.

At six o'clock and twelve minutes P. M., on motion of Mr. Schroebel, the Assembly took a recess until eight o'clock P. M.

EVENING SESSION.

The Assembly reassembled at eight o'clock P. M.

Speaker Gould in the chair.

Quorum present.

MOTIONS.

Mr. Mordecai moved to suspend the rules, to continue the consideration of Senate Committee Substitute for Assembly Bill No. 10.

Lost.

Mr. Finlayson moved that the further consideration of Substitute for Assembly Bill No. 10 be made a special order for nine o'clock this evening.

The ayes and noes were demanded by Messrs. Shanahan, Finlayson, and Drees.

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

AYES—Messrs Alford, Bledsoe, Buckley, Burke, Conway, Curtis, Cusick, Drees, Duffy, Finlayson, Gallagher, Gately, Godchaux, Hendrickson, Hurley, Hutson, Jacobsen, Johnson of Humboldt, Johnson of Santa Clara, Kahn, Kerns, LaRue, Luttringer, Mack, Marks, Matthews of San Benito, Mordecai, Schlesinger, Schroebel, Shanahan, Sims, Tindall, Vann, and Mr. Speaker—34

NOES—Messrs. Adams, Anderson, Androus, Barker, Barlow, Bennett of Santa Clara, Bennett of Orange, Blakeley, Bretz, Bulla, Carlson, Casterline, Chipman, Dodge, Durst, Jacobs, Lynch, McGowan, Marston, Miller, O'Neill, Owen, Perkins, Raw, Sargent, Simpson, Standart, Taggart, Talbott, Taylor, Thomas of Nevada, and Wade—32

MOTIONS.

Mr. Shanahan moved that the further consideration of Substitute for Assembly Bill No. 10 be made a special order for to-morrow, immediately after Senate messages.

So ordered.

Speaker pro tem. Mathews in the chair.

Mr. Mordecai moved to reconsider the vote whereby Assembly Bill No. 512 was passed.

PREVIOUS QUESTION.

Mr. Shanahan moved the previous question, seconded by Messrs. Wade and Kennedy.

The question being, "Shall the main question be now put?"

So ordered.

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

AYES—Messrs Adams, Alford, Barlow, Bennett of Orange, Bretz, Bulla, Burke, Carlson, Drees, Durst, Finlayson, Godchaux, Hamilton, Hurley, Jacobsen, Kahn, Kerns, LaRue, McCauley, McElroy, Mathews of Tehama, Matthews of San Benito, Mordecai, O'Keefe, Perkins, Schroebel, Simpson, Taylor, Vann, and Wade—30.

NOES—Messrs Anderson, Androus, Bennett of Santa Clara, Brownlie, Buckley, Casterline, Chipman, Conway, Curtis, Cusick, Dodge, Duffy, Gallagher, Gately, Hendrickson, Hutson, Jacobs, Johnson of Humboldt, Kennedy, Luttringer, Lynch, McGowan, Mack, Marks, Marston, O'Neill, Pueschel, Sargent, Schlesinger, Shanahan, Sims, Standart, Taggart, Talbott, Thomas of Nevada, and Tindall—36.

RECONSIDERATION.

Mr. Alford moved to reconsider the vote whereby Senate Bill No. 116 was passed.

PREVIOUS QUESTION.

Mr. Dodge moved the previous question, seconded by Messrs. Schlesinger and Bennett of Santa Clara.

The question being, "Shall the main question be now put?"

So ordered.

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

AYES—Messrs Adams, Alford, Anderson, Androus, Barlow, Bennett of Santa Clara, Bennett of Orange, Bledsoe, Boyce, Bretz, Buckley, Bulla, Burke, Carlson, Casterline, Chipman, Conway, Curtis, Cusick, Dodge, Drees, Duffy, Durst, Finlayson, Gallagher, Godchaux, Hamilton, Hendrickson, Hurley, Hutson, Jacobs, Jacobsen, Johnson of Santa Clara, Kennedy, Kerns, McElroy, Mack, Marks, Marston, Mathews of Tehama, Matthews of San Benito, Miller, Mordecai, O'Keefe, O'Neill, Perkins, Pueschel, Schlesinger, Schroebel, Shanahan, Simpson, Sims, Tindall, Vann, and Wade—55.

NOES—Messrs. Gately, LaRue, McCauley, McGowan, Sargent, Taggart, and Thomas of Nevada—7

RESOLUTION.

By Mr. Shanahan:

Resolved, That the Senate is hereby requested to return to this House Senate Bill No 116, the House having voted to reconsider the same.

Adopted.

MOTION.

Mr. Pueschel moved that Assembly Bill No. 512 be immediately transmitted to the Senate.

So ordered.

Mr. Barlow moved to reconsider the vote whereby the enacting clause was stricken from Senate Bill No. 438.

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

AYES—Messrs. Adams, Alford, Androus, Barlow, Bennett of Orange, Buckley, Burke, Carlson, Casterline, Conway, Curtis, Cusick, Dodge, Durst, Finlayson, Hamilton, Hendrickson, Hurley, Kennedy, Kahn, Kerns, McCauley, McElroy, Mack, Marston, Mathews of Tehama, Matthews of San Benito, Miller, Owen, Perkins, Pueschel, Schlesinger, Shanahan, Taylor, Tindall, and Vann—36.

NOES—Messrs. Anderson, Blakeley, Boyce, Bretz, Bulla, Chipman, Drees, Duffy, Gallagher, Gately, Hutson, Jacobs, Johnson of Humboldt, LaRue, Lynch, McGowan, Mordecai, O'Keefe, O'Neill, Raw, Sargent, Simpson, Standart, Taggart, Thomas of Nevada, and Wade—26.

MOTION.

Mr. Schlesinger moved that the consideration of Senate Bill No. 438 be made a special order for to-morrow, at three o'clock and thirty minutes P. M.

So ordered.

REPORT OF STANDING COMMITTEE.

ON WAYS AND MEANS.

ASSEMBLY CHAMBER, SACRAMENTO, March 9, 1893.

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred Senate Bill No. 606—An Act to pay the claim of A. J Bourn against the State of California, and making an appropriation therefor—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended

W. P. MATHEWS, Chairman

LEAVE OF ABSENCE.

Mr. Sims was granted leave of absence for the remainder of the evening.

URGENCY FILE.

In accordance with resolution previously adopted, the roll was called to permit members to each place a bill on the urgency file.

The bills placed on the urgency file are set opposite the names of members calling them up, as follows:

Mr. Adams, Assembly Bill No. 487.
Mr. Alford, Assembly Bill No. 773.
Mr. Androus, Assembly Bill No. 752.
Mr. Barlow, Substitute for Assembly Bill No. 167.
Mr. Bennett of Orange, Assembly Bill No. 375.
Mr. Blakeley, Assembly Bill No. 474.
Mr. Bledsoe, Assembly Joint Resolution No. 12.
Mr. Boyce, Assembly Bill No. 544.
Mr. Bretz, Assembly Bill No. 222.
Mr. Brownlie, Assembly Bill No. 476.
Mr. Bulla, Assembly Bill No. 240.
Mr. Burke, Assembly Bill No. 610.
Mr. Carlson, Assembly Bill No. 580.
Mr. Casterline, Assembly Bill No. 647.
Mr. Chipman, Assembly Bill No. 514.
Mr. Conway, Assembly Bill No. 716.
Mr. Curtis, Assembly Bill No 204.
Mr. Cusick, Assembly Bill No. 317.

Mr. Dodge, Assembly Bill No. 812.
Mr. Drees, Assembly Bill No. 617.
Mr. Duckworth, Assembly Bill No. 669.
Mr. Duffy, Assembly Bill No. 697.
Mr. Durst, Assembly Bill No. 572.
Mr. Finlayson, Assembly Bill No. 263.
Mr. Gallagher, Assembly Bill No. 238.
Mr. Godchaux, Assembly Bill No. 303.
Mr. Hendrickson, Assembly Bill No. 851.
Mr. Hurley, Senate Bill No. 607.
Mr. Jacobsen, Assembly Bill No. 382.
Mr. Johnson of Humboldt, Assembly Bill No. 381.
Mr. Johnson of Santa Clara, Assembly Bill No. 487.
Mr. Kahn, Assembly Bill No. 820.
Mr. Kerns, Assembly Bill No. 817.
Mr. LaRue, Assembly Bill No. 619.
Mr. Lynch, Assembly Bill No. 732.
Mr. McCauley, Senate Bill No. 381.
Mr. McGowan, Assembly Bill No. 845.
Mr. Mack, Senate Bill No. 347.
Mr. Marks, Assembly Bill No. 655.
Mr. Marston, Assembly Bill No. 846.
Mr. Mathews of Tehama, Assembly Bill No. 466.
Mr. Matthews of San Benito, Assembly Bill No. 525.
Mr. Miller, Assembly Bill No. 351.
Mr. Mr. Mordecai, Assembly Bill No. 260.
Mr. O'Keefe, Assembly Bill No. 109.
Mr. O'Neill, Assembly Bill No. 24.
Mr. Owen, Assembly Bill No. 626.
Mr. Pendleton, Assembly Bill No. 751.
Mr. Perkins, Assembly Bill No. 436.
Mr. Pueschel, Assembly Bill No. 13.
Mr. Raw, Assembly Bill No. 178.
Mr. Sargent, Assembly Bill No. 172.
Mr. Schlesinger, Assembly Bill No. 330.
Mr. Shanahan, Assembly Bill No. 450.
Mr. Simpson, Assembly Bill No. 118.
Mr. Sims, Assembly Bill No. 745.
Mr. Standart, Assembly Bill No. 598.
Mr. Taggart, Assembly Constitutional Amendment No. 31.
Mr. Taylor, Assembly Bill No. 404.
Mr. Thomas of Nevada, Assembly Bill No. 635.
Mr. Tindall, Assembly Bill No. 102.
Mr. Vann, Assembly Bill No. 356.
Mr. Wade, Senate Bill No. 147.
Mr. Speaker, Assembly Bill No. 141.

MOTIONS.

Mr. Kahn moved that the special order, the consideration of Assembly Bill No. 538, be postponed until to-morrow, at three o'clock and thirty minutes P. M.

So ordered.

Mr. Finlayson moved that all unconsidered special orders set for this day be postponed until the same hour to-morrow.

So ordered.

Mr. Burke moved that Substitute for Senate Bills Nos. 291, 183, and 123 be made a special order for to-morrow morning, immediately after Senate messages.

So ordered.

URGENCY FILE.

Mr. Sargent moved that Assembly Bill No. 852 be substituted on the file for Assembly Bill No. 373, and be read the first time.

So ordered.

FIRST READING OF BILL.

Assembly Bill No. 852—An Act confirming to the city of Oakland the possession, right of possession, and control of its waterfront and tide lands, in inalienable trust for the public use and benefit.

Read first time, and placed on file for second reading.

Speaker Gould in the chair.

Mr. Anderson, on his motion, was allowed to withdraw Assembly Bill No. 308.

URGENCY FILE—(RESUMED).

Assembly Bill No. 432—An Act to amend section two hundred and ninety-one of the Civil Code, relating to the articles of incorporation of railroad, wagon road, and telegraph corporations.

Passed on file.

Assembly Bill No. 433—An Act to amend section two hundred and ninety-three of the Civil Code, relating to railroad, wagon road, and telegraph corporations.

Passed on file.

Assembly Bill No. 434—An Act to amend section four hundred and fifty-six of the Civil Code, relating to the borrowing of money and the issuance of bonds by railroad corporations.

Passed on file.

Assembly Bill No. 435—An Act to provide for the consolidation of railroad corporations organized under the laws of the State of California, with railroad corporations organized under the laws of any other State or Territory, or both.

Passed on file.

Assembly Bill No. 604—An Act appropriating money to pay the claims of John Mullan, for services rendered by him for this State.

Read third time, and passed by the following vote:

AYES—Messrs Adams, Alford, Anderson, Androus, Barlow, Bennett of Santa Clara, Bennett of Orange, Boyce, Brownlie, Buckley, Bulla, Carlson, Casterline, Chipman, Curtis, Cusick, Dodge, Duckworth, Duffy, Durst, Finlayson, Gallagher, Hendrickson, Jacobs, Jacobsen, Johnson of Santa Clara, Kennedy, Kerns, Lynch, McCauley, McGowan, Mack, Marks, Marston, Matthews of San Benito, Miller, Mordecai, O'Keefe, O'Neill, Owen, Perkins, Raw, Sargent, Schlesinger, Schroebel, Shanahan, Taggart, Taylor, Thomas of Nevada, Tindall, Vann, Wade, and Mr. Speaker—54.

NOES—Messrs. Bledsoe, Hurley, Hutson, Johnson of Humboldt, and McElroy—5.

Title read and approved.

Mr. Lynch moved that Assembly Bill No. 604 be immediately transmitted to the Senate.

So ordered.

Assembly Bill No. 391—An Act to enfranchise the women citizens of this State, and prescribing their qualifications as electors.

Read third time.

MOTION.

Mr. Miller moved that a select committee of one be appointed by the Speaker to amend Assembly Bill No. 391, as follows:

Amend by striking out of section one, line two, the word "eleven," and inserting the following: "two."

So ordered.

APPOINTMENT OF COMMITTEE.

Mr. Miller was appointed such committee to make said amendment.

REPORT OF SELECT COMMITTEE.

ASSEMBLY CHAMBER, SACRAMENTO, March 9, 1893.

MR. SPEAKER: Your select committee, to whom was referred Assembly Bill No. 350, with instructions to amend in accordance with the action of the House, would respectfully report that the instructions of the House have been carried out.

MILLER, Committee

Adopted.

Mr. Tindall moved that Senate Bill No. 606 be substituted on the file for Assembly Bill No. 665, and be read the first time.

So ordered.

Senate Bill No. 606—An Act to pay the claim of A. J. Bourn against the State of California, and making an appropriation therefor.

Read first time, and placed on file for second reading.

Assembly Bill No. 596—An Act creating a State Board of Public Works, defining their duties and powers, prescribing their compensation, and making an appropriation.

Read third time, and passed by the following vote:

AYES—Messrs. Anderson, Androus, Barker, Bennett of Santa Clara, Boyce, Brownlie, Buckley, Burke, Carlson, Casterline, Chipman, Conway, Cusick, Dodge, Drees, Duckworth, Gallagher, Hamilton, Jacobsen, Kennedy, Kahn, Kerns, Luttringer, Lynch, McGowan, Mack, Marks, Miller, O'Keefe, Owen, Perkins, Pueschel, Sargent, Schlesinger, Shanahan, Taggart, Taylor, Thomas of Nevada, Tindall, Vann, and Wade—41

NOES—Messrs. Adams, Alford, Barlow, Bennett of Orange, Bledsoe, Bulla, Durst, Hendrickson, Hurley, Hutson, Johnson of Humboldt, McElroy, Marston, Matthews of San Benito, Mordecai, Schroebel, Simpson, and Mr. Speaker—18.

Title read and approved.

Mr. Anderson moved that Assembly Bill No. 596 be immediately transmitted to the Senate.

So ordered.

REPORT OF STANDING COMMITTEE.

ON ENGROSSMENT

ASSEMBLY CHAMBER, SACRAMENTO, March 9, 1893

MR. SPEAKER: Your Committee on Engrossment beg leave to report that the following Assembly Bills have been correctly engrossed: Assembly Bills Nos. 819, 727, 538, 613, 747, 141, 732, 104, 614, 575, and 246.

KENNEDY, Chairman.

MOTION.

Mr. Shanahan moved to withdraw Assembly Bills Nos. 432, 433, 434, and 435 (Nos. 545, 546, 547, and 548 on to-day's urgency file), and substitute therefor Assembly Constitutional Amendment No. 28 (No. 32 on to-day's file); also, Assembly Bill No. 623 (No. 228 on to-day's file).

So ordered.

ADJOURNMENT.

At ten o'clock and twenty minutes P. M., on motion of Mr. Schroebel, the Assembly adjourned.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Friday, March 10, 1893.

The Assembly met pursuant to adjournment.

Speaker Gould in the chair.

The roll was called, and the following members answered to their names:

Messrs Adams, Alford, Anderson, Androus, Barlow, Bennett of Santa Clara, Bennett of Orange, Blakeley, Bledsoe, Boyce, Bretz, Buckley, Bulla, Burke, Carlson, Chipman, Conway, Curtis, Cusick, Dodge, Drees, Duckworth, Duffy, Durst, Finlayson, Gallagher, Gately, Godchaux, Hamilton, Hendrickson, Hurley, Hutson, Jacobs, Jacobsen, Johnson of Humboldt, Johnson of Santa Clara, Kahn, Kerns, LaRue, Luttringer, Lynch, McCauley, McElroy, McGowan, Mack, Marks, Marston, Mathews of Tehama, Matthews of San Benito, Miller, Mordecai, O'Keefe, O'Neill, Owen, Pendleton, Perkins, Raw, Sargent, Schlesinger, Schroebel, Shanahan, Simpson, Sims, Standart, Taggart, Talbott, Taylor, Thomas of Nevada, Tindall, Vann, Wade, and Mr Speaker.

Quorum present.

LEAVE OF ABSENCE.

On motion of Mr. Kahn, Mr. Barker was granted leave of absence for the remainder of the session.

Mr. Casterline was granted leave of absence for the day.

PRAYER.

Prayer by the Chaplain, Rev. H. W. Conry.

READING AND APPROVAL OF THE JOURNAL.

Pending the reading of the Journal of yesterday, Mr. Kahn moved that further reading be dispensed with.

So ordered.

Journal of Wednesday, March 8, 1893, approved.

RESOLUTION.

By Mr. Finlayson:

Resolved, That no one but members be permitted to occupy seats at the desks of the members

Mr. Schlesinger moved to amend by inserting the words, "and their wives."

Mr. Mathews of Tehama moved to lay the resolution on the table.

Lost.

Amendment adopted.

Resolution adopted.

REPORTS OF STANDING COMMITTEES.

ON ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, March 9, 1893

MR. SPEAKER: Your Committee on Enrollment beg leave to report that the following bills have been correctly enrolled, viz.:

Assembly Bill No. 193—An Act to provide for incorporation, operation, and management of cooperative associations

Also: Assembly Bill No 245—An Act entitled an Act to pay the claim of Sands W. Forman, for services as Secretary of the State Board of Forestry, and appropriating the sum of three hundred and seventy-five dollars to pay such claim.

Also: Assembly Bill No 277—An Act entitled an Act to prevent the sale of short-weight rolls of butter

Also. Assembly Bill No 307—An Act to amend section one thousand two hundred and thirty-eight of the Code of Civil Procedure of the State of California, concerning the right of eminent domain.

Also: Assembly Bill No. 416—An Act authorizing the Superintendent of State Printing to have prepared and printed an index to all the laws of California, 1850–1893.

Also: Assembly Bill No. 477—An Act making an appropriation for the payment of the claim of A. L. Rhodes for his services as counsel for the plaintiffs in an action entitled "The County of Santa Clara vs. The Southern Pacific Railroad Company," and other actions, in the Circuit Court of the United States, Ninth Circuit, District of California, and in the Supreme Court of the United States, brought for the collection of delinquent taxes assessed upon the property of railroad companies

Also. Assembly Bill No 788—An Act appropriating money to pay the expense of transporting, insuring, and installing of a California exhibit in the Woman's Building of the World's Columbian Exposition

Also: Assembly Bill No. 839—An Act to provide for the preparation, printing, and distribution of a volume expository of the resources of California, at the World's Columbian Exposition at Chicago, and appropriating money therefor.

Also: Assembly Bill No 847—An Act to repeal an Act entitled "An Act to provide for the erection at San Quentin State Prison a building for the accommodation of the insane prisoners, and making appropriation therefor," approved March 19, 1889

And were presented to the Governor March 9, 1893, at three o'clock and twenty minutes P. M.

O'NEILL, Chairman.

ON COMMERCE AND NAVIGATION.

ASSEMBLY CHAMBER, SACRAMENTO, March 10, 1893.

MR SPEAKER: Your Committee on Commerce and Navigation, to whom was referred Assembly Bill No. 709—An Act to amend section two thousand four hundred and sixty-eight of the Political Code, relative to pilotage

Also: Assembly Bill No 710—An Act to amend section two thousand four hundred and sixty-seven of the Political Code, relative to charges for towage.

Also. Assembly Bill No 711—An Act to amend sections two thousand four hundred and thirty-six, two thousand four hundred and forty, two thousand four hundred and forty-three of article five of the Political Code, relating to pilots and Pilot Commissioners, and two thousand four hundred and fifty-seven, two thousand four hundred and sixty, two thousand four hundred and sixty-two, two thousand four hundred and sixty-five, two thousand four hundred and sixty-six, two thousand four hundred and sixty-seven of article six of the Political Code, relating to the pilot regulations for San Francisco, Mare Island, and Benicia.

Also: Assembly Bill No. 712—An Act to amend section two thousand five hundred and twenty of the Political Code, relating to the Board of State Harbor Commissioners, the powers, duties, and terms of office, and time of taking office

Also. Assembly Bill No 823—An Act to define and extend the jurisdiction of the Board of State Harbor Commissioners in and over Channel Street and other basins and canals in the City and County of San Francisco.

Have had the same under consideration, and respectfully report the same back without recommendation.

GODCHAUX, Chairman.

ON JUDICIARY.

ASSEMBLY CHAMBER, SACRAMENTO, March 10, 1893.

MR. SPEAKER: Your Committee on Judiciary, to whom was referred the following Assembly petitions, viz.: Relative to the limitation of the number of Notaries Public in the county of Los Angeles.

Also: Relative to the appointment of an additional Judge for Fresno County

Also: Relative to providing two additional Judges of Superior Court in and for Alameda County.

Also: Communication from P B. Gallagher, calling attention to article twenty, section sixteen of the Constitution.

Also. The following resolution:

Resolved, That the Judiciary Committee of this Assembly is hereby instructed to investigate the necessity of framing a law which will settle the question of the length of time which must necessarily elapse between the occurring of a vacancy and the date of calling an election to fill such vacancy, under the provisions of the present election law, and further, that in the event of finding such legislation necessary, said committee is also instructed to report to this House a bill covering the question involved.

Have had the same under consideration, and respectfully report the resolution back without recommendation.

SHANAHAN, Chairman.

ON WAYS AND MEANS.

ASSEMBLY CHAMBER, SACRAMENTO, March 10, 1893.

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred Senate Concurrent Resolution No 10—Relative to adjournment *sine die*—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

W. P. MATHEWS, Chairman.

SENATE CONCURRENT RESOLUTION No. 10.

Mr. Shanahan moved that the consideration of Senate Concurrent Resolution No. 10 be made a special order for Saturday, at two o'clock P. M.

Lost.

Upon the resolution the ayes and noes were demanded by Messrs. Hurley, Schlesinger, and Godchaux.

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

AYES—Messrs. Adams, Alford, Anderson, Androus, Barlow, Bennett of Santa Clara, Bennett of Orange, Bledsoe, Bulla, Carlson, Chipman, Curtis, Dodge, Duckworth, Duffy, Durst, Finlayson, Hamilton, Jacobs, Jacobsen, Johnson of Humboldt, Kahn, Kerns, LaRue, Lynch, McCauley, Mack, Mathews of Tehama, Matthews of San Benito, Mordecai, Owen, Perkins, Raw, Schlesinger, Schroebel, Shanahan, Simpson, Standart, Taggart, Talbott, Tindall, Vann, Wade, and Mr Speaker—45.

NOES—Messrs. Bretz, Buckley, Burke, Conway, Cusick, Drees, Gately, Godchaux, Hendrickson, Hurley, Hutson, Luttringer, Marks, Marston, O'Keefe, O'Neill, Sargent, and Taylor—18.

MOTIONS.

Mr. Mathews of Tehama moved that when the Assembly adjourns this day it do so until to-morrow at nine o'clock A. M.

So ordered.

Mr. Gately moved that no member be allowed to speak more than five minutes upon any one subject.

Mr. Mathews moved to amend by making the time one minute.

Adopted.

Motion as amended adopted.

REPORT OF STANDING COMMITTEE.

ON WAYS AND MEANS.

ASSEMBLY CHAMBER, SACRAMENTO, March 9, 1893.

MR SPEAKER: Your Committee on Ways and Means, to whom was referred Senate Bill No. 147—An Act to amend an Act approved February 28, 1887, entitled "An Act to

amend an Act to appropriate money for the support of aged persons in indigent circumstances residing in the Home of the Veterans' Home Association, approved March 7, 1883," providing for an increase in the annual appropriation therefor, and changing the time for the payment thereof—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

W. P. MATHEWS, Chairman.

MESSAGE FROM THE SENATE.

SENATE CHAMBER, SACRAMENTO, March 9, 1893.

MR. SPEAKER: I am directed to inform your honorable body that the Senate, on this day, passed Senate Bill No. 783—An Act making an appropriation to pay the deficiency in the appropriation for per diem and mileage of Lieutenant-Governor and Senators, for the forty-fourth fiscal year

Also: Senate Bill No. 784—An Act making an appropriation to pay the deficiency in the appropriation for pay of officers and clerks of the Senate, for the forty-fourth fiscal year.

Also: Senate Bill No. 781—An Act to appropriate moneys to aid in erecting a monument over the grave of ex-Governor William Irwin, and to prescribe the duties of the Controller and Directors of State Burial Grounds in relation thereto.

Also: Return herewith Substitute for Assembly Bill No 543—An Act regulating the sale of the lands uncovered by the recession of the waters of inland lakes, and unsegregated swamp and overflowed lands.

F. J. BRANDON, Secretary.
By R. SHAW, Assistant.

Senate Bill No. 781 ordered on file.

RESOLUTION.

By Mr. Finlayson:

Resolved, That Senate Bills Nos 783 and 784 present cases of urgency, as that term is used in section fifteen of article four of the Constitution, and the provisions of that section requiring that the bills shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bills be read the first, second, and third times, and placed upon their passage.

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

AYES—Messrs Adams, Alford, Anderson, Androus, Barlow, Bennett of Santa Clara, Bennett of Orange, Bledsoe, Boyce, Bretz, Brownlie, Buckley, Bulla, Burke, Carlson, Chipman, Conway, Curtis, Cusick, Dodge, Drees, Duckworth, Duffy, Durst, Finlayson, Gately, Godchaux, Hamilton, Hendrickson, Hutson, Jacobs, Jacobsen, Johnson of Humboldt, Kahn, Kerns, LaRue, Luttringer, Lynch, McCauley, Mack, Marks, Marston, Mathews of Tehama, Matthews of San Benito, O'Keefe, Owen, Raw, Schlesinger, Schroebel, Simpson, Standart, Taggart, Talbott, Tindall, Vann, Wade, and Mr. Speaker—57.

NOES—None.

FIRST AND SECOND READING OF BILLS.

Senate Bill No. 783—An Act making an appropriation to pay the deficiency in the appropriation for per diem and mileage of Lieutenant-Governor and Senators, for the forty-fourth fiscal year.

Read first and second times.

Senate Bill No. 784—An Act making an appropriation to pay the deficiency in the appropriation for pay of officers and clerks of the Senate, for the forty-fourth fiscal year.

Read first and second times.

MOTION.

Mr. Matthews of San Benito moved that the Assembly resolve itself into Committee of the Whole, with the Speaker in the chair, for the purpose of considering Senate Bills Nos. 783 and 784.

So ordered.

IN COMMITTEE OF THE WHOLE.

Speaker Gould in the chair.

Senate Bills Nos. 783 and 784 were considered in Committee of the Whole.

IN ASSEMBLY.

Speaker Gould in the chair.

REPORT OF THE COMMITTEE OF THE WHOLE.

The Speaker stated the report of the Committee of the Whole, as follows:

GENTLEMEN: The Committee of the Whole have had under consideration Senate Bills Nos. 783 and 784, and now report, and recommend that the same do pass.

Senate Bills Nos. 783 and 784 ordered to a third reading.

THIRD READING OF BILLS.

Senate Bill No. 783—An Act making an appropriation to pay the deficiency in the appropriation for per diem and mileage of Lieutenant-Governor and Senators, for the forty-fourth fiscal year.

Read third time, and passed by the following vote:

AYES—Messrs. Anderson, Androus, Barlow, Bennett of Santa Clara, Bennett of Orange, Bledsoe, Bulla, Burke, Carlson, Chipman, Conway, Curtis, Cusick, Dodge, Drees, Duffy, Durst, Finlayson, Gately, Godchaux, Hendrickson, Hutson, Jacobs, Jacobsen, Johnson of Humboldt, Kahn, Kerns, LaRue, Luttringer, McCauley, Mack, Marks, Marston, Mathews of Tehama, Matthews of San Benito, Mordecai, O'Keefe, Owen, Perkins, Raw, Schlesinger, Schroebel, Simpson, Sims, Standart, Taggart, Taylor, Tindall, and Mr. Speaker—49.

NOES—None

Title read and approved.

Senate Bill No. 784—An Act making an appropriation to pay the deficiency in the appropriation for pay of officers and clerks of the Senate, for the forty-fourth fiscal year.

Read third time, and passed by the following vote:

AYES—Messrs. Adams, Anderson, Barlow, Bennett of Santa Clara, Bledsoe, Bulla, Burke, Carlson, Chipman, Curtis, Cusick, Dodge, Drees, Duffy, Durst, Finlayson, Godchaux, Hendrickson, Hutson, Jacobs, Jacobsen, Johnson of Humboldt, Kahn, Kerns, LaRue, Luttringer, McCauley, McElroy, Mack, Marks, Mordecai, O'Keefe, Owen, Pendleton, Perkins, Raw, Schlesinger, Schroebel, Shanahan, Simpson, Sims, Standart, Taggart, Talbott, Taylor, Tindall, Vann, Wade, and Mr. Speaker—49.

NOES—None.

Title read and approved.

MOTIONS.

Mr. Burke moved that Senate Bills Nos. 783 and 784 be immediately transmitted to the Senate.

So ordered.

Mr. Anderson moved that the resolution previously adopted, prohibiting persons from occupying seats besides members, be amended so as not to apply to Senators.

Adopted.

MESSAGES FROM THE SENATE.

SENATE CHAMBER, SACRAMENTO, March 9, 1893.

MR SPEAKER: I am directed to inform your honorable body that the Senate, on this day, passed Assembly Bill No. 305—An Act to amend section one thousand two hundred and ten of the Code of Civil Procedure, relating to reentry upon real property

Also: Assembly Bill No. 244—An Act to provide for the compensation of the Chief and Captain of Police and police officers in cities in the State of California containing not less than ten thousand and not exceeding twenty-five thousand inhabitants

Also: Assembly Bill No. 235—An Act supplemental to an Act entitled "An Act to provide for the organization and government of irrigation districts, and to provide for the acquisition of water and other property, and for the distribution of water thereby for irrigation purposes," approved March 7, 1887, providing for reducing the bonded indebtedness thereof

Also: Assembly Bill No 853—An Act to provide for the appropriation for the contingent expenses of the Assembly

F J BRANDON, Secretary.
By R. SHAW, Assistant.

Assembly Bills Nos. 305, 244, 235, and 853 ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, March 9, 1893.

MR. SPEAKER: I am directed to inform your honorable body that the Senate, on this day, passed Assembly Bill No. 691—An Act relating to Treasurers, their deputies and clerks, in counties, and cities and counties having a population of two hundred thousand inhabitants or over.

Also: Assembly Bill No. 368—An Act granting to the Board of Supervisors of Sonoma County, California, right of way through the lands of the California Home for the Care and Training of Feeble-Minded Children, to enable said Board of Supervisors to change the location of the public highway now traversing said lands

Also: Senate Bill No 757—An Act providing for the removal of human remains from cemeteries in cities having a population of more than five thousand and not exceeding one hundred thousand.

Also. Senate Bill No. 557—An Act for the protection of fish

Also: Senate Bill No 701—An Act to create a State Advisory Highway Committee.

F. J. BRANDON, Secretary.
By R. SHAW, Assistant

Assembly Bills Nos. 691 and 368 ordered to enrollment.

Senate Bills Nos. 557 and 701 ordered on file.

Also:

SENATE CHAMBER, SACRAMENTO, March 9, 1893

MR. SPEAKER: I am directed to inform your honorable body that the Senate, on this day, passed Senate Bill No. 467—An Act to amend "An Act to provide for the organization, incorporation, and government of municipal corporations," as approved March 13, 1883, and amended March 19, 1889.

Also: Senate Bill No. 487—An Act to insure preference in appointment, employment, and retention therein, in the public service of the State of California, and municipalities, villages, and counties of the State of California, to ex-Union soldiers of the late war.

Also: Senate Bill No. 644—An Act relating to the operation of railroads

Also: Senate Bill No. 543—An Act to amend section two hundred and eighty-six of the Civil Code of the State of California, relating to the purposes for which private corporations may be formed.

F J BRANDON, Secretary.
By R. SHAW, Assistant.

Senate Bills Nos. 467 and 543 ordered on file.

MOTION.

Mr. Bennett of Santa Clara moved that Senate Bill No. 487 be read the first time.

So ordered.

FIRST READING OF BILL.

Senate Bill No. 487—An Act to insure preference in appointment, employment, and retention therein, in the public service of the State of California, and municipalities, villages, and counties of the State of California, to ex-Union soldiers of the late war.

Read first time, and placed on file for second reading.

MOTION.

Mr. Duffy moved that Senate Bill No. 644 be read the first time.

So ordered.

FIRST READING OF BILL.

Senate Bill No. 644—An Act relating to the operation of railroads.

Read first time, and placed on file for second reading.

MESSAGES FROM THE SENATE—(RESUMED).

SENATE CHAMBER, SACRAMENTO, March 9, 1893

MR. SPEAKER: I am directed to inform your honorable body that the Senate, on the eighth day of March, respectfully refused passage to Assembly Bill No 284—An Act for the relief of George Dougherty.

Also: Returns herewith Assembly Bill No. 428—An Act to amend sections five hundred and twenty-seven, five hundred and thirty-one, and five hundred and thirty-two of the Political Code, relating to public printing, and the duties of the Superintendent of State Printing—withdrawn from Senate file by Senator Burke

F. J. BRANDON, Secretary
By R. SHAW, Assistant.

MOTION.

Mr. Dodge moved that Senate Bill No. 701 be read the first time.

So ordered.

FIRST READING OF BILL.

Senate Bill No. 701—An Act to create a State Advisory Highway Committee.

Read first time, and placed on file for second reading.

MESSAGES FROM THE SENATE—(RESUMED).

SENATE CHAMBER, SACRAMENTO, March 9, 1893.

MR. SPEAKER. I am directed to inform your honorable body that the Senate, on the ninth day of March, 1893, passed Assembly Bill No 20—An Act making an appropriation for the construction of a seawall, thoroughfare, and piers, in the harbor of San Diego

Also: Committee Substitute for Assembly Bills Nos. 16, 57, 129, 157, 176, 524, 667, and 730—An Act to amend sections one thousand five hundred and twenty, one thousand five hundred and twenty-one, one thousand five hundred and thirty-two, one thousand five hundred and thirty-three, one thousand five hundred and forty-three, one thousand five hundred and fifty-one, one thousand five hundred and fifty-three, one thousand five hundred and sixty, one thousand five hundred and sixty-one, one thousand five hundred and sixty-four, one thousand five hundred and sixty-five, one thousand five hundred and seventy-six, one thousand five hundred and seventy-seven, one thousand five hundred and eighty-one, one thousand five hundred and eighty-three, one thousand five hundred and ninety-three, one thousand five hundred and ninety-six, one thousand five hundred and ninety-nine, one thousand six hundred and two, one thousand six hundred and fourteen, one thousand six hundred and fifteen, 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 thirty-four, one thousand six hundred and thirty-six, one thousand six hundred and

thirty-seven, one thousand six hundred and thirty-eight, one thousand six hundred and thirty-nine, one thousand six hundred and fifty, one thousand six hundred and fifty-one, 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 eighty-seven, one thousand six hundred and ninety-six one thousand six hundred and ninety-eight, one thousand six hundred and ninety-nine, one thousand seven hundred and twelve, one thousand seven hundred and thirteen, one thousand seven hundred and fourteen, one thousand seven hundred and sixty-eight, 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-five, one thousand seven hundred and seventy-six, 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 seven hundred and ninety-two, one thousand seven hundred and ninety-three, one thousand eight hundred and seventeen, one thousand eight hundred and thirty, one thousand eight hundred and thirty-three, one thousand eight hundred and thirty-five, one thousand eight hundred and thirty-six, one thousand eight hundred and fifty-seven, one thousand eight hundred and fifty-eight, one thousand eight hundred and sixty-one, one thousand eight hundred and seventy-four, one thousand eight hundred and seventy-seven, one thousand eight hundred and seventy-nine, one thousand eight hundred and eighty, one thousand eight hundred and eighty-two, one thousand eight hundred and eighty-three, one thousand five hundred and three of the Political Code; to add thereto three new sections, to be known and numbered as sections one thousand six hundred and sixty-nine, one thousand six hundred and seventy, and one thousand six hundred and seventy-one; to repeal sections one thousand seven hundred and fifty-seven and one thousand seven hundred and sixty-nine of the Political Code, all relating to the public schools; and also to repeal "An Act to authorize the establishment of county high schools, and provide for their support," approved March 10, 1891, and "An Act to provide for the establishment of high schools in the State of California," approved March 20, 1891, and all Acts and parts of Acts in conflict with the provisions of this Act.

F. J. BRANDON, Secretary.
By R. SHAW, Assistant.

Assembly Bill No. 20 and Committee Substitute ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, March 9, 1893.

MR. SPEAKER: I am directed to inform your honorable body that the Senate, on the seventh day of March, 1893, passed Senate Bill No 43—An Act appointing Sheriffs and Constables Game and Fish Wardens

Also: On March 9, 1893, passed Senate Bill No. 341—An Act making an appropriation to pay the deficiencies in the appropriation for traveling expenses for the Surveyor-General and the Attorney-General, when engaged in contests between the State and the United States in relation to public lands, for the forty-third fiscal year.

Also: Senate Bill No 662—An Act to promote the practical study of the sciences in the high schools of California

Also: Senate Bill No. 491—An Act making an appropriation for reimbursing the county of Marin, for moneys expended by it for the prosecution of crimes committed within the State Prison at San Quentin, and for inquest held over the bodies of convicts who have died within said prison.

F J BRANDON, Secretary.
By R. SHAW, Assistant.

Senate Bills Nos. 43, 341, 662, and 491 ordered on file.

Also:

SENATE CHAMBER, SACRAMENTO, March 9, 1893.

MR. SPEAKER: I am directed to inform your honorable body that the Senate, on the third day of March, 1893, passed Senate Bill No 624—An Act to amend sections three thousand four hundred and eighty-one and three thousand four hundred and eighty-two of the Political Code, relating to the division of swamp land districts.

Also: On the ninth day of March, 1893, passed Senate Bill No. 525—An Act to pay the claim of Cornelius Lynch, and to appropriate money therefor.

Also: Senate Bill No. 772—An Act to pay the claim of Robert B. Young, and to make an appropriation for the same

Also Senate Bill No 56—An Act appropriating money to pay the claim of Jerome Deasy for arresting A P. Clark, a fugitive from justice, and bringing said A. P. Clark from Victoria, B C., to California, under extradition papers, said A. P. Clark being charged with the crime of forgery.

F. J. BRANDON, Secretary.
By R. SHAW, Assistant

Senate Bill No. 772 ordered on file.

MOTION.

Mr. Tindall moved that Senate Bill No. 525 be read the first time.
So ordered.

FIRST READING OF BILL.

Senate Bill No. 525—An Act to pay the claim of Cornelius Lynch, and to appropriate money therefor.
Read first time, and placed on file for second reading.

MOTION.

Mr. LaRue moved that Senate Bill No. 624 be read the first time.
So ordered.

FIRST READING OF BILL.

Senate Bill No. 624—An Act to amend sections three thousand four hundred and eighty-one and three thousand four hundred and eighty-two of the Political Code, relating to the division of swamp land districts.
Read first time, and placed on file for second reading.

MOTION.

Mr. Finlayson moved that Senate Bill No. 56 be read the first time.
So ordered.

FIRST READING OF BILL.

Senate Bill No. 56—An Act appropriating money to pay the claim of Jerome Deasy for arresting A. P. Clark, a fugitive from justice, and bringing said A. P. Clark from Victoria, B. C., to California, under extradition papers, said A. P. Clark being charged with the crime of forgery.
Read first time, and placed on file for second reading.

MESSAGES FROM THE SENATE—(RESUMED).

SENATE CHAMBER, SACRAMENTO, March 10, 1893.

MR. SPEAKER: I am directed to inform your honorable body that the Senate, on the ninth day of March, 1893, passed Senate Bill No. 128—An Act authorizing the incurring of indebtedness and issuance of bonds by cities, towns, and municipal corporations incorporated under the laws of this State, for the construction of waterworks, sewers, buildings, breakwaters, seawalls, embankments, and all necessary public improvements, or for the purchase of land for necessary public use, or for any purpose whatever, and to repeal all portions of Acts in conflict therewith; *providing*, that proceedings for the issuance of bonds commenced under any prior Act shall in nowise be affected by this Act, but shall in all respects be finished and completed according to the Act under which such proceedings have been commenced.

Also, Senate Bill No. 453—An Act to amend section four hundred and ninety-seven of the Civil Code of the State of California, relating to street railroad corporations

F. J. BRANDON, Secretary.
By R SHAW, Assistant.

Senate Bills Nos. 128 and 453 ordered on file.
Also:

SENATE CHAMBER, SACRAMENTO, March 10, 1893.

MR. SPEAKER: I am directed to inform your honorable body that the Senate, on the sixth day of March, 1893, adopted Senate Concurrent Resolution No. 11—Approving the

charter of the town of Grass Valley, in Nevada County, California, which was voted for and ratified by the qualified electors of said town, at a special election held therein for that purpose, on February 28, 1893.

Also: On March 7, 1893, adopted Senate Constitutional Amendment No. 7—To propose to the people of the State of California an amendment to the Constitution of the State, amending section nine of article thirteen thereof, relative to the election of a State Board of Equalization.

F. J. BRANDON, Secretary.
By R SHAW, Assistant.

MOTION.

Mr. Thomas of Nevada moved to take up Senate Concurrent Resolution No. 11.

So ordered.

Senate Concurrent Resolution No. 11—Approving the charter of the town of Grass Valley, in Nevada County, California, which was voted for and ratified by the qualified electors of said town, at a special election held therein for that purpose, on February 28, 1893.

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

AYES—Messrs. Adams, Alford, Anderson, Androus, Bennett of Santa Clara, Bennett of Orange, Bledsoe, Bretz, Buckley, Bulla, Burke, Carlson, Conway, Cusick, Dodge, Drees, Duffy, Durst, Finlayson, Gately, Godchaux, Hamilton, Hurley, Hutson, Jacobs, Jacobsen, Johnson of Humboldt, Kahn, Kerns, LaRue, Luttringer, Lynch, McCauley, McElroy, McGowan, Mack, Marks, Marston, Mathews of Tehama, Mordecai, O'Neill, Owen, Pendleton, Perkins, Raw, Schlesinger, Schroebel, Simpson, Sims, Standart, Taggart, Talbott, Taylor, Thomas of Nevada, Tindall, Vann, Wade, and Mr. Speaker—57.

NOES—None

COMMUNICATION.

DEPARTMENT OF STATE, STATE OF CALIFORNIA,
SACRAMENTO, March 10, 1893.

Hon. F. H. GOULD, *Speaker of the Assembly:*

DEAR SIR: The Assembly, on the 8th instant, passed a resolution directing me to deliver to the Chief Clerk of your honorable body eighty-one copies of the "History of Political Conventions in California," the same to be distributed to members of the Assembly, etc. I beg respectfully to state that the work named in the resolution is not one of the volumes in the care of the Secretary of State, or subject to his control. It has been published by the State Library, and is the property of that department.

Very respectfully,

E. G WAITE,
Secretary of State.

MOTION.

Mr. Kerns moved to take up Senate Constitutional Amendment No. 7.

So ordered.

Senate Constitutional Amendment No. 7—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, amending section nine of article thirteen thereof, relative to the election of a State Board of Equalization.

The roll was called, and Senate Constitutional Amendment No. 7 refused adoption by the following vote:

AYES—Messrs. Alford, Androus, Bennett of Santa Clara, Bledsoe, Boyce, Buckley, Bulla, Burke, Conway, Curtis, Cusick, Dodge, Drees, Finlayson, Gallagher, Gately, Godchaux, Hendrickson, Hutson, Johnson of Humboldt, Kahn, Lynch, Marks, Marston, Matthews of San Benito, O'Keefe, Pendleton, Schlesinger, Simpson, Taylor, Wade, and Mr Speaker—32.

NOES—Messrs. Adams, Anderson, Barlow, Bennett of Orange, Blakeley, Bretz, Duffy, Durst, Hamilton, Jacobs, Jacobsen, Kerns, LaRue, McCauley, McElroy, Mathews of Tehama, Mordecai, O'Neill, Owen, Perkins, Raw, Sargent, Schroebel, Sims, Standart, Taggart, Talbott, Thomas of Nevada, Tindall, and Vann—30.

NOTICE OF RECONSIDERATION.

Mr. Kerns gave notice that on the next legislative day he will move a reconsideration of the vote whereby Senate Constitutional Amendment No. 7 was refused adoption.

MOTION.

Mr. Gately moved that Senate Bill No. 557 be read the first time.
So ordered.

FIRST READING OF BILL.

Senate Bill No. 557—An Act for the protection of fish.
Read first time, and placed on file for second reading.

MOTION.

Mr. Taylor moved that Senate Bill No. 491 be read the first time.
So ordered.

FIRST READING OF BILL.

Senate Bill No. 491—An Act making an appropriation for reimbursing the county of Marin for moneys expended by it for the prosecution of crimes committed within the State Prision at San Quentin, and for inquest held over the bodies of convicts who have died within said prison.
Read first time, and placed on file for second reading.

MESSAGES FROM THE SENATE—(RESUMED).

SENATE CHAMBER, SACRAMENTO, March 10, 1893.

MR. SPEAKER: I am directed to inform your honorable body that the Senate, on the eighth day of March, 1893, passed Senate Bill No. 782—An Act to amend an Act entitled "An Act to amend section three hundred and seventy-four of the Penal Code, relating to crimes against the public health," as approved March 3, 1893

Also: Returns herewith, at the request of the Assembly, Senate Bill No 116—An Act to amend an Act entitled "An Act to establish a Civil Code," approved March 21, 1872, by adding a new section to said Civil Code, to be known as section four hundred and thirty-three, permitting the establishment of mutual insurance companies.

F. J BRANDON, Secretary.
By R. SHAW, Assistant.

Senate Bill No. 782 ordered on file.
Also:

SENATE CHAMBER, SACRAMENTO, March 9, 1893.

MR SPEAKER: I am directed to inform your honorable body that the Senate, on this day, passed Assembly Bill No 188, as amended in Senate—An Act to amend an Act entitled "An Act to form agricultural districts, to provide for the formation of agricultural associations therein, and for the management and control of the same by the State, and to repeal so much of an Act entitled 'An Act to form agricultural districts, to provide for the formation of agricultural associations therein, and for the management and control of the same by the State,'" approved March 20, 1891, by amending sections one, eleven, and twelve.

F. J. BRANDON, Secretary.
By R. SHAW, Assistant.

The question being, "Shall the Assembly concur in Senate amendment to Assembly Bill No. 188?"
The roll was called, and the Senate amendment concurred in by the following vote:

AYES—Messrs. Adams, Alford, Anderson, Androus, Barlow, Bennett of Orange, Bledsoe, Boyce, Bretz, Bulla, Burke, Carlson, Conway, Dodge, Drees, Duffy, Durst, Finlayson, Gallagher, Hamilton, Hendrickson, Hurley, Hutson, Jacobs, Jacobsen, Kahn, Kerns, Lynch, Mack, Marks, Marston, Mathews of Tehama, Matthews of San Benito, Mordecai, O'Keefe, Perkins, Raw, Schlesinger, Schroebel, Simpson, Standart, Taggart, Talbott, Thomas of Nevada, Tindall, Vann, Wade, and Mr. Speaker—48.
NOES—None.

SPECIAL ORDERS.

Senate Bill No. 742—An Act making an appropriation to pay the deficiency in the appropriation for the transportation of prisoners, for the forty-fourth fiscal year.

Read third time, and passed by the following vote:

AYES—Messrs. Adams, Anderson, Androus, Barlow, Bennett of Orange, Boyce, Bretz, Bulla, Carlson, Conway, Cusick, Dodge, Drees, Duckworth, Duffy, Finlayson, Godchaux, Hendrickson, Hurley, Hutson, Jacobs, Jacobsen, Johnson of Humboldt, Kahn, Kerns, Lynch, McCauley, McElroy, Marks, Mathews of Tehama, Matthews of San Benito, Mordecai, O'Keefe, Perkins, Schroebel, Simpson, Standart, Taggart, Talbott, Thomas of Nevada, Tindall, Vann, Wade, and Mr. Speaker—44.
NOES—Mr. Bledsoe—1.

Title read and approved.

Senate Bill No. 743—An Act making an appropriation to pay the deficiency in the appropriation for the transportation of insane, for the forty-fourth fiscal year.

Read third time, and passed by the following vote:

AYES—Messrs. Adams, Anderson, Androus, Barlow, Bennett of Santa Clara, Bennett of Orange, Boyce, Bretz, Bulla, Conway, Cusick, Dodge, Duckworth, Duffy, Durst, Finlayson, Godchaux, Hendrickson, Hurley, Hutson, Jacobsen, Johnson of Santa Clara, Kahn, Kerns, Lynch, Mack, Mathews of Tehama, Matthews of San Benito, Owen, Perkins, Schlesinger, Schroebel, Shanahan, Simpson, Standart, Taggart, Talbott, Thomas of Nevada, Tindall, Vann, Wade, and Mr. Speaker—42.
NOES—Mr. Bledsoe—1.

Title read and approved.

THE GENERAL APPROPRIATION BILL.

Assembly Bill No. 796—An Act making appropriations for the support of the government of the State of California for the forty-fifth and forty-sixth fiscal years.

Read second time.

Committee amendments, as follows:

AMENDMENT No. 1.

In section one, line two, printed bill, strike out the words "for the objects hereinafter expressed, and."

Adopted.

AMENDMENT No. 2.

In section one, line seven, printed bill, strike out the words "forty-one," and insert therefor the words "forty-two."

Adopted.

AMENDMENT No. 3.

In section one, line thirty, printed bill, insert the following: "For salary of phonographic reporter of Supreme Court, six thousand dollars."

Adopted.

AMENDMENT No. 4.

In section one, line thirty-two, printed bill, insert the following: "For postage and contingent expenses of the Supreme Court Commissioners, five hundred dollars."

Adopted.

AMENDMENT No. 5.

In section one, line thirty-nine, printed bill, strike out the words "one hundred and sixty," and insert in lieu thereof "four hundred."

Adopted.

AMENDMENT No. 6.

In section one, line forty-four, printed bill, strike out the words "four thousand eight hundred," and insert in lieu thereof "six thousand."

Adopted.

AMENDMENT No. 7.

In section one, between lines forty-six and forty-seven, printed bill, insert the following: "For salary for Clerk to Board of Examiners, three thousand two hundred dollars."

Adopted.

AMENDMENT No. 8.

In section one, line forty-nine, printed bill, strike out "five," and insert in lieu thereof the word "six."

Adopted.

AMENDMENT No. 9.

In section one, line seventy-eight, printed bill, strike out the word "five," and insert in lieu thereof the word "six."

Adopted.

AMENDMENT No. 10.

In section one, line ninety-five, printed bill, between the words "officer" and "twelve," insert the following: "and Register State Land Office"

Adopted.

AMENDMENT No. 11.

In section one, line one hundred and nineteen, printed bill, strike out the word "clerk," and insert in lieu thereof the word "porter," in the same line strike out the words "one hundred and sixty," and insert in lieu thereof the words "four hundred."

Adopted.

AMENDMENT No. 12.

In section one, line one hundred and twenty-three, printed bill, strike out the word "clerk," and insert in lieu thereof the word "porter."

Adopted.

AMENDMENT No. 13.

In section one, line one hundred and twenty-four, printed bill, strike out the word "five," and insert in lieu thereof the word "six."

Adopted.

AMENDMENT No. 14.

In section one, line one hundred and thirty, printed bill, strike out the words "fifty thousand," and insert in lieu thereof "thirty-six thousand," also, after the word "dollars" add the following: "exempt from the provisions of section four of this Act."

Adopted.

AMENDMENT No. 15.

In section one, line one hundred and thirty-one of the printed bill, strike out the word "ten" and insert in lieu thereof the word "forty," also, after the word "dollars," in line one hundred and thirty-two, add the following: "exempt from the provisions of section four of this Act."

Adopted.

AMENDMENT No. 16.

In section one, between lines one hundred and thirty-four and one hundred and thirty-five of the printed bill, insert the following: "For armory rents and other expenses, naval battalion, nine thousand six hundred dollars.

"For target practice, naval battalion, four hundred dollars.

"For uniforms, naval battalion, two thousand six hundred and forty dollars, exempt from the provisions of section four of this Act

"For allowance headquarters, naval battalion, seven hundred and twenty dollars.

"For annual allowance, naval battalion, two thousand dollars.

"For encampment, naval battalion, one thousand six hundred dollars, exempt from the provisions of section four of this Act.

"For uniforms, five additional infantry companies, three thousand three hundred dollars, exempt from the provisions of section four of this Act.

"For armory rents and other expenses, five additional infantry companies, twelve thousand dollars

"For annual allowance, five additional infantry companies, two thousand five hundred dollars.

"For encampments, five additional infantry companies, two thousand dollars, exempt from the provisions of section four of this Act.

"For allowance to brigade and regimental headquarters, five additional infantry companies, one thousand five hundred dollars.

"For allowance regimental headquarters, two additional cadet companies, three hundred and thirty dollars.

"For quarterly allowance, two additional cadet companies, one thousand six hundred dollars."

Adopted.

AMENDMENT No. 17.

In section one, line one hundred and thirty-four, strike out the words "two thousand," and at the end of the line add the words "exempt from the provisions of section four of this Act."

Adopted.

AMENDMENT No. 18.

In section one, between lines one hundred and thirty-eight and one hundred and thirty-nine, insert the following: "For compiling and printing the index to all the laws of California, 1850 to 1893, eight thousand dollars"

Adopted.

AMENDMENT No. 19.

In section one, between lines one hundred and fifty-three and one hundred and fifty-four, insert the following: "For office rent, Railroad Commissioners, two thousand and forty dollars."

Adopted.

AMENDMENT No. 20.

In section one, line one hundred and sixty-six, strike out the words "seventy-eight," and insert in lieu thereof "eighty."

Adopted.

AMENDMENT No. 21.

In section one, line one hundred and sixty-eight, strike out the word "fifty," and insert in lieu thereof the word "seventy"

Mr. Johnson moved to amend the committee amendment, as follows:

By striking out on page seven, line one hundred and sixty-seven, the words "seventy" and inserting the following: "eighty-five"

Lost.

Committee amendment adopted.

AMENDMENT No. 21½

In section one, line one hundred and sixty-nine, amend by inserting after the word "hundred" the words "and ten"

Adopted.

MOTIONS.

Mr Finlayson moved that the consideration of the special order, Substitute for Assembly Bill No. 10, be postponed until two o'clock P. M.

So ordered.

Mr. Mathews moved that the further consideration of Assembly Bill No. 796 be made a special order for this day, at three o'clock and thirty minutes P. M.

So ordered.

Mr. Schroebel moved that the consideration of the special order, the County Government Bill, be postponed until four o'clock P. M. this day.

So ordered.

RECESS.

The hour of recess having arrived, the Speaker declared recess until two o'clock P. M.

REASSEMBLED.

The Assembly reassembled at two o'clock P. M.

Speaker Gould in the chair.

Quorum present.

STATEMENT.

Mr. Mathews of Tehama stated that on yesterday, during the vote on the adoption of the substitute offered by Mr. Finlayson to Senate Substitute for Assembly Bill No. 11, Mr. Barker, while in an excited state of mind, due to the death of a brother, voted in the affirmative instead of the negative, as he intended.

MOTION.

Mr Mathews therefore, at the request of Mr. Barker, conveyed through Senator Streeter, moved that the above statement of fact be entered upon the Journal.

So ordered.

SPECIAL ORDER.

Senate Substitute for Assembly Bill No. 10—An Act in relation to reassessment of property, the equalization of the same, and the collection of taxes thereon, in cases where a former assessment, made since 1882, is illegal or invalid, or where the proceedings for the collection of such taxes have been ineffectual by reason of error, irregularity, or invalidity, and such taxes have not been paid.

Mr. Finlayson moved to amend sections two, three, four, five, and six, by substituting the following:

SEC. 2 All taxes for counties, cities and counties, and other taxing districts, shall be levied by the proper Board or Boards upon the property mentioned in the first section of this Act, at the same rates for each respective year as were levied upon property for each of said years after the year eighteen hundred and seventy-nine.

Adopted.

Also:

SEC. 3. All property authorized to be reassessed by this Act shall be reassessed and equalized by the proper officers and Boards at the value to which and to the person or corporation to whom or to which such property ought for each of such years to have been assessed, under such rules of notice and at the times and in the modes as are prescribed for the assessment and equalization of like classes of property; and the assessment and equalization thereof, and the levy and collection of taxes thereunder, shall be made by the proper officers at the time, upon like notice and in the manner now or hereafter provided by law for making assessments and equalizing the same, and for the levy and collection of taxes on like classes of property, and if the taxes so relevied shall become delinquent there shall be added thereto and the amount thereof the same percentage as a penalty for such delinquency as is added to other delinquent taxes on like classes of property, and such delinquent taxes and penalties added thereto shall be collected by the proper officers in the manner now or hereafter provided by law for the collection of delinquent taxes and penalties upon like classes of property; the collectors of such taxes to allow as credits thereon all payments heretofore made on the tax as first levied.

Adopted.
Also:

SEC. 4. There shall be no limitation or limitations as to the time in which actions for the collections of taxes levied under this Act may be commenced, and all the provisions of law, now or hereafter provided in respect to assessments, equalization, levy, and collection of taxes, shall, where applicable, apply to reassessments, equalization, and relevies and collections of taxes made under the provisions of this Act

Adopted.
Also:

SEC. 5. This Act shall apply to taxes for revenue only, and not to assessments for local improvements or street purposes.

Adopted.
Also:

SEC. 6 This Act shall take effect and be in force on and after its passage

Adopted.
Also:

Strike out all of sections seven and eight.

Adopted.
Mr. Lynch moved to amend, as follows:

By inserting the following after section one, as amended: "*provided*, that nothing in this Act shall preclude any county in this State from making any settlement or adjustment of its proportion of the taxes which may be declared due and payable under this Act, and the Board of Supervisors of the respective counties are hereby authorized at their election to make any settlement or adjustment of the taxes declared to be due under this Act."

The ayes and noes were demanded by Messrs. Bledsoe, Finlayson, and Schlesinger.

The roll was called, and the amendment lost by the following vote:

AYES—Messrs Anderson, Androus, Bennett of Santa Clara, Bulla, Carlson, Chipman, Duckworth, Durst, Hamilton, Lynch, Mathews of Tehama, Miller, O'Keefe, Owen, Pendleton, Perkins, Raw, Sargent, Simpson, Taggart, Talbott, and Wade—22.

NOES—Messrs Adams, Alford, Barlow, Bennett of Orange, Bledsoe, Boyce, Bretz, Buckley, Casterline, Conway, Curtis, Cusick, Dodge, Drees, Duffy, Finlayson, Gallagher, Gately, Godchaux, Hendrickson, Hurley, Hutson, Jacobs, Jacobsen, Johnson of Humboldt, Johnson of Santa Clara, Kahn, Kerns, LaRue, Luttringer, McCauley, McElroy, Mack, Marks, Marston, Matthews of San Benito, Mordecai, Pueschel, Schlesinger, Schroebel, Shanahan, Sims, Standart, Taylor, Tindall, Vann, and Mr Speaker—47

Bill ordered to the printer, and to a third reading.

MOTION.

Mr. Finlayson moved that the further consideration of Senate Substitute for Assembly Bill No. 10 be made a special order for to-morrow, at two o'clock P. M.

So ordered.

RECONSIDERATION.

Mr. Finlayson moved to reconsider the vote whereby Senate Substitute for Assembly Bill No. 10 was ordered to a third reading.

So ordered.

Senate Substitute for Assembly Bill No. 10—An Act in relation to reassessment of property, the equalization of the same, and the collection of taxes thereon, in cases where a former assessment, made since 1882, is illegal or invalid, or where the proceedings for the collection of such taxes have been ineffectual by reason of error, irregularity, or invalidity, and such taxes have not been paid.

Mr. Finlayson moved to amend, as follows:

By striking out of the title the figures "1882," and insert in lieu thereof "1879"

Adopted.

Bill ordered to a third reading.

RESOLUTION.

By Mr. Kahn:

Resolved, That Senate Bill No 781 presents a case of urgency, as that term is used in section fifteen of article four of the Constitution, and the provisions of that section requiring that the bill shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the first, second, and third times, and placed upon its passage.

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

AYES—Messrs. Alford, Anderson, Androus, Bennett of Santa Clara, Bennett of Orange, Boyce, Bulla, Burke, Casterline, Chipman, Conway, Curtis, Cusick, Drees, Duckworth, Durst, Finlayson, Gallagher, Gately, Godchaux, Hendrickson, Hurley, Hutson, Jacobsen, Johnson of Santa Clara, Kahn, Kerns, LaRue, Luttringer, Lynch, McCauley, McElroy, McGowan, Mack, Marks, Marston, Mathews of Tehama, Matthews of San Benito, Miller, Mordecai, O'Keefe, Pendleton, Pueschel, Schlesinger, Schroebel, Simpson, Sims, Standart, Taggart, Talbott, Taylor, Thomas of Nevada, Tindall, Vann, Wade, and Mr. Speaker—57

NOES—Messrs. Adams, Barlow, Bledsoe, Jacobs, Johnson of Humboldt, and Raw—6.

Senate Bill No. 781—An Act to appropriate moneys to aid in erecting a monument over the grave of ex-Governor William Irwin, and to prescribe the duties of the Controller and Directors of State Burial Grounds in relation thereto.

Read first and second times.

MOTION.

Mr. Mathews of Tehama moved that the Assembly resolve itself into Committee of the Whole, with the Speaker in the chair, for the purpose of considering Senate Bill No. 781.

So ordered.

IN COMMITTEE OF THE WHOLE.

Speaker Gould in the chair.

Senate Bill No. 781 was considered in Committee of the Whole.

IN ASSEMBLY.

Speaker Gould in the chair.

REPORT OF THE COMMITTEE OF THE WHOLE.

The Speaker stated the report of the Committee of the Whole, as follows:

GENTLEMEN: The Committee of the Whole have had under consideration Senate Bill No. 781, and now report, and recommend that the same do pass.

Bill ordered to a third reading.

THIRD READING OF BILL.

Senate Bill No. 781—An Act to appropriate moneys to aid in erecting a monument over the grave of ex-Governor Wm. Irwin, and to prescribe the duties of the Controller and Directors of State Burial Grounds in relation thereto.

Read third time, and passed by the following vote:

AYES—Messrs. Alford, Androus, Bennett of Santa Clara, Bennett of Orange, Boyce, Bulla, Burke, Casterline, Chipman, Conway, Curtis, Cusick, Drees, Gately, Godchaux, Hendrickson, Hurley, Hutson, Jacobsen, Kahn, Kerns, Luttringer, Lynch, McCauley, McElroy, Mack, Marks, Marston, Mathews of Tehama, Miller, Mordecai, O'Keefe, Pendleton, Perkins, Raw, Schroebel, Simpson, Taggart, Taylor, Thomas of Nevada, Tindall, Vann, Wade, and Mr Speaker—44.

NOES—Messrs. Adams, Barlow, Bledsoe, Jacobs, and Johnson of Humboldt—5.

Title read and approved.

MOTION.

Mr. Kahn moved that Senate Bill No. 781 be immediately transmitted to the Senate.

So ordered.

SPECIAL SENATE FILE.

Senate Constitutional Amendment No. 18—A resolution to propose to the people of the State an amendment to the Constitution of the State, relative to the judiciary department.

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

AYES—Messrs. Lynch, Mathews of Tehama, Pueschel, Raw, and Thomas of Nevada—5.

NOES—Messrs. Adams, Alford, Androus, Barlow, Bennett of Santa Clara, Bennett of Orange, Bledsoe, Buckley, Bulla, Casterline, Chipman, Conway, Dodge, Drees, Finlayson, Gately, Hurley, Hutson, Jacobs, Johnson of Humboldt, Kerns, McElroy, Mack, Marks, Marston, O'Neill, Owen, Sargent, Schlesinger, Schroebel, Standart, Taggart, Talbott, Vann, Wade, and Mr. Speaker—37.

Senate Joint Resolution No. 25—Joint resolution memorializing the Attorney-General and the Secretary of the Interior of the United States of America to locate one of the United States prisons, provided for by an Act of Congress, March 3, 1891, within the State of California.

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

AYES—Messrs Adams, Alford, Anderson, Androus, Barlow, Bennett of Santa Clara, Bennett of Orange, Bledsoe, Brownlie, Bulla, Carlson, Casterline, Chipman, Conway, Dodge, Drees, Duckworth, Durst, Finlayson, Gately, Hurley, Hutson, Jacobs, Johnson of

Humboldt, Johnson of Santa Clara, Kennedy, Kahn, Kerns, McGowan, Mack, Marks, Mathews of Tehama, Miller, O'Keefe, O'Neill, Owen, Pendleton, Perkins, Pueschel, Schlesinger, Schroebel, Taggart, Talbott, Thomas of Nevada, Vann, Wade, and Mr Speaker—47.
NOES—None.

Mr. Owen moved that Senate Joint Resolution No. 25 be immediately transmitted to the Senate.

So ordered.

Senate Bill No. 210—An Act to regulate the disposition of the hides of cattle killed or slaughtered in the State of California, and to provide a penalty for a violation of the provisions of this Act.

Read third time, and passed by the following vote:

AYES—Messrs Adams, Alford, Anderson, Androus, Barlow, Bennett of Santa Clara, Bennett of Orange, Bledsoe, Bretz, Bulla, Casterline, Conway, Cusick, Dodge, Drees, Duckworth, Finlayson, Hurley, Hutson, Jacobs, Jacobsen, Johnson of Humboldt, Kahn, Kerns, Mack, Marks, Mathews of Tehama, Miller, O'Neill, Owen, Perkins, Pueschel, Sargent, Schroebel, Simpson, Standart, Taggart, Talbott, Taylor, Thomas of Nevada, Vann, Wade, and Mr. Speaker—43.
NOES—Mr. Matthews of San Benito—1.

Title read and approved.

REPORTS OF STANDING COMMITTEES.

ON ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, March 10, 1893

MR. SPEAKER: Your Committee on Enrollment beg leave to report that the following bills have been correctly enrolled:

Assembly Bill No. 674—An Act quitclaiming to the successors in interest of James Bowman all claim of the State of California in that certain tract of land in the City and County of San Francisco, known as "Water Lot No 415," and empowering and directing the Governor to execute a deed of quitclaim therefor to said successors in interest of said James Bowman

Also: Assembly Bill No. 402—An Act providing for appeals from orders of the Board of Supervisors forming or refusing to form reclamation or swamp land districts, setting off lands from such districts, or including lands in such districts, or consolidating swamp land or reclamation districts.

Also: Assembly Bill No 426—An Act making an appropriation to pay the deficiency in the appropriation for the transportation of insane, for the forty-third fiscal year

Also. Assembly Bill No. 654—An Act making an appropriation to pay the claim of Major José Ramon Pico, for expenses incurred in recruiting and maintaining military companies.

And were presented to the Governor March 10, 1893, at nine o'clock and forty-five minutes A. M.

O'NEILL, Chairman

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 10, 1893.

MR. SPEAKER: Your Committee on Enrollment beg leave to report that the following bills have been correctly enrolled:

Assembly Bill No 117—An Act to provide for the planting, maintenance, and care of shade trees upon streets, lanes, alleys, courts, and places within municipalities, and of hedges upon the lines thereof, also, for the eradication of certain weeds within city limits.

Also: Assembly Bill No. 138—An Act to amend an Act entitled "An Act to provide for the organization and government of irrigation districts, and to provide for the acquisition of water and other property, and for the distribution of water thereby for irrigation purposes," approved March 7, 1887, by amending section seventeen thereof

Also: Assembly Bill No. 853—An Act to provide for the appropriation for the contingent expenses of the Assembly.

And were presented to the Governor March 10, 1893, at twelve o'clock and twenty-five minutes P. M

O'NEILL, Chairman.

ON ENGROSSMENT.

ASSEMBLY CHAMBER, SACRAMENTO, March 10, 1893.

MR. SPEAKER. Your Committee on Engrossment have examined and find correctly engrossed Assembly Bills Nos 365 and 403.

CONWAY, for Chairman.

SPECIAL SENATE FILE—(RESUMED).

Senate Bill No. 215—An Act to amend section seven of the Civil Code of the State of California, relating to legal holidays and non-judicial days.

Read third time, and passed by the following vote.

AYES—Messrs Adams, Alford, Anderson, Androus, Barlow, Bennett of Santa Clara, Bennett of Orange, Bledsoe, Bretz, Buckley, Burke, Carlson, Casterline, Chipman, Cusick, Dodge, Drees, Duckworth, Durst, Finlayson, Gately, Hamilton, Hurley, Hutson, Jacobs, Johnson of Humboldt, Johnson of Santa Clara, Kennedy, Kahn, Kerns, Luttringer, Lynch, McCauley, McElroy, Mack, Mathews of Tehama, Matthews of San Benito, Miller, O'Keefe, O'Neill, Owen, Perkins, Pueschel, Schlesinger, Schroebel, Simpson, Taggart, Talbott, Taylor, Vann, Wade, and Mr. Speaker—52

NOES—None

Title read and approved.

Senate Bill No. 217—An Act to amend section ten of the Political Code of the State of California, relating to legal holidays and non-judicial days.

Read third time, and passed by the following vote:

AYES—Messrs. Adams, Alford, Anderson, Androus, Barlow, Bennett of Santa Clara, Bennett of Orange, Bledsoe, Bretz, Bulla, Burke, Carlson, Casterline, Conway, Cusick, Dodge, Drees, Duckworth, Durst, Finlayson, Gately, Hamilton, Hurley, Hutson, Jacobs, Johnson of Humboldt, Kennedy, Kahn, Kerns, Luttringer, Lynch, McCauley, McElroy, Mack, Mathews of Tehama, Matthews of San Benito, O'Keefe, Owen, Pendleton, Perkins, Pueschel, Schlesinger, Schroebel, Simpson, Standart, Taggart, Talbott, Taylor, Vann, Wade, and Mr Speaker—51.

NOES—None.

Title read and approved.

Senate Bill No. 184—An Act to amend sections ten and one hundred and thirty-four of the Code of Civil Procedure of the State of California, relating to legal holidays and non-judicial days.

Read third time, and passed by the following vote:

AYES—Messrs. Adams, Alford, Anderson, Androus, Barlow, Bennett of Santa Clara, Bennett of Orange, Bledsoe, Bretz, Bulla, Carlson, Casterline, Chipman, Curtis, Cusick, Dodge, Drees, Duckworth, Durst, Finlayson, Hamilton, Hurley, Hutson, Jacobs, Johnson of Humboldt, Kennedy, Kahn, Kerns, Luttringer, Lynch, McCauley, McElroy, McGowan, Mack, Marks, Mathews of Tehama, Matthews of San Benito, Miller, O'Keefe, Owen, Pueschel, Schlesinger, Schroebel, Simpson, Standart, Taggart, Talbott, Taylor, Thomas of Nevada, Tindall, Vann, Wade, and Mr Speaker—53.

NOES—None.

Title read and approved.

Senate Bill No. 74—An Act to amend an Act entitled "An Act to establish a Political Code," approved March 12, 1872, by adding a new section thereto, to be known as section three thousand two hundred and forty-five and one half, relating to the payment of persons employed under the provisions of section three thousand two hundred and forty-five of said Political Code.

Read third time, and passed on file.

Senate Bill No. 186—An Act to amend section one thousand four hundred and forty-four of the Code of Civil Procedure, in relation to appraisements of estates of deceased persons.

Read third time, and passed by the following vote:

AYES—Messrs. Adams, Alford, Androus, Barlow, Bennett of Santa Clara, Bennett of Orange, Bledsoe, Boyce, Bretz, Buckley, Bulla, Burke, Carlson, Casterline, Chipman, Conway, Curtis, Cusick, Dodge, Drees, Gallagher, Gately, Godchaux, Hamilton, Hurley, Hutson, Jacobs, Johnson of Humboldt, Johnson of Santa Clara, Kahn, LaRue,

Luttringer, Lynch, McCauley, McElroy, Mack, Marks, Marston, Mathews of Tehama, Matthews of San Benito, Miller, O'Neill, Owen, Perkins, Pueschel, Raw, Sargent, Schroebel, Simpson, Standart, Taggart, Talbott, Taylor, Thomas of Nevada, Tindall, Vann, Wade, and Mr Speaker—56.

NOES—Messrs Anderson and Durst—2

Title read and approved.

MOTION.

Mr. Bledsoe moved that a select committee of one be appointed by the Speaker to amend Senate Bill No. 74, as follows:

Amend by striking out of section one, line ten, the words "in State or municipal;" also, all of line eleven; also, in line twelve the words "board and lodging must be provided for such employés without loss to them."

So ordered.

APPOINTMENT OF COMMITTEE.

Mr. Bledsoe was appointed such committee to make said amendments.

REPORT OF SELECT COMMITTEE.

ASSEMBLY CHAMBER, SACRAMENTO, March 10, 1893

MR SPEAKER Your select committee, to whom was referred Senate Bill No. 74, with instructions to amend in accordance with the action of the House, would respectfully report that the instructions of the House have been carried out

BLEDSOE, Committee.

Report adopted.

REPORT OF STANDING COMMITTEE.

ON STATE PRISONS AND REFORMATORY INSTITUTIONS.

ASSEMBLY CHAMBER, SACRAMENTO, March 10, 1893

MR SPEAKER: Your Committee on State Prisons and Reformatory Institutions would respectfully report that, in accordance with a resolution adopted by the Assembly, a delegation of this committee visited the State Prison at Folsom February 19th, and that Messrs. Perkins, Androus, and Johnson, and clerk J. H. Lawrence, are each entitled to mileage for the distance traveled—forty-four miles, amounting to four dollars and forty cents ($4 40) each—amounting to eighteen dollars and sixty cents, therefore,

Resolved, That the Controller be authorized to draw his warrant in favor of H. H. Johnson, Chairman of said committee, for the sum of eighteen dollars and sixty cents, and the Treasurer be directed to pay the same out of the Contingent Fund of the Assembly

H H. JOHNSON, Chairman

Referred to Committee on Public Expenditures and Accounts.

RESOLUTIONS.

By Mr. Vann:

Resolved, That on and after Saturday, March 11th, the services of the following-named clerks and employés of the Assembly be dispensed with John Dennigan, Clerk Committee on Agriculture, Mrs. C. F. Carlson, Clerk Committee on Irrigation; E. Jones, Clerk Committee on Judiciary, Mrs J Hunter, Clerk Committee on Corporations; John Shea, Clerk Committee on Claims, John Sheehan, Clerk Committee on Municipal Corporations, William Thompson, Clerk Committee on Constitutional Amendments, Elmer Shanahan, Messenger Judiciary Committee; George W. Fowler, Sergeant-at-Arms Judiciary Committee, J. M. Sullivan, Sergeant-at-Arms to Committees; Miss Laura Little, Mailing and Folding Clerk, Mrs Carrie Murray, Assistant Journal Clerk.

Adopted.

By Mr. Lynch:

Resolved, That the Chairmen of all committees be directed to return forthwith all Assembly Bills now in their possession, which bills shall not be placed on the file unless by a vote of the House; also, on Monday to report back all Senate Bills in their possession, which will be placed on file

Adopted.

By Mr. Matthews of San Benito:

Resolved. That the Speaker appoint a special committee of five to select such bills of general importance as in the judgment of said committee should receive immediate attention, and such bills shall have preference over all other bills until disposed of.

Adopted.

By Mr. Anderson:

Resolved, That the sum of twenty-five dollars be and the same is hereby appropriated out of the fund for contingent expenses of the Assembly, to pay the demand of Major Wm McLaughlin for expenses incurred during the memorial services of James G. Blaine The Controller of State is hereby ordered to draw his warrant therefor in favor of Wm. McLaughlin for said amount.

Adopted.

MOTIONS.

Mr. Hurley moved that all Senate Bills passed this day be immediately transmitted to the Senate.

So ordered.

Mr. Mathews of Tehama moved to be allowed to introduce two bills under the provisions of the Constitution requiring the consent of two thirds of the members.

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

AYES—Messrs. Adams, Alford, Anderson, Androus, Barlow, Bennett of Santa Clara, Bennett of Orange, Blakeley, Bledsoe, Boyce, Bretz, Brownlie, Buckley, Bulla, Carlson, Casterline, Chipman, Curtis, Dodge, Duckworth, Durst, Finlayson, Gately, Hamilton, Hurley, Hutson, Jacobs, Jacobsen, Johnson of Humboldt, Kahn, Kerns, LaRue, Lynch, McCauley, McGowan, Mack, Marks, Marston, Mathews of Tehama, Matthews of San Benito, Miller, Mordecai, O'Keefe, O'Neill, Owen, Pendleton, Perkins, Pueschel, Raw, Sargent, Schroebel, Simpson, Standart, Taggart, Talbott, Taylor, Thomas of Nevada, Vann, Wade, and Mr. Speaker—59.

NOES—Messrs. Burke, Conway, Cusick, Drees, Godchaux, Hendrickson, and Luttringer—7.

INTRODUCTION OF BILLS.

By Mr. Mathews of Tehama: Assembly Bill No. 854—An Act making an appropriation to pay the deficiency in the appropriation for the pay of officers and clerks of the Assembly.

Read first time, and placed on file for second reading.

Also: Assembly Bill No. 855—An Act in relation to reassessment of property, the equalization of the same, and the collection of taxes thereon in counties of the thirty-fourth class, in cases where a former assessment, made since 1882, is illegal or invalid, or where the proceedings for the collection of such taxes have been ineffectual by reason of error, irregularity, or invalidity, and said taxes have not been paid.

Read first time, and placed on file for second reading.

MOTIONS.

Mr. Mathews of Tehama moved that the further consideration of Assembly Bills Nos. 854 and 855 be made a special order for to-morrow, at three o'clock and thirty minutes P. M.

So ordered.

Mr. Taggart moved to take up Senate Joint Resolution No. 5.

So ordered.

Senate Joint Resolution No. 5—Relative to indebtedness of the United States Government to the State of California.

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

AYES—Messrs. Adams, Alford, Anderson, Barlow, Bennett of Santa Clara, Bennett of Orange, Blakeley, Bledsoe, Bretz, Buckley, Bulla, Burke, Chipman, Conway, Curtis, Cusick, Dodge, Drees, Durst, Finlayson, Godchaux, Hamilton, Hendrickson, Hurley, Hutson, Jacobs, Jacobsen, Johnson of Humboldt, Kennedy, Kahn, Kerns, LaRue, Luttringer, Lynch, McCauley, McElroy, McGowan, Mack, Marks, Mathews of Tehama, Matthews of San Benito, Mordecai, O'Keefe, O'Neill, Owen, Pendleton, Pueschel, Raw, Sargent, Schlesinger, Standart, Taggart, Talbott, Taylor, Thomas of Nevada, Vann, Wade, and Mr Speaker—58

NOES—None.

REPORT OF STANDING COMMITTEE.

ON ENGROSSMENT.

ASSEMBLY CHAMBER, SACRAMENTO, March 10, 1893.

MR SPEAKER: Your Committee on Engrossment beg leave to report that the following Assembly Bills have been correctly engrossed. Assembly Bills Nos. 677 and 391

KENNEDY, Chairman.

SPECIAL ORDER—THE GENERAL APPROPRIATION BILL.

Assembly Bill No. 796—An Act making appropriations for the support of the government of the State of California for the forty-fifth and forty-sixth fiscal years.

Committee amendments, as follows:

AMENDMENT No. 22

In section one, between lines one hundred and seventy-six and one hundred and seventy-seven, insert the following: "For transfer of patients from the State Insane Asylum at Agnews, Napa State Asylum for the Insane, and the State Insane Asylum at Stockton, to the Southern California State Asylum for Insane and Inebriates, at San Bernardino, and the Mendocino Asylum, at Ukiah, three thousand dollars, to be expended under the State Board of Examiners, who are hereby authorized to have said patients transferred so that the number remaining in the State Insane Asylum at Stockton shall be reduced to sixteen hundred and fifty, at the Napa State Asylum for the Insane to thirteen hundred, and at the State Insane Asylum at Agnews to nine hundred."

Adopted.

AMENDMENT No. 23

Amend section one, line one hundred and seventy-nine, by striking out all after the word "prisoners," and insert in lieu thereof the words, "to the State Prisons; and children committed to the Whittier Reform School and Preston School of Industry, seventy thousand dollars."

Adopted.

AMENDMENT No. 24.

In section one, strike out all of line one hundred and eighty-seven of the printed bill, and insert in lieu thereof the following: 'For care and improvements of grounds, purchase of scientific apparatus, and use of library and museum at San José Normal School, five thousand dollars."

Adopted.

AMENDMENT No. 25

In section one, strike out all of line one hundred and eighty-eight of the printed bill, and insert in lieu thereof the following: 'For care and improvement of grounds, purchase of scientific apparatus, and use of library and museum at Los Angeles Normal School, five thousand dollars"

Adopted.

AMENDMENT No. 26.

In section one, strike out all of line one hundred and eighty-nine, and insert in lieu thereof the following: "For care and improvement of grounds, purchase of scientific apparatus, and use of library and museum at Chico Normal School, five thousand dollars."

Adopted.

AMENDMENT No. 27.

In section one, strike out all of lines one hundred and ninety, one hundred and ninety-one, one hundred and ninety-two, one hundred and ninety-three, and one hundred and ninety-four of the printed bill

Adopted.

AMENDMENT No 28.

In section one, line two hundred and eleven, after the word "viticulture," insert "thirty thousand dollars"

Adopted.

AMENDMENT No 29.

In section one, strike out all of line two hundred and twenty-one, and add to line two hundred and twenty the words "and construction of an elevator, twenty-five thousand dollars, exempt from the provisions of section four of this Act."

Adopted.

AMENDMENT No. 30.

In section one, line two hundred and twenty-two, strike out the words "twenty thousand dollars," and insert in lieu thereof the words "seventeen thousand six hundred dollars;" also, insert between lines two hundred and twenty-three and two hundred and twenty-four the following. "For lighting the Capitol building and grounds, twenty-four hundred dollars."

Adopted.

AMENDMENT No. 31.

In section one strike out all of line two hundred and thirty-five, and insert in lieu thereof the following: "For the support of the Mining Bureau, including salaries, fifty thousand dollars, sixty per cent of said sum to be expended for geological field work and scientific research."

Adopted.

AMENDMENT No 32.

In section one, line two hundred and forty-six, strike out the word "five," and insert in lieu thereof the word "seven"

Adopted.

AMENDMENT No 32¼.

In line two hundred and sixty-four, printed bill, strike out the word "five" and insert the word "three"

Adopted.

AMENDMENT No 32¼.

Also, amendment to district number seventeen, line two hundred and sixty-seven, printed bill, between the words "four" and "thousand" insert the words "five hundred"

Adopted.

AMENDMENT No. 32½.

Amend by striking out in section one, line two hundred and eighty-three of printed bill, the word "three," and inserting in lieu thereof the word "four"

Adopted.

AMENDMENT No. 33.

In section one, lines two hundred and ninety-one and two hundred and ninety-two of printed bill, strike out the words "three thousand five hundred," and insert in lieu thereof the words "four thousand"

Adopted.

AMENDMENT No. 34

In section one, between the lines two hundred and ninety-four and two hundred and ninety-five, printed bill, insert the following

'For aid to District Agricultural Society No. 39, three thousand dollars

'For aid to District Agricultural Society No. 40, five thousand dollars.

'For aid to District Agricultural Society No. 41, three thousand dollars

'For aid to District Agricultural Society No. 42, three thousand dollars

'For aid to District Agricultural Society No. 43, three thousand dollars.

'Provided, that no moneys appropriated for agricultural societies shall be drawn, used, or paid for racing or speed contests."

Adopted.

AMENDMENT No. 34½.

In section one, strike out all of line two hundred and ninety-five, printed bill, and insert the following in lieu thereof "For the purpose of holding citrus fairs, ten thousand dollars, the location, management, and control of said fairs, and the expenditure of said sum, to be under the direction of the Directors of the State Board of Agriculture, exempt from the provisions of section four of this Act"

Adopted.

Mr. Vann moved to amend, as follows:

In line one hundred and twenty-eight, item ninety, strike out the word "two" and insert the word "one;" strike out all of lines one hundred and thirty and one hundred and thirty-one, item ninety-one, strike out all of lines one hundred and thirty-two and one hundred and thirty-three, item ninety-two; strike out all of line one hundred and thirty-four, item ninety-three; strike out all of line one hundred and thirty-nine, item ninety-six; strike out all of lines one hundred and forty and one hundred and forty-one, item ninety-seven; strike out all of lines one hundred and forty-four and one hundred and forty-five, item one hundred; strike out all of lines one hundred and forty-six and one hundred and forty-seven, item one hundred and one; strike out all of lines one hundred and forty-eight and one hundred and forty-nine, item one hundred and two; strike out all of lines one hundred and fifty-two and one hundred and fifty-three, item one hundred and four

The ayes and noes were demanded by Messrs. Bledsoe, Barlow, and Bennett of Orange.

The roll was called, and the amendments lost by the following vote:

AYES—Messrs Adams, Barlow, Bennett of Orange, Bretz, Hurley, Jacobs, Matthews of San Benito, and Vann—8

NOES—Messrs, Alford, Anderson, Androus, Bennett of Santa Clara, Blakeley, Bledsoe, Boyce, Brownlie, Buckley, Bulla, Burke, Carlson, Casterline, Chipman, Conway, Curtis, Cusick, Dodge, Drees, Duckworth, Durst, Finlayson, Gallagher, Gately, Godchaux, Hamilton, Hendrickson, Hutson, Jacobsen, Johnson of Humboldt, Johnson of Santa Clara, Kennedy, Kahn, Kerns, LaRue, Lynch, McCauley, McElroy, McGowan, Mack, Marks, Mathews of Tehama, Miller, Mordecai, O'Keefe, O'Neill, Owen, Pendleton, Perkins, Raw, Sargent, Schlesinger, Schroebel, Shanahan, Simpson, Standart, Taggart, Taylor, Thomas of Nevada, Tindall, Wade, and Mr Speaker—62

RESOLUTION.

By Mr. Mathews of Tehama:

Resolved, That Assembly Bill No 796 presents a case of urgency, as that term is used in section fifteen of article four of the Constitution, and the provisions of that section requiring that the bill shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be considered engrossed, read the third time, and placed upon its passage

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

AYES—Messrs Adams, Alford, Androus, Barlow, Bennett of Santa Clara, Bennett of Orange, Bledsoe, Boyce, Bretz, Buckley, Bulla, Burke, Carlson, Casterline, Chip-

man, Conway, Curtis, Cusick, Dodge, Drees, Duckworth, Durst, Finlayson, Gallagher, Gately, Godchaux, Hamilton, Hendrickson, Hurley, Hutson, Jacobs, Jacobsen, Johnson of Humbolt, Johnson of Santa Clara, Kennedy, Kahn, Kerns, LaRue, Lynch, McCauley, McElroy, McGowan, Mack, Marks, Mathews of Tehama, Matthews of San Benito, Miller, Mordecai, O'Keefe, O'Neill, Owen, Pendleton, Perkins, Sargent, Schlesinger, Schroebel, Shanahan, Simpson, Standart, Taggart, Talbott, Taylor, Thomas of Nevada, Tindall, Vann, Wade, and Mr Speaker—67

NOES—None.

GENERAL APPROPRIATION BILL.

Assembly Bill No. 796—An Act making appropriations for the support of the government of the State of California for the forty-fifth and forty-sixth fiscal years.

Read second time.

MOTION.

Mr. Mathews of Tehama moved that the Assembly resolve itself into Committee of the Whole, with the Speaker in the chair, for the purpose of considering Assembly Bill No. 796.

So ordered.

IN COMMITTEE OF THE WHOLE.

Speaker Gould in the chair.

Assembly Bill No. 796 was considered in Committee of the Whole.

IN ASSEMBLY.

Speaker Gould in the chair.

REPORT OF THE COMMITTEE OF THE WHOLE.

The Speaker stated the report of the Committee of the Whole, as follows:

GENTLEMEN: The Committee of the Whole have had under consideration Assembly Bill No. 796, and now report, and recommend that the same do pass.

Bill considered engrossed and ordered to a third reading.

GENERAL APPROPRIATION BILL.

Assembly Bill No. 796—An Act making appropriations for the support of the government of the State of California for the forty-fifth and forty-sixth fiscal years.

Read third time, and passed by the following vote:

AYES—Messrs. Adams, Alford, Anderson, Androus, Barlow, Bennett of Santa Clara, Bennett of Orange, Bledsoe, Boyce, Bretz, Buckley, Bulla, Burke, Carlson, Casterline, Chipman, Conway, Curtis, Cusick, Dodge, Drees, Duckworth, Durst, Finlayson, Gately, Godchaux, Hendrickson, Hurley, Hutson, Jacobs, Jacobsen, Johnson of Humboldt, Johnson of Santa Clara, Kennedy, Kahn, LaRue, Lynch, McCauley, McElroy, McGowan, Mack, Marks, Mathews of Tehama, Matthews of San Benito, Miller, Mordecai, O'Keefe, O'Neill, Owen, Pendleton, Perkins, Puesehel, Sargent, Schlesinger, Schroebel, Shanahan, Simpson, Standart, Taggart, Talbott, Taylor, Thomas of Nevada, Tindall, Wade, and Mr Speaker—65.

NOES—None

Title read and approved.

Mr. Hurley moved to take a recess until seven o'clock and thirty minutes P. M.

Lost.

SPECIAL ORDER—COUNTY GOVERNMENT BILL.

Committee Substitute for Assembly Bill No. 74—An Act entitled "An Act to establish a uniform system of county and township governments."

Committee amendment, as follows:

AMENDMENT No. 9

On page one hundred and sixty-two, strike out all of subdivision sixteen, lines one hundred and forty-seven to one hundred and fifty-two, inclusive, and insert the following.

"Subdivision 16 The Superintendent of Schools shall, immediately upon the passage of this Act, appoint one person of education and personal worth as Commissioner of Schools. It shall be the duty of said Commissioner, under such rules and regulations as said Superintendent of Schools may adopt, to assist in the performance of his duties and in the disposition of the work of inspecting the schools of said county. The said Commissioner shall hold office for the term of two years from and after his appointment He shall receive a salary of nine hundred dollars per annum, payable at the same time and in the same manner as the Superintendent of Schools Before entering upon the discharge of his duties, he shall take an oath to support the Constitution of the United States and the Constitution of the State of California, and to faithfully discharge the duties of the office of Commissioner of Schools to the best of his ability. The said Superintendent of Schools shall have power to remove said Commissioner at any time, by an order filed in the County Clerk's office, and the vacancy filled in the manner provided above

Adopted.

Mr Anderson moved to amend by striking out all after line twenty-nine, page sixty to page sixty-four, printed bill, and insert the following:

SEC. 167 In counties of the fifth class the county officers shall receive, as compensation for the services required of them by law, or by virtue of their office, the following salaries, to wit

1 The County Clerk, six thousand dollars per annum

2 The Sheriff, nine thousand dollars per annum, and such fees and mileage as are now or hereafter may be provided by law for all services done or performed in actions coming from another county, and for all criminal service necessarily performed outside of his county, and all necessary expense incurred in arresting and conveying prisoners before a Court or to prison, and shall have such fees and reasonable expenses incurred in taking and keeping property seized under attachment or levied on under execution, *provided*, that the keeper's fees shall not exceed three dollars per day of twelve hours, except when it becomes necessary to keep a place of business open in the night, in which case he shall be allowed additional keeper's fees, to be fixed by the Court from which the writ issued under which the property was taken

3 The Recorder, four thousand dollars per annum.

4. The Auditor, one thousand dollars per annum.

5 The Treasurer, three thousand four hundred dollars per annum

6 The Tax Collector, fifteen hundred dollars per annum, and the fees for making and executing tax deeds

7. The Assessor, six thousand dollars per annum.

8 The District Attorney, thirty-six hundred dollars per annum

9 The Coroner, such fees as are now or may hereafter be allowed by law.

10 The Public Administrator, such fees as are now or may hereafter be allowed by law

11 The Superintendent of Schools, two thousand dollars per annum.

12 The Surveyor, such fees as are now or may hereafter be allowed by law.

13 Justices of the Peace, such fees as are now or may hereafter be allowed by law

14 Constables, such fees as are now or may hereafter be allowed by law

15 Supervisors, seventy-five dollars per month, and ten cents per mile in traveling to and from county seat; *provided*, mileage shall not be allowed oftener than once in each month; *provided further*, that the Superintendent of Schools, outside of his regular salary, shall be allowed his necessary traveling expenses, including mode of travel and hotel bills, in visiting public schools throughout the county, not exceeding three hundred dollars per annum, said amount to be allowed by the Board of Supervisors and paid as other county charges

Adopted.

Mr. Durst moved to amend page one hundred and sixty-six, section one hundred and ninety-eight, as follows:

Insert on line nineteen, after the word session: "and when serving as Road Commissioner, three dollars per day, *provided*, he shall not in any one year receive more than two hundred and fifty dollars"

Adopted.

Also:

Amend page one hundred and eighty-five, section two hundred and five, as follows: Insert on line eighteen, after the word session "three dollars per day; *provided*, that he in no one year receive more than two hundred and fifty dollars"

Adopted.

Mr. Kennedy moved to amend, as follows:

By striking out of section one hundred and ninety-seven, line thirty-two, page one hundred and sixty-four of printed bill, "($2,500) twenty-five hundred," and inserting the following: "($2,000) two thousand"

Adopted.

Mr. Mack moved to amend, as follows:

Amend section two hundred and fifteen of printed bill, page one hundred and ninety-two, by inserting after the word "Board," in line nineteen, the following: "*and provided further*, that Supervisors, when acting as Road Commissioners, shall receive three dollars per diem, such per diem not to exceed the total sum of fifty dollars per annum"

Adopted.

Also:

Amend by striking out of subdivision twenty-seven of section twenty-five, lines two hundred and forty-eight, two hundred and forty-nine, and two hundred and fifty, on page thirteen, the words "*and provided*, that the Boards of Supervisors shall have no power to levy or collect any license for regulation or revenue upon the raising, grazing, herding, or pasturing of live stock, or any other agricultural occupation or industry."

The ayes and noes were demanded by Messrs. Mack, Shanahan, and Schroebel.

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

AYES—Messrs. Adams, Anderson, Barlow, Bennett of Orange, Bretz, Bulla, Burke, Carlson, Casterline, Conway, Cusick, Dodge, Drees, Duckworth, Durst, Finlayson, Hamilton, Hendrickson, Hurley, Hutson, Johnson of Humboldt, Kennedy, Luttringer, Lynch, McElroy, McGowan, Mack, Marks, Matthews of San Benito, O'Neill, Pendleton, Perkins, Pueschel, Raw, Sargent, Schlesinger, Shanahan, Simpson, Standart, Taggart, Thomas of Nevada, Tindall, Vann, and Wade—44

NOES—Messrs. Alford, Androus, Bledsoe, Curtis, Jacobs, Johnson of Santa Clara, Kerns, LaRue, McCauley, Mathews of Tehama, Miller, Mordecai, O'Keefe, Owen, Schroebel, and Talbott—16

Mr. Mack moved to amend section two hundred and twelve of printed bill, by inserting after the word "Board," on line twenty-two, the following:

Provided, That Supervisors, when acting as Road Commissioners, shall receive three dollars per day for each day actually employed in the discharge of the duties of their office as such Commissioners; *provided further*, that such per diem shall not exceed three hundred dollars per annum, *provided*, that in so far as this section relates to the pay of Road Commissioners, the provisions of this Act shall take effect immediately upon its passage

Adopted.

Mr. Mordecai moved to amend, as follows:

By striking out of section one hundred and seventy, page seventy-four, subdivision fifteen, line forty-eight, all after the word "Commissioner," and inserting the following: "the sum of five hundred dollars per annum"

Adopted.

Mr. Jacobs moved to amend, as follows:

By striking out of section one hundred and eighty-nine, line six, the word "three," and inserting the following: "two."

Adopted.

Also:

Amend by striking out of section one hundred and eighty-nine, line eight, the words "five hundred."

Adopted.

Mr. Barlow moved to amend, as follows:

Amend on page one hundred and twenty-two, by adding after the word "record, in line one hundred and nine, the following:

"16. The provisions of this section, so far as it relates to fees, shall be in effect from and after the passage of this Act."

Adopted.

Mr. Talbott moved to amend, as follows:

Amend page one hundred and twenty-six by striking out of section one hundred and eighty-three, line one hundred and forty-four, the words "going and returning, fifteen cents," and inserting the following: "going only, twenty cents"

Adopted.

Mr. Matthews of San Benito moved to amend, as follows:

Amend section twenty-five, paragraph twenty-three, line two hundred and twenty-four of printed bill, by striking out the words "one year," and inserting therefor the following, "six months"

Adopted.

Mr. Drees moved to amend, as follows:

By striking out all of section one hundred and sixty-nine, and inserting the following in lieu thereof:

SEC. 169. In counties of the seventh class the county officers shall receive, as compensation for the services required of them by law, or by virtue of their office, the following salaries, viz:

1. The County Clerk, five thousand dollars per annum, *provided*, that the County Clerk shall appoint one Chief Deputy at a salary of one thousand two hundred dollars per annum, and two Court-room deputies at a salary of nine hundred dollars per annum each, the salary of all of which three deputies shall be paid by said County Clerk out of said five thousand dollars compensation above named.

2. The Sheriff, six thousand two hundred dollars per annum; *provided*, that the Sheriff shall appoint one Under Sheriff, at a salary of one thousand five hundred dollars per annum; three Deputy Sheriffs, at a salary of nine hundred dollars per annum each, the salary of which Under Sheriff and said three Deputies shall be paid by said Sheriff out of said six thousand two hundred dollars compensation above named. The Sheriff shall also receive, as compensation for traveling, to be computed in all cases from the Court-house, to serve any summons and complaint, or any other process by which an action or proceeding is commenced, notice, rule, order, subpœna, attachment on property, to levy an execution, post notices of sale, to sell property under execution, or other order of sale, to execute an order for the delivery of personal property, writ of possession or restitution, to hold inquest or trial of right of property, in executing writ of habeas corpus, or collecting taxes, in going only, twenty cents for each mile; *provided*, that if any two or more papers be required to be served in the same suit, at the same time, and in the same direction, one mileage only shall be charged to the most distant points to complete such service, which distance shall, in all cases, be estimated by the most practicable route.

3. The Recorder, three thousand nine hundred dollars per annum, *provided*, that the Recorder shall appoint a Chief Deputy at a salary of one thousand two hundred dollars per annum, and two copyists at a salary of six hundred dollars per annum each, which salary of Chief Deputy and of said two copyists shall be paid by said Recorder out of said three thousand nine hundred dollars compensation above named.

4. The Auditor, one thousand dollars per annum.

5. The Treasurer, two thousand dollars per annum.

6. The Tax Collector, twelve hundred dollars per annum.

7. The Assessor, four thousand two hundred dollars per annum; *provided*, that the Assessor shall appoint eight Deputy Assessors at a salary of three hundred dollars per

annum each, all of which deputies' salaries shall be paid by said Assessor out of said four thousand two hundred dollars compensation above named.

8. The District Attorney, two thousand four hundred dollars per annum.

9 The Coroner, such fees as are now or may hereafter be allowed by law

10 The Public Administrator, such fees as are now or may hereafter be allowed by law.

11 The Superintendent of Schools, two thousand dollars per annum.

12 The Surveyor, such fees as are now or may hereafter be allowed by law

13. The Justices of the Peace, such fees as are now or may hereafter be allowed by law

14. Constables shall receive, for their own use and benefit, the following fees, which shall be in full of all compensation for such service as is now or may hereafter be required of them by law:

For serving a summons and complaint, or any other process by which an action or proceeding is commenced, on each defendant, fifty cents.

For serving an attachment on property, or levying an execution, or executing an order of arrest, or order for the delivery of personal property, one dollar.

For his trouble and expense in taking possession of and preserving property under an attachment or execution, or other process, as the Court shall order (*provided*, no more than two dollars per diem shall be allowed to a keeper), three dollars

For taking a bond or undertaking in any case he is authorized to take the same, fifty cents

For copy of any writ or process, or other paper, when demanded or required by law, for each folio, fifteen cents

For serving every notice, rule, or order, twenty-five cents

For advertising property for sale under execution, or any judgment or order of sale, exclusive of the cost of publication, each, fifty cents

For serving a writ of possession or restitution, putting a person in possession of premises, and removing the occupant, two dollars.

For holding each inquest, or trial of right of property, to include all service in the matter, except mileage, two dollars

For serving subpœnas, for each witness served, twenty-five cents.

For traveling to serve any summons and complaint or any other process by which an action or proceeding is commenced, notice, rule, order, subpœna, attachment on property, to levy an execution, to post notices of sale, to sell property under execution or other order of sale, to execute an order for the delivery of personal property, writ of possession or restitution, to hold an inquest or trial of the right of property, or in executing a writ of habeas corpus, for each mile necessarily traveled, to the most distant point where service is made, thirty cents, *provided*, that if any two or more papers be required to be served in the same suit, at the same time, and in the same direction, one mileage only shall be charged to the most distant point to complete the service.

For commission for receiving and paying over money on execution, or other process, when lands or other personal property have been levied on or sold, on the first hundred dollars, two per cent, and on all sums above that amount, one per cent

For executing a certificate of sale, fifty cents The fees herein allowed shall be collected from the judgment debtor.

For making every arrest in a criminal action, other than on a charge of felony, one dollar

For making every arrest on a charge of felony, one dollar and fifty cents.

For summoning a jury of twelve or less persons, two dollars, for each extra juryman over and above twelve, twenty-five cents

For every mile necessarily traveled in executing any warrant of arrest, serving subpœnas, bringing up a prisoner on habeas corpus, taking a prisoner to jail by order of any Court, to the most distant point within the Constable's own county, thirty cents, *provided*, that when two or more persons, or two or more papers in the same case, are served at the same time, or in the same direction, or on the same trip, but one mileage shall be charged to the most distant point of service.

For conveying a prisoner when under arrest, the necessary expense actually paid for the transportation of the prisoner. Constables shall not make any arrest, or serve any paper in a criminal case, on any person outside of their own county, without first obtaining the written consent and order of the District Attorney of their county to do and perform such service as aforesaid.

15 Supervisors, for all service required of them by law, or by virtue of their office, must be allowed six dollars per day, and thirty cents per mile in traveling from their place of residence to the Court-house; *provided*, that only one mileage must be allowed at each term, *and provided further*, that no Supervisor must be allowed more than one day's pay for any one day, by reason of his being on the committees appointed by the Board of Supervisors, or for any other cause, *provided*, that in no case shall the per diem of the Supervisors exceed eight hundred dollars each in one year.

16 The provisions of this section relating to the mileage of Sheriff shall go into effect immediately.

The Board of Supervisors shall have power to levy a special road fund tax, not to exceed two (2) mills on the one dollar of assessed valuation, on all the property in such counties. Such tax shall be in addition to all taxes otherwise provided for, and the fund so created shall be expended for the construction and maintenance of the main public roads in the several road districts, in proportion to the amount collected from such districts

Adopted.

Mr. Shanahan moved to amend by striking out all of section fifty-four.

The ayes and noes were demanded by Messrs. Owen, Schlesinger, and Finlayson.

The roll was called, and the amendment lost by the following vote:

AYES—Messrs Alford, Casterline, Hutson, Jacobs, Jacobsen, LaRue, McElroy, Matthews of San Benito, Mordecai, O'Keefe, Owen, Perkins, Raw, Sargent, Schroebel, Shanahan, Standart, Talbott, Vann, Wade, and Mr. Speaker—21.

NOES—Messrs Adams, Androus, Barlow, Bennett of Santa Clara, Bennett of Orange, Bledsoe, Bretz, Bulla, Burke, Carlson, Conway, Curtis, Cusick, Dodge, Duckworth, Finlayson, Gallagher, Gately, Godchaux, Hamilton, Hendrickson, Hurley, Johnson of Humboldt, Johnson of Santa Clara, Kerns, Luttringer, Lynch, Mack, Miller, Pendleton, Pueschel, Schlesinger, Simpson, Taggart, Taylor, and Tindall—35.

Mr. Lynch moved to amend, as follows:

Amend section fifty-four, page twenty-two, line four, after the words "of such streams." by inserting the following: "or marshes."

Adopted.

Also:

Amend section fifty-four, page twenty-two, line five, after the words "commercial purposes," by inserting the following: "the overflow of which interferes with highways."

Adopted.

Also:

Amend section fifty-four, page twenty-two, line two, after the word "streams," by inserting the following: "and marshes."

Adopted.

LEAVE OF ABSENCE.

Mr. Barlow was granted leave of absence until Monday morning.

RECESS.

Pending consideration of the County Government Bill, the Speaker, at five o'clock and forty-five minutes P. M., declared recess until seven o'clock and thirty minutes P. M.

EVENING SESSION.

The Assembly reassembled at seven o'clock and thirty minutes P. M. Speaker Gould in the chair.

Quorum present.

MOTION.

Mr. Simpson moved that the rules be suspended, to continue the consideration of the County Government Bill.

So ordered.

APPOINTMENT OF COMMITTEE.

In accordance with the resolution of Mr. Matthews of San Benito, previously adopted, the Speaker appointed as such committee Messrs. Matthews of San Benito, Alford, Bulla, Kahn, and Vann.

Committee Substitute for Assembly Bill No. 74—An Act entitled "An Act to establish a uniform system of county and township governments."

Mr. Bulla moved to amend, as follows:

Amend section fifty-four, page twenty-two, by adding the following at the end of said section fifty-four: "This section shall take effect from and after its passage."

Adopted.

Mr. Tindall moved to amend, as follows:

By striking out of page one hundred and sixteen, section one hundred and seventy-nine, line nine, the words "one thousand five hundred," and inserting the following: "two thousand."

Adopted.

Mr. Matthews of San Benito moved to amend, as follows:

By striking out of section two hundred and three, line five, the words "one thousand," and inserting the following: "twelve hundred."

Adopted.

Mr. Simpson moved to amend, as follows:

By striking out of section one hundred and sixty-four, line one hundred and forty-eight, page fifty-four, the words "seventy-five," and inserting the following: "one hundred."

Adopted.

Also:

Amend by inserting, in subdivision seventeen, section one hundred and sixty-four, line one hundred and forty-eight, after the word "months," the following: "and the salary of the deputy of any Constable, and the clerk of any Justice of the Peace, not to exceed the sum of seventy-five dollars per month."

Adopted.

Mr. Mathews of Tehama moved to amend, as follows:

By striking out of section one hundred and ninety-six, line six, page one hundred and sixty-three, the word "one," and inserting the following: "two;" also, strike out the words "five hundred," in same line.

Adopted.

Also:

Amend by striking out of section one hundred and ninety-six, line four, page one hundred and sixty-two, the words "two thousand," and inserting the following. "twenty-five hundred"

Adopted.

Also:

Insert after line thirty-nine, page one hundred and sixty-three: "*provided*, that in so far as it relates to the fees herein prescribed, this Act shall take effect from and after its passage"

Adopted.

Mr. Sargent moved to amend page one hundred and forty, as follows:

By striking out of section one hundred and ninety-two, line four, the words "two thousand," and inserting the following: "fifteen hundred"

Adopted.

Also:

Amend by striking out of section one hundred and ninety-two, line six, the words "two thousand," and inserting the following: "fifteen hundred."

Adopted.

Mr. Bulla moved to amend, as follows:

Amend section one hundred and thirty-six, page thirty-nine, by adding the following at the end thereof: "This section shall take effect from and after its passage."

Adopted.

Mr. Marston moved to amend, as follows:

By striking out of section two hundred and four, line eleven, page one hundred and eighty-four, the word "five," and inserting the word "six."

Adopted.

Also:

Amend by striking out of section two hundred and ten, line fourteen, page one hundred and eighty-nine, the word "five," and inserting the word "six."

Adopted.

Mr. Androus moved to amend, as follows:

By striking out of section one hundred and sixty-four, in line one hundred and seventy-three, the words "and twenty-five," after the word "hundred."

Adopted.

Mr. Bledsoe moved to amend page forty-one of printed bill, as follows:

By striking out of section one hundred and forty-five, all after the word "material," in line three, and all of lines four and five.

Adopted.

Also:

Amend page forty-one of printed bill, by striking out of section one hundred and forty-five, lines two and three, the words "office instruments."

Adopted.

Mr. Kahn in the chair.

Mr. Adams moved to amend page seven, as follows:

Amend section twenty-five, subdivision four, by inserting after the word "dollars," in line seventeen of printed bill, the following: "They may first adopt plans, specifications, strain-sheets, and working details thereof, and advertise for bids thereon."

And also strike out the word "must," line eighteen of said section twenty-five, and insert in lieu thereof the word "may," also, strike out the word "shall" in line nineteen of said section

Lost.

Mr. Vann moved to amend page seven, as follows:

By striking out of subdivision four, line seventeen, the words "fifteen hundred," and inserting the following: "two thousand."

Lost.

Mr Raw moved to amend page one hundred and sixty-six, as follows:

Amend section one hundred and ninety-nine, line four, by striking out the word 'one," and inserting the word 'two." also, in same line, strike out the words "five hundred," also, amend in line six of same section by striking out the words "five hundred," and inserting the words "seven hundred and fifty."

Adopted.

Mr. Pueschel moved to amend page one hundred and sixty-four, as follows:

By striking out of section one hundred and ninety-seven, line thirty-two, the words and figures "twenty-five hundred," and inserting "thirty-five hundred"

Adopted.

Mr. Johnson of Humboldt moved to amend page eighty-seven, as follows:

In section one hundred and seventy-four, after the word "dollars," in line fifty, insert the following: "Each Supervisor shall receive for his services as Road Commissioner, twenty cents per mile, one way, for all distances actually traveled by him in the performance of his duties; *provided*, that he shall not receive, in any one year, more than five hundred dollars. This provision, as far as it relates to the compensation of Supervisors as Road Commissioners, shall take effect immediately after the passage of this Act."

Adopted.

Mr. Talbott moved to reconsider the vote whereby section one hundred and eighty-three, page one hundred and twenty-six, line one hundred and forty-four, was amended by striking out the words "in going and returning, fifteen cents," and inserting the words "in going only, twenty cents."

So ordered.

Amendment withdrawn.

Speaker Gould in the chair.

Mr. Dodge moved to amend page forty-eight, as follows:

By striking out of section one hundred and forty-five, line nine, all of the matter commencing in said line nine down to and including the word "field," line sixteen, all in said section one hundred and forty-five.

Adopted.

Mr. Vann moved to amend page one hundred and eighty-two, as follows:

By striking out of section two hundred and one, line one hundred and twenty-six, the words "two hundred."

Adopted.

Also:

Amend by adding a new section, to be known as section twelve and one half, to read as follows

"SEC 12½ Whenever there shall be presented to the Board of Supervisors a petition, or petitions, signed by legal voters of said county equal in number to twenty-five per cent of the votes cast at the last preceding general election, asking that an ordinance, to be set forth in such petition, be submitted to a vote of the qualified voters of such county, it shall be the duty of the Board of Supervisors by due proclamation to submit such proposed ordinance to the vote of the qualified voters of such county The election shall be conducted and the returns canvassed in all respects as provided by law for the conducting of general elections and canvassing the returns thereof If a majority of the votes cast upon such ordinance shall be in favor of the adoption thereof, the Board of Supervisors shall proclaim such fact, and thereupon such ordinance thus adopted shall have the same and equal force and effect as though adopted and ordained by the Board of Supervisors"

Mr. Simpson moved to amend the amendment by striking out the words "twenty-five," and inserting in lieu thereof the word "fifty."

Adopted.

Amendment as amended adopted.

Mr. Thomas of Nevada moved to amend page one hundred and eighteen, as follows:

By striking out of section one hundred and eighty, line twenty-one, the word "five," and inserting the word "six"

Adopted.

Mr. Carlson moved to amend section fifty-seven, page twenty-three, by adding thereto the following:

The Board of Supervisors of the various counties of this State are hereby empowered to appoint as Emergency Clerks as many persons as in their judgment may be necessary to complete the unfinished and accumulated work in the offices and on the books and records of the various offices of their respective counties when such emergency exists, and such necessary clerical labor is absolutely necessary in the interest of public welfare. And the persons so appointed as Emergency Clerks shall be paid not to exceed one hundred dollars per month each for said services The said Emergency Clerks are not to be appointed, except where the accumulated and unfinished work in the said various offices demands the same, and when the said work cannot be completed without the services of such Emergency Clerks

It shall be the duty of the Clerk of the Board of Supervisors to keep a list of the persons so appointed as Emergency Clerks, and on the first Monday of each and every month furnish to the County Auditor a list of the persons so employed, and the amounts due to such Emergency Clerks

It shall be the duty of the County Auditor, upon the first Monday of each and every month, to draw his warrant upon the County Treasurer in favor of the persons appointed as Emergency Clerks, whose names are contained in the list furnished to him by the Clerk of the Board of Supervisors, as herein provided, and it shall be the duty of the Treasurer of said county to pay the same in the same manner as the salaries of the other officers of said county are paid

Lost.

Bill ordered engrossed and to a third reading.

Assembly Bill No. 762—An Act providing for the adjustment, settlement, and payment of any indebtedness existing against any city or municipal corporation at the time of exclusion of territory therefrom, and the division of the property thereof.

Read third time, and passed by the following vote:

AYES—Messrs. Adams, Alford, Anderson, Androus, Bennett of Santa Clara, Bennett of Orange, Bledsoe, Boyce, Bretz, Brownlie, Bulla, Burke, Carlson, Casterline, Chipman, Conway, Curtis, Dodge, Drees, Finlayson, Gallagher, Gately, Godchaux, Hendrickson, Hurley, Jacobs, Johnson of Humboldt, Kennedy, Kahn, Kerns, Luttringer, McElroy, McGowan, Marks, Marston, Mathews of Tehama, Miller, Mordecai, O'Keefe, Owen, Pendleton, Pueschel, Raw, Sargent, Simpson, Standart, Taggart, Talbott, Vann, Wade, and Mr. Speaker—51.

NOES—None

Title read and approved.

Mr. Casterline moved that Assembly Bill No. 762 be immediately transmitted to the Senate.

So ordered.

Mr. Talbott moved that Senate Bill No. 4 be substituted on the file for Assembly Bill No. 122, and be read the second time.

So ordered.

Senate Bill No 4—An Act to establish and provide for an Industrial School for Girls, and make appropriations therefor.

Read second time.

MOTION.

Mr. Lynch moved that the Assembly resolve itself into Committee of the Whole, with the Speaker in the chair, for the purpose of considering Senate Bill No. 4.

So ordered

IN COMMITTEE OF THE WHOLE.

Speaker Gould in the chair.
Senate Bill No. 4 was considered in Committee of the Whole.

IN ASSEMBLY.

Speaker Gould in the chair.

REPORT OF THE COMMITTEE OF THE WHOLE.

The Speaker stated the report of the Committee of the Whole, as follows

GENTLEMEN: The Committee of the Whole have had under consideration Senate Bill No. 4, and now report, and recommend that the same do pass.

Bill ordered to a third reading.
Mr. Bennett of Santa Clara moved that the further consideration of Senate Bill No. 4 be made a special order for to-morrow, at two o'clock P. M
So ordered.

URGENCY FILE—(RESUMED).

Senate Bill No. 552—An Act to pay the claim of John McGrath against the State of California, and making an appropriation therefor.
Read second time.

MOTION.

Mr. Standart moved that the Assembly resolve itself into Committee of the Whole, with the Speaker in the chair, for the purpose of considering Senate Bill No. 552.
So ordered.

IN COMMITTEE OF THE WHOLE.

Speaker Gould in the chair.
Senate Bill No. 552 was considered in Committee of the Whole.

IN ASSEMBLY.

Speaker Gould in the chair.

REPORT OF THE COMMITTEE OF THE WHOLE.

The Speaker stated the report of the Committee of the Whole, as follows:

GENTLEMEN: The Committee of the Whole have had under consideration Senate Bill No. 552, and now report, and recommend that the same do pass.

Senate Bill No. 552 referred to Committee on Ways and Means, to retain its place on file.

REPORT OF STANDING COMMITTEE.

ON ENGROSSMENT.

ASSEMBLY CHAMBER, SACRAMENTO, March 10, 1893

MR. SPEAKER: Your Committee on Engrossment beg leave to report that the following Assembly Bill has been correctly engrossed: Assembly Bill No. 188.

KENNEDY, Chairman.

URGENCY FILE—(RESUMED).

Assembly Bill No. 742—An Act to encourage the establishment of county, and city and county reform schools for the correction, care, and maintenance of juvenile offenders, and to provide State aid, and appropriate money therefor.

Read third time, and passed by the following vote:

AYES—Messrs. Adams, Alford, Anderson, Androus, Bennett of Orange, Boyce, Bretz, Brownlie, Bulla, Burke, Carlson, Casterline, Chipman, Conway, Curtis, Cusick, Dodge, Drees, Duckworth, Durst, Finlayson, Gallagher, Gately, Godchaux, Hamilton, Hurley, Hutson, Jacobs, Johnson of Humboldt, Johnson of Santa Clara, Kennedy, Kahn, Kerns, LaRue, Luttringer, Lynch, McGowan, Mack, Marks, Matthews of San Benito, Mordecai, O'Keefe, O'Neill, Owen, Perkins, Sargent, Schroebel, Shanahan, Standart, Talbott, Taylor, Thomas of Nevada, Tindall, Vann, and Wade—56.

NOES—Mr. Bledsoe and Mr. Speaker—2

Title read and approved.

MOTIONS.

Mr. Hurley moved that Assembly Bill No. 742 be immediately transmitted to the Senate.

So ordered.

Mr. Burke moved that Senate Bill No. 296 be substituted on the file for Assembly Bill No. 610.

So ordered.

Mr. Kahn moved that the special order, Assembly Bill No. 538, be postponed until ten o'clock A. M. to-morrow.

So ordered.

URGENCY FILE—(RESUMED).

Assembly Bill No. 810—An Act to add a new section to the Civil Code of the State of California, to be numbered section one thousand four hundred and nine, defining water measurement.

Read third time, and passed by the following vote:

AYES—Messrs Adams, Alford, Anderson, Androus, Bennett of Santa Clara, Bennett of Orange, Boyce, Bretz, Brownlie, Carlson, Casterline, Conway, Curtis, Cusick, Dodge, Duckworth, Durst, Finlayson, Gallagher, Gately, Godchaux, Jacobs, Jacobsen, Johnson of Humboldt, Johnson of Santa Clara, Kahn, Kerns, LaRue, Luttringer, Lynch, McCauley, Mack, Marks, Marston, Mathews of Tehama, Matthews of San Benito, Mordecai, O'Neill, Pendleton, Perkins, Schroebel, Simpson, Taggart, Talbott, Taylor, Thomas of Nevada, Tindall, Vann, Wade, and Mr. Speaker—50.

NOES—None.

Title read and approved.

Mr. Thomas of Nevada moved that Assembly Bill No. 810 be immediately transmitted to the Senate.

So ordered.

Mr. Talbott moved to place upon the second urgency file, in the space to which he is entitled, Assembly Bill No. 25 (No. 68 on file).

So ordered.

Senate Bill No. 144—An Act to provide for additional improvements and repairs at the Napa State Asylum for the Insane, and making an appropriation therefor.

Read third time, and refused passage by the following vote:

AYES—Messrs. Adams, Alford, Anderson, Androus, Barlow, Bennett of Orange, Bledsoe, Boyce, Bretz, Brownlie, Bulla, Burke, Carlson, Casterline, Conway, Cusick, Duck-

worth, Finlayson, Gallagher, Gately, Hamilton, Hurley, Jacobs, Johnson of Humboldt, McCauley, Marston, O'Keefe, Owen, Perkins, Schroebel, Standart, Taggart, Thomas of Nevada, Vann, Wade, and Mr. Speaker—37.

NOES—Messrs. Curtis, Durst, Hutson, Jacobsen, Kahn, Kerns, LaRue, Luttringer, Mack, Marks, Matthews of San Benito, Mordecai, and Sargent—15.

Assembly Bill No. 684—An Act to add eight new sections to an Act entitled "An Act to establish a Political Code," approved March 12, 1872, said new sections to be known, numbered, and designated as sections two thousand six hundred and ninety-six, two thousand six hundred and ninety-seven, two thousand six hundred and ninety-eight, two thousand six hundred and ninety-nine, two thousand seven hundred, two thousand seven hundred and one, two thousand seven hundred and two, and two thousand seven hundred and three, respectively, all relating to laying out and constructing drains, canals, ditches, and other works to drain public roads.

Read third time, and passed by the following vote:

AYES—Messrs Adams, Alford, Anderson, Androus, Bennett of Santa Clara, Bledsoe, Boyce, Bretz, Brownlie, Bulla, Burke, Carlson, Chipman, Conway, Curtis, Cusick, Dodge, Duckworth, Durst, Finlayson, Gately, Hamilton, Hurley, Hutson, Jacobs, Jacobsen, Johnson of Humboldt, Kahn, Kerns, LaRue, Luttringer, Lynch, McGowan, Mack, Marks, Marston, Matthews of San Benito, Miller, Mordecai, Owen, Pendleton, Perkins, Sargent, Simpson, Standart, Taggart, Taylor, Tindall, Vann, Wade, and Mr. Speaker—51

NOES—None

Title read and approved.

Mr. Owen moved that Assembly Bill No. 684 be immediately transmitted to the Senate

So ordered.

Committee Substitute for Senate Bill No. 383—An Act to add a new section to the Code of Civil Procedure of the State of California, to be numbered section one thousand two hundred and three, relating to liens of mechanics and others.

Read second time.

Committee amendment, as follows:

On lines six and seven of printed bill, strike out the following "and the County Recorder shall receive fifty cents for such filing"

Adopted.

Bill ordered to a third reading.

Senate Bill No. 576—An Act making an appropriation for enlarging the fire-proof warehouse for use of the State Printing Department.

Read first time, and placed on file for second reading.

Assembly Bill No. 67—An Act to provide for the purchase of a residence for the Governor of California, and appropriate money therefor.

Read third time, and passed by the following vote:

AYES—Messrs. Anderson, Androus, Barlow, Bennett of Santa Clara, Bennett of Orange, Boyce, Brownlie, Carlson, Casterline, Chipman, Conway, Curtis, Cusick, Dodge, Duckworth, Durst, Gallagher, Gately, Godchaux, Hamilton, Jacobs, Johnson of Humboldt, Johnson of Santa Clara, Kerns, Luttringer, Lynch, McCauley, McGowan, Mack, Marks, Marston, Miller, O'Keefe, O'Neill, Owen, Pendleton, Perkins, Pueschel, Sargent, Schlesinger, Shanahan, Simpson, Standart, Taggart, Taylor, Thomas of Nevada, and Wade—47.

NOES—Messrs Alford, Bledsoe, Bretz, Bulla, Burke, Finlayson, Hendrickson, Hurley, Hutson, Jacobsen, Kahn, LaRue, Matthews of San Benito, Mordecai, Raw, Schroebel, Tindall, and Vann—18

Title read and approved.

NOTICES OF RECONSIDERATION.

Mr. Sargent gave notice that on the next legislative day he will move a reconsideration of the vote whereby Assembly Bill No. 67 was passed.

Mr. Durst gave notice that on the next legislative day he will move a reconsideration of the vote whereby Senate Bill No. 144 was refused passage

Assembly Bill No. 727—An Act to amend sections three, five, six, and ten of an Act entitled "An Act to provide for the maintenance and support of the public parks heretofore created within the various cities, and cities and counties of the State, and to amend the existing Acts in relation thereto," approved March 14, 1889.

Read third time.

Mr. Burke moved that the bill be re-referred to the San Francisco Delegation.

Lost

PREVIOUS QUESTION.

Mr. Gallagher moved the previous question, seconded by Messrs. Brownlie and Bulla.

The question being, "Shall the main question be now put?"

So ordered.

The roll was called, and the bill passed by the following vote:

AYES—Messrs Alford, Anderson, Bennett of Santa Clara, Boyce, Brownlie, Burke, Carlson, Casterline, Chipman, Cusick, Drees, Duckworth, Durst, Finlayson, Gallagher, Gately, Godchaux, Hamilton, Hendrickson, Hurley, Hutson, Jacobs, Jacobsen, Kennedy, Kerns, LaRue, Lynch, Mack, Marks, Marston, Matthews of San Benito, Miller, O'Keefe, O'Neill, Owen, Pendleton, Perkins, Pueschel, Raw, Sargent, Schlesinger, Schroebel, Shanahan, Standart, Taylor, Thomas of Nevada, and Tindall—47

NOES—Messrs. Barlow, Bennett of Orange, Bledsoe, Bretz, Bulla, Conway, Johnson of Humboldt, Kahn, Luttringer, Mordecai, Taggart, Vann, and Wade—13.

Title read and approved.

NOTICE OF RECONSIDERATION.

Mr. Burke gave notice that on the next legislative day he will move a reconsideration of the vote whereby Assembly Bill No. 727 was passed.

MOTION.

Mr. Duckworth moved that he be allowed to introduce a bill under the provisions of the Constitution requiring the consent of two thirds of the members.

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

AYES—Messrs Alford, Anderson, Barlow, Bennett of Santa Clara, Bennett of Orange, Bledsoe, Boyce, Brownlie, Bulla, Burke, Carlson, Casterline, Chipman, Conway, Curtis, Cusick, Dodge, Duckworth, Durst, Finlayson, Gallagher, Gately, Godchaux, Hendrickson, Hurley, Jacobs, Jacobsen, Johnson of Humboldt, Kennedy, Kahn, Kerns, LaRue, Luttringer, Lynch, McGowan, Mack, Marks, Marston, Matthews of San Benito, Miller, O'Neill, Owen, Pendleton, Perkins, Pueschel, Raw, Schlesinger, Schroebel, Shanahan, Standart, Taggart, Taylor, Tindall, Vann, Wade, and Mr Speaker—57

NOES—None

INTRODUCTION OF BILL.

By Mr. Duckworth: Assembly Bill No 856—An Act to provide for the payment of advertising the funded debt, and making an appropriation therefor.

Read first time, and placed on file for second reading.

MOTIONS.

Mr. Duckworth moved that the further consideration of Assembly Bill No. 856 be made a special order for to-morrow, at three o'clock and thirty minutes P. M.

So ordered.

Mr. Duckworth moved that the further consideration of the County Government Bill be made a special order on its return from the Committee on Engrossment.

So ordered.

Mr. Finlayson moved that all the bills which were made special orders for to-day be made special orders for the same hours to-morrow.

So ordered.

ADJOURNMENT.

At ten o'clock and fifty minutes P. M., on motion of Mr. Pendleton, the Assembly adjourned.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Saturday, March 11, 1893.

The Assembly met pursuant to adjournment.

Speaker Gould in the chair.

The roll was called, and the following members answered to their names:

Messrs. Adams, Alford, Anderson, Androus, Bennett of Santa Clara, Bennett of Orange, Blakeley, Bledsoe, Brownlie, Buckley, Bulla, Burke, Carlson, Casterline, Chipman, Conway, Curtis, Cusick, Dodge, Drees, Duckworth, Duffy, Durst, Finlayson, Gallagher, Gately, Godchaux, Hamilton, Hendrickson, Hurley, Hutson, Jacobs, Jacobsen, Johnson of Humboldt, Johnson of Santa Clara, Kennedy, Kahn, Kerns, LaRue, Luttringer, Lynch, McCauley, McElroy, McGowan, Mack, Marks, Marston, Mathews of Tehama, Matthews of San Benito, Miller, Mordecai, O'Keefe, O'Neill, Owen, Pendleton, Perkins, Pueschel, Raw, Sargent, Schlesinger, Schroebel, Shanahan, Simpson, Sims, Standart, Taggart, Talbott, Taylor, Thomas of Nevada, Tindall, Vann, Wade, and Mr. Speaker.

Quorum present.

PRAYER.

Prayer by the Chaplain, Rev. H. W. Conry.

READING AND APPROVAL OF THE JOURNAL.

Pending the reading of the Journal of yesterday, Mr. Taggart moved that further reading be dispensed with.

So ordered.

Journal of Thursday, March 9, 1893, approved.

LEAVE OF ABSENCE.

Mr. Perkins was granted leave of absence for the day.

RESOLUTION.

By Mr. Mathews of Tehama:

Resolved, That the State Controller be and he is hereby directed to draw his warrant, payable out of the Contingent Fund of the Assembly, in the sum of seventy dollars, in favor of Al. McCabe, for typewriting services rendered the Speaker and Speaker pro tem on the organization of the Assembly.

Adopted.

REPORT OF STANDING COMMITTEE.

ON WAYS AND MEANS.

ASSEMBLY CHAMBER, SACRAMENTO, March 7, 1893.

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred a resolution by Mr Alford, providing for the payment of seven hundred and fifty dollars, counsel fees, to H. C. McPike, and two hundred dollars expenses to Assemblyman Johnson, in the Rea-Johnson investigation—have had the same under consideration, and report back the following substitute, with the recommendation that it pass:

Resolved, That Assemblyman Johnson be allowed the sum of one hundred and seventy-four dollars to defray his expenses in the matter of the investigation of the charges made against him by James W. Rea, and that his counsel, H. C. McPike, be allowed the sum of five hundred dollars, the same payable out of the Contingent Fund of the Assembly, and the Controller is hereby authorized to draw his warrant for the same

W. P. MATHEWS, Chairman

Mr. Bledsoe moved to strike out the words "five hundred," and insert in lieu thereof the words "two hundred and fifty."

Lost.

Resolution adopted.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 7, 1893.

MR. SPEAKER: Your Committee on Ways and Means beg leave to report that in estimating the expenses of the contested election case of Decourtieux vs. McGowan, an error was made in computing the fees of the official reporter. He is entitled to the sum of two hundred dollars more than was allowed by the original report of this committee. We therefore recommend the adoption of the following resolution:

Resolved, That the sum of two hundred dollars is hereby appropriated out of the Contingent Fund of the Assembly, to pay the fees of the official reporter in the contested election case of Decourtieux vs. McGowan. The State Controller is hereby directed to draw his warrant in favor of Clement Bennett for the above sum, and the Treasurer is directed to pay the same.

W. P. MATHEWS, Chairman.

Resolution adopted.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 10, 1893

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred the following resolution:

"*Resolved*, That Messrs Alford, Sims, and Androus, members of the Assembly, be and they are hereby appointed a committee to purchase and cause to be erected at the head of the grave of the late E. B. Price, deceased member of the present Legislature, representing the county of Butte in the Assembly, a monument, at the cost of one thousand dollars, in commemoration of the high esteem in which he was held by the members of this Legislature."

Have had the same under consideration, and report it back with a substitute, with the recommendation that the substitute be adopted:

Resolved, That N. Greene Curtis, W. F. Knox, and P. H. Russell, Trustees of the State Burying Ground, are hereby authorized to purchase and erect at the grave of the late E B Price, in the State Burying Ground, a monument, at a cost not to exceed one thousand dollars, the same to be paid out of the Contingent Fund of the Assembly. The Controller is hereby authorized to draw his warrant on the Contingent Fund of the Assembly for so much of the amount as may be necessary to defray the cost, and the Treasurer is hereby directed to pay the same.

W. P. MATHEWS, Chairman

Resolution adopted.

MOTION.

Mr. Finlayson moved that Senate Bill No. 772 be taken up out of order, and read the second time.

So ordered.

SECOND READING OF BILL.

Senate Bill No. 772—An Act to pay the claim of Robert B. Young, and to make an appropriation for the same.

Read second time.

MOTION.

Mr. Finlayson moved that the Assembly resolve itself into Committee of the Whole, with the Speaker in the chair, for the purpose of considering Senate Bill No. 772.

So ordered

IN COMMITTEE OF THE WHOLE.

Speaker Gould in the chair.

Senate Bill No. 772 was considered in Committee of the Whole.

IN ASSEMBLY.

Speaker Gould in the chair.

REPORT OF THE COMMITTEE OF THE WHOLE.

The Speaker stated the report of the Committee of the Whole, as follows:

GENTLEMEN. The Committee of the Whole have had under consideration Senate Bill No 772. and now report, and recommend that the same do pass.

Bill ordered to a third reading.

MOTION.

Mr. Lynch moved that Assembly Bill No. 747 be taken up out of order, and read the third time.

So ordered.

THIRD READING OF BILL.

Assembly Bill No. 747—An Act making an appropriation for the relief of N. Southmayd, and others, in caring for and preserving the perishable property of the State of California.

Read third time, and passed by the following vote:

AYES—Messrs Anderson, Androus, Bennett of Santa Clara, Bennett of Orange, Brownlie, Bulla, Casterline, Chipman, Curtis, Cusick, Dodge, Drees, Durst, Gallagher, Hamilton, Hurley, Jacobs, Jacobsen, Johnson of Santa Clara, Kennedy, Kerns, LaRue, Luttringer, Lynch, Mack, Marks, Marston, Mordecai, Owen, Pendleton, Pueschel, Raw, Schlesinger, Schroebel, Shanahan, Simpson, Standart, Taggart, Talbott, Thomas of Nevada, Tindall, Wade, and Mr. Speaker—43

NOES—Messrs Bledsoe and Johnson of Humboldt—2

Title read and approved.

Mr. Lynch moved that Assembly Bill No. 747 be immediately transmitted to the Senate.

So ordered.

REPORT OF SPECIAL COMMITTEE.

ASSEMBLY CHAMBER, SACRAMENTO, March 11, 1893.

MR. SPEAKER: Your committee appointed to investigate the affairs of the office of the Attorney-General, W. H. H. Hart, consisting of the Hon. W. P. Mathews, Hon. C. M. Simpson, Hon. P. H. Mack, Hon. C. W. Tindall, and Hon. J. Kahn, report that they have incurred the following expenses during the investigation.

W. P. Mathews, mileage from Sacramento to San Francisco	$16 80	
C. M. Simpson, mileage from Sacramento to San Francisco	16 80	
J. Kahn, mileage from Sacramento to San Francisco	16 80	
P. H. Mack, mileage from Sacramento to San Francisco	16 80	
C. W. Tindall, mileage from Sacramento to San Francisco	16 80	
A. W. Baldwin, clerk, mileage from Sacramento to San Francisco	16 80	
W. E. Doan, stenographer, mileage from Sacramento to San Francisco	16 80	
A. B. Hotchkiss, witness, mileage from Los Angeles to Sacramento	95 60	
A. R. Cotton, witness, mileage from San Francisco to Sacramento	16 80	
J. P. Langhorne, witness, mileage from San Francisco to Sacramento	16 80	
John Garter, witness, mileage from San Francisco to Sacramento	16 80	
L. M. Hoefler, witness, mileage from San Francisco to Sacramento	16 80	
C. H. Jackson, witness, mileage from San Francisco to Sacramento	16 80	
		$297 20
Telegraphing subpœna to A. B. Hotchkiss at Los Angeles	$2 72	
Telegram to and from J. D. Murphy at Bridgeport, California	3 35	
Telegram to J. S. Kane at Bridgeport	1 00	
Telegram to and from Judge J. B. C. Hebbard	1 86	
Telegram to S. W. Lippman, Sergeant-at-Arms of committee in San Francisco	70	
		9 63
J. P. Langhorne, two days' witness fees, at $2 per day	$4 00	
A. B. Hotchkiss, two days' witness fees, at $2 per day	4 00	
A. R. Cotton, two days' witness fees, at $2 per day	4 00	
E. S. Heller, one day's witness fees, at $2 per day	2 00	
T. I. Bergin, one day's witness fees, at $2 per day	2 00	
Charles A. Smith, one day's witness fees, at $2 per day	2 00	
W. McGavin, one day's witness fees, at $2 per day	2 00	
W. H. Knight, one day's witness fees, at $2 per day	2 00	
S. T. Allen, one day's witness fees, at $2 per day	2 00	
I. S. Emery, one day's witness fees, at $2 per day	2 00	
John H. Miller, one day's witness fees, at $2 per day	2 00	
John B. Mhoon, one day's witness fees, at $2 per day	2 00	
D. E. Hayes, one day's witness fees, at $2 per day	2 00	
John Garter, one day's witness fees, at $2 per day	2 00	
L. M. Hoefler, one day's witness fees, at $2 per day	2 00	
C. H. Jackson, one day's witness fees, at $2 per day	2 00	
		38 00
George Hughes, Sergeant-at-Arms for committee, from February 14, 1893, to March 9, both inclusive, deducting therefrom four days not on duty, making twenty days, at $5 per day	$100 00	
S. W. Lippman, Sergeant-at-Arms of committee in San Francisco, for four days, at $5 per day	20 00	
A. W. Baldwin, clerk, from February 14th to March 9th, both inclusive, making twenty-four days, at $5 per day	120 00	
		240 00
W. E. Doan, stenographer:		
One thousand one hundred and nine folios, at 20 cents per folio	$221 80	
One thousand one hundred and nine folios, at 15 cents per folio	166 35	
Seven days, at $10 per day, to make copy	70 00	
		458 15
Total		$1.042 98

Resolved, That the State Controller be directed to draw his warrant in favor of W. P. Mathews, Chairman of Committee, for the sum of ten hundred and forty-two dollars, to be paid from any moneys in the State Treasury now unappropriated for other purposes.

W. P. MATHEWS, Chairman.
By C. M. SIMPSON

Referred to Committee on Ways and Means.

REPORT OF STANDING COMMITTEE.

ON PUBLIC LANDS.

ASSEMBLY CHAMBER, SACRAMENTO, March 11, 1893.

MR SPEAKER: Your Committee on Public Lands, to whom was referred Assembly Bill No. 294, return the same.

MACK, Chairman.

MESSAGES FROM THE SENATE.

SENATE CHAMBER, SACRAMENTO, March 10, 1893.

MR. SPEAKER: I am directed to inform your honorable body that the Senate, on this day, passed Senate Bill No. 66—An Act making an appropriation to pay the claim of F. Marion Wells.

Also. Senate Bill No. 343—An Act to amend an Act entitled "An Act to regulate the practice of pharmacy and sale of poisons in the State of California," approved March 11, 1891.

Also: Senate Bill No. 693—An Act authorizing the appointment of Trustees for the estates of missing persons, and defining the duties of such Trustees.

F. J. BRANDON, Secretary.
By R. SHAW, Assistant.

Senate Bills Nos. 66 and 693 ordered on file.

MOTION.

Mr. Tindall moved that Senate Bill No. 343 be read first time.
So ordered.

FIRST READING OF BILL.

Senate Bill No. 343—An Act to amend an Act entitled "An Act to regulate the practice of pharmacy and sale of poisons in the State of California," approved March 11, 1891.

Read first time, and placed on file for second reading.

MESSAGES FROM THE SENATE—(RESUMED).

SENATE CHAMBER, SACRAMENTO, March 10, 1893.

MR SPEAKER: I am directed to inform your honorable body that the Senate, on this day, passed Assembly Bill No. 777—An Act making an appropriation to pay the deficiencies in the appropriation for costs and expenses of suits in which the State is a party in interest, for the thirty-fifth, thirty-sixth, thirty-seventh, thirty-eighth, thirty-ninth, and fortieth fiscal years.

Also: Assembly Bill No. 663—An Act entitled an Act to regulate the practice of veterinary medicine and surgery in the State of California.

Also: Assembly Bill No. 264, as amended—An Act to amend section one thousand eight hundred and eighty-one of the Civil Code of Procedure, relating to witnesses.

Also: Assembly Bill No. 550—An Act to prohibit the creation of debts against the State in excess of appropriations made by law, except in cases of actual necessity and on consent of the Board of Examiners.

F. J. BRANDON, Secretary.
By R. SHAW, Assistant.

Assembly Bills Nos. 777, 663, and 550 ordered to enrollment.

The question being, "Shall the Assembly concur in Senate amendments to Assembly Bill No. 264?"

The roll was called, and the Senate amendments concurred in by the following vote:

AYES—Messrs. Adams, Anderson, Androus, Bennett of Santa Clara, Bennett of Orange, Bledsoe, Buckley, Bulla, Casterline, Chipman, Conway, Curtis, Cusick, Dodge, Drees, Durst, Gallagher, Hendrickson, Hurley, Hutson, Jacobs, Johnson of Humboldt, Johnson

of Santa Clara, Kennedy, Kahn, Kerns, Luttringer, Lynch, Marks, Marston, Mordecai, O'Neill, Owen, Raw, Schlesinger, Shanahan, Simpson, Taggart, Thomas of Nevada, Tindall, Wade, and Mr. Speaker—42.

NOES—None.

Assembly Bill No. 264 ordered to enrollment.

MESSAGES FROM THE SENATE—(RESUMED).

SENATE CHAMBER, SACRAMENTO, March 10, 1893.

MR SPEAKER: I am directed to inform your honorable body that the Senate, on the third day of March, 1893, refused to pass Assembly Bill No. 114—An Act to provide for the organization, incorporation, and government of towns.

Also On March 10, 1893, refused to pass Substitute for Assembly Bill No. 396—An Act to create the county of Santa Ynez, to establish the boundries thereof, and to provide for its organization.

F. J. BRANDON, Secretary.
By R. SHAW, Assistant.

Also:

SENATE CHAMBER, SACRAMENTO, March 10, 1893.

MR. SPEAKER. I am directed to inform your honorable body that the Senate, on this day, refused to adopt Assembly Constitutional Amendment No. 4—Proposing to the people of the State of California an amendment to and providing for the repeal of sections twenty-two and twenty-three of article twelve of the Constitution, relative to a Board of Railroad Commissioners.

Also Substitute for Assembly Constitutional Amendment No. 14—Proposing to the people of the State of California an amendment to section three of article eleven of the Constitution of the State of California, relating to the formation of new counties.

F. J. BRANDON, Secretary.
By R. SHAW, Assistant.

SPECIAL ORDERS.

Assembly Bill No. 538—An Act prohibiting the burial of the dead within the corporate limits of any incorporated city, or city and county, of over fifty thousand inhabitants, from and after the thirty-first day of December, A. D. 1895.

Passed on file.

Assembly Bill No. 677—An Act appropriating money for the purchase of land for the Industrial Home of Mechanical Trades for the Adult Blind.

Read third time, and passed by the following vote:

AYES—Messrs. Adams, Anderson, Androus, Bennett of Santa Clara, Bennett of Orange, Bledsoe, Buckley, Bulla, Carlson, Casterline, Chipman, Conway, Curtis, Cusick, Dodge, Drees, Durst, Finlayson, Gallagher, Hurley, Hutson, Jacobs, Jacobsen, Johnson of Humboldt, Kahn, Kerns, Lalue, Luttringer, Mack, Marks, Marston, Mordecai, Owen, Raw, Schlesinger, Simpson, Standart, Taggart, Talbott, Thomas of Nevada, Tindall, Wade, and Mr Speaker—43.

NOES—None.

Title read and approved.

Mr. Dodge moved that Assembly Bill No. 667 be immediately transmitted to the Senate.

So ordered.

Assembly Bill No. 538—An Act prohibiting the burial of the dead within the corporate limits of any incorporated city, or city and county, of over fifty thousand inhabitants, from and after the thirty-first day of December, A. D. 1895.

Read third time.

REPORT FROM SAN FRANCISCO DELEGATION.

MR. SPEAKER. We, the undersigned, a majority of the San Francisco Delegation, most respectfully request that Assembly Bill No 538 be re-referred to the San Francisco Delegation.

M. J. HURLEY
JOHN BROWNLIE
JOS G GALLAGHER
E. GODCHAUX
JOHN M. CURTIS.
B. CONWAY.
J. BUCKLEY
WM H GATELY
LAS McGOWAN
R. J LUTTRINGER.
THOS. W BURKE
THOS. P CUSICK.
J. M. MARKS
W. T BOYCE
BERT SCHLESINGER.

Mr. Curtis moved that the bill be re-referred to the San Francisco Delegation.

Lost.

The roll was called, and pending announcement of the vote, Mr. Kahn moved a call of the House, seconded by Messrs. Johnson of Humboldt and Bennett of Santa Clara.

Lost.

The Speaker announced the vote, and declared the bill lost by the following vote:

AYES—Messrs. Adams, Alford, Androus, Bennett of Santa Clara, Bennett of Orange, Bledsoe, Bulla, Casterline, Chipman, Drees, Durst, Finlayson, Hutson, Jacobs, Jacobsen, Johnson of Humboldt, Kahn, Kerns, LaRue, Mack, Mordecai, Pendleton Raw, Taggart, Thomas of Nevada, Tindall, and Wade—27

NOES—Messrs Buckley, Conway, Curtis, Cusick, Gallagher, Godchaux, Hamilton, Hendrickson, Hurley, Luttringer, McElroy, Marks, Marston, O'Neill, Schlesinger, Simpson, Standart, and Talbott—18.

SPECIAL ORDER.

Substitute for Senate Bills Nos. 291, 183, and 123—An Act to provide for laying out, opening, extending, widening, straightening, diverging, curving, contracting, or closing up, in whole or in part, any street, square, lane, alley, court, or place within municipalities, or cities, and cities and counties of forty thousand inhabitants or over, and to condemn and acquire any and all land and property necessary or convenient for that purpose.

Read second time.

Mr. Bulla moved to amend, as follows:

By striking out of the title, in line four, the word "forty," before the words "thousand inhabitants," and inserting the following: "one hundred," before the words "thousand inhabitants"

The ayes and noes were demanded by Messrs. Schlesinger, Hurley, and Dodge.

The roll was called, and amendment lost by the following vote:

AYES—Messrs. Adams, Alford, Anderson, Androus, Bennett of Orange, Bledsoe, Bulla, Carlson, Drees, Finlayson, Hamilton, Jacobsen, Johnson of Humboldt, Kerns, Lynch, Mathews of Tehama, Matthews of San Benito, Mordecai, Pendleton, Schroebel, Simpson, Tindall, and Vann—23.

NOES—Messrs Bennett of Santa Clara, Brownlie, Buckley, Casterline, Conway, Curtis, Cusick, Dodge, Durst, Gallagher, Godchaux, Hendrickson, Hurley, Hutson, Jacobs, Kennedy, Kahn, LaRue, Luttringer, McElroy, McGowan, Marks, Marston, O'Neill, Owen, Sargent, Schlesinger, Standart, Wade, and Mr Speaker—30.

Committee amendments, as follows:

Amend line three, section six, page three, by striking out after the word "appoint" the following words· "three disinterested persons," and inserting the following: "the Superintendent of Streets, County Clerk, and Surveyor."

Mr. Curtis moved to amend, as follows:

By inserting before the words "County Clerk" the words "City and."

Lost.

Committee amendment lost.

Mr. Bulla moved to amend, as follows:

By adding to section twenty-one, after line twenty-five, the words and figure, viz.: "8. No publications or notice other than that provided for in this Act shall be necessary to give validity to any proceedings had thereunder."

Lost.

Also:

Amend by striking out of section twenty-three, line eight, the words "by a three-fourths vote of its members," and inserting the following. "by a majority vote of its members."

Lost.

Bill ordered to a third reading.

MOTION.

Mr. Sargent moved to reconsider the vote whereby Assembly Bill No. 67 was passed.

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

AYES—Messrs. Alford, Bledsoe, Buckley, Drees, Finlayson, Hendrickson, Hurley, Hutson, Johnson of Humboldt, Kerns, LaRue, McElroy, Mordecai, Sargent, Schroebel, Tindall, and Vann—17.

NOES—Messrs. Anderson, Androus, Bennett of Santa Clara, Bennett of Orange, Blakeley, Brownlie, Burke, Carlson, Casterline, Chipman, Conway, Curtis, Cusick, Dodge, Durst, Gallagher, Godchaux, Hamilton, Jacobs, Johnson of Santa Clara, Luttringer, Lynch, McGowan, Mack, Marston, Miller, O'Neill, Owen, Pendleton, Pueschel, Schlesinger, Shanahan, Simpson, Standart, Taggart, Taylor, Thomas of Nevada, and Wade—38.

MOTIONS.

Mr. Anderson moved that Senate Bill No. 67 be immediately transmitted to the Senate.

So ordered.

Mr. Standart moved that Senate Bill No. 210 be recalled from the Senate for correction.

So ordered.

RECONSIDERATION.

Mr. Wade moved to reconsider the vote whereby Senate Bill No. 144 was refused passage.

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

AYES—Messrs Alford, Anderson, Androus, Barker, Bennett of Santa Clara, Bennett of Orange, Bledsoe, Buckley, Bulla, Carlson, Conway, Cusick, Dodge, Drees, Durst, Finlayson, Gallagher, Godchaux, Hamilton, Hendrickson, Hurley, Johnson of Humboldt, Kahn, Kerns, Luttringer, Lynch, McElroy, Mack, Miller, Mordecai, Owen, Pendleton, Perkins, Pueschel, Schlesinger, Schroebel, Shanahan, Simpson, Standart, Taggart, Thomas of Nevada, Tindall, Vann, and Wade—44.

NOES—Mr. Sargent and Mr Speaker—2.

Senate Bill No. 144—An Act to provide for additional improvements and repairs at the Napa State Asylum for the Insane, and making an appropriation therefor.

CALL OF THE HOUSE.

Pending announcement of the vote, Mr. Wade moved a call of the House, seconded by Messrs. Matthews of San Benito and Jacobsen.

So ordered.

The roll was called, and the following members answered to their names:

Messrs. Adams, Alford, Anderson, Androus, Bennett of Santa Clara, Bennett of Orange, Blakeley, Bledsoe, Brownlie, Bulla, Burke, Carlson, Casterline, Chipman, Conway, Curtis, Cusick, Dodge, Drees, Duckworth, Durst, Finlayson, Gallagher, Godchaux, Hamilton, Hendrickson, Hurley, Jacobs, Jacobsen, Johnson of Humboldt, Johnson of Santa Clara, Kahn, Kerns, LaRue, Luttringer, Lynch, McElroy, McGowan, Mack, Marks, Marston, Mathews of Tehama, Matthews of San Benito, Miller, Mordecai, Owen, Pendleton, Pueschel, Raw, Sargent, Schlesinger, Shanahan, Simpson, Standart, Taggart, Talbott, Thomas of Nevada, Tindall, Vann, Wade, and Mr. Speaker.

Mr. Wade moved that further proceedings under the call of the House be dispensed with.

So ordered.

SENATE BILL No. 144.

The Speaker announced the vote, and declared the bill lost by the following vote:

AYES—Messrs. Adams, Alford, Anderson, Androus, Bennett of Santa Clara, Bennett of Orange, Bledsoe, Bulla, Burke, Carlson, Casterline, Chipman, Conway, Cusick, Drees, Duckworth, Durst, Finlayson, Gallagher, Godchaux, Hamilton, Hendrickson, Hurley, Jacobsen, Johnson of Humboldt, Johnson of Santa Clara, Miller, O'Neill, Owen, Pendleton, Raw, Shanahan, Simpson, Standart, Taggart, Taylor, Thomas of Nevada, Vann, and Wade—39.

NOES—Messrs. Blakeley, Brownlie, Curtis, Kahn, Kerns, LaRue, Luttringer, Lynch, McElroy, McGowan, Mack, Marks, Marston, Mathews of Tehama, Matthews of San Benito, Mordecai, Pueschel, Sargent, Schlesinger, Schroebel, Talbott, Tindall, and Mr. Speaker—23.

LEAVE OF ABSENCE.

Mr. Bennett of Orange was granted leave of absence for the remainder of the day.

RESOLUTION.

By Mr. Sargent:

Resolved, That the resolution appointing John Wise First Assistant Sergeant-at-Arms of the Assembly be amended so as to read as follows:

Resolved, That John Wise be and he is hereby appointed Assistant Clerk to the Sergeant-at-Arms of the Assembly, with duties of First Assistant Sergeant-at-Arms, at the same per diem as the Sergeant-at-Arms, to take effect January 4, 1893, the same to be paid out of the Contingent Fund of the Assembly, and the Controller is hereby authorized to draw his warrant for the same

Referred to the Committee on Attachés and Employés.

REPORT OF SPECIAL COMMITTEE.

ASSEMBLY CHAMBER, SACRAMENTO, March 10, 1893.

MR. SPEAKER: Your special committee appointed for the purpose of preparing a special urgency file, upon which bills of general importance were to be placed, beg leave to report as follows:

WHEREAS, We believe that any action your committee might take in preparing said file would not meet with general satisfaction; and whereas, if we should take bills of

general importance from near the head of urgency files now existing, nothing would be accomplished, as those bills would be reached in any event, and if bills of general importance were taken from any other place on said file, or any other file, an injustice would be done those measures at or near the head of said urgency files now existing; and whereas, in consequence of these facts and of many others that might be named, and of the fact that many members are of opinion that the preparation of said urgency file would work an injustice to many; therefore, it is the judgment of your committee that such file should not be prepared, and that said committee should be discharged.

J. H. MATTHEWS, Chairman.

Report adopted.

REPORT OF STANDING COMMITTEE.

ON APPORTIONMENT AND ELECTION LAWS.

ASSEMBLY CHAMBER, SACRAMENTO, March 10, 1893.

MR. SPEAKER: Your Committee on Apportionment and Election Laws, to whom was referred Assembly Bill No. 680—have had the same under consideration, and respectfully report the same back, and recommend that it do not pass.

FINLAYSON, Chairman.

RECONSIDERATION.

Mr. Kerns moved to reconsider the vote whereby Senate Constitutional Amendment No. 7 was refused adoption.

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

AYES—Messrs. Alford, Anderson, Androus, Blakeley, Bledsoe, Bulla, Burke, Casterline, Conway, Curtis, Cusick, Dodge, Finlayson, Gallagher, Gately, Godchaux, Hendrickson, Hutson, Jacobs, Jacobsen, Johnson of Humboldt, Johnson of Santa Clara, Kennedy, Kahn, Kerns, Lynch, McElroy, Mack, Matthews of San Benito, Miller, Mordecai, O'Neill, Owen, Pendleton, Pueschel, Sargent, Schlesinger, Schroebel, Simpson, Talbott, Taylor, Thomas of Nevada, and Wade—43.

NOES—Messrs Adams, Bennett of Santa Clara, Chipman, Drees, Durst, Hamilton, Raw, Standart, Taggart, Tindall, and Vann—11.

Senate Constitutional Amendment No. 7—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, amending section nine of article thirteen thereof, relative to the election of a State Board of Equalization.

CALL OF THE HOUSE.

Pending announcement of the vote, Mr Kahn moved a call of the House, seconded by Messrs. Pendleton and Simpson.

So ordered.

The roll was called, and the following members answered to their names:

Messrs. Adams, Alford, Anderson, Androus, Bennett of Santa Clara, Blakeley, Bledsoe, Brownlie, Buckley, Bulla, Burke, Carlson, Casterline, Chipman, Conway, Curtis, Cusick, Dodge, Duckworth, Durst, Finlayson, Gallagher, Gately, Godchaux, Hamilton, Hendrickson, Hutson, Jacobs, Jacobsen, Johnson of Humboldt, Johnson of Santa Clara, Kennedy, Kahn, Kerns, LaRue, Luttringer, Lynch, McElroy, Mack, Marks, Marston, Mathews of Tehama, Matthews of San Benito, Mordecai, O'Keefe, O'Neill, Owen, Pendleton, Pueschel, Raw, Sargent, Schlesinger, Schroebel, Simpson, Sims, Standart, Taggart, Talbott, Taylor, Tindall, Vann, Wade, and Mr Speaker

Mr. Lynch moved that further proceedings under the call of the House be dispensed with.

So ordered.

SENATE CONSTITUTIONAL AMENDMENT No. 7.

A resolution to propose to the people of the State of California an amendment to the Constitution of the State, amending section nine of article thirteen thereof, relative to the election of a State Board of Equalization.

Resolved by the Senate, the Assembly concurring, That the Legislature of the State of California, at its regular session, commencing on the second day of January, eighteen hundred and ninety-three, two thirds of all the members of each house concurring, hereby propose that section nine of article thirteen of the Constitution of the State be amended so as to read as follows.

A State Board of Equalization, consisting of one member from each congressional district in this State, shall be elected by the qualified electors of their respective districts, at the first general election to be held after the adoption of this amendment, and at each general election every four years, whose term of office shall be for four years, whose duty it shall be to equalize the valuation of the taxable property in the several counties of the State for the purpose of taxation. The Controller of State shall be ex officio a member of the Board. The Boards of Supervisors of the several counties of the State shall constitute Boards of Equalization for their respective counties, whose duty it shall be to equalize the valuation of the taxable property in the county for the purpose of taxation; *provided,* such State and County Boards of Equalization are hereby authorized and empowered, under such rules of notice as the County Boards may prescribe as to the county assessments, and under such rules of notice as the State Board may prescribe as to the action of the State Board, to increase or lower the entire assessment roll or any assessment contained therein, so as to equalize the assessment of the property contained in said assessment roll, and make the assessment conform to the true value in money of the property contained in said roll; *provided,* that no Board of Equalization shall raise any mortgage, deed of trust, contract, or other obligation by which a debt is secured, money, or solvent credits, above its face value. The State Board of Equalization elected in eighteen hundred and ninety-four shall continue in office until their successors, as herein provided for, shall be elected and shall qualify.

The Speaker announced the vote, and declared the resolution proposing Senate Constitutional Amendment No. 7 adopted by the following vote:

AYES—Messrs. Adams, Alford, Anderson, Androus, Bennett of Santa Clara, Blakeley, Bledsoe, Brownlie, Buckley, Bulla, Burke, Carlson, Casterline, Chipman, Conway, Curtis, Cusick, Dodge, Duckworth, Durst, Finlayson, Gallagher, Gately, Godchaux, Hendrickson, Hutson, Jacobsen, Johnson of Humboldt, Johnson of Santa Clara, Kennedy, Kahn, Kerns, LaRue, Luttringer, Lynch, McElroy, McGowan, Mack, Marks, Marston, Matthews of San Benito, Mordecai, O'Keefe, O'Neill, Pendleton, Pueschel, Sargent, Schlesinger, Schroebel, Simpson, Taggart, Talbott, Taylor, Tindall, Vann, Wade, and Mr. Speaker—57.

NOES—Messrs. Hamilton, Jacobs, Mathews of Tehama, Owen, Raw, and Standart—6.

SPECIAL FILE.

Assembly Bill No. 242—An Act appropriating two hundred and fifty thousand dollars for the erection of buildings for the use of affiliated and other departments of the University of California.

Read third time.

Mr. Lynch in the chair.

The roll was called, and the bill passed by the following vote:

AYES—Messrs Adams, Alford, Androus, Bennett of Santa Clara, Brownlie, Buckley, Bulla, Burke, Carlson, Conway, Curtis, Cusick, Dodge, Drees, Duckworth, Durst, Finlayson, Gallagher, Gately, Godchaux, Hamilton, Hendrickson, Hurley, Hutson, Jacobs, Jacobsen, Johnson of Humboldt, Kennedy, Kahn, Kerns, LaRue, Luttringer, Lynch, Mack, Marks, Marston, Mathews of Tehama, Matthews of San Benito, Miller, Mordecai, O'Keefe, Owen, Schlesinger, Schroebel, Simpson, Standart, Taggart, Talbott, Taylor, Tindall, Vann, Wade, and Mr. Speaker—52.

NOES—Messrs. Bledsoe, McElroy, and Raw—3

Title read and approved.

Mr. Bennett of Santa Clara moved that Assembly Bill No. 242 be immediately transmitted to the Senate.

So ordered.

MOTIONS.

Mr. Burke moved to reconsider the vote whereby Assembly Bill No. 727 was passed.

Mr. Schlesinger moved to lay the motion on the table.

Lost.

Speaker Gould in the chair.

The roll was called, and the motion of reconsideration lost by the following vote:

AYES—Messrs Androus, Bledsoe, Buckley, Bulla, Burke, Conway, Cusick, Drees, Finlayson, Gately, Godchaux, Hendrickson, Hurley, Johnson of Humboldt, Kerns, LaRue, McElroy, McGowan, Sargent, Schroebel, Simpson, and Sims—22.

NOES—Messrs Adams, Alford, Anderson, Bennett of Santa Clara, Brownlie, Curtis, Durst, Gallagher, Hamilton, Hutson, Jacobs, Jacobsen, Kennedy, Luttringer, Lynch, Marks, Marston, Matthews of San Benito, Miller, O'Keefe, Owen, Pendleton, Raw, Schlesinger, Standart, Taggart, Talbott, Taylor, Thomas of Nevada, Tindall, Vann, and Wade—32

MOTIONS.

Mr. Pendleton moved that Assembly Bill No. 727 be immediately transmitted to the Senate.

So ordered.

Mr. Wade moved to take up Senate messages.

So ordered.

MESSAGES FROM THE SENATE.

SENATE CHAMBER, SACRAMENTO, March 11, 1893

MR. SPEAKER: I am directed to inform your honorable body that the Senate, on the seventh day of March, 1893, passed Senate Bill No. 536—An Act requiring every corporation doing business in this State to pay their employés, and each of them, at least once in each and every month, the wages earned by such employé, to define the duties of the Labor Commissioner, and the District Attorneys of the several counties of this State, in enforcing this Act; to limit the defenses which may be set up by such corporations to assignments of wages, set-off, or counter claims, or the absence of such employé at the time of making payment, and in case of such absence the wages are payable on demand, to prohibit assignments of wages for the purpose of evading the provisions of this Act and agreements to accept wages at longer periods than as herein provided as a condition of employment, to fix a penalty for this violation of the provisions of this Act by such corporation, and to provide for the disposition of any fines recovered from corporations violating the same

F. J. BRANDON, Secretary.
By R. SHAW, Assistant.

Also:

SENATE CHAMBER, SACRAMENTO, March 11, 1893.

MR. SPEAKER: I am directed to inform your honorable body that the Senate, on the tenth day of March, 1893, passed Senate Concurrent Resolution No. 12—Approving the charter of the city of Napa, in Napa County, California, which was voted for and ratified by the qualified electors of said city at a special election held therein for that purpose on March 9, 1893.

F. J. BRANDON, Secretary
By R. SHAW, Assistant.

MOTION.

Mr. Wade moved to take up Senate Concurrent Resolution No. 12.

So ordered.

Senate Concurrent Resolution No. 12—Approving the charter of the city of Napa, in Napa County, California, which was voted for and ratified by the qualified electors of said city at a special election held therein for that purpose on March 9, 1893.

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

AYES—Messrs. Adams, Alford, Anderson, Androus, Bledsoe, Bulla, Carlson, Conway, Curtis, Cusick, Drees, Duckworth, Durst, Finlayson, Gately, Godchaux, Hamilton, Hendrickson, Hurley, Hutson, Jacobs, Jacobsen, Johnson of Humboldt, Johnson of Santa Clara, Kahn, Kerns, LaRue, Luttringer, Lynch, McElroy, McGowan, Mack, Marks, Marston, Mathews of Tehama, Matthews of San Benito, O'Keefe, O'Neill, Owen, Pendleton, Pueschel, Raw, Sargent, Schlesinger, Schroebel, Shanahan, Simpson, Standart, Taggart, Talbott, Taylor, Thomas of Nevada, Tindall, Vann, Wade, and Mr. Speaker—56.
NOES—None.

Mr. Adams was granted leave of absence for the remainder of the day.

SPECIAL FILE.

Assembly Bill No. 613—An Act to amend an Act entitled "An Act to protect agriculture, and to prevent the trespassing of animals upon private property," approved March 22, 1872.

Passed on file.

Assembly Bill No. 208—An Act to provide for the improvement of the grounds of the California Home for the Care and Training of Feeble-Minded Children, at Glen Ellen, Sonoma County, California, and to appropriate money therefor.

Passed on file.

Assembly Bill No. 165—An Act to appropriate the sum of thirteen thousand seven hundred and twenty-two dollars and twenty cents to pay the salary of the Commissioner of Immigration from October 10, 1885, to March 16, 1889.

MOTION.

Mr. Anderson moved that the Assembly resolve itself into Committee of the Whole, with the Speaker in the chair, for the purpose of considering Assembly Bill No. 165.

Lost.

Assembly Bill No. 166—An Act to appropriate the sum of two thousand five hundred dollars to pay the salary of the Deputy Commissioner of Immigration from August 1, 1883, to October 1, 1885.

Passed on file.

Assembly Bill No. 805—An Act to amend sections three thousand seven hundred and thirteen and three thousand six hundred and ninety-six of the Political Code, relating to the levy of taxes.

Ordered referred to Committee on Ways and Means.

Mr. Anderson moved that the hour of recess be extended ten minutes.

So ordered.

Assembly Bill No. 613—An Act to amend an Act entitled "An Act to protect agriculture, and to prevent the trespassing of animals upon private property," approved March 22, 1872.

Read third time, and passed by the following vote:

AYES—Messrs. Anderson, Androus, Bennett of Santa Clara, Blakeley, Bledsoe, Buckley, Bulla, Carlson, Conway, Curtis, Cusick, Drees, Duckworth, Durst, Gallagher, Gately, Godchaux, Hendrickson, Hurley, Hutson, Jacobs, Jacobsen, Johnson of Humboldt, Kahn, Kerns, LaRue, Luttringer, McElroy, McGowan, Mack, Marks, Marston, Matthews of San Benito, Miller, O'Neill, Pendleton, Raw, Schlesinger, Schroebel, Sims, Standart, Taggart, Talbott, Taylor, Thomas of Nevada, Tindall, Vann, Wade, and Mr. Speaker—49.
NOES—None.

Title read and approved.

Assembly Bill No. 813—An Act making an appropriation to pay the deficiency in the appropriation for the transportation of prisoners, for the forty-fourth fiscal year.

Passed on file.

Assembly Bill No. 53—An Act to amend an Act entitled "An Act to establish a State Reform School for Juvenile Offenders, and to make an appropriation therefor," approved March 11, 1889, by amending the title to said Act, and by amending sections one, four, seven, eight, nine, fourteen, fifteen, sixteen, seventeen, eighteen, nineteen, twenty, twenty-one, twenty-three, twenty-four, twenty-six, twenty-seven, twenty-eight, twenty-nine, and thirty thereof, and by adding four new sections thereto, to be numbered, respectively, Sections 16*a*, 16*b*, 16*c*, and 16*d*, relating to a change in the name of the institution and the powers and duties of the public officers thereof, and the manner and conditions under which commitments may be made thereto, and of the rights and obligations of persons committed thereto, and of the powers and duties of certain public officers in connection therewith, and, generally, relating to the State school located and established under the aforesaid Act, and now maintained by the State of California, at Whittier, in the county of Los Angeles, therein.

Read third time, and passed by the following vote:

AYES—Messrs. Alford, Anderson, Androus, Bennett of Santa Clara, Blakeley, Bledsoe, Bulla, Carlson, Dodge, Drees, Duckworth, Durst, Finlayson, Gallagher, Godchaux, Hendrickson, Hurley, Hutson, Jacobs, Jacobsen, Johnson of Humboldt, Johnson of Santa Clara, Kahn, Kerns, Luttringer, McElroy, McGowan, Marston, Matthews of San Benito, Miller, Mordecai, Pendleton, Pueschel, Raw, Schlesinger, Schroebel, Simpson, Sims, Taggart, Talbott, Taylor, Thomas of Nevada, Tindall, Vann, Wade, and Mr. Speaker—46.

NOES—Messrs. Conway and Cusick—2.

Title read and approved.

Mr. Androus moved that Assembly Bill No. 53 be immediately transmitted to the Senate.

So ordered.

Mr. Matthews of San Benito, on his motion, was allowed to withdraw Assembly Bill No. 557.

RECESS.

The hour of recess having arrived, the Speaker declared recess until two o'clock P. M.

REASSEMBLED.

The Assembly reassembled at two o'clock P. M.

Speaker Gould in the chair.

Quorum present.

RESOLUTION.

By Mr. Drees:

WHEREAS, It being reported that the Senate on this day denied all appropriations for District Agricultural Fairs, be it

Resolved by this Assembly, That the Senate be and it is hereby respectfully requested to reconsider and rescind its action whereby all appropriations for District Agricultural Fairs were stricken from the General Appropriation Bill, and that this resolution be immediately transmitted to that body.

Lost.

REPORT OF STANDING COMMITTEE.

ON ENROLLMENT

ASSEMBLY CHAMBER, SACRAMENTO, March 11, 1893.

MR. SPEAKER: Your Committee on Enrollment beg leave to report that the following bills have been correctly enrolled:

Assembly Bill No. 18—An Act to provide for the incorporation of mutual fire insurance companies, and define their powers and duties.

Also: Assembly Bill No 543—An Act regulating the sale of the lands uncovered by the recession or drainage of the waters of inland lakes, and unsegregated swamp and overflowed lands, and validating sales and surveys heretofore made

And were presented to the Governor March 11, 1893, at nine o'clock and ten minutes A M.

O'NEILL, Chairman.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 11, 1893.

MR. SPEAKER: Your Committee on Enrollment beg leave to report that the following bill has been correctly enrolled: Assembly Bill No. 20—An Act making an appropriation for the construction of a seawall, thoroughfare, and piers, in the harbor of San Diego—and was presented to the Governor March 11, 1893, at eleven o'clock and forty-five minutes A. M.

O'NEILL, Chairman.

MOTION.

Mr. Wade moved that Senate Concurrent Resolution No. 12 be immediately transmitted to the Senate.

So ordered.

SPECIAL ORDER.

Senate Substitute for Assembly Bill No. 10—An Act in relation to reassessment of property, the equalization of the same, and the collection of taxes thereon, in cases where a former assessment, made since 1882, is illegal or invalid, or where the proceedings for the collection of such taxes have been ineffectual by reason of error, irregularity, or invalidity, and such taxes have not been paid.

Read third time.

CALL OF THE HOUSE.

Pending announcement of the vote, Mr. Shanahan moved a call of the House, seconded by Messrs. Schroebel and Schlesinger.

So ordered.

The roll was called, and the following members answered to their names:

Messrs. Anderson, Androus, Bennett of Santa Clara, Blakeley, Bledsoe, Boyce, Brownlie, Buckley, Bulla, Burke, Carlson, Casterline, Chipman, Conway, Curtis, Cusick, Dodge, Drees, Duckworth, Durst, Finlayson, Gallagher, Gately, Godchaux, Hamilton, Hendrickson, Hurley, Hutson, Jacobs, Jacobsen, Johnson of Humboldt, Johnson of Santa Clara, Kennedy, Kahn, Kerns, LaRue, Luttringer, Lynch, McCauley, McElroy, McGowan, Mack, Marks, Marston, Mathews of Tehama, Matthews of San Benito, Miller, O'Keefe, O'Neill, Owen, Pendleton, Pueschel, Raw, Sargent, Schlesinger, Schroebel, Shanahan, Simpson, Sims, Standart, Taggart, Talbott, Taylor, Tindall, Vann, Wade, and Mr. Speaker

Mr. Talbott moved that further proceedings under the call of the House be dispensed with.

Lost.

The following members: Messrs. Alford, Duffy, Mordecai, and Thomas of Nevada, were absent without leave, and the Sergeant-at-Arms was directed to bring them before the bar of the House.

Mr. Mordecai was brought before the bar of the House and excused.

Mr. Finlayson moved that further proceedings under the call of the House be dispensed with.

So ordered.

The Speaker announced the vote, and declared Senate Substitute for Assembly Bill No. 10 passed by the following vote:

AYES—Messrs. Alford, Bledsoe, Boyce, Brownlie, Buckley, Burke, Casterline, Conway, Cusick, Dodge, Drees, Finlayson, Gallagher, Gately, Godchaux, Hendrickson, Hurley, Hutson, Jacobs, Jacobsen, Johnson of Humboldt, Johnson of Santa Clara, Kennedy, Kahn, Kerns, LaRue, Luttringer, McCauley, McElroy, McGowan, Mack, Marks, Marston, Matthews of San Benito, Mordecai, O'Neill, Owen, Pueschel, Schlesinger, Schroebel, Shanahan, Sims, Taylor, Tindall, Vann, Wade, and Mr Speaker—47.

NOES—Messrs Anderson, Androus, Bennett of Santa Clara, Blakeley, Bulla, Carlson, Chipman, Curtis, Duckworth, Durst, Hamilton, Lynch, Mathews of Tehama, Miller, O'Keefe, Pendleton, Raw, Sargent, Simpson, Standart, Taggart, and Talbott—22.

Title read and approved.

MOTIONS.

Mr. Shanahan moved that Senate Substitute for Assembly Bill No. 10 be immediately transmitted to the Senate.

So ordered.

Mr. Kahn moved that Senate Bill No. 141 be substituted on file for Senate Bill No. 19.

So ordered.

LEAVE OF ABSENCE.

Mr. Pendleton was granted leave of absence until Monday morning.

SPECIAL ORDER.

Senate Bill No. 4—An Act to establish and provide for an Industrial School for Girls, and make appropriations therefor.

Read third time.

Pending announcement of the vote, Mr. Duckworth moved a call of the House, seconded by Messrs. Bennett of Santa Clara and Lynch.

So ordered.

The roll was called, and the following members answered to their names:

Messrs Anderson, Androus, Bennett of Santa Clara, Blakeley, Bledsoe, Boyce, Brownlie, Buckley, Bulla, Burke, Carlson, Casterline, Chipman, Conway, Curtis, Cusick, Dodge, Duckworth, Durst, Finlayson, Gallagher, Gately, Godchaux, Hamilton, Hendrickson, Hurley, Hutson, Jacobs, Jacobsen, Johnson of Humboldt, Johnson of Santa Clara, Kennedy, Kahn, Kerns, LaRue, Luttringer, Lynch, McCauley, McElroy, McGowan, Mack, Marks, Marston, Mathews of Tehama, Matthews of San Benito, Miller, O'Neill, Owen, Pueschel, Raw, Schlesinger, Schroebel, Shanahan, Simpson, Sims, Standart, Taggart, Talbott, Taylor, Thomas of Nevada, Tindall, Vann, Wade, and Mr. Speaker.

Mr. Bulla moved that further proceedings under the call of the House be dispensed with.

So ordered.

The Speaker announced the vote, and declared the bill lost by the following vote:

AYES—Messrs Anderson, Bennett of Santa Clara, Blakeley, Boyce, Brownlie, Buckley, Casterline, Chipman, Conway, Curtis, Cusick, Duckworth, Gallagher, Gately, Hamilton, Hurley, Jacobsen, Johnson of Santa Clara, Kennedy, Kahn, LaRue, Luttringer, Lynch, McCauley, McGowan, Marks, Marston, Matthews of San Benito, O'Keefe, O'Neill, Owen, Pueschel, Raw, Schlesinger, Schroebel, Shanahan, Standart, Talbott, Taylor, and Thomas of Nevada—40

NOES—Messrs. Androus, Bledsoe, Bulla, Burke, Carlson, Dodge, Durst, Finlayson, Godchaux, Hendrickson, Hutson, Jacobs, Johnson of Humboldt, Kerns, McElroy, Mack, Mathews of Tehama, Miller, Sargent, Simpson, Sims, Taggart, Tindall, Wade, and Mr. Speaker—25.

MOTION.

Mr. Drees moved that at three o'clock and thirty minutes P. M. the Assembly take a recess for ten minutes.

So ordered.

SPECIAL SENATE FILE.

Senate Bill No. 74—An Act to amend an Act entitled "An Act to establish a Political Code," approved March 12, 1872, by adding a new section thereto, to be known as section three thousand two hundred and forty-five and one half, relating to the payment of persons employed under the provisions of section three thousand two hundred and forty-five of said political Code.

Read third time, and passed by the following vote:

AYES—Messrs. Anderson, Androus, Bennett of Santa Clara, Blakeley, Bledsoe, Boyce, Brownlie, Buckley, Bulla, Burke, Carlson, Casterline, Chipman, Conway, Curtis, Cusick, Dodge, Duckworth, Durst, Finlayson, Gallagher, Gately, Godchaux, Hamilton, Hendrickson, Hurley, Jacobsen, Johnson of Humboldt, Kennedy, Kahn, Kerns, Luttringer, Lynch, McElroy, McGowan, Mack, Marks, Marston, Miller, Sargent, Schlesinger, Sims, Talbott, Taylor, Thomas of Nevada, Tindall, Vann, and Mr. Speaker—48.

NOES—Messrs. Drees, Hutson, Jacobs, Matthews of San Benito, O'Keefe, O'Neill, Raw, Schroebel, Simpson, Standart, Taggart, and Wade—12

Title read and approved.

RECESS.

At three o'clock and thirty minutes P. M. the Assembly took a recess for ten minutes.

REASSEMBLED.

On the Assembly reassembling the Journal of Friday, March 10th, was approved.

MOTION.

Mr. Kahn moved that the consideration of the special order, Substitute for Senate Bills Nos. 291, 183, and 123, be postponed until Monday at two o'clock P. M.

So ordered.

SPECIAL ORDER.

Assembly Bill No. 799—An Act to regulate railroads and railroad corporations and other common carriers in this State, and to provide for and define the powers and duties of a Board of Railroad Commissioners in relation to the same, and to prevent and punish extortion and unjust discrimination in the rates charged for the transportation of passengers and freights on railroads in this State, and to prescribe a mode of procedure and rules of evidence in relation thereto.

Read second time, ordered engrossed and to a third reading.

Senate Bill No. 438—An Act making it unlawful to refuse admission to places of amusement.

MOTION.

Mr. Bledsoe moved that a select committee of one be appointed by the Speaker to amend Senate Bill No. 438, as follows:

Amend by inserting in section one, line six, after the word "conduct," the following: "or any person of lewd or immoral character."

So ordered.

APPOINTMENT OF COMMITTEE.

Mr. Bledsoe was appointed such committee to make said amendment.

REPORT OF SELECT COMMITTEE.

ASSEMBLY CHAMBER, SACRAMENTO, March 11, 1893.

MR. SPEAKER: Your select committee, to whom was referred Senate Bill No 438, with instructions to amend in accordance with the action of the House, would respectfully report that the instructions of the House have been carried out.

BLEDSOE, Committee.

Report adopted.

MOTION.

Mr. Matthews of San Benito moved that Senate Bill No. 193 be taken up out of order, and be placed on its passage.

So ordered.

Senate Bill No. 193—An Act to enfranchise the women citizens of this State, and prescribing their qualifications as electors.

CALL OF THE HOUSE.

Pending announcement of the vote, Mr. Schroebel moved a call of the House, seconded by Messrs. Owen and Shanahan.

So ordered.

The roll was called, and the following members answered to their names:

Messrs Alford, Anderson, Androus, Bennett of Santa Clara, Blakeley, Bledsoe, Boyce, Brownlie, Buckley, Bulla, Burke, Carlson, Casterline, Chipman, Conway, Curtis, Cusick, Dodge, Drees, Duckworth, Durst, Gallagher, Gately, Godchaux, Hamilton, Hendrickson, Hurley, Hutson, Jacobs, Jacobsen, Johnson of Humboldt, Johnson of Santa Clara, Kahn, Kerns, LaRue, Luttringer, Lynch, McCauley, McElroy, McGowan, Mack, Marks, Marston, Mathews of Tehama, Matthews of San Benito, Miller, Mordecai, O'Keefe, O'Neill, Owen, Pueschel, Raw, Sargent, Schlesinger, Schroebel, Shanahan, Simpson, Sims, Standart, Taggart, Talbott, Taylor, Thomas of Nevada, Tindall, Wade, and Mr. Speaker.

The following members: Messrs. Finlayson, Godchaux, and Pueschel, were absent without leave, and the Sergeant-at-Arms was directed to bring them before the bar of the House.

Mr. McElroy moved that further proceedings under the call of the House be dispensed with.

Lost.

Mr. Schlesinger in the chair.

Mr. Hurley moved that further proceedings under the call of the House be dispensed with.

So ordered.

Pending the announcement of the vote on the passage of the bill, Mr. Jacobsen moved a call of the House.

So ordered.

Mr. Gould moved that further proceedings under the call of the House be dispensed with.

So ordered.

Pending announcement of the vote, Mr. Duckworth moved for a new roll call.

So ordered.

The roll was called, and the bill passed by the following vote:

AYES—Messrs Adams, Anderson, Androus, Barlow, Bennett of Santa Clara, Bennett of Orange, Blakeley, Bledsoe, Bretz, Bulla, Carlson, Casterline, Chipman, Dodge, Drees, Duckworth, Durst, Finlayson, Jacobs, Jacobsen, Johnson of Humboldt, Johnson of Santa Clara, Kahn, Kerns, LaRue, McCauley, McElroy, Marston, Matthews of San Benito, Miller, O'Keefe, Owen, Schroebel, Shanahan, Simpson, Taggart, Talbott, Taylor, Tindall, Vann, Wade, and Mr. Speaker—42

NOES—Messrs. Alford, Boyce, Brownlie, Buckley, Burke, Conway, Curtis, Cusick, Gallagher, Gately, Godchaux, Hamilton, Hendrickson, Hurley, Luttringer, McGowan, Mack, Marks, Mathews of Tehama, Mordecai, O'Neill, Pueschel, Sargent, Schlesinger, Sims, Standart and Thomas of Nevada—27.

Title read and approved.

NOTICE OF RECONSIDERATION.

Mr. McElroy gave notice that on the next legislative day he will move a reconsideration of the vote whereby Senate Bill No. 193 was passed.

Mr. Mack gave notice that on the next legislative day he will move a reconsideration of the vote whereby Senate Bill No. 4 was refused passage.

RESOLUTION.

By Mr. Androus:

Resolved, That the Minute Clerk, Isidor Alexander, and first assistant, E. B Ward, be and are hereby each allowed the sum of one hundred dollars for work to be done after the final adjournment of this body, viz the rearranging, labeling, etc., of the original minutes, which are to be filed with the Secretary of State, the same payable out of the Contingent Fund of the Assembly. The Controller is hereby directed and authorized to draw his warrants for the same

Referred to Committee on Retrenchment.

RECESS.

At five o'clock and ten minutes P. M., on motion of Mr. Mathews of Tehama, the Assembly took a recess until seven o'clock and thirty minutes P. M.

EVENING SESSION.

The Assembly reassembled at seven o'clock and thirty minutes P. M. Speaker pro tem. Mathews in the chair.

Quorum present.

RESOLUTION.

By Mr. Lynch:

WHEREAS, There is little or no possibility of any Assembly Bills which might be passed at this late day of the session becoming laws; therefore, be it

Resolved, That the rules be suspended and the Assembly confine their attention to the consideration of Senate Bills.

Lost.

MOTION.

Mr. Duckworth moved to suspend the rules to consider the following resolution:

Resolved, That Assembly Bill No. 856 presents a case of urgency, as that term is used in section fifteen of article four of the Constitution, and the provisions of that section requiring that the bill shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the second and third times, and placed upon its passage.

MOTIONS.

Mr. Duckworth moved that the consideration of the resolution be made a special order for Monday, at twelve o'clock M.

So ordered.

Mr. Dodge moved that Senate Bill No. 748 be substituted on the file for Assembly Bill No. 836, and be read the first time.

So ordered.

FIRST READING OF BILL.

Senate Bill No. 748—An Act to amend section seven hundred and sixty-four of an Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883, relative to the powers of the Board of Trustees of cities of the fifth class.

Read first time, and placed on file for second reading.

MOTION.

Mr. Duckworth moved that all unconsidered special orders of this day be postponed until the same time Monday.

So ordered.

URGENCY FILE.

Assembly Bill No. 714—An Act relating to the erection, construction, and repairs of public buildings in this State, and in any of the counties, cities and counties, cities, towns, and townships thereof.

Read third time, and refused passage by the following vote:

AYES—Messrs. Anderson, Androus, Bennett of Santa Clara, Blakeley, Boyce, Buckley, Burke, Carlson, Casterline, Chipman, Conway, Curtis, Cusick, Duckworth, Durst, Gately, Hurley, Johnson of Santa Clara, Luttringer, Lynch, McCauley, Mack, Marston, Mathews of Tehama, Matthews of San Benito, Mordecai, O'Keefe, O'Neill, Schlesinger, Standart, Thomas of Nevada, and Mr. Speaker—32.

NOES—Messrs. Bledsoe, Brownlie, Finlayson, Godchaux, Jacobs, Johnson of Humboldt, Kennedy, Kahn, LaRue, Raw, Sargent, Schroebel, Simpson, Taggart, Talbott, and Wade—16.

MOTION.

Mr. Shanahan moved to adjourn.

Lost.

Mr. Kennedy moved to take up Senate messages.

So ordered.

NOTICE OF RECONSIDERATION.

Mr. Sargent gave notice that on the next legislative day he will move a reconsideration of the vote whereby Assembly Bill No. 714 was refused passage.

MESSAGES FROM THE SENATE.

SENATE CHAMBER, SACRAMENTO, March 11, 1893

MR SPEAKER: I am directed to inform your honorable body that the Senate, on this day, passed Assembly Bill No 727—An Act to amend sections three, five, six, and ten of an Act entitled "An Act to provide for the maintenance and support of the public parks heretofore created within the various cities, and cities and counties of the State, and to amend the existing Act in relation thereto," approved March 14, 1889

Also: Senate Bill No. 388—An Act to amend sections two thousand two hundred and twelve and two thousand two hundred and eighteen of the Political Code of the State of California, relating to the examination and committal of insane persons.

F. J. BRANDON, Secretary
By R. SHAW, Assistant.

Assembly Bill No. 727 ordered to enrollment.
Senate Bill No. 388 ordered on file.
Also:

SENATE CHAMBER, SACRAMENTO, March 11, 1893.

MR. SPEAKER: I am directed to inform your honorable body that the Senate, on this day, passed Assembly Bill No. 757—An Act to amend section four hundred and twelve of the Code of Civil Procedure, relating to service of summons on persons residing out of the State, and in other cases.

Also: Assembly Bill No. 758—An Act to amend section seven hundred and thirty-eight of the Code of Civil Procedure, relating to actions affecting title to real estate.

Also. Assembly Bill No. 759—An Act to add a new section to the Code of Civil Procedure, relating to proceedings affecting the title to real estate, to be known as section seven hundred and fifty.

F. J. BRANDON, Secretary.
By R. SHAW, Assistant.

Assembly Bills Nos. 757, 758, and 759 ordered to enrollment.
Also:

SENATE CHAMBER, SACRAMENTO, March 11, 1893.

MR. SPEAKER: I am directed to inform your honorable body that the Senate, on the tenth day of March, 1893, passed Assembly Bill No. 512—An Act to amend an Act amendatory of and supplemental to an Act entitled "An Act to provide for the organization and government of irrigation districts, and to provide for the acquisition of water and other property, and for the distribution of water thereby for irrigation purposes," approved March 7, 1887, providing for the exclusion of certain lands within any such district, approved February 16, 1889.

Also: On March 11, 1893, passed Senate Bill No. 532—An Act entitled an Act to appropriate money to pay the claim of John M. Creed, for the construction of a sewer along Dwight Way, in front of the lands of the Deaf and Dumb Asylum, of Berkeley, California, which work was performed and material furnished under a contract with George Schmidt, Superintendent of Streets of the town of Berkeley, his authority having been acquired under the general street law of this State.

Also: Senate Bill No 670—An Act making an appropriation for the relief of N. Southmayd, and others, in caring for and preserving the perishable property of the State of California

Also: Senate Bill No. 723—An Act making an appropriation to pay the deficiencies in the appropriation for costs and expenses of suits in which the State is a party in interest, for the thirty-fifth, thirty-sixth, thirty-seventh, thirty-eighth, thirty-ninth, and fortieth fiscal years.

F. J. BRANDON, Secretary.
By R. SHAW, Assistant.

Assembly Bill No. 512 ordered to enrollment.
Senate Bills Nos. 532, 670, and 723 ordered on file.
Also:

SENATE CHAMBER, SACRAMENTO, March 11, 1893.

MR SPEAKER: I am directed to inform your honorable body that the Senate, on the eleventh day of March, 1893, passed Senate Bill No. 759—An Act to amend section four of an Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883.

Also: Assembly Bill No. 239—An Act to create the county of Kings, to define the boundaries thereof, to fix the county seat thereof, and to provide for its organization and election of officers, and to classify said county

F. J. BRANDON, Secretary.
By R. SHAW, Assistant.

Assembly Bill No. 239 ordered to enrollment.
Speaker Gould in the chair.

MOTION.

Mr. Kahn moved that Senate Bill No. 759 be read the first time.
So ordered.

FIRST READING OF BILL.

Senate Bill No. 759—An Act to amend section four of an Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883.

Read first time, and placed on file for second reading.

MESSAGES FROM THE SENATE—(RESUMED).

SENATE CHAMBER, SACRAMENTO, March 11, 1893.

MR. SPEAKER: I am directed to inform your honorable body that the Senate, on the tenth day of March, 1893, passed Assembly Bill No. 666, as amended—An Act supplemental to an Act entitled "An Act to provide for the organization and government of irrigation districts, and to provide for the acquisition of water and other property, and for the distribution of water thereby for irrigation purposes," approved March 7, 1887, providing for the abandonment of operations by irrigation districts, and for their disorganization upon the discharge of all outstanding obligations, and dividing irrigation districts into classes for the purposes of this Act.

Also: That the Senate, on this day, concurred in the Assembly amendment to Senate Bill No. 219—An Act to provide for the appointment of guardians of children maintained in any orphans' home or orphans' asylum in this State.

Also: Concurred in the Assembly amendment to Senate Bill No. 479—An Act making an appropriation to pay for the management and maintenance of the Southern California State Asylum for the Insane and Inebriates, for the forty-fourth fiscal year.

F. J. BRANDON, Secretary.
By R. SHAW, Assistant.

The question being, "Shall the Assembly concur in Senate amendments to Assembly Bill No. 666?"

The roll was called, and the Senate amendments concurred in by the following vote:

AYES—Messrs. Alford, Anderson, Androus, Bennett of Santa Clara, Blakeley, Boyce, Brownlie, Bulla, Casterline, Chipman, Conway, Dodge, Drees, Duckworth, Durst, Gately, Godchaux, Hurley, Jacobs, Johnson of Santa Clara, Kennedy, Kahn, Kerns, Luttringer, Lynch, McElroy, McGowan, Mack, Marston, Mathews of Tehama, Matthews of San Benito, Miller, Mordecai, O'Keefe, Raw, Sargent, Shanahan, Simpson, Sims, Standart, Talbott, Tindall, Wade, and Mr. Speaker—44.

NOES—Messrs. Bledsoe and Burke—2.

Bill ordered to enrollment.

MOTION.

Mr. Duckworth moved to reconsider the vote whereby Substitute for Assembly Bill No. 74 (the County Government Bill) was ordered engrossed and to a third reading.

So ordered.

THE COUNTY GOVERNMENT BILL.

Assembly Bill No. 74—An Act entitled "An Act to establish a uniform system of county and township governments."

Mr. Dodge moved to amend, as follows:

By inserting in section twenty-five, subdivision twenty-seven, on page thirteen, line two hundred and forty-two, before the words "without payment of any license," the words "except spirituous, malt, vinous, or other intoxicating liquor."

Adopted.

Mr. Taggart moved to amend, as follows:

Amend by inserting on line two hundred and seventy-four of subdivision thirty-six of section twenty-five, after the words "Assistant District Attorney," the words "which said office is hereby created."

The ayes and noes were demanded by Messrs. Bledsoe, Jacobs, and McCauley.

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

AYES—Messrs. Anderson, Androus, Bennett of Santa Clara, Blakeley, Buckley, Bulla, Casterline, Chipman, Conway, Dodge, Duckworth, Durst, Gately, Johnson of Santa Clara, Kennedy, Luttringer, Lynch, McElroy, McGowan, Marston, Mathews of Tehama, Miller, O'Keefe, O'Neill, Sargent, Taggart, Talbott, Taylor, and Thomas of Nevada—29.

NOES—Messrs. Bledsoe, Boyce, Brownlie, Burke, Cusick, Drees, Hurley, Hutson, Jacobsen, Johnson of Humboldt, Kerns, McCauley, Matthews of San Benito, Mordecai, Raw, Schlesinger, Schroebel, Shanahan, Simpson, Sims, Standart, Tindall, Wade, and Mr. Speaker—24.

Mr. Kennedy moved to amend, as follows:

By striking out on line eleven, section two hundred and five, page one hundred and eighty-five, the words "one thousand five hundred," and inserting the words "two thousand."

Adopted.

Bill ordered engrossed and to a third reading.

MOTION.

Mr. Matthews of San Benito moved to take up out of order Senate Bill No. 665, and that it be read the second time.

So ordered.

SECOND READING OF BILL.

Senate Bill No. 655—An Act to pay the claim of Dr. M. Gardner against the State of California, and making an appropriation therefor.

Read second time.

MOTION.

Mr. Matthews of San Benito moved that the Assembly resolve itself into Committee of the Whole, with the Speaker in the chair, for the purpose of considering Senate Bill No. 655.

So ordered.

IN COMMITTEE OF THE WHOLE.

Speaker Gould in the chair.

Senate Bill No. 655 was considered in Committee of the Whole.

IN ASSEMBLY.

Speaker Gould in the chair.

REPORT OF THE COMMITTEE OF THE WHOLE.

The Speaker stated the report of the Committee of the Whole, as follows:

GENTLEMEN: The Committee of the Whole have had under consideration Senate Bill No. 655, and now report, and recommend that the same do pass.

Bill ordered to a third reading.

MOTIONS.

Mr. Matthews of San Benito moved that the further consideration of Senate Bill No. 655 be made a special order for Monday, at two o'clock P. M.

So ordered.

Mr. Gately moved that Senate Bill No. 557 be taken up out of order, and read the second time.

So ordered.

SECOND READING OF BILL.

Senate Bill No. 557—An Act for the protection of fish.

Read second time, and ordered to a third reading.

URGENCY FILE.

Assembly Bill No. 614—An Act for the relief of J. F. Chapman & Co., for damage sustained through the loss of coal from Fremont Street wharf, in the City and County of San Francisco.

Read third time, and passed by the following vote:

AYES—Messrs Alford, Anderson, Androus, Bennett of Santa Clara, Boyce, Brownlie, Bulla, Burke, Carlson, Casterline, Curtis, Cusick, Dodge, Drees, Duckworth, Durst, Finlayson, Gately, Godchaux, Hurley, Hutson, Jacobs, Jacobsen, Johnson of Santa Clara, Kennedy, Kerns, Lynch, McGowan, Marston, Matthews of San Benito, Miller, O'Keefe, Owen, Sargent, Schlesinger, Simpson, Sims, Standart, Taggart, Talbott, Thomas of Nevada, Tindall, Wade, and Mr. Speaker—44.

NOES—Messrs. Bledsoe, Buckley, McElroy, Mordecai, O'Neill, Raw, and Schroebel—7.

Title read and approved.

Senate Bill No. 729—An Act amendatory of and supplementary to an Act entitled "An Act to define the boundary and provide for the government of Levee District No. 2, of Sutter County," passed March 23, 1876, in relation to the election of officers for said district, funding the floating debt, and refunding the funded debt thereof.

Read second time, and ordered to a third reading.

Assembly Bill No. 246—An Act to enfranchise the women citizens of the State, and prescribing their qualifications as electors.

Passed on file.

Assembly Bill No. 852—An Act confirming to the city of Oakland the possession, right of possession, and control of its waterfront and tide lands, in inalienable trust for the public use and benefit.

Read second time, and ordered engrossed and to a third reading.

Mr. Dodge moved that the further consideration of Assembly Bill No. 852 be made a special order for Monday morning, immediately after Senate messages are read.

So ordered.

Assembly Constitutional Amendment No. 28—A resolution proposing an amendment to section ten of article thirteen of the Constitution of the State of California, relating to revenue and taxation.

Passed on file.

Assembly Bill No. 623—An Act to amend section three thousand six hundred and sixty-six, and repeal sections three thousand six hundred and sixty-seven, three thousand six hundred and sixty-eight, three thousand six hundred and sixty-nine, and three thousand six hundred and seventy of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to revenue and taxation.

Read second time, ordered engrossed and to a third reading.

Assembly Bill No. 391—An Act to enfranchise the women citizens of this State, and prescribing their qualifications as electors.

Passed on file.

Senate Bill No. 606—An Act to pay the claim of A. J. Bourn against the State of California, and making an appropriation therefor.

Read second time.

Committee amendments, as follows:

AMENDMENT No. 1.

Amend by striking out in section one, line one, the words "six thousand," and inserting in lieu thereof the words "fifteen hundred."

Adopted.

AMENDMENT No. 2.

Amend by striking out in section two, line two, the words "six thousand," and inserting in lieu thereof the words "fifteen hundred."

Adopted.

MOTION.

Mr. Tindall moved that the Assembly resolve itself into Committee of the Whole, with the Speaker in the chair, for the purpose of considering Senate Bill No. 606.

So ordered.

IN COMMITTEE OF THE WHOLE.

Speaker Gould in the chair.

Senate Bill No. 606 was considered in Committee of the Whole.

IN ASSEMBLY.

Speaker Gould in the chair.

REPORT OF THE COMMITTEE OF THE WHOLE.

The Speaker stated the report of the Committee of the Whole, as follows:

GENTLEMEN: The Committee of the Whole have had under consideration Senate Bill No 606, and now report, and recommend that the same do pass as amended.

Bill ordered to a third reading.

REPORT OF STANDING COMMITTEE.

ON WAYS AND MEANS.

ASSEMBLY CHAMBER, SACRAMENTO, March 7, 1893.

MR SPEAKER. Your Committee on Ways and Means, to whom was referred Senate Bill No 522—An Act to pay the claim of John McGrath against the State of California, and making an appropriation therefor—have had the same under consideration and report it back without recommendation, for the reason that a duplicate Assembly Bill has already been considered by your committee and reported back with the recommendation that the appropriation be reduced to one thousand five hundred dollars. Your committee knows of no reason why that recommendation should be changed.

W. P. MATHEWS, Chairman.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 11, 1893.

MR SPEAKER Your Committee on Ways and Means, to whom was referred Assembly Bill No 332—An Act for the relief of Charles F. Wells, and to appropriate money therefor—have had the same under consideration and respectfully report the same back, and recommend that it do pass as amended.

Also. Assembly Bill No. 733—An Act to promote the practical study of the sciences in the high schools of California—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

Also: Assembly Bill No 197—An Act to amend an Act approved February 28, 1887, entitled 'An Act to amend an Act to appropriate money for the support of aged persons in indigent circumstances residing in the Home of the Veterans' Home Association," approved March 7, 1883, providing for an increase in the annual appropriation therefor, and changing time for the payment thereof—have had the same under consideration, and respectfully report the same back, and recommend that the author be allowed to withdraw the same.

Also. Senate Bill No. 741—An Act making an appropriation to pay for the transportation of children to the Reform School for Juvenile Offenders, for the forty-third and forty-fourth fiscal years.

Also· Senate Bill No. 269—An Act authorizing and providing for the erection and furnishing of armories for the National Guard of the State of California, and to issue bonds for the payment of the same, and providing for the payment of said bonds

Also Senate Bill No. 107—An Act to appropriate money for the purpose of sending an expert to foreign countries to collect and import into this State parasites and predaceous insects

Also Senate Bill No 222—An Act making an appropriation for the erection of an additional building for the State Normal School at Chico

Also: Senate Bill No 224—An Act making an appropriation for the construction of a cement floor in the basement of the State Normal School building at Chico.

Also Assembly Bill No. 719—An Act to pay the claim of C. Schindler against the State of California.

Also· Assembly Bill No. 821—An Act making an appropriation to pay for the transportation of children to the Reform School for Juvenile Offenders for the forty-third and forty-fourth fiscal years.

Also: Substitute for Assembly Bill No. 539—An Act to appropriate money to pay the claim of the Directors of the Women's Relief Corps Home, at Evergreen, California.

Have had the same under consideration, and respectfully report the same back, and recommend that they do not pass

W. P. MATHEWS, Chairman.

URGENCY FILE.

Senate Bill No. 552—An Act to pay the claim of John McGrath against the State of California, and making an appropriation therefor.

Read third time, and passed by the following vote:

AYES—Messrs Adams, Alford, Anderson, Brownlie, Buckley, Bulla, Burke, Casterline, Chipman, Conway, Cusick, Dodge, Drees, Duckworth, Durst, Finlayson, Gately, Godchaux, Hendrickson, Hurley, Hutson, Jacobs, Johnson of Humboldt, Johnson of Santa Clara, Kerns, Luttringer, Lynch, McElroy, Mack, O'Keefe, Owen, Sargent, Schroebel, Shanahan, Simpson, Sims, Standart, Taggart, Talbott, Taylor, Thomas of Nevada, Wade, and Mr Speaker—43.

NOES—Mr Bledsoe—1.

Title read and approved.

Committee Substitute for Senate Bill No. 383—An Act to add a new section to the Code of Civil Procedure of the State of California, to be numbered section one thousand two hundred and three, relating to liens of mechanics and others.

Read third time, and passed by the following vote:

AYES—Messrs Adams, Anderson, Bennett of Santa Clara, Bledsoe, Boyce, Buckley, Bulla, Burke, Carlson, Casterline, Chipman, Conway, Curtis, Cusick, Dodge, Duckworth, Durst, Finlayson, Gately, Godchaux Hurley, Hutson, Jacobs, Johnson of Humboldt, Kennedy, Luttringer, Lynch, McElroy, McGowan, Mack, Mordecai, O'Keefe, O'Neill, Sargent, Schlesinger, Simpson, Talbott, Taylor, Thomas of Nevada, Tindall, Wade, and Mr. Speaker—42

NOES—None

Title read and approved.

Senate Bill No. 576—An Act making an appropriation for enlarging the fire-proof warehouse for use of the State Printing Department.

Read second time.

MOTION.

Mr. Anderson moved that the Assembly resolve itself into Committee of the Whole, with the Speaker in the chair, for the purpose of considering Senate Bill No. 576.

So ordered.

IN COMMITTEE OF THE WHOLE.

Speaker Gould in the chair.

Senate Bill No. 576 was considered in Committee of the Whole.

IN ASSEMBLY.

Speaker Gould in the chair.

REPORT OF THE COMMITTEE OF THE WHOLE.

The Speaker stated the report of the Committee of the Whole, as follows:

GENTLEMEN: The Committee of the Whole have had under consideration Senate Bill No. 576, and now report, and recommend that the same do pass.

Bill ordered to a third reading.

MOTION.

Mr. Anderson moved that the further consideration of Senate Bill No. 576 be made a special order for Monday, at two o'clock P. M.

So ordered.

RESOLUTION.

By Mr. Mordecai:

Resolved, That E P. Beaton be and he is hereby allowed seven days' pay at a per diem of five dollars, amounting to thirty-five ($35) dollars, for services rendered as Clerk in segregating, distributing, and closing the expense account of the Johnson-Rea investigation, that being the exact time he was held over for that purpose. And the Controller is hereby authorized and directed to draw his warrant in favor of said E P Beaton for said sum of thirty-five dollars, payable out of the Contingent Fund of the Assembly.

Adopted.

MOTION.

Mr. Bulla moved to take up Senate messages.

So ordered.

MESSAGES FROM THE SENATE.

SENATE CHAMBER, SACRAMENTO, March 11, 1893

MR SPEAKER: I am directed to inform your honorable body that the Senate, on this day, passed, and ordered immediately transmitted to the Assembly, Senate Bill No. 680—An Act to amend section fifteen hundred and thirty-six, section fifteen hundred and thirty-seven, section fifteen hundred and thirty-eight, section fifteen hundred and forty-two, section fifteen hundred and forty-three, and section fifteen hundred and forty-five of an Act of the Legislature of the State of California entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1873, all relating to estates of deceased persons

F. J. BRANDON, Secretary

MOTION.

Mr. Bulla moved that Senate Bill No. 680 be read the first time.
So ordered.

FIRST READING OF BILL.

Senate Bill No. 680—An Act to amend section one thousand five hundred and thirty-six, section one thousand five hundred and thirty-seven, section one thousand five hundred and thirty-eight, section one thousand five hundred and forty-two, section one thousand five hundred and forty-three, and section one thousand five hundred and forty-five of an Act of the Legislature of the State of California entitled "An Act to establish a Code of Civil Procedure." approved March 11, 1873, all relating to estates of deceased persons.

Read first time, and placed on file for second reading.

MESSAGES FROM THE SENATE—(RESUMED).

SENATE CHAMBER, SACRAMENTO, March 11, 1893.

MR SPEAKER. I am directed to inform your honorable body that the Senate, on this day, concurred in Assembly amendments to Senate Bills Nos 219 and 479, and respectfully refused to concur in Assembly amendments to Senate Bill No 144.

F. J. BRANDON, Secretary

SECOND URGENCY FILE.

Assembly Bill No. 141—An Act to amend an Act entitled "An Act to provide for the organization and government of irrigation districts, and to provide for the acquisition of water and other property, and for the distribution of water thereby for irrigation purposes," approved March 7, 1887, by amending sections three, four, eleven, twelve, thirty-six, and thirty-seven thereof, and by repealing section forty-one thereof.

Read third time.

Mr. Wade in the chair.

MOTION.

Mr. Lynch moved that a select committee of one be appointed by the Speaker to amend Assembly Bill No. 141, as follows:

Amend by striking out of section four, line twenty, all the words after the word "appurtenances:" also, all of lines twenty-one, twenty-two, twenty-three, twenty-four, twenty-five, twenty-six, twenty-seven, and all of line twenty-eight to and including the word "payment"

So ordered.

APPOINTMENT OF COMMITTEE.

Mr. Lynch was appointed such committee to make said amendments.

REPORT OF SELECT COMMITTEE.

ASSEMBLY CHAMBER, SACRAMENTO, March 11, 1893.

MR SPEAKER: Your select committee, to whom was referred Assembly Bill No. 141, with instructions to amend in accordance with the action of the House, would respectfully report that the instructions of the House have been carried out.

LYNCH, Committee.

Report adopted.

Senate Bill No. 147—An Act to amend an Act approved February 28, 1887, entitled "An Act to amend an Act to appropriate money for the support of aged persons in indigent circumstances residing in the Home of the Veterans' Home Association," approved March 7, 1883, providing for the increase in the annual appropriation therefor, and changing the time for the payment thereof.

Read first time, and placed on file for second reading.

Mr. Durst moved that the consideration of Senate Bill No. 729 be made a special order for Monday, at three o'clock and thirty minutes P. M.

So ordered.

Mr. Finlayson moved that the consideration of Senate Bill No. 772 be made a special order for Monday, at three o'clock and thirty minutes P. M.

So ordered.

Assembly Bill No. 356—An Act to create the county of Bidwell, establish the boundaries, to provide for its organization, and to provide for the payment of such proportion of the indebtedness of Butte County as may be equitably chargeable to Bidwell County.

Read third time.

MOTIONS.

Mr. Shanahan moved that the further consideration of Assembly Bill No. 356 be made a special order for Monday, at eight o'clock P. M.

So ordered.

Mr. Godchaux moved that Senate Bill No. 470 be taken up out of order and read the second time.

So ordered.

SECOND READING OF BILL.

Senate Bill No. 470—An Act to amend section three hundred and fifty-nine, entitled "An Act to establish a Civil Code," approved March 21, 1872, relating to corporations and the increase and diminution of the capital stock, and the creation, increase, and diminution of the bonded indebtedness thereof.

Read second time, and ordered to a third reading.

Mr. Godchaux moved that the further consideration of Senate Bill No. 470 be made a special order for Monday, at three o'clock and thirty minutes P. M.

So ordered.

URGENCY FILE.

Assembly Bill No. 102—An Act to amend sections eight, ten, and eleven of an Act entitled "An Act to establish a branch insane asylum for the insane of the State of California, at Ukiah, to be known as the 'Mendocino State Insane Asylum,' and appropriating money therefor," approved February 20, 1889, relating to the election, duties, and compensation of the Secretary and Treasurer of the Board of Directors of said asylum; also, the qualifications, duties, and compensation of the Medical Superintendent of said asylum; and also the appointment, duties, and compensation of the Assistant Physician, and authorizing the Board of Directors, if in their judgment it should become necessary, to elect an additional Assistant Physician, and providing for his compensation.

Read second time, ordered engrossed and to a third reading.

Senate Bill No. 635—An Act to provide for the redemption of unused transportation tickets, and to prevent frauds upon travelers.

Read first time.

Mr. Kahn moved to strike out the enacting clause.

The ayes and noes were demanded by Messrs. Shanahan, O'Neill, and Bledsoe.

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

AYES—Adams, Alford, Bledsoe, Buckley, Bulla, Burke, Finlayson, Godchaux, Hurley, Johnson of Humboldt, Kahn, LaRue, Mack, Mordecai, O'Keefe, Sargent, Schroebel, Simpson, Standart, Tindall, and Wade—21.

NOES—Messrs. Anderson, Bennett of Santa Clara, Blakeley, Boyce, Brownlie, Casterline, Chipman, Conway, Curtis, Cusick, Dodge, Duckworth, Gately, Hutson, Jacobs, Jacobsen, Johnson of Santa Clara, Kennedy, Kerns, Luttringer, Lynch, McCauley, McElroy, McGowan, Marston, Miller, O'Neill, Schlesinger, Shanahan, Taggart, Taylor, Thomas of Nevada, and Mr Speaker—33.

Bill ordered placed on file for second reading.

MOTION.

Mr. Shanahan moved that the further consideration of Senate Bill No. 635 be made a special order for Monday, at two o'clock P. M.

Mr. Bledsoe moved, as a substitute, that the further consideration of the bill be indefinitely postponed.

Lost.

Motion to make special order carried.

RESOLUTION.

By Mr. McElroy:

Resolved, That John Lynch is hereby allowed the sum of fifty-six dollars, to be paid out of the Contingent Fund of the Assembly, for services to be rendered after the adjournment of this Assembly, in assisting the Chief Clerk in finishing the work of his office; and the Controller is hereby directed to draw his warrant in favor of said John Lynch for the above amount, and the Treasurer is hereby directed to pay the same.

Referred to Committee on Public Expenditures and Accounts.

URGENCY FILE.

Assembly Bill No. 404—An Act requiring all State institutions to give preference to California products and the productions of California labor.

Read second time, ordered engrossed and to a third reading.

Assembly Bill No. 25—An Act to create the county of Buena Vista, to establish the boundaries thereof, to determine the county seat, and to provide for its organization and election of officers.

Passed on file.

Assembly Constitutional Amendment No. 31—A resolution to propose to the people of the State of California an amendment to section seven of article nine of the Constitution of the State of California, by increasing the number of members constituting the State Board of Education, by adding thereto the President and Professor of Pedagogics of the University of California.

Passed on file.

Senate Bill No. 598—An Act to provide for the establishment, maintenance, and support of a bureau, to be known as the State Mining

Bureau, and for the appointment and duties of a Board of Trustees, to be known as the Board of Trustees of the State Mining Bureau, who shall have the direction, management, and control of said State Mining Bureau, and to provide for the appointment, duties, and compensation of a State Mineralogist, who shall perform the duties of his office under the control, direction, and supervision of the Board of Trustees of the State Mining Bureau.

Read second time, and ordered to a third reading.

Assembly Bill No. 745—An Act to amend sections eight, nine, twelve, seventeen, forty-eight, and fifty-five of an Act of the Legislature of the State of California entitled "An Act for the relief of insolvent debtors, for the protection of creditors, and for the punishment of fraudulent debtors," approved April 16, 1880.

Read first time, and placed on file for second reading.

Assembly Bill No. 118—An Act to prevent damages from the overflow of artesian wells.

Read second time, ordered engrossed and to a third reading.

Assembly Bill No. 450—An Act to encourage the reduction of base and refractory low grade gold, silver, and other metallic ores in the State of California.

Read first time, and placed on file for second reading.

Assembly Bill No. 330—An Act to amend an Act entitled "An Act relating to life, health, accident, and annuity or endowment insurance on the assessment plan, and the conduct of the business of such insurance," approved March 19, 1891.

Read second time, and passed on file.

MOTION.

Mr. Tindall moved to suspend the rules to take up the Senate special file.

So ordered.

SPECIAL SENATE FILE.

Senate Bill No. 113—An Act to appropriate money to prevent the introduction of contagious diseases.

Read third time.

Mr. Mathews of Tehama moved to reconsider the vote whereby the Assembly, on March 8th, adopted an amendment to Senate Bill No. 113.

So ordered.

Amendment lost.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Adams, Alford, Anderson, Androus, Bennett of Santa Clara, Blakeley, Buckley, Bulla, Burke, Carlson, Casterline, Chipman, Conway, Cusick, Dodge, Drees, Gately, Jacobs, Jacobsen, Kahn, Kerns, LaRue, Luttringer, McCauley, McElroy, McGowan, Mack, Marston, Matthews of Tehama, Miller, Mordecai, O'Keefe, Pueschel, Schroebel, Sims, Standart, Taggart, Taylor, Thomas of Nevada, Tindall, Wade, and Mr. Speaker—42.

NOES—Messrs. Bledsoe and Raw—2

Title read and approved.

Assembly Bill No. 141—An Act to amend an Act entitled "An Act to provide for the organization and government of irrigation districts, and to provide for the acquisition of water and other property, and for

the distribution of water thereby for irrigation purposes," approved March 7, 1887, by amending sections three, four, eleven, twelve, thirty-six, and thirty-seven thereof, and by repealing section forty-one thereof.

MOTION.

Mr. Alford moved that a select committee of one be appointed by the Speaker to amend Assembly Bill No. 141, as follows:

Amend by inserting after the word "employers," on line six, section thirty-seven, the following words: "The aggregate of such assessments in no year shall exceed the sum of two thousand dollars, unless the same be sanctioned by the vote of the people at a special election, held under section forty-one of the Act of which this is amendatory."

So ordered.

APPOINTMENT OF COMMITTEE.

Mr. Alford was appointed such committee to make said amendment.

REPORT OF SELECT COMMITTEE.

ASSEMBLY CHAMBER, SACRAMENTO, March 11, 1893.

MR SPEAKER. Your select committee, to whom was referred Assembly Bill No. 141, with instructions to amend in accordance with the action of the House, would respectfully report that the instructions of the House have been carried out.

ALFORD, Committee.

Report adopted.

Mr. Mack moved to take up Senate Bill No. 347.

So ordered.

Senate Bill No. 347—An Act to establish a tax on collateral inheritances, bequests, and devises, to provide for its collection, and to direct the disposition of the proceeds.

Read second time, and ordered to a third reading.

Mr. Mack moved that the futher consideration of Senate Bill No. 347 be made a special order for Monday, immediately after the reading of the Journal.

So ordered.

Mr. Burke moved to take up Senate Bill No. 607.

So ordered.

Senate Bill No. 607—An Act to provide for furnishing assistants to the Coroner of each city, or city and county having one hundred thousand or more inhabitants, and providing the mode in which such assistants shall be appointed and designated, and establishing the compensation and prescribing the duties of such assistants.

Read second time, and ordered to a third reading.

SECOND READING OF BILLS.

Senate Bill No. 287—An Act to add a new section to the Civil Code, to be numbered section one hundred and thirty-one, relative to divorces.

Read second time, and ordered to a third reading.

Senate Bill No. 109—An Act providing for the punishment of pools, trusts, and conspiracies to control prices, and as to evidence and prosecution in such cases.

Read second time, and ordered to a third reading.

Senate Bill No. 141—An Act to retire teachers of the public schools of the State of California upon partial pay.

Read second time, and ordered to a third reading.

Senate Bill No. 191—An Act to amend section four hundred and ten of the Code of Civil Procedure, relative to the manner of serving summons and complaint.

Read second time, and ordered to a third reading.

Senate Bill No. 283—An Act to provide for the purchase of Supreme Court reports.

Read second time, and ordered to a third reading.

Senate Bill No. 286—An Act to amend section one hundred and seventy of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, relating to the disqualifications of Judges.

Read second time, and ordered to a third reading.

Substitute for Senate Bill No. 359—An Act to regulate the fees of County Clerks in estates of deceased persons, of minors, and of incompetent persons.

Read second time, and ordered to a third reading.

Senate Bill No. 363—An Act to amend section three hundred and ninety-eight of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, relative to the transfer of causes where Judge is disqualified.

Read second time, and ordered to a third reading.

Senate Bill No. 351—An Act to add a new section to the Political Code, to be known and designated as section three thousand four hundred and ninety-three and one half, relating to suits to determine the validity of assessments in reclamation districts.

Read second time, and ordered to a third reading.

MOTION.

Mr. Lynch moved to take up Senate messages.

So ordered.

MESSAGE FROM THE SENATE.

SENATE CHAMBER, SACRAMENTO, March 11, 1893.

MR. SPEAKER: I am directed to inform your honorable body that the Senate this day passed Senate Constitutional Amendment No 23—Relative to changing the seat of government from the city of Sacramento to the city of San José.

F. J. BRANDON, Secretary.

SPECIAL SENATE FILE.

Senate Bill No. 331—An Act to appropriate money for the erection of a monument in the Court-house grounds, Santa Rosa, California, in memory of the late General M. G. Vallejo.

Read second time.

Senate Bill No. 211—An Act to provide for the publication of the State Blue Book, or Roster.

Read second time.

Senate Bill No. 689—An Act to provide for the appointment of a Board of Colton Hall Trustees, and for the acquisition of the Colton

Hall property, and providing for an appropriation for the preservation, protection, and improvement of said property.

Read second time, and ordered to a third reading.

Senate Bill No. 547—An Act to provide for the publication of semi-annual statements by corporations and persons engaged in the business of banking, and to repeal the Act approved April 1, 1876, entitled "An Act concerning corporations and persons engaged in the business of banking."

Read second time, and ordered to a third reading.

Senate Bill No. 631—An Act to enable school districts in or including cities of the fifth class to issue bonds for the purpose of raising money for certain purposes, and to repeal an Act approved March 31, 1891, entitled "An Act to enable cities of the fifth class to issue bonds for the purpose of raising money to purchase school lots, and for building or purchasing one or more school houses, and supplying the same with furniture, necessary apparatus, and improving the grounds, and for liquidating any indebtedness already incurred for such purposes."

Read second time, and ordered to a third reading.

MOTION.

Mr. Lynch moved that the rules be suspended, and Senate Constitutional Amendment No. 23 be considered.

So ordered.

SENATE CONSTITUTIONAL AMENDMENT No. 23.

Submitting to the people of the State of California an amendment to the Constitution, amending section one of article twenty of the Constitution of the State of California, relative to changing the seat of government from the city of Sacramento to the city of San José

The Legislature of the State of California, at its thirtieth session, commencing on the second day of January, A. D. one thousand eight hundred and ninety-three, two thirds of all the members elected to each house of said Legislature voting in favor thereof, hereby proposes that section one of article twenty (miscellaneous subjects) of the Constitution of the State of California be amended so as to read as follows:

SECTION 1. The city of San José is hereby declared to be the seat of government, and shall so remain, until changed by laws, but no law changing the seat of government shall be valid or binding unless the same be approved and ratified by a majority of the qualified electors of the State voting therefor, at a general State election, under such regulations and provisions as the Legislature, by a two-thirds vote of each house may provide, submitting the question of change to the people, *provided*, that the State shall receive a donation of a site of not less than ten acres and one million dollars before such removal shall be had. The Governor, Secretary of State, and the Attorney-General are hereby authorized to approve said site, and upon the approval thereof, and the payment of one million dollars into the State Treasury, the Legislature shall provide for the erection of the necessary buildings and the removal of the seat of government.

PREVIOUS QUESTION.

Mr. Sargent moved the previous question, seconded by Messrs. McElroy and Drees.

The question being, "Shall the main question be now put?"

So ordered.

CALL OF THE HOUSE.

The roll was called, and pending announcement of the vote, Mr. Hurley moved a call of the House, seconded by Messrs. Kahn and Godchaux.

The roll was called, and the following members answered to their names:

Messrs Adams, Alford, Anderson, Arnous, Bennett of Santa Clara, Blakeley, Buckley, Bulla, Burke, Carlson, Casterline, Conway, Curtis, Cusick, Drees, Duckworth, Finlayson, Gately, Godchaux, Hurley, Jacobs, Jacobsen, Kennedy, Kahn, Kerns, LaRue, Luttringer, Lynch, McCauley, McElroy, McGowan, Mack, Marston, Mathews of Tehama, Miller, Mordecai, O'Keefe, O'Neill, Pueschel, Sargent, Schlesinger, Shanahan, Simpson, Standart, Taggart, Talbott, Taylor, Thomas of Nevada, Tindall, Wade, and Mr. Speaker.

The following members: Messrs. Barlow, Bledsoe, Bennett of Orange, Boyce, Bretz, Brownlie, Chipman, Durst, Gallagher, Hamilton, Hendrickson, Hutson, Johnson of Humboldt, Johnson of Santa Clara, Owen, Raw, Schroebel, Sims, and Vann were absent without leave, and the Sergeant-at-Arms was directed to bring them before the bar of the House.

Mr. Wade moved that further proceedings under the call of the House be dispensed with.

Lost.

Mr. Bennett of Santa Clara moved that further proceedings under the call of the House be dispensed with.

So ordered.

The Speaker announced the vote, and declared the resolution proposing Senate Constitutional Amendment No. 23 adopted by the following vote:

AYES—Messrs. Adams, Alford, Arnous, Bennett of Santa Clara, Bennett of Orange, Blakeley, Boyce, Bretz, Brownlie, Buckley, Bulla, Burke, Carlson, Casterline, Conway, Curtis, Cusick, Drees, Duckworth, Finlayson, Gately, Godchaux, Hamilton, Hurley, Jacobsen, Kennedy, Kahn, Kerns, LaRue, Luttringer, Lynch, McCauley, McElroy, McGowan, Mack, Marston, Matthews of San Benito, Miller, Mordecai, O'Keefe, O'Neill, Perkins, Pueschel, Sargent, Schlesinger, Schroebel, Shanahan, Simpson, Standart, Taggart, Talbott, Taylor, Thomas of Nevada, Tindall, Vann, Wade, and Mr. Speaker—57.

NOES—Messrs. Anderson, Barlow, Bledsoe, Dodge, Jacobs, Mathews of Tehama, and Raw—7.

NOTICE OF RECONSIDERATION.

Mr. Mordecai gave notice that on the next legislative day he will move a reconsideration of the vote whereby Senate Constitutional Amendment No. 23 was adopted.

ADJOURNMENT.

At eleven o'clock P. M., on motion of Mr. Schlesinger, the Assembly adjourned.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Monday, March 13, 1893.

The Assembly met pursuant to adjournment.

Speaker Gould in the chair.

The roll was called, and the following members answered to their names:

Messrs. Adams, Alford, Anderson, Androus, Barlow, Bennett of Santa Clara, Bennett of Orange, Bledsoe, Boyce, Bretz, Brownlie, Buckley, Bulla, Burke, Carlson, Casterline, Chipman, Conway, Curtis, Cusick, Dodge, Duckworth, Finlayson, Godchaux, Hurley, Hutson, Jacobs, Jacobsen, Johnson of Humboldt, Johnson of Santa Clara, Kennedy, Kahn, Kerns, LaRue, Luttringer, Lynch, McCauley, McGowan, Mack, Marston, Matthews of Tehama, Matthews of San Benito, Miller, Mordecai, O'Keefe, O'Neill, Owen, Perkins, Pueschel, Raw, Sargent, Schlesinger, Schroebel, Shanahan, Simpson, Sims, Standart, Taggart, Talbott, Taylor, Thomas of Nevada, Thomas of Santa Clara, Tindall, Vann, Wade, and Mr. Speaker.

Quorum present.

PRAYER.

Prayer by the Chaplain, Rev. H. W. Conry.

READING OF THE JOURNAL.

Pending the reading of the Journal of Saturday, Mr. Simpson moved that further reading be dispensed with.

So ordered.

COMMUNICATION.

The Speaker had read the following telegram:

SAN JOSÉ, CAL., March 12, 1893.

To SPEAKER GOULD: At a special meeting of the Mayor and Common Council of the city of San José, the following resolution was adopted unanimously:

Resolved, That the Mayor and Common Council of the city of San José earnestly favor the removal of the State Capital from the city of Sacramento to the City of San José, and be it further

Resolved, That we assure the Legislature that the required one million dollars and ten acres of land will be donated for the purpose set forth in the proposed Constitutional Amendment No 23.

OLO PHELPS, Acting Clerk
H. E. SCHILLING, Mayor

PETITION.

Mr. Anderson presented the following resolutions, adopted by a mass meeting of the citizens of Sacramento City; also, resolutions of the Sacramento Board of Trade, all relating to Senate Constitutional Amendment No. 23:

RESOLUTIONS.

Adopted by the People of Sacramento, in Mass Meeting held at the Court-house, Sunday Evening, March 12, 1893

Resolved, That the people of Sacramento regard with deep indignation the publication in the "Evening Bee" of this city, of the false and scandalous libels upon the Legislature and members thereof, and denounce such publication as being a mere sensational effort of a characterless sheet worthy only of profound contempt by the members of the Legislature and the citizens of Sacramento

Resolved, That the publication referred to does not represent any feeling, sentiment, or opinion on the part of any of the citizens of Sacramento other than that of the

libelers themselves, and the people of Sacramento, speaking from their own knowledge, declare said publication to be false in fact, as well as indecent and malicious in spirit; and further declare that the author or authors of said libels deserve arrest, examination, and punishment by proper proceedings by the Legislature.

Resolved, That the people of Sacramento most respectfully submit to the Legislature that a measure of so much importance as the removal of the State Capital, involving, as it does, matters of great moment to the future of the State, as well as great present injury to private individuals, to the city of Sacramento, and to the State, as well as millions of expenditure in the near future, should not be acted upon except after full, deliberate, and unimpassionable consideration of the merits of the measure itself. If, after such consideration by your honorable body, it shall be deemed just and politic to adopt measures for the removal of the Capital, the people of Sacramento, as loyal citizens of the State, will abide the verdict of the people upon the question in a contented and patriotic spirit

Resolved, That a committee of thirty be appointed by the Chair to wait upon the Legislature and its members, present them these resolutions, and endeavor to secure a reconsideration of the vote whereby the said proposed constitutional amendment was adopted

RESOLUTIONS ADOPTED BY THE SACRAMENTO BOARD OF TRADE.

BOARD OF TRADE ROOMS, SACRAMENTO, March 12, 1893.

At a meeting of the Board of Directors of the Sacramento Board of Trade, held this (Sunday) evening, the following were adopted, viz.:

The Sacramento Board of Trade has learned, with profound regret, of the attack made by the "Evening Bee," in its issue of last evening, upon the members of the Legislature now in session, and of the passage by that body of a concurrent resolution providing for the removal of the State Capital from Sacramento to San José; be it therefore

Resolved, By the Directors, that the Sacramento Board of Trade disapprove the action of the "Bee," strongly condemns the same, and resents the imputations cast by that newspaper upon the individual members of the Legislature, and declares that the same do not in any manner reflect the sentiments of the people of this city, and be it further

Resolved, That we earnestly request the Legislature to reconsider said resolution, and we demand that our Senators and Assemblymen use all honorable means to obtain such reconsideration and prevent the removal of the seat of government.

C. H. HUBBARD, Vice-President.

ALBERT M. JOHNSON, Secretary.

REPORTS OF STANDING COMMITTEES.

ON ENGROSSMENT.

ASSEMBLY CHAMBER, SACRAMENTO, March 13, 1893.

MR. SPEAKER. Your Committee on Engrossment beg leave to report that the following Assembly Bills have been correctly engrossed:

Assembly Bill No 264—An Act providing for the sale of railroad and other franchises in municipalities, and fixing the time when certain acts of the governing bodies thereof, relative to franchises, shall take effect.

Also, Assembly Bill No. 666—An Act supplemental to an Act entitled "An Act to provide for the organization and government of irrigation districts, and to provide for the acquisition of water and other property, and for the distribution of water thereby for irrigation purposes," approved March 7, 1887, providing for the abandonment of operations by irrigation districts, and for their disorganization upon the discharge of all outstanding obligations

KENNEDY, Chairman.

ON FEDERAL RELATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, March 11, 1893.

MR. SPEAKER: Your Committee on Federal Relations, to whom was referred Senate Joint Resolution No. 26—Asking Congress to cede to the State of California the island in the bay of San Francisco, known as Yerba Buena, or "Goat Island," to be used by said State solely for general railroad terminal purposes—have had the same under consideration, and respectfully report the same back, and recommend that it be adopted.

SIMS, Chairman.

ON AGRICULTURE.

ASSEMBLY CHAMBER, SACRAMENTO, March 13, 1893.

MR SPEAKER: Your Committee on Agriculture, to whom was referred Assembly Bill No 831—An Act concerning the duties of Assessors and Treasurers—have had the same under consideration, and respectfully report the same back without recommendation

LARUE, Chairman.

ON MILITARY AFFAIRS

ASSEMBLY CHAMBER, SACRAMENTO, March 13, 1893.

MR SPEAKER: Your Committee on Military Affairs, to whom was referred Assembly Bill No 661—An Act to provide for the establishment and maintenance of a training ship for the instruction of boys in nautical matters by the State of California, and to appropriate the sum of one hundred thousand dollars therefor—have had the same under consideration, and respectfully report the same back without recommendation.

McCAULEY, Chairman.

SPECIAL ORDERS.

Senate Bill No. 347—An Act to establish a tax on collateral inheritances, bequests, and devises, to provide for its collection, and to direct the disposition of the proceeds.

Read third time, and passed by the following vote:

AYES—Messrs. Adams, Alford, Androus, Barlow, Bennett of Santa Clara, Bennett of Orange, Bledsoe, Bretz, Brownlie, Bulla, Casterline, Chipman, Conway, Curtis, Cusick, Dodge, Duckworth, Finlayson, Godchaux, Hurley, Johnson of Humboldt, Johnson of Santa Clara, Kahn, Kerns, Luttringer, Lynch, McCauley, McGowan, Mack, Marston, Matthews of San Benito, O'Keefe, O'Neill, Pueschel, Sargent, Schlesinger, Schroebel, Shanahan, Simpson, Standart, Taggart, Taylor, Thomas of Nevada, Thomas of Santa Clara, Tindall, and Mr Speaker—46

NOES—Messrs. Hutson, Jacobs, LaRue, and Wade—4.

Title read and approved.

Mr. Mack moved that Senate Bill No. 347 be immediately transmitted to the Senate.

So ordered.

RESOLUTIONS.

By Mr. Curtis:

Resolved, That J. M. Curtis, as Chairman of Committee on Public Buildings and Grounds, be and he is hereby allowed the sum of fifty-five dollars, the same being the amount of stenographer's fees as shown per bill attached, and the Controller is hereby directed to draw his warrant in favor of J. M Curtis for the said amount, to be paid out of the Contingent Fund of the Assembly, and the Treasurer is hereby authorized to pay the same:

State of California to Luke Kavanagh, Dr.

To reporting and transcribing one hundred and seventy-five folios	$35 00
Two per diems	20 00
Total	$55 00

Referred to Committee on Public Expenditures and Accounts.

By Mr. Schroebel:

Resolved, That John S. Wilkins be retained as janitor and watchman of the Journal, Enrolling, and Engrossing Clerks' offices, at the usual per diem of four dollars, until the work in those offices is completed. The Controller is hereby directed to draw his warrant for the sum of twenty-four dollars, payable out of the Contingent Fund of the Assembly, and the Treasurer is directed to pay the same.

Referred to Committee on Public Expenditures and Accounts.

SPECIAL ORDERS.

Senate Bill No. 607—An Act to provide for furnishing assistants to the Coroner of each city, or city and county having one hundred thousand or more inhabitants, and providing the mode in which such assistants shall be appointed and designated, and establishing the compensation and prescribing the duties of such assistants.

Read third time, and passed by the following vote:

AYES—Messrs. Adams, Alford, Anderson, Barlow, Bennett of Santa Clara, Bennett of Orange, Boyce, Bretz, Brownlie, Buckley, Bulla, Burke, Casterline. Chipman, Conway, Curtis, Cusick, Duckworth, Finlayson, Godchaux, Hurley, Hutson, Jacobs, Jacobsen, Johnson of Humboldt, Johnson of Santa Clara, Kennedy, Kahn, Kerns, LaRue, Luttringer, Lynch, McCauley, McGowan, Marston, Matthews of San Benito, Miller, Mordecai, O'Keefe, O'Neill, Perkins, Pueschel, Sargent, Schlesinger, Schroebel, Simpson, Sims, Standart, Taggart, Talbott, Taylor, Thomas of Nevada, Thomas of Santa Clara, Tindall, Wade, and Mr. Speaker—56.

NOES—Mr Bledsoe—1.

Title read and approved.

MOTION.

Mr. Tindall moved to continue the consideration of all special orders of the day.

So ordered.

SPECIAL ORDERS.

Assembly Bill No. 852—An Act confirming to the city of Oakland the possession, right of possession, and control of its waterfront and tide lands, in inalienable trust for the public use and benefit.

Passed on file.

Assembly Bill No. 856—An Act to provide for the payment of advertising the funded debt, and making an appropriation therefor.

RESOLUTION.

By Mr. Duckworth:

Resolved, That Assembly Bill No. 856 presents a case of urgency, as that term is used in section fifteen of article four of the Constitution, and the provisions of that section requiring that the bill shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the first, second, and third times, and placed upon its passage.

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

AYES—Messrs Adams, Alford, Anderson, Androus, Barlow, Bennett of Santa Clara, Bennett of Orange, Bledsoe, Boyce, Bretz, Brownlie, Buckley, Bulla, Casterline, Chipman, Curtis, Cusick, Dodge, Duckworth, Finlayson, Godchaux, Hutson, Jacobs, Jacobsen, Johnson of Humboldt, Johnson of Santa Clara, Kennedy, Kahn, Kerns, LaRue, Luttringer, McCauley, McGowan, Mack, Marston, Matthews of San Benito, Miller, Mordecai, O'Keefe, O'Neill, Perkins, Pueschel, Raw, Sargent, Schlesinger, Shanahan. Simpson, Standart, Taggart, Talbott, Taylor, Thomas of Nevada, Thomas of Santa Clara, Tindall, Vann, Wade, and Mr. Speaker—55.

NOES—None.

Assembly Bill No. 856—An Act to provide for the payment of advertising the funded debt, and making an appropriation therefor.

Read second time.

MOTION.

Mr. Duckworth moved that the Assembly resolve itself into Committee of the Whole, with the Speaker in the chair, for the purpose of considering Assembly Bill No. 856.

So ordered.

IN COMMITTEE OF THE WHOLE.

Speaker Gould in the chair.

Assembly Bill No. 856 was considered in Committee of the Whole.

IN ASSEMBLY.

Speaker Gould in the chair.

REPORT OF THE COMMITTEE OF THE WHOLE.

The Speaker stated the report of the Committee of the Whole, as follows:

GENTLEMEN: The Committee of the Whole have had under consideration Assembly Bill No. 856, and now report, and recommend that the same do pass.

Bill considered engrossed, and ordered to a third reading.

Assembly Bill No. 856—An Act to provide for the payment of advertising the funded debt, and making an appropriation therefor.

Read third time, and passed by the following vote:

AYES—Messrs. Adams, Alford, Anderson, Androus, Barlow, Bennett of Santa Clara, Bennett of Orange, Bledsoe, Boyce, Buckley, Burke, Carlson, Casterline, Chipman, Curtis, Cusick, Dodge, Duckworth, Godchaux, Jacobs, Jacobsen, Johnson of Humboldt, Kennedy, Kahn, Kerns, LaRue, Luttringer, Lynch, McCauley, McGowan, Mack, Marston, Matthews of San Benito, Mordecai, O'Keefe, O'Neill, Pueschel, Raw, Schlesinger, Shanahan, Simpson, Standart, Taggart, Talbott, Taylor, Tindall, Vann, Wade, and Mr. Speaker—49.
NOES—None.

Title read and approved.

Mr. Duckworth moved that Assembly Bill No. 856 be immediately transmitted to the Senate.

So ordered.

REPORT OF STANDING COMMITTEE.

ON ENGROSSMENT.

ASSEMBLY CHAMBER, SACRAMENTO, March 13, 1893.

MR. SPEAKER: Your Committee on Engrossment beg leave to report that the following Assembly Bills have been correctly engrossed: Assembly Bills Nos. 852 and 623

KENNEDY, Chairman.

SPECIAL ORDERS—(RESUMED).

Assembly Bill No. 852—An Act confirming to the city of Oakland the possession, right of possession, and control of its waterfront and tide lands, in inalienable trust for the public use and benefit.

Read third time, and passed by the following vote:

AYES—Messrs. Adams, Alford, Anderson, Androus, Barlow, Bennett of Santa Clara, Bennett of Orange, Bledsoe, Boyce, Bretz, Buckley, Bulla, Burke, Casterline, Chipman, Cusick, Dodge, Duckworth, Durst, Finlayson, Godchaux, Hurley, Hutson, Jacobs, Jacobsen, Johnson of Humboldt, Johnson of Santa Clara, Kennedy, Kahn, Kerns, LaRue, Luttringer, Lynch, McCauley, Mack, Matthews of San Benito, Miller, O'Keefe, Perkins, Sargent, Simpson, Sims, Standart, Taggart, Talbott, Thomas of Santa Clara, Tindall, Vann, and Mr. Speaker—49.
NOES—None.

Title read and approved.

Mr. Dodge moved that all bills passed this day be immediately transmitted to the Senate.

So ordered.

Substitute for Senate Bills Nos. 291, 183, and 123—An Act to provide for laying out, opening, extending, widening, straightening, diverging, curving, contracting, or closing up, in whole or in part, any street,

square, lane, alley, court, or place within municipalities, or cities, and cities and counties of forty thousand inhabitants or over, and to condemn and acquire any and all land and property necessary or convenient for that purpose.

Read third time, and passed by the following vote:

AYES—Messrs. Adams, Alford, Androus, Barlow, Bennett of Santa Clara, Bennett of Orange, Bledsoe, Boyce, Brownlie, Buckley, Burke, Carlson, Casterline, Chipman, Conway, Curtis, Cusick, Godchaux, Hurley, Jacobs, Jacobsen, Johnson of Humboldt, Johnson of Santa Clara, Kennedy, Kahn, LaRue, Luttringer, McCauley, Mack, Marks, Mathews of Tehama, Matthews of San Benito, Mordecai, O'Neill, Perkins, Sargent, Schroebel, Simpson, Sims, Standart, Taggart, Talbott, Taylor, Vann, Wade, and Mr. Speaker—46.

NOES—Mr. Bulla—1.

Senate Bill No. 655—An Act to pay the claim of Dr. M. Gardner against the State of California, and making an appropriation therefor.

Read third time, and passed by the following vote:

AYES—Messrs. Adams, Alford, Anderson, Androus, Barlow, Bennett of Santa Clara, Bennett of Orange, Boyce, Bretz, Brownlie, Buckley, Chipman, Conway, Curtis, Cusick Dodge, Durst, Finlayson, Godchaux, Hurley, Jacobs, Jacobsen, Johnson of Santa Clara, Kahn, Kerns, Luttringer, Mack, Marston, Matthews of San Benito, Mordecai, Owen, Pueschel, Raw, Sargent, Simpson, Sims, Standart, Taggart, Talbott, Thomas of Nevada, Thomas of Santa Clara, Vann, Wade, and Mr. Speaker—43.

NOES—Messrs. Bledsoe, Bulla, and LaRue—3.

Title read and approved.

Senate Bill No. 635—An Act to provide for the redemption of unused transportation tickets, and to prevent frauds upon travelers.

Read second time.

Mr. Kahn moved to amend by striking out all of section three.

The ayes and noes were demanded by Messrs. Bledsoe, O'Keefe, and Kahn.

The roll was called, and the amendment lost by the following vote:

AYES—Messrs. Adams, Alford, Barlow, Bennett of Orange, Bledsoe, Bretz, Buckley, Bulla, Burke, Casterline, Drees, Duckworth, Finlayson, Godchaux, Hendrickson, Hurley, Jacobs, Johnson of Humboldt, Johnson of Santa Clara, Kahn, Kerns, Marston, Mathews of Tehama, Matthews of San Benito, Mordecai, Perkins, Schroebel, Simpson, Sims, Standart, Thomas of Santa Clara, Tindall, Vann, Wade, and Mr. Speaker—35.

NOES—Messrs. Anderson, Androus, Bennett of Santa Clara, Blakeley, Boyce, Brownlie, Carlson, Chipman, Conway, Curtis, Cusick, Durst, Gallagher, Gately, Hutson, Jacobsen, Kennedy, LaRue, Luttringer, Lynch, McCauley, McElroy, McGowan, Mack, Marks, Miller, O'Keefe, O'Neill, Owen, Pueschel, Raw, Sargent, Schlesinger, Shanahan, Taggart, Talbott, Taylor, and Thomas of Nevada—39.

Mr. Bulla moved to amend by adding to section four, line fourteen, the words:

Provided further, that it shall be unlawful for any railroad, steamboat, or other corporation, company, or person engaged in the transportation of passengers, to refuse to accept and honor any unused ticket, or portion thereof, if the same be presented within the time for which such ticket is good for passage, as shown by the date thereon, no matter by whom such ticket is presented.

The ayes and noes were demanded by Messrs. Brownlie, McGowan, and Shanahan.

The roll was called, and the amendment lost by the following vote:

AYES—Messrs. Adams, Alford, Barlow, Bennett of Orange, Bledsoe, Bretz, Buckley, Bulla, Burke, Casterline, Dodge, Drees, Finlayson, Godchaux, Hendrickson, Hurley, Jacobs, Johnson of Humboldt, Johnson of Santa Clara, Kahn, Kerns, Mack, Marston, Mathews of Tehama, Matthews of San Benito, Mordecai, Perkins, Schroebel, Simpson, Sims, Standart, Thomas of Santa Clara, Tindall, Vann, Wade, and Mr. Speaker—35

NOES—Messrs. Anderson, Androus, Bennett of Santa Clara, Blakeley, Boyce, Brown-

lie, Carlson, Chipman, Conway, Curtis, Cusick, Duckworth, Durst, Gallagher, Gately, Hutson, Jacobsen, Kennedy, LaRue, Luttringer, Lynch, McCauley, McGowan, Marks, Miller, O'Keefe, O'Neill, Owen, Pueschel, Raw, Sargent, Schlesinger, Shanahan, Taggart, Talbott, Taylor, and Thomas of Nevada—38.

Mr. Bulla moved to amend by adding a new section thereto, to be known and designated as section five, to read as follows:

SEC. 5. Any railroad, steamboat, or other corporation, company, or persons, engaged in the transportation of passengers, which shall, by any of its authorized ticket selling agents, within this State, refuse to redeem any ticket, or coupon of a ticket, as required by section four of this Act, shall pay to the State of California a fine not exceeding five hundred dollars for each offense.

The ayes and noes were demanded by Messrs. Shanahan, Chipman, and Miller.

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

AYES—Messrs. Adams, Alford, Barlow, Bennett of Orange, Bledsoe, Bretz, Buckley, Bulla, Burke, Casterline, Dodge, Drees, Finlayson, Godchaux, Hendrickson, Hurley, Jacobs, Jacobsen, Johnson, of Humboldt, Johnson, of Santa Clara, Kahn, Kerns, Mack, Marston, Mathews, of Tehama, Matthews, of San Benito, Mordecai, Perkins, Schroebel, Simpson, Sims, Standart, Thomas of Santa Clara, Tindall, Vann, Wade, and Mr. Speaker—37.

NOES—Messrs. Anderson, Androus, Bennett of Santa Clara, Blakeley, Boyce, Brownlie, Carlson, Chipman, Conway, Curtis, Cusick, Duckworth, Durst, Gallagher, Gately, Hutson, Kennedy, LaRue, Luttringer, Lynch, McCauley, McElroy, McGowan, Marks, Miller, O'Keefe, O'Neill, Owen, Raw, Sargent, Schlesinger, Shanahan, Taggart, Talbott, Taylor, and Thomas of Nevada—36.

Bill ordered to a third reading.

REPORT OF STANDING COMMITTEE.

ON ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, March 11, 1893.

MR. SPEAKER: Your Committee on Enrollment beg leave to report that the following bill has been enrolled: Committee Substitute for Assembly Bills Nos. 16, 57, 129, 157, 176, 524, 667, and 730—An Act to amend sections one thousand five hundred and twenty, one thousand five hundred and twenty-one, one thousand five hundred and thirty-two, one thousand five hundred and thirty-three, one thousand five hundred and forty-three, one thousand five hundred and fifty-one, one thousand five hundred and fifty-three, one thousand five hundred and sixty, one thousand five hundred and sixty-one, one thousand five hundred and sixty-four, one thousand five hundred and sixty-five, one thousand five hundred and seventy-six, one thousand five hundred and seventy-seven, one thousand five hundred and eighty-one, one thousand five hundred and eighty-three, one thousand five hundred and ninety-three, one thousand five hundred and ninety-six, one thousand five hundred and ninety-nine, one thousand six hundred and two, one thousand six hundred and fourteen, one thousand six hundred and fifteen, 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 thirty-four, one thousand six hundred and thirty-six, one thousand six hundred and thirty-seven, one thousand six hundred and thirty-eight, one thousand six hundred and thirty-nine, one thousand six hundred and fifty, one thousand six hundred and fifty-one, 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 eighty-seven, one thousand six hundred and ninety-six, one thousand six hundred and ninety-eight, one thousand six hundred and ninety-nine, one thousand seven hundred and twelve, one thousand seven hundred and thirteen, one thousand seven hundred and fourteen, one thousand seven hundred and sixty-eight, 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-five, one thousand seven hundred and seventy-six, 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 seven hundred and ninety-two, one thousand seven hundred and ninety-three, one thousand eight hundred and seventeen, one thousand eight hundred and thirty, one thousand eight hundred and thirty-three, one thousand eight hundred and thirty-five, one thousand eight hundred and thirty-six, one thousand eight hundred and fifty-seven, one thousand eight hundred

and fifty-eight, one thousand eight hundred and sixty-one, one thousand eight hundred and seventy-four, one thousand eight hundred and seventy-seven, one thousand eight hundred and seventy-nine, one thousand eight hundred and eighty, one thousand eight hundred and eighty-two, one thousand eight hundred and eighty-three, one thousand five hundred and three of the Political Code; to add thereto three new sections, to be known and numbered as sections one thousand six hundred and sixty-nine, one thousand six hundred and seventy, and one thousand six hundred and seventy-one, to repeal sections one thousand seven hundred and fifty-seven and one thousand seven hundred and sixty-nine of the Political Code, all relating to the public schools, and also to repeal "An Act to authorize the establishment of county high schools, and provide for their support," approved March 10, 1891, and "An Act to provide for the establishment of high schools in the State of California," approved March 20, 1891, and all Acts and parts of Acts in conflict with the provisions of this Act—and was presented to the Governor March 11, 1893, at five o'clock and fifteen minutes P M. An error was found on page eighteen of duplicate copy, and we recommend that it be sent to the printer for correction.

O'NEILL, Chairman.

The question being, "Shall the bill be ordered to the printer?"
Lost.

MOTIONS.

Mr. Shanahan moved that the further consideration of Senate Bill No. 635 be made a special order for to-morrow, immediately after Senate messages are read.

So ordered.

Mr. Lynch moved that the vote whereby Senate Constitutional Amendment No. 23 was adopted be now reconsidered.

Mr. Lynch moved to lay the motion on the table.

RECESS.

Pending consideration of the motion to lay on the table, Mr. Anderson moved to take a recess until two o'clock P. M.

So ordered.

REASSEMBLED.

The Assembly reassembled at two o'clock P. M.
Speaker Gould in the chair.
Quorum present.

REPORTS OF STANDING COMMITTEES.

ON ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, March 13, 1893

MR. SPEAKER: Your Committee on Enrollment beg leave to report that the following bill has been correctly enrolled: Assembly Bill No. 239—An Act to create the county of Kings, to define the boundaries thereof, to fix the county seat thereof, and to provide for its organization and election of officers, and to classify said county—and was presented to the Governor March 13, 1893, at eleven o'clock and twenty minutes A. M

O'NEILL, Chairman

ON STATE HOSPITALS.

ASSEMBLY CHAMBER, SACRAMENTO, March 13, 1893.

MR. SPEAKER: Your Committee on State Hospitals, to whom was referred Assembly Bill No. 651—have had the same under consideration, and respectfully report the same back without recommendation.

MORDECAI, Chairman.

ON RETRENCHMENT.

ASSEMBLY CHAMBER, SACRAMENTO, March 11, 1893

MR. SPEAKER: Your Committee on Retrenchment, to whom was referred the following resolution.

By Mr Androus:

Resolved, That the Minute Clerk, Isidor Alexander, and first assistant, E B. Ward, be and hereby are each allowed the sum of one hundred dollars for work to be done after the final adjournment of this body, viz.: the rearranging, labeling, etc, of the original minutes, which are to be filed with the Secretary of State, the same payable out of the Contingent Fund of the Assembly. The Controller is hereby directed and authorized to draw his warrants for the same.

Have had the same under consideration, and respectfully report the same back. and recommend that it be adopted.

LUTTRINGER.
MARKS.
OWEN.
HURLEY

Resolution adopted.

The question being on the pending motion to lay on the table the motion of reconsideration whereby Senate Constitutional Amendment No. 23 was adopted.

The ayes and noes were demanded by Messrs. Lynch, Pendleton, and Johnson of Santa Clara.

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

AYES—Messrs Adams, Alford, Androus, Bennett of Santa Clara, Bennett of Orange, Blakeley, Boyce, Brownlie, Buckley, Bulla, Burke, Casterline, Conway, Cusick, Drees, Duckworth, Finlayson, Gallagher, Gately, Godchaux, Hamilton, Hendrickson, Hurley, Hutson, Jacobsen, Johnson of Santa Clara, Kennedy, Kahn, Kerns, LaRue, Luttringer, Lynch, McCauley, McElroy, McGowan, Mack, Marks, Marston, Matthews of San Benito, Miller, O'Keefe, Pendleton, Perkins, Pueschel, Schlesinger, Schroebel, Shanahan, Simpson, Sims, Standart, Taggart, Talbott, Taylor, Thomas of Nevada, Thomas of Santa Clara, Tindall, Vann, and Mr Speaker—58.

NOES—Messrs. Barlow, Bledsoe, Carlson, Chipman, Curtis, Dodge, Durst, Jacobs, Johnson of Humboldt, Mathews of Tehama, Mordecai, O'Neill, Owen, Raw, Sargent, and Wade—16

ON ENGROSSMENT

ASSEMBLY CHAMBER, SACRAMENTO, March 13, 1893

MR. SPEAKER: Your Committee on Engrossment beg leave to report that the following Assembly Bill has been correctly engrossed: Assembly Bill No. 118—An Act to prevent overflow from artesian wells.

WADE, for Chairman.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 13, 1893

MR. SPEAKER Your Committee on Engrossment beg leave to report that the following Assembly Bill has been correctly engrossed Substitute for Assembly Bill No 74.

KENNEDY, Chairman.

ON ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, March 13, 1893.

MR SPEAKER Your Committee on Enrollment beg leave to report that the following joint resolution has been correctly enrolled· Assembly Joint Resolution No 4—Relative to the free and unlimited coinage of silver—and was presented to the Governor March 11, 1893, at five o'clock and fifteen minutes P. M

O'NEILL, Chairman.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 11, 1893

MR. SPEAKER: Your Committee on Enrollment beg leave to report that the following bills have been correctly enrolled.

Assembly Bill No 235—An Act supplemental to an Act entitled "An Act to provide for the organization and government of irrigation districts, and to provide for the acquisition of water and other property, and for the distribution of water thereby for irrigation purposes," approved March 7, 1887, providing for reducing the bonded indebtedness thereof

Also Assembly Bill No. 244—An Act to provide for the compensation of the Chief and

Captain of Police, and police officers, in cities in the State of California containing not less than ten thousand and not exceeding twenty-five thousand inhabitants

Also Assembly Bill No. 305—An Act to amend section one thousand two hundred and ten of the Code of Civil Procedure, relating to reentry upon real property.

Also: Assembly Bill No 368—An Act granting to the Board of Supervisors of Sonoma County, California, right of way through the lands of the California Home for the Care and Training of Feeble-Minded Children, to enable said Board of Supervisors to change the location of the public highway now traversing said lands.

Also Assembly Bill No 403—An Act to amend section six hundred and twenty-six of the Penal Code, relating to the preservation of game birds and animals, and providing punishment for the unlawful taking, killing, and transportation thereof.

Also: Assembly Bill No. 691—An Act relating to Treasurers, their deputies and clerks, in counties, and cities and counties, having a population of two hundred thousand inhabitants or over

And were presented to the Governor March 11, 1893, at five o'clock and fifteen minutes P M.

O'NEILL, Chairman.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 11, 1893.

MR. SPEAKER: Your Committee on Enrollment beg leave to report that the following bill has been correctly enrolled: Assembly Bill No. 365—An Act to provide for the transfer of certain moneys from one county to another, when a new county has been formed and organized—and was presented to the Governor March 11, 1893, at three o'clock and thirty-five minutes P. M

O'NEILL, Chairman.

RESOLUTION.

By Mr. Bulla:

Resolved, That the rules be suspended, and that the Assembly take up to-day's special Senate file at two o'clock P. M., and continue consideration thereof each day from two o'clock P M, to the exclusion of all other business, until said file be disposed of, or until final adjournment

Adopted.

SPECIAL SENATE FILE—THIRD READING OF BILLS.

Senate Bill No. 221—An Act to make an appropriation to pay the claim of Henry Hogan, for services rendered for the State Board of Fish Commissioners, as special attorney therefor during the year 1890.

Read third time, and passed by the following vote:

AYES—Messrs Adams, Alford, Anderson, Androus, Barlow, Bennett of Santa Clara, Bennett of Orange, Boyce, Bretz, Bulla, Burke, Carlson, Casterline, Conway, Curtis, Cusick, Dodge, Drees, Duckworth, Durst, Gallagher, Gately, Godchaux, Hamilton, Hendrickson, Hurley, Hutson, Jacobsen, Kennedy, Kahn, Kerns, Lynch, McCauley, Mack, Marks, Marston, Matthews of San Benito, Miller, Mordecai, O'Keefe, Pendleton, Perkins, Pueschel, Schlesinger, Shanahan, Sims, Standart, Taylor, Thomas of Nevada, Thomas of Santa Clara, Vann, Wade, and Mr. Speaker—53.

NOES—Messrs. Bledsoe, Finlayson, Johnson of Humboldt, LaRue, Luttringer, McElroy, McGowan, O'Neill, Raw, Schroebel, and Talbott—11

Title read and approved.

Senate Bill No. 250—An Act appropriating money to pay the claim of W. H. Murray, his heirs or assigns.

Read third time, and passed by the following vote:

AYES—Messrs. Adams, Anderson, Barlow, Bennett of Orange, Boyce, Burke, Carlson, Conway, Curtis, Cusick, Dodge, Drees, Duckworth, Durst, Finlayson, Gallagher, Gately, Hamilton, Hendrickson, Hurley, Jacobsen, Johnson of Santa Clara, Kahn, Kerns, LaRue, Luttringer, McGowan, Mack, Marston, Matthews of San Benito, Miller, Mordecai, O'Keefe, Owen, Perkins, Pueschel, Schlesinger, Shanahan, Simpson, Standart, Taylor, Thomas of Santa Clara, Tindall, Vann, and Wade—45.

NOES—Messrs Bledsoe, Bretz, Jacobs, Johnson of Humboldt, McElroy, O'Neill, and Mr Speaker—7

Title read and approved.

Senate Bill No. 48—An Act to cede jurisdiction to the United States over certain lands.

Read third time, and passed by the following vote:

AYES—Messrs. Adams, Anderson, Androus, Bennett of Santa Clara, Bulla, Burke, Carlson, Chipman, Cusick, Dodge, Drees, Duckworth, Durst, Finlayson, Gallagher, Gately, Hamilton, Hendrickson, Hurley, Kahn, Lynch, McGowan, Mack, Marks, Marston, Miller, Mordecai, O'Keefe, Owen, Perkins, Raw, Schlesinger, Simpson, Sims, Standart, Taggart, Talbott, Taylor, Thomas of Nevada, Thomas of Santa Clara, Tindall, Vann, and Wade—43.

NOES—Messrs. Bledsoe, Buckley, Hutson, Jacobs, Johnson of Santa Clara, Kerns, LaRue, Luttringer, McCauley, McElroy, O'Neill, Schroebel, and Mr. Speaker—13.

Title read and approved.

Mr. McElroy moved to reconsider the vote whereby Senate Bill No. 193 was passed.

The ayes and noes were demanded by Messrs. McElroy, Miller, and Hurley.

The roll was called, and the motion of reconsideration lost by the following vote:

AYES—Messrs Alford, Boyce, Buckley, Burke, Conway, Curtis, Cusick, Drees, Durst, Finlayson, Gallagher, Gately, Godchaux, Hendrickson, Hurley, Hutson, Johnson of Santa Clara, Kahn, Luttringer, McCauley, McElroy, Mack, Marks, Mordecai, O'Neill, Schlesinger, Sims, Standart, and Mr. Speaker—29.

NOES—Messrs Adams, Androus, Barlow, Bennett of Santa Clara, Bledsoe, Bretz, Bulla, Carlson, Casterline, Chipman, Dodge, Duckworth, Jacobs, Johnson of Humboldt, Kerns, LaRue, Marston, Matthews of San Benito, Miller, O'Keefe, Perkins, Raw, Schroebel, Simpson, Taggart, Talbott, Taylor, Thomas of Santa Clara, Tindall, Vann, and Wade—31.

Senate Bill No. 314—An Act authorizing the State Board of Capitol Commissioners to appoint two extra employés for the Capitol grounds, in addition to the number now employed, and making an appropriation for payment of their services for the remainder of the forty-fourth fiscal year.

Passed on file.

Senate Bill No. 613—An Act to amend section seven hundred and seventeen of an Act entitled "An Act to establish a Civil Code," approved March 21, 1872, relating to leases of agricultural lands.

Read third time, and passed by the following vote:

AYES—Messrs Adams, Alford, Anderson, Androus, Barlow, Bennett of Orange, Bledsoe, Bretz, Buckley, Burke, Carlson, Casterline, Chipman, Conway, Cusick, Dodge, Drees, Duckworth, Durst, Gallagher, Gately, Godchaux, Hendrickson, Hurley, Hutson, Jacobs, Johnson of Humboldt, Johnson of Santa Clara, Kahn, Kerns, LaRue, Luttringer, Lynch, McCauley, Marston, Matthews of San Benito, Miller, O'Keefe, Perkins, Schlesinger, Simpson, Sims, Standart, Taggart, Thomas of Santa Clara, Tindall, Vann, Wade, and Mr Speaker—49

NOES—None.

Title read and approved.

Senate Bill No. 309—An Act to provide for planting a row of trees around the Capitol grounds, and to make an appropriation therefor.

Read third time, and refused passage by the following vote:

AYES—Messrs Adams, Alford, Anderson, Androus, Barlow, Bennett of Santa Clara, Bennett of Orange, Buckley, Bulla, Carlson, Chipman, Conway, Curtis, Cusick, Dodge, Duckworth, Durst, Gallagher, Gately, Hendrickson, Jacobs, Johnson of Santa Clara, Lynch, Marks, Owen, Schlesinger, Simpson, Taggart, Taylor, Thomas of Nevada, and Wade—32

NOES—Messrs. Bledsoe, Burke, Drees, Hurley, Hutson, Kerns, LaRue, Luttringer, Marston, Matthews of San Benito, O'Keefe, Pendleton, Schroebel, Standart, Talbott, Thomas of Santa Clara, Tindall, Vann, and Mr. Speaker—19

Senate Bill No. 199—An Act to repeal an Act entitled "An Act to create a State Board of Forestry, and to provide for the expenses thereof," approved March 3, 1885, and the Act amendatory thereof, approved March 7, 1887.

Read third time, and passed by the following vote:

AYES—Messrs. Alford, Androus, Barlow, Bennett of Santa Clara, Bennett of Orange, Bledsoe, Boyce, Brownlie, Bulla, Burke, Carlson, Conway, Curtis, Cusick, Dodge, Drees, Duckworth, Durst, Finlayson, Gallagher, Gately, Hurley, Hutson, Jacobs, Johnson of Humboldt, Johnson of Santa Clara, Kahn, Kerns, LaRue, Luttringer, Lynch, McCauley, McElroy, Marks, Marston, Matthews of San Benito, O'Keefe, O'Neill, Perkins, Schroebel, Simpson, Standart, Taggart, Talbott, Taylor, Thomas of Nevada, Thomas of Santa Clara, Tindall, Vann, Wade, and Mr. Speaker—51.

NOES—None

Title read and approved.

Senate Bill No. 8—An Act to provide for the appointment of Health Inspectors and Market Inspectors in each municipality of this State having one hundred thousand inhabitants, and over that number; providing how such Inspectors shall be appointed and designated as officers of such municipality, and prescribing the duties and fixing the compensation of such Inspectors.

Read third time.

Mr. Vann moved that a select committee of one be appointed by the Speaker to amend Senate Bill No. 8, as follows:

Amend the title by inserting after the word "of," and before the word "health," in first line, the words "a Board of Health and"

Amend line four of the title by inserting after the word "such" the words "Board of Health and"

Amend the Act by adding a new section thereto, to be numbered section four, and to read as follows:

"The Board of Health for such city, and city and county, shall consist of the Mayor of said city, or city and county, who shall be ex officio President, and four other persons, who must be physicians in good standing, all of whom must reside in said city, or city and county. The physicians as aforesaid shall be appointed by the Board of Supervisors of said city, or city and county, two from each of the two leading political parties, on or before the last Monday in June, eighteen hundred and ninety-three, and every two years thereafter. The term of office of each member so appointed shall be two years, commencing on the first Monday in July, eighteen hundred and ninety-three, and every two years thereafter. Any vacancy in the office in any such Board of Health, from whatever cause, must be filled by the same power which made the original appointment, but any person so appointed to fill any vacancy shall hold office only for the respective unexpired term.

Lost.

Mr. Lynch in the chair.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Alford, Androus, Bennett of Santa Clara, Bennett of Orange, Blakeley, Bledsoe, Boyce, Brownlie, Buckley, Bulla, Burke, Carlson, Casterline, Chipman, Conway, Curtis, Cusick, Dodge, Drees, Duckworth, Durst, Gallagher, Gately, Godchaux, Hendrickson, Hurley, Hutson, Jacobs, Johnson of Humboldt, Johnson of Santa Clara, Kahn, Kerns, LaRue, Luttringer, Lynch, McCauley, McGowan, Marks, Mathews of Tehama, Matthews of San Benito, Miller, Mordecai, O'Keefe, Owen, Perkins, Pueschel, Raw, Sargent, Schroebel, Talbott, Taylor, Thomas of Nevada, Thomas of Santa Clara, Tindall, Vann, Wade, and Mr Speaker—57.

NOES—None.

Title read and approved.

Mr. Gould moved that the vote whereby Assembly Bill No. 141 was ordered to engrossment be now reconsidered.

So ordered.

Speaker Gould in the chair.

RESOLUTION.

By Mr. Sims:

WHEREAS, John Tatham has ceased to perform his duties as Assistant Minute Clerk of the Assembly; therefore, be it

Resolved, That the said office of Assistant Minute Clerk of the Assembly be and the same is herewith declared vacant, and that W. T Bell be appointed to perform the duties of said office until the end of the session, at the same per diem as allowed by statute.

Referred to Committee on Attachés and Employés.

MOTION.

Mr. Durst moved that the consideration of Senate Bill No. 729 be made a special order for this day at five o'clock P. M.

So ordered.

Senate Bill No. 182—An Act to amend section three thousand and nine of the Political Code of the State of California, relating to the appointment of certain officers and employés by the Board of Health of the City and County of San Francisco.

Read third time

Mr. Hurley moved that a select committee of one be appointed by the Speaker to amend Senate Bill No. 182, as follows:

Amend by striking out of section one, line five, the word "plumbers," and inserting the following: "mechanics."

Lost.

Mr. Chipman moved that a select committee of one be appointed by the Speaker to amend Senate Bill No. 182, as follows:

Amend the title by adding on line four, after the words "San Francisco," the following "and further extending and defining their duties"

Amend Senate Bill No 182 by adding a new section, as follows

"SEC. 2. The Board of Health is hereby empowered and required to prevent the future extension and enlargement of all cemeteries within the corporate limits of cities of over one hundred thousand (100,000) inhabitants."

Lost.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Adams, Alford, Anderson, Androus, Barlow, Bennett of Santa Clara, Bennett of Orange, Bledsoe, Boyce, Brownlie, Buckley, Bulla, Burke, Carlson, Casterline, Chipman, Conway, Curtis, Cusick, Dodge, Duckworth, Durst, Finlayson, Gallagher, Gately, Godchaux, Hamilton, Hendrickson, Hutson, Jacobs, Johnson of Humboldt, Johnson of Santa Clara, Kennedy, Kerns, LaRue, Luttringer, Lynch, McCauley, McGowan, Marks, Marston, Mathews of Tehama, Matthews of San Benito, Miller, O'Keefe, O'Neill, Owen, Pendleton, Perkins, Pueschel, Raw, Sargent, Schlesinger, Schroebel, Shanahan, Simpson, Sims, Standart, Taggart, Talbott, Taylor, Thomas of Santa Clara, Tindall, Wade, and Mr Speaker—65

NOES—Messrs Drees, Hurley, Kahn, and Vann—4.

Title read and approved.

REPORT OF STANDING COMMITTEE.

ON ENGROSSMENT

ASSEMBLY CHAMBER, SACRAMENTO March 13, 1893.

MR SPEAKER: Your Committee on Engrossment, to whom was referred Assembly Bill No 404 requiring all State institutions to give preference to California products and the production of California labor, respectfully report the same back correctly engrossed.

WADE, for Chairman.

SPECIAL ORDERS—(RESUMED).

Senate Bill No. 201—An Act to provide for certain improvements in the State Insane Asylum at Stockton, California, and making an appropriation therefor.

Read third time, and passed by the following vote:

AYES—Messrs. Adams, Anderson, Androus, Barlow, Bennett of Santa Clara, Bennett of Orange, Bledsoe, Bulla, Carlson, Casterline, Curtis, Cusick, Dodge, Drees, Duckworth, Durst, Finlayson, Gallagher, Gately, Godchaux, Hamilton, Hendrickson, Hurley, Hutson, Jacobs, Jacobsen, Johnson of Humboldt, Johnson of Santa Clara, Kennedy, Kahn, Kerns, LaRue, Luttringer, McCauley, McGowan, Marston, Mathews of Tehama, Matthews of San Benito, Miller, Mordecai, O'Keefe, O'Neill, Pendleton, Perkins, Pueschel, Sargent, Shanahan, Simpson, Sims, Standart, Taggart, Thomas of Nevada, Thomas of Santa Clara, Tindall, Vann, Wade, and Mr. Speaker—57.

NOES—None

Title read and approved.

Senate Bill No. 202—An Act to provide for the purchase of apparatus and appliances for the protection of the buildings and property of the State Insane Asylum at Stockton, California, and making an appropriation therefor.

Read third time, and passed by the following vote:

AYES—Messrs. Adams, Anderson, Androus, Barlow, Bennett of Santa Clara, Bledsoe, Buckley, Bulla, Carlson, Casterline, Curtis, Cusick, Drees, Duckworth, Durst, Finlayson, Gallagher, Godchaux, Hamilton, Hendrickson, Hurley, Hutson, Jacobsen, Johnson of Humboldt, Johnson of Santa Clara, Kennedy, Kahn, Kerns, LaRue, Luttringer, Lynch, McCauley, Marston, Matthews of San Benito, Mordecai, O'Neill, Pendleton, Pueschel, Sargent, Schroebel, Shanahan, Sims, Standart, Taggart, Talbott, Taylor, Thomas of Nevada, Thomas of Santa Clara, Tindall, Vann, Wade, and Mr. Speaker—52.

NOES—None.

Title read and approved.

Mr. Finlayson moved to take up Senate messages.

So ordered.

MESSAGES FROM THE SENATE.

SENATE CHAMBER, SACRAMENTO, March 13, 1893.

MR. SPEAKER: I am directed to inform your honorable body that the Senate, on this day, passed Assembly Bill No. 242—An Act appropriating two hundred and fifty thousand dollars for the erection of buildings for the use of affiliated and other departments of the University of California.

Also: Senate Bill No. 333—An Act to amend section three hundred and twenty-one of the Penal Code of California, relating to lotteries and lottery tickets.

Also: Senate Joint Resolution No. 24—Relative to free coinage of silver.

F. J. BRANDON, Secretary.

Assembly Bill No. 242 ordered to enrollment.

Senate Joint Resolution No. 24 ordered on file.

Also:

SENATE CHAMBER, SACRAMENTO, March 13, 1893

MR SPEAKER: I am directed to inform your honorable body that the Senate, on the eleventh day of March, passed Senate Bill No 780—An Act to appropriate the surplus moneys in the "Special Mendocino Asylum Fund" in the State Treasury to the uses of the Mendocino State Insane Asylum.

Also: Senate Bill No. 434—An Act regulating the sale of the lands uncovered by the recession or drainage of the waters of inland lakes, and unsegregated swamp and overflowed lands, and validating sales and surveys heretofore made

Also: Assembly Bill No 810—An Act to add a new section to the Civil Code of the State of California, to be numbered section one thousand four hundred and nine, defining water measurement.

Also: Assembly Bill No 772—An Act to amend an Act entitled "An Act to establish a Civil Code," approved March 21, 1872, and to add a new section thereto, to be numbered section one thousand six hundred and seventy-seven, relating to unlawful contracts

F. J. BRANDON, Secretary.

Assembly Bills Nos. 810 and 772 ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, March 13, 1893.

MR SPEAKER: I am directed to inform your honorable body that the Senate, on this day, passed Assembly Bill No. 852—An Act confirming to the city of Oakland the possession, right of possession, and control of its waterfront and tide lands, in inalienable trust for the public use and benefit.

Also: Assembly Bill No 856—An Act to provide for the payment of advertising the funded debt, and making an appropriation therefor.

Also. Assembly Bill No. 191—An Act to amend an Act entitled "An Act to establish a Political Code," approved March 12, 1872, by amending section seven hundred and ninety-one of said Code, relating to the appointment and number of Notaries Public in the several counties of this State

Also: Assembly Bill No 506—An Act to provide for additional improvements at the Reform School for Juvenile Offenders, located at Whittier, in the county of Los Angeles, and State of California, and to make an appropriation for the same.

F. J. BRANDON, Secretary.

Assembly Bills Nos. 852, 856, 191, and 506 ordered to enrollment.

FIRST READING OF BILLS.

Senate Bill No. 333—An Act to amend section three hundred and twenty-one of the Penal Code of California, relating to lotteries and lottery tickets.

Read first time, and placed on file for second reading.

Senate Bill No. 780—An Act to appropriate the surplus moneys in the "Special Mendocino Asylum Fund" in the State Treasury to the uses of the Mendocino State Insane Asylum.

Read first time, and placed on file for second reading.

Senate Bill No. 434—An Act regulating the sale of the lands uncovered by the recession of the waters of inland lakes, and unsegregated swamp and overflowed lands.

Read first time, and placed on file for second reading.

MESSAGES FROM THE SENATE—(RESUMED).

SENATE CHAMBER, SACRAMENTO, March 13, 1893.

MR. SPEAKER: I am directed to inform your honorable body that the Senate, on this day, passed Assembly Bill No 796, as amended in the Senate—An Act making appropriations for the support of the government of the State of California for the forty-fifth and forty-sixth fiscal years.

F. J BRANDON, Secretary
By R. SHAW, Assistant

The question being, "Shall the Assembly concur in Senate amendments to Assembly Bill No. 796?"

The roll was called, and the Senate amendments concurred in by the following vote:

AYES—Messrs. Adams, Alford, Anderson, Androus, Barlow, Bennett of Orange, Bledsoe, Bulla, Burke, Carlson, Chipman, Conway, Cusick, Durst, Finlayson, Gately, Godchaux, Hamilton, Hendrickson, Hurley, Hutson, Jacobs, Johnson of Humboldt, Johnson of Santa Clara, Kahn, Kerns, LaRue, Luttringer, Lynch, McCauley, McGowan, Mathews of Tehama, Matthews of San Benito, Mordecai, O'Neill, Owen, Pendleton, Perkins, Raw, Sargent, Schlesinger, Schroebel, Shanahan, Simpson, Sims, Standart, Talbott, Taylor, Thomas of Nevada, Thomas of Santa Clara, Tindall, Vann, Wade, and Mr Speaker—54.

NOES—None.

EXPLANATION BY THE SPEAKER.

The member from Shasta arose during the reading of a resolution, and the Chair ruled him out of order. The gentleman from Shasta then appealed, but no second to his appeal was observed by the Chair, hence the ruling protested against.

PROTEST.

By Mr. Shanahan:

I record my solemn protest in the matter of the action of the Speaker of this House in refusing to state, for the consideration of this House, an appeal made by me from the decision of the Chair on a point of order raised by me, concerning a resolution offered by the gentleman from Tehama.

MESSAGES FROM THE SENATE—(RESUMED).

SENATE CHAMBER, SACRAMENTO, March 13, 1893

MR. SPEAKER: I am directed to inform your honorable body that the Senate, on this day, passed Assembly Bill No 349, as amended in Senate—An Act to amend sections one thousand two hundred and two (1202), one thousand one hundred and eighty-eight (1188), one thousand one hundred and ninety-four (1194), one thousand one hundred and ninety-seven (1197), one thousand two hundred and three (1203), one thousand two hundred and five (1205), one thousand two hundred and eight (1208), one thousand two hundred and fifty-seven (1257), one thousand two hundred and sixty-four (1264), and one thousand two hundred and sixty-five (1265) of the Political Code, in relation to elections within this State.

Also Assembly Bill No 81—An Act to amend section three thousand seven hundred and sixty-five, section three thousand seven hundred and seventy-three, section three thousand seven hundred and seventy-eight, section three thousand seven hundred and eighty, section three thousand seven hundred and eighty-one, section three thousand seven hundred and eighty-five, section three thousand seven hundred and eighty-eight, section three thousand eight hundred and sixteen, and section three thousand eight hundred and seventeen, and to repeal section three thousand seven hundred and seventy-four, section three thousand seven hundred and seventy-five, section three thousand seven hundred and seventy-six, section three thousand seven hundred and seventy-seven, section three thousand seven hundred and seventy-nine, section three thousand seven hundred and eighty-two, section three thousand seven hundred and eighty-three, section three thousand seven hundred and eighty-four, and section three thousand eight hundred and eighteen of an Act of the Legislature of the State of California entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the sale of real property for delinquent taxes, and the redemption and resale of such property, and to add a new section thereto, to be known and designated as section three thousand eight hundred and one, also relating to the sale of real property for delinquent taxes.

F. J BRANDON, Secretary.
By R. SHAW, Assistant.

Assembly Bills Nos. 349 and 81 ordered to enrollment.

The question being, "Shall the Assembly concur in Senate amendments to Assembly Bill No. 349?"

The roll was called, and the Senate amendments concurred in by the following vote:

AYES—Messrs. Alford, Anderson, Barlow, Bennett of Santa Clara, Bennett of Orange, Bretz, Bulla, Burke, Carlson, Conway, Cusick, Dodge, Duckworth, Durst, Finlayson, Gallagher, Gately, Godchaux, Hurley, Jacobsen, Johnson of Santa Clara, Kahn, Kerns, LaRue, Luttringer, Lynch, McCauley, Matthews of San Benito, Miller, Mordecai, O'Neill, Owen, Perkins, Pueschel, Schlesinger, Simpson, Sims, Standart, Taggart, Talbott, Taylor, Thomas of Nevada, Wade, and Mr Speaker—45

NOES—Messrs. Adams, Jacobs, Thomas of Santa Clara, and Vann—4

MESSAGES FROM THE SENATE—(RESUMED).

SENATE CHAMBER, SACRAMENTO, March 13, 1893

MR PRESIDENT: I am directed to inform your honorable body that the Senate, on this day, passed Assembly Bill No. 85, as amended in Senate—An Act to amend section six hundred and thirty-one of an Act of the Legislature of the State of California entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1873, relating to a waiver of a trial by jury; and to add two new sections to said Code, to be known and designated as section two hundred and forty-eight, relating to the fees of grand and trial jurors, and section six hundred and twenty, relating to the time and manner of demanding a trial by jury.

Also: Assembly Bill No 139—An Act to provide for the leasing and disposition of water for generation of power for mechanical purposes, by irrigation districts organ-

ized or to be organized under and pursuant to an Act entitled "An Act to provide for the organization and government of irrigation districts, and to provide for the acquisition of water and other property, and for the distribution of water thereby for irrigation purposes," approved March 7, 1887.

F. J. BRANDON, Secretary.
By R. SHAW, Assistant.

Assembly Bill No. 139 ordered to enrollment.

MOTION.

Mr. Bulla moved that Assembly Bill No. 85 be returned to the Senate for correction.

So ordered.

MESSAGES FROM THE SENATE—(RESUMED).

SENATE CHAMBER, SACRAMENTO, March 13, 1893.

MR SPEAKER: I am directed to inform your honorable body that the Senate, on this day, concurred in the Assembly amendments to Senate Bill No. 281—An Act making an appropriation to pay the deficiency in the appropriation for the support of the Reform School for Juvenile Offenders, at Whittier, for the forty-third and forty-fourth fiscal years.

Also: Senate Bill No 210—An Act to regulate the disposition of the hides of cattle killed or slaughtered in the State of California, and to provide a penalty for a violation of the provisions of this Act.

Also: Senate Bill No. 74—An Act to amend an Act entitled "An Act to establish a Political Code," approved March 12, 1872, by adding a new section thereto, to be known as section three thousand two hundred and forty-five and one half, relating to the payment of persons employed under the provisions of section three thousand two hundred and forty-five of said Political Code.

Also: Substitute for Senate Bill No. 383—An Act to add a new section to the Code of Civil Procedure of the State of California, to be numbered section one thousand two hundred and three, relating to liens of mechanics and others.

F. J. BRANDON, Secretary.
By R. SHAW, Assistant.

Also:

SENATE CHAMBER, SACRAMENTO, March 13, 1893.

MR. SPEAKER: I am directed to inform your honorable body that the Senate, on this day, passed Assembly Bill No 774, as amended in Senate—An Act to amend an Act entitled "An Act to establish a uniform system of county and township governments," approved March 31, 1891, by amending sections fifty-seven, one hundred and sixty-seven, one hundred and sixty-eight, one hundred and seventy-two, one hundred and eighty-six, and one hundred and ninety-seven thereof, relating to county officers

Also Assembly Bill No. 724—An Act to enable school districts in or including cities of the fifth class to issue bonds for the purpose of raising money for certain purposes, and to repeal an Act approved March 31, 1891, entitled "An Act to enable cities of the fifth class to issue bonds for the purpose of raising money to purchase school lots, and for building or purchasing one or more school houses, and supplying the same with furniture, necessary apparatus, and improving the grounds, and for liquidating any indebtedness already incurred for such purposes."

Also. Senate Bill No. 712—An Act making an appropriation to pay the claim of Louise Rienzi, for services rendered the State Board of Silk Culture, and as custodian of the property of said Board from July 1. 1889, to October 31. 1889, at eighty-seven dollars and fifty cents per month.

F. J BRANDON, Secretary
By R. SHAW, Assistant

Assembly Bill No. 724 ordered to enrollment.

The question being, "Shall the Assembly concur in Senate amendments to Assembly Bill No. 774?"

The roll was called, and the Senate amendments concurred in by the following vote:

AYES—Messrs Adams, Alford, Anderson, Androus, Barlow, Bennett of Santa Clara, Bennett of Orange, Bledsoe, Bulla, Carlson, Chipman, Curtis, Cusick, Dodge, Duckworth, Durst, Finlayson, Gallagher, Gately, Godchaux, Hendrickson, Hurley, Hutson, Jacobs, Jacobsen, Johnson of Humboldt, Kennedy, Kahn, Kerns, LaRue, Luttringer, Lynch,

McGowan, Marston, Matthews of San Benito, O'Keefe, O'Neill, Owen, Pendleton, Perkins, Pueschel, Sargent, Schlesinger, Schroebel, Simpson, Sims, Standart, Taggart, Taylor, Thomas of Nevada, Thomas of Santa Clara, Tindall, Vann, Wade, and Mr. Speaker—55.
NOES—None.

Assembly Bill No. 774 ordered to enrollment.

FIRST READING OF BILL.

Senate Bill No. 712—An Act making an appropriation to pay the claim of Louise Rienzi, for services rendered the State Board of Silk Culture, and as custodian of the property of said Board from July 1, 1889, to October 31, 1889, at eighty-seven dollars and fifty cents per month.

Read first time, and placed on file for second reading.

RESOLUTION.

By Mr. Androus:

Resolved, That the sum of five hundred dollars be and is hereby directed to be paid to the Chief Clerk of the House out of the appropriation for the contingent expenses of the Assembly, and the Controller is hereby directed to draw his warrant for said sum upon the appropriation for the contingent expenses of the Assembly, and the Treasurer to pay the same, said sum to be distributed by said Chief Clerk to himself and to the persons who have performed and are now performing the work in compiling the Weekly History of Assembly Bills, Constitutional Amendments, and Joint Resolutions; be it further

Resolved, That the person having such history in charge be and he is hereby directed and instructed to remain over at the State Capitol after adjournment of the thirtieth session of the Legislature *sine die*, for a sufficient time to complete a final copy of the Assembly Weekly History, and after the same is finally printed he shall mail to each member of the Assembly and Senate five copies thereof, one of which shall be bound in pasteboard cover.

For the purpose of carrying out the requirements of this resolution, the Superintendent of State Printing is hereby directed to print eight hundred copies of such final history, one hundred and fifty copies of which shall be bound in pasteboard covers.

The Controller of State is hereby directed to draw his warrant for the sum of fifty dollars in favor of said Secretary, payable out of the appropriation for the contingent expenses of the Assembly, and the Treasurer directed to pay the same, for the purpose of paying the necessary postage upon such final history.

Referred to Committee on Public Expenditures and Accounts.

Mr. Alford in the chair.

MOTION.

Mr. Sargent moved to take up Senate Bill No. 470.

So ordered.

THIRD READING OF BILL.

Senate Bill No. 470—An Act to amend section three hundred and fifty-nine, entitled "An Act to establish a Civil Code," approved March 21, 1872, relating to corporations and the increase and diminution of the capital stock, and the creation, increase, and diminution of the bonded indebtedness thereof.

Read third time, and passed by the following vote:

AYES—Messrs Adams, Alford, Anderson, Androus, Bennett of Santa Clara, Bledsoe, Buckley, Carlson, Chipman, Conway, Cusick, Dodge, Duckworth, Durst, Finlayson, Gately, Godchaux, Hendrickson, Jacobs, Johnson of Humboldt, Kennedy, Kahn, Kerns, LaRue, Luttringer, McCauley, Matthews of San Benito, Mordecai, Owen, Pendleton, Pueschel, Sargent, Schlesinger, Schroebel, Shanahan, Sims, Standart, Taggart, Talbott, Thomas of Nevada, Thomas of Santa Clara, Tindall, Vann, Wade, and Mr. Speaker—45.
NOES—Mr. Hurley—1.

Title read and approved.

MOTIONS.

Mr. Gould moved to take up Assembly Bill No. 141.

So ordered.

Mr. Gould moved that a select committee of one be appointed by the Speaker pro tem. to amend Assembly Bill No. 141, as follows:

Amend Assembly Bill No. 141, as printed, after being amended in Assembly March 8, 1893, as follows:

Amend section six, by striking out lines seven and eight thereof, and striking out the words "the terms of said contract," on line nine thereof, on page five of said bill.

Also, by striking out, on page six, the words "section seven, section forty-one of said Act is hereby repealed"

Also, by changing the words "section eight" to "section seven," on page six thereof.

Amend the amendment offered by Mr. Alford, and adopted on March 11, 1893, by changing the words "two thousand" to "five thousand," and inserting said "Alford amendment," as amended, after the word "roll," in line thirteen, section six, on page five of said bill.

So ordered.

APPOINTMENT OF COMMITTEE.

Mr. Gould was appointed such committee to make said amendments.

REPORT OF SELECT COMMITTEE.

ASSEMBLY CHAMBER, SACRAMENTO, March 13, 1893.

MR. SPEAKER: Your select committee, to whom was referred Assembly Bill No. 141, with instructions to amend in accordance with the action of the House, would respectfully report that the instructions of the House have been carried out.

GOULD, Committee.

Report adopted.

MOTIONS.

Mr. Gould moved that further consideration of Assembly Bill No. 141 be made a special order for this evening, at nine o'clock P. M.

So ordered.

Speaker Gould in the chair.

Mr. Finlayson moved to take up out of order Senate Bill No. 772.

So ordered.

THIRD READING OF BILL.

Senate Bill No. 772—An Act to pay the claim of Robert B. Young, and to make an appropriation for the same.

Read third time, and passed by the following vote:

AYES—Messrs Adams, Alford, Anderson, Androus, Barlow, Bennett of Santa Clara, Bulla, Burke, Carlson, Chipman, Conway, Curtis, Cusick, Dodge, Durst, Finlayson, Gately, Godchaux, Hurley, Johnson of Santa Clara, Kahn, Luttringer, McGowan, Mack, Marks, Marston, Matthews of San Benito, Miller, Mordecai, O'Keefe, Pendleton, Sargent, Schlesinger, Shanahan, Simpson, Sims, Standart, Taggart, Taylor, Thomas of Nevada, Thomas of Santa Clara, Tindall, Wade, and Mr. Speaker—44.

NOES—Messrs. Bledsoe, Bretz, and Schroebel—3.

Title read and approved.

SPECIAL ORDER.

Senate Bill No. 729—An Act amendatory of and supplementary to an Act entitled "An Act to define the boundary and provide for the

government of Levee District No. 2, of Sutter County," passed March 23, 1876, in relation to the election of officers for said district, funding the floating debt, and refunding the funded debt thereof.

Read third time, and passed by the following vote:

AYES—Messrs Adams, Alford, Anderson, Androus, Barlow, Bennett of Santa Clara, Bennett of Orange, Blakeley, Bledsoe, Bretz, Buckley, Bulla, Burke, Carlson, Casterline, Chipman, Conway, Curtis, Cusick, Dodge, Durst, Finlayson, Gallagher, Gately, Hendrickson, Hurley, Hutson, Jacobs, Jacobsen, Johnson of Humboldt, Johnson of Santa Clara, Kahn, Kerns, LaRue, Luttringer, McGowan, Marks, Marston, Matthews of San Benito, Miller, Mordecai, O'Keefe, Owen, Pendleton, Perkins, Sargent, Schlesinger, Sims, Standart, Taggart, Talbott, Taylor, Thomas of Nevada, Thomas of Santa Clara, Tindall, Vann, Wade, and Mr. Speaker—58.

NOES—None.

THE COUNTY GOVERNMENT BILL.

Substitute for Assembly Bill No. 74—An Act entitled "An Act to establish a uniform system of county and township governments."

Read third time, and passed by the following vote:

AYES—Messrs. Adams, Alford, Anderson, Androus, Barlow, Bennett of Santa Clara, Bennett of Orange, Bledsoe, Buckley, Bulla, Burke, Carlson, Casterline, Conway, Curtis, Cusick, Dodge, Drees, Durst, Gallagher, Gately, Hendrickson, Hurley, Jacobs, Jacobsen, Johnson of Humboldt, Johnson of Santa Clara, Kahn, Kerns, LaRue, Luttringer, McCauley, McGowan, Marks, Marston, Matthews of San Benito, Miller, Mordecai, O'Keefe, O'Neill, Pendleton, Perkins, Pueschel, Schroebel, Simpson, Standart, Taggart, Talbott, Taylor, Thomas of Nevada, Thomas of Santa Clara, Tindall, Vann, Wade, and Mr. Speaker—54

NOES—None.

Title read and approved.

RESOLUTION.

By Mr. Vann:

Resolved, That Frank Anaya, Journal Clerk of the Assembly, and J. F. Vickers and E. L. McAdams, Assistant Journal Clerks, be and are hereby employed after the final adjournment of the Assembly, for the purpose of completing the work devolved upon them as Journal Clerks of the Assembly, in arranging and properly sealing the original minutes, corrected and approved Journals, and turning over to the State all the property belonging thereto, and completing the labor yet to be performed in the office of the Journal Clerk of the Assembly, and that they be allowed each the sum of fifty-six dollars for such services, payable out of the Contingent Fund of the Assembly, and the Controller is hereby directed to draw his warrant in favor of the said Frank Anaya, J. F. Vickers, and E. L. McAdams for the said amounts, and the Treasurer is authorized to pay the same.

Referred to Committee on Public Expenditures and Accounts.

SPECIAL SENATE FILE.

Senate Bill No. 205—An Act to provide for the payment, by the Board of Directors of the State Insane Asylum at Stockton, California, of certain sums of money, for the paving of California Street, in the city of Stockton, county of San Joaquin, State of California, opposite the State Insane Asylum at Stockton, California, and for the construction of a concrete sidewalk along said street.

Passed on file.

Senate Bill No. 155—An Act to add a new section to the Penal Code, to be known and numbered section six hundred and fifty-five, relating to dealing in options.

Read third time, and refused passage by the following vote:

AYES—Messrs. Adams, Barlow, Bennett of Orange, Bledsoe, Bretz, Bulla, Casterline, Dodge, Drees, Durst, Finlayson, Jacobs, Jacobsen, Johnson of Humboldt, Johnson of

Santa Clara, Kerns, Marston, Matthews of San Benito, O'Keefe, O'Neill, Owen, Pueschel, Shanahan, Simpson, Taggart, Talbott, Thomas of Santa Clara, Tindall, Vann, Wade, and Mr. Speaker—32

NOES—Messrs Alford, Anderson, Bennett of Santa Clara, Buckley, Burke, Chipman, Conway, Curtis, Cusick, Duckworth, Gallagher, Gately, Godchaux, Hendrickson, Hurley, Hutson, Kahn, LaRue, Luttringer, McGowan, Marks, Miller, Pendleton, Perkins, Raw, Sargent, Schlesinger, Sims, Standart, Taylor, and Thomas of Nevada—31.

RECESS.

The Speaker declared recess until seven o'clock and thirty minutes P. M.

EVENING SESSION.

The Assembly met at seven o'clock and thirty minutes P. M.
Speaker Gould in the chair.
Quorum present.

REPORT OF STANDING COMMITTEE.

ON ENGROSSMENT.

ASSEMBLY CHAMBER, SACRAMENTO, March 13, 1893

MR SPEAKER Your Committee on Engrossment beg leave to report that the following Assembly Bills have been correctly engrossed:

Assembly Bill No. 102—An Act to amend sections eight, ten, and eleven of an Act entitled "An Act to establish a branch insane asylum for the insane of the State of California, at Ukiah, to be known as the Mendocino State Insane Asylum, and appropriating money therefor," approved February 20, 1889, relating to the election, duties, and compensation of the Secretary and Treasurer of the Board of Directors of said asylum, etc.

Also. Assembly Bill No 799—An Act to regulate railroads and railroad corporations and other common carriers in this State, and to provide for and define the powers and duties of the Board of Railroad Commissioners in relation to same, and to prevent and punish extortion and unjust discrimination in the rates charged for the transportation of passengers and freights on railroads in this State, and to prescribe a mode of procedure and rules of evidence in relation thereto.

WADE, for Chairman.

MOTION.

Mr. Finlayson moved that Assembly Bills Nos. 796 and 774 be considered reëngrossed and ordered to enrollment.

So ordered.

SPECIAL SENATE FILE.

Senate Bill No. 204—An Act to provide for certain improvements at the State Insane Asylum at Stockton, California, and making an appropriation therefor.

Read third time, and passed by the following vote:

AYES—Messrs Alford, Anderson, Androus, Barlow, Bennett of Santa Clara, Bledsoe, Boyce, Bretz, Brownlie, Carlson, Casterline, Chipman, Dodge, Drees, Duckworth, Durst, Finlayson, Gately, Godchaux, Hendrickson, Hurley, Hutson, Jacobs, Johnson of Santa Clara, LaRue, Luttringer, Lynch, Mack, Marston, Mathews of Tehama, Matthews of San Benito, O'Keefe, O'Neill, Sargent, Schlesinger, Simpson, Standart, Taggart, Talbott, Thomas of Santa Clara, Vann, Wade, and Mr Speaker—42

NOES—Mr. Kahn—1

Title read and approved.

MOTION.

Mr. Bledsoe moved that all constitutional amendments on the Senate special file be passed.

So ordered.

Senate Bill No. 287—An Act to add a new section to the Civil Code, to be numbered section one hundred and thirty-one, relative to divorces.

Read third time.

MOTION.

Mr. Taggart moved that a select committee of one be appointed by the Speaker to amend Senate Bill No. 287, as follows:

By striking out of section one, lines two, three, and four, the words "District Attorney of the county, or city and county, wherein the action is tried, shall appear without compensation and cross-examine the witnesses"

APPOINTMENT OF COMMITTEE.

Mr. Taggart was appointed such committee to make said amendments.

REPORT OF SELECT COMMITTEE.

ASSEMBLY CHAMBER, SACRAMENTO, March 13, 1893.

MR. SPEAKER: Your select committee, to whom was referred Senate Bill No. 287, with instructions to amend in accordance with the action of the House, would respectfully report that the instructions of the House have been carried out.

TAGGART, Committee

Report adopted.

Senate Bill No. 109—An Act providing for the punishment of pools, trusts, and conspiracies to control prices, and as to evidence and prosecution in such cases.

Read third time, and passed by the following vote:

AYES—Messrs. Adams, Alford, Androus, Barlow, Bennett of Orange, Bledsoe, Boyce, Bretz, Bulla, Casterline, Chipman, Cusick, Dodge, Drees, Durst, Finlayson, Gallagher, Hendrickson, Hurley, Hutson, Jacobs, Jacobsen, Johnson of Humboldt, Kerns, Luttringer, Lynch, McGowan, Marks, Marston, Mathews of Tehama, Matthews of San Benito, Mordecai, O'Keefe, O'Neill, Owen, Perkins, Schlesinger, Simpson, Standart, Taggart, Talbott, Thomas of Nevada, Thomas of Santa Clara, Tindall, Vann, Wade, and Mr. Speaker—47.

NOES—Messrs. Bennett of Santa Clara, Blakeley, Conway, Duckworth, Gately, Johnson of Santa Clara, Raw, and Sargent—8.

Title read and approved.

Mr. Standart moved to take up Senate Bill No. 644.

So ordered.

Senate Bill No. 644—An Act relating to the operation of railroads.

Read second time, and ordered to a third reading.

MOTIONS.

Mr. Standart moved that the further consideration of Senate Bill No. 644 be made a special order for to-morrow, at eleven o'clock A. M.

So ordered.

Senate Bill No. 141—An Act to retire teachers of the public schools of the State of California upon partial pay.

Read third time.

Mr. Owen moved that a select committee of one be appointed by the Speaker to amend Senate Bill No. 141, as follows:

Amend by adding to section one, line two, after the word "teachers," the words 'and farmers' wives who have worked thirty years on the farm, and have not been able to retire;" and to add "farmers' wives who have not been able to retire," wherever the words "retired public school teachers" appear.

Lost.

MOTION.

Mr. Alford moved that a select committee of one be appointed by the Speaker to amend Senate Bill No. 141, as follows:

Amend by adding after the word "service," on line six, of section three, the words "every mother of five children, the youngest of whom is at least ten years of age."

Lost.

The roll was called, and the bill refused passage by the following vote:

AYES—Messrs Anderson, Androus, Bennett of Santa Clara, Boyce, Brownlie, Bulla, Burke, Carlson, Chipman, Cusick, Duckworth, Gallagher, Gately, Godchaux, Hendrickson, Jacobsen, Johnson of Humboldt, Johnson of Santa Clara, Kennedy, Kahn, Kerns, LaRue, Luttringer, Lynch, McElroy, McGowan, Marks, Marston, Miller, Pendleton, Perkins, Schlesinger, Shanahan, Taggart, Talbott, Taylor, and Tindall—37.

NOES—Messrs. Adams, Alford, Barlow, Bennett of Orange, Blakeley, Bledsoe, Casterline, Conway, Curtis, Dodge, Drees, Durst, Finlayson, Hurley, Hutson, Jacobs, Mack, Mathews of Tehama, Matthews of San Benito, Mordecai, O'Keefe, Raw, Sargent, Schroebel, Simpson, Sims, Standart, Thomas of Santa Clara, Vann, Wade, and Mr. Speaker—29.

REPORT OF STANDING COMMITTEE.

ON ENGROSSMENT.

ASSEMBLY CHAMBER, SACRAMENTO, March 13, 1893.

MR. SPEAKER: Your Committee on Engrossment beg leave to report that the following Assembly Bill has been correctly engrossed: Assembly Bill No. 141—An Act to amend an Act entitled "An Act to provide for the organization and government of irrigation districts," etc.

WADE, for Chairman

MOTION.

Mr. Shanahan moved to take up Assembly Bill No. 356.

The ayes and noes were demanded by Messrs. Shanahan, Miller, and Taylor.

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

AYES—Messrs Androus, Barlow, Bennett of Santa Clara, Blakeley, Bledsoe, Bretz, Brownlie, Carlson, Conway, Curtis, Cusick, Dodge, Drees, Duckworth, Durst, Gallagher, Gately, Jacobsen, Johnson of Santa Clara, Kennedy, LaRue, McGowan, Marks, Marston, Miller, O'Keefe, O'Neill, Owen, Raw, Shanahan, Simpson, Sims, Talbott, and Taylor—33.

NOES—Messrs. Adams, Bennett of Orange, Bulla, Burke, Casterline, Finlayson, Hendrickson, Hurley, Hutson, Jacobs, Johnson of Humboldt, Kerns, Luttringer, Lynch, McElroy, Mack, Mathews of Tehama, Matthews of San Benito, Mordecai, Pendleton, Perkins, Sargent, Schlesinger, Schroebel, Standart, Taggart, Thomas of Nevada, Thomas of Santa Clara, Vann, Wade, and Mr. Speaker—31

Assembly Bill No. 356—An Act to create the county of Bidwell, establish the boundaries, to provide for its organization, and to provide for the payment of such proportion of the indebtedness of Butte County as may be equitably chargeable to Bidwell County.

Read third time, and refused passage by the following vote:

AYES—Messrs. Androus, Barlow, Blakeley, Bledsoe, Bretz, Brownlie, Carlson, Casterline, Conway, Curtis, Cusick, Duckworth, Durst, Gallagher, Jacobsen, Johnson of Santa Clara, Kennedy, Kerns, LaRue, McCauley, McGowan, Marks, Marston, Miller, O'Keefe, O'Neill, Perkins, Raw, Schroebel, Shanahan, Simpson, Talbott, and Taylor—33

NOES—Messrs. Adams, Alford, Bennett of Santa Clara, Bennett of Orange, Bulla, Burke, Chipman, Dodge, Drees, Finlayson, Gately, Hendrickson, Hurley, Hutson, Jacobs, Johnson of Humboldt, Kahn, Luttringer, Lynch, McElroy, Mack, Mathews of Tehama, Matthews of San Benito, Mordecai, Owen, Pendleton, Pueschel, Schlesinger, Sims, Standart, Taggart, Thomas of Nevada, Thomas of Santa Clara, Tindall, Vann, Wade, and Mr Speaker—37.

Mr. Mordecai moved that the special order set for this hour, the consideration of Assembly Bill No. 141, be postponed until ten o'clock and thirty minutes P. M.

So ordered.

Mr. O'Keefe moved to take up Senate Bill No. 296.

So ordered.

Senate Bill No. 296—An Act for the relief of Charles F. Wells, and to appropriate money therefor.

Read first time, and placed on file for second reading.

Senate Bill No. 191—An Act to amend section four hundred and ten of the Code of Civil Procedure, relative to the manner of serving summons and complaint.

Read third time, and passed by the following vote:

AYES—Messrs. Adams, Barlow, Bennett of Santa Clara, Bennett of Orange, Blakeley, Buckley, Bulla, Carlson, Casterline, Chipman, Dodge, Drees, Duckworth, Durst, Finlayson, Gately, Godchaux, Hurley, Hutson, Jacobs, Jacobsen, Johnson of Santa Clara, Kennedy, Kahn, Luttringer, Lynch, McCauley, McElroy, Marston, Mathews of Tehama, Matthews of San Benito, Mordecai, O'Keefe, Schlesinger, Standart, Talbott, Thomas of Nevada, Thomas of Santa Clara, Tindall, Vann, Wade, and Mr. Speaker—42

NOES—Messrs. Anderson and Bledsoe—2.

Title read and approved.

MOTION.

Mr. Mordecai moved to take from the table the motion to reconsider the vote whereby Senate Constitutional Amendment No. 23 was adopted.

The ayes and noes were demanded by Messrs. Bennett of Santa Clara, Lynch, and Gately.

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

AYES—Messrs Anderson, Barlow, Bledsoe, Carlson, Chipman, Dodge, Durst, Jacobs, Johnson of Humboldt, McElroy, Mathews of Tehama, Mordecai, Owen, Raw, Sargent, Wade, and Mr Speaker—17.

NOES—Messrs. Adams, Alford, Androus, Bennett of Santa Clara, Bennett of Orange, Blakeley, Boyce, Bretz, Brownlie, Buckley, Bulla, Burke, Casterline, Conway, Cusick, Drees, Duckworth, Finlayson, Gallagher, Gately, Godchaux, Hendrickson, Hurley, Hutson, Jacobsen, Johnson of Santa Clara, Kahn, Kerns, LaRue, Luttringer, Lynch, McCauley, McGowan, Marks, Marston, Matthews of San Benito, Miller, O'Keefe, O'Neill, Pendleton, Perkins, Schlesinger, Schroebel, Simpson, Sims, Taggart, Talbott, Taylor, Thomas of Nevada, Thomas of Santa Clara, Tindall, and Vann—52.

MOTION.

Mr. Wade moved to take up Senate Bill No. 147.

So ordered.

Senate Bill No. 147—An Act to amend an Act approved February 28, 1887, entitled "An Act to amend an Act to appropriate money for the support of aged persons in indigent circumstances residing in the Home of the Veterans' Home Association," approved March 7, 1883, providing for the increase in the annual appropriation therefor, and changing the time for the payment thereof.

Read second time, and made special order for to-morrow at eleven o'clock and thirty minutes A. M.

RESOLUTION.

By Mr. Finlayson:

Resolved, That Assembly Bill No 854 presents a case of urgency, as that term is used in section fifteen of article four of the Constitution, and the provisions of that section

requiring that the bill shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the second and third times, and placed upon its passage.

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

AYES—Messrs. Adams, Alford, Anderson, Androus, Barlow, Bennett of Santa Clara, Bennett of Orange, Bledsoe, Brownlie, Buckley, Burke, Casterline, Chipman, Conway, Cusick, Dodge, Drees, Duckworth, Durst, Finlayson, Gately, Godchaux, Hendrickson, Hurley, Hutson, Jacobs, Jacobsen, Johnson of Humboldt, Johnson of Santa Clara, Kennedy, Kerns, LaRue, Luttringer, Lynch, McCauley, Marks, Marston, Mathews of Tehama, Matthews of San Benito, Miller, Mordecai, O'Keefe, O'Neill, Pueschel, Raw, Schlesinger, Schroebel, Simpson, Standart, Taylor, Thomas of Nevada, Thomas of Santa Clara, Tindall, Vann, Wade, and Mr. Speaker—55

NOES—None.

Assembly Bill No. 854—An Act making an appropriation for the deficiency for the pay of the officers and clerks of the Assembly, thirtieth session of the Legislature.

Read second time.

MOTION.

Mr. Hurley moved that the Assembly resolve itself into Committee of the Whole, with the Speaker in the chair, for the purpose of considering Assembly Bill No. 854.

So ordered.

IN COMMITTEE OF THE WHOLE.

Speaker Gould in the Chair.

Assembly Bill No. 854 was considered in Committee of the Whole.

IN ASSEMBLY.

Speaker Gould in the chair.

REPORT OF THE COMMITTEE OF THE WHOLE.

The Speaker stated the report of the Committee of the Whole, as follows:

GENTLEMEN: The Committee of the Whole have had under consideration Assembly Bill No. 854, and now report, and recommend that the same do pass.

Bill considered engrossed, and ordered to a third reading.

Assembly Bill No. 854—An Act making an appropriation for the deficiency for the pay of the officers and clerks of the Assembly, thirtieth session of the Legislature.

Read third time, and passed by the following vote:

AYES—Messrs. Adams, Anderson, Androus, Bennett of Santa Clara, Bennett of Orange, Buckley, Chipman, Conway, Curtis, Dodge, Drees, Duckworth, Durst, Finlayson, Gately, Godchaux, Hendrickson, Hurley, Hutson, Jacobs, Jacobsen, Johnson of Humboldt, Johnson of Santa Clara, LaRue, Lynch, McCauley, Marks, Marston, Mathews of Tehama, Matthews of San Benito, Miller, O'Keefe, Pendleton, Pueschel, Raw, Schlesinger, Sims, Standart, Taggart, Talbott, Thomas of Nevada, Thomas of Santa Clara, Tindall, Vann, Wade, and Mr. Speaker—46.

NOES—None.

Title read and approved.

Mr. Hurley moved to take up Senate Constitutional Amendment No. 16.

So ordered.

SENATE CONSTITUTIONAL AMENDMENT No 16.

A resolution to propose to the people of the State of California an amendment to article thirteen of the Constitution, section one, in relatian to revenue and taxation.

Resolved by the Senate, the Assembly concurring. That the Legislature of the State of California, at its regular session, commencing on the second day of January, A. D eighteen hundred and ninety-three, two thirds of the members elected to each of the two houses voting in favor thereof, hereby propose that section one of article thirteen of the Constitution of the State of California be amended to read as follows:

Article thirteen, section one, of the Constitution of the State is amended so as to read as follows:

Section 1. 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. The word "property," as used in this article and section, is hereby declared to include moneys, credits, bonds, stocks, dues, franchises, and all other matters and things, real, personal, and mixed, capable of private ownership; *provided*, that property used for free public libraries and free museums, growing crops, property used exclusively for public schools, and such as may belong to the United States, this State, or to any county or municipal corporation within this State, shall be exempt from taxation The Legislature may provide, except in case of credits secured by mortgage or trust deed, for a deduction from credits of debts due to bona fide residents of this State.

The roll was called, and the resolution proposing Senate Constitutional Amendment No. 16 was adopted by the following vote:

AYES—Messrs. Alford, Anderson, Androus, Barlow, Bennett of Santa Clara, Bledsoe, Boyce, Brownlie, Buckley, Bulla, Burke, Carlson, Casterline, Chipman, Curtis, Cusick, Dodge, Duckworth, Durst, Finlayson, Gallagher, Gately, Godchaux, Hendrickson, Hurley, Jacobs, Jacobsen, Johnson of Humboldt, Kahn, Kerns, LaRue, Lynch, McCauley, McElroy, McGowan, Marks, Marston, Mathews of Tehama, Miller, Mordecai, O'Keefe, O'Neill, Owen, Perkins, Sargent, Schlesinger, Schroebel, Simpson, Standart, Taggart, Talbott, Thomas of Nevada, Thomas of Santa Clara, Tindall, Wade, and Mr. Speaker—56.

NOES—None.

MOTION.

Mr. Mathews of Tehama moved to take up Assembly Bill No. 855.

So ordered.

Assembly Bill No. 855—An Act in relation to reassessment of property, the equalization of the same, and the collection of taxes thereon in counties of the thirty-fourth class, in cases where a former assessment, made since 1882, is illegal or invalid.

Read second time.

Mr. Duckworth moved to amend, as follows:

In section one, line one, by adding the words "fifteenth class" after the words "thirty-fourth class."

The ayes and noes were demanded by Messrs. Kahn, Hurley, and Alford.

The roll was called, and the amendment lost by the following vote:

AYES—Messrs. Adams, Anderson, Androus, Barlow, Bennett of Santa Clara, Bennett of Orange, Blakeley, Bulla, Carlson, Chipman, Curtis, Dodge, Duckworth, Durst, Lynch, McGowan, Mathews of Tehama, Miller, O'Keefe, Owen, Perkins, Raw, Sargent, Simpson, Standart, Taggart, Talbott, Thomas of Nevada, and Wade—30.

NOES—Messrs. Alford, Bledsoe, Boyce, Brownlie, Buckley, Burke, Casterline, Conway, Cusick, Finlayson, Gately, Godchaux, Hendrickson, Hurley, Hutson, Jacobs, Jacobsen, Johnson of Humboldt, Johnson of Santa Clara, Kennedy, Kahn, Kerns, Luttringer, McCauley, Mack, Marks, Marston, Matthews of San Benito, Mordecai, O'Neill, Schlesinger, Schroebel, Sims, Thomas of Santa Clara, Tindall, and Mr. Speaker—33

Mr. Lynch moved to amend, as follows:

In section one, by inserting before the words "thirty-fourth," the words "tenth and the," and after the word "thirty-fourth," the words "thirty-sixth class and forty-third class"

Lost.

Mr. Bulla moved to amend, as follows:

In section one, by inserting before the word "thirty-fourth," the words "second class"

Lost.

Mr. Finlayson moved to strike out the enacting clause.

Mr. Kahn in the chair.

The ayes and noes were demanded by Messrs. Finlayson, Burke, and Bennett of Santa Clara.

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

AYES—Adams, Alford, Bennett of Orange, Bledsoe, Boyce, Bretz, Brownlie, Buckley, Burke, Casterline, Conway, Cusick, Finlayson, Gallagher, Gately, Godchaux, Hendrickson, Hurley, Jacobs, Jacobsen, Johnson of Humboldt, Johnson of Santa Clara, Kennedy, Kahn, Kerns, Luttringer, Marks, Marston, Matthews of San Benito, Mordecai, O'Neill, Schlesinger, Schroebel, Sims, Taylor, Thomas of Santa Clara, Tindall, Vann, Wade, and Mr Speaker—40

NOES—Messrs Anderson, Androus, Bennett of Santa Clara, Blakeley, Bulla, Chipman, Curtis, Dodge, Duckworth, Durst, Lynch, McGowan, Mathews of Tehama, Miller, O'Keefe, Owen, Perkins, Raw, Sargent, Shanahan, Simpson, Standart, Taggart, Talbott, and Thomas of Nevada—25

SPECIAL ORDER.

Assembly Bill No. 141—An Act to amend an Act entitled "An Act to provide for the organization and government of irrigation districts, and to provide for the acquisition of water and other property, and for the distribution of water thereby for irrigation purposes," approved March 7, 1887, by amending sections three, four, eleven, twelve, thirty-six, and thirty-seven thereof, and by repealing section forty-one thereof.

Read third time, and passed by the following vote:

AYES—Messrs Adams, Alford, Anderson, Androus, Barlow, Bennett of Santa Clara, Bennett of Orange, Bledsoe, Bretz, Bulla, Chipman, Conway, Curtis, Dodge, Drees, Durst, Finlayson, Gately, Godchaux, Hendrickson, Hurley, Jacobs, Jacobsen, Johnson of Humboldt, Johnson of Santa Clara, Kahn, Kerns, LaRue, Luttringer, McCauley, McGowan, Marston, Mathews of Tehama, Matthews of San Benito, Miller, Mordecai, O'Keefe, Owen, Raw, Schroebel, Simpson, Sims, Standart, Talbott, Thomas of Nevada, Thomas of Santa Clara, Tindall, Vann, Wade, and Mr Speaker—50.

NOES—Messrs. Cusick, Gallagher, Kennedy, Lynch, Marks, and O'Neill—6.

Title read and approved.

MOTIONS.

Mr. Jacobs moved to adjourn.

Lost.

Mr. Mathews of Tehama moved that when the Assembly adjourn it do so until nine o'clock A. M. to-morrow.

So ordered.

RESOLUTION.

By Mr. Durst:

Resolved, That Senate Bill No. 468 presents a case of urgency, as that term is used in section fifteen of article four of the Constitution, and the provisions of that section requiring that the bill shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the first, second, and third times, and placed upon its passage.

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

AYES—Messrs. Adams, Alford, Anderson, Androus, Bulla, Burke, Chipman, Conway, Cusick, Dodge, Duckworth, Durst, Gately, Hurley, Johnson of Santa Clara, Kennedy, Kahn, LaRue, Lynch, Mack, Marks, Marston, Matthews of San Benito, Miller, Mordecai, O'Keefe, Owen, Perkins, Sargent, Simpson, Standart, Taggart, Taylor, Wade, and Mr. Speaker—35.

NOES—Messrs. Bennett of Santa Clara, Bledsoe, Jacobsen, Johnson of Humboldt, Luttringer, McCauley, Raw, Sims, Thomas of Santa Clara, Tindall, and Vann—11.

MOTION.

Mr. Thomas of Nevada moved to take up the bills on the second reading special Senate file.

So ordered.

SECOND READING OF BILLS.

Senate Bill No. 358—An Act to regulate the sale of imitation olive oil, and to repeal an Act entitled "An Act to regulate the sale of olive oil," approved March 10, 1891.

Read second time, and ordered to a third reading.

Senate Bill No. 105—An Act to prevent the use of false trade descriptions in the sale of goods, and to provide a punishment therefor.

Read second time, and ordered to a third reading.

Senate Bill No. 7—An Act to authorize Boards of Health and Health Officers in towns, cities, counties, and cities and counties, in this State, to appoint Inspectors of Plumbing and Drainage in such towns, cities, counties, and cities and counties, and to provide for the compensation, and to define the duties of such Inspectors.

Read second time.

Committee amendment, as follows:

Amend section one, line five of the printed engrossed copy, by striking therefrom the words "containing one hundred thousand inhabitants."

Adopted.

Bill ordered to a third reading.

Substitute for Senate Bill No. 389—An Act to provide for the appointment, duties, and compensation of a Debris Commissioner, and to make an appropriation to be expended under his directions in the discharge of his duties as such Commissioner.

Read second time.

MOTION.

Mr. Thomas of Nevada moved the Assembly resolve itself into Committee of the Whole, with the Speaker in the chair, for the purpose of considering Substitute for Senate Bill No. 389.

So ordered.

IN COMMITTEE OF THE WHOLE.

Speaker Gould in the chair.

Substitute for Senate Bill No. 389 was considered in Committee of the Whole.

IN ASSEMBLY.

Speaker Gould in the chair.

REPORT OF THE COMMITTEE OF THE WHOLE.

The Speaker stated the report of the Committee of the Whole, as follows:

GENTLEMEN. The Committee of the Whole have had under consideration Senate Bill No. 389, and now report, and recommend that the same do pass

Bill ordered to a third reading.

Senate Bill No. 530—An Act to amend section three thousand four hundred and ninety-one of the Political Code, relating to the election of Trustees of reclamation districts.

Read second time, and ordered to a third reading.

Senate Bill No. 615—An Act to pay the claim of I. N. Brock against the State of California, and making an appropriation therefor.

Read second time.

Senate Bill No. 531—An Act appropriating money for the relief of E. W. Melvin, his heirs or assigns.

Read second time.

Senate Bill No. 551—An Act to pay the claim of John H. Van Saun against the State of California, and making an appropriation therefor.

Read second time.

Senate Bill No. 614—An Act to pay the claim of Abraham Winans against the State of California, and making an appropriation therefor.

Read second time.

Senate Bill No. 563—An Act to pay the claim of Maurice Sheehan against the State of California, and making an appropriation therefor.

Read second time.

MOTION.

Mr. Anderson moved that the Assembly resolve itself into Committee of the Whole, with the Speaker in the chair, for the purpose of considering Senate Bill No. 615, Senate Bill No. 531, Senate Bill No. 551, Senate Bill No. 614, and Senate Bill No. 563.

So ordered.

IN COMMITTEE OF THE WHOLE.

Speaker Gould in the chair.

Senate Bill No. 615, Senate Bill No. 531, Senate Bill No. 551, and Senate Bill No. 563 were considered in Committee of the Whole.

IN ASSEMBLY.

Speaker Gould in the chair.

REPORT OF THE COMMITTEE OF THE WHOLE.

The Speaker stated the report of the Committee of the Whole, as follows:

GENTLEMEN: The Committee of the Whole have had under consideration Senate Bills Nos. 615, 531, 551, 614, and 563, and now report, and recommend that the same do pass.

Senate Bills Nos. 615, 531, 551, 614, and 563 ordered to a third reading.

Senate Bill No. 719—An Act to amend sections seven and nine of an Act entitled "An Act authorizing certain corporations to act as executor and in other capacities, and to provide for and regulate the administration of trusts by such corporations," approved April 6, 1891, relating to securities to be deposited with the Treasurer of State.

Read second time, and ordered to a third reading.

Substitute for Senate Bill No. 13—An Act to create a State Board of Funeral Directors, to prescribe its powers and duties, to regulate the

practice of undertaking and funeral direction, in cities, and towns, and cities and counties having a population of five thousand inhabitants or over, and to more effectually protect the people against contagious diseases.

Read second time, and ordered to a third reading.

Senate Bill No. 730—An Act granting unto Lake County, State of California, that certain body of water situated within the territorial limits of said county known as Clear Lake, together with that portion of the outlet of said lake situated within the territorial limits of said county, known as Cache Creek.

Read second time, and ordered to a third reading.

Senate Bill No. 714—An Act to provide for the filling up or draining of lots upon which there is stagnant water or offensive substances, and providing for collection of costs of the same.

Read second time, and ordered to a third reading.

Senate Bill No. 553—An Act to amend section one thousand two hundred and twenty-two of the Code of Civil Procedure of the State of California, in relation to judgments in cases of contempt, and providing for appeals therefrom.

Read second time, and ordered to a third reading.

Senate Bill No. 328—An Act to amend section three thousand six hundred and seven of the Political Code of the State of California, relating to the exemption of State property from assessment by municipal and county governments.

Read second time, and ordered to a third reading.

Senate Bill No. 701—An Act to create a State Advisory Highway Committee.

Read second time, and ordered to a third reading.

Senate Bill No. 467—An Act to amend "An Act to provide for the organization, incorporation, and government of municipal corporations," as approved March 13, 1883, and amended March 19, 1889.

Read second time, and ordered to a third reading.

Senate Bill No. 491—An Act making an appropriation for reimbursing the county of Marin for moneys expended by it for the prosecution of crimes committed within the State Prison at San Quentin, and for inquest held over the bodies of convicts who have died within said prison.

Read second time.

MOTION.

Mr. Duckworth moved that the Assembly resolve itself into Committee of the Whole, with the Speaker in the chair, for the purpose of considering Senate Bill No. 491.

So ordered.

IN COMMITTEE OF THE WHOLE.

Speaker Gould in the chair.

Senate Bill No. 491 was considered in Committee of the Whole.

IN ASSEMBLY.

Speaker Gould in the chair.

REPORT OF THE COMMITTEE OF THE WHOLE.

The Speaker stated the report of the Committee of the Whole, as follows:

GENTLEMEN. The Committee of the Whole have had under consideration Senate Bill No. 491, and now report, and recommend that the same do pass.

Bill ordered to a third reading.

Senate Bill No. 624—An Act to amend sections three thousand four hundred and eighty-one and three thousand four hundred and eighty-two of the Political Code, relating to the division of swamp land districts.

Read second time, and ordered to a third reading.

Senate Bill No. 525—An Act to pay the claim of Cornelius Lynch, and to appropriate money therefor.

Read second time.

Senate Bill No. 56—An Act appropriating money to pay the claim of Jerome Deasy for arresting A. P. Clark, a fugitive from justice, and bringing said A. P. Clark from Victoria, B. C., to California, under extradition papers; said A. P. Clark being charged with the crime of forgery.

Read second time.

MOTION.

Mr. Duckworth moved that the Assembly resolve itself into Committee of the Whole, with the Speaker in the chair, for the purpose of considering Senate Bills Nos. 525 and 56.

So ordered.

IN COMMITTEE OF THE WHOLE.

Speaker Gould in the chair.

Senate Bills Nos. 525 and 56 were considered in Committee of the Whole.

IN ASSEMBLY.

Speaker Gould in the chair.

REPORT OF THE COMMITTEE OF THE WHOLE.

The Speaker stated the report of the Committee of the Whole, as follows:

GENTLEMEN: The Committee of the Whole have had under consideration Senate Bills Nos 525 and 56, and now report, and recommend that the same do pass

Senate Bills Nos. 525 and 56 ordered to a third reading.

Senate Bill No. 487—An Act to insure preference in appointment, employment, and retention therein, in the public service of the State of California, and municipalities, villages, and counties of the State of California, to ex-Union soldiers of the late war.

Read second time, and ordered to a third reading.

Senate Bill No. 343—An Act to amend an Act entitled "An Act to regulate the practice of pharmacy and sale of poisons in the State of California," approved March 11, 1891.

Read second time, and ordered to a third reading.

Senate Bill No. 759—An Act to amend section four of an Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883.

Read second time, and ordered to a third reading.

Senate Bill No. 680—An Act to amend section one thousand five hundred and thirty-six, section one thousand five hundred and thirty-seven, section one thousand five hundred and thirty-eight, section one thousand five hundred and forty-two, section one thousand five hundred and forty-three, and section one thousand five hundred and forty-five of an Act of the Legislature of the State of California entitled "An Act to establish a Code of Civil Proceedure," approved March 11, 1873, all relating to estates of deceased persons.

Read second time, and ordered to a third reading.

Mr. Lynch moved that the consideration of Senate Bill No. 759 be made a special order for to-morrow, at ten o'clock A. M.

So ordered.

Senate Bill No. 748—An Act to amend section seven hundred and sixty-four of an Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883, relative to the powers of the Board of Trustees of cities of the fifth class.

Read second time, and ordered to a third reading.

Senate Bill No. 606—An Act to pay the claim of A. J. Bourn against the State of California, and making an appropriation therefor.

Ordered placed on the Senate special file.

Senate Bill No. 147—An Act to amend an Act approved February 28, 1887, entitled "An Act to amend an Act to appropriate money for the support of aged persons in indigent circumstances residing in the Home of the Veterans' Home Association," approved March 7, 1883, providing for the increase in the annual appropriation therefor, and changing the time for the payment thereof.

MOTION.

Mr. Wade moved that the Assembly resolve itself into Committee of the Whole, with the Speaker in the chair, for the purpose of considering Senate Bill No. 147.

So ordered.

IN COMMITTEE OF THE WHOLE.

Speaker Gould in the chair.

Senate Bill No. 147 was considered in Committee of the Whole.

IN ASSEMBLY.

Speaker Gould in the chair.

REPORT OF THE COMMITTEE OF THE WHOLE.

The Speaker stated the report of the Committee of the Whole, as follows:

GENTLEMEN: The Committee of the Whole have had under consideration Senate Bill No 147, and now report, and recommend that the same do pass.

Senate Bill No. 598—An Act to provide for the establishment, maintenance, and support of a bureau to be known as the State Mining Bureau, and for the appointment and duties of a Board of Trustees, to be known as the Board of Trustees of the State Mining Bureau, who shall have the direction, management, and control of said State Mining Bureau, and to provide for the appointment, duties, and compensation of a State Mineralogist, who shall perform the duties of his office under the control, direction, and supervision of the Board of Trustees of the State Mining Bureau.

MOTION.

Mr Raw moved that the consideration of Senate Bill No. 598 be made a special order for to-morrow, immediately after Senate messages.

So ordered.

Senate Bill No. 381—An Act to amend section six hundred and thirty-six of an Act entitled "An Act to establish a Penal Code," approved April 11, 1872, relating to fish and game.

Read first time, and placed on file for second reading.

MOTION.

Mr. Tindall moved to take up Senate messages.

So ordered.

MESSAGES FROM THE SENATE.

SENATE CHAMBER, SACRAMENTO, March 13, 1893

MR. SPEAKER: I am directed to inform your honorable body that the Senate, on the ninth day of March, 1893, refused to pass Assembly Bill No. 298—An Act to amend section eight hundred and sixty-two of an Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883

Also. On March 10, 1893, refused to pass Assembly Bill No. 354—An Act to create a special commission for the purpose of examining and reporting to the thirty-first session of the Legislature on the Torrens Land Transfer Act of Australia, and making an appropriation therefor

F. J BRANDON, Secretary.
By R. SHAW, Assistant.

Also:

SENATE CHAMBER, SACRAMENTO, March 13, 1893

MR SPEAKER: I am directed to inform your honorable body that the Senate, on this day, concurred in the Assembly amendments to Senate Substitute for Assembly Bill No 10—An Act in relation to reassessment of property, the equalization of the same, and the collection of taxes thereon, in cases where a former assessment made since 1879 is illegal or invalid, or where the proceedings for the collection of such taxes have been ineffectual by reason of error, irregularity, or invalidity, and such taxes have not been paid

F J. BRANDON, Secretary.
By R. SHAW, Assistant

Substitute for Assembly Bill No. 10 ordered to enrollment

Also:

SENATE CHAMBER, SACRAMENTO, March 13, 1893.

MR SPEAKER: I am directed to inform your honorable body that the Senate, on the tenth day of March, 1893, passed Senate Bill No. 483—An Act to amend an Act entitled "An Act to establish a Code of Civil Procedure," approved March 1, 1872, by adding a new section thereto, to be known as section six hundred and ninety and one half, for the purpose of defining and enforcing section six hundred and ninety of said Code

Also Senate Bill No. 484—An Act to promote the business of breeding and propagat-

ing horses, cattle, and other live stock, to enable owners to borrow money thereon without parting with the possession thereof, and to prevent fraudulent sales of incumbered live stock

Also: Senate Bill No. 736—An Act to prevent compulsory prostitution of women, and the importation of Chinese or Japanese women for immoral purposes, and to provide penalties therefor.

F. J. BRANDON, Secretary
By R. SHAW, Assistant

Senate Bills Nos. 483, 484, and 736 ordered on file.

Also:

SENATE CHAMBER, SACRAMENTO, March 13, 1893.

MR SPEAKER: I am directed to inform your honorable body that the Senate, on the thirteenth day of March, 1893, passed Assembly Bill No 762—An Act providing for the adjustment, settlement, and payment of any indebtedness existing against any city or municipal corporation at the time of exclusion of territory therefrom, and the division of the property thereof.

Also: Substitute for Assembly Bill No. 449—An Act to provide for the payment of the principal and interest due on certain Controller's warrants, drawn on the War Loan Fund of the State Treasury, and making an appropriation therefor.

Also: Assembly Bill No 611—An Act in relation to and prescribing conditions upon which certain foreign insurance companies may transact insurance business in the State of California.

Also: Adopted Senate Joint Resolution No. 27—Relative to appointment of Congressman Caminetti on Committee on Rivers and Harbors in the United States Congress

F. J. BRANDON, Secretary.
By R. SHAW, Assistant

Assembly Bills Nos. 762, 449, and 611 ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, March 13, 1893.

MR SPEAKER: I am directed to inform your honorable body that the Senate, on this day, passed Assembly Bill No 854—An Act making an appropriation to pay the deficiency in the appropriation for the pay of officers and clerks of the Assembly

Also: Assembly Bill No. 729—An Act appropriating money to pay the claims of H. P Dyer, E. F Dyer, C A Granger, Gaston Goldsmith, and P. Reddy.

Also: Assembly Bill No 604—An Act appropriating money to pay the claims of John Mullan, for services rendered by him for this State.

Also: Assembly Bill No 696—An Act to establish a California State Raisin Growers, Packers, and Brokers' Association, and prescribing the powers thereof.

F. J. BRANDON, Secretary.
By R SHAW, Assistant

Assembly Bills Nos. 854, 729, 604, and 696 ordered to enrollment.

MOTION.

Mr. Anderson moved to take up Senate Joint Resolution No. 27.

So ordered.

Senate Joint Resolution No. 27—Relative to appointment of Congressman Caminetti on Committee on Rivers and Harbors in the United States Congress.

Read and adopted.

MOTIONS.

Mr. Tindall moved that the consideration of Senate Bills Nos. 780 and 121 be made a special order for to-morrow, at eleven o'clock A. M.

So ordered.

Mr. Dodge moved that the consideration of Assembly Constitutional Amendment No. 31 be made a special order for to-morrow, at eleven o'clock A. M.

So ordered.

RESOLUTIONS.

By Mr. Sims:

Resolved, That the resolution appointing John Wise First Assistant Sergeant-at-Arms of the Assembly be amended so as to read as follows:

"*Resolved*, That John Wise be and he is hereby appointed Assistant Clerk to the Sergeant-at-Arms of the Assembly, with duties of First Assistant Sergeant-at-Arms, at the same per diem as the Sergeant-at-Arms, to take effect January 4, 1893, the same to be paid out of the Contingent Fund of the Assembly, and the Controller is hereby authorized to draw his warrant for the same."

With request that it be referred to Committee on Public Expenditures and Accounts.

So referred.

By Mr. Burke:

Resolved, That John W. Cramer, File Clerk of the Assembly, be and he is hereby allowed seven days' per diem for extra services performed and rendered by him in the Sergeant-at-Arms' office and the cloak and hat-room connected therewith, said per diem being payable out of the appropriation for the contingent expenses of the Assembly.

Referred to Committee on Public Expenditures and Accounts.

ADJOURNMENT.

At twelve o'clock P. M., on motion of Mr. Burke, the Assembly adjourned.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Tuesday, March 14, 1893.

The Assembly met pursuant to adjournment.

Speaker Gould in the chair.

The roll was called, and the following members answered to their names:

Messrs. Adams, Alford, Anderson, Androus, Barlow, Bennett of Santa Clara, Bennett of Orange, Blakeley, Bledsoe, Boyce, Bretz, Brownlie, Buckley, Bulla, Burke, Casterline, Chipman, Conway, Curtis, Dodge, Drees, Duckworth, Durst, Finlayson, Gallagher, Gately, Godchaux, Hamilton, Hendrickson, Hurley, Hutson, Jacobs, Jacobsen, Johnson of Humboldt, Johnson of Santa Clara, Kennedy, Kahn, LaRue, Luttringer, Lynch, McCauley, McElroy, McGowan, Mack, Marks, Marston, Mathews of Tehama, Mordecai, O'Neill, Owen, Pendleton, Perkins, Pueschel, Raw, Schlesinger, Schroebel, Shanahan, Simpson, Standart, Taggart, Talbott, Thomas of Nevada, Thomas of Santa Clara, Tindall, Vann, Wade, and Mr. Speaker.

Quorum present.

PRAYER.

Prayer by the Chaplain, Rev. H. W. Conry.

READING AND APPROVAL OF THE JOURNAL.

Pending the reading of the Journal of yesterday, Mr. Wade moved that further reading be dispensed with.

So ordered.

Journal of Saturday, March 11th, approved.

REPORT OF STANDING COMMITTEE.

ON PUBLIC EXPENDITURES AND ACCOUNTS

ASSEMBLY CHAMBER, SACRAMENTO, March 13, 1893.

MR. SPEAKER. Your Committee on Public Expenditures and Accounts, to whom was referred the following resolution

Resolved, That the sum of five hundred dollars be and is hereby directed to be paid to the Chief Clerk of the Assembly out of the Contingent Fund of the Assembly, and the Controller is directed to draw his warrant for said sum upon the Contingent Fund of the Assembly, and the Treasurer to pay the same, said sum to be distributed by said Chief Clerk to himself and to the persons who have performed and are now performing the work in compiling the Weekly History of Assembly Bills, Constitutional Amendments, and Joint Resolutions, be it further

Resolved, That the person having such History in charge be and he is hereby directed and instructed to remain over at the State Capital after adjournment of the thirtieth session of the Legislature *sine die*, for a sufficient time to complete a final copy of the Assembly Weekly History, and after the same is finally printed he shall mail to each member of the Assembly and Senate five copies thereof, one of which shall be bound in pasteboard cover

For the purpose of carrying out the requirements of this resolution, the Superintendent of State Printing is hereby directed to print eight hundred copies of such final history, one hundred and fifty copies of which shall be bound in pasteboard covers.

The Controller of State is hereby directed to draw his warrant for the sum of fifty dollars in favor of said Chief Clerk, payable out of the appropriation for the contingent expenses of the Assembly, and the Treasurer directed to pay the same, for the purpose of paying the necessary postage upon such final history.

Have had the same under consideration, and respectfully report the same back and recommend that it be adopted.

J. H. MATTHEWS, Chairman.

Resolution adopted.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 13, 1893.

MR. SPEAKER: Your Committee on Public Expenditures and Accounts, to whom was referred Assembly resolution relative to the expenses of a special committee instructed to visit the State Prison at Folsom, have had the same under consideration, and recommend the adoption of the following resolution:

Resolved, That the Controller be and he is hereby directed to draw his warrant in favor of H. H. Johnson, Chairman of the Committee on State Prisons and Reformatory Institutions, for mileage, for the sum of seventeen dollars and sixty cents ($17 60), and the Treasurer be directed to pay the same out of the Contingent Fund of the Assembly.

J. H. MATTHEWS, Chairman.

Resolution adopted.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 13, 1893

MR. SPEAKER. Your Committee on Public Expenditures and Accounts, to whom was referred the following resolutions:

Resolved, That John Lynch is hereby allowed the sum of fifty-six dollars, to be paid out of the Contingent Fund of the Assembly, for services to be rendered after the adjournment of this Assembly, in assisting the Chief Clerk in finishing the work of his office, and the Controller is hereby directed to draw his warrant in favor of said John Lynch for the above amount, and the Treasurer is hereby directed to pay the same

Also:

Resolved, That Frank Anaya, Journal Clerk of the Assembly, and J. F. Vickers, E. L. McAdams, Assistant Journal Clerks, be and they are hereby employed after the final adjournment of the Assembly, for the purpose of completing the work devolved upon them as Journal Clerks of the Assembly, in arranging and properly sealing the original minutes, the corrected and approved Journals, and in turning over to the Secretary of State all the personal property belonging to the State, and completing their labors to his satisfaction, and they each be allowed the sum of fifty-six dollars therefor, payable out of the Contingent Fund of the Assembly, and the Controller be directed to draw his warrant for said amounts in favor of said Frank Anaya, J. F. Vickers, and E. L. McAdams, and the Treasurer is directed to pay the same.

Have had the same under consideration, and recommend the adoption of same

J. H. MATTHEWS, Chairman.

Resolutions adopted.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 14, 1893.

MR. SPEAKER: Your Committee on Public Expenditures and Accounts, to whom was referred the following resolution.

By Mr. Curtis:

Resolved, That J. M Curtis, as Chairman of Committee on Public Buildings and Grounds, be and he is hereby allowed the sum of fifty-five dollars, the same being the amount of stenographer's fees as shown per bill attached, and the Controller is hereby directed to draw his warrant in favor of J. M. Curtis for the said amount, to be paid out of the Contingent Fund of the Assembly, and the Treasurer is hereby authorized to pay the same.

Have had the same under consideration, and respectfully report the same back, and recommend that it be adopted.

MARSTON, for Chairman.

Resolution adopted.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 14, 1893.

MR. SPEAKER: Your Committee on Public Expenditures and Accounts, to whom was referred the following resolutions:

By Mr. Schroebel:

Resolved, That John S. Wilkins be retained as Janitor and Watchman of the Journal, Enrolling, and Engrossing Clerks' offices, at the usual per diem of four dollars, until the work in those offices is completed. The Controller is hereby directed to draw his warrant for the sum of twenty-four dollars, payable out of the Contingent Fund of the Assembly, and the Treasurer is directed to pay the same.

By Mr. Sims:

Resolved, That the resolution appointing John Wise First Assistant Sergeant-at-Arms of the Assembly be amended so as to read as follows:

Resolved, That John Wise be and he is hereby appointed Assistant Clerk to the Sergeant-at-Arms of the Assembly, with duties of First Assistant Sergeant-at-Arms, at the same per diem as the Sergeant-at-Arms, to take effect January 4, 1893, the same to be paid out of the Contingent Fund of the Assembly, and the Controller is hereby authorized to draw his warrant for the same

Also:

Resolved, That John W. Cramer, File Clerk of the Assembly, be and he is hereby allowed seven days' per diem, at the rate of four dollars, for extra services performed and rendered by him in the Sergeant-at-Arms' office and the cloak and hat-room connected therewith, said per diem being payable out of the appropriation for the contingent expenses of the Assembly.

Also.

WHEREAS, John Tatham has ceased to perform his duties as Assistant Minute Clerk of the Assembly, therefore, be it

Resolved, That the said office of Assistant Minute Clerk of the Assembly be and the same is hereby declared vacant, and that W. T. Bell be appointed to perform the duties of said office until the end of the session, at the same per diem as allowed by statute.

Have had the same under consideration, and respectfully report the same back, and recommend that they be adopted.

MARSTON, for Chairman.

Resolution by Mr. Schroebel, relative to John S. Wilkins, lost.
Resolution by Mr. Sims, relative to John Wise, lost.
Resolution by Mr. Sims, relative to John W. Cramer, adopted.
Resolution by Mr. Sims, relative to W. T. Bell, lost.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 13, 1893.

MR. SPEAKER. Your Committee on Public Expenditures and Accounts, to whom was referred the accounts attached, beg leave to report that they have had the same under careful consideration, and recommend the adoption of the following resolution.

Resolved, That the Controller be and he is hereby directed to draw his warrant in favor of Thos E Healy, Sergeant-at-Arms of the Assembly, for the sum of ninety-two dollars and twenty cents, the same to be paid out of the Contingent Fund of the Assembly

J. H. MATTHEWS, Chairman.

Resolution adopted.

RESOLUTIONS.

By Mr. Barlow:

Resolved, That William T Bell, Bill Clerk of the Assembly, be allowed the sum of fifty ($50) dollars for work to be done after final adjournment of this body, viz.: For the col-

lection and assortment of all original and amended bills, files, and journals, and the delivery of such to the Secretary of State; also, for the forwarding of the final actions of this body to the constituents of such members of the Assembly as may request it. The said sum shall be paid out of the Contingent Fund of the Assembly, and the Controller is hereby directed to draw his warrant for the same.

Adopted.

By Mr. Drees:

Resolved, That the Postmistress and assistant of the Assembly be and they are hereby authorized and directed to remain at the State Capitol for one week (seven days) after the adjournment *sine die* of the Legislature, for the purpose of receiving and caring for the mail matter of the members and officers of the Assembly, and others, and sending the same to said members, officers, and others, and that they be allowed a per diem, as is now allowed them by law, said per diem being payable out of the appropriation for the contingent expenses of the Assembly; be it also

Resolved, That the sum of ten ($10) dollars is hereby ordered and directed to be paid out of said appropriation to said Postmistress and assistant for the purpose of carrying out the provisions of this resolution.

Adopted.

By Mr. Tindall:

Resolved, That C. W. Tindall, as Chairman of Committee, be allowed the sum of forty dollars, the same being the amount due stenographer, as per bill rendered, for reporting and transcribing testimony, and the Controller is hereby directed to draw his warrant for said amount, and the Treasurer is hereby authorized to pay the same out of the Contingent Fund of the Assembly.

Adopted.

By Mr. Anderson:

Resolved, That the Superintendent of State Printing be and he is hereby directed to have prepared and printed, immediately after the adjournment of the thirtieth session of the Legislature *sine die*, an index to all bills, joint and concurrent resolutions, and constitutional amendments introduced in the Assembly during the present session. The index to be alphabetically arranged by authors and topics, on a plan similar to the one followed in the "Index to Bills introduced during the twenty-seventh, twenty-eighth, and twenty-ninth sessions," and to be printed on paper similar in size and quality to that for printing Assembly Bills. Four hundred and eighty copies of said index shall be printed, and one copy shall be mailed to each member of the Senate and Assembly. The sum of one hundred and twenty-five dollars is hereby directed to be paid to the Superintendent of State Printing out of the appropriation for the contingent expenses of the Assembly, for the compilation of and postage on the aforesaid index, and the Controller of State is hereby directed to draw his warrant for said sum, payable to the Superintendent of State Printing, out of the appropriation for the contingent expenses of the Assembly.

Adopted.

MESSAGES FROM THE GOVERNOR.

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA,
SACRAMENTO, March 4, 1893.

To the Assembly of the State of California

I have the honor to inform your honorable body that I have approved Assembly Bills Nos. 848 and 849

H. H. MARKHAM, Governor

Also:

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA,
SACRAMENTO, March 9, 1893.

To the Assembly of the State of California:

I have the honor to inform your honorable body that I have approved Assembly Bills Nos 21, 700, 214, 30, 296, 113, 213, 232, 37, 2, 185, 427, 276, 144, 265, and 734.

H. H. MARKHAM, Governor.

Also:

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA,
SACRAMENTO, March 10, 1893.

To the Assembly of the State of California:

I have the honor to inform your honorable body that I have approved Assembly Bill No. 853

H. H. MARKHAM, Governor.

Also:

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA,
SACRAMENTO, March 11, 1893.

To the Assembly of the State of California:

I have the honor to inform your honorable body that I have approved Assembly Bills Nos. 402 and 138

H. H. MARKHAM, Governor.

Also:

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA,
SACRAMENTO, March 11, 1893.

To the Assembly of the State of California:

I have the honor to inform your honorable body that I have approved Assembly Bills Nos 307, 477, 847, 839, 788, 245, 416, 277, 674, 426, and 117.

H. H. MARKHAM, Governor

REPORT OF STANDING COMMITTEE.

ON MUNICIPAL CORPORATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, March 13, 1893.

MR. SPEAKER: Your Committee on Municipal Corporations, to whom was referred Assembly Bill No. 736—An Act to provide for organizing and maintaining paid fire departments within cities and towns, or cities and counties, in the State of California, to be under the supervision and control of Boards of Fire Commissioners, respectively—have had the same under consideration, and respectfully report the same back without recommendation.

Also: Assembly Bill No. 481—An Act to provide for laying out, opening, extending, widening, straightening, or closing up, in whole or in part, any street, square, lane, alley, court, or place within municipalities, and to condemn and acquire any and all land and property necessary or convenient for that purpose—have had the same under consideration, and respectfully report the same back without recommendation, pursuant to directions of the Assembly.

Also: Assembly Bill No. 46—An Act to provide for organizing and maintaining paid fire departments within cities and towns, cities and counties, in the State of California, to be under the supervision and control of Boards of Fire Commissioners, respectively.

Also Assembly Bill No. 88—An Act to provide for increasing the efficiency of paid fire departments within municipalities in the State of California

Also. Assembly Bill No. 160—An Act requiring city, city and county, or town authorities to exact and require from persons or corporations seeking permission and authority to lay railroad tracks through streets or public highways of any incorporated city, city and county, or town, a satisfactory promise and undertaking to permit and allow mail carriers in the employ of the United States Government at all times, while engaged in the actual discharge of duty, to ride on the cars of such railroad without paying fare, and to make such promise and undertaking a condition precedent to the granting of such permission and authority by such governing Board

Also: Assembly Bill No. 361—An Act to regulate the collection and disposition of all garbage, offal, ashes, and other refuse matter in towns, cities, and cities and counties.

Also: Assembly Bill No. 412—An Act to regulate the collection and disposition of all garbage, offal, ashes, and other refuse matter in towns, cities, and cities and counties.

Also. Assembly Bill No 475—An Act to amend section three of an Act entitled "An Act to provide for laying out, opening, extending, widening, straightening, or closing up, in whole or in part, any street, square, lane, alley, court, or place within municipalities, and to condemn and acquire any and all land and property necessary for that purpose," approved March 6, 1889

Also: Assembly Bill No 496—An Act to provide and pay for services rendered, and expenses incurred by the Commissioners for the City and County of San Francisco, in proceedings for extension of Sixteenth Street, in said city and county.

Also: Assembly Bill No. 509—An Act to amend "An Act to provide for the organization, incorporation, and government of municipal corporations," as approved March 13, 1883, and amended March 19, 1889.

Also: Assembly Bill No 835—An Act to improve the park at San Francisco known as the "South Park"

Have had the same under consideration, and respectfully report the same back without recommendation, pursuant to directions of the Assembly

BUCKLEY, Chairman.

SPECIAL ORDERS.

Senate Bill No. 635—An Act to provide for the redemption of unused transportation tickets, and to prevent frauds upon travelers.

Read third time, and refused passage by the following vote:

AYES—Messrs. Anderson, Androus, Bennett of Santa Clara, Blakeley, Boyce, Chipman, Conway, Curtis, Durst, Gallagher, Gately, Hutson, Jacobsen, LaRue, Lynch, Marston, O'Neill, Owen, Raw, Shanahan, Taggart, Talbott, and Thomas of Nevada—23.

NOES—Messrs Adams, Alford, Barlow, Bennett of Orange, Bledsoe, Bretz, Brownlie, Buckley, Bulla, Burke, Casterline, Dodge, Drees, Finlayson, Godchaux, Hamilton, Hendrickson, Hurley, Jacobs, Johnson of Humboldt, Johnson of Santa Clara, Kennedy, Kahn, Luttringer, McGowan, Mack, Marks, Mordecai, Perkins, Pueschel, Sargent, Schlesinger, Schroebel, Simpson, Standart, Thomas of Santa Clara, Tindall, Vann, Wade, and Mr Speaker—40.

Senate Bill No. 598—An Act to provide for the establishment, maintenance, and support of a bureau, to be known as the State Mining Bureau, and for the appointment and duties of a Board of Trustees, to be known as the Board of Trustees of the State Mining Bureau, who shall have the direction, management, and control of said State Mining Bureau, and to provide for the appointment, duties, and compensation of a State Mineralogist, who shall perform the duties of his office under the control, direction, and supervision of the Board of Trustees of the State Mining Bureau.

Read third time, and passed by the following vote:

AYES—Messrs. Adams, Alford, Anderson, Androus, Barlow, Bennett of Santa Clara, Bennett of Orange, Blakeley, Bledsoe, Burke, Casterline, Chipman, Curtis, Dodge, Drees, Duckworth, Durst, Gallagher, Gately, Hendrickson, Jacobs, Jacobsen, Johnson of Humboldt, Kahn, Luttringer, Lynch, McElroy, Mack, Marston, Mordecai, Owen, Pendleton, Perkins, Raw, Shanahan, Standart, Taggart, Talbott, Taylor, Thomas of Nevada, Tindall, Vann, Wade, and Mr. Speaker—43.

NOES—Mr. Buckley—1.

Title read and approved.

MOTION.

Mr. Shanahan moved that the rules be suspended, and that Senate Substitute for Assembly Bill No. 10 be considered reengrossed.

So ordered.

SPECIAL ORDER.

Senate Bill No. 759—An Act to amend section four of an Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883.

Read third time, and passed by the following vote:

AYES—Messrs. Adams, Alford, Anderson, Androus, Barlow, Bennett of Santa Clara, Bennett of Orange, Bledsoe, Bretz, Buckley, Carlson, Casterline, Chipman, Dodge, Duckworth, Gallagher, Gately, Hamilton, Hurley, Hutson, Jacobs, Jacobsen, Johnson of Humboldt, Kahn, Lynch, McCauley, McElroy, McGowan, Mack, Marks, Marston, Mathews of Tehama, Owen, Perkins, Raw, Schlesinger, Schroebel, Standart, Taggart, Talbott, Thomas of Nevada, Thomas of Santa Clara, Tindall, Vann, Wade, and Mr. Speaker—46

NOES—None

Title read and approved.

MESSAGES FROM THE SENATE.

SENATE CHAMBER, SACRAMENTO, March 14, 1893.

MR. SPEAKER: I am directed to inform your honorable body that the Senate, on the thirteenth day of March, 1893, refused to pass Substitute for Assembly Bill No. 596—An Act creating a Commissioner of Public Works, defining his duties and powers, prescribing his compensation, and making an appropriation.

Also: On this day refused to pass Assembly Bill No. 67—An Act to provide for the purchase of a residence for the Governor of California, and to appropriate money therefor.

F. J. BRANDON, Secretary.
By R. SHAW, Assistant.

Also:

SENATE CHAMBER, SACRAMENTO, March 14, 1893.

MR. SPEAKER: I am directed to inform your honorable body that the Senate, on this day, passed Assembly Bill No. 66—An Act to pay the claim of George Nelson against the State of California

Also: Assembly Bill No. 540—An Act to provide for the publication of legal notices.

Also: Assembly Bill No. 742—An Act to encourage the establishment of county, and city and county reform schools for the correction, care, and maintenance of juvenile offenders, and to provide State aid, and appropriate money therefor.

F. J. BRANDON, Secretary.
By R. SHAW, Assistant

Assembly Bills Nos. 66, 540, and 742 ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, March 14, 1893.

MR. SPEAKER: I am directed to inform your honorable body that the Senate, on this day, passed Senate Bill No. 121—An Act to amend sections eight, ten, and eleven of an Act entitled "An Act to establish a branch insane asylum for the insane of the State of California, at Ukiah, to be known as the 'Mendocino State Insane Asylum,' and appropriating money therefor," approved February 20, 1889, relating to the election, duties, and compensation of the Secretary and Treasurer of the Board of Directors of said asylum, also, the qualifications, duties, and compensation of the Medical Superintendent of said asylum; and also the appointment, duties, and compensation of the Assistant Physician, and authorizing the Board of Directors, if in their judgment it should become necessary, to elect an additional Assistant Physician, and providing for his compensation

Also: Senate Bill No. 777—An Act making an appropriation for the payment of R. J. Broughton, for conveyance of Anna Campbell, an insane person, to the Napa Insane Asylum

Also: Senate Bill No. 697—An Act creating a Board of Commissioners of the Building and Loan Associations, and prescribing their duties and powers

F. J. BRANDON, Secretary.
By R. SHAW, Assistant

Senate Bills Nos. 121, 777, and 697 ordered on file.

REPORT OF STANDING COMMITTEE.

ON ENGROSSMENT.

ASSEMBLY CHAMBER, SACRAMENTO, March 14, 1893.

MR. SPEAKER: Your Committee on Engrossment beg leave to report that the following Assembly Bill has been correctly engrossed: Assembly Bill No 85—An Act to amend section six hundred and thirty-one of the Code of Civil Procedure

KENNEDY, Chairman

SPECIAL SENATE FILE—THIRD READING OF BILLS.

Senate Bill No. 314—An Act authorizing the State Board of Capitol Commissioners to appoint two extra employés for the Capitol grounds, in addition to the number now employed, and making an appropriation for payment of their services for the remainder of the forty-fourth fiscal year.

Passed on file.

Senate Bill No. 205—An Act to provide for the payment, by the Board of Directors of the State Insane Asylum at Stockton, California, of certain sums of money, for the paving of California Street, in the city of Stockton, county of San Joaquin, State of California, opposite the State Insane Asylum at Stockton, California, and for the construction of a concrete sidewalk along said street.

Read third time, and passed by the following vote:

AYES—Messrs. Adams, Alford, Anderson, Androus, Bennett of Santa Clara, Bledsoe, Bretz, Bulla, Casterline, Chipman, Dodge, Duckworth, Durst, Gallagher, Godchaux, Hamilton, Hendrickson, Hurley, Hutson, Jacobs, Jacobsen, Kennedy, Kahn, LaRue, McCauley, McElroy, McGowan, Marston, Mathews of Tehama, Mordecai, Owen, Pendleton, Pueschel, Raw, Sargent, Schlesinger, Schroebel, Simpson, Standart, Taggart, Talbott, Taylor, Thomas of Nevada, Tindall, Wade, and Mr Speaker—46.
NOES—Mr. Barlow—1.

Title read and approved.

Senate Constitutional Amendment No. 15—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, relative to the exemption of fruit trees and vines from taxation.

Passed on file.

Senate Constitutional Amendment No. 20—An Act to submit to the people of the State of California an amendment to section twenty-three of article four of the Constitution of the State of California.

Passed on file.

Senate Constitutional Amendment No. 21—An Act to submit to the people of the State of California an amendment to section two of article four of the Constitution of the State of California.

Passed on file.

Senate Bill No. 287—An Act to add a new section to the Civil Code, to be numbered section one hundred and thirty-one, relative to divorces.

Passed on file.

Senate Bill No. 283—An Act to provide for the purchase of Supreme Court reports.

Read third time, and refused passage by the following vote:

AYES—Messrs. Adams, Alford, Barlow, Bennett of Santa Clara, Bennett of Orange, Carlson, Casterline, Dodge, Duckworth, Durst, Gallagher, Godchaux, Hurley, Hutson, Kennedy, McElroy, Marston, Pendleton, Sargent, Schlesinger, Taylor, and Thomas, of Nevada—22.
NOES—Messrs. Anderson, Androus, Bledsoe, Boyce, Bretz, Bulla, Jacobs, Jacobsen, Johnson of Humboldt, McCauley, Mathews of Tehama, Mordecai, Pueschel, Raw, Simpson, Sims, Standart, Taggart, Tindall, Wade, and Mr. Speaker—21.

SPECIAL ORDER.

Senate Bill No. 644—An Act relating to the operation of railroads.

Read third time, and passed by the following vote:

AYES—Messrs Adams, Alford, Anderson, Barlow, Bennett of Orange, Bledsoe, Bretz, Brownlie, Buckley, Bulla, Burke, Carlson, Casterline, Dodge, Duckworth, Durst, Gallagher, Godchaux, Hurley, Hutson, Jacobs, Jacobsen, Johnson of Humboldt, Kennedy, McCauley, McElroy, McGowan, Marston, Matthews of San Benito, O'Keefe, Owen, Pendleton, Perkins, Pueschel, Raw, Sargent, Schlesinger, Simpson, Sims, Standart, Taggart, Talbott, Taylor, Thomas of Santa Clara, Tindall, Wade, and Mr. Speaker—47.
NOES—Mr Vann—1

Title read and approved.

MOTION.

Mr. Standart moved that all Senate Bills passed this day be immediately transmitted to the Senate.

So ordered.

SPECIAL ORDER.

ASSEMBLY CONSTITUTIONAL AMENDMENT No 31.

A resolution to propose to the people of the State of California an amendment to section seven (7) of article nine (IX) of the Constitution of the State of California, by increasing the number of members constituting the State Board of Education, by adding thereto the President and Professor of Pedagogics of the University of California.

Resolved by the Assembly, the Senate concurring, That the Legislature of the State of California, at its thirtieth session, commencing January second, eighteen hundred and ninety-three, two thirds of all the members elected to each of the two houses of said Legislature voting in favor thereof, hereby propose that section seven (7) of article nine (IX) of the Constitution of the State of California be amended so as to read as follows:

SECTION 7 The Governor, the Superintendent of Public Instruction, the President of the University of California, and the Professor of Pedagogy therein, and the Principals of the State Normal Schools, shall constitute the State Board of Education, and shall compile, or cause to be compiled, and adopt, a uniform series of text-books for use in the common schools throughout the State. The State Board may cause such text-books, when adopted, to be printed and published by the Superintendent of State Printing, at the State Printing Office, and when so printed and published, to be distributed and sold at the cost price of printing, publishing, and distributing the same. The text-books so adopted shall continue in use not less than four years; and said State Board shall perform such other duties as may be prescribed by law. The Legislature shall provide for a Board of Education in each county in the State The County Superintendents and the County Boards of Education shall have control of the examination of teachers and the granting of teachers' certificates within their respective jurisdictions

The roll was called, and Assembly Constitutional Amendment No. 31 adopted by the following vote:

AYES—Messrs. Adams, Alford, Anderson, Barlow, Bennett of Santa Clara, Bennett of Orange, Bretz, Brownlie, Buckley, Bulla, Burke, Carlson, Casterline, Chipman, Dodge, Duckworth, Durst, Finlayson, Gallagher, Gately, Godchaux, Hamilton, Hendrickson, Hurley, Hutson, Jacobsen, Johnson of Humboldt, Johnson of Santa Clara, Kennedy, Kahn, Kerns, LaRue, Luttringer, McElroy, McGowan, Mathews of Tehama, Matthews of San Benito, O'Keefe, Owen, Pendleton, Pueschel, Raw, Sargent, Schlesinger, Schroebel, Simpson, Sims, Taggart, Taylor, Thomas of Nevada, Thomas of Santa Clara, Tindall, Vann, Wade, and Mr Speaker—55

NOES—Mr Bledsoe—1

SPECIAL ORDER.

Senate Bill No. 780—An Act to appropriate the surplus moneys in the "Special Mendocino Asylum Fund" in the State Treasury to the uses of the Mendocino State Insane Asylum.

Mr. Tindall moved that Senate Bill No. 606 be substituted on the file for Senate Bill No. 780, and be read the third time.

So ordered.

Senate Bill No. 606—An Act to pay the claim of A. J. Bourn against the State of California, and making an appropriation therefor.

Read third time, and passed by the following vote:

AYES—Messrs Adams, Alford, Anderson, Bennett of Orange, Bledsoe, Bretz, Brownlie, Buckley, Bulla, Burke, Carlson, Casterline, Chipman, Drees, Duckworth, Durst, Finlayson, Gately, Godchaux, Hamilton, Hendrickson, Hurley, Hutson, Johnson of Humboldt, Kerns, LaRue, Luttringer, Lynch, McElroy, McGowan, Marston, Mathews of San Benito, Owen, Pueschel, Raw, Sargent, Schroebel, Simpson, Taylor, Thomas of Nevada, Thomas of Santa Clara, Tindall, Vann, Wade, and Mr Speaker—45

NOES—None.

Title read and approved.

MESSAGES FROM THE SENATE.

SENATE CHAMBER, SACRAMENTO, March 14, 1893.

MR SPEAKER I am directed to inform your honorable body that the Senate, on this day, passed Assembly Bill No. 747—An Act making an appropriation for the relief of N. Southmayd, and others, in caring for and preserving the perishable property of the State of California.

Also: Assembly Bill No. 219—An Act to amend section three thousand seven hundred and forty-six of an Act entitled "An Act to amend section three thousand seven hundred and forty-six of an Act entitled 'An Act to establish a Political Code,' approved March 12, A. D. 1872," and approved March 31, A. D. 1891.

Also: Assembly Bill No. 585—An Act to amend section one thousand five hundred and two of the Political Code, respecting Normal Schools.

Also: Senate Bill No 786—An Act making an appropriation to pay the salary of the third Judge of the Superior Court of Fresno County, for the remainder of the forty-fourth fiscal year.

F. J. BRANDON, Secretary
By R. SHAW, Assistant.

Assembly Bills Nos. 747, 219, and 585 ordered to enrollment.
Senate Bill No. 786 ordered on file.
Also:

SENATE CHAMBER, SACRAMENTO, March 14, 1893.

MR. SPEAKER: I am directed to inform your honorable body that the Senate, on this day, passed Assembly Bill No. 850—An Act to amend section one thousand six hundred and fourteen, title two, of the Penal Code, in relation to the government of prisoners sentenced to terms of imprisonment in county jails.

Also, Senate Bill No. 251—An Act for the relief of Barnaby Dougherty

Also: Assembly Bill No. 108—An Act to amend sections two hundred and four, two hundred and five, two hundred and six, and two hundred and eight of the Code of Civil Procedure.

F. J. BRANDON, Secretary
By R. SHAW, Assistant

Assembly Bills Nos. 850 and 108 ordered to enrollment.
Senate Bill No. 251 ordered on file.

RESOLUTION.

By Mr. McGowan:

Resolved, That P. J. Biggy, Assistant Bill Clerk of the Assembly, be and he is hereby authorized and directed to remain over at the State Capitol after adjournment *sine die* of the Legislature, for a period of ten days (the time allowed his Excellency the Governor in which to approve or disapprove of bills), for the purpose of mailing to each member of the Assembly and Senate five (5) copies of each bill that will be approved by the Governor, and deposited according to law in the office of the Secretary of State. For the purpose of carrying out the requirements of this resolution, the Superintendent of State Printing is hereby directed and authorized to furnish said P. J. Biggy with sufficient numbers of said bills. The Controllor is hereby authorized and directed to draw his warrant in favor of said P. J. Biggy for the sum of fifty ($50) dollars (being ten days per diem), upon the appropriation for the contingent expenses of the Assembly, and the State Treasurer is hereby directed to pay the same.

Referred to Committee on Public Expenditures and Accounts

INVITATION.

To Hon F H. GOULD, *Speaker of Assembly*

SIR: In accordance with a resolution adopted by the Mayor and Common Council of the city of San José, the Speaker and members of the Assembly are respectfully invited to visit San José, as guests of the city, on Wednesday, the fifteenth instant, the day following the adjournment of the Legislature. A special train will leave the depot at one o'clock P. M. of that day

H E. SCHILLING,
Mayor of the City of San José
J N. B. BRACKETT,
Acting Clerk

SAN JOSÉ, March 13, 1893.

MOTIONS.

Mr. Duckworth moved to accept the invitation, and that the Assembly extend its thanks to the people of San José.

So ordered.

Mr. Anderson moved to take up Senate messages.

So ordered.

MESSAGES FROM THE SENATE.

SENATE CHAMBER, SACRAMENTO, March 14, 1893.

MR. SPEAKER: I am directed to inform your honorable body that the Senate respectfully requests the Assembly to return Senate Substitute for Assembly Bill No 596, for the purpose of reconsideration of the vote whereby the same was refused passage.

F J. BRANDON, Secretary
By R. SHAW, Assistant

MOTIONS.

Mr. Anderson moved that Senate Substitute for Assembly Bill No. 596 be immediately transmitted to the Senate.

So ordered.

Mr. Bledsoe moved to take up Senate Constitutional Amendment No. 20 and Senate Constitutional Amendment No. 21.

So ordered.

SENATE CONSTITUTIONAL AMENDMENT No. 20.

An Act to submit to the people of the State of California an amendment to section twenty-three of article four of the Constitution of the State of California

The Legislature of the State of California, at its thirtieth session, commencing on the second day of January, A. D. eighteen hundred and ninety-three, two thirds of all the members elected to each house of said Legislature voting in favor thereof, hereby proposes that section twenty-three (23) of article four (4) (legislative department) of the Constitution of the State of California, be amended so as to read as follows:

ARTICLE IV.

SECTION 23. The members of the Legislature shall receive, in full payment for their services, the sum of one thousand ($1,000) dollars, and mileage not to exceed ten cents per mile, and for contingent expenses, not to exceed twenty-five dollars, for each session, to be paid out of the public treasury. No increase in compensation or mileage shall take effect during the term for which the members of either house shall have been elected, and the pay of no attaché shall be increased after he is elected or appointed.

The roll was called, and Senate Constitutional Amendment No. 20 adopted by the following vote:

AYES—Messrs Adams, Alford, Anderson, Barlow, Bennett of Santa Clara, Bennett of Orange, Blakeley, Bledsoe, Boyce, Bretz, Brownlie, Buckley, Carlson, Casterline, Chipman, Curtis, Dodge, Drees, Duckworth, Durst, Finlayson, Gallagher, Gately, Godchaux, Hendrickson, Hurley, Hutson, Jacobsen, Johnson of Humboldt, Johnson of Santa Clara, Kennedy, LaRue, Luttringer, Lynch, McCauley, McElroy, Marston, Matthews of San Benito, Mordecai, O'Keefe, O'Neill, Owen, Pendleton, Perkins, Sargent, Schlesinger, Shanahan, Simpson, Standart, Taggart, Taylor, Thomas of Nevada, Thomas of Santa Clara, Tindall, Vann, Wade, and Mr. Speaker—57.

NOES—Mr. Sims—1.

SPECIAL ORDER.

Senate Bill No. 147—An Act to amend an Act approved February 28, 1887, entitled "An Act to amend an Act to appropriate money for the support of aged persons in indigent circumstances residing in the Home of the Veterans' Home Association," approved March 7, 1883, providing for the increase in the annual appropriation therefor, and changing the time for the payment thereof.

Read third time, and passed by the following vote:

AYES—Messrs Adams, Anderson, Barlow, Bennett of Santa Clara, Bennett of Orange, Bledsoe, Boyce, Bretz, Brownlie, Buckley, Bulla, Carlson, Casterline, Chipman, Dodge, Drees, Duckworth, Durst, Gallagher, Gately, Godchaux, Hendrickson, Hurley, Hutson, Jacobs, Jacobsen, Johnson of Humboldt, Johnson of Santa Clara, Kennedy, LaRue, Luttringer, Lynch, McCauley, McElroy, Marston, Matthews of San Benito, Mordecai,

O'Keefe, O'Neill, Owen, Pendleton, Sargent, Schlesinger, Shanahan, Simpson, Sims, Standart, Taggart, Taylor, Thomas of Nevada, Thomas of Santa Clara, Tindall, Vann, Wade, and Mr. Speaker—55.

NOES—None.

Title read and approved.

Senate Constitutional Amendment No. 21—An Act to submit to the people of the State of California an amendment to section two of article four of the Constitution of the State of California.

Passed on file.

MOTION.

Mr. Barlow moved to take up Assembly Joint Resolution No. 20.

So ordered.

Assembly Joint Resolution No. 20—Relating to ownership and operations of railroads by the people.

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

AYES—Messrs Adams, Alford, Barlow, Bennett of Santa Clara, Bennett of Orange, Bledsoe, Boyce, Bretz, Brownlie, Bulla, Carlson, Casterline, Curtis, Cusick, Dodge, Drees, Duckworth, Durst, Finlayson, Gallagher, Gately, Godchaux, Hendrickson, Hurley, Hutson, Jacobs, Jacobsen, Johnson of Humboldt, Johnson of Santa Clara, Kennedy, Kerns, LaRue, Luttringer, McElroy, McGowan, Marston, Matthews of San Benito, O'Keefe, Owen, Pendleton, Pueschel, Shanahan, Simpson, Sims, Standart, Taggart, Talbott, Taylor, Thomas of Nevada, Thomas of Santa Clara, Tindall, Vann, Wade, and Mr. Speaker—54.

NOES—Mr. Lynch—1.

RESOLUTION.

By Mr. Alford:

Resolved, That Senate Bills Nos 697, 693, 341, 757, and 736 present cases of urgency, as that term is used in section fifteen of article four of the Constitution, and the provisions of that section requiring that the bills shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bills be read the first, second, and third times, and placed upon their passage.

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

AYES—Messrs. Adams, Alford, Androus, Barlow, Bennett of Santa Clara, Bennett of Orange, Boyce, Bretz, Brownlie, Buckley, Bulla, Burke, Carlson, Casterline, Conway, Dodge, Duckworth, Durst, Finlayson, Gately, Godchaux, Hendrickson, Hurley, Hutson, Jacobs, Jacobsen, Johnson of Humboldt, Johnson of Santa Clara, Kahn, Kerns, LaRue, Luttringer, Lynch, McCauley, McElroy, McGowan, Marston, Mathews of Tehama, Matthews of San Benito, O'Keefe, O'Neill, Owen, Pendleton, Pueschel, Raw, Sargent, Schlesinger, Shanahan, Simpson, Sims, Standart, Taggart, Talbott, Taylor, Thomas of Nevada, Thomas of Santa Clara, Tindall, Vann, Wade, and Mr. Speaker—59

NOES—None

CASES OF URGENCY.

Senate Bill No 697—An Act creating a Board of Commissioners of the Building and Loan Associations, and prescribing their duties and powers.

Read first, second, and third times.

The roll was called, and the bill passed by the following vote:

AYES—Messrs Alford, Androus, Barlow, Bennett of Santa Clara, Bledsoe, Buckley, Bulla, Burke, Carlson, Casterline, Conway, Duckworth, Durst, Finlayson, Gately, Godchaux, Hendrickson, Hurley, Jacobs, Johnson of Humboldt, Johnson of Santa Clara, Kahn, Kerns, LaRue, Luttringer, Lynch, McCauley, McElroy, Marks, Mathews of Tehama, Matthews of San Benito, Mordecai, Owen, Perkins, Pueschel, Raw, Sargent, Schlesinger, Simpson, Standart, Taggart, Talbott, Taylor, Thomas of Nevada, Thomas of Santa Clara, Tindall, Vann, Wade, and Mr. Speaker—48.

NOES—Messrs. Adams, Bennett of Orange, and Pendleton—3.

Title read and approved.

Senate Bill No. 693—An Act authorizing the appointment of trustees for the estates of missing persons, and defining the duties of such trustees.

Read the first, second, and third times.

The roll was called, and the bill refused passage by the following vote:

AYES—Messrs Alford, Anderson, Bennett of Santa Clara, Blakeley, Boyce, Buckley, Carlson, Casterline, Duckworth, Durst, Finlayson. Gallagher, Gately, Godchaux, Hendrickson, Hurley, Johnson of Santa Clara, Kennedy, Kahn, Kerns, LaRue, Lynch, McGowan, Marston, Mathews of Tehama, Matthews of San Benito, Mordecai, O'Neill, Pendleton, Perkins, Pueschel, Schlesinger, Shanahan, Standart, and Taylor—34

NOES—Messrs. Adams, Androus, Barlow, Bennett of Orange, Bledsoe, Bretz, Bulla, Burke, Chipman, Dodge, Hutson, Jacobs, Jacobsen, Johnson of Humboldt, McElroy, Owen, Raw, Schroebel, Taggart. Thomas of Santa Clara, Vann, Wade, and Mr. Speaker—23.

Senate Bill No. 341—An Act making an appropriation to pay the deficiencies in the appropriation for traveling expenses for the Surveyor-General and the Attorney-General, when engaged in contests between the State and the United States in relation to public lands, for the forty-third fiscal year.

Read first and second times.

MOTION.

Mr. Lynch moved that the Assembly resolve itself into Committee of the Whole, with the Speaker in the chair, for the purpose of considering Senate Bill No. 341.

So ordered.

IN COMMITTEE OF THE WHOLE.

Speaker Gould in the chair.

Senate Bill No. 341 was considered in Committee of the Whole.

IN ASSEMBLY.

Speaker Gould in the chair.

REPORT OF THE COMMITTEE OF THE WHOLE.

The Speaker stated the report of the Committee of the Whole, as follows:

GENTLEMEN: The Committee of the Whole have had under consideration Senate Bill No 341, and now report, and recommend that the same do pass.

Senate Bill No. 341—An Act making an appropriation to pay the deficiencies in the appropriation for traveling expenses for the Surveyor-General and the Attorney-General, when engaged in contests between the State and the United States in relation to public lands, for the forty-third fiscal year.

Read third time, and passed by the following vote:

AYES—Messrs. Adams, Alford, Anderson, Bennett of Santa Clara, Blakeley, Bulla, Burke, Carlson, Casterline, Curtis, Dodge, Duckworth, Durst, Finlayson, Gately, Jacobs, Jacobsen, Kennedy, Kahn, LaRue, Lynch, McCauley, McElroy, McGowan, Marks, Mathews of Tehama, Matthews of San Benito, Mordecai, O'Keefe, O'Neill, Owen, Pendleton, Sargent, Schlesinger, Schroebel, Shanahan, Sims, Standart, Taggart, Talbott, Taylor, Thomas of Nevada, Tindall, Wade, and Mr. Speaker—45

NOES—Messrs. Bledsoe, Chipman, Hurley, Johnson of Humboldt, and Thomas of Santa Clara—5

Title read and approved.

Senate Bill No. 757—An Act providing for the removal of human remains from cemeteries in cities having a population of more than five thousand and not exceeding one hundred thousand.

Read first, second, and third times.

The roll was called, and the bill passed by the following vote:

AYES—Messrs Anderson, Androus, Bennett of Santa Clara, Bennett of Orange, Bledsoe, Bulla, Burke, Carlson, Dodge, Drees, Duckworth, Durst, Finlayson, Hendrickson, Hutson, Jacobs, Jacobsen, Johnson of Humboldt, Kennedy, Kahn, Kerns, LaRue, Luttringer, McCauley, McElroy, Mathews of Tehama, Matthews of San Benito, Mordecai, O'Keefe, O'Neill, Owen, Perkins, Pueschel, Schlesinger, Schroebel, Shanahan, Simpson, Sims, Taggart, Talbott, Taylor, Tindall, Vann, Wade, and Mr Speaker—44.

NOES—Messrs Blakeley, Godchaux, Hurley, and Standart—4

Title read and approved.

Senate Bill No. 736—An Act to prevent compulsory prostitution of women, and the importation of Chinese or Japanese women for immoral purposes, and to provide penalties therefor.

Read the first, second, and third times.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Alford, Anderson, Androus, Barlow, Bennett of Santa Clara, Bennett of Orange, Blakeley, Bledsoe, Bulla, Burke, Conway, Dodge, Drees, Duckworth, Durst, Finlayson, Gallagher, Gately, Hendrickson, Hurley, Jacobs, Johnson of Humboldt, Kennedy, Kahn, Kerns, LaRue, Lynch, Marks, Marston, Mathews of Tehama, Matthews of San Benito, Mordecai, O'Keefe, O'Neill, Owen, Perkins, Pueschel, Sargent, Schroebel, Simpson, Sims, Taggart, Taylor, Thomas of Nevada, Thomas of Santa Clara, Tindall, Wade, and Mr. Speaker—47.

NOES—Mr Hutson—1

Title read and approved.

RECESS.

The hour of recess having arrived, the Speaker declared a recess until two o'clock P. M.

REASSEMBLED.

The Assembly reassembled at two o'clock P. M.

Speaker pro tem. Mathews in the chair.

MESSAGE FROM THE SENATE.

SENATE CHAMBER, SACRAMENTO, March 14, 1893

MR. SPEAKER: I am directed to inform your honorable body that the Senate, on this day, passed Assembly Bill No. 272—An Act to amend section one thousand eight hundred and eighty-one of the Code of Civil Procedure, relating to witnesses.

Also: Assembly Bill No 513—An Act to prevent the spread of contagious or infectious diseases among domestic animals

Also: Assembly Bill No. 393—An Act to amend section seven hundred and ninety of an Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883.

Also: Senate Bill No. 148—An Act to appropriate the sum of fifty thousand dollars for the erection, completion, and furnishing of buildings, laundry, and bath house, and for improvements of the grounds, heating and cooking apparatus, and water supply at the Veterans' Home, situate in Napa County, under the auspices of the Veterans' Home Association of the State of California

F. J. BRANDON, Secretary.
By R. SHAW, Assistant.

Assembly Bill No. 272, Assembly Bill No. 513, and Assembly Bill No. 393 ordered to enrollment.

Senate Bill No. 148 ordered on file.

REPORTS OF STANDING COMMITTEES.

ON ENGROSSMENT.

ASSEMBLY CHAMBER, SACRAMENTO, March 14, 1893.

MR. SPEAKER: Your Committee on Engrossment beg leave to report that the following Assembly Bill has been correctly engrossed: Assembly Bill No. 349—An Act to amend sections one thousand one hundred and forty-two, one thousand one hundred and eighty-eight, one thousand one hundred and ninety-four, one thousand one hundred and ninety-seven, one thousand two hundred and three, one thousand two hundred and five, one thousand two hundred and eight, one thousand two hundred and fifty-seven, one thousand two hundred and sixty-four, one thousand two hundred and sixty-five, of Political Code, in relation to elections within the State.

WADE, for Chairman

ON WAYS AND MEANS.

ASSEMBLY CHAMBER, SACRAMENTO, March 14, 1893.

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred Assembly Bills Nos. 28, 72, 79, 91, 159, 171, 181, 243, 266, 267, 316, 340, 363, 379, 384, 400, 417, 422, 489, 492, 493, 494, 495, 501, 510, 528, 534, 562, 563, 579, 588, 590, 622, 644, 645, 683, 699, 708, 717, 765, 766, 789, 828, 829, 834, and 843.

Also: Assembly Bill No. 198—An Act to appropriate the sum of fifty thousand dollars for the erection, completion, and furnishing of buildings, laundry and bath house, and for improvements of the grounds, heating and cooking apparatus, and water supply at the Veterans' Home, situate in Napa County, under the auspices of the Veterans' Home Association of the State of California.

Have had the same under consideration, and respectfully report the same back without recommendation.

W. P. MATHEWS, Chairman.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 11, 1893.

MR SPEAKER: Your Committee on Ways and Means, to whom was referred the bill of expenses incurred by the special committee appointed to investigate the management of affairs in the Attorney-General's office, has had the same under consideration, and respectfully report the following itemized account, with the recommendation that it be paid:

W. P. Mathews, mileage from Sacramento to San Francisco	$16 80	
C. M. Simpson, mileage from Sacramento to San Francisco	16 80	
J. Kahn, mileage from Sacramento to San Francisco	16 80	
P. H. Mack, mileage from Sacramento to San Francisco	16 80	
C. W. Tindall, mileage from Sacramento to San Francisco	16 80	
A. W. Baldwin, clerk, mileage from Sacramento to San Francisco	16 80	
W. E. Doan, stenographer, mileage from Sacramento to San Francisco	16 80	
A. B. Hotchkiss, witness, mileage from Los Angeles to San Francisco	95 60	
A. R. Cotton, witness, mileage from San Francisco to Sacramento	16 80	
J. P. Langhorne, witness, mileage from San Francisco to Sacramento	16 80	
John Garter, witness, mileage from San Francisco to Sacramento	16 80	
L. M. Hoefler, witness, mileage from San Francisco to Sacramento	16 80	
C. H. Jackson, witness, mileage from San Francisco to Sacramento	16 80	
		$297 20
Telegraphing subpœna to A. B. Hotchkiss at Los Angeles	$2 72	
Telegram to and from J D Murphy at Bridgeport, California	3 35	
Telegram to J. S. Kane at Bridgeport	1 00	
Telegram to and from Judge J. B. C. Hebbard	1 86	
Telegram to S. W. Lippman, Sergeant-at-Arms of committee in San Francisco	70	
		9 63
J. P. Langhorne, two days' witness fees, at $2 per day	$4 00	
A. B. Hotchkiss, two days' witness fees, at $2 per day	4 00	
A. R. Cotton, two days' witness fees, at $2 per day	4 00	
E S. Heller, one day's witness fees, at $2 per day	2 00	
T. I. Bergin, one day's witness fees, at $2 per day	2 00	
Charles A. Smith, one day's witness fees, at $2 per day	2 00	
W. McGavin, one day's witness fees, at $2 per day	2 00	
W H Knight, one day's witness fees, at $2 per day	2 00	
S T. Allen, one day's witness fees, at $2 per day	2 00	
J S Emery, one day's witness fees, at $2 per day	2 00	
John H. Miller, one day's witness fees, at $2 per day	2 00	
John B. Mhoon, one day's witness fees, at $2 per day	2 00	
D. E Hays, one day's witness fees, at $2 per day	2 00	
John Garter, one day's witness fees, at $2 per day	2 00	
L. H Hoefler, one day's witness fees, at $2 per day	2 00	
C H. Jackson, one day's witness fees, at $2 per day	2 00	
R. T. Devlin, attorney for committee	500 00	
		538 00

George Hughes, Sergeant-at-Arms for committee, from February 13, 1893, to March 3d, both inclusive, deducting therefrom four days not on duty, making fourteen days, at $5 per day	$70 00	
S. W Lippman, Sergeant-at-Arms of committee in San Francisco for four days, at $5 per day	20 00	
A. W. Baldwin, clerk, from February 14th to March 3d, both inclusive, making eighteen days, at $5 per day	90 00	
		$180 00
W. E Doan, stenographer:		
One thousand one hundred and nine folios, at 20 cents per folio	$221 80	
One thousand one hundred and nine folios, at 15 cents per folio	166 35	
Seven days, at $10 per day, to make copy	70 00	
		458 15
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Your committee recommend the adoption of the following resolution:

Resolved, That the State Controller is hereby directed to draw his warrant in favor of W. P. Mathews, Chairman of the Special Committee, for the sum of one thousand four hundred and eighty-two dollars and ninety-eight cents, the same to be payable out of the Contingent Fund of the Assembly, and the State Treasurer is hereby directed to pay the same.

W. P. MATHEWS, Chairman

Resolution adopted.

RESOLUTION.

By Mr. Mathews of Tehama:

Resolved, That the Controller is hereby directed to draw his warrant, payable out of the Per Diem and Mileage Fund of the Assembly, for the sum of fifty-six dollars, in favor of Assemblyman A. Bretz, in payment of one week's salary heretofore deducted on account of the suspension of said Bretz from the privileges of the House, and the Treasurer is hereby directed to pay the same

Resolution adopted.

COMMUNICATION.

OROVILLE, CAL., March 13, 1893.

To the honorable members of the Assembly of the thirtieth session of the Legislature:

For the many generous manifestations of esteem on the part of the Assembly to the memory of Mr. E. B Price, and the kind consideration shown me, I herewith extend my heartfelt gratitude, wishing I could do more than use formal words to convey the response of my heart for the disinterested and soulful kindnesses of your honorable body.

Wishing you all prosperity and the attainment of your several ambitions,

I am, sincerely yours,

MRS. E. B. PRICE.

MOTION.

Mr. Thomas of Nevada moved to take up Substitute for Senate Bill No. 389.

So ordered.

Substitute for Senate Bill No. 389—An Act to provide for the appointment, duties, and compensation of a Debris Commissioner, and to make an appropriation to be expended under his directions in the discharge of his duties as such Commissioner.

Read third time, and passed by the following vote:

AYES—Messrs Bennett of Santa Clara, Blakeley, Bledsoe, Boyce, Brownlie, Conway, Curtis, Drees, Duckworth, Gallagher, Gately, Godchaux, Hamilton, Hendrickson, Hurley, Jacobsen, Johnson of Santa Clara, Kerns, Luttringer, Lynch, McCauley, McGowan, Mack, Marston, Mathews of Tehama, Matthews of San Benito, Miller, Mordecai, O'Keefe, O'Neill, Pendleton, Raw, Sargent, Schlesinger, Schroebel, Simpson, Standart, Taggart, Talbott, Taylor, Thomas of Nevada, Tindall, Vann, and Wade—43.

NOES—Messrs. Anderson, Barlow, Bulla, Chipman, Dodge, Durst, Finlayson, Jacobs, Johnson of Humboldt, Owen, and Thomas of Santa Clara—11.

Title read and approved.

REPORT OF STANDING COMMITTEE.

ON ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, March 13, 1893

MR. SPEAKER: Your Committee on Enrollment beg leave to report that the following bill has been correctly enrolled: Assembly Bill No. 512—An Act to amend an Act amendatory of and supplemental to an Act entitled "An Act to provide for the organization and government of irrigation districts, and to provide for the acquisition of water and other property, and for the distribution of water thereby for irrigation purposes," approved March 7, 1887, providing for the exclusion of certain lands within any such district, approved February 16, 1889—and was presented to the Governor March 13, 1893, at five o'clock and fifteen minutes P. M

O'NEILL, Chairman.

RESOLUTIONS.

By Mr. Gallagher:

Resolved, That James P. Kane, Assembly Printing Messenger, be and he is hereby directed to remain over at the State Capitol after adjournment *sine die* of the Legislature, for the purpose of acting as messenger to the clerks that have been ordered to remain for completing their work, said messenger to receive one week's salary (seven days), at the same per diem that he now receives, said per diem being payable out of the appropriation for the contingent expenses of the Assembly

Referred to Committee on Public Expenditures and Accounts.

By Mr. Anderson:

Resolved, That Frank J. Hinters be allowed pay for the period of seven days from and after date of the final adjournment of the thirtieth session of the Legislature, at the same per diem as he is now receiving, for services to be rendered by him in receiving and taking mail to and from the Post Office after such adjournment, and the Controller is hereby authorized and directed to draw his warrant upon the Treasurer in favor of said Frank J. Hinters for said seven days' pay, and the Treasurer is hereby directed to pay the same out of the funds for the contingent expenses of the Assembly.

Referred to Committee on Public Expenditures and Accounts.

By Mr. O'Neill:

Resolved, That F. B. Mulgrew, Enrolling Clerk, and his assistants, be and they hereby are authorized to remain at the Capitol for one week after adjournment *sine die*, for the purpose of completing the records of that office and delivering the same to the Secretary of State, as required by law, at the same per diem now paid them. The Controller is hereby directed to draw his warrants according to this resolution, and the Treasurer is directed to pay the same out of the Contingent Fund of the Assembly

Referred to Committee on Public Expenditures and Accounts.

The above resolution was reported upon favorably by the Committee on Public Expenditures and Accounts, through its Chairman pro tem., B. O. Marston.

RESOLUTION.

By Mr. Raw:

Resolved, That Senate Bills Nos 66 and 381 present cases of urgency, as that term is used in section fifteen of article four of the Constitution, and the provisions of that section requiring that the bills shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bills be read the first, second, and third times, and placed upon their passage

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

AYES—Messrs Adams, Alford, Anderson, Androus, Bennett of Santa Clara, Blakeley, Boyce, Bretz, Brownlie, Bulla, Casterline, Chipman, Conway, Curtis, Drees, Duckworth, Durst, Gallagher, Gately, Godchaux, Hamilton, Hendrickson, Jacobsen, Johnson of Humboldt, Johnson of Santa Clara, Kahn, Kerns, Luttringer, Lynch, McCauley, McGowan, Mack, Marks, Mathews of Tehama, Matthews of San Benito, Miller, Mordecai, O'Keefe, O'Neill, Owen, Pendleton, Raw, Schlesinger, Schroebel, Shanahan, Simpson, Sims, Standart, Taggart, Talbott, Taylor, Thomas of Santa Clara, Tindall, Vann, and Wade—55.

NOES—Messrs Bledsoe and Jacobs—2.

Senate Bill No. 66—An Act making an appropriation for the relief of F. Marion Wells.

Read first and second times.

MOTION.

Mr. Raw moved that the Assembly resolve itself into Committee of the Whole, with the Speaker in the chair, for the purpose of considering Senate Bill No. 66.

So ordered.

IN COMMITTEE OF THE WHOLE.

Speaker Gould in the chair.

Senate Bill No. 66 was considered in Committee of the Whole.

IN ASSEMBLY.

Speaker Gould in the chair.

REPORT OF THE COMMITTEE OF THE WHOLE.

The Speaker stated the report of the Committee of the Whole, as follows:

GENTLEMEN: The Committee of the Whole have had under consideration Senate Bill No 66, and now report, and recommend that the same do pass.

Senate Bill No. 66—An Act making an appropriation for the relief of F. Marion Wells.

Read third time, and passed by the following vote:

Speaker Gould in the chair.

AYES—Messrs. Androus, Bennett of Orange, Brownlie, Bulla, Chipman, Conway, Curtis, Cusick, Drees, Duckworth, Durst, Finlayson, Gallagher, Gately, Hurley, Hutson, Jacobs, Jacobsen, Johnson of Santa Clara, Kahn, LaRue, Luttringer, Lynch, McCauley, McElroy, McGowan, Marks, Marston, Mathews of Tehama, Matthews of San Benito, Miller, Mordecai, Owen, Raw, Schlesinger, Schroebel, Shanahan, Simpson, Standart, Taggart, Talbott, Taylor, Thomas of Nevada, Thomas of Santa Clara, Vann, Wade, and Mr. Speaker—46.

NOES—Mr. Bledsoe—1.

Title read and approved.

SPECIAL ORDERS.

Senate Bill No. 576—An Act making an appropriation for enlarging the fire-proof warehouse for use of the State Printing Department.

Read third time, and passed by the following vote:

AYES—Messrs Adams, Anderson, Androus, Barlow, Bennett of Santa Clara, Bennett of Orange, Casterline, Chipman, Conway, Curtis, Cusick, Drees, Duckworth, Durst, Finlayson, Gallagher, Godchaux, Hamilton, Hendrickson, Hurley, Hutson, Jacobs, Jacobsen, Johnson of Santa Clara, Kennedy, Kahn, Kerns, LaRue, Lynch, McGowan, Marks, Marston, Mordecai, O'Keefe, O'Neill, Owen, Pendleton, Schroebel, Sims, Standart, Taggart, Taylor, Thomas of Nevada, Wade, and Mr. Speaker—45.

NOES—Messrs Bledsoe, Bretz, Luttringer, Matthews of San Benito, Miller, Thomas of Santa Clara, Tindall, and Vann—8.

Title read and approved.

Assembly Bill No. 799—An Act to regulate railroads and railroad corporations and other common carriers in this State, and to provide for

and define the powers and duties of a Board of Railroad Commissioners in relation to the same, and to prevent and punish extortion and unjust discrimination in the rates charged for the transportation of passengers and freights on railroads in this State, and to prescribe a mode of procedure and rules of evidence in relation thereto.

Passed on file.

Senate Bill No. 438—An Act making it unlawful to refuse admission to places of amusement.

The roll was called, and the bill passed by the following vote:

AYES—Messrs Adams, Alford, Androus, Bennett of Santa Clara, Bennett of Orange, Bledsoe, Casterline, Chipman, Cusick, Drees, Duckworth, Durst, Finlayson, Gallagher, Gately, Godchaux, Hamilton, Hendrickson, Hurley, Johnson of Humboldt, Johnson of Santa Clara, Kahn, Kerns, Lynch, McGowan, Mack, Marston, Miller, Mordecai, O'Neill, Owen, Pueschel, Sargent, Schlesinger, Sims, Standart, Taggart, Talbott, Taylor, Thomas of Santa Clara, Tindall, Wade, and Mr. Speaker—43

NOES—Messrs. Anderson, Boyce, Hutson, Jacobs, Jacobsen, LaRue, Matthews of San Benito, Pendleton, and Vann—9

Title read and approved.

Senate Bill No. 381—An Act to amend section six hundred and thirty-six of an Act entitled "An Act to establish a Penal Code," approved April 11, 1872, relating to fish and game.

Read second and third times.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Alford, Anderson, Bennett of Santa Clara, Bledsoe, Bretz, Brownlie, Chipman, Cusick, Drees, Duckworth, Durst, Finlayson, Gallagher, Gately, Godchaux, Hamilton, Hendrickson, Johnson of Humboldt, Kahn, Kerns, LaRue, Luttringer, Lynch, McCauley, McElroy, McGowan, Mack, Marston, Mathews of Tehama, Matthews of San Benito, O'Keefe, O'Neill, Owen, Pendleton, Perkins, Pueschel, Schlesinger, Schroebel, Simpson, Sims, Taggart, Talbott, Taylor, Thomas of Santa Clara, Tindall, Vann, Wade, and Mr Speaker—47

NOES—Messrs Jacobs, Miller, and Shanahan—3

Title read and approved.

REPORT OF STANDING COMMITTEE.

ON WAYS AND MEANS

ASSEMBLY CHAMBER, SACRAMENTO, March 14, 1893.

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred Assembly Bill No. 805—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended

W P. MATHEWS, Chairman.

MOTION.

Mr. Mathews of Tehama moved the immediate consideration of Assembly Bill No. 805.

So ordered.

Assembly Bill No. 805—An Act to amend sections three thousand seven hundred and thirteen and three thousand six hundred and ninety-six of the Political Code, relating to the levy of taxes.

Committee amendments, as follows:

AMENDMENT No. 1.

In section one, line five, printed bill, strike out the words "nine and one half," and insert in lieu thereof the word "five."

Adopted.

AMENDMENT No. 2.

In section one, line eight, printed bill, after the word "fund," insert the words "four million two hundred and sixty-two thousand two hundred and twenty-five dollars and ten cents."

Line nine, same section, after the word "fund," insert the words "two million fifty-seven thousand two hundred and seventy-nine dollars"

Line ten, same section, after the word "fund," insert the words "one hundred and forty-one thousand four hundred and thirty-five dollars."

Line twelve, after the word "fund," insert the words "three million three hundred and twelve thousand nine hundred and twenty dollars"

Line thirteen, same section, after the word "fund," insert the words "two million fifty-seven thousand two hundred and seventy-nine dollars."

Line fourteen, same section, after the word "fund," insert the words "one hundred and forty-one thousand four hundred and thirty-five dollars."

Adopted.

AMENDMENT No. 3.

Section two, line five of the printed bill, strike out the words "nine and one half." and insert in lieu thereof the word "five."

Adopted.

AMENDMENT No. 4

Amend section two, line three, printed bill, by striking out the word "third," and inserting in lieu thereof the word "second"

Adopted.

MOTION.

Mr. Mathews of Tehama moved that the Assembly resolve itself into Committee of the Whole, with the Speaker in the chair, for the purpose of considering Assembly Bill No. 805.

So ordered.

IN COMMITTEE OF THE WHOLE.

Speaker Gould in the chair.

Assembly Bill No. 805 was considered in Committee of the Whole.

IN ASSEMBLY.

Speaker Gould in the chair.

REPORT OF THE COMMITTEE OF THE WHOLE.

The Speaker stated the report of the Committee of the Whole, as follows:

GENTLEMEN. The Committee of the Whole have had under consideration Assembly Bill No. 805, and now report, and recommend that the same do pass as amended

Bill ordered sent immediately to the printer, and to a third reading.

PERMISSION TO INTRODUCE A BILL.

Mr. Kahn asked leave to introduce a bill under the provisions of the Constitution requiring the consent of two thirds of the members

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

AYES—Messrs. Adams, Alford, Anderson, Androus, Barlow, Bennett of Santa Clara, Bennett of Orange, Blakeley, Bretz, Brownlie, Buckley, Bulla, Casterline, Chipman, Conway, Dodge, Drees, Duckworth, Durst, Gallagher, Gately, Godchaux, Hurley, Hut-

son, Jacobsen, Johnson of Humboldt, Johnson of Santa Clara, Kennedy, Kahn, Kerns, LaRue, Luttringer, Lynch, McCauley, McGowan, Mack, Marston, Mathews of Tehama, Matthews of San Benito, Mordecai, O'Keefe, O'Neill, Owen, Pendleton, Perkins, Pueschel, Schlesinger, Shanahan, Standart, Taggart, Talbott, Taylor, Thomas of Nevada, Thomas of Santa Clara, Tindall, Vann, Wade, and Mr. Speaker—58.

NOES—Messrs. Cusick, Miller, Sargent, and Schroebel—4.

INTRODUCTION OF BILL.

By Mr. Kahn: Assembly Bill No. 857—An Act to provide for an appropriation for the contingent expenses of the Assembly.

RESOLUTION.

By Mr. Kahn:

Resolved, That Assembly Bill No. 857 presents a case of urgency, as that term is used in section fifteen of article four of the Constitution, and the provisions of that section requiring that the bill shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the first, second, and third times, and placed upon its passage.

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

AYES—Messrs. Adams, Anderson, Androus, Barlow, Bennett of Santa Clara, Bennett of Orange, Bledsoe, Boyce, Bretz, Buckley, Bulla, Casterline, Curtis, Cusick, Dodge, Duckworth, Durst, Gallagher, Gately, Godchaux, Hendrickson, Hutson, Jacobsen, Johnson of Humboldt, Johnson of Santa Clara, Kahn, Kerns, LaRue, Luttringer, Lynch, McCauley, McElroy, McGowan, Mack, Marston, Mathews of Tehama, Matthews of San Benito, Mordecai, O'Keefe, Owen, Pendleton, Perkins, Pueschel, Schlesinger, Schroebel, Shanahan, Taggart, Talbott, Taylor, Thomas of Nevada, Thomas of Santa Clara, Tindall, Vann, Wade, and Mr. Speaker—56.

NOES—Mr. Sargent—1.

FIRST AND SECOND READING OF BILL.

Assembly Bill No. 857—An Act to provide for an appropriation for the contingent expenses of the Assembly.

Read first and second times.

MOTION.

Mr. Kahn moved that the Assembly resolve itself into Committee of the Whole, with the Speaker in the chair, for the purpose of considering Assembly Bill No. 857.

So ordered.

IN COMMITTEE OF THE WHOLE.

Speaker Gould in the chair.

Assembly Bill No. 857 was considered in Committee of the Whole.

IN ASSEMBLY.

Speaker Gould in the chair.

REPORT OF THE COMMITTEE OF THE WHOLE.

The Speaker stated the report of the Committee of the Whole, as follows:

GENTLEMEN: The Committee of the Whole have had under consideration Assembly Bill No. 857, and now report, and recommend that the same do pass.

Bill considered engrossed and ordered to a third reading.

THIRD READING OF BILL.

Assembly Bill No. 857—An Act to provide for an appropriation for the contingent expenses of the Assembly.

Read third time, and passed by the following vote:

AYES—Messrs. Adams, Androus, Barlow, Bennett of Santa Clara, Bennett of Orange, Bledsoe, Brownlie, Buckley, Bulla, Casterline, Chipman, Conway, Curtis, Cusick, Dodge, Drees, Duckworth, Durst, Gallagher, Gately, Godchaux, Hendrickson, Hutson, Jacobs, Jacobsen, Johnson of Humboldt, Johnson of Santa Clara, Kennedy, Kahn, Kerns, Lynch, McCauley, McElroy, McGowan, Mack, Mathews of Tehama, O'Keefe, O'Neill, Pendleton, Perkins, Raw, Sargent, Schlesinger, Schroebel, Shanahan, Simpson, Sims, Taggart, Talbott, Taylor, Thomas of Santa Clara, Tindall, Wade, and Mr. Speaker—54.

NOES—None

Title read and approved.

SPECIAL SENATE FILE.

Senate Bill No. 286—An Act to amend section one hundred and seventy of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, relating to the disqualifications of Judges.

Read third time, and passed by the following vote:

AYES—Messrs. Adams, Anderson, Androus, Bennett of Santa Clara, Bennett of Orange, Bretz, Brownlie, Bulla, Burke, Casterline, Chipman, Conway, Curtis, Dodge, Duckworth, Durst, Finlayson, Gallagher, Gately, Godchaux, Hendrickson, Huston, Jacobsen, Johnson of Santa Clara, Kennedy, Kahn, LaRue, Lynch, McElroy, Mack, Mordecai, O'Keefe, O'Neill, Pendleton, Perkins, Schlesinger, Simpson, Sims, Standart, Taggart, Taylor, Thomas of Santa Clara, Tindall, Vann, Wade, and Mr. Speaker—46.

NOES—Messrs. Bledsoe and Sargent—2

Title read and approved.

Substitute for Senate Bill No. 359—An Act to regulate the fees of County Clerks in estates of deceased persons, of minors, and of incompetent persons.

Passed on file.

Senate Bill No. 363—An Act to amend section three hundred and ninety-eight of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, relative to the transfer of causes where Judge is disqualified.

Read third time, and passed by the following vote:

AYES—Messrs Adams, Anderson, Androus, Bennett of Santa Clara, Bennett of Orange, Boyce, Bretz, Brownlie, Carlson, Casterline, Conway, Curtis, Duckworth, Durst, Gallagher, Gately, Jacobs, Johnson of Humboldt, Kennedy, Kerns, LaRue, Luttringer, Lynch, McElroy, Mack, Marks, Marston, O'Keefe, O'Neill, Perkins, Raw, Sargent, Schlesinger, Standart, Taggart, Talbott, Taylor, Thomas of Nevada, Thomas of Santa Clara, Tindall, Vann, Wade, and Mr. Speaker—43.

NOES—Messrs. Bledsoe, Bulla, Burke, Finlayson, Godchaux, Hendrickson, Hurley, Johnson of Santa Clara, Kahn, Miller, Pendleton, Schroebel, Shanahan, and Simpson—14.

Title read and approved.

Senate Bill No. 351—An Act to add a new section to the Political Code, to be known and designated as section three thousand four hundred and ninety-three and one half, relating to suits to determine the validity of assessments in reclamation districts.

Read third time, and passed by the following vote:

AYES—Messrs. Adams, Anderson, Androus, Barlow, Bennett of Santa Clara, Bennett of Orange, Blakeley, Boyce, Bretz, Brownlie, Bulla, Carlson, Casterline, Chipman, Conway, Curtis, Dodge, Duckworth, Durst, Finlayson, Gallagher, Gately, Godchaux, Hen-

drickson, Hurley, Hutson, Jacobs, Johnson of Humboldt, Johnson of Santa Clara, Kennedy, Kerns, LaRue, Lynch, McElroy, McGowan, Mack, Marks, Marston, Mordecai, O'Keefe, O'Neill, Owen, Sargent, Schlesinger, Schroebel, Shanahan, Simpson, Sims, Standart, Taggart, Talbott, Taylor, Thomas of Nevada, Tindall, Vann, Wade, and Mr. Speaker—57.

NOES—Mr. Miller—1.

Title read and approved.

Senate Bill No. 331—An Act to appropriate money for the erection of a monument in the Court-house grounds, Santa Rosa, California, in memory of the late General M. G. Vallejo.

Read third time, and passed by the following vote:

AYES—Messrs. Anderson, Barlow, Bennett of Santa Clara, Blakeley, Boyce, Brownlie, Buckley, Burke, Carlson, Casterline, Chipman, Conway, Curtis, Drees, Duckworth, Durst, Finlayson, Gallagher, Gately, Godchaux, Hendrickson, Hurley, Kennedy, Kahn, LaRue, Luttringer, Lynch, McElroy, McGowan, Marks, Miller, O'Keefe, O'Neill, Owen, Pendleton, Pueschel, Raw, Schlesinger, Schroebel, Simpson, Sims, Standart, Taggart, Taylor, Thomas of Nevada, Thomas of Santa Clara, Tindall, Vann, and Wade—49

NOES—Messrs. Adams, Androus, Bennett of Orange, Bledsoe, Bretz, Bulla, Hutson, Johnson of Humboldt, Johnson of Santa Clara, Kerns, Mordecai, and Mr. Speaker—12.

Title read and approved.

Senate Bill No. 211—An Act to provide for the publication of the State Blue Book, or Roster.

Read third time, and passed by the following vote:

AYES—Messrs Adams, Anderson, Androus, Barlow, Bennett of Santa Clara, Bennett of Orange, Blakeley, Boyce, Bretz, Brownlie, Bulla, Casterline, Chipman, Conway, Curtis, Cusick, Dodge, Duckworth, Durst, Finlayson, Gately, Godchaux, Hurley, Hutson, Jacobs, Johnson of Humboldt, Johnson of Santa Clara, Kennedy, Marks, Marston, O'Neill, Owen, Pendleton, Pueschel, Raw, Sargent, Schlesinger, Simpson, Standart, Taggart, Talbott, Thomas of Santa Clara, Vann, Wade, and Mr. Speaker—45.

NOES—Messrs. Bledsoe, McGowan, and Miller—3.

Title read and approved.

Senate Bill No. 689—An Act to provide for the appointment of a Board of Colton Hall Trustees, and for the acquisition of the Colton Hall property, and providing for an appropriation for the preservation, protection, and improvement of said property.

Read third time, and passed by the following vote:

AYES—Messrs. Adams, Anderson, Barlow, Bennett of Santa Clara, Bennett of Orange, Blakeley, Boyce, Brownlie, Bulla, Burke, Carlson, Casterline, Chipman, Conway, Curtis, Cusick, Drees, Duckworth, Durst, Finlayson, Gallagher, Gately, Godchaux, Hendrickson, Hurley, Hutson, Jacobs, Johnson of Santa Clara, Kennedy, Luttringer, McElroy, McGowan, Mack, Marks, Marston, Miller, Mordecai, O'Keefe, O'Neill, Owen, Pendleton, Perkins, Pueschel, Sargent, Schlesinger, Schroebel, Shanahan, Standart, Talbott, Taylor, Thomas of Santa Clara, Tindall, and Wade—53.

NOES—Mr. Bledsoe—1.

Title read and approved.

Senate Bill No. 547—An Act to provide for the publication of semi-annual statements by corporations and persons engaged in the business of banking, and to repeal the Act approved April 1, 1876, entitled "An Act concerning corporations and persons engaged in the business of banking."

Passed on file.

Senate Bill No. 631—An Act to enable school districts in or including cities of the fifth class to issue bonds for the purpose of raising money for certain purposes, and to repeal an Act approved March 31, 1891, entitled "An Act to enable cities of the fifth class to issue bonds for the purpose of raising money to purchase school lots, and for building or

purchasing one or more school houses, and supplying the same with furniture, necessary apparatus, and improving the grounds, and for liquidating any indebtedness already incurred for such purposes."

Passed on file.

Senate Bill No. 557—An Act for the protection of fish.

Read third time, and passed by the following vote:

AYES—Messrs. Anderson, Bennett of Santa Clara, Boyce, Brownlie, Buckley, Burke, Carlson, Casterline, Chipman, Conway, Curtis, Cusick, Duckworth, Durst, Finlayson, Gallagher, Gately, Hendrickson, Hurley, Jacobs, Johnson of Santa Clara, Kennedy, Kahn, Kerns, LaRue, Luttringer, Lynch, McGowan, Mack, Marks, Marston, Miller, O'Keefe, O'Neill, Owen, Pendleton, Sargent, Schlesinger, Shanahan, Standart, Talbott, Taylor, Thomas of Nevada, Thomas of Santa Clara, and Tindall—45

NOES—Messrs Adams, Androus, Bennett of Orange, Blakeley, Bledsoe, Bretz, Bulla, Dodge, Godchaux, Hamilton, Johnson of Humboldt, McCauley, Mathews of Tehama, Mordecai, Simpson, Taggart, Vann, Wade, and Mr. Speaker—19

Title read and approved.

MESSAGE FROM THE SENATE.

SENATE CHAMBER, SACRAMENTO, March 14, 1893

MR SPEAKER: I am directed to inform your honorable body that the Senate, on this day, refused to concur in Assembly amendments to Senate Bill No. 210, and have appointed as a Committee of Conference the following Senators. Ford, Maher, and Carpenter.

F. J. BRANDON, Secretary.

MOTION.

Mr. Mack moved that the Speaker appoint a like Committee of Conference on Senate Bill No. 210.

So ordered.

APPOINTMENT OF COMMITTEE.

The Speaker appointed as such committee on the part of the Assembly, Messrs. Mack, Standart, and Thomas of Santa Clara.

SPECIAL SENATE FILE—(RESUMED).

Senate Bill No. 358—An Act to regulate the sale of imitation olive oil, and to repeal an Act entitled "An Act to regulate the sale of olive oil," approved March 10, 1891.

Read third time, and passed by the following vote:

AYES—Messrs. Adams, Anderson, Androus, Bennett of Orange, Blakeley, Bledsoe, Boyce, Bulla, Carlson, Casterline, Chipman, Curtis, Dodge, Drees, Finlayson, Hamilton, Hurley, Hutson, Jacobs, Jacobsen, Johnson of Humboldt, Johnson of Santa Clara, Kerns, Lynch, McElroy, Marks, Marston, Mathews of Tehama, O'Keefe, O'Neill, Owen, Perkins, Sargent, Schlesinger, Simpson, Sims, Taggart, Talbott, Thomas of Nevada, Tindall, Vann, Wade, and Mr. Speaker—43

NOES—None.

Title read and approved.

Senate Bill No. 105—An Act to prevent the use of false trade descriptions in the sale of goods, and to provide a punishment therefor.

Read third time, and passed by the following vote:

AYES—Messrs Adams, Anderson, Androus, Bennett of Santa Clara, Bennett of Orange, Blakeley, Boyce, Brownlie, Bulla, Burke, Casterline, Chipman, Conway, Curtis, Cusick, Dodge, Duckworth, Durst, Gallagher, Gately, Hendrickson, Hurley, Hutson, Jacobs, Johnson of Humboldt, Johnson of Santa Clara, Kennedy, Luttringer, Lynch, McCauley,

McElroy, McGowan, Marks, Marston, Mathews of Tehama, Miller, Mordecai, O'Neill, Owen, Perkins, Raw, Sargent, Schlesinger, Simpson, Standart, Taggart, Tindall, Vann, Wade, and Mr Speaker—50

NOES—None

Title read and approved.

MOTION.

Mr. Anderson moved to take up Senate messages.

So ordered

MESSAGE FROM THE SENATE.

SENATE CHAMBER, SACRAMENTO, March 14, 1893.

MR SPEAKER I am directed to inform your honorable body that the Senate, on this day, refused to concur in the Assembly amendment to Senate Bill No. 606—An Act to pay the claim of A J Bourn against the State of California, and making an appropriation therefor—and appointed the following Committee of Free Conference, to wit Senators Seawell, McGowan, and Berry.

F. J. BRANDON, Secretary
By R SHAW, Assistant

MOTION.

Mr. Tindall moved that the Speaker appoint a like committee on Senate Bill No. 606.

So ordered.

APPOINTMENT OF COMMITTEE.

The Speaker appointed as such committee Messrs. Tindall, Drees, and Pueschel.

REPORT OF COMMITTEE OF CONFERENCE.

ASSEMBLY CHAMBER, SACRAMENTO, March 14, 1893

MR SPEAKER: Your Committee of Conference concerning Senate Bill No. 210, having met with a like committee of the Senate, beg leave to report as follows Said joint committee have agreed to, and do hereby recommend that the Assembly recede from Assembly Amendment No. 2 to said Senate Bill No 210

J. M. MACK,
GEO STANDART,
M. THOMAS,
Committee

Adopted.

MESSAGES FROM THE SENATE—(RESUMED).

SENATE CHAMBER, SACRAMENTO, March 14, 1893.

MR SPEAKER I am directed to inform your honorable body that the Senate, on the fourteenth day of March, 1893, passed Assembly Bill No 313—An Act making an appropriation to pay Cyrus Lyon the sum of one thousand dollars for the capture of Anastacio Garcia, in 1855

Also, Substitute for Assembly Bill No 596, as amended in Senate—An Act creating a Commissioner of Public Works, defining his duties and powers, prescribing his compensation, and making an appropriation

Also: Substitute for Assembly Bill No. 74, as amended in Senate—An Act to establish a uniform system of county and township governments.

F. J. BRANDON, Secretary.
By R SHAW, Assistant.

Assembly Bill No. 313 ordered to enrollment.

AMENDMENTS CONCURRED IN.

The question being, "Shall the Assembly concur in Senate amendments to Substitute for Assembly Bill No. 74 (County Government Bill)?"

There being objections to the adoption of Senate Amendments Nos. 4, 5, 6, 7, 8, and 17, the question was upon concurring in them.

The roll was called, and those Senate amendments which were objected to were concurred in by the following vote:

AYES—Messrs Alford, Anderson, Androus, Bennett of Santa Clara, Bulla, Burke, Carlson, Chipman, Dodge, Drees, Duckworth, Gallagher, Gately, Godchaux, Hamilton, Hurley, Jacobs, Johnson of Humboldt, Kennedy, Kahn, Kerns, Lynch, Mack, Marks, Marston, Mathews of Tehama, Matthews of San Benito, Miller, O'Keefe, Owen, Pendleton, Perkins, Pueschel, Raw, Schlesinger, Shanahan, Simpson, Standart, Taggart, and Talbott—40.

NOES—Messrs Adams, Barlow, Bennett of Orange, Bledsoe, Buckley, Curtis, Finlayson, Jacobsen, Luttringer, Mordecai, O'Neill, Sargent, Schroebel, Sims, Tindall, Vann, and Wade—17

The question being, "Shall the Assembly concur in all the Senate amendments?"

The roll was called, and the amendments concurred in by the following vote:

AYES—Messrs. Adams, Alford, Anderson, Bledsoe, Bulla, Burke, Chipman, Dodge, Drees, Duckworth, Finlayson, Gallagher, Gately, Godchaux, Hamilton, Hendrickson, Hurley, Johnson of Humboldt, Johnson of Santa Clara, Kennedy, Kerns, Luttringer, McElroy, McGowan, Mack, Mathews of Tehama, Matthews of San Benito, Miller, O'Keefe, Perkins, Pueschel, Raw, Sargent, Schlesinger, Shanahan, Simpson, Sims, Standart, Taggart, Talbott, Taylor, Thomas of Santa Clara, Tindall, Vann, Wade, and Mr. Speaker—46

NOES—Messrs Jacobsen and Mordecai—2.

The question being, "Shall the Assembly concur in Senate amendments to Substitute for Assembly Bill No. 596?"

The roll was called, and the Senate amendments concurred in by the following vote:

AYES—Messrs. Adams, Alford, Anderson, Bennett of Santa Clara, Bennett of Orange, Boyce, Buckley, Bulla, Chipman, Cusick, Dodge, Drees, Duckworth, Durst, Finlayson, Gallagher, Gately, Godchaux, Hamilton, Hendrickson, Hurley, Hutson, Jacobs, Jacobsen, Johnson of Humboldt, Johnson of Santa Clara, Luttringer, Lynch, McElroy, McGowan, Mack, Marks, Mathews of Tehama, Matthews of San Benito, Miller, Owen, Pendleton, Perkins, Pueschel, Raw, Sargent, Schlesinger, Schroebel, Shanahan, Standart, Taggart, Talbott, Taylor, Thomas of Nevada, Tindall, Vann, Wade, and Mr Speaker—52.

NOES—Mr. Sims—1.

THE TAX LEVY BILL.

Assembly Bill No. 805—An Act to amend sections three thousand seven hundred and thirteen and three thousand six hundred and ninety-six of the Political Code, relating to the levy of taxes.

Read third time, and passed by the following vote:

AYES—Messrs. Adams, Alford, Anderson, Androus, Bennett of Santa Clara, Bledsoe, Bretz, Brownlie, Buckley, Bulla, Burke, Carlson, Chipman, Conway, Curtis, Cusick, Dodge, Drees, Duckworth, Finlayson, Gallagher, Gately, Godchaux, Hendrickson, Hurley, Hutson, Jacobs, Johnson of Humboldt, Johnson of Santa Clara, Kahn, Kerns, Lynch, McCauley, McElroy, McGowan, Mack, Mathews of Tehama, Matthews of San Benito, O'Keefe, O'Neill, Owen, Pendleton, Perkins, Raw, Sargent, Schlesinger, Simpson, Sims, Standart, Taggart, Talbott, Taylor, Thomas of Nevada, Thomas of Santa Clara, Tindall, Vann, Wade, and Mr. Speaker—58.

NOES—None.

Title read and approved.

SPECIAL SENATE FILE—(RESUMED).

Senate Bill No. 7—An Act to authorize Boards of Health and Health Officers in towns, cities, counties, and cities and counties, in this State,

to appoint Inspectors of Plumbing and Drainage in such towns, cities, counties, and cities and counties, and to provide for the compensation, and to define the duties of such Inspectors.

Read third time, and passed by the following vote:

AYES—Messrs. Adams, Alford, Anderson, Androus, Barlow, Bennett of Santa Clara, Bennett of Orange, Buckley, Bulla, Burke, Carlson, Conway, Duckworth, Finlayson, Gallagher, Gately, Godchaux, Hendrickson, Hurley, Jacobs, Jacobsen, Johnson of Humboldt, Johnson of Santa Clara, Kennedy, Kerns, LaRue, Luttringer, Lynch, McElroy, McGowan, Mack, Marks, Mordecai, O'Keefe, O'Neill, Pendleton, Perkins, Sargent, Schlesinger, Shanahan, Simpson, Sims, Standart, Taggart, Talbott, Taylor, Thomas of Nevada, Thomas of Santa Clara, Tindall, Wade, and Mr Speaker—53.

NOES—Messrs. Bledsoe, Matthews of San Benito, and Vann—3.

Title read and approved.

MOTIONS.

Mr. Anderson moved that Senate Bill No. 596 be considered reengrossed, and ordered to enrollment.

So ordered.

Mr. Kennedy moved that Substitute for Assembly Bill No. 74 (County Government Bill) be considered reengrossed, and ordered to enrollment.

So ordered.

MESSAGE FROM THE SENATE.

SENATE CHAMBER, SACRAMENTO, March 14, 1893

MR. SPEAKER: I am directed to inform your honorable body that the Senate, on this day, passed Assembly Bill No. 53—An Act to amend an Act entitled "An Act to establish a State Reform School for Juvenile Offenders, and to make an appropriation therefor," approved March 11, 1889, by amending the title to said Act, and by amending sections one, four, seven, eight, nine, fourteen, fifteen, sixteen, seventeen, eighteen, nineteen, twenty, twenty-one, twenty-three, twenty-four, twenty-six, twenty-seven, twenty-eight, twenty-nine, and thirty thereof, and by adding four new sections thereto, to be numbered, respectively, Sections 16*a*, 16*b*, 16*c*, and 16*d*, relating to a change in the name of the institution and the powers and duties of the public officers thereof, and the manner and conditions under which commitments may be made thereto, and of the rights and obligations of persons committed thereto, and of the powers and duties of certain public officers in connection therewith, and generally relating to the State school located and established under the aforesaid Act, and now maintained by the State of California, at Whittier, in the county of Los Angeles, therein

Also: Assembly Bill No. 857—An Act to provide for an appropriation for the contingent expenses of the Assembly.

Also: Senate Bill No 282—An Act to amend an Act entitled "An Act in relation to foreign corporations," approved April 1, 1872.

F. J BRANDON, Secretary
By R SHAW, Assistant

Assembly Bills Nos. 53 and 857 ordered to enrollment.

Senate Bill No. 282 ordered on file.

RECESS.

At five o'clock and forty-five minutes P. M., Speaker Gould declared a recess until seven o'clock and thirty minutes P. M.

EVENING SESSION.

The Assembly reassembled at seven o'clock and thirty minutes P. M. Speaker Gould in the chair.

Quorum present.

APPROVAL OF JOURNAL.

Journal of Monday, March 13th, approved.

MOTIONS.

Mr. Lynch moved that the Journal of Tuesday, March 14th, show that the amendments made to section fifty-four, page twenty-two, line four, after the words "of such streams," read "or washes," instead of "or marshes," and the amendment made to section fifty-four, page twenty-two, line two, read "or washes," after the word "streams," instead of "or marshes," as shown in the Assembly Journal of Friday, March 10, 1893.

Adopted.

Mr. McElroy moved that the Journal show that the adopted report of the Committee on Public Expenditures and Accounts, printed on page fourteen in the Journal of March 4th, erroneously included the name of Peter J. Cotter, as Clerk of the Committee on Agriculture, when as a matter of fact the name should have been John Denigan, Mr. Cotter being the Clerk of the Committee on Rules and Regulations.

So ordered.

REPORTS OF STANDING COMMITTEES.

ON APPORTIONMENT AND ELECTION LAWS

ASSEMBLY CHAMBER, SACRAMENTO, March 14, 1893.

MR SPEAKER *Your committee on Apportionment and Election Laws, to whom* was referred Assembly Bills Nos. 440, 137, and 441—have had the same under consideration, and respectfully report the same back without recommendation.

FINLAYSON, Chairman

ON ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, March 14, 1893

MR SPEAKER: Your Committee on Enrollment beg leave to report that the following bills have been correctly enrolled·

Assembly Bill No 757—An Act to amend section four hundred and twelve of the Code of Civil Procedure, relating to service of summons on persons residing out of the State, and in other cases.

Also Assembly Bill No. 727—An Act to amend sections three, five, six, and ten of an Act entitled "An Act to provide for the maintenance and support of the public parks heretofore created within the various cities, and cities and counties of the State, and to amend the existing Acts in relation thereto," approved March 14, 1889.

Also Assembly Bill No. 758—An Act to amend section seven hundred and thirty-eight of the Code of Civil Procedure, relating to actions affecting title to real estate.

Also Assembly Bill No. 759—An Act to add a new section to the Code of Civil Procedure, relating to proceedings affecting the title to real estate, to be known as section seven hundred and fifty

And were presented to the Governor March 13, 1893, at five o'clock and fifteen minutes P. M.

O'NEILL, Chairman

Also.

ASSEMBLY CHAMBER, SACRAMENTO, March 14, 1893

MR. SPEAKER: Your Committee on Enrollment beg leave to report that the following bills have been correctly enrolled·

Assembly Bill No. 777—An Act making an appropriation to pay the deficiencies in the appropriation for costs and expenses of suits in which the State is a party in interest, for the thirty-fifth, thirty-sixth, thirty-seventh, thirty-eighth, thirty-ninth, and fortieth fiscal years

Also Assembly Bill No 264—An Act providing for the sale of railroad and other franchises in municipalities, and relative to granting of franchises.

And were presented to the Governor March 13, 1893, at eight o'clock and thirty minutes P M

O'NEILL, Chairman.

Also.

ASSEMBLY CHAMBER, SACRAMENTO, March 14, 1893

MR SPEAKER Your Committee on Enrollment beg leave to report that the following bill has been correctly enrolled Assembly Bill No 666—An Act supplemental to an Act entitled "An Act to provide for the organization and government of irrigation districts, and to provide for the acquisition of water and other property, and for the distribution of water thereby for irrigation purposes," approved March 7, 1887, providing for the abandonment of operations by irrigation districts, and for their disorganization upon the discharge of all outstanding obligations, and dividing irrigation districts into classes for the purposes of this Act—and was presented to the Governor March 14, 1893, at ten o'clock and fifty minutes A M.

O'NEILL, Chairman

RESOLUTION.

By Mr. Burke:

WHEREAS, The Night Watchman of the Engrossing, Enrolling, and Journal Clerks' offices has been and is faithful in his duties, and whereas, he has been on duty every night from seven o'clock P. M. to seven o'clock A. M.; and whereas, his hours of duty being longer than the other watchmen, so be it

Resolved, That the said Watchman's (John S. Wilkins) salary be fixed at a per diem of five dollars, from the fourteenth day of February, 1893, the day on which he was appointed, up to the end of the session And the Controller is hereby directed to draw his warrant for the same, and the Treasurer is instructed to pay the same out of the Contingent Fund of the Assembly.

Referred to Committee on Public Expenditures and Accounts.

SPECIAL ORDER.

Senate Bill No. 680—An Act to amend section one thousand five hundred and thirty-six, section one thousand five hundred and thirty-seven, section one thousand five hundred and thirty-eight, section one thousand five hundred and forty-two, section one thousand five hundred and forty-three, and section one thousand five hundred and forty-five of an Act of the Legislature of the State of California entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1873, all relating to estates of deceased persons.

Read third time, and passed by the following vote:

AYES—Messrs Alford, Anderson, Barlow, Bennett of Santa Clara, Bennett of Orange, Bledsoe, Boyce, Bulla, Burke, Carlson, Casterline, Curtis, Cusick, Dodge, Drees, Duckworth, Duffy, Durst, Finlayson, Gallagher, Godchaux, Hendrickson, Hurley, Hutson, Jacobs, Johnson of Humboldt, LaRue, Luttringer, Lynch, McElroy, McGowan, Marks, Marston, Matthews of San Benito, Miller, O'Keefe, O'Neill, Owen, Pendleton, Sargent, Schlesinger, Simpson, Sims, Taggart, Thomas of Santa Clara, Tindall, Vann, Wade, and Mr. Speaker—48.

NOES—Mr. Johnson of Santa Clara—1

Title read and approved.

REPORT OF STANDING COMMITTEE.

ON ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, March 13, 1893.

MR SPEAKER Your Committee on Enrollment beg leave to report that the following bills have been correctly enrolled

Assembly Bill No. 188—An Act to amend an Act entitled "An Act to form agricultural districts, to provide for the formation of agricultural associations therein, and for the management and control of the same by the State, and to repeal so much of an Act entitled 'An Act to form agricultural districts, to provide for the formation of agricultural associations therein, and for the management and control of the same by the State,'" approved March 20, 1891, by amending sections eleven and twelve

Also Assembly Bill No 550—An Act to prohibit the creation of debts against the State in excess of appropriations made by law, except in cases of actual necessity and on consent of the Board of Examiners

Also: Assembly Bill No. 663—An Act entitled an Act to regulate the practice of veterinary medicine and surgery in the State of California

And were presented to the Governor March 13, 1893, at five o'clock and fifteen minutes P M.

O'NEILL, Chairman

SPECIAL ORDERS.

Senate Bill No. 719—An Act to amend sections seven and nine of an Act entitled "An Act authorizing certain corporations to act as executor and in other capacities, and to provide for and regulate the administration of trusts by such corporations," approved April 6, 1891, relating to securities to be deposited with the Treasurer of State.

Read third time, and passed by the following vote:

AYES—Messrs. Adams, Anderson, Barlow, Bennett of Santa Clara, Bennett of Orange, Boyce, Bulla, Burke, Carlson, Casterline, Conway, Curtis, Cusick, Dodge, Drees, Duckworth, Durst, Finlayson, Gallagher, Godchaux, Hamilton, Hendrickson, Hurley, Jacobs, Johnson of Santa Clara, LaRue, Lynch, McElroy, Marks, Marston, Matthews of San Benito, Mordecai, O'Keefe, O'Neill, Pendleton, Perkins, Sargent, Schlesinger, Simpson, Sims, Taggart, Talbott, Thomas of Nevada, Thomas of Santa Clara, Tindall, Vann, Wade, and Mr. Speaker—48.

NOES—Mr. Hutson—1.

Title read and approved.

Senate Bill No. 553—An Act to amend section one thousand two hundred and twenty-two of the Code of Civil Procedure of the State of California, in relation to judgments in cases of contempt, and providing for appeals therefrom.

Read third time, and passed by the following vote:

AYES—Messrs. Anderson, Bennett of Santa Clara, Bennett of Orange, Boyce, Buckley, Bulla, Carlson, Chipman, Conway, Cusick, Drees, Duckworth, Duffy, Durst, Gallagher, Hamilton, Hendrickson, Hutson, Jacobs, Johnson of Humboldt, Johnson of Santa Clara, LaRue, Lynch, McCauley, McElroy, McGowan, Marks, Marston, Matthews of San Benito, O'Keefe, O'Neill, Owen, Pendleton, Perkins, Raw, Sargent, Schlesinger, Simpson, Sims, Standart, Taggart, Talbott, Thomas of Nevada, Thomas of Santa Clara, Vann, Wade, and Mr. Speaker—47.

NOES—None

Title read and approved.

SPECIAL SENATE FILE.

Senate Bill No. 530—An Act to amend section three thousand four hundred and ninety-one of the Political Code, relating to the election of trustees of reclamation districts.

Read third time, and refused passage by the following vote:

AYES—Messrs. Anderson, Bennett of Santa Clara, Brownlie, Burke, Carlson, Chipman, Conway, Curtis, Cusick, Duffy, Gallagher, Gately, Godchaux, Hamilton, Hendrickson, Hurley, Kennedy, Kerns, Luttringer, McCauley, Mack, Marks, Marston, Miller, O'Keefe, O'Neill, Pueschel, Shanahan, Sims, Standart, Taggart, Taylor, and Thomas of Nevada—33.

NOES—Messrs Adams, Alford, Barlow, Bennett of Orange, Bledsoe, Boyce, Bretz, Bulla, Casterline, Dodge, Drees, Duckworth, Durst, Hutson, Jacobs, Johnson of Humboldt, Johnson of Santa Clara, Lynch, McElroy, Mathews of Tehama, Matthews of San Benito, Mordecai, Owen, Perkins, Schroebel, Simpson, Talbott, Thomas of Santa Clara, Vann, Wade, and Mr Speaker—31.

MESSAGE FROM THE SENATE.

SENATE CHAMBER, SACRAMENTO, March 14, 1893

MR. SPEAKER: I am directed to inform your honorable body that the Senate, on this day, adopted Assembly Constitutional Amendment No 31—To propose to the people of the State of California an amendment to section seven (7) of article nine (IX) of the

Constitution of the State of California, by increasing the number of members constituting the State Board of Education, by adding thereto the President and Professor of Pedagogics of the University of California.

Also Passed Assembly Bill No 805—An Act to amend sections three thousand seven hundred and thirteen and three thousand six hundred and ninety-six of the Political Code, relating to the levy of taxes.

F J. BRANDON, Secretary.
By R SHAW, Assistant

Assembly Constitutional Amendment No. 31 and Assembly Bill No. 805 ordered to enrollment.

MOTION.

Mr. Mordecai moved to suspend the rules, to take from the table the motion to reconsider the vote whereby Senate Concurrent Resolution No. 23 was adopted.

Mr. Hurley moved the previous question, seconded by Messrs. Gately and Thomas of Santa Clara.

The question being, "Shall the main question be now put?"

So ordered.

On the motion to take from the table, the ayes and noes were demanded by Messrs. Hurley, Lynch, and Miller.

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

AYES—Messrs. Anderson, Barlow, Bledsoe, Carlson, Chipman, Curtis, Dodge, Drees, Duffy, Durst, Hamilton, Hutson, Jacobs, Jacobsen, Johnson of Humboldt, Kahn, LaRue, Marks, Marston, Mathews of Tehama, Mordecai, O'Neill, Owen, Raw, Schlesinger, Schroebel, Shanahan, Sims, Standart, Talbott, Taylor, and Wade—32.

NOES—Messrs. Adams, Alford, Androus, Bennett of Santa Clara, Bennett of Orange, Boyce, Bretz, Brownlie, Buckley, Bulla, Burke, Casterline, Conway, Cusick, Duckworth, Finlayson, Gallagher, Gately, Godchaux, Hendrickson, Hurley, Johnson of Santa Clara, Kennedy, Kerns, Luttringer, Lynch, McCauley, McElroy, McGowan, Mack, Matthews of San Benito, Miller, O'Keefe, Pendleton, Perkins, Pueschel, Sargent, Simpson, Taggart, Thomas of Nevada, Thomas of Santa Clara, Tindall, and Vann—43.

REPORTS OF STANDING COMMITTEES.

ON ENROLLMENT

ASSEMBLY CHAMBER, SACRAMENTO, March 14, 1893.

MR SPEAKER: Your Committee on Enrollment beg leave to report that the following bills have been correctly enrolled:

Assembly Bill No 191—An Act to amend an Act entitled "An Act to establish a Political Code," approved March 12, 1872, by amending section seven hundred and ninety-one of said Code, relating to the appointment and number of Notaries Public in the several counties in this State.

Also: Assembly Bill No. 242—An Act appropriating two hundred and fifty thousand dollars for the erection of buildings for the use of affiliated and other departments of the University of California

Also: Assembly Bill No. 796—An Act making appropriations for the support of the government of the State of California, for the forty-fifth and forty-sixth fiscal years

Also Assembly Bill No. 856—An Act to provide for the payment of advertising the funded debt, and making an appropriation therefor

And were presented to the Governor March 14, 1893, at two o'clock and thirty-five minutes P. M.

O'NEILL, Chairman

ON PUBLIC EXPENDITURES AND ACCOUNTS.

ASSEMBLY CHAMBER, SACRAMENTO, March 14, 1893.

MR. SPEAKER: Your Committee on Public Expenditures and Accounts, to whom was referred the following accounts

February 20th, hack hire	$7 25
March 11th, hack hire	6 00
March 11th, hack hire	1 50
March 6th, to carpet	3 50
March 8th, to carpet	3 00
Total	$21 25

Have had the same under consideration, and respectfully report the same back, and recommend the adoption of the following resolution:

Resolved, That the Controller be and he is hereby directed to draw his warrant for the sum of twenty-one dollars and twenty-five cents, in favor of Thomas E. Healy, the same to be paid out of the Contingent Fund of the Assembly.

MARSTON, for Chairman

Adopted.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 14, 1893.

MR. SPEAKER: Your Committee on Public Expenditures and Accounts, to whom was referred Assembly resolutions, beg leave to report that the following resolutions be adopted:

By Mr. O'Neill:

Resolved, That F. B. Mulgrew, Enrolling Clerk, be and is hereby authorized to remain at the Capitol for one week after adjournment *sine die*, for the purpose of completing the records of that office and delivering the same to the Secretary of State, as required by law, at the same per diem now paid him. The Controller is hereby directed to draw his warrants according to this resolution, and the Treasurer is directed to pay the same out of the Contingent Fund of the Assembly.

Adopted.

Also:

Resolved, That Jas P. Kane, Assembly Printing Messenger, be and he is hereby directed to remain over at the State Capitol after adjournment of the Legislature *sine die*, for the purpose of acting as messenger to the clerks that have been ordered to remain to complete their work, said messenger to receive one week's salary, at the same per diem that he now receives, said per diem to be paid out of the appropriation for the contingent expenses of the Assembly, and the Controller is authorized to draw his warrant for the same.

MARSTON, for Chairman

Adopted.

MESSAGE FROM THE SENATE.

SENATE CHAMBER, SACRAMENTO, March 14, 1893.

MR. SPEAKER: I am directed to inform your honorable body that the Senate requests that you recede from the Assembly amendment to Senate Bill No 606, in accordance with the report of the Free Conference Committee.

F. J BRANDON, Secretary.
By R SHAW, Assistant

REPORT OF COMMITTEE ON FREE CONFERENCE.

To the Senate and Assembly of the State of California:

Your Committees on Free Conference on Senate Bill No. 606—An Act to pay the claim of A. J. Bourn against the State of California, and making an appropriation therefor—beg leave to report that they have had the same under consideration, recommend the passage of the bill as it passed the Senate, and that the Assembly recede from its amendments

SEAWELL, Chairman,
McGOWAN,
BERRY,
Senate Committee on Free Conference
TINDALL,
DREES,
PUESCHEL,
Assembly Committee on Free Conference.

Adopted.

REPORT OF STANDING COMMITTEE.

ON WAYS AND MEANS

ASSEMBLY CHAMBER, SACRAMENTO, March 14, 1893.

MR. SPEAKER: Your Committee on Ways and Means beg leave to submit this, its last report:

The Tax Levy Bill introduced to-day proposes to raise $6,460,939 10 for the forty-fifth fiscal year, and $5.511,634 for the forty-sixth fiscal year, or a total of $11,972.573 10 The assessable property of the State in 1892 was $1,275,816,228 After deducting 5 per cent for delinquencies there remains a balance of $1.212,025,417 A tax levy of 50 cents per year will produce a total for the two fiscal years of $12,120,254

When the last report of this committee was submitted, bills were pending which involved appropriations aggregating about $16,000,000.

The Governor and your committee have been in perfect accord in a desire to keep the appropriations to the lowest possible limit consistent with good government and a provision for the actual necessities of the State institutions, and it is to be hoped our combined efforts have accomplished that result.

There are fixed appropriations provided by statute aggregating nearly $5,500,000. The General Appropriation Bill exceeds the Controller's estimates by about $135,000, which is due to the fact that new offices have been created, and salaries increased, and in some instances the amounts of the appropriations necessary were not carried out in the Controller's estimates, and hence not included in his footings. In other instances the committee had found it necessary to slightly increase the appropriations above the estimates made by the Controller

It should be borne in mind that this committee has been confronted by extraordinary demands. Provision had to be made for a deficiency of $220,000 in the General Fund The last Legislature left a legacy of $269,690 in deficiency bills, which amount was deliberately cut out of the appropriations of 1891, in order to bring the tax levy within the limit This Legislature has also been compelled to provide for appropriations of an extraordinary character. Included in the tax levy is $120,000 public debt, $68,000 to pay interest, $300,000 to pay bounties on coyotes, and more than $800,000 for new buildings for the State, and improvements to State property. The extraordinary appropriations aggregate nearly $1,800,000.

This showing is not as good as it would have been if the recommendation of your committee had been followed in every instance, but it is, nevertheless, of a character that unmistakably indicates that the work of the thirtieth session has been a great improvement on its predecessors

W. P MATHEWS, Chairman.

RESOLUTION.

By Mr. Wade:

Resolved, That Senate Bill No. 148 presents a case of urgency, as that term is used in section fifteen of article four of the Constitution, and the provisions of that section requiring that the bill shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the first, second, and third times, and placed upon its passage.

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

AYES—Messrs Adams, Alford, Anderson, Androus, Barlow, Bennett of Santa Clara, Bennett of Orange, Bledsoe, Boyce, Bretz, Brownlie, Buckley, Bulla, Burke, Carlson, Casterline, Conway, Curtis, Cusick, Dodge, Drees, Duckworth, Duffy, Durst, Finlayson, Godchaux, Hendrickson, Hurley, Hutson, Jacobs, Kahn, Kerns, Luttringer, Lynch, McCauley, McElroy, McGowan, Mack, Marks, Marston, Mathews of Tehama, Matthews of San Benito, Miller, O'Keefe, O'Neill, Owen, Pueschel, Raw, Schlesinger, Schroebel, Shanahan, Standart, Taggart, Talbott, Taylor, Thomas of Santa Clara, Tindall, Vann, Wade, and Mr Speaker—60.

NOES—None

Senate Bill No. 148—An Act to appropriate the sum of fifty thousand dollars for the erection, completion, and furnishing of buildings, laundry and bath house, and for improvements of the grounds, heating and cooking apparatus, and water supply at the Veterans' Home, situate in Napa County, under the auspices of the Veterans' Home Association of the State of California.

Read first and second times.

MOTION.

Mr. Wade moved that the Assembly resolve itself into Committee of the Whole, with the Speaker in the chair, for the purpose of considering Senate Bill No. 148.

So ordered.

IN COMMITTEE OF THE WHOLE.

Speaker Gould in the chair.

Senate Bill No. 148 was considered in Committee of the Whole.

IN ASSEMBLY.

Speaker Gould in the chair.

REPORT OF THE COMMITTEE OF THE WHOLE.

The Speaker stated the report of the Committee of the Whole, as follows:

GENTLEMEN: The Committee of the Whole have had under consideration Senate Bill No 148, and now report, and recommend that the same do pass.

Bill ordered to third reading.

Senate Bill No. 148—An Act to appropriate the sum of fifty thousand dollars for the erection, completion, and furnishing of buildings, laundry and bath house, and for improvements of the grounds, heating and cooking apparatus, and water supply at the Veterans' Home, situate in Napa County, under the auspices of the Veterans' Home Association of the State of California.

Read third time, and passed by the following vote:

AYES—Messrs. Adams, Alford, Anderson, Androus, Bennett of Santa Clara, Bennett of Orange, Bledsoe, Boyce, Bretz, Bulla, Burke, Carlson, Casterline, Chipman, Conway, Curtis, Dodge, Duffy, Durst, Finlayson, Gallagher, Godchaux, Hamilton, Hendrickson, Hurley, Hutson, Jacobs, Johnson of Humboldt, Kahn, Kerns, Luttringer, Lynch, McGowan, Mack, Marks, Mathews of Tehama, Miller, Owen, Pueschel, Raw, Sargent, Schlesinger, Schroebel, Simpson, Sims, Standart, Taggart, Taylor, Thomas of Nevada, Thomas of Santa Clara, Vann, Wade, and Mr Speaker—53.

NOES—*None*

Title read and approved.

RESOLUTION.

By Mr. Lynch:

Resolved, That the Sergeant-at-Arms of the Assembly and his clerks, Mead, Banks, and McGreevy, be and they are hereby employed after the final adjournment of the Assembly, for the purpose of completing the work devolving upon the Sergeant-at-Arms, turning over to the Secretary of State the books, papers, and personal property in his charge, and closing up all accounts and completing the duties of his office, and that they be allowed one week's extra pay therefor, payable out of the Contingent Fund of the Assembly, and the Controller is hereby directed to draw his warrant for the same, and the Treasurer is hereby directed to pay the same.

Adopted.

SPECIAL SENATE FILE.

Senate Bill No. 615—An Act to pay the claim of I. N. Brock against the State of California, and making an appropriation therefor.

Read third time, and passed by the following vote:

AYES—Messrs Adams, Alford, Anderson, Androus, Barlow, Bennett of Orange, Brownlie, Bulla, Carlson, Casterline, Chipman, Conway, Curtis, Cusick, Dodge, Duckworth, Durst, Gallagher, Gately, Godchaux, Hamilton, Hendrickson, Hurley, Hutson, Jacobs, Johnson of Humboldt, Johnson of Santa Clara, Kahn, Kerns, Luttringer, Lynch, McGowan, Mack, Marks, Marston, Mathews of Tehama, Matthews of San Benito, Miller, O'Keefe, O'Neill, Owen, Perkins, Sargent, Shanahan, Simpson, Sims, Standart, Taggart, Talbott, Taylor, Thomas of Nevada, Thomas of Santa Clara, Vann, Wade, and Mr Speaker—55

NOES—Messrs. Bledsoe and McElroy—2.

Title read and approved.

Senate Bill No. 531—An Act appropriating money for the relief of E. W. Melvin, his heirs or assigns.

Read third time, and passed by the following vote:

AYES—Messrs. Adams, Alford, Anderson, Androus, Bennett of Orange, Blakeley, Boyce, Brownlie, Buckley, Bulla, Burke, Carlson, Casterline, Chipman, Cusick, Duckworth, Duffy, Durst, Gallagher, Gately, Hendrickson, Jacobs, Johnson of Santa Clara, Kahn, Luttringer, McGowan, Mack, Marks, Marston, Miller, O'Keefe, O'Neill, Owen, Pueschel, Sargent, Schroebel, Shanahan, Simpson, Taggart, Talbott, Taylor, Thomas of Nevada, Thomas of Santa Clara, and Wade—44

NOES—Messrs Hutson, Johnson of Humboldt, Kerns, McCauley, Mathews of Tehama, Matthews of San Benito, Sims, Vann, and Mr. Speaker—9.

Title read and approved.

Senate Bill No. 551—An Act to pay the claim of John H. Van Saun against the State of California, and making an appropriation therefor.

Read third time, and passed by the following vote:

AYES—Messrs. Adams, Anderson, Androus, Bennett of Santa Clara, Blakeley, Boyce, Brownlie, Buckley, Bulla, Burke, Carlson, Casterline, Chipman, Curtis, Cusick, Duckworth, Durst, Gallagher, Gately, Godchaux, Hurley, Johnson of Santa Clara, Kahn, Luttringer, McGowan, Mack, Marks, Marston, Miller, O'Keefe, O'Neill, Owen, Pueschel, Raw, Sargent, Schroebel, Shanahan, Simpson, Taggart, Talbott, Taylor, Thomas of Nevada, Thomas of Santa Clara, and Wade—44

NOES—Messrs. McCauley, McElroy, Mathews of Tehama, Matthews of San Benito, Sims, Vann, and Mr. Speaker—7.

Title read and approved.

RESOLUTION.

By Mr Gallagher·

Resolved, That Senate Bill No 712 presents a case of urgency, as that term is used in section fifteen of article four of the Constitution, and the provisions of that section, requiring that the bill shall be read on three several days in each house, are hereby dispensed with, and it is ordered that said bill be read the second and third times, and placed upon its passage

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

AYES—Messrs. Adams, Alford, Anderson, Androus, Bennett of Santa Clara, Bennett of Orange, Blakeley, Boyce, Bretz, Brownlie, Buckley, Bulla, Carlson, Casterline, Chipman, Conway, Curtis, Cusick, Dodge, Drees, Duckworth, Durst, Gallagher, Gately, Godchaux, Hendrickson, Hurley, Jacobs, Johnson of Humboldt, Johnson of Santa Clara, Kahn, Kerns, Luttringer, Lynch, McCauley, McElroy, McGowan, Marks, Marston, Matthews of San Benito, Miller, O'Keefe, O'Neill, Owen, Pueschel, Sargent, Schlesinger, Schroebel, Shanahan, Simpson, Taggart, Taylor, Thomas of Nevada, Vann, Wade, and Mr Speaker—56.

NOES—None.

Senate Bill No. 712—An Act making an appropriation to pay the claim of Louise Rienzi, for services rendered the State Board of Silk Culture, and as custodian of the property of said Board from July 1, 1889, to October 31, 1889, at eighty-seven dollars and fifty cents per month.

Read second time.

MOTION.

Mr. Duckworth moved that the Assembly resolve itself into Committee of the Whole, with the Speaker in the chair, for the purpose of considering Senate Bill No. 712.

So ordered.

IN COMMITTEE OF THE WHOLE.

Speaker Gould in the chair.

Senate Bill No. 712 was considered in Committee of the Whole.

IN ASSEMBLY.

Speaker Gould in the chair.

REPORT OF THE COMMITTEE OF THE WHOLE.

The Speaker stated the report of the Committee of the Whole, as follows:

GENTLEMEN: The Committee of the Whole have had under consideration Senate Bill No. 712, and now report, and recommend that the same do pass.

Senate Bill No. 712—An Act making an appropriation to pay the claim of Louise Rienzi, for services rendered the State Board of Silk Culture, and as custodian of the property of said Board from July 1, 1889, to October 31, 1889, at eighty-seven dollars and fifty cents per month.

Read third time, and passed by the following vote:

AYES—Messrs. Adams, Alford, Anderson, Androus, Bennett of Santa Clara, Bennett of Orange, Blakeley, Brownlie, Buckley, Bulla, Burke, Casterline, Chipman, Curtis, Cusick, Dodge, Drees, Duckworth, Durst, Gallagher, Gately, Godchaux, Hamilton, Hendrickson, Hurley, Jacobs, Kahn, Lynch, McGowan, Marks, Marston, Matthews of San Benito, Miller, O'Keefe, Owen, Pendleton, Pueschel, Schlesinger, Shanahan, Simpson, Sims, Taylor, Thomas of Santa Clara, Wade, and Mr. Speaker—45.
NOES—Messrs. Bledsoe and McCauley—2.

Title read and approved.

Senate Bill No. 614—An Act to pay the claim of Abraham Winans against the State of California, and making an appropriation therefor.

Read third time, and passed by the following vote:

AYES—Messrs. Anderson, Bennett of Santa Clara, Blakeley, Boyce, Brownlie, Buckley, Bulla, Burke, Carlson, Casterline, Chipman, Curtis, Cusick, Duckworth, Durst, Gallagher, Gately, Godchaux, Hamilton, Hendrickson, Hurley, Hutson, Johnson of Santa Clara, Kennedy, Kahn, Luttringer, McGowan, Marks, Marston, Mathews of Tehama, O'Neill, Owen, Perkins, Pueschel, Sargent, Schlesinger, Shanahan, Simpson, Taggart, Taylor, Thomas of Nevada, Thomas of Santa Clara, and Wade—43.
NOES—Messrs. Bledsoe, Sims, and Mr. Speaker—3.

Title read and approved.

Senate Bill No. 563—An Act to pay the claim of Maurice Sheehan against the State of California, and making an appropriation therefor.

Read third time, and passed by the following vote:

AYES—Messrs. Adams, Alford, Anderson, Androus, Barlow, Bennett of Santa Clara, Bennett of Orange, Blakeley, Boyce, Brownlie, Buckley, Bulla, Burke, Carlson, Casterline, Chipman, Curtis, Cusick, Drees, Duckworth, Durst, Gallagher, Godchaux, Hamilton, Hendrickson, Hurley, Jacobs, Johnson of Humboldt, Johnson of Santa Clara, Kennedy, Kahn, Kerns, McGowan, Mack, Marks, Marston, Miller, O'Keefe, O'Neill, Owen, Pendleton, Perkins, Pueschel, Schlesinger, Shanahan, Taggart, Taylor, Thomas of Nevada, Thomas of Santa Clara, and Wade—50
NOES—Messrs. Bledsoe, McCauley, McElroy, and Mathews of Tehama—4.

Title read and approved.

MOTION.

Mr. Lynch moved to suspend the rules, to consider Senate Joint Resolution No. 26.

So ordered.

Senate Joint Resolution No. 26—Joint resolution asking of Congress to cede to the State of California the island in the bay of San Francisco, known as Yerba Buena, or "Goat Island," to be used by said State solely for general railroad terminal purposes.

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

AYES—Messrs Anderson, Androus, Bennett of Santa Clara, Boyce, Brownlie, Buckley, Carlson, Chipman, Conway, Curtis, Cusick, Duckworth, Gallagher, Gately, Hamilton, Hutson, Jacobs, Johnson of Santa Clara, Kennedy, Kerns, Luttringer, Lynch, McGowan, Mack, Marks, Mathews of Tehama, Miller, O'Keefe, O'Neill, Owen, Pendleton, Perkins, Raw, Schlesinger, Shanahan, Standart, Taggart, Talbott, Taylor, and Thomas of Nevada—40.

NOES—Messrs. Barlow, Bennett of Orange, Bledsoe, Bretz, Bulla, Burke, Casterline, Dodge, Drees, Durst, Finlayson, Godchaux, Hendrickson, Hurley, Jacobsen, Johnson of Humboldt, McCauley, McElroy, Marston, Matthews of San Benito, Schroebel, Simpson, Thomas of Santa Clara, Vann, Wade, and Mr. Speaker—26.

SPECIAL SENATE FILE.

Substitute for Senate Bill No. 13—An Act to create a State Board of Funeral Directors, to prescribe its powers and duties, to regulate the practice of undertaking and funeral direction, in cities, and towns, and cities and counties having a population of five thousand inhabitants or over, and to more effectually protect the people against contagious diseases.

Read third time.

Speaker pro tem. Mathews in the chair.

The roll was called, and the bill refused passage by the following vote:

AYES—Messrs. Alford, Anderson, Bennett of Santa Clara, Carlson, Conway, Curtis, Cusick, Duckworth, Finlayson, Gallagher, Gately, Hamilton, Jacobs, Kahn, McGowan, Marks, Miller, Mordecai, O'Keefe, O'Neill, Owen, Raw, Shanahan, and Taylor—24.

NOES—Messrs. Adams, Androus, Barlow, Bennett of Orange, Bledsoe, Boyce, Bulla, Burke, Drees, Godchaux, Hendrickson, Hurley, Hutson, Johnson of Humboldt, LaRue, Lynch, McCauley, Mathews of Tehama, Matthews of San Benito, Perkins, Schroebel, Simpson, Standart, Taggart, Talbott, Thomas of Santa Clara, Vann, and Wade—28.

RECONSIDERATION.

Mr. Marston moved to reconsider the vote whereby Senate Joint Resolution No. 26 was refused adoption.

The ayes and noes were demanded by Messrs. Shanahan, O'Neill, and O'Keefe.

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

AYES—Messrs. Anderson, Androus, Bennett of Santa Clara, Boyce, Brownlie, Buckley, Carlson, Chipman, Conway, Curtis, Cusick, Gallagher, Gately, Hamilton, Hutson, Jacobs, Johnson of Santa Clara, Kennedy, Kerns, LaRue, Luttringer, Lynch, McGowan, Mack, Marks, Marston, Mathews of Tehama, Miller, Mordecai, O'Keefe, O'Neill, Owen, Pendleton, Perkins, Raw, Sargent, Schlesinger, Shanahan, Standart, Taggart, Talbott, Taylor, and Thomas of Nevada—43.

NOES—Messrs Adams, Alford, Barlow, Bennett of Orange, Bledsoe, Bulla, Burke, Casterline, Dodge, Drees, Durst, Finlayson, Godchaux, Hendrickson, Hurley, Jacobsen, Johnson of Humboldt, Kahn, McCauley, McElroy, Matthews of San Benito, Pueschel, Simpson, Sims, Thomas of Santa Clara, Vann, and Wade—27

Senate Joint Resolution No. 26—Joint resolution asking of Congress to cede to the State of California the island in the bay of San Francisco, known as Yerba Buena, or "Goat Island," to be used by said State solely for general railroad terminal purposes.

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

AYES—Messrs Anderson, Androus, Bennett of Santa Clara, Boyce, Brownlie, Carlson, Chipman, Conway, Curtis, Cusick, Duckworth, Gallagher, Gately, Hamilton, Hurley, Hutson, Johnson of Santa Clara, Kennedy, Kerns, LaRue, Luttringer, Lynch, McGowan, Mack, Marks, Marston, Mathews of Tehama, Miller, Mordecai, O'Keefe, O'Neill, Owen, Pendleton, Perkins, Pueschel, Raw, Sargent, Schlesinger, Shanahan, Standart, Taggart, Taylor, and Thomas of Nevada—43

NOES—Messrs. Adams, Alford, Barlow, Bennett of Orange, Bledsoe, Buckley, Bulla, Burke, Casterline, Drees, Durst, Finlayson, Godchaux, Hendrickson, Jacobs, Jacobsen, Johnson of Humboldt, Kahn, McCauley, McElroy, Matthews of San Benito, Schroebel, Simpson, Sims, Thomas of Santa Clara, Vann, and Wade—28

Mr. Hurley moved to reconsider the vote whereby Senate Joint Resolution No. 26 was adopted.

Lost.

RESOLUTIONS.

By Mr. Kahn:

Resolved, That Hon. F. H. Gould, Speaker of this Assembly, is entitled to the commendation and thanks of the members of this House and the people of the State of California, for the earnest, able, honorable, and fearless course pursued by him in the discharge of the onerous duties of his station; and further, that he be and is hereby presented with the gavel he has so efficiently and impartially wielded during the session.

Unanimously adopted.

By Mr. Alford:

Resolved, That Milo C Ayer be and is hereby allowed the sum of seventy-five dollars for efficient services rendered the County and Township Governments Committee since March 1, 1893, and that the Controller be and is hereby directed to draw his warrant for the same, payable out of the Contingent Fund of the Assembly, or out of any other moneys not otherwise appropriated

Adopted.

By Mr. Pueschel:

Resolved, That the resolution appointing M J. O'Donnell Second Assistant Sergeant-at-Arms of the Assembly be amended to read as follows:

Resolved, That M J. O'Donnell, of San Joaquin County (John Wise, First Assistant Sergeant-at-Arms), be and is hereby appointed clerk to the Sergeant-at-Arms of the Assembly, thirtieth session, with duties of Assistant Sergeant-at-Arms, at the same per diem as the Sergeant-at-Arms, to take effect January 4, 1893, the same to be paid out of the Contingent Fund of the Assembly, and the Controller of State is hereby authorized to draw his warrant for the same

Lost.

SPECIAL SENATE FILE.

Senate Bill No. 730—An Act granting unto Lake County, State of California, that certain body of water situated within the territorial limits of said county, known as Clear Lake, together with that portion of the outlet of said lake situated within the territorial limits of said county, known as Cache Creek.

Read third time, and passed by the following vote:

AYES—Messrs Adams, Alford, Anderson, Androus, Barlow, Bennett of Santa Clara, Bennett of Orange, Bledsoe, Boyce, Bulla, Carlson, Chipman, Dodge, Duckworth, Durst, Finlayson, Gallagher, Godchaux, Hamilton, Hendrickson, Hurley, Hutson, Jacobs, Jacobsen, Johnson of Humboldt, Kahn, LaRue, Luttringer, McCauley, McElroy, McGowan, Mack, Marks, Mathews of Tehama, Matthews of San Benito, O'Keefe, O'Neill, Owen, Sargent, Schroebel, Sims, Taggart, Talbott, Taylor, Thomas of Santa Clara, Tindall, Vann, and Wade—48

NOES—None

Title read and approved.

RESOLUTION.

By Mr. Anderson:

Resolved, That we recognize the able and efficient manner in which Hon. W. P. Mathews has discharged the duties of Chairman of the Ways and Means Committee. To him is to be accorded the credit of keeping the great appropriations within bounds. As a presiding officer, he also has the admiration of the members for his courteous and impartial demeanor in the chair, as well as upon the floor of the house.

Adopted unanimously.

RECESS.

Mr. Anderson moved to take a recess for thirty minutes.
So ordered.

REASSEMBLED.

On reassembling, Mr. Mathews of Tehama offered the following resolution:

Resolved, That M E. Tannian, Assistant Enrolling Clerk, be authorized to remain for one week after adjournment *sine die*, at the same per diem now paid him, for the purpose of completing the work of the enrolling office The Controller is directed to draw his warrant in accordance with this resolution, and the Treasurer to pay the same out of the Contingent Fund of the Assembly.

Adopted.
By Mr. O'Neill:

Resolved, That the Assistant Enrolling Clerks and Clerk to the Enrolling Committee be and they are hereby authorized to remain at the State Capitol one week after adjournment *sine die*, for the purpose of completing and filing the records of that office, at the same per diem that they are now paid. The Controller is hereby directed to draw his warrants as directed by this resolution, and the Treasurer is directed to pay the same out of the Contingent Fund of the Assembly.

Lost.

REPORT OF STANDING COMMITTEE.

ON ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, March 14, 1893

MR SPEAKER: Your Committee on Enrollment beg leave to report that the following bills have been correctly enrolled: Assembly Bills Nos. 108, 852, 449, 742, 85, 66, 139, 506, 850, 585, 272, 219, 747, 810, 393, 805, 313, 513, 596, 724, 540, 10, 854, 762, 729, 857, and 604, and were presented to the Governor March 14, 1893, at eleven o'clock and fifty-five minutes P. M.

O'NEILL, Chairman.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 14, 1893.

MR SPEAKER. Your Committee on Enrollment beg leave to report that the following bills have been correctly enrolled. Assembly Bills Nos. 696, 81, 611, 774, 349, 53, 74, and 31, and were presented to the Governor March 14, 1893, at eleven o'clock and fifty-five minutes P. M

O'NEILL, Chairman.

MOTION.

Mr. Simpson moved that the Speaker appoint a committee of three to wait upon the Senate, and state that the Assembly is ready to adjourn, and ask if the Senate has any further communication to make to the Assembly.
So ordered.

APPOINTMENT OF COMMITTEE.

The Speaker appointed as such committee Messrs. Simpson, Alford, and Mathews of Tehama.

MOTION.

Mr. Shanahan moved that the Speaker appoint a committee of three to wait upon the Governor, and ask if there be any message which the Executive desires to communicate to the Assembly.
So ordered.

APPOINTMENT OF COMMITTEE.

The Speaker appointed as such committee Messrs. Shanahan, Finlayson, and Kahn.

REPORT OF COMMITTEE.

The committee consisting of Messrs. Simpson, Alford, and Mathews of Tehama, appeared at the bar of the Assembly, and reported that they had waited upon the Senate; that the Senate had no further message to the Assembly, and that the Senate was ready to adjourn.

COMMITTEE FROM THE SENATE.

A committee from the Senate, consisting of Senators Carpenter, Seawell, and Broderick, appeared at the bar of the Assembly, and stated that the Senate was ready to adjourn, and asked if the Assembly had any further communication to make to that body.

REPORT OF COMMITTEE.

The committee consisting of Messrs. Shanahan, Finlayson, and Kahn, reported that they had waited upon the Governor, and that he had no further communication to make to the Assembly.

READING AND APPROVAL OF JOURNAL.

The Journal of to-day was read and approved.

ADJOURNMENT SINE DIE.

At twelve o'clock P. M. the Speaker delivered a valedictory, at the conclusion of which he declared the Assembly adjourned *sine die:*

CLOSING ADDRESS OF THE SPEAKER.

GENTLEMEN OF THE ASSEMBLY: The time for adjournment is at hand, and, in accordance with time-honored custom, it becomes my duty, for the last time in the thirtieth session of this Legislature, to address you from the Speaker's stand At this time it may not be amiss to refer to some of the events of the past session, more or less familiar to your minds. To the Democratic members of the Assembly I desire to express my sincere thanks for the honor you conferred upon me by making me Speaker of this Assembly. And that feeling is the warmer and deeper in my heart from the recollection that, so far as any promises of mine were concerned, either of Chairmanships or places, their support was entirely voluntary; and, at the time of my election, the responsibility of the appointment of committees was left to me entirely unhampered by any but the obligations of personal confidence. The committees thus appointed have fulfilled their duties in a manner that fills me with satisfaction, and that has been an honor to the State. In the appointment of those committees, if there have been any errors made, I cheerfully shoulder the responsibility, but whatever of credit may be due from careful selections I desire to divide with my learned and honored friend, the Speaker pro tem, Mr Mathews of Tehama, whose wise counsel has been an ever present and ready aid.

The present Legislature met under circumstances of a peculiar nature It was elected at a time when questions, of both national and State nature, of tremendous importance were under consideration by the people; at a time when a political revolution seemed at hand, and at the first election held under the reform ballot law adopted in the last Legislature It came fresh from the people, unhampered by political bosses, and was presumed to reflect the sentiment of the better and truer class of our State.

When I first took this gavel I expressed the hope that the action of this Assembly would be such as to entitle it to the commendation of all honorable men. To-day, when its work is finished, its record made up, and the sound of the gavel is about to be heard upon its final dissolution, I can, with pride and with satisfaction, say that never in the

history of the State of California has there gathered in this Assembly Chamber a body of more faithful, earnest men, one more entitled to the confidence and respect of the people of this State, than this Assembly now about to adjourn The paramount questions called to your consideration—the vexed transportation question and the reassessment of property for unpaid taxes—have been met in a spirit of fairness and of honesty to all, and were the judgment of this Assembly submitted to-day to the approval of the people of the State, I have no doubt that it would meet with a prompt, a hearty, and a cordial commendation.

It is true that this Legislature has not succeeded in reducing the tax levy to so small a sum as did the twenty-ninth session, but when we take into consideration that we have provided for the payment of a large portion of the State debt, and for the payment of deficiencies left by the last Legislature, amounting to nearly four hundred thousand dollars, that we have provided for the erection and completion of new but necessary buildings, have amply provided for the discharge of every honorable obligation of the State, and that without the aid of any large sums of money secured to the State from outside sources and applied to the reduction of the necessary revenue, as was the case in the last session, I think I can safely say that had this Legislature been placed in the advantageous situation of the Legislature of the twenty-ninth session, instead of a tax levy for the next two years averaging something less than fifty cents, the Legislature of the thirtieth session would have fully redeemed the promise of a forty-five cent limit. But there is something in a Legislature that comes nearer the hearts of the people, and more truly subserves their desires than the mere reduction of expenditures. And the action of the present Assembly has gone far toward reestablishing in the minds of the people of this State a confidence in the acts of her Legislature, which seemed to have been justly shaken by the unfortunate histories of some that have passed. It would be idle to recount the measures adopted at this session. You remember them, and they are now before the people. Upon their judgment we must stand or fall I believe they will merit the approval and receive the commendation of our people.

Members of the Assembly—Republicans, Populists, Non-Partisans, Independents, and Democrats—to you I extend my heartfelt thanks for the support and sympathy I have received at your hands, and for the charity with which you have overlooked many acts of mine which, no doubt, to your minds were arbitrary and unjust The position which I have occupied is one fraught with care, vexation, labor, and responsibility, and it would be indeed strange if any man, during the seventy-three days of this session, decided every question that arose so justly, adjusted every difference so harmoniously, and reconciled every conflicting interest so completely, where the demands of eighty young and impetuous members were involved, as to leave upon the mind of no one a feeling that injustice or wrong had been done him. When I assumed this gavel I did not expect to be able to do this. I know that I have not done it now, but for myself I will say that in every act of mine there has been upon my part an earnest endeavor to do what was just and right, to subserve faithfully and honestly the interests of the people of this State, to preserve the honor and good name of this Assembly, and to maintain unimpaired the dignity of the honorable office to which I have been elected by this Assembly. If I had performed all these things, my heart would to-night be filled with satisfaction and with joy, and in the measure that I have failed so to do, sorrow and regret are with me Every fiber of my existence has been devoted to the earnest endeavor to be honest and just.

This is our parting We will meet, perhaps, some of us, in after-life Some of us will never meet again, but our recollections will remain, and in the future years of life, chastened of the conflicting interests and feeling that may animate us now, it is my dearest hope that your recollection of the Speaker of the thirtieth session will at least be kind, and your judgment upon his actions charitable As for me, I have no wrongs to remember, no injuries to requite, and the recollection of every member here will be only that of kindness and respect And to those dear friends who have at all times extended to me their heartiest support and confidence, my emotions will permit me to say only that the remembrance of your kindly sympathy will ever cling around my heart with the tenderest recollections of my life

The thirtieth session of the California Legislature now stands adjourned *sine die.*

FRANK H. GOULD,
Speaker.

GEORGE W. PECKHAM,
Chief Clerk.

ISIDOR ALEXANDER,
Minute Clerk.